



**United Nations
Environment
Programme**

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**Intergovernmental negotiating committee
to prepare a global legally binding
instrument on mercury**

First session

Stockholm, 7–11 June 2010

Item 3 (c) of the provisional agenda*

Organizational matters: organization of work

Annotations to the provisional agenda

Item 1: Opening of the meeting

1. The first session of the intergovernmental negotiating committee to prepare a global legally binding instrument on mercury, to be held from 7 to 11 June 2010 at the Scandic Infra City Hotel in Stockholm, will be opened at 10 a.m. on Monday, 7 June 2010.
2. Opening statements will be made by a representative of the host Government and a representative of the United Nations Environment Programme (UNEP).

Item 2: Election of officers

3. It is expected that the intergovernmental negotiating committee will elect its officers, including a chair, vice-chairs and a rapporteur, at the beginning of the session. To ensure adequate regional representation, and consistent with the proposed draft rules of procedure, the committee may wish to consider the election of two officers from each of the five United Nations regions who will collectively constitute the bureau.

Item 3: Organizational matters

(a) Adoption of the rules of procedure

4. Following discussion of draft rules of procedure by the ad hoc open-ended working group to prepare for the intergovernmental negotiating committee on mercury at its meeting held in Bangkok from 19 to 23 October 2009, the open-ended working group agreed to forward draft rules of procedure to the committee for consideration at its first session. The draft rules of procedure as agreed by the working group are set out in the annex to document UNEP(DTIE)/Hg/INC.1/3. The working group recommended that the committee should adopt those rules, bearing in mind the group's widely shared

* UNEP(DTIE)/Hg/INC.1/1.

conviction regarding the importance of consensus in the process of negotiating the legally binding instrument. The committee may wish to adopt the rules of procedure as recommended by the working group.

(b) Adoption of the agenda

5. Subject to the rules of procedure, the committee may wish to adopt the agenda for its session based on the provisional agenda set forth in document UNEP(DTIE)/Hg/INC.1/1.

(c) Organization of work

6. The committee may wish to decide that it should meet each day of the session from 10 a.m. to 1 p.m. and from 3 p.m. to 6 p.m., subject to adjustments as necessary.

7. During the course of the session, the committee may wish to establish such contact groups as it may deem necessary and to specify their mandates.

Item 4: Preparation of a global legally binding instrument on mercury

8. The committee will have for its consideration a number of documents that were requested by the ad hoc open-ended working group to prepare for the intergovernmental negotiating committee on mercury at its meeting in Bangkok to facilitate the discussions on the global legally binding instrument on mercury. Some of those documents may relate to more than one of the provisions of the mercury instrument contemplated by paragraph 27 of Governing Council decision 25/5. To facilitate discussion, an annotated list of those provisions has been prepared, which provides references to the relevant documents (UNEP(DTIE)/Hg/INC.1/INF/6).

9. The committee may wish, as proposed in the scenario note prepared by the secretariat (UNEP(DTIE)/Hg/INC.1/2), to commence discussions with general statements relating to the development of a global legally binding instrument on mercury, followed by consideration of the objectives of such an instrument.

10. Options for the structure of the instrument are presented in document UNEP(DTIE)/Hg/INC.1/4, while options for substantive provisions for reference when developing the instrument are presented in document UNEP(DTIE)/Hg/INC.1/5. The committee may wish to refer to the latter document when considering each of the provisions listed in paragraph 27 of decision 25/5. A possible tool to track progress in the negotiating process is presented in document UNEP(DTIE)/Hg/INC.1/6.

11. As indicated in the list contained in document UNEP(DTIE)/Hg/INC.1/INF/6, additional documents are available to support discussion on individual issues.

