



Distr.: General  
3 October 2018

English only



## United Nations Environment Programme

---

**First Meeting of the Governing Board**  
**Specific International Programme to support capacity-building and technical assistance**  
**Minamata Convention on Mercury**  
Geneva, 15-16 May 2018

---

### **Report of the first meeting of the Governing Board<sup>1</sup>**

#### **I. Opening of the meeting (agenda item 1)**

1. The meeting was opened at 9.00 a.m. on Tuesday, 15 May 2018, by Ms. Rossana Silva Repetto, Executive Secretary, Minamata Convention on Mercury. She welcomed the members of the Governing Board to its inaugural meeting, and expressed her delight to see the strong support of the Conference of the Parties to the Specific International Programme and the nomination of all the members of the Governing Board. She informed the Governing Board that pledges and contribution to the Specific International Programme Trust Fund had been received from Austria, Denmark, Norway, the United Kingdom and the United States of America, totalling to USD 800,000, the largest contributor being Norway with the contribution received of USD 500,000. She explained three areas of work for this meeting, namely: to decide on the Governing Board's rules of procedure; to consider the application process so as to operationalize the Specific International Programme; and to consider elements of a resource mobilization strategy for the Programme. She emphasized that the Secretariat was fully set to act on the outcomes of this meeting to launch the call for applications to this first round so that the Specific International Programme is fully operationalized. The hope is to select the first projects for support before the second meeting of the Conference of the Parties convening in November 2018.

2. As the Co-Chairs were still to be elected, Ms. Silva Repetto presided over the opening of the meeting (agenda item 1) and the election of the Co-Chairs (agenda item 2(a)).

3. Members from Ghana, Sri Lanka, Thailand, Armenia, Estonia, Argentina, Brazil, and the Netherlands participated in the meeting. The member from Norway could not participate but was represented by an alternative member nominated by him. The member from Chad could not participate. A representative of the Secretariat of the Special Programme on the institutional strengthening at the national level for the implementation of the Basel, Stockholm and Rotterdam conventions, the Minamata Convention and the Strategic Approach to International Chemicals Management attended the meeting as a resource person to the Secretariat. The list of participants is attached as Annex 1.

---

<sup>1</sup> This document has not been formally edited.

## II. Organizational matters (agenda item 2)

### A. Election of Co-Chairs

4. Mr. Sam Adu-Kumi (Ghana) and Mr. Reginald Hernaus (The Netherlands) were elected as Co-Chairs. They presided over the remainder of the meeting.

### B. Adoption of the agenda

5. The provisional agenda (UNEP/MC/SIP.1/1) was adopted, with a change from “adoption of the meeting report” to “consideration of the meeting report”, as the report would be adopted at the Board’s following meeting.

### C. Organization of work

6. The Co-Chairs outlined that the meeting will convene from 9.30 a.m. to 12.30 p.m. and from 2 p.m. to 5 p.m. daily, with the possibility of extension to later hours as necessary. The Co-Chairs also stated that the meeting would be conducted in English.

## III. Rules of Procedure for the Governing Board of the Specific International Programme (agenda item 3)

7. The Secretariat presented document UNEP/MC/SIP.1/3, the draft rules of procedure, noting that the terms of reference of the Governing Board adopted by the Conference of the Parties provided that the Governing Board was to adopt its own rules of procedure and present them to the Conference of Parties at its second meeting for its information. The draft rules of procedure were prepared based on the decision on the Specific International Programme taken at the first meeting of the Conference of the Parties (MC-1/6, and its two annexes). They were further modelling on similar rules used in other programmes, such as the Special Programme<sup>2</sup>, taking into account the differences between these respective programmes. The draft included some brackets. Some of the brackets reflect unresolved text from the decision MC-1/6, that will be presented to the Conference at its second session. In other cases, the brackets indicated options for the Governing Board to consider at its meeting.

8. The Governing Board considered the draft rules of procedure in-depth, exchanging views on a number of procedural and a number of substantial issues, including the membership of the Board, the term of the Board members, the participation of observers, the public availability of its documents, and the issue of potential conflict of interest when considering and deciding upon project applications.

### 1. Membership

9. On the membership of the Board, Rule 3 paragraph 1 follows the terms of reference adopted by the Conference of Parties at its first session, which stated that the Board “shall consist of 10 members [from] [nominated by] Parties”. And that “each of the five United Nations Regions shall nominate two members through their respective Bureau representatives”. The Board noted that as the matter of whether members are nominated from Parties or by Parties remains unresolved, the Board is constituted of members from Parties that were notified to the Secretariat by their region’s respective Bureau representatives, and these members from Parties shall be members for this term of the Board.

10. On the issue of the term of the Board, Rule 3 paragraph 2 captures that the terms of reference stated that the Board “will serve until the third meeting of the Conference of the Parties. Thereafter, the members shall be nominated every two years by regional groups and their membership confirmed by the Conference of the Parties.”

