

July 17, 2007

Maged Younes, Director
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11-13, chemin des Anémones
CH-1219 Châtelaine
Geneva, Switzerland

Dear Director Younes,

This letter is in response to your request for comments on strengthening mercury partnerships, per the UNEP Governing Council Decision 24/3. This letter also provides some initial reactions to the informal UNEP exploratory mercury partnership meeting held in Geneva last month.

On the Issue of Strengthening Mercury Partnerships

Following the 23rd Governing Council meeting, five main partnership areas were identified. None of the five partnership areas have established clear goals for meaningful and quantifiable reductions in global mercury supply, use, or releases. There is also a lack of priority setting, reporting mechanisms and overall accountability within the partnership areas. As a result, the identified partnership activities over the past two years have mainly been limited to workshops, and have resulted in very limited, if any, direct, quantifiable reductions in global mercury uses or releases. To rectify this, the 24th Governing Council Decision includes the mandate to strengthen the mercury partnerships programme.

Our initial contribution to that could be summarized below:

- In our view, the global mercury pollution problem will not be solved through voluntary partnerships alone. It is not likely that they can mobilize even a fraction of the resources needed. They are limited in participation, scope and direction, lack accountability, and have produced only minimal concrete progress so far. Partnerships can be a useful complement to other more binding and comprehensive commitments. This, we believe, is their appropriate role.
- NGOs agree that, with respect to the mercury emissions to the air, more information is needed. On supply and demand however, UNEP requested and received a study on global mercury trade. Although we can always get better information, we think there is enough information to set overall and sector-specific mercury demand reduction goals.
- With respect to the partnerships as such, priorities need to be set – both within existing partnerships and when establishing new ones.
- A successful partnership needs an agreed overall aim, objectives, concrete goals and a timetable. The ways to measure success should be identified. Furthermore the reasons for the partnership, the framework within which they will operate and the conditions around the partnership will need to be identified. It is also important that the right players are involved to ensure sustainability, since even continuous funding might not be enough to drive the changes we want to achieve. Who is around the table and what commitments they bring to the partnership will also be an important factor to see what can be achieved.

- The governance rules for the partnership need to be clearly defined. This is a very important issue for NGOs. The model which has been promoted by the NGOs is the Governance Rules of the Partnership on Clean Fuels and Vehicles (PCFV). This structure was also discussed at the recent informal meeting in Geneva and presented in the informal summary slides of the exploratory meeting. This structure consists in general of an advisory group, a clearing house and the partners.
- The governance rules for the partnership need to have balanced participation. As in the PCFV, it needs to be ensured that ALL relevant stakeholders are represented in the decision making body – an advisory or steering group. Balanced representation would also be needed in the respective decision-making groups in the partnerships themselves.

Initial Reaction to the Informal Partnership Meeting

NGOs working on global mercury issues appreciated the opportunity to participate in the informal partnerships meeting. We were encouraged by the openness of the discussions and the topics covered as summarized in the six UNEP slides presented during the meeting. The slides summarized the meeting discussions on key elements of partnerships including agreement that “[r]esources should be allocated according to priorities” and the need to secure sufficient funding. Finally, there was considerable discussion on the need to develop an overall global mercury partnership governance structure with an advisory group that includes representatives of the various stakeholders.

Much of the discussion on partnership governance took as its point of departure the governance structure of the Partnership for Clean Fuels and Vehicles.

There appeared to be widespread agreement among meeting participants to use this governance structure model for the mercury partnerships. We would therefore be looking forward to receiving a proposal from UNEP, accommodating the above mentioned concerns, as a basis for discussion.

However, further to our above-mentioned comments, by the end of the meeting it became clear to us that questions concerning the partnerships and their governance will not be completely resolved for some time to come. We welcome the free flow of ideas and the positive intentions that were expressed during the meeting. These, however, are not enough to overcome the existing uncertainties and concerns many NGOs still have about the overall global mercury partnership process.

There exists considerable skepticism about the extent to which global mercury partnerships, taken as a whole, can or will result in significant reductions in mercury supply, use, and releases. There also remains skepticism about the extent to which relevant NGOs will be given the opportunity to participate on a full and equitable basis within the global mercury partnership structure.

Until and unless these NGO concerns are resolved, many NGOs working on global mercury issues will likely hold back from direct participation in the global mercury partnership process. Others may actively engage in some partnership activities on a case-by-case basis. Accordingly, NGO involvement will likely be limited in the immediate future.

Sincerely,

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