



**Conference of the Parties to the
Minamata Convention on Mercury
Fourth meeting**
Online, 1–5 November 2021 and Bali, Indonesia,
21–25 March 2022

Report of the Conference of the Parties to the Minamata Convention on Mercury on the work of its fourth meeting

In-person segment

Introduction

1. In the light of the coronavirus (COVID-19) pandemic and following consultations with the regions, the Bureau of the fourth meeting of the Conference of the Parties to the Minamata Convention on Mercury decided that the fourth meeting would be held in two segments, the first to be held online from 1 to 5 November 2021 and the second to be held in person in Bali, Indonesia, tentatively scheduled to be held during the first quarter of 2022.
2. Accordingly, the first segment having been held online from 1 to 5 November 2021, the second segment was convened in person at the Nusa Dua Convention Centre, Bali, Indonesia, from 21 to 25 March 2022.

I. Opening of the second segment (item 1 of the agenda)

3. The master of ceremonies welcomed participants to the meeting at 10.20 a.m. on Monday, 21 March 2022. A cultural performance of traditional dance and music was presented.
4. Opening statements were delivered by Mr. Wayan Koster, Governor of the Province of Bali, Indonesia; Ms. Monika Stankiewicz, Executive Secretary of the Minamata Convention; Ms. Inger Andersen, Executive Director of the United Nations Environment Programme (UNEP); and Ms. Siti Nurbaya Bakar, Minister for Environment and Forestry, Indonesia.
5. In his opening statement, Mr. Koster thanked the parties for choosing Bali as the location for the resumed fourth meeting of the Conference of the Parties to the Minamata Convention, and welcomed participants to the province. The developmental vision of Bali aimed to achieve harmony between nature, human beings and culture to create a prosperous and happy life for the Balinese people, both physically and spiritually. To realize that vision, Bali had implemented several policies and programmes covering such areas as regulation of single-use plastics, source-based waste management, protection of water resources, conservation of endemic plants and reforestation, organic farming, and a transition to clean energy sources. Bali's development policy was thus aligned with international endeavours to maintain a clean, low-carbon natural environment. Expressing strong support for the Minamata Convention as a mechanism to reduce and eliminate mercury contamination and combat the threats arising from mercury emissions, he noted that hosting the present meeting would help the efforts of the Government and people of Bali to regenerate tourism, which had been badly hit by the COVID-19 pandemic. Bali had achieved significant success in containing the disease through a vaccination programme and the introduction of health and safety protocols. In concluding, he expressed the hope that the in-person segment of the fourth meeting would run smoothly and

successfully, and would produce decisions on mercury to the benefit of global citizens and the environment.

6. In her opening statement, Ms. Stankiewicz expressed gratitude to the host country, Indonesia, and to the Government of Bali for welcoming participants in person to the resumed fourth meeting of the Conference of the Parties just four months after the online first segment, and for their efforts to ensure the meaningful participation of all the parties despite the continuing COVID-19 pandemic. She reflected on the achievements of the Minamata Convention during the short period of its existence, noting that many important issues would be considered during the coming week, including the evaluation of the effectiveness of the Convention, the use of mercury in products and manufacturing processes, mercury releases, waste, national reporting, international cooperation, mainstreaming gender, and the financial mechanism of the Convention. Programmes and projects financed by donor support through the Global Environment Facility (GEF) and the Specific International Programme to Support Capacity-Building and Technical Assistance had been instrumental in making early progress to tackle mercury pollution. The Conference of the Parties would also consider strengthening the Specific International Programme to assist in the provision of direct support to parties for their critical and time-sensitive implementation needs. She noted that the attendance of representatives of indigenous peoples at the meeting was an indication of the Convention's efforts to enhance their engagement as key stakeholders for the effective implementation of the Convention, and she thanked Australia, Denmark and Norway for providing funding to support that participation. Lastly, she expressed the hope that, through its actions during the coming week, the young Minamata Convention family would contribute to strengthening multilateralism and dialogue and affirming the unity of the community of nations.

7. Ms. Andersen, in her opening statement, thanked all those who had helped bring the resumed fourth meeting to fruition. The Minamata Convention, by implementing innovative actions to tackle mercury throughout its life cycle, was a powerful tool in the collective effort to rid the planet of toxic substances and to tackle the triple planetary crisis of climate change, biodiversity loss and pollution and waste. For example, efforts under the Minamata Convention included work with partners, including the Global Mercury Partnership of UNEP, to address challenges in artisanal and small-scale gold mining and demonstrate how poverty, livelihoods, health, biodiversity and the Sustainable Development Goals intersected. In recognizing the specific vulnerabilities of indigenous peoples to mercury contamination, the Minamata Convention had increased engagement with indigenous groups, including several representatives who were attending the present meeting. In addition, the road map on gender aimed to ensure that the principles of gender equality were firmly embedded in the Convention's activities. The Convention also stood out for having a full Implementation and Compliance Committee and financial mechanism. With regard to the latter, at the request of the Conference of the Parties at its third meeting, she had presented for the consideration of the Conference of the Parties at the present meeting a report on strengthening the Specific International Programme to help it provide practical, forward-looking support to parties. The work under the Convention was also of great relevance to matters discussed by the United Nations Environment Assembly at its fifth session, held in Nairobi from 28 February to 2 March 2022, including the forthcoming negotiation of a legally binding instrument on plastics pollution and the establishment of a science-policy panel on the sound management of chemicals and waste. In concluding, she urged parties to be ambitious in their commitment to making mercury history, including by backing the spirit of the proposed draft Bali declaration on combating the illegal trade of mercury.

8. Ms. Nurbaya Bakar, in her opening statement, said that it was important, in the first meeting of the Conference of the Parties to the Minamata Convention to be held outside Geneva, to reiterate the joint commitment to recognizing mercury as a matter of global concern and working collectively to make mercury history. In its five years of existence the number of signatories to the Convention had grown to over 130 parties; that increase in global efforts to address mercury problems also brought challenges, as exemplified by the difficulty in reaching agreement on how to undertake the first evaluation of the Convention. The present meeting offered an opportunity to bridge differences on the issue. She congratulated parties for the high rate of participation in delivering the first full cycle of national reports. Continuing urgent challenges included the illegal trade in mercury, which had shown an alarming increase, particularly for use in the artisanal and small-scale gold mining sector. Indonesia, as one of the affected countries, was working with partners on the issue, and was presenting the Bali declaration on combating the illegal trade of mercury. The declaration should send a strong signal to the international community that, despite its young age, the Minamata Convention was adaptive and agile in addressing the global challenges of mercury. The Government of Indonesia aimed to make the country mercury free by 2030 through a focus on four priority areas, namely manufacturing, energy, artisanal and small-scale gold mining, and health. She thanked the various stakeholders, including donors, agencies and international financial institutions, that had supported

Indonesia's efforts to reduce and eliminate the use of mercury. She concluded by wishing participants a productive meeting.

9. Following her statement, Ms. Nurbaya Bakar struck a traditional Indonesian gong to conclude the ceremonial part of the opening of the meeting.

10. In her opening statement, Ms. Rosa Ratnawati, President of the Conference of the Parties at its fourth meeting, welcomed participants and expressed appreciation to the secretariat for its support and close cooperation during the preparations for the meeting. When Indonesia had been mandated by the Conference of the Parties at its third meeting to host its fourth meeting, none had foreseen the tremendous challenges that would be posed by the COVID-19 pandemic during the coming years. Nevertheless, work had continued under the Minamata Convention through creative and innovative action towards the elimination of mercury at the global and national levels. Urging participants to engage constructively and flexibly in taking decisive steps to make mercury history, she declared the resumed fourth meeting officially open.

11. Following the opening, statements were made by representatives speaking on behalf of the African States; the Asia-Pacific States; the European Union and its member States; the Latin American and Caribbean States; Australia, Canada, Iceland, Japan, New Zealand, Norway, Switzerland, the United Kingdom of Great Britain and Northern Ireland and the United States of America (JUSSCANNZ).

II. Organizational matters (item 2 of the agenda)

A. Adoption of the agenda of the fourth meeting (item 2 (a) of the agenda)

12. The Conference of the Parties agreed to continue to work in accordance with the following agenda adopted at the online segment of its fourth meeting (UNEP/MC/COP.4/1).

1. Opening of the meeting.
2. Organizational matters:
 - (a) Adoption of the agenda;
 - (b) Organization of work;
 - (c) Election of officers for the intersessional period and the fifth meeting of the Conference of the Parties;
 - (d) Report on the credentials of representatives to the fourth meeting of the Conference of the Parties.
3. Rules of procedure for the Conference of the Parties: consideration of rule 45.
4. Matters for consideration or action by the Conference of the Parties:
 - (a) Mercury-added products and manufacturing processes in which mercury or mercury compounds are used:
 - (i) Review of annexes A and B;
 - (ii) Information on dental amalgam;
 - (iii) Customs codes;
 - (iv) Proposals for amendments to annexes A and B;
 - (b) Artisanal and small-scale gold mining;
 - (c) Releases of mercury;
 - (d) Mercury waste: consideration of the relevant thresholds;
 - (e) Financial resources and mechanism:
 - (i) Global Environment Facility;
 - (ii) Specific International Programme to Support Capacity-Building and Technical Assistance;
 - (iii) Review of the financial mechanism;
 - (f) Capacity-building, technical assistance and technology transfer;

- (g) Implementation and Compliance Committee;
 - (h) National reporting;
 - (i) Effectiveness evaluation;
 - (j) Secretariat;
 - (k) Financial rules;
 - (l) Gender.
5. International cooperation and coordination.
 6. Programme of work and budget.
 7. Dates of the resumed fourth meeting of the Conference of the Parties; venue and dates of the fifth meeting of the Conference of the Parties.
 8. Other matters.
 9. Adoption of the report of the meeting.
 10. Closure of the meeting.

B. Organization of work (item 2 (b) of the agenda)

13. The President presented a summary of the work undertaken at the online segment of the fourth meeting in November 2021, and the representative of the secretariat outlined the further or continuing work to be undertaken during the present resumed meeting.

14. The Conference of the Parties decided to organize its work in accordance with the proposals set out in the annotated provisional agenda (UNEP/MC/COP.4/1/Add.1/Rev.1) and the note by the secretariat on issues and information for the attention of the Conference of the Parties to the Minamata Convention at its fourth meeting (UNEP/MC/COP.4/2/Rev.1); and that, in undertaking that work, it would meet from 10 a.m. to 1 p.m. and from 3 to 6 p.m. each day, and that small groups would be established as necessary.

15. The secretariat informed participants that two special events would be held on the sidelines of the resumed fourth meeting. Accordingly, on Monday, 21 March, the launch by the Government of Indonesia of the Bali Declaration on Combating the Illegal Trade in Mercury was hosted by Ms. Siti Nurbaya Bakar, Minister of Environment and Forestry, Indonesia, and featured Mr. Carlos Manuel Rodriguez, GEF Chief Executive Officer; Ms. Monika Stankiewicz, Executive Secretary of the Minamata Convention; and Mr. Muhsin Syihab, Ministry of Foreign Affairs, Indonesia; and on Tuesday, 22 March, a GEF high-level panel discussion on integration to end the use and emissions of mercury was hosted by Mr. Carlos Manuel Rodriguez, GEF Chief Executive Officer, and included Ms. Ratnawati, President of the Conference of the Parties at its fourth meeting, Mr. Carlos Martin-Novella, Deputy Executive Secretary of 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; Ms. Monika Stankiewicz, Executive Secretary of the Minamata Convention; and Ms. Elizabeth Nichols, State Department of the United States.

16. The Bali Declaration on Combating the Illegal Trade in Mercury is set out in annex III to the present report.

C. Election of officers (item 2 (c) of the agenda)

17. Introducing the item, the representative of the secretariat recalled that, pursuant to the rules of procedure, the Conference of the Parties would need to elect the ten officers (two from each of the five United Nations regional groups) of the next Bureau, which would serve from the closure of the present meeting until the closure of the fifth meeting of the Conference of the Parties. The offices of the president and rapporteur would be drawn from the Bureau subject to rotation among the United Nations regional groups in accordance with rule 22 of the rules of procedure, which further stated that no officer was to serve on the Bureau for more than two consecutive terms, and that Bureau members should be elected from among the representatives of the Parties present at the meeting.

18. Further, at the present meeting, the Conference of the Parties was also to elect the members of the Implementation and Compliance Committee and confirm the membership of the Governing Board of the Specific International Programme.

19. Parties were invited to submit nominations for membership of the aforementioned bodies through their respective regional Bureau members.

20. Subsequently, the Conference of the Parties elected the following officers to serve on the Bureau from the closure of the fourth meeting of the Conference of the Parties until the closure of the fifth meeting:

President: Claudia Dumitru (Romania)
 Vice-Presidents: Anahit Aleksandryan (Armenia)
 Oarabile Serumola (Botswana)
 Roger Baro (Burkina Faso)
 Osvaldo Patricio Álvarez Pérez (Chile)
 Marie-Claire Lhenry (France)
 Sverre-Thomas Jahre (Norway)
 Syed Mujtaba Hussain (Pakistan)
 Cheryl Eugene-St. Romain (Saint Lucia)
 Saeed A. Alzahrani (Saudi Arabia)

21. The Conference of the Parties decided that the Rapporteur for its fifth meeting would be designated by the Bureau during the intersessional period.

22. The Conference of the Parties also elected the following members of the Implementation and Compliance Committee, in accordance with rule 3 of the rules of procedure of the Committee, pursuant to which six members would continue to serve for one more term while nine new members would be elected for two terms to replace those members whose terms of office would expire at the present meeting:

Remaining members: Paulina Riquelme (Chile)
 Dubravka Marija Kreković (Croatia)
 Karoliina Anttonen (Finland)
 Itsuki Koroda (Japan)
 Mohammed Khashashneh (Jordan)
 Christopher Kanema (Zambia)

New members: Helga Schrott (Austria)
 Atanas Stoyanov Dishkelof (Bulgaria)
 Anik Beaudoin (Canada)
 Jimena Nieto Carrasco (Colombia)
 Jean Hervé Mve Beh (Gabon)
 Abbas Torabi (Islamic Republic of Iran)
 Jelena Kovačević (Montenegro)
 Meredith Henry-Cumberbatch (Suriname)
 Musa Kuzumila Ngunila (United Republic of Tanzania)

23. The Conference of the Parties also confirmed, based on the nominations received from the regional groups, the following ten members of the Governing Board of the Specific International Programme, in accordance with rule 3 of its rules of procedure, pursuant to which they would serve from the closure of the fourth meeting until the closure of the fifth meeting of the Conference of the Parties:

From the African States: Olubunmi Olusanya (Nigeria)
 Anne Nakafeero (Uganda)

From the Asia-Pacific States:	Satyendra Kumar (India) Wasantha Dissanayake (Sri Lanka)
From the Eastern European States:	Mario Vujić (Croatia) Suzana Andonova (North Macedonia)
From the Latin American and Caribbean States:	Helges Samuel Bandeira (Brazil) Gina Griffith (Suriname)
From the Western European and other States:	Rafael Zubrzycki (Germany) Andrew Clark (United States of America)

D. Report on the credentials of representatives to the fourth meeting of the Conference of the Parties (item 2 (d) of the agenda)

24. Presenting the report of the Bureau on credentials, Ms. Oarabile Serumola said that the Bureau had examined the credentials submitted by parties in accordance with rules 19 and 20 of the rules of procedure and had found that, as at 24 March 2022, the representatives of 101 of the 116 parties registered to participate in the second segment of the meeting had submitted copies of credentials issued either by a Head of State or Government or by a minister for foreign affairs or, in the case of a regional economic integration organization, by the competent authority of that organization, on the understanding that originals would be submitted as soon as possible. The remaining 15 parties (Burundi, Chad, Comoros, Congo, Cyprus, Guinea-Bissau, Iraq, Jordan, Lebanon, Mali, Mauritania, Namibia, Rwanda, Saint Kitts and Nevis, State of Palestine) had not communicated the information on their representatives and would therefore participate as observers in the second segment of the fourth meeting of the Conference of the Parties to the Minamata Convention on Mercury, and would be recorded as such in the report of the meeting and the list of participants.

25. The Conference of the Parties adopted the report of the Bureau on credentials.

III. Rules of procedure (item 3 of the agenda)

26. Introducing the item, the representative of the secretariat recalled that, by its decision MC-1/1, the Conference of the Parties had adopted the rules of procedure, with the exception of the second sentence of paragraph 1 of rule 45, which related to the option to take a decision on matters of substance by means of voting should all efforts to reach consensus fail, and paragraph 3 of rule 45, which related to the mechanism used to decide whether a matter before the Conference of the Parties should be considered a matter of substance or a matter of procedure. As the Conference of the Parties had not yet taken a formal decision on those elements, it had before it, at the present meeting, the bracketed text of rule 45 for reconsideration (UNEP/MC/COP.4/3).

27. The Conference of the Parties agreed to defer consideration of the bracketed text in rule 45 to its fifth meeting.

IV. Matters for consideration or action by the Conference of the Parties (item 4 of the agenda)

A. Mercury-added products and manufacturing processes in which mercury or mercury compounds are used (items 4 (a) (i) to (iii) of the agenda)

28. Introducing the item, the President indicated that sub-items 4 (a) (i) and (ii) would be discussed jointly.

1. Review of annexes A and B (item 4 (a) (i) of the agenda)

2. Information on dental amalgam (item 4 (a) (ii) of the agenda)

29. Introducing the sub-item on the review of annexes A and B, the President recalled that articles 4 and 5 of the Convention provided for reviews of annexes A and B no later than five years after the date of entry into force of the Convention; as the date of entry into force was 16 August 2017, the Conference of the Parties was required to complete the review at the current meeting. In preparation for the review, at its third meeting, the Conference of the Parties had established an intersessional process that included tasking an ad hoc group of experts to prepare a document in which it was to

enhance and organize information submitted by parties for the review. Furthermore, the review was to take into account proposals submitted by parties, information made available by parties and the availability of mercury-free alternatives that were technically and economically feasible, taking into account environmental and health risks and benefits.

30. The representative of the secretariat drew attention to the information set out in the note by the secretariat on the review of annexes A and B (UNEP/MC/COP.4/4), in particular to the report set out in annex I summarizing the findings of the ad hoc expert group in 10 areas: batteries; switches and relays; lamps; non-electric measuring devices; other electronic devices; other non-electronic products; cosmetics; pesticides, biocides and topical antiseptics; satellite propulsion; and manufacturing processes using mercury or mercury compounds. The information received from parties in those 10 areas, as enhanced and compiled by the experts, was set out in tabular format in document UNEP/MC/COP.4/INF/3.

31. The representative of the secretariat delivered a report by the co-chairs of the ad hoc expert group on their behalf. The group had met online 11 times during 2020 and 2021 and had held 10 thematic online meetings, inviting experts on specific mercury-added product categories and industrial processes that used mercury. As information on alternatives was the basis of the review of the annexes, the Conference of the Parties, at its third meeting, had established a process for collecting and enriching information from parties and stakeholders. The task of the expert group was to present that information in an organized and enhanced manner to enable parties to take decisions based on the availability, technical and economic feasibility, and environmental and health risks and benefits of non-mercury alternatives to mercury-added products and processes. The expert group had completed its task by 30 April 2021, as specified in decision MC-3/1, presenting the best knowledge available at that time. The current meeting provided an opportunity for parties, non-parties and observers to share information that had become available in the 11 months since the submission of the report.

32. Introducing the sub-item on information on dental amalgam, the President recalled that the Conference of the Parties, at its third meeting, had encouraged parties to take more than the two required measures to phase down the use of dental amalgam and had requested the secretariat to collect information on the measures taken and on availability, feasibility, risks and benefits of dental amalgam and its alternatives.

33. The representative of the secretariat presented the note by the secretariat on information on dental amalgam (UNEP/MC/COP.4/5), which summarized the information submitted to the secretariat by parties and stakeholders, with the original submissions set out in document UNEP/MC/COP.4/INF/3. She also drew attention to two documents related to a World Health Organization (WHO) report on a WHO informal global consultation with policymakers in dental public health (UNEP/MC/COP.4/INF/26 and UNEP/MC/COP.4/INF/26/Add.1).

34. A representative of WHO made a brief presentation on the report, in which WHO concluded that the phase-down of dental amalgam could be accelerated, particularly as cost-effective and simple-to-use mercury-free dental products were increasingly available, and laid out concrete steps for achieving that acceleration.

35. In the ensuing discussion, many representatives, including a number who spoke on behalf of groups of parties, took the floor to express their views on the review of annexes A and B and on dental amalgam.

36. Many of those who spoke supported the continued phase-out of dental amalgam, but views differed on how quickly that should be done. One representative, speaking on behalf of a group of parties, called for rapid action in the light of the socioeconomic impacts of dental amalgam. Another, also speaking on behalf of a group of parties, was concerned about the feasibility of replacing mercury dental amalgam given the lack of globally available viable alternatives. He proposed continued work toward mercury reduction in line with the local circumstances of each party, in accordance with part II of annex A, with dental amalgam continuing to be considered for use where alternatives were not available and additional action taken on awareness-raising and outreach to support reduced use of amalgam and proper waste management.

37. One representative, supported by several others, said that more time was required for adequate review of the annexes and the amendment proposals. Another representative, however, speaking on behalf of a group of parties, said that the parties' obligation to review annexes A and B no later than five years after entry into force was clearly enshrined in the text of the Convention, and noted her readiness to discuss the proposed amendments to annexes A and B in the light of the information provided in the documents prepared by the secretariat.

38. Another representative, saying that the proposed amendment would present challenges for developing countries, called for more resources to be made available for capacity development.

