

Note on options for convening the Minamata COP-4 in light of the COVID-19 pandemic

Note prepared by Secretariat for the fourth online meeting of the Bureau of the fourth meeting of the Conference of the Parties, 3 March 2021

Introduction

1. The fourth meeting of the Conference of the Parties to the Minamata Convention (COP-4) is scheduled to take place in Bali, Indonesia, from 1 to 5 November 2021.
2. Travel and social distancing restrictions introduced by many countries in response to the COVID-19 pandemic and the uncertainty around the evolution of such restrictions are likely to significantly affect the preparation and proceedings of COP-4 and may not allow the organization of the COP in its usual format. As informed by the host country of COP-4, there is a high possibility that the Indonesian government will not allow large-scale gatherings, including an international conference, by the end of 2021.
3. Critical preparatory steps for the organization of a face-to-face meeting in November 2021 must be initiated by end of April 2021 (e.g. send out of invitation letters and begin registration of meeting participants on 1 May). Meeting documents also must be prepared in advance and in the six official languages of the United Nations to ensure the successful organization of COP-4.
4. The Secretariat and the host country Indonesia have been exchanging on this matter to seek a possible way forward.
5. Under this unprecedented and exceptional situation, it may be appropriate and timely for the Bureau to consider alternatives to the originally planned meeting with the aim of deciding on the format of the COP-4 at the latest by mid-April 2021 and therefore ensuring the effective planning and conduct of the meeting.
6. The current programme of work and budget of the Minamata Convention ends in 2021. One of the tasks of COP-4 will be to decide on the programme of work and budget for the 2022-2023 biennium to allow the intersessional work to continue and the Secretariat to operate.
7. In this context, the role of the Bureau to guide the preparation of the provisional agenda for the COP-4 is particularly important. The Bureau may want to pay particular attention to the impact of the decision on the format of COP-4, on the content of its provisional agenda, and consequently, on the intersessional work to be carried out in the period from 2022 until the COP in 2023.
8. More specifically, should a face-to-face COP-4 prove not to be possible, the Bureau may want to consider which agenda items need to be considered at COP-4 for the Convention's work to continue. Under the guidance of the Bureau, the Secretariat could prepare a mapping of prioritized essential, time-sensitive and ongoing regular work items for consideration for the fifth meeting of the Bureau.
9. Any consideration of prioritized agenda items in a virtual setting would require that delegations are given opportunities to prepare for such consideration of particular agenda items in advance of the COP. Such opportunities could be provided by organizing e.g. dedicated sessions, including before and during regional preparatory meetings.
10. The Secretariat would therefore like to propose the following two alternatives for COP-4. The first option would be to convene COP-4 in two parts, a first part to be smaller-scale and conducted online in 2021 and a second part to be held in the first quarter of 2022 in person, which would conclude the consideration of agenda items that were not fully addressed in the first part of the meeting. The second option would be to organize a virtual COP-4 in 2021 with consideration of prioritized agenda items (e.g. the Convention's programme of work and budget for the biennium 2022-2023 as well as selected regular items), which will be followed by COP-5 in 2023.



Options proposed by the Secretariat for COP-4

11. The options proposed have been developed by the Secretariat after giving due consideration to the applicable rules of procedure of the COP. These options are proposed as a response to an exceptional situation and are not intended to introduce a permanent change in the way COPs will be conducted in a post-COVID-19 future.

