

FIRST MEETING OF THE *AD HOC* OEWG TO REVIEW AND ASSESS MEASURES TO ADDRESS THE GLOBAL ISSUE OF MERCURY: 12-16 NOVEMBER 2007

The First Meeting of the *Ad hoc* Open-ended Working Group (OEWG) to Review and Assess Measures to Address the Global Issue of Mercury begins today at the United Nations Economic Commission for Asia and the Pacific in Bangkok, Thailand.

The OEWG is expected to review and assess options for enhanced voluntary measures, and new or existing international legal instruments on mercury. The meeting is also expected to consider the Analysis of Possible Options to Address the Global Challenges to Reduce Risks from Releases of Mercury report.

In their discussions delegates will be guided by the priorities articulated in UNEP Governing Council (GC) decision 24/3 IV to, *inter alia*: reduce atmospheric mercury emissions from human sources; find environmentally sound solutions for the waste containing mercury; reduce global mercury demand and supply; identify environmentally sound storage solutions for mercury; and to increase knowledge on areas such as inventories, human and environmental exposure, environmental monitoring and socioeconomic impacts.

Delegates will also consider a report on activities under the UNEP Mercury Programme and may provide guidance on furthering the activities of the programme.

A BRIEF HISTORY OF THE GLOBAL ISSUE OF MERCURY

Mercury is a heavy metal that is widespread and persistent in the environment. It comes from both natural and manmade sources and can be released into the air and water through weathering of rock containing mercury ore, or through human activities such as industrial processes, mining, deforestation, waste incineration and burning of fossil fuels. Mercury can also be released from a number of products that contain mercury, including dental amalgam, electrical applications (e.g. switches and fluorescent lamps),

laboratory and medical instruments (e.g. clinical thermometers and barometers), batteries, seed dressings, antiseptic and antibacterial creams and skin-lightening creams. Mercury exposure can affect fetal neurological development and has been linked to lowered fertility, brain and nerve damage and heart disease in adults who have high levels of mercury in their blood.

21ST SESSION OF THE UNEP GOVERNING

COUNCIL/GMEF: The UNEP Governing Council/Global Ministerial Environment Forum (GC/GMEF) discussed the need for a global assessment of mercury at its 21st session in February 2001 in Nairobi, Kenya. Decision 21/5 called for the initiation of a process to undertake a global assessment of mercury and its compounds, and requested that the results of the assessment be reported to the 22nd session of the Governing Council. It also decided to consider whether there is a need for assessments of other heavy metals of concern. The decision included a clause underlining the need to take preventive actions to protect human health and the environment, mindful of the precautionary approach.

22ND SESSION OF THE UNEP GOVERNING

COUNCIL/GMEF: At its 22nd session in February 2003 in Nairobi, the UNEP GC/GMEF considered UNEP's Global Mercury Assessment report and in Decision 22/4 V noted that there is sufficient evidence to warrant immediate national action to protect human health and the environment from releases of mercury and its compounds, facilitated by technical assistance and capacity building from UNEP, governments and relevant international organizations. The decision requested the Executive Director to consult and cooperate with other intergovernmental organizations in order to avoid duplication. The Executive Director was also requested to invite submission of governments' views on medium- and long-term actions on mercury, and to compile and synthesize these views for presentation at the Governing Council's 23rd session, with a view to developing "a legally binding instrument, a non-legally binding instrument, or other measures or actions."

23RD SESSION OF THE UNEP GOVERNING

COUNCIL/GMEF: The 23rd session of the UNEP GC/GMEF took place from 21-25 February 2005, in Nairobi. Delegates once again discussed the issue of mercury and adopted Decision 23/9 IV, which requested that the Executive Director further develop UNEP's Mercury Programme by initiating, preparing and disseminating a report summarizing supply, trade and demand information on mercury. The decision requested that governments, the private sector and international organizations take immediate actions to reduce the risks posed on a global scale by mercury in products and production processes and the also requested the Executive Director to present a report on progress in the implementation of the decision as it relates to mercury to GC-24/GMEF. It concluded that further long-term international action was required to reduce such risks and decided to assess the need for further action on mercury, including the possibility of a legally-binding instrument, partnerships, and other actions at GC-24/GMEF.

