

**Meeting of the bureau of the intergovernmental negotiating committee
to prepare a global legally binding instrument on mercury
Gimo, Sweden, 10 – 11 October 2011**

DRAFT REPORT

Introduction

1. At the meeting of the Bureau held 30 March 2011 in Geneva, it was agreed that a further meeting of the Bureau would be convened prior to the third session of the intergovernmental negotiating committee. The principal purpose of the meeting would be to prepare for the upcoming third session, and provide guidance to the chair in management of the session.

2. The Bureau meeting was convened at Gimo Herrgård, Gimo, Sweden, on 10 and 11 October 2011. It was attended by the following members of the Bureau:

Mr. Yingxian Xia (China, for Asia-Pacific)

Ms. Katerina Sebkova (Czech Republic, for Central and Eastern Europe)

Ms. Gillian Guthrie (Jamaica, for Latin America and the Caribbean)

Mr. Oumar Diaoure Cissé (Mali, for Africa)

Ms. Abiola Olanipekun (Nigeria, for Africa)

Mr. Vladimir Lenev (Russian Federation, for Central and Eastern Europe)

Ms Nina Cromnier (Sweden, for the Western European and Others Group)

Mr. John Thompson (United States of America, for the Western European and Others Group)

Mr. Fernando Lugris (Uruguay, for Latin America and the Caribbean)

3. One member of the Bureau, Mr Mohammed Khashashneh (Jordan, for the Asia Pacific group) was unable to attend the meeting. Mr Teruyoshi Hayamizu (Japan, for Asia-Pacific) substituted for him at the present meeting as agreed by the group. The secretariat also participated in the meeting, with Mr Tim Kasten (Head, Chemicals Branch) and Mr Matthew Gubb (coordinator, Mercury Negotiations Team) attending in Sweden, and other representatives observing by teleconference.

4. The Government of Sweden kindly hosted the meeting, and the Government of Uruguay kindly contributed to a dinner for the bureau members to facilitate continued discussion.

Organizational matters

5. The meeting was opened at 9.40 a.m. on 10 October by the Chair, Mr. Fernando Lugris. The Bureau adopted the following agenda:

- 1) Opening of the meeting;
- 2) Adoption of the agenda;
- 3) Outcomes of the regional consultations held in preparation for INC3:
 - (a) Report from Bureau members on the discussions at the regional consultations, including use of the new draft text as a basis for the INC discussions, identification of priority issues where substantial discussion and contact groups might be needed, as well as of provisions that might be sent to the Legal Group early during INC3;
 - (b) Discussion on the possible influence that the outcomes of the regional consultations might have on the negotiations and the discussions at INC3,

including whether there are any potential difference in approach from that set out in the scenario note agreed at the last Bureau teleconference;

- 4) Short update on logistics and documents for the third session of the INC, including a briefing on the agenda for the technical briefing, exhibition and preparations for the side event on financing;
- 5) Preparations for INC3, in particular the possible flow of the negotiations at the third session, including:
 - i. priority policy questions for the negotiations, including possibly challenging issues and including consideration of the order in which to take issues
 - ii. possible contact groups for various topics and potential chairs for the various groups,
 - iii. functioning of the legal group,
 - iv. linkages between negotiations and the consultative process on financing, including a possible update from the Bangkok meeting,
 - v. expectations regarding possible outcomes of the session, including any potential intersessional work;
- 6) Updates on planning for the fourth and fifth sessions of the INC;
- 7) Any other business.

Outcome of the regional consultations held in preparation for INC3

6. Each of the bureau members presented information on the outcomes of regional consultations. There was agreement from all regions to use the draft text as the starting point for the negotiations, with recognition that there was a lot of work to do on the text. One region indicated there was a possibility that some countries may make a new proposal at the third session for the structure of the text, to try to capture a stronger basis in risk assessment, however this was not a regional view and was not further elaborated during the bureau meeting.

7. A number of regions indicated that they had developed an initial regional view on the text, while others were still working on the regional view which would not be finalized until they met in Nairobi.

8. Based on the reports on discussions at the regional meetings, the Chair concluded that it was clear that the regional groups supported the use of the draft text as the basis of the discussions, and the overall approach outlined in the scenario note (UNEP(DTIE)/Hg/INC.3/2) which had been agreed among the bureau members in their conference call previously.

