



MERCURY INC6 HIGHLIGHTS: THURSDAY, 6 NOVEMBER 2014

On Thursday INC6 delegates convened in plenary in the morning to hear reports from Contact Groups and address issues including ASGM, environmentally sound interim storage, mercury wastes and contaminated sites. Contact Groups met during the day to discuss rules and reporting, technical issues, and finance. In the evening, delegates attended a reception hosted by the Government of Thailand before reconvening in the Contact Groups on finance and rules and reporting.

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ARTICLE 13. FINANCIAL RESOURCES AND MECHANISM: Co-Chair Filyk reported on the group's progress, noting members had discussed, *inter alia*: the specific international Programme (SIP); GEF-related issues, including support to facilitate entry into force and early implementation; compatibility with other capacity-building, technical assistance and technology transfer programmes cited in Article 14; and steps to be taken intersessionally.

INDIA emphasized the importance of "real and decentralized" training and capacity building for institutional strengthening. Chair Lugris noted the group would meet in the afternoon to review a non-paper prepared by the co-chairs.

ARTICLE 3. MERCURY SUPPLY SOURCES AND TRADE: Co-Chair Nieto-Carrasco reported that the group had completed its work on four notification forms for parties and non-parties. Delegates provisionally adopted the document (UNEP(DTIE)/Hg/INC.6/CRP.4) with minor amendments.

Co-Chair Nieto-Carrasco also reported that the Contact Group had raised additional issues for discussion, notably on guidance to accompany the notification forms, and asked the INC for a mandate to complete this work.

PAKISTAN noted the lack of time to develop detailed guidance at INC6. The EU, JAPAN and NORWAY said the Contact Group should focus on identifying elements for further elaboration by the Secretariat prior to INC7.

SWITZERLAND suggested the guidance address the relationship between mercury stocks and interim storage.

Chair Lugris invited the Contact Group to reconvene during lunch to identify any additional items needed for the implementation of Article 3.

ARTICLE 7. ARTISANAL AND SMALL-SCALE GOLD MINING (ASGM): The Secretariat introduced UNEP(DTIE)/Hg/INC.6/16, which contains an initial proposal for guidance and assistance to countries with significant ASGM activities in order to develop national plans. She noted the document

draws on guidance developed under the UNEP Global Mercury Partnership (GMP) and highlighted complementary guidance on health aspects developed by the World Health Organization (WHO).

UNIDO and the Natural Resources Defense Council provided an overview of ASGM-related activities carried out under the GMP. The WHO noted it is currently piloting a suite of technical materials to support implementation of health-related aspects of the Convention.

Nigeria, on behalf of the AFRICAN GROUP, stressed the need for multisectoral engagement. GHANA said that, as a large mercury user, it would benefit from the guidance in finalizing its national action plan.

The EU, supported by many countries, called for intersessional work on the draft guidance. The US noted the contribution made by the GMP in enhancing global understanding on ASGM and said the Secretariat proposals are "sensible and appropriate." SWITZERLAND highlighted the need for complementarity with existing GEF guidelines on enabling activities. PERU emphasized the importance of integrating the various guidance documents to encourage coordinated management at all levels. The ZERO MERCURY WORKING GROUP welcomed multi-stakeholder involvement in developing the draft guidance and called for its timely completion. IPEN called for a simplified document that accounts for the practical challenges faced by affected countries.

INDONESIA and COLOMBIA highlighted the need to recognize national-level challenges and priorities. Paraguay, on behalf of GRULAC, highlighted challenges posed by ASGM in the region.

ARTICLE 10. ENVIRONMENTALLY SOUND INTERIM STORAGE OF MERCURY OTHER THAN WASTE MERCURY: The Secretariat introduced the document on development of guidance (UNEP(DTIE)/Hg/INC.6/17) and a submission from the Basel Convention Open-Ended Working Group (UNEP(DTIE)/Hg/INC.6/INF.10), highlighting a potentially relevant chapter on storage.

The US, supported by the ZERO MERCURY WORKING GROUP, suggested the Secretariat draft an outline and scope of work for the guidelines, to be reviewed by INC7.

The EU emphasized that development of guidance on ASGM should take precedence over guidance on storage. CANADA supported focusing on "bigger priorities," such as ASGM, and expressed support for gathering information on best practices for storage.

CHILE underscored the need for flexibility to allow for implementation by all countries.



INC6 agreed to request the Secretariat to compile and summarize relevant information submitted by governments for consideration at INC7.

ARTICLE 11. MERCURY WASTES: The Secretariat presented the relevant documents (UNEP(DTIE)/Hg/INC.6/18 and INF/10).

JAPAN and the US supported commencing work on thresholds and welcomed collection of information on existing national regulations. SWITZERLAND said work on thresholds should start as soon as possible.

The EU said work to identify mercury waste should not endanger priority work on issues such as guidance for countries with ASGM. CANADA said regulation is tighter without thresholds; called for close collaboration with the Basel Convention; and said an information gathering exercise prior to INC7 would “respect” the priority level of this work.

CHILE underscored the need to define the relevant threshold and said technical guidelines should be sufficiently flexible to adapt to each country’s reality. IRAN called for consideration of the needs of developing countries.

