

Mercury COP2 Monday, 19 November 2018

The second meeting of the Minamata Convention on Mercury opened on Monday, 19 November 2018. After hearing opening statements, delegates began discussions on:

- mercury waste;
- the financial mechanism;
- effectiveness evaluation; and
- the secretariat.

Opening of the meeting

In her opening remarks, Executive Secretary Rossana Silva Repetto congratulated the 101 parties that have ratified the Convention and those in the process of ratifying it.

COP2 President Marc Chardonens, Switzerland, stressed that COP2 will be a working COP, and outlined the matters facing it, highlighting the need to decide on a permanent secretariat. Joyce Msuya, Deputy Executive Director, UN Environment (UNEP), called on delegates to reflect on why they are at COP2, underlining that rising mercury pollution is a global problem requiring a global effort to address it.

Zhao Yingmin, Vice Minister for Ecology and Environment, China, underscored the importance of constructing a Convention that works for all parties, with a proper oversight mechanism.

Gabon, for the AFRICAN GROUP, emphasized the importance of COP2 work on open burning, guidance on contaminated sites, and developing a roadmap for the effective phase-out of dental amalgam.

Japan, on behalf of ASIA-PACIFIC REGION, highlighted the need for proper assessment of mercury exposure in Small Island Developing States (SIDS).

Chile, on behalf of the GROUP OF LATIN AMERICA AND CARIBBEAN (GRULAC), called on parties to approve the Memorandum of Understanding (MoU) between the Global Environment Facility (GEF) and the COP, and emphasized the importance of cooperation with the Basel Rotterdam and Stockholm (BRS) Conventions.

Moldova, on behalf of CENTRAL AND EASTERN EUROPE (CEE), reiterated the role of COP2 in advancing the achievement of Convention objectives, including protection of human health.

Palau, on behalf PACIFIC SIDS, called on the COP and international partners to strengthen regional entities, national universities and NGOs to assist at the national level.

The EUROPEAN UNION (EU) supported close cooperation with BRS Conventions to advance sound management of chemicals and waste.

CHAD requested GEF funding for artisanal and small-scale gold mining (ASGM). NIGERIA highlighted advances made in the country including developing mercury-free alternatives.

IRAN lamented the “politicization” of the designated financial mechanism and called on delegates to fully implement Article 14 (capacity building, technical assistance and technology transfer) to minimize such challenges.

SYRIA reported on the creation of a national working group of public and private stakeholders and a national action plan for reducing mercury. INDONESIA said it is drafting a national action plan that covers, *inter alia*, ASGM, health and manufacturing, and energy. CAMBODIA shared progress on national legislation for mercury management and raised the issue of evaluating and prioritizing emerging chemicals management issues as they relate to developing countries.

ZERO MERCURY WORKING GROUP drew attention to intersessional workshops and laboratory testing of beauty products, the results of which are described in its recently released report on “Mercury-Added Skin-Lightening Creams.”

Organizational Matters

Delegates adopted the agenda (UNEP/MC/COP.2/1 and Add.1) with no amendments.

Matters for Consideration or Action by the COP

Waste Thresholds: The secretariat introduced the documents (UNEP/MC/COP.2/6, and INFs 6 and 10). Japan introduced a proposal, submitted with the EU, on mercury waste thresholds, which proposes setting thresholds for waste. The EU called on the COP to consider the function of thresholds, and whether these thresholds are necessary in all cases. GRULAC supported two working groups to address different waste thresholds. The US called for a definition of the scope of the three types of wastes (waste consisting of mercury or mercury compounds; waste containing mercury or mercury compounds; or waste contaminated with mercury or mercury compounds) and supported a single expert group to deal with thresholds.

The AFRICAN GROUP supported the establishment of relevant mercury waste thresholds. NIGERIA proposed that the COP focus on thresholds for waste contaminated with mercury or mercury compounds.

THAILAND underlined that waste thresholds should not put an undue burden on developing countries. CHINA said that the characteristics of waste and associated waste management costs should be considered.

The INTERNATIONAL POPS ELIMINATION NETWORK (IPEN) stressed the need to prioritize thresholds related to waste contaminated with mercury, proposing that the threshold should be 1ppm. The COP established a contact group, co-chaired by Silvija Kalniņš (Latvia), and Teeraporn Wiriwutikorn (Thailand).

Financial Mechanism: *GEF:* The secretariat introduced documents (UNEP/C/COP.2/8 and INF/3).

The GEF presented its report to the COP, which includes information on 16 Small Grants Programme (SGP) projects on mercury management, with a total of USD 674,859 GEF funding, which generated USD 689,794 in co-financing. COP2 President Chardonnes proposed, and the COP agreed, to adopt the MOU with GEF.

GRULAC supported the draft MOU with the GEF, underscoring the importance of financial resources, technical assistance, capacity building, and technology transfer.

IRAN said that political considerations should not be used to deprive countries of GEF resources and suggested an amendment to the MOU, and with the RUSSIAN FEDERATION, protested the adoption of the MOU, noting that this issue had been scheduled for discussion on Tuesday, and stressing that the decision should not have been adopted without Iran present.

COP2 President Chardonnes said the decision would not be reopened, but proposed that Iran submit their amendment on Tuesday.

SIP: The AFRICAN GROUP appealed to donors to further support the SIP and said it to serve the purpose for which it was established. NORWAY pledged USD 1 million to the SIP.

