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**Intergovernmental negotiating committee
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on mercury
Seventh session**

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Item 3 (a) of the provisional agenda*

**Work to prepare for the entry into force of the Minamata
Convention on Mercury and for the first meeting of the
Conference of the Parties to the Convention: items
necessary for the effective implementation of the
Convention upon its entry into force**

**Draft guidance to assist parties in completing the forms
required under article 3**

Note by the secretariat

1. Paragraph 6 of article 3 of the Minamata Convention on Mercury provides that the export of mercury may only be allowed if written consent has been provided by the importing party or non-party to the exporting party and only for the purpose of a use allowed to the importing party under the Convention or for environmentally sound interim storage as set out in article 10 of the Convention. An importing non-party must include in its written consent certification demonstrating the above and that it has measures in place to ensure the protection of human health and the environment and to ensure its compliance with the provisions of Articles 10 and 11 of the Convention. The consent required by paragraph 6 may be given to the exporting party on a shipment-by-shipment basis or, in accordance with paragraph 7 of article 3, the exporting party may rely on a general notification to the secretariat by the importing party or non-party. Paragraph 7 requires the secretariat to keep a public register of all such general notifications.
2. Paragraph 8 of article 3 specifies that a party shall not allow the import of mercury from a non-party unless the non-party has provided certification that the mercury is not from sources identified as not allowed under paragraph 3 or paragraph 5 (b) of article 3.
3. Paragraph 9 of article 3 specifies that a party that submits a general notification of consent under paragraph 7 may decide not to apply paragraph 8, provided that it maintains comprehensive restrictions on the export of mercury and has domestic measures in place to ensure that imported mercury is managed in an environmentally sound manner. Such a party must provide a notification of any such decision to the secretariat, including information describing its export restrictions and domestic regulatory measures, as well as information on the quantities and countries of origin of mercury imported from non-parties. The secretariat must maintain a public register of all such notifications.

* UNEP (DTIE)/Hg/INC.7/1.

4. At its sixth session, the intergovernmental negotiating committee considered forms that could be used to communicate the information required under article 3, adopting four forms on a provisional basis pending possible adoption by the Conference of the Parties at its first meeting. The first two forms are for the provision of written consent to import mercury, to be completed by parties and non-parties, the third form is for certification by an exporting non-party on the source of mercury to be exported to a party, and the fourth form is the general notification of consent to import mercury. The committee also adopted on a provisional basis the format for the notifications to be supplied by parties choosing not to apply paragraph 8 of article 3 of the Convention, as well as for the structure of the registry of general notifications of consent.

5. In addition, the committee requested the secretariat to prepare, for consideration by the committee at its seventh session, the first section of draft guidance on article 3, which would assist parties in completing the forms required under article 3, with such guidance to include the following elements:

- (a) Clarification of the scope of article 3, i.e., what is not covered, namely, mercury wastes (article 11) and products (article 4);
- (b) Which forms should be used in which circumstances;
- (c) Clarification of the information to be provided in each section;
- (d) Role of the registers and how to use them;
- (e) Where to obtain the forms;
- (f) How to transmit the forms.

6. The secretariat has prepared such draft guidance, which is set out in the annex to the present note. The committee may wish to consider the draft guidance and adopt it on a provisional basis pending formal adoption by the Conference of the Parties at its first meeting.

7. The committee at its sixth session also requested the secretariat to prepare, for consideration by the committee at its seventh session, the second section of draft guidance on article 3, covering the identification of individual stocks of mercury or mercury compounds exceeding 50 metric tonnes, as well as sources of mercury supply generating stocks exceeding 10 metric tonnes per year, pursuant to paragraph 5 (a) of article 3. Such draft guidance is presented in document UNEP(DTIE)/Hg/INC.7/4.

Annex: Guidance on completing the forms required under article 3

A. Background

1. The present guidance has been developed to assist parties with regard to the forms required under article 3 of the Minamata Convention and the registers to be maintained by the secretariat in accordance with paragraphs 7 and 9 of article 3. It seeks to clarify the following matters:

- (a) Scope of article 3, i.e., what is not covered, namely, mercury wastes (article 11) and products (article 4);
- (b) Which forms should be used in which circumstances;
- (c) Information to be provided in each section of the forms;
- (d) Role of the registers and how to use them;
- (e) Where to obtain the forms;
- (f) How to transmit the forms.

