

MERCURY INC 1 HIGHLIGHTS: THURSDAY, 10 JUNE 2010

INC 1 convened for its fourth day on Thursday, 10 June 2010. During the morning delegates completed their consideration of mercury storage and exchanged views on atmospheric emissions. During the afternoon delegates considered information exchange, awareness-raising and final provisions.

PREPARATION OF A GLOBAL LEGALLY BINDING INSTRUMENT ON MERCURY

Cluster of topics (supply, demand, trade, waste and storage): On storage, the Secretariat reintroduced Agenda Item 4, environmentally-sound storage of mercury (UNEP(DTIE)/Hg/INC.1/5, chapter II, section B, paragraphs 31 and 32).

GRULAC noted that underground storage is not viable in the region due to costs, public resistance, and inappropriate geological characteristics, and stressed consideration of transit and temporary storage of waste and congruence with the Basel Convention. The AFRICAN GROUP called for prohibition of the export of mercury wastes to countries lacking capacity for environmentally-sound storage.

NEW ZEALAND underscored the need for provisions which encourage recovery and storage, and are broad enough to allow inclusion of innovations in stabilization measures. IRAQ emphasized the need to raise awareness and build capacity in developing countries and suggested using surplus mercury.

JAPAN emphasized the need to consider underground disposal of the solidified chemical compound. The PHILIPPINES underscored that guidelines on best available techniques (BAT) and best environmental practices (BEP) must be applicable to developing countries and countries with economies in transition. NORWAY called for the development of guidelines in cooperation with the Basel Convention, underscoring that storage challenges are important areas for technical and financial assistance.

INDIA called for comprehensive assessment of the resources required by parties for environmentally-sound storage prior to the consideration of control measures. CHINA, JAMAICA, INDONESIA and BANGLADESH supported international cooperation for environmentally-sound storage of mercury wastes, and requested financial and technical assistance for developing countries.

JAMAICA, supported by BRAZIL, suggested taking into account the special circumstances of SIDS, and the relevant provisions of the Basel Convention, including liability and compensation. PAKISTAN proposed development of criteria for environmentally-sound mercury storage facilities, and operation and supervision of such facilities. BRAZIL highlighted the need for the shipping of mercury-containing wastes to be conducted in an environmentally-sound manner.

The EU and EU MEMBER STATES reported technology is being developed to convert liquid mercury into solid mercury with lower vapor pressure. ARGENTINA said that storage is a cross-cutting issue and should be linked to control measures.

The ZERO MERCURY WORKING GROUP requested UNEP to develop a common set of definitions on environmentally-sound storage of mercury waste. IPEN said the private sector should fully internalize the cost for safe storage of their wastes, and stressed the importance of active participation of NGOs and other stakeholders. CONSUMERS FOR DENTAL CHOICE urged the phase-out of mercury-containing dental amalgam. The ICMM recognized the need for enhanced capacity for the storage of mercury in the short to medium term. BRAZIL stressed that stored mercury should not find its way back into either the mainstream or the black market.

Atmospheric emissions of mercury: The Secretariat introduced the documents (UNEP(DTIE)/Hg/INC.1/5 and UNEP(DTIE)/Hg/INC.1/15), and called on delegates to provide information on the elimination of unintentional atmospheric emissions of mercury. GRULAC said that emissions to other environmental media, including soil and water, are as important as atmospheric emissions. The AFRICAN GROUP highlighted the divergence in the quantity and quality of mercury data available on the African continent and called for institutional strengthening to enable better provision of information.

On unintentional emissions through the combustion of coal and ASGM activities, SWITZERLAND said it was necessary to give priority to effective reduction measures, and suggested the INC make use of existing legal instruments on transboundary air emissions. NORWAY noted that unintentional emissions are the most common form of mercury emission, and said the instrument should include "concrete minimum measures" to be taken by all parties.

JAPAN emphasized the need for use of BAT at the national level, and called for each country to develop an implementation plan reflecting its individual circumstances.

INDIA cited his country's development goals and reliance on coal combustion for power-generation, and, supported by SOUTH AFRICA, said discussion on reduction targets is premature, and reiterated support for a voluntary approach to reducing emissions. CHINA, supported by CUBA, expressed determination to control mercury emissions and said, due to ongoing reliance on fossil fuels, voluntary efforts are the only solution. INDONESIA said each country should set its own timeline for meeting obligations of the convention.

The US emphasized that national implementation plans could support compliance with obligations of the convention, but were not ends in themselves. The EU reaffirmed that atmospheric

emissions should be addressed in a core provision of the instrument, and highlighted its efforts to address the issue within the EU.

COLOMBIA highlighted the need for identification of products and processes which release substantial amounts of mercury. IRAQ questioned whether controlling unintentional emissions in a mercury instrument could harm the international economy. CAMEROON called for raising awareness of mercury pollution among stakeholders and building capacity in developing countries. SRI LANKA said the instrument should incorporate provisions for access to BAT/BEP at reasonable and affordable prices. Underscoring that the workplace is the first line of defense against mercury emissions, BRAZIL encouraged consideration of these "prior" emissions. HAITI highlighted the need for collating baseline information on concentrations of mercury in air and ecosystems.

UNITAR highlighted the importance of development of national reduction strategies or national action plans and offered assistance to countries.

