

Fifth session of the intergovernmental negotiating committee on mercury



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INC Chair

Briefing to the Permanent Missions

Geneva, 4 December 2012

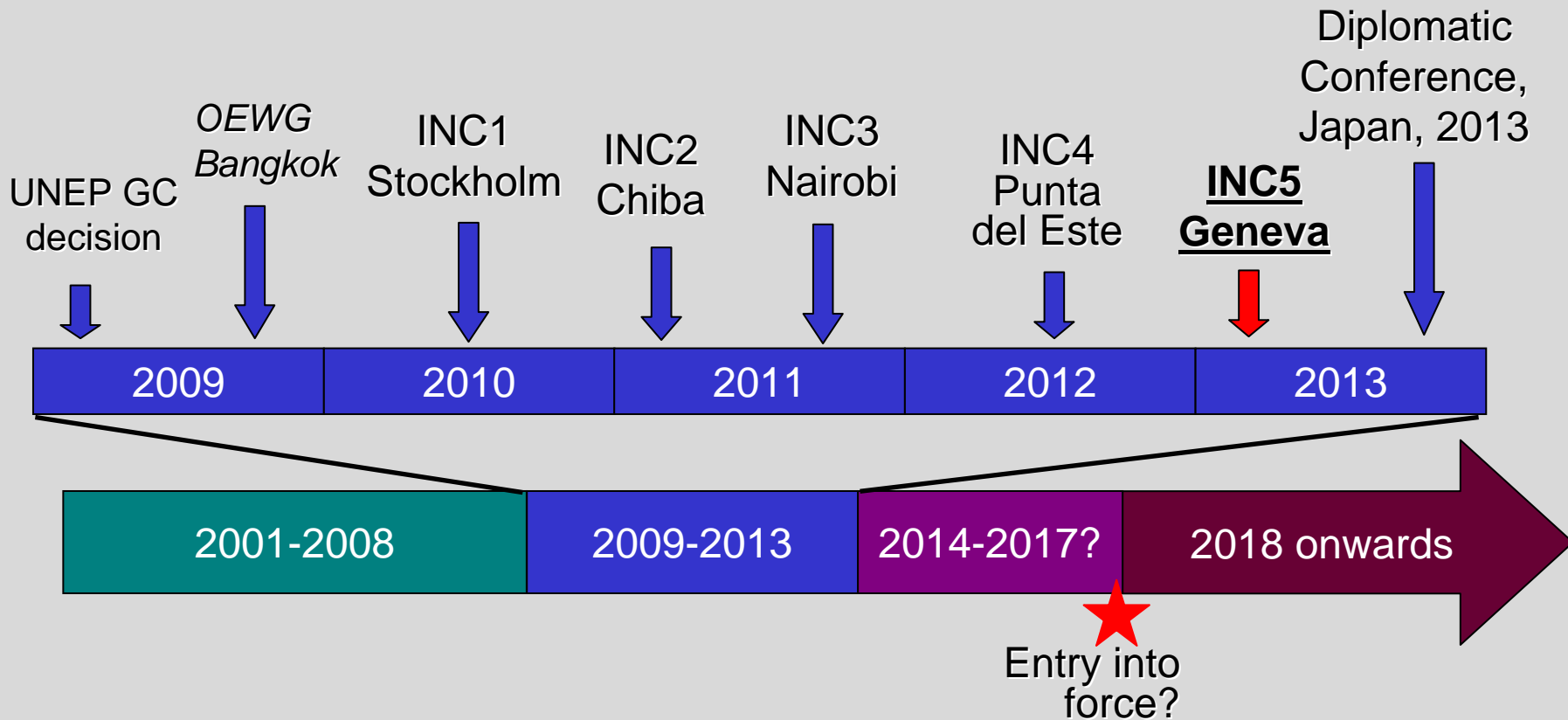
Mercury : A global issue

2009: Governments agreed on the need for a global legally binding instrument on mercury and established an Intergovernmental Negotiating Committee (INC)