B. Clarification of the scope of article 3, i.e., what is not covered

2. Article 3 of the Convention sets out the obligations of parties with regard to mercury supply sources and trade. Paragraph 1 of article 3 states:

“For the purposes of this Article:

- (a) References to ‘mercury’ include mixtures of mercury with other substances, including alloys of mercury, with a mercury concentration of at least 95 per cent by weight; and
- (b) ‘Mercury compounds’ means mercury (I) chloride (known also as calomel), mercury (II) oxide, mercury (II) sulphate, mercury (II) nitrate, cinnabar and mercury sulphide.”

3. Paragraph 2 of article 3 states that the provisions of the article “shall not apply to:

- (a) Quantities of mercury or mercury compounds to be used for laboratory-scale research or as a reference standard; or
- (b) Naturally occurring trace quantities of mercury or mercury compounds present in such products as non-mercury metals, ores, or mineral products, including coal, or products derived from these materials, and unintentional trace quantities in chemical products; or
- (c) Mercury-added products.”

4. In addition to these specific exclusions, article 11 of the Convention, on mercury wastes, includes provisions relating to the transport of mercury wastes across international boundaries. The effect of the provisions of article 11 is that the export and import of mercury wastes is not specifically covered under article 3.

C. Which forms should be used in which circumstances

5. This guidance addresses the following forms:

- (a) Form for the provision of written consent by a party to the import of mercury (Form A);
- (b) Form for the provision of written consent by a non-party to the import of mercury (Form B);
- (c) Form for non-party certification of the source of mercury to be exported to a party (Form C) (to be used in conjunction with form A or form D, when required);
- (d) Form for general notification of consent to import mercury (Form D);
- (e) Notification for the register of information supplied by parties choosing not to apply paragraph 8 of article 3 of the Minamata Convention on Mercury (referred to as “Form E” in the present guidance).

6. Form A is to be completed by a party that consents to the import of mercury either from a party or from a non-party as set out in paragraphs 6 (a) and 8 of article 3. Under paragraph 6 (a) of article 3, each party “shall not allow the export of mercury except” to an importing party that has provided its written consent and only for a use allowed to the importing party under the Convention or for

environmentally sound interim storage as set out in article 10. Under paragraph 8 of article 3, each party “shall not allow the import of mercury from a non-party to whom it will provide its written consent unless the non-party has provided certification that the mercury is not from sources identified as not allowed under paragraph 3 or paragraph 5 (b)” of article 3. In both of these circumstances, form A may be used to provide the written consent for the importation of mercury. Form A is not required by the Convention in cases where the importing party has provided a general notification of consent in accordance with paragraph 7 of article 3.

7. Form B is to be used by a non-party to provide to the exporting party its written consent to the import of mercury, as set out in paragraph 6 (b) of article 3. The form must be accompanied by additional information including certification demonstrating that the non-party has measures in place to ensure the protection of human health and the environment and to ensure its compliance with the provisions of articles 10 and 11, as well as certification demonstrating that such mercury will be used only for a use allowed¹ to a party under the Convention or for environmentally sound storage as set out in article 10 of the Convention.

8. Form C is to be used by a non-party from which mercury is to be exported to a party to certify that the mercury is not from sources identified as not allowed under paragraph 3 or paragraph 5 (b) of article 3 of the Convention. Paragraph 3 refers to mercury sourced from primary mercury mining and paragraph 5 (b) refers to measures to be taken by a party when it determines that excess mercury from the decommissioning of chlor-alkali facilities is available to ensure that such mercury is disposed of in accordance with the guidelines for environmentally sound management referred to in paragraph 3 (a) of article 11, using operations that do not lead to recovery, recycling, reclamation, direct reuse or alternative uses.