39. A number of representatives reported that their countries had succeeded in phasing out dental amalgam for children and pregnant and lactating women and were working towards its full phase-out. One representative flagged the illegal trade in mercury as a major issue for his country. Another representative also reported on his country's progress with phase-out. He and another representative expressed a strong interest in discussing the proposed amendments to the annexes.

40. One representative, noting that annex B listed two processes that parties were not to allow to use five years after the Conference of the Parties had established that technically and economically feasible alternatives were available, raised the question of how "feasibility" would be established. She suggested that the Conference of the Parties put in place a process to ensure that it had the necessary information in hand to consider the matter at its fifth meeting.

3. Customs codes (item 4 (a) (iii) of the agenda)

41. Introducing the sub-item, the representative of the secretariat drew attention to the note by the secretariat on customs codes (UNEP/MC/COP.4/27), including a draft guidance document on the use of customs codes under the Minamata Convention in the annex thereto, and a related note by the secretariat (UNEP/MC/COP.4/INF/5), which had been prepared by the secretariat in response to decision MC-3/3, in cooperation with the Global Mercury Partnership. Recalling that six-digit customs codes were globally harmonized through the World Customs Organization (WCO), whereas codes of more than six digits, commonly known as "statistical" or "tariff" codes, were used at the regional and national levels, he said that the draft guidance document concluded that harmonized six-digit codes could enhance the collection and comparability of data, but noted that WCO had a formal process for creating and amending six-digit codes, which operated on a five-year cycle. The secretariat had invited additional technical questions and comments on the draft guidance document through an online forum from 14 February to 11 March 2022, but no additional comments had been received.

42. In the ensuing discussion, representatives of parties expressed appreciation to the secretariat and the Global Mercury Partnership for the work carried out on the matter, and in particular the development of the draft guidance document, which would be useful in encouraging the parties to use customs codes as a tool to monitor and control trade in mercury-added products, and thereby promote their compliance with article 4 of the Convention. One representative suggested that the guidance could also be used by the parties to support the implementation of articles 14 and 21 of the Convention.

43. A number of representatives, including one speaking on behalf of a group of parties, suggested that the secretariat, in cooperation with the Global Mercury Partnership, should be requested to keep the guidance under review, provide support to the parties in their efforts to implement the guidance, and continue to develop customs codes for new mercury-added products listed in annex A to the Convention.

44. One representative, speaking on behalf of a group of parties, suggested that information on applicable regulatory requirements should complement the custom codes in order to increase their effectiveness as a trade control and monitoring tool.

45. Several representatives conveyed their expectation that the secretariat would continue to work with WCO as it updated harmonized customs codes, including codes for any new mercury-added products added to annex A to the Convention at the current or future meetings of the Conference of the Parties. Several representatives, including one speaking on behalf of a group of parties, suggested that collaboration with the World Trade Organization was also warranted, including around the provision of technical information on mercury-added products traded internationally. Another representative noted that, should the secretariat propose new harmonized codes to WCO, it should provide support to the customs officials and other relevant authorities in importing parties on the use of such codes.

46. Many representatives expressed support for the use of eight- or ten-digit codes to better distinguish mercury-added products from other products, which could be implemented quickly. One representative, speaking on behalf of a group of parties, said that the use of such national and regional codes had strengthened the identification of mercury-added products by developing country parties, and invited such parties to promote South-South cooperation to improve the identification, control and trade statistics on mercury-added products.

47. One representative said that his country had made a regional-level commitment to implement eight-digit tariff codes, and it was therefore difficult for it to support new tariff codes beyond the eight-digit level.

48. One representative said that, given the different capacities of the parties, customs codes should be implemented on a voluntary basis, and this should be clearly reflected in the proposed action by the Conference of the Parties. Another representative expressed support for proposed statistical codes to identify mercury-added products set out in the draft guidance and suggested that such codes should have the flexibility to be harmonized with the codes used at the national level for trading mercury and mercury-added products.

49. Following the discussion, the Conference of the Parties decided to welcome the work on customs codes undertaken by the secretariat; invite the parties to use the draft guidance document set out in the annex to document UNEP/MC/COP.4/27, on a voluntary basis, as appropriate; and request the secretariat to keep the guidance under review in full consultation with parties, including with regard to products that might be added to annex A to the Convention, and to provide support to parties in voluntarily using the draft guidance document, in cooperation with the Global Mercury Partnership and WCO, as appropriate.

4. Proposals for amendments to annexes A and B (item 4 (a) (iv) of the agenda)

50. Introducing the sub-item, the representative of the secretariat drew attention to the note by the secretariat on proposals for amendments to annexes A and B to the Minamata Convention on Mercury (UNEP/MC/COP.4/26), and three proposals for amendments to annexes A and B to the Convention, submitted, respectively, by the European Union (UNEP/MC/COP.4/26/Add.1); Botswana, Burkina Faso and Madagascar, on behalf of the Africa region (UNEP/MC/COP.4/26/Add.2); and Canada and Switzerland (UNEP/MC/COP.4/26/Add.3). For ease of reference, document UNEP/MC/COP.4/26 reflected the proposed amendments against the current text of annexes A and B to the Convention.

51. The representative of the European Union said that the proposal for amendments to annexes A and B presented by the European Union related to major uses of mercury in products or industrial processes for which mercury-free alternatives were available and which had been phased out or were scheduled to be phased out in the European Union. Such products and processes included certain batteries, lamps, non-electrical and electric measuring devices, the production of polyurethane using mercury as a catalyst, and dental amalgam, whose use had been phased out in cases of deciduous teeth, children under the age of 15, and pregnant and breastfeeding women.

52. The representative of Burkina Faso, speaking on behalf of the Africa region, expressed the hope that the proposals presented by the region, which related to the phase-out of dental amalgam by 2029, and reduced exposure to dental amalgam by children and women of childbearing age, as well as the phasing out of three types of fluorescent lamps by 2024 or 2025, would be given full consideration by the parties in the interest of the health of populations and the objectives of the Minamata Convention.

53. The representative of Canada, speaking on behalf of Canada, Norway and Switzerland, said that the proposal related to the phase-out, by 2025, of four products for which mercury-free alternatives existed, namely, mercury-containing counter balancing devices; photographic film and paper; propellant for satellite and spacecraft; and very high accuracy capacitance and loss measurement bridges and high frequency radio frequency switches and relays in monitoring and control instruments with a maximum mercury content of 20 mg per bridge switch or relay. While the products were not widely used, adding them to part I of annex A would help to prevent their re-emergence or, in some cases, their introduction as new uses.

54. In the ensuing discussion, representatives expressed their appreciation to all the proponents for the time and effort that had been dedicated to each proposal.

55. Several representatives, including one speaking on behalf of a group of parties, expressed support for the three proposals to amend annexes A and B to the Convention, noting that mercury-free alternatives were available for the products and processes set out therein, as reflected in the report on the work of the ad hoc group of experts pursuant to decision MC-3/1 on the review of annexes A and B (UNEP/MC/COP.4/4, annex I). One representative, while welcoming the three proposals, said that they covered a large number of products and processes whose consideration competed with other time-sensitive matters on the agenda of the current meeting, and suggested that there was a need to organize the discussion of the proposals in an efficient manner in order to identify feasible solutions that would lead to further reductions of emissions and releases of mercury.

56. Several representatives drew attention to the progress made by their respective countries in reducing mercury releases and emissions from various sources, but suggested that, in considering any possible amendments to annexes A and B to the Convention, the parties should take into account the national circumstances and capacities of parties, in particular developing country parties, to comply

with any new requirements thereunder, and the availability of funding and other support to such parties.

57. On the proposal related to the phase-out of dental amalgam by the Africa region, many representatives expressed support for a phase-down approach to dental amalgam that took into account different national circumstances and called for the implementation of the various measures listed in part II of annex A to the Convention. They suggested that despite progress achieved in their countries in reducing the use of dental amalgam, they were not in a position to eliminate such amalgam in the near future, especially taking into account public health needs, reduced health budgets in the light of the COVID-19 pandemic, and the lack of safe and inexpensive alternatives to dental amalgam. One representative said that measures taken by some countries to phase out mercury-added products often led to the export of such products to developing countries, which resulted in mercury contamination that would need to be cleaned up and would best have been prevented.

58. One representative expressed support for some of the measures proposed by the European Union to reduce the use of dental amalgam, in particular that parties only allow the use dental amalgam in pre-dosed encapsulated form; prohibit bulk use by dental practitioners; and no longer allow the use of dental amalgam for dental treatment of deciduous teeth, in children under 15 years of age, and in pregnant or breastfeeding women, except when deemed strictly necessary by a dental practitioner based on the specific medical needs of the patient.

59. Two representatives expressed support for the proposals by the European Union and the Africa region regarding dental amalgam. One said that despite the challenges associated with further reducing the use of dental amalgam and its continued use in public health programmes, her Government was eager to explore additional policy measures that could or should be taken towards achieving a general phase-out of amalgam use, including through changes in public procurement. The other offered to share her experience with fully substituting mercury-free alternatives for dental amalgam.

60. One representative, while expressing support for the eventual phase-out of dental amalgam, suggested that there was a need to start with measures focused on avoiding their use in vulnerable populations, in particular children and women of childbearing age.

61. Several representatives expressed support for the proposal by the Africa region to add certain types of fluorescent lights to part I of annex A to the Convention, in order to phase out their production, use and trade in either 2024 or 2025, which they said was feasible and would be more energy efficient and thus have climate benefits. One representative, while expressing support for the proposals to phase out certain compact fluorescent lamps and cold cathode fluorescent lamps and external electrode fluorescent lamps by 2024, suggested that the phase-out date for certain linear fluorescent lamps should be deferred from 2025 to 2030, with a review of that date to be undertaken in 2025.

62. With regard to the proposal by the European Union to phase out button zinc silver oxide batteries and button zinc air batteries with a mercury content of less than 2 per cent, one representative said that its implementation would present considerable challenges to many countries, because such batteries often entered domestic markets inside imported products, such as toys, which made their detection by customs officials difficult. Another representative proposed alternative dates to those set out in the European Union proposal for the phase-out of button zinc silver oxide and button zinc air batteries, from 2023 to 2029, with a review of that date in 2025; halophosphate phosphor linear fluorescent lamps for general lighting purposes, from 2025 to 2030, with a review of that date in 2025; and new non-electronic and electrical and electronic measuring devices, from 2023 to 2025.

63. One representative objected to the proposals to phase out a number of mercury-added products proposed for listing in part I of annex A, which she said were still needed in some countries. Specifically, she suggested that strain gauges to be used in plethysmographs were still needed in order to measure changes in the body volume, especially in the context of the COVID-19 pandemic; photographic papers were needed to support the operations of government agencies, including in aerial photographs used as evidence in land-related judicial processes; and some electrical and electronic products containing mercury, in particular lamps, would be needed for some time, until mercury-free-product standards to control the placement of mercury-free alternatives in domestic markets and the import and export of such products were put in place.

64. With regard to the proposals by the European Union regarding polyurethane, namely, to phase out the production of polyurethane using mercury-containing catalysts by 2023, and to phase out polyurethane, including canisters for the application of polyurethane, by 2023, one representative expressed support for both proposals.

65. Regarding the proposal by Canada and Switzerland to add four products to part I of annex A to the Convention in order to phase them out by 2025, one representative expressed support for the proposal for all the products with the exception of very high accuracy capacitance and loss measurement bridges and high frequency radio frequency switches and relays in monitoring and control instruments with a maximum mercury content of 20 mg per bridge switch or relay, which he said should be phased out by a later date.
66. Several representatives suggested that further consideration of the proposals regarding dental amalgam should be deferred to the fifth meeting of the Conference of the Parties. Many other representatives said that due consideration should be given to all the proposals, which had been submitted in line with the Convention requirements and timelines.
67. Following the discussion, the Conference of the Parties agreed to establish a contact group on annexes A and B, co-chaired by Ms. Nicola Powell (Australia) and Mr. David Kapindula (Zambia), requesting the contact group to consider the three proposals for amendments to annexes A and B to the Convention, as well as the overall conclusion on the review of annexes A and B, taking into account the relevant documents presented under agenda item 4 (a) and the discussion in plenary.
68. Subsequently, the co-chair of the contact group reported back to the parties on the outcome of the contact group's deliberations which was also made available in a conference room paper. She stated that during the contact group's deliberations several delegations had sought clarification of issues in order to enable the group to make progress in its work. Subsequent to those clarifications being provided, the European Union had withdrawn its proposed listing for polyurethane in annex A on the understanding that the use of mercury as a catalyst in any polyurethane production was a manufacturing process, and hence would be addressed through article 5 and annex B. In addition, the European Union had withdrawn its proposal to list tensiometers on the understanding that the "mercury element" of the device was already addressed by the listing of manometers in the current annex A. Furthermore, Japan had requested that the present report reflect that, in the context of cold cathode fluorescent lamps and external electrode fluorescent lamps, it was confirmed that assembled products in which products listed in annex A, part I, had already been incorporated, were not subject to the control on manufacture, import or export set out in paragraph 1 of article 4. The co-chair also noted that the conference room paper set out eight product categories for listing with phase-out dates, and two measures on dental amalgam. She pointed out that it had not been possible to reach agreement on dates for the phase-out of four more product categories. She also noted that the proposed listing of polyurethane in part I of annex B had not been agreed.
69. One representative, speaking on behalf of a group of parties, stated that the group's willingness to compromise and pursue an agreement had been predicated upon an understanding that the monitoring of parties' implementation of the measures proposed on dental amalgam would be facilitated by the provisions of article 21 on reporting and that there would be an opportunity to introduce at the fifth meeting of the Conference of the Parties greater specificity of the reporting format to take into consideration the proposed measures on dental amalgam.
70. The President noted the good outcome of the contact group's work and the agreement on the phase-out dates of eight product categories, as well as two measures on dental amalgam. She also noted that the phase-out dates for four further product categories would be discussed at the fifth meeting of the Conference of the Parties. She then requested the secretariat to prepare, for consideration by the parties, a draft decision on the review and amendment of annexes A and B that addressed the conclusion of the review and the proposed amendment to annex A.
71. Subsequently, the President invited the secretariat to introduce the draft decision as set out in a conference room paper.
72. On the review of the work of the contact group and the draft decision, one representative said that, in moving forward on amendments to annexes A and B and related phase-out dates in order to reduce mercury emissions and releases and protect human health and the environment, it was important to take account of national circumstances, capabilities and capacities. With that caveat, he said that the party could support all the product categories proposed for listing. Another representative reiterated his party's inability to support certain proposed amendments and preference to defer further discussion of those items to the fifth meeting of the Conference of the Parties. In the course of the ensuing discussion, several parties underlined their readiness to also include the four additional product categories. The other representative said that, while his country attached paramount importance to the implementation of the Convention and did not wish to block consensus, it should be borne in mind that not all parties enjoyed the same conditions necessary to adapt to amendments to annexes to the Convention. Indeed, the acceptability of amendments and the implementation of the Convention as a whole were contingent on adequate capacity-building, technical assistance and

technology transfer. He reiterated that his country was not in a position to accept the proposed listing of, or phase-out dates for, four sets of mercury-added products in part I of annex A, namely button zinc silver oxide batteries with a mercury content of less than 2 per cent and button zinc air batteries with a mercury content of less than 2 per cent; very high accuracy capacitance and loss measurement bridges and high frequency radio frequency switches and relays in monitoring and control instruments with a maximum mercury content of 20 mg per bridge switch or relay; halophosphate phosphor lamps of 40 watts or less with a mercury content less than 10 mg per lamp and halophosphate phosphor lamps of more than 40 watts; and triband phosphor lamps of less than 60 watts with a mercury content not exceeding 5 mg per lamp. Consideration of the phase-out dates of these products should, he said, be deferred to the fifth meeting of the Conference of the Parties.

73. Subsequently, the Conference of the Parties adopted decision MC-4/3 on the review and amendment of annexes A and B to the Minamata Convention on Mercury, as set out in annex I to the present report, reflecting that square brackets would be retained around the proposed phase-out dates of four sets of products as agreement had not yet been reached on their phase-out dates.

B. Artisanal and small-scale gold mining (item 4 (b) of the agenda)

74. Introducing the item, the President recalled that, at its first meeting, the Conference of the Parties had agreed to the use of the guidance on national action plans to reduce and, where feasible, eliminate mercury use in artisanal and small-scale gold mining. At its third meeting, it had requested the secretariat to present a revised version of the guidance for consideration and possible adoption at the current meeting. As a result of work carried out during the intersessional period, an update had been prepared and was set out in the note by the secretariat on the matter (UNEP/MC/COP.4/6).

75. The representative of the secretariat said that amendments were proposed to sections 5.8, 5.9 and 5.10 of the guidance in line with recommendations by WHO on matters related to public health. Moreover, pursuant to decision MC-3/5 on mercury waste thresholds, a new chapter 8 was proposed to address the sound management of artisanal and small-scale gold mining tailings contaminated with mercury. To facilitate the finalization of document UNEP/MC/COP.4/6, an online technical document forum had been opened for technical questions and comments from 14 February to 11 March 2022. However, no additional comments had been received.

76. In the ensuing discussion, universal support was expressed for the adoption of the draft updated guidance. A number of representatives, including a representative of an observer organization, called for the document to be reviewed on a regular basis in response to parties' feedback and to capture future developments in the processing of tailings. Several representatives described their countries' efforts to develop and implement a national action plan in accordance with paragraph 3 (a) of article 7 of the Convention. Priority actions identified by representatives included continuing to support those efforts, strengthening national capacities to manage artisanal and small-scale gold mining tailings, disseminating mercury-free technologies, issuing specific guidance on the monitoring of mercury in and around artisanal and small-scale gold mining sites and providing capacity-building to miners. One representative suggested that WHO would conduct a detailed study on the health impacts of mercury on pregnant women and children employed in the artisanal and small-scale gold mining sector and that the GEF would direct more resources to tackling the problems emanating from the sector. Another representative said that no mercury waste thresholds should be established for artisanal and small-scale gold mining tailings, given the inherent difficulty and inefficiency of monitoring and enforcement at the local level.

77. Two representatives of observers highlighted the negative impact of illegal mining activities and legacy gold mine tailings on indigenous peoples, with one stating that parties could be called upon to engage indigenous peoples in the development, implementation and review of national action plans on artisanal and small-scale gold mining in order to ensure that their voices were heard.

78. Another representative of an observer organization stressed the need for awareness-raising, capacity-building and resources to better identify and respond to symptoms of mercury exposure, including in remote areas through the deployment of mobile health units.

79. The representative of WHO said that WHO had the capacity to further support countries in applying its step-by-step guide for developing a public health strategy for artisanal and small-scale gold mining in the context of the Convention. WHO planned to conduct regional webinars and training courses in the coming months in cooperation with the secretariat.

80. The Conference of the Parties considered the draft decision submitted by the secretariat as set out in a conference room paper, which had been prepared at the President's request.

81. One representative requested that the draft decision be revised to more fully reflect the views expressed by parties.
82. Subsequently, the President introduced a revised version of the draft decision, as set out in another conference room paper.
83. The Conference of the Parties adopted decision MC-4/4 on artisanal and small-scale gold mining, as submitted by the secretariat, as set out in annex I to the present report.

C. Releases of mercury (item 4 (c) of the agenda)

84. Introducing the item, the representative of the secretariat drew attention to the note by the secretariat on the report on the intersessional work on mercury releases (UNEP/MC/COP.4/7), which set out, in annex II, the report of the group of technical experts on the development of guidance in relation to mercury releases, prepared in response to decision MC-3/4. Annex III set out draft guidance on the methodology for preparing inventories of releases pursuant to article 9 of the Minamata Convention on Mercury, while annex IV set out a draft road map for the development of guidance on best available techniques and best environmental practices to control releases from relevant sources. On the basis of the report of the group of technical experts, annex I set out a draft decision on mercury releases pursuant to which the Conference of the Parties would invite parties to take into account the list of potentially relevant point source categories as set out in the appendix to annex III, adopt the inventory guidance, and request the expert group to develop draft guidance on best available techniques and best environmental practices.
85. Ms. Bianca Hlob'sile Dlamini (Eswatini), co-chair of the group of technical experts on mercury releases, summarized the work carried out by the group in response to decision MC-3/4. The group had held intensive discussions on the relationship between articles 9 and 11 of the Convention but had not reached full agreement on what was covered under article 11. However, noting that article 9 established that it was for each party to determine what constituted a relevant source, the group had agreed on text for the inventory guidance and the list of potentially relevant point source categories.
86. In the ensuing discussion, representatives expressed appreciation to the expert group for its work and report. Many representatives expressed support for the draft decision in annex I, the draft guidance in annex III and the draft road map in annex IV, with one highlighting the importance of enhancing efforts to control mercury releases by applying best practices. One representative said that the expert group should meet in person at least once to consolidate its work before the fifth meeting of the Conference of the Parties, while another urged it to continue working online. One representative said that the Conference of the Parties should request parties to designate scientific and technical experts as members of the group as and when they were needed, thereby broadening participation.
87. One representative emphasized the need for financial and technical support to strengthen national capacities to monitor releases of mercury. Another representative concurred with the view put forward in annex IV that the guidance on best available techniques and best environmental practices should take into account parties' national capabilities and circumstances, particularly those of developing countries and countries with economies in transition.
88. Some representatives said that the language of annex III should be modified to ensure that it was not prescriptive. A number of representatives noted that the contact group on annexes A and B was considering a proposal for additional requirements related to dental amalgam. Should that proposal eventually be adopted, it would render table 1 in the appendix to annex III factually inaccurate.
89. Subsequently, the President introduced a revised version of the draft decision, as set out in a conference room paper, and also a revised version of annex III, both of which the secretariat had prepared at her request in order to reflect the discussion in plenary.
90. The Conference of the Parties adopted decision MC-4/5 on mercury releases, as submitted by the secretariat, as set out in annex I to the present report.

