

## Minamata COP3 Highlights: Thursday, 28 November 2019

COP3 delegates discussed cooperation with the World Health Organization (WHO), the International Labour Organization (ILO), and other international organizations during the morning and resumed their work in contact groups for the rest of the day and into the night.

### Plenary

During a morning plenary, the Latin American and Caribbean Group (GRULAC) requested clarification of the contact group mandate regarding waste thresholds and CHILE sought clarity about the mandate for the discussions on the terms of reference (TOR) for the Implementation and Compliance Committee (ICC). The Legal Adviser said common practice allows for an issue such as the ICC TOR to be referred to the Friends of the President Group, which CHILE and GRULAC disputed.

GRULAC, SWITZERLAND, NORWAY, CANADA, AFRICAN GROUP, EU, CHINA and JORDAN called for adopting the TOR unchanged. The US called for further informal consultations on the amendments he had suggested in plenary on Wednesday.

On the mandate regarding waste thresholds, the President proposed that parties take into consideration the draft decision in UNEP/MC/COP.3/7 and UNEP/MC/COP.3/CRP.2 and as appropriate develop a draft decision for consideration of the plenary.

Following consultations, the COP President announced that the Friends of the President Group would meet over lunch to consider the TOR for the ICC.

### International Cooperation and Coordination

#### World Health Organization; International Labour Organization:

The Secretariat introduced the report on cooperative activities with the WHO and the ILO (UNEP/MC/COP.3/18) and suggested that the COP request further collaboration between WHO, ILO, and relevant intergovernmental organizations (IGOs).

WHO highlighted health-related activities relevant to the Minamata Convention, including the WHO guidance on prioritization and planning for implementation of the health-related articles of the Minamata Convention and regional workshops.

ILO highlighted the promotion of ILO international instruments for the prevention of occupational diseases caused by mercury, projects in the artisanal and small-scale gold mining (ASGM) sector and other relevant ILO activities in support of the implementation of the Convention.

The EU introduced a submission by Ghana, Mali, Nigeria, Norway, Thailand, Uruguay and the EU (UNEP/MC/COP.3/CRP.6) that focuses, among others, on strengthening efforts on the sound management of chemicals and waste towards the achievement by 2020 of Sustainable Development Goal (SDG)

target 12.4. THAILAND, the AFRICAN GROUP, NIGERIA, GHANA, COSTA RICA, NORWAY, and MALI supported the adoption of CRP6. PERU, PANAMA and LEBANON welcomed the report and further collaboration.

COP3 Vice President Mohammed Khashashneh (Jordan) took over as Chair of the meeting and continued discussions on the item.

URUGUAY urged for strengthening synergies and avoiding contradictory decisions. ARGENTINA requested a Workplan that outlines the work of WHO, ILO and the Minamata Convention Secretariat. IRAN requested WHO to convene technical and educational workshops in the six regions to build capacity and facilitate transfer of technical knowledge.

The US said the Secretariat should have the leeway to coordinate with the different international organizations and expressed satisfaction that the Secretariat is meeting the needs of the parties in this respect.

MEXICO raised the need for more data on issues of illegal trade and mercury compounds. SAMOA highlighted ILO's support in the e-waste sector in her country. BRAZIL and IRAN supported by SYRIA made amendments to the CRP.

The Chair suggested that parties deliberate in bilaterals on the CRP and to come up with a common proposal for further consideration.

The Indigenous Federation of Madre De Dios, Peru, stressed the need to integrate the voices, and reflect the impact and needs, of indigenous communities in the work of the Minamata Convention. He urged parties to support ways to look at how mercury is impacting indigenous people.

IPEN supported the CRP, highlighting the need for more international cooperation on capacity building projects on health-related issues.

**Other international organisations and bodies:** Vice President Khashashneh invited discussion on activities led by other international organisations and bodies. Rodges Ankrah, speaking on behalf of the US as designated co-chair for the Global Mercury Partnership (GMP), informed plenary that the tenth meeting of the GMP Advisory Group took place on 23 November 2019, and highlighted intended future actions, including further refinement of mercury emissions factors, development of a centralized database on mercury, and guidance on waste management technologies, *inter alia*.

The UN Environment Programme (UNEP), speaking as Chair for the Global Mercury Advisory Group, summarized UNEP/MC/COP.3/INF/4, providing updates on UNEP activities undertaken in relation to work on mercury. The Strategic Approach to International Chemicals Management (SAICM) Secretariat noted that mercury would be addressed at the fifth meeting of the International Conference on Chemicals Management meeting (ICCM-5) scheduled for October 2020. The Inter-Organization Programme for the Sound Management of Chemicals (IOMC)

discussed cooperation with the GEF on ASGM under its planetGOLD programme. The UN Institute for Training and Research (UNITAR) highlighted its technical assistance on capacity building, including its online MercuryLearn training course for inventories.

ANTIGUA AND BARBUDA indicated it would submit a CRP that includes the International Atomic Energy Agency (IAEA) as a relevant IGO under the Convention. IAEA discussed its interest in supporting effectiveness evaluation under the Convention. The Group on Earth Observations (GEO) discussed technical assistance for monitoring data under its Global Observation System for Mercury (GOS4M). The UN Industrial Development Organization (UNIDO) highlighted work tackling mercury emissions associated with cement production, smelters, and waste management.