9. Form D is to be used by importing parties or non-parties who prefer, in accordance with paragraph 7 of article 3, to provide a general notification to the secretariat in lieu of the written consent to the exporting party required under paragraph 6 of article 3. The general notification must set out any terms and conditions under which the importing party or non-party provides its consent and may be revoked at any time by the party or non-party submitting it. The secretariat is to keep a public register of all such notifications.

10. Form E is to be used in the case where a party chooses to apply paragraph 9 of article 3. This occurs when an importing party that has submitted a general notification of consent under paragraph 7 of article 3 decides not to apply the requirement set out in paragraph 8 of article 3 that a non-party exporting mercury to the importing party provide certification that the mercury to be exported is not from sources identified as not allowed under paragraph 3 or paragraph 5 (b) of article 3. An importing party may only invoke the provisions of paragraph 9 of article 3 if it maintains comprehensive restrictions on the export of mercury and has domestic measures in place to ensure that imported mercury is managed in an environmentally sound manner. Form E is the notification by which the importing party informs the secretariat that it is acting in accordance with paragraph 9 of article 3. The secretariat is to maintain all such notifications in a public register.

D. Clarification of the information to be provided in each section

11. The forms have been laid out to be, as far as possible, self-explanatory in terms of the information to be supplied in each section; they also provide guidance regarding the information to be provided. The forms are set out in appendices A–E of the present guidance. The guidance is presented in a format that is intended to facilitate the completion of electronic and online versions of forms A–E.

E. Role of the registers and how to use them

12. Two registers are established under article 3. The first is the public register of all general notifications submitted to the secretariat by importing parties or non-parties as the written consent required by paragraph 6 of article 3. The second is the public register of notifications provided by parties who, having submitted general notifications of consent under paragraph 7 of article 3, have decided not to apply paragraph 8 of the article.

13. The register of general notifications is made publically available by the secretariat to allow exporting parties to consult it prior to initiating exports of mercury. It will also allow an exporting party to determine any terms and conditions that an importing party or non-party applies in granting its

¹ Paragraph (k) of article 2 of the Convention defines “use allowed” as “any use by a Party of mercury or mercury compounds consistent with this Convention, including, but not limited to, uses consistent with Articles 3, 4, 5, 6 and 7.”

consent to import. As the notification serves as the written consent required by paragraph 6 of article 3, the inclusion of a party or non-party on the register means that the exporting party need not seek separate written consent for a specific import and may instead rely on the general consent indicated in the register, subject to any terms and conditions set by the importing country.

14. The register of notifications by parties that have decided not to apply paragraph 8 may be consulted by a non-party wishing to export mercury to parties to determine whether they need to prepare the certification, otherwise required by paragraph 8, that the mercury to be exported is not from sources identified as not allowed under paragraph 3 or paragraph 5 (b) of article 3. In addition, as the Implementation and Compliance Committee is to review and evaluate any such notifications and supporting information in accordance with article 15, as set out in paragraph 9 of article 3 of the Convention, the Committee will need to consult the register for that purpose.

F. Where to obtain the forms

15. The forms are available on the Minamata Convention website (www.mercuryconvention.org). In addition, copies of the forms will be sent electronically to all parties through the national focal points designated under article 17 of the Convention. Should the forms be amended or updated, the new forms will also be provided to the national focal points. They will also be available upon request to the secretariat.

G. How to transmit the forms

16. The forms providing consent to import (Forms A and B), and the form providing non-party certification of the sources of mercury to be exported to a party (Form C) are to be transmitted directly between parties, using the contact information of the concerned parties' national focal points. It is recommended that the parties concerned provide the secretariat with copies of these forms; there is no requirement in the Convention, however, that they do so or that the secretariat be informed that the forms have been transmitted.

17. The form for providing general notification of consent to the import of mercury (Form D) and the form for notification for the register of information supplied by parties choosing not to apply paragraph 8 of article 3 of the Convention (Form E) must be provided to the secretariat, which will then include the information contained in the forms in the registers required by paragraphs 7 and 9 of article 3.

