

# **REPORT OF THE BUREAU OF THE INTERGOVERNMENTAL NEGOTIATING COMMITTEE ON MERCURY**

**24-25 August 2016  
Livingstone, Zambia**

**Participants** – Mr. Oumar Diaouré Cissé (Mali, for Africa), Ms. Nina Cromnier (Sweden, for the Western European and Others Group), Ms. Rowena Purcell Watson (USA, for the Western European and Others Group), Mr. Fernando Lugris (Uruguay, for Latin America and the Caribbean), Ms. Gillian Guthrie (Jamaica, for Latin America and the Caribbean), Mr. Vladimir Lenev (Russian Federation, for Central and Eastern Europe), Mr. David Kapindula (Zambia, for Africa), Mr. Mohammed Khashashneh (Jordan, for Asia Pacific), Mr. Franz Perrez (Switzerland as Observer for the incoming COP1 Presidency), and the interim Secretariat for the Minamata Convention on Mercury.

## **1. Opening of the Bureau Meeting**

1. The Bureau meeting opened at 10 a.m. with remarks from Mr. Lugris, Chair of the Intergovernmental Negotiating Committee (INC), welcoming the long-standing Bureau to Zambia and noting it was good to meet in Africa to look at the issue of mercury from this continent's perspective and also given that Africa as a region has made good progress on ratification. He passed on the regrets of Mr. Alojz Grabnier (Slovenia, for Central and Eastern Europe) and Mr. Xia Yingxian (China, for Asia Pacific) who were unable to attend this Bureau meeting, but noted that all regional groups were represented. The Chair welcomed Mr. Franz Perrez to the meeting as Observer for the incoming COP1 Presidency, recalling the past practice where a representative of the Government of Japan joined the Bureau meeting as Observer in 2013 in the preparation towards the Diplomatic Conference. Mr. Lugris also welcomed Ms. Watson, as replacement at the meeting for Ms. Sezaneh Seymour (United States of America, for Western Europe and Others Group). The Chair further thanked acting Director-General Maxwell Nkoya, Zambia Environmental Management Agency for hosting this Bureau Meeting and congratulated Zambia, and Mr. Kapindula, as one of the African champions of the Minamata Convention.

2. Acting Director-General Maxwell Nkoya welcomed the Bureau to Zambia and specifically Livingstone. He noted that Zambia was among the first to sign the Minamata Convention on Mercury, and deposited its instruments of ratification in early 2016 making it the 24<sup>th</sup> future Party. Mr Nkoya further outlined key activities currently undertaken by Zambia to enable the implementation of the convention.

3. Ambassador Franz Perrez thanked the Chair for the invitation to join the Bureau meeting for the incoming Presidency, and to Zambia for hosting the meeting. He recalled the strong role Africa and Zambia played in the negotiation process, especially to bring in the perspective of the needs on the ground. Mr. Perrez also thanked the Bureau as incoming Presidency for their work to prepare COP1 and welcomed the opportunity to working closely with the Bureau and the interim Secretariat in this regard. He reiterated that Switzerland looks forward to hosting COP1 as a celebration of the success of the negotiations, and informed that Madame Doris Leuthard, the Swiss Environment Minister, will be the Swiss President during COP1 and that she has confirmed her participation. He further informed the Bureau that the Swiss Vice-Minister of Environment would preside as COP1 President.

4. Jacob Duer, Principal Coordinator, interim Secretariat, thanked Zambia for hosting the Bureau in Livingstone as part of the tradition of convening Bureau meetings in the countries of Bureau members. He thanked Mr. Kapindula and his team for the excellent preparations, and highlighted Zambia's specific role in the Minamata negotiations, and further also Zambia's role in the greater chemicals context, specifically Mr. Kapindula role as member of the Bureau of the Strategic Approach to International Chemicals Management (SAICM). He assured the bureau of the interim secretariat's continued readiness to support the Bureau and the incoming Presidency towards a successful COP1.

5. The Chair thanked Jordan through Mr. Khashashneh for hosting INC7 in March 2016 and further noted the good progress made in ratifications, congratulating Mali, Zambia and Switzerland in this regard. He noted that at the time of the Bureau meeting 29 future Parties had deposited their instruments of ratification, with Botswana and Ecuador being the latest ones. He also updated that China had completed its internal procedures towards ratification. He noted Mr. Cissé's role as Minamata Champion for Mali and francophone Africa. He further reiterated the need for resources and support towards ratifications in preparation of COP1.

