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## United Nations Environment Programme

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**Third Meeting of the Governing Board**  
**Specific International Programme to support capacity-building and technical assistance**  
**Minamata Convention on Mercury**  
Geneva, 14-15 February 2019

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### **Report of the third meeting of the Governing Board<sup>1</sup>**

#### **I. Opening of the meeting (agenda item 1)**

1. The third meeting of the Governing Board of the Specific International Programme was opened at 9.30 a.m. on Thursday, 14 February 2019, by the Co-Chairs of the Board, Mr. Sam Adu-Kumi (Ghana) and Mr. Reginald Hernaus (The Netherlands).
2. Speaking on behalf of both Co-Chairs, Mr. Hernaus warmly welcomed all Board members to the meeting, informing that Mr. Kaupo Heinma (Estonia) would join the second day of the meeting and that unfortunately Mr. Nero Cunha Ferreira (Brazil) was unable to attend the meeting at the last minute due to ill health.
3. Following a round of reflections by the Board members, the Co-Chair invited the Executive Secretary, Ms. Rossana Silva Repetto, to deliver her welcoming remarks.
4. The Executive Secretary welcomes the participants, noting that it was a pleasure for the Secretariat to prepare and organize the third meeting of the Governing Board to the Specific International Programme. She introduced the Secretariat team, noting that its small size meant that all members contributed to the preparations from their individual areas of focus and expertise. She remarked that given the rapid progress of the Specific International Programme, it seemed easy to forget that the Programme was fully operationalized already within the first half of 2018. She thanked the Governing Board for this important achievement. The Co-Chairs were able to report at the Second Meeting of the Conference of the Parties (COP-2) in November 2018 that five projects were approved under the First Round of applications, based on the funding received in cash at the time. She informed the Board that following COP-2, the Secretariat had worked on clearing and finalising the approved projects with the applicant governments for implementation. This includes the preparation of the legal documents required for the disbursement of funds to the relevant governments. She recalled that the Co-Chairs had requested feedback on the First Round at COP-2, and that the Executive Secretary reiterated this call to all Parties through her letter of 3 December 2018. As a result of this, the Secretariat received feedback in mid-February. She noted that this Third Meeting of the Governing Board would consider the feedback and lessons learned from the First Round and consider the way forward for the next round. She thanked the donors (Denmark, Norway, and Switzerland) for the approximately USD 2.2 million pledged and received for the Second Round at the time and noted it as a strong indication of donor confidence in the

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<sup>1</sup> This document has not been formally edited.

Programme.<sup>2</sup> She concluded that she anticipated an interesting discussions, and a productive meeting, reiterating the Secretariat's pleasure to work with such a distinguished group.

5. Thanking the Executive Secretary, the Co-Chair mentioned that he had received positive feedback on the work of the Programme and its Board from both recipient and donor countries. He looked forward to reporting to the Third Meeting of the Conference of the Parties (COP-3) convening in November 2019, emphasizing that this will be a key setting to showcase the Programme's work. Directing the Board's attention to the schedule of work for this meeting as outlined in the annotated agenda in document UNEP/MC/SIP.GB.3/1/Add.1, he thanked the Secretariat for the well-prepared documents submitted well in advance of the meeting.

6. The full list of participants is attached as Annex I.

## **II. Organizational matters (agenda item 2)**

### **a. Adoption of the agenda**

7. The provisional agenda (UNEP/MC/SIP.GB.3.1) was adopted, noting the provisional annotated agenda as contained in document UNEP/MC/SIP.GB.3.1/Add.1.

### **b. Organization of work**

8. The Board agreed to work from 9:30 a.m. to 12:30 p.m. and from 2:00 p.m. to 5:00 p.m. daily, with the possibility of amending the schedule as agreed to suit the arrangements of the Board. The meeting would be conducted in English.

### **c. Request for disclosure of any personal and/or financial conflict of interest**

9. The Co-Chair outlined that in accordance with paragraph 1 of Rule 23 of the Rules of Procedure of the Governing Board, members and possible observers have an obligation to promptly disclose to the Board, at the commencement of the meeting, any potential personal or financial interest in any aspect of a project presented for discussion and approval by the Board. The Co-Chair noted that the Board decided this to be a standing item on the Board's meeting agenda. As this meeting would not consider or appraise projects the Co-Chair proceeded to the next agenda item.

## **III. Approval of the report of the Second Meeting of the Governing Board held on 2 and 3 October 2018 in Oslo, Norway (agenda item 3)**

10. The Secretariat presented document UNEP/MC/SIP.GB.3.2, the draft report of the Second Meeting of the Governing Board. The Co-Chair thanked the Secretariat for preparing the report to reflect the meeting's proceedings well. In the absence of comments to the report, the Board proceeded with its adoption.

11. It was agreed that the report would be made available on the website of the Minamata Convention.

## **IV. Report from the Secretariat on the operations of the Specific International Programme (agenda item 4)**

12. The Secretariat introduced document UNEP/MC/SIP.GB.3.3 on the update of the operations of the Specific International Programme. The report outlines the status of pledges and contributions received to the Specific Trust Fund, as well as the estimated expenditures to date, and activities of the Programme (including the work of the Governing Board). The Secretariat clarified that total pledges received to the Trust Fund as of 14 February 2019 amounted to USD 2,178,000 based on new receipts (up from USD 2,148,169 as reported in document UNEP/MC/SIP.GB.3.3).

13. The Secretariat informed the Board that as part of the implementation of UMOJA, the United Nations Secretariat is implementing a new online tool for Implementing Partners. This tool will have to be used for the implementation of the approved projects from the First Round onwards. The Secretariat will follow up when additional training would be required by partners to use the

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<sup>2</sup> Since then further pledges and contributions to the Programme have been received from Austria, Germany, the Netherlands, Sweden, the United Kingdom of Great Britain and Northern Island, and the United States of America.

system. A member of the Board further inquired on the nature of reporting in the new system. The Secretariat clarified that periodic reporting needs to take place and will be specified in the relevant legal agreements for the implementation of approved projects.

## V. Consideration of a resource mobilization strategy for the Specific International Programme (agenda item 5)

14. The Co-Chair opened the discussion on this agenda item and called on the Secretariat to speak on the “Elements for a Resource Mobilization Strategy for the Specific International Programme” as contained in document UNEP/MC/SIP.1/5. The representative from the Secretariat noted that this document was initially presented to the First Meeting of the Board in May 2018. The same document was discussed the Second Meeting of the Board in October 2018, as reflected in section VIII of the report of that meeting (UNEP/MC/SIP.GB.3/2). Based on those discussions, for the Third Meeting, the Secretariat requested the Board for guidance on a specific considerations, including: (i) setting a funding target for the Specific International Programme, which is set up as a 10-year programme (with the possibility of extension for seven years); (ii) how to better articulate the activities donors could fund and Parties apply for, and (iii) how to better “match” the funding envelope available with the requests for support. The Secretariat explained that while there was no deadline by which to develop the resource mobilization strategy, its development was required by the terms of reference for the Programme as set out in MC-1/6.