11. Further on the issue of the term of the Board, a placeholder was inserted into the Board’s rules of procedure for Rule 3, paragraph 3 to complete consideration on this matter at its next meeting. This placeholder relates also to the election of Co-Chairs for the next term, and so the annotation notes that this paragraph can be completed pending the outcome of consideration that Rule 9 paragraph 3. Rule 9, paragraph 3 concerns the election of Co-Chairs and currently reads “The term of the Co-Chairs elected at the first meeting of the Governing Board shall continue until the election of the new Co-

<sup>2</sup> **Special Programme**, refers to the “Special Programme on the institutional strengthening at the national level for the implementation of the Basel, Stockholm and Rotterdam conventions, the Minamata Convention and the Strategic Approach to International Chemicals Management”, that is hosted by the Chemicals and Health Branch, of the Economy Division, of the United Nations Environment Programme.

Chairs at [the commencement of a meeting to be held after the third meeting of the Conference of the Parties of the Minamata Convention] [at the third Conference of the Parties]. Thereafter, the election of the Co-Chairs shall take place at the first meeting of the new term of the Governing Board.”

12. The Board could not complete its consideration of this matter at its first meeting, and resolved to revisit the issue at its next meeting. As part of the discussion on the matter of the term the Board noted that if its term is until the election at the first meeting after the nomination of new members of the Governing Board, there will be a time period when the Governing Board will not have Co-chairs who can provide guidance, if required, to the Secretariat on operational matters of the Specific International Programme. A number of options were identified to avoid or minimize the period of absence of Co-Chairs, including:

(a) Convening a meeting of the Governing Board on the margins of the meeting of the Conference of the Parties, where in case of the absence of a member, the representative of the country that the member comes from may participate on his or her behalf, to elect the Co-Chairs.

(b) Convening a meeting of the Governing Board by electronic means for the election of Co-Chairs as soon as possible after the meeting of the Conference of the Parties.

13. In relation to this issue, it was also pointed out that the outgoing Co-Chairs and outgoing members of the Governing Board may have better insights than the incoming members to provide guidance to the Secretariat in preparation for the implementation of the projects that the Governing Board had approved in its term. Board members also discussed how insights learned from one Board could be carried forward to the next Board. In this regard, the Governing Board took note of the practice of the Executive Board of the Special Programme which convenes a teleconference of outgoing and incoming members to enhance continuity.

14. With regard to the procedure to replace a member when he or she resigns or is unable to complete his or her term (Rule 3, paragraph 4), the Governing Board agreed that the notification should be submitted to the Secretariat by the relevant member of the Bureau of the Conference of the Parties, noting that for some regions a replacement member may be nominated from the same country, whereas some regions may have regional consultation on the nomination of the replacement.

## **2. Observers**

On the matter of observers, captured in Rule 4, the Governing Board noted that since Rule 13, paragraph 3 notes that the Secretariat shall consult with the Secretariat of the Global Environment Facility and the Secretariat of the Special Programme and the Global Environment Facility in the appraisal preparation, it foresees these secretariats may be observers to ensure complementarity and avoid duplication. The Governing Board agreed that the rules of procedure should therefore provide that the Governing Board may invite observers, as per Rule 4, but that the Rules of Procedure would not list who those observers could be, as this may also be meeting-specific.

## **3. Date of Meetings**

15. The Governing Board noted that it will, in principle, meet twice between the meetings of the Conference of the Parties which is set to meet every two years from the third meeting of the Conference of the Parties onwards. The meetings of the Governing Board are to review and approve project applications.

16. It was noted that sufficient time will need to be given to prepare guidelines for the next round based on the lessons learned from the previous round, that applicants require sufficient time to prepare their applications for the next round, that the Secretariat requires sufficient time to review and appraise the applications, and that the Board members require sufficient time to review the appraisals of the complete and eligible applications, before convening for their in-person meeting to decide on the eligible applications against funding received. The cycle of work also has to take into consideration that the Governing Board is to report on its activities to the relevant upcoming meeting of the Conference of the Parties. Noted was also to be aware of the schedule of the Special Programme as potential applicants may be working on applications to both.

## **4. Public Availability of Documents**

17. On the public availability of documents, that is Rule 14, the Governing Board noted the experience from the Special Programme where many are available to the public except for the project

applications received and the Secretariat's appraisal summary to the Governing Board. An outline of the project summary is made public. The Governing Board agreed to make meeting documents available except for the actual applications, appraisals and those documents that the Governing Board decides not to make public.

### 5. Conflict of Interest

18. On the issue of potential conflict of interest, as in Rule 23, the Governing Board agreed that in cases where the Board is considering an application from a country that is also a member of the Board, that the member should not participate in the deliberation and decision on the project. The same should apply to a member who may have been substantially involved in the development of the project but may be from another country, or a member or observer who has any other conflict of interest.

19. The Rules of Procedure for the Governing Board as agreed to by the Board at its first meeting are appended as annex II.

## IV. Proposals on project applications to the Specific International Programme (agenda item 4)

20. The Secretariat introduced document UNEP/MC/SIP.1/4, titled "Proposals on project applications to the Specific International Programme", with annexes including the draft application forms and application guidelines. The Secretariat invited guidance from the Governing Board on important issues such as the schedule of the first round of application to make the Specific International Programme fully operational by the second meeting of the Conference of the Parties, the size and duration of projects, ideas on the types of projects to be funded, and criteria for assessing projects.

