



MERCURY INC6 HIGHLIGHTS: MONDAY, 3 NOVEMBER 2014

The sixth session of the Intergovernmental Negotiating Committee to Prepare a Global Legally Binding Instrument on Mercury (INC6) opened Monday and is scheduled to conclude on Friday, 7 November, in Bangkok, Thailand. Plenary convened in the morning and afternoon.

OPENING CEREMONY

Fatoumata Keita-Ouane, Head, UNEP Chemicals Branch, welcomed delegates and highlighted that the Convention has gained 128 signatories and 7 ratifications since its adoption.

INC Chair Lugris called on parties and stakeholders to maintain momentum, mobilize “new champions,” and ensure effective implementation through specific actions to achieve a “genuine impact for our populations and the environment.”

Welcoming delegates, Suphot Tovichakchaikul, Deputy Permanent Secretary, Ministry of Natural Resources and Environment of Thailand, highlighted domestic actions to reduce mercury emissions and underscored the need to communicate to the general population the importance of reducing anthropogenic mercury emissions.

Ibrahim Thiaw, Deputy Executive Director, UNEP, congratulated the seven countries that have already ratified the agreement, as well as the GEF for providing substantive financial support, and urged other countries to ratify the convention.

Naoko Ishii, Global Environment Facility (GEF), highlighted the GEF6 decision to allocate US\$ 141 million for implementation of the Minamata Convention over the next four years, and called for greater inclusion of the private sector in this process. Delegates then watched a video produced by the GEF secretariat encouraging early ratification of the Minamata Convention.

Keita-Ouane invited delegates from three countries that have ratified the Minamata Convention to make introductory remarks. Serge Molly Allo'o Allo'o, GABON, looked forward to support from the GEF and other parties for bolstering human resource capacity, conducting scientific studies, addressing ASGM, and accessing alternatives to products such as dental amalgams.

Bangaly Dioumessy, GUINEA, urged signatory countries to undertake early ratification, stating that his country has prioritized protection of public health and the environment.

John Thompson, US, commended the work of the interim secretariat, governments, NGOs and industry in facilitating implementation of the Minamata Convention. He noted that his country has reduced the use of mercury-added products by more than 97% domestically, is updating mercury-related guidelines for fish consumption, and has proposed new regulations to reduce mercury pollution from dental wastewater.

PLENARY

Chair Lugris proposed structuring discussions around four broad areas: items necessary for the effective implementation of the Convention upon its entry into force; matters required by the Convention to be decided upon by the COP at its first meeting; items to be adopted by the committee on a provisional basis pending formal adoption by COP1; and activities to facilitate rapid entry into force of the Convention and its effective implementation. Delegates adopted the meeting's agenda without amendment (UNEP(DTIE)/Hg/INC.6/1 and Add.1).

INC6 confirmed the election of three new Vice Chairs to the Bureau: Sezaneh Seymour (US) to replace John Thompson (US); David Kapindula (Zambia) to replace Abiola Olanipekun (Nigeria); and Alojz Grabner (Slovenia) to replace Katerina Sebkova (Czech Republic).

OPENING STATEMENTS: Declaring that INC6 represents a new phase of negotiations that must primarily address implementation, the EU highlighted regional legal efforts to accelerate its ratification process.

Japan, on behalf of the ASIA-PACIFIC GROUP, welcomed the adoption of the Minamata Convention and expressed support for its effective implementation.

Zambia, on behalf of the AFRICAN GROUP, underscored the “urgent need” for leveraging political engagement and invited the Secretariat to deliver presentations to ministers on the importance of mercury elimination in African countries. He also underscored the need to simplify the mechanisms for accessing funds under the GEF.

Paraguay, on behalf of the LATIN AMERICAN AND CARIBBEAN GROUP (GRULAC), emphasized the group's commitment to ratification, highlighted the importance of the Special Programme for strengthening institutional support for chemical conventions and called for financial support and technical assistance for developing countries.

Russia, on behalf of the CENTRAL AND EASTERN EUROPE GROUP, declared the Minamata Convention a “story of success.”

JORDAN stressed the importance of establishing national chemical units that can contribute to international synergies and highlighted sub-regional activities for Arab countries on early ratification.

Switzerland highlighted recent activities conducted with UNITAR and the BRS Secretariat, notably on ASGM in Africa and Latin America.

NEPAL, EGYPT, IRAN and NIGERIA highlighted national actions towards implementation. INDIA said international funds are insufficient to address mercury emissions. SENEGAL credited the Secretariat's technical support of francophone countries in accelerating ratification.

CHILE expressed concern about the availability of funds for ongoing implementation in the medium term, saying available GEF resources could be “diluted” with the addition of this new



convention. EGYPT said the GEF financial mechanism and the specific international programme should work together to ensure adequate resourcing for implementation. Noting that his country is a transit point, he called for establishing notification systems on the transport of hazardous waste. IRAN said effective implementation will depend on financial contributions and underscored the importance of common but differentiated responsibilities.

Norway, as Chair of the UNEP GLOBAL MERCURY PARTNERSHIP ADVISORY GROUP, reported on outcomes of its 30 October - 1 November 2014 meeting, highlighting draft guidance on ASGM and coal combustion, as well as a study on the economics of conversion, which helps countries determine phase-out dates for mercury-added products. He called for increased participation of governments in the Partnership.

UNITAR highlighted its global project to support 15 countries during 2014-2015 to accelerate ratification, funded by the Swiss Federation.

UNIDO outlined its support for national programmes on ASGM as part of the Minamata Convention Initial Assessments (MIA) under GEF-5 and GEF-6.