15. The Co-Chair noted that there was significant information on country needs coming forward through the Minamata Initial Assessments (MIAs), and that a sound approach to resource mobilisation by the Board and the Conference of Parties for the Specific International Programme was important given the needs being expressed and considering the time-bound nature of the Programme. He noted the Programme must be attuned to both the needs and the duration of the Programme.

16. A Board member reflected that resource mobilization was a complex issue and that the Secretariat produced a well-written document that raised important issues. He hesitated to identify a funding target at this stage and indicated that it may be better to await the conclusion of the Second Round as that would give the Board more information. He suggested focusing on traditional donors initially, as the possibility of raising significant funds from other donors at this time was uncertain. Furthermore, he suggested to explore if there was scope for the Global Mercury Partnership to contribute more to capacity-building and technical cooperation through the Programme.

17. Another Board member emphasized that the Programme was very important to progress on the issue of mercury. She acknowledged that while the size of the grants (between USD 50,000 and USD 250,000) did not allow for a complete intervention at the national level, the special value of these grants was their ability to enable them to fund capacity-building activities at the national level to initiate and pilot projects for larger scaling if/where needed. She saw the Programme’s projects as “first stage” projects, to allow Parties to prepare for larger projects from the GEF or other donors. She also noted that a specific advantage of the Specific International Programme was that co-financing was not a pre-requisite, unlike for the GEF and other financial processes.

18. A Board member thanked the Secretariat for preparing the thorough document and the donor countries for their financial contributions to the Programme. Based on her country’s experience, she noted the importance of the integrated approach to mercury management, as well as chemicals and waste management overall. She stressed the need to work with actors across sectors and including the private sector and non-traditional donors. She also highlighted the need to communicate and publicize the work of the Programme, including the progress of the approved projects from the First Round.

19. The other Co-Chair also drew attention to the priorities identified in the MIAs, as the tangible needs of countries that can be used to elaborate the overall global resource requirements at the national level in support of activities to meet Minamata obligations. He also noted that it is imperative to make the linkages to health and to vulnerable persons on a continuous basis, and further that there were multiple streams of funding to address health-related concerns. In this regard, he hoped non-traditional donors, including foundations, could see themselves contributing to the Minamata Convention through the Programme.

20. In reflecting on the various comments made by the other Board members, the Co-Chair emphasised the importance of framing so that mercury is not only seen an environmental issue, but as a broader societal concern. From a policy perspective, he also stressed that mercury must be contextualised within each countries’ efforts towards the attainment of the Sustainable Development

Goals. And, he joined the other Co-Chair to invite contributions from non-traditional donors, including especially the private sector, and research and academia.

21. The Executive Secretary concurred with the Board members that resource mobilisation needed to be underpinned by communication and advocacy to both traditional and non-traditional donors. She anticipated that once project implementation was underway, that showcasing results would need to be a priority. She also proposed the idea of developing a portfolio of projects for resource-mobilization, citing a recent meeting of the Secretariat with a national environmental funding facility that was eager to fund work on mercury, but that had a co-financing requirement. She noted that there may well be other donors too that could make funding available based on such a portfolio approach. Therefore, differentiated strategies for the Programme would need to be designed to access varied funding sources.

22. The Co-Chair noted that a portfolio of projects was a good idea. He noted that the Programme could approach, for example, regional development banks or even the European Commission.

23. The Board members also discussed the varied needs of different regions and countries with respect to action on mercury using their country and regional experiences. The Co-Chairs reflected that this regional identification of challenge areas could assist the Secretariat to further refine the resource mobilization strategy. A Board member raised the possibility of advancing South-South cooperation through the resource mobilization strategy of the Programme, including through the low-cost option of having the Secretariat connect national experts to needs expressed by countries. Another Board member stressed that North-South cooperation remained important too. The Co-Chairs also noted that inter-sectoral committees on mercury at the national level could also be engaged, and that stakeholder coordination and awareness-raising should be part of identifying national and regional elements of the strategy.

24. The representative of the Secretariat thanked the Board for the thoughtful discussion and wealth of advice. She agreed that with the increasing numbers of MIA being finalized, it was possible to better map national and regional needs. She noted that while the Global Mercury Partnership was not a formal part of the Convention, the Partnership served as a close companion on the Minamata journey and there was much scope to enhance this relationship further. She acknowledged that while current contributions to the Programme were indeed only from Parties, the terms of reference mentioned non-traditional funding sources, and so the aim was to be exploratory of all potential funding sources. To the question from a Board member on the UN Environment Programme (UNEP) resource mobilization activities, she noted that the Secretariat could further invest in donor briefings (both at the Executive Secretary-level and the level of the Executive Director of UNEP). She closed by asking the Board for guidance on which areas to prioritize in terms of resource mobilisation.

25. A Board member advised that given the current size of the staffing of the secretariat, it was important to take realistic and step-wise approaches on resource mobilisation for the Programme, and to concentrate first on the most direct funding sources. He noted that there were roughly six sources of support for mercury implementation available to developing countries: the Global Environment Facility, this Specific International Programme, the Special Programme on Institutional Strengthening, the Secretariat's own capacity on development and technical assistance Plan, the Global Mercury Partnership, and direct bilateral activities too. In this web of support, it was imperative for the Programme to be clear on its aims and its specific value-add, to differentiate itself from the others and to be of unique appeal to donors. In this regard, he supported a strong communication outreach for the Programme to make this clear.

26. Summing up the overall discussion, and considering the interventions, the Co-Chair advised that at this point there was no need to draft an overall resource mobilisation strategy, but instead for the near-term for the Secretariat to identify two to three tangible areas of effort that will support the mobilisation of resources through strategic communication. He emphasised showing donors the value of their investment, to retain their support as donors and to motivate new donors to join the Programme as contributors. He further noted the importance of framing the progress under the Minamata Convention within the Sustainable Development Goals. He also highlighted the importance of maintaining the branding and identity developed for the Minamata Convention, including the well-received Minamata tagline – Make Mercury History – and the golden fish. He reiterated the idea of identifying an ambassador for the Minamata Convention to further spread the Convention's message to varied audiences. He also asked the Secretariat to further reflect on this matter, in case there were further areas apparent for quick and fruitful action.