IFCS-V: The fifth session of the Intergovernmental Forum on Chemical Safety (IFCS-V) was held in Budapest, Hungary, from 25-29 September 2006 and was preceded by, on 23 September 2006, by an event convened by the Swiss Confederation entitled, "Health and environmental concerns associated with heavy metals: global need for further action?".

IFCS-V agreed to establish a working group to draft a decision on the future of IFCS to be presented at IFCS-VI, identified a series of potential next steps to assist developing countries and countries with economies in transition with tools and approaches for applying precaution in domestic decision-making processes, and adopted the Budapest Statement on Mercury, Lead and Cadmium.

The Budapest Statement on Mercury, Lead and Cadmium, *inter alia*: urged IFCS participants to initiate and intensify actions, as appropriate, to address the excess supply of mercury on a global scale through a variety of possible measures, such as an export prohibition, preventing excess mercury from re-entering the global market, and a global phase-out of mercury primary production; invited the UNEP GC to initiate and strengthen voluntary actions at the global level for mercury, lead and cadmium, including partnerships and other activities; give high priority to considering further measures to address risks to human health and the environment from mercury, lead and cadmium, and to consider a range of options including the possibility of establishing a legally-binding instrument, as well as partnerships; and called upon developed countries and other countries to support these activities.

INTERNATIONAL MERCURY CONFERENCE: The European Commission convened an International Mercury Conference in Brussels, Belgium, from 26-27 October 2006. Delegates discussed actions needed at the local, national, regional and global levels to reduce health and environmental risks related to the use of mercury, with a view to providing input to GC-24/GMEF and relevant chemicals agreements.

Options discussed included: development of a legally-binding international agreement on mercury; inclusion of mercury in existing legally-binding agreements; and voluntary and other measures.

24TH SESSION OF THE UNEP GOVERNING

COUNCIL/GMEF: While meeting in February 2007, in Nairobi, the 24th session of the GC/GMEF discussed the issue of mercury extensively and participants' preferences for international cooperation on mercury ranged from an immediate negotiating process towards a legally-binding instrument, to incorporating mercury into existing agreements, or concentrating on voluntary actions, especially through partnerships. Delegates agreed in Decision 24/3 IV that a "two-track" approach could be employed to take forward actions on mercury, while keeping open the path to a binding instrument in the future. Agreeing on the need to outline priorities in reducing risks from releases of mercury, delegates requested the UNEP Executive Director to prepare a report on mercury emissions and strengthen the UNEP mercury partnerships. It also established an *ad hoc* open-ended working group of government and stakeholder representatives to review and assess options for enhanced voluntary measures and new or existing international legal instruments, for addressing the global challenges posed by mercury. The working group is to be guided by the following priorities, according to Decision 24/3 IV:

- to reduce atmospheric mercury emissions from human sources;
- to find environmentally sound solutions for the management of waste containing mercury and mercury compounds;
- to reduce global mercury demand related to use in products and production processes;
- to reduce the global mercury supply, including considering curbing primary mining and taking into account a hierarchy of sources;
- to find environmentally sound storage solutions for mercury;
- to address, the remediation of existing contaminated sites affecting public and environmental health; and to increase knowledge on areas such as inventories, human and environmental exposure, environmental monitoring and socio-economic impacts.

The group will provide a progress report to the tenth special session of the Governing Council/GMEF in 2008, and a final report to GC-25/GMEF in 2009, which will take a decision on the matter.

DAILY MEETING COVERAGE AND SUMMARY REPORT

The *Earth Negotiations Bulletin* will be providing daily web coverage of this meeting at <http://www.iisd.ca/chemical/merc1/>

A full summary and analysis will be available on Monday, 19 November 2007.