



United Nations Environment Programme

برنامج الأمم المتحدة للبيئة • 联合国环境规划署
PROGRAMME DES NATIONS UNIES POUR L'ENVIRONNEMENT • PROGRAMA DE LAS NACIONES UNIDAS PARA EL MEDIO AMBIENTE
ПРОГРАММА ОРГАНИЗАЦИИ ОБЪЕДИНЕННЫХ НАЦИЙ ПО ОКРУЖАЮЩЕЙ СРЕДЕ

4 June 2007

Dear Sir or Madam,

Following the adoption of decision 24/3 by the twenty-fourth session of the Governing Council/Global Ministerial Environment Forum on 9 February 2007, calling for a range of further activities on mercury and other metals, we have written to governments requesting financial support for these activities, and also requesting the submission of information relating to mercury and other metals. A copy of the decision is attached in Attachment I for your information.

Throughout this decision, there are a number of actions to be taken by Governments, as well as opportunities for Governments to request assistance to undertake the relevant actions. The involvement of civil society in the programme is also considered of high priority. A number of key items, which affect the whole mercury programme, are brought to your attention below.

Activities have been categorized into the following areas for work-planning purposes:

1. Strengthening Mercury Partnerships
2. Compilation of a number of mercury related reports
3. Open ended working group on Mercury
4. Update of lead and cadmium reviews

1. Strengthening Mercury Partnerships

Mercury partnerships are an opportunity to complement and enhance government and stakeholder commitments on mercury. They also provide an opportunity for governments and stakeholders to coordinate and cooperate on mercury related activities. Attachment II outlines further detail on the current mercury partnership programme and UNEP's proposed process in moving forward. As a first step, I invite your comments in response to Attachment II of this letter **by 15 July 2007**.

2. Compilation of a number of mercury related reports

Activities for Governments included, among other things, the submission of information on a number of issues. In some areas, the input of civil society will also be valuable, and you are invited to submit any relevant information. Details of the information requested for mercury, along with the due dates for submission, are set out in Attachment III for your information and follow-up **by 30 June 2007**.

3. Open ended working group on mercury

Please note that much of the information requested in item 2 above is to inform the ad hoc open-ended working group. It is intended, funding permitting, to hold the first meeting of the ad hoc open-ended working group in November 2007. The timely submission of information is therefore important to allow compilation and presentation to this meeting. Further information about this meeting will be forwarded at a later date. Please note that the arrangements for the meeting are subject to suitable funding being available.

4. Update of lead and cadmium reviews

Details of the information requested are outlined in Attachment IV. The requested information on lead and cadmium should be submitted to UNEP Chemicals by 30 September 2007. The Interim Reports will be amended accordingly and circulated to the Lead and Cadmium Working Group for comment. The reviews will be finalised for the twenty-fifth session of the Governing Council/Global Ministerial Environment Forum, addressing the Working Group comments.

When submitting information, please consider submitting it in an electronic format, where possible, to facilitate the work of the secretariat. If extensive reports are submitted, please indicate the relevant sections of the report. If submissions are made in languages other than English, it would be appreciated if an executive summary could be provided in English.

Thank you for your interest in the work of the UNEP mercury and other metals programme, and I look forward to working with you during the next year.



Maged Younes
Head
UNEP Chemicals

ADDRESSED TO: NGO members of the Mercury Working Group and the Lead and Cadmium Working Group.

Attachment 1 – Decision 24/3

Attachment 2 – Strengthening mercury partnerships

Attachment 3 – Mercury information requested from Governments

Attachment 4 – Lead and Cadmium

Attachment I: Decision 24/3

Decision 24/3: Chemicals management

The Governing Council,

Recalling its decisions 18/12 of 26 May 1995, 19/13 of 7 February 1997, 20/23 of 4 February 1999, SS.VII/3 of 15 February 2002, 22/4 of 7 February 2003, 23/9 of 25 February 2005 and SS.IX/1 of 9 February 2006 concerning global policies related to chemicals management and the development of a strategic approach to international chemicals management,

Recalling its decision 23/9 II of 25 February 2005 urging the further development of a strategic approach to international chemicals management and its decision SS.IX/1 of 9 February 2006 endorsing the Strategic Approach to International Chemicals Management as adopted by the International Conference on Chemicals Management in Dubai, United Arab Emirates, on 6 February 2006,

Acknowledging the widespread concerns over the serious adverse effects of mercury on human health and the environment and the urgent need for international action,

