

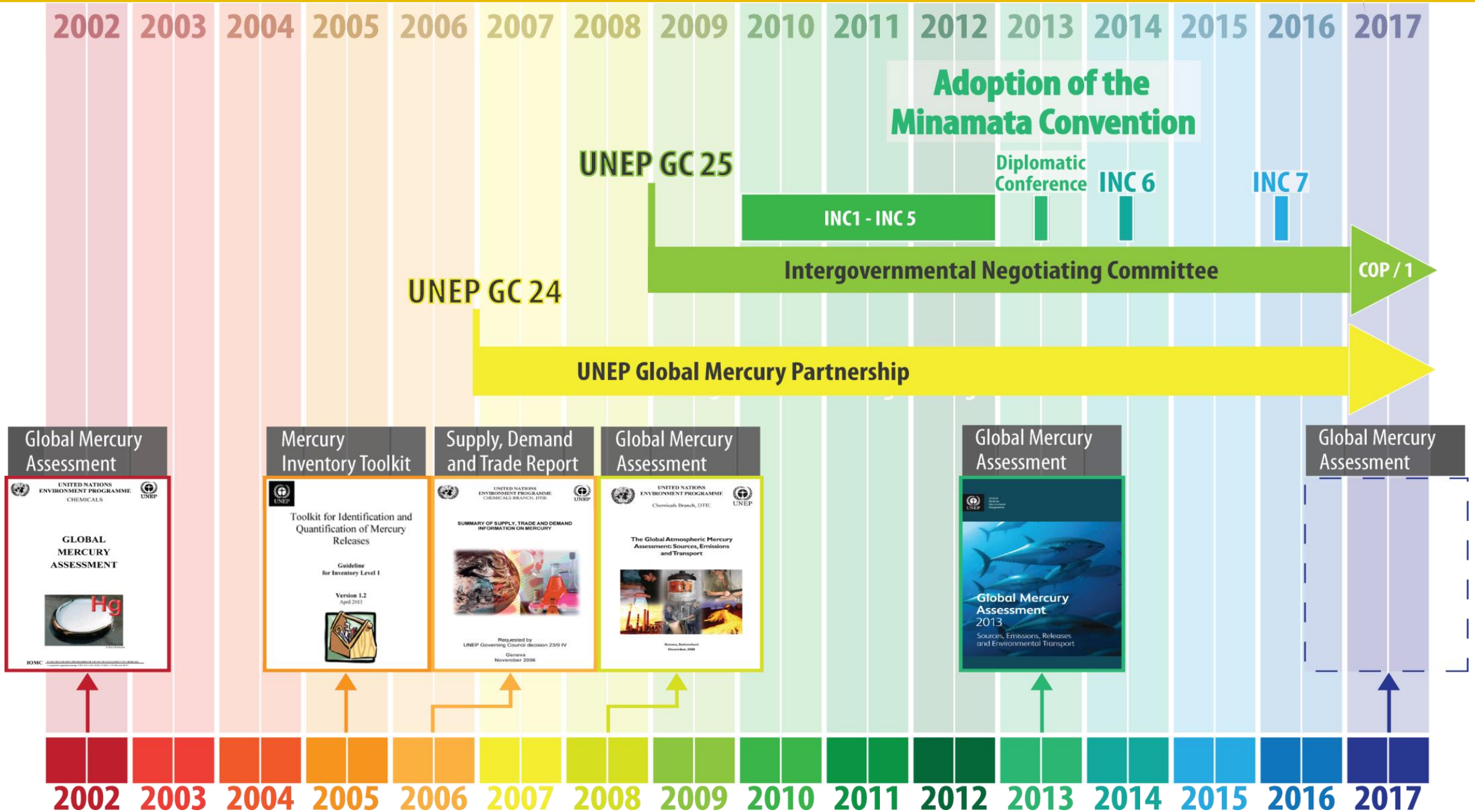


# Governing Structures under the Minamata Convention on Mercury

22 August 2023

Lara Ognibene, Legal Officer  
Secretariat of the Minamata Convention

# Global Mercury Partnership



# Overview of the Minamata Convention

How is the Convention structured for action + support?



