



**Conference of the Parties to the
Minamata Convention on Mercury
Fourth meeting**

Online, 1–5 November 2021 and Bali, Indonesia,
21–25 March 2022

**Decision adopted by the fourth meeting of the Conference of the
Parties to the Minamata Convention on Mercury****MC-4/11: The first effectiveness evaluation of the Minamata
Convention on Mercury**

The Conference of the Parties,

Recalling article 22 of the Convention, which states that the Conference of the Parties is to evaluate the effectiveness of the Convention, beginning no later than six years after the date of entry into force of the Convention and periodically thereafter at intervals to be decided by it,

Acknowledging the proposed indicators set out in annex I to decision MC-3/10¹ and the views on those indicators submitted by Parties during the intersessional period following the third meeting of the Conference of the Parties and compiled by the secretariat in advance of the fourth meeting of the Conference of the Parties,²

Recognizing the range of scientific and technical expertise from multiple disciplines necessary to inform the effectiveness evaluation,

Highlighting the need for an inclusive and transparent process that provides parties with the opportunities to provide data and information, and to review and comment on draft plans and products,

1. *Agrees* to begin the first effectiveness evaluation of the Convention at its fourth meeting, and to further consider the timeline of that evaluation at its fifth meeting;

2. *Decides* to adopt the framework for the effectiveness evaluation of the Minamata Convention as outlined in annex I to the present decision;

3. *Also decides* to continue at its fifth meeting the consideration of the effectiveness evaluation, including the terms of reference of the effectiveness evaluation group;³

4. *Establishes* an open-ended scientific group to work in accordance with its terms of reference, as set out in annex II to the present decision;

¹ UNEP/MC/COP.3/23, annex.

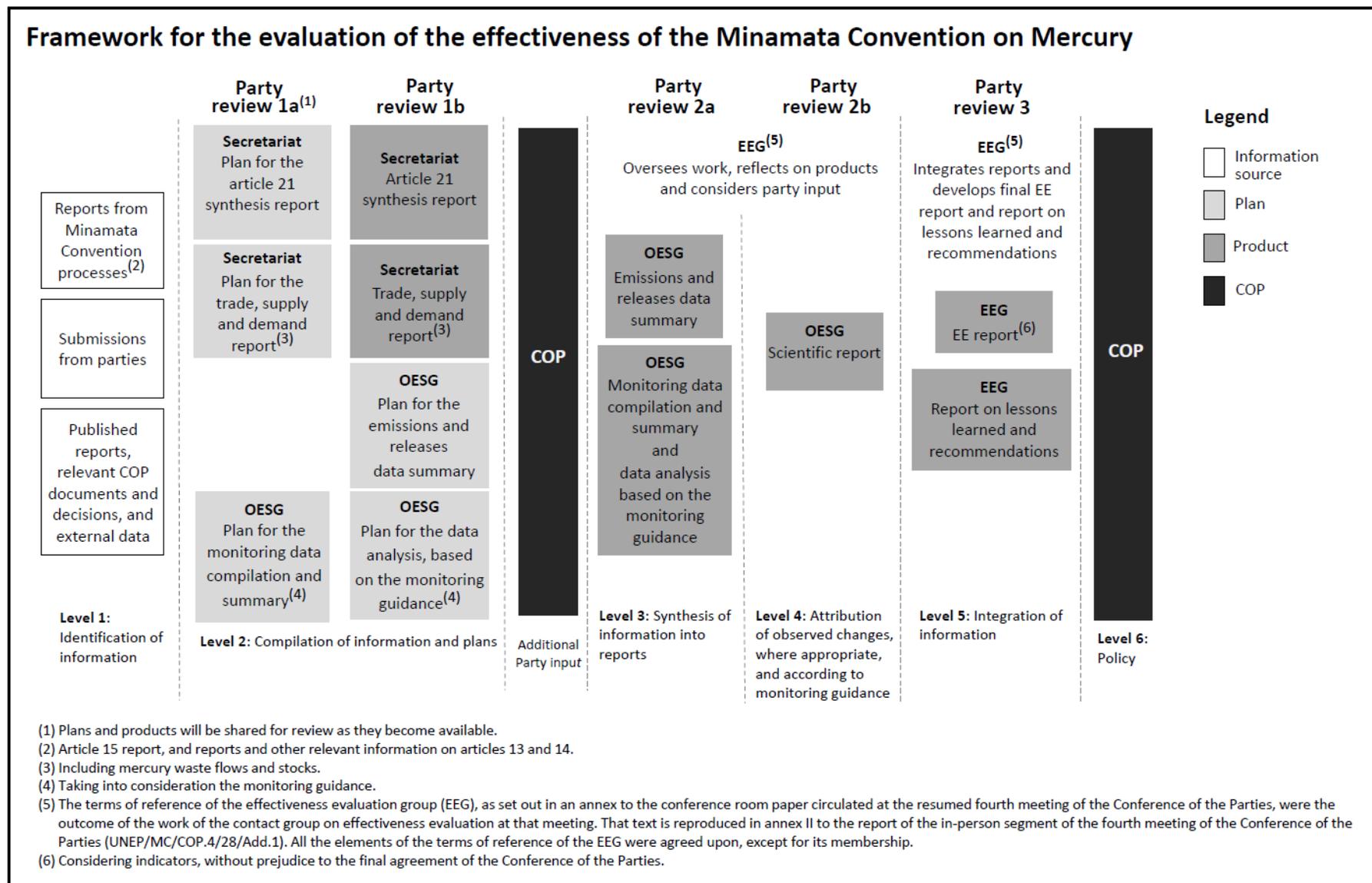
² UNEP/MC/COP.4/18/Add.1 and UNEP/MC/COP.4/INF/11.