Noting the Budapest Statement on Mercury, Lead and Cadmium developed at the fifth session of the Intergovernmental Forum on Chemical Safety held in Budapest, Hungary, from 25 to 29 September 2006,

Expressing appreciation for the activities of the United Nations Industrial Development Organization Global Mercury Project on Small-Scale Gold Mining,

Taking into account the principle of common but differentiated responsibilities as reflected in Principle 7 of the Rio Declaration on Environment and Development¹ in addition to the other relevant Rio Declaration Principles,

Having considered the report of the Executive Director on chemicals management,²

I

Cooperation between the United Nations Environment Programme, relevant multilateral environmental agreements and other organizations

1. *Reinforces* the applicability of decision 24/1 to the effective management of chemicals;

II

Strategic Approach to International Chemicals Management

2. *Welcomes* the progress made so far in implementing the Strategic Approach to International Chemicals Management, especially the establishment of the Quick Start Programme to support initial capacity-building activities and the regional meetings held so far or planned, and takes note of the African regional action plan adopted by the participants in the first African regional meeting on the Strategic Approach to International Chemicals Management, which took place from 11 to 14 September 2006;³

3. *Alsowelcomes* the important contributions of the United Nations Environment Programme to the Strategic Approach process;

4. *Expresses appreciation* for the co-responsibility of the World Health Organization in the Strategic Approach secretariat and its belief that such cooperation is of the utmost importance for the success and the intersectoral nature of the Strategic Approach;

¹ *Report of the United Nations Conference on Environment and Development*, Rio de Janeiro, 3-14 June 1992 (United Nations publication, Sales No. E.93.I.8 and corrigenda), (A/CONF.151/26/Rev.1) vol. I: Resolutions adopted by the Conference, resolution I, annex I.

² UNEP/GC/24/7 and UNEP/GC/24/INFs/15, 16, 17 and 21.

³ SAICM/RM/Afr.1/6, annex V.

5. *Underlines* the importance of the Strategic Approach, its overarching goal and its effective implementation and therefore urges all stakeholders to integrate the Strategic Approach into their activities as a priority;

6. *Urges* Governments, intergovernmental organizations, non-governmental organizations and others in a position to do so to contribute financially and in kind to the Quick Start Programme and its trust fund;

7. *Takes note of* the United Nations Environment Programme's plan of work in support of the implementation of the Strategic Approach and requests the Executive Director to encourage the full participation of Governments and other stakeholders in that plan of work, including initiatives related to indicators and tools for evaluation, and to report on progress to the Governing Council/Global Ministerial Environment Forum at its twenty-fifth session;

8. *Encourages* the Strategic Approach secretariat to explore ways to make more effective use of the funding provisions of the Overarching Policy Strategy of the Strategic Approach to identify those areas that can support implementation of appropriate and relevant objectives of the Strategic Approach;

9. *Requests* the Executive Director to report to the Governing Council/Global Ministerial Environment Forum at its tenth special session on the results of the activities undertaken in accordance with the preceding paragraph;

10. *Also requests* the Executive Director to continue to make provision for the implementation of the United Nations Environment Programme's responsibilities under the Strategic Approach;

11. *Further requests* the Executive Director to continue the collaboration between the United Nations Environment Programme and other participating organizations of the Inter-Organization Programme for the Sound Management of Chemicals and to prepare a report for consideration by the Governing Council/Global Ministerial Environment Forum at its tenth special session on endeavours by the Inter-Organization Programme for the Sound Management of Chemicals in implementing the Strategic Approach;

III

Lead and cadmium

12. *Acknowledges* the data and information gaps identified in the United Nations Environment Programme Interim Scientific Reviews on Lead and Cadmium⁴ and that further action is needed to fill those data and information gaps, taking into account the specific situation of developing countries and countries with economies in transition;

13. *Encourages* efforts by Governments and others to reduce risks to human health and the environment of lead and cadmium throughout the whole life cycle of those substances;

14. *Requests* the Executive Director to provide available information on lead and cadmium to address the data and information gaps identified in the Interim Reviews and to compile an inventory of existing risk management measures;

IV

Mercury

15. *Acknowledges* the progress made within the United Nations Environment Programme mercury programme since 2005, including the establishment of and progress made under partnerships and other initiatives;

16. *Recognizes* that current efforts to reduce risks from mercury are not sufficient to address the global challenges posed by mercury;