21. The Governing Board agreed to start the first round of application as soon as possible so that the first set of funded projects will be approved before the second meeting of the Conference of the Parties. The Governing Board noted the very tight timeframe of this round and expressed concern that not many countries may be able to submit applications. It noted that this first application round is a special case to showcase pilot projects that are useful for further replication and project development in the future rounds. The Governing Board agreed that three months deadline will be acceptable for the first application round. The early operationalization of the Specific International Programme by this application round will contribute to raising the profile of the Specific International Programme and attracting more support.

22. The Board deliberated on the size of the project for the first round of application, and decided to call for projects between USD50,000 and USD 250,000. Some members proposed to allow larger sized projects of up to USD 500,000, but as it was noted that that the first application period may be too short to develop large projects, and that as many good projects in as many regions as possible should be supported. The size for this round was therefore capped at USD250,000 (inclusive of administrative and other fees). The Board hoped this would allow the maximum number of projects to be supported that could allow a good, broad start to the Specific International Programme. It was also noted that at the time of the Board meeting, USD800,000 had been pledged/received and so available for programming in this round. The Board instructed that the application guidelines clearly indicate the size limit for this application round, and that the size of projects in future rounds may be revisited.

23. The Governing Board agreed that the work proposed by the applications should be completed within 36 months (3 years). It was noted financial reporting and auditing may happen after the closure of the project, within UN rules and practices on project closure. The Board discussed the possibility of flexibility to extend a project for operational reasons, and agreed that it may consider such a request if such specific circumstances occur.

24. The Governing Board highlighted the value of countries' direct access to the Specific International Programme, and the importance of a country-driven approach as signature of the Programme. In this context, the Governing Board considered how the national focal points that all parties to the Convention are to designate as per Article 17, paragraph 4, for the exchange of information, could play a key role to ensure the required linkages at the national level and also ensure accordance with national prioritisation. The Board subsequently agreed that the national focal points for the Minamata Convention should be given the role to endorse the application and where possible also facilitate communication within the country on the Specific International Programme.

25. Regarding the criteria for assessing the project applications to the first round, the Board devoted considerable time to discussing these criteria. The subsequently agreed criteria that will be

used as a check against which to appraise the applications, are captured in annex III, and will be clearly indicated in the application guidelines for applicants to be fully aware.

26. The Board deliberated on how an appraisal may speak to what an applicant country identifies as a national priority (criterion (c)). On this criterion it was noted that application may demonstrate that the project is country-driven in support of the national priorities, by referring, for example, to the Minamata Convention Initial Assessments and other national policy documents in support.

27. The Board deliberated on how to assess the political commitment of the institution tasked to deliver the project (this only applies to cases where the project is not being delivered directly by the applicant ministry): The Board resolved that commitment may be evidenced through a high-level letter from the delivery institution.

28. Further on the issue of country ownership and commitment, as the Specific International Programme does not require co-financing per se, co-financing or the absence of co-financing is not regarded as a specific criterion. Though co-financing, if included, may be seen as further evidence of political support and commitment towards the application.

29. In cases where there are partners to the project, commitment from them as part of the application is important to understand their role and function.

30. To ensure that the application is complimentary and not duplicative of support offered by the GEF, the GEF Operational Focal Point should be aware of the application as evidenced as part of the application. The work supported by the Specific International Programme is also not to be duplicative of the work supported by the Special Programme.

31. National engagement is also included in the criteria, as well as regional engagement where applicable. It was noted that this is captured in decision MC/1/6 of the Conference of the Parties. Regional engagement may include the involvement of Stockholm and Basel Convention regional centres, assuming their involvement is in supporting delivery at the national level. The Governing Board agreed that regional engagement can be looked into as applicable.

32. The criteria also include reference to the integrated approach to financing the sound management of chemicals and waste, and also that the project outcomes are to support gender considerations, and the Sustainable Development Goals.

33. Lastly, on criteria the Board included two criteria that would apply to future rounds, namely one on looking at cumulative allocations to a country, and also on how to consider reports from previous projects.

34. The Governing Board made some comments on the draft application forms, and suggested some annotation and text to be included in the application guidelines to assist the application drafters. It was recognised that developing a logical framework may be very challenging for some applicants. The Board also discussed the need or not to identify “associated domestic measures” as part of applications to the Specific International Programme. Some Board members also alerted that the suggested fields to fill for independent monitoring and evaluation, and financial audit, may need more clarity. The Secretariat took note of all the comments, and will further elaborate on the application forms and guidelines for clarity.

35. With regard to the language of the application materials, the Governing Board agreed that the forms should be submitted in English, noting that the Secretariat should as far as possible assist in the submission from non-English speaking countries through outreach in other UN languages.