## **VI. Review of the financial mechanism of the Minamata Convention on Mercury: Consideration of the COP-2 request for input from the Governing Board of the Specific International Programme (agenda item 6)**

27. The Co-Chair opened the agenda item by noting that the Conference of the Parties requested the Specific International Programme to make inputs on the review of the Convention's financial mechanism. Introducing document UNEP/MC/SIP.GB.3.4, the Secretariat representative gave an overview of the matter. In particular, she noted that the Specific International Programme, as one component of the Convention's financial mechanism, only received its terms of reference and other guidance from COP-1 in September 2017. During the course of 2018 and drawing on the agreed terms of reference and other guidance from COP-1, the Governing Board was established in early in that year and convened its first meeting in late May 2018 to consider the documentation prepared by the Secretariat to operationalise the Programme. The First Round of applications to the Specific International Programme was launched on 5 June 2018, and upon closure on 31 August 2018 received 19 project applications. At its second meeting the Governing Board was able to approve 5 of these projects for funding based on the contributions received in cash at that time. This third meeting of the Governing Board is to agree on the Guidelines for the Second Round of applications. The Second Round would be launched after this Board meeting. It is projected that the Governing Board will meet for its fourth meeting in September 2019, in time to be able to report to COP-3 convening in November 2019. She commented, that in comparison to the Global Environment Facility (the other component of the Convention's financial mechanism), which has experience of multiple years of investment in support for mercury activities, the Specific International Programme was a rather new entrant in this regard. She further outlined that COP-2 requested the Secretariat to compile information to be provided by the GEF, the Specific International Programme, Parties and other relevant sources, as was identified in paragraph 11 of Article 13 of the Convention, for the review of the financial mechanism of the Convention, and to present such information for consideration by COP-3. She directed the Board to paragraph 6 of document UNEP/MC/SIP.GB.3.4, which elaborated the information required.

28. Reflecting on the COP request to the Programme, the Co-Chairs outlined the four areas that the review is to speak to, namely:

- (a) the level of funding of the Programme;
- (b) the guidance provided by the Conference of the Parties to the Programme;
- (c) the effectiveness of the Programme; and
- (d) the ability of the Programme to address the changing needs of developing country Parties and Parties with economies in transition.

29. The Co-Chair requested more detail on the proposed timelines for submission and the Secretariat's deadlines for document preparation to meet COP-3 document deadlines. The representative from the Secretariat clarified that the deadline for the submissions for the review of the financial mechanism was outlined in the Executive Secretary's letter of 3 December 2018 as 15 May 2019. She also noted that the Board had agreed to set the deadline for submission of applications for the Second Round to be 14 June 2019. She asked whether it may be worthwhile to await the submission of applications to the Second Round to have a more nuanced view of the needs expressed by Parties, than only drawing on the information available from the First Round. She noted also that the Board would only decide on the applications to the Second Round at their next meeting scheduled for September, but that it would be too late to wait until then with the preparation of the Programme's input to the review, as all documentation for COP-3 from the Secretariat had to reach Conference Services of the United Nations Office at Nairobi (UNON) by 9 August 2019 for timely preparation and publication for the regional meetings set tentatively for October 2019.

30. Following some deliberation among Board members, the Co-Chairs concluded that the Specific International Programme input to COP-3 on the review of the financial mechanism would need to be a short factual document, based primarily on the information of the First Round and a summary of submissions received for the Second Round. The Board felt it was premature at this stage, given only one round of applications, for the Board to give an assessment of the level of funding, the effectiveness of the Programme, and the ability of the Programme to address changing needs.

31. The Co-Chairs requested the Secretariat to prepare the Board's input, given its dual function as Secretariat to the Minamata Convention, and as providing secretariat services to the Programme. Furthermore, the Secretariat was requested to make a subsequent update available on the outcomes of the Board's decisions in September on applications to the Second Round as part of the official COP-3 documentation.

## **VII. Remaining matters in the Rules of Procedure for the Governing Board of the Specific International Programme (agenda item 7)**

32. The Co-Chair opened the agenda item on the Rules of Procedure, inviting the Secretariat to introduce document UNEP/MC/SIP.GB.3.5. The representative from the Secretariat recalled that the Board had developed and adopted its Rules of Procedure in May 2018, but COP-2 was yet to conclude on two remaining sets of brackets in decision MC-1/6 on the Programme. She updated that COP-2 cleared the brackets and decided that only Parties are eligible to apply for support from the Specific International Programme, and that members of the Board are to be nominated from Parties. With this decision the Board can consequently consider clearing the bracketed text in paragraph 1 of Rule 3 of its Rules of Procedure.

33. The Co-Chair turned to the Board to finalise Rule 3, paragraph 1 as: "The Board shall consist of 10 members from parties. Each of the five United Nations regions shall nominate two members through their respective Bureau representatives". The finalised Rules of Procedure are represented in Annex II.

34. Following the finalisation of the Rules, consistent with the clean text of MC-1/6, the Co-Chairs drew the attention of the Board to the issue of conflict of interest that was raised at the end of the previous Board meeting relating to the review of applications, when such applications include those submitted by the countries that were members of the Board. The Co-Chair called on the Secretariat to outline the information obtained from similar bodies and advice from UNEP's Corporate Services Division/Legal Unit in Nairobi on how to manage such situations, as had been requested by the Board.

35. The representative of the Secretariat pointed to Rule 23, paragraph one, that states that *where a member of the Board is from a country that has submitted a project to the Board for its consideration, that member shall be excused from participating during the deliberations of and decision-making by the Board in relation to the project in question* as having been judged fully satisfactory from a legal point of view by the UNEP's Corporate Service Division/Legal Unit. She outlined further information she obtained from the Secretariat of the Multilateral Fund for the Implementation of the Montreal Protocol and from the GEF Secretariat on conflict of interest mitigation practices for their formal project decision making processes. Based on the information and advice obtained she explained that to "be excused" from discussion due to a potential conflict of interest could mean that the person physically leaves the room (as had been the case at the Board's second meeting). It could also mean that the person remains in the room to hear the discussion but does not speak to the application or participate at all in deliberations affecting the application from her or his country. If a Board member is from an applicant country, she or he may request the other Board member representing the region (or a Board member from another region) to speak, if necessary, to the application. In both the Multilateral Fund and in the GEF applicant countries may be present in the meeting if they are Council members, but they do not speak to their own application at all.

36. The Board members deliberated on whether to continue the Board's practice of requesting a Board member not to be present in the room during the consideration of an application submitted by her or his country. Following the discussion among Board members on this matter, the Co-Chairs summed up that the Board would seek to arrive at the short-list of prioritised projects to fund in cases where the total funding request exceeds the cash available, in the full spirit of cooperation and transparency, and that it remains the prerogative of the Co-Chairs at the time of deliberation to decide if at any point a Board member with a potential conflict of interest may be allowed to be present in the room or not in light of the overall deliberations. The Co-Chairs also stressed that it is most likely that the Board will face the situation repeatedly that the total request for funding exceeds the amount available to assign. In this case, the Board is to work cooperatively and transparently together to agree on the best applications to be prioritised for approval. This also implies that applications are not to be judged through a regional approach, and that as a consequence perhaps not all regions can be covered equally based on the applications received for that Round.