D. Mercury waste: consideration of the relevant thresholds (item 4 (d) of the agenda)

91. Introducing the sub-item, the representative of the secretariat drew attention to notes by the secretariat on the report on the intersessional work on mercury waste (UNEP/MC/COP.4/8), technical guidelines on the environmentally sound management of wastes consisting of, containing or contaminated with mercury or mercury compounds (UNEP/MC/COP.4/INF/24), developed under the Basel Convention, and the technical annexes to the report of the group of technical experts established

pursuant to decision MC-2/2 (UNEP/MC/COP.4/INF/27). Document UNEP/MC/COP.4/8 summarized the work carried out by the group of technical experts on mercury waste thresholds established in decision MC-2/2 and mandated to carry out further work in decision MC-3/5. The document contained two annexes; annex II set out the report of the group of technical experts on mercury waste thresholds, while annex I set out a draft decision on mercury waste thresholds for consideration and possible adoption by the Conference of the Parties. The draft decision set out two possible options for thresholds values for waste contaminated with mercury or mercury compounds falling under subparagraph 2 (c) of article 11 of the Convention (“category C waste”), on which the group of experts had not been able to reach consensus.

92. Mr. Andreas Gössnitzer (Switzerland), co-chair of the group of technical experts on mercury waste thresholds, summarized the outcome of the group’s work pursuant to decision MC-3/5, noting that the group had held 11 intensive online meetings and several smaller group online meetings dedicated to threshold options, category C waste thresholds and tailings from mining. The group had agreed that the most appropriate way to identify waste contaminated with mercury or mercury compounds was to establish thresholds based on total concentrations of mercury in waste. The group had also agreed, after intensive technical deliberation, on threshold values for tailings from industrial-scale non-ferrous metal mining other than primary mercury mining. Lastly, the group had agreed that tailings from artisanal small-scale gold mining were addressed under article 7 of the Convention and that there was therefore no need to establish a threshold for such tailings under article 11. Regarding the threshold values for category C waste, the group had not been able to reach agreement. A threshold of 25 mg/kg total concentration had originally been proposed, based on ecological impact, and an assessment of impact on drinking water had been undertaken, given the need to also consider impacts on human health in setting threshold values. Some studies showed that the 25 mg/kg or a similar threshold value was sufficient from the viewpoint of impact on drinking water, but some experts believed that the value was not protective enough, given the possibility of inappropriate waste management such as depositing or spreading the waste onto land. All the experts agreed that the health impacts from such inappropriate management practices should be addressed, but the group had been unable to agree on how to reflect such concerns in mercury waste thresholds. Under decision MC-3/5, the group was required to adopt all decisions by consensus, and, failing consensus, to present different options and the level of support for each option. Accordingly, the group had proposed two options for threshold values related to category C waste. Option 1, supported by nine experts, was to establish a threshold of 25 mg/kg and consider measures at the national or local levels for waste between 1 and 25 mg/kg. Option 2, supported by four experts, was to undertake further work to establish a threshold of between 1 and 25 mg/kg. The remaining experts had indicated that they needed to consider the issue further before deciding which option to support.

93. In the ensuing discussion, representatives expressed appreciation to the group of technical experts for the work carried out during the intersessional period, and to the secretariat for the support provided to the group. Many representatives, including one speaking on behalf of groups of parties, expressed support for the recommendations by the group of technical experts regarding artisanal small-scale gold mining and thresholds for tailings from mining other than mercury mining, and the relevant sections pertaining to both matters in the proposed draft decision.

94. On the issue of thresholds for waste contaminated with mercury or mercury compounds falling under subparagraph 2 (c) of article 11 of the Convention (“category C waste”), many representatives, including one speaking on behalf of a group of parties, said that the Conference of the Parties should establish such thresholds in order to ensure that category C wastes were managed in an environmentally sound manner, in accordance with the relevant guidelines developed under the Basel Convention. Most of those representatives expressed support for option 1, under which waste contaminated with mercury or mercury compounds above 25 mg/kg total mercury content should be regarded as mercury waste, and providing for parties to consider establishing additional threshold(s) of between 1 and 25 mg/kg at the national or local levels in order to address additional risks relevant to their specific contexts and circumstances. One representative suggested that the 25 mg/kg threshold should be reviewed periodically in order to evaluate its effectiveness.

95. Many representatives, including one speaking on behalf of a group of parties, expressed agreement with the view held by some experts that a threshold of 25 mg/kg would not adequately protect human health in developing countries, where indiscriminate dumping and the open burning of waste were common and there was a real possibility of direct human exposure to mercury waste by waste collectors and communities and residents near dumping and incineration sites. They suggested that experts must continue to work on the determination of relevant thresholds that were protective of human health, under instruction from the Conference of the Parties, to protect populations likely to be exposed to mercury waste. Several representatives voiced support for option 2, which requested the group of technical experts to consider and propose a threshold of between 1 and 25 mg/kg total

mercury content that provided for the protection of human health. They suggested that option 2 recognized the different capacities of the parties to manage category C wastes, thereby enhancing access to funding by some parties to manage such wastes in an environmentally sound manner, as well as differences in threshold methods, technical means, and waste management regulations and programmes. One representative who expressed support for option 2 cautioned against adopting too low a threshold for mercury waste, stressing that such a threshold would be impractical to implement given the difficulty for some countries in measuring mercury levels and the potential overlap between mercury levels found in waste and background mercury levels in soil.

96. Many representatives voiced a desire to discuss further the issue of threshold values for category C wastes and a possible way forward in a contact group or other small group.

97. The representatives of two observer organizations said that the proposed threshold of 25 mg/kg for category C wastes was not sufficiently protective of human health, especially in developing countries where wastes were often poorly managed and people came into direct contact with wastes in a variety of ways. One of the representatives expressed support for a threshold value of 1 mg/kg, suggesting that technologies to detect very low levels of mercury concentrations were widely available in all countries.

98. Summarizing the discussion, the President noted that further deliberation was needed in a small group on the specific thresholds for category C wastes, on which the group of technical experts had presented two alternative options for consideration by the Conference of the Parties, as set out in the proposed draft decision.

99. The Conference of the Parties decided to establish a contact group, co-chaired by Ms. Teeraporn Wiriwutikorn (Thailand) and Ms. Karissa Kovner (United States of America), to discuss the matter further, particularly with regard to thresholds for waste contaminated with mercury, and to formulate a draft decision for consideration and possible adoption by the Conference of the Parties at the present meeting.

100. The co-chair of the contact group later reported that, while the group had had a productive discussion, the co-chairs had concluded that additional discussion on option 1 at the current meeting would not be productive. The Conference of the Parties therefore agreed that the co-chairs should consult informally with a representative group of parties on a mandate for further work for the group of technical experts during the intersessional period, with the aim of finalizing the work on mercury waste thresholds at the fifth meeting of the Conference of the Parties. The contact group would, at the current meeting, consider the mandate of the expert group.

101. Subsequently, at the invitation of the President, the co-chair of the contact group introduced a revised version of the draft decision on mercury waste thresholds, as set out in a conference room paper. The draft decision, among other things, extended the mandate of the group of technical experts to undertake further work on the issues raised in plenary, including consideration of approaches to defining mercury waste other than the total concentration of mercury approach, and provided for one face-to-face meeting by the group.

102. The Conference of the Parties adopted decision MC-4/6 on mercury waste thresholds, as submitted by the contact group on technical issues, as orally amended and as set out in annex I to the present report.

E. Financial resources and mechanism (item 4 (e) of the agenda)

1. Global Environment Facility (item 4 (e) (i) of the agenda)

103. Introducing the item, the representative of the secretariat recalled that the secretariat prepared for each meeting of the Conference of the Parties a report on each of the two components of the financial mechanism of the Convention: the Global Environment Facility and the Specific International Programme to Support Capacity-Building and Technical Assistance. She drew attention to the note by the secretariat on an update on matters related to the Global Environment Facility (UNEP/MC/COP.4/9), which provided information on the GEF component of the financial mechanism, including the GEF trust fund for the period July 2019 to June 2021 and programming on mercury during the reporting period. In addition, in accordance with the memorandum of understanding between GEF and the Minamata Convention, the GEF Council reported regularly to the Conference of the Parties. The executive summary of the report of the GEF Council to the Conference of the Parties for the period July 2019 to June 2020 was set out in the annex to document UNEP/MC/COP.4/9/Add.1, while the full report of the GEF Council to the Conference of the Parties at its fourth meeting was set out in the annex to document UNEP/MC/COP.4/INF/7.

104. The representative of GEF presented a summary of its third report to the Conference of the Parties. The report described the support given by GEF to countries to help them implement the Minamata Convention during the reporting period, and how GEF had responded to guidance received from the Conference of the Parties at its first meeting. It also outlined how GEF had worked to provide uninterrupted support to countries throughout the COVID-19 pandemic. Regarding financial support, GEF had allocated \$136.3 million for projects that supported the implementation of the Convention during the reporting period for 40 projects and programmes and 13 enabling activity projects. The portfolio approved in the reporting period supported 58 countries to address a range of sectors, including artisanal and small-scale gold mining, mercury in products, mercury waste, and chlor-alkali production, in addition to updating regulations and policies to manage mercury. It was estimated that 793 tonnes of mercury would be addressed by the portfolio approved during the reporting period. In accordance with guidance from the Conference of the Parties, the GEF portfolio supported synergies across the chemicals conventions, generating multiple benefits. In concluding, she stated that GEF was committed to providing support to the parties to the Minamata Convention.

105. On the matter of the replenishment of the GEF trust fund, the representative of the secretariat said that negotiations on the eighth replenishment, which would run from July 2022 to June 2026, had commenced in April 2021. She drew attention to the note by the secretariat on the eighth replenishment of the GEF trust fund (UNEP/MC/COP.4/10) and the update thereto (UNEP/MC/COP.4/10/Add.1), and the note by the secretariat on the draft programming directions and strategic positioning framework for the eighth replenishment (UNEP/MC/COP.4/INF/8). She also noted that the present agenda item had been opened at the online segment of the fourth meeting, the report of which (UNEP/MC/COP.4/28) reflected the views expressed by parties at the online segment. Those views had been transmitted to GEF and its Council by the Executive Secretary.

106. The representative of GEF said that the process of the eighth replenishment was nearing completion, and the present meeting of the Conference of the Parties was therefore the last before the commencement of the next replenishment phase on 1 July 2022. Active engagement with replenishment participants and stakeholders, including the Minamata Convention, had facilitated the process. Through the Executive Secretary, the parties had expressed to GEF the need for greater GEF support to realize the ambitions of the Convention. The chemicals and waste sector in general had been highlighted as an important area of work requiring increased resources. It was anticipated that the sector would receive significantly greater funding than had been allocated during the seventh replenishment. Financing under the eighth replenishment would focus on addressing complex issues through a coordinated approach. Chemicals and waste objectives would form part of a suite of integrated programmes aimed at a higher level of global environmental benefits than could be achieved through any single focal area.

107. In the ensuing discussion, a number of representatives expressed gratitude to GEF for its continuing robust support to parties to undertake projects to support the implementation of the Minamata Convention. GEF had responded to calls for the allocation of an increased proportion of the resource envelope to the chemicals and waste sector, including the Minamata Convention. That support would assist parties to comply with their obligations under the Convention. Capacity-building and technical assistance were highlighted as areas that particularly merited support.

108. Some representatives referred to assistance they had received from GEF to take action in certain areas. One representative said that his country had been able to make progress in the elimination of the use of mercury for chlor-alkali production, the evaluation of alternatives to the use of mercury in artisanal and small-scale gold mining, and reducing the environmental risks of the primary mining of mercury ore, while another referred to institutional capacity-building, the preparation of plans, improved standards, industry compliance and awareness-raising.

109. One representative, speaking on behalf of a group of parties, urged GEF to be cognizant of the particular requirements of the Minamata Convention, taking into account new commitments that might arise due to possible amendments to the Convention, and the importance of the Convention to the priority areas of biodiversity, the environment and human health. Another representative said that, with the Minamata Convention still in its early stages, compliance-related challenges were mounting for developing countries as they were faced with phase-out and regulatory work and the possibility of additional products to consider. GEF should take into account the practical needs of countries when allocating funding.

110. One representative, speaking on behalf of a group of parties, drew attention to the obligation of parties, under paragraph 5 of article 13 of the Convention, to establish a mechanism for the provision of adequate, predictable, and timely financial resources to support developing country parties and parties with economies in transition in implementing their obligations under the Convention, and also

recalled the responsibilities of the GEF trust fund in that regard, as defined in paragraph 7 of article 13, pursuant to the guidance set out in decision MC-1/5. While the relevant financial support provided by GEF was appreciated, the Facility should remain mindful of the need to provide increased resources for the chemicals and waste sector, particularly the Minamata Convention.

2. Specific International Programme to Support Capacity-Building and Technical Assistance (item 4 (e) (ii) of the agenda)

111. Introducing the item, the representative of the secretariat drew attention to the notes by the secretariat setting out the overall report on the Specific International Programme to Support Capacity-Building and Technical Assistance (UNEP/MC/COP.4/11); on the Governing Board of the Specific International Programme (UNEP/MC/COP.4/11/Add.1); and application guidelines for the third round of applications to the Specific International Programme (UNEP/MC/COP.4/INF/9, annex).

112. Mr. Reginald Hernaus, co-chair of the Governing Board of the Specific International Programme, speaking also on behalf of his co-chair Mr. Prasert Tapaneyangkul, delivered a statement on the work of the Governing Board over the previous two years. He said that since its inception in 2018 the Programme had played an important role in facilitating capacity-building and technical assistance to support the implementation of the Convention. A total of 24 projects had been approved for support through three rounds of applications. Contributions from Austria, Denmark, France, Germany, the Netherlands, Norway, Sweden, Switzerland, the United Kingdom and the United States of America had enabled the launch of the third round. The Governing Board noted with concern that the funding had not been sufficient to cover all the applications that deserved approval, and he encouraged all applicants whose projects had not been approved for funding in the third round to consider applying again in an upcoming round. He noted, in conclusion, that the Specific International Programme had been established for an initial period of ten years with the possibility of extension for a further seven years.

113. The representative of the secretariat drew attention to the report of the Executive Director of UNEP pertaining to strengthening the Specific International Programme and enhancing its effective functioning (UNEP/MC/COP.4/13), which had been prepared pursuant to the invitation of the Conference of the Parties at its third meeting (UNEP/MC/COP.3/23, para. 109). In preparing the report, the Executive Director had taken account of inputs from the Governing Board; the text of the Convention; decisions of the Conference of the Parties with regard to the Specific International Programme, including decision MC-1/6 on the establishment of the Programme; and the outcome of the first review of the financial mechanism. The report included sections on the mandate of the Specific International Programme; the mechanism by which the Programme provided direct support to parties to fulfil their obligations under the Convention; the previous experience and operations of the Programme; and proposals to strengthen the Programme. The report also contained suggested action by the Conference of the Parties.

114. In the ensuing discussion, there was general appreciation expressed for the Specific International Programme as a vital component of the Convention's financial mechanism that complemented the work of GEF. The funding had been of great benefit to developing countries, with one representative noting the importance of the Programme to the Africa region. One representative called on parties to extend the lifespan of the Programme beyond the designated ten years.

115. A number of representatives, while thanking the group of donors that had supported the Programme, expressed concern at the limited donor base, which had left some worthy projects and programmes unimplemented due to lack of funding; they urged further donors to add to the financial resources available to the Programme to enable it to provide adequate, predictable and timely funding and support technology transfer. One representative, speaking on behalf of a group of parties, noted that the approval rate of projects in Latin America and the Caribbean had been low and stressed the urgency of increasing the Programme's financial resources. He suggested that the secretariat work with the Governing Board to estimate the resources needed over the next few years with a view to facilitating the mobilization of adequate funding for priority projects.

116. Reflecting on the discussion, the President noted the strong support by parties for the strengthening of the Specific International Programme. The Conference of the Parties took note of the comments, recommendations and information provided.

3. Review of the financial mechanism (item 4 (e) (iii) of the agenda)

117. Introducing the item, the representative of the secretariat recalled that paragraph 11 of article 13 of the Convention called upon the Conference of the Parties to review the financial mechanism on a regular basis. The first review of the financial mechanism had been completed at the third meeting of

the Conference of the Parties, at which the parties had requested the secretariat to draft terms of reference for the second review for consideration at the present meeting. She drew attention to the note by the secretariat on the matter (UNEP/MC/COP.4/12), which contained a review of the financial mechanism as well as a draft decision on the second review of the financial mechanism and draft terms of reference for the review.

118. In the ensuing discussion, there was consensus that the proposed second review of the financial mechanism was timely. One representative supported the proposal in the review of the financial mechanism that the review cover the activities of the financial mechanism for the period August 2017 to July 2022, while highlighting the need for increased funding from GEF and improved procedures for the approval of projects under the eighth replenishment. There was also wide support for the terms of reference of the review. One representative, speaking on behalf of a group of parties, said that the second review should be more complete than the first, and that the list of sources of information on which the review would draw should include the report of the Executive Director on the strengthening of the Specific International Programme. Another representative said that the period under review should commence in 2019 rather than 2017, as the period 2017 to 2019 had been covered by the first review, and no benefit was to be gained by reviewing the same material twice.

119. The President requested the secretariat to prepare a conference room paper presenting a draft decision on the matter, including the draft terms of reference, using as a basis the suggested action in the review of the financial mechanism (UNEP/MC/COP.4/12), and to consult with parties as appropriate to arrive at a consensus on the text.

120. Subsequently, the Conference of the Parties considered a draft decision submitted by the secretariat.

121. One representative, speaking on behalf of a group of parties, indicated that she would submit proposed amendments to the text of the draft decision, requesting the secretariat to make the amended version available for the consideration of the parties.

122. Subsequently, the representative of the secretariat introduced a revised version of the draft decision on a review of the financial mechanism, as set out in a conference room paper, which had been prepared by the secretariat at the request of the President in order to reflect the discussion in plenary.

123. The Conference of the Parties adopted decision MC-4/7 on the second review of the financial mechanism, as submitted by the secretariat, as orally amended, and as set out in annex I to the present report.

F. Capacity-building, technical assistance and technology transfer (item 4 (f) of the agenda)

124. Introducing the item, the representative of the secretariat recalled that in decision MC-3/8, the Conference of the Parties had requested the secretariat to compile a report based on submissions received on the capacity-building and technical assistance provided to parties to support their implementation of the Convention. The requested report was set out in section II of the note by the secretariat on the capacity-building and technical assistance programme of the Minamata Convention (UNEP/MC/COP.4/14), which also covered information on the secretariat's capacity-building and technical assistance activities, including engagement with regional, subregional and national arrangements and other partners, as well as the activities being considered for the next biennium. The full submissions as received from parties were set out in the note by the secretariat on the matter (UNEP/MC/COP.4/INF/23).

125. The representative of the secretariat also drew attention to the article 21 reporting requirements and suggested that parties might wish to use reporting as an opportunity to provide supplementary information on their receipt of, and needs for, capacity-building and technical assistance.

126. Many representatives, including one speaking on behalf of a group of parties, underscored the central role of capacity-building, technical assistance and technology transfer in the successful implementation of the Convention and their importance for developing country parties, particularly those that were least developed countries, small island developing States or parties with economies in transition. Areas identified for particular focus included mercury emissions control; mercury waste management, particularly for end-of-life mercury-added products; soil pollution; illegal trade; monitoring; development of national action plans; inventory production; data collection and releases.

127. One representative, noting that the pandemic had caused delays in the programme of work, called for stronger commitment to capacity-building and technology transfer by developed country

parties and other parties within their respective capabilities as the world emerged from the pandemic. Another asked that the secretariat take into account the efforts made by developing countries in phasing out dental amalgam to facilitate the implementation of the Convention.

128. One representative, speaking on behalf of a group of parties, acknowledged the value of the capacity-building and technical assistance support his region had received from the Specific International Programme and thanked the programme's donors.

129. Two representatives spoke about the importance of the regional centres; one asked GEF to increase its cooperation with the regional centres with which it had fewer interactions and the other called for a strengthened role for the regional centres.

130. The representative of an observer organization, highlighting the use of skin-whitening cream as an example, said that mercury-added products continued to be illegally produced and traded because of weak enforcement, insufficient international cooperation and inadequate resources devoted to the issue. The Convention could play an important role in assisting parties by, for instance, creating an information exchange platform, developing materials and resources such as a training manual for customs and enforcement officers, providing technical and financial support for the promotion of regional collaboration, enabling the use of field detection equipment to identify the illegal products, and addressing the inadequacy of existing rules governing online platforms.

131. A representative of another observer organization stressed the particular need of parties with significant levels of mercury contamination from artisanal and small-scale gold mining for direct, on-the-ground transfer of technology and expertise, including medical expertise in diagnosing, monitoring and treating the human health impacts of mercury exposures and contamination, as well as adequate mercury storage facilities, mercury waste management and stabilization technology, contaminated site identification and remediation capacity, and tailings management technology transfer. Capacity-building was also needed to address the illegal trade of mercury.

