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Minamata Initial Assessment Report

Suggested Structure and Contents

October 2020

IOMC

INTER-ORGANIZATION PROGRAMME FOR THE SOUND MANAGEMENT OF CHEMICALS
A cooperative agreement among FAO, ILO, UNDP, UNEP, UNIDO, UNITAR, WHO, World Bank and OECD

About this document

National governments, with funding provided by the GEF and technical assistance provided by GEF implementing agencies, will over the next few years be implementing Minamata Initial Assessments (MIAs) Enabling Activities (EAs) (from here on referred to as “[MIA projects](#)”) that aim to strengthen national decision-making toward ratification of the Minamata Convention on Mercury and build national capacity towards implementation of future obligations.

Another objective of the MIA stems from the Minamata Convention’s Article 30 (paragraph 4), which states “*Each State or regional economic integration organization*” is encouraged to transmit to the Secretariat at the time of its ratification, acceptance, approval or accession of the Convention information on its measures to implement the Convention.”

A MIA project provides an opportunity for a country to undertake a **mercury inventory, determine and agree upon the measures it will take to implement the Convention, estimate associated costs and communicate this information in a concise and clear manner.**

In October 2013, the GEF published the “*Initial Guidelines for Enabling Activities for the Minamata Convention on Mercury*”¹. These guidelines stipulate the minimum requirements of the components that a MIA project is to contain, and provide insight on the type of information and data that would be generated from the implementation of a MIA project.

In order to support Government partners, national stakeholders, national and international experts and consultants in preparing a MIA report that contains all the required components, UNDP, in partnership with UNITAR and with review provided by the Inter-Organization Programme for the Sound Management of Chemicals (IOMC) agencies² and the interim secretariat of the Minamata Convention, has prepared a first draft for the outline of a MIA Report. It is hoped that a standardized approach for preparing a MIA Report will allow countries to be able to more easily compare their results and approaches, and learn from others’ experiences. Of course, it is acknowledged that MIA project teams may wish to deviate from the proposed MIA Report structure for certain sections, if they have developed better ways to present information.

This document is considered a living document. It will be updated and improved regularly following feedback and experiences from countries that have prepared their MIA reports. Users of this guidance document are kindly requested to share finalized MIA Reports with the Secretariat of the Minamata Convention on Mercury (mea-minamatasecretariat@un.org), as well as the mercury focal point of the GEF agency which supported the implementation of the MIA project in order for other countries to benefit from their experiences and for useful elements of the report to be taken up in this guidance document.

It is assumed that detailed activities and interventions on the manner in which the MIA project will be implemented (including implementation arrangements), have been described in detail in the country project document signed by the national government(s) and the GEF Implementing

¹https://www.thegef.org/gef/sites/thegef.org/files/documents/GEF.C.45.Inf_.05.Rev_.1%20Initial%20Guidelines%20for%20Enabling%20Activities%20for%20the%20%20Minamata%20Convention%20on%20Mercury%20Jan%202023%202014.pdf

² IOMC agencies include: FAO, ILO, UNDP, UNEP, UNIDO, UNITAR, WHO, World Bank, and OECD

Agency. Therefore, implementation arrangements and preparatory activities that would take place before the preparation of a MIA Report are not described in this outline.

Feedback, Questions and Contacts

If users of this document have specific questions regarding its content or how to go about the preparation of certain sections of the MIA Report, they are encouraged to contact UNDP's Montreal Protocol and Chemicals Unit (chemicalsandwaste.registry@undp.org) or UNDP's Mercury Focal Point (Monica Gaba Kapadia, email: monica.kapadia@undp.org). Feedback to help improve the document would also be much appreciated.

Disclaimer

The views expressed in this document do not necessarily represent those of the United Nations Development Programme, its Executive Board, the United Nations Member States, the Global Environment Facility, and the Minamata Convention on Mercury.

This publication was developed in the IOMC context. The contents do not necessarily reflect the views or stated policies of individual IOMC Participating Organizations. The Inter-Organisation Programme for the Sound Management of Chemicals (IOMC) was established in 1995 following recommendations made by the 1992 UN Conference on Environment and Development to strengthen co-operation and increase international co-ordination in the field of chemical safety. The Participating Organisations are FAO, ILO, UNDP, UNEP, UNIDO, UNITAR, WHO, World Bank and OECD. The purpose of the IOMC is to promote coordination of the policies and activities pursued by the Participating Organisations, jointly or separately, to achieve the sound management of chemicals in relation to human health and the environment.

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Glossary

Foreword by Government Official

Executive Summary

(maximum 5 pages)

Once all the sections of the MIA report have been completed, the Executive Summary can be formulated. It is expected that the Executive Summary would provide a concise and clear overview of:

1. **Results of the Mercury Inventory** (mercury emissions and releases as well as their sources, uses, stockpiles, supply and trade, etc.).
2. **Major findings of the policy, regulatory and institutional assessments.**
3. **Summary of the measures the country has prioritized in order to implement the Convention** (as well as required financing for their implementation).

The executive summary would be developed in a manner so that it can also be disseminated as a stand-alone document, containing easy to understand tables, graphs and potentially appealing pictures. It would be developed in a manner that can be easily understood by decision makers and stakeholders that have not been actively involved in the MIA process but who might be involved in decision making pertaining to the ratification and implementation of the Minamata Convention.