Update on logistics and preparation for INC3

9. The secretariat provided a brief update on the status of preparations for INC3, including registrations, documents and technical briefings. He provided updated information to the bureau members on the status of registrations. He then outlined the programme for the technical briefing to be held on Sunday 30 October, as well as the plans for an expanded exhibition area which would assist in providing updated technical information to the delegates. He also highlighted the plans for the provision of short technical sessions on Monday, Tuesday and Wednesday morning, which would provide technical information on a range of topics likely to be of interest to delegates. He also highlighted that arrangements had been made for two receptions during the week, one hosted by the Government of Switzerland, and the other hosted by the Government of Kenya.

Preparations for INC3, in particular the possible flow of the negotiations

10. Discussions opened on the possible flow of the negotiations including the use of contact groups. All bureau members supported the need for contact groups. However, there were differing views as to how time should be split between contact groups and plenary, with some indicating that plenary time should be utilised fully to discuss policy issues, while others felt that there should be short plenary sessions which then broke into contact groups. Some bureau members expressed the view that some contact groups could benefit from interpretation. It was generally agreed that no more than two contact groups in addition to the Legal Group, could work simultaneously, given the small size of some delegations, but that flexibility would be needed and the bureau would need to reassess this during the INC. It was agreed overall that plenary consideration of issues prior to them being forwarded to contact groups was essential. Consideration of issues in plenary should be as brief as possible, however it was recognized that it was not possible to forecast the number of interventions. The Chair indicated that it would be possible to suspend plenary to allow more work in contact groups if this should prove necessary, however it was agreed that consideration of issues in plenary was a priority.

11. The bureau agreed that, following the logic of the discussions at the second session, the contact groups established at INC2 (on artisanal and small-scale gold mining, on storage, waste and contaminated sites and on emissions and releases) were seen as being useful, and it was proposed that these groups would be re-established. It was recognized that some of the issues which had been addressed by a process of facilitation at the second session may require additional consideration at the third session, however this should be done through the establishment of contact groups, rather than a continuation of the approach of using facilitators. Additional contact groups proposed were, products and processes; financial resources and technical and implementation assistance; and Awareness-raising, research and monitoring, communication of information. The actual contact groups to be established at INC3 would be dependent upon the progress in the discussions, and would be decided by the INC Chair in consultation with the Bureau at the time. The importance of having clear policy direction prior to the development of text was recognized, with a number of bureau members indicating that delegates should keep their overall objective for the instrument in mind as they considered options for control measures. The mandates for the contact groups were discussed in general terms. The need for clear mandates was highlighted, however some indicated that the mandates should not limit progress in a group if it was moving forward on an issue.

12. In continuing discussions on contact groups, further views on mandates for the groups were expressed. They considered whether it was preferable for groups to be given prescriptive mandates or more open ones, and also whether the focus should be on addressing key policy and framework issues or more detail. It was proposed that, in some cases, the plenary may direct a contact group to consider the text of specific paragraphs, where it appears progress could be made on narrowing options in this text. It was also suggested that, in some cases, brief clarification on technical issues may facilitate discussions of policy, without resulting in the group becoming mired in technical details. Others felt that narrowing policy options was essential prior to moving into detailed discussions. Concerns were expressed by one bureau member that, if there were many contact groups, people may have challenges following the issues, while other members expressed preferences for a number of groups with specific tasks, as this would be the most efficient use of experts. One bureau member expressed his fear of having the interlinkages between issues resulting in delays in some contact groups while other groups work; others felt this could be addressed by regular reporting back to plenary to ensure information flow on progress.

13. Consideration was given to the timing of contact groups, with concerns being expressed about groups working in parallel who were considering issues of general interest, such as emissions and products. While some members supported clustering of issues of similar concern and expertise into broader contact groups, others expressed concern that this could lead to some delegates feeling that the time allocation between different issues was not equitable. The possibility of having a contact group working in parallel with plenary was discussed. It was noted

that the evenings were a key time to make achievements in contact groups as there was limited time for discussions at lunchtime.

14. Views were divided on the value of contact groups working extensive hours, with some noting that late-night discussions were not always fruitful, while others felt that all available time should be used. It was noted by some that there was a need to make significant progress during INC3, and contact groups should be encouraged to take advantage of all available time. It was agreed that contact groups would work at lunchtime and in the evening to use the available time, and if necessary a contact group would work in parallel with plenary. Should sufficient progress be made in plenary with regard to the consideration of issues early in the week, there would be the possibility to suspend plenary to allow more time for contact group discussion.

