

## 17. MINAMATA CONVENTION ON MERCURY

*Kumamoto, 10 October 2013*

### ENTRY INTO FORCE

16 August 2017, in accordance with article 31(1), the Convention shall enter into force on the ninetieth day after the date of deposit of the fiftieth instrument of ratification, acceptance, approval or accession. For each State or regional economic integration organization that ratifies, accepts or approves this Convention or accedes thereto after the deposit of the fiftieth instrument of ratification, acceptance, approval or accession, the Convention shall enter into force on the ninetieth day after the date of deposit by such State or regional economic integration organization of its instrument of ratification, acceptance, approval or accession. Any instrument deposited by a regional economic integration organization shall not be counted as additional to those deposited by member States of that organization.

### REGISTRATION: STATUS: TEXT:

16 August 2017, No. 54669.  
Signatories: 128. Parties: 84.

[Certified true copy](#)

C.N.560.2014.TREATIES-XXVII.17 of 19 September 2014 (proposal of corrections to the original text of the Convention (Arabic, Chinese and Spanish versions) and to the certified true copies) and C.N.827.2014.TREATIES-XXVII.17 of 26 December 2014 (Corrections); C.N.821.2014.TREATIES-XXVII.17 of 9 January 2015 (Proposal of correction to the original text of the Convention (Spanish version) and to the certified true copies) and C.N.244.2015.TREATIES-XXVII.17 of 9 April 2015 (Correction); C.N.959.2016.TREATIES-XXVII.17 of 19 January 2017 (Proposal of corrections to the original text of the Convention (Chinese version) and to the certified true copies) and C.N.253.2017.TREATIES-XXVII.17 of 27 April 2017 (Corrections).

*Note:* The Convention was adopted on 10 October 2013 at Kumamoto (Japan) on the occasion of the Conference of Plenipotentiaries on the Minamata Convention on Mercury held from 7 to 11 October 2013.

The Convention was opened for signature by States and regional economic integration organizations at Kumamoto, Japan, on 10 and 11 October 2013, and, thereafter, at the United Nations Headquarters in New York until 9 October 2014.

<i>Participant</i>	<i>Signature</i>	<i>Approval(AA), Acceptance(A), Accession(a), Ratification</i>	<i>Participant</i>	<i>Signature</i>	<i>Approval(AA), Acceptance(A), Accession(a), Ratification</i>
Afghanistan.....		2 May 2017 a	Cambodia.....	10 Oct 2013	
Albania.....	9 Oct 2014		Cameroon.....	24 Sep 2014	
Angola .....	11 Oct 2013		Canada .....	10 Oct 2013	7 Apr 2017
Antigua and Barbuda.....		23 Sep 2016 a	Central African Republic .....	10 Oct 2013	
Argentina .....	10 Oct 2013	25 Sep 2017	Chad.....	25 Sep 2014	24 Sep 2015
Armenia .....	10 Oct 2013		Chile.....	10 Oct 2013	
Australia.....	10 Oct 2013		China.....	10 Oct 2013	31 Aug 2016
Austria .....	10 Oct 2013	12 Jun 2017	Colombia .....	10 Oct 2013	
Bangladesh.....	10 Oct 2013		Comoros.....	10 Oct 2013	
Belarus .....	23 Sep 2014		Congo.....	8 Oct 2014	
Belgium .....	10 Oct 2013		Costa Rica.....	10 Oct 2013	19 Jan 2017
Benin.....	10 Oct 2013	7 Nov 2016	Côte d'Ivoire .....	10 Oct 2013	
Bolivia (Plurinational State of).....	10 Oct 2013	26 Jan 2016	Croatia .....	24 Sep 2014	25 Sep 2017
Botswana .....		3 Jun 2016 a	Cyprus.....	24 Sep 2014	
Brazil .....	10 Oct 2013	8 Aug 2017	Czech Republic.....	10 Oct 2013	19 Jun 2017
Bulgaria .....	10 Oct 2013	18 May 2017	Denmark <sup>1</sup> .....	10 Oct 2013	18 May 2017 AA
Burkina Faso.....	10 Oct 2013	10 Apr 2017	Djibouti.....	10 Oct 2013	23 Sep 2014
Burundi .....	14 Feb 2014		Dominican Republic .....	10 Oct 2013	