The following guidance can be used to draft the Executive Summary:

| | |
|---|--|
| 1. Results of the Mercury Inventory | Use Executive Summary Section of the UNEP Reporting Template³ and complement it with inventory data related to stocks, supply & trade and contaminated sites. Present data in table and graphs. |
| 2. Major findings of the policy, regulatory and institutional assessments | Summarize findings from Chapter III: Policy, Regulatory and Institutional Framework Assessment. |
| 3. Summary of the measures that have been prioritized in order to implement the Convention (as well as required financing for their implementation) | Summarize measures and required financing from Chapter VI: Implementation Plan & Priorities for Action. |

³<http://www.unep.org/chemicalsandwaste/Mercury/ReportsandPublications/MercuryToolkit/tabid/4566/Default.asp>
x

Introduction

(maximum 2 pages)

The introduction would outline the purpose and structure of the MIA, including a summary of the Minamata Convention, its objective and its main obligations. It would describe the approach used to develop the MIA and the stakeholder consultation process⁴ (*in Annex I, kindly include a list of the stakeholders consulted, as well as the structure of any consultation mechanisms set up or used throughout the MIA project and the preparation of the MIA Report*).

A summary of the mercury issue and the problems it causes at global and national levels would provide the context for the MIA report.

Chapter I: National Background Information

(maximum 5 pages)

The National Background Information chapter would provide a brief country profile in order to place the MIA strategies and action plans in a country-specific context. It would summarize information on geography and population, membership in regional and sub-regional organizations, the country's political, institutional, legal and economic profile, profiles of potentially important economic sectors in the context of mercury issues and overall environmental conditions and priorities in the country.

This chapter – although with a focus on mercury – is similar in nature to Chapter I: National Background Information as taken up in a country's National Chemicals Profile (see also the document: *Preparing a National Profile to Assess Infrastructure and Capacity Needs for Chemicals Management: A Guidance Document*⁵ (UNITAR, 2nd Edition 2012))

1.1 COUNTRY PROFILE

1.1.1 Geography and population

1.1.2 Political, legal and economic profile

1.1.3 Profiles of economic sectors

(with a particular focus on key sectors (including industries and manufacturing processes) where mercury use, trade, disposal, emissions or releases may be/is relevant (e.g. Energy; Production of Metals, Cement and Raw Materials, Artisanal and small-scale gold mining - ASGM); Industries using mercury, mercury-added products or manufacturing processes in which mercury or mercury compounds are used; Waste Treatment/Recycling; Sectors which use mercury containing products including the health sector; etc.). *Note:* Findings resulting

⁴ The stakeholder consultation process has been described in the MIA project document. Additional resources which could be consulted in order to establish a successful consultation mechanism for the development of a MIA project is the UNITAR Interministerial Coordination for Sound Chemicals Management, Guidance Note (2001 Edition) available at: http://cwm.unitar.org/publications/publications/cw/inp/imcgn_2001.pdf

⁵ Available at: [http://cwm.unitar.org/publications/publications/cw/inp/NPGD_Second_Edition_2012_\(Apr_13\).pdf](http://cwm.unitar.org/publications/publications/cw/inp/NPGD_Second_Edition_2012_(Apr_13).pdf)

from the development of the country's Mercury Inventory (see SECTION II) can be taken into consideration when developing this section.)

1.1.4 Environmental overview

(Describe general environmental conditions and priorities, as well as mercury related priorities)

Chapter II: Mercury Inventory and Identification of Emissions and Resources

This chapter is expected to:

- i) Identify emission sources of mercury to air
- ii) Identify release sources of mercury to land and water
- iii) Provide an overview of the Initial inventory of mercury in the following categories:
 - Stocks of mercury and/or mercury compounds, including an assessment of current storage conditions as well as an evaluation of potential storage needs in the future once the Convention is implemented.
 - Supply of mercury, including sources, recycling activities and quantities.
 - Relevant sources of mercury emissions and releases.
 - Sectors that use mercury or mercury compounds and the amount per year, including in manufacturing processes and for the production of mercury added products, ASGM.
 - Trade of mercury and, mercury containing compounds as well as the import and export of mercury-added products.

UNEP Toolkit for Identification and Quantification of Mercury Releases

The *UNEP Toolkit for Identification and Quantification of Mercury Releases*⁶ guides the inventory developer through the different stages of identifying sources and quantifying the consumption, emissions and releases of mercury from these sources. It provides a methodology, examples and extensive information on mercury sources. The Toolkit has been revised in 2015 based on experience in using it and new data. The Toolkit exists in two versions, **Inventory Level 1** and **Inventory Level 2**. Depending on the agreement with each individual country as taken up in the MIA Project Document and on the ease of access to mercury related data in each country, the Level 1 or Level 2 templates should be selected.

As part of GEF Agency supported MIA projects, training will be provided to national stakeholders and experts/consultants on the application of the *UNEP Toolkit for Identification and Quantification of Mercury Releases*, as well as on the institutional, policy and regulatory framework assessments. However, in the situation that someone is unable to follow the training, UNITAR and UNEP provide an on-line "**MercuryLearn Platform**" <http://mercurylearn.unitar.org/> that guides one on how to use the UNEP Toolkit. The MercuryLearn Platform also helps you identify sources of data, in the case that certain data is hard to obtain at the national level.