37. The representative of the Secretariat further outlined that the further advice from the head of the UNEP Legal Unit/Corporate Services Division was that the Application Guidelines for all

future rounds must include wording that makes it clear to prospective applicant governments that if their country is represented on the Board during the consideration of that application, the Board member will be asked to recuse herself or himself from all deliberation and decision-making of that particular application.

38. Lastly, a Board member inquired how a meeting would be conducted if a Co-Chair comes from a country that submits an application to the Specific International Programme. The Executive Secretary clarified that this was the rationale to have two Co-Chairs. That is, should one Co-Chair come from a country that has applied, the other Co-Chair can conduct the specific session of the meeting. She also drew attention to paragraph 2 of Rule 23, that outlines that the Rules of Procedure made provision for cases where there may be issues of conflict of interest beyond whether a Board member is from an applicant country, namely in case of *any potential personal and/or financial interest in any aspect of a project presented for discussion and approval by the Board*.

39. The Co-Chairs concluded the agenda item and thanked the Secretariat for the advice sought, and the Board for the productive discussion on this important matter.

## VIII. Consideration of Feedback and Lessons Learned from the First Round for the Review of the Guidelines for the Launch of the Second Round of Applications to the Specific International Programme (agenda item 8)

40. The Co-Chair opened agenda item 8 and requested the Secretariat to introduce the item. The representative from the Secretariat stated that considerable time had been set aside at this meeting to allow the Board to review the lessons learned from the First Round of applications to the Specific International Programme. Based on this discussion the Secretariat would revise, as necessary, the Application Form, the Application Guidelines and any processes, as required, for the Second Round. To support this discussion, the Secretariat drew the Board's attention to several documents the Secretariat had prepared to aid the Board's discussion:

(a) UNEP/MC/SIP.GB.3.6 which contains feedback received on the First Round, issues for consideration by the Governing Board, as well as the Secretariat's proposal for translating the agreed criteria from the First Round into a framework for the review and appraisal of projects for the Second Round;

(b) UNEP/MC/SIP.GB.3.INF.4 that provides a summary of projects submitted to the First Round to give an overview of the needs expressed by applicants and a sense of the kind of projects that may be expected in the Second Round;

(c) UNEP/MC/SIP.GB.3.INF.5 that gives an overview of the type of support that can be obtained from the GEF by Parties and Signatories; and

(d) UNEP/MC/COP.2/INF/16 that contains the Application Guidelines used for the First Round.

41. Expanding further on document UNEP/MC/SIP.GB.3.6, the representative from the Secretariat noted that following the request from the Co-Chairs at COP-2, the Executive Secretary reiterated the call for feedback on the First Round of applications through the letter of 3 December 2018. Four countries responded to this call and this feedback was reproduced for the Board as received. She noted that the Secretariat also put forward some suggestions and reflections and based on lessons learned to translate the Board's agreed criteria into a concrete review and appraisal framework.

42. The following key issues were discussed by the Governing Board based on the feedback received and lessons learned from the First Round:

- (i) **Language:** Board members reflected on their region's language assistance needs to submit applications. One Board member reported that several countries from her region were not able to comply fully and timeously with the application criteria set for the First Round due to language constraints. Other Board members from two other regions felt applications in English not to be too burdensome given the detailed Application Guidelines made available. While another Board member hoped for additional time in cases of

applications from his region from countries where English is not an official language. Following the deliberations, the Board agreed that for now, given the terms of reference stating English to be the Board's working language, and in the absence of specific funding for translation made available, or additional time available between submittals and appraisals, that applications to the Second Round need to reach the Secretariat in English by the mandatory deadline. The Board also requested the Secretariat to make the Application Guidelines available in English, French and Spanish. The Board further agreed that official letters from applicants can be submitted to the Secretariat in any of the official UN languages. And lastly, the Board agreed to request the Secretariat to provide additional assistance during the application period (March to June 2019) to clarify requirements and any other questions. The Secretariat offered to provide information sessions at the upcoming BRS regional preparatory meetings, as well as a dedicated information session at the 2019 BRS COPS, "clinics" in English, French and Spanish on the side of the 2019 BRS COP to assist prospective applications, and webinars on request.

- (ii) **Complexity:** The representative from the Secretariat noted that some of the feedback from Parties cited complexity concerns with the application forms of the First Round, some mentioned difficulty filling in the Logframe, and one with the construction of the Theory of Change (while another found it helpful). Furthermore, she also outlined that from the Secretariat's perspective it had been challenging to draw the information from the submitted application forms to match the stated criteria for appraisal for the First Round. She indicated that while the Logframe is a requirement for UNEP projects, the construction of the Theory of Change was not mandatory but highly recommended as best practice in project design. Some Board members also noted that it was difficult for some applicants to submit all required annexes in full (e.g. draft terms of references for consultants, description of their recruitment process, draft details and costs of all planned workshops and meetings). The Secretariat explained that the details in the annexes were intended to be indicative to assist sound project planning, especially financial planning, but that the absence of a specific annex from an otherwise complete application would not necessarily constitute failure to submit a complete application. The Secretariat indicated that the Guidelines would state that these elements are draft and indicative for purposes of application submission. Some of these annexes however would need to be completed if the application is approved for funding. This would need to precede the signing of the legal agreement required for fund dispersal. To assist applicants unfamiliar with the Logframe and results-based management, the Board requested the Secretariat to pay special attention to this matter in its outreach, webinars and other training opportunities.
- (iii) **Budget:** The Board members discussed the feedback received on the difficulties faced by applicants in following the budget caps on some budget lines as set out in the application guidelines of the First Round. The secretariat indicated that while some technical and legal issues had to be kept in mind on all budget matters, there was some flexibility for the Board considering the feedback and experiences from the First Round. Considering the discussion, the Board agreed to raise the personnel and contractual services costs to 65 per cent of the total budget (up from 50 per cent). The Board decided to keep specialised and technical equipment costs at 10 per cent of the total budget but agreed that 25 per cent could be decided upon by the Board in exceptional cases based on full details annexed to the application. The Board kept the cap of 5 per cent for administrative costs as standard on UNEP projects, and that monitoring, review/evaluation and audit, as applicable, should not exceed USD 15,000 in total.

The Board also deliberated on eligible versus ineligible costs, for example as it relates to office equipment and set up. Several Board members indicated that in some countries such office equipment and set up would be essential for the overall project to be an enabler for capacity-building. It was also pointed out that in funding provided by a large regional economic integration organisation, such items can be included if proven necessary for the success of the project. And it was also noted that the Executive Board of the Special Programme had



recently made provision for basic set up costs. This Board thus decided that office equipment and set up (including, if required, internet access) can form part of the 10 percent cap on specialised and technical equipment, or the 5 percent administrative cap. But that the exceptional 25 per cent cap for specialised and technical costs can only be applied to very special and specialised equipment, and not to basic office set-up needs.

