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**United Nations
Environment
Programme**

**Preparatory meeting for the
Conference of Plenipotentiaries
on the Minamata Convention on Mercury**
Kumamoto, Japan, 7 and 8 October 2013
Item 2 (d) of the provisional agenda*

Organizational matters: organization of work

**Scenario note for the preparatory meeting for the Conference of
Plenipotentiaries on the Minamata Convention on Mercury**

Note by the secretariat

1. The present scenario note has been prepared by the secretariat to assist parties and other participants in preparing for the preparatory meeting that will finalize the resolutions to be considered for adoption by the Conference of Plenipotentiaries on the Minamata Convention on Mercury, scheduled to take place on 10 and 11 October 2013 in Kumamoto, Japan.

Conduct of the preparatory meeting

2. The preparatory meeting for the Conference of Plenipotentiaries is scheduled for 7 and 8 October 2013. The meeting will open at 3 p.m. on 7 October 2013. It is not a meeting of the Intergovernmental Negotiating Committee to prepare a global legally binding instrument on mercury; it is an open-ended intergovernmental meeting, and as such will be required to adopt rules of procedure and elect officers for a Bureau for the duration of the meeting.

3. In the case of previously adopted chemicals and wastes multilateral environmental agreements (MEAs), preparatory meetings for the conferences of plenipotentiaries applied the rules of procedure of the respective intergovernmental negotiating committees, mutatis mutandis, to their proceedings. The preparatory meetings of those MEAs elected as officers the members of the bureau of the respective intergovernmental negotiating committee. However, the bureaux of the conferences of plenipotentiaries for those MEAs consisted of one representative from each of the five United Nations regions, with the role of Chair entrusted to a high-level official from the host Government. The preparatory meeting for the Conference of Plenipotentiaries on the Minamata Convention on Mercury may wish to adopt a similar approach to that used by previous MEAs and recommend that the Conference of Plenipotentiaries do the same, noting the ministerial level composition of the Bureau of the Conference of Plenipotentiaries.

4. It is expected that, once it has been formally elected, the Bureau of the preparatory meeting will meet as required.

Outcome of the negotiations to prepare a global legally binding instrument on mercury

5. In its decision 25/5, the Governing Council of the United Nations Environment Programme (UNEP) requested the Executive Director to convene an intergovernmental negotiating committee with the mandate to prepare a global legally binding instrument on mercury, commencing its work in

* UNEP(DTIE)/Hg/CONF/PM/1

2010 with the goal of completing it prior to the twenty-seventh regular session of the Governing Council/Global Ministerial Environment Forum, in 2013.

6. In accordance with the above mandate, the first, second, third, fourth and fifth sessions of the Intergovernmental Negotiating Committee to prepare a global legally binding instrument on mercury were held in Stockholm from 7 to 11 June 2010, in Chiba, Japan, from 24 to 28 January 2011, in Nairobi from 31 October to 4 November 2011, in Punta del Este, Uruguay, from 27 June to 2 July 2012 and in Geneva from 13 to 18 January 2013 respectively.

7. At its fifth session, the Intergovernmental Negotiating Committee agreed to the text of a global legally binding instrument on mercury, and agreed also to name it the Minamata Convention on Mercury.

8. At its twenty-seventh session, the Governing Council of UNEP welcomed the completion of the negotiations and requested the Executive Director to convene a conference of plenipotentiaries for the purpose of adopting and opening for signature the Minamata Convention on Mercury.

Objective of the preparatory meeting

9. The objective of the preparatory meeting is to prepare the draft resolutions to be considered for adoption by the Conference of Plenipotentiaries.

Participation in the preparatory meeting

10. Participation in the preparatory meeting will be open to representatives of Governments nominated in an official letter from the official contact point of their Government to UNEP.

11. It should be noted, however, that credentials will be required for participation in the Conference of Plenipotentiaries. In addition, full powers will be necessary for representatives of Governments to sign the Convention at the Conference. Information on the arrangements concerning representation of Governments, both at the preparatory meeting and the Conference of Plenipotentiaries, as well as on full powers, is available at:

<http://www.unep.org/hazardoussubstances/MinamataConvention/DiplomaticConference/tabid/105832/Default.aspx>.

12. Representatives of United Nations bodies, funds, programmes and specialized agencies, other intergovernmental organizations and accredited non-governmental organizations are welcome to attend the preparatory meeting as observers.