<i>Participant</i>	<i>Signature</i>	<i>Approval(AA), Acceptance(A), Accession(a), Ratification</i>	<i>Participant</i>	<i>Signature</i>	<i>Approval(AA), Acceptance(A), Accession(a), Ratification</i>
Ecuador.....	10 Oct 2013	29 Jul 2016	Madagascar.....	10 Oct 2013	13 May 2015
El Salvador.....		20 Jun 2017 a	Malawi.....	10 Oct 2013	
Estonia.....		21 Jun 2017 a	Malaysia.....	24 Sep 2014	
Ethiopia.....	10 Oct 2013		Mali.....	10 Oct 2013	27 May 2016
European Union.....	10 Oct 2013	18 May 2017 AA	Malta.....	8 Oct 2014	18 May 2017
Finland.....	10 Oct 2013	1 Jun 2017 A	Mauritania.....	11 Oct 2013	18 Aug 2015
France.....	10 Oct 2013	15 Jun 2017	Mauritius.....	10 Oct 2013	21 Sep 2017
Gabon.....	30 Jun 2014	24 Sep 2014 A	Mexico.....	10 Oct 2013	29 Sep 2015
Gambia.....	10 Oct 2013	7 Nov 2016	Monaco.....	24 Sep 2014	24 Sep 2014
Georgia.....	10 Oct 2013		Mongolia.....	10 Oct 2013	28 Sep 2015
Germany.....	10 Oct 2013	15 Sep 2017	Montenegro.....	24 Sep 2014	
Ghana.....	24 Sep 2014	23 Mar 2017	Morocco.....	6 Jun 2014	
Greece.....	10 Oct 2013		Mozambique.....	10 Oct 2013	
Guatemala.....	10 Oct 2013		Namibia.....		6 Sep 2017 a
Guinea.....	25 Nov 2013	21 Oct 2014	Nepal.....	10 Oct 2013	
Guinea-Bissau.....	24 Sep 2014		Netherlands <sup>2</sup> .....	10 Oct 2013	18 May 2017 A
Guyana.....	10 Oct 2013	24 Sep 2014	New Zealand.....	10 Oct 2013	
Honduras.....	24 Sep 2014	22 Mar 2017	Nicaragua.....	10 Oct 2013	29 Oct 2014
Hungary.....	10 Oct 2013	18 May 2017	Niger.....	10 Oct 2013	9 Jun 2017
India.....	30 Sep 2014		Nigeria.....	10 Oct 2013	
Indonesia.....	10 Oct 2013	22 Sep 2017	Norway.....	10 Oct 2013	12 May 2017
Iran (Islamic Republic of).....	10 Oct 2013	16 Jun 2017	Pakistan.....	10 Oct 2013	
Iraq.....	10 Oct 2013		Palau.....	9 Oct 2014	21 Jun 2017
Ireland.....	10 Oct 2013		Panama.....	10 Oct 2013	29 Sep 2015
Israel.....	10 Oct 2013		Paraguay.....	10 Feb 2014	
Italy.....	10 Oct 2013		Peru.....	10 Oct 2013	21 Jan 2016
Jamaica.....	10 Oct 2013	19 Jul 2017	Philippines.....	10 Oct 2013	
Japan.....	10 Oct 2013	2 Feb 2016 A	Poland.....	24 Sep 2014	
Jordan.....	10 Oct 2013	12 Nov 2015	Republic of Korea.....	24 Sep 2014	
Kenya.....	10 Oct 2013		Republic of Moldova.....	10 Oct 2013	20 Jun 2017
Kiribati.....		28 Jul 2017 a	Romania.....	10 Oct 2013	18 May 2017
Kuwait.....	10 Oct 2013	3 Dec 2015	Russian Federation.....	24 Sep 2014	
Lao People's Democratic Republic.....		21 Sep 2017 a	Rwanda.....		29 Jun 2017 a
Latvia.....	24 Sep 2014	20 Jun 2017	Samoa.....	10 Oct 2013	24 Sep 2015
Lebanon.....		13 Oct 2017 a	Senegal.....	11 Oct 2013	3 Mar 2016
Lesotho.....		12 Nov 2014 a	Serbia.....	9 Oct 2014	
Liberia.....	24 Sep 2014		Seychelles.....	27 May 2014	13 Jan 2015
Libya.....	10 Oct 2013		Sierra Leone.....	12 Aug 2014	1 Nov 2016
Liechtenstein.....		1 Feb 2017 a	Singapore.....	10 Oct 2013	22 Sep 2017
Lithuania.....	10 Oct 2013		Slovakia.....	10 Oct 2013	31 May 2017
Luxembourg.....	10 Oct 2013	21 Sep 2017	Slovenia.....	10 Oct 2013	23 Jun 2017
			South Africa.....	10 Oct 2013	
			Spain.....	10 Oct 2013	