Option 1: Convene COP-4 in two parts, a first part to be conducted online in 2021 and a second part to be held in the first quarter of 2022

12. The assumptions under this option are that, by the time a decision on the format of the meeting is taken, there may not be sufficient improvements with the COVID-19 pandemic situation on a global level and that restrictions remain in place. As a consequence, it would not be feasible to organize the COP in 2021 in its usual face-to-face format.
13. Under this option, the meeting would be held in two parts: a first part which would be conducted online within the period of 1 to 5 November 2021 (specific number of days and timings of the sessions to be determined) in order to consider the Convention's programme of work and budget for the biennium 2022-2023, and other essential, time-sensitive and ongoing items of the agendas, and adopt related decisions; and a second part which would be conducted in-person in the first quarter of 2022 in Bali, Indonesia. During the second part of the meeting - which would remain under the Indonesian presidency - the Conference of the Parties would consider/resume consideration of the remaining items of the meeting agenda.
14. This option would require that the Conferences of the Parties approve the necessary budget for the 2022 meeting during the first part of the meetings in 2021. The preliminary estimated additional costs of this option would be approximately within a range of USD 260,000 - 340,000 and would pertain to the need for e.g. additional capacity (registrations, in-session documents and paperless, etc.) and additional costs of interpretation and conference services (translation of meeting documents and reports, etc.). The additional costs would depend on the duration of the respective two parts of the meetings. Some proportion of the budget for the 2022 meeting could also be developed by moving savings into the budget of 2022-2023 biennium.
15. As per the rules of procedure, the provisional agenda of the meeting of the Conference of the Parties shall be prepared by the Secretariat in agreement with the President and shall include the matters specified in rule 10 of the rules of procedure. The practice has been that, during Bureau meetings held intersessionally, the President seeks the guidance of the Bureau for the preparation of the provisional agenda of the COP.
16. In line with past practice for preparing the provisional agenda of the meeting of the Conference of the Parties, the Secretariat could present to the Bureau a list of possible agenda items that could be prioritized for consideration during the first part of the meeting. These could include essential, time-sensitive and ongoing regular work items, such as the Convention's programme of work and budget for the biennium 2022-2023 as well as selected substantive issues that would require the attention of the COP including in preparation for the second part of the meeting in the first quarter of 2022. For items not addressed during the first part of the meeting, conclusions could be reached, or alternatively procedural decisions could be adopted, to guide as needed the intersessional work until the second part of the meeting.
17. The interpretation of the discussions in all six official languages of the meeting of the Conference of the Parties would be provided in both parts of the meeting. The first part of the COP would be conducted using available online platforms (e.g. Interprefy), to be decided at a later stage.
18. To compensate for the limited timing available during the first part of the meetings which would be conducted online, briefings and other exchanges would be organized, in addition to regional preparatory meetings, to help delegations to prepare for discussions on set agenda items.
19. Rationale for this option: Holding online sessions of COP-4 in 2021 would ensure that important decisions can be taken in a timely manner before the end of the current biennium, while the consideration of the remaining decisions would be postponed by a few months only. Holding the second part of the COP in the first quarter of 2022 would allow to keep momentum for decision making and avoid the risk of overlap with



other MEA COPs and international meetings already scheduled to take place later in 2022. A short interval between the two parts of COP-4 would also help streamline the preparation and submission of documents for the COP. A lower risk of COVID-19 infection and a greater availability of vaccinations might increase the possibility of organizing the second part of COP-4 in 2022 face-to-face. Large-scale gatherings in Indonesia can be expected to be allowed again in 2022.

20. Possible challenges: There is still a risk that the COVID-19 pandemic situation does not improve substantially in 2022. There would be less time available between the resumed face-to-face part in 2022 and the meeting of the Conference of the Parties in 2023, which may then require to adjust the intersessional work until COP-5 in 2023.

