

MINAMATA CONVENTION COP1: MONDAY, 25 SEPTEMBER 2017

Delegates attending Minamata COP1 met for a second day, convening in a Committee of the Whole (COW). Contact groups on reporting and the financial mechanism were established and met in the afternoon and into the evening. A Friends of the Chair group met to discuss the permanent functions of the secretariat in the evening.

COW

COW Chair Fernando Lugris, Uruguay, proposed, and delegates agreed to appoint Nina Crommier, Sweden, as COW rapporteur.

MATTERS FOR ACTION BY COP1: Matters Stipulated under the Convention: Reporting: The interim Secretariat introduced the document (UNEP/MC/COP.1/11). GRULAC suggested allowing countries to submit additional information in the reports. CHINA underscored that the content of the reports should not go beyond the Convention's mandate. The EU stressed that reporting should be as simple as possible, but with sufficient information.

On frequency, THAILAND, COLOMBIA, CHINA, the US, IRAN, SWITZERLAND, CHILE, INDONESIA, MEXICO, AUSTRALIA, Basel Convention Regional Center in the Russian Federation (BCRC-RUSSIAN FEDERATION) supported a four-year cycle. Drawing attention to their CRP, the EU supported a four-year cycle for most issues, and proposed, supported by IPEN, annual reporting on other issues, such as mercury supply and trade. GHANA expressed preference for a one- or two-year cycle. JAPAN suggested the Convention allow each country to choose their reporting year.

SWITZERLAND and LEBANON, opposed by the US, highlighted the importance of aligning reporting requirements with those of the BRS Conventions. The PHILIPPINES favored a reporting frequency similar to the Basel Convention. Supporting an electronic format, COLOMBIA preferred submitting initial reports within the first year of the Convention.

Several developing countries emphasized the need for capacity building and financial and technical assistance for parties to perform their data collection and management to support reporting obligations.

BELARUS underlined the potential for burdensome reporting requirements, noting that similar information is required under the Basel Convention. BCRC-RUSSIAN FEDERATION called for reporting also by non-parties. IPEN called for a mandatory reporting requirement.

Several countries expressed willingness to continue deliberations on reporting frequency and format in a contact group. CANADA requested a "clear mandate" for a contact group that includes that unbracketed text should not be reopened, unless it solves a problem. IRAN preferred discussing both unbracketed and bracketed text.

COW Chair Lugris proposed, and delegates agreed, to establish a contact group on reporting, co-chaired by David Kapindula, Zambia, and Silviņa Kalniņa, Latvia. Chair Lugris preferred that the contact group only discuss bracketed text, but noted that it may be necessary to discuss both bracketed and unbracketed text.

Financial Mechanism: The interim Secretariat introduced the draft MoU between the COP and the GEF Council (UNEP/MC/COP.1/15), the guidance to the GEF (UNEP/MC/COP.1/8) and matters related to the SIP (UNEP/MC/COP.1/9 and Add.1).

The GEF reported on institutional developments to operationalize the GEF as part of the financial mechanism and on support provided, highlighting that 89 of 94 eligible countries have received support.

Underscoring that the financial mechanism must be discussed in its entirety, Brazil, for GRULAC, introduced CRPs. 5 and 6 which propose changes to the SIP and on draft financial rules (UNEP/MC/COP.1/13). He outlined that the CRP specifies that the SIP: be hosted by the Minamata Secretariat; not be time-limited; and have a committee as a governing body. He said CRP.5 also includes new text on the terms of reference for the SIP; and on the establishment and contributions to the SIP in the financial rules.

The EU introduced CRP.3 on the decision related to guidance to the GEF. Stressing the importance of regional centres in supporting capacity building and technical assistance, Argentina, for GRULAC, suggested developing terms of references (ToR) for regional centres under the Minamata Convention and considering all issues related to the financial mechanism in a contact group.

