



Distr.: General
20 April 2016

English only



**United Nations
Environment Assembly of the
United Nations Environment
Programme**

**United Nations Environment Assembly of the
United Nations Environment Programme
Second session**

Nairobi, 23–27 May 2016

Item 4 (c) of the provisional agenda*

**International environmental policy and governance
issues: chemicals and waste**

**Outcomes of the seventh session of the intergovernmental
negotiating committee to prepare a global legally binding
instrument on mercury**

Note by the Executive Director

Summary

Pursuant to resolution 1/5 IV on mercury of the United Nations Environment Assembly of the United Nations Environment Programme, the present note describes progress made in the implementation of the resolution, in particular in relation to the work on mercury with regard to the outcomes of the seventh session of the intergovernmental negotiating committee to prepare a global legally binding instrument on mercury, held at the Dead Sea, Jordan, from 10 to 15 March 2016.

* UNEP/EA.2/1.

1. The seventh session of the intergovernmental negotiating committee to prepare a global legally binding instrument on mercury was held at the King Hussein Bin Talal Convention Centre, Dead Sea, Jordan, from 10 to 15 March 2016, and was preceded, on 9 March 2016, by regional meetings, technical briefings and side events.
2. The session was attended by more than 500 participants, including some 320 representatives of 129 parties. A total of 6 intergovernmental organizations and 11 United Nations entities were represented by more than 40 participants, while civil society was represented by over 50 participants from some 40 organizations.
3. Participants in the meeting discussed a range of issues of importance for the implementation of the Minamata Convention on Mercury.
4. At the meeting, the committee adopted on a provisional basis, pending formal adoption by the Conference of the Parties at its first meeting, guidance related to emissions of mercury (art. 8), including the main draft guidance on best available techniques and best environmental practices, as well as draft guidance on the implementation of measures for existing facilities, draft guidance on the development of criteria for defining relevant sources and draft guidance on the preparation of inventories of emissions. The committee expressed appreciation for the draft guidance documents, developed by a group of technical experts that had met four times since its establishment by the Conference of Plenipotentiaries for the Minamata Convention, held in Kumamoto, Japan, on 10 and 11 October 2013. Further discussion was required, however, on the use of the documents as well as the nature of the guidance.
5. The committee also adopted on a provisional basis, pending formal adoption by the Conference of the Parties at its first meeting, draft guidance on the identification of stocks and sources of mercury supply, as well as draft guidance on completing the forms to be used for export and import of mercury under the Convention (art. 3). These guidance documents would assist parties during the interim period between the entry into force of the Convention and the first meeting of the Conference of the Parties, at which it was anticipated they would be formally adopted.
6. The committee agreed to the provisional use of draft guidance on developing national action plans to reduce and, where feasible, eliminate mercury use in artisanal and small-scale gold mining, the major source of mercury emissions to the environment (art. 7).
7. In relation to article 13 on financial resources and mechanism, the committee agreed on a draft memorandum of understanding between the Conference of the Parties to the Minamata Convention on Mercury and the Council of the Global Environment Facility (GEF) and decided that it should be submitted for consideration to the GEF Council prior to its consideration and anticipated formal adoption at the first meeting of the Conference of the Parties. The committee developed draft guidance to the GEF, to be forwarded to the GEF Council for its consideration and to inform the seventh replenishment of the GEF Trust Fund with regard to the Minamata Convention, as well as to the Conference of the Parties at its first meeting. Significant progress on the specific international programme to support capacity-building and technical assistance was achieved during discussions, and it was agreed that the outcome of the discussions would be forwarded to the first meeting of the Conference of the Parties and that the interim secretariat would be requested to carry out work on the matter in the intersessional period.
8. On reporting (art. 21), very good progress was achieved during the discussions on the format and frequency of reporting. The committee decided that the draft reporting format, as revised during the session, would serve as the basis for continued work on the matter.
9. On effectiveness evaluation (art. 22), the committee agreed to a plan of work for the secretariat, including the compilation of existing monitoring information, the development of a road map and the drafting of a report containing recommendations on the establishment of arrangements for providing comparable monitoring data.
10. On environmentally sound interim storage of mercury other than waste mercury (art. 10), after the committee had considered and amended the draft road map presented by the secretariat, it approved the revised draft road map to guide the development of guidelines in the intersessional period.
11. On mercury wastes (art. 11), the committee, reflecting on the limited data currently available on the use of mercury waste thresholds, requested the secretariat to compile additional information, including the rationale for the use of thresholds, and present it to the Conference of the Parties at its first meeting.

12. On contaminated sites (art. 12), the committee requested the secretariat to consult, seek input and prepare a compilation to be used as a basis for a draft guidance document on the management of mercury-contaminated sites and an outline of its structure and content together with a road map for consideration by the Conference of the Parties at its first meeting.
 13. In preparation for the work of the Conference of the Parties at its first meeting, the committee considered further the draft rules of procedure and the draft financial rules for the Conference (art. 23). The draft rules of procedure would be forwarded to the Conference for its consideration. During discussions on the draft financial rules, many issues were resolved while a small number of outstanding issues were esteemed to require further consideration.
 14. Overall, the outcomes of the session were viewed positively, with significant progress made on all items of the agenda. The committee considered that the results of the session represented good preparation for the entry into force of the Minamata Convention and the first meeting of the Conference of the Parties.
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