

REPORTING PERIOD:

16 August 2017 to 31 December 2020

▼ INFORMATION ON THE PARTY

1. Information on the party

Name of party

Netherlands

Date on which its instrument of ratification, accession, approval or acceptance was deposited

18 May 2017

Date of entry into force of the Convention for the party

16 August 2017

2. Information on the national focal point

Full name of the institution

Ministry of Infrastructure and Water Management

Title of National Focal Point

Lead Negotiator Chemicals and Wastes, Senior policy advisor

Name of National Focal Point

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3. Information about the contact officer submitting the reporting format if different from the above

Focal Point is submitting the national report

- ☐ Information is submitted by the national focal point
- ☒ Information is submitted through the national focal point by the contact officer

a3_subsection

Full name of the institution

Ministry of Infrastructure and Water Management, Rijkswaterstaat

Title of contact officer

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▼ ART. 3: MERCURY SUPPLY SOURCES AND TRADE

3.1. Does the party have any primary mercury mines that were operating within its territory at the date of entry into force of the Convention for the party?

- ☐ Yes
- ☒ No

Additional information on this question if needed

{Empty}

3.2. Does the party have any primary mercury mines that are now in operation that were not in operation at the time of entry into force of the Convention for the party?

- ☐ Yes
☒ No

3.3. Has the party endeavoured to identify individual stocks of mercury or mercury compounds exceeding 50 metric tons and sources of mercury supply generating stocks exceeding 10 metric tons per year that are located within its territory?

- ☒ Yes
☐ No

ba34_subsection

*If the party answered Yes to Question 3 above:

i. Please attach the results of your endeavor or indicate where it is available on the internet, unless unchanged from a previous reporting round.

In the Netherlands, there are no sources supplying mercury or mercury compounds. Storage with an intention for use is limited to small amounts, for the very few remaining uses, such as dental amalgam and possibly research.

i. Please attach the results of your endeavor or indicate where it is available on the internet, unless unchanged from a previous reporting round.

{Empty}

ii. Supplemental: Please provide any related information, for example on the use or disposal of mercury from such stocks and sources.

{Empty}

3.4. Does the party have excess mercury available from the decommissioning of chlor-alkali facilities?

- ☐ Yes
☒ No

3.5. *Has the party received consent, or relied on a general notification of consent, in accordance with article 3, including any required certification from importing non-parties, for all exports of mercury from the party's territory in the reporting period?

- ☐ Yes, exports to parties
☐ Yes, exports to non-parties
☒ No

Additional information if needed

{Empty}

3.6. Has the party allowed the import of mercury from a non-party?

- ☒ No
- ☐ Yes
- ☐ The importing party has relied on paragraph 7 of article 3

Part E – Additional comments on the article in free text if the party chooses to do so

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▼ ART. 4: MERCURY-ADDED PRODUCTS

4.1. Has the party taken any appropriate measures to not allow the manufacture, import or export of mercury-added products listed in Part I of Annex A of the Convention after the phase-out date specified for those products?

- ☒ Yes
- ☐ No
- ☐ Yes (implementing paragraph 2 of article 4)

If yes, please provide information on the measures.

Regulation EU 2017/852

Including national legislation for enforcement of compliance.

4.3. Has the party taken two or more measures for the mercury-added products listed in Part II of Annex A in accordance with the provisions set out therein?

- ☒ Yes
- ☐ No

If yes, please provide information on the measures.

Regulation EU 2017/852

And, see also: <https://www.rijksoverheid.nl/documenten/rapporten/2019/06/27/beleidsplan-voor-het-terugdringen-van-het-gebruik-van-amalgaam-in-de-tandheelkunde>
(Policy plan for phasing down the use of dental amalgam)

4.4. Has the party taken measures to prevent the incorporation into assembled products of mercury-added products whose manufacture, import and export are not allowed under article 4?

- ☒ Yes
- ☐ No

If yes, please provide information on the measures.

Regulation EU 2017/852

4.5. Has the party discouraged the manufacture and the distribution in commerce of mercury-added products not covered by any known use in accordance with article 4, paragraph 6?

☒ Yes

☐ No

If yes, please provide information on the measures.

