

DRAFT SUMMARY REPORT ON PROCEEDINGS AND AFRICA POSITIONS AT THE AFRICA REGIONAL CONSULTATIONS IN PREPARATION FOR THE SECOND MEETING OF THE CONFERENCE OF THE PARTIES TO THE MINAMATA CONVENTION ON MERCURY- 9 TO 10 OCTOBER 2018, LUSAKA, ZAMBIA

1) INTRODUCTION

The African Regional consultations in preparation for the second meeting of the Conferences of the Parties (COP2) to the Minamata Convention on mercury was held in Lusaka, Zambia from 9-10 October 2018. The meeting was under the kind sponsorship of the Government of Switzerland, and with organizational support from the African Institute, the Minamata secretariat and the Zambia Environment Management Agency. The provisional agenda for the meeting is attached as appendix I. The list of participants is attached as appendix II.

2) OPENING

The workshop was opened by Dr. Bishop Eddie Chomba, The Permanent Secretary and Minister Water Development, Sanitation and Environmental Protection, of the Republic of Zambia. In his opening speech, he reminded participants that the meeting presents an opportunity to prepare well for the next COP2 noting that good preparation is a precursor to a good outcome. He acknowledged the financial support from Swiss Government, and also the support from the African Institute and the Minamata Secretariat as well as the presence of all the delegates of state parties. He concluded by urging the participants to participate fully but also take time enjoy the nice hospitality and tourist attractions offered by the Republic of Zambia. Speeches were also presented at the opening ceremony by, The Executive Secretary, Minamata Convention, Ms. Rosanna Del Carmen Silva-Repetto, His Excellency the Switzerland Ambassador and Representative of Switzerland to the East African Community, Mr. Arthur Mattli and the Director General of the Zambia Environmental Management Agency, Mr. John Msimuko. Also present were the PS of the Kingdom of Lesotho, Mr. Monaphathi Maraka and experts from the African Institute.

The programme entered into plenary following the opening ceremony. The plenary sessions were Co-chaired by Mr. David Kapindula, Zambia and Mr Sergy Molly of Gabon, with support from the Minamata Secretariat led by the Executive Secretary. The rapporteurs for the workshop led by Ghana were as follows: Mr. Joseph C Edmund (Ghana), Ms. Moleboheng Petlane (Kingdom of Lesotho), Mr. Dominique Bally KPOKRO (Gabon), Mr.(Angola), and Mr. Ali Mustafa M. Ali (Libya)

2.1 Adoption of agenda

The agenda for the was adopted with no substantive changes. However, the meeting agreed on a proposal to include matters relating to HS codes and harmonization, which had been highlighted as matters of concern during the MIA inventories at the lessons learnt workshop by parties.

2.2 Working in plenary and smaller groups

The Co-chair reminded parties of the prime objective of the meeting, which he mentioned as an opportunity to prepare for the COP 2. Consequently, the day 2 of the meeting would be devoted for working in groups to discuss issues in depth in order to formulate regional positions as well as drafting statements for the COP 2. He reminded the meeting that some sessions might be closed to parties only.

3.0 UPDATE OF ACTIVITIES SINCE COP 1

a) Parties to the Convention

The chair invited parties to briefly report on progress made in the implementation of convention related activities following COP 1. Presenting their reports in brief, it was noted that many of the countries had initiated various activities especially related to the MIA and NAP and were at different stages of implementation. It was also noted that whilst a number of the parties had ratified the convention, a few were in the process of doing so and had made great progress to that effect. It was mentioned that the MIA project afforded an opportunity for countries to identify and engage relevant stakeholders through national dialogues, meetings and workshops on mercury, raised awareness on the dangers of mercury to the general public, decision makers and especially to vulnerable populations, identified key priorities for action as part of obligations toward the convention. Others had initiated the process of development of policies and regulations to address issues such as mercury-added products, dental amalgam among others.