36. Following these deliberations, the Governing Board agreed on the next steps for the first round of applications:

- (a) The Secretariat will complete and finalize the application form and guidelines by the end of May, and proceed to issue a call for application.
- (b) Applications are to be submitted by late August.
- (c) The Secretariat will screen the applications for completeness and eligibility, appraise the applications considering the criteria set out in annex III, and prepare the appraisal reports for the Governing Board.
- (d) The Governing Board will meet in late September or early October to review and approve applications at its second meeting, so as to be able to report the outcome of the first round to the second meeting of the Conference of the Parties.

(e) Thereafter, the Secretariat prepares the implementation arrangements with the successful applicants.

(f) Project implementation starts upon signature of agreements.

37. The Board recognised that the time period between the closure of applications for this first round (projected end August), and the convening of the second Governing Board (assumed in the second half of September) would mean that the time lines set out for documents as per the Rules of Procedure would not be met, but that it was important to conclude this round so that the Governing Board is able to report the results of the first round to the second meeting of the Conference of the Parties.

## **V. Elements for a resource mobilization strategy for the Specific International Programme (agenda item 5)**

38. The Secretariat introduced document UNEP/MC/SIP.1/5, title “Elements of a resource mobilization strategy”. She outlined that the development of a resource mobilization strategy was included in the decision of the Conference of the Parties, although it is not specified as an issue for the first meeting of the Governing Board or by when such a strategy is to be developed. The document presented at this first meeting was developed to invite the thoughts and reflections of the Governing Board on this important, building on experiences and examples from other organizations.

39. One member stated that the document included many elements, but that there had not been sufficient time to consult the region on this matter. Other members agreed that more time for this agenda item.

40. Other members observed that resource mobilization is closely related to communication strategies, and that the Specific International Programme may need to consider its branding. It was noted that a more colloquial name for the Specific International Programme may need to be considered.

41. The Governing Board agreed to have a commenting round on this document, and to return to this matter at another time.

## **VI. Other matters (agenda item 6)**

42. No other matters were raised.

## **VII. Consideration of the Meeting Report (agenda item 7)**

43. The Governing Board agreed that the meeting report should be finalized, made available to the public as a draft report, and formally adopted at the next meeting.

## **VIII. Date and Venue of the next meeting (agenda item 8)**

44. The alternative member from Norway expressed his Government’s invitation to invite the Governing Board to Oslo for its next meeting. The Governing Board accepted this offer with much appreciation. It agreed that the next meeting be held during the second half of September 2018, with the exact date to be coordinated between the Secretariat and the members.

## **IX. Closure of the meeting (agenda item 9)**

45. The Co-Chairs declared the meeting closed at 18:30 on Wednesday, 16 May 2018, thanking the members for their diligent work over the two days, and the Secretariat for the preparation of the meeting.

---

## Annex I: List of participants

### GOVERNING BOARD

Present	
<p><b>AFRICA</b> Mr. Sam Adu-Kumi Director Chemicals Control and Management Centre Environmental Protection Agency Starlet 1991 Accra Ghana Tel.: +233 30 266 4697/8 Fax: +233 30 266 2690 Email: adukumisam@yahoo.com sam.adu-kumi@epa.gov.gh</p> <p><b>ASIA AND THE PACIFIC</b> Mr. W.T.B. Dissanayake Additional Secretary (Environment Policy &amp; Planning), Ministry of Mahaweli Development and Environment, "Sobadam Piyasa", 416/C/1, Robert Gunawardana Mawatha Battaramulla, Sri Lanka. Tel: +94 11 2034127 Fax: +94 11 2879952 Mobile: +94 71 8014998 email: dissaforest@yahoo.com</p> <p><b>CENTRAL AND EASTERN EUROPE</b> Mr. Kaupo Heinma Head of Department Environmental Management Department Ministry of the Environment Narva mnt 7 10117 Tallinn Estonia Tel.: +372 626 2921 Email: kaupo.heinma@envir.ee</p> <p><b>LATIN AMERICA AND THE CARIBBEAN</b> Ms. María Florencia Grimalt Secretario de Embajada Dirección General de Asuntos Ambientales (DIGMA) Ministerio de Relaciones Exteriores y Culto Esmeralda 1212 1007 Buenos Aires Argentina Tel.: +54 11 4819 7405 Fax: +54 11 4819 7413 Email: ogx@mrecic.gov.ar</p>	<p><b>ASIA AND THE PACIFIC</b> Mr. Prasert Tapaneeyangkul Chair, Subcommittees of the Minamata Convention on Mercury, under the National Environment Board Ministry of Natural Resources and Environment Phahonyothin Road Bangkok Thailand Tel.: +66 89 813 6045 Email: ptap14011@gmail.com</p> <p><b>CENTRAL AND EASTERN EUROPE</b> Ms. Anahit Aleksandryan Head of Division Hazardous Substances and Wastes Policy Division Ministry of Nature Protection Governmental Building 3, Republic Square 0010 Yerevan Armenia Tel.: +374 11 818 519 Fax: +374 11 818 519 Email: anahit.aleksandryan@yahoo.com</p> <p><b>LATIN AMERICA AND THE CARIBBEAN</b> Mr. Nero Cunha Ferreira Second Secretary Ministry of Foreign Affairs Chemin Louis-Dunant 15, 6<sup>th</sup> Floor 1202, Geneva Switzerland Tel.: +41 22 332 5023 E-mail: nero.ferreira@itamaraty.gov.br</p>