G. Implementation and Compliance Committee (item 4 (g) of the agenda)

H. National reporting (item 4 (h) of the agenda)

132. The President indicated that items 4 (g) and 4 (h) would be discussed jointly.

133. Introducing the item on the Implementation and Compliance Committee, the Chair of the Committee, Ms. Paulina Riquelme (Chile), presented the Committee's report on its third meeting (UNEP/MC/COP.4/15), which had focused on the consideration of the first short national reports, submitted in December 2019, and had led to a set of recommendations that were provided in an appendix. The Committee had also concluded its work programme for the next intersessional period, which was focused on the recently submitted first full national reports.

134. Introducing the item on national reporting, the President recalled that the Conference of the Parties had taken the matter up during the online segment of its fourth meeting, in November 2021, with the goal of providing information to the parties on the draft national reporting guidance at their disposal for the preparation of the full national reports, which were due by 31 December 2021.

135. The representative of the secretariat presented the note by the secretariat on national reporting (UNEP/MC/COP.4/16) pertaining to the first short reports received from parties, which included a draft decision. He also drew attention to the note by the secretariat on information provided by the parties up until 31 January 2022 (UNEP/MC/COP.4/INF/2/Rev.1).

136. Subsequently, another representative of the secretariat presented the draft guidance for completing the national reporting format for the Minamata Convention, prepared by the secretariat pursuant to decision MC-3/13 (UNEP/MC/COP.4/17, annex). She drew attention to issues of relevance to the preparation of the next short reports that had arisen in the process of revising the draft guidance. Thus, the secretariat noted that the Conference of the Parties might wish to consider clarifying the unit for reporting the quantity of mercury mined, clarifying the obligation to report on stocks and sources and adding an option for parties to indicate that they did not export mercury, as well as discussing the way forward.

137. Acknowledging the importance of national reporting for the effective implementation of the Convention, including identification of the challenges faced by parties, representatives applauded the high submission rate achieved for the first short reports and thanked the secretariat for supporting the reporting process, including through the provision of the online reporting format. One representative, speaking on behalf of a group of parties, underlined the importance of national reports as a significant

source of information for identifying the priority needs of Parties with regard to capacity-building and technical assistance.

138. Many of those who spoke, including one speaking on behalf of a group of parties, nevertheless acknowledged the challenges faced by parties in completing the short reports and the resulting difficulty in drawing conclusions from the data provided. Another representative, speaking on behalf of a group of parties, called for more resources to support countries' data collection efforts, given the importance of national reports for monitoring compliance, while another representative suggested that the secretariat organize more webinars and training sessions to further enhance the capacity of developing countries to report effectively.

139. Several representatives, including one speaking on behalf of a group of parties, recognized the importance of the work of the Implementation and Compliance Committee in identifying issues that could affect reporting and thanked the Committee for its recommendations.

140. In terms of improving the reporting format, many representatives, including two speaking on behalf of groups of parties, were supportive of the amendments to the questions in the short report, as proposed by the secretariat. One representative, speaking on behalf of a group of parties, called specifically for means to improve the provision of the consent forms referred to in paragraph (a) of question 3.5, while another representative cautioned that the submission of consent forms could conflict with commercially confidential information, and suggested that the "other suitable information", referred to in the same paragraph, be identified to balance the aims of the Convention with confidentiality obligations.

141. One representative speaking on behalf of a group of parties, noted that, in the light of the general objectives of the Convention, the obligation to identify stocks and sources under article 3, paragraph 5, should be considered a continuous obligation, not limited to national reporting. Another representative supported that view, but specified that the endeavour was a tool that would allow each party to manage its mercury in the context of use and trade, not as a mechanism for a global assessment of stocks and sources that could be used to track and create an aggregate report on global supply and trade.

142. One representative noted the lack of provision in the current reporting format for the recovery and recycling of mercury from mercury-added products.

143. With regard to the draft guidance, many representatives indicated their support for the clarifications proposed by the secretariat, although one suggested that the guidance be revised only once the full reports had been reviewed and another, noting that there was no need for the guidance to be adopted at the current meeting, suggested that it remain a living document and be updated on a regular basis, a view that was echoed by two other representatives.

144. There was also general support for the draft decision, with two representatives proposing amendments.

145. One representative noted that a number of Minamata initial assessments and national action plans were not available on the Convention website and encouraged all the actors involved, including the implementing agencies, parties and the secretariat, to look into the matter.

146. The representative of an observer organization said that while the reporting rate for the short reports was high, the quality of the data was poor, and called for additional resources, capacity-building and support to ensure that the Conference of the Parties had a full view of the state of mercury mining, trade and use.

147. Following the discussion, the President requested the secretariat to revise the draft decision, taking into account the recommendations of the Implementation and Compliance Committee and the comments made in plenary.

148. Subsequently, the representative of the secretariat introduced a revised version of the draft decision on national reporting, as set out in a conference room paper, which had been prepared by the secretariat at the request of the President in order to reflect the discussion in plenary.

149. The Conference of the Parties adopted decision MC-4/8 on national reporting pursuant to article 21 of the Minamata Convention on Mercury, as submitted by the secretariat, as set out in annex I to the present report.

I. Effectiveness evaluation (item 4 (i) of the agenda)

150. Introducing the item, the President recalled that article 22 of the Convention required the Conference of the Parties to evaluate the Convention's effectiveness, beginning no later than six years

after the entry into force of the Convention and periodically thereafter. With the deadline for the first evaluation approaching, during the online segment of the fourth meeting of the Conference of the Parties, Canada and Norway had presented a conference room paper outlining a framework for the evaluation. At the online segment of the fourth meeting, there had been general consensus that it was worthwhile pursuing discussions on the framework and considering the elements contained in the paper. On that basis, the Conference of the Parties had agreed to hold intersessional consultations on the matter prior to the current in-person segment of the fourth meeting.

151. The representative of the secretariat drew attention to the note by the secretariat on consultations on the framework for the evaluation of the effectiveness of the Convention (UNEP/MC/COP.4/18/Add.3), which described how the secretariat had organized the consultations. A series of well-attended meetings had taken place, including an information session in December 2021, two online consultations on 25 and 27 January 2022, and a check-in meeting on 10 March 2022. Document UNEP/MC/COP.4/INF/29 contained a compilation of written comments, additional questions and clarifications submitted during the intersessional consultations.

152. In the ensuing discussion, many of the representatives who took the floor, including one speaking on behalf of a group of parties, expressed appreciation for the work carried out during the intersessional period. Several representatives expressed support for establishing an effectiveness evaluation committee and many supported using the conference room paper as a basis for further deliberations. One representative, however, said that the paper should be only one of the elements considered in reaching the outcome of the deliberations. A number of representatives stressed the importance of reaching agreement on the framework for the effectiveness evaluation at the current meeting. Calls were made for the evaluation process to be inclusive and transparent, for comparable mercury monitoring data to be collected from all regions, for monitoring guidance to reflect differences in the parties' technical capabilities, for financial and technical assistance to be provided to developing countries for monitoring programmes and for further work to be undertaken on the proposed indicators. One representative said that the indicators should be representative of the Convention as a whole and that a broad range of scientific and technical expertise should be used to compile, synthesize, analyse and integrate the information underpinning the evaluation. Another representative noted that the proposed effectiveness evaluation committee should include members from developing countries and countries with economies in transition, and suggested that the first evaluation could be conducted at the fifth meeting of the Conference of the Parties, scheduled for 2023.

153. Following the discussions, the Conference of the Parties agreed to establish a contact group on effectiveness evaluation, co-chaired by Mr. Agustín Harte (Argentina) and Mr. Rodges Ankrah (United States of America), to agree on terms of reference for an effectiveness evaluation body and for a scientific entity, and to finalize a framework for the evaluation, including a schedule of work and the approach to indicators.

154. Subsequently, the co-chair of the contact group on effectiveness evaluation reported back to the parties on the outcome of the contact group's deliberations which was also made available in a conference room paper. The paper included four annexes which set out respectively a draft decision, a graphic representation of the effectiveness evaluation framework, the terms of reference of a new effectiveness evaluation group, and the terms of reference of a new open-ended scientific group. The contact group had agreed to all the annexes thereto, with the exception of the number of experts to be nominated to the effectiveness evaluation group by the regional groups. Specifically, no consensus had been reached on whether regional groups should nominate three or eight experts to the group.

155. At the request of the President, the co-chair of the contact group on programme of work and budget and the representative of the secretariat provided information on the budgetary implications of each of the two options.

156. In the ensuing discussion, one representative said that the budgetary implications of each option should not be a concern, given the importance of effectiveness evaluation to the Minamata Convention, and that regional groups needed to be able to nominate eight experts to the effectiveness evaluation group.

157. All the other representatives who spoke, including two speaking on behalf of groups of parties and numerous other parties, expressed their support for the nomination of three experts per region, stressing that a smaller group would be able to carry out its task more efficiently and effectively, and that three experts per region would be more than sufficient to ensure a robust and effective evaluation process, as demonstrated by the effectiveness evaluation committee of, for example, the Stockholm Convention, to which each of the five United Nations regions nominated only two experts.

158. Following further discussion on the unresolved matter, the co-chair of the contact group, based on consultations with a number of parties, orally put forward a proposal for amending the draft decision, and the framework, whereby the Conference of the Parties would agree to defer to its fifth meeting the establishment of the effectiveness evaluation group, but establish the open-ended scientific body and adopt the effectiveness evaluation framework in order to commence the effectiveness evaluation work in the lead-up to its fifth meeting.

159. The Conference of the Parties adopted decision MC-4/11 on the first effectiveness evaluation of the Minamata Convention on Mercury, as orally amended by the co-chair of the contact group, and as set out in annex I to the present report.

J. Secretariat (item 4 (j) of the agenda)

160. The representative of the secretariat recalled that the Conference of the Parties, in decision MC-3/11, had requested the Executive Director of UNEP to support the secretariat in its efforts to enhance cooperation with the secretariat of the Basel, Rotterdam and Stockholm conventions, including through the regular use of the task force comprising the two secretariats and the Chemicals and Health Branch of UNEP. She drew attention to the report of the joint task force on programmatic cooperation and the inter-secretariat working groups established pursuant to decision MC-3/11 (UNEP/MC/COP.4/20, annex). In addition, a joint report prepared by the secretariats of the Minamata Convention and the Basel, Rotterdam and Stockholm conventions on the main cooperative activities undertaken between the secretariats in areas of mutual interest, as well as other activities conducted jointly by parties to the Minamata Convention and parties to the Basel, Rotterdam and Stockholm conventions, was set out in the note by the secretariat on the matter (UNEP/MC/COP.4/INF/17). The latter report was the first to have been prepared jointly by the two secretariats.

161. The representative of Switzerland presented a conference room paper containing a draft decision submitted by Chile, Colombia, Norway, Switzerland, Thailand, Uruguay, the group of African States and the European Union and its member States, on enhanced cooperation between the secretariat of the Convention and the secretariat of the Basel, Rotterdam and Stockholm conventions. The draft decision had the same title as and a similar structure to the decision on the matter adopted by the Conference of the Parties at its third meeting - decision MC-3/11 - and was aimed at ensuring the continuity of the cooperation between the two secretariats on relevant administrative, programmatic, technical assistance and technical matters.

162. Many representatives, some speaking on behalf of the proponents, voiced their support for the proposed decision. Those speaking for the proponents urged other parties to support the proposal, citing the need for ongoing cooperation between the two secretariats and oversight of cooperation activities by the Conference of the Parties.

163. One representative expressed the hope that such a decision would be implemented at the country focal-point level as well as at the secretariat level, and two others called for similar cooperation with other relevant international bodies, such as the Strategic Approach to International Chemical Management (SAICM). A third sought clarification of the meaning of enhanced cooperation and the expected benefits.

164. One representative, while expressing support for the proposal, observed that a strong and independent Minamata Convention secretariat was essential to the successful implementation of the Convention and said that parties should ensure that the secretariat had stable institution arrangements, was cost effective, provided the services needed by the parties and was answerable solely to the Conference of the Parties. He indicated that he wished to propose text amendments and engage in discussion on the proposed text. Another representative drew attention to recent decisions on chemicals and waste and on a science-policy panel for chemicals adopted by the United Nations Environment Assembly at its fifth session and proposed that the Conference of the Parties take note of those decisions and engage in the process of creation of the science-policy panel.

165. Subsequently, the representative of Switzerland introduced a revised version of the draft decision, contained in another conference room paper, which had been prepared by the proponents in the light of consultations with parties. He highlighted a number of minor amendments that had been made to the revised draft decisions following additional informal consultations with interested parties.

166. The Conference of the Parties adopted decision MC-4/9 on enhanced cooperation between the secretariat of the Minamata Convention on Mercury and the secretariat of the Basel, Rotterdam and Stockholm conventions, as presented by Switzerland and orally amended, as set out in annex I to the present report.

K. Financial rules (item 4 (k) of the agenda)

167. Introducing the item, the representative of the secretariat recalled that, at its first meeting, in its decision MC-1/10, the Conference of the Parties had adopted financial rules for itself and any subsidiary bodies it might establish, together with financial provisions governing the functioning of the secretariat. Bracketed text remained in paragraph 3 (e) of rule 5 of the financial rules and in paragraphs 2 and 5 of the annex to the financial rules. At its second and third meetings, the Conference had agreed to defer further consideration of the issue to its next meeting. She drew attention to the relevant information set out in the note by the secretariat on the matter (UNEP/MC/COP.4/21).

168. The Conference of the Parties agreed to defer consideration of the bracketed text in rule 5 and in the annex to the financial rules to its fifth meeting.

L. Gender (item 4 (l) of the agenda)

169. Introducing the item, the representative of the secretariat drew attention to the note by the secretariat on mainstreaming gender (UNEP/MC/COP.4/22), which set out a proposed draft decision on gender mainstreaming in annex I and, in annex II, the gender road map of the Minamata Convention on Mercury. The road map contained a list of prioritized actions to be undertaken by the secretariat to ensure that the principles of gender equality were firmly embedded in the activities, projects and programmes undertaken by the secretariat, including the development of a gender plan of action under the Convention, with clear indicators for monitoring progress. The secretariat welcomed further comments from parties on the gender road map.

170. In the ensuing discussion, there was consensus on the central importance of gender to the work of the Minamata Convention, and the need to mainstream gender in the programme of work and budget of the Convention. There was wide support for the gender road map of the Convention and the proposal to develop a gender plan of action. One representative, speaking on behalf of a group of parties, said that gender equity should be a cross-cutting principle of the Convention, and activities should be gender sensitive at all stages, with women and men afforded equal opportunities. Women needed to be capacitated to increase their effectiveness in implementing the Convention.

171. One major issue highlighted was the exposure of vulnerable populations, including women and children, to mercury, specifically in the artisanal and small-scale gold mining sector. The well-being and reproductive health of women were at particular risk, with impacts extending to future generations. One representative of an observer organization highlighted the risk of dental amalgam containing mercury to those working in dental services, a high proportion of whom were women.

172. Measures should be undertaken to counteract these negative impacts, for example awareness-raising, research and training, and the engagement of partners, including networks of local allies and champions, to support the work of the Convention. Further work needed to be undertaken to find alternatives to mercury in the artisanal and small-scale gold mining sector, to take measures to reduce the poverty that was driving many women to work in the sector, and to develop alternative livelihood projects for women. It was important to work in synergy with other international instruments with expertise and knowledge in the field.

173. Subsequently, the President introduced the draft decision, as prepared by the secretariat and set out in the working document.

174. The Conference of the Parties adopted decision MC-4/10 on gender mainstreaming, as submitted by the secretariat, as set out in annex I to the present report.

V. International cooperation and coordination (item 5 of the agenda)

175. Introducing the item, the representative of the secretariat drew attention to the note by the secretariat on international cooperation and coordination (UNEP/MC/COP.4/23), which provided information on activities undertaken by the secretariat to cooperate and coordinate, as appropriate, with other entities, particularly in the chemicals and waste cluster, and also referred to information provided by various organizations and bodies regarding activities carried out under their respective mandates of relevance to the Convention. A proposed draft decision was set out in the annex to the note. She also drew attention to notes by the secretariat on a joint study by the secretariats of the Minamata Convention on Mercury and of the Basel, Rotterdam and Stockholm conventions entitled "Interlinkages between the chemicals and waste multilateral environmental agreements and biodiversity" (UNEP/MC/COP.4/INF/13); joint study by the secretariats of the Minamata Convention on Mercury and of the Basel, Rotterdam and Stockholm conventions entitled "Chemicals, wastes and climate change: interlinkages and potential for coordinated action" (UNEP/MC/COP.4/INF/14); report

of the Executive Director of the United Nations Environment Programme to the Conference of the Parties to the Minamata Convention on Mercury at its fourth meeting (UNEP/MC/COP.4/INF/15/Rev.1); report on activities undertaken within the Global Mercury Partnership of the United Nations Environment Programme (UNEP/MC/COP.4/INF/16/Rev.1); joint report on cooperation and coordination between the secretariats of the Minamata Convention on Mercury and of the Basel, Rotterdam and Stockholm conventions (UNEP/MC/COP.4/INF/17); report on cooperative activities with the World Health Organization and the International Labour Organization (UNEP/MC/COP.4/INF/18); report on the activities on mercury of relevant international bodies (UNEP/MC/COP.4/INF/19); and update on the Strategic Approach to International Chemicals Management and the intersessional process considering the Strategic Approach and the sound management of chemicals and waste beyond 2020 (UNEP/MC/COP.4/INF/20).

176. Following the introduction, a number of representatives reported on the work of their organizations on mercury and for the Minamata Convention.

177. Ms. Teeraporn Wiriwutikorn (Thailand), co-chair with Mr. Rodges Ankrah (United States of America) of the Global Mercury Partnership, reported on the outcome of the twelfth meeting of the Global Mercury Partnership Advisory Group, held on 11 and 14 March 2022 (see UNEP/MC/COP.4/INF/16/Rev.1). The Partnership Advisory Group had taken stock of the work undertaken since its previous meeting in its eight partnership areas, including on issues of mercury from the mining and smelting of non-ferrous metals and from oil and gas. Future work priorities had also been discussed, including mercury trade and flows and the impact of mercury on biodiversity. Members had supported the continued organization of information-sharing events. The Partnership and the Minamata Convention had engaged in fruitful cooperation in a number of areas, including customs codes and the management of tailings component of the guidance for national action plans for artisanal and small-scale gold mining.

178. The representative of UNEP summarized the main points of the report of the Executive Director of UNEP to the Conference of the Parties at its fourth meeting (UNEP/MC/COP.4/INF/15/Rev.1, annex). The report highlighted the activities undertaken by UNEP in relation to work on mercury and to the decisions adopted by the Conference of Parties to the Minamata Convention at its first, second and third meetings, and also provided information on programmatic collaboration between UNEP and the Minamata Convention, the UNEP Global Mercury Partnership, the contribution of UNEP to the intersessional work of the Convention, its support to countries in the ratification and implementation of the Minamata Convention, and support through the Special Programme to support institutional strengthening at the national level for implementation of the Basel, Rotterdam and Stockholm conventions, the Minamata Convention and the Strategic Approach to International Chemicals Management. In addition to programmatic collaboration, UNEP had provided administrative and financial support to the Minamata Convention secretariat and had assisted in the organization and holding of the third meeting of the Conference of the Parties to the Minamata Convention. Several outcomes of the fifth session of the United Nations Environment Assembly were of particular relevance to the Minamata Convention, including the establishment of the science-policy panel for the sound management of chemicals and waste.

179. Mr. Carlos Martin Novella, Deputy Executive Secretary of the Basel, Rotterdam and Stockholm conventions, reported on the cooperation between those conventions and the Minamata Convention as set out in the joint report on the matter (UNEP/MC/COP.4/INF/17, annex). The present meeting, and the upcoming combined meetings of the conferences of the Parties to the Basel, Rotterdam and Stockholm conventions, to be held in Geneva from 6 to 17 June 2022, were indicative of the global momentum on tackling pollution and environmental challenges through interlinked, joint action. Areas of cooperation between the four conventions included not only substantive matters such as mercury waste and the Global Monitoring Plan of the Stockholm Convention, but also cross-cutting issues pertaining to implementation and compliance, financial resources, awareness-raising, information management and technical assistance, including through the regional centres. Successful areas of cooperation included mercury wastes, for which the Minamata and the Basel conventions were mutually supportive, as well as broader concerns, for example biodiversity and climate change. The secretariat of the Basel, Rotterdam and Stockholm conventions had also provided secretariat services on a cost recovery basis to the Conference of the Parties to the Minamata Convention at its fourth meeting. The upcoming combined meetings of the conferences of the parties to the Basel, Rotterdam and Stockholm conventions included a specific item on cooperation with the Minamata Convention, highlighting the linkages between the conventions.

180. Another representative of UNEP presented an update on SAICM and the intersessional process considering the Strategic Approach and the sound management of chemicals and waste beyond 2020 (UNEP/MC/COP.4/INF/20, annex). The COVID-19 pandemic had caused the postponement of the

fourth meeting of the intersessional process and the fifth session of the International Conference on Chemicals Management, both expected to be key drivers of a more ambitious framework for the global sound management of chemicals and waste. Four virtual working groups had nevertheless completed deliberations to support the intersessional process. One of the resolutions adopted by the United Nations Environment Assembly at its recently concluded fifth session invited all stakeholders to put in place an ambitious, improved and enabling framework to address the sound management of chemicals and waste beyond 2020, thus increasing the momentum of the framework adoption process. The fourth meeting of the intersessional process was now scheduled to take place from 29 August to 2 September 2022 in Bucharest and the secretariat of SAICM looked forward to the continued active engagement of the secretariat of the Minamata Convention in the sound management of chemicals and wastes beyond 2020, particularly in the development of targets and indicators.