⁶<http://www.unep.org/chemicalsandwaste/Metals/MercuryPublications/GuidanceTrainingMaterialToolkits/MercuryToolkit/tabid/4566/language/en-US/Default.aspx>

The Toolkit guideline for inventory level 1, the toolkit reference report (guideline for level 2) and the inventory level 1 and level 2 electronic spreadsheets should be used to structure the majority of Chapter II (section 2.1 until 2.7 indicated below). The inventory reporting template (Level 1 or Level 2), which is the basis of the information that will be presented in Chapter II, should be attached to the MIA report as Annex III.

For certain categories, not covered by the **UNEP Reporting Template**⁷ (section 2.1.4 and section 2.8 to 2.11), the report writers are expected to come up with a structure themselves. These sections have been highlighted in **yellow**.

2.1 Summary of mercury releases, stockpiles, and supply and trade.

This section would provide information on (using the UNEP Reporting Template):

2.1.1 Mercury release source types present

2.1.2 Summary of mercury inputs to society

2.1.3 Summary of mercury releases

2.1.4 Summary of mercury stockpiles, and supply and trade

2.2 Data and inventory on energy consumption and fuel production

2.2.1 [Sub-category name 1]

2.2.2 [Sub-category name 2, etc.]

2.3 Data and inventory on domestic production of metals and raw materials

2.3.1 [Sub-category name 1]

2.3.2 [Sub-category name 2, etc.]

Note: As per Article 7 of the Minamata Convention on Mercury, a Party that determines that Artisanal and Small-scale Gold Mining (ASGM) and processing in its territory is more than insignificant is required amongst others to notify the Minamata Convention Secretariat and develop and implement a National Action Plan (NAP) in accordance with Annex C of the Convention.

To assist countries in developing their NAP, the UNEP Global Mercury Partnership on ASGM has developed a guidance document, entitled “Developing a National Action Plan (NAP) to Reduce, and Where Feasible, Eliminate Mercury Use in Artisanal and Small Scale Gold Mining⁸”. Among other support, this document guides countries in obtaining information on the “baseline estimate of the quantities of mercury used and the practices employed in artisanal and small-scale gold mining and processing...”.

When a country is implementing a NAP and MIA project concurrently, data resulting from the NAP process and the application of the UNEP guidance document can be used to obtain required data to prepare section 2.3 of the MIA report.

However, in the situation that ASGM is insignificant in a country, the use of the UNEP NAP guidance document is still very useful to increase the country’s understanding and assessment of the sector, and to obtain pointers on how to calculate ASGM uses and releases of mercury.

2.4 Data and inventory on domestic production and processing with intentional mercury use

⁷<http://www.unep.org/chemicalsandwaste/Mercury/ReportsandPublications/MercuryToolkit/tabid/4566/Default.asp>

x

⁸ [HTTP://WWW.UNEP.ORG/CHEMICALSANDWASTE/NATIONALACTIONPLAN/TABID/53985/DEFAULT.ASPX](http://www.unep.org/chemicalsandwaste/nationalactionplan/tabid/53985/default.aspx)

- 2.4.1 [Sub-category name 1]
- 2.4.2 [Sub-category name 2, etc.]
- 2.5 Data and inventory on waste handling and recycling**
 - 2.5.1 [Sub-category name 1]
 - 2.5.2 [Sub-category name 2, etc. (insert more sections)]
 - 2.5.3 Test of waste and wastewater default factors
- 2.6 Data and inventory on general consumption of mercury in products, as metal mercury and as mercury containing substances**
 - 2.6.1 General background data
 - 2.6.2 [Sub-category name 1]
 - 2.6.3 [Sub-category name 2, etc.]
- 2.7 Data and inventory on crematoria and cemeteries**
 - 2.7.1 [Sub-category name 1]
 - 2.7.2 [Sub-category name 2, etc.]
- 2.8 Stocks of mercury and/or mercury compounds, and storage conditions** [not included in the UNEP Toolkit or the UNEP Reporting Template]

Note: As per Article 3 of the Minamata Convention on Mercury, each Party shall endeavour to identify individual stocks of mercury or mercury compounds over 50 Metric tonnes, as well as sources of mercury supply generating stocks exceeding 10 metric tons per year, that are located within its territory.

Therefore it would be advised that the inventory process focuses its attention on large stocks of mercury, e.g. primary mercury mines, mercury traders, facilities or activities that produce mercury or mercury compounds, including mercury waste treatment facilities, production facilities for mercury-added products or for facilities reliant on processes that use mercury or mercury compounds such as chlor Alkali facilities, military storage facilities and government storage facilities.

For this part of the inventory, kindly make use of the **Draft guidance on identification of individual stocks of mercury or mercury compounds exceeding 50 metric tons, as well as sources of mercury supply generating stocks exceeding 10 metric tons per year**⁹

- 2.8.1 Overview of stocks of mercury and/or mercury compounds
- 2.8.2 Assessment of current storage conditions
- 2.8.3 Evaluation of potential storage needs in the future once the Convention is implemented.
- 2.9 Supply and trade of mercury and mercury containing compounds, including sources, recycling activities and quantities** [not included in the UNEP Toolkit although most information/data can be extracted from the categories included in the Calculation Spreadsheet]
- 2.10 Contaminated sites**
The MIA process is not expected to identify contaminated sites, however the GEF “Initial Guidelines for Enabling Activities for the Minamata Convention on Mercury” (GEF/C.45/Inf.05/Rev.01) suggests that MIAs “Develop appropriate strategies for identifying and assessing mercury contaminated sites”

⁹ Available at: http://www.mercuryconvention.org/Portals/11/documents/meetings/inc7/English/7_4_e_stock.pdf

Therefore in this section, kindly provide the country's agreed upon strategy for the identification of contaminated sites.