<p><b>WESTERN EUROPE AND OTHERS</b>  Mr. Reginald Hernaus  Lead Negotiator Chemicals and Wastes  International Affairs  Ministry of Infrastructure and the Environment  Rijnstraat 8  The Hague  The Netherlands  Tel.: +31 70 456 6485  Email: reggie.hernaus@minienm.nl</p>	<p><b>WESTERN EUROPE AND OTHERS</b>  Mr. Sverre Thomas Jahre (<i>alternate for Atle Fretheim</i>)  Senior Adviser  Norwegian Ministry of Climate and Environment  Department for Marine Management and Pollution  Control, Section for Industry  P.O.Box 8013 Dep, NO-0030 OSLO  Tel. : +47 22 24 90 90  Email: Sverre-Thomas.Jahre@kld.dep.no</p>
-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

<b>Regrets</b>	
<p><b>AFRICA</b>  Mr. Younous Adoum Abdallah  Point Focal de la Convention de Minamata sur le  Mercure  Ministère de l'Environnement et de la Pêche  Direction de la Lutte Contre le Changement  Climatique, Pollutions et les Nuisances  Quartier Béguinage  447 N'djamena  Chad  Tel.: +235 6364 8300  Email: abou_idjab08@live.fr</p>	<p><b>WESTERN EUROPE AND OTHERS</b>  Mr. Alte Bernt Fretheim  Consultant  Kaptein Gløersensvei 24  Norway  Tel.: +47 950 68 313  Email: atle.fretheim@kld.dep.no and ar-  freth@online.no</p>

## SECRETARIAT

<b>SECRETARIAT OF THE MINAMATA CONVENTION ON MERCURY</b>	
<p>Ms. Rossana Del Carmen Silva Repetto Executive Secretary Secretariat of the Minamata Convention on Mercury International Environment House 1 Geneva, Switzerland Telephone: +41 22 917 8638 Email: rossana.silva-repetto@un.org</p> <p>Mr. Eisaku Toda Senior Programme Management Officer Secretariat of the Minamata Convention on Mercury International Environment House 1 Geneva, Switzerland Telephone: +41 22 917 8 Email: eisaku.toda@un.org</p> <p>Ms. Stephanie Laruelle Legal and Policy Officer Secretariat of the Minamata Convention on Mercury International Environment House 1 Geneva, Switzerland Telephone: +41 22 917 8638 Email: stephanie.laruelle@un.org</p>	<p>Ms. Claudia ten Have Senior Policy Coordination Officer Secretariat of the Minamata Convention on Mercury International Environment House 1 Geneva, Switzerland Telephone: +41 22 917 8638 Email: claudia.tenhave@un.org</p> <p>Ms. Sheila Logan Programme Officer Secretariat of the Minamata Convention on Mercury International Environment House 1 Geneva, Switzerland Telephone: +41 22 917 8 Email: sheila.logan@un.org</p> <p><b>Resource Person to the Secretariat</b> Ms. Nalini Sharma Programme Officer Secretariat of the Special Programme Economy Division United Nations Environment Programme Geneva, Switzerland Tel: +41 22 917 8343 Email: nalini.sharma@un.org</p>

## **Annex II: Rules of Procedure adopted by the Governing Board at its first meeting<sup>3</sup>**

### **Rules of procedure for the Governing Board of the Specific International Programme of the Minamata Convention on Mercury**

#### **I. Objective**

##### **Rule 1**

The present rules of procedure shall apply to the Governing Board of the Specific International Programme to support capacity-building and technical assistance of the Minamata Convention on Mercury.

#### **II. Definitions**

##### **Rule 2**

For the purpose of the present rules:

- (a) “Convention” means the Minamata Convention on Mercury, adopted at Kumamoto, Japan, on 10 October 2013;
- (b) “Party” means a party as defined in article 2 (g) of the Convention;
- (c) [“Signatory” means States and regional economic integration organizations that signed the Minamata Convention on Mercury at Kumamoto, Japan on 10 and 11 October 2013, and, thereafter, at the United Nations Headquarters in New York until 9 October 2014;]
- (d) “Conference of the Parties” means the Conference of the Parties established by article 23 of the Convention;
- (e) “Regional economic integration organization” means an organization defined in paragraph (j) of article 2 of the Convention;
- (f) “Programme” means the Specific International Programme to support capacity-building and technical assistance of the Minamata Convention on Mercury;
- (g) “Board” means the Governing Board of the Specific International Programme;
- (h) “Members” of the Governing Board of the Specific International Programme means the 10 members nominated through the respective Bureau representatives where each region shall nominate two members;
- (i) “Meeting” means meetings of the Governing Board of the Specific International Programme. Meetings can be face-to-face, and if so decided by the Board, can be held through electronic means;
- (j) “Secretariat” means the Secretariat established by paragraph 1 of article 24 of the Convention;
- (k) “Members present and voting” means members present at the meeting in which voting takes place. For face-to-face meetings, present means physically present. For meetings through electronic means, present means participation through teleconference, video conference or other electronic means as decided. Voting means casting an affirmative or negative vote. Members abstaining from voting shall be considered as not voting; and
- (l) “Co-Chairs” means the Co-Chairs of the Governing Board as elected in accordance with Rule 9.

