



DIPLOMATIC CONFERENCE OF PLENIPOTENTIARIES ON THE MINAMATA CONVENTION ON MERCURY: 7-11 OCTOBER 2013

A two-day open-ended intergovernmental preparatory meeting gathers today in Kumamoto, Japan, in preparation for the Diplomatic Conference for the Minamata Convention on Mercury from 9-11 October.

During the preparatory meeting, governments are expected to negotiate resolutions on elements of the Final Act (to be adopted at the actual Conference), including on: promoting and preparing for the early implementation of the mercury instrument; arrangements for the interim period between the signing of the instrument and its entry into force, such as arrangements for financial and technical assistance during that period; and secretariat arrangements. This will be followed by the Conference of Plenipotentiaries, which will adopt the Minamata Convention on Mercury and open it for signature.

The Minamata Convention on Mercury provides controls and reductions across a range of products, processes and industries where mercury is used, released or emitted, including from medical equipment, thermometers and energy-saving light bulbs to the mining, cement and coal-fired power sectors. The Minamata Convention includes a ban on new mercury mines, the phase-out of existing ones, control measures on air emissions, and the international regulation of the informal sector of artisanal and small-scale gold mining.

A BRIEF HISTORY OF THE GLOBAL ISSUE OF MERCURY

Mercury is a heavy metal that is widespread and persistent in the environment. It is a naturally occurring element and can be released into the air and water through weathering of rock containing mercury ore or through human activities such as industrial processes, mining, deforestation, waste incineration, and burning of fossil fuels. Mercury can also be released from a number of mercury-containing products, including dental amalgam, electrical applications (e.g., switches and fluorescent lamps), laboratory and medical instruments (e.g., clinical thermometers and barometers), batteries, seed dressings, antiseptic and antibacterial creams, and skin-lightening creams. Mercury exposure can affect fetal neurological development and has been linked to lowered fertility, brain and nerve damage, and heart disease in adults who have high levels of mercury in their blood.

Since 2001, the United Nations Environment Programme's (UNEP) Governing Council/Global Ministerial Environment Forum (GC/GMEF) has regularly discussed the need to protect human health and the environment from the releases of mercury and its compounds.

24TH SESSION OF THE UNEP GC/GMEF: In February 2007, GC-24/GMEF discussed the issue of mercury extensively. Participants' preferences for international cooperation on mercury ranged from starting a negotiating process for a legally binding instrument, to incorporating mercury into existing agreements, or concentrating on voluntary actions, especially through partnerships. Delegates agreed in Decision 24/3 IV that a "two-track" approach could be employed to take forward actions on mercury, while keeping open the path to a binding instrument in the future. The UNEP Executive Director was requested to prepare a report on mercury emissions and strengthen the UNEP Mercury Partnership. An ad hoc open-ended working group (OEWG) of government and stakeholder representatives was established to review and assess options for enhanced voluntary measures and new or existing international legal instruments for addressing the global challenges posed by mercury.

Decision 24/3 IV includes the following priorities: to reduce atmospheric mercury emissions from human sources; to find environmentally sound solutions for the management of waste containing mercury and mercury compounds; to reduce global mercury demand related to use in products and production processes; to reduce the global mercury supply, including considering curbing primary mining and taking into account a hierarchy of sources; to find environmentally sound storage solutions for mercury; to address the remediation of existing contaminated sites affecting human and environmental health; and to increase knowledge on areas such as inventories, human and environmental exposure, environmental monitoring and socioeconomic impacts.

FIRST MEETING OF THE OEWG ON MERCURY: The first meeting of the OEWG to Review and Assess Measures to Address the Global Issue of Mercury was held from 12-16 November 2007 in Bangkok, Thailand. The OEWG discussed options for enhanced voluntary measures, and new or existing international legal instruments on mercury. Delegates agreed on intersessional tasks to be undertaken by the Secretariat, including analyses of: financial considerations of a free-standing convention, a new protocol to the Stockholm Convention on Persistent Organic Pollutants (POPs) and voluntary measures; sustainable technology transfer and support; implementation options; organization of response measures; costs and benefits for each of the strategic objectives; meeting demand for mercury if primary production is phased out; major mercury-containing products and processes for which effective substitutes exist;



and funding available through the Global Environment Facility (GEF) and the Strategic Approach to International Chemicals Management.

SECOND MEETING OF THE OEWG ON MERCURY:

The second meeting of the OEWG on Mercury convened in Nairobi, Kenya, from 6-10 October 2008. The OEWG discussed elements to be addressed by a mercury framework; the type of framework to be used; and the capacity-building, financial and technical support required to deliver on identified elements. Delegates agreed on one legally binding option and three voluntary options for consideration by the UNEP GC.

25TH SESSION OF THE UNEP GC/GMEF:

UNEP GC-25/GMEF took place from 16-20 February 2009 in Nairobi, Kenya. Decision GC 25/5 agreed to further international action consisting of the elaboration of a legally binding instrument on mercury, which could include both binding and voluntary approaches, together with interim activities, to reduce risks to human health and the environment. It also requested the Executive Director to convene one OEWG meeting in 2009, and an INC commencing its deliberations in 2010 with the goal of completing its work by GC-27/GMEF in February 2013. Agreement could not be reached on "leaving the door open" to consider other heavy metals, but the decision does recognize that the mandate of the INC may be supplemented by future GC decisions.

AD HOC OEWG TO PREPARE FOR THE INC ON

MERCURY: This meeting convened from 19-23 October 2009 in Bangkok, Thailand. The Ad Hoc OEWG agreed to recommend rules of procedure to the INC, as well as intersessional work for the Secretariat to prepare documentation for the INC, including options for the structure of the instrument and a description of options for substantive provisions.

INC1: The first session of the INC to prepare a global legally binding instrument on mercury convened from 7-11 June 2010 in Stockholm, Sweden. Delegates exchanged views on key elements of a convention, including: objectives; structure of the instrument; capacity building and technical and financial assistance; compliance; issues of supply, demand, trade, waste and storage; atmospheric emissions of mercury; and awareness raising and information exchange. The key outcome of INC1 was a request to the Secretariat to draft "elements of a comprehensive and suitable approach" for a legally binding instrument, which would serve as a basis for negotiation at INC2.

INC2: The second session of the INC convened from 24-28 January 2011 in Chiba, Japan. INC2 marked the first opportunity for delegates to start textual negotiations on potential elements for the mercury instrument, contained in a paper prepared by the Secretariat. INC2 achieved a first full reading of the paper and mandated the Secretariat to prepare a new draft text for further negotiation at INC3.

INC3: The third session of the INC convened from 31 October – 4 November 2011 in Nairobi, Kenya. INC3 completed a comprehensive review of the text of the draft instrument and requested the Secretariat to compile a revised draft text based on plenary negotiations, the reports of the INC3 contact groups, and the work of the legal group.

RIO+20 CONFERENCE: The UN Conference on Sustainable Development (Rio+20) took place in Rio de Janeiro, Brazil, from 20-22 June 2012. The outcome document, "The Future We Want," contains a paragraph on the negotiation of an instrument on mercury stating that countries "welcome the ongoing negotiating process on a global legally binding instrument on mercury to address the risks to human health and the environment and call for a successful outcome of the negotiations."

INC4: INC4 convened from 27 June – 2 July 2012 in Punta del Este, Uruguay. Progress was achieved on artisanal and small-scale gold mining (ASGM), storage, wastes and

contaminated sites, and options were narrowed on articles related to information and reporting. Views diverged on compliance, finance and control measures for products and processes, with discussions focusing on laying out the range of positions. Delegates requested: INC Chair Fernando Lugris (Uruguay) to clean up the negotiating text and, in cooperation with the Co-Chairs of the contact groups, present possible compromise articles where there was divergence among countries; the Secretariat to analyze in cooperation with the World Health Organization (WHO) the extent to which the other provisions of the draft mercury instrument reflect the content of article 20 bis on health aspects; the Secretariat to present a draft of the final act for consideration by INC5 to determine work from the moment of the signature of the instrument until its entry into force; and intersessional work on emissions and releases.

INC5: INC5 convened from 13-19 January, in Geneva, Switzerland. Delegates negotiated on the basis of a text prepared by INC Chair Lugris during the intersessional period. INC5 addressed several complex policy and technical issues, including mercury air emissions and releases to water and land, health aspects, and phase-out and phase-down dates for products and processes. A final compromise was reached late Friday night, based on a package addressing outstanding issues related to the preamble, finance and compliance. Delegates successfully completed the negotiation of the Minamata Convention on Mercury.

INTERSESSIONAL HIGHLIGHTS

UNEP GOVERNING COUNCIL MEETING: The first universal session of the UNEP Governing Council took place from 18-22 February 2013, in Nairobi, Kenya. In an omnibus decision on chemicals and wastes management (UNEP/GC.27/L.4), the GC welcomed the completion of the negotiation of a global mercury treaty. The decision on mercury: authorized the Executive Director to provide secretariat support to the Minamata Convention on Mercury and, if so decided by the Conference of Plenipotentiaries of the Minamata Convention on Mercury, to provide an interim secretariat to the instrument prior to its entry into force; requested the Executive Director to inform the diplomatic conference of the Minamata Convention on Mercury about possible options available for the interim secretariat; and invited parties to the Basel, Rotterdam and Stockholm Conventions to consider, at their next meeting, steps that would facilitate possible future cooperation and coordination with the Minamata Convention on Mercury and to forward any outcome of that consideration to the Minamata Conference of Plenipotentiaries.

EXCOPS2: The eleventh meeting of the Conference of the Parties to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal (BC COP11), the sixth meeting of the Conference of the Parties to the Rotterdam Convention on the Prior Informed Consent (PIC) Procedure for Certain Hazardous Chemicals and Pesticides in International Trade (RC COP6), the sixth meeting of the Conference of the Parties to the Stockholm Convention on Persistent Organic Pollutants (POPs) (SC COP6), and the second simultaneous extraordinary meetings of the Conferences of the Parties to the three conventions (ExCOPS2) convened from 28 April - 10 May 2013 in Geneva, Switzerland. In its omnibus decision on enhancing cooperation and coordination among the Basel, Rotterdam and Stockholm conventions, ExCOPS2 expressed its interest and signaled its readiness to cooperate and coordinate with the Minamata Convention; and invited the Conference of the Plenipotentiaries of the Minamata Convention to consider cooperation and coordination in areas of mutual interest to the four conventions.



MINAMATA PREPARATORY MEETING HIGHLIGHTS: MONDAY, 7 OCTOBER 2013

On Monday, 7 October 2013, delegates convened in Kumamoto, Japan, for the intergovernmental preparatory meeting in preparation for the signing of the Minamata Convention on Mercury at the Diplomatic Conference to be held on 10 and 11 October.

OPENING OF THE MEETING AND ORGANIZATIONAL MATTERS:

Tim Kasten, Head of the UNEP Chemicals Branch, opened the meeting and welcomed delegates on behalf of UNEP Executive Director Achim Steiner. JAPAN welcomed delegates and underscored the objective of the preparatory meeting to agree on resolutions indispensable for the function of the convention.

JAPAN nominated Fernando Lugris (Uruguay), Chair of the intergovernmental negotiating committee (INC), as Chair of the preparatory meeting. Chair Lugris suggested, and delegates agreed, that the preparatory meeting use the INC rules of procedure.

The meeting then elected the following members to the Bureau: Vice-Chair Gillian Guthrie (Jamaica), Rapporteur Nina Cromnier (Sweden), Sezaneh Seymour (US), Katerina Sebkova (Czech Republic), Vladimir Lenev (Russian Federation), Oumar Diaoure Cissé (Mali), David Kapindula (Zambia), Yingxian Xia (China) and Mohammed Kashashneh (Jordan).

Chair Lugris introduced the provisional agenda (UNEP(DTIE)/Hg/CONF/PM/1 and 1/Add.1), which was adopted without amendment. He detailed the proposed organization of work (UNEP(DTIE)/Hg/CONF/PM/2), stressing that the main focus of the preparatory meeting's work is the finalization and forwarding of the agreed resolutions to the Diplomatic Conference.

PREPARATION OF RESOLUTIONS FOR THE CONFERENCE OF PLENIPOTENTIARIES:

The Secretariat introduced the draft resolutions, noting there are four draft resolutions on: arrangements in the interim period; financial arrangements; matters pertaining to other international bodies; and a tribute to the Government of Japan (UNEP(DTIE)/Hg/CONF/PM/3).

Jim Willis, Executive Secretary of the Basel, Rotterdam and Stockholm (BRS) conventions, introduced a decision adopted by the BRS COPs at their 2013 simultaneous extraordinary meetings, expressing their readiness to cooperate with the Minamata Convention (UNEP(DTIE)/Hg/CONF/PM/INF/2). He noted that the BRS conventions had considerable experience

and resources, including staff with technical expertise and a network of regional centres which had: supported parties during ratification processes; provided guidance on best available techniques and best environmental practices (BAT/BEP); and supported inventory preparation.

Noting the meeting's mandate to agree a clean text for the Diplomatic Conference's consideration, Chair Lugris opened discussion on the resolutions, indicating that he would return to the overarching preambular text after the resolutions' text was agreed.

Resolution on arrangements in the interim period: On the preambular text, SWITZERLAND proposed that the text refer to the need for "efficient and effective" arrangements. He also proposed text on cooperation with the BRS conventions, and calling on the Secretariat to prepare a work programme for the interim period.

South Africa, for the AFRICAN GROUP, raised some general issues in relation to the draft resolutions, including the importance of the role of academia and civil society, and composition of the BAT/BEP technical expert group.

SWITZERLAND, with NORWAY and the EU, supported including a reference to the BRS conventions' readiness, in the preamble of the document. CANADA and the US voiced concerns about raising the prominence of the role of the other chemical conventions. KENYA and the AFRICAN GROUP proposed including reference to the Rio+20 outcome document in the preamble, while JAPAN urged including reference to the role of the GEF. CHINA, IRAQ and the UAE called for a focus on "consensus rather than negotiations" and retaining simplified and clear text in the resolutions. The US suggested bracketing the text, and Chair Lugris suggested revisiting the paragraph when addressing the paragraphs regarding the BRS COPs, the GEF and Rio+20 outcome document.

Chair Lugris then introduced paragraphs on the resolutions on interim arrangements, explaining that the paragraphs reflect different levels of priorities of the tasks listed therein. The US suggested including a reference to the relevant convention article for each item referred to in these paragraphs, and delegates agreed.

On the paragraph listing those items that need to be adopted at COP1 but should be provisionally adopted in advance, the EU, supported by the US, asked to include a reference to guidance on BAT and BEP.