17. *Concludes*, therefore, that further long-term international action is required to reduce risks to human health and the environment and that, for this reason, the options of enhanced voluntary measures and new or existing international legal instruments will be reviewed and assessed in order to make progress in addressing this issue;

4 UNEP/GC/24/INF/16.

18. *Recognizes* that a range of activities are required to address the challenges posed by mercury, including substitution of products and technologies; technical assistance and capacity-building; development of national policy and regulation; data collection, research and information provision, bearing in mind the need to provide assistance to developing countries and countries with economies in transition;

19. *Commits* to increased efforts to address the global challenges to reduce risks from releases of mercury, taking into account the following priorities:

- (a) To reduce atmospheric mercury emissions from human sources;
- (b) To find environmentally sound solutions for the management of waste containing mercury and mercury compounds;
- (c) To reduce global mercury demand related to use in products and production processes;
- (d) To reduce the global mercury supply, including considering curbing primary mining and taking into account a hierarchy of sources;
- (e) To find environmentally sound storage solutions for mercury;
- (f) To address, considering the results of the analysis referred to in paragraph 24 (d) below, the remediation of existing contaminated sites affecting public and environmental health;
- (g) To increase knowledge on areas such as inventories, human and environmental exposure, environmental monitoring and socio-economic impacts;

20. *Urges* Governments to gather information on means to reduce risk that may be caused by the supply of mercury, considering:

- (a) Reduced reliance on primary mercury mining in favor of environmentally preferable sources of mercury such as recycled mercury ;
- (b) Options and solutions for the long-term storage of mercury;
- (c) Regional activities to improve data on imports and exports of mercury and enforcement of customs control through, for example, the Green Customs initiative;
- (d) The market and socio-economic effects of the activities contemplated above;

21. *Urges* Governments to provide the information referred to in the preceding paragraph to the Executive Director;

22. Also urges Governments to develop and analyse options for addressing the trade and supply of mercury, including considering environmentally sound storage and curbing primary mining, drawing on the United Nations Environment Programme report on mercury supply, trade, and demand, and requests the United Nations Environment Programme, upon request, to assist developing countries in this undertaking through the provision of technical assistance;

23. Urges Governments to provide the information in the preceding paragraph to the Executive Director;

24. *Requests* the Executive Director to prepare a report, drawing on, among other things, ongoing work in other forums addressing:

Atmospheric emission

- (a) Best available data on mercury emissions and trends including where possible an analysis by country, region and sector, including a consideration of factors driving such trends and applicable regulatory mechanisms;
- (b) Current results from modelling on a global scale and from other information sources on the contribution of regional emissions to deposition which may result in adverse effects and the potential benefits from reducing such emissions, taking into account the efforts of the Fate and Transport partnership established under the United Nations Environment Programme mercury programme;
- (c) An overview of sector-based best practices for reducing mercury emissions, including costs where possible and an evaluation of emission reduction scenarios

Site-based contamination

(d) An analysis of information on the extent of contaminated sites, the risks to public and environmental health of mercury compound releases from such sites, environmentally sound mitigation options and associated costs and the contribution of contaminated sites to global releases;

25. *Requests* the Executive Director to continue to facilitate work between the mercury programme of the United Nations Environment Programme and Governments, other international organizations, non-governmental organizations, the private sector and the partnerships established under the mercury programme, as appropriate:

(a) To improve global understanding of international mercury emissions sources, fate and transport;

(b) To promote the development of inventories of mercury uses and emissions;

26. *Urges* Governments and other stakeholders to continue and enhance their support of the UNEP mercury programme partnerships, through the provision of technical and financial resources, as a means to achieve reductions in demand for and releases of mercury and thereby to reduce the risks to human health and the environment from mercury;

27. *Requests* the Executive Director, working in consultation with Governments and other stakeholders, to strengthen the United Nations Environment Programme mercury programme partnerships by:

(a) Developing an overarching framework for the United Nations Environment Programme Global Mercury Partnership through, among other means, organizing a meeting of partners and other stakeholders, including:

(i) Development of business plans;

(ii) Identification of partnership goals;

(iii) Development of operational guidelines;

(b) Expanding the number and scope of partnerships to include new, growing or related sectors such as vinyl chloride monomer production, non-ferrous metals mining and cement production and waste combustion;

(c) Enhancing the artisanal and small-scale gold mining partnership through, among other things, increased cooperation with the United Nations Industrial Development Organization, exploration of innovative market-based approaches and dissemination of alternative capture and recycling technologies;

(d) Endeavouring to secure adequate funds for the Global Mercury Partnership efforts.