According to the reports, the MIA implementation revealed that some unconsidered mercury emissions sources appeared during the project implementation especially, the ones generated by the industrial gold mines due the ore roasting and smelting processes which are used during the treatment. Also, findings were made relating to issues on contaminate sites, mercury and associated cultural beliefs among pregnant women in the process of delivery as a traditional practice. The work of NGOs on awareness raising and even in some technical activities related to the inventory was highlighted.

The challenges faced by countries were also mentioned some of which include but not limited to administrative bottlenecks, lack of awareness and capacity, non existence in HS codes for some mercury added products, difficulty in obtaining data/information, the non-conformity of default emission factors with Africa domestic circumstances and the trans boundary illegal trade of mercury was all presented by delegates.

With respect to NAP activities, it was reported that while some countries have started the NAP, others were yet to begin. Some of the progress made in this regard include, the licensing and formalization of ASGM, inventory development and general overview of the ASGM sector. Challenges related to ASGM NAP development were also presented some of which are the illegal status of ASGM in some countries which makes it difficult for data collection and the credibility of data obtained. In the presentations the support from the various international agencies and funding sources in the implementation of the MIA and NAP were also mentioned.

b) Update from the Executive Secretary

The secretariat presented a brief update of activities following COP 1. It was mentioned that as at 9th October 2018, 98 countries have ratified the convention and of this number, 25 are from the African region, which according to the secretariat was quite impressive. However, some of the parties were yet to submit names of their focal points following the ratification. Such countries were requested to expedite action on the appointment of focal persons since it facilitates among other things, communication between the secretariat and the parties.

c) Status of contributions for 2018

The secretariat reported that the COP 1 called for the establishment of three trust funds namely:

- The General trust fund: - To support the general programme of work and has so far in 2018 received 2.7m USD out of over 3.9m USD approved.
- The Specific trust fund: -Established to support technical assistance, capacity building, and sponsorship for COP meetings among others. This fund as at 2018 has also received 1.8mUSD out of the 3.1 agreed and;
- The Special trust fund: - which as until 2018 received about 1.2m USD

The contributors of these funds were listed and duly acknowledged for their kind contribution and support towards the activities of the convention.

d) Secretariat of the convention

The parties were informed that the staffing requirement for the secretariat stood at 10, including 2 administrative staff. However, the process of recruitment was not finalized for five of the staff members. Meanwhile the Executive Director of UNEP has been tasked to perform the secretariat functions of the convention. It must be mentioned that the secretariat is based in Geneva.

e) Activities in cooperation with other relevant actors

The Secretariat has identified as key the need to work in close collaboration with relevant actors, both formally through various agreements and informally, some of who include the BRS, UNEP and the BCRC regional centers. This was to provide the opportunity to learn as well as utilize the experiences and expertise of these actors. Also the regional offices of UNEP provide support to the secretariat. Other relevant actors include, WHO, UNIDO, UNDP, UNITAR and IOMC.

f) Preparation for COP 2- Logistics

The secretariat noted that preparation of COP 2 in terms of logistical input were far underway. Consequently, issues relating to invitations, security, venue, organization of travel, translations, exhibition and side events had all far progressed. Parties were requested to visit the COP web site to register to participate in exhibition and side events.

On related matters it was announced for the information of the meeting that as per the financial rules, non-parties to the convention are not eligible to receive funding to participate in the COP 2. However, the secretariat has taken the initiative and requested for support from willing donors and so far, had a positive but limited response. In view of the limited nature of the funds received, for non-state parties, evidence of stage of the ratification process would be required as criteria for funding support.

Countries brought to the attention of the Secretariat that most African delegates could not participate to the end of COP1, which was the critical part of the COP where decisions were made. Their travel arrangements could not permit staying till the end. The Secretariat was requested to take this into consideration when making arrangements for COP 2.

