

Note on the mandate and functions of the Bureau of the Conference of the Parties to the Minamata Convention on Mercury

Note prepared by the Secretariat for the second online meeting of the Bureau of the fourth meeting of the Conference of the Parties, 4 June 2020

Introduction

Pursuant to Rule 22 of the [Rules of Procedure of the Conference of the Parties](#) (COP), the COP shall elect a Bureau comprised of a President and nine vice-Presidents. These officers shall serve as the Bureau of the Conference of the Parties. Each of the five United Nations regional groups shall be represented by two Bureau members. These officers shall commence their term of office at the closure of the meeting at which they are elected and remain in office until the closure of the following ordinary meeting of the Conference of the Parties, including for any intervening extraordinary meeting. The Chair of the Implementation and Compliance Committee is a member ex-officio of the Bureau.

Rule 24 states that the President, if temporarily absent from a meeting or any part thereof, shall designate a Vice-President to act as President. The President so designated shall not at the same time exercise the rights of a representative of a Party.

Please find more information on the COP-4 Bureau [here](#).

The Bureau performs several functions during the COP as well as in the intersessional period.

1. Examining credentials

The only task of the COP Bureau specified in the COP Rules of Procedures is to examine the credentials of the representatives to the negotiating session and submit a report on these to the COP (Rule 20). One of the Bureau members serves as chair of the credentials committee. This function would not be fulfilled by the President.

However, the lack of detail in the rules of procedure belies a much greater informal role for the Bureau in providing process-oriented leadership.

2. Advising the President of the COP

The Bureau is responsible for advising the President with regard to the overall management of the intergovernmental process. It assists the President in the performance of his or her duties by providing advice and by helping with various tasks.

The Bureau is not a forum for political negotiations. Its most important role is to serve as a consultation forum for the President, but this will almost always concern process-related and organizational, rather than, for instance, substantive matters. The COP President, for example, may ask members to undertake consultations on his or her behalf. The President may also seek the Bureau's advice on how to handle a contentious agenda item or how to organize the final stages of negotiations. Bureau members' feedback on potential issues and approaches before they are formally proposed to the Parties can overcome unanticipated objections or problems. Similarly, Bureau members may spontaneously raise issues or problems of concern to their constituencies in COP Bureau meetings, thereby providing advance indication of the underlying tensions in the

negotiations. The Secretariat may also seek advice and guidance from the Bureau on process-related and organizational matters.

A key underlying factor to the work of the Bureau is that, unlike the President, Bureau members represent their constituencies – that is, the nominating regional groups. COP Bureau members are expected to inform their region about relevant information, including from the Secretariat, to elicit the views of their regions, and report back to them. Bureau members, as representatives of UN regions, support the regional process according to the practice in their respective regions with the aim of bringing forward regional perspectives.

3. Overseeing the preparation of COP meetings

The President, in cooperation with vice-presidents, is to guide the preparation of the provisional agenda and the overall COP process management, including the chairing and formation of smaller groups. Rule 9 of the COP Rules of Procedure requires the Secretariat to prepare the provisional agenda of COP meetings in agreement with the President. The agenda shall include, *inter alia*, any item proposed by a Party and received by the Secretariat before the provisional agenda is circulated. Rule 12 further requires the Secretariat to include, in agreement with the President, any item that is proposed by a Party and has been received by the Secretariat after the provisional agenda for an ordinary meeting has been produced, but before the opening of the meeting, in a supplementary provisional agenda.

The Bureau regularly meets face-to-face and/or electronically during the intersessional period, as well as during the COP meeting. The President is to chair the meetings of the Bureau.

For example, the COP3 Bureau met once by teleconference and twice face-to-face before it met on the day before COP3. Taking this practice into account and given that the 2020-2021 Minamata budget includes only one face-to-face meeting for 2021, it is proposed that the Bureau has quarterly teleconferences in 2020 and 2021, and one face-to-face meeting in 2021. The Bureau will also meet on the day before the start of COP4, and every morning during COP4.

Regional preparatory meetings will be convened to prepare for COP4 subject to the availability of resources, where Bureau members are to serve as co-chairs. Regional meetings will also be convened on the day before the COP-4 and every morning during the COP.

4. Supporting the work of the intersessional period

Bureau members may be called upon to support and advise on intersessional process management.

For the current intersessional period, work has been foreseen on a number of matters, such as Annexes A and B, mercury waste thresholds, mercury releases, and effectiveness evaluation.

According to relevant COP3 decisions, the Bureau facilitated the nomination of members of experts' groups from each regional group through their respective Bureau members. In this respect, the Secretariat issued a "call for information and follow-up on the decisions adopted by COP 3" letter on 13 December 2019 where parties were invited to confirm current members, nominate new members or replace members of technical expert groups on releases, waste thresholds, and review of annexes A and B, through Bureau members. The deadline to finalize the list of experts was 31 March 2020.

5. Cooperation with other entities

Subparagraph 5(b) of Article 23 of the Minamata Convention provides that the COP shall cooperate, where appropriate, with the competent international organizations and intergovernmental and non-governmental bodies. There may be opportunities where the President and the Bureau members participate in events within their role as the President or a Bureau member, respectively, to share perspectives from the Minamata Convention. Occasionally the President and/or the Bureau may be invited to consultations and information exchange within other international processes, such as the United Nations Environment Assembly or with other multilateral environmental agreements.