## **2. Adoption of the Provisional Agenda**

6. The Chair presented the provisional agenda, highlighting the expectations under each item. The agenda was adopted without change.

## **3. Purpose of the Meeting**

7. Turning to the specific purpose of the meeting, the Chair noted that this Bureau meeting is to take stock of the outcomes of INC7 and plan for the Minamata Convention to enter into force. The Chair encouraged Bureau members to bring all concerns and perspectives to the Bureau discussion to ensure best preparation. He further emphasised the importance of gauging where more support was required towards ratification and early implementation. The Chair noted that the Bureau is tasked to prepare the ground for COP1. Emphasising the importance of early planning in this regard he stressed that the Bureau has to give clear guidance to the interim Secretariat both in terms of the technical and document preparations, as well as the preparations for a High Level Segment and other COP1 related events.

## **4. Tour de table on progress towards ratification and early implementation**

8. Mr. Lenev began the tour de table on ratification progress by indicating that no non-EU country has yet been in a position to deposit its instrument of ratification. He mentioned however that four countries were close to doing so. He also indicated that although Russia would like to ratify in time for COP1 the issue of its ability to access to GEF funding remains unresolved and the related concerns.

9. Mr. Kapindula informed that Africa is making good progress on ratification. Since INC7, Senegal, Botswana, Zambia and Mali have become future Parties, and a number of countries have completed their internal processes. He expected more African ratifications soon. He also mentioned that a number of countries were implementing Minamata Initial Assessment (MIA) projects, and thanked Switzerland for their support to African countries through UNITAR and UNIDO towards ratification. Mr. Cissé echoed that African countries were making good progress in terms of the roadmap to COP1 and reiterated that the calls for ratification must continue to maintain the momentum until COP1.

10. Ms. Guthrie outlined that eight countries from the Latin American and Caribbean region had ratified, with the latest being Ecuador. She noted that many countries were undertaking processes at the national level towards ratification. She mentioned that some countries had alerted that their national ratification processes are lengthy, and may well take over a year. She indicated that Jamaica had begun its processes, and hoped to be able to see significant process by end of 2016. She also noted that some countries were facing internal challenges, in particular in the Caribbean region. She further noted the need for continued specific interventions on ratification from the interim Secretariat in the next months to support national ratification efforts.

11. Mr. Khashashneh mentioned that some countries in the region were making good progress, but that specific support from the interim Secretariat was required to support further progress on ratification in the Asia-Pacific region.

12. Ms. Cromnier indicated that while the European Union was initially delayed good progress was now being made by the EU Council and Parliament. She expected these processes to be completed by the end of the year, and that the deposit of the instrument of ratification by the European Union followed by EU Member States would be expected in late 2016 and early 2017. She stressed that the Slovakian EU Presidency has prioritised the Minamata Convention ratification. Ms. Watson indicated that JUSSCANNZ was making good progress and specifically that Canada has tabled its ratification in the House of Commons.

13. The Chair concluded that more may need to be done at the sub-regional level to assist ratification. Furthermore, the Chair also mentioned the need to consider additional support on chlor-alkali in some regions, and also that some additional support for the coal combustion conversation may be necessary. Mr. Perrez indicated that Switzerland may be in a position to assist in supporting additional ratification efforts.

#### **5. Update on activities undertaken during the interim period since the Conference of Plenipotentiaries to meet the requirements as set out in the Final Act**

14. Mr. Duer noted that with 29 ratifications in place, and given indications that another five were on their way, good progress is being made on ratifications. He underlined that the interim Secretariat stands ready, subject to availability of resources, to respond to the specific requests made for the Latin American and Caribbean region and for Asia Pacific to provide further ratification support as required. To make best use of the resources, the interim Secretariat works closely with the BRS Secretariat to utilise already planned meetings and workshops to add relevant Minamata components. He also noted that ratification and other support is not only provided by the interim Secretariat, but also through UNITAR and UNIDO with Swiss support, as well as through GEF-funded MIA projects. The interim Secretariat also supports the health-focused regional workshops organized of the World Health Organisation.