15. The bureau emphasized that clear guidance should be provided to contact group co-chairs to assist them in managing the group and also in ensuring there was a clear understanding of the expected outcomes.

16. In considering sequencing of the discussions during INC3, support was expressed both for tackling easy issues early in the discussion (particularly as this would lead to recognisable achievements in the negotiations) and also for dealing with more complex issues early to allow time for full consideration. Proposals were made to group complex and simple issues to allow both aspects to be tackled. In dealing with discussions in plenary and contact groups, the Chair emphasised the importance of regular reporting back from contact groups in plenary. He also noted that it was key that policy questions were dealt with prior to drafting text. It was agreed that it is not a simple task to decide whether an issue is 'easy' or 'difficult'.

17. The Chair presented a proposal for overall sequencing/timing of the discussions during the week, flagging that discussions could start on Monday morning with the preamble and objectives, then move to discuss supply and trade. The focus on supply and trade would be to briefly cover the issue, but not necessarily to refer it to a contact group. On Monday afternoon, he proposed that the plenary consider artisanal and small-scale mining, in order to cover the issue briefly and to bring out important overall views, with the intent of establishing a contact group. Also, some of the final provisions could be considered and, if appropriate, forwarded to the legal group to allow them to commence their work. He then outlined possible sequencing/timing of issues for the rest of the week. He proposed that the sequence to follow would be to consider emissions and releases; storage, waste and contaminated sites; products and processes; financial resources and technical and implementation assistance; awareness raising, research and monitoring, communication of information; and the remaining final provisions not considered earlier. He noted that these were indications only and would require revision based on progress at the meeting and feedback from regional groups. In considering the ordering of discussions, the Chair is keen to identify interlinkages between different sections of the text. There was overall agreement on the general ordering of issues and proposed timing for discussions for the INC. It was also agreed that there would be ongoing consideration of the ordering of issues throughout the week, as well as the need for extended or additional contact groups. These issues would be discussed by the bureau members in their daily morning meetings.

18. The bureau members heard a report on the consultative process on financing options for chemicals and waste from one of the co-chairs of the process, Ms Johanna Lissinger-Peitz. She indicated that the recent meeting in Bangkok had ended the work of the consultative process, and the report would now be forwarded to the UNEP Executive Director for his consideration. The consultation has not produced a consensus view, and has not been held in a fully inclusive process similar to a negotiation, however it does reflect some common understandings and has allowed input from a range of experts. The consultative process worked to increase the understanding of linkages between compliance and financing, and has proposed an integrated approach, with components such as governance, funding replenishment, operating procedures and voluntary projects. The final outcome of the discussions will be presented to the Executive Director, and will also go forward to other meetings, such as the tenth meeting of the Conference

of the Parties for the Basel Convention on the Transboundary Movements of Hazardous Wastes and Their Disposal; the third meeting of the International Conference on Chemicals Management; and the UNEP Global Ministerial Environmental Forum and special session of the Governing Council in February 2012.

19. In discussing this report, bureau members indicated that it would be helpful if those who had been involved in the consultative process were able to participate in finance discussions at INC3, as it would assist to avoid duplication. Concerns were raised about timing issues associated with the consultative process, in particular whether any resolutions would be reached within the timeframe of deliberations on the mercury instrument. It was noted that the mandate for the consultative process was not the same as that for the mercury negotiations, as the group had been convened on a different basis with a non-negotiating mandate. The conclusions of the consultative process should not be ignored, and will provide information to the discussions within the INC, however, it was also noted that the INC has a clear mandate from GC 25 to develop arrangements for technical and financial assistance to support implementation within the mercury instrument itself. The co-chair of the consultative process indicated that they had finished the first phase in which they discussed the issue, however it was not clear what timeline would be put forward to complete consideration of the issue, or whether any firm recommendations would be made by the UNEP Governing Council.

20. The bureau members further noted specific items related to financing prepared for the consideration of the third session, in particular the meeting document prepared by the secretariat, and also the organization of a side event at which finance issues will be discussed with representatives from a number of organizations already involved in the delivery of financial support on environmental issues. It was noted that the results of the consultative process would be made formally available to the meeting as an information document. The importance of the finance issue has also been recognized in the proposal to establish a contact group to consider financial resources and technical and implementation assistance.