On a request that the Committee support activities that will facilitate the convention's rapid entry into force and effective implementation, KENYA and COLOMBIA proposed deleting language that this support be "if possible, and without impeding the completion" of the tasks outlined above. The US and the



EU disagreed, while BRAZIL suggested deleting only “if possible.” Stressing the progress already made on mercury use in artisanal small-scale gold mining (ASGM) in recent years, the PHILIPPINES underscored the importance of the activities outlined in this paragraph. IRAQ proposed that the reference to ASGM also address “other activities in this area.” Chair Lugris suggested, and delegates agreed, that a small group consider this paragraph in informal discussions.

On the establishment of a group of technical experts to develop guidance on BAT and BEP in relation to emissions, IRAQ, supported by Nicaragua, on behalf of GRULAC, and BRAZIL, proposed extending the group’s mandate to mercury releases as well.

The EU supported rapid establishment of the technical group, proposing amendments to ensure: participants’ expertise; two co-Chairs; a fixed number of five observers; extending the list of potential stakeholder participation to include ‘parties’; and transparency in group proceedings via the web. The Chair noted that the EU’s remarks would be included in the report of the meeting. JAPAN opposed limiting the number of observers, noting that there were many technical sectors that would need to be covered.

JORDAN, opposed by the US, expressed concerns about the balance of geographic representation proposed in the draft resolutions and favored following the composition and approach to observers of the Stockholm Convention Persistent Organic Pollutants Review Committee (POPRC).

JAPAN, supported by INDONESIA, proposed the Asia-Pacific region have more than five seats as many countries in the region have significant mercury emissions.

NORWAY, supported by COLOMBIA, asked whether the resolution should also include text on consideration of arrangements for the permanent secretariat. KENYA suggested text requesting the UNEP Executive Director to prepare an analysis on the basis of UNEP(DTIE)/Hg/CONF/PM/INF3, which sets out four options for the provision of the secretariat in the interim period. SWITZERLAND opposed any reference to the document or the four options. ZAMBIA proposed also requesting the UNEP Executive Director to facilitate activities at the regional and country level to support the implementation of the Minamata Convention in an efficient and effective manner, and in close cooperation with the BRS conventions secretariats.

On the continuation of secretariat service provision, SWITZERLAND, requested an addition of text on “making full use of BRS expertise,” but JAMAICA cautioned against contravening the Convention text, and BRAZIL suggested leaving the issue of the permanent Secretariat to the UNEP Executive Director.

COLOMBIA requested adding text on “developing infrastructure and capacity” to the text on States in the position to provide assistance, with INDONESIA reminding that Article 14 of the Convention refers to technical assistance and technology transfer.

On a reference to GEF support, CANADA, with JAMAICA, but opposed by NORWAY and the US, requested adding “early implementation” before ratification, and “enabling” before activities.

Resolution on financial arrangements: On the preamble, JAMAICA proposed a reference to the specific circumstances and needs of small island developing States. The GEF Secretariat explained that they were in contact with their legal advisors in Washington DC regarding the text, and undertook to clarify several issues by the morning. SWITZERLAND called for including references to the BRS conventions, while IRAN favored using “utilizing” instead of “building” regarding the experience gained by the BRS conventions in this resolution as

well. The EU suggested adding two paragraphs to the resolution, on welcoming the outcomes of the August 2013 country-led meeting in Bangkok that developed the terms of reference for a special programme to support institutional strengthening at the national level for implementation of the BRS conventions, the future Minamata Convention and the Strategic Approach to International Chemicals Management (SAICM), and welcoming the role of the special programme. COLOMBIA requested that Parties see the text before discussing it and proposed acknowledging pledges for interim financing already put forward.

Resolution on matters pertaining to other international bodies: On paragraphs relating to the Basel Convention, and the preparation and development of technical guidelines on the environmentally sound management of mercury wastes, several countries underscored these have already been adopted by the Basel Convention. On inviting relevant bodies of the Basel Convention to cooperate with the INC and COP, CANADA favored deleting reference to identifying thresholds for mercury content in waste and updating the technical guidelines for mercury content in waste. The US disagreed and called for instead deleting the references to close cooperation in developing guidelines on the interim storage of mercury and requirements for managing mercury wastes under the Minamata Convention. The EU opposed deleting any activities listed in the invitation. JAMAICA stressed the need to draw a line between Minamata Convention and Basel Convention responsibilities.

SWITZERLAND, EGYPT, IRAQ and PAKISTAN asked to include a reference to guidance on contaminated sites.

Tribute to the Government of Japan: SWITZERLAND expressed appreciation for Japan’s strong support for the resolution. JAPAN noted its appreciation for the resolution, highlighting that a reference to the long-term suffering of the people and their communities in the Minamata region would encourage revitalization in the region.

At the close of the plenary session, Chair Lugris explained the Secretariat would prepare a text reflecting agreed changes for consideration on Tuesday. A contact group, chaired by Alf Wills (South Africa), was established to address all references to enhanced cooperation and coordination, and issues relating to the permanent secretariat. Informal groups were tasked with considering: the paragraph requesting the INC support activities required or encouraged by the Convention, the establishment of the BAT/BEP technical expert group, and the resolution on financial arrangements.

IN THE CORRIDORS

On Monday, delegates convened with a clear task before them: to finalize the ultimate piece of the puzzle that will allow for the adoption in just a few days of the Minamata Convention on Mercury, the fruits of so many hours of their labor throughout the INC process. At the outset, Chair Lugris stressed the importance of completing a first reading of the resolutions to allow any necessary informal consultations to take place overnight. As the meeting worked on in plenary, well past its scheduled close of 6pm (and without translation), it became clear that there was one more late night ahead before claiming the prize.

Yet many were already looking past this final hurdle. In the shorter term, the halls were abuzz with the impact Typhoon Danas might have on the impending arrival of plenipotentiaries and opening ceremonies in Minamata. In the longer term, the call for “50 by 2015” and the prospect of entry into force by 2016, which some senior representatives viewed as quite achievable, was complemented by side events emphasizing means of hitting the ground running in tackling mercury.



MINAMATA PREPARATORY MEETING HIGHLIGHTS: TUESDAY 8 OCTOBER 2013

On Tuesday, the Preparatory Meeting continued negotiations on the draft resolutions to be forwarded to the Diplomatic Conference. In the morning, delegates heard reports on the previous evening's discussions, and after further negotiations in plenary, agreement was reached on the draft resolutions. In the afternoon, the report of the meeting was adopted, after which delegates were invited to enjoy a "Swiss Break" at a reception hosted by the government of Switzerland.

PLENARY

In the morning, Chair Fernando Lugris introduced new text contained in documents UNEP(DTIE)/Hg/CONF/PM/CRP.1 and UNEP(DTIE)/Hg/CONF/PM/CRP.2, reflecting Monday's deliberations.

Cooperation and coordination and the interim

secretariat: On the arrangements for the Secretariat, contact group Chair Alf Wills noted an agreement was reached on requesting the Executive Director to provide interim secretarial services and to facilitate activities at regional and country level until COP1. He said the Executive Director is also requested to present for INC consideration a report on proposals on how the permanent secretariat's functions will be performed, including analysis of options that address inter alia: effectiveness; cost benefit; locations of the secretariat and merging the secretariat with that of the BRS Conventions; and using the services of the interim secretariat. Wills said the group debated text to make clear the importance of liaising with the BRS Secretariats, with other relevant actors, and with the Basel Convention on matters clearly within the mandate of either convention.

On revised text relating to matters pertaining to other international bodies, Chair Lugris indicated there should be minor changes to be consistent with Monday's plenary discussions, including that the Basel Convention Secretariat should be invited to "update", rather than "develop" technical guidelines for the environmentally sound management of mercury wastes.

Delegates agreed on the text as proposed, with minor changes to be consistent with Monday's plenary discussions.

BRAZIL supported the text but noted its reservations about the UNEP Executive Director's report to the INC on proposals on the performance of functions of the permanent secretariat, saying this exceeded the meeting's mandate and prejudged the

work of COP1. SWITZERLAND noted that many delegates supported explicit references to supporting an efficient and effective implementation phase, drawing on the resources of the UNEP family.

Activities required or encouraged by the Convention:

David Buchholz (US) reported on informal consultations on requesting the INC support activities required or encouraged by the Convention, and noted participants had agreed that the support be "practicable, and consistent with the priorities in the Convention." On releases, he explained participants had agreed that the first priority is guidance on the identification of sources of releases and the methodology for preparing the development of inventories of releases. He also proposed deleting a reference to the rules of procedure of the Implementation and Compliance Committee as the Convention provides for the Committee to prepare its own rules of procedure for approval at COP2.

Delegates agreed on the proposed text, including the deletion.

Financial arrangements:

Gillian Guthrie (Jamaica) reported on informal consultations on interim financial arrangements. She noted proposed text changes, including to underscore the urgency of the GEF addressing its role in contributing to the Minamata Convention's financial mechanism, and to request the INC to develop a proposal for the hosting institution of the specific international programme. She also noted text inviting the Executive Board of the Special Programme on institutional strengthening at the national level for implementation of the BRS Conventions, the Minamata Convention and SAICM (the Special Programme) to inform the INC on the Special Programme's implementation progress.

COLOMBIA proposed that the resolution recognize countries' financial pledges made at INC5 for supporting work during the interim period.

Delegates agreed on the text as proposed.

BAT/BEP technical expert group:

Anne Daniel (Canada) reported on informal consultations on the paragraph establishing a technical expert group to develop required guidance on emissions. She reported agreement that the group would elect two co-Chairs, shall comprise experts in pollution control, and/or one or more of the source categories in Annex D, and would operate as a subsidiary body to the INC. On composition, she noted agreement on following the 31-member model of the Stockholm Convention Persistent Organic Pollutant Review Committee (POPRC), with provisions for



the UNEP Executive Director to invite eight experts from industry and civil society to participate as observers. She explained the proposed text also requires the group to invite input from other governments, IGOs, industry and civil society organizations, noting this was envisioned as allowing for input in an intersessional process. On requests that the group address releases, Daniel reported the group would be mindful of the need to minimize cross-media effects.

Delegates agreed on the proposed text.

Other issues: On the preamble of the draft resolutions, following informal consultations, delegates agreed to delete references to the Rio+20 outcome document and the GEF Council.

On a call to provide financial and technical assistance, BRAZIL, supported by INDONESIA, suggested the assistance be to “developing countries and economies in transition” rather than to States. PALESTINE, opposed by the US and the EU, requested a reference to “countries under occupation,” explaining that other UN bodies have adopted this in their text. After some informal discussion between COLOMBIA and the US, COLOMBIA proposed that the assistance be to meet the objective of “enhancing relevant institutional structures.”

On inviting the GEF Council’s support in facilitating early ratification of the Convention, NORWAY agreed to also invite support for early implementation.

Delegates agreed on the proposed text, with some additional minor amendments.

As all the draft resolutions had been agreed upon, Chair Lugris explained they would be compiled in a single document for consideration in the afternoon.

CHILE stated its support for health and environmental protection, and for sustainable mining practices, and underscored that while banning primary mercury mining is a fundamental decision of the Convention, it is a unique and exceptional instance.

In the afternoon, Chair Lugris introduced the draft resolutions, explaining the document reflected the morning’s deliberations (UNEP(DTIE)/Hg/CONF/PM/CRP.4). The Meeting adopted the document without further amendments.

ADOPTION OF THE REPORT

Chair Lugris then introduced the draft report of the meeting (UNEP(DTIE)/Hg/CONF/PM/L.1 and L.1/Add.1). On the report of the informal group on financial arrangements, Jillian Guthrie asked to make it clear that relevant additions to the resolution were checked and confirmed with the GEF Secretariat. On the establishment of the BAT/BEP technical expert group, Anne Daniel asked to clarify that the group’s meetings will be held in English and asked the Secretariat include the date by which expert nominations would be due from regional groups. The Secretariat asked that nominations be submitted to the Secretariat through the Bureau by 30 November 2013.

The Meeting adopted the report of the meeting with these and other minor amendments.

CLOSURE OF THE MEETING

Chair Lugris underscored that the convention will be of a very dynamic nature, and its implementation will be fundamental for all member states and regions. He highlighted that work will continue in Kumamoto as the Diplomatic

Conference convenes on Thursday, 10 October. Nicaragua, on behalf of GRULAC, thanked Japan, Spain, and Switzerland for making it possible for the group to have interpretation at its daily regional coordination meetings and thanked countries that have supported regional meetings prior to INCs.

Jordan, speaking on behalf of the ASIA-PACIFIC REGION, thanked Japan for its support throughout the long negotiating process and for hosting the Preparatory Meeting, noting that the meeting had crowned significant work with a successful conclusion. He urged parties to take steps to ensure the early entry into force of the Minamata Convention which would bring an end to suffering from mercury poisoning.

The EU thanked Chair Lugris for his able work and UNEP for its support throughout.

Mali, on behalf of the AFRICAN GROUP, congratulated Chair Lugris and other members of the bureau on their successful work. He paid respect to the victims of Minamata Disease and thanked the Government of Japan for its support in this and earlier meetings as well as to UNEP. The AFRICAN GROUP looked forward to early entry into force and expressed the hope that activities consistent with the convention could be funded in the interim period.

Chair Lugris, in closing the meeting, recognised the hard work that had been done over many years but stressed that entry into force would now become an immediate focus going forward. He thanked all the Bureau members of the Preparatory Meeting for their work, noting that it continued their good work during the five INCs, which provided the impetus to the process of moving forward in developing a global treaty on mercury.

IN THE CORRIDORS

The successful completion of the Preparatory Meeting around 5:00 pm allowed the “early implementation” of the “Swiss Break.” As many delegates fondly recalled the earlier “breaks” that punctuated the arduous INC negotiations, highlighting memories of tangos and alphorns, they underscored that this time they did not have to rush off to continue their work in evening contact groups. Indeed, there was a palpable air of satisfaction amongst delegates for having completed the task at hand. While delegates completed this work in plenary, well-attended side events were evidence that for many the focus is already on implementation and monitoring.

Earlier in the day, delegates cheered at the announcement that the plans for “Minamata Day” on Wednesday will not be hindered by typhoon Danas as first feared. As the week shifts from its preparatory phase and welcomes plenipotentiaries, participants will travel to nearby Minamata and take part in remembrance ceremonies and tours to learn more about the history of Minamata Disease and current activities for the revitalization of Minamata. This will build on the moving account of Shinobu Sakamoto, a victim of Minamata Disease, who took part in the the Citizens Against Chemicals Pollution/IPEN side event on Tuesday. On Wednesday evening, the ceremonial opening at the Minamata City Cultural Center will officially launch the Diplomatic Convention, and the visit to Minamata will be another powerful reminder of why the world is moving to address mercury pollution.



