

## SUBMISSION OF THE GOVERNMENT OF BRAZIL – ADDITIONAL ELEMENTS

Question 3 - Pursuant to Law No. 9.605, of 1998, and its regulatory decree, No. 6,514, of 2008, the non-compliance with legal requirements related to import, trade, storage, use and destination of mercury subject the offender to a penalty of six months to four years in prison and a fine ranging from R\$500.00 to BRL 2,000,000.00. Pollution from the inadequate use of mercury subjects individuals to the penalty of six months to five years in prison and a fine that can vary from BRL 5,000.00 to BRL 50,000,000.00.

In addition to imposing fines, the Brazilian Institute of Environment and Renewable Natural Resources (IBAMA) applies precautionary measures in line with its police competency during inspections, which are provided for in Decree No. 6,514/2008. The objectives of such measures are to prevent the occurrence of new infractions, safeguard the environmental recovery and guarantee the practical result of the administrative process. Such sanctions are related to the obligations at the Federal Technical Registry of Potentially Polluting Activities.

Question 5 – In case of detection of false or missing information, the importer is subject to the sanctions provided for in Art. 56 of Law 9,605, of 1998, and in Art. 64 of Decree 6,514, of 2008.

Question 13 - Monitoring the use of mercury by legal and illegal enterprises is a key factor for the fulfillment of the obligations imposed by the Convention of Minamata. Therefore, strategies are sought to manage trade and prevent the diversion of mercury and compounds of mercury from domestic and foreign sources to use in illegal mining.

Question 14 - Measures to combat the smuggling and diversion of mercury for use in illegal gold mining include: a) the strengthening of inspection actions among national control agencies and the creation of a single database across agencies; and b) incentive to training programs in environmental enforcement and identification of illegalities.