15. Mr. Duer further outlined that work for the interim Secretariat has been intense since the Diplomatic Conference on Plenipotentiaries: two Intergovernmental Negotiating Committee (INC) meetings have been convened, one in Bangkok and one in Jordan; eight regional meetings were convened; and two face-to-face Bureau meetings before each INC. Furthermore, the interim Secretariat has supported Minamata-specific components at the BRS Regional Meetings, and worked closely with the BRS secretariat to draw on their expertise for Minamata Regional Meetings. Since the Diplomatic Conference the interim Secretariat has supported 15 sub-regional workshops to support drafting of roadmaps in Asia, Africa, the Caribbean, Central America, Central and Eastern Europe, the Middle East, the Pacific and South America, as well as providing additional support to implementation through four workshops delivered back to back with BRS regional Preparatory meetings.

16. Regarding funding the work of the Minamata Convention, the interim Secretariat outlined that GEF 6 is providing for about 140 MIA projects (some ongoing, some in the pipeline). He took note of the concerns expressed by some bureau members on GEF. He explained that through the Inter-Organization Programme for the Sound Management of Chemicals (IOMC) UN agencies seek to coordinate work so as not to duplicate efforts. Mr. Duer also noted that under the IOMC, which includes among others also UNDP and the World Bank, it is evident that more Implementing Agencies are becoming active in Minamata support, and will seek to do so with GEF support.

17. For the interim Secretariat, the GEF and its Secretariat have become close partners. The interim Secretariat has been invited to participate in and speak at various meetings, and also join specific retreats. GEF as a partner will be critical for the Minamata Convention as projects worth approximately USD 90 million are awaiting GEF Council approval in October 2016.

18. Lastly, regarding the staffing of the interim Secretariat, Mr. Duer outlined that the interim Secretariat remains small. In the run-up to COP1 the interim Secretariat has gained a Senior

Programme Officer, Claudia ten Have, who joins the team from the UNEP Executive Office to bring the total professional staff to four, in addition to two support staff.

19. A number of Bureau members supported greater clarity on the projects being supported by different GEF Implementing Agencies and funders in different countries and regions. Building on past discussions on this topic, the Chair hopes for a database in this regard by COP1, both for the overview towards ratification for entry into force, and also for the future to support the aim of universal status of the Minamata Convention. One Bureau member felt an analysis of the ratification status of individual countries was needed to know what support to prioritise. Mr. Duer acknowledged that information was quite dispersed. He outlined that the GEF is the major funder. In addition, projects are also led by UNITAR, UNIDO and through direct bilateral aid which is not always notified to UN channels. As such while the information is available, the interim Secretariat will call on additional, external capacity to arrange the information into a meaningful database for COP1.

20. Mr. Lenev specifically thanked the interim Secretariat for the well-run Regional Meetings in the run-up to INC7. He noted that the dates were notified in a timely manner so as to assist regional preparations. He also expressed appreciation that the topics at the Regional Meetings were joined and connected, greatly facilitating dialogue and preparation.

21. Ms. Guthrie underscored the importance of communication tools to assist the national level towards ratification. She mentioned communication tools prepared by CSOs that assist to translate Minamata objectives and requirements into layman's language. Mr. Duer also pointed to a number of communication tools produced by the interim Secretariat, including Minamata at a Glance, Minamata Convention Fact Sheets, an online course with InforMEA, as well as specific powerpoint presentations on technical issues.

## **6. Preparations for the next meeting of the Minamata Convention particularly focusing on those activities required to be completed by the end of COP1**

22. The Chair turned the Bureau's attention to the preparation of specific items of work required to be completed by the end of COP1, these include items emanating from the Minamata Convention text, from the Conference of Plenipotentiaries, and from INC6 and INC7 requests. He also requested the Bureau's analysis of broader political and strategic considerations to ensure a successful outcome of COP1.

### **a. Intersessional work requested by INC7**

23. The interim Secretariat outlined the areas of intersessional work requested by INC7 and progress so far, including: Firstly the development of draft guideline on interim storage (Article 10). The interim Secretariat in consultation with the BRS secretariat, as well as the UNEP Global Mercury Partnership and the IETC developed an initial draft of the guidelines. As per the time frame established the interim Secretariat circulated this draft to nominated experts at the end of July 2016. Experts have until November 2016 to submit their comments. Thereafter the interim Secretariat will produce a revised draft for circulation.

24. Secondly, Mr. Duer outlined the call for submissions sent by the interim Secretariat in April 2016 based on the INC7 request for Governments and others to provide additional information and guidance related to:

- guidance on artisanal and small-scale gold mining (Article 7),
- additional information on the use of mercury waste thresholds (Article 11),
- guidance documents or recommendation in relation of the management of sites contaminated with Mercury (Article 12), and
- on the effectiveness evaluation information of existing monitoring programmes, considerations of baselines were requested from countries and how they can contribute to an overall monitoring approach (Article 22).