MINAMATA DIPLOMATIC CONFERENCE HIGHLIGHTS: THURSDAY 10 OCTOBER 2013

OPENING OF THE CONFERENCE

On Thursday morning, Achim Steiner, UNEP Executive Director, opened the Minamata Diplomatic Conference and said today celebrates multilateralism, underscoring it is time to act on mercury, and time to send an unmistakable signal that this is the beginning of the end of mercury as a threat to human health and the environment. He paid tribute to negotiators who were able to keep their focus on the core objective over four years of negotiation. He stressed that if we take the journey of the Minamata people seriously, we cannot allow economic expediency or the technological age in which we live to justify things that are unjustifiable.

Bakary Kante, Director of the Division of Environmental Law and Conventions (DELCO), delivered remarks on behalf of UN Secretary-General Ban Ki-moon. He noted the Minamata Convention would address the devastating effects of mercury by reducing global levels while promoting sustainable development. He noted it demonstrated the power of a broad coalition of governments, industry and civil society to overcome global problems. He urged governments to sign and then become parties as soon as possible.

Nobuteru Ishihara, Minister of the Environment, Japan, then addressed the meeting, noting that the previous day's visit to Minamata had reminded all of the tragic history that had led to the launch of the Minamata Convention. He reiterated the Japanese Government's commitment to assisting developing countries in combating mercury pollution.

ORGANIZATIONAL MATTERS

Following the opening ceremony, the Conference elected Nobuteru Ishihara as President. President Ishihara then presided over election of the remainder of the Bureau, and invited regional groups to submit their nominations. The Conference elected the following to the Bureau: as Rapporteur, Terezya Pius Luoga Huvisa (United Republic of Tanzania); Sargon Lazar Slewa Binzezzo (Iraq); Abdou Nassur Madi (Comoros); Gheorghe Salaru (Republic of Moldova); Anne-Rose-Marie Juganaru (Romania); Izabella Teixeira (Brazil); Robert Pickersgill (Jamaica); Sean Sherlock (Ireland); and Franz Perrez (Switzerland).

President Ishihara then presided over adoption of the Rules of Procedure, without amendment, as set out in UNEP(DTIE)/Hg/CONF/INF.1. He then outlined the provisional agenda for the meeting as set out in UNEP(DTIE)/Hg/CONF/1/Add.1. The agenda was adopted without amendment.

On the appointment of the Credentials Committee, President Ishihara proposed, and the Conference agreed, that the Bureau

act as the Credentials Committee with the support of the Secretariat. President Ishihara asked Robert Pickersgill (Jamaica) to prepare the report of the Credentials Committee. He reminded delegates that only countries that have submitted credentials in good order will be eligible to sign the Final Act, and only countries that submitted full powers will be able to sign the Minamata Convention on Mercury.

The Conference then agreed to follow the proposed organization of work set out in UNEP(DTIE)/Hg/CONF/1/Add.1.

REPORT OF THE CREDENTIALS COMMITTEE

After a brief recess allowing the Bureau as the Credentials Committee to meet to review the credentials, Pickersgill reported that 139 credentialed States are present, and that 121 States' credentials of full power were found to be in order. He noted that 18 States have not submitted credentials for their representatives and will be recorded as observers in the report.

ADOPTION OF THE MINAMATA CONVENTION ON MERCURY

INC Chair Fernando Lugris (Uruguay) introduced the Convention text (UNEP(DTIE)/Hg/CONF/3), noting it was the result of many long hours of debate and compromise. He said it is a Convention that sets out ambitious targets to reduce levels of mercury being released into the environment, and is a legally-binding framework to tackle a substance of global concern of which we can all truly be proud. He highlighted that its provisions for capacity building and technical assistance will foster cooperation in reducing, and where possible, eliminating exposures to mercury.

President Ishihara recognized that without the efforts of Chair Lugris and the INC Bureau members, delegates would never have been in a position to adopt the Convention text today.

Tim Kasten, Head of the UNEP Chemicals Branch, explained the procedure for finalizing the text and ensuring its translations are consistent and equally authentic.

The Diplomatic Conference adopted the Convention text.

ADOPTION OF RESOLUTIONS

Preparatory Meeting Chair Fernando Lugris introduced the final resolutions (UNEP(DTIE)/Hg/CONF/PM/4), thanking all negotiators for their constructive approach and their willingness to agree in a short period of time on the resolutions that will guide the work to be undertaken before the Minamata Convention enters into force. He explained the resolutions address: arrangements in the interim period, financial arrangements, matters pertaining to other international bodies, and a tribute to the Government of Japan.

The Diplomatic Conference adopted the resolutions.



ADOPTION OF THE FINAL ACT OF THE CONFERENCE

On Thursday afternoon, President Ishihara presented the Final Act of the Conference (UNEP(DTIE)/Hg/CONF/L.1), stating that the Final Act reflects the outcome of the Conference and the resolutions and Convention already adopted. The Conference adopted the Final Act.

SIGNATURE OF THE FINAL ACT AND THE CONVENTION

At 3:25 pm, both the Final Act and the Convention were opened for signature. The following 86 countries and the European Union signed the Convention: Argentina, Armenia, Australia, Austria, Bangladesh, Belgium, Benin, Bolivia, Brazil, Bulgaria, Burkina Faso, Cambodia, Canada, Central African Republic, Chile, China, Colombia, Comoros, Costa Rica, Côte d'Ivoire, Czech Republic, Denmark, Djibouti, Dominican Republic, Ecuador, Ethiopia, Finland, France, Gambia, Georgia, Germany, Greece, Guatemala, Guyana, Hungary, Indonesia, Iraq, Ireland, Islamic Republic of Iran, Israel, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Libya, Lithuania, Luxembourg, Madagascar, Malawi, Mali, Mauritius, Mexico, Mongolia, Mozambique, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Pakistan, Panama, Peru, Philippines, Republic of Moldova, Romania, Samoa, Singapore, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, Togo, Tunisia, Uganda, United Arab Emirates, United Kingdom, United Republic of Tanzania, Uruguay, Venezuela, and Zambia.

The following 23 countries signed only the Final Act: Afghanistan, Angola, Azerbaijan, Botswana, Cameroon, Congo, Gabon, Guinea, Kiribati, Lebanon, Lesotho, Mauritania, Morocco, Paraguay, Republic of Korea, Russian Federation, Senegal, Sierra Leone, South Sudan, Suriname, Uzbekistan, Yemen and Zimbabwe.

CLOSURE OF THE MEETING

President Ishihara welcomed all new signatories of the Minamata Convention on Mercury, and encouraged rapid ratification and implementation, and invited closing statements. Many delegates thanked INC Chair Fernando Lugris for his dedication and commitment throughout the process, the Secretariat for their work, and the Government of Japan for hosting the Conference.

Fumio Kishida, Minister for Foreign Affairs, Japan, lauded the momentous occasions towards which Japan has been striving for ten years, and expressed the commitment of Japan to invest USD 2 billion over the next three years in assisting developing countries to combat environmental pollution in three areas: measures to tackle air pollution, means to fight water pollution, and waste management projects. He also announced the launch of a capacity-building program for the prevention of mercury pollution.

Jean Omer Beriziky, Prime Minister, Madagascar, recalled that his country had participated since 2001 with UNEP in activities to fight mercury pollution through awareness-raising campaigns and as a member of the Global Mercury Partnership. He regretted that not all countries have sufficient financial resources, and appealed to the international community to "stand shoulder to shoulder" to protect the environment.

URUGUAY said mercury pollution does not respect international borders, and it requires integrated efforts to agree and make progress. He urged strengthening the pillars of sustainable development, and said the GEF Council has been provided with a historical opportunity to demonstrate its effectiveness.

ZAMBIA stated it was keen to join hands with the world to address environmental hazards such as mercury. He recognized UNEP support through its mercury 'toolkit' which had

contributed to Zambia being able to identify key areas in its economy where mercury needs to be addressed.

SWITZERLAND noted today was an important day for the environment and for multilateralism. She announced Switzerland would increase financial support for activities on mercury to a total of 7.5 million Swiss francs: 1.5 million francs to support early ratification and implementation and 6 million francs to support improving management of mercury in ASGM. She welcomed the agreement in Kumamoto on close cooperation with the BRS Secretariat.

The European Commission (EC) and Lithuania gave separate statements both on behalf of the EU. The EC welcomed the treaty's financial assistance provisions for developing countries and stated the EU is committed to continuing its support in the interim period. Lithuania said the name of Minamata, having been associated with tragedy, would now represent hope for the future coordinated action on mercury.

The Comoros, on behalf of the AFRICAN GROUP, reiterated their request for financial and technical assistance during the interim period to facilitate rapid ratification.

ARGENTINA stressed that developing countries need to have appropriate financial resources and said human health and the environment should be protected without compromising people's well being.

BENIN called on all who still use mercury and who know its consequences to become part of the global movement to find ways and means leading towards its complete elimination.

BOLIVIA underlined his willingness and political will to work in a constructive manner towards the Convention's implementation, noted that without serious collaboration from the international community it will not be possible to achieve the set objectives, and noted disappointment that the Convention does not include references to indigenous peoples.

BRAZIL highlighted progress made in phasing out mercury from Brazil's chlor-alkali industry, the challenge of addressing ASGM, and the importance of measures to prevent illegal trade in mercury.

IN THE CORRIDORS

The experience of Wednesday's Minamata Day was still the focus of conversations as the Conference of Plenipotentiaries was opened on Thursday morning. Typhoon Danas stayed at bay after all and the excursion to Minamata was bathed in glorious sunshine to the great relief of organizers and delegates alike. Minamata citizens welcomed delegates for a day of remembrance of the city's suffering, opportunities to hear victims' stories, and celebration of its rehabilitation as a model eco-city. The serene beauty of the traditional *utase* fishing boats gliding across the bay and the joy of the children playing *taiko* drums were an extraordinary counterpoint to the city's hardship and suffering over several decades as a result of mercury pollution.

As countries prepared to adopt and sign the first new global environmental agreement in over a decade, the corridors were filled with palpable excitement, and at 11:11 am the Minamata Convention on Mercury was adopted to great applause. By the evening, as participants made their way to the reception at Kumamoto Castle, the Minamata Convention was well on its way: not only had 86 countries and the EU already joined as signatories, UNEP Chemicals has already launched the website of the Convention (www.mercuryconvention.org) to track progress towards entry into force.

ENB SUMMARY AND ANALYSIS: The *Earth Negotiations Bulletin* summary and analysis of the Conference of Plenipotentiaries for the Minamata Convention on Mercury will be available on Monday, 14 October 2013 online at:

<http://www.iisd.ca/mercury/dipcon/>



SUMMARY OF THE DIPLOMATIC CONFERENCE OF PLENIPOTENTIARIES ON THE MINAMATA CONVENTION ON MERCURY AND ITS PREPARATORY MEETING: 7-11 OCTOBER 2013

The Minamata Convention on Mercury was adopted on Thursday, 10 October 2013 at 11:11 am in Kumamoto, Japan, following decades of increased awareness regarding the toxicity of mercury and mercury-related compounds. The journey started in the seaside town of Minamata, Japan, where scientists identified in 1956 a long-term discharge of methylmercury into Minamata Bay as the cause of Minamata Disease, and includes the launch of negotiations for a legally-binding instrument on mercury after a decision by the United Nations Environment Programme (UNEP) Governing Council in February 2009. After four years of negotiations, the journey concluded with the adoption and signing of the Minamata Convention on Mercury.

The week started with a two-day open-ended inter-governmental Preparatory Meeting on 7-8 October, attended by over 500 delegates from 125 countries and intergovernmental and non-governmental organizations (IGOs and NGOs). During the Preparatory Meeting, participants negotiated resolutions on elements of the Final Act, including on: promoting and preparing for the early implementation of the mercury instrument; arrangements for the interim period between the signing of the instrument and its entry into force, such as arrangements for financial and technical assistance during that period; and secretariat arrangements.

This was followed by the Diplomatic Conference of Plenipotentiaries on 10-11 October, attended by over 1,000 participants from over 140 countries, IGOs and NGOs. The Convention was signed by 91 countries and the European Union (EU). The Convention aims to protect human health and the environment from anthropogenic emissions and releases of mercury and mercury compounds. It provides for the phase-out of a range of mercury-added products and processes, including medical devices, energy-saving light bulbs, batteries, and chlor-alkali production. The Convention also provides for the phase-down of dental amalgam and certain processes including vinyl-chloride monomer production. Other measures include: a ban on new mercury mines; the phase-out of existing primary mercury

mining; measures to control and, where feasible, reduce, emissions and releases; and provisions for national action plans to reduce and, where feasible, eliminate mercury use in the informal sector of artisanal and small-scale gold mining (ASGM).

The Japanese-hosted “Minamata Day” between the Preparatory Meeting and the Diplomatic Conference at the site where mercury pollution had such devastating impacts afforded the opportunity to hear first-hand the experiences of Minamata Disease victims and their families. This gave poignancy to, and highlighted the significance of, the Convention. During the closing remarks, virtually every statement referred to the emotions triggered by hearing the citizens’ stories of suffering physical and emotional trauma from mercury pollution. Yet many also highlighted Minamata’s courageous response to this tragedy, and the way it reshaped its own future to become Japan’s leading eco-city.

Many were confident that the stage is set for the Convention’s rapid entry into force, especially given pledges for enabling activities in developing countries. As participants took stock of

IN THIS ISSUE

A Brief History of the Minamata Convention on Mercury	2
Preparatory Meeting Report	3
Preparation of Resolutions for the Conference of Plenipotentiaries	3
Adoption of the Report	8
Closure of the Meeting	8
Diplomatic Conference Report	8
Adoption of the Minamata Convention on Mercury	9
Adoption of Resolutions	9
Adoption of the Final Act of the Conference	9
Signature of the Final Act and the Convention	9
Closure of the Meeting	9
Closing Remarks	15
Upcoming Meetings	15
Glossary	16

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the first new multilateral environmental treaty in over a decade, there was agreement that its speedy negotiation in particular was a testament to the potential of multilateralism. Many also emphasized the Minamata Convention is a ground-breaking treaty as it addresses a substance throughout its life cycle.

Nevertheless, participants, especially from developing countries and countries with economies in transition, underscored that the Convention's potential will not be reached unless needs for financial resources, capacity building, technical assistance and technology transfer are fully met. The Preparatory Meeting's negotiations of the resolutions to guide the interim period until the Convention's entry into force indicate that these questions will certainly be the focus of work in preparation for the first meeting of the Conference of the Parties. The deliberations in Kumamoto also demonstrated there will certainly be ongoing discussions of how best to harness the potential for coordination with other bodies, especially the Secretariat of the Basel, Rotterdam and Stockholm Conventions.

Finally, statements throughout the week signaled that some stakeholders are already looking to strengthen the Convention's provisions. Some predicted that as new knowledge emerges, both regarding the extent and impact of mercury pollution and the feasibility, availability and affordability of new technologies, momentum will increase to amend the Convention's annexes with more ambitious targets. A few even called for using the Minamata Convention as a springboard for addressing other heavy metals.

