



Government of Nepal
**Ministry of Science, Technology and
Environment**

Ref:

Letter No:

January 9, 2013

Comments/Suggestions from Mr. Govinda Prasad Kharel, Under Secretary (Senior Divisional Engineer) on behalf of Government of Nepal to Intergovernmental Negotiating Committee Meeting for Global Legally Binding Instrument on Mercury held at the Geneva International Conference Centre (CICG) from January 13 – 18, 2013 in Geneva (UNEP - DTIE/Hg/INC5)

A highly appreciative draft text prepared by INC Chair Mr. Fernando Lugris and his team which has comprehensive and rational dimensions to be a great convention as a Global Legally Binding Instrument on Mercury. Government of Nepal has an honour to express its gratitude to the UNEP and Secretariat for preparing official documents in order to facilitate negotiations at INC5 and series of previous INC1 to INC4.

Government of Nepal realized that the Chair's text has fundamental base for discussion to reach the common consensus at INC5 including other supplemental documents supported at the intercessional work by the Secretariat. This meeting concludes the negotiation at INC5 prior to the twenty-seventh session of the UNEP Governing Council in February this year. Government of Nepal expresses its best of compliments and commitment to participate at INC5 giving higher value to get desired achievement. However, there will be a common consensus among different views and issues raised.

A significant landmark towards safeguarding human health, animal species, plant species, biodiversity and environment from the impacts of hazardous mercury would be the great contribution to the world.

Government of Nepal has the honour to express its sincere gratitude to Government of Switzerland to host the weeklong beautiful and landmark meeting to create a new history on mercury free world.

Concurrently, Government of Nepal is thankful to UNEP, Division of Technology, Industry and Economics (DTIE), different regional views for their tireless effort to make this event fruitful.

1. Definition of following words should be included in the instrument.

Mercury

Mercury Compounds

Mercury contained Substances

Mercury Release

Official Address
Singh Durbar, Kathmandu
Nepal

Official Telephone
+977 1 4211641/4211743/4211737
+977 1 4211996/4211586/4211585
+977 1 4211598/4211663
Fax: +977 1 4211954

Website: www.moste.gov.np
email: info@moste.gov.np



Government of Nepal
**Ministry of Science, Technology and
Environment**

Ref:

Letter No:

Mercury Emission

Environment

Human Health

Biodiversity

Animal Species

Plant Species

2. Preamble

Having hazardous nature of mercury (mercury compounds, mercury contained substances) and its release to land surface, water and effluent, and mercury emission to air have tremendous effects to human health, plant & animal species environment, biodiversity and environment.

Thus, preamble should contain also specifically **human health, plant & animal species, biodiversity, and environment** instead of “environment” only.

Environment has a generic, broad and wider meaning and preamble should specify above mentioned specific **human health, plant & animal species, biodiversity, and environment**.

3. Article 1: Objectives

Objective must reveal the common interests to protect human health, animal species, plant species, biodiversity, and environment in consistent with the preamble.

4. Article 6: Mercury-added Products, Annex C and Article 8: Exemptions available to a Party upon request

Backlight, screen light, display light in PCs and LCDs should be listed in Annex C and description about compact fluorescent lamps (CFLs), Linear fluorescent lamps (LFLs) for general lighting purposes in Annex C should be explained.

Strong religious beliefs have been prevailing since many millenniums to use mercury contained substances for religious purposes should also be excluded and exempted.

Official Address
Singh Durbar, Kathmandu
Nepal

Official Telephone
+977 1 4211641/4211743/4211737
+977 1 4211996/4211586/4211585
+977 1 4211598/4211663
Fax: +977 1 4211954

Website: www.moste.gov.np
email: info@moste.gov.np



Government of Nepal
**Ministry of Science, Technology and
Environment**

Ref:

Letter No:



Figure – 1: Symbolic and sculptures have been made of mercury contained substances

Symbolic idols and sculptures have been made of mercury contained substances and kept at home by many people for religious activities.