- (iv) **Submission timeline:** The representative from the Secretariat noted that the First Round of applications was open for 12 weeks (between 5 June and 31 August 2018). She also indicated that almost all applications reached the Secretariat on the last day. For the Second Round, and taking the experiences of 2018 into account, the Board decided to open the applications for 14 weeks, and to allow more time for the Secretariat to screen and appraise the applications. The mandatory deadline for submission for the Second Round was therefore decided by the Board as Friday, 14 June 2019.
- (v) **Online submissions:** The representative from the Secretariat noted that the request for online submissions came from a Party that had an unfortunate experience with its email submission in 2018. She also explained that there was a move in all UN secretariats to move to electronic means. She outlined how the Multilateral Fund had completed its move to electronic submissions. She also commented that from the experience of 2018, it did not seem necessary to request applicants to send hardcopies of their applications, but that the Board would need to decide on that as it had been a requirement for the First Round. A further item the Secretariat required the Board's guidance on was whether the letter of transmittal accompanying the application would need to be sent in hardcopy given the three signatures it contained (national official in charge, Minamata National Focal Point, and GEF Operational Focal Point). A Co-Chair mentioned that if all submissions can be done electronically, it would save both expense and time for the submitting Party. The Board subsequently agreed that all submissions are to be made electronically (Word and PDF), that (duplicate) hardcopy submissions were no longer necessary, that a scanned copy of the triple-signed letter of transmittal would suffice, and that it is up to the applicant country to keep a hardcopy of its full application. The original signed letter of transmittal would need to be retained by the applicant for submission to the Secretariat if the project is approved for funding by the Board.
- (vi) **Technical support:** The representative from the Secretariat noted that the quality of applications in the First Round was quite varied. She requested clarification from the Board whether for the Second Round, the Secretariat should provide technical support to applicants (including through the Global Mercury Partnership, UNEP's regional offices and the Secretariat staff itself). She cautioned that applicants would need to reach out to the Secretariat as soon as possible as it would not be possible to provide such support closer to the submission deadline. Some Board members expressed concern that the Secretariat could be drawn in too far in the preparation of applications. The Co-Chair clarified that the role of the Secretariat during the submission phase is that of a "helpdesk", and that this role had to be differentiated from the role of screening and appraising the applications. A Board member also cautioned to request anything more from the Secretariat at that stage, reflecting that the appraisal work for the Second Round would need to be undertaken by the Secretariat while the same staff members were busy preparing documents to meet the COP-3 document submission deadlines.
- (vii) **Reporting:** The Board also discussed the issue of progress and final reporting of approved projects. It was agreed that six-monthly periodic reporting would need to be done in English, so that the Board can review project implementation. Based on a follow-up question from a Board member, the Co-Chair noted that the role of the Secretariat was to signal implementation challenges (as apparent through progress reporting) of approved projects to the Governing Board for its consideration and decision-making as required. Regarding final reports, it was decided that the main report at that time would be in English, while attachments may be submitted in the other UN languages.

- (viii) **Sample projects:** The Board cautioned against making sample projects available for concern about duplication of projects applications, commenting that the Specific International Programme is to fund a specific need identified at the national level, and that those needs may well differ across countries. The Secretariat was requested rather to assist potential applicants directly, as much as possible, to translate the specific needs identified (for example in MIAs) into measures in the LogFrame of their application

43. The Co-Chair then turned the Board's attention to the proposed reformulated criteria for review and appraisal of the applications in the Second Round. He invited the Secretariat to outline the proposal (see page 5 onward of UNEP/MC/SIP.GB.3/6) drafted based on the experience from the First Round. The representative from the Secretariat recalled that the Governing Board had agreed on seventeen criteria for the overall evaluation of applications. She further recalled that while each criterion was individually valid and important, when using these criteria to review and appraise the applications, the Secretariat found it challenging to extract information from the application forms against the criteria. In addition, she recalled, the criteria did not readily lend themselves to assist the Board to prioritize among the projects being appraised. Therefore, for the Second Round the Secretariat proposed an appraisal framework where the seventeen criteria are reformulated into an overall framework that is grouped into: (a) criteria for completeness, (b) criteria for eligibility, and (c) criteria for prioritization. The intent of this proposed framework is to provide the Board with more comparable information to assist in its decision-making, and especially to enable the Board to prioritize among applications when there are more applications than funding available.

44. A Board member raised the issue of the different letters required for an application to pass all criteria for completeness. During the discussion that followed, it became clear that requesting multiple letters, as was done in the First Round, was too cumbersome for many applicants and did not assist the appraisal substantively. The Co-Chair summed up that the original aim of requesting the letters was to ensure that there was evidence of coordination at the national level on the application, and that the application reached the Secretariat through the correct channels. As such the Board requested the Secretariat to prepare for the Second Round a draft letter of transmittal that includes sign-off from the official that will lead the project, the Minamata National Focal Point, and the GEF Operational Focal Point. This letter, with its three signatures would form a mandatory part of a complete application.

45. On the criteria for eligibility, the Board agreed that applicants had to be a Party to the Minamata Convention on the date of their submission or, at the latest, by the deadline of the Second Round. The Board also considered that as the Specific International Programme must avoid funding duplication, the information from the GEF secretariat and the Special Programme secretariat on funding that an applicant had received (or was about to receive) for Minamata-related implementation, is pertinent to the overall consideration of that application to the Second Round.

46. Following discussion of what the Secretariat had initially indicated as "additional eligibility criteria" in the above-mentioned document, the Board decided to rather term these criteria as indicating coherence with the overall aims of the Programme and invited the Secretariat to further refine their formulation in line with the respective original seventeen criteria.

47. The Co-Chair then invited the Board to consider in-depth the proposed criteria for prioritisation. The representative of the Secretariat outlined the five proposed criteria for prioritisation (see pages 8 to 9 of UNEP/MC/SIP.GB.3/6). One Board member noted that from her perspective the most important would be the evidence of need and scale of potential impact. Another Board member considered the scale of potential impact to be most important, closely followed by the sustainability of impact. Following further discussion, the Board agreed to use the proposed criteria for prioritisation and requested the Secretariat to clearly identify these in the Application Guidelines so that applicants were made aware of the basis on which their submissions will be assessed.

48. As last matter under this agenda item the Co-Chair invited the Secretariat to present the suggested workplan of the Specific International Programme for the Second Round as per page 10 of document UNEP/MC/SIP.GB.3.6. The Co-Chair noted the Board's agreement to the overall flow of the workplan, noting that the Secretariat would launch the Second Round as soon as possible, that the agreed mandatory deadline for submission was 14 June 2019, and that the implementation of the First Round of projects should also be reflected in the workplan.