Option 2: Organize COP-4 online with consideration of prioritized agenda items

21. The assumptions under this option are that, by the time a decision on the format of the meeting is taken, there may not be sufficient improvements with the COVID-19 pandemic situation on a global level and that restrictions remain in place. As a consequence, it would not be feasible to organize the COP in its usual face-to-face format. In this context, consideration could be given to hold the meeting through an online format, taking into account the recent examples of convening online meetings under other international fora.
22. In this scenario, COP-4 could be conducted over the original period of 1 to 5 November 2021 through an online meeting platform. Given the online format, this option would require adjusting the timings of the sessions, with due consideration to all time zones to ensure global, equitable and feasible participation.
23. In the present scenario, consideration could be given by the Bureau to which items of the provisional agenda would be considered, and to what extent, during the meeting. Priority could be given to considering a selection of items towards addressing essential, time-sensitive and ongoing regular work items, such as the Convention's programme of work and budget for the biennium 2022-2023 as well as identified substantive issues. The substantive consideration of prioritized agenda items would provide the Conference of the Parties with an opportunity to advance the work on relevant documents, based on existing mandates, before their further consideration at COP-5. Any items of the agenda of the meeting, consideration of which was not completed or even started at the meeting, would be included automatically in the respective agenda of COP-5 in 2023 (unless otherwise decided by the Conference of the Parties).
24. In line with past practice for preparing the provisional agenda of the COP, the Bureau could consider which items of the provisional agenda could be prioritized for consideration during such an online meeting. A consultation process under the leadership of the President could be envisioned towards identifying the prioritized agenda items that would be proposed to be considered during the online meeting and those whose consideration would be proposed to be deferred to the next meeting of the Conference of the Parties. For the latter items, conclusions could be reached, or alternatively procedural decisions could be adopted, to enable the work to continue until the next meeting of the Conference of the Parties.
25. The meeting could be composed of plenary, as well as contact group sessions, in an online setting. The plenary sessions of the online meetings would include interpretation of the discussions in all six United Nations languages.
26. To compensate for the limited timing available during the meetings, briefings and other exchanges could be organized, in addition to regional preparatory meetings, to help delegations to prepare for discussions on particular agenda items.
27. Under this option, the budget of the 2021 meeting of the Conference of the Parties approved by the Conference of the Parties in 2019 is expected to be sufficient, with some possible cost savings.
28. Rationale for this option: The original timing of the meeting can be maintained, and important and time-sensitive decisions, could be adopted. The substantive consideration of selected agenda items would provide COP-4 with the opportunity to receive and review comments on relevant documents, based on existing mandates, before their further consideration at COP-5. This option would allow the COP-4 to carry forward the intersessional work and assist COP-5 in developing and keeping under continuous review the implementation of the Convention's work plan and specific decisions taken by the Conference of the Parties for the implementation of the Convention (a function equivalent to the one performed by the Open-ended



Working Group of the Basel Convention). This option would also avoid risk of COVID-19 infection among participants.

29. Possible challenges: This option may require a prioritization of the decisions to be adopted due to the limited time available and the online format of the meeting. It also implies the deferral of substantive consideration of a number of issues to the next meeting of the Conference of the Parties in 2023. This may entail the need to extend the duration of the COP-5 in 2023 over more than one week to adequately cover all agenda items. There may be challenges due to connectivity problems and time zone differences.

Conclusions on options for COP-4

30. The two options outlined above are considered being technically and budget-wise feasible by the Secretariat and offer the possibility to adopt essential and time-sensitive decisions, while taking into due consideration the participants' health. It should be noted, as mentioned above, there are financial implications of option 1.

Next steps

31. In terms of timelines for considering and deciding on the organization of COP-4, the Bureau will have the opportunity to have a first exchange of views regarding the options at its meeting on 3 March 2021. During this meeting, the Bureau may want to agree whether alternative options would be more advisable than the organization of the COP-4 in its usual format (face-to-face meeting). This would allow the Secretariat to initiate the necessary adjustments to the arrangements for COP-4 in a timely manner.
32. Following the meeting in March 2021, Bureau members could organize consultations with their respective regions to further discuss options on the format of COP-4. The Bureau is also invited to consider the content of the provisional agenda for COP-4 in collaboration with the Secretariat until the fifth meeting of the Bureau that is suggested to be organized in a few weeks time.
33. For the effective planning of the meeting, it will be essential that a final decision on the format of COP-4 be made by mid-April 2021 at the very latest.