For all these submissions 15 September 2016 was set as due date to allow the Secretariat to prepare draft documentation. At the time of the Bureau meeting, which was two weeks prior to the deadline, no submissions had yet been received.

25. Thirdly, Mr. Duer noted that the presentation of ASGM guidance was underway, with the first having been presented to francophone African countries in Abidjan. The interim Secretariat is now working to include further ASGM guidance presentations as components in already scheduled BRS, GEF, WHO, UNITAR, UNIDO or other partner meetings.

26. Lastly, Mr. Duer noted that on 29 July 2016, based on a request from INC5, the interim Secretariat sent a call for available information on the global levels of emissions and releases of mercury and mercury compounds from the open burning of waste. Submissions should be received by 9 December 2016 to enable the interim Secretariat to prepare the relevant documentation for COP1.

27. Some Bureau members reported that their regions were working on their submissions, and others noted that a prioritisation of submissions would be helpful, also in the context of submission requests emanating from the BRS Secretariat in preparation of the COPs in May 2017.

28. Mr. Duer explained that specific submission requests come from specific mandates. The Minamata Convention text requests the establishment of arrangements in relation to effectiveness evaluation (Article 22) by COP1. INC7 requests that COP1 considers and possibly adopts the revised guidance documents on the preparation of national action plans for artisanal and small-scale gold mining (Article 7). According to the Convention action on interim storage (Article 10), mercury wastes (Article 11) and contaminated sites (Article 12), is required at a future COP, but INC7 requested countries and the interim Secretariat to prepare documents for consideration by COP1.

29. Regarding the submission request for information on the use of mercury waste thresholds (Article 11), for clarity Ms. Guthrie inquired how this linked with the Basel discussions, given that Basel does not apply thresholds. The interim Secretariat clarified that they worked closely with the BRS Secretariat on all relevant issues relating to storage and waste mercury, drawing heavily on the technical materials already developed on the sound management of waste. The interim Secretariat reiterated that it aims to have the advanced English version documents ready for the BRS Regional Meetings in March 2017 to allow the Minamata elements, where relevant, to be considered.

30. On reporting (Article 21), Mr. Khashashneh asked whether the Special Programme can finance projects on joint reporting. The Special Programme secretariat received 50 project proposals of which some include joint reporting elements. The project proposals are currently being reviewed with the BRS and SAICM, and the Executive Board of the Special Programme will convene in October in Bangkok to review and approve a selected number of projects.

31. Following some discussion and clarification on the prioritisation of items and submission, taking in account the limited number of submissions received at the time of the Bureau meeting, and considering that the technical documents required for COP1 related to these Articles draw to a large extent on the information provided in the submissions, the Bureau requested the interim Secretariat to extend the submission period until 30 October 2016. This is in keeping with past practices on extending deadlines to allow for wider input and therefore more robust discussions and well-informed decisions at COP1. The Bureau also agreed to reach out, as Bureau members, to their regions to encourage further submission. The interim Secretariat also offered that should further information become available after the BRS Regional Meeting meetings, in particular as it relates to Article 11, this can be reflected in an addendum to the documentation.

#### **b. Expected working documents for COP1, including summary of action required**

32. The interim Secretariat then presented a provisional COP1 agenda and a proposal of documents for COP1. The provisional agenda and proposed document list follows the requests

emanating from the Convention, the Conference of Plenipotentiaries, and from the Intergovernmental Negotiating Committee. In this list, a significant number of items are stipulated for action by COP1, some are already ready for adoption at COP1, and some are items that ideally require COP1 to initiate action. After some discussion the Bureau requested the interim Secretariat to order the provisional COP1 agenda and with it the proposal of documents so as to prioritise all items that are required to be completed by the end of COP1, with other items ready for action or needing initial action to follow subsequently in the agenda.

34. With regard to the proposal of documents for COP1, the interim Secretariat outlined that a number of documents have already been adopted on a provisional basis at INC6 and INC7, and that these will need to be presented to COP1 for formal adoption. The Bureau requested the interim Secretariat to prepare simple draft decisions for these items. On the election of membership of the Implementation and Compliance Committee, the Bureau also requested the interim Secretariat to prepare a simple draft decision. The Chair in turn requested Bureau members to ensure all countries know that names for this Committee need to be put forward to the Secretariat at COP1.