## **IX. Date and venue of the next meeting (agenda item 9)**

49. The Co-Chair recalled that the next face-to-face meeting of the Governing Board would be focused on the approval of projects from the Second Round of applications. The representative from the Secretariat noted that the workplan for 2019 activities included the proposal to meet in the week of 16 September 2019. She proposed Washington or New York as potential venues for this meeting, depending on whether the Board wanted a technical or donor focus. For both cities a host could be identified. A Board member recommended that the agenda be kept slim to allow the Board maximum time to focus on the approval of projects. Another Board member raised the issue of the duration of the meeting, and that a three-day rather than two-day may be required. Following the round of comments, the Co-Chair indicated a preference for Washington as this was also the seat of the Global Environment Facility, and so could present the Board with a good opportunity to benefit from various information exchanges. He further requested the Secretariat to reach out to the GEF Secretariat in this regard, and to finalise the dates for the next meeting in the week identified in the workplan, based on the number of applications received by 14 June 2019.

50. The Co-Chair raised the importance of agreed feedback from the Board on the applications it appraises at that meeting. This applies both to projects the Board will approve and to applications that are not approved for funding from this Round. He mentioned this as an important lesson-learned from the First Round, where, due to various considerations during decision-making for the approval of projects under the First Round, and time and capacity constraints detailed feedback to unsuccessful applicants was not provided. The Secretariat confirmed that for the Second Round every effort will be made by the Secretariat to have Board's feedback at the end of its meeting, that can be shared by the Secretariat with the applicants. The Secretariat fully recognised that the legitimacy of the decisions of the Board rested on communicating the Board's rationale for decision-making.

## **XI. Any other business (agenda item 11)**

51. The Co-Chairs asked the Board members to inform their respective constituents of the upcoming launch of the Second Round of applications, advise them to submit their applications well in advance of the deadline, invited them to make full use of the outreach and assistance offers of the Secretariat in the submission period, and also encourage all potential donors to support the Programme.

## **XII. Closure of the meeting (agenda item 12)**

52. The Co-Chairs declared the meeting closed at 5:01 p.m. on Friday, 15 February 2019, thanking the Board members for their hard work over the past two days, and the Secretariat for the sound substantive preparation of the meeting. The Executive Secretary on her part thanked the Co-Chairs and the Governing Board for their excellent work and said the Secretariat looked forward to implementing the Board's decisions.

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## Annex I: List of participants

### GOVERNING BOARD

Present	
<p><b>AFRICA</b>  <b>Mr. Sam Adu-Kumi</b>            Director            Chemicals Control and Management Centre            Environmental Protection Agency            Starlets 1991 Street            Ministries            Accra            Ghana            Tel.: +233 30 266 4697/8            Fax: +233 30 266 2690            Email: adukumisam@yahoo.com            Email: sam.adu-kumi@epa.gov.gh</p> <p><b>ASIA AND THE PACIFIC</b>  <b>Mr. W.T.B. Dissanayake</b>            Additional Secretary            Environment Policy &amp; Planning            Ministry of Mahaweli Development and Environment            "Sobadam Piyasa", 416/C/1            Robert Gunawardana Mawatha Battaramulla,            Sri Lanka            Tel: +94 11 2034127            Fax: +94 11 2879952            Mobile: +94 71 8014998            Email: dissaforest@yahoo.com</p> <p><b>CENTRAL AND EASTERN EUROPE</b>  <b>Mr. Kaupo Heinma</b>            Head of Department            Environmental Management Department            Ministry of the Environment            Narva mnt 7            10117 Tallinn            Estonia            Tel.: +372 626 2921            Email: kaupo.heinma@envir.ee</p> <p><b>LATIN AMERICA AND THE CARIBBEAN</b>  <b>Ms. María Florencia Grimalt</b>            Secretario de Embajada            Dirección General de Asuntos Ambientales (DIGMA)            Ministerio de Relaciones Exteriores y Culto            Esmeralda 1212            1007 Buenos Aires            Argentina            Tel.: +54 11 4819 7405            Fax: +54 11 4819 7413            Email: ogx@mrecic.gov.ar</p>	<p><b>AFRICA</b>  <b>Mr. Younous Adoum Abdallah</b>            Point Focal de la Convention de Minamata sur le            Mercure            Ministère de l'Environnement et de la Pêche            Direction de la Lutte Contre le Changement            Climatique, Pollutions et les Nuisances            Quartier Béguinage            447 N'djamena            Chad            Tel.: +235 6364 8300            Email: abou_idjab08@live.fr</p> <p><b>ASIA AND THE PACIFIC</b>  <b>Mr. Prasert Tapaneeyangkul</b>            Chair, Subcommittees of the Minamata Convention on            Mercury            National Environment Board            Ministry of Natural Resources and Environment            Phahonyothin Road            Bangkok            Thailand            Tel.: +66 89 813 6045            Email: ptap14011@gmail.com</p> <p><b>CENTRAL AND EASTERN EUROPE</b>  <b>Ms. Anahit Aleksandryan</b>            Head of Division            Hazardous Substances and Wastes Policy Division            Ministry of Nature Protection            Governmental Building 3, Republic Square            0010 Yerevan            Armenia            Tel.: +374 11 818 519            Fax: +374 11 818 519            Email: anahit.aleksandryan@yahoo.com</p>

<p><b>WESTERN EUROPE AND OTHERS</b>  <b>Mr. Reginald Hernaus</b>  Lead Negotiator Chemicals and Wastes  International Affairs  Ministry of Infrastructure and the Environment  Rijnstraat 8  The Hague  The Netherlands  Tel.: +31 70 456 6485  Email: reggie.hernaus@minienm.nl</p>	<p><b>WESTERN EUROPE AND OTHERS</b>  <b>Mr. Alte Bernt Fretheim</b>  Consultant  Kaptein Gløersensvei 24  Norway  Tel.: +47 950 68 313  Email: atle.fretheim@kld.dep.no and ar-freth@online.no</p>
<b>Regrets</b>	
<p><b>LATIN AMERICA AND THE CARIBBEAN</b>  <b>Mr. Nero Cunha Ferreira</b>  Second Secretary  Ministry of Foreign Affairs  Chemin Louis-Dunant 15, 6<sup>th</sup> Floor  1202, Geneva  Switzerland  Tel.: +41 22 332 5023  E-mail: nero.ferreira@itamaraty.gov.br</p>	

#### SECRETARIAT OF THE MINAMATA CONVENTION ON MERCURY

<p><b>Ms. Rossana Silva Repetto</b>  Executive Secretary  Secretariat of the Minamata Convention on Mercury  International Environment House 1  Geneva, Switzerland  Telephone: +41 22 917 8394  Email: rossana.silva-repetto@un.org</p> <p><b>Ms. Madeeha Bajwa</b>  Programme Officer for Capacity-building and  Technical Assistance  Secretariat of the Minamata Convention on Mercury  International Environment House 1  Geneva, Switzerland  Telephone: +41 22 917 2583  Email: madeeha.bajwa@un.org</p>	<p><b>Ms. Claudia ten Have</b>  Senior Policy Coordination Officer  Secretariat of the Minamata Convention on Mercury  International Environment House 1  Geneva, Switzerland  Telephone: +41 22 917 8638  Email: claudia.tenhave@un.org</p> <p><b>Mr. Eisaku Toda</b>  Senior Programme Officer  Secretariat of the Minamata Convention on Mercury  International Environment House 1  Geneva, Switzerland  Telephone: +41 22 917 8187  E-mail: eisaku.toda@un.org</p>
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## **Annex II: Rules of Procedure as finalised by the Governing Board at its third meeting**

### **Rules of procedure of the Governing Board of the Specific International Programme of the Minamata Convention on Mercury**

#### **I. Objective**

##### **Rule 1**

The present rules of procedure shall apply to the Governing Board of the Specific International Programme to support capacity-building and technical assistance of the Minamata Convention on Mercury.