21. The Chair opened discussions on possible intersessional work, as well as whether an additional submission period was required. Most members expressed the view that, while the submission period has been very useful to date, it should from now on be possible to capture views directly as expressed at the INC. A submission period after INC3 may not be productive as delegations may either restate their national view, or potentially reopen areas where progress had been made at the third session. The need to be open to new ideas, particularly where they address an identified area of conflict, was recognised, however it was also felt that these could be captured during the INC to the extent possible.

22. In considering other intersessional work, the Chair flagged the importance of the regional consultations and of regular Bureau meetings. He also put forward the question of whether there would be a need for thematic meetings. It was recognized that, while some issues may benefit from additional intersessional work, this would be challenging both from the financial aspect and also in terms of the resources of UNEP in organizing and servicing such meetings, particularly if additional documents were required. Some initial consideration was given to the possibility to an extension to the fourth session to allow additional time for negotiations. The Chair highlighted that the good practices established to date should be maintained, in particular as they have allowed very efficient and effective working to date. In considering meetings of the Bureau, the benefit of having a meeting relatively soon after the third session, as was done after the second session, was highlighted. The participation of the co-chairs in such a meeting was also recognized as beneficial. It was agreed that the practicalities of such a meeting would be revisited towards the end of the session, and further consideration would be given to dates for such a meeting at this time. It was also noted that additional meetings of the bureau in the intersessional period would be required, particularly a meeting to discuss and clear the scenario note for the fourth session, and also a meeting to discuss preparation and strategies for the fourth session. In terms of regional consultations, it was recognized that these were important and were

likely to be requested. The secretariat indicated that they would make efforts to ensure such consultations could be organized.

23. In concluding discussions on the preparation for INC3, the Chair summarised that the bureau had agreed on the general approach to INC3, including the likely contact groups would be on artisanal and small-scale gold mining, on storage, waste and contaminated sites, emissions and releases, products and processes; financial resources and technical and implementation assistance; and awareness-raising, research and monitoring, communication of information. They also agreed on the order of discussion of the issues, while noting that these would be discussed regularly throughout the week in bureau meetings.

Update on planning for the fourth and fifth sessions of the INC

24. The representative of the secretariat provided an update on the arrangements for the fourth and fifth sessions of the INC. He indicated that currently there is a shortfall of funding for the fourth session of roughly 700,000USD. He noted proposals to extend the meeting to two weeks would be very difficult to accommodate, both logistically in terms of availability of the venue, and also financially. He noted that, should it be considered possible to schedule regional consultations back to back with the fourth session, this may be financially and logistically efficient. The Chair then stated the importance of ongoing financial support to the whole negotiating process, and that support at a similar level as to date was required to ensure overall success of the whole process. For the fifth session, the venue is still under consideration, and it is hoped that there will be a final decision within the next few weeks.

Any other business

25. Ms. Katerina Sebkova indicated that, as she was leaving her government position at the end of the year, she would not be able to continue to participate as a member of the bureau after INC3. The region is currently considering a suitable replacement, and hope to identify the person prior to the end of the third session, with the expectation that the new bureau member would work in the intersessional period.

26. On logistical issues for the third session, the secretariat indicated that they would provide information on the Bureau meeting room, and reminded that a Bureau meeting was scheduled for 12:30 on Sunday 30 October. He also asked Bureau members to indicate whether their regions would like the secretariat to attend the regional meetings on Sunday afternoon, and, if so, asked that they proposed a time to allow a timetable to be developed. A number of the bureau members indicated that their regions may wish a secretariat visit, in particular to allow the region to meet the new Head of Chemicals Branch prior to the opening of the INC.

Annex I: Mandate of the legal group

At its second session, the intergovernmental negotiating committee established a legal group, to work with Ms Susan Biniaz (United States of America) as chair. The mandate agreed for the legal group by the second session was that the group would:

- Examine elements on which substantive agreement had been reached to ensure that the text of the individual elements, and the interplay between them, reflected and gave effect to the committee's intentions in a legally sound manner, highlighting any ambiguities or potential conflicts that might require further consideration by the committee;
- As necessary, prepare draft provisions of the instrument based on the policy approaches agreed by the committee;
- Review draft provisions prepared by the committee and other groups;
- Examine the consistency of the various draft provisions, harmonizing them as necessary; and
- Advise the committee or other groups on any legal questions that arose.

