

Quick Views of Zero Mercury Working Group, on GC 25

16th February, 2009
Nairobi, Kenya

Goals for GC

1. Formation of an Intergovernmental Negotiating Committee (INC) to negotiate a free standing legally binding instrument (LBI) on mercury. The mandate to the INC should enable development of an LBI that:
 - Includes all human activities that contribute to the global mercury pollution problem, and addresses the entire lifecycle of mercury.
 - Phases in different mercury control measures over a period of time.
 - Incorporates the Precautionary Principle, the Polluter Pays Principle, and other relevant Rio Principles.
 - Recognizes the role and importance of public interest, health and environmental stakeholders
 - Provides adequate resources for developing countries to meet their LBI obligations
2. Adoption of a near-term program of action to be undertaken while the INC deliberations are underway.

Advantages of a global legally binding instrument

1. Comprehensive, long-term, global participation and implementation.
2. High-level commitment guaranteeing political support of implementation
3. Control and elimination of global mercury trade while minimizing possibility of conflicts with international trade law.
4. Enhanced coordination and consistency between countries in phasing out the use of mercury in products and processes, and otherwise reducing mercury emissions from industrial sources.
5. High-level commitment to provide adequate new and additional financial resources.
6. Can promote development and wide-spread implementation of national legislation and new regulatory instruments.
7. Can provide guidelines or a framework for synergistic partnership activities.
8. Can elevate the importance of mercury as a priority issue in countries and regions.

Why a free-standing instrument and not a protocol to Stockholm?

The decision to begin the process of developing a free-standing instrument should be taken here at this GC meeting. As the Open Ended Working Group concluded, a free-standing LBI is a better approach than a Stockholm Convention protocol.

Key elements to be addressed by the INC in a LBI

1. Reduce mercury supply including the phase-out of primary mercury mining, and the sequestering of mercury from closing or converting chlor-alkali plants.
2. Prohibit new uses of mercury, and phase-out its use in products (e.g. healthcare) and processes based upon the availability of safe and cost effective alternatives.
3. Phase out of international trade of mercury and mercury products.
4. Prohibit transfer of banned products and technologies.
5. Minimize mercury use in small scale gold mining through a variety of means, including supply reductions and outreach/assistance programs.
6. Minimize anthropogenic atmospheric emissions of mercury where processes or products cannot be phased-out or mercury use is unintentional, through such mechanisms as BAT/BEP requirements.
7. Address the environmentally sound management of wastes containing mercury, including environmentally sound storage.
8. Enhance the global monitoring of mercury, particularly in the food supplies of humans and wildlife.
9. Provide opportunities to facilitate the effective remediation of contaminated sites.
10. Sufficient new and additional financial and technical resources including technology transfer, capacity building, and information exchange to enable developing and transition countries to control mercury sources effectively without disrupting poverty reduction goals.
11. Public information and awareness-raising especially for women, children, Indigenous Peoples, Fisher Folk, consumers of fish, and the least educated.
12. Strong, fair, and balanced mechanisms to support transparency, effective implementation, and compliance with the regime.

What is our proposed near-term program of action?

Our proposal identifies the proposed program of action. It includes facility surveys (to obtain crucial data on operating and design features) and BAT guidance development for priority air emission sources, field work to reduce mercury use in small-scale mining, continued activities to facilitate storage of mercury in developing and transition countries and otherwise reduce global mercury supplies, and capacity building related to fish sampling and associated communication strategies targeted at the developing and transition countries and small island states.