#### **II. Definitions**

##### **Rule 2**

For the purpose of the present rules:

(a) “Convention” means the Minamata Convention on Mercury, adopted at Kumamoto, Japan, on 10 October 2013.

(b) “Party” means a party as defined in article 2 (g) of the Convention.

(c) “Signatory” means one of the States and regional economic integration organizations that signed the Minamata Convention on Mercury at Kumamoto, Japan, on 10 and 11 October 2013, and, thereafter, at United Nations Headquarters in New York until 9 October 2014.

(d) “Conference of the Parties” means the Conference of the Parties established by article 23 of the Convention.

(e) “Regional economic integration organization” means an organization as defined in paragraph (j) of article 2 of the Convention.

(f) “Programme” means the Specific International Programme to Support Capacity-building and Technical Assistance of the Minamata Convention on Mercury.

(g) “Board” means the Governing Board of the Specific International Programme.

(h) “Members” of the Governing Board of the Specific International Programme means the 10 members nominated through the respective Bureau representatives where each region shall nominate two members.

(i) “Meeting” means meetings of the Governing Board of the Specific International Programme. Meetings can be face-to-face, and, if so decided by the Board, can be held through electronic means.

(j) “Secretariat” means the secretariat established by paragraph 1 of article 24 of the Convention.

(k) “Members present and voting” means members present at the meeting in which voting takes place. For face-to-face meetings, “present” means physically present. For meetings through electronic means, “present” means participation through teleconference, videoconference or other electronic means as decided. “Voting” means casting an affirmative or negative vote. Members abstaining from voting shall be considered as not voting.

(l) “Co-Chairs” means the Co-Chairs of the Governing Board as elected in accordance with Rule 9.

#### **III. Membership**

##### **Rule 3**

1. The Board shall consist of 10 members from Parties. Each of the five United Nations regions shall nominate two members through their respective Bureau representatives.

2. The first members of the Board shall be nominated no later than 31 December 2017 and will serve until the third meeting of the Conference of Parties to the Minamata Convention. Thereafter, the members shall be nominated every two years by regional groups and their membership confirmed by the Conference of the Parties. To this end, the two nominations from each United Nations region should be submitted to the secretariat no later than the second last day of the meeting of the Conference of the Parties.

3. No member may serve on the Governing Board for more than two consecutive terms.

4. If necessary, a member may designate an alternative representative for a particular meeting of the Board. Written notification of the designation of the alternative representative shall be submitted to the secretariat before the start of the meeting in question.

5. If a member resigns or is otherwise unavailable to complete his or her term or perform the required functions, that member may be replaced for the remainder of the term. Written notification of the designation of the replacement member shall be submitted by the relevant Bureau members to the secretariat in due time to allow the replacement member to attend the next meeting of the Board.

## **IV. Observers**

### **Rule 4**

The Board may invite observers to its meeting, or segments thereof, except when the Board decides on applications. The secretariat will extend invitations to observers upon request and on behalf of the Board. Participation of observers will in principle be at their own expense.

## **V. Venue, dates and notice of meetings**

### **Rule 5**

1. The Board will in principle meet once a year to approve project applications and review progress under the programme on the basis of reports from the Minamata Convention secretariat, as well as other relevant information provided to them on implementation of the programme.

2. The secretariat shall make appropriate arrangements for meetings in consultation with the Co-Chairs.

### **Rule 6**

The secretariat shall notify all members of the venue and date of a meeting at least six weeks before it is due to commence. The secretariat shall also publish the meeting details on the website of the Minamata Convention.

## **VI. Agenda**

### **Rule 7**

1. The secretariat shall prepare a provisional agenda for each meeting in consultation with and under the guidance of the Co-Chairs. Any member may request the secretariat to include specific items in the provisional agenda.

2. The provisional agenda shall be communicated to members at least four weeks before the meeting is due to commence.

3. Between the date of communication of the provisional agenda and the date of adoption of the agenda by the Board, members may propose supplementary items for inclusion in the agenda, provided the items are of an important and urgent nature.

### **Rule 8**

At the beginning of each meeting, the Board shall adopt the agenda for the meeting on the basis of the provisional agenda and any supplementary items proposed in accordance with paragraph 3 of Rule 7.

## VII. Officers

### Rule 9

1. The Board will have two Co-Chairs, elected from among the members of the Board, reflecting the composition of the Board and the purpose of the programme.
2. The Board shall elect two Co-Chairs at the commencement of its first meeting.
3. The term of the Co-Chairs elected at the first meeting of the Board shall continue until the election of new Co-Chairs at the commencement of a meeting to be held after the third meeting of the Conference of Parties to the Minamata Convention. Thereafter, the election of Co-Chairs shall take place at the first meeting of each new term of the Board members.

### Rule 10

1. In the absence of consensus, elections of the Co-Chairs shall be decided by secret ballot.
2. If, when a Co-Chair is to be elected, no candidate obtains a two-thirds majority of the votes cast by the members present and voting in the first ballot, a second ballot shall be held, restricted to the two candidates obtaining the largest number of votes, with the decision taken by simple majority. If in the second ballot the votes are equally divided, the Co-Chair shall be decided by drawing lots between the candidates.
3. In the case of a tie in the first ballot between three or more candidates obtaining the largest number of votes, a second ballot shall be held. If a tie results between more than two candidates, the number shall be reduced to two by lot and the balloting, restricted to them, shall continue in accordance with the procedure set out in paragraphs 1 and 2.

