

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

Date: 10 October 2012

Participants: Mr. Yingxian Xia (China, for Asia-Pacific), Mr Mohammed Khashashneh (Jordan, for the Asia Pacific group), Ms. Abiola Olanipekun (Nigeria, for Africa), Mr. Oumar Cisse (Mali, for Africa), Ms. Katerina Sebkova (Czech Republic, for Central and Eastern Europe), Mr. Vladimir Lenev (Russian Federation, for Central and Eastern Europe), Ms Nina Cromnier (Sweden, for the Western European and Others Group), Mr. John Thompson (United States of America, for the Western European and Others Group), Ms. Gillian Guthrie (Jamaica, for Latin America and the Caribbean), Mr. Fernando Lugris (Uruguay, for Latin America and the Caribbean) and UNEP secretariat

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1. The meeting was opened by the Chair at 1.10 pm. The agenda was introduced and adopted.

A Purpose of the teleconference

2. In describing the purpose of the teleconference, the Chair indicated that in line with previous practice, it would be focused on allowing an exchange of points of views on the scenario note. He also asked for comments on the report of the previous Bureau meeting, which had taken place in Prague on 11 and 12 September 2012. As none were received, the report was cleared and would be posted by the secretariat on the UNEP website.

B Expectations for INC5, including presentation of the draft scenario note and consideration of possible contact groups and order of discussion

3. The Chair introduced the draft scenario note, noting that a revised version had been circulated to the Bureau members the previous day, and stepped through the document seeking comments. There were no general comments on the document. Minor editorial changes were proposed in a few areas. The Chair welcomed the proposals made.

4. With regard to the meetings to be held on the day preceding INC5, the need for structured interregional consultations prior to INC5 was considered. It was agreed that the structure and any topics for inter-regional consultations would be finalized at the next Bureau meeting in December. It was also noted that there may be a need for a different form of interregional consultations, with a need to finalize on-going negotiations. It was also noted that it may be useful to consider this issue during the regional consultations.

5. It was noted that the Chair's text is intended to be the basis of the work for the fifth session, and a preference was expressed for having this clearly agreed by the regional groups to facilitate a rapid start of discussions at INC5. It was also noted that the information listed in document UNEP(DTIE)/Hg/INC.5/INF/2 would, as for previous meetings, be available both before and during the fifth session on the internet.

7. The issue of being able to commence discussions promptly at INC5, with limited interventions of a general nature, was highlighted. There was agreement that the statements from governments and other participants should be uploaded on the intranet, rather than being delivered in plenary.

8. It was emphasized in the discussions that proposals for text need to be aimed at resolving outstanding issues. It was recognized that, in some cases, new approaches may be needed to bridge gaps between positions, however, it was also agreed that any such approaches should be carefully considered and widely consulted.

9. The scenario note was amended to give a clearer indication of the need to be conscious of time during INC5, including ensuring that the legal group has enough time to consider draft text referred to it. It was noted that the definitions would need to be considered along with the substantive articles, while sufficient time would need to be set aside for considering the preamble and objective.

The timing of discussion of the preamble during INC5 was discussed, reflecting that some issues may be raised in other sections of the text, but may be included in the preamble.

10. The use of smaller groups during INC5, in particular drafting groups which are composed only of governments, was discussed.

11. The Chair indicated that he would be presenting the scenario note, as well as his text, at the regional consultations. He also noted that INC5 would have an opportunity, should time permit, to consider draft resolutions to be adopted along with the Final Act when the Convention is opened for signature. Initial drafts are in preparation by the secretariat in line with the intersessional mandate, and will be available as a meeting document for INC5. However it is likely that a preparatory meeting immediately before the Conference of Plenipotentiaries will be needed to finalize the text of these resolutions. This has been the practice for the negotiations of other multilateral environmental agreements.

C Update on the preparations for INC5 and the regional consultations in advance of the INC;

12. The secretariat provided a brief update on the preparations for INC5 and the regional consultations, highlighting that much of the work to date had focused on documents. He indicated that the logistical arrangements for INC5 were on track. For the regional consultations, he highlighted that the dates and venues were agreed, with the exception of the meeting for the Central and Eastern European region. Invitation letters for the regional consultations are in the process of being sent out. Efforts are underway to try to ensure that the INC5 meeting documents are available prior to the regional consultations.

D Intersessional work on the draft text;

- **Brief update on work on emissions and releases**
- **Brief update on work on health**

13. The Chair provided an update on the preparation of his text, indicating that it was intended to be finalized that day, and sent to UNON Conference Services at Nairobi for editing and translation as soon as possible. The document includes not only the Chair's text, but also a commentary which sets out the different changes in the text, and a table which lists the changes article by article. He encouraged all to read the text carefully, and to consult widely in preparing for INC5.

14. The secretariat provided an update on the meeting document on emissions and releases, indicating that the document was being finalized in consultation with the co-chairs, who are providing a proposal for possible thresholds for facilities with emissions of mercury to the air. In addition to this proposal, the document includes a summary of the submitted information on releases and emissions to water and land. In reporting on the health document, she indicated that it was also being finalized, following inclusion of the inputs from WHO and their comments on the secretariat's analysis. It is intended that both documents will be sent to UNON Conference Services at Nairobi within the next few days. The draft resolutions are also prepared, and will be sent for processing.

E Intersessional consultations ;

15. The Chair highlighted the need for both formal and informal consultations in the lead up to the final session. He emphasized that Governments should make every effort to resolve outstanding issues during the intersessional period so that negotiations can move forward in an expeditious manner.

F Date and venue of the next bureau meeting (December 2012);

16. Mr. Xia Yingxian extended the invitation of the Government of China to the Bureau to convene the next meeting in Beijing on 17 and 18 December. The invitation was warmly accepted.

G Any other issues raised by the Bureau.

17. No other issues were raised by the Bureau, and the teleconference closed at 2.30 pm.