## Control Measures

Keep mercury underground

Art. 3.3: No new primary mines

Art. 3.4: Existing mines - 15 years

Reduce the use and presence of mercury in the economy, industry and society

Art. 3.5 (a): Stocks

Art. 3.5 (b): Excess mercury from decommissioned chlor-alkali facilities

Art. 3.6 – 3.10: Trade of mercury

Art. 4: Mercury-added Products

Art. 5: Manufacturing Processes

Art. 7: ASGM

Art. 10: Interim Storage

Art. 11: Mercury wastes

Art. 12: Contaminated sites

Reduce mercury to the environment

Art. 8: Emissions

Art. 9: Releases



## Enabling / Supportive Context

Art. 13: Financial Mechanism

Art. 14: Capacity-building, technical assistance and technical transfer

Art. 15: Implementation and Compliance Committee

Art. 16: Health aspects

Art. 17: Information Exchange

Art. 18: Public information, awareness and education

Art. 19: Research, development and monitoring

Art. 20: Implementation plans

Art. 21: Reporting

Art. 22: Effectiveness evaluation

Art. 23: Conference of the Parties

Art. 24: Secretariat

Arts. 25-35: Various procedural articles



# Overview the Financial Mechanism (Art.13)

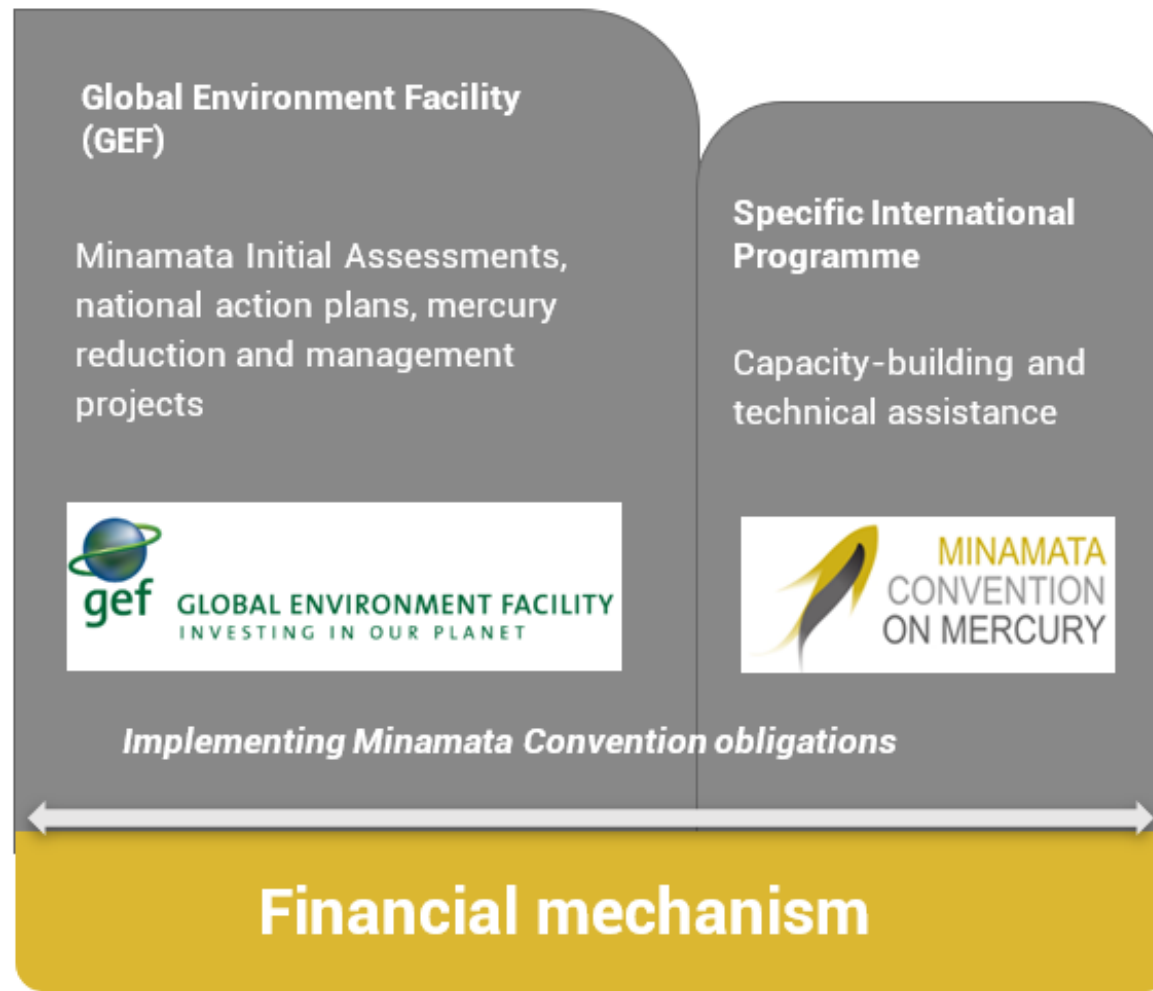
**GEF Secretariat**  
*Washington*

GEF Council  
GEF Assembly

[www.gef.org](http://www.gef.org)

COP-1, in MC-1/5 set out Guidance to the GEF, see [LINK](#)

**MOU between the COP and the GEF** was adopted at **COP-2** and approved by GEF Council



**SIP**  
*Geneva,  
Minamata Secretariat*

SIP Governing Board

[www.mercuryconvention.org/en/specific-international-programme](http://www.mercuryconvention.org/en/specific-international-programme)

COP-1, in MC-1/6 set out hosting, guidance and operational aspects of the SIP, see [LINK](#).

