



MERCURY INC6 HIGHLIGHTS: WEDNESDAY, 5 NOVEMBER 2014

On Wednesday, INC6 delegates convened in plenary in the morning and heard reports from the co-chairs of the contact groups on technical issues and finance. They began work on effectiveness evaluation (Article 22) and the Conference of the Parties (Article 23) in plenary and met in contact groups on technical issues and finance in the late morning and afternoon. In the evening, delegates attended a reception hosted by Switzerland.

WORK TO PREPARE FOR ENTRY INTO FORCE AND COPI

ARTICLE 6. EXEMPTIONS AVAILABLE TO A PARTY UPON REQUEST: During the morning plenary, Co-Chair Blaha reported on the work of the contact group on technical issues. He presented the submission of the co-chairs, conveying the group's agreed changes to the format for registration of exemptions for products and processes listed in Part I of Annexes A and B of the text. Blaha noted that agreed changes include modifications to the form to reflect the non-binding and flexible nature of exemption requests. He said that the electronic register of exemptions to be maintained by the Secretariat will include a hyperlink to the explanatory statement provided by countries in their notification form and that this information will be publicly available. INC6 provisionally adopted the document (UNEP(DTIE)/Hg/INC.6/CRP.4), which will be forwarded to COP1.

With regard to Article 3 on notifications, Co-Chair Nieto-Carrasco reported the group had not reached agreement and would resume negotiations on Wednesday.

ARTICLE 13. FINANCIAL RESOURCES AND MECHANISM: In his report to plenary, Co-Chair Phillips said participants in the finance contact group supported flexible access to GEF funds to support countries' steps towards ratification and had proposed drawing on relevant wording from the negotiations of the Stockholm Convention and the Nagoya Protocol. On development of an MOU, he said participants had agreed to request the Interim Secretariat and the GEF Secretariat to prepare text for consideration at INC7. He also noted ongoing discussion of principles to inform application of the guidelines for initial assessment activities.

Gustavo Fonseca, GEF, clarified aspects of the GEF6 strategy and policy relevant to the Minamata Convention, noting that the allocation for the Convention is targeted to support:

enabling activities; least developed countries (LDCs) and small island developing states (SIDS); and early implementation. He highlighted that the INC and COP can prioritize actions through their guidance to the GEF.

ARTICLE 22. EFFECTIVENESS EVALUATION: The Secretariat introduced the initial compilation of information on methodologies for acquiring monitoring data (UNEP(DTIE)/Hg/INC.6/12).

JAPAN, the EU and CANADA offered to share observation data and monitoring methodologies, including from the Arctic Monitoring and Assessment Programme. The US outlined a proposed roadmap, comprising: compilation by the Secretariat of available data; an intersessional process for submissions from countries and stakeholders; preliminary analysis by the mercury transport and fate partnership of compiled data sources relevant to an evaluation; and provision of recommendations to INC7.

INDIA and BANGLADESH called for strengthening monitoring facilities in developing countries and countries with economies in transition. MAURITIUS requested Secretariat support for "ground truthing" activities. PERU highlighted the value of regional efforts on monitoring and response including the establishment of laboratories and cooperation on the transport of hazardous substances. Noting that regional arrangements under the Stockholm Convention have worked well, CANADA said there is no expectation for monitoring arrangements to be established in each country.

IRAN proposed requesting the Secretariat to seek information regarding monitoring arrangements and experiences of other international treaties for discussion at INC7. KENYA proposed the lessons learned from the Global Monitoring Programme on POPs be applied to mercury and requested UNEP to fund production of a similar report on mercury for consideration by COP1.

EGYPT and BELARUS called for establishing consistent and comparable monitoring standards.

ARTICLE 23. CONFERENCE OF THE PARTIES: The Secretariat introduced the documents on the draft rules of procedure (UNEP(DTIE)/Hg/INC.6/13) and the draft financial rules for the Conference of the Parties (COP) (UNEP(DTIE)/Hg/INC.6/14).

On rules of procedure, JAPAN, BRAZIL, AUSTRALIA, INDIA, CHILE, CHINA, and ARGENTINA supported consensus-based decision-making. COLOMBIA, supported by the EU, SWITZERLAND and NORWAY, called for retaining the reference to a 2/3 majority voting rule, emphasizing that delegates "should learn from the past" and maintain this



flexibility. NEW ZEALAND expressed support for consensus on matters of substance and allowing majority voting, if necessary, on matters of procedure.

JAPAN underscored the need for the Secretariat to present the budget to the INC for evaluation prior to COP1. Zambia, for the AFRICAN GROUP, suggested the Secretariat present two budget options for comparison and underscored the need to ensure that developing countries, especially SIDS and LDCs, are adequately funded.