Regulation EU 2017/852

Regulation EU 1272/2008 (REACH)

National legislation implementing Directive 2011/65/EU on the restriction of the use of certain hazardous substances in electrical and electronic equipment (RoHS)

Part E – Additional comments on the article in free text if the party chooses to do so

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▼ ART. 5: MANUFACTURING PROCESSES IN WHICH MERCURY OR MERCURY COMPOUNDS ARE USED

5.1. Are there facilities within the territory of the party that use mercury or mercury compounds for the processes listed in Annex B of the Minamata Convention in accordance with paragraph 5 of article 5 of the Convention?

☐ Yes

☒ No

☐ I do not know

5.2. Are measures in place to not allow the use of mercury or mercury compounds in manufacturing processes listed in Part I of Annex B after the phase-out date specified in that Annex for the individual process?

CHLOR-ALKALI PRODUCTION

☒ Yes

☐ No

☐ Not applicable (do not have these facilities)

If yes, please provide information on these measures.

Regulation EU 2017/852

ACETALDEHYDE PRODUCTION IN WHICH MERCURY OR MERCURY COMPOUNDS ARE USED AS A CATALYST

☒ Yes

☐ No

☐ Not applicable (do not have these facilities)

If yes, please provide information on these measures.
Regulation EU 2017/852

5.3. Are measures in place to restrict the use of mercury or mercury compounds in the processes listed in Part II of Annex B in accordance with the provisions set out therein?

VINYL CHLORIDE MONOMER PRODUCTION

- ☒ Yes
☐ No
☐ Not applicable (do not have these facilities)

If yes, please provide information on these measures.
Regulation EU 2017/852

SODIUM OR POTASSIUM METHYLATE OR ETHYLATE

- ☒ Yes
☐ No
☐ Not applicable (do not have these facilities)

If yes, please provide information on these measures.
Regulation EU 2017/852

PRODUCTION OF POLYURETHANE USING MERCURY-CONTAINING CATALYSTS

- ☒ Yes
☐ No
☐ Not applicable (do not have these facilities)

If yes, please provide information on these measures.
Regulation EU 2017/852

5.4. Is there any use of mercury or mercury compounds in a facility using the manufacturing processes listed in Annex B that did not exist prior to the date of entry into force of the Convention for the party?

☐ Yes

☒ No

5.5. Is there any facility that has been developed using any other manufacturing process in which mercury or mercury compounds are intentionally used that did not exist prior to the date of entry into force of the Convention?

☐ Yes

☒ No

Part E – Additional comments on the article in free text if the party chooses to do so

Besides being prohibited under Regulation EU 2017/852, production facilities using mercury do not exist in the Netherlands; hence, the questions under 5.2 and 5.3 could also be answered as "not applicable".

▼ ART. 7: ARTISANAL AND SMALL-SCALE GOLD MINING

7.1. Have steps been taken to reduce, and where feasible eliminate, the use of mercury and mercury compounds in, and the emissions and releases to the environment of mercury from, artisanal and small-scale gold mining and processing subject to article 7 within your territory?

☐ Yes

☐ No

☒ There is no artisanal and small-scale gold mining and processing subject to article 7 in which mercury amalgamation is used in the territory

7.2. Has the party determined and notified the secretariat that artisanal and small-scale gold mining and processing within its territory is more than insignificant?

☐ Yes

☒ No

Part E – Additional comments on the article in free text if the party chooses to do so

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▼ ART. 8: EMISSIONS

8.1. Identify any Annex D source categories for which there are new sources of emissions of mercury or mercury compounds as defined in paragraph 2 (c) of article 8.

For each of those source categories describe the measures in place, including the effectiveness of such measures, to implement the requirements of paragraph 4 of article 8.

- ☐ Coal-fired power plants
- ☐ Coal-fired industrial boilers
- ☐ Smelting and roasting processes used in the production of non-ferrous metals
- ☐ Waste incineration facilities
- ☐ Cement clinker production facilities

Has the party required the use of best available techniques or best environmental practices (BAT/BEP) to control and where feasible reduce emissions for new sources no later than 5 years after the date of entry into force of the Convention for the party?