28. *Decides*, further, to establish an ad hoc open-ended working group of Governments, regional economic integration organisations and stakeholder representatives to review and assess options for enhanced voluntary measures and new or existing international legal instruments.

29. *Decides* that the ad hoc open-ended working group will be guided by the priorities set out in paragraph 19;

30. *Adopts* the following terms of reference for the ad hoc open-ended working group:

(a) Consider the reports and information referred to in paragraphs 20, 22 and 24 and a compilation by the Executive Director of other available relevant information;

(b) Examine, for each of the priorities set out in paragraph 19:

(i) The range of available response measures and strategies;

(ii) The feasibility and effectiveness of voluntary and legally binding approaches;

(iii) Implementation options;

(iv) Costs and benefits of response measures and strategies;

(c) Also examine each of these response measures and strategies with respect to, among other things, the following considerations:

- (i) The respective capacities and capabilities of developed and developing countries and countries with economies in transition;
 - (ii) The need for capacity-building, technical assistance, technology transfer and suitable sources of finance;
- 31. *Invites* Governments to consider convening national and regional preparatory workshops, involving relevant stakeholders;
- 32. *Decides* that the ad hoc open-ended working group will:
 - (i) Meet twice: once before the tenth special session of the Governing Council/Global Ministerial Environment Forum and once between that special session and the Council/Forum's twenty-fifth regular session;
 - (ii) Provide a progress report to the Governing Council/Global Ministerial Environment Forum at its tenth special session and a final report reflecting all views expressed, presenting options and any consensus recommendations to the Council/Forum at its twenty-fifth regular session;
- 33. *Decides* that the Governing Council/Global Ministerial Environment Forum at its tenth special session may provide further guidance to the ad hoc open-ended working group;
- 34. *Also decides* to consider the outcomes of the work of the ad hoc open-ended working group at its twenty-fifth regular session, with a view to taking a decision on the final report;
- 35. *Requests* the Executive Director to compile other available relevant information for consideration by the ad hoc open-ended working group;
- 36. *Invites* Governments and others in a position to do so to provide extrabudgetary resources for the implementation of the present decision, in particular with regard to the participation of developing countries and countries with economies in transition in the ad hoc working group;
- 37. *Requests* the Chemicals Branch of the United Nations Environment Programme's Division of Technology, Industry and Economics to serve the Ad Hoc Working Group as secretariat and to prepare the analytical and summary reports necessary for its work;
- 38. *Requests* the Executive Director to present a report on progress in the implementation of the present decision to the Governing Council at its twenty-fifth session.

**10th meeting
9 February 2007**

Attachment II: Strengthening Mercury Partnerships

Mercury partnerships are an important voluntary opportunity that complement and enhance government and stakeholder commitments on mercury.

Partnerships can be an effective and useful mechanism in achieving immediate results and can drive creative solutions. They also provide an opportunity for effective coordination and cooperation on mercury related activities.

Governing Council Decision 24/3 requests the secretariat, working in consultation with Governments and other stakeholders, to strengthen the mercury partnerships programme.

Consistent with the recommendation that a meeting of the partners be organised to agree on business plans, goals and operational guidelines and building on an early exploratory meeting, UNEP plans, subject to available funding, to hold a Partnership Meeting in the first half of 2008.

The objective of the Partnership Meeting would be to have presentations from the lead for each of the partnership areas, setting out the overall goal, plans and measurable outcomes for each of the partnership areas. The discussion at this meeting would then be able to focus on overarching objectives for the overall partnership programme, and address opportunities for cooperation and synergies between the partnership areas. The results of these discussions would be made available to the second meeting of the ad-hoc open-ended working group that is considering options to address mercury.

The current partnership areas were developed following an invitation to governments in May 2005 to identify priority partnership areas. Following the establishment of the priority partnership areas, governments were invited in a follow-up letter in July 2006 to identify progress in these partnership areas. The current partnership areas and objectives are included on our mercury partnership web-site at:

http://www.chem.unep.ch/mercury/new_partnership.htm

In strengthening of the mercury partnership programme, the decision calls for a review of the existing partnership areas and the associated objectives as well as to expand the number and scope of partnerships to include new, growing or related sectors such as vinyl chloride monomer production, non-ferrous metals mining and cement production and waste combustion.