Appendix A

FORM A

Form for the provision of written consent by a party to the import of mercury

(This form is not required by the Convention in cases where the importing party has provided a general notification of consent in accordance with article 3, paragraph 7)

Section A: Contact information to be provided by the importing party

Name of party:

Name of designated national focal point:

Address:

Tel:

Fax:

Email:

Guidance

The contact point should be the national focal point designated under article 17 on information exchange. This article, in its paragraph 4, obligates each party to designate a national focal point for the exchange of information under the Convention, including with regard to the consent of importing parties under article 3. It is anticipated that each party will have notified the secretariat of the nomination of its national focal point prior to the Convention's entry into force; in the case of a party that has not nominated such a focal point, the secretariat will confirm the appropriate focal point as soon as practicable. Pending such notification it is recommended that communications with any such party be effected through its ministry foreign affairs, for instance through its permanent mission to the United Nations in Geneva.

Section B: Contact information to be provided by the exporting party or non-party

Name of party or non-party:

Name of designated national focal point or responsible government official:

Address:

Tel:

Fax:

Email:

Guidance

For a party, the contact point should be the national focal point designated under article 17 on information exchange. This article, in its paragraph 4, obligates each party to designate a national focal point for the exchange of information under the Convention, including with regard to the consent of importing parties under article 3. It is anticipated that each party will have notified the secretariat of the nomination of its national focal point prior to the Convention's entry into force; in the case of a party that has not nominated such a focal point, the secretariat will confirm the appropriate focal point as soon as practicable. Pending such notification it is recommended that communications with any such party be effected through its ministry for foreign affairs, for instance through its permanent mission to the United Nations in Geneva. In the case of non-parties, it is their responsibility to determine who their responsible government officials will be.

Section C: Shipment information to be provided by the exporting country

Please indicate the approximate total quantity of mercury to be shipped:

Please indicate the approximate date of shipment:

Please indicate if the mercury is from primary mercury mining:

Please indicate if the mercury has been determined by the exporting party to be excess mercury from the decommissioning of chlor-alkali facilities:

(If the exporting country is a non-party, the importing party shall also request that Form C be completed)

Guidance

Information regarding the approximate total quantity of mercury to be shipped allows the importing country to make an informed decision about any shipment to which it is consenting, while the approximate date of shipping assists in any effort to track the shipment that the country may wish to undertake.

If the mercury is sourced from primary mercury mining it may not be used for artisanal and small-scale gold mining but it may be used for the manufacturing of mercury-added products in accordance with article 4 or in manufacturing processes in accordance with article 5. It may also be disposed of in accordance with article 11 using operations that do not lead to recovery, recycling, reclamation, direct reuse or alternative uses.

If the mercury has been determined by the exporting party to be excess mercury from the decommissioning of chlor-alkali facilities the party is to take measures to ensure that it is disposed of in accordance with the guidelines for environmentally sound management referred to in paragraph 3 (a) of article 11, using operations that do not lead to recovery, recycling, reclamation, direct reuse or alternative uses. When the exporting country is a non-party, the importing party shall not allow shipment where the mercury originates from one of these two sources.

Section D: Information to be provided by the importing party

What is the purpose of the import of the mercury? Please select YES or NO:

- i. Environmentally sound interim storage in accordance with Article 10:
YES NO

If yes, please specify the intended use if known.

- ii. Use allowed to a party under the Convention: YES NO
If yes please specify additional details about the intended use of the mercury.

Guidance

This information is to state the purpose of the import of mercury, in accordance with paragraph 6 (a) of article 3. An indication is to be given as to whether the imported mercury is intended for environmentally sound interim storage in accordance with article 10 or whether it is intended for a use allowed to a party under the convention. If the mercury is intended for interim storage, information on the intended use, if known, is to be provided. If the response to these questions is 'yes', then the importing party is asked to provide further details on the intended use. Please note that the source of the mercury may restrict the use allowed for the mercury under paragraph 4 and paragraph 5 (b) of article 3.

Section E: Shipping information, as appropriate

Importer

Name of business:

Address:

Tel:

Fax:

E-mail:

Exporter

Name of business:

Address:

Tel:

Fax:

E-mail:

Guidance

Shipping information should include details of both the importer and the exporter, including the name of the business, address, telephone, fax and e-mail contact information. This provides information to the focal point or responsible government official as to who may be contacted should there be any queries in relation to any shipment and also allows follow-up at the national level with regard to the shipment.

