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**United Nations
Environment
Programme**

**Intergovernmental negotiating committee
to prepare a global legally binding instrument
on mercury
Fifth session
Geneva, 13–18 January 2013**

Annotations to the provisional agenda

Item 1

Opening of the session

1. The fifth session of the intergovernmental negotiating committee to prepare a global legally binding instrument on mercury, to be held from 13 to 18 January 2013 at the Geneva International Conference Centre, Geneva, will be opened at 10 a.m. on Sunday, 13 January 2013.
2. Opening statements will be made by representatives of the Government of Switzerland and the United Nations Environment Programme (UNEP).

Item 2

Organizational matters

(a) Adoption of the agenda

3. Subject to the rules of procedure, the committee may wish to adopt the agenda for the session on the basis of the provisional agenda (UNEP(DTIE)/Hg/INC.5/1).

(b) Organization of work

4. The committee may wish to meet in plenary each day of the session from 10 a.m. to 1 p.m. and from 3 p.m. to 6 p.m., subject to adjustments as necessary. Provision has also been made for evening sessions of the full committee in plenary, should they be required. Given the busy schedule, referred to by the Chair in his scenario note (UNEP(DTIE)/Hg/INC.5/2), it is recommended that, as far as possible, opening remarks be delivered on a regional basis and focus on issues directly contributing to progress in and the finalization of the negotiations. Other opening remarks and general statements should be submitted to the secretariat and will be made available on the intranet. This is intended to leave as much time as possible for the discussion of substantive issues.
5. During the session, the committee may wish to establish contact groups and other in-session working groups, including drafting groups, as it deems necessary and to specify their mandates.

Item 3

Preparation of a global legally binding instrument on mercury

6. The committee may wish, as proposed by the Chair in his scenario note, to begin its discussions by focusing on the document setting out the Chair's text (UNEP(DTIE)/Hg/INC.5/3).

7. The committee will also have for its consideration documents prepared in response to requests made by the committee at its fourth session, held in Punta del Este, Uruguay, from 27 June to 2 July 2012. The documents will set forth:

(a) A proposal by the co-chairs of the contact group on emissions and releases at the fourth session for mercury air emissions thresholds below which the provisions of the mercury instrument might not apply, taking into account the size of emitting installations, as well as a compilation by the secretariat of information on sources of emissions and releases of mercury to land and water based on submissions by Governments (UNEP(DTIE)/Hg/INC.5/4);

(b) A report setting out an analysis of the extent to which the provisions of the draft mercury instrument reflect the content of article 20 bis of the draft text, prepared by the secretariat in cooperation with the World Health Organization (UNEP(DTIE)/Hg/INC.5/5);

(c) Draft elements of the final act to be adopted at the anticipated diplomatic conference at which the mercury instrument would be signed. The elements address how to promote and prepare for the early implementation of the mercury instrument; arrangements for the interim period between the signing of the instrument and its entry into force, including arrangements for financial and technical assistance during that period; and secretariat arrangements (UNEP(DTIE)/Hg/INC.5/6).

8. The above-mentioned documents may be introduced as required when the issues that they cover arise during discussions in the committee. While all the documents provide relevant information, some may not be introduced in detail owing to time constraints.

9. A limited number of information documents will also be available, including one on information submitted by Governments in respect of sources of emissions and releases of mercury to land and water (UNEP(DTIE)/Hg/INC.5/INF/1) and one listing information on mercury relevant to each section of the draft text (UNEP(DTIE)/Hg/INC.5/INF/2).

Item 4

Other matters

10. The committee may wish to consider other matters raised during the session.

Item 5

Adoption of the report

11. At its final meeting, the committee will be invited to consider and adopt the report on the work of its fifth session prepared by the rapporteur. The report of the session as at the end of the plenary meeting on Thursday, 17 January, will be presented for approval by the committee at its plenary meeting on Friday, 18 January, with any amendments that may be necessary. Consistent with standard United Nations practice, the committee may wish to agree that the section of the report pertaining to the plenary meetings on the last day of the session will be prepared by the rapporteur, with the support of the secretariat, and incorporated into the meeting report under the authority of the Chair. The final report will be circulated after the closure of the session.

Item 6

Closure of the session

12. It is expected that the committee will conclude its work by 6 p.m. on Friday, 18 January 2013.