As delegates left the meeting hall on Friday, touched by the unforgettable spirit of Minamata, the clock on the new website of the Convention (mercuryconvention.org) was counting up from the Convention's first signature and tracking progress in signatures and ratifications. As ministers return home to initiate ratification proceedings, they are now working towards the goal of "50 by 2015" so that the Minamata Convention will quickly enter into force.

A BRIEF HISTORY OF THE MINAMATA CONVENTION ON MERCURY

Mercury is a heavy metal that is widespread and persistent in the environment. It is a naturally occurring element and can be released into the air and water through weathering of rock containing mercury ore or through human activities such as industrial processes, mining, deforestation, waste incineration, and burning of fossil fuels. Mercury can also be released from a number of mercury-containing products, including dental amalgam, electrical applications (e.g., switches and fluorescent lamps), laboratory and medical instruments (e.g., clinical thermometers and barometers), batteries, seed dressings, antiseptic and antibacterial creams, and skin-lightening creams. Mercury exposure can affect fetal neurological development and has been linked to lowered fertility, brain and nerve damage, and heart disease in adults who have high levels of mercury in their blood.

Since 2001, UNEP's Governing Council/Global Ministerial Environment Forum (GC/GMEF) has regularly discussed the need to protect human health and the environment from the releases of mercury and its compounds.

24TH SESSION OF THE UNEP GC/GMEF: In February 2007, GC-24/GMEF discussed the issue of mercury extensively. Participants' preferences for international cooperation on mercury ranged from starting a negotiating process for a legally binding instrument, to incorporating mercury into existing agreements, or concentrating on voluntary actions, especially through partnerships. Delegates agreed in Decision 24/3 IV that a "two-track" approach could be employed to take forward actions on mercury, while keeping open the path to a binding instrument in the future. The UNEP Executive Director was requested to prepare a report on mercury emissions and strengthen the UNEP Mercury Partnership. An *ad hoc* open-ended working group (OEWG) of government and stakeholder representatives was established to review and assess options for enhanced voluntary measures and new or existing international legal instruments for addressing the global challenges posed by mercury.

FIRST MEETING OF THE OEWG ON MERCURY:

The first meeting of the OEWG to Review and Assess Measures to Address the Global Issue of Mercury was held from 12-16 November 2007 in Bangkok, Thailand. The OEWG discussed options for enhanced voluntary measures, and new or existing international legal instruments on mercury. Delegates agreed on intersessional tasks to be undertaken by the Secretariat, including analyses of: financial considerations of a free-standing convention, a new protocol to the Stockholm Convention on Persistent Organic Pollutants (POPs) and voluntary measures; sustainable technology transfer and support; implementation options; organization of response measures; costs and benefits for each of the strategic objectives; meeting demand for mercury if primary production is phased out; major mercury-containing products and processes for which effective substitutes exist; and funding available through the Global Environment Facility (GEF) and the Strategic Approach to International Chemicals Management.

SECOND MEETING OF THE OEWG ON MERCURY:

The second meeting of the OEWG on Mercury convened in Nairobi, Kenya, from 6-10 October 2008. The OEWG discussed: elements to be addressed by a mercury framework; the type of framework to be used; and the capacity-building, financial and technical support required to deliver on identified elements. Delegates agreed on one legally binding option and three voluntary options for consideration by the UNEP GC.

25TH SESSION OF THE UNEP GC/GMEF: UNEP GC-25/GMEF took place from 16-20 February 2009 in Nairobi, Kenya. Decision GC 25/5 agreed to further international action consisting of the elaboration of a legally binding instrument on mercury, which could include both binding and voluntary approaches, together with interim activities, to reduce risks to human health and the environment. It also requested the Executive Director to convene one OEWG meeting in 2009, and an intergovernmental negotiating committee (INC), commencing its deliberations in 2010 with the goal of completing its work by GC-27/GMEF in February 2013. Agreement could not be reached on "leaving the door open" to consider other heavy metals, but the decision does recognize that the mandate of the INC may be supplemented by future GC decisions.

AD HOC OEWG TO PREPARE FOR THE INC ON

MERCURY: This meeting convened from 19-23 October 2009 in Bangkok, Thailand. The *ad hoc* OEWG agreed to recommend rules of procedure to the INC, as well as intersessional work for the Secretariat to prepare documentation for the INC, including options for the structure of the instrument and a description of options for substantive provisions.

INC1: The first session of the INC to prepare a global legally binding instrument on mercury convened from 7-11 June 2010 in Stockholm, Sweden. Delegates exchanged views on key elements of a convention, including: objectives; structure of the instrument; capacity building and technical and financial assistance; compliance; issues of supply, demand, trade, waste and storage; atmospheric emissions of mercury; and awareness raising and information exchange. The key outcome of INC1 was a request to the Secretariat to draft “elements of a comprehensive and suitable approach” for a legally binding instrument, which would serve as a basis for negotiation at INC2.

INC2: The second session of the INC convened from 24-28 January 2011 in Chiba, Japan. Delegates started negotiations on potential elements for the mercury instrument, contained in a paper prepared by the Secretariat. INC2 completed a first full reading of the paper and mandated the Secretariat to prepare a new draft text for INC3.

INC3: The third session of the INC convened from 31 October - 4 November 2011 in Nairobi, Kenya. INC3 completed a comprehensive review of the text of the draft instrument and requested the Secretariat to compile a revised draft text based on plenary negotiations, the reports of the INC3 contact groups, and the work of the legal group.

INC4: INC4 convened from 27 June - 2 July 2012 in Punta del Este, Uruguay. Progress was achieved on ASGM, storage, wastes and contaminated sites, and options were narrowed on articles related to information and reporting. Views diverged on compliance, finance and control measures for products and processes, with discussions focusing on laying out the range of positions. Delegates requested: INC Chair Fernando Lugris (Uruguay) to clean up the negotiating text and, in cooperation with the Co-Chairs of the contact groups, present possible compromise articles where there was divergence among countries; the Secretariat to analyze in cooperation with the World Health Organization (WHO) the extent to which the other provisions of the draft mercury instrument reflect the content of Article 20 *bis* on health aspects; the Secretariat to present a draft of the Final Act for consideration by INC5 to determine work from the moment of the signature of the instrument until its entry into force; and intersessional work on emissions and releases.

INC5: INC5 convened from 13-19 January, in Geneva, Switzerland. Delegates negotiated on the basis of a text prepared by INC Chair Lugris during the intersessional period. INC5 addressed several complex policy and technical issues, including mercury air emissions and releases to water and land, health aspects, and phase-out and phase-down dates for products and processes. A final compromise was reached late Friday night, based on a package addressing outstanding issues related to the preamble, finance and compliance. Delegates successfully completed the Minamata Convention on Mercury.

PREPARATORY MEETING REPORT

On Monday, 7 October 2013, Tim Kasten, Head of the UNEP Chemicals Branch, opened the intergovernmental Preparatory Meeting in preparation for the Conference of the Plenipotentiaries and welcomed delegates on behalf of UNEP Executive Director Achim Steiner. Japan welcomed delegates and underscored the objective of the Preparatory Meeting to agree on resolutions indispensable for the function of the convention.

Japan nominated INC Chair Fernando Lugris (Uruguay) as Chair of the Preparatory Meeting. Chair Lugris suggested, and delegates agreed, that the Preparatory Meeting use the INC rules of procedure (UNEP(DTIE)/Hg/CONF/PM/INF.1).

The meeting then elected the following members to the Bureau: Vice-Chair Gillian Guthrie (Jamaica), Rapporteur Nina Cromnier (Sweden), Sezaneh Seymour (US), Katerina Sebkova (the Czech Republic), Vladimir Lenev (the Russian Federation), Oumar Diaoure Cissé (Mali), David Kapindula (Zambia), Yingxian Xia (China) and Mohammed Kashashneh (Jordan).

Chair Lugris introduced the provisional agenda (UNEP(DTIE)/Hg/CONF/PM/1 and 1/Add.1), which was adopted without amendment. He detailed the proposed organization of work (UNEP(DTIE)/Hg/CONF/PM/2), stressing that the main focus of the Preparatory Meeting’s work is the finalization and forwarding of the agreed resolutions to the Diplomatic Conference.

PREPARATION OF RESOLUTIONS FOR THE CONFERENCE OF PLENIPOTENTIARIES

The Secretariat introduced the draft resolutions on Monday morning, noting there are four draft resolutions on: arrangements in the interim period; financial arrangements; matters pertaining to other international bodies; and a tribute to the Government of Japan (UNEP(DTIE)/Hg/CONF/PM/3).

Jim Willis, Executive Secretary of the Basel, Rotterdam and Stockholm (BRS) Conventions, introduced a decision adopted by the BRS Conferences of the Parties (COPs) at their 2013 simultaneous extraordinary meetings, expressing their readiness to cooperate with the Minamata Convention (UNEP(DTIE)/Hg/CONF/PM/INF.2). He noted that the BRS Conventions have considerable experience and resources, including staff with technical expertise and a network of regional centers that have supported parties during ratification processes, provided guidance on best available techniques and best environmental practices (BAT/BEP), and supported inventory preparation.

Noting the meeting’s mandate to agree on a clean text for the Diplomatic Conference’s consideration, Chair Lugris opened discussion on the resolutions, indicating that he would return to the overarching preambular text after the resolutions’ text was agreed. South Africa, for the African Group, raised some general issues in relation to the draft resolutions, including the importance of the role of academia and civil society, and composition of the BAT/BEP technical expert group relating to emissions.

PREAMBLE: On Monday morning during discussions on the preamble, Switzerland proposed that the text refer to the need for “efficient and effective” arrangements. He also proposed text on

cooperation with the BRS Conventions and, with Norway and the EU, supported including a reference to the BRS Conventions' readiness to cooperate with the Minamata Convention. Canada and the US voiced concerns about raising the prominence of the role of the BRS Conventions. Kenya and the African Group proposed including reference to the Rio+20 outcome document in the preamble, while Japan urged including reference to the role of the GEF. China, Iraq and the United Arab Emirates called for a focus on "consensus rather than negotiations" and retaining simplified and clear text in the resolutions. The US suggested bracketing the text, and Chair Lugris suggested revisiting the preamble when addressing the paragraphs regarding the BRS COPs, the GEF and Rio+20 outcome document. On Tuesday morning, Chair Lugris introduced new text, reflecting Monday's deliberations (UNEP(DTIE)/Hg/CONF/PM/CRP.1). Following informal consultations, delegates agreed to delete references to the Rio+20 outcome document and the GEF Council, and to include references to the BRS Conventions in the resolutions on interim arrangements and matters pertaining to other international bodies.

Final Text: The preamble states that the Conference, having adopted the text of the Minamata Convention on Mercury, recalls the decisions of the UNEP Governing Council on mercury, on 20 February 2009 (25/5) and on 22 February 2013 (27/12).

I. RESOLUTION ON ARRANGEMENTS IN THE INTERIM PERIOD: Discussions first focused on a series of paragraphs that list tasks for the INC, reflecting different levels of priorities. The US suggested including a reference to the relevant Convention article for each item referred to in these paragraphs, and delegates agreed.

On the paragraph listing those items that need to be adopted at the first meeting of the Conference of the Parties (COP1) but should be provisionally adopted in advance, the EU, supported by the US, asked to include a reference to guidance on BAT and BEP.

On a request that the Committee support activities that will facilitate the Convention's rapid entry into force and effective implementation, Kenya and Colombia proposed deleting language that this support be "if possible, and without impeding the completion" of the tasks outlined above. The US and the EU disagreed, while Brazil suggested deleting only "if possible." Stressing the progress already made on mercury use in artisanal and small-scale gold mining (ASGM) in recent years, the Philippines underscored the importance of the activities outlined in this paragraph. Iraq proposed that the reference to ASGM also address "other activities in this area." Chair Lugris suggested, and delegates agreed, that a small group consider this paragraph in informal discussions.

On the establishment of a group of technical experts to develop guidance on BAT and BEP in relation to emissions, Iraq, supported by Nicaragua, on behalf of the Latin American and Caribbean Group (GRULAC), and Brazil, proposed extending the group's mandate to mercury releases as well.

The EU supported rapid establishment of the technical group, proposing amendments to ensure: participants' expertise; two Co-Chairs; a fixed number of five observers; extending the list of potential stakeholder participation to include "parties"; and

transparency in group proceedings via the web. The Chair noted that the EU's remarks would be included in the report of the meeting. Japan opposed limiting the number of observers, noting that there were many technical sectors that would need to be covered.

Jordan, opposed by the US, expressed concerns about the balance of geographic representation proposed in the draft resolutions and favored following the composition and approach to observers of the Stockholm Convention Persistent Organic Pollutants Review Committee (POPRC).

Japan, supported by Indonesia, proposed the Asia-Pacific region have more than five seats as many countries in the region have significant mercury emissions.

Norway, supported by Colombia, asked whether the resolution should also include text on consideration of arrangements for the permanent secretariat. Kenya suggested text requesting the UNEP Executive Director to prepare an analysis on the basis of UNEP(DTIE)/Hg/CONF/PM/INF.3, which sets out four options for the provision of the secretariat in the interim period. Switzerland opposed any reference to the document or to the four options. Zambia proposed also requesting the UNEP Executive Director to facilitate activities at the regional and country level to support the implementation of the Minamata Convention in an efficient and effective manner, and in close cooperation with the BRS Conventions Secretariat.

On the continuation of secretariat service provision, Switzerland requested adding a reference to "making full use of BRS expertise," but Jamaica cautioned against contravening the Convention text, and Brazil suggested leaving the issue of the permanent secretariat to the UNEP Executive Director.

Colombia requested adding text on "developing infrastructure and capacity" to the text on states in the position to provide assistance.

On a reference to GEF support, Canada, with Jamaica, but opposed by Norway and the US, requested a reference to support for enabling activities to facilitate early implementation and ratification.

The EU suggested adding two paragraphs to the resolution, on welcoming the outcomes of the August 2013 country-led meeting in Bangkok that developed the terms of reference for a special programme to support institutional strengthening at the national level for implementation of the BRS Conventions, the future Minamata Convention and the Strategic Approach to International Chemicals Management (SAICM), and welcoming the role of the special programme. Colombia requested that delegates see the text before discussing it and proposed acknowledging pledges for interim financing already put forward.

On Monday evening, a contact group and informal groups continued deliberations on: cooperation and coordination and the interim secretariat; activities required or encouraged by the convention; and the establishment of a BAT/BEP technical expert group. On Tuesday morning, Chair Lugris introduced new text (UNEP(DTIE)/Hg/CONF/PM/CRP.1 and UNEP(DTIE)/Hg/CONF/PM/CRP.2), reflecting Monday's deliberations, and called on facilitators of the contact group and informal groups to report to plenary.