In the situation where a country has already identified sites contaminated with mercury, either the report can refer to the database/report containing this information or provide a snapshot of available information in a succinct table.

2.11 Impacts of mercury in human health and the environment

Short narrative description that would provide general information on the health and environmental impacts of mercury. There are many sources of information on the health impacts of mercury, which include among else the WHO website on mercury¹⁰ as well as existing information (evidence) on mercury exposure that might be available in the country. Make sure you use information that comes from a reliable source and indicate the source and date of the information.

Note: It is not necessary/required to undertake health assessments as part of a MIA project.

Draft guidance on preparing inventories of emissions¹¹

The UNEP toolkit is a good starting point for parties developing their own emissions inventories. The toolkit potentially covers all sources of mercury emissions and releases to all environmental media, but, to meet the requirements of Article 8, it can also be used to establish more limited inventories covering the point source emissions to the atmosphere from relevant sources under Annex D. Over time, parties should strive to improve and develop their emissions inventories, and the Draft guidance on preparing inventories of emissions provides a basis for such an undertaking.

Chapter III: Policy, Regulatory and Institutional Framework Assessment

3.1 POLICY AND REGULATORY ASSESSMENT

As ratification (or acceptance, approval or accession) by a country of the Minamata Convention on Mercury legally binds the country to the Convention's obligations, the ratification process involves carrying out a national situation analysis, identifying existing relevant domestic legislation and identifying legal or administrative actions that may be needed.

To facilitate this policy and regulatory assessment, Table 1 below may be used as a starting point, in combination with the development of the mercury inventory. The table is organized according to the provisions of the Minamata Convention. When completed, the table will present a summary assessment of existing national policies and regulatory measures (in place and under development), their scope and to what extent they already meet the requirements as stipulated in the provisions of the Minamata Convention. In addition, these tables also provide an analysis of existing gaps that would need to be addressed to ensure compliance with the Convention.

For additional information on the obligations of the Minamata Convention taken up in its Articles, while undertaking the assessment of the legal and regulatory framework, you are

¹⁰ Available at: http://www.who.int/ipcs/assessment/public_health/mercury/en/

¹¹ http://www.mercuryconvention.org/Portals/11/documents/meetings/inc7/English/7_6_Add4_e_inventories.pdf

encouraged to make use of relevant information sources, checklists and manuals (see also the Section on “USEFUL RESOURCES”), which could include but are not limited to:

- **Minamata Convention Text**
<http://www.mercuryconvention.org/Convention/tabid/3426/Default.aspx>
- **Materials developed by the interim secretariat of the Minamata Convention**
<http://www.mercuryconvention.org/AwarenessRaising/Resources/tabid/3873/Default.aspx>
- **Minamata Convention on Mercury - Ratification and Implementation Manual (ZMWG)**
http://www.zeromercury.org/phocadownload/Developments_at_UNEP_level/minamata_manual_eng_january%202015%20final.pdf
- **Checklist of legal authorities to implement Minamata Convention on Mercury (NRDC)**
http://docs.nrdc.org/international/files/int_15101301a.pdf

Notes:

- *There may be national policies and regulations which are not specific to mercury, but which have a direct relevance to the management of mercury or the implementation of the Convention. In this case try to the extent possible to list such policies and provisions in the relevant section of one or more of the Minamata Provisions. If this is not possible, please include an additional table in the report that lists relevant policy and regulatory measures that could not be grouped under one of the provisions.*
- *Not all of the provisions of the Minamata Convention are binding. Nevertheless, the proposed structure of the MIA report recommends countries also review their capacity to implement provisions of the Convention that are not binding. The rationale behind this approach is that the implementation of non-binding provisions can have important (co-) benefits, for instance in terms of mercury reductions and generally to support the implementation of the Convention, and therefore important environmental and health benefits.*
- *For the identification of the gaps in the policy and regulatory regime, **kindly only list those outstanding requirements which are needed to ensure compliance.***
- *Table or approach may be adapted if MIA report developers feel a different format would be more conducive for the exercise.*
- *Aim to restrict the write-up per Minamata Convention Article to a maximum of 2 landscape pages.*
- *In the situation that an Annex to the Convention’s text provides additional details on the provision to be implemented (e.g. Article 4 – Mercury Added Products – Annex A), ensure that these details are also reflected in the table (if space allows – if not, use ANNEX II to provide additional details and information).*

Table 1. Policy and Regulatory Measures in Place and Remaining Gaps

| Article 3 - Mercury supply sources and trade | |
|---|--|
| Description of Article: | |
| Succinct summary of provisions relevant to the country in question (source NRDC checklist¹²) | <p><i>(Select from the below as appropriate to national situation)</i></p> <ul style="list-style-type: none"> ▪ Not allow new primary mercury mining ▪ Phase out existing primary mercury mining within 15 years¹³ ▪ Prevent the import and use of mercury from primary mercury mining for artisanal and small-scale gold mining (ASGM) ▪ In accordance with Article 3.5(b), restrict the import and use of excess mercury from decommissioning chlor-alkali plants, and require environmentally sound disposal ▪ Obtain information on stocks of mercury or mercury compounds exceeding 50 metric tons (MT), and mercury supply generating stocks exceeding 10 MT/yr¹⁴ ▪ Not allow the export of mercury unless the importing country provides written consent,¹⁵ the mercury is for an allowed use or environmentally sound storage, and all other conditions of Article 3.6 are met¹⁶ ▪ Not allow the import of mercury without government consent, ensuring both the mercury source and proposed use are allowed under the Convention (and applicable domestic law) |
| Policy and regulatory measures in place that enable the country to comply with the above listed provisions: | |
| Title and reference/number of relevant Policy and Regulatory Measure, as well as date¹⁷ | Explanation on what aspects of the above provisions are being addressed by policy/regulatory measure: |
| | |
| | |
| <i>Expand table as required</i> | |
| Outstanding regulatory or policy aspects that would need to be addressed/developed to ensure compliance with the Convention's provisions (only in relation to binding provisions): | |
| <ul style="list-style-type: none"> ▪ List in bullet points | |