³ The terms of reference of the effectiveness evaluation group, as set out in an annex to a conference room paper circulated at the resumed fourth meeting of the Conference of the Parties, were the outcome of the contact group on effectiveness evaluation at that meeting. That text is reproduced in annex II to the report of the Conference of the Parties on the work of the in-person segment of its fourth meeting (UNEP/MC/COP.4/28/Add.1). All the elements of the terms of reference were agreed, with the exception of the membership of the effectiveness evaluation group.

5. *Requests* the secretariat to call for nominations for membership of the open-ended scientific group by 15 April 2022;
6. *Also requests* the secretariat to support the work on the effectiveness evaluation, to continue to collect relevant information made available to the effectiveness evaluation and to secure services to develop the reports requested by the Conference of the Parties;
7. *Further requests* the secretariat to support an intersessional process to refine the list of indicators to be used in the effectiveness evaluation process, with a view to providing a final list of indicators for consideration and possible adoption by the Conference of the Parties at its fifth meeting;
8. *Encourages* parties to undertake, continue or expand upon their efforts to provide support for capacity-building, technical assistance and technology transfer under article 14 of the Convention, and research, development and monitoring under article 19, taking into account the geographic and scientific data gaps identified for the effectiveness evaluation of the Convention.

Annex I to decision MC-4/11

Framework for the effectiveness evaluation



Annex II to decision MC-4/11

Terms of reference for the Open-ended Scientific Group

A. Mandate

1. The Conference of the Parties decides to establish an Open-ended Scientific Group, to provide the Conference of the Parties with an expert scientific modality as described in paragraph 3 below.
2. The Open-ended Scientific Group will start its work following the fourth meeting of the Conference of the Parties and will conclude its term at the end of the first effectiveness evaluation cycle.

B. Tasks

3. The Open-ended Scientific Group will develop a scientific report in which it will compile, analyse and synthesize comparable mercury monitoring data on changes in mercury concentrations in environmental media, biotic media and the human population, including vulnerable populations over time, the availability of scientific information on mercury levels in the environment and human populations, and the interactions between scientific data and financial assistance, technology transfer, and capacity-building; evaluate the impact on mercury levels in the environment and humans of the measures taken under the Minamata Convention on Mercury, and draw conclusions thereon for the consideration of the Effectiveness Evaluation Group.⁴
4. The scientific report will be composed of the following elements, built in a two-stage process: the plan for the monitoring data compilation and summary, and the plan for data analysis consistent with the monitoring guidance (stage 1); the monitoring data compilation and summary, and the data analysis addressing the guiding questions outlined in the monitoring guidance (stage 2).
5. In addition, the Open-ended Scientific Group will provide an analysis of data gaps, including the identification of existing gaps as well as potential scientific actions to address identified gaps in information and knowledge related to monitoring, and lessons learned, to be submitted to the Effectiveness Evaluation Group.
6. The Open-ended Scientific Group, with the support of the secretariat, will develop a plan and a summary of available emissions and releases data, including available emissions and releases data from national inventories, and estimates of emissions and releases data not available from national inventories.
7. The Open-ended Scientific Group will assess the data and coordinate the analysis to be included in the scientific report, taking into consideration the monitoring guidance and its guiding questions as set out in UNEP/MC/COP.4/18/Add.2 and UNEP/MC/COP.4/INF/12, as well as differences in scientific capacities, national circumstances, environmental conditions and demographic characteristics across parties and regions. The data and analysis should be transparent to parties.
8. The Open-ended Scientific Group will make the four documents listed in paragraph 4 and the drafts of the documents available for review by parties and the Effectiveness Evaluation Group. Parties should, within their capacities, contribute to the continuous improvement and validation of modelling performance and the evaluation of the reliability and representativeness of model results. The Open-ended Scientific Group will respond to comments by parties and integrate responses into plans and final products for review by the Effectiveness Evaluation Group and submission to the Conference of the Parties, six months in advance of its meeting.
9. The Open-ended Scientific Group may also make recommendations to the Effectiveness Evaluation Group on updates or improvements to future versions of the monitoring guidance document beneficial for subsequent effectiveness evaluation cycles.