---

<sup>3</sup> These adopted Rules of Procedure are not formally edited. The Rules are to be presented to the second meeting of the Conference of Parties as part of a formally edited working document.

### III. Membership

#### Rule 3

1. The Governing Board of Specific International Programme shall consist of 10 members [from] [nominated by] parties. Each of the five United Nations regions shall nominate two members through their respective Bureau representatives.

2. The first members of the Board shall be nominated no later than 31 December 2017, and will serve until the third meeting of the Conference of Parties to the Minamata Convention. Thereafter, the members shall be nominated every two years by regional groups and their membership confirmed by the Conference of the Parties. To this end, the two nominations from each UN region should be submitted to the Secretariat no later than the second last day of the meeting of the Conference of the Parties.

3. PLACE HOLDER FOR PROVISION OF THE TERM OF MEMBERS – SEE ALSO RULE 9.3

4. If necessary, an alternative representative may be designated for a particular meeting by the member. A written notification of the designation of the alternative representative shall be submitted to the Secretariat before the commencement of a meeting which the member is to attend.

5. If a member resigns or is otherwise unavailable to complete his or her term or perform the functions, that member may be replaced for the remainder of the term. A written notification from the relevant Bureau members of the designation of the replacement member shall be submitted to the Secretariat in due time to allow attendance of the following meeting of the Governing Board.

### IV. Observers

#### Rule 4

The Board may invite observers to its meeting, or segments thereof, except when the Board decides on applications. Invitations to observers will be extended by the Secretariat upon request and on behalf of the Governing Board. Participation of observers will in principle be at their own expense.

### V. Venue, dates and notice of meetings

#### Rule 5

1. The Governing Board will in principle meet once a year to approve project applications and review progress under the Programme on the basis of reports from the Minamata Convention Secretariat, as well as other relevant information provided to them on implementation of the Programme.

2. The Secretariat, in consultation with the Co-Chairs of the Governing Board, shall make appropriate arrangements for meetings.

#### Rule 6

The Secretariat shall notify all members of the venue and date of a meeting at least 6 weeks before it is due to commence. The Secretariat shall also publish the meeting details on the website of the Minamata Convention.

### VI. Agenda

#### Rule 7

1. The Secretariat shall, in consultation with and under the guidance of the Co-Chairs, prepare a provisional agenda for each meeting. Any member may request the Secretariat to include specific items in the provisional agenda.

2. The provisional agenda shall be communicated to members at least 4 weeks before the meeting is due to commence.

3. Between the date of communication of the provisional agenda and the date of adoption of the agenda by the Governing Board, members may propose supplementary items for inclusion in the agenda, provided the items are of an important and urgent nature.

#### Rule 8

At the beginning of each meeting, the Governing Board shall adopt the agenda for the meeting on the basis of the provisional agenda and any supplementary items proposed in accordance with Rule 7.3.

## VII. Officers

### Rule 9

1. The Governing Board will have two Co-Chairs, elected from among the members of the Board, reflecting the composition of the Board and the purpose of the Programme.
2. At the commencement of its first meeting, the Governing Board shall elect two Co-Chairs.
3. The term of the Co-Chairs elected at the first meeting of the Governing Board shall continue until the election of new Co-Chairs at [the commencement of a meeting to be held after the third meeting of the Conference of Parties to the Minamata Convention] [at the third Conference of Parties]. Thereafter, the election of Co-Chairs shall take place at the first meeting of the new term of the Governing Board.

### Rule 10

1. In the absence of consensus, elections of the Co-Chairs shall be decided by secret ballot.
2. If, when a Co-Chair is to be elected, no candidate obtains in the first ballot a two-thirds majority of the votes cast by the members present and voting, a second ballot, by simple majority, restricted to the two candidates obtaining the largest number of votes shall be taken. If in the second ballot the votes are equally divided, the co-chair shall be decided by drawing lots between the candidates.
3. In the case of a tie in the first ballot between three or more candidates obtaining the largest number of votes, a second ballot shall be held. If a tie results between more than two candidates, the number shall be reduced to two by lot and the balloting, restricted to them, shall continue in accordance with the procedure set out in paragraph 1.