¹² http://docs.nrdc.org/international/files/int_15101301a.pdf

¹³ Most countries do not have existing primary mercury mines, and thus can simply prohibit any primary mercury mining to meet all Convention obligations related to phasing out this activity.

¹⁴ See Article 3.1 for definition of mercury compounds in this context.

¹⁵ A national focal point for trade-related consent must be designated under Article 17.4 of the Convention.

¹⁶ Governments may consider adoption of a mercury trade licensing system to meet the PIC requirements, the source/use restrictions, and the reporting obligations of Article 3.

¹⁷ If a policy or regulatory measure is currently under development or awaiting approval/endorsement, kindly indicate its title; that it is under development; and the anticipated date of approval/endorsement/adoption.

Repeat the same approach as demonstrated above for the following Convention articles:

| Provision of the Minamata Convention |
|--|
| Article 3 on supply sources and trade (see above) |
| Article 4 on mercury-added products |
| Article 5 on manufacturing processes in which mercury or mercury compounds are used |
| Article 6 on exemptions available to a Party upon request |
| Article 7 on artisanal and small-scale gold mining |
| Article 8 on emissions |
| Article 9 on releases |
| Article 10 on environmentally sound interim storage of mercury, other than waste mercury |
| Article 11 on mercury wastes |
| Article 12 on contaminated sites |
| Article 13 on financial resources and mechanism |
| Article 14 on capacity building, technical assistance and technology transfer |
| Article 16 on health aspects |
| Article 17 on information exchange |
| Article 18 on public information, awareness and education. |
| Article 19 on research, development and monitoring. |
| Article 21 on reporting |

3.2 INSTITUTIONAL ASSESSMENT

In order to ensure effective implementation of the Minamata Convention through coordinated actions from institutions and stakeholders in the country, it is important to identify the relevant Government ministries, agencies and institutions as well as non-government institutions, private sector stakeholders and others as well as their respective roles and responsibilities.

In order to provide the necessary information for this Chapter, Table 2 below may be used as a starting point. The table is organized according to the provisions of the Minamata Convention. When completed, the table will present a summary assessment of existing national institutions and stakeholders, their roles and an analysis of possible gaps, such as capacities and institutions needed for the implementation of the Minamata Convention and ensure the sound management of mercury.

Notes:

- *Not all provisions of the Minamata Convention are binding. Nevertheless, the proposed structure of the MIA report recommends countries also review their capacity to implement provisions of the Convention that are not binding. The rationale behind this approach is that the implementation of non-binding provisions can have important (co-) benefits (for instance in terms of reduction of mercury emissions and releases), and therefore important environmental and health benefits and actually support the implementation of binding requirements.*
- *Table or approach may be adapted if MIA report developers feel a different format would be more conducive for the exercise.*
- *Aim to restrict the write-up per Minamata Convention Article to a maximum of 2 landscape pages.*
- *In the situation that an Annex to the Convention's text provides additional details on the provision to be implemented (e.g. Article 4 – Mercury Added Products – Annex A), ensure that these details are also reflected in the table (if space allows – if not, provide additional details and information in **Annex II**).*

For example:

Table 2. Existing National Institutional Capacity and Remaining Gaps

| Article 3 - Mercury supply sources and trade | |
|--|--|
| Description of Article: | |
| Succinct summary of provisions relevant to the country in question (source NRDC checklist¹⁸) | <p><i>(Select from the below as appropriate to national situation)</i></p> <ul style="list-style-type: none"> ▪ Not allow new primary mercury mining ▪ Phase out existing primary mercury mining within 15 years¹⁹ ▪ Prevent the import and use of mercury from primary mercury mining for artisanal and small-scale gold mining (ASGM) ▪ In accordance with Article 3.5(b), restrict the import and use of excess mercury from decommissioning chlor-alkali plants, and require environmentally sound disposal ▪ Obtain information on stocks of mercury or mercury compounds exceeding 50 metric tons (MT), and mercury supply generating stocks exceeding 10 MT/yr²⁰ ▪ Not allow the export of mercury unless the importing country provides written consent,²¹ the mercury is for an allowed use or environmentally sound storage, and all other conditions of Article 3.6 are met²² ▪ Not allow the import of mercury without government consent, ensuring both the mercury source and proposed use are allowed under the Convention (and applicable domestic law) |
| Relevant national stakeholder: | |
| 1. Name of institution/ stakeholder: | Role with respect to the above listed provisions: |
| | Relevant institutional capacity in place to comply with the above listed provisions: |
| 2. Name of institution/ | Role with respect to the above listed provisions: |

¹⁸ http://docs.nrdc.org/international/files/int_15101301a.pdf

¹⁹ Most countries do not have existing primary mercury mines, and thus can simply prohibit any primary mercury mining to meet all Convention obligations related to phasing out this activity.