On the arrangements for the secretariat, contact group Chair Alf Wills (South Africa) noted agreement was reached on requesting the UNEP Executive Director to provide interim secretariat services and to facilitate activities at regional and country levels until COP1. He said they also agreed to request the Executive Director to present for INC consideration a report on proposals on how the permanent secretariat's functions will be performed, including analysis of options that address, *inter alia*: effectiveness; cost benefit; locations of the secretariat and merging the secretariat with that of the BRS Conventions; and using the services of the interim secretariat. Wills said the group debated text to make clear the importance of liaising with the BRS Secretariat, with other relevant actors, and with the Basel Convention on matters clearly within the mandate of either convention.

On revised text relating to matters pertaining to other international bodies, Chair Lugris indicated there should be minor changes to be consistent with Monday's plenary discussions, including that the Basel Convention Secretariat should be invited to "update" rather than "develop" technical guidelines for the environmentally sound management of mercury wastes. Delegates agreed on the text as proposed, with minor changes to be consistent with Monday's plenary discussions.

Brazil supported the text but noted its reservations about the UNEP Executive Director's report to the INC on proposals on the performance of functions of the permanent secretariat, saying this exceeded the meeting's mandate and prejudged the work of COP1. Switzerland noted that many delegates supported explicit references to sustaining an efficient and effective implementation phase, drawing on the resources of the UNEP family.

David Buchholz (US) reported and noted participants had agreed that the support be "practicable, and consistent with the priorities in the Convention." On releases, he explained participants had agreed that the first priority is guidance on the identification of sources of releases and the methodology for preparing the development of inventories of releases. He also proposed deleting a reference to developing the rules of procedure of the Implementation and Compliance Committee as the Convention provides for the Committee to prepare its own rules of procedure for approval at COP2. Delegates agreed on the proposed text, including the deletion.

Anne Daniel (Canada) reported on informal consultations on the paragraph establishing a technical expert group to develop required BAT/BEP guidance on emissions. She reported agreement that: the group would elect two Co-Chairs; shall comprise experts in pollution control, and/or one or more of the source categories in Annex D; and would operate as a subsidiary body to the INC. On composition, she noted agreement on following the 31-member model of the Stockholm Convention POPRC, with provisions for the UNEP Executive Director to invite eight experts from industry and civil society to participate as observers. She explained the proposed text also requires the group to invite input from other governments, IGOs, industry and civil society organizations, noting this was envisioned as allowing for input in an intersessional process. On requests that

the group address releases, Daniel reported the group would be mindful of the need to minimize cross-media effects. Delegates agreed on the proposed text.

On a call to provide financial and technical assistance, Brazil, supported by Indonesia, suggested the assistance be to "developing countries and economies in transition" rather than to states. Palestine, opposed by the US and the EU, requested a reference to "countries under occupation," explaining that other UN bodies have adopted this language. After some informal discussion between Colombia and the US, Colombia proposed that the assistance be to meet the objective of "enhancing relevant institutional structures." On inviting the GEF Council's support in facilitating early ratification of the Convention, Norway agreed to also invite support for early implementation. Delegates agreed on the proposed text, with some additional amendments.

Final Resolution: The preamble of this resolution (UNEP(DTIE)/Hg/CONF/PM/4) states that the Conference considers that effective and efficient arrangements are required to prepare for the Convention's effective implementation, and to expeditiously implement, pending the Convention's entry into force, international action to protect human health and the environment from anthropogenic mercury emissions and releases.

The resolution calls on states and regional economic integration organizations (REIOs) to take, as soon as possible, the domestic measures necessary to enable them to meet their obligations, and thereafter to ratify the Convention with a view to its entry into force as soon as possible. It also appeals to states and REIOs to apply in full on a voluntary basis the provisions of the Convention, and to promote and support their voluntary application by other states in the interim period.

The Conference also invites the UNEP Executive Director to convene further INC meetings during the interim period, welcomes Switzerland's offer to host COP1, and invites the Executive Director to prepare for and service that meeting.

The Conference decides that INC should develop, and adopt on a provisional basis pending a COP decision, those items necessary for the effective implementation of the Convention upon its entry into force, including in particular:

- the register of notifications;
- the format and information to be provided in registering for exemptions and the register of exemptions to be maintained by the secretariat; and
- the arrangements for receiving and distributing information that parties may provide upon ratification on measures they plan to take to implement the Convention.

The Conference also requests INC to focus its efforts on those matters required by the Convention to be decided upon by COP1, including in particular:

- guidance on the identification of stocks of mercury and mercury compounds;
- procedures for the export and import of mercury, including the required content for certification;
- guidance on BAT and BEP for controlling emissions and on supporting parties in determining goals and emission limit values;

- arrangements for the operation of the financial mechanism;
- the timing and format of reporting;
- arrangements for providing COP with comparable monitoring data for evaluating the Convention's effectiveness; and
- draft rules of procedure and draft financial rules for the COP.

The Conference also requests the INC to adopt, on a provisional basis pending formal adoption by COP1:

- the guidance to be developed for identifying stocks of mercury and mercury compounds;
- procedures for the export and import of mercury, including the content of such certification; and
- BAT/BEP guidance for controlling emissions and on determining goals and emission limit values.

The Conference further requests the INC to support, as practicable and consistent with the priorities in the Convention, those activities required or encouraged by the Convention that will facilitate the rapid entry into force of the Convention and its effective implementation upon entry into force, including in particular:

- guidance and assistance to countries with ASGM in developing their national action plans;
- guidance on the identification of sources of releases and the methodology for preparing inventories of releases;
- guidelines on the environmentally sound interim storage of mercury;
- thresholds for the identification of mercury waste; and
- guidance on the management of contaminated sites.

The Conference requests that, before COP1, the Executive Director present, and INC consider, a report on proposals on how he or she will perform the functions of the permanent secretariat for the Convention, including an analysis of options that, *inter alia*, addresses effectiveness, cost-benefit, different locations for the secretariat, merging the secretariat with the BRS Secretariat, and utilizing the interim secretariat.

The Conference establishes a group of technical experts, as an INC subsidiary body, to develop the guidance called for in Article 8 (Emissions), mindful of the need to minimize cross-media effects, and to address other issues relevant to emissions, taking into account experience gained through, *inter alia*, the UNEP Global Mercury Partnership, to enable COP1 to decide on such issues. The Conference requests the Executive Director to convene the group of technical experts at the earliest opportunity. The resolution states the group, which at its first meeting shall elect two Co-Chairs, shall comprise experts in pollution control and/or one or more of the source categories in Annex D, nominated by the five United Nations regions as follows: eight from Africa, eight from Asia-Pacific, three from Central and Eastern Europe, five from Latin America and Caribbean, and seven from the Western European and Others Group. The resolution further specifies the group, and before its first meeting the Executive Director of UNEP, shall invite the participation of eight experts from industry and civil society as observers. The group shall invite input from other governments, IGOs, industry and civil society organizations to assist it in completing its work.

The Conference requests:

- the UNEP Executive Director to provide interim secretariat services to support INC activities until COP1;

- the interim secretariat to cooperate and coordinate, as appropriate, with other relevant actors, including the BRS Secretariat in order to make full use of relevant experience and expertise; and
- the Executive Director to facilitate activities at the regional and country level to support implementation during the interim period in an effective and efficient manner.

In the resolution, the Conference welcomes:

- the generous pledges of Canada, China, Denmark, Finland, Japan, Norway, Switzerland and Sweden to support other countries in the process of ratification and early implementation of the Convention; and
- actions taken through the UNEP Global Mercury Partnership and urges all partners to continue their efforts and to support, participate in and contribute to the Partnership.

The Conference also: welcomes progress made on the development of the Special Programme on institutional strengthening at the national level for implementation of the BRS Conventions, the Minamata Convention and SAICM; looks forward to the establishment of the Special Programme; recognizes that the Special Programme, once established, should be a useful source of support for institutional strengthening in the interim period; and invites the Executive Board of the Special Programme to inform INC about progress in implementation.

The Conference calls upon states, REIOs, and others in a position to do so, to provide financial resources, capacity building, technical assistance and technology transfer to signatory developing countries and countries with economies in transition to assist them in: enhancing relevant institutional structures; preparing for their ratification of the Convention, including for the preparation of inventories and preliminary assessments to identify sectors requiring action under the Convention; and for developing legislative and institutional capacity to implement the Convention effectively once it has entered into force for them.

The Conference invites the GEF Council to support signatory developing countries and countries with economies in transition in undertaking activities, particularly enabling activities, to facilitate early implementation and ratification of the Convention. The Conference also appeals to states, REIOs, and others in a position to do so, to make contributions to the UNEP Mercury Trust Fund to support interim INC activities, the interim secretariat, and the COP's operation until the end of the financial period in which the COP1 takes place.

In the resolution, the Conference requests INC to take account of, and build on, where appropriate, existing initiatives, documentation and regional and subregional delivery arrangements, including relevant regional centers, in undertaking its work during the interim period.

II. RESOLUTION ON FINANCIAL ARRANGEMENTS:

On Monday, Jamaica proposed a reference in the preamble to the specific circumstances and needs of small island developing states (SIDS). The GEF Secretariat explained that they were in contact with their legal advisors in Washington, DC regarding the text, and undertook to clarify several issues by Tuesday morning. Switzerland called for including references to the BRS Conventions, while Iran favored using "utilizing" instead

of “building” regarding the experience gained by the BRS Conventions in this resolution as well. Chair Lugris referred further negotiation of the text to an informal group that would meet on Monday night.

On Tuesday morning, Gillian Guthrie (Jamaica) reported on informal consultations on interim financial arrangements. She noted proposed text changes, including to underscore the urgency of the GEF addressing its role in contributing to the Minamata Convention’s financial mechanism, and to request the INC to develop a proposal for the hosting institution of the specific international programme to support capacity building and technical assistance, which, with the GEF Trust Fund, will make up the financial mechanism for the Convention. Delegates agreed on the text as proposed.

Final Resolution: The preamble of this resolution (UNEP(DTIE)/Hg/CONF/PM/4) notes that the Convention defines a financial mechanism to support developing country parties and parties with economies in transition in implementing their obligations under the Convention that includes the GEF Trust Fund and a specific international programme to support capacity building and technical assistance. The Conference also recognizes the specific needs and special circumstances of parties that are SIDS or least developed countries.

In the resolution, the Conference invites the GEF Council to give effect to the inclusion of the GEF Trust Fund as part of the financial mechanism of the Convention and to recommend to the GEF Assembly, as a matter of urgency, that it make any adjustments to the Instrument for the Establishment of the Restructured Global Environment Facility that are necessary to allow it to fulfill its role in the financial mechanism.

The Conference decides that:

- the INC should develop, for consideration by COP1, a draft memorandum of understanding on arrangements to give effect to relevant provisions, to be agreed between the GEF Council and the COP; and
- the INC should develop, and adopt provisionally pending formal adoption by COP1, guidance to the GEF Council on overall strategies, policies, programme priorities, eligibility for access to and utilization of financial resources and an indicative list of categories of activities eligible for support from the GEF Trust Fund.

The Conference encourages the GEF Council to apply provisionally any INC guidance provided to it pending the adoption of the guidance by the COP.

The Conference also invites donors to the GEF Trust Fund to contribute, through the sixth and subsequent replenishments of the GEF, additional financial resources adequate to enable the GEF to support activities to facilitate the rapid entry into force and effective implementation of the Convention.

The Conference also requests the INC to develop, for consideration by COP1, a proposal for the hosting institution for the specific international programme, including any necessary arrangements with the hosting institution, as well as guidance on the operation and duration of that programme.

III. RESOLUTION ON MATTERS PERTAINING TO OTHER INTERNATIONAL BODIES: During discussions on Monday evening, on paragraphs relating to the Basel

Convention, and the preparation and development of technical guidelines on the environmentally sound management of mercury wastes, several countries underscored these have already been adopted by the Basel Convention. On inviting relevant bodies of the Basel Convention to cooperate with the INC and COP, Canada favored deleting reference to identifying thresholds for mercury content in waste and updating the technical guidelines for mercury content in waste. The US disagreed and called instead for deleting the references to close cooperation in developing guidelines on the interim storage of mercury and requirements for managing mercury wastes under the Minamata Convention. The EU opposed deleting any activities listed in the invitation. Jamaica stressed the need to draw a line between Minamata Convention and Basel Convention responsibilities. Switzerland, Egypt, Iraq and Pakistan asked to include a reference to guidance on contaminated sites. Delegates agreed on the proposed text, with some additional minor amendments.

Final Resolution: In the resolution (UNEP(DTIE)/Hg/CONF/PM/4), the Conference notes the decisions of the BRS Conventions at their second simultaneous extraordinary meetings expressing their interest and signaling their readiness to cooperate and coordinate with the Convention.

The resolution also welcomes the work undertaken by the relevant bodies of the Basel Convention on issues related to the management of mercury wastes, including the initiation of work to update technical guidelines for the environmentally sound management of mercury wastes.

The resolution also invites: the relevant bodies of the Basel Convention to cooperate closely with the INC and subsequently with the COP, as appropriate; the Secretariat of the Basel Convention to report to the INC on issues related to the management of mercury wastes, including the update of technical guidelines for the environmentally sound management of mercury wastes; and the BRS Secretariat to cooperate closely, as appropriate, with the interim secretariat of the Convention in areas of mutual interest.

In the resolution, the Conference recognizes the importance of the activities of international bodies such as the WHO and the International Labour Organization (ILO) in the protection of human health in relation to mercury and of the World Customs Organization in identifying and monitoring trade in mercury, mercury compounds and mercury-added products covered by the Convention, and invites such bodies to cooperate closely with the INC and the COP to support the implementation of the Convention, particularly Article 16 (Health aspects), as appropriate, and to provide information to the COP on the progress made in this regard.

IV. TRIBUTE TO THE GOVERNMENT OF JAPAN:

Chair Lugris introduced discussion on this resolution on Monday evening. Switzerland expressed appreciation for Japan’s strong support for the Convention. Japan noted its appreciation for the resolution, highlighting that a reference to the long-term suffering of the people and their communities in the Minamata region would encourage revitalization in the region.

Final Resolution: In the resolution (UNEP(DTIE)/Hg/CONF/PM/4), the Conference recognizes that the international community should learn from the experiences of and lessons

from Minamata, mindful of the long-term suffering of the people and their communities in the Minamata region from serious health and environmental problems caused by pollution by mercury, and cognizant of their efforts to restore the environment in the region and build environmentally sound communities.

The resolution also notes the Conference's conviction that the efforts of the Government of Japan and the authorities of the prefecture of Kumamoto and the cities of Minamata and Kumamoto in providing facilities, premises and other resources have contributed significantly to the smooth conduct of the Conference.

The resolution states the Conference's deep appreciation of the courtesy and hospitality extended by the Government of Japan, the prefecture of Kumamoto and the cities of Minamata and Kumamoto to the representatives of delegations, observers and the UNEP Secretariat attending the Conference.

