

**REPORT OF THE MEETING OF THE BUREAU OF THE THIRD CONFERENCE OF THE PARTIES TO THE
MINAMATA CONVENTION ON MERCURY**

29 January 2019, convened by teleconference

Participants –

Mr. David Kapindula (Zambia, for Africa, President of the Bureau), Mr. Serge Molly Allo'o Allo'o (Gabon, for Africa), Mr. Mohammed Khashashneh (Jordan, for Asia and the Pacific), Mr. Karel Bláha (Czech Republic, for Central and Eastern Europe), Ms. Svetlana Bolocan (Republic of Moldova, for Central and Eastern Europe), Ms. Mariscia Charles (Guyana, for Latin America and the Caribbean), Ms. Alison Dickson (Canada, for the Western Europe and Others Group), Ms. Nina Cromnier (Sweden, for the Western Europe and Others Group), Mr. Mohamed Abdulai Kamara (Sierra Leone, Chair of the Implementation and Compliance Committee and in such capacity member ex-officio of the Bureau as prescribed in the Rules of Procedure for the COP) and the Secretariat for the Minamata Convention on Mercury.

Apologies were received from Ms. María del Mar Solano Trejos (Costa Rica, for Latin America and the Caribbean) and Mr. Adel Jahankhah (Islamic Republic of Iran, for Asia and the Pacific).

1. Opening of the Bureau meeting

Mr. David Kapindula welcomed the Bureau members to the meeting. He expressed his expectation for the Bureau's work in preparation for the third meeting of the Conference of the Parties to the Minamata Convention (COP3 - Geneva, from 25 to 29 November 2019), namely to reflect on the outcome of the second meeting (COP2 - Geneva, from 19 to 23 November 2018), to get an update on the status of intersessional processes and activities from the Secretariat, to set and oversee the schedule of work for the preparation of COP3, and finally to consider the contributions pledged and received, as well as additional resource needs to be addressed for 2019. He also reminded members of the Bureau of the need to elect the Rapporteur of the COP. The President then introduced the provisional agenda for the meeting, which was adopted without change. Finally, he invited participants to an introductory tour de table.

2. Election of the Rapporteur

The President had proposed to the Bureau that it elected a Bureau member from a developed country as Rapporteur, consistently with practice in other Multilateral Environmental Agreements and with the process of the intergovernmental negotiating committee on mercury, where if the President was from a developing country, the Rapporteur came from a developed country and vice versa. The Bureau agreed to such proposal and unanimously elected as Rapporteur Mr. Karel Bláha.

3. Follow-up on the Outcome of COP2

The secretariat presented the intersessional work that is being undertaken in preparation for COP-3, building on the decisions adopted at COP-2, as well as relevant provisions under the Minamata Convention in relation to releases; mercury waste; guidance on the management of contaminated sites; capacity-building, technical assistance and technology transfer; the Specific International Programme; the review of the financial mechanism; effectiveness evaluation; emissions of mercury resulting from the open burning of waste; and the review of Annexes A and B of the Convention, including the requests made in the letter of the Executive Secretary on the follow-up to COP-2, dated 3 December 2018).

The Secretariat provided an update with regard to the status of experts nominated for technical groups on guidance in relation to mercury releases, on mercury waste thresholds and on effectiveness evaluation. Further to concerns expressed by some Bureau members whose regions were not in a position to designate all regional experts within the set deadline of 15 January 2019, the Secretariat indicated that late nominations could still be accepted while the groups will start their work soon. The Secretariat indicated that the groups are to invite observers, as decided by COP-2, and a number of names for observers have already been received for consideration. In response to a question about the process for selecting observers in particular for effectiveness evaluation, the Secretariat highlighted the 5 categories of observers defined in the process on effectiveness evaluation, namely civil society, indigenous peoples, intergovernmental organizations, industry, and the UNEP Global Mercury Partnership, and explained that it is consulting with the co-chairs on the selection of observers in light of the required expertise and representation.