²⁰ See Article 3.1 for definition of mercury compounds in this context.

²¹ A national focal point for trade-related consent must be designated under Article 17.4 of the Convention.

²² Governments may consider adoption of a mercury trade licensing system to meet the PIC requirements, the source/use restrictions, and the reporting obligations of Article 3.

| | |
|--|--|
| stakeholder: | <ul style="list-style-type: none"> ▪ List in bullet points ▪ List in bullet points |
| | Relevant institutional capacity in place to comply with the above listed provisions: <ul style="list-style-type: none"> ▪ List in bullet points ▪ List in bullet points |
| Etc. | |
| <i>Expand table as required</i> | |
| Remaining Capacity Gaps at National Level that need to be addressed before provisions can be met: | |
| <ul style="list-style-type: none"> ▪ List in bullet points ▪ List in bullet points | |

Repeat the same approach as demonstrated above for the following Convention articles:

| | |
|--|--|
| Provision of the Minamata Convention | |
| <i>Article 3 on supply sources and trade (see above)</i> | |
| Article 4 on mercury-added products | |
| Article 5 on manufacturing processes in which mercury or mercury compounds are used | |
| Article 6 on exemptions available to a Party upon request | |
| Article 7 on artisanal and small-scale gold mining | |
| Article 8 on emissions | |
| Article 9 on releases | |
| Article 10 on environmentally sound interim storage of mercury, other than waste mercury | |
| Article 11 on mercury wastes | |
| Article 12 on contaminated sites | |
| Article 13 on financial resources and mechanism | |
| Article 14 on capacity building, technical assistance and technology transfer | |
| Article 16 on health aspects | |
| Article 17 on information exchange | |
| Article 18 on public information, awareness and education. | |
| Article 19 on research, development and monitoring. | |
| Article 21 on reporting | |

Chapter IV: Identification of Populations at Risks and Gender Dimensions

4.1 Preliminary review of potential populations at risk and potential health risks

While undertaking a preliminary review of potential populations at risk you are encouraged to make use of the “WHO/UNEP Guidance for Identifying Populations at Risk from Mercury Exposure²³”.

Additionally, a review of impact studies and case studies may also provide valuable information.

4.2 Assessment of potential gender dimensions related to the management of mercury.

While undertaking the assessment of potential gender dimensions related to the management of mercury you are encouraged to make use of existing guidance materials, such as the UNDP Guidance Document “Chemicals Management – The Why and How of Mainstreaming Gender²⁴” or any other relevant guidance document.

Chapter V: Awareness/Understanding of Workers and the Public; and Existing Training and Education Opportunities of Target Groups and Professionals

(maximum 2 pages)

The GEF “Initial Guidelines for Enabling Activities for the Minamata Convention on Mercury²⁵” does not specify that MIA projects are required to report on the level of awareness among stakeholders or existing training and education opportunities. However throughout their implementation, many MIA project will support training activities and raise awareness on the risks of mercury.

In order to capture past and on-going awareness raising and training activities and opportunities, this section can be used to describe the baseline situation. In addition, this section can be used to highlight where gaps might exist that could potentially hamper the implementation of Article 18.

Chapter VI: Implementation Plan & Priorities for Action

Article 20 of the Convention Text states that “each Party may, following an initial assessment, develop and execute an implementation plan, taking into account its domestic circumstances, for meeting the obligations under this Convention.”

²³ <http://www.who.int/foodsafety/publications/risk-mercury-exposure/en/>

²⁴ http://www.undp.org/content/undp/en/home/librarypage/environment-energy/chemicals_management/chemicals-management-the-why-and-how-of-mainstreaming-gender.html

²⁵ https://www.thegef.org/gef/sites/thegef.org/files/documents/GEF.C.45.Inf_.05.Rev_.1%20Initial%20Guidelines%20for%20Enabling%20Activities%20for%20the%20Minamata%20Convention%20on%20Mercury%20Jan%2023%202014.pdf

The preparation of an implementation plan is optional. As various countries have expressed interest in starting the preparation of an implementation plan as part of their Minamata Initial Assessment (MIA) project, this section briefly describes how a country could go about the preparation of such a plan.

The Minamata Convention text also states “Any such plan should be transmitted to the Secretariat as soon as it has been developed. Each Party may review and update its implementation plan, taking into account its domestic circumstances and referring to guidance from the Conference of the Parties and other relevant guidance. Parties should, in undertaking work in support of the above, consult national stakeholders to facilitate the development, implementation, review and updating of their implementation plans.”

An implementation plan could summarize in a succinct manner the activities/actions a country is going to undertake to meet its future commitments under the Minamata Convention. These activities/actions could include:

- Actions the country plans to take to ratify (or accede, accept or approve) the Minamata Convention and to implement its provisions once it enters into force.
- Actions the country plans to undertake to reduce the use, emissions and releases of mercury from mercury-added products (Art. 4), manufacturing processes (Art. 5), ASGM (Art. 7), point and release sources (Art. 8 & 9).
- Actions to improve the interim storage of mercury (Art. 10), management of mercury wastes (Art. 11) and contaminated sites (Art. 12)
- Approaches that will provide access to financial resources (Art. 13), and build capacity, provide technical assistance and transfer technology (Art. 14).
- Protect public health (Art. 16)
- Actions to promote information Exchange/Awareness-Raising (Art. 17 & 18).