The group would also consider other issues that the committee might refer to it.

Annex II: Flow of negotiations

Meeting of the bureau of the intergovernmental negotiating committee on mercury Gimo, Sweden 10 – 11 October 2011

Note by the secretariat on the flow of the negotiations

Progress so far

1. After several years of considering options for international action on mercury issues, the Governing Council of UNEP agreed in February 2009, in its decision 25/5, to mandate negotiations for a global legally binding instrument on mercury, supplementing the work already being undertaken through UNEP's voluntary partnership programme. The mandate contained a list of provisions to be included in a "comprehensive and suitable approach to mercury." An open-ended working group met in Bangkok in October 2009 to prepare for the negotiations, for example by developing draft rules of procedure and identifying candidates for the Bureau of the intergovernmental negotiating committee.
2. The committee held its first session in Stockholm in June 2010, marking the formal launch of negotiations under the chairmanship of Mr. Fernando Lugris (Uruguay). During the session, delegations presented initial views on each of the provisions listed in the negotiating mandate. The committee requested the secretariat to prepare additional documents to support discussion at its next session, including a paper containing possible "draft elements" for the mercury instrument based on views expressed during the session and in subsequent written submissions.
3. At the committee's second session, held in Chiba, Japan, in January 2011, delegates agreed to use the secretariat's elements paper as a starting point for their negotiations. The committee completed a first reading of the elements paper and convened contact groups in which detailed discussions took place on possible approaches to waste, storage and contaminated sites, artisanal and small-scale gold mining and emissions and releases of mercury. Facilitators also gathered views on a possible preamble for the instrument; the issue of primary mining; control measures for products and processes using mercury; financial resources and technical and implementation assistance; and awareness-raising, research and monitoring, and communication of information. The committee concluded by requesting the secretariat to prepare a new draft text to reflect the views of parties expressed during the session and in submissions to be made after the session.
4. Following the second session, preparatory regional consultations have been held in each region. The meetings were held as follows: in Africa from 12 to 14 September 2011; in Latin America and the Caribbean from 19 to 23 September 2011; in Asia and the Pacific from 26 to 28 September 2011; in the European Union on 3 October 2011; and in Central and Eastern Europe from 5 to 6 October 2011. A teleconference was also held with JUSSCANNZ countries on 18 August 2011.
5. In summary, the negotiations were formally launched; there was an initial exchange of views at the committee's first session on the provisions stipulated in the negotiating mandate and, at its second session, a complete reading of the elements paper. Consultations have also been undertaken at the regional and bilateral levels. The new draft text developed by the secretariat for the committee's third session presents the full range of party views, all in the form of legal text. This will allow delegates at the third session to engage immediately in detailed, focused negotiations on the principal alternative approaches that have been proposed for all provisions of the mercury instrument.

6. The committee will enter its third session in the strong position of already having a full set of written proposals and alternatives to consider. However, much remains to be done if the negotiations are to be completed by the target date of early 2013. While there are a few provisions on which an early consensus seems achievable, many are still subject to significant divergences of opinion. Debate on some key issues such as emissions, finance and compliance is at an early stage. Allowing for opening ceremonies, organization of work, delivery of general statements, adoption of reports and other such requirements, the committee has approximately 60 hours of plenary time in its remaining three sessions in which to complete its negotiations.

7. It will be essential for the committee, at its third session, to consolidate as many provisions as possible, by either agreeing on a single approach or at least by narrowing the options, and identifying issues that may require further exploration through inter-sessional processes. It would greatly facilitate future progress if the committee could reach agreement at its third session on certain main policy choices that will determine the structure of several provisions, such as whether to use “positive” or “negative” lists or any other approach as the basis for controlling products and processes and whether to differentiate between large and small emitters of mercury. Furthermore, it is important for the committee to make progress in reflecting such policy choices in concrete proposals presented in the form of negotiated draft text.

