



## United Nations Environment Programme

Conference of the Parties to the  
Minamata Convention on Mercury  
First meeting  
Geneva, 24–29 September 2017

### Decision adopted by the first Conference of the Parties to the Minamata Convention on Mercury

#### MC-1/6 on the Specific International Programme to Support Capacity-Building and Technical Assistance, as finalized by the Conference of the Parties at its second meeting (November 2018)\*

*The Conference of the Parties,*

*Recalling* article 13 of the Minamata Convention on Mercury, which establishes a financial mechanism to support developing-country parties and parties with economies in transition in implementing their obligations under the Convention, and that the mechanism includes the Global Environment Facility Trust Fund and a specific international programme to support capacity-building and technical assistance,

*Recalling also* paragraph 6 of the resolution on financial arrangements of the Final Act of the Conference of Plenipotentiaries of the Minamata Convention on Mercury (known as “resolution 2”), in which the Conference requested the intergovernmental negotiating committee to develop a legally binding instrument on mercury “to develop for consideration by the Conference of the Parties at its first meeting a proposal for the hosting institution for the Specific International Programme, including any necessary arrangements with the hosting institution, as well as guidance on the operation and duration of that programme”,

1. *Decides* that the hosting institution referred to in paragraph 9 of article 13 is provided by the United Nations Environment Programme;
2. *Approves the* necessary hosting arrangements, as well as guidance on the operations and duration of that programme, set out in annex I to the present decision and the terms of reference of the specific international programme set out in the annex II to the present decision;
3. *Requests the Executive Director* of the United Nations Environment Programme to establish a trust fund for the Specific International Programme;
4. *Also requests the Executive Director* of the United Nations Environment Programme to implement the governance arrangements set out in the annexes to the present decision.

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\* This annex has not been formally edited.

## **Annex I to decision MC-1/6**

### **Hosting arrangements, guidance on the operations of and duration of the Specific International Programme to Support Capacity-Building and Technical Assistance**

#### **A. Governance arrangements for the Specific International Programme**

1. The Executive Director of the United Nations Environment Programme (UNEP) will deliver administrative support to the Programme, through the allocation of human and other resources, through the secretariat of the Minamata Convention.<sup>1</sup>
2. The Conference of the Parties will establish a governing board of the Specific International Programme, which will oversee and implement its guidance, including decision-making on projects and project management.

#### **B. Guidance on the Specific International Programme**

##### **1. Scope**

3. The Specific International Programme is to support capacity-building and technical assistance in accordance with paragraph 6 (b) of article 13.
4. Technical assistance and capacity-building activities under the Specific International Programme and those undertaken by the Minamata Convention secretariat pursuant to article 14 should avoid duplication and overlap.

##### **2. Eligibility**

5. Developing-country parties and parties with economies in transition are eligible for resources under the financial mechanism in accordance with paragraph 5 of article 13 of the Convention. The Specific International Programme should also take full account of the specific needs and special circumstances of parties that are small island developing States and least developed countries, in line with paragraph 4 of article 13.
6. Non-parties are not eligible to apply for funding but can participate in some activities undertaken by the Specific International Programme upon invitation by a Party, on a case-by-case basis.<sup>2</sup>
7. In presenting projects, eligible parties may consider the participation of implementing and executing agencies or other actors, such as non-governmental organizations and the regional and subregional centres of the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal and the Stockholm Convention on Persistent Organic Pollutants.

##### **3. Operations**

8. The Specific International Programme will be guided in its operations as follows. It should:
  - (a) Be country-driven, taking into consideration national priorities, country ownership and the sustainable implementation of the obligations under the Convention;
  - (b) Ensure complementarity and avoid duplication with other existing arrangements to provide capacity-building and technical support, in particular the Global Environment Facility and the Special Programme to support institutional strengthening at the national level for implementation of the Basel Convention, the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade and the Stockholm Convention, the Minamata Convention and the Strategic Approach to International Chemicals Management, as well as other existing assistance frameworks;
  - (c) Build upon lessons learned and engage at the national and regional levels, including by encouraging South-South cooperation;

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<sup>1</sup> Without prejudging the decision on the hosting of the Minamata Convention secretariat.

<sup>2</sup> As finalized at the second meeting of the Conference of the Parties.

(d) Be consistent with the integrated approach to financing the sound management of chemicals and waste, as relevant to the implementation of the Convention.

