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**NOTE**

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From: General Secretariat of the Council  
To: Delegations

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Subject: Major recent international events  
Sixth session of the Intergovernmental Negotiating Committee on Mercury  
(INC 6) (Bangkok, 3-7 November 2014)  
- Information from the Presidency and the Commission

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Delegations will find attached an information note from the Presidency and the Commission on the above subject, which will be discussed under "Any other business" at the Environment Council meeting on 17 December 2014.

**Sixth Session of the Intergovernmental Negotiating Committee on Mercury  
(INC 6) (Bangkok , 3-7 November 2014)**

**- Information from the Presidency and the Commission -**

**Summary**

The sixth session of the Intergovernmental Negotiating Committee (INC 6) on Mercury convened 3-7 November 2014, in Bangkok, Thailand. INC 6 carried out work to prepare for the entry into force of the Minamata Convention on Mercury and for the first meeting of the Conference of Parties (COP 1) to be held subsequently.

Over 400 participants attended the session, representing 122 governments, as well as 29 non-governmental and 13 intergovernmental organizations. Following a round of regional group meetings on Sunday, 2 November, the Committee began its work.

INC 6 was the first of two negotiating sessions planned for the interim period between the adoption of the Minamata Convention and COP 1. Issues under consideration included, *inter alia*: controlling international trade of mercury; registering exemptions to restrictions on the use of mercury in products and industrial processes; reporting and monitoring; rules of procedure and financial rules for the COP; guidance and assistance to countries with artisanal and small-scale gold mining; storage, waste management, contaminated sites; and operation of the financial mechanism.

**Main results of the INC 6**

- Mercury supply sources and trade (Article 3): INC 6 agreed on elements to be included in guidance on Article 3:
  - Four forms for providing consent to trade movements were provisionally adopted: two forms concerning the written consent by a Party and by a non-Party to import mercury, one form regarding the non-Party certification on the source of mercury to be exported to a Party; and one form for general notification of consent to import mercury;
  - An initial draft of complementary guidance on the use of the forms will be prepared by the Secretariat and Parties will be invited to provide written comments on this draft with a view to submitting to INC 7 a revised version;

- Parties will be asked to submit their views on which additional elements they consider should be included in guidance on this Article; not all parties agree additional elements are necessary.
- Exemptions available to a Party upon request (Article 6): INC 6 adopted a document containing two forms relating to the notification to the secretariats under Article 6 of exemptions regarding restrictions on mercury-added products and processes that use mercury, as well as a format for the register of these exemptions that will be maintained by the Secretariats.
- Emissions (Article 8): INC 6 adopted the rules of procedure of the BAT (Best Available Techniques)/BEP (Best Environmental Practices) Expert Group. The group is currently working on developing guidance on methodologies for the preparation of inventories of emissions. The EU made clear in Plenary that it expects the guidance to include quantitative information on the performance of BT and address how this information can be used when determining national emission targets or emission limit values.
- Financial resources and mechanism (Article 13): INC 6 adopted provisional guidance to the Global Environment Facility (GEF), including a request that financial support be extended to cover also enabling activities of non-signatories to the Convention that have demonstrated their commitment to sign and ratify the convention.  
 INC 6 welcomed the GEF 6 Chemicals and Waste Focal Area Strategy as it relates also to mercury and it welcomed also the UNEA 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.  
 INC 6 also established an Ad Hoc Working Group of Experts on Financing, which will meet once intersessionally before INC 7, with a mandate to report to INC 7 on the hosting institution for the SIP (Specific International Programme), as well as guidance on the SIP's operation and duration.

- Reporting (Article 21): The draft reporting format of the Minamata Convention contains instructions on how to complete the reporting form, and a four-part questionnaire. The reporting frequency is yet to be discussed as several parties consider that more frequent reporting should take place in the first years of the Convention or reporting on certain aspects should be annual, as proposed by the EU for supply and trade. The questionnaire was generally agreed except regarding reporting on mercury supply and trade and emissions to air.
- Rules of procedure and financial rules (Article 23): drafts of these rules were discussed but no agreement was reached. Discussions will continue at INC 7 to prepare the eventual adoption of the rules at COP 1.

INC 6 agreed to take forward further work on some other issues including guidance and assistance to countries with artisanal and small-scale gold mining, storage, and wastes for further consideration and discussion in the INC 7, that will be held at the beginning of 2016.

The overall results of INC 6 are in line with the EU position agreed within Council (Working Party on International Environment Issues) and are regarded as satisfactory for the EU and its Member States.