12. Document UNEP(DTIE)/Hg/INC.1/8 sets out possible options for predictable and efficient financial assistance arrangements, while document UNEP(DTIE)/Hg/INC.1/9 discusses options for delivery of technical assistance and capacity-building. Document UNEP(DTIE)/Hg/INC.1/10 presents information on how sustainable technology transfer and support could be facilitated for global mercury control actions, while document UNEP(DTIE)/Hg/INC.1/11 provides information on key concepts, procedures and mechanisms of legally binding agreements that may be relevant to furthering compliance under the future mercury instrument. Document UNEP(DTIE)/Hg/INC.1/12 considers arrangements for effectiveness evaluation in other conventions and possible approaches to establishing baselines, and document UNEP(DTIE)/Hg/INC.1/13 discusses the concept of essential use as it is employed in a number of international agreements. Document UNEP(DTIE)/Hg/INC.1/16 provides information on international trade law that may be relevant to the future mercury instrument. The above documents draw on experience with existing multilateral environmental agreements and other relevant instruments.

13. To assist in the understanding of key terms which may be used during the negotiating process, a glossary of such terms is presented in document UNEP(DTIE)/Hg/INC.1/14.

14. A study on various types of mercury-emitting sources, as well as current and future trends of mercury emissions, with a view to analysing and assessing the costs and the effectiveness of alternative control technologies and measures, was requested by the Governing Council in paragraph 29 of decision 25/5. An initial report on the development of such a study was made available to the ad hoc open-ended working group at its meeting in Bangkok, and an update on progress with the study is presented to the committee in document UNEP(DTIE)/Hg/INC.1/15.

15. The need for cooperation and coordination and to avoid unnecessary duplication of proposed actions with relevant provisions in other international agreements and processes is one of the issues to be considered by the committee, in line with subparagraph 28 (d) of decision 25/5. Document UNEP(DTIE)/Hg/INC.1/17 accordingly presents information on synergies and institutional cooperation and coordination with related multilateral environmental agreements and policies, while document UNEP(DTIE)/Hg/INC.1/18 provides an update on relevant issues being considered in international forums and their possible impact on the mercury negotiation process.
16. Documents UNEP(DTIE)/Hg/INC.1/19 and UNEP(DTIE)/Hg/INC.1/INF/8 provide additional information on the costs and benefits of possible controls on mercury, based on the provisions listed in paragraph 27 of decision 25/5. Documents UNEP(DTIE)/Hg/INC.1/20 and UNEP(DTIE)/Hg/INC.1/INF/9 provide updated information on the supply and trade of mercury.
17. Document UNEP(DTIE)/Hg/INC.1/7 presents possible draft text for the articles on standard provisions that are typically included in multilateral environment agreements.
18. In addition to the above working documents a number of information documents have been prepared to facilitate the work of the committee. The full report of the meeting of the ad hoc open-ended working group to prepare for the intergovernmental negotiating committee on mercury is reproduced in document UNEP(DTIE)/Hg/INC.1/INF/1; reports on the technical sessions conducted during that meeting are available in document UNEP(DTIE)/Hg/INC.1/INF/2.
19. Documents UNEP(DTIE)/Hg/INC.1/INF/3 and INF/4, respectively, provide information on provisions relating to the Basel Convention, as requested by the ad hoc open-ended working group, and on work under the Strategic Approach to International Chemicals Management. Document UNEP(DTIE)/Hg/INC.1/INF/5 describes the progress of the consultative process on financing options for chemicals and wastes led by UNEP.
20. Document UNEP(DTIE)/Hg/INC.1/INF/6 provides an update of a previously prepared document detailing currently available information that might assist the committee, while document UNEP(DTIE)/Hg/INC.1/INF/7 presents additional information submitted by Governments, intergovernmental organizations and non-governmental organizations following the meeting of the ad hoc open-ended working group to prepare for the intergovernmental negotiating committee.

Item 5: Other matters

21. The committee may wish to consider other matters raised during the session.

Item 6: Adoption of the report

22. At its final meeting, the committee will be invited to consider and to adopt its decisions and the report of its session prepared by the rapporteur. The report of the session as at the end of the plenary meeting on Thursday, 10 June 2010, will be approved in plenary on Friday, 11 June, with any amendments that may be necessary. Consistent with standard United Nations practice, the committee may agree that the section of the report pertaining to the Friday plenary meetings will be prepared by the rapporteur, in cooperation with the secretariat, and incorporated into the meeting report under the authority of the chair. The final report of the session will be circulated after the closure of the session.

Item 7: Closure of the session

23. It is expected that the committee will conclude its work by 6 p.m. on Friday, 11 June 2010.
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