⁴ The terms of reference of the effectiveness evaluation group, as set out in an annex to a conference room paper circulated at the resumed fourth meeting of the Conference of the Parties, were the outcome of the contact group on effectiveness evaluation at that meeting. That text is reproduced in annex II to the report of the Conference of the Parties on the work of the in-person segment of its fourth meeting (UNEP/MC/COP.4/28/Add.1) All the elements of the terms of reference were agreed, with the exception of the membership of the effectiveness evaluation group.

10. The Open-ended Scientific Group may conduct other related duties as tasked by the Effectiveness Evaluation Group or the Conference of the Parties.

C. Membership

11. The Open-ended Scientific Group will be an open-ended body composed of one expert identified and nominated by each party, from among which five experts will be nominated by each of the five United Nations regions. Those regionally nominated experts from developing countries and countries with economies in transition will be funded to participate in the meetings of the Open-ended Scientific Group through the budget of the Convention, taking into account the need for gender balance and different types of expertise.

12. The members should have expertise in the core competencies identified in the monitoring guidance, as well as mercury monitoring in core media, existing monitoring networks on mercury, quality assurance of data, modelling environmental transport, trends and fate of mercury, estimation of mercury emissions and releases, as well as analyses of the impacts of mercury in matrices in biota, air and humans, and indigenous knowledge and local community knowledge.

13. The members of the Open-ended Scientific Group will not be eligible to become members of the Effectiveness Evaluation Group, with the exception of the Open-ended Scientific Group co-chairs.

14. The Open-ended Scientific Group may invite scientific and technical contributions from a roster of additional experts identified by parties, to work through electronic means and communication, as appropriate. Experts will also be invited from among the following groups, as appropriate: civil society, indigenous organizations, local community organizations, intergovernmental organizations, research organizations and academia, the Global Mercury Partnership and existing monitoring networks.

15. The terms of office of the members will coincide with the effectiveness evaluation cycle determined by the Conference of the Parties. To provide continuity, the Conference of the Parties may renew the terms of office of the members once for subsequent evaluations. If a member is unable to complete their term of office, the party nominating that member will nominate another person to complete the term.

D. Officers

16. The Open-ended Scientific Group will elect two co-chairs from among its party members, one from a developed and one from a developing country, to facilitate its work and meetings. The co-chairs will serve in that role for no more than two sequential evaluation cycles.

E. Procedural matters

17. The Open-ended Scientific Group will apply the rules of procedure of the Conference of the Parties, *mutatis mutandis*, unless otherwise provided in the present terms of reference. If the Open-ended Scientific Group is unable to reach consensus, a factual report containing the various views expressed is to be prepared and submitted to the Effectiveness Evaluation Group.

18. The Open-ended Scientific Group may establish such arrangements as are necessary to facilitate its work, in line with the present terms of reference, including establishing subgroups, subject to the availability of resources.

19. Any subgroups will be subject to the direction and oversight of the Open-ended Scientific Group and will cease to exist upon completion of the assigned task. To reduce costs, the subgroups will carry out their work electronically.

F. Secretariat

20. The secretariat will provide administrative, logistical, programmatic and substantive support for the meetings and work of the Open-ended Scientific Group, with assistance as necessary, subject to available resources.

G. Meetings

21. The Open-ended Scientific Group will meet face to face no more than two times to perform its mandate as assigned to it by the Conference of the Parties and will work by electronic means during an effectiveness evaluation cycle. Only nominated regional experts will be funded from the Convention budget. Additional experts identified by parties who participate in the body are to participate at their own expense. The frequency of the face-to-face meetings of the Open-ended Scientific Group will be considered and reviewed as appropriate and as necessary by the Conference of the Parties.

H. Language

22. The working language of the Open-ended Scientific Group will be English.