35. The interim Secretariat further outlined that there would also be new documents and some that need to be amended or revised for COP1 consideration, these include documents related to the achievements of the Intergovernmental Negotiating Committee, establishment of arrangements in relation to the effectiveness evaluation, consideration of the financial mechanism, the host and arrangements of the permanent secretariat, the activities of the interim secretariat, and the programme of work and budget of the permanent secretariat.

### **c. Strategic planning for COP1 and beyond**

36. The Chair then turned attention to the strategic planning for COP1, its exact scheduling, and the preparatory instances to deliver a successful COP1.

37. The Chair noted that three regional preparatory instances for Parties and non-Parties would take place prior to COP1 to assist all countries in their preparations, namely:

- the BRS Regional Meetings in March 2017 for the BRS COPs where Minamata components would be added,
- the Minamata Regional Meetings in July 2017 dedicated to COP1 preparations, and
- Regional Meetings immediately prior to COP1.

38. Subject to sufficient ratifications, the Chair outlined that with COP1 scheduled to take place during the week of 23 to 29 September 2017 in Geneva, Switzerland hosted by the Government of Switzerland. He noted that Regional Meetings could run from midday, Saturday 23 September to midday, Sunday 24 September 2017. In this scenario formal negotiations could then begin as early as 3 p.m. on Sunday 24 September 2017, allowing for extra time to enable the first contact groups, if established, to begin work already on Sunday. The Bureau welcomed the one day Regional Meetings prior to COP1.

39. The Chair had also invited thoughts from Bureau members on a High Level Segment and related timing. The Bureau supported convening a High Level Segment from midday, Thursday 28 September 2017 to midday, Friday 29 September 2017.

40. The Chair recalled that the INC7 decided that the Bureau should assess the progress achieved at INC7 and, should it consider it necessary, request the interim secretariat to make arrangements for an eight session of the committee to be held immediately prior to and at the same venue as the first meeting of the Conference of Parties, in Geneva. The Chair opened a discussion on this matter.

41. Bureau members had different views on this matter. Ms Guthrie explained that her region distinctly supported an INC8 as, in their view, this was an inclusive and participatory gathering which had worked well in the past, and would underline country ownership keeping with the aspiration of

universality for the Minamata Convention. Mr. Lenev stated his region's preference for an INC8, noting that if no ratifications were completed from his region, there may not be a Bureau member for the Central and Eastern European countries. Ms. Watson outlined that her region has a clear preference to convene as COP only with no INC8 to bring the highest attention to the remaining discussions, but that every effort is to be made to include all voices and perspectives at COP1. Ms. Cromnier remarked that the differentiation among Parties and non-Parties in a COP setting may pose a risk to the remaining negotiation items. The Bureau engaged in an open discussion on the possible pros and cons of having an INC8 or not. During this discussion some items were clarified from previous COP1 experiences in the chemicals and waste cluster. The Rotterdam Convention had a one-day INC to resolve a specific issue, and the precedent from the Rotterdam Convention COP1 is that the INC Chair is requested to take on the role as COW Chair to resolve outstanding issues. It was also pointed out that a decision to have both an INC8 and a COP1 would make it two distinct meetings with possible additional funding required for conference services for document preparation. Following this discussion, the Chair invited the interim Secretariat to make some comments from a secretariat perspective on the matter.

42. The interim Secretariat clarified that the main difference between an INC8 or a COP model is that in the INC8 all participate at the same level, whereas in a COP setting some are Parties and some are not (not yet). While the INC can prepare decisions, it is the COP that will adopt the decisions. Given the aim of the Minamata Convention is to be universal, the intent from the Secretariat perspective has always been to maximise the opportunity to participate. Thus throughout the INC process the interim Secretariat has encouraged regional approaches and regional positions, so as to help prepare to combine views of Parties and non-Parties in the later COP setting.

43. The interim Secretariat further outlined, that looking specifically at the COP models, two options can be considered. The first is a COP/COW model, akin to UNEP's Governing Council and UNEA model. In this set up the Plenary deals mainly with the opening and closing of the meeting, adoption of the decisions and the high level segment matters. The Plenary also establishes a Committee of the Whole to deal with all technical issues, as necessary through drafting groups and contact groups. The Committee of the Whole is open to all, meets under its appointed Chair and allows issues assigned to it to move from the political level in the plenary set-up to the more technical group to deal with for final discussion. The outcome of the work of the Committee of the Whole is normally clean text for the Plenary to adopt. Another COP model is the current BRS set up, where the Plenary is used for both the high level and the technical work. All documents are introduced here, unresolved issues are assigned to groups and then taken back to Plenary. In this set up the Plenary may be required to address complex technical issues should they not have been resolved in smaller groups.