An implementation plan can also help estimate and present the costs associated with planned activities/actions.

The steps for developing, (and later, reviewing and updating) an Implementation Plan, could be the following:

1. Setting goals, national objectives and reduction targets that would enable a country to ratify the Convention and implement its provisions (in line with binding and non-binding articles of the Minamata Convention).
2. Translate goals, objectives and targets into specific sub-tasks and activities.
3. Formulate an implementation plan (timing of implementation of tasks and activities, including assigning responsibilities of government agencies, organizations or other stakeholder groups that are responsible for implementing a specific activity/task).
4. Indicate funding levels and potential funding sources to implement planned tasks and activities.
5. Design and agree on an evaluation mechanism for the Implementation Plan.
6. Endorse the Implementation Plan.

Whether the country decides to develop an Implementation Plan or not, and if it does, whether it only develops the implementation plan for binding Convention Articles or non-binding as well, is up to the discretion of the country itself. However, implementing interventions that address non-binding articles can have important (co-) benefits, for instance in terms of mercury reductions and generally to support the implementation of the Convention, and thus in turn important environmental and health benefits.

As the preparation of an implementation plan is optional, no particular structure is being prescribed. At the time of the elaboration of this document, only a very few countries had developed an implementation plan.

Based on the experience of Mauritius it might be easiest to organize the Implementation plan by Article. Each Article could make use of the template shown below (this is only a suggestion), repeating the same exercise for each of the Convention’s articles (binding and non-binding).

| Article 3: Mercury Supply Sources and Trade | | | | |
|--|------------------------------|---------------------------------|---------------------------|------------|
| <i>Baseline & Findings from the Mercury Inventory Report:</i> | | | | |
| <i>Outstanding Minamata Convention Requirements that the country needs to comply with in order to meet its future commitments:</i> | | | | |
| <i>Recommendations for further action:</i> | | | | |
| Priority* | Proposed Actions/Activities: | Lead Institution or Stakeholder | Anticipated budget (US\$) | Time Frame |
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |

*Indicate the level of priority for each of the proposed Actions/Activities using the following indications: 1= very high; 2 = high; 3 = medium; 4 = low; 5 = very low.

Chapter VII: Mainstreaming of Mercury Priorities (UNDP ONLY)

MIA projects supported by the United Nations Development Programme (UNDP) contain an additional Outcome and Output that are not contained in MIA projects supported by other GEF or UN agencies.

Outcome 1.4: Importance of Hg priority interventions at national level raised through mainstreaming in relevant policies/plans

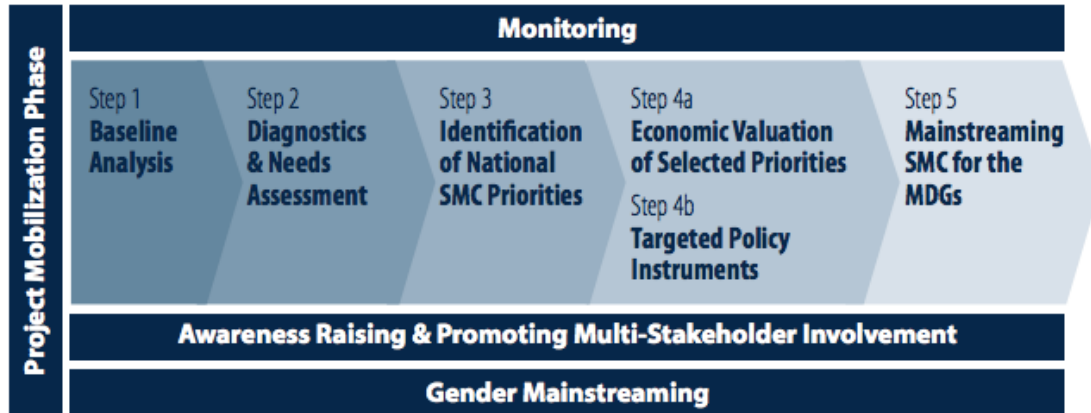
Output 1.4.1: National Hg priority interventions mainstreaming in national policies/plans.

This section therefore only applies to UNDP supported MIA projects.

While identifying opportunities for the mainstreaming of mercury priorities, you are encouraged to make use of the “UNDP Guide for Integrating the Sound Management of Chemicals into Development Planning”²⁶

Lessons-learned on the implementation of 14 UNDP-UNEP SMC mainstreaming projects are summarized in the SAICM/ICCM.4/INF/12²⁷

Generally the process for mainstreaming SMC related priorities follows the following steps (see figure 1 below).