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Sri Lanka.....	8 Oct 2014	19 Jun 2017	United Arab Emirates ....	10 Oct 2013	27 Apr 2015
St. Kitts and Nevis .....		24 May 2017 a	United Kingdom of Great Britain and Northern Ireland.....	10 Oct 2013	
Sudan .....	24 Sep 2014		United Republic of Tanzania.....	10 Oct 2013	
Swaziland.....		21 Sep 2016 a	United States of America.....	6 Nov 2013	6 Nov 2013 A
Sweden.....	10 Oct 2013	18 May 2017	Uruguay .....	10 Oct 2013	24 Sep 2014
Switzerland .....	10 Oct 2013	25 May 2016	Venezuela (Bolivarian Republic of) .....	10 Oct 2013	
Syrian Arab Republic ....	24 Sep 2014	26 Jul 2017	Viet Nam.....	11 Oct 2013	23 Jun 2017 AA
Thailand .....		22 Jun 2017 a	Yemen.....	21 Mar 2014	
The former Yugoslav Republic of Macedonia.....	25 Jul 2014		Zambia .....	10 Oct 2013	11 Mar 2016
Togo.....	10 Oct 2013	3 Feb 2017	Zimbabwe .....	11 Oct 2013	
Tunisia .....	10 Oct 2013				
Turkey.....	24 Sep 2014				
Uganda.....	10 Oct 2013				

### ***Declarations and Reservations***

***(Unless otherwise indicated, the declarations and reservations were made upon acceptance, accession, approval or ratification.)***

#### **ARGENTINA**

Pursuant to article 30 (5) of the Minamata Convention on Mercury, the Argentinian Republic declares that any amendment to an annex to the Convention shall enter into force with respect of Argentina only upon the deposit of its instrument of ratification or accession with respect thereto.

#### **AUSTRIA**

“The Republic of Austria declares in accordance with Article 25 paragraph 2 of the Convention that, with regard to any dispute concerning the interpretation or application of this Convention, it recognizes both of means of dispute settlement mentioned in paragraph 2 as compulsory in relation to any party accepting the same obligation.”

#### **BELGIUM**

This signature also engages the Wallon Region, the Flemish Region, the Brussels-Capital Region, the French Community, the Flemish Community and the German-speaking Community.

#### **CANADA**

“Pursuant to Article 30 (5) of the Convention, Canada declares that any amendment to an annex to the Convention shall enter into force for Canada only upon the deposition of its instrument of ratification, acceptance, approval, or accession with respect thereto.”

#### **CHINA**

In accordance with the Basic Law of the Hong Kong Special Administrative Region of the People’s Republic of China and the Basic Law of the Macao Special Administrative Region of the People’s Republic of China, the Government of the People’s Republic of China decides that the Convention applies to the Hong Kong Special Administrative Region and the Macao Special Administrative Region of the People’s Republic of China.

#### **CZECH REPUBLIC**

... in accordance with paragraph 5 of Article 30 of the Minamata Convention on Mercury, the Czech Republic declares that any amendment to an annex to the Convention shall enter into force for the Czech Republic only upon the deposit of its instrument of ratification, acceptance, approval or accession in respect thereto.

#### **EUROPEAN UNION**

“Declaration of Competence by the European Union in accordance with Article 30 (3) of the Minamata Convention on Mercury.

The following States are at present Members of the European Union: the Kingdom of Belgium, the Republic of Bulgaria, the Czech Republic, the Kingdom of Denmark, the Federal Republic of Germany, the Republic of Estonia, Ireland, the Hellenic Republic, the Kingdom of Spain, the French Republic, the Republic of Croatia, the Italian Republic, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Grand Duchy of Luxembourg, Hungary, the Republic of Malta, the Kingdom of the Netherlands, the Republic of Austria, the Republic of Poland, the Portuguese Republic, Romania, the Republic of Slovenia, the Slovak Republic, the Republic of Finland, the Kingdom of Sweden, the United Kingdom of Great Britain and Northern Ireland.

Article 30 (3) of the Minamata Convention provides: ‘3. In its instrument of ratification, acceptance, approval or accession, a regional economic integration organization shall declare the extent of its competence in respect of the matters governed by this Convention. Any such organization shall also inform the Depositary, who shall in turn inform the Parties, of any relevant modification of the extent of its competence.’

The European Union declares that, in accordance with the Treaty on the Functioning of the European Union, and in particular Article 192 (1) thereof, it is competent for entering into international agreements, and for

implementing the obligations resulting therefrom, which contribute to the pursuit of the following objectives:

- preserving, protecting and improving the quality of the environment;
- protecting human health;
- prudent and rational utilisation of natural resources;
- promoting measures at international level to deal with regional or worldwide environmental problems, including climate change.