44. The decision on whether to convene an INC8 ahead of COP1, or only a COP1, though thoroughly discussed, was not resolved at this Bureau meeting. It was decided to take this discussion to the regions again and to reconvene the Bureau in a face-to-face meeting by the end of the year to decide on this matter, and related matters.

#### **d. Challenges and opportunities at COP1**

45. The Chair invited the Bureau to reflect on the outcomes of INC7 and the challenges and opportunities to make progress on these at COP1. The Bureau engaged mainly on the following five areas:

46. On the financial mechanism outstanding items which will need to be finalised at COP1 include the location, governance arrangements and duration of the Specific International Programme (SIP), the GEF Council comments on the MOU with GEF, and the GEF Guidance. Different Bureau members highlighted the importance of ensuring the participation of countries in the further discussions of the questions on the financial mechanism. The Chair called on all Bureau members to work in and among the regions to finding a good resolution to the operationalisation of the financial mechanism as is it imperative for the success of COP1 and more importantly, the long-term success of the Minamata Convention. Based on the outcomes of the INC7 on this matter the Bureau requested the interim

Secretariat to prepare the Financial Mechanism elements as two documents with the intention that they are considered together at COP1 and that the outcome of COP1 is one decision on the Financial Mechanism. The Bureau further stressed that the discussions at COP1 ought to be on outstanding issues only, and that matters resolved at INC7 should not be reopened.

47. On reporting, good progress had been made at INC7, however there are a number of interlinked issues remaining. Many of these relate to the determination of whether requested information is obligatory or considered supplementary. The Bureau requested the interim Secretariat to forward the reporting format to COP1, and also requested that the outstanding issues be considered intersessionally in order to reach agreement on the scope of the unresolved areas. It was stressed, as above, that the discussions should focus only on outstanding issues. For effectiveness evaluation, it was recognized that discussions at INC7 were not extensive, however the intersessional work prepared by the secretariat should provide a good starting point for discussions. It was noted that the role of COP1 is to initiate establishment of arrangements for providing itself with comparable monitoring data to assist in the evaluation of the effectiveness of the Convention, and that it was not likely that final decisions of the type of data required would be taken at this meeting.

48. On the financial rules some bracketed text remains which awaited the outcome of the UNEA2 discussions on Multilateral Environmental Agreements, and the clarification on UN financial rules and delegations of authority. The interim Secretariat explained that the Corporate Services Division of UN Environment will be on hand to assist on these matters.

49. On the Programme of Work and budget for the Minamata Convention, it is related to the final decision on the location and arrangements of the permanent Minamata Convention secretariat, and with it the host country arrangements. The interim Secretariat clarified that it will prepare three budget scenarios in US dollars using the BRS template and a two-year biennium starting 2018 for COP1 consideration, fully cognisant that the final decision on the secretariat will determine the budget option used. Two budget options would be presented in the context of a merger, and one in the context of a stand-alone secretariat. These budget options will be based on the revised version of document UNEP(DTIE)/Hg/INC.7/15, Report on proposals on how the Executive Director of UNEP will perform the functions of the permanent secretariat of the Minamata Convention. The Chair called on all to use the preparatory stages to ensure a good outcome of this important question at COP1.

50. Lastly, the Bureau turned to the question of the location and arrangements of the permanent Minamata Secretariat. Following an extended discussion, including on how to ensure the best practices are applied to ensure the success of the Minamata Convention at the international and specifically at the national and regional level, Mr. Perrez explained that based on the discussions at INC7 the Government of Switzerland will make a clarification to its host country offer which will be distributed through the interim Secretariat in advance of COP1. Furthermore, based on the outcomes of INC7, the interim Secretariat clarified it will revise the Executive Director's proposal in light of requests made, and based on the clarifications from the Government Switzerland amend as necessary, the analysis of the Swiss offer. The Bureau also made reference to awaiting the result of the review of BRS synergies process. Following the constructive engagement of all on this issue, the Chair concluded that the centrality of this question to the overall success of COP1 and the long-term future of the Minamata Convention requires the cooperation of all countries. He indicated that it may be possible to make more progress on this and other questions at the next face-to-face Bureau meeting and offered to extend it to the traditionally successful Indaba setting if necessary.

