

MINAMATA SECRETARIAT STATEMENT

Mercury trade regulated under Article 3 of the Convention

November 2019

Some individuals have been engaged over a period of time in a campaign directed at Parties to the Convention and various of their officials, Minamata national focal points and, more recently, at the Secretariat of the Minamata Convention in relation to mercury trade in Latin America.

With the purpose to provide clarification on the matters addressed in the multiple and frequent comments on social media, as well as emails, from certain individuals, the Secretariat is issuing this statement to provide factual background on this important matter.

Export and import measures under the Minamata Convention are one of the main instruments to control supply and trade of mercury.

Article 3 of the Minamata Convention addresses sources of supply and trade in mercury, laying down measures on primary mercury mining, stocks of mercury or mercury compounds, excess mercury from the decommissioning of chlor-alkali plants as well as on mercury export and import.

Article 3 requires Parties to take measures to control trade of mercury with other Parties as well as with non-Parties. The measures required reflect several key principles, namely:

- Mercury to be traded must not be from sources not allowed under the Convention;
- the consent of the importing country, regardless of whether it is a Party or non-Party, must be obtained before an export;
- trade with non-Parties is allowed, provided the non-Party can provide a certification that it has certain measures in place equivalent to those required of a Party.

A Party or non-Party has the option of providing to the Secretariat a general notification of consent to import, rather than consenting on a case by case basis directly to the exporter.

The role of the Secretariat is to maintain a public register of all such notifications, and to make relevant forms and guidance documents available to Parties to assist them in the implementation of their obligations under Article 3 of the Convention. Both the public register and the guidance material are available on the Convention's website. The Secretariat is not involved in the process of issuing or obtaining consent with respect to mercury trade, which is an obligation that pertains exclusively to the countries involved.

Allegations by campaigners that the Secretariat is not taking appropriate action to combat illegal trade in mercury or is involved in a "cover-up" are inconsistent with the facts and defamatory of the Secretariat and its staff, as well as of Parties and their officials.

The Secretariat will continue to help ensure that Parties trade mercury in compliance with the provisions of the Convention. In this respect, it will continue to provide technical assistance and support to Parties within its mandate and available resources.

Minamata Convention Secretariat