



**United Nations
Environment
Programme**

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**Ad hoc open-ended working group to
prepare for the intergovernmental
negotiating committee on mercury**
Bangkok, 19–23 October 2009

Annotated provisional agenda

Item 1: Opening of the meeting

1. The meeting of the ad hoc open-ended working group to prepare for the intergovernmental negotiating committee to prepare a global legally binding instrument on mercury, to be held from 19 to 23 October 2009 at the United Nations Conference Centre in Bangkok, will be opened at 10 a.m. on Monday, 19 October 2009.
2. An opening statement will be made by a representative of the United Nations Environment Programme (UNEP).

Item 2: Election of officers

3. The working group was established as a subsidiary body of the UNEP Governing Council. The working group will elect its officers, including a chair, vice-chair(s) and rapporteur, at the beginning of the meeting. To ensure adequate regional representation, the working group may wish to consider the election of an officer from each of the five United Nations regions who will collectively form the bureau.

Item 3: Organizational matters

(a) Adoption of the rules of procedure

4. As a subsidiary body of the Governing Council, the Council's rules of procedure apply, mutatis mutandis, to the working group's work and proceedings. The working group may wish to adopt those rules of procedure.

(b) Adoption of the agenda

5. Subject to the rules of procedure, the working group may wish to adopt the agenda for its meeting based on the provisional agenda set forth in document UNEP(DTIE)/Hg/WG.Prep/1/1.

(c) Organization of work

6. The working group may wish to decide that it should meet from 10 a.m. to 1 p.m. and from 3 p.m. to 6 p.m., subject to adjustments as necessary.
7. The working group may wish to establish such contact groups as it may deem necessary and to specify their mandates.

Item 4: Preparations for the work of the intergovernmental negotiating committee to prepare a global legally binding instrument on mercury

(a) Timetable and organization of the work of the intergovernmental negotiating committee

8. The secretariat has prepared a number of background documents to facilitate the working group's discussions on the timetable and priorities for the committee's work, including:
 - (a) Possible rules of procedure for the committee (UNEP(DTIE)/Hg/WG.Prep/1/3);
 - (b) Proposed timetable for the negotiations to develop a global legally binding instrument on mercury, including factors that might influence the timing of consideration of specific provisions (UNEP(DTIE)/Hg/WG.Prep/1/4);
 - (c) Issues being considered in international forums and their possible impact on the mercury negotiation process (UNEP(DTIE)/Hg/WG.Prep/1/7).
9. The working group may wish to review its terms of reference to ensure a common understanding of the work to be undertaken. Thereafter, it may wish to consider the preparatory work necessary for the committee's proceedings. In terms of the rules of procedure, the secretariat has reviewed examples from similar committees and has provided possible rules of procedure for the working group's consideration, drawing upon the rules of procedure of the Intergovernmental Negotiating Committee for an International Legally Binding Instrument for Implementing International Action on Certain Persistent Organic Pollutants. The working group may therefore wish to discuss possible rules of procedure for the committee and to consider forwarding the outcomes of its deliberations to the committee at its first session.
10. The working group may wish to use the opportunity to hold discussions within regional groups to identify individuals from such groups who would be suitable and willing to serve as members of the committee's bureau.
11. For planning purposes, the working group may wish to consider the proposed timetable (UNEP(DTIE)/Hg/WG.Prep/1/4) as a working timetable for the committee.
12. In addition, the working group may wish to consider factors that might influence the timetable for the consideration of issues, including through consideration of the note on information about mercury available to the committee (UNEP(DTIE)/Hg/WG.Prep/1/9).

(b) Update on preparations for the study on various types of mercury-emitting sources requested by the Governing Council (decision 25/5)

13. By paragraph 29 of its decision 25/5, the Governing Council requested UNEP, for the purposes of informing the committee's work, to conduct a study, in consultation with the countries concerned, on various types of mercury-emitting sources, in addition to current and future trends of mercury emissions, with a view to analysing and assessing the costs and the effectiveness of alternative control strategies and measures. The working group is invited to consider an outline of the study (UNEP(DTIE)/Hg/WG.Prep/1/5) and provide any additions or amendments.

(c) Information that might assist the work of the intergovernmental negotiating committee

14. The need for additional information has been identified as a priority for the negotiations and for the implementation of a legally binding instrument on mercury. A number of studies have been developed based on requests of the Governing Council and of the Ad Hoc Open-ended Working Group on Mercury. Information on these studies is contained in document UNEP(DTIE)/Hg/WG.Prep/1/9, which includes a tabular presentation of the provisions set out in paragraph 27 of decision 25/5 to be included in the comprehensive and suitable approach to mercury, linking the information available to specific provisions.

15. Activities are under way within the UNEP Global Mercury Partnership and other forums that are relevant to the committee's work. An overview of the results of those activities and their relevance to the committee's work will be presented.

Item 5: Report on activities under the United Nations Environment Programme mercury programme

16. By paragraph 36 of decision 25/5, the Governing Council requested the Executive Director, in consultation with Governments, to update the 2008 report entitled "Global Atmospheric Mercury Assessment: Sources, Emissions and Transport" for consideration by the Governing Council/Global Ministerial Environment Forum at its twenty-seventh session. An assessment of information and data gaps identified in the 2008 report is set out in document UNEP(DTIE)/Hg/WG.Prep/1/6, which requests Governments to submit information for inclusion in the updated report to respond to information gaps.

17. By paragraph 34 of the same decision, the Governing Council requested the Executive Director, coordinating as appropriate with Governments, intergovernmental organizations, stakeholders and the Global Mercury Partnership, subject to the availability of resources and concurrently with the work of the intergovernmental negotiating committee, to continue and enhance, as part of the international action on mercury, the existing work. A report on the activities within the UNEP Global Mercury Partnership is set out in document UNEP(DTIE)/Hg/WG.Prep/1/8. The working group may wish to take note of the report and identify possible contributions by the Partnership to the committee's work.

18. The working group may wish to consider the above-mentioned reports and to provide guidance on furthering the activities of the UNEP mercury programme.

Item 6: Other matters

19. The working group may wish to consider other matters raised during the meeting.

Item 7: Adoption of the report

20. At its final session, the working group will be invited to consider and to adopt its decisions and the report of its meeting prepared by the Rapporteur. The report of the meeting as at the end of the plenary sessions on Thursday, 22 October 2009, will be approved in plenary on Friday, 23 October with any amendments that the working group may wish to make. Consistent with standard United Nations practice, the working group may agree that the section of the report pertaining to the results of the Friday plenary sessions will be prepared by the Rapporteur, in cooperation with the secretariat, and incorporated into the meeting report under the authority of the Chair. The final report will be circulated after the closure of the meeting.

Item 8: Closure of the meeting

21. It is expected that the working group will conclude its work by 6 p.m. on Friday, 23 October 2009.