- ☐ Yes
- ☒ No

Please explain

Not applicable; in the Netherlands there are no new sources of emissions of mercury or mercury compounds as defined in paragraph 2 (c) of article 8.

Attach relevant documentation

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8.2. Identify any Annex D source categories for which there are existing sources of emissions of mercury or mercury compounds as defined in paragraph 2 (e) of article 8.

For each of those source categories, select and provide details on the measures implemented under paragraph 5 of article 8 and explain the progress that these applied measures have achieved in reducing emissions over time in your territory:

▼ COAL-FIRED POWER PLANTS

- ☐ A quantified goal for controlling and, where feasible, reducing emissions from relevant sources
- ☒ Emission limit values for controlling and, where feasible, reducing emissions from relevant sources
- ☒ Use of BAT/BEP to control emissions from relevant sources
- ☐ Multi-pollutant control strategy that would deliver co-benefits for control of mercury emissions
- ☐ Alternative measures to reduce emissions from relevant sources

Measures

Implementation of Directive 2010/75/EU on industrial emissions, including compliance with relevant BAT Reference document (BREF)

Progress

All coal fired power plants in the Netherlands are in compliance

▼ COAL-FIRED INDUSTRIAL BOILERS

- ☐ A quantified goal for controlling and, where feasible, reducing emissions from relevant sources
- ☐ Emission limit values for controlling and, where feasible, reducing emissions from relevant sources
- ☐ Use of BAT/BEP to control emissions from relevant sources
- ☐ Multi-pollutant control strategy that would deliver co-benefits for control of mercury emissions
- ☐ Alternative measures to reduce emissions from relevant sources

Measures

{Empty}

Progress

{Empty}

▼ SMELTING AND ROASTING PROCESSES USED IN THE PRODUCTION OF NON-FERROUS METALS

- ☐ A quantified goal for controlling and, where feasible, reducing emissions from relevant sources
- ☒ Emission limit values for controlling and, where feasible, reducing emissions from relevant sources
- ☒ Use of BAT/BEP to control emissions from relevant sources
- ☐ Multi-pollutant control strategy that would deliver co-benefits for control of mercury emissions
- ☐ Alternative measures to reduce emissions from relevant sources

Measures

Implementation of Directive 2010/75/EU on industrial emissions, including compliance with relevant BAT Reference document (BREF)

Progress

The (single) smelter in the Netherlands is in compliance.

▼ WASTE INCINERATION FACILITIES

- ☐ A quantified goal for controlling and, where feasible, reducing emissions from relevant sources
- ☒ Emission limit values for controlling and, where feasible, reducing emissions from relevant sources
- ☒ Use of BAT/BEP to control emissions from relevant sources
- ☐ Multi-pollutant control strategy that would deliver co-benefits for control of mercury emissions
- ☐ Alternative measures to reduce emissions from relevant sources

Measures

Implementation of Directive 2010/75/EU on industrial emissions, including compliance with relevant BAT Reference document (BREF)

Progress

All waste incineration facilities are in compliance.

▼ CEMENT CLINKER PRODUCTION FACILITIES

- ☐ A quantified goal for controlling and, where feasible, reducing emissions from relevant sources
- ☒ Emission limit values for controlling and, where feasible, reducing emissions from relevant sources
- ☒ Use of BAT/BEP to control emissions from relevant sources
- ☐ Multi-pollutant control strategy that would deliver co-benefits for control of mercury emissions
- ☐ Alternative measures to reduce emissions from relevant sources

Measures

Implementation of Directive 2010/75/EU on industrial emissions, including compliance with relevant BAT Reference document (BREF)

Progress

The single cement clinker production facility was in compliance.
It shut down August 2020.

Have the measures for existing sources under paragraph 5 of article 8 been implemented no later than 10 years after the date of entry into force of the Convention for the party?

- ☒ Yes
- ☐ No

8.3. Has the party prepared an inventory of emissions from relevant sources within 5 years of entry into force of the Convention for it?

- ☒ Yes
- ☐ No
- ☐ Have not been a party for 5 years

If yes, when was the inventory last updated?