Organization of the work of the preparatory meeting

13. The preparatory meeting will start at 3 p.m. on Monday, 7 October 2013 and is expected to conclude its work by 6 p.m. on Tuesday, 8 October 2013. Subject to a decision on the organization of work at the commencement of the preparatory meeting, provisions have been made for three plenary sessions, from 3 p.m. to 6 p.m. on Monday, 7 October 2013; and from 10 a.m. to 1 p.m. and from 3 p.m. to 6 p.m. on Tuesday, 8 October 2013. There will be side events from 1 p.m. to 2.30 p.m. on both days. Information on technical and other topics related to mercury will be available in a number of displays in an exhibition area for the duration of the meeting. The Government of Switzerland will kindly host a reception on the evening of Tuesday, 8 October 2013.

14. Delegates are invited to use the morning of Monday, 7 October 2013 from 9 a.m. to 1 p.m. and the period between 9 a.m. and 10 a.m. on Tuesday, 8 October 2013 for regional consultations to prepare for the meeting. Meeting room facilities will be provided for such consultations. Meeting room facilities will also be provided for representatives of non-governmental organizations to meet during those periods on Monday, 7 October 2013 and Tuesday, 8 October 2013.

15. Issues that delegates may wish to consider during their regional consultations may include the following: the rules of procedure and the election of officers of the Bureau for both the preparatory meeting and the Conference of Plenipotentiaries; the preparation of draft resolutions for the Conference of Plenipotentiaries, including priorities for, and scheduling of, work during the interim period up to the date of entry into force of the Convention and also up to the first meeting of the Conference of the Parties to the Convention; and any recommendations they may wish to submit to the preparatory meeting for further consideration by the Conference of Plenipotentiaries.

16. The Executive Director of UNEP or, in his absence, his representative, will act in his capacity as Secretary-General of the meeting at its commencement, until the representatives of Governments at the meeting have elected a Chair as proposed under item 2 (b) of the provisional agenda (UNEP(DTIE)/Hg/CONF/PM/1). Following opening statements, including those made by representatives of the Government of Japan and UNEP, it is anticipated that the first one and a half

hours of the Monday afternoon session will be dedicated to organizational matters, including the adoption of the rules of procedure, the election of officers, the adoption of the agenda, and the organization of work. Delegates may wish to commence the preparation of draft resolutions immediately thereafter, since the time available for such preparation will be limited. Recognizing the limited time available, regional groups, Governments and others are invited to consider delivering any statement pertaining to the importance of the Minamata Convention on Mercury after the adoption and signing of the Convention during the Conference of Plenipotentiaries and thus refrain from opening remarks at the preparatory meeting. It is encouraged that remarks at the preparatory meeting relate directly to the matters being discussed.

Desired outcome of the preparatory meeting

17. The desired outcome of the preparatory meeting is the finalization of draft resolutions for adoption by the Conference of Plenipotentiaries.

18. The Intergovernmental Negotiating Committee at its fifth session agreed that the secretariat would prepare draft elements of the final act (so called “draft resolutions”) to be adopted at the Conference of Plenipotentiaries and that, in doing so, the secretariat would draw on the elements set out in document UNEP(DTIE)/Hg/INC.5/6, updating them to reflect the outcomes of the fifth session. In response to that request, the secretariat prepared document [UNEP\(DTIE\)/Hg/CONF/PM/3](#).

19. One objective of the resolutions of the Conference of Plenipotentiaries is to set processes for, and provide guidance to, the secretariat and Governments for their work leading up to the first meeting of the Conference of the Parties to the Convention, including for any work mandated through an intergovernmental negotiating committee. In preparing the resolutions, the secretariat has sought to present issues that require attention in that interim period, either by the secretariat or by Governments, including through an intergovernmental negotiating committee if it is so established, but has avoided being overly prescriptive so as not to limit flexibility in their implementation.

20. As part of its deliberations, the preparatory meeting may wish to consider whether work on certain issues should be initiated immediately after the Conference of Plenipotentiaries, prior to the next session of any newly-mandated intergovernmental negotiating committee. If that were the case, the preparatory meeting may wish to recommend the inclusion in the draft resolutions of sufficient guidance to enable such work to be initiated.

21. The preparatory meeting may also submit to the Conference any other recommendation it considers appropriate, including on the rules of procedure of the Conference.