The AFRICAN GROUP called for further engaging academic institutions for better biomonitoring at national and international levels. ZERO MERCURY GROUP discussed achievements in the phaseout of high mercury products including actions undertaken by Amazon, Ebay, and Alibaba.

### ***Election of officers for the intersessional period and COP4***

Delegates elected Rosa Vivien (Indonesia) as President of COP4, by acclamation. Regions then nominated nine Vice-Presidents: Oarabile Serumola (Botswana) and Roger Baro (Burkina Faso) for the African Group; Anahit Aleksandryan (Armenia) and Karmen Krajnc (Slovenia) for the CEE; Angela Rivera (Columbia) and Bethune Morgan (Jamaica) for GRULAC; Marie-Claire Lhenry (France) and Alison Dickson (Canada) for the Western Europe and Others Group; and WTB Dissanayake (Sri Lanka) for the Asia and Pacific Group.

### ***Contact Groups***

**Technical Matters Contact Group:** During the morning, Co-Chair Sam Adu-Kumi (Ghana) reported to plenary that after discussions on customs codes and the review of Annexes A and B revealed divisions, informal consultations were tasked with working out compromises. He said the African Group presented its revised proposal on dental amalgam (UNEP/MC/COP.3/CRP.10), then work turned to waste thresholds but had to be suspended because of confusion over the mandate from the President.

During the morning, this Group discussed proposals for amendments to tables on mercury waste consisting of mercury or mercury compounds and waste containing mercury or mercury compounds, and reviewed five options proposed regarding future work on a third table and the list of suggestions for a post-COP3 mandate for the expert group.

In the afternoon, the Group considered and signed off on the compromise on customs codes, heard a presentation of a joint EU-Japan proposal to amend the draft decision on releases (UNEP/MC/COP.3/CRP.11), and conducted an exchange of views on the African Group proposal on dental amalgam.

In the evening, the Group examined and edited a compromise proposal for a draft decision on the review of Annexes A and B developed by a small group. Negotiations continued into the night.

**Effectiveness Evaluation Contact Group:** During the morning, Co-Chair Teeraporn Wiriwutikorn (Thailand) reported to plenary that that Group's work was proceeding slowly, with more time needed to clean up text on the TOR for the Effectiveness Evaluation Committee (EEC) and work on the draft decision regarding the framework, including monitoring arrangements.

This Contact Group resumed in the late afternoon and focused on an "interim outcome of discussions," compiled from discussions the night before, which contained a draft decision text on arrangements for the first effectiveness evaluation of the Convention.

Parties could not agree fully on the annexes, figures and tables, which include the framework for the effectiveness evaluation of the Convention, indicative list of monitoring indicators, by media and by article, draft terms of reference for the EEC and proposed monitoring arrangements and draft TOR for the monitoring and modelling groups. Parties deliberated on the way forward and addressed elements of the draft decision. There were opposing views on the direction of the draft decision given that there was no agreement on the annexes and associated figures. Some parties recommended wording that would allow for further consideration of the framework within the draft decision, noting that there were several ways it can be addressed such as inclusion of language to either review, negotiate, revise or acknowledge that the framework is "pending" within the draft decision.

Parties continued to discuss the draft decision text during the evening.

**Budget Contact Group:** The Co-Chairs of the Budget Contact Group Yun Insini (Indonesia) and Reginald Hernaus (Netherlands) convened this group during the afternoon to discuss elements related to the programme of work and budget and activity fact sheets (UNEP/MC/COP.3/INF/9). Discussions focused on specific areas within the fact sheets related to conferences and meetings, capacity-building and technical assistance, scientific and technical activities, knowledge and information management and outreach, overall management, legal and policy activities and office maintenance and services.

Some parties queried the budgetary implications of international cooperation and coordination while others sought clarification on the budget stream for the outlined gender strategy. Many parties agreed that gender mainstreaming was important and one agreed that it would attract voluntary contributions. Some parties addressed the budgetary implications on aspects related to the guidelines of the Specific International Programme to Support Capacity Building and Technical Assistance (SIP) while other parties focused on what items should be funded under the general trust fund or the special trust fund.

Some parties compared the Executive Secretary's scenario and the zero nominal growth scenario. One party noted that, in some instances, the options had very little difference.

Parties continued to deliberate budgetary allocations and implications of items in specific Secretariat activities related to, *inter alia*: executive direction and management; communication, outreach and public awareness; national reporting; publications; scientific support to the States parties; and effectiveness evaluation. Discussions continued into the night.

**Friends of the President Group:** During the morning, Chair Nina Cromnier (Sweden) reported to plenary that a draft decision was finalized on a cooperation framework between the Secretariats of the Minamata Convention and of the Basel, Rotterdam and Stockholm (BRS) Conventions. She said more time was required to address the mandate on enhancing the SIP.

### ***In the Corridors***

With one day left, there was a sense of urgency by some and dread by others as Contact Groups continued their work into the night. Recalling that some had remained in the conference center until 2:30 am the previous night, participants reflected on what options could bridge outstanding differences, and which decisions might need to be deferred until COP4. Some pointed to the group of indigenous leaders in plenary as a glaring reminder of the communities that could be impacted by the COP3 decisions.

The *Earth Negotiations Bulletin* summary and analysis of COP3 will be available on Monday, 2 December 2019, at <http://enb.iisd.org/mercury/cop3/>