- SIP Governing Board
- Hosting by the Secretariat
- COP Guidance
- Terms of Reference
- Specific Trust Fund

**SIP Governing Board** adopted **Rules of Procedure**, see [LINK](#)

- Article 15 of the Convention establishes a mechanism, including a Committee as a **subsidiary body** of the COP , to promote implementation of, and review compliance with, all its provisions.
- The Article embodies the intention of negotiators to establish a mechanisms to **support** Parties in the implementation of and compliance with the Convention paying particular attention to their respective national capabilities.
- The **chair** of the Committee is a member ex-officio of the COP Bureau.
- The Committee shall examine both individual and systemic issues of implementation and compliance and make **recommendations**, as appropriate, **to the COP**.
- The Committee consists of **15 members** nominated by Parties and **elected by the COP**.
- Committee may consider issues on the basis of:
  - Written submissions from any Party with respect to its own compliance;
  - National reports in accordance with Article 21; and
  - Requests from the Conference of the Parties.

- The COP requested the group of technical experts, in its decision MC-4/5, to develop the guidance on **best available techniques and best environmental practices** with a view to adopting the guidance pursuant to paragraph 7 of article 9 of the Convention at COP-5.
- The COP requested the group of technical experts, in its decision MC-4/6, to develop a report to recommend and facilitate a COP-5 decision on the **thresholds for waste** falling under subparagraph 2 (c) of article 11 (waste contaminated with mercury and mercury compounds). The group was also requested to develop a guidance document on test methods to be used for the tier-2 threshold (0.15 mg/L in leachate) for tailings from mining other than primary mercury mining.
- Article 22 of the Minamata Convention on Mercury states that the COP will evaluate the **effectiveness** of the Convention, beginning no later than six years after the Convention's entry into force and periodically thereafter at intervals to be decided by the COP. In decision MC-4/11, the COP agreed to begin the first effectiveness evaluation of the Convention and **adopted the framework** for the effectiveness evaluation. Further in the same decision, the COP **established the Open-ended Scientific Group** to provide the COP with scientific data.

# Conference of the Parties (Art.23)

The COP is the **governing body** of the Convention, established pursuant to its Article 23.

Through the decisions taken at its meetings, the COP keeps **under continuous review and evaluation the implementation** of the Convention.

Since entry into force in August 2017, the **COP met 4 times** (once every year during the first 3 years, subsequent ordinary meetings to be held every two years).

COP1 adopted the **Rules of Procedure** under which it would operate. It also adopted **Financial Rules** for itself and any of its subsidiary bodies, as well as financial provisions governing the functioning of the secretariat of the Convention. Both the rules of procedure and the financial rules included outstanding text to be considered further by the COP.

The COP is supported in its work by a **Bureau**, consisting of a President and nine Vice-Presidents, one of whom acting as Rapporteur. Since COP2, Bureau members commence their term at the closure of the meeting at which they are elected until the closure of the following ordinary meeting of the COP. Each of the five UN regional groups is represented by two Bureau members, elected from among the representatives of the Parties present at the meeting.

The functions of the Secretariat shall be:

- (a) To make **arrangements for meetings** of the COP and its subsidiary bodies and to provide them with services as required;
- (b) To **facilitate assistance to Parties**, particularly developing country Parties and Parties with economies in transition, on request, in the implementation of this Convention;
- (c) To **coordinate**, as appropriate, with the secretariats of relevant international bodies, particularly other chemicals and waste conventions;
- (d) To assist Parties in the **exchange of information** related to the implementation of this Convention;
- (e) To prepare and make available to the Parties **periodic reports** based on information received pursuant to Articles 15 and 21 and other available information;
- (f) To enter, under the overall guidance of the COP, into such **administrative and contractual arrangements** as may be required for the effective discharge of its functions; and
- (g) To perform the **other** secretariat functions specified in this Convention and such other functions as may be determined by the COP.

The secretariat functions for this Convention shall be performed by the Executive Director of the **United Nations Environment Programme**, unless the COP decides to entrust the secretariat functions to one or more other international organizations.





MINAMATA  
CONVENTION  
ON MERCURY

# Thank you for your attention

---

Secretariat of the Minamata Convention on Mercury  
United Nations Environment Programme  
11-13, Chemin des Anémones - 1219 Châtelaine, Switzerland

---

WEB: [www.mercuryconvention.org](http://www.mercuryconvention.org)  
MAIL: [MEA-MinamataSecretariat@un.org](mailto:MEA-MinamataSecretariat@un.org)  
TWITTER: [@minamataMEA](https://twitter.com/minamataMEA)  
[#MakeMercuryHistory](https://twitter.com/minamataMEA)