

Note from the Secretariat

This is an extract from the Draft Reporting Guidance prepared for COP-4 as document [UNEP/MC/COP.4/17](#). The document is made available in the six UN languages.

Parties are invited to make use of the Draft Reporting Guidance in preparing for their second short report, which is due by December 31, 2023.

To note is that a revised version of the Draft Reporting Guidance will be submitted for consideration and possible adoption at COP-5.

Question 3.3: Has the Party endeavoured to identify individual stocks of mercury or mercury compounds exceeding 50 metric tons and sources of mercury supply generating stocks exceeding 10 metric tons per year that are located within its territory? (para. 5)

- ☐ Yes
☐ No

a) *If the Party answered **Yes** to question 3.3 above:

- i. Please attach the results of your endeavour or indicate where it is available on the internet, unless unchanged from a previous reporting round.
- ii. Supplemental: Please provide any related information – for example, on the use or disposal of mercury from such stocks and sources.

b) If the Party answered **No** above, please explain.

NOTES: For the purposes of Article 3, “mercury” includes mixtures of mercury with other substances, including alloys of mercury, with a mercury concentration of at least 95 per cent by weight. Note that for the purposes of Article 3, “mercury compounds” is defined more narrowly than the definition in Article 2 (e) and means only mercury (I) chloride (known also as calomel), mercury (II) oxide, mercury (II) sulphate, mercury (II) nitrate, cinnabar and mercury sulphide (see the following table).

Name	Chemical formula	Other names	CAS Number ^a
Mercury (I) chloride	Hg ₂ Cl ₂	Mercurous chloride, calomel	10112-91-1
Mercury (II) oxide	HgO	Mercuric oxide or simply mercury oxide	21908-53-2
Mercury (II) sulphate	HgSO ₄	Mercury(II) sulfate, mercuric sulfate	7783-35-9
Mercury (II) nitrate	Hg(NO ₃) ₂	Mercury dinitrate, mercuric nitrate	10045-94-0, 7783-34-8
Cinnabar Mercury sulphide	HgS	Mercuric sulfide, mercury sulfide, mercury(II) sulfide, vermillion	1344-48-5

^a Chemical Abstracts Service Registry Number.

In decision [MC-1/2](#), on guidance in relation to mercury supply sources and trade, the Conference of the Parties adopted the “[Guidance on the identification of individual stocks of mercury or mercury compounds exceeding 50 metric tons and sources of mercury supply generating stocks exceeding 10 metric tons per year](#)”. The guidance clarifies that a “stock”, in this context, could be considered to be a quantity of mercury or mercury compounds accumulated or available for future use, but would not include quantities of mercury disposed of and managed as waste, nor mercury at a contaminated site,

nor geologic reserves of mercury. Further, an “individual stock” would be identified when the aggregate weight of mercury or mercury compounds exceeded 50 metric tons.

Individual stocks may include existing inventories or stockpiles of governments, traders or operating chlor-alkali facilities. Some further examples of entities that might use or store mercury or mercury compounds are provided in paragraph 9 of the guidance, namely:

- (a) Mercury traders that buy and sell, including through imports and exports, mercury or mercury compounds and may have varying amounts on hand at any given time;
- (b) Primary mercury mines, which may have stocks of mercury awaiting sale and therefore may have large quantities on hand at certain times, depending on demand;
- (c) Other facilities or activities – for instance, recycling – that produce mercury or mercury compounds, including mercury waste treatment facilities, which may also have large stocks on hand, depending on the overall mercury demand or on whether mercury is held pending a final decision on whether it is destined for disposal;
- (d) National Governments, which may have stocks of mercury on hand resulting from the seizure of mercury and from uses such as military storage;
- (e) Production facilities for mercury-added products or facilities that use processes that use mercury or mercury compounds, which may also maintain significant stocks of mercury depending on the supply chain and current demand.

An entity storing mercury in different locations should consider them combined as an individual stock. If an entity has two or more facilities within a country's territory and the sum total of their mercury stocks exceeds 50 metric tons, then this stock is to be included in the report.

Paragraph 16 of the guidance provides guiding questions to assist a Party in determining whether it has stocks of mercury or mercury compounds exceeding 50 metric tons.

Paragraph 16 also provides guiding questions to assist a Party in determining whether it has sources of mercury supply generating stocks exceeding 10 metric tons per year. Mercury supply sources generating stocks can include mercury catalyst recyclers and waste treatment facilities, mercury mines, mercury compound producers and mercury by-product generation locations, including non-mercury mines that produce mercury as a by-product. It should be noted that “sources” do not include imports of mercury or mercury compounds as such imports are not sources located within the territory of the Party.

The obligation for Party set out in paragraph 5 of Article 3 and reflected in question 3.3 refers to “...endeavour to identify...”. Parties may implement the obligation as they see fit, including, for example, through one or more of the following actions:

- A specific survey or inventory;
- Implementation of national hazardous substances regulations;
- Development of the Party's implementation plan (if one has been developed pursuant to Article 20 of the Convention);
- Development of the Party's Minamata Initial Assessment (if undertaken).
- The information used by the Party in responding to this question may be available from one or more of the following:
 - Any national reporting arrangement established to provide information on mercury supply and trade;
 - Any national trade licensing that includes mercury or mercury compounds;
 - Reporting under regulatory measures in areas such as hazardous substances control, environmental protection or mining;

- The Party's implementation plan (if one has been developed pursuant to Article 20);
- The Party's Minamata Initial Assessment (if undertaken).

SUGGESTED APPROACH FOR RESPONSE:

☐ If the Party has attempted to identify stocks and sources pursuant to paragraph 5 (a) of Article 3 but has determined that there are none, the Party would reply **"yes"**, and could provide a clarification in *part E, where Party may provide additional comments on each of the Articles in free-form text should they choose to do so.*

☐ If the Party has identified stocks and sources pursuant to paragraph 5 (a) of Article 3, the Party would reply **"yes"**, and provide information under question 3.3 (a) (i), such as:

- The process used to identify the stocks and sources;
- The amounts (in metric tons) of mercury or mercury compounds in those stocks or being generated by those sources;
- The date of the most recent assessment;
- Whether the result of the assessment is available online and where it can be accessed (*if it is not available online, the Party may wish to attach the result of the assessment*).

☐ If the Party has attempted to identify stocks and sources pursuant to paragraph 5 (a) of Article 3 but either has been unable to complete the task, or the Party has completed the task but the results are not comprehensive or conclusive, the Party would reply **"yes"** and provide an explanation under question 3.3 (a) (i), including:

If the Party has identified stocks and sources:

- The amounts (in metric tons) of mercury or mercury compounds in those stocks or being generated by those sources;
- The date of the most recent assessment;
- Whether the result of the assessment is available online and where it can be accessed (*if it is not available online, the Party may wish to attach the result of the assessment*).

If the Party has been unable to complete the task:

- The anticipated date for completion of the task; or
- The reasons preventing completion of the task.

If the Party has attempted to identify stocks and sources pursuant to paragraph 5 (a) of Article 3 but the results are not comprehensive or conclusive:

- Any proposed steps to conclude the task, and the anticipated date for completion of the task; or
- If no further steps are contemplated, the Party may wish to attach the result of the assessment to date.

☐ If the Party has not "...endeavoured to identify..." stocks and sources pursuant to paragraph 5 (a) of Article 3, the Party would reply **"no"** and explain the reasons preventing the Party from implementing paragraph 5 (a) of Article 3; the proposed actions to meet the obligation; and the anticipated date for completion of the actions.