Finally, the resolution expresses the Conference's sincere gratitude to the Government of Japan, the authorities of the prefecture of Kumamoto and the cities of Minamata and Kumamoto and, through them, the people of Japan, especially the people of Minamata and Kumamoto, for the cordial welcome that they have accorded the Conference and those associated with its work and for their contribution to its success.

ADOPTION OF THE REPORT

Concluding Tuesday morning's negotiations, Chair Lugris explained that the draft resolutions would be compiled in a single document for consideration in the afternoon. Chile stated for the record its support for health and environmental protection, and for sustainable mining practices, and underscored that while banning primary mercury mining is a fundamental decision of the Convention, it is a unique and exceptional instance.

In the afternoon, Chair Lugris introduced the draft resolutions, explaining the document reflected the morning's deliberations (UNEP(DTIE)/Hg/CONF/PM/CRP.4). Delegates adopted the document without further amendments.

Chair Lugris then introduced the draft report of the meeting (UNEP(DTIE)/Hg/CONF/PM/L.1 and L.1/Add.1) on Tuesday afternoon. On the report of the informal group on financial arrangements, facilitator Gillian Guthrie asked to make it clear that relevant additions to the resolution were checked and confirmed with the GEF Secretariat. On the establishment of the BAT/BEP technical expert group, facilitator Anne Daniel asked to clarify that the group's meetings will be held in English and asked the Secretariat include the date by which expert nominations would be due from regional groups. The Secretariat asked that nominations be submitted to the Secretariat through the Bureau by 30 November 2013.

Delegates adopted the report of the meeting with these and other minor amendments.

CLOSURE OF THE MEETING

On Tuesday afternoon, Chair Lugris underscored that the Convention will be of a very dynamic nature and its implementation will be fundamental for all states and regions. He highlighted that work will continue in Kumamoto as the Diplomatic Conference convenes on Thursday, 10 October. Nicaragua, on behalf of GRULAC, thanked Japan, Spain,

and Switzerland for making it possible for the group to have interpretation at its daily regional coordination meetings and thanked countries that have supported regional meetings prior to meetings of the INC.

Jordan, on behalf of the Asia-Pacific Region, thanked Japan for its support throughout the long negotiating process and for hosting the preparatory meeting, noting that the meeting had crowned significant work with a successful conclusion. He urged governments to take steps to ensure the early entry into force of the Minamata Convention, which will bring an end to suffering from mercury poisoning.

The EU thanked Chair Lugris for his able work and UNEP for its support throughout.

Mali, on behalf of the African Group, congratulated Chair Lugris and other members of the Bureau on their successful work. He paid respect to the victims of Minamata Disease and thanked the Government of Japan for its support in this and earlier meetings as well as to UNEP. The African Group looked forward to early entry into force and expressed the hope that activities consistent with the Convention could be funded in the interim period.

Chair Lugris, in closing the meeting, recognized the hard work that had been done over many years but stressed that entry into force would now become an immediate focus in going forward. He thanked all the Bureau members of the Preparatory Meeting for their work, noting that it continued their good work during the five INCs, which provided the impetus to the process of moving forward in developing a global treaty on mercury.

DIPLOMATIC CONFERENCE REPORT

On Thursday morning, 10 October 2013, UNEP Executive Director Achim Steiner opened the Diplomatic Conference of Plenipotentiaries on the Minamata Convention on Mercury, and said the occasion celebrates multilateralism, underscoring it is time to act on mercury, and time to send an unmistakable signal that this is the beginning of the end of mercury as a threat to human health and the environment. He paid tribute to negotiators who were able to keep their focus on the core objective over four years of negotiation. He stressed that if we take the journey of the Minamata people seriously, we cannot allow economic expediency or the technological age in which we live to justify things that are unjustifiable.

Bakary Kante, Director of the UNEP Division of Environmental Law and Conventions, delivered remarks on behalf of UN Secretary-General Ban Ki-moon. He noted the Minamata Convention would address the devastating effects of mercury by reducing global levels while promoting sustainable development. He noted it demonstrated the power of a broad coalition of governments, industry and civil society to overcome global problems. He urged governments to sign and then become parties as soon as possible.

Nobuteru Ishihara, Minister of the Environment, Japan, noted that the previous day's visit to Minamata had reminded all of the tragic history that had led to the launch of the Minamata Convention. He reiterated the Japanese Government's commitment to assisting developing countries in combating mercury pollution.

Following the opening ceremony, the Conference elected Ishihara as President and the following members of the Bureau: as Rapporteur, Terezya Pius Luoga Huvisa (United Republic of Tanzania); Sargon Lazar Slewa (Iraq); Abdou Nassur Madi (Comoros); Gheorghe Șalaru (Republic of Moldova); Anne Rose Marie Jugănar (Romania); Izabella Teixeira (Brazil); Robert Pickersgill (Jamaica); Sean Sherlock (Ireland); and Franz Perrez (Switzerland).

Delegates then adopted the Rules of Procedure, without amendment (UNEP(DTIE)/Hg/CONF/INF.1), and the provisional agenda (UNEP(DTIE)/Hg/CONF/1 and 1/Add.1).

On the appointment of the Credentials Committee, President Ishihara proposed, and the Conference agreed, that the Bureau act as the Credentials Committee with the support of the Secretariat. President Ishihara asked Robert Pickersgill (Jamaica) to prepare the report of the Credentials Committee. He reminded delegates that only countries that have submitted credentials in good order will be eligible to sign the Final Act, and only countries that have submitted full powers will be able to sign the Minamata Convention on Mercury.

The Conference then agreed to the proposed organization of work (UNEP(DTIE)/Hg/CONF/2).

ADOPTION OF THE MINAMATA CONVENTION ON MERCURY

INC Chair Lugris introduced the Convention text (UNEP(DTIE)/Hg/CONF/3), noting it was the result of many long hours of debate and compromise. He said it is a Convention that sets out ambitious targets to reduce levels of mercury released into the environment, and is a legally-binding framework to tackle a substance of global concern of which all can truly be proud. He highlighted that its provisions for capacity building and technical assistance will foster cooperation in reducing, and where possible, eliminating exposure to mercury.

President Ishihara recognized that without the efforts of Chair Lugris and the INC Bureau, delegates would never have been in a position to adopt the Convention text.

Tim Kasten, Head of the UNEP Chemicals Branch, explained the procedure for finalizing the text and ensuring its translations are consistent and equally authentic.

The Diplomatic Conference adopted the Convention text.

ADOPTION OF RESOLUTIONS

Preparatory Meeting Chair Lugris introduced the final resolutions (UNEP(DTIE)/Hg/CONF/PM/4), thanking all negotiators for their constructive approach and their willingness to agree in a short period of time on the resolutions that will guide the work to be undertaken before the Minamata Convention enters into force. He explained the resolutions address: arrangements in the interim period, financial arrangements, matters pertaining to other international bodies, and a tribute to the Government of Japan.

The Diplomatic Conference adopted the resolutions.

ADOPTION OF THE FINAL ACT OF THE CONFERENCE

On Thursday afternoon, President Ishihara presented the Final Act of the Conference (UNEP(DTIE)/Hg/CONF/L.1), stating that the Final Act reflects the outcome of the Conference and the

resolutions and Convention already adopted. The Conference adopted the Final Act.

SIGNATURE OF THE FINAL ACT AND THE CONVENTION

At 3:25 pm, both the Final Act and the Convention were opened for signature. Some countries opted to sign only the Final Act of the Conference. Others chose to sign both the Final Act and the Convention.

The following 91 countries and the European Union became signatories to the Convention: Angola, Argentina, Armenia, Australia, Austria, Bangladesh, Belgium, Benin, Bolivia, Brazil, Bulgaria, Burkina Faso, Cambodia, Canada, the Central African Republic, Chile, China, Colombia, Comoros, Costa Rica, Côte d'Ivoire, Czech Republic, Denmark, Djibouti, Dominican Republic, Ecuador, Ethiopia, Finland, France, the Gambia, Georgia, Germany, Greece, Guatemala, Guyana, Hungary, Indonesia, Iraq, Ireland, Islamic Republic of Iran, Israel, Italy, Jamaica, Japan, Jordan, Kenya, Kuwait, Libya, Lithuania, Luxembourg, Madagascar, Malawi, Mali, Mauritania, Mauritius, Mexico, Moldova, Mongolia, Mozambique, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Pakistan, Panama, Peru, Philippines, Romania, Samoa, Senegal, Singapore, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, Togo, Tunisia, Uganda, United Arab Emirates, United Kingdom, United Republic of Tanzania, Uruguay, Viet Nam, Venezuela, Zambia and Zimbabwe.

The following 21 countries signed only the Final Act: Afghanistan, Azerbaijan, Botswana, Cameroon, Congo, Cuba, Gabon, Guinea, Kiribati, Lebanon, Lesotho, Liberia, Morocco, Paraguay, Republic of Korea, Russian Federation, Sierra Leone, South Sudan, Suriname, Uzbekistan and Yemen.

CLOSURE OF THE MEETING

President Ishihara welcomed all new signatories of the Minamata Convention on Mercury, encouraged rapid ratification and implementation, and invited closing statements. Many delegates thanked INC Chair Fernando Lugris for his dedication and commitment throughout the process, the Secretariat for their work, and the Government of Japan for hosting the Conference.

Fumio Kishida, Minister for Foreign Affairs, Japan, lauded the momentous occasions towards which Japan has been striving for ten years, and expressed the commitment of Japan to invest US\$2 billion over the next three years in assisting developing countries to combat environmental pollution in three areas: measures to tackle air pollution, means to fight water pollution, and waste management projects. He also announced the launch of a capacity-building programme for the prevention of mercury pollution.

Jean Omer Beriziky, Prime Minister, Madagascar, recalled that his country had participated since 2001 with UNEP in activities to fight mercury pollution through awareness-raising campaigns and as a member of the Global Mercury Partnership. He regretted that not all countries have sufficient financial resources, and appealed to the international community to “stand shoulder to shoulder” to protect the environment.

Uruguay said mercury pollution does not respect international borders, and it requires integrated efforts to agree and make

progress. He urged strengthening the pillars of sustainable development, and said the GEF Council has been provided with an historic opportunity to demonstrate its effectiveness.

Zambia stated it was keen to join hands with the world to address environmental hazards such as mercury. He recognized UNEP's support through its Toolkit for Identification and Quantification of Mercury, which had contributed to Zambia being able to identify key areas in its economy where mercury needs to be addressed.

Switzerland noted it was an important day for the environment and for multilateralism. She announced Switzerland would increase financial support for activities on mercury to a total of CHF7.5 million: CHF1.5 million to support early ratification and implementation and CHF6 million to support improving management of mercury in ASGM. She welcomed the agreement on close cooperation with the BRS Secretariat.

The European Commission (EC) and Lithuania gave separate statements both on behalf of the EU. The EC welcomed the treaty's financial assistance provisions for developing countries and stated the EU is committed to continuing its support in the interim period. Lithuania said the name of Minamata, having been associated with tragedy, would now represent hope for future coordinated action on mercury.

Comoros, on behalf of the African Group, reiterated their request for financial and technical assistance during the interim period to facilitate rapid ratification.

Argentina stressed that developing countries need to have appropriate financial resources, and said human health and the environment should be protected without compromising people's well-being.

Benin called on all who still use mercury and know its consequences to become part of the global movement to find ways and means leading towards its complete elimination.

Bolivia underlined his country's willingness and political will to work in a constructive manner towards the Convention's implementation, and noted that without serious collaboration from the international community it will not be possible to achieve the set objectives. He further noted disappointment that the Convention does not include references to indigenous peoples.

Brazil highlighted the progress made in phasing out mercury from Brazil's chlor-alkali industry, the challenge of addressing ASGM, and the importance of measures to prevent illegal trade in mercury.

Mexico, congratulating UNEP and participating countries on a major achievement for human health and the environment, said he hoped that other international conventions will also commit to multilateralism in the same fashion. He urged complementary national-level achievements, and said Mexico's geographical position renders it vulnerable to weather and pollution catastrophes, which makes international agreements to reduce impacts such as greenhouse gas and mercury releases critical.

Ecuador spoke of her country's commitment to greener legislation through recognizing the right of protecting nature and promoting inclusion of socially marginalized groups. Lauding the Minamata Convention as the first instrument that addresses

human and environmental health specifically, she emphasized the need to develop new frameworks and activities, and said Ecuador has prohibited the use of mercury in all future mining practices.

Ethiopia said sustainable environmental management requires a coordinated and sustained effort by governments, NGOs, academia, and the public sector. He described Ethiopia as a country striving to be a middle-income country by 2025 and committed to eradicating poverty, and pledged his government's commitment to creating an enabling environment to manage chemical waste products. He envisioned a future global community freed from the evils of mercury pollution.

Iraq spoke of his country's own tragic experiences with mercury pollution in the 1970s while suffering under a regime that paid little attention to environmental pollution. He underscored the current government's desire to introduce new environmental regulations, and said the Convention will open new horizons to collaborate with UNEP, while continued work on chromium and cyanide also requires attention.

Ireland emphasized that sound chemical management can deliver huge benefits to society. He suggested holding the images of Minamata Day in our minds, and focusing on "what can be, rather than what was" while working toward the Convention's rapid ratification and entry into force.

Jamaica outlined his country's commitment over the last two years through their role in shaping the text of the Convention, and expressed appreciation for GRULAC and donor support, which showed a model of international collaboration towards protecting human and environmental health from anthropogenic releases of chemical waste. He lauded the ambitions of the SAICM Quick Start Programme, and said the SIDS Conference in September 2014 will contain a section on chemicals and wastes, thus including the BRS Conventions and the Minamata Convention.

Kiribati emphasized his country's dependency on fish, and lamenting the dearth of South Pacific fish data, expressed hope that the Convention will provide sufficient impetus for sound governance of international waters. He highlighted the benefit of having a reference to strengthening capacity building support for developing countries and countries in economic transition in the Final Act, and Article 13 noting the special needs of SIDS in terms of institutional strengthening.

Libya noted the honor of representing a transformed Libya that aims to respect human rights and environmental protection through legitimate institutions. He said Libya closed the only factory using mercury since 2011 and aims to deal with mercury's impacts.

Gabon called the signing of the Convention a decisive step towards fighting mercury pollution with nations shouldering the burden against pollution through collaboration, and spoke of the Green Gabon Programme that was established with the help of Norway and NGOs. He hoped that the containment of chemical pollution will be taken up in the goals of the post-2015 development agenda.

The Philippines said that in coming years we must resolve not to let the Minamata Convention become a "paper tiger" in the face of continued global mercury emissions. He said that the Philippines' initiative on mercury in health care and ASGM,

coupled with support from donor countries and IGOs, and the engagement of civil society, proves that every country can make significant contributions to global environmental stewardship.