8. Thus far, the chair of the committee has emphasized the desirability of conducting as much of the negotiations in plenary as possible in order to ensure coherence in policy, technical, financial and legal approaches and to enable small delegations to follow the proceedings more easily. To advance the negotiations at the third session, it may nevertheless be advisable to make more extensive use of contact groups, while still minimizing parallel meetings. The generally accepted procedure of having no more than two groups, including plenary, working at any time will be followed. Contact groups might be encouraged to move beyond the more detailed exploration of issues that took place in groups at the second session and aim to report back to plenary with consensus proposals, including draft text where possible. Individual contact group may be invited to revisit an issue after an initial report back to plenary in order to follow up on particular points where it appears further clarifications or the resolution of differences may be achievable. However, it should be noted that the time available for each contact group will be limited. The chair may wish to order plenary discussion so that issues on which extensive contact group work may be required are taken up early in the session.

9. The newly established legal group will also be a key facilitator, and indicator, of progress at the third session as provisions are progressively referred to the group for review and “polishing” once the plenary has agreed on policy approaches for each one. Given its specialist nature, the legal group will not be bound by the restriction on the number of simultaneous groups, but may work in parallel with two other groups. In general, the legal group will avoid working during meetings of plenary, to allow legal experts to hear the policy discussions and agreements. It may be necessary to undertake more evening work than at previous sessions, though in certain cases the chair may judge it to be more efficient to request the secretariat to collate drafting proposals for consideration by plenary the following day and may seek the agreement of the committee for this course of action.

Beyond INC3

10. The successful conclusion of negotiations at the committee’s fifth session in February 2013 will depend on the number of outstanding issues having been reduced to a group capable of resolution in the final five days of negotiation. This implies that the bulk of the drafting work will have been completed by the end of the fourth session in June 2012. At the fifth session, the focus should be on resolving textual differences and work to finalize the packages of obligations and support which are agreeable to all. The text will then be agreed at the fifth session. It will also be important at the fifth session that the draft text of the Final Act be considered, should time

permit. The Final Act will direct the work to be undertaken during the interim period, and may make provisions for financial support and for the activities of the interim secretariat. The Final Act will be signed at the Diplomatic Conference. Work at the fourth and fifth sessions is likely to follow a similar pattern to that at the third session, with intensifying use of contact groups and other tools to resolve a narrowing list of outstanding issues. The twenty seventh session of the UNEP Governing Council will be held between the fifth session and the Diplomatic Conference, and may wish to note the outcome of the negotiating process.

11. Work by the committee may be supplemented by intersessional processes after its third and fourth sessions. These could include opportunities for written submissions, further regional meetings, additional research and analysis by the secretariat, issue-specific working groups and consultations at a higher political level if there are any particularly intractable negotiating issues to resolve. However, the limited time available between the sessions should be taken into consideration, as should the limited secretariat resources. Consideration should be given to maximizing efficiencies where possible.

12. The Diplomatic Conference in mid-2013 will, first and foremost, be an occasion for high-level representatives to adopt formally and commence signature of the mercury instrument agreed by the intergovernmental negotiating committee. It will also be an opportunity to address, through conference resolutions, certain issues that require formal consideration but were not suitable for inclusion in the instrument itself. Typically such resolutions might cover matters such as interim secretariat and other arrangements. If necessary, a pre-meeting may be convened to finalize negotiations on such resolutions, should this not be achieved by the end of the fifth session.

13. The Diplomatic Conference will be followed by an interim period when the instrument has been adopted but has not yet entered into force. The length of this interim period, which was three years and six years respectively in the case of the Stockholm and Rotterdam Conventions, will be influenced by factors such as the degree of political support for the new instrument, the number of ratifications required for entry into force and the availability of resources to facilitate preparations for ratification by individual States. The interim period may provide a further opportunity to address issues that require attention prior to the instrument's entry into force but were either inappropriate or not possible to deal with in the negotiation of the instrument itself. Examples could include detailed technical work on guidelines for best available techniques and best environmental practices, establishing maximum contamination or emission levels and the elaboration of operational arrangements for financial and technical assistance. Such interim work would be carried out under the auspices of the intergovernmental negotiating committee which would continue to function, pending entry into force and the convening of the first meeting of the governing body of the instrument. It should be noted that, given the volume of work to be undertaken, both the Rotterdam and Stockholm Conventions had annual meetings of the intergovernmental negotiating committee between the Diplomatic Conference and the first session of the Conference of the Parties, with the Rotterdam Convention holding six additional sessions of the committee, and the Stockholm Convention holding two additional sessions.

14. The Convention will enter into force after the deposition of an agreed number of instruments of ratification, acceptance, approval or accession.