#### **e. Regional preparation for COP1**

51. Recognising the fundamental importance of regional preparation, the Chair thanked the European Union and the Government of Switzerland for already committing full funding to the Minamata Regional Preparatory meetings planned for July 2017. Upon questions from Bureau members the interim Secretariat clarified that one person from eligible countries representing both Parties and non-Parties would be sponsored for the Minamata Convention Regional Preparatory

meeting. The locations of the meetings have not yet been determined, but the intent is to work with BRS regional centres where possible, as successfully done previously.

52. In closing, the Chair also noted that Bureau members need to use the Regional Preparatory meetings to prepare regions to have the following nominations from Parties ready by mid-September 2017, namely the nominations for COP1/COP2 bureau members who would take office at the beginning of COP1 until the end of COP2 as per the rules of procedure, and the Implementation and Compliance Committee.

#### **f. High level segment at COP1**

##### **(i) Special events**

53. The interim Secretariat presented some initial thinking on special invitees and special events, including installations and events surrounding the conference venue to ensure COP1 receives highest attention as a celebration of success at the multilateral level. Various Bureau members added valuable ideas including on how to include science, business, law, sports and the arts, and other areas such as oceans and forests, to help raise the profile of mercury and the Minamata Convention.

##### **(ii) Outcome of the high level segment**

54. The Bureau engaged in brainstorming on the proposed COP1 High Level Segment agreeing that the High Level Segment is to be pitched at the highest level to raise the profile of mercury and the interconnections of the Minamata Convention with the greater sustainability agenda.

55. Regarding thematic areas the High Level Segment could address suggestions included making the link to climate change, to health, and to human rights. Furthermore Bureau members also mentioned the need for private sector and business community relevance and engagement. The Chair also added that sister organisations will need to be brought into the celebrations, including the World Health Organisation, the International Labour Organisation, and the High Commissioner on Human Rights. Furthermore, involving the scientific community was prioritised, including the link to the International Conference on Mercury as a Global Pollutant (ICMGP) that will meet in July 2017, as well as UNEP's Global Mercury Partnership (GMP).

56. The Bureau discussed whether or not to have a ministerial declaration at COP1. While a Bureau member reported that one country requested not to have a ministerial declaration, many Bureau members felt consideration for a simple yet celebratory declaration focusing on the achievement of the convention and produced in a transparent and inclusive process was merited. Care would need to be taken that the preparation of the declaration would not divert attention from the main preparations and negotiations.

57. Regarding the options for the High Level Segment, the interim Secretariat clarified that a number of ideas can be thought through, such as the opportunity for national statements, the option of roundtables and panels, including some in a more Davos-style set up. A High Level Segment over two days provides the opportunity for various modalities and innovations to be accommodated. The Chair requested the interim Secretariat to prepare a draft concept on the structure and content of the High Level Segment for consideration at the next face-to-face bureau meeting.

#### **g. Funding for COP1 and its preparatory activities**

58. In support of the work of the interim secretariat, Mr. Duer expressed the interim Secretariat's particular appreciation to the funding made available by China, the United States, the European Union and by Switzerland, and all the other donors.

59. Mr. Duer outlined that in preparation for COP1 the interim Secretariat has produced cost estimates to help indicate the resources required. A five-day COP would require at least USD2 million, with USD900,000 for conference services. The interim Secretariat gratefully acknowledged that the Swiss government has confirmed its support for COP1, while recognizing that additional funds will still be required.

60. In preparation for COP1, the interim Secretariat very gratefully acknowledges the generous support of Switzerland and the European Union to already confirm that full funding is available for the Minamata Regional Preparatory meetings in July 2017.

#### **h. Logistical Planning for COP1**

61. The interim Secretariat confirmed that the CCIG is booked from 23 to 29 September 2017 for the Minamata Convention, and that based on the Bureau discussion the High Level Segment is expected to take place from midday on Thursday, 28 September to midday Friday, 29 September 2017. All Bureau members were requested by the Chair to assist to alert their regions to save these dates.

62. The interim Secretariat further clarified that invitations are expected to be sent out before the BRS Regional Preparatory meetings convene in March 2017. Invitation letters will be sent, as per regular practice, to the UNEP Official Contact Points, with copies to all missions, all focal points (including SAICM focal points) and the Bureau members. The general letter will also be complemented by personalised letters from the Executive Director of UN Environment to Ministers and other high level participants. Given the high level nature planned for COP1, Mr. Perrez added that the Swiss President as host would send personalised invitations to high level invitees too.