Malawi stressed the need to address environmental and health hazards associated with mercury, underscoring challenges presented by: limits in our understanding of all risks associated with mercury, inadequate policies, and shortages of financial and technical resources. In implementing the Minamata Convention, she called for helping developing countries and countries with economies in transition strengthen national capacities and identify country specific threats and risks associated with the unsound management of mercury.

Côte d'Ivoire outlined activities already undertaken, supported by the SAICM Quick Start Programme, to reduce risks from mercury in ASGM. He noted that implementation of the BRS Conventions and SAICM is not yet 100% effective and expressed hope that the Minamata Convention will help pool resources towards improved implementation.

Djibouti gave homage to the victims of Minamata Disease and their families, said the Minamata Convention shows we are willing to correct past errors, and underscored his country's commitment to ratifying and rapidly implementing the Convention so that events such as those at Minamata never happen again.

Mauritius outlined actions taken to regulate mercury pollution, including classifying mercury as extremely dangerous and setting limits for mercury content in fish, water and effluent, and highlighted Mauritius's objective to reduce reliance on coal.

Mozambique highlighted the environmental problems it faces due to the common use of mercury in ASGM and said the Minamata Convention will boost immediate actions and help mobilize necessary resources to strengthen legal frameworks and human capacity.

South Africa noted it will play its part in implementing the Convention, building on work already begun to prepare for entry into force, including introduction of regulations and developing a nationwide inventory using the UNEP "Toolkit for Identification and Qualification of Mercury." She said much remains to be done and called on donors, including the GEF, to provide predictable finance for technology transfer and capacity building and for all countries to work towards efficient cooperation between the BRS and Minamata Secretariats.

Niger noted that chemicals are imported in the mining sector, which is important economically, and the use of mercury in ASGM poses a threat to human health in Niger. He said his country is already Party to many agreements on chemicals and wastes, has participated in the development of the Minamata Convention, and commits to its ratification. He stressed the financial mechanism is crucial to implementation, as well as technology transfer and capacity building.

Paraguay said the new national government is firmly committed to adopting the Convention, promoting rapid ratification and implementing identified priority actions. She said Paraguay's compliance requires international support for capacity building and technology assistance.

Moldova said his country would pursue the Convention's objectives and underscored that as a country with an economy

in transition, Moldova needs assistance from the international community. He expressed Moldova's hope that the UNEP Special Programme on institutional strengthening at the national level for the BRS Conventions, the Minamata Convention and SAICM will be a source of support.

Samoa said electronic waste represents a growing problem and called for technical assistance and relevant capacity-building measures. He said there is currently little data available about methylmercury in South Pacific fish, noting its presence would be the result of global deposition, and underscored that Samoa and other Pacific Island countries are dependent on fishing and tourism, and both require clean and uncontaminated oceans.

Senegal said Minamata represented a powerful symbol bringing the global community together to take an important step in environmental management. He outlined his country's challenges in strengthening existing mercury regulations, especially in the growing ASGM sector, and underscored the need for technology assistance and capacity building, taking into account specific domestic circumstances.

Singapore underscored the importance of having responsible, multiple controls as a dense city-state with one of the most compact living situations, and reiterated Singapore's commitment to enforce compliance of all ships that go through its transshipment center, supporting this Convention in the same spirit as the BRS Conventions.

Tunisia applauded the culmination of the INC process and stated that his country has made progress in reducing mercury releases despite high costs. He said it was an honor to sign a Convention that has as its aim the protection of public health and the environment through reducing toxic emissions and releases, use in industrial products, and rehabilitation of damaged sites. He underscored the need for financial and technical assistance, and broadening capacity in achieving these goals.

Uganda lauded support from Norway, UNEP and WHO for a recent pilot project on dental amalgam phase-down. He noted the need for a strong financial mechanism to ensure future use of alternatives and eventual phase-out of certain mercury-containing products.

The United Republic of Tanzania, on the long-term suffering of the Kumamoto Prefecture, said witnessing the site of Minamata Disease had increased understanding of the implications of toxic waste disposal. She emphasized Tanzania's vulnerability in the area of ASGM, due to lack of capacity, awareness, and protective consumer laws. Noting that children are often trapped in poverty with few alternatives but to work in illegal mines, she called for raising awareness among Tanzania's youth.

Zimbabwe said environmental protection and sustainability remain a challenge to a country with mercury use in mining, and pledged commitment to improving education and raising awareness on the dangers of mercury exposure, while strengthening capacity at the national level.

Thailand highlighted mercury and mercury compounds have been classified as hazardous substances under Thailand's Hazardous Substances Act, noting that wastes contaminated with mercury are also classified as hazardous, and outlined efforts to reduce emissions and releases, and limit mercury content in

products. To ensure the Convention's effective implementation, he called on states and REIOs to provide adequate financial and technical assistance, as well as technology transfer and capacity building, through relevant regional and subregional bodies.

The Republic of Korea outlined efforts to reduce mercury content in mercury-added products, mitigate mercury in industrial manufacturing processes, and develop mercury waste management technology, and noted the Republic of Korea will be hosting the International Conference on Mercury as a Global Pollutant in 2015.

Chile said the Minamata Convention marks the conclusion of a process to reconcile a diversity of interests while keeping in mind countries' different objectives. He reiterated Chile's commitment to developing sustainable mining activities, and highlighted that while the ban on primary mercury mining is a fundamental decision of the Minamata Convention, it is an exceptional and unique instance.

China said it has adopted a host of legal, technical, economic and administrative measures to address mercury pollution, and said China's signature of the Minamata Convention is testimony to its political commitment to seize the opportunity to work with the international community by adopting more effective and stringent measures to control the production, use and emissions of mercury. He called upon developed countries to provide financial and technical assistance to developing countries to facilitate both their ratification and the Convention's full and efficient implementation.

Georgia declared her government ready to share in the global commitment to protect human health and the environment from the negative effects of mercury, and paid tribute to the victims of Minamata Disease whose suffering will save lives in the future.

Ghana highlighted the Convention's ASGM provisions and acknowledged support received from the GEF, UN Industrial Development Organization (UNIDO), UN Development Programme (UNDP), UN Institute for Training and Research (UNITAR), the Food and Agriculture Organization (FAO), and WHO, for a variety of technical assistance programmes for the management of hazardous chemicals and wastes, and called on UNEP to continue to support developing countries and countries with economies in transition in the interim period so as to facilitate the Convention's early implementation.

Indonesia noted the Minamata Convention will contribute to the goal of sound chemicals management by 2020 and to the post-2015 development agenda, and said it is now time to promote sustainable growth with equity. He emphasized the importance of recognizing common but differentiated responsibilities, as well as of the capacity building, technical assistance and technology transfer provisions in the Convention.

Kenya supported increasing the role played by UNEP in Nairobi, including by hosting future environmental conventions, and welcomed the provisions on financing, calling on the GEF Assembly to consider interim activities during their discussions for the sixth replenishment.

Liberia noted his country was particularly concerned about the health impacts of mercury, mercury products and waste, and highlighting the Convention's article on health aspects, he

said the global partnership evident in Kumamoto needs to be accentuated in the implementation phase to support necessary action under the Convention.

Peru explained his country has mined and used mercury for centuries and that mercury is contaminating Peru's rivers. Nothing that while mercury imports are falling and controls exist in the ASGM sector, he said Peru is looking for support from the GEF Trust Fund and the specific international programme to monitor and address mercury uses across the economy.

Poland noted her country has invested greatly in economic progress but has also wanted to avoid environmental damage, highlighting Poland's support, as a member of the EU, for action on mercury and on climate change, and invited delegates to the UN Framework Convention on Climate Change's COP19 to be held in Warsaw in November 2013.

Palestine said the visit to Minamata had been a lesson for all environmental decision makers, and though regretting that Palestine had not yet signed the Convention, he hoped for an opportune moment in the near future and pledged support for all its resolutions. He called on UNEP for assistance in building his country's technological capacity and to assess their vulnerability through in-country support.

Venezuela noted his country had implemented legal requirements, including as part of its fifth development plan, to minimize mercury use in a range of areas. He said international asymmetries in terms of knowledge and technology mean it is essential for developed countries to provide technological and financial support, including in relation to setting up inventories, to achieve a progressive international ban on mercury.

Canada noted that the treaty dealt with the full life cycle of mercury and urged rapid ratification by countries for early entry into force. He said Canada's signing demonstrates its commitment to protecting the Arctic Circle and indigenous peoples living there and noted Canada's particular interest in reducing long-range environmental transport of mercury, especially because of its impact on the Arctic. Speaking on behalf of the Arctic Council, Canada noted key work done by the Council over the last decade to monitor and assess mercury's impact, including on the food chain, and signaled the Council's intention to actively support the Minamata Convention.

Belgium welcomed this new multilateral environment agreement completed in less than four years and urged continued engagement to ensure rapid entry into force, including through rapid establishment of the BAT/BEP expert group. He also noted the importance of the Implementation and Compliance Committee in ensuring the treaty's effective functioning.

The Czech Republic noted her country's long tradition, going back to the alchemists of the Middle Ages, of studying the properties of mercury and also highlighted recent research on mercury. Recalling the Czech Republic's role during its EU Presidency in the early stages of discussions that led to the Minamata Convention, she urged all countries to bring the Convention into force as soon as possible.

France applauded the first multilateral environmental agreement in ten years and noted that it has provided, through UNEP, financial and other support to the INC over the course of the negotiations as well as having in place a €900,000 fund

for West African action on ASGM. Calling for rapid entry into force and implementation, he noted that France has regulatory measures, at both the national and EU levels, to support its compliance with the Minamata Convention.

Pakistan called for devising sound procedures to exclude mercury use, saying that Pakistan supports all the chemicals and wastes conventions since environmental protection and halting climate change is a priority. He applauded UNEP's assistance for completion of three environment-friendly projects, called for practical approaches, and financial and technical support for eradicating the harmful effects of mercury.

Spain highlighted that his country has been closely linked to mercury for centuries and stated their willingness to share the techniques on environmentally-sound mercury products that have been developed and researched. He emphasized the need for determining the necessary activities at national level to ratify the Convention and for ensuring its implementation by setting out consistent and coordinated strategies, particularly among developing countries.

Angola lamented his country's recent history of conflict, but stated its commitment to environmental protection, and thanked the Minamata community for alerting the world to the dangers of mercury. He pledged to eliminate mercury use over the next 15 years, and said while his country contains rich mineral resources, the intention is to conduct impact studies and determine the healthiest methods for extracting minerals.

Quoting that "true happiness can only be achieved through harmony with nature," Germany expressed joy that the name Minamata will not only be associated with a problem, but also with a solution. He said the adoption of the Convention confirms multilateralism can succeed and that humans can learn from their mistakes, and encouraged all levels of society to unite, taking the example of Minamata having turned from a site of tragedy to an eco-city.

Italy warned that unless countries commit to mercury reduction, the data projections for 2020 show that emissions will continue to rise, and said it is ready to contribute significantly. He stated that reducing the burden of phasing out mercury is a moral and political imperative, and provides the opportunity and ambition to research and improve alternatives to mercury products.

Jordan spoke of his country's continued commitment to environmental protection through participating in all the chemicals and wastes conventions, and implementing all international regulations. He expressed their readiness to deploy all necessary efforts to implement the Convention and create a world free from mercury pollution.

Mongolia noted activities on green development, including 2008 legislation addressing mercury, highlighted the importance of the financial mechanism, and underscored his commitment to expediting the Convention's entry into force.

New Zealand said the Minamata Convention demonstrates the importance of multilateralism and acknowledged the contribution of IGOs, academia, civil society and industry. She underscored mercury pollution is a growing problem in the Pacific region, and said international action is needed to combat it.

Nigeria said the Minamata Convention will enable Nigeria to develop its National Implementation Plan, establish its inventory, and enhance national capacity and strengthen institutions to address the effects of mercury on human health and the environment. He noted several needs in order to achieve success, including long term availability of financial and technical assistance to comply with obligations.

Recalling that Norway and Switzerland had been the first to propose a legally-binding treaty on mercury, Norway stated the signature of the Minamata Convention was a good day for human health, the environment and multilateralism. He noted it is a dynamic convention, and its annexes will be strengthened as mercury-free technology becomes more available, underscoring Norway's commitment to work towards such strengthening. He said Norway has already committed US\$1 million for early action in developing countries and will continue to be a strong supporter of work in the interim period and beyond.

South Sudan said his government will commit to working tirelessly in cooperation and coordination with the UN and the world at large to address mercury-created health problems and to eradicate mercury use. He underscored that, as a young country, South Sudan will require technology transfer and financial support.

Viet Nam expressed confidence that, due to the adoption of the Convention, effective and efficient control of mercury will be achieved. He recognized the challenges, and said these will become opportunities through cooperation among signatories, emphasizing the importance of sharing techniques, financial support and experiences.

Sweden highlighted the signing as a historic moment in taking joint measures to reduce anthropogenic effects of mercury emissions, and said her country has had a complete ban on mercury products since 2009. She pledged continued support to developing countries through capacity building and contributing to the GEF's Trust Fund, and urged incorporating chemicals management into the post-2015 development agenda, while saying "the best way to predict the future is to create it."

The UK, saying that mercury pollution is transboundary and long-ranged, reminded delegates of being moved by the tragic industrial pollution effects on the community of Minamata, but also impressed by the way the citizens transformed the city, turning it into a model to prevent future similar events. He stated the UK will honor its promise to spend 0.7% of gross national income on development this year and will support the GEF's Trust Fund, including any new arrangements that may be required to give effect to the treaty.

Australia said the meeting signifies a change in addressing mercury pollution, and has shown how multilateralism can be effectively engaged to address global chemicals and waste management. Noting that all signatories have renewed their resolve to solve the unique challenges in different countries, especially for sound mercury waste management, he looked forward to addressing these challenges, and to ensure that the Convention becomes fully operational.

Cambodia emphasized the risks of mercury to human health, including in ASGM and from mercury accumulation in the food chain, and that Cambodia has already developed and commenced

action plans on chemicals management. He further noted the importance of implementation taking into account national circumstances and said Cambodia is looking for technical assistance and technology transfer to assist its efforts in fully implementing the Minamata Convention.

The Cook Islands noted that electronic waste was becoming a significant problem for Pacific Island Countries but that only two other Pacific Island Countries were able to attend the meeting. He supported both their statements in noting that the presence of methylmercury in the Pacific Ocean was largely as a result of global deposition. Welcoming support from Switzerland and Australia to assist with chemicals management, he noted the Cook Islands would need further assistance in the future to give it confidence to sign the Minamata Convention.

Nepal stated its signing of the Minamata Convention demonstrated its commitment to this issue and underscored that developing countries will require financial and capacity building support.