Annex III: Schedule for upcoming meetings

2011

| Date | Meeting |
|--------------------------|--|
| 10 – 14 October | POPs Review Committee, Geneva Switzerland |
| 17 – 21 October | Tenth meeting of the Conference of the Parties to the Basel Convention on the Transboundary Movement of Hazardous Waste, Cartagena, Colombia |
| 31 October – 4 November | Third session of the Intergovernmental Negotiating Committee to Prepare a Global Legally Binding Instrument on Mercury, Nairobi, Kenya |
| 5 – 6 November | Third session of the UNEP Global Mercury Partnership Advisory Group, Nairobi, Kenya |
| 14 – 18 November | Open Ended Working Group for the Strategic Approach to International Chemicals Management (SAICM) Belgrade, Serbia |
| 21 – 25 November | Joint Vienna Convention COP 9 & Montreal Protocol COP23, Bali, Indonesia |
| 28 November – 8 December | UNFCCC COP 17 and COP/MOP 7, Durban, South Africa |
| 12 – 15 December | First Eye on the Earth Summit, Abu Dhabi |

2012

| Date | Meeting |
|-------------------|--|
| 20 - 22 February | Twelfth special session of the UNEP Governing Council/Global Ministerial Environment Forum |
| 30 May – 1 June | Preparatory meeting for Rio +20 |
| 4 – 6 June | Rio + 20 – Earth Summit 2012 |
| 25 - 29 June | Fourth session of the Intergovernmental Negotiating Committee to Prepare a Global Legally Binding Instrument on Mercury, Punta del Este, Uruguay |
| 17 – 21 September | ICCM3 (SAICM) (tbc) |
| 8 – 19 October | CBD COP11 |

2013

| Date | Meeting |
|------------------|--|
| 4 - 8 February | Fifth session of the Intergovernmental Negotiating Committee to Prepare a Global Legally Binding Instrument on Mercury, Location TBC |
| 18 - 22 February | 27 th session of the UNEP Governing Council, Nairobi, Kenya |
| 6 – 10 May | Stockholm Convention COP 6, Geneva Switzerland |
| 1 – 5 July | Rotterdam Convention COP 6, Rome, Italy |
| September | Mercury Diplomatic Conference, Japan (dates to be confirmed) |

Annex IV: INC2 Contact Groups and Facilitators

Contact groups and facilitators

At the second session of the intergovernmental negotiating committee, a number of issues were referred from plenary to contact groups for further discussion. Views on other issues were compiled by facilitators, who then reported back to plenary of the views which had been provided.

A list of the contact groups, along with the chairs, as well as a list of facilitators and the issues they addressed is provided below for the information of the bureau members.

Contact groups

| Group | Co-chairs |
|---------------------------------------|---|
| Storage, waste and contaminated sites | Ms. Abiola Olanipekun (Nigeria) Ms. Kateřina Šebková (Czech Republic) |
| Artisanal and small-scale gold mining | Mr. Felipe Ferreira (Brazil)* Mr. Donald Hannah (New Zealand) |
| Emissions and releases | Mr. Wijarn Simayacha (Thailand)* Mr. John Roberts (United Kingdom of Great Britain and Northern Ireland) |
| Legal | Ms. Susan Biniiaz (United States of America) ¹ |

Facilitators

| Issue | Facilitator |
|---|--|
| Preamble | Mr. Oumar Diaouré Cisse (Mali) |
| Supply | Mr. Vladimir Lenev (Russian Federation) |
| Products, processes and exemptions | Ms. Gillian Guthrie (Jamaica) Ms. Nina Cromnier (Sweden) |
| Financial resources, technical assistance and implementation committee | Ms. Kerstin Stendahl (Finland) Mr. Damaso Luna Corona (Mexico) |
| Information, implementation plans, reporting and effectiveness evaluation | Ms. Noluzuko Gwayi (South Africa) Mr. Daniel Ziegerer (Switzerland) |

It is expected that at INC3 the following contact groups will meet:

Artisanal and small-scale gold mining
Storage, waste and contaminated sites
Emissions and releases
Products and processes
Financial resources and technical and implementation assistance
Awareness-raising, research and monitoring, communication of information

The legal group, established at INC2, is expected to meet during INC3.

¹ Note that the Legal Group, while formally established and given a mandate at INC2, did not actually meet during the session.

*Note that these individuals will not participate at INC3.