The SOUTH ASIA CO-OPERATIVE ENVIRONMENT PROGRAMME highlighted its activities on capacity development and regional cooperation. WHO announced the preparation of new guidance on ASGM.

The ZERO MERCURY WORKING GROUP emphasized that ensuring compliance is a key challenge. IPEN underscored that contaminated sites are critical as they harm public health and the environment. The COALITION FOR MERCURY-FREE DRUGS called for the elimination of mercury from medical and dental products. The WORLD ALLIANCE FOR MERCURY-FREE DENTISTRY highlighted the importance of fixed national targets, awareness raising and technical support in phasing out mercury in dental amalgam.

The FDI WORLD DENTAL FEDERATION welcomed the consensus on a phase-down approach to dental amalgam, as reflected in the Convention text.

WORK TO PREPARE FOR ENTRY INTO FORCE AND COPI

ARTICLE 3. MERCURY SUPPLY SOURCES AND

TRADE: The secretariat introduced documents on: the provision of written consent or general notification for the import of mercury (UNEP(DTIE)/Hg/INC.6/3); register of notification of consent to import mercury (UNEP(DTIE)/Hg/INC.6/4); required content for certification to be provided for import by a non-party (UNEP(DTIE)/Hg/INC.6/5); and factors which may be considered in the identification of stocks of mercury or mercury compounds (UNEP(DTIE)/Hg/INC.6/9). She highlighted the annexes containing proposed forms for gathering information required for the maintenance of a public register and on countries' provisions regarding mercury sources, usage, storage and waste.

EGYPT asked about protection of confidentiality of information provided via import certifications and whether national focal points should be individuals, institutions, appointed authorities, or a combination. The secretariat said that while the nature of the focal point is not specified, it is easier to communicate with individuals, who could still represent a position, as is the case under SAICM.

IRAN said non-parties importing mercury should certify that they will not re-export it. The secretariat noted that the convention does not preclude re-export but "exporting non-parties" are asked to state that the mercury does not come from a prohibited source.

The US, supported by NORWAY and CANADA, introduced a conference room paper (CRP.1) on trade issues, which proposed specifying distinct forms for parties and non-parties.

The EU suggested that more general guidance could be provided on how parties can use Article 3 provisions to control trade flows and ensure the supply and uses of mercury are consistent with the convention. On identifying stocks of mercury

and mercury compounds, he proposed mentioning mercury compounds gained from non-ferrous mining and cleaning of natural gas, and taking account of registered exemptions.

BRAZIL proposed mentioning that disallowed sources include "excess mercury from the decommissioning of chlor-alkali plants," in line with Convention text.

NORWAY stressed the importance of practical implementation and highlighted the value of notification procedures that place responsibility on the exporting country. IPEN underscored that exporting countries must also work on information sharing. SWITZERLAND noted that the BRS Conventions provide a good starting point for guidance.

CANADA called for guidance for stocks identification. The US supported focusing on stocks and clarified that its CRP addresses procedures and requirements related to mercury trade.

INDIA, supported by PAKISTAN, cautioned against excessive attention to trade discussions, saying these are "counter-productive."

The NATURAL RESOURCES DEFENSE COUNCIL (NRDC) encouraged the use of electronic forms to improve real-time mercury trade monitoring.

INC6 agreed to continue discussions in a contact group on technical issues, to be co-chaired by Jimena Nieto-Carrasco (Colombia) and Karel Blaha (Czech Republic).

ARTICLE 6. EXEMPTIONS AVAILABLE TO A PARTY UPON REQUEST: The Secretariat introduced three documents: UNEP(DTIE)/Hg/INC.6/6 on the format for registering exemptions; UNEP(DTIE)/Hg/INC.6/7 on information to be supplied when registering an exemption; and UNEP(DTIE)/Hg/INC.6/8 on the register of exemptions to be maintained by the secretariat. She noted that the documents draw on the format adopted by the Stockholm Convention.

The US introduced its proposal (CRP.2) calling for, *inter alia*: combining information in the two annexes proposed by the Secretariat into one integrated, simplified form and shortening the descriptions of product categories to include only products that parties are required to phase out.

GUINEA requested clarification on who should request exemptions. The EU emphasized the need for all notifications to be made publicly available on the convention's website. NORWAY and SWITZERLAND supported using the Stockholm Convention as a starting point. Several delegates emphasized that countries should only be required to "justify" their request when applying for an extension, not during their initial request for exemption.

IN THE CORRIDORS

The atmosphere in UNESCAP on the first day of INC6 was relaxed and cheerful, and many delegates commented on the marked change from the intense negotiations of INC5. "We are in a comfortable place now," said one. Another commented, "The hard negotiations are done; we have an agreement, and that can't be taken away." With the focus of the current meeting on preparation for implementation, many participants were optimistic that the issues to be addressed this week will be relatively easy to resolve.

Despite the glow of success infusing the INC, several delegates indicated that financial arrangements are likely to be a source of contention in the coming days. As in past rounds of negotiations, many developing countries are concerned about the accessibility of the financial and technical assistance necessary to facilitate implementation of the obligations that will be conferred upon them with ratification of the new instrument. Several expressed concerns about the extent to which they will be able to influence funding decisions, pointing to past problems in accessing financial resources, and also worrying about linkages with funding under the BRS Conventions. And yet, a few noted the promises of simplified criteria for funding under the GEF, as well as the potential of the specific international programme to provide flexibility and improved support. "We will see this played out in the contact group on technical issues," predicted one delegate.