Thu, 07/01/2021 – 00:00

Please indicate where this inventory is available

1. European Pollutant Release and Transfer Register (E-PRTR)
2. www.emissieregistratie.nl

Attach
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8.4. Has the party chosen to establish criteria to identify relevant sources covered within a source category?

- ☒ Yes
☐ No

If yes, please explain how the criteria for any category include at least 75 percent of the emissions from that category and explain how the party took into account guidance adopted by the Conference of the Parties.

The inclusion of at least 75 percent of the emissions from the respective sources is ensured through implementation of Directive 2010/75/EU on industrial emissions, and Regulation (EC) No 166/2006 concerning the establishment of a European Pollutant Release and Transfer Register. This EU legislation is in accordance with guidance adopted by the COP.

8.5. Has the party chosen to prepare a national plan setting out the measures to be taken to control emissions from relevant sources and its expected targets, goals and outcomes?

- ☐ Yes
☒ No

Part E – Additional comments on the article in free text if the party chooses to do so

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▼ ART. 9: RELEASES

9.1. Are there, within the party's territory, relevant sources of releases as defined in paragraph 2 (b) of article 9?

- ☒ Yes
☐ No
☐ I do not know

Please indicate the measures taken to address releases from relevant sources and the effectiveness of those measures.

Implementation of Directive 2010/75/EU on industrial emissions, including compliance with relevant BAT Reference document (BREF)

Regulation (EC) No 166/2006 concerning the establishment of a European Pollutant Release and Transfer Register

These measures include mandatory monitoring and reporting, which allows for evaluating effectiveness. The European Commission is currently undertaking a review of the effectiveness of the legislation.

9.2. Has the party established an inventory of releases from relevant sources within 5 years of entry into force of the convention for it?

- ☒ Yes
- ☐ Relevant sources do not exist in the territory
- ☐ Have not been a party for 5 years
- ☐ No

When was the inventory last updated?

2020-12-16

Please indicate where this inventory is available

European Pollutant Release and Transfer Register (E-PRTR)

www.emissieregistratie.nl

Part E – Additional comments on the article in free text if the party chooses to do so

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▼ ART. 10: ENVIRONMENTALLY SOUND INTERIM STORAGE OF MERCURY, OTHER THAN WASTE MERCURY

10.1. Has the party taken measures to ensure that the interim storage of non-waste mercury and mercury compounds intended for a use allowed to a party under the Convention is undertaken in an environmentally sound manner?

- ☒ Yes
- ☐ No
- ☐ I do not know

Please indicate the measures taken to ensure that such interim storage is undertaken in an environmentally sound manner and the effectiveness of those measures.

Regulation (EU) 2017/852 on mercury (Article 7, paragraph 3)

Part E – Additional comments on the article in free text if the party chooses to do so

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▼ ART. 11: MERCURY WASTES

11.1. Have measures outlined in article 11, paragraph 3, been implemented for the party's mercury waste?

☒ Yes

☐ No

Please describe the measures implemented pursuant to paragraph 3, and please also describe the effectiveness of those measures.

Regulation (EU) 2017/852

Measures following from this regulation are effective. Major mercury contaminated waste streams are materials (mainly steel) from natural gas production and cleaning. Mercury recovered from these waste streams is considered waste, and transported to Germany, where it is permanently stored.

11.2. Are there facilities for final disposal of waste consisting of mercury or mercury compounds in the party's territory?

☐ Yes

☒ No

☐ I do not know

Part E – Additional comments on the article in free text if the party chooses to do so

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▼ ART. 12: CONTAMINATED SITES

12.1. Has the party endeavoured to develop strategies for identifying and assessing sites contaminated by mercury or mercury compounds in its territory?

☒ Yes

☐ No

Please elaborate

Contamination by mercury was assessed in the framework of a broad contaminated soil remediation policy developed from the 1970s onward.

In the course of time, additional policies were developed, such as a national strategy on chemicals, including mercury, in water and soil, in 1994.

Part E – Additional comments on the article in free text if the party chooses to do so

Mercury contaminated sites in the Netherlands have been remediated many years ago.