181. The representative of WHO highlighted recent activities of relevance to the Minamata Convention undertaken by WHO as described in the note by the secretariat pertaining to cooperative activities with WHO and the International Labour Organization (UNEP/MC/COP.4/INF/18), including the development of guidance on strategic planning for implementation of the health-related articles of the Convention, a step-by-step guide for developing a public health strategy for artisanal and small-scale gold mining in the context of the Convention, and a number of online health sector training courses on mercury and its health effects. WHO had also reviewed 61 Minamata initial assessment reports submitted by the parties (UNEP/MC/COP.4/INF/18/Add.1, annex), which revealed a lack of evidence of health ministry involvement in the implementation of the Convention in half of the reports; the absence of priorities for action related to article 16 of the Convention (health aspects) in two-thirds of the reports; and evidence of health authority involvement in the implementation of article 7 of the Convention, under which national action plans must include a public health strategy, in only seven of the reports. She called on the parties to ensure that health ministries were involved in the implementation of the Convention at the national level, and said that WHO would continue to support health ministries within the scope of its public health mandate.

182. One representative, speaking on behalf of a group of parties, thanked the secretariat for the documents provided under agenda item 5, and in particular the information provided on international cooperation in the field of biodiversity. Pollution was one of the main causes of biodiversity loss, and the Minamata Convention contributed to the protection and sustainable use of biodiversity, so it was important to continue to explore ways in which the Convention could contribute to the post-2020 global biodiversity framework.

183. The representative of an indigenous observer organization said that action was urgently needed to raise awareness on, and deal effectively with, the effects of mercury pollution on the health, territories, and subsistence and food security rights of indigenous peoples. He called for strengthened cooperation between the Minamata Convention and relevant human rights instruments, in particular the United Nations Declaration on the Rights of Indigenous Peoples and the Indigenous and Tribal Peoples Convention, 1989 of the International Labour Organization (No. 169), and urged the Conference of the Parties to ensure the full and effective participation of indigenous peoples in the development of national action plans on artisanal and small-scale gold mining and evaluation mechanisms, and to develop a strategy to address the priorities of indigenous peoples in the lead-up to its fifth session, in collaboration with indigenous organizations

184. The representative of an observer drew attention to a Minamata initial assessment prepared by her Government in 2019, which had concluded that the country's regulatory and institutional framework was broadly in line with the provisions of the Minamata Convention, but also identified a number of gaps, including the need to phase out mercury-added products as a priority. She expressed the hope that her country would soon be able to become a party to the Convention.

185. The representative of an observer organization drew attention to numerous activities and projects by means of which her organization had contributed to the implementation of the Convention, including ongoing support provided to several developing country parties.

186. Turning to the draft decision set out in the annex to document UNEP/MC/COP.23, one representative proposed the insertion of a new paragraph by which the Conference would welcome two resolutions on chemicals and waste that had been adopted by the United Nations Environment Assembly of UNEP at its fifth session, and request the secretariat to contribute to their implementation, as appropriate. Several representatives, including one speaking on behalf of a group of parties, expressed support for the draft decision, as orally amended.

187. Subsequently, the President introduced a revised version of the draft decision, as set out in a conference room paper, which had been prepared by the secretariat at her request to reflect the discussion in plenary.

188. The Conference of the Parties adopted decision MC-4/12 on international cooperation and coordination, as submitted by the secretariat, as set out in annex I to the present report.

VI. Programme of work and budget (item 6 of the agenda)

189. Introducing the item, the representative of the secretariat recalled that the Conference of the Parties had approved a programme of work and budget for 2022 at its online segment and was now invited to consider and approve the programme of work and budget for 2023 and thus the budget for the entire biennium 2022–2023. The relevant background documents included notes by the secretariat on the proposed operational budgets for the two funding scenarios for the biennium 2022–2023 (UNEP/MC/COP.4/24 and UNEP/MC/COP.4/24/Corr.1), the proposed operational budget for 2023 (UNEP/MC/COP.4/24/Add.1) and the indicative scale of assessments and contributions to the general trust fund for 2023 (UNEP/MC/COP.4/24/Add.2). Additional information was provided in notes by the secretariat setting out information on financial matters (UNEP/MC/COP.4/INF/21) and the budget activity fact sheets (UNEP/MC/COP.4/INF/22).

190. Several representatives, including one speaking on behalf of a group of parties, took the floor to thank the secretariat for its preparatory work on the matter, including through various pre-meeting online information sessions, which one representative said should be a practice retained for future meetings. They all stressed the importance of adequate funding to ensure that the Convention could deliver on its mandate, and indicated their willingness to engage in fruitful discussion on the matter. Aspects identified as being of particular importance included effectiveness evaluation; support for the full participation of representatives, including those from developing countries and countries with economies in transition, in the various meetings, whether in person or virtually; replenishment of the working capital reserve; accounting for the impact of COVID-19 in the indicative scale of assessments and contributions; and the provision of adequate support for parties to fulfil their commitments under the Convention, particularly those that were time-bound, such as the phase-out of products containing mercury and the submission of national reports.

191. The Conference of the Parties agreed to reconvene the contact group on programme of work and budget established during the online segment, co-chaired by Mr. Reginald Hernaus (Netherlands) and Mr. Sam Adu-Kumi (Ghana), to consider the proposed programme of work and budget for 2023 in more detail.

192. Subsequently, the Conference of the Parties adopted decision MC-4/13 on the programme of work and budget for 2023, as submitted by the contact group on the programme of work and budget, as set out in annex I to the present report, and thereby approved the budget for the entire biennium 2022–2023.

VII. Dates of the resumed fourth meeting of the Conference of the Parties; venue and dates of the fifth meeting of the Conference of the Parties (item 7 of the agenda)

193. Introducing the item, the President recalled that the item had been opened during the online segment of the present meeting, at which the Conference of the Parties had adopted decision MC-4/1, by which the parties had decided on the date and venue of the present in-person segment of the fourth meeting.

194. The representative of the secretariat said that, pursuant to rule 3 of the rules of procedure, the meetings of the Conference of the Parties should take place at the seat of the secretariat in Geneva, unless other appropriate arrangements were made by the secretariat in consultation with the parties. The secretariat also proposed that the two-year period between the fourth and fifth meetings of the Conference of the Parties commence from the date of the first segment of the present meeting. As no other offers had been received, it was proposed that the fifth meeting of the Conference of the Parties be held in Geneva from 28 October to 4 November 2023, pending confirmation of the availability of the venue. The final dates and venue would be confirmed in consultation with the Bureau.

195. Subsequently, the President introduced a draft decision which the secretariat had prepared at her request.

196. The Conference of the Parties adopted decision MC-4/14 on the venue and dates of the fifth meeting, as submitted by the secretariat, as set out in annex I to the present report.

VIII. Other matters (item 8 of the agenda)

197. No other matters were considered.

IX. Adoption of the report of the meeting (item 9 of the agenda)

198. The Conference of the Parties adopted the present report on the basis of the draft report that had been circulated, on the understanding that the Rapporteur would be entrusted with its finalization, in consultation with the secretariat. The report, together with the report on the work of the online segment of its fourth meeting (UNEP/MC/COP.4/28), constituted the complete proceedings of the fourth meeting of the Conference of the Parties.

X. Closure of the meeting (item 10 of the agenda)

199. Following the customary exchange of courtesies, the meeting was declared closed at 5.30 a.m. on Saturday, 26 March 2022.

ADVANCE

Annex I

Decisions adopted by the Conference of the Parties to the Minamata Convention on Mercury at the in-person segment of its fourth meeting

- Decision MC-4/3: Review and amendment of annexes A and B to the Minamata Convention
- Decision MC-4/4: Artisanal and small-scale gold mining
- Decision MC-4/5: Mercury releases
- Decision MC-4/6: Mercury waste thresholds
- Decision MC-4/7: Second review of the financial mechanism
- Decision MC-4/8: National reporting pursuant to article 21 of the Minamata Convention on Mercury
- Decision MC-4/9: Enhanced cooperation between the secretariat of the Minamata Convention on Mercury and the secretariat of the Basel, Rotterdam and Stockholm conventions
- Decision MC-4/10: Gender mainstreaming
- Decision MC-4/11: The first effectiveness evaluation of the Minamata Convention on Mercury
- Decision MC-4/12: International cooperation and coordination
- Decision MC-4/13: Programme of work and budget for 2023
- Decision MC-4/14: Venue and dates of the fifth meeting of the Conference of the Parties

MC-4/3: Review and amendment of annexes A and B to the Minamata Convention on Mercury

The Conference of the Parties,

Noting that that paragraph 8 of article 4 and paragraph 10 of article 5 of the Minamata Convention on Mercury provide that, no later than five years after the date of entry into force of the Convention, the Conference of the Parties are to review annex A and annex B and may consider amendments to those annexes in accordance with article 27,

Recalling that the Conference of the Parties, in its decision MC-3/1, established the ad hoc group of experts on the review of annexes A and B, requested the secretariat to collect relevant information and submit a report on the work of the ad hoc group of experts and a compilation of relevant information to the Conference of the Parties,

Recalling also that the Conference of the Parties, in its decision MC-3/2, requested the secretariat to present the compilation of information on dental amalgam for consideration by the Conference of the Parties,

Recognizing the efforts of the parties and other stakeholders in providing information pursuant to decisions MC-3/1 and MC-3/2,

Appreciating the work of the secretariat and of the ad hoc group of experts in making the information relevant to the review of annexes A and B available to the Conference of the Parties,

Having considered the information submitted pursuant to decisions MC-3/1 and MC-3/2,

Having also considered the three proposals for amendment to those annexes submitted by the European Union; by Botswana, Burkina Faso and Madagascar on behalf of the group of African States; and by Canada, Norway and Switzerland; respectively,

1. *Decides* to amend part I of annex A to the Convention as set out in the following table;¹

<i>Mercury-added products</i>	<i>Date after which the manufacture, import or export of the product shall not be allowed (phase-out date)</i>
Batteries, except for button zinc silver oxide batteries with a mercury content < 2% and button zinc air batteries with a mercury content < 2%	2020
Switches and relays, except very high accuracy capacitance and loss measurement bridges and high frequency radio frequency switches and relays in monitoring and control instruments with a maximum mercury content of 20 mg per bridge, switch or relay	2020
Compact fluorescent lamps (CFLs) for general lighting purposes that are ≤ 30 watts with a mercury content exceeding 5 mg per lamp burner	2020
Compact fluorescent lamps with an integrated ballast (CFL.i) for general lighting purposes that are ≤ 30 watts with a mercury content not exceeding 5 mg per lamp burner	2025
Linear fluorescent lamps (LFLs) for general lighting purposes: Triband phosphor < 60 watts with a mercury content exceeding 5 mg per lamp; Halophosphate phosphor ≤ 40 watts with a mercury content exceeding 10 mg per lamp	2020
High pressure mercury vapour lamps (HPMV) for general lighting purposes	2020
Mercury in cold cathode fluorescent lamps and external electrode fluorescent lamps (CCFL and EEFL) for electronic displays: short length (≤ 500 mm) with mercury content exceeding 3.5 mg per lamp	2020

¹ Added entries are shown in grey shade.

	<i>Date after which the manufacture, import or export of the product shall not be allowed (phase-out date)</i>
<i>Mercury-added products</i>	
medium length (> 500 mm and ≤ 1,500 mm) with mercury content exceeding 5 mg per lamp long length (> 1,500 mm) with mercury content exceeding 13 mg per lamp	
Cold cathode fluorescent lamps (CCFL) and external electrode fluorescent lamps (EEFL) of all lengths for electronic displays, not included in the listing directly above	2025
Cosmetics (with mercury content above 1ppm), including skin lightening soaps and creams, and not including eye area cosmetics where mercury is used as a preservative and no effective and safe substitute preservatives are available ^a	2020
Pesticides, biocides and topical antiseptics	2020
The following non-electronic measuring devices except non-electronic measuring devices installed in large-scale equipment or those used for high precision measurement, where no suitable mercury-free alternative is available: (i) barometers; (ii) hygrometers; (iii) manometers; (iv) thermometers; (v) sphygmomanometers.	2020
Strain gauges to be used in plethysmographs;	2025
The following electrical and electronic measuring devices except those installed in large-scale equipment or those used for high precision measurement, where no suitable mercury-free alternative is available: (a) melt pressure transducers, melt pressure transmitters and melt pressure sensors	2025
Mercury vacuum pumps	2025
Tire balancers and wheel weights	2025
Photographic film and paper	2025
Propellant for satellites and spacecraft	2025

2. *Decides* to amend part II of annex A to the Convention as set out in the following table²;

<i>Mercury-added products</i>	<i>Provisions</i>
Dental amalgam	<p>Measures to be taken by a Party to phase down the use of dental amalgam shall take into account the Party's domestic circumstances and relevant international guidance and shall include two or more of the measures from the following list:</p> <ul style="list-style-type: none"> (i) Setting national objectives aiming at dental caries prevention and health promotion, thereby minimizing the need for dental restoration; (ii) Setting national objectives aiming at minimizing its use; (iii) Promoting the use of cost-effective and clinically effective mercury-free alternatives for dental restoration; (iv) Promoting research and development of quality mercury-free materials for dental restoration; (v) Encouraging representative professional organizations and dental schools to educate and train dental professionals and students on the use of mercury-free dental restoration alternatives and on promoting best management practices; (vi) Discouraging insurance policies and programmes that favour dental amalgam use over mercury-free dental restoration; (vii) Encouraging insurance policies and programmes that favour the use of quality alternatives to dental amalgam for dental restoration; (viii) Restricting the use of dental amalgam to its encapsulated form; (ix) Promoting the use of best environmental practices in dental facilities to reduce releases of mercury and mercury compounds to water and land. <p>In addition, Parties shall:</p> <ul style="list-style-type: none"> (i) Exclude or not allow, by taking measures as appropriate, the use of mercury in bulk form by dental practitioners; (ii) Exclude or not allow, by taking measures as appropriate, or recommend against the use of dental amalgam for the dental treatment of deciduous teeth, of patients under 15 years and of pregnant and breastfeeding women, except when considered necessary by the dental practitioner based on the needs of the patient.

3. *Notes* that each product entry in paragraphs 1 and 2 above is a separate amendment for the purposes of entry into force under article 27 of the Convention;

4. *Requests* the secretariat to draft a revised reporting format under article 21 to collect information on the measures taken related to the provisions that were added by the present amendment, for consideration by the Conference of the Parties at its fifth meeting;

5. *Decides* to consider at its fifth meeting the following phase-out dates for annex A, part I;

<i>Mercury-added products</i>	<i>Date after which the manufacture, import or export of the product shall not be allowed (phase-out date)</i>
Button zinc silver oxide batteries with a mercury content < 2% and button zinc air batteries with a mercury content < 2%	[2025] [2029]
Very high accuracy capacitance and loss measurement bridges and high frequency radio frequency switches and relays in monitoring and control instruments with a maximum mercury content of 20 mg per bridge switch or relay [except those used for research and development purposes]	[2025]
Linear fluorescent lamps (LFLs) for general lighting purposes:	[2025] [2027] [2030]

² The added measures are shown in grey shade.

	<i>Date after which the manufacture, import or export of the product shall not be allowed (phase-out date)</i>
<i>Mercury-added products</i>	
(a) Halophosphate phosphor \leq 40 watts with a mercury content not exceeding 10 mg per lamp (b) Halophosphate phosphor $>$ 40 watts	
Linear fluorescent lamps (LFLs) for general lighting purposes: (a) Triband phosphor $<$ 60 watts with a mercury content not exceeding 5 mg/lamp	[2027] [2030]

6. *Also decides* to further consider adding the production of polyurethane using mercury-containing catalysts to part I of annex B at its fifth meeting;

7. *Requests* the secretariat to compile information on the availability and technical and economic feasibility of mercury-free alternatives in the production of polyurethane using mercury-containing catalysts and to submit it to the Conference of the Parties at its fifth meeting to facilitate its consideration of the matter described in paragraph 6 of the present decision;

8. *Also requests the* secretariat to prepare, for consideration by the Conference of the Parties at its fifth meeting, a short report on the technical and economic feasibility of mercury-free alternatives for the two processes (vinyl chloride monomer, and sodium or potassium methylate or ethylate) listed in annex B, part II, that refer to the Conference of the Parties establishing such feasibility, and, in so doing, to first identify those parties that have reported the use of those two processes in their national reports under article 21, and then request information from those parties regarding whether they continue to use those two processes, whether either is scheduled to be phased out nationally, and to what extent mercury-free alternatives are technically and economically feasible.

9. *Decides* that, if necessary, the secretariat may request other parties and stakeholders to provide additional information.

MC-4/4: Artisanal and small-scale gold mining

The Conference of the Parties,

Recalling that the Conference of the Parties, in its decision MC-1/13, considered guidance on developing a national action plan to reduce and, where feasible, eliminate mercury use in artisanal and small-scale gold mining and agreed to the use of the guidance by parties addressing the issue of artisanal and small-scale gold mining that was more than insignificant,

Appreciating the work of the United Nations Environment Programme and the World Health Organization on updating the guidance and the input of the Global Mercury Partnership in the process,

Appreciating also the initiative of some parties and the secretariat to prepare additional technical material on monitoring of mercury in and around sites of artisanal and small-scale mining to support implementation of the guidance,

1. *Adopts* the updated guidance on developing a national action plan to reduce and, where feasible, eliminate mercury use in artisanal and small-scale gold mining, which was set out in its earlier form in annex II to the note by the secretariat on the guidance document on the preparation of national action plans for artisanal and small-scale gold mining³ and amended as set out in annexes I and II to the note by the secretariat entitled “Article 7: artisanal and small-scale gold mining: update to the guidance document for the preparation of a national action plan to reduce and, where feasible, eliminate mercury use in artisanal and small-scale gold mining”;⁴
2. *Calls upon* parties to engage indigenous peoples, local communities and other relevant stakeholders in the development and implementation of national action plans;
3. *Requests* the secretariat to compile views on the needs and priorities of indigenous peoples and local communities with regard to the use of mercury in artisanal and small-scale gold mining;
4. *Also requests* the secretariat, in cooperation with the United Nations Environment Programme Global Mercury Partnership, to disseminate the guidance on developing a national action plan to reduce and, where feasible, eliminate mercury use in artisanal and small-scale gold mining, to support its use by parties, and to keep it under review.

³ UNEP/MC/COP.1/17.

⁴ UNEP/MC/COP.4/29.

MC-4/5: Mercury releases

The Conference of the Parties,

Welcoming the report of the group of technical experts on the development of guidance in relation to mercury releases established pursuant to decision MC-2/3 on releases and given an updated mandate in decision MC-3/4 on releases of mercury,

1. *Invites* parties to consider the list of potentially relevant point source categories of releases as set out in the appendix to annex III to the note by the secretariat on the report on the intersessional work on mercury releases⁵ when identifying relevant point source categories pursuant to paragraph 3 of article 9 of the Minamata Convention on Mercury;
2. *Adopts* the guidance on the methodology for preparing inventories of releases pursuant to paragraph 7 of article 9 of the Convention,⁶ and invites parties to take into account of the guidance when preparing their inventory of releases from relevant sources pursuant to paragraph 6 of article 9;
3. *Invites* parties to confirm the current members of the group of technical experts, nominate new members or replace members, as appropriate, through the Bureau representatives of each of the five United Nations regions, taking into account the expertise needed for developing guidance on best available techniques and best environmental practices to control releases from relevant sources;
4. *Requests* the group to work electronically, in line with the road map for the development of guidance on best available techniques and best environmental practices to control releases from relevant sources⁷, to develop draft guidance on best available techniques and best environmental practices to control releases from relevant sources, with a view to its adoption pursuant to paragraph 7 of article 9 of the Convention;
5. *Requests* that the group's work be agreed by consensus. In case no consensus is reached, the secretariat should take note of this lack of consensus, make a record of the discussion and the various positions, and note the level of support for each position;
6. *Requests* the secretariat to compile inputs from parties on the use of the guidance on the methodology for preparing inventories of releases for consideration by the Conference of the Parties at its fifth meeting;
7. *Also requests* the secretariat to continue to support the work of the group of technical experts.

⁵ UNEP/MC/COP.4/7.

⁶ UNEP/MC/COP.4/30.

⁷ UNEP/MC/COP.4/31.