With regard to financing the participation of countries, it was suggested that the region should start thinking of a financing mechanism that could support the participation of African countries in important meetings such as the COP.

g) Intercessional works

The following activities were reported as having taken place in preparation for COP 2.

i. Effectiveness evaluation: The full report on this work is submitted for consideration at COP 2

ii. Guidelines on interim storage: It was reported that the waste threshold document had been finalized for submission to COP 2

iii. Waste threshold: Documents relating to this item has been finalized and submitted for consideration of COP 2.

iv. Contaminated sites: The revised guidelines had been published for consideration at COP 2.

v. Open burning of waste: Submissions had been compiled for consideration at COP 2.

h) Specific International Programme (SIP) to support capacity building and technical assistance

The Secretariat reported that the SIP Governing Board was established, of which Africa is represented by Ghana as Co-Chair and Chad and it adopted its rules of procedures and project application assessment criteria. The call to the 1st round of applications for support was made. In all 19 applicants were received and 5 were approved. It was mentioned that in the African region, Lesotho and Benin were successful in their application

i) Implementation and Compliance committee

Secretariat reported that the Implementation and Compliance Committee had been established and has developed its rules of procedures to be adopted at COP2, of which Africa is represented by Madagascar, Eswatini and Sierra Leone.

j) Overview of the general structure and programme for the second meeting of the Conference of the Parties to the Minamata Convention on Mercury (COP2)

Organisation of work

The Secretariat explained the organisation of work for COP2, the provisional agenda and tentative schedule of work. The Secretariat also highlighted other matters for consideration in COP2 such as possible contact groups (effectiveness evaluation, technical matters such as waste, financial mechanism, institutional issues and budget).

i) Other important issues not reflected in the document for COP 2

These include

- The contact groups and possible Co-chairs.
- Election of officers in which case would be the consideration for 2 bureau members from Africa
- The process to review annexes A and B
- Credentials and
- Venue and date for COP 3.

4. ITEM 5 : INTRODUCTION OF THE DOCUMENTS FOR COP 2

a. COP 2 Agenda item 3 : COP.2/3 -Rules of procedure for the Conference of the Parties to the Minamata Convention on Mercury

The secretariat explained that the COP1 adopted the rules of procedures with the exception of second sentence of paragraph 1 of rule 45 and paragraph 3 of rule 45. The secretariat suggest adoption of the bracketed text.

On this issue, the Swiss Government urged the region to consider lifting the remaining brackets in the rules of procedure in order to decide on procedural issues from simple majority. This has proven to be important given the experience from the BRS conventions.

b. COP 2 Agenda item 5(a) : COP.2/4/Rev.1 -Guidance in relation to mercury releases

The secretariat reminded countries that the COP shall adopt guidance on BAT/BEP for methodologies for preparing inventories on mercury releases. The secretariat proposes that the COP defer this work until after the first reports from parties as expected by the end of 2021. However, parties are urged to submit any information as it becomes available. It was suggested that parties can make proposal at the COP 2 for issues on emissions to be discussed.

c. COP 2 Agenda item 5(b) : COP.2/5 -Guidelines on the environmentally sound interim storage of mercury other than waste mercury

The Secretariat reminded countries that the COP 2 shall adopt guidance on environmentally sound interim storage of mercury and mercury compounds, taking into account the guidance developed under the Basel Convention. The Secretariat proposes that the COP adopt the revised guidelines

d. COP 2 Agenda item 5(c) : COP.2/6 - Report on the outcome of the open-ended process on waste thresholds called for under article 11 : COP.2/INF/10

On this issue, the Secretariat proposes that the COP 2 review progress of the open ended process and decide on further action, considering the most effective modalities for determining threshold.

In a discussion, participants recommended that further work should focus on completing the Category 3 identification of wastes, and then identifying priorities and possible approaches for threshold development within Category 3. Also, the region raised the concern that the lack of facility and capacity to treat wastes is a serious challenge to be addressed by the region. It was recommended that the technical group on wastes go in depth on the questions related to mercury thresholds in accordance with the Africa regional context.