The Secretariat informed the Bureau about upcoming meetings. The Governing Board of the Specific International Programme would discuss preparations to launch the Second Round for projects applications, as well as elements for a resource mobilization strategy, on 14 and 15 February in Geneva. The Effectiveness Evaluation Expert Group would convene a meeting on 8-12 April 2019 in Geneva, and the Waste Thresholds Expert Group would meet on 27-29 May 2019 in Osaka, with a back-to-back workshop on 29-31 May. Finally, the Secretariat was considering dates for holding the second meeting of the Implementation and Compliance Committee in June 2019 in Geneva.

The Secretariat also provided an update in relation to the implementation of the decision on Cooperation between the secretariat of the Minamata Convention and the secretariat of the Basel, Rotterdam and Stockholm Conventions. The Secretariat informed the Bureau that the Director of the Division of Corporate Services of the United Nations Environment Programme (UNEP) had been tasked by the UNEP Acting Executive Director to work on the cooperation framework, and that a working group had been established to support work on the matter.

Further, the Secretariat reminded the Bureau about the future deadlines for written submissions by Parties and other stakeholders, and encouraged the Bureau members to urge Parties to make the submissions.

Finally, the Secretariat informed the Bureau that work had been initiated in relation to the decision on Harmonized System codes for mercury-added products (Decision MC-2/9), in collaboration with the Secretariat of the Global Mercury Partnership and the lead of the products partnership, to allow the development of a draft report “on approaches for customs codes to identify and distinguish non-mercury-added and mercury-added products listed in Annex A to the Convention, including approaches for their possible harmonization”. The Secretariat informed the Bureau that the end date of the commenting phase on the draft report may need to be advanced to meet internal deadlines for the finalization of COP-3 meeting documents.

In the exchange of views on reflections and perspectives in follow up to COP-2, members of the Bureau alerted the Secretariat on the need for COP-3 documents to be made available in time to allow enough time for preparatory work. With respect to the conduct of meetings of the Conference of the Parties, one Bureau member, speaking on behalf of her region, highlighted the importance not to repeat the difficult situations which arose at COP-2 from the too rapid gaveling of decisions. One member of the Bureau raised a concern about the call of submissions on the review of Annexes A and B, observing that COP-2 decided to defer the discussion to COP-3. The Secretariat responded that it was requested by COP2 to prepare a document on the matter for consideration by COP-3. On reflection, as no intersessional work is required on Annexes A and B, the Secretariat confirmed that there is no need for submissions from Parties to prepare the document.

4. Preparations for COP-3

Upon the invitation of the President, the Bureau then turned to the issue of preparations for COP-3, scheduled to take place from 25 to 29 November 2019 at the International Conference Centre in Geneva.

The Secretariat drew the attention of the Bureau to the draft schedule of preparations for COP-3, and in particular the overview of activities for 2019.

Next meetings of the COP-3 Bureau

The Bureau agreed on the dates for its next meetings, to be convened on 26 April 2019 in Geneva (back-to-back with the BRS COPs), as well as tentatively on 24 and 25 September 2019 (back-to-back with the Asia and the Pacific regional meeting in preparation for the Minamata Convention COP-3).

Minamata sessions at the upcoming BRS regional meetings

Information sessions on the Minamata Convention (0.5 day) are planned to be held in March back-to-back with the regional meetings for the Basel, Rotterdam and Stockholm Conventions in preparation for their Conferences of the Parties in April and May 2019.

Amongst others, such sessions would be an opportunity to provide general updates on the Minamata Convention, including intersessional work and reporting obligations under article 21; to

discuss Minamata Initial Assessments and national/regional priorities; information on how to apply to the Second Round of the Specific International Programme; and to explore the issue of mercury trade, including the relevant provisions of the Convention and the forms to be used by exporting and importing parties. The Secretariat indicated that the funds necessary for these sessions were still in the process of being raised to cover the incremental costs of having sponsored delegates at the BRS regional meetings attend the information sessions.

In response to a question from a member of the Bureau, the Secretariat clarified that provided funding is available, it will only be able to provide the increment additional cost for the eligible participants attending the BRS regional preparatory meeting, and that there were no intentions to bring additional participants.

Minamata Regional meetings in preparation for COP-3

The President invited the Bureau to turn its attention to COP-3 regional preparatory meetings, highlighting their crucial role in the success of COP-3 through facilitated national preparation and regional coordination. As per the budget decision adopted by COP-1 and in the update adopted by COP-2, these meetings are to be funded through the Special Trust Fund. Consequently, the Minamata regional preparatory meetings may only be held provided sufficient voluntary contributions are available.

