

## **Quick Views of the Ad Hoc Open-ended Working Group on Mercury Zero Mercury Working Group, IPEN, Health Care Without Harm**

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### **Key elements: Framing the issue**

1. A broad scope that includes all human activities that contribute to the global mercury pollution problem, and addresses the entire lifecycle of mercury.
2. An agreement to phase in different mercury control measures over a period of time.
3. Provisions that incorporate the Precautionary Principle, the Polluter Pays Principle, and other relevant Rio Principles.
4. Recognition of the role and importance of public interest, health and environmental stakeholders.

### **Key elements: Specific actions**

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 and processes based upon the availability of safe and cost effective alternatives.
3. Phase out of international trade of mercury and mercury products.
4. 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.
5. Address the environmentally sound management of wastes containing mercury, including environmentally sound storage.
6. Enhance the global monitoring of mercury, particularly in the food supplies of humans and wildlife.
7. Provide opportunities to facilitate the effective remediation of contaminated sites.

### **Key elements: Implementation arrangements**

1. 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.
2. Public information and awareness-raising especially for women, children, Indigenous Peoples, Fisher Folk, consumers of fish, and the least educated.
3. Strong, fair, and balanced mechanisms to support transparency, effective implementation, and compliance with the regime.

### **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 creation of a level playing field 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.

### **Free-standing instrument vs. protocol to the Stockholm Convention**

We prefer a free-standing instrument

The status of mercury under the scope of the Stockholm Convention is uncertain since the treaty concerns persistent organic pollutants. A mercury protocol to the Stockholm Convention would require a consensus decision of the COP. Participation in the Protocol could be limited to Parties to the Stockholm Convention.

The decision to begin the process of developing a free-standing instrument could be taken by the UNEP Governing Council in February 2009. Participation in the instrument would be open-ended and together with other measures would result in a comprehensive mercury framework.