



Book - Unit 3 - Articles related to the implementation and institutional arrangements of the Minamata Convention

Book - Unit 2 - Major Components of the Minamata Convention on Mercury

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Course: Introductory Course to the Minamata Convention on Mercury

Book: Book - Unit 3 - Articles related to the implementation and institutional arrangements of the Minamata Convention

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1. Financial resources and mechanism (Article 13) and capacity-building, technical assistance and technology transfer (Article 14)

The financial mechanism established to support implementation of the Convention by developing countries and economies in transitions (Article 13) comprises the Global Environmental Facility Trust Fund, and a specific international programme to support capacity-building and technical assistance. It is guided by and accountable to the COP.

The COP will be responsible for providing guidance on overall strategies, policies, programme priorities and eligibility criteria for access and utilization of financial resources.

Article 14 establishes that Parties shall cooperate to provide capacity-building and technical assistance to developing country Parties, in particular Parties that are least developed countries or small island developing States, and Parties with economies in transition, to assist them in implementing their obligations under this Convention.

It may be delivered through regional, subregional and national arrangements, including existing regional and subregional centres, through other multilateral and bilateral means, and through partnerships, including partnerships involving the private sector. Cooperation and coordination with other multilateral environmental agreements in the field of chemicals and wastes should be sought to increase the effectiveness of technical assistance and its delivery.

Developed country Parties and other Parties within their capabilities shall promote and facilitate development, transfer and diffusion of, and access to, up-to-date environmentally sound alternatives.

2. Information and awareness raising articles (Articles 16-18)

The Convention highlights the importance of information exchange and awareness raising in a number of articles and includes specific articles related to this, namely:

a. Health aspects (Article 16)

Parties are encouraged to promote the development and implementation of preventive and treatment strategies and programmes related to the exposure to mercury and mercury compounds, particularly for the protection of vulnerable and affected populations, with the participation of the public health and other relevant sectors.

Article 16 also encourages the promotion of appropriate institutional and health professional capacities for the prevention, diagnosis, treatment and monitoring of health risks related to the exposure to mercury and mercury compounds .

The COP is instructed to consult, collaborate and promote the exchange of information with the World Health Organization (WHO), the International Labour Organization (ILO) and other relevant intergovernmental organizations when considering health-related issues or activities.

b. Information exchange (Article 17)

The Convention considers that information on the health and safety of humans and the environment shall not be regarded as confidential. Article 17 requires Parties to facilitate, with the support of the Secretariat, the exchange of:

- scientific, technical, economic and legal information concerning mercury and mercury compounds;
- information on the reduction or elimination of the production, use, trade, emissions and releases of mercury and mercury compounds;
- information on technically and economically viable alternatives; and
- epidemiological information concerning health impacts associated with exposure to mercury and mercury compounds.

c. Public information, awareness and education (Article 18)

Parties shall make available to the public information on the health and environmental effects of mercury and mercury compounds, alternatives to mercury and mercury compounds, results of research, development and monitoring activities, and activities to meet its obligations under the Minamata Convention. Parties shall promote and facilitate education, training and public awareness related to the effects of exposure to mercury and mercury compounds on human health and the environment.

3. Information and awareness raising articles (Articles 19-22)

d. Research, development and monitoring (Article 19)

According to their circumstances and capabilities, Parties shall endeavour to cooperate to develop and improve:

- the inventories of use, consumption, and anthropogenic emissions to air and releases to water and land of mercury and mercury compounds
- modelling and geographically representative monitoring of levels of mercury and mercury compounds in vulnerable populations and in environmental media
- information on commerce and trade in mercury and mercury compounds and mercury-added products
- information and research on the technical and economic availability of mercury-free products and processes and on best available techniques and best environmental practices to reduce and monitor emissions and releases of mercury and mercury compounds.

e. Implementation plans (Article 20)

Voluntary national and regional implementation plans to meet the obligations of the Convention may be developed and executed in consultation with national and regional stakeholders.

f. Reporting (required by all Parties) (Article 21)

Parties shall report to the COP, through the Secretariat, on the measures taken to implement the Convention, as well as, their effectiveness and challenges.

g. Effectiveness evaluation (Article 22)

The Minamata Convention on Mercury includes a provision to evaluate the effectiveness of the Convention no later than six years after its entry into force and periodically thereafter. The evaluation will be based on scientific, environmental, technical, financial and economic information.

4. Compliance committee and effective evaluation (Articles 15 and 22)

The Convention establishes a mechanism, including a Committee as a subsidiary body of the COP, to promote implementation of, and review compliance with, all provisions of the Convention. It is designed to facilitate compliance in a non-confrontational manner and will pay particular attention to national capabilities and circumstances.

COP-1 will select the 15 members upon nomination by the Parties with due regard to geographical representation. The Committee will consider issues based on written submissions from Parties, National Reports or at the request of the COP.

5. Establishment of the Conference of the Parties (Article 23) and the Secretariat (Article 24)

The Convention establishes the Conference of the Parties (COP) to keep under continuous review and evaluation the implementation of the Convention. UNEP Executive Director will convene the first meeting of the COP no later than one year after the date of entry into force of the Convention.

The COP, subsidiary bodies and Parties will be serviced and assisted by a Secretariat hosted by UNEP.

The Minamata Convention also includes standard operational articles (Articles 25 to 35) regarding:

- Settlement of disputes
- Amendments to the Convention
- Adoption and amendment of annexes
- Right to vote, signature, ratification, entry into force, reservations, withdrawal, depositary, authentic texts