On the question as to whether or not toxicity could be used to determine thresholds, it was explained that it may be complex to develop threshold based on toxicity. However, it was agreed that there was need to establish thresholds that would be relevant to the needs of the region.

e. COP 2 Agenda item 5(d) : COP.2/7 Guidance on the management of contaminated sites

The Secretariat reminded countries that the COP shall adopt guidance on managing contaminated site that may include methods and approaches. The Secretariat proposes that the COP may wish to consider extending time for further consultations and defer its decision.

f. COP 2 Agenda item 5 (e) : COP.2/8 - Operation of the financial mechanism: Update on matters related to the Global Environment Facility Trust Fund

The convention has identified the GEF trust fund as one of the financing mechanism and GEF 7 indicatively has allocated \$206 M for mercury related activities. The COP may wish to adopt the MOU and since COP3 will review the financial mechanism, COP 2 may wish to identify the information required for such review and request the GEF and Minamata Secretariat to provide such information.

It was suggested that there should be effort to have bilateral discussions with Iran to encourage them to reconsider their opposition to the adoption of the MOU.

g. COP.2/9 - Operation of the financial mechanism: Overall report on the Specific International Programme to support capacity-building and technical assistance

The SIP has been identified as another financial mechanism, and has been established. The COP may wish to lift the brackets and like the GEF, the COP2 may wish to identify the information required for such review and request the Governing Board and Minamata Secretariat to provide such information. Countries expressed concern about the language used in the development of the guideline, which was in English only. It was explained that the concern had been noted and further development of the guideline would take into consideration translation into French and Spanish. However, the form needs to be completed in English. Countries in process of ratification requested for the need for further funding.

h. COP 2 Agenda item 5(f) : COP.2/10 - Submissions and reports received in relation to alternative technologies and technology transfer as referred to in paragraph 4 of article 14

COP.2/INF/5 - Compilation of submissions and reports received in relation to alternative technologies and technology transfer as referred to in paragraph 4 of article 14

Regarding capacity building, technical assistance and technology transfer, the COP may wish to consider the information provided and draw the attention to the alternative technologies, the existing initiatives and the activities mentioned in the submissions as well as to the needs and challenges expressed.

i. COP 2 Agenda Item 5(g) : COP.2/11 - Report of the work of the Implementation and Compliance Committee of the Minamata Convention on Mercury

The Secretariat reported that the Implementation and Compliance Committee has been established and the COP may wish to consider its report and if so decides, approve its rule of procedure.

An observer noted that the proposed rules of procedure for the ICC was in contrast with that of the COP, in that it restricts the participation of observers, and urged parties to consider reviewing the rules to conform to that of the COP.

j. COP 2 Agenda Item 5(h) : COP.2/12 - Cooperation with the World Health Organization and the International Labour Organization

COP.2/INF/17 - Guidance by the World Health Organization on the development of a public health strategy for artisanal and small-scale gold mining

Parties acknowledged the cooperation of the Secretariat with WHO, however questioned their commitment at national level as country offices did not show much involvement in mercury issues. For example, it was mentioned that to date, WHO has not yet released a guideline on Minamata disease or the information on health aspects related to mercury contamination. Other participants asked for the clarification of WHO on dental amalgam phase out since they did not attend the global workshop sponsored by UN Environment in Bangkok this year which adopted the position to move for a phase out of amalgam at a certain date. Finally, the question of coordination of WHO's activities must be addressed at the country level as well as at the international level. The COP should consider the operations of WHO national representations as an effective means of better coordinating activities to implement the Convention.

k. COP 2 Agenda item 5(i) : COP.2/13 - Report on the outline, plan and elements of the effectiveness evaluation framework

COP.2/INF/10 - Report of the ad-hoc group of experts on effectiveness evaluation

COP.2/INF/15 - Compilation of comments submitted on the draft report of the ad-hoc group of experts on effectiveness evaluation

The Secretariat explained that the COP may wish to request the ad hoc group of experts to continue its work and review its recommendations, taking into account the discussions and guidance provided by COP2 and submit a report to COP3.