63. COP1 documents will be ready for use at the Minamata Convention Regional Preparatory meetings in July 2017 in six languages. The interim Secretariat intends to have as many documents as possible ready in English advance copy for use at the BRS Regional Preparatory meetings in March 2017.

64. The interim Secretariat pointed out that the issue of credentials is very important for the smooth running of COP1. As per the rules of procedure, credentials are due before COP1 and no later than 24 hours before the start of the meeting. Unlike at the Diplomatic Conference, full powers are not required for COP1. The interim Secretariat will communicate credential criteria clearly in the invitation letter, through Regional Preparatory meetings, at briefings at various UN duty stations and include templates on the Minamata Convention website. Based on the good experience of the Diplomatic Conference in 2013 the interim Secretariat will have a small team dedicated to check credentials and work with delegations.

#### **7. Consideration of activities (past and future) within chemicals and waste, with a reflection on their possible impacts on the future work under the Minamata Convention**

65. Ms. Guthrie informed that a regional workshop is planned in October in Kingston on health issues related to the Minamata Convention to which the interim Secretariat is invited. She also reported that the CARICOM's MIA inception workshop is taking place in Trinidad in October. Mr. Lugris reported that Uruguay is arranging a regional meeting in Colombia from 3 to 5 October to collect reflections around the region, in particular in relation to monitoring capacities. He also noted that Uruguay with France and Brazil will put forward a draft resolution at the Whaling Commission to highlight the issue of mercury.

66. The interim Secretariat informed that the Special Programme Executive Board meeting is set for 11 to 13 October 2016 in Bangkok to review applications received during the first application round. More than 50 applications have been received, though only a limited number will be approved. He thanked the EU, the USA, Sweden, Germany, Finland, the Netherlands and Austria for their very generous contributions to the Programme.

67. Furthermore, the interim Secretariat provided an update on the intersessional process on SAICM and sound management of chemicals and waste beyond 2020. He informed that the first meeting of the intersessional process is taking place in early February 2017. He further informed that UN Environment is also working on an update of the 2012 Global Chemicals Outlook, to be ready for the SAICM OEWG3 in 2018 to inform the discussions. He noted that the Global Waste Outlook was launched in 2015.

68. The interim Secretariat continues to work closely with the BRS secretariat, which includes participating in each other's workshops, and particularly during the Regional Preparatory meetings. As per previous practice, the BRS Secretariat will also provide input relevant to Minamata COP1 documents.

69. The interim Secretariat further explained that the GEF is a very important partner. The next Council meeting is in October 2016. The interim Secretariat works closely with the GEF Secretariat, also in terms of input to broader strategy and engagement with the broader GEF constituencies in light of discussions towards the GEF7 replenishment.

70. The interim Secretariat also works with the UNEP Global Mercury Partnership. The GMP is currently undertaking a trade study, as well as support work on ASGM and effectiveness evaluation. The interim Secretariat provides technical and substantive input with the objective of ensuring a coherent approach, particularly where the work of the GMP may contribute to the mandate given to the secretariat by INC7.

## **8. Next bureau meeting before COP1**

71. The Chair concluded that though the Bureau made good progress on many items of preparation, the question of whether it is necessary to convene an INC8 prior to COP1 is not yet resolved. As such, another face-to-face meeting by the end of 2016 would be required. The Chair offered to welcome the bureau in Beijing, and considered to expand the meeting to include Co-Chairs of contact groups keeping with the Indaba style of consultation utilised at other key moments during the Intergovernmental Negotiating Committee process. The interim Secretariat will be in contact with Bureau members and others on possible date options.

## **9. Any other issues raised by the bureau**

72. No further issues were raised by the bureau.

73. In closing the Chair thanked the Bureau members for a productive and reflective meeting. He thanked the interim Secretariat for their work to organize the Bureau meeting and looked forward to working closely with the interim Secretariat in the coming months. The Chair thanked Mr. Perrez for participating in the bureau for the COP Presidency, and reiterated that he, the Bureau and the interim Secretariat look forward to working with the incoming Presidency towards the thorough preparation for a successful and celebratory COP1. Lastly, he thanked Mr. Kapindula for Zambia's warm hospitality and the opportunity to have come to the Victoria Falls, one of the Seven Natural Wonders of the World.

## **10. Closure of the bureau meeting**

The meeting was closed at 8 p.m. on 25 August 2016.