Section F: Indication of consent by the importing party

Has consent been granted? Please select GRANTED or DENIED:

GRANTED

DENIED

Please use the space below to indicate any conditions, additional details or relevant information.

Signature of importing party designated national focal point and date

Name:

Title:

Signature:

Date:

Guidance

This should be the national focal point as indicated in section A of this form.

Appendix B

FORM B

Form for the provision of written consent by a non-party to the import of mercury
(This form is not required by the Convention in cases where the importing non-party has provided a general notification of consent in accordance with Article 3, paragraph 7)

Section A: Contact information to be provided by the party to the Convention

Name of party:

Name of designated national focal point:

Address:

Tel:

Fax:

E-mail:

Guidance

The contact point should be the national focal point designated under article 17 on information exchange. This article, in its paragraph 4, obligates each party to designate a national focal point for the exchange of information under the Convention, including with regard to the consent of importing parties under article 3. It is anticipated that each party will have notified the secretariat of the nomination of its national focal point prior to the Convention's entry into force; in the case of a Party that has not nominated such a focal point, the secretariat will confirm the appropriate focal point as soon as practicable. Pending such notification it is recommended that communication with the party be effected through its ministry for foreign affairs, for instance through its permanent mission to the United Nations in Geneva.

Section B: Contact information to be provided by the non-party

Name of country:

Name and agency of government official:

Address:

Tel:

Fax:

Email:

Guidance

In the case of non-parties, it is the responsibility of each non-party to determine who its responsible government official will be.

Section C: Shipment information to be provided by the exporting Party

Please indicate the approximate total quantity of mercury to be shipped:

Please indicate the approximate date of shipment:

Please indicate if the mercury is from primary mercury mining:

Please indicate if the mercury has been determined by the exporting party to be excess mercury from the decommissioning of chlor-alkali facilities:

Guidance

Information regarding the approximate total quantity of mercury to be shipped allows the importing country to make an informed decision about any shipment to which they are consenting, while the approximate date of shipping assists in any effort to track the shipment that the country may wish to undertake.

If the mercury is sourced from primary mercury mining it may not be used for artisanal and small-scale gold mining, but it may be used for the manufacturing of mercury-added products in accordance with article 4 or in manufacturing processes in accordance with article 5. It may also be disposed of in accordance with article 11, using operations that do not lead to recovery, recycling, reclamation, direct reuse or alternative uses.

If the mercury has been determined by the exporting party to be excess mercury from the decommissioning of chlor-alkali facilities, the party must take measures to ensure that it is disposed of in accordance with the guidelines for environmentally sound management referred to in paragraph 3 (a) of article 11, using operations that do not lead to recovery, recycling, reclamation, direct reuse or alternative uses. When the exporting country is a non-party, the importing party shall not allow shipment where the mercury originates from one of these two sources unless it has applied paragraph 9 of article 3.

Section D: Certification and information to be provided by an importing non-party

Article 3, paragraph 6 (b) (i), requires certification by an importing non-party that it has measures in place to ensure the protection of human health and the environment and to ensure compliance with articles 10 and 11 of the Convention.

Does your country have such measures in place? Please select YES or NO.

YES NO

If yes, please provide appropriate documentation demonstrating such measures. Such documentation may include procedures, legislation, regulations or other measures at the national level and shall provide sufficient detail to demonstrate the effectiveness of such measures.

In addition, mercury may only be exported by a party to a non-party for a use allowed to a party under the Convention or for environmentally sound storage, as set out in Article 10 of the Convention.

What is the purpose of the import of the mercury? Please select YES or NO:

- i. *Environmentally sound interim storage in accordance with Article 10:*

YES NO

If yes, please specify the intended use if known.

- ii. *Use allowed to a Party under the Convention:*

YES NO

If yes please specify additional details about the intended use of the mercury.

Guidance

The information to be provided by the importing non-party on the use of the mercury to be imported is specified in paragraph 6 (b) of article 3. The first question above relates to paragraph 6 (b) (i), which requires an importing non-Party to provide certification that it has measures in place to ensure the protection of human health and the environment and to ensure compliance with articles 10 and 11 of the Convention. If such measures, including legislation, regulations or other measures, are in place, the non-party is required to provide appropriate documentation demonstrating that such is the case. The documentation should provide sufficient details to demonstrate the effectiveness of the measures.