The US supported the Minamata Convention secretariat hosting the SIP, but suggested a time-limited programme and lighter administrative arrangements.

IRAN also called for guidance on filling the application forms.

On guidance to the GEF, the US agreed to remove brackets related to funding eligibility for Convention signatories (UNEP/MC/COP.1/8). The COP adopted the guidance, but forwarded the related draft decision to a contact group.

The COW established a contact group on financial mechanism, co-chaired by Gillian Guthrie, Jamaica, and Gregor Filyk, Canada.

MATTERS STIPULATED BY THE CONFERENCE OF PLENIPOTENTIARIES: Draft MoU between the COP and the GEF Council: IRAN reiterated a textual amendment to replace "may" with "should" in a call to the GEF. The US opposed, indicating this amendment may compromise the agreement already negotiated. The RUSSIAN FEDERATION, supported by IRAN, underscored the need to avoid politicization of access to financial resources. Chair Lugris suggested, and delegates agreed, to discuss the MoU and its draft decision in the financial mechanism contact group.

Permanent Secretariat: UN Environment introduced the document (UNEP/MC/COP.1/14), noting the proposed location of the secretariat, as well as three staffing options: full integration

with the BRS Conventions Secretariat (option 1a), partial integration (option 1b), and a stand-alone secretariat (option 2). SWITZERLAND presented their proposal for hosting of the Secretariat in Geneva (UNEP/MC/COP.1/INF/7 and INF/8).

On the location of the secretariat, most countries welcomed Switzerland's offer to host the secretariat. KENYA noted that it could host the secretariat, given the numerous mercury-related issues affecting developing countries.

On the options, KENYA supported the stand-alone secretariat option.

The EU, NORWAY, COLOMBIA, SRI LANKA, NICARAGUA, CHILE, the PHILIPPINES, VIET NAM, MEXICO, AFGHANISTAN and JAPAN supported full integration, with the EU underscoring that the Minamata Convention COP would remain separate from the BRS COPs.

JORDAN, BELARUS, the AFRICAN GROUP, REPUBLIC OF KOREA, ARMENIA, DOMINICAN REPUBLIC, AUSTRALIA, and IRAN supported partial integration.

Highlighting the need for undivided support for the Minamata Convention and the high staffing costs in Geneva, the US objected to integration with the BRS Secretariat. CANADA suggested that full or partial integration at this stage would reduce the effectiveness of the Convention. CHINA expressed reservations on integration.

JAMAICA asked for clarification on: the differences in the duty-station related costs; whether the Swiss contribution of CHF100,000 to a stand-alone secretariat also included their assessed contribution; and the difference in countries' assessed contributions for all three options.

Delegates mandated a Friends of the Chair group to further discuss this issue with a view to making progress towards a final decision at this COP.

Effectiveness Evaluation: The interim Secretariat introduced the report on the establishment of arrangements for providing comparable monitoring data (UNEP/MC/COP.1/12). The EU suggested using 2013 data as a baseline.

CANADA introduced CRP.1 proposing: a draft indicative effectiveness evaluation planning timeline; a revised draft roadmap; draft terms of reference for an *ad hoc* expert group; and a draft decision. REPUBLIC OF KOREA supported the proposed roadmap.

Discussing the *ad hoc* expert group, the MARSHALL ISLANDS, supported by KIRIBATI, suggested including civil society representatives, with ZMWG and IPEN calling for the inclusion of academics and NGO representatives. The US proposed that the group identify existing data and methodologies to achieve data comparability. SWITZERLAND suggested establishing two expert groups to develop monitoring plans and performance indicators.

CHINA indicated that evaluation should consider the effectiveness of the whole Convention including capacity building and technology transfer and assistance. MEXICO encouraged countries to draw lessons from the Stockholm Convention. Gabon, for the AFRICAN GROUP, underscored the need to establish a global monitoring programme.