MC-4/6: Mercury waste thresholds

The Conference of the Parties,

Recalling the thresholds for certain categories of wastes provided for by the Conference of the Parties in decision MC-3/5, as well as the work done by the group of technical experts established in decision MC-2/2 and by the secretariat to allow for further consideration of mercury waste thresholds by the Conference of the Parties at its fourth meeting,

Welcoming the report of the group of technical experts on mercury waste thresholds,

Noting that, in accordance with decision 3/5, the work of the group of technical experts on mercury waste thresholds has been focused primarily on a total mercury concentration approach in considering a threshold for mercury wastes falling under subparagraph 2 (c) of article 11,

Noting also that some parties have expressed an interest in broadening the focus of the work of the group of technical experts to consider approaches other than the total mercury concentration approach, including risk-based considerations,

Noting further that waste contaminated with mercury or mercury compounds may pose a risk to human health or the environment if it is deposited or spread onto land without proper management measures,

Highlighting the need for parties, particularly developing country parties, to be able to identify the mercury waste entering their countries in order to protect the most vulnerable populations from mercury pollution,

Acknowledging that the Conference of the Parties, at its fourth meeting, was unable to take a decision with respect to the thresholds proposed to date by the group of technical experts, and

Taking into account the report of the group of technical experts on mercury waste thresholds, set out in annex II to the note by the secretariat on the report on the intersessional work on mercury waste⁸,

1. *Decides*, with the goal of recommending and facilitating a decision on waste falling under sub-category 2 (c) of article 11 at the fifth meeting of the Conference of the Parties or as soon as possible thereafter, to extend the mandate of the group of technical experts to develop and consider new information and opportunities to present in a report to the Conference of the Parties;

2. *Invites* parties to share information and data on the waste categories listed in the indicative list contained in table 3 of the annex to decision MC-3/5, including with respect to any relevant national or local thresholds and their establishment, and requests the secretariat to compile such information and distribute it to the group of technical experts as soon as possible and make it available electronically;

3. *Requests* interested parties to submit information, when appropriate or at the request of the group of technical experts, on approaches other than the total mercury concentration approach to the secretariat for consideration by the group of technical experts;

4. *Decides* that prior to the fifth meeting of the Conference of the Parties the group of technical experts is to:

(a) Seek to collaborate, as appropriate, with the small intersessional working group established under the Basel Convention in decision BC-14/8, on technical guidelines on the environmentally sound management of wastes consisting of, containing or contaminated with mercury or mercury compounds, with a view to exchanging information and avoiding duplication of effort;

(b) Utilize the indicative list of waste types contaminated with mercury or mercury compounds to identify relevant information or data that may inform the group's discussion on mercury thresholds, acknowledging the potential for the group to recommend differing thresholds for different waste categories, as appropriate and noting that the group should prioritize wastes that are common among parties and likely to pose a risk to human health or the environment and should take into account that parties have varying waste management capacities;

(c) Collect and incorporate additional information or conduct further analysis, as needed and available, to supplement the information provided by parties in response to paragraph 1 of the present decision;

⁸ UNEP/MC/COP.4/8.

(d) Consider the situation of parties that already manage mercury waste in an environmentally sound manner, including through the use of a risk-based approach that takes into account leaching potential;

5. *Decides* that no threshold needs to be established for tailings from artisanal and small-scale gold mining in which mercury amalgamation is used to extract gold from ore, and that all tailings from such mining should be managed in an environmentally sound manner pursuant to article 7 and in line with the national action plans that respective parties develop using the guidance document on the preparation of national action plans for artisanal and small-scale gold mining;⁹

6. *Decides* to define the following two-tier thresholds above which tailings from mining other than primary mercury mining are not excluded from the definition of mercury waste pursuant to paragraph 2 of article 11:

(a) Tier-1 threshold to be applied first: 25 mg/kg total mercury content;

(b) Tier-2 threshold to be applied to tailings above the tier-1 threshold: 0.15 mg/L in the leachate using an appropriate test method simulating the leaching of mercury at the site where the tailings are deposited;

7. *Requests* the group of technical experts to develop a guidance document on test methods to be used for the tier-2 threshold for tailings from mining other than primary mercury mining;

8. *Invites* parties to review the membership of the group of technical experts as necessary and to inform the secretariat of any change in the membership through the Bureau representatives of the five United Nations regions;

9. *Requests* the group of technical experts to invite, as appropriate, scientific and technical contributions from a roster of additional experts identified by parties;

10. *Also requests* the group of technical experts to continue its work primarily by electronic means and to hold one face-to-face meeting of sufficient duration to address mercury wastes falling under paragraph 2 (c) of article 11, subject to the availability of resources, and to report on its work to the Conference of the Parties at its fifth meeting;

11. *Requests* the secretariat to transmit the present decision to the appropriate bodies of the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal and to invite them to take the present decision into account;

12. *Also requests* the secretariat to continue to support the work of the group of technical experts.

⁹ UNEP/MC/COP.1/17, annex II, as amended by the Conference of the Parties at its fourth meeting and set out in UNEP/MC/COP.4/29, annexes I and II.

MC-4/7: Second review of the financial mechanism

The Conference of the Parties,

Considering paragraph 11 of article 13, on the review of the financial mechanism,

1. *Adopts* the terms of reference for the second review of the financial mechanism set forth in the annex to the present decision;
2. *Invites* parties, intergovernmental organizations, non-governmental organizations and stakeholders to submit information, consistent with the terms of reference for the review and organized by the listed performance criteria, on their experience gained through their interactions with the financial mechanism, as soon as possible and not later than 30 September 2022;
3. *Requests* the secretariat to compile information relevant to the second review of the financial mechanism and submit it to the Conference of the Parties for consideration at its fifth meeting.

Annex to decision MC-4/7

Terms of reference for the second review of the financial mechanism

A. Objective

1. Pursuant to paragraph 11 of article 13 of the Minamata Convention on Mercury, the Conference of the Parties will review the financial mechanism established under article 13 to support parties in the implementation of the Convention, with a view to taking appropriate action, if necessary, to improve the effectiveness of the financial mechanism. Pursuant to paragraph 11 of article 13, the review will include an analysis of:
 - (a) The level of funding;
 - (b) The ability of the financial mechanism to mobilize resources from all sources, the level and type of funding, including differentiation between earmarked and non-earmarked voluntary contributions;
 - (c) The guidance provided by the Conference of the Parties to the Global Environment Facility and to the Specific International Programme to Support Capacity-Building and Technical Assistance in their capacity as the entities entrusted with the operation of the financial mechanism;
 - (d) The efficiency and effectiveness of the Global Environment Facility and the Specific International Programme in their capacity as the entities entrusted with the operation of the financial mechanism;
 - (e) The ability of the two entities of the financial mechanism to address the changing needs of developing country parties and parties with economies in transition.

B. Methodology

2. The review will cover the activities of the financial mechanism for the period from August 2019 to July 2022, which represents the period from the conclusion of the first review of the financial mechanism to the end of the period of the seventh replenishment of the trust fund of the Global Environment Facility and inclusive of the first three rounds of applications to the Specific International Programme, with particular emphasis on the activities concluded during that period.
3. The review will draw on the following sources of information, among others:
 - (a) Information submitted by parties on their experiences gained through their interactions with the financial mechanism, organized according to the performance criteria set forth in section D of the present terms of reference;
 - (b) Reports submitted to the Conference of the Parties by the entities entrusted with the operation of the financial mechanism;
 - (c) Other reports provided by the entities entrusted with the operation of the financial mechanism, including, among other things, reports of the Independent Evaluation Office of the Global

Environment Facility, terminal evaluations of completed projects of the Specific International Programme and reporting from ongoing projects of the Specific International Programme;

(d) Relevant reports and information submitted by intergovernmental and non-governmental organizations; stakeholders; other entities providing multilateral, regional and bilateral financial and technical assistance pursuant to paragraphs 1 and 3 of article 13 of the Convention; the Special Programme to support institutional strengthening at the national level for implementation of the Basel, Rotterdam and Stockholm conventions, the Minamata Convention and the Strategic Approach to International Chemicals Management (with respect to complementarity and avoiding duplication); and the Global Mercury Partnership (relative to its interaction with the financial mechanism in advancing the implementation of the Convention);

(e) Reports submitted by parties pursuant to article 21 of the Convention.

(f) Report of the Executive Director of the United Nations Environment Programme entitled "Strengthening the Specific International Programme to Support Capacity-Building and Technical Assistance of the Minamata Convention on Mercury: enhancing the effective functioning of the Programme (UNEP/MC/COP.4/13);

4. In keeping with these terms of reference, the secretariat will, subject to the availability of resources:

(a) Make adequate arrangements to ensure that the second review of the financial mechanism is undertaken in an independent and transparent, effective and efficient manner;

(b) Hire a consultant to prepare a draft report on the information provided;

(c) Submit the draft report on the review to the Conference of the Parties for consideration at its fifth meeting.

5. The entities entrusted with the operation of the financial mechanism are requested to provide information relevant to the review in a timely manner.

6. Parties are requested to provide information pursuant to paragraph 3 (a) above as soon as possible and not later than 30 September 2022.

7. Intergovernmental and non-governmental organizations, stakeholders, the Special Programme, the Global Mercury Partnership and relevant entities providing multilateral, regional and bilateral financial and technical assistance are requested to provide relevant information pursuant to the objectives of the present review as soon as possible and not later than 30 September 2022.

C. Report

8. The report on the second review will include the following elements:

(a) An overview of elements (a)–(d) of paragraph 1 above;

(b) Analysis of lessons learned from the activities funded by the financial mechanism during the period covered by the review;

(c) Assessment of the Global Environment Facility's principles of incremental cost and global environmental benefits as they pertain to activities to implement obligations under the Convention, along with lessons learned from the evaluation reports on activities of the Global Environment Facility and the final reports and evaluation reports of completed projects under the Specific International Programme;

(d) Assessment of the sustainability, transparency and accessibility of the funding provided by the financial mechanism for the achievement of the objective of the Convention;

(e) Identification of the resources mobilized directly by the financial mechanism, including in-kind contributions and co-financing, and, to the extent possible, quantitative and/or qualitative assessment of the resources mobilized indirectly by actions of the private sector and other stakeholders;

(f) Recommendations to improve the effectiveness and efficiency of the financial mechanism in meeting the objective of the Convention;

(g) Assessment against the performance criteria set out in paragraph 10 below.

9. The secretariat will submit the above-mentioned report to the Conference of the Parties for consideration at its fifth meeting.

D. Performance criteria

10. The effectiveness and efficiency of the financial mechanism will be assessed, taking into account, among other things:

- (a) Responsiveness of the Global Environment Facility and the Specific International Programme to the guidance adopted by or provided by the Conference of the Parties;
- (b) Extent to which the projects funded by the financial mechanism have reduced, or are expected to reduce, the supply, use, emissions and releases of mercury, and deliver other benefits in terms of Convention implementation;
- (c) Transparency and timeliness of the project approval processes;
- (d) Simplicity, flexibility and expeditiousness of the procedures for accessing funds and for implementing and reporting on projects;
- (e) Adequacy and sustainability of the available resources;
- (f) Country ownership of activities funded by the financial mechanism;
- (g) Level of stakeholder involvement;
- (h) Any other significant issues raised by the parties.

ADVANCE

MC-4/8: National reporting pursuant to article 21 of the Minamata Convention on Mercury

The Conference of the Parties,

Welcoming the high rate of submission, the timeliness and the completeness of the short reports prepared by parties for the first reporting period,

Noting the efforts by the secretariat to support parties in fulfilling their reporting obligations, including through use of the online reporting platform,

Considering the factors that may have contributed to reporting challenges as identified by the Implementation and Compliance Committee in its report to the Conference of the Parties at its fourth meeting,

Noting the many Minamata initial assessments that have been completed and provided to the secretariat for uploading to the website of the Minamata Convention on Mercury,

Recognizing the importance of clarity in the information transmitted in national reports,

1. *Encourages* parties again to achieve a high rate of reporting for the next reporting period;
2. *Provides* clarification of the reporting format, as set out in the annex to the present decision, and requests the secretariat to reflect that clarification in the reporting format and on the online reporting platform;
3. *Requests* parties to continue their ongoing efforts to endeavour to identify individual stocks and sources of mercury in accordance with paragraph 5 of article 3 of the Convention;
4. *Calls on* parties that have received consent to export mercury to parties and/or non-parties to provide to the secretariat either copies of the consent forms used or other suitable information in their reports submitted pursuant to article 21 of the Convention to show that the relevant requirements of article 3 of the Convention have been met;
5. *Encourages* parties that are developing Minamata initial assessments to complete them as soon as possible so that the assessments may be of support to implementation measures and national reporting efforts;
6. *Requests* the secretariat:
 - (a) On the basis of parties' experience of completing the first full reports, which were due by 31 December 2021, to identify any questions regarding the reporting format that may pose challenges to parties in responding, and to propose related clarifications, as appropriate, to the Conference of the Parties at its fifth meeting;
 - (b) To seek by 15 December 2022 any additional comments from parties and other stakeholders on the draft reporting guidance set out in the note by the secretariat on draft guidance for completing the national reporting format for the Minamata Convention on Mercury¹⁰ that take into account their experience of completing the first reports;
 - (c) To submit the draft reporting guidance for consideration and possible adoption by the Conference of the Parties at its fifth meeting;
 - (d) To report to the Conference of the Parties at its fifth meeting on the implementation of the present decision.

¹⁰ UNEP/MC/COP.4/17.

Annex to decision MC-4/8

1. Regarding question 3.1, the basis for reporting the “total amount” is the total amount of **mercury** mined. For clarity, the words “of mercury” are to be inserted between “amount” and “mined” in subparagraph (c).

Question 3.1: Does the party have any primary mercury mines that were operating within its territory on the date of entry into force of the Convention for the party? (para. 3)

- Yes
 No

If yes, please indicate:

(c) *Total amount mined _____ metric tons per year

2. Regarding question 3.5, to allow parties to indicate that they did not export mercury, an additional box is to be added below the existing “No” to allow parties to indicate “No, no export”.

Question 3.5: *Has the party received consent, or relied on a general notification of consent, in accordance with article 3, including any required certification from importing non-parties, for all exports of mercury from the party’s territory in the reporting period? (para. 6, para. 7)

- Yes, exports to parties
 Yes, exports to non-parties
 No

If yes...

3. Regarding question 11.2, parties may look for information on how to define “final disposal” and how they might find national facilities using techniques for final disposal in the Basel Convention technical guidelines, in national laws or regulations, in national policy and administrative statements, in their Minamata initial assessment, or in an implementation plan developed pursuant to article 20 of the Convention. The Basel Convention technical guidelines, for example, describe physico-chemical treatment, using stabilization and solidification processes, to meet the acceptance criteria of disposal facilities. In relation to final disposal operations, the technical guidelines describe the methods for disposal in specially engineered landfills and disposal in permanent storage (underground facilities) together with the measures to be taken to prevent releases and methylation of stabilized compounds, prevent fire and conduct long-term monitoring.

MC-4/9: Enhanced cooperation between the secretariat of the Minamata Convention on Mercury and the secretariat of the Basel, Rotterdam and Stockholm conventions

The Conference of the Parties,

Recalling that paragraph 4 of article 24 of the Minamata Convention on Mercury provides that the Conference of the Parties, in consultation with the appropriate international bodies, may provide for enhanced cooperation and coordination between the secretariat and the secretariats of other chemicals and waste conventions, and may provide further guidance on this matter,

Recalling also decision MC-3/11 on enhanced cooperation between the secretariat of the Minamata Convention and the secretariat of 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,

Recognizing that sharing of services within a stable framework will enhance cooperation and coordination based on experience and proximity and can foster the effective implementation of the Minamata Convention without undermining the autonomy of the secretariats and the accountability of their executive heads,

1. *Takes note* of the joint report on cooperation and coordination between the secretariats of the Minamata Convention on Mercury and of the Basel, Rotterdam and Stockholm conventions;¹¹
2. *Affirms* the importance of continued cooperation on programmatic synergies, the use of the task force between the two secretariats and the United Nations Environment Programme Chemicals and Health Branch, and the possibility for the secretariat of the Minamata Convention to purchase services from the secretariat of the Basel, Rotterdam and Stockholm conventions on a cost recovery basis, in accordance with the programme of work and budget of the Minamata Convention for each biennium;
3. *Requests* the Executive Secretary:
 - (a) To continue, with the secretariat of the Basel, Rotterdam and Stockholm conventions and under the overall steering of the task force and inter-secretariat working groups, as appropriate, to cooperate on relevant administrative, programmatic, technical assistance and technical matters, in accordance with the programme of work and budget, and to explore potential ways to further strengthen cooperation and collaboration on such matters with the secretariat of the Basel, Rotterdam and Stockholm conventions;
 - (b) To continue to implement shared services and the purchase of relevant services from the secretariat of the Basel, Rotterdam and Stockholm conventions on a cost recovery basis, as appropriate and in accordance with the programme of work and budget for each biennium;
 - (c) To report on the implementation of the present decision, including on the stable framework for cooperation and sharing of services, together with an outline of the cooperation activities planned under such a framework for the period 2024–2025, for the consideration of and, as necessary, further guidance by the Conference of the Parties at its fifth meeting.

¹¹ UNEP/MC/COP.4/INF/17.

MC-4/10: Gender mainstreaming

The Conference of the Parties,

Recalling Sustainable Development Goal 5 on achieving gender equality, adopted by the General Assembly on 25 September 2015 in its resolution 70/1, entitled “Transforming our World: the 2030 Agenda for Sustainable Development”,

Recalling also United Nations Environment Assembly resolution 2/5 of 27 May 2016, entitled “Delivering on the 2030 Agenda for Sustainable Development”, which, among other things, stresses the importance of respecting, protecting and promoting gender equality in delivering the environmental dimension of the 2030 Agenda for Sustainable Development,

Recognizing that, notwithstanding the efforts of parties and the secretariat to promote gender equality, efforts are still needed to ensure that women, men, girls and boys from all parties are equally involved in the implementation of the Convention and are represented in its bodies and processes and thus inform and participate in decision-making on gender-responsive policies related to mercury,

Takes note of the gender road map of the Minamata Convention on Mercury, as set out in annex II to the note by the secretariat on mainstreaming gender,¹² and welcomes the secretariat’s efforts to mainstream gender into its activities, projects and programmes;

Notes the importance of gender mainstreaming to ensure that men and women benefit equally from all activities, projects and programmes undertaken under the Convention and calls on parties to further promote gender equality in the implementation of the Convention;

Invites parties to support the secretariat in its efforts to mainstream gender into all activities to be undertaken by the secretariat as well as by parties and other stakeholders, including through the development of a gender action plan for the Minamata Convention during the biennium 2022–2023;

Requests the secretariat to continue collaborating with the United Nations Environment Programme, the secretariats of other multilateral environmental agreements and relevant partners in the field of gender;

Also requests the secretariat to report on the progress made in mainstreaming gender into the activities carried out under the Convention.

¹² UNEP/MC/COP.4/22.

MC-4/11: The first effectiveness evaluation of the Minamata Convention on Mercury

The Conference of the Parties,

Recalling article 22 of the Convention, which states that the Conference of the Parties is to evaluate the effectiveness of the Convention, beginning no later than six years after the date of entry into force of the Convention and periodically thereafter at intervals to be decided by it,

Acknowledging the proposed indicators set out in annex I to decision MC-3/10¹³ and the views on those indicators submitted by Parties during the intersessional period following the third meeting of the Conference of the Parties and compiled by the secretariat in advance of the fourth meeting of the Conference of the Parties,¹⁴

Recognizing the range of scientific and technical expertise from multiple disciplines necessary to inform the effectiveness evaluation,

Highlighting the need for an inclusive and transparent process that provides parties with the opportunities to provide data and information, and to review and comment on draft plans and products,

1. *Agrees* to begin the first effectiveness evaluation of the Convention at its fourth meeting, and to further consider the timeline of that evaluation at its fifth meeting;
2. *Decides* to adopt the framework for the effectiveness evaluation of the Minamata Convention as outlined in annex I to the present decision;
3. *Also decides* to continue at its fifth meeting the consideration of the effectiveness evaluation, including the terms of reference of the effectiveness evaluation group;¹⁵
4. *Establishes* an Open-Ended Scientific Group to work in accordance with its terms of reference, as set out in annex II to the present decision;
5. *Requests* the secretariat to call for nominations for membership of the Open-Ended Scientific Group by 15 April 2022;
6. *Also requests* the secretariat to support the work on the effectiveness evaluation, to continue to collect relevant information made available to the effectiveness evaluation, and to secure services to develop the reports requested by the Conference of the Parties;
7. *Further requests* the secretariat to support an intersessional process to refine the list of indicators to be used in the effectiveness evaluation process with a view to providing a final list of indicators for consideration and possible adoption by the Conference of the Parties at its fifth meeting;
8. *Encourages* parties to undertake, continue or expand upon their efforts to provide support for capacity-building, technical assistance and technology transfer under article 14 of the Convention, and research, development and monitoring under article 19, taking into account the geographic and scientific data gaps identified for the effectiveness evaluation of the Convention.

