

IPEN Intervention Article 10 atmospheric mercury emissions

Olga Speranskaya

Thank you Mr. Chair

IPEN agrees with the draft elements paper that obligations to require and promote the use of best available techniques (BAT) should be at the center of Convention measures aimed at addressing atmospheric mercury emission sources.

We agree that it would be too complicated to attempt to incorporate detailed BAT Guidelines into the Convention text itself, and that therefore the preparation of detailed BAT Guidelines will need to go to an expert group with final adoption by the Conference of the Parties (COP).

However, there presently exists no internationally accepted definition of what the term “best available techniques” means as applied to the control of mercury releases. In addition, the development of BAT guidelines should be undertaken through the whole life cycle for existing as well as new facilities. Article 10.4 will therefore need to be amended to define BAT through the whole life cycle for both new and existing facilities.

It will also need to be amended to include a clear statement of the objectives, guiding principles and policy framework that its BAT Guidelines should incorporate. IPEN encourages living Guidelines, ones that have flexibility to include new techniques as they are developed as well as including additional sources as they are identified. For both new and existing sources, BAT must include monitoring and reporting requirements. Advanced monitoring techniques exist that would allow for verification of emissions, reductions and efficacy of control technology. Future decisions by the COP could then be based on reports and require activities as warranted by the information provided.

The proposed text of these amendments should be worked out in a contact group at the INC and should be sufficient to provide clear guidance to the expert group in order to help ensure that the BAT Guidelines the expert group prepares will be adequate to achieve actual reductions in mercury emissions and releases.

When we discuss article 11 IPEN has comments on giving equal importance to air emissions and mercury releases to water and land.

IPEN also proposes amending Article 10.5 to remove the two tier approach in which a relatively small number of (large, highly industrial) Parties with “significant aggregate mercury emissions” will be subject to detailed compliance obligations while other Parties will not be required to develop and implement national action plans aimed at addressing the Article 10 sources. The article should be amended to require each Party to adopt a national goal for reducing and eliminating its atmospheric mercury emissions and releases; to develop a national plan to reduce and where feasible, eliminate these emissions; and then to implement its plan.

The two tier approach suggests that possibly only a relatively small number of countries will receive significant support from the financial mechanism to address their Annex 10 sources. For other countries, national efforts to address these sources may be largely voluntary and unsupported. IPEN is concerned that this approach will not achieve its intended objective. We believe that if the Convention is to be successful, it will need to stimulate full participation from all interested governments in all regions.

Thank you.