▼ ART. 13: FINANCIAL RESOURCES AND MECHANISM

13.1. Has the party undertaken to provide, within its capabilities, resources in respect of those national activities that are intended to implement the Convention in accordance with its national policies, priorities, plans and

programmes?

☒ Yes

☐ No

Please specify

Main resources provided in respect of national activities to implement the Convention are:

- Staff for national legislative implementation, and reporting
- Staff and financial resources for enforcement competent authorities: Human Environment and Transport Inspectorate, regional inspectorates, Customs
- Staff and financial resources for monitoring and inventories of emissions and releases of pollutants.

Please provide comments, if any.

{Empty}

13.2. Supplemental: Has the party, within its capabilities, contributed to the mechanism referred to in paragraph 5 of article 13?

☒ Yes

☐ No

Please specify

The Netherlands contributed in the reporting period for a total of USD 80.000 to the Specific International Programme (SIP), the mechanism referred to in article 13, para 5, of the Convention. (2018: USD 25.000, 2019: USD 25.000 and 2020: USD 30.000, respectively).

Please provide comments, if any.

{Empty}

13.3. Supplemental: Has the party provided financial resources to assist developing-country parties and/or parties with economies in transition in the implementation of the Convention through other bilateral, regional and multilateral sources or channels?

☒ Yes

☐ No

Please specify

Multilateral sources or channels: As a regular donor country of the Global Environment Facility Trust Fund (GEF) the Netherlands pledged for the 7th Replenishment period (GEF7 which runs from 1 July 2018 – 30 June 2022) USD 100 million. From the total amount of GEF7 (USD 4.1 billion) the Convention benefits from projects and programmes of the Chemicals and Waste focal area, as well as from the integrated projects and programmes Activities to speed-up the ratification process of recipient countries to become parties to the convention and preliminary work on enabling activities (preparation of MIAs and NAPs)were already supported by GEF6 (1 July 2015– 30 June 2017). On 17 August 2017 these GEF6 activities were still underway. The Netherlands pledged EUR100 million for GEF6.

Please provide comments, if any.

{Empty}

Part E – Additional comments on the article in free text if the party chooses to do so

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▼ ART. 14: CAPACITY-BUILDING, TECHNICAL ASSISTANCE AND TECHNOLOGY TRANSFER

14.1. Has the party cooperated to provide capacity-building or technical assistance, pursuant to article 14, to another party to the Convention?

☐ Yes

☒ No

Please specify

No substantial government funded activities, besides participation in the EU Common Forum on Contaminated Land

14.2. Supplemental: Has the party received capacity-building or technical assistance pursuant to article 14?

☐ Yes

☒ No

Please specify

No capacity-building or technical assistance pursuant to article 14 has been received

Please provide comments, if any.

{Empty}

14.3. Has the party promoted and facilitated the development, transfer and diffusion of and access to, up-to-date environmentally sound alternative technologies?

☐ Yes

☒ No

☐ Other

Please specify

The Netherlands has not promoted or facilitated the development, transfer and diffusion of and access to, up-to-date environmentally sound alternative technologies during the reporting period.

Part E – Additional comments on the article in free text if the party chooses to do so

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▼ ART. 16: HEALTH ASPECTS

16.1. Have measures been taken to provide information to the public on exposure to mercury in accordance with paragraph 1 of article 16?

☒ Yes

☐ No

Supplemental: If yes, describe the measures that have been taken.

Information on health risk (prevention) for the general public is available a.o. on the RIVM website and on websites of regional health services (GGD):

– <https://www.rivm.nl/kwik>

– <https://ggdleefomgeving.nl/schadelijke-stoffen/kwik/kwik-en-gezondheid/>

16.2. Have any other measures been taken to protect human health in accordance with article 16?

☒ Yes

☐ No

Supplemental: If yes, describe the measures that have been taken.