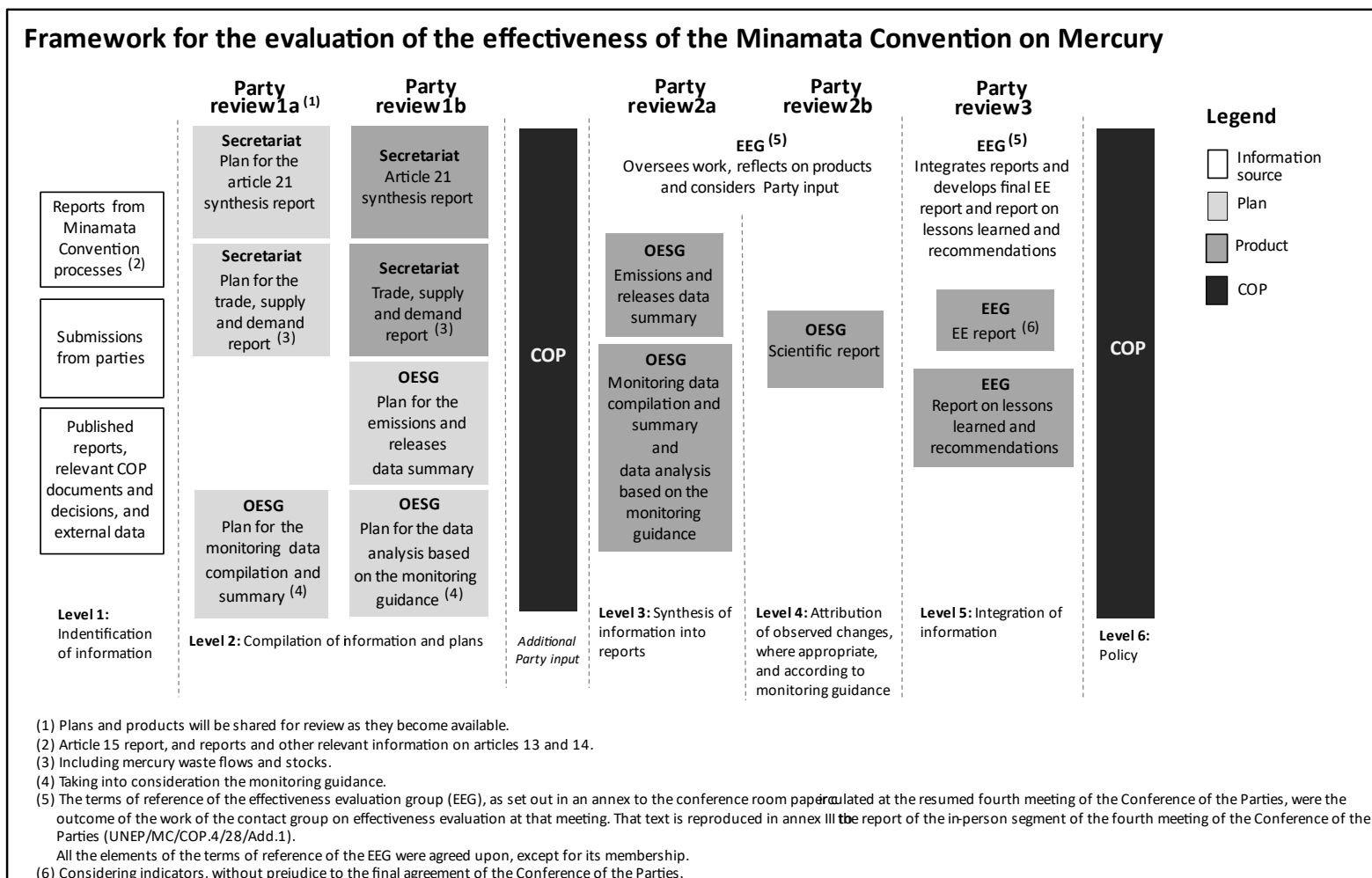
¹³ UNEP/MC/COP.3/23, annex.

¹⁴ UNEP/MC/COP.4/18/Add.1, UNEP/MC/COP.4/INF/11.

¹⁵ The terms of reference of the effectiveness evaluation group, as set out in an annex to a conference room paper circulated at the resumed fourth meeting of the Conference of the Parties, were the outcome of the contact group on effectiveness evaluation at that meeting. That text is reproduced in annex III to the report of the Conference of the Parties on the work of the in-person segment of its fourth meeting (UNEP/MC/COP.4/28/Add.1). All the elements of the terms of reference were agreed with the exception of the membership of the effectiveness evaluation group.

Annex I to decision MC-4/11

Framework for the effectiveness evaluation



Annex II to decision MC-4/11

Terms of reference for the Open-Ended Scientific Group

A. Mandate

1. The Conference of the Parties decides to establish an Open-ended Scientific Group, to provide the Conference of the Parties with an expert scientific modality as described in paragraph 3 below.
2. The Open-ended Scientific Group will start its work following the fourth meeting of the Conference of the Parties and will conclude its term at the end of the first effectiveness evaluation cycle.

B. Tasks

3. The Open-ended Scientific Group will develop a scientific report in which it will compile, analyse and synthesize comparable mercury monitoring data on changes in mercury concentrations in environmental media, biotic media and the human population, including vulnerable populations over time, the availability of scientific information on mercury levels in the environment and human populations, and the interactions between scientific data and financial assistance, technology transfer, and capacity building; evaluate the impact on mercury levels in the environment and humans of the measures taken under the Minamata Convention on Mercury, and draw conclusions thereon for the consideration of the Effectiveness Evaluation Group.¹⁶
4. The scientific report will be composed of the following elements, built in a two-stage process: (stage 1) the plan for the monitoring data compilation and summary, and the plan for data analysis consistent with the monitoring guidance; (stage 2) the monitoring data compilation and summary, and the data analysis addressing the guiding questions outlined in the monitoring guidance.
5. In addition, the Open-ended Scientific Group will provide an analysis of data gaps, including the identification of existing gaps as well as potential scientific actions to address identified gaps in information and knowledge related to monitoring, and lessons learned to be submitted to the Effectiveness Evaluation Group.
6. The Open-ended Scientific Group, with the support of the secretariat, will develop a plan and a summary of available emissions and releases data, including available emissions and releases data from national inventories, and estimates of emissions and releases data not available from national inventories.
7. The Open-ended Scientific Group will assess the data and coordinate the analysis to be included in the scientific report taking into consideration the monitoring guidance and its guiding questions as set out in UNEP/MC/COP.4/18/Add.2 and UNEP/MC/COP.4/INF/12 as well as differences in scientific capacities, national circumstances, environmental conditions, and demographic characteristics across parties and regions. The data and analysis should be transparent to parties.
8. The Open-ended Scientific Group will make the four documents listed in paragraph 4 and the drafts of the documents available for review by parties and the Effectiveness Evaluation Group. Parties should, within their capacities, contribute to the continuous improvement and validation of modelling performance and the evaluation of the reliability and representativeness of model results. The Open-ended Scientific Group will respond to comments by parties and integrate responses into plans and final products, for review by the Effectiveness Evaluation Group and submission to the Conference of the Parties, six months in advance of its meeting.
9. The Open-ended Scientific Group may also make recommendations to the Effectiveness Evaluation Group on updates or improvements to future versions of the monitoring guidance document beneficial for subsequent effectiveness evaluation cycles.

¹⁶ The terms of reference of the effectiveness evaluation group, as set out in an annex to a conference room paper circulated at the resumed fourth meeting of the Conference of the Parties, were the outcome of the contact group on effectiveness evaluation at that meeting. That text is reproduced in annex III to the report of the Conference of the Parties on the work of the in-person segment of its fourth meeting (UNEP/MC/COP.4/28/Add.1). All the elements of the terms of reference were agreed with the exception of the membership of the effectiveness evaluation group.

10. The Open-ended Scientific Group may conduct other related duties as tasked by the Effectiveness Evaluation Group or the Conference of the Parties.

C. Membership

11. The Open-ended Scientific Group will be an open-ended body composed of one expert identified and nominated by each party, from among which five experts will be nominated by each of the five United Nations regions. Those regionally nominated experts from developing countries and countries with economies in transition will be funded to participate in the meetings of the Open-ended Scientific Group through the budget of the Convention, taking into account the need for gender balance and different types of expertise.

12. The members should have expertise in the core competencies identified in the monitoring guidance, as well as mercury monitoring in core media, existing monitoring networks on mercury, quality assurance of data, modelling environmental transport, trends and fate of mercury, estimation of mercury emissions and releases, as well as analyses of the impacts of mercury in matrices in biota, air, and humans, and indigenous knowledge and local community knowledge.

13. The members of the Open-ended Scientific Group will not be eligible to become members of the Effectiveness Evaluation Group with the exception of the Open-ended Scientific Group co-chairs.

14. The Open-ended Scientific Group may invite scientific and technical contributions from a roster of additional experts identified by parties, to work through electronic means and communication, as appropriate. Experts will also be invited from among the following groups, as appropriate: civil society, indigenous organizations, local community organizations, intergovernmental organizations, research organizations and academia, the Global Mercury Partnership, and existing monitoring networks.

15. The terms of office of the members will coincide with the effectiveness evaluation cycle determined by the Conference of the Parties. To provide continuity, the Conference of the Parties may renew the terms of office of the members once for subsequent evaluations. If a member is unable to complete their term of office, the party nominating that member will nominate another person to complete the term.

D. Officers

16. The Open-ended Scientific Group will elect two co-chairs from among its party members, one from a developed and one from a developing country, to facilitate its work and meetings. The co-chairs will serve for no more than two sequential evaluation cycles in that role.

E. Procedural matters

17. The Open-ended Scientific Group will apply the rules of procedure of the Conference of the Parties, *mutatis mutandis*, unless otherwise provided in the present terms of reference. If the Open-ended Scientific Group is unable to reach consensus, a factual report containing the various views expressed is to be prepared and submitted to the Effectiveness Evaluation Group.

18. The Open-ended Scientific Group may establish such arrangements as are necessary to facilitate its work, in line with the present terms of reference, including establishing sub-groups, subject to the availability of resources.

19. Any sub-groups will be subject to the direction and oversight of the Open-ended Scientific Group and will cease to exist upon completion of the assigned task. To reduce costs, the sub-groups will carry out their work electronically.

F. Secretariat

20. The secretariat will provide administrative, logistical, programmatic and substantive support for the meetings and work of the Open-ended Scientific Group, with the assistance services as necessary, subject to available resources.

G. Meetings

21. The Open-ended Scientific Group will meet face to face no more than two times to perform its mandate as assigned to it by the Conference of the Parties and will work by electronic means during an effectiveness evaluation cycle. Only nominated regional experts will be funded from the Convention budget. Additional experts identified by parties who participate in the body are to participate at their

own expense. The frequency of the face-to-face meetings of the Open-ended Scientific Group will be considered and reviewed as appropriate and as necessary by the Conference of the Parties.

H. Language

22. The working language of the Open-ended Scientific Group will be English.

ADVANCE

MC-4/12: International cooperation and coordination

The Conference of the Parties,

Recalling paragraph 5 (b) of article 23 of the Minamata Convention on Mercury, which states that the Conference of the Parties is to cooperate, where appropriate, with competent international organizations and intergovernmental and non-governmental bodies, and paragraph 2 of article 24 of the Convention, which specifies the function of the secretariat to coordinate, as appropriate, with the secretariats of relevant international bodies, particularly other chemicals and waste conventions,

Recalling also the resolutions and other outcomes of sessions of the United Nations Environment Assembly that contribute to the implementation of the Minamata Convention and the decisions of its Conference of the Parties,

Emphasizing that the implementation of the Convention to protect human health and the environment from anthropogenic emissions and releases of mercury and mercury compounds contributes to the achievement of the Sustainable Development Goals and to addressing the three planetary crises of pollution, biodiversity loss and climate change,

1. *Agrees* to keep under review the contribution made by the implementation of the Convention to the implementation of relevant resolutions and decisions of the United Nations Environment Assembly;
2. *Welcomes* United Nations Environment Assembly resolutions 5/7, on the sound management of chemicals and waste, and 5/8, on a science-policy panel to contribute further to the sound management of chemicals and waste and to prevent pollution, and requests the secretariat to contribute to their implementation, as appropriate;
3. *Also welcomes* the activities of international organizations and initiatives undertaken in 2020 and 2021 to promote the ratification and implementation of the Convention, as reported to the Conference of the Parties at its fourth meeting;
4. *Invites* parties, non-parties and other stakeholders to engage further with the Global Mercury Partnership, hosted by the United Nations Environment Programme, and with its partnership areas, to support the achievement of the goals of the Convention;
5. *Takes note* of the study entitled “Interlinkages between the chemicals and waste multilateral environmental agreements and biodiversity”,¹⁷ as well as the study entitled “Chemicals, wastes and climate change: interlinkages and potential for coordinated action”¹⁸ prepared jointly by the secretariat of the Minamata Convention and the secretariat of the Basel, Rotterdam and Stockholm conventions;
6. *Requests* the secretariat to continue gathering knowledge about, raising awareness of and demonstrating, through appropriate means, the contribution of the implementation of the Minamata Convention to other relevant international regulations and policies, including those related to pollution, biodiversity and climate change;
7. *Also requests* the secretariat to prepare, subject to the availability of resources, a report, including possible recommendations, on how the Convention could contribute to the post-2020 global biodiversity framework, once adopted, for consideration by the Conference of the Parties at its fifth meeting;
8. *Further requests* the secretariat to report on the implementation of the present decision to the Conference of the Parties at its future meetings, as appropriate.

¹⁷ UNEP/MC/COP.4/INF/13.

¹⁸ UNEP/MC/COP.4/INF/14.

MC-4/13: Programme of work and budget for 2023

The Conference of the Parties,

Recalling its decision MC-3/12 on the programme of work and budget for the biennium 2020–2021,

Recalling also its decision MC-4/2 on the programme of work and budget for 2022,

Welcoming the annual contribution by Switzerland, the host country of the secretariat, of 1 million Swiss francs, apportioned 60 per cent to the general trust fund and 40 per cent to the special trust fund to be prioritized for the purpose of supporting the participation of representatives from developing countries and countries with economies in transition in the meetings of the Conference of the Parties,

Taking note of the contributions paid by the parties to the general trust fund

Also taking note that the full working capital reserve in the general trust fund for the Minamata Convention on Mercury was established in 2018, and that in decision MC-4/2 the Conference of the Parties authorized, on an exceptional basis and without setting a precedent, a withdrawal from the working capital reserve of \$149,725 in 2022,

I

General trust fund of the Minamata Convention on Mercury

1. *Takes note* of the proposed programme of work and budget for 2023;¹⁹ the information on financial matters, including the report on expenditures, for the biennium 2022–2023²⁰ and the budget activity fact sheets;²¹ and the information provided by the secretariat on progress in the implementation of the programme of work for the biennium 2020–2021²² and on international cooperation and coordination;²³
2. *Approves* the budget for the general trust fund for 2023 of 4,516,686 United States dollars, which completes the approval of the full budget of the Convention for the biennium 2022–2023;
3. *Decides* to replenish the working capital reserve to 15 per cent by means of additional apportioned contributions of parties of 148,071 United States dollars and to maintain the working capital reserve at the level of 15 per cent of the budget in accordance with the Financial Rules of the Minamata Convention;²⁴
4. *Adopts* the indicative scale of assessments for the apportionment of expenses for 2023 as set out in table 2 of the present decision and authorizes the Executive Secretary, consistent with the Financial Regulations and Rules of the United Nations, to adjust the scale to include all the parties for which the Convention is in force by 1 January 2023;
5. *Recalls* that contributions to the general trust fund are due by 1 January of the year for which those contributions have been budgeted and at the latest by 31 December of that year, and requests parties to pay their contributions as soon as possible to enable the secretariat to carry out its work;

II

Special trust fund of the Minamata Convention on Mercury

6. *Takes note* of the report provided by the Executive Secretary on the activities and expenditures for 2018–2019 and 2020–2021 through the special trust fund as contained in the information on financial matters,²⁵ as well as the information provided by the secretariat on progress

¹⁹ UNEP/MC/COP.4/24, UNEP/MC/COP.4/24/Add.1, UNEP/MC/COP.4/24/Add.2.

²⁰ UNEP/MC/COP.4/INF/21.

²¹ UNEP/MC/COP.4/INF/22.

²² UNEP/MC/COP.4/19.

²³ UNEP/MC/COP.4/23.

²⁴ As set out in the annex to decision MC-1/10 on the financial rules for the Conference of the Parties to the Minamata Convention on Mercury and any of its subsidiary bodies, as well as financial provisions governing the functioning of the secretariat.

²⁵ UNEP/MC/COP.4/INF/21.

in the implementation of the programme of work for the biennium 2020–2021²⁶ and on international cooperation and coordination;²⁷

7. *Also takes note* of the proposed programme of work and budget for 2023,²⁸ as well as the additional information on financial matters²⁹ and the budget activity fact sheets;³⁰

8. *Further takes note* of the estimates for the special trust fund for 2023 of 2,841,950 United States dollars;

9. *Notes* that implementation of the planned activities is subject to the availability of resources contributed to the special trust fund;

10. *Requests* parties to the Convention and invites non-parties to the Convention and others in a position to do so to contribute to the special trust fund;

11. *Invites* parties and non-parties to the convention and others in a position to do so to contribute to the special trust fund to support the participation of representatives of parties from developing countries and countries with economies in transition in the meetings of the Conference of the parties and its subsidiary bodies;

III

Preparations for the biennium 2024–2025

12. *Requests* the Executive Secretary to prepare a budget for the biennium 2024–2025 for consideration by the Conference of the Parties at its fifth meeting, in 2023, explaining the key principles, assumptions and programmatic strategy on which the budget is based and presenting expenditures for that biennium in a programmatic format and broken down by budget activities, with each activity to be supported by a budget activity fact sheet;

13. *Also requests* the Executive Secretary, in preparing the budget and programme of work for the biennium 2024–2025, to present two scenarios:

(a) One maintaining the operational budget at the 2022–2023 level in nominal terms;

(b) One reflecting required changes to the above-mentioned scenario to meet the projected needs and costs or savings related thereto, which should not exceed a 5 per cent increase over the 2022–2023 level in nominal terms;

14. *Stresses* the need to ensure that the budget proposals are realistic and represent the agreed priorities of all parties to help ensure a sustainable and stable fund and cash balance, including contributions received;

15. *Requests* the Executive Secretary, in keeping with paragraph 8 of rule 5 of the Financial Rules of the Minamata Convention, to acknowledge promptly the receipt of all pledges and contributions and inform the parties thereof by publishing on the Convention website up-to-date information on the status of pledges and payments of contributions, and also requests the Executive Secretary to provide detailed, up-to-date information on actual income and expenses of the three trust funds;

16. *Also requests* the Executive Secretary, in line with paragraph 1 of rule 3 of the Financial Rules of the Minamata Convention, to provide detailed, actual information on income and expenditures for each year of the biennium 2020–2021 and for 2022, and estimates of actual expenditures for 2023.

²⁶ UNEP/MC/COP.4/19.

²⁷ UNEP/MC/COP.4/23.

²⁸ See UNEP/MC/COP.4/24.

²⁹ UNEP/MC/COP.3/INF/21.

³⁰ UNEP/MC/COP.3/INF/22.

Table 1
Programme of work and budget for 2023
(in United States dollars)

Activity number	Activity	2023	
		General trust fund	Special trust fund
A.	Conferences and meetings		
1	Fifth meeting of the Conference of the Parties		
	1.1 Fifth meeting	1 055 000	425 000
	1.2 Regional preparatory meetings	–	420 000
	1.3 Intersessional time-based expert groups mandated by the Conference of the Parties		85 000
	Component total	1 055 000	930 000
2	Bureau of the Conference of the Parties		
	2.1 Meeting of the Bureau	26 000	
	Component total	26 000	–
3	Implementation and Compliance Committee		
	3.1 Meeting of the Committee	45 000	
	Component total	45 000	–
	Total (A)	1 126 000	930 000
B.	Capacity-building and technical assistance		
4	Capacity-building and technical assistance programme of the Minamata Convention		
	4.1 Tools, methodologies, and delivery modalities		135 000
	4.2 Specific capacity-development activities		275 000
	4.3 Capacity-building activities on request		65 000
	4.4 Cross-cutting activities		260 000
	Component total		735 000
	Total (B)		735 000
C.	Scientific and technical activities		
5	Scientific support to the States parties to the Minamata Convention		
	5.1 Improvement in methods for mercury inventories		50 000
	5.2 Information exchange on modelling and monitoring		50 000
	5.3 Assessment of health, environmental and socio-economic impact of mercury		50 000
	5.4 Information exchange in mercury reduction technologies		50 000
	5.5 Cross-cutting scientific and technical activities		400 000
	Component total	–	600 000
6	Effectiveness evaluation		
	6.1 Effectiveness evaluation committee		
	6.2 Development of trade, supply and demand report		80 000
	6.3 Compilation/assessment of party submissions	30 000	
	6.4 Other preparatory work and reports to support the effectiveness evaluation		
	Component total	30 000	80 000
7	National reporting under the Minamata Convention		
	7.1 Process and analyse national reports	30 000	
	7.2 Ongoing management of information contained in national reports	20 000	
	7.3 Enhance parties' capacity on national reporting	25 000	
	Component total	75 000	–
	Total (C)	105 000	680 000

Activity number	Activity	2023	
		General trust fund	Special trust fund
D.	Knowledge and information management, and outreach		
8	Publications		
	8.1 Publications	25 000	
	Component total	25 000	–
9	Communication, outreach and public awareness		
	9.1 Communication, outreach and public awareness	42 000	
	Component total	42 000	
10	Digital strategy		
	10.1 Digital strategy	25 000	90 000
	Component total	25 000	90 000
	Total (D)	92 000	90 000
E.	Overall management		
11	Executive direction and management		
	11.1 Overall management	2 368 567	
	11.2 Staff travel	70 000	
	Component total	2 438 567	
12	International cooperation and coordination		
	12.1 Cooperation on the broader sustainable development and environment agenda		15 000
	12.2 Cooperation within the chemicals and waste cluster		
	12.3 Other cooperation and coordination		
	Component total		15 000
13	Financial resources and mechanism		
	13.1 Financial resources		20 000
	13.2 Financial mechanism - Global Environment Facility		
	13.3 Financial mechanism - Specific International Programme		15 000
	Component total		35 000
	Total (E)	2 438 567	50 000
F.	Legal and policy activities		
14	Legal and policy activities		
	14.1 Work programme of the Implementation and Compliance Committee		
	14.2 Legal activities		
	14.3 National legislation, trade, and enforcement		
	14.4 Gender		30 000
	Component total		30 000
	Total (F)		30 000
G.	Office maintenance and services		
15	Office maintenance and services		
	15.1 Office maintenance and services	175 000	
	Component total	175 000	
16	Information technology services		
	16.1 Information technology services	60 500	
	Component total	60 500	
	Total (G)	235 500	
	Resources required for all activities		
	Total direct costs (excluding programme support costs) (A to G)	3 997 067	2 515 000

Activity number	Activity	2023	
		General trust fund	Special trust fund
	Programme support costs (13 per cent)	519 619	326 950
	Grand total (including programme support costs)	4 516 686	2 841 950
	Replenishment of working capital reserve to 15 per cent	148 071	
	Grand total to be covered by contributions from parties and 60 per cent of host country contribution	4 664 757	

