

UNEP

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Committee of Permanent Representatives to
the United Nations Environment Programme

**DRAFT DECISION SUBMITTED BY GAMBIA, ICELAND, NORWAY, SENEGAL AND
SWITZERLAND ON A GLOBAL FRAMEWORK FOR INTERNATIONAL ACTION ON
MERCURY, LEAD AND CADMIUM**

The secretariat of the United Nations Environment Programme (UNEP) has the honour to submit herewith, for the information of the Committee of Permanent Representatives to UNEP, the draft decision on a global framework for international action on mercury, lead and cadmium, submitted by Gambia, Iceland, Norway, Senegal and Switzerland. This draft decision will be submitted to the twenty-fourth session of the Governing Council/Global Ministerial Environment Forum. The original submission is in English, while a French translation is also attached.

**Proposal by Gambia, Iceland, Norway, Senegal and Switzerland for the 24.
Governing Council of UNEP**
23.01.2007

A global framework for international action on mercury, lead and cadmium

The UNEP Global Mercury Assessment concluded that mercury warrants international action, and this has led to international action on a voluntary basis.

Mercury pollution is everywhere, all around the globe, also far away from the pollution sources. As mercury accumulates in fish, it is a threat to fish as global food source. Mercury pollution is an increasing problem in developing countries. It is of particular concern that mercury exposure permanently harms children's development.

Other metals, in particular lead and cadmium, also pose immediate risks to human health and the environment which are necessary to address.

Global action on mercury has been discussed several times in the framework of UNEP. The UNEP Mercury Programme for voluntary international action was established in

2003 as a result of this. In the 24th Governing Council in February 2007, Governments will assess whether further global action is needed.

Norway, Switzerland, Senegal, Gambia and Iceland propose that UNEP leads a process of ensuring that the challenges by mercury are addressed in a legally binding instrument. This process should build upon existing instruments as far as possible and identify those areas relevant for a new framework.

There is considerable concern at the global level for lead and cadmium, and further international measures are needed. A legally binding instrument should not exclude the possibility of adding other chemicals of global concern, not covered by existing instruments, at a later stage or during the negotiations of the instrument.

A process for establishing firm global commitments should be complemented by immediate action at the voluntary level. In this proposal several areas for further action are outlined, and these are relevant both in the framework of a legally binding instrument and in the framework of voluntary action.

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Draft Decision on International Action on Mercury, Lead and Cadmium

The Governing Council,

Recalling its decisions 21/5 and 21/6 on mercury, lead, cadmium;

Also recalling decision 23/9 III and IV on lead, cadmium and mercury where it was decided that the Executive Director should undertake a review of scientific information to inform future discussions on the need for global action in relation to lead and cadmium and to report at the twenty-fourth session of the Governing Council, and to assess at the twenty-fourth session of the Governing Council, on the basis of a progress report, the need for further action on mercury;

Also recalling paragraph 22 (g) of the Plan of Implementation of the World Summit on Sustainable Development;

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Also recalling the Strategic Approach to Chemicals Management and especially paragraph 14(d) of the overarching Policy Strategy and paragraphs 8 and 9 of the Global Plan of Action and its activities 57-60;

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Noting the Budapest Statement on Mercury, Lead and Cadmium of the Intergovernmental Forum on Chemical Safety

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Acknowledging the actions made by Governments and others to reduce risks from mercury and mercury compounds, lead and cadmium;

Taking note of the increased activities in the UNEP Mercury programme;

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Welcoming the progress report by UNEP on mercury activities;

Underlining the findings and conclusions of the report from the Executive Director on mercury supply, demand and trade, as requested in decision 23/9, as a basis for considering further actions in those areas;

Welcoming the report on the reviews of scientific information on lead and cadmium;

1. Reiterates the conclusion of the UNEP Global Mercury Assessment that releases of mercury and mercury compounds constitute a global threat that warrants action at an international level, and the decision in 23/9 to encourage Governments, the private sector, and international organizations to take immediate and longer-term actions to reduce the risks associated with mercury in products and processes;
2. Notes the key finding of the UNEP scientific reviews on lead and cadmium that further action is needed to address the challenges posed by lead and cadmium
3. Recognises that current and planned efforts to reduce risks from mercury, lead and cadmium are not adequate and sufficient for addressing the global challenges posed by these substances;
4. Continues to urge all countries to adopt goals and take national actions, as appropriate, with the objective of identifying exposed populations and ecosystems, and reducing anthropogenic releases of mercury, lead and cadmium that impact human health and the environment;
5. Requests the Executive Director to promote such actions in the short term by further developing the mercury programme and to include lead and cadmium into a joint programme;
6. Concludes that further long-term international action, including a global legally binding instrument, is required to reduce the risks to human health and the environment arising from the releases of mercury;
7. Underlines that such an instrument should promote
 - a. worldwide risk reduction by working towards reducing global mercury use by 75% and to reduce global man-made releases by 50%, by 2020 as compared to 2000;
 - b. the reduction of mercury demand and the substitution of mercury in processes and products by
 - i. restricting intentional use of mercury use in products, such as button cell batteries, fever thermometers and other measuring devices wherever mercury-free alternatives are available;
 - ii. phasing out use of the mercury-cell chlor-alkali process by 2015;

- iii. promoting the use of mercury free technologies in small-scale artisanal gold mining, and phasing out the use of mercury in whole ore processing by 2015;
 - c. the reduction of mercury supply by
 - i. preferring/favoring mercury supply from by-product production in stead of other supply sources, and phase out primary mining where it is still conducted;
 - ii. preventing the introduction of excess mercury supply on a global scale, inter alia through export prohibitions;
- 8. Concludes that such an instrument, in addition to mercury, must be open for the possibility to include other chemicals of global concern should this be warranted;
- 9. Recognizes that further international action should incorporate the expeditious development of such a global, legally binding instrument. The instrument should be developed in such a manner as to recognize and build upon other related activities and instruments to reduce releases of mercury and other chemicals of global concern, taking into account the special concerns of developing countries and countries with economies in transition.
- 10. Requests the Executive Director to prepare and convene, together with relevant international organizations, an intergovernmental negotiating committee with a mandate to prepare an international legally binding instrument to reduce releases of mercury and other chemicals of global concern;
- 11. Also requests the Executive Director, to facilitate the negotiations, to prepare an analysis of different options on how to develop a legal framework for mercury and other chemicals of global concern, including options on how to address these substances in existing instruments;
- 12. Calls upon developed countries to provide additional financial resources to support these activities in developing nations, in particular activities mentioned in paragraph 7 and 10;
- 13. Invites GEF to support activities to reduce global releases of mercury and other chemicals of global concern consistent with the framework of the GEF Instrument and related strategies;
- 14. Calls upon Governments and other actors to provide the United Nations Environment Programme with the necessary financial and technical resources for the functioning of the intergovernmental negotiating committee, in particular with regard to the participation of developing countries and of countries with economies in transition;
- 15. Requests the Executive Director to present a report on the progress of the implementation of the present decision to the Council at its tenth special session.