UNEP has also been mandated to enhance the artisanal and small scale gold mining partnership by increased cooperation with UNIDO, exploration of innovative market-based approaches and dissemination of alternative capture and recycling techniques.

As a start, I seek initial input from governments and stakeholders on the current partnership areas and objectives as well as input on the expansion of current programme. You are also invited to carefully consider and identify partnership areas in which you have a particular expertise or interest, and indicate that you would be able to either participate in or lead, during this period of work.

As a first step, I invite your comments in response to this Annex by 15 July 2007. We at UNEP appreciate your interest in mercury partnerships and look forward to working with you in this important area.

Attachment III

Mercury information requested from Governments

The decision:

Urges Governments to gather information on means to reduce risk that may be caused by the supply of mercury, considering:

- (a) Reduced reliance on primary mercury mining in favour of environmentally preferable sources of mercury such as recycled mercury;
- (b) Options and solutions for the long-term storage of mercury;
- (c) Regional activities to improve data on imports and exports of mercury and enforcement of customs control through, for example, the Green Customs initiative;
- (d) The market and socio-economic effects of the activities contemplated above.

Urges Governments to develop and analyse options for addressing the trade and supply of mercury, including considering environmentally sound storage and curbing primary mining, drawing on the United Nations Environment Programme report on mercury supply, trade, and demand and, to provide this information to the Executive Director.

Requests the Executive Director to prepare a report, drawing on, among other things, ongoing work in other forums addressing:

Atmospheric emission

- (a) Best available data on mercury emissions and trends including where possible an analysis by country, region and sector, including a consideration of factors driving such trends and applicable regulatory mechanisms;
- (b) Current results from modeling on a global scale, and from other information sources, the contribution of regional emissions to deposition which may result in adverse effects, and the potential benefits from reducing such emissions, taking into account the efforts of the Fate and Transport partnership established under the United Nations Environment Programme mercury programme;
- (c) An overview of sector based best practices for reducing mercury emissions, including costs where possible and an evaluation of emission reduction scenarios

Site based contamination

- (d) An analysis of information on the extent of contaminated sites, the risks to public health and the environment of mercury compound releases from such sites, environmentally sound mitigation options and associated costs and the contribution of contaminated sites to global releases

Information relating to the third report (to be prepared by UNEP) may include indications of work you are aware of in other forums, including national, subregional or regional agreements, or work underway in other multilateral environment agreements. Should you have national emissions or monitoring data, particularly data which demonstrates trends in emissions, please also submit that. UNEP may also take the opportunity to request specific information which may have been referenced in other sources. With regard to the information on contaminated sites, we would

appreciate the submission of any relevant information you may have, along with an indication of whether such information is publicly available.

Deadlines for information

The above information is requested to be submitted to UNEP Chemicals **NO LATER THAN 30 June 2007**. We regret the short timeframe, however this is necessary to make as much information available to the first meeting of the ad-hoc open-ended working group as possible. Should you have additional information which you are not able to provide in this timeframe, please submit a brief statement of the information you are planning to submit, and the approximate date of submission, and this statement will be made available to the working group.

Attachment IV

Lead and Cadmium

Decision:

- acknowledges the data gaps identified in the Interim Scientific Reviews on Lead and Cadmium, and that further action is needed to fill those data and information gaps, taking into account the specific situation of developing countries and countries with economies in transition.
- requests UNEP to work to address these data gaps and also to compile an inventory of existing risk management measures.

Data gaps:

- Exposure assessments and use and release inventories, especially in developing countries
- Modelling for the southern hemisphere (ocean transport)
- Contribution of anthropogenic versus natural sources
- Levels in various media
- Data regarding accidental spills
- Concentration levels in large migrating marine mammals
- Quantities disposed of in the environments, particularly in developing countries
- Level of contamination of drinking water
- Global flow in products

For lead – mechanism of lead toxicity is not well understood, with exposure-response relationship incomplete for many effects.

For cadmium – sources of cadmium contributing to waste are not well investigated. Also, some aspects of consumer exposure and aspects of cadmium toxicity may warrant further investigation.

Plan for further work

Data addressing the above gaps should be submitted to UNEP Chemicals by 30 September 2007

Reports will be amended accordingly and circulated for comment.

Comments will be addressed and reviews finalised to be submitted to GC 25.

Deadline for information

To allow work to progress in a timely fashion, data is requested no later than **30 September 2007**.