Participants suggested that support is necessary for countries that have a limited capacity in developing national data for monitoring and evaluation. Furthermore, the location where the meetings are convened should take into account the accessibility of all delegates noting that at the last meeting African delegates had challenges in attending.

l. COP 2 Agenda item 5(j) :COP.2/14 - Financial rules for the Conference of the Parties to the Minamata Convention on Mercury, its subsidiary bodies and the secretariat of the Convention

The Secretariat reminded parties that the COP is to adopt and agree upon financial rules by consensus. The Secretariat proposes that the COP agrees and clear the remaining brackets. Parties were however, encouraged to pay their financial commitments to the convention.

Participant expressed the facts that at this time, Parties are not informed on the financial contribution requested from countries. Also, it will be great if the secretariat could send the invoice to countries before COP2. It was also clarified that countries with large contribution will have some flexibility in terms of payment

m. COP 2 Agenda item 5(k) : COP.2/15 - Review of the organizational arrangements of the secretariat

COP.2/INF/4 - Offer by Switzerland to host a stand-alone secretariat of the Minamata Convention on Mercury in Geneva

COP.2/INF/7 - Information requested by the Bureau on possible services that the secretariat of the Minamata Convention could purchase from or share with the secretariat of the Basel, Rotterdam and Stockholm conventions

The Government of Switzerland noted that the current document INF/7 reflect the discussions held at COP1, maintaining the offer made by the Swiss government. Despite delays in the finalization and publication of the document, it is meant to clarify Switzerland's offer to the regional delegates. It was furthermore noted that the delay of the publications inhibited the delegate's preparation for this meeting.

n. COP 2 Agenda item (5l) : COP.2/16 - Information in relation to emissions of mercury resulting from the open burning of waste

COP.2/INF/6 - Compilation of information submitted in relation to emissions of mercury resulting from the open burning of waste

COP 1 invited submission and requested the Secretariat to continue compiling information from parties and from BRS COP for consideration of the need for further work. COP2 may wish to consider the information provided and noting the limited number of submissions received, request the secretariat to continue compiling the work.

Parties commented extensively on the above issue noting that there was need for countries to show commitment on the issues of open burning of waste since its a concern for the region. The region still requires practical guidance to address harmful emissions from open burning of waste. Not only mercury is released from open burning – this practice also give rise to other harmful chemicals such as POP's and lead.

Other suggestions made include the need for a specific project to address the open burning of waste, need for studies to be conducted on the subject, and increased awareness among the populace on the dangers of open burning of waste. Concerns were also raised about the default factors used in the MIA whcih was not related to the regional circumstance. In that regard it was proposed that research should be conducted. Further support in reporting is required by the parties – need for continued

capacity building. Countries were informed that there would be a side event on open burning and were encouraged to participate.

o. COP 2 Agenda item 6 : COP.2/17 - Activities of the secretariat-COP.2/8 - Programme of work of the secretariat and budget for the period 2018-2019 : Update at the second meeting of the Conference of Parties

COP.2/INF/9 - Programme of work and budget : Detail Sheet

COP 1 approved the work and budget for 2018-2019. COP1 requested the Secretariat to provide an update on cost estimates for activities with budgetary implications not foreseen in the first programme of work. COP 2 may wish to adopt this update.

The secretariat explained the proposed budget in detail noting that savings were made in 2018 budget and suggested to be moved to support the budget in 2019. On the question as to whether or not the demand could be put into demand of the region, it was clarified that monies allocated under certain budget lines could not be moved to other activities. She mentioned areas where savings had been made to include communication and outreach, non-utilization of funds allocated for staff emoluments.

The reporting also informs parties on the distribution of funds in the various trust funds and the expenditure and status of each of the trust funds. Funds received for the General fund thus far from parties make up 72% of the contributions. The remainders of the contribution are expected by Dec 2018

5. PRESENTATIONS BY DEVELOPING PARTNERS

5.1 UNIDO and UNITAR

The above UN agencies at the meeting presented their work and involvement with the Minamata Convention. The presentation highlighted their areas of work and projects implemented and those in the pipeline. They also shared lessons learnt from other regions. Details of the presentation can be obtained in the cloud (link provided)/attached as appendix XXX.