Noting these funding needs, the President and the Executive Secretary had sent a joint letter on 19 December 2018 requesting voluntary contributions, as well as offers to host the regional meetings. In updating the Bureau on the responses received to the joint letter, the Executive Secretary indicated that so far no pledge for financial support had been received. On the hosting of the meetings, the Secretariat had received the enquiry from one country on details to host the African regional meeting, as well as three countries to host the Latin American and the Caribbean regional meeting. Formal offers were however still to be received. She further encouraged donors to support these activities.

A member of the Bureau, highlighting the importance of the regional meetings and the need to maintain such practice, noted that providing donors with the assurance that their contribution would support the participation of representatives from Parties only may encourage their financial contributions.

Finally, another member of the Bureau conveyed the view of a member of her group, according to whom, at the regional meetings, issues pertaining to the Minamata Convention should be considered together with the relevant ones pertaining to the BRS Conventions, rather than at separate sessions.

Specific COP-3 planning

Moving to the specific planning for COP-3, the President invited the Secretariat to present the draft provisional agenda and the draft list of meeting documents for COP-3, that had been shared with them before the meeting.

With respect to the draft provisional agenda, the Bureau reviewed the draft and recommended the following changes: to amend draft agenda point 3 (Rules of procedure for the Conference of the Parties) to read Rules of Procedure for the Conference of the Parties - Consideration of rule 45 of the Rules of Procedure; to remove draft agenda item 5 (a) (Matters for consideration or action by the Conference of the Parties: Mercury trade), which was to address the procedure set out in paragraph 9 of article 3, as per paragraph 10 of that article; to merge draft agenda items 5(b)(i) (Review of Annex A) and 5(c) (Manufacturing processes, in particular the review of Annex B) into a single agenda item “Review of annexes A and B”; and finally to include the issues under draft agenda item (5)(j) (Cooperation with the World Health Organization and the International Labour Organization) into a new agenda item 6 on “International cooperation and coordination”.

With respect to the draft list of documents for COP-3, the Bureau reviewed the draft list of meeting documents, and following some discussion, agreed on the list of documents to be prepared by the Secretariat for COP-3.

5. Status of Contributions to the Minamata Convention

The President invited the Secretariat to provide an update on the status of contributions to the Convention

The Secretariat informed that for 2018 the Conference had approved a budget of USD 3,916,524 for the General Trust Fund. To date USD 3,469,138 had been received in that trust fund (including the host country contribution), and so while 42 Parties had paid their contribution, a balance of USD 379,736 was still outstanding for 2018. For 2019 the Conference had approved a budget of USD 3,843,074 for the General Trust Fund. According to the financial rules of the Convention, contributions for the calendar year are expected by 1 January of that year. Some contributions for 2019 to the General Trust Fund have been made following the issuance of the invoices to Parties by the United Nations Environment Programme on 20 December 2018.

Furthermore, no contributions have been received to the Special Trust Fund so far.

For the Specific Trust Fund that supports the Specific International Programme, contributions have been received from Norway, Switzerland and the United States totaling USD 2,148,168. Further, a pledge has also been made by Denmark.

The President called on best efforts to ensure contributions to the General Trust Fund are paid as early as possible, and also that as much as possible is raised for the Special Trust Fund and the Specific Trust Fund.

6. Timing and location of future Bureau meetings

As previously discussed under agenda item 4, the Bureau reiterated its agreement to hold its next meeting in a face-to-face format, in Geneva, on 26 April 2019, back-to-back with the BRS triple COP, and subsequently on 24 and 25 September 2019, back-to-back with the Asia and the Pacific

regional preparatory meeting. It entrusted the Secretariat with relevant preparations in coordination with the President.

7. Any other matters

No other matter was raised.

8. Closure of the meeting

In closing the teleconference, the President thanked the Bureau and the Secretariat for their participation and contribution to the discussion and indicated that he was looking forward to the upcoming meeting of the Bureau on 26 April 2019 in Geneva.

The meeting closed at 17.10 hs Geneva time.