



**United Nations
Environment
Programme**

Distr.: General
24 April 2010

English only

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

First session

Stockholm, 7–11 June 2010

Item 4 of the provisional agenda*

**Preparation of a global legally binding
instrument on mercury**

**Progress of the consultative process on financing options for
chemicals and wastes led by the United Nations Environment
Programme**

Note by the secretariat

1. At its meeting held in Bangkok from 19 to 23 October 2009, the ad hoc open-ended working group to prepare for the intergovernmental negotiating committee on mercury agreed on a list of information that the secretariat would provide to the committee at its first session to facilitate the committee's work. Among other things, the secretariat was requested to provide a note on the progress of the consultative process on financing options for chemicals and wastes led by the United Nations Environment Programme (UNEP). The current note responds to that request.

2. The consultative process was launched by Mr. Achim Steiner, Executive Director of the United Nations Environment Programme (UNEP), in recognition of the need for adequate resources in the field of chemicals and wastes management. The process was first announced at the fourth meeting of the Conference of the Parties of the Stockholm Convention on Persistent Organic Pollutants, held in Geneva in May 2009, as a response to difficulties encountered in reaching agreement on a compliance mechanism owing to concerns that the available capacity and resources for such a mechanism were inadequate. A further announcement of the process was made the following week, at the second session of the International Conference on Chemicals Management, held in Geneva. The purpose of the consultations would be to analyse the current situation with regard to financing for chemicals and waste management at the national level, including but not limited to the implementation of party obligations under chemicals-related multilateral environmental agreements, and to devise strategic, synergistic proposals for improving it. The consultations would also provide advice to the Executive Director on options that could be pursued to move forward in this area.

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

3. To initiate the process, a brainstorming meeting was held in Nairobi on 24 and 25 July 2009, during which participants called upon UNEP to undertake a desk study to explore the funding and support needs of developing countries and countries with economies in transition and relevant ways to support compliance with chemicals and wastes-related multilateral environment agreements and capacity-building, including institutional strengthening and technical assistance for promoting the sound management of chemicals and wastes in broader terms. A preliminary desk study was produced for consideration at the second meeting in the consultative process, which took place in Bangkok on 25 and 26 October 2009. It provided the background for participants' consideration of options to secure adequate financing in the areas of chemicals and wastes.
4. At its second meeting the consultative group provided feedback on the preliminary desk study and requested UNEP to revise it so that it could become a reference document that would form the basis of further discussions on financing options for the chemicals and wastes agenda. The group also requested UNEP to produce a paper on policy options for financing the chemicals and wastes agenda, with a focus on outlining advantageous paths and combinations of options to move the chemicals and wastes agenda forward.
5. The revised version of the desk study,¹ together with a note by the Executive Director on policy options for financing the chemicals and wastes agenda,² was presented to the UNEP Governing Council/Global Ministerial Environment Forum at its eleventh special session, held in Bali, Indonesia, from 24 to 26 February 2010. The revised desk study outlined a range of options for securing adequate financing in the areas of chemicals and wastes. Most of these options are not mutually exclusive and would be mutually reinforcing if implemented in a coordinated manner.
6. The Governing Council, by its decision SS.XI/8, welcomed the establishment of the consultative process and took note of the preliminary findings set out in the revised desk study. It requested the Executive Director to continue leading the consultative process and suggested drawing more on the experience of the multilateral environmental agreements and the work of the International Conference on Chemicals Management, the Global Environment Facility, the United Nations Development Programme, the World Bank and other relevant organizations. It also requested the Executive Director to report on the progress made and the direction of the consultative process to relevant intergovernmental processes, including the Commission on Sustainable Development at its nineteenth session, in 2011, and to participants in the preparatory meetings for the third session of the International Conference on Chemicals Management. It also recommended that the consultative process should consider the financial challenges faced by developing countries and countries with economies in transition to implement their chemicals and wastes agendas effectively.
7. The Executive Director is to provide a final report for consideration by the Governing Council/Global Ministerial Environment Forum at its twelfth special session, in 2012, with the aim of achieving possible decisions at the third session of the International Conference on Chemicals Management, in 2012, and at the twenty-seventh session of the Governing Council, in 2013.
8. The full text of the decision is contained in the annex to the present note.