### Rule 11

1. In addition to exercising the powers conferred upon them elsewhere in these rules, the Co-Chairs shall:
  - (a) Declare the opening and closure of each meeting;
  - (b) Preside at meetings of the Board;
  - (c) Ensure the observance of these rules;
  - (d) Request disclosure of any personal and/or financial conflict of interest;
  - (e) Accord the right to speak;
  - (f) Put questions to the vote and announce decisions;
  - (g) Rule on any points of order;
  - (h) Subject to these rules, have complete control over the proceedings and maintain order.
2. The Co-Chairs may also propose:
  - (i) The closure of the list of speakers;
  - (j) A limitation on the time to be allowed to speakers and on the number of times a participant may speak on an issue;
  - (k) The adjournment or closure of debate on an issue;
  - (l) The suspension or adjournment of a meeting.
3. During the intersessional period, the Co-Chairs shall assume the responsibility, with support of the secretariat, for the approval of project amendments, when necessary, and inform the members of the decision on the amendments.
4. The Co-Chairs, in the exercise of their functions, remain at all times under the authority of the Board.

### Rule 12

1. If a Co-Chair cannot preside at a segment of the meeting, the other Co-Chair shall fulfil his or her functions.
2. If a Co-Chair cannot preside over a meeting, the Board shall agree on a member to be appointed to fulfil his or her functions.



3. If a Co-Chair resigns or is otherwise unable to complete his or her term, the Board shall elect a replacement from among its members to complete the original two-year term.

## VIII. Secretariat

### Rule 13

1. The secretariat of the Minamata Convention shall provide secretariat services to the Specific International Programme and for the functioning of its Governing Board.

2. The secretariat shall receive applications to the Specific International Programme, screen project applications for completeness and eligibility and appraise applications for consideration and decision by the Board.

3. In the appraisal preparation process, the Secretariat shall consult with the Secretariat of the Global Environment Facility and the Secretariat of the Special Programme<sup>3</sup> to ensure complementarity and avoid duplication.

4. The secretariat shall make all the necessary arrangements for meetings of the Board, including the preparation and distribution of documents at least four weeks in advance of the meetings.

### Rule 14

The Secretariat shall further:

(a) Receive, reproduce and distribute other documents for the meetings of the Board;

(b) Prepare a report of each meeting and make it publicly available;

(c) Make information available on the Specific International Programme on the website of the Minamata Convention, with the exception of the applications received, the appraisals of the applications and other documents as decided by the Board;

(d) Arrange for the custody and preservation of the documents of each meeting in the archives of the secretariat;

(e) Perform such other tasks as the Board may require in relation to its functions.

### Rule 15

The secretariat shall report on its activities to the Board and through the Board to the Conference of the Parties. The secretariat will be accountable to the Executive Director of the United Nations Environment Programme for administrative and financial matters.

## IX. Conduct of business

### Rule 16

The Co-Chairs shall declare a session of the meeting open and permit debate to proceed when at least six members participating in the meeting are present, including members from each of the five United Nations regions. The same presence of members so participating shall be required for any decision to be taken.

### Rule 17

1. The Co-Chairs will grant permission to the members and observers to speak at a session of the meeting in the order in which they signify their desire to speak, taking into account that observers should normally speak after members unless otherwise decided by the Co-Chairs. The secretariat shall maintain a list of speakers. The Co-Chairs may call a speaker to order if the speaker's remarks are not relevant to the subject under discussion.

2. The Board may, on a proposal<sup>4</sup> from the Co-Chairs or from any member, limit the time allowed to each speaker and the number of times each participant may speak on a question. Before a decision is taken, two members may speak in favour of and two against a proposal to set such limits.

<sup>3</sup> "Special Programme" refers to 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.

<sup>4</sup> "Proposals", under the Conduct of Business section of these rules, refer to points of consideration and deliberation. The term "proposals" in the context of reference to the conduct of business does not refer to "project proposals".

When the debate is limited and a speaker exceeds the allotted time, the Co-Chairs shall call the speaker to order without delay.

#### **Rule 18**

During the discussion of any matter, a member may at any time raise a point of order, which shall be decided immediately by the Co-Chairs in accordance with the present rules. A member may appeal the ruling of the Co-Chairs. The appeal shall be put to a vote immediately and the ruling shall stand unless overruled by a simple majority of the members present and voting. A member may not, in raising a point of order, speak on the substance of the matter under discussion.

#### **Rule 19**

Any motion against the competence of the Board to discuss any matter or to adopt a proposal or an amendment to a proposal shall only be accepted if it is supported by a two-thirds majority before the matter is discussed or a vote is taken on the proposal or amendment in question.

#### **Rule 20**

1. Subject to Rule 18, the following motions shall have precedence over all other proposals or motions, in the following order:

- (f) To suspend the session;
- (g) To adjourn the session;
- (h) To adjourn the debate on the question under discussion;
- (i) To close the debate on the question under discussion.

2. Permission to speak on a motion falling within paragraph 1 (a) to (d) shall be granted to the proposer and, in addition, to one speaker in favour of and two against the motion, after which it shall be put immediately to a vote.

#### **Rule 21**

A proposal or motion may be withdrawn by its proposer at any time before voting on it has begun, provided that the proposal or motion has not been amended. A proposal or motion thus withdrawn may be reintroduced by any other representative.

#### **Rule 22**

When a proposal has been adopted or rejected, it may not be reconsidered at the same meeting, unless the Board decides in favour of reconsideration by a two-thirds majority of the members present and voting. Permission to speak on a motion to reconsider shall be accorded only to the mover and one other supporter, after which it shall be put immediately to a vote.

#### **Rule 23**

1. In cases where a member of the Board is from a country that has submitted a project to the Board for its consideration, that member shall be excused from participating during the deliberations of and decision-making by the Board in relation to the project in question.

2. Members and possible observers at the meeting have an obligation to promptly disclose to the Board, at the commencement of the meeting, any potential personal and/or financial interest in any aspect of a project presented for discussion and approval by the Board. In such cases, the Board shall apply the same stipulation as in the paragraph above.

## **X. Adoption of decisions**

#### **Rule 24**

1. The Board will take its decisions by consensus. If all efforts to reach consensus have been exhausted and no agreement has been reached, the decision shall be taken by a three-quarters majority of its members present and voting.

2. The Board may decide on a matter of procedure by a majority vote of the members present and voting.

3. Where there is disagreement as to whether a matter to be voted on is a substantive or procedural matter, the matter shall be decided by a two-thirds majority of the members present and voting.

**Rule 25**

Voting shall normally be by show of hands, except for the election of the Co-Chairs, which is governed by Rule 10. A roll-call vote shall be taken if one is requested by any member. It shall be taken in order as determined by lot drawn by the Co-Chairs.

**Rule 26**

The vote of each member in a roll-call vote shall be recorded in the report of the meeting.

**Rule 27**

After the Co-Chairs have announced the beginning of voting, no member shall interrupt the voting except on a point of order in connection with the actual conduct of the voting. The Co-Chairs may permit members to explain their votes, either before or after the voting, and may limit the time allowed for such explanations.

**Rule 28**

Each member shall have one vote.

**XI. Language****Rule 29**

Meetings shall be held in English. Meeting documents and meeting reports will be in English only.

**XII. Amendments to rules of procedure****Rule 30**

Amendments to these rules of procedure shall be adopted in accordance with Rule 24.