6. WORKING GROUPS

Four working groups were formed to deliberate on proposed actions relating to draft decisions and to come up with the African position for

the COP 2. The working groups were as follows:

- Effectiveness evaluation
- Technical issue including waste
- Financial mechanism and Budget

- Institutional issues

6.1 Outcome of the working groups on Africa positions.

The outcome of the four working groups are presented below:

6.2 COP 2 Agenda Item 5(l) Working Group On Effectiveness Evaluation

Draft decision indicates that the COP may wish to request the ad hoc group of experts to continue its work and review its recommendations, taking into account the discussions and guidance provided by COP2 and submit a report to COP3.

Africa regional position:

The African group welcomed the work of the ad hoc group of experts and agree on the draft decision. However in view of the fact that the Minamata Convention does not provide for monitoring, the group notes that monitoring of mercury in Africa region/our environment is inevitable and should be integrated in the effectiveness evaluation taking into consideration the following key precursors:

- There is need to collect baseline data and update it through monitoring
- Develop/harmonise methodologies for data collection and monitoring
- Field equipment & equipping laboratories
- Build capacity in terms of skills to undertake baseline and monitoring
- Bridge the gap between research/academia and national monitoring policies
- Need to create partnerships with regional and global bodies in helping to seek ethical approval e.g. human sample

6.3 COP 2 Agenda Item 5(e) : Working Group On Budget And Financial Mechanism

The draft decision indicate that The COP may wish to adopt the MOU and since COP 3 will review the financial mechanism, COP 2 may wish to identify the information required for such review and request the GEF and Minamata Secretariat to provide such information.

Africa regional position:

(i) Global Environment Facility

The African Region acknowledges the GEF financial support for the implementation of the MIAs and NAP projects in Africa Regional and substantial increment approved for mercury project activities in GEF 7.

- We support the good cooperation between the GEF and the secretariat of the Minamata Convention on mercury. We appeal that fund allocated to the convention be used exclusively to address mercury issues and GEF ensures the implementation of the guidance.

- We support adoption of the MoU between the Conference of Parties and the GEF council and appeal for no further delay in its adoption and implementation
- We support the proposal for COP 2 to identify the information required for the review of the financial mechanism and the request for GEF, secretariat of the convention and others to provide the information required to COP 3 and we urge that no further delay.

(ii) Specific International Programme

The African Region acknowledge the good work done in the establishment of the SIP and appeal to other donors from developed countries to continue to provide financial support to the Programme so that more countries can also benefit and for the SIP to serve the purpose for which it has been established. In that respect, the Africa region supports the alternate proposal in annex I paragraph 6 to MC-1/6 regarding the SIP. We further support the proposal for membership to the SIP board made through nomination by parties.

COP 2 Agenda item 5(j) : Financial Rules

The draft decision proposes that the COP agrees and clear the remaining brackets.

Africa regional position:

The Africa region agrees on the draft decision to clear the remaining brackets as follows:

- If a payment schedule is not jointly decided or respected, the Conference of the Parties will decide on appropriate measures, taking into account the specific needs and the special circumstances of ~~{developing countries, particularly}~~ least developed countries or small island developing States
- The procedure should give ~~{priority}~~~~{special}~~ attention to least developed countries and small island developing States and thereafter aim at ensuring adequate representation of all eligible parties. It should continue to be guided by established United Nations practice.
- Based on the availability of financial resources and the number of requests received, the head of the secretariat shall prepare a list of sponsored delegates. The list shall be established in accordance with paragraphs 1 and 2 above with a view to ensuring adequate geographical representation of eligible regions, with ~~{priority}~~~~{special}~~ attention given to least developed countries and small island developing States}.

COP 2 Agenda item 6 : Programme of work and budget

COP 1 approved the work and budget for 2018-2019. COP1 requested the Secretariat to provide an update on cost estimates for activities with budgetary implications not foreseen in the first programme of work. The draft decision proposes that COP 2 may wish to adopt this update.