Table 2:
Overview of the indicative scale of assessment and contributions to the general trust fund for 2023
(in United States dollars)

Party	United Nations scale of assessment (%)	Minamata scale of assessment (%)	Total contributions to the general trust fund for 2023	
African States (37)				
1	Benin	0.005	0.0100	407
2	Botswana	0.015	0.0155	629
3	Burkina Faso	0.004	0.0100	407
4	Burundi	0.001	0.0100	407
5	Cameroon	0.013	0.0134	545
6	Central African Republic	0.001	0.0100	407
7	Chad	0.003	0.0100	407
8	Comoros	0.001	0.0100	407
9	Congo	0.005	0.0100	407
10	Côte d'Ivoire	0.022	0.0227	922
11	Djibouti	0.001	0.0100	407
12	Equatorial Guinea	0.012	0.0124	503
13	Eswatini	0.002	0.0100	407
14	Gabon	0.013	0.0134	545
15	Gambia	0.001	0.0100	407
16	Ghana	0.024	0.0247	1 006
17	Guinea	0.003	0.0100	407
18	Guinea-Bissau	0.001	0.0100	407
19	Lesotho	0.001	0.0100	407
20	Madagascar	0.004	0.0100	407
21	Mali	0.005	0.0100	407
22	Mauritania	0.002	0.0100	407
23	Mauritius	0.019	0.0196	797
24	Namibia	0.009	0.0100	407
25	Niger	0.003	0.0100	407
26	Nigeria	0.182	0.1877	7 631
27	Rwanda	0.003	0.0100	407
28	Sao Tome and Principe	0.001	0.0100	407
29	Senegal	0.007	0.0100	407
30	Seychelles	0.002	0.0100	407
31	Sierra Leone	0.001	0.0100	407
32	South Africa	0.244	0.2516	10 230
33	Togo	0.002	0.0100	407
34	Uganda	0.01	0.0103	419
35	United Republic of Tanzania	0.01	0.0103	419
36	Zambia	0.008	0.0100	407

<i>Party</i>	<i>United Nations scale of assessment (%)</i>	<i>Minamata scale of assessment (%)</i>	<i>Total contributions to the general trust fund for 2023</i>
37 Zimbabwe	0.007	0.0100	407
Asia-Pacific States (35)			
38 Afghanistan	0.006	0.0100	407
39 Bahrain	0.054	0.0557	2 264
40 Cambodia	0.007	0.0100	407
41 China	15.254	15.7284	639 558
42 Cyprus	0.036	0.0371	1 509
43 India	1.044	1.0765	43 772
44 Indonesia	0.549	0.5661	23 018
45 Iran (Islamic Republic of)	0.371	0.3825	15 555
46 Iraq	0.128	0.1320	5 367
47 Japan	8.033	8.2828	336 801
48 Jordan	0.022	0.0227	922
49 Kiribati	0.001	0.0100	407
50 Kuwait	0.234	0.2413	9 811
51 Lao People's Democratic Republic	0.007	0.0100	407
52 Lebanon	0.036	0.0371	1 509
53 Marshall Islands	0.001	0.0100	407
54 Mongolia	0.004	0.0100	407
55 Oman	0.111	0.1145	4 654
56 Pakistan	0.114	0.1175	4 780
57 Palau	0.001	0.0100	407
58 Palestine (State of)	0.011	0.0113	461
59 Philippines	0.212	0.2186	8 889
60 Qatar	0.269	0.2774	11 278
61 Republic of Korea	2.574	2.6541	107 921
62 Samoa	0.001	0.0100	407
63 Saudi Arabia	1.184	1.2208	49 642
64 Singapore	0.504	0.5197	21 131
65 Sri Lanka	0.045	0.0464	1 887
66 Syrian Arab Republic	0.009	0.0100	407
67 Thailand	0.368	0.3794	15 429
68 Tonga	0.001	0.0100	407
69 Tuvalu	0.001	0.0100	407
70 United Arab Emirates	0.635	0.6547	26 624
71 Vanuatu	0.001	0.0100	407
72 Viet Nam	0.093	0.0959	3 899
Eastern European States (16)			
73 Albania	0.008	0.0100	407
74 Armenia	0.007	0.0100	407
75 Bulgaria	0.056	0.0577	2 348
76 Croatia	0.091	0.0938	3 815
77 Czechia	0.34	0.3506	14 255
78 Estonia	0.044	0.0454	1 845
79 Hungary	0.228	0.2351	9 559
80 Latvia	0.05	0.0516	2 096
81 Lithuania	0.077	0.0794	3 228

<i>Party</i>	<i>United Nations scale of assessment (%)</i>	<i>Minamata scale of assessment (%)</i>	<i>Total contributions to the general trust fund for 2023</i>
82 Montenegro	0.004	0.0100	407
83 North Macedonia	0.007	0.0100	407
84 Poland	0.837	0.8630	35 093
85 Republic of Moldova	0.005	0.0100	407
86 Romania	0.312	0.3217	13 081
87 Slovakia	0.155	0.1598	6 499
88 Slovenia	0.079	0.0815	3 312
Latin America and Caribbean States (24)			
89 Antigua and Barbuda	0.002	0.0100	407
90 Argentina	0.719	0.7414	30 146
91 Bahamas	0.019	0.0196	797
92 Bolivia (Plurinational State of)	0.019	0.0196	797
93 Brazil	2.013	2.0756	84 399
94 Chile	0.42	0.4331	17 609
95 Colombia	0.246	0.2537	10 314
96 Costa Rica	0.069	0.0711	2 893
97 Cuba	0.095	0.0980	3 983
98 Dominican Republic	0.067	0.0691	2 809
99 Ecuador	0.077	0.0794	3 228
100 El Salvador	0.013	0.0134	545
101 Guyana	0.004	0.0100	407
102 Honduras	0.009	0.0100	407
103 Jamaica	0.008	0.0100	407
104 Mexico	1.221	1.2590	51 193
105 Nicaragua	0.005	0.0100	407
106 Panama	0.09	0.0928	3 773
107 Paraguay	0.026	0.0268	1 090
108 Peru	0.163	0.1681	6 834
109 Saint Kitts and Nevis	0.002	0.0100	407
110 Saint Lucia	0.002	0.0100	407
111 Suriname	0.003	0.0100	407
112 Uruguay	0.092	0.0949	3 857
Western European and other States (25)			
113 Australia	2.111	2.1767	88 508
114 Austria	0.679	0.7001	28 469
115 Belgium	0.828	0.8538	34 716
116 Canada	2.628	2.7097	110 185
117 Denmark	0.553	0.5702	23 186
118 European Union	2.5	2.5000	101 656
119 Finland	0.417	0.4300	17 484
120 France	4.318	4.4523	181 042
121 Germany	6.111	6.3011	256 217
122 Greece	0.325	0.3351	13 626
123 Iceland	0.036	0.0371	1 509
124 Ireland	0.439	0.4527	18 406
125 Italy	3.189	3.2882	133 706
126 Liechtenstein	0.01	0.0103	419
127 Luxembourg	0.068	0.0701	2 851

<i>Party</i>	<i>United Nations scale of assessment (%)</i>	<i>Minamata scale of assessment (%)</i>	<i>Total contributions to the general trust fund for 2023</i>
128 Malta	0.019	0.0196	797
129 Monaco	0.011	0.0113	461
130 Netherlands	1.377	1.4198	57 734
131 Norway	0.679	0.7001	28 469
132 Portugal	0.353	0.3640	14 800
133 Spain	2.134	2.2004	89 473
134 Sweden	0.871	0.8981	36 519
135 Switzerland	1.134	1.1693	47 545
136 United Kingdom of Great Britain and Northern Ireland	4.375	4.5111	183 432
137 United States of America	22.00	22.0000	894 576
Total assessed contributions			4 066 252
Total proposed budget (including host country contribution*)			4 664 757

* Includes estimated host country contribution of Switzerland to the general trust fund in United States dollars.

Table 3
Indicative staffing requirements for 2023
(in United States dollars)

<i>Staff positions</i>	<i>No.</i>	<i>Total costs for 2023 (Geneva standard salary costs)</i>
D-1 Executive Secretary	1	312 296
P-5 Coordination and policy	1	276 349
P-4 Science and technology	1	236 179
P-4 Capacity-building and technical assistance	1	236 179
P-4 Legal Officer	1	236 179
P-3 Communication and knowledge management	1	195 391
P-3 Programme Officer (reporting, effectiveness evaluation) - temporary	1	138 402
GS Programme assistance	4	727 592
Total staff costs (in United States dollars)	11	2 358 567

Notes: In addition to the staff indicated above, the posts of one P-4 Administrative Officer and one GS-6 Finance and Budget Assistant will be funded from programme support costs.

* The post of one P-5 Senior Programme Management Officer is currently funded by the special trust fund (Japan).

* The post of one P-2 Junior Professional Officer is currently funded by Italy.

* In recognition of the importance of the temporary P3 Programme Officer post, it has been funded through to the end of 2023. The extension of the post beyond 2023 is pending a funding decision by the Conference of the Parties at its fifth meeting.

MC-4/14: Venue and dates of the fifth meeting of the Conference of the Parties

The Conference of the Parties,

Recalling that, at its third meeting, the Conference of the Parties decided to hold its fourth meeting in Bali, Indonesia, from 1 to 5 November 2021,

Conscious that the restrictions related to the coronavirus disease pandemic have not allowed the organization of the fourth meeting of the Conference of the Parties as had originally been planned,

Noting that, instead, the Bureau of the fourth meeting of the Conference of the Parties agreed that the meeting would be held in two segments: an online segment scheduled for 1 to 5 November 2021 and an in-person segment to be held in the first quarter of 2022,

Recalling that the online segment of the fourth meeting of the Conference of the Parties, which was held online from 1 to 5 November 2021, decided to adjourn the fourth meeting of the Conference of the Parties to the Minamata Convention and to resume the meeting in an in-person format in Bali, Indonesia, from 21 to 25 March 2022.

Decides to hold the fifth meeting of the Conference of the Parties in Geneva from 30 October to 3 November 2023.

ADVANCE

Annex II

The terms of reference as set out below for a new effectiveness evaluation group were the outcome of the contact group on effectiveness evaluation at the resumed fourth meeting of the Conference of the Parties. All elements of the terms of reference were agreed with the exception of the membership of the effectiveness evaluation group.

Terms of reference for the Effectiveness Evaluation Group (EEG)*

Mandate

1. The Effectiveness Evaluation Group (hereinafter, the "EEG") will be responsible for and oversee the development of the effectiveness evaluation (EE) report, as requested by the Conference of the Parties (COP). The EEG will integrate information and knowledge collected and synthesized during the process into a final report to the COP and present recommendations for improvement and lessons learned and best practices to the COP.
2. The mandate for the EEG concludes with the presentation of a final report to the Conference of the Parties.

Tasks

3. In order to complete the final report, the EEG will carry out the following activities:
 - (a) Oversee the effectiveness evaluation process for the finalization of the effectiveness evaluation report, including those plans and reports, as outlined in Annex X.
 - (b) Prepare an Effectiveness Evaluation report as outlined in Annex X. In preparing its report, the EEG will also refer to the list of indicators, without prejudice to their final agreement by the COP. The reports and the data submitted for the effectiveness evaluation process by Parties will be used as main sources of information, as appropriate, for the effectiveness evaluation. Compiled data with best comparability, representativeness, and sustainability should be the sources for producing the final effectiveness evaluation report.
 - (c) Reflect on, consider and submit to the COP as appropriate the plans and reports included in Annex X, including party comments on the plans and reports. Data submitted by parties should be addressed in the reports, and the reports should explain when sources of data other than party-submitted data is utilized.
4. In carrying out the tasks in paragraph 3, the EEG may delegate work to the Open-Ended Scientific Group (OESG), the Secretariat, and other groups to meet the EEG's obligations, within allocated resources. The EEG will engage with the relevant groups and take into considerations their recommendations and input.
5. The EEG will invite the Secretariat, the OESG, and other relevant groups to work, as appropriate, based on direction received from the COP to continue to develop and implement the necessary tasks to further the work of the effectiveness evaluation.
6. In addition to its effectiveness evaluation report to the Conference of the Parties, the EEG will provide, and submit to the COP, an overview of lessons learned during the first effectiveness evaluation cycle for consideration in subsequent cycles, including recommendations on any modifications to indicators, monitoring guidance, data sources, reports or the overall framework.

Membership

7. The members of the EEG will be appointed on the basis of equitable geographical distribution, taking into account the need for gender balance and various types of expertise.
8. The EEG will consist of [(15)] [(40)] participants from Parties, as follows:
 - (a) [Three (3)] [Eight (8)] representatives from Parties nominated by each of the five UN regions;

* The present terms of reference are reproduced as circulated in the conference room paper, without formal editing.

9. The representatives nominated by the regions will have experience in the work carried out by the EEG.
10. Members of the EEG will serve objectively and provide their expertise in a neutral and impartial manner, and act in the best interests of the Convention.
11. The members of the EEG shall serve for the duration of one Effectiveness Evaluation cycle as determined by the Conference of the Parties. A new group will be reconstituted in accordance with the Effectiveness Evaluation framework timeline in the next cycle.
12. If a member is unable to complete their term of office, the region nominating that member will nominate another person to complete the term.

Invited Experts and Observers

13. The Secretariat in consultation with the EEG will invite two (2) internationally recognized UN experts in effectiveness evaluation as observers, with due consideration for the available expertise.
14. The Co-chairs (2) of the OESG and the Chair of the Implementation and Compliance Committee will be invited to participate as observers.
15. The EEG will invite up to five (5) participants from developed and developing countries drawing from civil society, indigenous organizations, local community organizations, intergovernmental organizations, industry and the UNEP Global Mercury Partnership as observers. The participation of observers will be balanced among the above-mentioned groups and by gender.
16. The EEG may invite additional observers on an ad hoc basis within reasonable limits.

Officers

17. The EEG will elect two co-chairs from among its Party members, one from a developed and one from a developing country, to facilitate its work and meetings.

Procedural matters

18. The EEG will apply the rules of procedure of the Conference of the Parties, *mutatis mutandis*, unless otherwise provided in the present terms of reference.
19. The EEG may establish such arrangements as are necessary to facilitate its work, in line with the present terms of reference, including establishing sub-groups, within allocated resources. Any sub-groups will be subject to the direction and oversight of the EEG and will cease to exist upon completion of the assigned task. The sub-groups will carry out their work electronically where possible.
20. The EEG will seek to reach agreement by consensus. Should the members fail to reach consensus, the range of their views will be reflected in the relevant report to be submitted to the Conference of the Parties.

Secretariat

21. The Secretariat will provide administrative, logistical, programmatic and substantive support for the meetings and work of the EEG, with the assistance of services as necessary, subject to available resources.

Meetings

22. The EEG will work online and will hold up to two face-to-face meetings as needed, within allocated resources, to review the information available for the evaluation cycle and to develop a report of its findings to the Conference of the Parties. The frequency of face-to-face EEG meetings may be amended as necessary based on the decisions of the Conference of the Parties.
23. Draft documents to be transmitted to the Conference of the Parties will be opened for comments from Parties. Draft documents will be finalized by the EEG at least four months before the meeting of the Conference of the Parties.

Language of meetings

24. The working language of the EEG will be English.

Budget

25. Financial support for travel and daily subsistence allowance should, subject to approval by the Conference of the Parties, be made available to EEG members and invited observers for participation in meetings of the EEG in accordance with United Nations rules and practice.

ADVANCE

Annex III

The Bali Declaration on combating illegal trade in mercury was introduced by the Indonesian Presidency of the Conference of the Parties at its fourth meeting as a non-binding political declaration. The Indonesian Presidency held several briefing sessions on the declaration prior to both segments of the fourth meeting and welcomed comments on the draft text from registered delegations.

The Indonesian Presidency drew attention to the declaration during the opening plenary of the in-person segment of the fourth meeting of the Conference of the Parties in Bali, Indonesia, and invited parties to the Convention and other delegations to support it. The text of the declaration was finalized and launched by the Minister of Environment and Forestry, Ms. Siti Nurbaya Bakar, during a special event organized after the opening plenary of the in-person segment of on 21 April 2022.

The declaration received expressions of support from regional groups and delegations, and is presented below.

Bali declaration on combating the illegal trade in mercury

We, the Heads of Delegation of the Parties to the Minamata Convention on Mercury (hereinafter “the Convention”), having met in Bali, Indonesia, from 21 to 25 March 2022, on the occasion of the fourth meeting of the Conference of the Parties to the Convention,

Bearing in mind that the extensive use of mercury in artisanal and small-scale gold mining has accelerated international trade in mercury, including illegal trade, which has increased in the past decade, as reflected in some international reports such as *Global Mercury Supply, Trade and Demand*³¹ and *The Illegal Trade in Chemicals*³²,

Concerned that this increase in illegal trade is a serious concern which threatens human health and the environment,

Aware of the broader negative socioeconomic impacts of the illegal trade in mercury as a key consideration in the fight against the global threat of mercury to human health and the environment and in ensuring progress towards the achievement of the 2030 Agenda for Sustainable Development and the Sustainable Development Goals,

Realizing that the current practice of illegal trade in mercury is closely connected with, among other things, the extensive use of mercury in artisanal and small-scale gold mining, the lack of access to economically viable alternatives to mercury, and trade in mercury using online trading platforms,

Recognizing that international cooperation is pivotal to addressing both legal and illegal trade in mercury,

Acknowledging the need for international support to assist developing countries in combating the illegal trade in mercury and, in particular, the need to strengthen their capacity for mercury management and control and the need to raise awareness of environmental issues and health consequences resulting from exposure to mercury,

Reaffirming the principles of the Rio Declaration on Environment and Development and the outcome document of the United Nations Conference on Sustainable Development “The future we want”, endorsed by the General Assembly in its resolution 66/288 of 27 July 2012,

Recognizing the complementarity between the Convention, relevant international instruments,³³ internationally agreed initiatives³⁴ and the need for their full and effective implementation in combating the illegal trade in mercury,

Guided by the Convention, which aims to protect human health and the environment from anthropogenic emissions and releases of mercury and mercury compounds by, among other things, controlling mercury sources, uses and trade and improving the monitoring and control of trade in mercury, as well as reducing the use of mercury in artisanal and small-scale gold mining,

³¹ UNEP, 2017.

³² UNEP, 2020.

³³ Such as the Basel Convention on the Control of Transboundary Movement of Hazardous Wastes and Their Disposal and United Nations Environment Assembly resolution 4/8 on the sound management of chemicals and waste.

³⁴ Such as the Strategic Approach to International Chemicals Management.

Declare that we:

1. *Affirm* our commitment to implementing monitoring, control, surveillance and enforcement efforts under national laws and regulations for combating the illegal trade in mercury and, in so doing, enhancing cooperation among parties;
2. *Encourage* parties to formulate policies, rules and any other suitable measures, within their jurisdiction, to address the illegal trade in mercury, including measures to increase transparency and the enforcement of regulations, with particular attention to online platforms such as e-commerce and social media companies that host platforms facilitating the illegal trade in mercury;
3. *Call upon* parties to enhance international cooperation and coordination to increase national capacity to combat the illegal trade in mercury, to develop practical tools and notification and information-sharing systems for monitoring and managing trade in mercury, to exchange experiences and practices relating to combating the illegal trade in mercury, including reducing the use of mercury in artisanal and small-scale gold mining, and to share examples of national legislation and data and information related to such trade;
4. *Promote* cross-border, regional and international cooperation among law enforcement networks to improve coordination relating to notification, prevention, investigation, prosecution and punishment of illegal trade in mercury;
5. *Also promote* international and interagency cooperation, coordination and planning to facilitate capacity-building through, among other things, training, mainstreaming programmes and education for customs officials, police and other law enforcement officers, and through programmes to raise awareness at the local, national and global levels of the impact, hazards and risks of trading mercury illegally;
6. *Invite* relevant international organizations, such as the secretariat of the Minamata Convention, the International Criminal Police Organization (INTERPOL), the World Customs Organization and the United Nations Office on Drugs and Crime, to explore the possibility of cooperation in addressing the illegal trade in mercury;
7. *Recognize* that strategies to address and minimize the illegal trade in mercury will be most effective if they include (a) demand-side control by promoting and financing research and access to non-mercury alternatives, (b) supply-side control by, among other things, committing to phasing out primary mercury mining, and (c) transit control by enhancing the monitoring of transiting goods and identifying and eliminating routes for illegally traded mercury;
8. *Promote* the use of economically viable alternatives to mercury and implement incentive-based systems, as well as encourage active engagement and participation of, and close collaboration with, relevant stakeholders, including Governments, local communities, civil society organizations, the private sector and academia;
9. *Invite* cooperation in capacity-building, technical assistance and technology transfer for the environmentally sound management of mercury and mercury waste in developing countries;
10. *Promote* integrated study of the illegal trade in mercury that combines socioeconomic issues, financial factors and the role of broader unlawful activities, such as corruption and illicit financial flows, in order to identify groups of populations that are at risk and develop targeted regulations;
11. *Also promote* the development and application of educational materials and programmes for use in schools and youth education, in particular in areas with high levels of artisanal and small-scale gold mining activities, to increase health literacy regarding the adverse impact of mercury on the environment and human health as well as the need to reduce mercury exposure and to foster awareness of the dangers of mercury and to be informed about available safer alternatives and methods;
12. *Encourage* donor countries, agencies and international financial institutions to contribute to the advancement of the aims of the present declaration through the provision of funding and technical assistance in support of countries' national, cross-border and subregional efforts.