The second question above seeks information as to the purpose of the import of mercury, in accordance with paragraph 6 (b) (ii) of article 3, i.e., whether it is intended for environmentally sound interim storage in accordance with article 10 or whether it is intended for a use allowed to a party under the convention. If the response is yes then the importing party is asked to provide further details on the intended use. Please note that whether the intended use of the mercury is a “use allowed to a Party under the Convention” may depend on the source of the mercury, as indicated under section C of form A.

Section E: Shipping information, as appropriate

Importer

Name of business:

Address:

Tel:

Fax:

Email:

Exporter

Name of business:

Address:

Tel:

Fax:

Email:

Guidance

Shipping information should include details of both the importer and the exporter, including the name of the business, address, telephone, fax and e-mail contact information. This provides information to the focal point or responsible government official as to who may be contacted should there be any queries in relation to the shipment, and also allows follow-up at the national level with regard to the shipment.

Section F: Indication of consent by the importing non-party

Has consent been granted? Please select GRANTED or DENIED:

GRANTED

DENIED

Please use the space below to indicate any conditions, additional details or relevant information.

Signature of importing non-party responsible government official and date

Name:

Title:

Signature:

Date:

Guidance

It is the responsibility of each country to determine who will serve as its responsible government official. This should be the same contact point as indicated in section B of this form.

Appendix C

FORM C***Form for non-party certification of the source of mercury to be exported to a party
To be used in conjunction with form A or form D, when required***

Article 3, paragraph 8, of the Convention provides that a party shall not allow the import of mercury from a non-party to whom it will provide its written consent unless the non-party has provided certification that the mercury is not from sources identified as not allowed under paragraph 3 or paragraph 5 (b), i.e., that it is not from primary mercury mining or mercury determined by the exporting non-party to be excess mercury from the decommissioning of chlor-alkali facilities.

Section A: Shipment information to be provided by the exporting non-party

Please indicate the approximate total quantity of mercury to be shipped:

Please indicate the approximate date of shipment:

Guidance

Information regarding the approximate total quantity of mercury to be shipped allows the importing country to make an informed decision about any shipments to which it is consenting, while the approximate date of shipping assists in any effort to track the shipment that the country may wish to undertake.

Section B: Shipping information, as appropriate***Importer***

Name of business:

Address:

Tel:

Fax:

Email:

Exporter

Name of business:

Address:

Tel:

Fax:

Email:

Guidance

Shipping information should include details of both the importer and the exporter, including the name of the business, address, telephone, fax and email contact information. This provides information to the focal point or responsible government official as to who may be contacted should there be any queries in relation to the shipment, and also allows follow-up at the national level with regard to the shipment.

Section C: Certification

In accordance with Article 3, paragraph 8, of the Convention, my Government certifies that the mercury included in the shipment described in this form is not:

- (i) From primary mercury mining; or*
- (ii) Mercury determined by the exporting non-party to be excess mercury from the decommissioning of chlor-alkali facilities.*

Supporting information _____

Signature of responsible government official and date

Name:

Title:

Signature:

Date:

Guidance

This section sets out the requirement for the Government to provide certification that the mercury included in the shipment is not from sources identified as not allowed under paragraph 3 or paragraph 5 (b) of article 3, namely, primary mercury mining or mercury determined by the exporting non-party to be excess mercury from the decommissioning of chlor-alkali facilities. It allows the exporting non-party to provide supporting information in relation to the certification. The responsible government official must also sign and date the form. The form should be signed and certified by the same official who was identified in section B of Form A (contact information to be provided by the exporting party).

Appendix D

FORM D***Form for general notification of consent to import mercury***

Article 3, paragraph 7, of the Convention provides that an exporting party may rely on a general notification to the secretariat by the importing party or non-party as the written consent required by paragraph 6 of Article 3. Such general notification shall set out any terms and conditions under which the importing party or non-party provides its consent. The secretariat maintains a public register of all such notifications.