Africa regional position :

The Africa region support the programme of work and the update provided and urge the Secretariat to implement all of the budgeted activities on time. The region further support the movement of unspent fund to the next financial year and if possible use it to support capacity building, ratification process and participation of signatories to COP 3

6.4 Cop 2 Agenda Item 5(A): Working Group On Technical Issues, including Waste

i) Releases

The draft decision proposes that the COP defer this work until after the first reports from parties as expected by the end of 2021. However, parties are urged to submit any information as it becomes available. It was suggested that parties can make proposal at the COP 2 for issues on emissions to be discussed.

Africa regional position:

The region takes note that the number of submitted reports is not sufficient to allow sound decisions on mercury release for the region. In respect of the above, the region agrees with the proposal to defer the work and wish to suggest as follows:

- COP 2 shall provide more time to the secretariat to receive more information from countries
- COP 2 shall consider the provision of capacity-building for assessing and reporting mercury releases in the African region

COP 2 Agenda item 5(b): Environmentally sound interim storage of mercury other than waste mercury

The draft decision proposes that the COP 2 adopt the revised guidelines

Africa regional position:

The region is of the view that the guidelines are suitable and support the adoption of the revised guideline. However the region notes that the guideline lacks clear indications of financing mechanism or regional collaboration on the issue of interim storage. The region therefore suggest as follows, that;

- COP 2 shall consider options for the financing and provision of technical assistance and capacity building to allow the implementation of the guidelines
- COP 2 shall consider the opportunity of a regional approach in the implementation of the guidelines

COP 2 Agenda item 5(c) : Mercury waste, in particular consideration of relevant thresholds

The draft decision proposes that the COP review progress of the open ended process and decide on further action, considering the most effective modalities for determining threshold.

Africa regional position:

The Africa region agrees with the draft decision and takes notes of the fact that the report is complex and would require simplification. The region further suggest that COP2 shall consider developing thresholds for wastes contaminated with mercury, however no threshold shall be developed for wastes consisting of or containing mercury. The latter two categories shall be considered mercury wastes on the basis of a list of products containing mercury. Such list shall be developed referring to HS codes.

COP 2 Agenda item 5(d): Guidance on the management of contaminated sites

The draft decision proposes that the COP may wish to consider extending time for further consultations and defer its decision.

Africa regional position:

The Africa region agrees with the proposed draft decision and would like to draw the attention of the COP on the following:

- The need for technical assistance and capacity-building to allow the identification of contaminated sites as well as to conduct the risk assessment
- The need to simplify the guidance on the management of contaminated sites

COP 2 Agenda item 5(f): Capacity-building, technical assistance and technology transfer

The draft decision proposes that COP may wish to consider the information provided and draw the attention to the alternative technologies, the existing initiatives and the activities mentioned in the submissions as well as to the needs and challenges expressed.

COP 2 Agenda item 5(l): Emissions of mercury resulting from the open burning of waste

The draft decision proposes that COP2 may wish to consider the information provided and noting the limited number of submissions received, request the secretariat to continue compiling the work.

Africa regional position:

The Africa region agrees with the proposed draft decision and acknowledges that open burning is a problem throughout Africa and therefore suggest that :

- There is a need for a tool to determine the problem of open-burning as well as a tool to separate mercury from waste and to develop guidelines on the separation of mercury from waste.
- There is also a need for technical and financial assistance in order to build proper landfill sites and incinerators to avoid the problem of open burning, as well as for technical and financial assistance to measure emissions from the open burning of waste.
- Cooperation between local authorities, Government, civil society and industry is required to address the issue of open burning.
- Awareness-raising activities for local communities is required.

6.5 Cop2 Agenda Item 3: Working Group On Institutional Issues

i) Rules of procedure for the Conference of the Parties

The draft decision suggest adoption of the bracketed text.

Africa regional position:

Annex 3:

Rule 45(1) – lift the brackets

Rule 45(2) – maintain

Rule 45(3) – adopt sections without brackets i.e. *‘If the question arises of whether a matter is of a procedural or a substantive nature, this matter shall be considered as a matter of substance and the President’s ruling shall stand unless overruled by a majority of the parties present and voting’*

Rule 45(4) – maintain

COP 2 Agenda item 5(g): Implementation and Compliance Committee

The draft decision proposes that COP may wish to consider its report and if so decides, approve its rule of procedure.