5. Storage, Waste, Contaminated Sites (Articles 12, 13 and 14)

Permanent type storage should be included in Article 13 for disposing the mercury waste. Environment Management System (EMS) must be binding either for disposing or for storage of mercury waste.

6. Flexibility of Instrument (Related to Article 12)

A flexible dimension having both mandatory and optional approaches could be allowed by the instruments for implementing Article 12.

7. Emissions and releases (Articles 10 and 11 and Annexes F and G)

Better option for keeping emission and release in single and separate article with more flexibility in the control of emission and releases because each party has their own implementing plan and specific standards in accordance with sources, manufacturing processes, products, and waste discharges including other activities that may increase emission and releases.

In Annex F, unit for the coal-fired industrial boiler should be either in kg or metric ton of steam per hour.

For the control measures, If developing parties are concerned, option two (**Emission and release must be in separate Article**) is preferable because of its flexibility. Parties can give priorities in their national

Official Address
Singh Durbar, Kathmandu
Nepal

Official Telephone
+977 1 4211641/4211743/4211737
+977 1 4211996/4211586/4211585
+977 1 4211598/4211663
Fax: +977 1 4211954

Website: www.moste.gov.np
email: info@moste.gov.np



Government of Nepal
**Ministry of Science, Technology and
Environment**

Ref:

Letter No:

implementation plan. However, parties may seek the compromise too.

8. Financial resources and technical and implementation assistance (Articles 15, 16, 17 and 16 bis, 8 bis)

LDC, SIDS are liable to get technical knowhow, skills and other mercury related technology, technical cooperation and technology transfer for ensuring instrument to be implemented.

Technology, Technical Cooperation and Technology Transfer elements should be included in the text.

Financial resources for developing countries require ratifying the mercury instrument and a mechanism for its implementation after ratification.

Technology, Technical Cooperation and Technology Transfer including capacity building should be assessed by expert mission sent by UNEP or UNIDO and prepare the requiring report. In accordance with the report, LDC and SIDS get the Technology, Technical Cooperation and Technology Transfer support to use BAT/BEP.

9. Article 17: [Implementation] [Compliance] [Implementation and compliance] committee

An Implementation Committee would be better and let the COP decide Committee and its responsibility.

10. Article 21: Implementation Plans

A simplified National Implementation Plan (NIP) should be developed in accordance with their mercury sources and emission concerned. However, a kind of NIP template should be designed by UNEP.

11. Article 20 bis: Health aspect

This article should contain occupational safety and health

12. Generic Standard of Mercury Discharge into inland surface water and Public Sewers in Nepal

Tolerance Limits for Industrial Effluents to be discharged into Inland Surface Waters, Tolerance Limits for Industrial Effluents to be discharged into Public Sewers, Tolerance Limits for Wastewater to be discharged

Official Address
Singh Durbar, Kathmandu
Nepal

Official Telephone
+977 1 4211641/4211743/4211737
+977 1 4211996/4211586/4211585
+977 1 4211598/4211663
Fax: +977 1 4211954

Website: www.moste.gov.np
email: info@moste.gov.np



Government of Nepal
**Ministry of Science, Technology and
Environment**

Ref:

Letter No:

into Inland Surface Waters from Combined Wastewater Treatment Plant have stipulated the mercury discharge limit is 0.01 mg/L max.

13. Significant Issue

The Government of Nepal supports and accepts the mercury instrument adopted as Minamata Convention going to be held at diplomatic conference in Japan this year.

Thanking You.

Govinda Prasad Kharel (Mr)
Under Secretary (Senior Divisional Engineer)
Ministry of Science, Technology and Environment
+977 1 4211743

Official Address
Singh Durbar, Kathmandu
Nepal

Official Telephone
+977 1 4211641/4211743/4211737
+977 1 4211996/4211586/4211585
+977 1 4211598/4211663
Fax: +977 1 4211954

Website: www.moste.gov.np
email: info@moste.gov.np