Effectiveness Evaluation: The secretariat introduced the documents (UNEP/MC/COP. 42/13, INF/8 and INF/15). Kateřina Šebková (Czech Republic) and Mohammed Khashashneh (Jordan), Co-Chairs of the *Ad Hoc* Group of Experts on Effectiveness Evaluation, outlined the work undertaken by the Group in its first meeting during the intersessional period.

JAPAN and the EU discussed their joint proposal, supported by SWITZERLAND, calling for an amended mandate of the Group and modifications in the recommended terms of reference (ToR) and timetable for the effectiveness monitoring committee. The EU called for the Group to outline global monitoring needs, including global background trends, identification of data gaps, and identification of available options to address gaps and lack of comparability, including the associated costs of each option.

GRULAC recommended further honing the ToR of the Group. IRAN emphasized avoiding duplication and called for a general evaluation that does not focus on singular party performance. INDONESIA called for collaborative action to support generation of new credible scientific data.

The US encouraged continued coordination of global information on relevant scientific knowledge.

CANADA supported the establishment of contact group to elaborate on framework and monitoring arrangements, and urged the COP to first decide on “what” monitoring should be done.

The AFRICAN GROUP emphasized the value of empirical data on mercury, noting that some existing global data is incompatible with African realities.

THAILAND supported the establishment of a global coordination group within the five monitoring groups (related to air, soil, water, human and biota) proposing further review by the COP of the Stockholm Convention’s evaluation criteria.

Delegates established a contact group, co-chaired by Karissa Kovner (US), and Šebková (Czech Republic).

Secretariat: The secretariat introduced the document on secretariat arrangements (COP.2/15/Rev1) and described the bureau and decision-making process in Geneva with a host country contribution of CHF 1 million; and

- further discussing cooperation between the Minamata secretariat and the BRS Secretariat.

The EU, the AFRICAN GROUP, and GRULAC supported the proposal.

SWITZERLAND proposed discussions to explore areas for inter-secretariat cooperation to deliver more coherent and cost-effective services.

The US noted that the Minamata secretariat may be able to cooperate with the BRS Secretariat on certain issues, but pointed to the unique needs of the Minamata Convention. The RUSSIAN FEDERATION called for an independent secretariat, which cooperates with the BRS Secretariat. PERU proposed defining the role and scope of the secretariat. IRAN called for geographic balance in staffing. Delegates established a contact group, co-chaired by Nina Crommier (Sweden) and Yingxian Xia (China).

Programme of Work and Budget

Chardonnes introduced the update on the programme of work and budget for the biennium 2018-2019 (UNEP/MC/COP.2/18) and the progress report on the main activities of the secretariat in the intersessional period (UNEP/MC/COP.2/17).

The BRS Secretariat presented the report on cooperative activities with the Minamata secretariat in areas of mutual interest. The UN Institute for Training and Research (UNITAR), UN Industrial Development Organization (UNIDO) and the International Labour Organization (ILO) reported on their organizations’ progress on mercury-related issues. The US presented the report on activities undertaken within UNEP’s Global Mercury Partnership.

The AFRICAN GROUP noted savings made in the 2018 budget and supported carryover to 2019, particularly to support developing countries’ ratification. IRAN noted the importance of announcing workshops in advance to enhance participation.

The EU called for more information on the programme of work to facilitate discussions in the budget contact group.

The COP established a contact group on budget, co-chaired by Reginald Hernaus (the Netherlands) and Sam Adu-Kumi (Ghana).

Venue and Date of COP3

COP President Chardonnes noted that a reservation has been made to host COP3 at the International Conference Center in Geneva in November 2019. The EU introduced a proposal, suggesting that other countries could offer to host COPs, but in the event that there are no other offers to host the meeting, the COP would be held in Geneva. A Friends of the President group was established to consider this proposal.

Contact Groups

Effectiveness Evaluation: The contact group met over lunch and discussed the availability of data and the need to elaborate a global monitoring plan to fill gaps. Japan and the EU introduced their proposal, which elaborates a draft decision, and identifies the need for, among others:

- multidisciplinary expertise;
- data and information from the parties; and
- modeling of trends.

Waste Thresholds: The contact group heard a detailed outline of the proposal by Japan and the EU (UNEP/MC/COP.2/CRP.2), and then discussed, *inter alia*:

- whether the CRP conflicts with Article 11 (waste thresholds);
- whether thresholds should be set for wastes containing or consisting of mercury and its compounds;
- whether supplementary guidance on mercury wastes should be added to that provided in the Basel Convention technical guidelines; and
- the possible scope of a mandate for an intersessional expert group.

In the Corridors

Delegates returned to Geneva for COP2 on an overcast Monday morning, anticipating a “working COP.” In what many described as the “elephant in the room,” the unresolved issue of secretariat arrangements loomed large in discussions in the corridors. Some hoped that this institutional issue, which caused delegates several unexpected late-night sessions at COP1, would not “eclipse discussions on implementing the Convention.” “At the national level, we are ready to act on mercury,” shared one developing country delegate, “but we cannot ignore the fact that without the support of a fully functional Secretariat, progress will be terribly slow.”

And in a moment of *déjà vu*, Iran reiterated the need to minimize politicizing the funding process. Along with the Russian Federation, they rejected the adoption of the MOU with GEF, frustrated that the issue had been addressed a full day ahead of schedule. The back-and-forth caused a stir in plenary, and as the first snow appeared outside, delegates walked out into the cold, uncertain of whether or not this year’s COP would run late for the same reasons that kept COP1 delegates working into the wee hours.