Africa regional position:

Rule 11 of the ICC i.e. Invitation of observers to meetings

- Deliberation on Rules 7 of the ICC vs. 11 (COP)
- Thus, adoption of proposal by the ICC is preferred

COP 2 Agenda item 5(k): Secretariat

Africa regional position:

The Africa region support and adopt the Bureau's decision that the secretariat must be a standalone one, however with a link between MC and BRS. The secretariat should share and or source services from the BRS where applicable/possible and works through cooperation and creating synergy on problematic issues

COP 2 Agenda Item 5(h): Cooperation with WHO and ILO

Africa regional position:

The Africa region acknowledges the important role of the ILO and WHO and supports detailed and comprehensive collaboration and cooperation with the two bodies. The region further wishes to suggest the following:

- Interaction between focal points in Ministry of Health vs. Ministry of Environment
- Availing human and financial resources
- Secretariat should make follow-up / contacts on WHO workshop on issues relating to the MC
- Continue effort in reaching out, discuss involvement ILO in respect of issues of vulnerable groups in area of ASGM

Following the presentations from the working groups, some comments were on some of the issues raised in the presentations. The group leaders were tasked to note the comments and revise their presentations to reflect same for final submission.

6.6 Way forward on submission of final draft on African positions by the contact groups

The meeting subsequently agreed on the way forward for submission of the final outcome of the group work as follows:

- i. **The expert will provide a draft Africa Group statement for member's comments by 15/10/2018**
- ii. **Comments by the Group on INF/8 will be sent to the chair by 19/10/2018**
- iii. **The chair will share a consolidated Africa's comments on INF/8 by 26/10/2018**
- iv. **The expert will update and circulate the draft statement based on submitted comments by 2/11/2018**
- v. **Final comments by group members to be sent to the expert by 7/11/2018**
- vi. **Expert will circulate final statement by 9/11/18**
- vii. **Chair of each group submit the outcome of the work to the vice-presidents by 11/11/18**

7. AGENDA ITEM 6: WAY FORWARD

The secretariat summarized all logistical issues in connection with the participation in COP 2. Countries were also informed that late registration of participants both funded and self-funded may be allowed. However these should be done as early as practicable.

8. AGENDA ITEM 7: PRESENTATION BY UNEP AND UNDP

The above UN Agencies presented their work and involvement with the Minamata Convention. The presentations focused on their areas of work and projects implemented to date. They also shared some lessons learnt and future projects. Details of the presentation can be obtained in the cloud (link provided)/ attached as appendix XXXXX.

9. AGENDA ITEM 8

It was proposed to defer discussions on agenda item 8 to the workshop on the Basel, Rotterdam, Stockholm and SAICM information session.

10. AGENDA ITEM 9: OTHER MATTERS

The Co-chair announced the end of their tenure of office and encouraged parties to start thinking of nominations for their replacement. He indicated that a representative each from the Anglophone and Francophone countries would be required.

The issue relating to dental amalgam was extensively debated upon following the suggestion submitted by a state party. The meeting agreed on the proposal to prepare and submit a CRP on dental amalgam for possible discussion and consideration at COP3. Other issue of critical concern raised, which necessitates the development of a CRP, includes the matter on the HS codes. The suggested CRPs were widely supported by countries.

11. CLOSURE OF MEETING

The 2-day meeting was brought to a close following concluding remarks submitted from the following dignitaries present:

- The Executive Secretary of the Minamata Convention
- The Switzerland Ambassador and Representative of Switzerland to the East African Community
- The Executive Director of the African Institute
- The Vice co-chair
- The Director of operation of ZEMA
- The Co-Chair

In all their closing submissions the speakers thanked the Donors of the workshop, organizers, the host country Zambia, ZEMA and the participants for their participation and contributions that enabled the meeting to arrive at a successful end.

