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**Tenth special session of the Governing Council/
Global Ministerial Environment Forum**

Principality of Monaco, 20-22 February 2008

Item 4 (c) of the provisional agenda*

4. Policy issues: (c) Environment and development

Progress report of the ad-hoc open-ended working group on mercury

Report of the Executive Director

Summary

The present report is being submitted in pursuance to decision 23/4 IV on mercury, adopted on 9 February 2007, paragraph 32 (b), which requests the ad-hoc open-ended working group on mercury to provide a progress report on its work at the tenth special session of the Governing Council/Global Ministerial Environment Forum. The Council may wish to consider providing further guidance to the ad-hoc open-ended working group, in pursuance with paragraph 33 of the same decision.

* UNEP/GCSS/X/1.

Progress report of the ad-hoc open-ended working group on mercury

I. SUGGESTED ACTION BY THE GOVERNING COUNCIL

1. The Governing Council may wish to consider the adoption of a decision along the lines suggested below:

The Governing Council,

Recalling decision 24/3 IV on mercury,

Having considered the report of the Executive Director on the progress of the ad-hoc open-ended working group on mercury (document UNEP/GCSS/X/5 (Progress report of the ad-hoc open-ended working group on mercury: report of the Executive Director));

1. Notes the progress made by the first meeting of the ad-hoc open-ended working group, held in Bangkok, from 12 to 16 November 2007;
2. Encourages the ad-hoc open-ended working group to build on the progress made at the first meeting and continue its fruitful discussions at the second meeting, to be held from 6 to 10 October 2008;
3. Also encourages Governments to support the work of the ad-hoc open-ended working group both by the provision of information, and also, as appropriate, by financial support;
4. Requests the ad-hoc open-ended working group to submit a report on its work to the twenty-fifth session of the Governing Council/Global Environment Forum, to be held from 16 to 20 February 2009;
5. Also requests the Executive Director to submit a report on progress in the implementation of the present decision to the Governing Council at its twenty-fifth session.

II. BACKGROUND

2. At its twenty fourth session, the Governing Council/Global Ministerial Environment Forum acknowledged the progress made within the United Nations Environment Programme mercury programme since 2005, but recognised that efforts to reduce risks from mercury were not sufficient to address the global challenges posed by mercury. The meeting agreed that the options of enhanced voluntary measures and new or existing international legal instruments would be reviewed and assessed in order to make progress in addressing this issue.

3. The Governing Council, through decision 24/3 IV on mercury, established an ad hoc open-ended working group of Governments, regional economic integration organisations and stakeholder representatives to review and assess these options. Terms of reference were agreed for the group, and it was also agreed that the working group would meet twice: once before the tenth special session of the Governing Council/Global Ministerial Environment Forum and once between that special session and the Council/Forum's twenty-fifth regular session.

4. It was further decided that the working group would provide a progress report to the Governing Council/Global Ministerial Environment Forum at its tenth special session.

5. The first meeting of the ad hoc open ended working group was held in Bangkok, Thailand from 12 to 16 November 2007. The meeting was attended by representatives of 91 governments, 1 regional economic integration organisation, 7 intergovernmental organisations and 29 civil society organisations.

6. The meeting began by considering the range of available response measures and strategies, the feasibility and effectiveness of voluntary and legally binding approaches and implementation options. The discussion on these points was informed by a study of the options prepared by the secretariat, and was guided by the priorities set out in paragraph 19 of decision 24/3 IV.

7. The Working Group followed a proposal from the Chair for structuring its discussion of the response measures listed in the study: for each priority area set out in paragraph 19 of decision 24/3 IV, the Working Group considered whether the study served as a good basis for discussion, whether it set out the right range of response measures for the various strategic objectives and whether there were any useful measures not indicated. It also discussed the framework in which the response measures might best be implemented, including the extent to which various kinds of legally binding and voluntary measures would be suitable.

8. A programme of intersessional work by the secretariat to further discussions at the second meeting was discussed. The list of elements of this work is attached to the report of the first meeting as Annex II. Costs for these activities were identified, as well as the costs for holding the second meeting of the Working Group, which together totalled \$1,500,000.

9. The second meeting of the Working Group will be held from 6 to 10 October 2008.

10. The report of the first meeting of the Ad Hoc Open-Ended Working Group is attached to this progress report.