1 UNEP/GCSS.XI/INF/8, available at http://www.unep.org/gc/gcss-xi/info_docs.asp (English only).

2 UNEP/GCSS.XI/INF/8/Add.1, available at http://www.unep.org/gc/gcss-xi/info_docs.asp (English only).

Annex

Decision SS.XI/8: Consultative process on financing options for chemicals and wastes

The Governing Council,

Recognizing the need for heightened efforts to increase the political priority accorded to the sound management of chemicals and wastes and the increased need for sustainable, predictable, adequate and accessible financing for the chemicals and wastes agenda,

Also recognizing the need to look at the sound management of chemicals and wastes not only as a financial burden but also as a possible pathway to the generation of economic growth,

Recalling the proposal by the Executive Director that a consultative meeting of Governments and other stakeholders should be held prior to and in preparation for the eleventh special session of the United Nations Environment Programme Governing Council/Global Ministerial Environment Forum and the planned simultaneous extraordinary meetings of the conferences of the Parties to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal, the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade and the Stockholm Convention on Persistent Organic Pollutants with the purpose of analysing the current state of affairs and devising strategic, synergistic proposals on financing chemicals management,³

Highlighting the positive effects of synergistic initiatives among the conventions related to chemicals and wastes, the Strategic Approach to International Chemicals Management and the United Nations Environment Programme,

Stressing the relevance for the development of capacities and the transfer of technology regarding chemicals and wastes-related issues of the regional and subregional centres of the Basel and Stockholm conventions and the regional offices of the United Nations Environment Programme,

Recalling the need to address the chemicals and wastes agendas in the broader context of sustainable development and the achievement of the Millennium Development Goals, including by linking them to public health, poverty reduction and creation of economic opportunities,

1. *Welcomes* the establishment of a consultative process on financing options for chemicals and wastes and the work carried out by the United Nations Environment Programme to date in this regard;
2. *Reminds* the Secretariat, in order to enhance the effective participation of invited parties and stakeholders in the discussions, to distribute all necessary documents relevant to the consultative process in a reasonable time and in any event no less than five weeks prior to any future meeting related to this process held under the auspices of the United Nations Environment Programme;
3. *Takes note* of the preliminary findings set out in the desk study on financing options for chemicals and wastes;⁴
4. *Requests* the Executive Director to continue leading the consultative process and suggests drawing more on the experience of the multilateral environmental agreements and the work of the International Conference on Chemicals Management, the Global Environment Facility, the United Nations Development Programme, the World Bank and other relevant organizations;
5. *Also requests* the Executive Director, in preparing documents for the next stage of the consultative process, to ensure that the comments and the contributions of Governments, in particular participating invited parties and stakeholders at the second meeting of the consultative process on financing options for chemicals and wastes, held in 2009 in Bangkok, are incorporated into a revised version of the note by the Executive Director on financing the chemicals and wastes agenda⁵ and into the action-oriented summary of policy options for financing chemicals and wastes;⁶

³ UNEP/POPS/COP.4/38, para. 193.

⁴ UNEP/GCSS.XI/INF/8.

⁵ Ibid.

⁶ UNEP/GCSS.XI/INF/8/Add.1.

6. *Recommends* that the consultative process should consider, among other things, the financial challenges faced by developing countries and countries with economies in transition to implement their chemicals and wastes agendas effectively;
7. *Requests* the Executive Director to report on the progress made and the direction of the consultative process on financing options for chemicals and wastes to relevant intergovernmental processes, including to the conferences of the parties to the Basel, Rotterdam and Stockholm conventions at their meetings in 2011; to the Commission on Sustainable Development at its nineteenth session, in 2011; to participants in the preparatory meetings for the third session of the International Conference on Chemicals Management; and to the governing bodies of the Global Environment Facility, with the aim of providing a final report for consideration by the Governing Council/Global Ministerial Environment Forum at its twelfth special session, in 2012, and of achieving possible decisions at the third session of the International Conference on Chemicals Management, in 2012, and at the twenty-seventh session of the Governing Council, in 2013;
8. *Also requests* the Executive Director, in collaboration with relevant partners, to launch initiatives to raise awareness of the importance of the sound management of chemicals and wastes, using various avenues, including the media and key international opportunities such as intergovernmental meetings and public events at both the national and international levels;
9. *Invites* Governments and other interested parties, including the private sector, to provide financial and in-kind support to this process and to awareness-raising initiatives;
10. *Requests* the Executive Director to report to the Governing Council/Global Ministerial Environment Forum at its twenty-sixth session on the implementation of the present decision.
