

**REPORT OF THE MEETING OF THE BUREAU
OF THE INTERGOVERNMENTAL NEGOTIATING COMMITTEE
TO PREPARE A GLOBAL LEGALLY BINDING INSTRUMENT ON MERCURY**

Date: 23 March 2012
Time: 1.00 p.m. to 2.30 p.m. Geneva time (meeting by teleconference)
Participants: INC Bureau members and UNEP secretariat
Apologies: Mr. Oumar Cisse (Africa), Mr. Vladimir Lenev (CEE)

I. Purpose of the teleconference

1. The Chair introduced the teleconference, noting that the main purpose of the meeting was to finalize the scenario note for INC4. He also indicated that he was proposing dates and location for the next face-to-face meeting of the Bureau. Other issues to be considered during the teleconference included regional meetings and the proposed dates for INC5.

II. Expectations for INC4, including presentation of the draft scenario note and consideration of possible contact groups and order of discussion

2. The Chair presented his draft scenario note, noting that it was written on the basis of discussions and suggestions received at the informal consultations between the INC3 contact group co-chairs and the INC Bureau from 31 January to 1 February 2012 and during the bureau meeting on 2 February 2012. In presenting the organization of work for INC4, the Chair indicated that on day 0 (Tuesday 26 June), regional consultations were planned for the morning and over the lunch period. There would then be a suitable space provided for interactions among delegates from different regions with the aim of fostering inter-regional consultations. These interactions would be facilitated by setting up areas focused on different substantive topics, with the possibility of exchanging ideas and papers and to discuss technical issues in an informal and constructive setting. The emphasis was that the discussions should be informal to facilitate interactions; however some guidance would be provided to direct discussion.

3. The Chair emphasized that there needed to be a balance between providing new technical information and ensuring a focus on the negotiations. It was noted that technical briefings as held at previous INCs would not be organized.

4. A number of Bureau members expressed interest in identifying topics for the technical talks, and considered the possibility of using the regional meetings scheduled in May to identify appropriate topics. Interest was expressed by members of the bureau in having the co-chairs of the contact groups on emissions and releases and financial resources and technical assistance provide a briefing during the regional consultations.

5. Bureau members provided a number of specific comments on the scenario note. It was agreed these would be incorporated in a revised draft.

6. Following consideration of the scenario note, possible contact groups and the order of discussion was considered. One Bureau member highlighted the importance of compliance, and proposed that this may need a group separate to the group considering finance and technical assistance, as there may be different expertise needed to consider each of these issues. The Chair

highlighted that he saw a key role for the Bureau in facilitating discussions both in the lead up to the INC and at the meeting. The Chair remarked that it was his expectation that there would be flexibility to use a variety of groups, including contact groups and friends of the chair as needed to address specific issues. He informed that during INC4, there would be opportunities provided for co-chairs to meet to discuss issues on a regular basis, and was working with the secretariat to provide suitable facilities to foster this.

7. In considering the order of discussions, the Chair highlighted dual concerns of ensuring there are early results, particularly to ensure material can be referred to the legal group, along with the need to ensure challenging issues, and issues which have not yet been considered, are allowed sufficient time for discussion. He indicated that he expected issues such as artisanal and small-scale gold mining as well as storage, waste and contaminated sites, which made good progress at the third session may be taken up early in INC4, to allow amended text to be referred to the legal group for review. He identified the articles relating to awareness-raising, research and monitoring, and communication of information as another area of the text which may be considered in this way. In the intersessional period in preparation for INC4, the Chair set out his expectation that there would be informal talks on issues, including products and processes as well as health and national implementation plans which may lead to more progress during the fourth session. He also invited Bureau members to encourage countries in their region to review legal issues not yet considered by the legal group prior to INC4, in particular the final clauses with the aim of quickly resolving bracketed issues. He also indicated that the Bureau meeting in June would provide an opportunity to discuss the contact groups which would be needed and to identify possible co-chairs for these groups.