CONSUMERS FOR DENTAL CHOICE said that mercury storage in human tissues is a major source of mercury emissions. The WORLD COAL INSTITUTE supported helping developing countries meet their treaty obligations without compromising their ability to achieve development goals and reduce poverty. IPEN and the ZERO MERCURY WORKING GROUP said that emission sources such as coal-fired power plants and cement production should be included in the new treaty. The INUIT CIRCUMPOLAR COUNCIL explained that women in some areas of the Russian Federation are advised to refrain from breast-feeding due to mercury contamination.

Capacity-building, technical and financial assistance: The AFRICAN GROUP called for adequate financial resources that are solely dedicated to mercury, and recognized the Multilateral Fund of the Montreal Protocol as a model, as well as the GEF, with some conditions, could serve as financial mechanism. She stressed the financial mechanism should be governed by the Conference of Parties and must be transparent, accessible, equitable and responsive to needs.

Awareness raising and information exchange: GRULAC called for the development of national inventories of mercury sources and emissions, emphasizing their importance for information exchange and awareness-raising. The AFRICAN GROUP said a clearinghouse should be established to facilitate exchange of scientific and technical information. The EU MEMBER STATES underscored the need for a synergistic approach to information exchange, and called for cooperation with existing systems.

IRAN emphasized that, with financial and technical assistance, regional centers could play key roles in awareness-raising and scientific information exchange.

CANADA supported the development of national inventories and offered to share the country's experience with multidisciplinary monitoring and assessment initiatives. JAPAN offered to share policies and techniques developed subsequent to the outbreak of Minamata disease.

The US requested the Secretariat to compile a global inventory of mercury cell chlor-alkali facilities. Highlighting the difficulty of changing mercury-use habits, CHINA urged early action on information and awareness-raising. SWITZERLAND said available and accessible information would lead to effective implementation of a mercury instrument, and suggested considering how the new instrument may interact with information exchange activities under the chemicals synergies

TANZANIA highlighted that different users have different needs for information. JORDAN underscored the importance of regional exchange of information. EGYPT stressed the need to raise awareness of the "polluter pays" principle.

COLOMBIA prioritized the training of health personnel on the dangers of mercury. BANGLADESH emphasized the need to raise awareness on e-waste disposal. MEXICO said developing countries require tools to collect, analyze and use information

themselves. PAKISTAN highlighted the important role of stakeholders. BRAZIL called for the engagement of community leaders, media, decision-makers, the private sector and the ILO.

The ILO and the WHO offered to assist by providing awareness-raising materials. UNIDO said that the results of scientific studies on mercury should be made available on a wide platform that is readily accessible to all.

IPEN emphasized that the treaty should "honor the public's right to know," and stressed that awareness-raising should target all peoples who rely on fish for their primary dietary needs. The ZERO MERCURY WORKING GROUP called for a global monitoring network for fish and marine mammals that would monitor the treaty's effectiveness. The CENTER FOR PUBLIC HEALTH AND ENVIRONMENTAL DEVELOPMENT, Nepal, called on the INC to include expertise of NGOs in awareness-raising campaigns at the local level.

Final provisions: The Secretariat introduced the document on draft final provisions (UNEP(DTIE)/Hg/ICN.1/7) noting it represents a compilation of the provisions of existing MEAs. GRULAC noted its preference for a structure with control measures plus annexes, and suggested that a framework be established to allow for adding annexes. The EU and EU MEMBER STATES said that some provisions listed in the document could be easily agreed, and others should be negotiated when the structure of the instrument is decided.

CANADA and IRAQ said that it is too early to discuss annexes and their amendments, since the decision on the structure has not been made. Regarding the potential language on amendments, GRULAC, CANADA, AUSTRALIA and the US suggested using language similar to that of the Stockholm Convention, which permits parties to make a declaration to which they will be bound after deposit of their instruments of ratification. The US classified the final provisions into three categories, those that are: non-controversial and could be accepted, such as those on signature and deposit; those to be considered at a later stage, such as on amendment of annexes; and those that are essentially acceptable, but require improvement, such as the settlement of disputes, withdrawal and rectification.

OTHER MATTERS

GRULAC introduced a conference room paper (CRP.3) including a revised tracking tool to establish a link between control measures and implementation measures, and a table to be used by individual countries to identify potential cooperation requirements. Delegates agreed to continue discussion on this matter on Friday.

IN THE CORRIDORS

As INC 1 neared the end of its agenda mid-morning on Thursday, several said it was too late to form contact groups and suggested perhaps an afternoon off was in order. Others raised eyebrows and said this could send the wrong signal, given the long road facing the INC in developing an instrument. A few delegates suggested time at INC 1 could have been better utilized. Acknowledging that it was wise to provide a platform for a general exchange of views and that a positive rapport among delegates had certainly been built, they said at the very least serious bilateral discussions would have been useful to pave the way for INC 2.

Participants also commented on the continued influential and active role of NGOs in the INC process, as one presented the results of mercury analysis of 50 delegates' hair, and another provided a booth for testing concentrations of mercury in participants' breath, caused by mercury fillings. Seasoned delegates recalled the significant role played by NGOs in the Stockholm process and predicted a similar degree of influence throughout this process.

ENB SUMMARY AND ANALYSIS: The *Earth Negotiations Bulletin* summary and analysis of INC 1 will be available on Monday, 14 June 2010 online at: <http://www.iisd.ca/mercury/inc/>