### Rule 11

1. In addition to exercising the powers conferred upon them elsewhere in these rules, the Co-Chairs shall:
  - (a) Declare the opening and closure of each meeting;
  - (b) Preside at meetings of the Governing Board;
  - (c) Ensure the observance of these rules;
  - (d) Request disclosure of any personal and/or financial conflict of interest;
  - (e) Accord the right to speak;
  - (f) Put questions to the vote and announce decisions;
  - (g) Rule on any points of order; and
  - (h) Subject to these rules, have complete control over the proceedings and maintain order.
2. The Co-Chairs may also propose:
  - (a) The closure of the list of speakers;
  - (b) A limitation on the time to be allowed to speakers and on the number of times a participant may speak on an issue;
  - (c) The adjournment or closure of debate on an issue; and
  - (d) The suspension or adjournment of a meeting.
3. During the intersessional period, the Co-Chairs shall assume the responsibility, with support of the Secretariat, for the approval of project amendments, when necessary, and inform the members of the decision on the amendments.
4. The Co-Chairs, in the exercise of their functions, remain at all times under the authority of the Governing Board.

### Rule 12

1. If a Co-Chair cannot preside at a segment of the meeting, the other Co-Chair shall fulfil his or her functions.
2. If a Co-Chair cannot preside over a meeting, the Board shall agree on a member to be appointed to fulfil his or her functions.
3. If a Co-Chair resigns or is otherwise unable to complete his or her term, a replacement shall be elected by the Governing Board from amongst the members to complete the original two-year term.

## VIII. Secretariat

### Rule 13

1. The Secretariat of the Minamata Convention shall provide secretariat services to the Specific International Programme and for the functioning of its Governing Board.
2. The Secretariat shall receive applications to the Specific International Programme, screen project applications for completeness and eligibility, and appraise applications for consideration and decision by the Governing Board.

3. In the appraisal preparation process, the Secretariat shall consult with the Secretariat of the Global Environment Facility and the Secretariat of the Special Programme<sup>4</sup> to ensure complementarity and avoid duplication.
4. The Secretariat shall make all the necessary arrangements for meetings of the Governing Board, including the preparation and distribution of documents at least 4 weeks in advance of the meetings.

#### **Rule 14**

The Secretariat shall further:

- (a) Receive, reproduce and distribute other documents for the meetings of the Governing Board;
- (b) Prepare and make publically available a report of each meeting;
- (c) Make information available on the Specific International Programme on the website of the Minamata Convention, with the exception of the applications received, the appraisals of the applications, and other documents as decided by the Governing Board;
- (d) Arrange for the custody and preservation of the documents of each meeting in the archives of the Secretariat; and
- (e) Perform such other tasks as the Governing Board may require in relation to its functions.

#### **Rule 15**

The Secretariat shall report its activities to the Governing Board and through the Governing Board to the Conference of the Parties. The Secretariat will be accountable to the Executive Director of the United Nations Environment Programme for administrative and financial matters.

### **IX. Conduct of business**

#### **Rule 16**

The Co-Chairs shall declare a session of the meeting open and permit debate to proceed when at least 6 members participating in the meeting are present, including members from each of the five United Nations regions. The same presence of members so participating shall be required for any decision to be taken.

#### **Rule 17**

1. The Co-Chairs will grant permission to the members and observers to speak at a session of the meeting in order in which they signify their desire to speak, taking into account that observers should normally speak after members, unless decided by the Co-Chairs otherwise. The Secretariat shall maintain a list of speakers. The Co-Chairs may call a speaker to order if the speaker's remarks are not relevant to the subject under discussion.
2. The Governing Board may on a proposal,<sup>5</sup> from the Co-Chairs or from any member, limit the time allowed to each speaker and the number of times each participant may speak on a question. Before a decision is taken, two members may speak in favour of and two against a proposal to set such limits. When the debate is limited and a speaker exceeds the allotted time, the Co-Chairs shall call the speaker to order without delay.

#### **Rule 18**

During the discussion of any matter, a member may at any time raise a point of order, which shall be decided immediately by the Co-Chairs in accordance with the present rules. A member may appeal against the ruling of the Co-Chairs. The appeal shall be put to the vote immediately and the ruling shall stand unless overruled by a simple majority of the members present and voting. A member may not, in raising a point of order, speak on the substance of the matter under discussion.

#### **Rule 19**

Any motion against the competence of the Governing Board to discuss any matter or to adopt a proposal or an amendment to a proposal shall only be accepted if it is supported by a two-thirds majority before the matter is discussed or a vote is taken on the proposal or amendment in question.

#### **Rule 20**

1. Subject to Rule 18, the following motions shall have precedence in the order indicated below over all other proposals or motions:
  - (a) To suspend the session;
  - (b) To adjourn the session;
  - (c) To adjourn the debate on the question under discussion; or

<sup>4</sup> **Special Programme** refers to: "Special Programme to support institutional strengthening at the national level for implementation of the Basel, Rotterdam and Stockholm conventions, the Minamata Convention and the Strategic Approach to International Chemicals Management".

<sup>5</sup> "Proposals", under the Conduct of Business section of these rules, refer to points of consideration and deliberation. The term "proposals" in the context of reference to the conduct of business does not refer to "project proposals".

(d) To close the debate on the question under discussion.

2. Permission to speak on a motion falling within paragraph 1 (a) to (d) shall be granted to the proposer and, in addition, to one speaker in favour of and two against the motion, after which it shall be put immediately to a vote.

#### **Rule 21**

A proposal or motion may be withdrawn by its proposer at any time before voting on it has begun, provided that the proposal or motion has not been amended. A proposal or motion thus withdrawn may be reintroduced by any other representative.