Romania stated that it is looking to incorporate the goals of the Minamata Convention into national legislation to complement EU legislation, but noted that implementation would be in accordance with its national capacity.

The Russian Federation, expressing satisfaction at the Minamata Convention being open for signature, noted that tackling mercury is directly linked to its sustainable development objectives. He explained the Russian Federation would join the list of signatories, once its domestic procedures were complete, and then actively look to implement the treaty's obligations.

Iran said it attaches great importance to the need to protect the environment and already has extensive national programmes in place to achieve its obligations under the Minamata Convention. He said these included: controlling import of mercury in pesticides; monitoring sources; establishing programmes for decontamination of affected sites; closing chlor-alkali sites; controlling transboundary mercury waste; and finalizing air emissions standards.

Slovakia said the Minamata Convention will lead to decreased emissions and will help solve problems with mercury contaminated sites, mercury waste processing, and interim storage and permanent disposal. He noted Slovakia is prepared to cooperate with other developed countries to assist and facilitate developing country's successful implementation.

The Gambia stressed the need: to raise awareness, especially among her country's dental and fishing industries; to consistently implement best practices; and for financial, technical and human resources to achieve a mercury-free world.

GEF CEO and Chairperson Naoko Ishii said, as a Japanese national and as the head of the GEF, that she is honored and humbled to serve under this Convention. She pledged GEF's readiness to provide immediate support of US\$10 million for action developed before June 2014 to help assess countries' national sources of mercury production, and establish necessary policy and regulatory changes to implement the Convention. She called for South-South collaboration and for collaboration between the private and public sectors, to ensure technology

transfer and, emphasizing the need to translate signatures into action, she said the GEF is committed to ensuring the successful implementation of the Convention.

The World Health Organization said the Minamata Convention is not only a mercury treaty but is a public health treaty. She noted health ministries will be essential to implement action in many areas, including: the phase out of thermometers, topical antiseptics and skin-lightening creams; strategies on addressing the health impact of ASGM; health risk assessments of contaminated sites; and measures to phase down dental amalgam use. She highlighted the WHO's ongoing efforts to substitute mercury-based medical devices, and announced the launch of a campaign to phase-out mercury fever thermometers and blood pressure measuring devices by 2020.

The ILO highlighted the Minamata Convention and several ILO Conventions and programmes share the common goal of protecting people from mercury, noting their implementation will have synergistic effects through enhanced awareness and the strengthened capacity of institutions and stakeholders.

The Asian Development Bank (ADB) noted Asia is responsible for about 65% of global anthropogenic mercury emissions. Noting that over the past 10 years the ADB has provided more than US\$30 billion for environmental sustainability projects, he invited developing member countries in Asia and the Pacific to develop and implement projects to reduce mercury emissions now.

The Alliance for Responsible Mining said the 22 million artisanal miners worldwide can finally benefit from an international instrument, noting their organization's efforts and positive experiences in raising awareness, and stressed the opportunities of the sector as an economic benefit if operating within a legal framework. He emphasized the need for national action plans to be designed and implemented with participation from miners as the most relevant actors, warning that governments need to ensure that mercury problems do not transition into "cyanide problems" because of a lack of mercury-free technologies.

The Center for Public Health and Environmental Development, Nepal, said Nepal had banned imports of mercury materials in the medical sector, and looked forward to working with national representatives to pursue the earliest possible ratification. He stressed the importance of raising awareness among women of childbearing age, particularly in local languages.

Human Rights Watch spoke of their research on a range of human health issues, and called on governments to draw up action plans on ASGM that are focused on health, in particular for women and children.

The International Academy of Oral Medicine and Toxicology (IAOMT) applauded the apt naming of the Convention, and said that having learned from the Japanese hosts through workshops, videos and testimonies, participants can clearly understand the true devastation from mercury pollution and never let it happen again. She described IAOMT's Technical Assistance Programme, designed to safely transition countries away from the use of mercury in dental fillings by holding workshops to educate health professionals.

The International Council on Mining and Metals said while they are neither involved in producing mercury products nor in using them, the natural presence of mercury forces recognition of the importance of responsible stewardship and stated their commitment to sharing their expertise in reducing use of toxic materials, revising safe strategies for mercury disposal and alternative technologies.

The International POPs Elimination Network (IPEN) noted that while the treaty did not provide as strong a legal obligation on countries as IPEN had sought, the strong moral imperative remained for countries to act. IPEN noted lessons from Minamata include: the need to apply the precautionary principle, noting ASGM communities are already experiencing mercury poisoning; and not waiting 20 years to manage contaminated sites, a risk exacerbated by the current global gold rush.

Lighting Europe said lighting drives significant mercury emissions, given 20% of power generation is used for lighting and there remains significant mercury content in many compact fluorescent lamps (CFLs). He highlighted the UNEP GEF Enlighten Initiative to promote energy efficient lighting.

The World Alliance of Mercury Free Dentistry urged early ratification and mobilization of funds, noting satisfaction that dental amalgam is listed in Annex A of the Convention and called on countries to: remove dental amalgam from teaching programmes within two years; promote alternatives in insurance plans; and inform consumers on the true composition of amalgam and the availability of non-toxic alternatives.

The Zero Mercury Working Group reiterated its push for 50 ratifications by 2015. The Group also called for short-term reduction activities during the interim period, noting its "Action Challenge" for selected countries identifies actions that would result in significant mercury reductions including: phasing out supply sources; accelerating product substitution; and action plans for the ASGM sector.

CLOSING REMARKS

UNEP Executive Director Achim Steiner, recognizing the efforts and work of UNEP and Japan, and the funding from Japan, Norway, Switzerland and others, said a new chapter has begun with a sense of trust in governments' sense of responsibility for realizing the ambition of the Convention. He presented the "Pez-Peste" sculpture, offered to INC Chair Lugris by the health sector and civil society groups at INC2, and created and donated by Argentinian artist Nicolás García Urriburu, to Katsuaki Miyamoto, Mayor of Minamata City, to be displayed at the Minamata Disease Municipal Museum.

President Ishihara, thanking the local Prefecture of Kumamoto, said the adoption of the Convention is a collaborative effort of many, and gavelled the meeting to a close at 6:09 pm.

UPCOMING MEETINGS

Persistent Organic Pollutants Review Committee (POPRC 9): POPRC 9 will review chlorinated naphthalenes, hexachlorobutadiene, hexabromocyclododecane, and pentachlorophenol and its salts and esters, as well as discuss other technical work such as the impact of climate change on

the POPRC's work and common issues in applying Annex E criteria. A joint meeting with the Rotterdam Convention's Chemical Review Committee (CRC) will be held on 20 October 2013. **dates:** 14-18 October 2013 **location:** Rome, Italy **contact:** Stockholm Convention Secretariat **phone:** +41-22-917-8729 **fax:** +41-22-917-8098 **email:** ssc@pops.int **www:** <http://www.pops.int>

Expanded Constituency Workshop Pacific Islands: The Expanded Constituency Workshop hosts discussions on priority issues, development and implementation of GEF projects, and project integration in national development frameworks. The event will bring together focal points from the GEF, UN Framework Convention on Climate Change (UNFCCC), Convention on Biological Diversity (CBD), UN Convention to Combat Desertification (UNCCD) and Stockholm Convention on Persistent Organic Pollutants, with representatives from civil society, the GEF Secretariat, and the GEF Agencies to discuss lessons learned and experiences regarding the implementation of multi-focal GEF projects in the region. **dates:** 15-17 October 2013 **location:** Apia, Samoa **contact:** GEF Secretariat **phone:** +1-202-473-0508 **fax:** +1-202-522-3240 **email:** secretariat@thegef.org **www:** <http://www.thegef.org/gef/ECW-Pacific>

International Lead Poisoning Prevention Week of Action: During the campaign week, the Global Alliance to Eliminate Lead Paint (GAELP) aims to: raise awareness about lead poisoning; highlight countries' and partners' efforts to prevent childhood lead poisoning; and urge further action to eliminate lead paint. GAELP is a partnership under the Strategic Approach to International Chemicals Management (SAICM). **dates:** 20-26 October 2013 **location:** worldwide **contact:** GAELP Secretariat **fax:** +41-22-791-41-27 **email:** noleadinpaint@who.int **www:** http://www.who.int/ipcs/lead_campaign/

Ninth Meeting of the Rotterdam Convention Chemical Review Committee: The Chemical Review Committee (CRC) is a subsidiary body of the Rotterdam Convention that reviews chemicals and pesticide formulations according to the criteria set out by the Convention in Annexes II and IV, respectively, and makes recommendations to the COP for listing these chemicals in Annex III. A joint meeting with the POPRC will be held on 20 October 2013. **dates:** 21-25 October 2013 **location:** Rome, Italy **contact:** Rotterdam Convention Secretariat **phone:** +41-22-917-8296 **fax:** +41-22-917-8082 **email:** pic@pic.int **www:** <http://www.pic.int/>

25th Meeting of the Parties (MOP) to the Montreal Protocol: MOP 25 is scheduled to consider a number of issues, including nominations for critical- and essential-use exemptions and climate benefit of the accelerated phase-out of hydrochlorofluorocarbons and phasing down hydrofluorocarbons. **dates:** 21-25 October 2013 **location:** Bangkok, Thailand **contact:** Ozone Secretariat **phone:** +254-20-762-3851 **fax:** +254-20-762-4691 **email:** ozoneinfo@unep.org **www:** <http://ozone.unep.org>

Eighth International Conference on Waste Management and Technology (ICWMT8): Organized by the Basel Convention Coordinating Centre for Asia and the Pacific, and sponsored by UNEP, the Stockholm Convention Regional

Centre for Capacity-Building and the Transfer of Technology in Asia and the Pacific, China's Ministry of Environmental Protection and others, ICWMT aims to promote exchange and cooperation on management policy, technology and experiences on solid and hazardous waste. Under the theme of "Towards Ecological Civilization," ICWMT8 will discuss: waste electrical and electronic equipment management policy and technology; hazardous waste management and safe disposal; industrial solid waste utilization and disposal; contaminated sites regulation and governance; circular economy and urban mining exploitation and utilization; persistent organic pollutants waste management and disposal; scrapped vehicle recycling management and processing; biomass comprehensive utilization; and waste plastic utilization. **dates:** 23-25 October 2013 **location:** Beijing, China **contact:** BCRC Beijing **phone:** +86-10-62794351 **fax:** +86-10-62772048 **email:** icwmt@tsinghua.edu.cn **www:** <http://conf.bcrc.cn/english/>

INTERPOL-UNEP International Environmental Compliance and Enforcement Conference: The INTERPOL-UNEP conference will bring together executive leaders to design a joint international strategy to tackle environmental crime. Cooperation between intergovernmental organizations and the environmental enforcement actions of focus for the international community in the coming years will be the main topics of discussion. **dates:** 4-8 November 2013 **location:** Nairobi, Kenya **contact:** INTERPOL Environmental Crime Programme **email:** environmentalcrime@interpol.int **www:** <http://www.interpol.int/Crime-areas/Environmental-crime/Environmental-crime>

45th Meeting of the GEF Council: The Global Environmental Facility Council meets twice a year to approve new projects with global environmental benefits in the GEF's focal areas, and to provide guidance to the GEF Secretariat and Agencies. **dates:** 5-7 November 2013 **location:** Washington, DC, US **contact:** GEF Secretariat **phone:** +1-202-473-0508 **fax:** +1-202-522-3240 **email:** secretariat@thegef.org **www:** <http://www.thegef.org/>

19th Session of the Conference of the Parties to the UNFCCC: COP 19, CMP 9, ADP 3, SBSTA 39, and SBI 39 will convene in Warsaw, Poland. **dates:** 11-22 November 2013 **location:** Warsaw, Poland **contact:** UNFCCC Secretariat **phone:** +49-228-815-1000 **fax:** +49-228-815-1999 **email:** secretariat@unfccc.int **www:** <http://www.unfccc.int>

Fifth GEF Assembly: The Fifth GEF Assembly and Associated Meetings will review and evaluate the GEF's general policies, the operation of the GEF and its membership. The Assembly is also responsible for considering and approving proposed amendments to the Instrument. **dates:** 26-30 May 2014 **location:** Cancun, Mexico **contact:** GEF Secretariat **phone:** +1-202-473-0508 **fax:** +1-202-522-3240 **email:** secretariat@thegef.org **www:** http://www.thegef.org/gef/5th_assembly

UN Environmental Assembly of UNEP: The next meeting of the UN Environmental Assembly of UNEP, which has replaced the UNEP Governing Council, is tentatively scheduled in June 2014. **dates:** 23-27 June 2014 (tentative) **location:**

Nairobi, Kenya **contact:** Jamil Ahmad, Secretary of Governing Bodies, UNEP **phone:** +254-20-7623431 **email:** unep.sgb@unep.org **www:** www.unep.org

Third International Conference on Small Island Developing States: The Third International Conference on SIDS will include a high-level segment to build upon the previous conferences and will identify new challenges for the sustainable development of SIDS. The conference will be preceded by related activities from 28-30 August 2014. **dates:** 28 August - 4 September 2014 **location:** Apia, Samoa **contact:** Hiroko Morita-Lou, UNDESA SIDS Unit **phone:** +1-212- 963-8813 **fax:** +1-212-963-3260 **email:** morita-lou@un.org **www:** <http://www.sids2014.org/>

Coordinated Ordinary and Extraordinary Meetings of the Conferences of the Parties to the Basel, Rotterdam and Stockholm Conventions: The ordinary and extraordinary meetings of the COPs to the Basel, Rotterdam and Stockholm conventions are tentatively scheduled to convene in 2015. **dates:** TBD **location:** TBD **contact:** Joint Secretariat **phone:** +41-22-917-8729 **fax:** +41-22-917-8098 **email:** synergies@unep.org **www:** <http://synergies.pops.int>

International Conference on Mercury as a Global Pollutant: The twelfth International Conference on Mercury as a Global Pollutant will take place in Jeju, Republic of Korea. **dates:** 14-19 June 2015 **location:** Jeju, Republic of Korea **contact:** Conference Secretariat **phone:** +82-64-735-1036 **fax:** +82-64-735-1098 **email:** icmgrp2015@icmgrp2015.com **www:** <http://mercury2015.com/>

GLOSSARY

ASGM	Artisanal and small-scale gold mining
BAT	Best available techniques
BEP	Best environmental practices
BRS	Basel, Rotterdam and Stockholm Conventions
COP	Conference of the Parties
GEF	Global Environment Facility
GRULAC	Latin American and Caribbean Group
ILO	International Labour Organization
INC	Intergovernmental negotiating committee
POPRC	Persistent Organic Pollutants Review Committee
REIOs	Regional economic integration organizations
SAICM	Strategic Approach to International Chemicals Management
SIDS	Small island developing states
UNEP	United Nations Environment Programme
WHO	World Health Organization