The following list of legal instruments of the Union illustrates the extent to which the Union has exercised its internal competence, in accordance with the Treaty on the Functioning of the European Union, regarding matters governed by the Minamata Convention. The Union is competent for the performance of those obligations from the Minamata Convention on Mercury regarding which the provisions of Union legal instruments, in particular those listed below, establish common rules and insofar as these common rules are affected or altered in scope by the provisions of the Minamata Convention or an act adopted in implementation thereof.

- Regulation (EU) of the European Parliament and the Council of 17 May 2017 on mercury, and repealing Regulation (EC) No 1102/2008;
- Directive 2011/65/EU of the European Parliament and the Council of 8 June 2011 on the restriction of the use of certain hazardous substances in electrical and electronic equipment (OJ L 174, 1.7.2011, p. 88);
- Directive 2006/66/EC of the European Parliament and the Council of 6 September 2006 on batteries and accumulators and waste batteries and accumulators and repealing Directive 91/157/EEC (OJ L 266, 26.9.2006, p. 1);
- Directive 2000/53/EC of the European Parliament and the Council of 18 September 2000 on end-of-life vehicles (OJ L 269, 21.10.2000, p. 34);
- Regulation (EC) 1223/2009 of the European Parliament and of the Council of 30 November 2009 on cosmetic products (OJ L 342, 22.12.2009, p. 59);
- Regulation (EC) 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC (OJ L 396, 30.12.2006, p. 1);
- Regulation (EU) 528/2012 of the European Parliament and of the Council of 22 May 2012 concerning the making available on the market and use of biocidal products (OJ L 167, 27.6.2012, p. 1);
- Regulation (EC) 1107/2009 of 21 October 2009 concerning the placing of plant protection products on the market and repealing Council Directives 79/117/EEC and 91/414/EEC (OJ L 309, 24.11.2009, p. 1);
- Council Directive 93/42/EC of 14 June 1993 concerning medical devices (OJ L 169, 12.7.1993, p. 1);
- Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control) (OJ L 334, 17.12.2010, p. 17);
- Directive 2012/18/EU of the European Parliament and of the Council of 4 July 2012 on the control of major-accident hazards involving dangerous substances, amending and subsequently repealing Council Directive 96/82/EC (OJ L 197, 24.7.2012, p. 1);
- Regulation (EC) No 166/2006 of the European Parliament and of the Council of 18 January 2006 concerning the establishment of a European

Pollutant Release and Transfer Register and amending Council Directives 91/689/EEC and 96/61/EC (OJ L 33, 4.2.2006, p. 1),

- Directive 2004/107/EC of the European Parliament and of the Council of 15 December 2004 relating to arsenic, cadmium, mercury, nickel and polycyclic aromatic hydrocarbons in ambient air (OJ L 23, 26.1.2005, p. 3);
- Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy (OJ L 327, 22.12.2000, p. 1);
- Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste and repealing certain Directives (OJ L 312, 22.11.2008, p. 3);
- Council Directive 1999/31/EC of 26 April 1999 on the landfill of waste (OJ L 182, 16.7.1999, p. 1);
- Regulation (EC) No 1013/2006 of the European Parliament and of the Council of 14 June 2006 on shipments of waste (OJ L 190, 12.7.2006, p. 1).

The exercise of competences which Member States of the European Union have transferred to the European Union pursuant to the Treaties is, by its nature, subject to continuous development. The Union therefore reserves the right to adjust this Declaration.”

#### GERMANY

The Federal Republic of Germany declares, in accordance with article 25, paragraph 2, of the Minamata Convention on Mercury, that it accepts both means of dispute settlement referred to in that paragraph as compulsory in relation to any Party accepting one or both means of dispute settlement.

The Federal Republic of Germany declares, in accordance with article 30, paragraph 5, of the Minamata Convention on Mercury, that any amendment to an annex to the Convention shall enter into force for the Federal Republic of Germany only upon the deposit of its instrument of ratification, acceptance, approval, or accession with respect thereto.

#### IRAN (ISLAMIC REPUBLIC OF)

“... pursuant to Article 30, paragraph 5 of the Convention, the Islamic Republic of Iran hereby declares that any amendment to an annex to the Convention shall enter into force for the Islamic Republic of Iran only upon the deposit of its instrument of ratification, acceptance, approval or accession with respect thereto...”

“Consistent with its principal policy of protecting and promoting the environment and human health, the Islamic Republic of Iran has ratified the Minamata Convention on Mercury.

Fulfilling the obligations enshrined in the Convention is a clear duty of all relevant stakeholders including governmental or non-governmental; the Ministry of Foreign Affairs as the National Focal Point and the Organization of Protection of Environment as the National Authority of the Convention are assigned with the task of handling and monitoring the national implementation of the Convention.