Treaty Negotiations Process

5 Intergovernmental Negotiating Committee sessions:



Progress made at INC4

Discussions both in plenary and in contact groups with **cooperative spirit**

In depth discussion
on articles not
previously discussed

Presentation of
views on all the
draft articles

Preparation of text

Mandate for intersessional work

- **Preparation of a Chair's text**
- **Emissions and releases:** compiled information provided by Governments about thresholds in use in regulating mercury at the national level, and on sources of emissions and releases of mercury to land and water.
- **Health:** set up the results of the analysis on the extent to which the provisions of the draft text reflected the content of article 20 bis on health aspects.
- **Draft elements of the final act:** to be adopted at the anticipated Diplomatic Conference in October 2013 at which the mercury instrument would be signed.

Chair's text for consideration at INC5

- General approach -

Builds on text annexed to the report of INC4 (UNEP(DTIE)/Hg/INC.4/8)

Includes consideration of discussions during INC4 and my consultations with governments in the intersessional period

Retains major policy choices unresolved by INC4

Consolidates and simplifies wording to facilitate clear choices between options where necessary

Provides consistency between articles in wording and structure

Note that articles and annexes have not been renumbered or renamed, but within articles paragraphs have been numbered consecutively

Chair's text for consideration at INC5

- Structure -

Annex I

Commentary setting out explanation of changes made

Appendix table providing detailed, paragraph by paragraph changes.

Annex II

Sets out Chair's text without any explanatory notes

Chair's text for consideration at INC5

- presentation of articles -

3 groups of Articles:

1. Articles with no change from INC4

- Introduced at INC4 but not yet discussed (such as articles 16 bis and 20 bis);
- With outstanding policy issues which did not need editing for clarity (such as the Preamble, articles 8 bis, 14, 21 and 31); and
- Either with consequential changes to be resolved after other issues considered or with no outstanding brackets reviewed by legal group (such as articles 26, 28, 29, 30, 35, 36 and Annex J).

2. Articles with minor editorial changes (such as articles 17, 18, 19, 20, 22 and 24)

3. Articles which required more redrafting to ensure readability and simple policy choices

Regional consultations

Prior to INC5

Asia and the Pacific Bangkok, Thailand 31 Oct-1 Nov	Africa Tunis, Tunisia 20-22 Nov	GRULAC Bogota, Colombia 26-29 Nov	CEE Brno, Czech Republic 8-9 Dec
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During INC5

- Opportunity for regional and inter-regional meetings at INC5 on Saturday 12 January.
- During the week, facilities available for regional and other group meetings.

Preparation for the fifth session

Dates: Sunday 13 January to Friday 18 January 2013; six days to ensure sufficient time for the negotiations and for the Legal Group's review.

Preparedness for the final session

Review in advance all the elements of the Chair's text.

Make the best use of the intersessional period: consultations

National

Regional

Bilateral

Inter-regional

INC 5

Objective: To conclude negotiations and produce a complete text for the mercury convention, fulfilling the mandate of Governing Council Decision 25/5.

Limited time

➔ efficiency in discussions, flexible attitude, and focus on the policy matters

Opening ceremony

remarks on regional basis

Opening remarks limited to issues directly contributing to progress

Chair's text for consideration at INC5

-Some sections where options presented
-New text on certain issues

Final plan for the organization and flow of the session will be decided by the Bureau in its last meeting prior to INC5

Plenary - Small groups - Drafting groups

...where a smaller number of government delegates only will focus their attention on ensuring policy choices made in larger groups are accurately captured in the text.

What groups and when to be decided.

Encourage chairs and co-chairs to meet regularly.

Desired Outcomes of INC5

The outcome of INC5 is a complete mercury convention that can be signed at the Diplomatic Conference in Japan.

Desirable to make significant progress in developing and reviewing at INC5 the necessary documentation for adoption at the preparatory meeting to and at the Diplomatic Conference.

Important role of the Permanent Missions as part of their national delegation, to assist in the provision of rapid responses necessary to conclude negotiations, etc.