The US suggested referring to other MEAs, and not only the BRS, as models for budget allocation.

INC6 established a contact group on rules for further discussion of both issues.

CONTACT GROUPS

TECHNICAL ISSUES: On Tuesday afternoon, the contact group continued consideration of CRP.1, which contains four separate forms to provide information for inclusion in the public register of general notifications, as called for in Article 3. The annexes address, respectively: written consent by a party to import mercury; written consent by a non-party to import mercury; certification by a non-party on the source of mercury to be exported to a party; and general notification of consent to import mercury. With regard to calls to include information on sources of mercury, delegates noted the difficulty of obtaining and verifying this information and agreed that the forms should only refer to the two sources specified in Article 3, mercury obtained from primary mining, or excess mercury from the decommissioning of chlor-alkali facilities. On certification, many delegates emphasized the need to simplify requirements for non-parties to supply information about intended use, noting the need to be realistic about what can be provided in a general notification form. The group also agreed changes aimed at ensuring consistency across the four forms.

The contact group concluded its discussions on Article 3 in the evening, agreeing to forward the four forms to the plenary for adoption and to add Annex II of the original Secretariat document UNEP(DTIE)/Hg/INC.6/4, which provides guidance on how to meet the notification requirements contained in paragraph 9 of Article 3.

FINANCE: On the specific international Programme (SIP), several developing countries stressed it should be a standalone institution and must be distinguished from the UNEP Special Programme and the GEF. They also expressed concern about potentially sharing funds for Minamata with other conventions. A group of developing countries suggested that the Secretariat develop a roadmap toward establishment of the SIP, including a description of its governance structure and a strategy for resource mobilization. On options for a host institution, delegates discussed asking the Secretariat to outline the pros and cons of various options. They also discussed a participant's suggestion to establish an expert group to work intersessionally on this question and agreed to revisit the issue in future discussions.

Fatoumata Keita-Ouane, UNEP, introduced the Special Programme adopted by UNEA, noting that its executive board is currently being established and will include LDC and SIDS representatives. She said the Special Programme will support institutional strengthening across the chemicals and waste regime, thereby addressing the current fragmented approach.

On guidance from INC6 to the GEF, delegates suggested welcoming and endorsing the GEF6 strategy with regard to Minamata and discussed principles for its programming. They agreed that the guidance would request the GEF to prioritize:

projects that focus on implementation of obligations; activities that allow for early implementation; and activities on mercury reduction emissions and releases.

Participants disagreed over a developed country proposal that applicants should indicate the measures they have taken to mainstream mercury priorities into national budgets and development plans, with some developing countries noting that such commitment is already shown by countries' co-financing of GEF projects.

They debated whether encouraging applicants to choose "the most cost-effective and sustainable and efficient interventions" would create additional hurdles to accessing finance. They also questioned whether GEF would judge this, and discussed the implications for the status of BAT/BEP. Noting that mercury reductions may not be immediately measurable, they debated whether to prioritize activities that seek "maximum" or "significant" mercury reductions, or simply to "enhance reduction" of emissions. Some developing countries suggested prioritizing activities addressing the health impacts of mercury, and participants agreed to mention health and environmental impacts.

The contact group co-chairs will revise the proposed guidance for further consideration on Thursday.

On eligibility criteria for GEF funding, delegates discussed the co-chairs' draft text proposing that support should also be available to developing countries and countries with economies in transition that are taking meaningful steps toward becoming a party. They also discussed what evidence of "meaningful steps" could be provided, including possible letters from ministers to the UNEP Executive Director and the CEO and Chair of the GEF.

IN THE CORRIDORS

While the music of Freddy Mercury continues to be the soundtrack of choice for the INC, the Chair's selection has shifted from the triumphant strains of "We are the Champions," celebrating the successful adoption of the Minamata Convention, to the INC's original theme song: "Under Pressure." As participants enjoyed the cheerful atmosphere of the Swiss-hosted reception on Wednesday evening, many said it was a welcome respite from the hard work that is underway. Several noted that much remains to be done at INC6 to keep work on track for completion ahead of entry into force and the first meeting of the COP.

Issues of finance were chief among the concerns of many delegates. Several participants underscored the need to ensure access to funding for those states that were unable to sign the Convention. Many delegates from developing countries, in particular, were keen to know how the INC's work in Bangkok could pave the way to a simplified method for accessing resources of the GEF's resources, understood as "good enough for an initial phase of the agreement." While delegates partied to the strains of Jessie J's "Price Tag" during the evening reception, singing "it's not about the money, money, money," one delegate reflected on the role of these negotiations within the wider world of international politics. He noted that, when it comes to money, "there are no permanent friends or enemies: only permanent interests."