#### 4. Resources

9. Resources for the Specific International Programme shall include financial and in-kind contributions and expertise. Contributions of resources are encouraged from a broad range of sources. This includes all parties to the Minamata Convention with the capacity to contribute, as well as other relevant stakeholders, including Governments, the private sector, foundations, non-governmental organizations, intergovernmental organizations, academia and other types of civil society actors;

10. A resource mobilization strategy for the Specific International Programme should be developed by the secretariat in consultation with the Specific International Programme Governing Board with a view to achieving the objective of the Convention and attracting a broad range of donors, building on lessons learned in other areas. It should include approaches whose purpose is to leverage resources, including in-kind resources, from non-State actors;

11. Other sources of resources for the Specific International Programme may be leveraged through its coordination with other relevant programmes and initiatives, including:

(a) Linkages with existing programmes and initiatives to seek co-benefits where possible;

(b) Promoting and leveraging partnerships and collaboration as appropriate, building on lessons learned from other conventions.

#### C. Duration

12. The Specific International Programme will be open to receive voluntary contributions and applications for support for a period of ten years from the establishment of its trust fund. The Conference of the Parties may decide to extend this period, not exceeding an additional seven years, taking into account the review process of the financial mechanism in accordance with paragraph 11 of article 13 of the Minamata Convention.

### Annex II to decision MC-1/6

#### Terms of reference of the Specific International Programme

##### A. Governing Board of the Specific International Programme (SIP Governing Board)

1. The Governing Board of the Specific International Programme (hereinafter "SIP Governing Board") shall consist of 10 members from parties. Each of the five United Nations regions shall nominate two members through their respective Bureau representatives.<sup>3</sup>

2. The first members of the SIP Governing Board shall be nominated no later than 31 December 2017, and will serve until the third meeting of the Conference of the Parties to the Minamata Convention. Thereafter, the members shall be nominated every two years by regional groups and their membership confirmed by the Conference of the Parties.

3. The draft rules of procedure of its Governing Board shall be drafted by the secretariat for consideration and adoption by the Board, and presented to the Conference of the Parties at its second meeting for its information.

4. The SIP Governing Board will have two co-chairs, elected from among the members of the Board, reflecting the composition of the Board and the purpose of the Programme.

5. The SIP Governing Board will take its decisions by consensus. If all efforts to reach consensus have been exhausted and no agreement has been reached, the decision shall be taken by a three-quarters majority of its members present and voting.

6. The SIP Governing Board will in principle meet once a year to approve project applications and review progress under the Programme on the basis of reports from the Minamata Convention secretariat, as well as other relevant information provided to them on implementation of the Programme.

<sup>3</sup> As finalized at the second meeting of the Conference of the Parties.

7. The SIP Governing Board will take operational decisions regarding the functioning of the Specific International Programme, including the approval of applications for funding based on the guidance provided by the Conference of the Parties and will endorse, as appropriate, criteria and procedures for application, assessment, reporting and evaluation.

8. The secretariat will process application proposals for approval by the SIP Governing Board, manage approved allocations and service the SIP Governing Board. The secretariat will report on its operations to the Governing Board and will be accountable to the Executive Director of UNEP for administrative and financial matters. The secretariat will submit an annual report to the Governing Board, which will also be presented to the Conference of the Parties, including relevant information on the rejection of project proposals.

## **B. Project screening, appraisal and approval processes**

9. The Minamata Convention secretariat will receive applications directly from national Governments through their national focal points.

10. All those in a position to do so may provide technical assistance in the development of project applications, upon request by project applicants.

11. The Minamata Convention secretariat will screen project applications for completeness and eligibility. The secretariat will also appraise, with the appropriate staff expertise within the secretariat, applications for consideration and decision by the Governing Board, in consultation with relevant international governmental organizations, provided that there are no cost implications.

## **C. Administrative support to the Specific International Programme**

12. The secretariat will provide one position for the technical assistance and capacity-building activities of the secretariat and the activities of the Specific International Programme, to be covered by the General Trust Fund, taking into account that the staffing requirements of the Specific International Programme will be reviewed.

13. The costs related to the operation of the Specific International Programme, including the costs of meetings, shall be funded from voluntary contributions to the programme.

## **D. Expected outcomes**

14. The support for capacity-building and technical assistance provided by the Specific International Programme is expected to improve the capacity of developing-country parties and parties with economies in transition in implementing their obligations under the Convention.

## **E. Accounts and audit**

15. The accounts and financial management of the Specific International Programme shall be subject to the internal and external audit process of the United Nations. Accounts for the Specific International Programme shall be presented to the SIP Governing Board within three months after the closure of the financial period and shall also be considered by the Conference of the Parties to the Minamata Convention.