The WORLD HEALTH ORGANIZATION (WHO) presented their roadmap to enhance health sector engagement in SAICM to generate comparable monitoring data. UN ENVIRONMENT discussed, *inter alia*, its Global Mercury Assessment and the Global Environment Monitoring System. ZMWG emphasized that a draft effectiveness evaluation strategy should be considered at COP2. INTERNATIONAL SOCIETY OF DOCTORS FOR THE ENVIRONMENT (ISDE) noted that it was important to use action indicators from the health sector.

Delegates forwarded this issue to the contact group on reporting.

MATTERS RECOMMENDED BY THE INC: Guidance on the Preparation of National Action Plans (NAPs) for ASGM: The interim Secretariat introduced the documents (UNEP/MC/COP.1/17 and INF.22). The COW approved the guidance and forwarded it to the plenary for formal adoption.

Open Burning: The interim Secretariat introduced the report on open burning (UNEP/MC/COP.1/19). GUINEA, GABON, BURKINA FASO, MEXICO, NIGERIA, MACEDONIA, and IPEN requested the interim Secretariat to provide further information on emissions from open burning. KENYA highlighted the potential for synergies with the Stockholm Convention and called for the development of a toolkit on emissions from open burning. The US suggested that this issue be addressed at COP5, while IPEN called for further consideration at COP2. SYRIA called for financial and technical assistance from the UN Development Programme. The GAMBIA called for technology transfer to developing countries to curb open burning, with INDONESIA also calling for knowledge sharing. CÔTE D'IVOIRE and TOGO called for a comprehensive approach to address solid waste disposal in developing countries. UNITAR noted that the data collected on emissions on open burning is not sufficient for a comprehensive analysis, and called for urgent action. WORLD FEDERATION OF PUBLIC HEALTH ASSOCIATIONS called for awareness creation particularly of medical waste. COW Chair Lugris suggested, and delegates agreed, to request the interim Secretariat to prepare a draft decision on this issue.

MATTERS STIPULATED BY THE CONVENTION FOR ACTION BY THE COP: Interim Storage Guidelines: The interim Secretariat introduced the draft guidelines (UNEP/MC/COP.1/25). The US, UGANDA and TOGO requested a time limit. INDONESIA called to include the common but differentiated responsibilities (CBDR) principle and MEXICO noted the need for financial support. Many raised questions and asked for more discussion in a contact group.

CONTACT GROUPS

FINANCIAL MECHANISM: This group met during lunch and in the afternoon. On the draft MoU with the GEF, two countries suggested new language related to decision making on the eligibility of projects for inclusion in the MoU and the draft decision. A small group will consult on this additional language. On the SIP, countries discussed a regional group's CRP. Several developed countries supported a time-bound duration, suggesting this is foreseen in the Convention, while several developing countries supported an unlimited duration. Countries also discussed the ToR of the SIP committee, particularly the committee's structure, with views diverging on the need for a committee, and project screening, technical review and approval processes.

REPORTING: The contact group met during lunch and in the evening. Although general agreement on the four-year reporting cycle emerged, many countries emphasized the need to report more frequently on certain issues. A CRP was introduced, which proposed some considerations for annual reporting on key issues. Co-Chair Kalniņš suggested, and participants agreed, to postpone the discussion on this proposal. The group then considered the bracketed text in the draft reporting format, with many countries making suggestions to clean and simplify the text.

IN THE CORRIDORS

Familiarity returned on the second day of the Minamata COP. Those new to the Minamata family were introduced to its traditional soundtrack, Under Pressure by Queen. COW Chair Lugris confirmed that they were indeed under pressure to deliver on numerous issues fundamental to the future of the Convention, perhaps especially the financial mechanism and Secretariat arrangements.

Despite the heady issues at hand, there was a sense of calm as delegates returned to well-known issues under their historic Chair. One delegate thought they saw emerging consensus on reporting timelines and Secretariat arrangements. However, another observed cryptic language in the more open forum of the COW may mean more pointed conversations in more private settings.