III Logistical update on the preparations for INC4 and the regional consultations in advance of the INC

8. The proposed dates for the regional meetings were discussed, and it was noted that the proposal is that there should be no overlap between regional meetings to allow attendance at all meetings by the Chair to the extent possible. The secretariat would work further with the bureau members to finalize the dates for publishing on the webpage and issuance of invitations. The need to make rapid progress in organizing regional meetings was noted, with some Bureau members expressing concerns about the time needed to get visas for host countries. The Chair noted that the locations have been selected to facilitate participants getting visas for Uruguay, and encouraged those attending the regional meetings to, as possible, carry passports for colleagues intending to attend INC4 to obtain their visas. UNEP indicated that participants at the regional meetings would be provided with official letters on this issue indicating all the information required to get the visa for Uruguay.

9. The secretariat provided an update on preparation for INC4, indicating that preparations for the meeting were well underway and the secretariat was pleased with the progress to date. The information for participants was available on the website, and a hotel booking site would shortly be provided. In relation to documents, they are in preparation and will be published as soon as they are available.

IV Intersessional work on the draft text

- **Brief update on work on articles 10 and 11 Emissions and releases**
- **Brief update on work on articles 15 and 16 Financial resources and technical and implementation assistance**

10. The Chair provided an update on the work of the co-chairs on emissions and releases. The draft conceptual approach prepared by the co-chairs was distributed to the Bureau prior to the conference, and he invited any comments from the members. He indicated that it would be useful to provide any comments to the co-chairs. The Bureau members indicated that they had not had an opportunity to consider the paper in detail at this stage. The Chair said that he would consider with the co-chairs the best next steps, and asked all bureau members to consider where they would like to go with the discussions. He also encouraged continued interactions among participants across regions to make as much progress as possible at INC4.

11. On financial resources and technical and implementation assistance, the Chair indicated that he saw this as a crucial area of the treaty. He indicated that the expert meeting should be seen as an opportunity for experts from all UN regions to come together in their individual capacities to concentrate on the issues and the discussion. The co-chairs are engaged in preparation for this meeting, including establishing links with the experts. He saw the secretariat working document, prepared in consultation with the co-chairs, as a good basis to guide discussion, and expressed his expectation that all experts would be well prepared to have an open discussion using the working document as a starting point. Following the expert meeting, he was relying on the co-chairs to come forward with a good conceptual understanding and approach for the INC, and expected that they would be able to prepare language for article 15 and 16. It is anticipated that the co-chairs proposal would be the basis for negotiations on financial resources and technical assistance at INC4.

V Intersessional consultations, including Chair's key messages

12. The Chair indicated that he saw intersessional consultation as being very important to the process, including both the formal processes established by the INC and also informal consultations between interested parties. In preparing for the fourth session, he encouraged the preparation of documents setting out proposals, to be shared both within and between regions, to the extend possible, prior to being issued as conference room papers during the meeting.

VI Next bureau meeting in Washington, DC, 7-8 June 2012

13. It was agreed that the next bureau meeting will be held in Washington DC on 7 and 8 June 2012. As the meeting will be held after the regional consultations, the outcome of those consultations will be considered further at the bureau meeting. Further information will be provided in due time.

VII Any other issues raised by the Bureau

14. The secretariat provided an update of the financial situation for the INC process, in which the representative of the secretariat indicated that while, funding is essentially secured for INC4, there is still a shortfall of around US\$500,000 for the regional consultations. The Chair indicated that this need should be raised with all donors.

15. The secretariat also provided an update of cooperation with the World Health Organization, indicating that they were hosting an expert consultation on the use of thiomersal in vaccines (3 – 4 April, 2012), which would address the safety of thiomersal and the feasibility of alternatives to thiomersal. UNEP is invited to make opening remarks at the open session of the consultation to provide an update of the negotiating process. The results of the consultation are expected to be made available to the INC as an information paper.

16. The Chair also indicated that the UNEP Global Mercury Partnership Area, supported by the Government of Spain, was providing support for a workshop on storage to be held back to back with the regional meeting of the Latin American and Caribbean region.

17. The Bureau member from Sweden provided a brief update on the Stockholm +40 event, including that there will be a roundtable discussion on chemicals.

18. Finally, it was agreed that INC5 would be convened in Geneva, Switzerland during the period from 12 to 20 January 2013.