#### **Rule 22**

When a proposal has been adopted or rejected, it may not be reconsidered at the same meeting, unless the Governing Board by a two-thirds majority of the members present and voting decides in favour of reconsideration. Permission to speak on a motion to reconsider shall be accorded only to the mover and one other supporter, after which it shall be put immediately to a vote.

#### **Rule 23**

1. In cases where a member of the Governing Board is from the same country that has submitted a project to the Board for its consideration, that member shall be excused from participating during the deliberations of and decision-making by the Governing Board in relation to the project in question.

2. Members and possible observers at the meeting, have an obligation to promptly disclose to the Board, at the commencement of the meeting, if that person may have a personal and/or financial interest in any aspect of the project presented for decision and approval by the Board. In such cases, the Board shall apply the same stipulation as in the paragraph above.

### **X. Adoption of decisions**

#### **Rule 24**

1. The Governing Board will take its decisions by consensus. If all efforts to reach consensus have been exhausted and no agreement has been reached, the decision shall be taken by a three-quarters majority of its members present and voting

2. The Governing Board may decide on a matter of procedure by a majority vote of the members present and voting.

3. Where there is disagreement as to whether a matter to be voted on is a substantive or procedural matter, the matter shall be decided by a two-thirds majority of the members present and voting.

#### **Rule 25**

Voting shall normally be by show of hands, except for the election of the co-chairs which is governed by Rule 10. A roll-call vote shall be taken if one is requested by any member. It shall be taken in order as determined by lot drawn by the Co-Chairs.

#### **Rule 26**

The vote of each member in a roll-call vote shall be recorded in the report of the meeting.

#### **Rule 27**

After the Co-Chairs have announced the beginning of voting, no member shall interrupt the voting except on a point of order in connection with the actual conduct of the voting. The Co-Chairs may permit members to explain their votes, either before or after the voting, and may limit the time allowed for such explanations.

#### **Rule 28**

Each member shall have one vote.

### **XI. Language**

#### **Rule 29**

Meetings shall be held in English. Meeting documents and meeting reports will be in English only.

### **XII. Amendments to rules of procedure**

#### **Rule 30**

Amendments to these rules of procedure shall be adopted in accordance with Rule 24.

## Annex III: Criteria agreed for the First Round of applications by the Governing Board

Based on the terms of reference of the Specific International Programme, the Governing Board may be guided by the following criteria in the appraisal of and decision-making on applications to the Programme:

- (a) Measures are within the scope of the Specific International Programme and improve capacity to implement the obligations under the Minamata Convention;
- (b) Proposals contribute to the expected outcomes of the Specific International Programme;
- (c) Proposals are country-driven, in support of national priorities;
- (d) Project outcome(s) are sustainable over the medium and/or longer term;
- (e) Proposals include performance targets (project milestones that show progress towards completing the project outputs and achieving the overall project outcome) that measure the improvement in the capacity of developing country Parties and Parties with economies in transition in implementing their obligations under the Convention;
- (f) Evidence of political commitment of institution or organization delivering the project;
- (g) Participation and commitment of partners and other relevant actors, as applicable;
- (h) Country status of the applicant, including whether the applicant is a small island developing State or a least developed country;
- (i) Project is complementary to other existing arrangements, in particular the GEF, the Special Programme and other existing assistance frameworks, if relevant;
- (j) Avoiding duplication of projects in the same country;
- (k) How the project builds on previous initiatives and projects, established mechanisms and draws on lessons learned;
- (l) How the project engages at the national level, and, where applicable, in the regional context;
- (m) How the project is consistent with the integrated approach<sup>6</sup> to financing the sound management of chemicals and waste, as relevant to the implementation of the Convention;
- (n) How the project responds to gender considerations; and
- (o) Project outcome(s) contribute(s) to the Sustainable Development Goals and do not generate adverse environmental or social effects in other areas.

---

<sup>6</sup> An **Integrated Approach** to long-term funding of the Chemicals and Waste agenda was adopted by the UNEP Governing Council in February 2013 (UNEP/GC.27/7), after being developed in a country-led consultative process. At the first meeting of the United Nations Environment Assembly in June 2014, Governments welcomed the Integrated Approach in its Resolution 1/5. The Integrated Approach is composed of three components: (a) mainstreaming, (b) industry involvement and (c) dedicated external finance. These components are considered to be mutually reinforcing and are all important for the financing of the sound management of chemicals and waste at all levels. Further to note, is that UNEA 1/5 through Annex II gave effect to set up the **Special Programme** to support institutional strengthening at the national level for implementation of the Basel, Rotterdam and Stockholm conventions, the Minamata Convention, and the Strategic Approach to International Chemicals Management.

It is to be noted, that the Governing Board may, in the future, also be guided by the following additional criteria:

- (a) Determination of cumulative allocations to a country, based on the contributions received and the needs expressed in the applications submitted within the Specific International Programme;
- (b) Consideration of reports of earlier projects funded by the Specific International Programme involving the applicant.