However, because Steps 1 - 4b have already been completed throughout the implementation of the MIA project and the preparation of the MIA report, the only remaining step is *Step 5: Mainstreaming Hg for achievement of the SDGs.*

Although additional information can be found in the UNDP guide and the UNEP INF document mentioned previously, there are a number of key thoughts that are based on lessons-learned:

1. **Hire/engage a Project Director/ with (high-level) connections outside the technical elements of one Ministry (often the Ministry of Environment).** The right Project Director profile communicates a key message to stakeholders: that the project is being taken seriously at senior government levels rather than simply the technical units of one ministry. Strong project leadership also ensured that the project results had the attention of the Ministers, and that they were regularly briefed on project progress, and emerging policy recommendations, rather than being informed at (or near) project conclusion. Finally, the right Project Director is often able to advance the mainstreaming of priorities into multiple negotiation processes, because (s)he is well connected and gains easy access to meeting and negotiating processes.
2. **Review the national development planning schedule and process early on in the MIA project and plan the project accordingly.**

²⁶ Available at: http://www.undp.org/content/undp/en/home/librarypage/environment-energy/chemicals_management/Guide_for_integrating_SMC_into_development_planning/

²⁷ Available at:

http://www.saicm.org/images/saicm_documents/iccm/ICCM4/FINALmtgdoc/INFdoc/ICCM4_INF12_UNEP%20Mainstreaming.pdf

A review document can be produced early in the MIA project to identify when the critical times are to inform development of national development plans, economic policy documents or sector strategies. Development planning in most (though not all) developing countries is typically on a 4-5-year cycle, with a mid-term review to allow for adjustments to changing circumstances. If properly planned, mainstreaming of mercury priorities can be coordinated with these major initiatives and should probably only be advanced when they are coordinated.

- 3. Prepare Specific Text for Inclusion of the Approved Mercury Priorities into Chapters of the Development Plan or Sectoral Strategy/Plan.** Developing specific text will ensure that the results of the mainstreaming effort are accurately reflected in the development planning process rather than leaving the text drafting responsibility to other people who might otherwise have been only marginally involved. The Project Director and his or her managers should be able to justify in detail the inclusion of every part of the proposed text.

What “mainstreaming related” information should be included in the MIA Report?

Based on experiences from previous UNDP and UNEP supported mainstreaming projects, it is expected that it will be challenging to include mainstreaming related information at the time the MIA report is being finalized. The reason for this is that the actual mainstreaming of mercury related priorities realistically often happens later during project implementation (mainstreaming can only take place once stakeholders have agreed upon national priorities).

If such information is available at the time of the MIA Report’s finalization, it can be included, using the example table below.

| Title of Development Plan / Sector Plan/ Sector Strategy, etc. | Time Frame | Priority mainstreamed | Actual text included (incl. defined outcomes, outputs) | Budget (if specified) |
|--|------------|-----------------------|--|-----------------------|
| | | | | |
| | | | | |
| | | | | |

ANNEX I: Stakeholder Engagement process

CONTACT LIST (all institutions and persons interviewed and engaged with during the preparation of the MIA Report, Mercury Inventory and other aspects of the MIA project).

ANNEX II: UNEP TOOLKIT Calculation Spreadsheet

Can be submitted as a separate Excel file

Useful Resources

- **Minamata Convention Website:**
<http://www.mercuryconvention.org/>
- **Minamata Convention Text**
<http://www.mercuryconvention.org/Convention/tabid/3426/Default.aspx>
- **Materials developed by the interim secretariat of the Minamata Convention**
<http://www.mercuryconvention.org/AwarenessRaising/Resources/tabid/3873/Default.aspx>
 - Becoming a Party to the Minamata Convention on Mercury (FACT SHEET)
 - Minamata Convention on Mercury at a glance (FACT SHEET)
 - Overview of the negotiations process (PPT)
 - Overview of the Minamata Convention on Mercury (PPT)
 - Provision of the Convention on financial and technical support (PPT)
 - Practical steps of the ratification, acceptance, approval or accession processes and notifications under the Minamata Convention (PPT)
- **Toolkit for Identification and Quantification of Mercury Releases (UNEP)**
<http://www.unep.org/chemicalsandwaste/Metals/MercuryPublications/GuidanceTrainingMaterialToolkits/MercuryToolkit/tabid/4566/language/en-US/Default.aspx>
- **MercuryLearn Platform (UNITAR/UNEP)**
<http://mercurylearn.unitar.org/>
- **List of Country Mercury Release Inventories (UNEP)**
<http://www.unep.org/chemicalsandwaste/hazardoussubstances/Mercury/Informationmaterials/ReleaseInventories/tabid/79332/Default.aspx>
- **Checklist of legal authorities to implement Minamata Convention on Mercury [Natural Resources Defense Council - NRDC]**
http://docs.nrdc.org/international/files/int_15101301a.pdf
- **Minamata Convention on Mercury - Ratification and Implementation Manual [Zero Mercury Working Group, Natural Resources Defense Council, Ban Toxics]**
http://www.zeromercury.org/phocadownload/Developments_at_UNEP_level/minamatamanual_eng_january%202015%20final.pdf
- **Guidance for identifying populations at risk from mercury exposure (WHO/UNEP)**
<http://www.who.int/foodsafety/publications/risk-mercury-exposure/en/>
- **Developing a National Action Plan to Reduce, and Where Feasible, Eliminate Mercury Use in Artisanal and Small Scale Gold Mining (UNEP, 2015)**
<HTTP://WWW.UNEP.ORG/CHEMICALSANDWASTE/NATIONALACTIONPLAN/TABID/53985/DEFAULT.ASPX>
- **Chemicals Management: The why and how of mainstreaming gender (UNDP, 2007)**
http://www.undp.org/content/undp/en/home/librarypage/environment-energy/chemicals_management/chemicals-management-the-why-and-how-of-mainstreaming-gender.html
- **Draft guidance on identification of individual stocks of mercury or mercury compounds exceeding 50 metric tons, as well as sources of mercury supply generating stocks exceeding 10 metric tons per year**
http://www.mercuryconvention.org/Portals/11/documents/meetings/inc7/English/7_4_e_stock.pdf