It is the understanding of the Islamic Republic of Iran that implementation of the Convention is subject to providing the developing countries with sustainable, adequate and accessible financial support, technical assistance, technology transfer as well as capacity building and proper training which are recognized in the Articles 13 and 14 of the Convention as part of responsibilities of all parties, specifically the developed country parties.

The Islamic Republic of Iran is of the view that full and accurate implementation of the said articles is as necessary as other articles of the Convention and non-implementation of the said Articles may raise the issue of compliance.

Should the above assistance and support fail to be adequate, timely and sustainable; the extension of the exemptions will be a necessity.

The Islamic Republic of Iran would like to encourage all countries that have not yet done so, in particular developed countries to join the Convention and emphasizes that the whole international community should work together to realize the accepted principle of 'Common But Differentiated Responsibilities'.

#### **JAMAICA**

"... any amendment to an Annex to the Convention shall enter into force for Jamaica only upon the deposit of its instrument of ratification, acceptance, approval or accession with respect thereto."

#### **MAURITIUS**

"... Pursuant to article 30, paragraph 5, of the Convention, the Republic of Mauritius declares that any amendment to an annex to the Convention shall enter into force for the Republic of Mauritius only upon the [deposit] of its instrument of ratification, acceptance, approval or accession with respect thereto..."

#### **NAMIBIA**

"... as per article 30 (5) [...] with regard to the Republic of Namibia, any amendment to an annex shall enter into force only upon the deposit of Namibia's instrument of ratification, acceptance, approval or accession with respect thereto..."

#### **NETHERLANDS**

"The Kingdom of the Netherlands declares, in accordance with Article 25, paragraph 2, of the Minamata Convention on Mercury, that it accepts both means of dispute settlement referred to in that paragraph as compulsory in relation to any Party accepting one or both means of dispute settlement."

#### **NORWAY**

"In accordance with Article 25, paragraph 2 of the Convention, Norway hereby declares (b) Submission of the dispute to the International Court of Justice."

#### **PERU**

In exercise of the right to make the declarations or communications permitted under the Convention and in relation to article 25, paragraph 2, the Republic of Peru wishes to bring to the attention of the parties the declaration that it made on 7 July 2003 [...] which was made under Article 36, paragraph 2, of the Statute of the International Court of Justice, pursuant to which the Republic of Peru recognizes as compulsory ipso facto and

without special agreement, in relation to any other party accepting the same obligation, subject to the condition of reciprocity, the jurisdiction of the International Court of Justice in all legal disputes.

Such declaration does not preclude the possibility of recourse to the arbitration and conciliation procedures established in the Convention (annex E) for the matter disputed if the other party or parties to the dispute agree to such in writing.

The present declaration does not prevent the parties from settling the dispute through direct negotiation or any other means of settlement recognized by the Convention.

In exercise of the right to make the declarations or communications permitted under the Convention and in relation to article 30, paragraph 5, the Republic of Peru declares that, with regard to it, any amendment to an annex shall enter into force only upon the deposit of its instrument of ratification, acceptance, approval or accession with respect thereto.

#### **REPUBLIC OF MOLDOVA**

In accordance with Article 25, paragraph 2 of the Convention, the Republic of Moldova accepts both means of dispute settlement referred to in this paragraph as compulsory in relation to any party accepting the same obligation.

In accordance with Article 30, paragraph 5 of the Convention, any amendment of an annex shall enter into force for the Republic of Moldova only after the deposit of its instrument of ratification, acceptance, approval or accession with respect thereto.

#### **SEYCHELLES**

"... in accordance with Article 30 (5) of the Convention, [...] any amendment to an annex to the Convention shall enter into force for the Republic of Seychelles only upon the deposit of its instrument of ratifications, acceptance, approval, or accession with respect thereto."

#### **THAILAND**

"... any amendment to an annex to the Convention shall enter into force only upon the deposit of [the Government of the Kingdom of Thailand's] instrument of ratification, acceptance, approval or accession in accordance with Article 30 paragraph 5."

#### **UNITED STATES OF AMERICA**

"The United States hereby declares, pursuant to Article 30, paragraph 5, that any amendment to an annex to the Convention shall enter into force for the United States only upon the deposit of its instrument of ratification, acceptance, approval, or accession with respect thereto."

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#### **Notes:**

<sup>1</sup> With territorial exclusion in respect of Greenland and the Faroe Islands. See C.N.273.2017.TREATIES-XXVII-17 of 18 May 2017.

<sup>2</sup> For the European Part of the Netherlands.