A notification may be revoked at any time by the party or non-party. A party or non-party that revokes its notification should provide a written request to the secretariat to be removed from the public register of general notifications and indicate the effective date of the revocation.

Parties are reminded that provision or acceptance of a general notification according to paragraph 7 of article 3 addresses only the requirement for written consent for each shipment of mercury. It does not absolve parties of other obligations under the Convention, in particular under paragraphs 6 and 8 of article 3 (see form C).

Section A: Contact information for general notifications of consent

Name of party or non-party:

*Name of designated national focal point
or name of government agency and official:*

Address:

Tel:

Fax:

Email:

Guidance

For a party, the contact point should be the national focal point designated under article 17 on information exchange. That article, in its paragraph 4, obligates each Party to designate a national focal point for the exchange of information under the Convention, including with regard to the consent of importing parties under article 3. It is anticipated that each party will have notified the secretariat of the nomination of its national focal point prior to the Convention's entry into force; in the case of a party that has not nominated such a focal point, the secretariat will confirm the appropriate focal point as soon as practicable. Pending such notification it is recommended that communications with the party be effected through its ministry for foreign affairs, for instance through its permanent mission to the United Nations in Geneva. For non-parties, it would be a national responsibility to determine who the responsible government official would be.

Section B: General notification of consent

My Government hereby provides a general notification of consent to imports of mercury. An exporting Party may rely on this general notification as the written consent required by Article 3, paragraph 6, of the Convention.

Section C: Terms and conditions of general notifications

Please use the space below to specify any terms and conditions:

Guidance

This section provides an opportunity to specify any terms and conditions that an importing party may wish to specify in connection with a general notification. It is not intended that a party would specify a requirement for consent prior to import as a condition of a general notification, as a party could give consent using form A without submitting a general notification.

Section D: Certification by a non-party (this section is not applicable to parties)

In accordance with Article 3, paragraph 6, of the Convention, my Government certifies that:

It has measures in place to ensure the protection of human health and the environment and to ensure its compliance with the provisions of Articles 10 and 11 of the Convention. Please provide appropriate documentation demonstrating such measures. Such documentation may include procedures, legislation, regulations or other measures at the national level and shall provide sufficient detail to demonstrate the effectiveness of such measures; and

The imported mercury covered by this general notification of consent will be used only for a use allowed to a party under the Convention or for environmentally sound interim storage as set out in Article 10 of the Convention.

For uses allowed under the Convention or for environmentally sound interim storage, please provide information if available about the intended use of the mercury.

Guidance

This section provides a certification by a non-party in relation to measures in place with regard to the protection of human health and the environment. Documentation is required to support the existence of such measures, which may take the form of relevant procedures, legislation or regulations or other measures at the national level that have been put in place. The documentation must provide sufficient detail to demonstrate the effectiveness of such measures. A statement that the mercury covered by the general notification of consent will only be used for a use allowed under the Convention is required, and additional information about the intended use of the mercury is also requested.

Signature of responsible government official and date

Name:

Title:

Signature:

Date:

Guidance

It is the responsibility of each non-party to determine who will serve as its responsible government official. This should be the same contact point as indicated in section A of this form.

Appendix E

FORM E

Notification for the register of information supplied by parties choosing not to apply paragraph 8 of article 3 of the Minamata Convention on Mercury

Name of party:

Comprehensive export restrictions in place:

Domestic measures in place to ensure environmentally sound management of imported mercury:

Mercury imports from non-parties:

Country of origin	Quantity imported

Note: if additional space is needed for any answer, please use additional pages.

Guidance

The notification for the register of information supplied by parties choosing not to apply paragraph 8 of article 3 of the Minamata Convention on Mercury requires that any such party, in accordance with paragraph 9 of article 3, provide details of the comprehensive restrictions on the export of mercury that it has in place, as well as the measures that it has in place to ensure the environmentally sound management of imported mercury. The form also provides for the party to provide information regarding mercury imported from non-parties, including the country of origin and the quantity imported. This information is maintained on a public register and is therefore accessible. All measures in place should be described in sufficient detail.