KENYA said critical areas for action should be identified and standards and guidance should be provided. BELARUS called for a clear methodology for measuring threshold values of waste.

URUGUAY highlighted a pilot scheme addressing waste from chlor-alkali plants and called for additional support for such projects. JORDAN called for expanding pilot projects. TOGO underscored the need for technical assistance to address contaminated waste and raise awareness domestically.

The AFRICAN UNION COMMISSION highlighted a draft book produced with the support of the GMP containing guidance on mercury storage and disposal.

ARTICLE 12. CONTAMINATED SITES: The Secretariat introduced the document on guidance on managing contaminated sites and the proposed way forward (UNEP(DTIE)/Hg/INC.6/19).

The EU and US were not in favor of requesting further work, citing concerns about the Secretariat’s current workload. The US offered to share its updated national guidance.

IRAN suggested finding regional mechanisms to work on the issue. EGYPT suggested conducting a study of the environmental impact of mercury-contaminated sites and offered to share national experiences. PERU stressed that the national action plans already include clean-up of contaminated sites.

TOGO and BELARUS highlighted the need for establishing thresholds to identify sites of contamination and BELARUS proposed creating a website to disseminate information.

IPEN suggested creating an expert group to review the Secretariat’s forthcoming guidance, drawing on BAT/BEP, going into greater depth than the existing two-page guidance produced by the Basel Convention, and considering contaminated sites as a source of mercury release.

CONTACT GROUPS

RULES AND REPORTING: The Contact Group on rules and reporting, co-chaired by David Buchholz (US) and David Kapindula (Zambia), met in the morning and afternoon to discuss the draft rules of procedure for the COP (UNEP(DTIE)/Hg/INC.6/13). In the morning the group made several minor edits to the document text, repeatedly drawing on the text of the Stockholm Convention citing the need to “avoid reinventing the wheel.” They also clarified issues including, for example, the rules for quorum during a subsidiary meeting that is not opened. On Rule 30, a reference to “rotation” was included to allow balanced regional representation in the election of chairs.

In the afternoon, the Contact Group discussed a proposal from Canada (CRP.3) to amend the reporting format drafted by the Secretariat. Delegates were requested to discuss issues related to the scope, structure and style of the questions in the draft form. The Group identified as priorities Articles 3 (mercury

supply sources and trade), 8 (emissions) 9 (releases) and 12 (contaminated sites). Delegates from developing countries said some of the questions on the form were too narrowly formulated and expressed concern that the lack of capacity of many countries would impinge adequate reporting at this stage. Some differences were addressed by adding more flexible answer options. The Group will request permission to continue its work on Friday morning.

TECHNICAL ISSUES: The EU proposed content for guidance on forms pursuant to Article 3, noting they cover, *inter alia*: the purpose and scope of the guidance; an explanation of the forms; and how to obtain and submit the forms. Several delegates expressed concern that including information on sources could reopen language already agreed in the Convention and supported limiting the guidance to practical information on how to use the notification forms and public registries. Co-Chair Nieto-Carrasco noted the Contact Group would request further work by the Secretariat on the guidance document, based on the elements agreed by the group.

Due to time constraints, the group was unable to discuss guidance on the factors which may be considered in the identification of stocks of mercury or mercury compounds (UNEP(DTIE)/Hg/INC.6/9) and agreed to ask INC6 to seek submissions from parties on this issue.

FINANCE: Co-Chairs Guthrie and Filyk presented a non-paper on guidance to the GEF and a summary of delegates’ views on the specific international Programme (SIP).

Delegates discussed minor changes to decision text on eligibility criteria and provisional guidance to implementation of the GEF6 strategy, as well as text welcoming both the GEF6 strategy and UNEA1’s decision to establish the Special Programme for institutional strengthening at the national level.

Delegates also discussed establishing a group to work intersessionally on the SIP, including on the choice of a hosting institution. They also considered requesting the Secretariat to prepare information on options.

IN THE CORRIDORS

At INC6, there are no “mercury skeptics.” The challenge of this meeting is not to agree on the urgent need for action on mercury, but to start fleshing out the structure constructed during the first five meetings of the INC.

However, as the steadily growing pile of unfinished business revealed on Thursday, the devil is in the detail. This was illustrated in the technical issues Contact Group, where one expectation was that the perhaps overly simplistic (but user-friendly) notifications format would be balanced by detailed reporting obligations for parties. But this view was not shared by the group dealing with this issue, with the rules and reporting Contact Group opting for a simple “Yes” or “No” format for national reports, emphasizing that flexibility is fundamental to successful implementation of the Convention.

One observer pointed out that while participants share the same broad aim, “they are taking different routes to the same destination.” He said that he was disappointed the issue of contaminated sites gained little traction, but he saw finalizing trade notification forms in the technical issues Contact Group as an “unexpected bonus.”

While several delegates grumbled good-naturedly about the long day, which was extended by late evening Contact Groups, for most, this week has been an easy ride compared to the series of sleepless nights endured by negotiators at INC5. “We’ve got it easy this week,” said one, “Just wait for INC7!”

ENB SUMMARY AND ANALYSIS: The Earth Negotiations Bulletin summary and analysis of INC6 will be available on Monday, 10 November 2014 online at: <http://www.iisd.ca/mercury/inc6/>