{Empty}

Part E – Additional comments on the article in free text if the party chooses to do so

{Empty}

▼ ART. 17: INFORMATION EXCHANGE

17.1. Has the party facilitated the exchange of information referred to in article 17, paragraph 1?

☒ Yes

☐ No

Please provide more information, if any

- Through its EU membership, the Netherlands contributes to exchange of scientific, technical, economic and legal information on mercury and mercury compounds, as well as information on the reduction and elimination of emissions of mercury, and on viable alternatives for products, processes and activities that lead to emissions of mercury, as facilitated by ECHA and other EU institutions.
- Under the EU REACH Regulation, for the limited uses of mercury that are still allowed, suppliers have the obligation to provide the recipient with sufficient information to allow safe use, including a safety data sheet, as appropriate.
- Under mandatory provisions in national and EU law, industries report on releases and emissions of mercury and mercury compounds.
- Trade in mercury is inventoried by the national statistical office of the Netherlands (Statistics Netherlands, CBS).
- Information on the reduction and phase out of application of dental amalgam is provided through dental care education: new dentists (only) get educated in the alternatives for amalgam; foreign dentists who start working in the Netherlands get the information in the package they receive when entering the registry for authorized health care professionals (the BIG-registry).

Part E – Additional comments on the article in free text if the party chooses to do so

Because of the very limited use in the Netherlands of dental amalgam (less than 1% of newly applied fillings), there is no activity on exchanging epidemiological information related to health effects of dental amalgam.

▼ ART. 18: PUBLIC INFORMATION, AWARENESS AND EDUCATION

18.1. Have measures been taken to promote and facilitate the provision to the public of the kinds of information listed in article 18, paragraph 1?

☒ Yes

☐ No

If yes, please indicate the measures that have been taken and the effectiveness of those measures

- Information on health risks: cf. response to Question 16.1
- Information on the reduction and phase out of application of dental amalgam is provided through dental care education, cf. response to Question 17.1
- Information for public and private organisation professionals on mercury related risks and policies is provided by the government through (a.o.):

<https://www.infomil.nl/onderwerpen/lucht-water/lucht/informatieblad-kwik/>

Part E – Additional comments on the article in free text if the party chooses to do so

The marketing of chemicals is regulated by European legislation (REACH). Article 57 of the REACH regulation contains criteria that determine whether a substance is of very high concern for human health and the environment. These Substances of Very High Concern (SVHC) may no longer be marketed in the long term. The same REACH criteria are used in Dutch laws and regulations to determine which emissions of chemical substances have adverse effects. Substances that meet these criteria (national Substances of Very High Concern, nSVHC) are of very high concern to humans or the environment. They are subject to strict rules, including an obligation to minimise the emissions as far as possible, beyond limit values. Mercury and mercury compounds are identified as national Substances of very high concern.

See also: https://www.infomil.nl/publish/pages/121878/zs-flyer-en-v12_2.pdf

▼ ART. 19: RESEARCH, DEVELOPMENT AND MONITORING

19.1. Has the party undertaken any research, development and monitoring in accordance with paragraph 1 of article 19?

☒ Yes

☐ No

If yes, please describe these actions

- The Netherlands has, in accordance with EU law and international conventions (e.g. OSPAR and international river basin commissions such as the International Commission for the Protection of the Rhine), monitoring programmes in place for relevant polluting substances, a.o. mercury, in surface water and surface water sediment and biota.
- Mandatory monitoring and registration of mercury and other polluting substances is provided by EU

law for industrial installations that are major sources of mercury emissions to air, as well as for waste consisting of mercury, containing mercury or contaminated with mercury.

- The database and internet platform Emissieregistratie (www.emissieregistratie.nl) provides public access to monitored and estimated (model based) emissions to air and releases and atmospheric deposition into surface water of a large range of pollutants, including mercury, from point and diffuse sources in the Netherlands.
- Data on trade in mercury is collected and made available by the national statistical office of the Netherlands (Statistics Netherlands, CBS: www.cbs.nl/en-gb).

Part E – Additional comments on the article in free text if the party chooses to do so

Mercury use in products and production processes has almost completely been phased out in the Netherlands. The major remaining use is in dentistry, where a very small percentage of newly applied fillings still consists of dental amalgam. Within the dentistry sector further reduction of dental amalgam use is promoted. Sales of mercury containing lamps have been decreasing in the past years in favor of led lighting and are expected to decrease further sharply under upcoming EU restrictions. In this light, in the Netherlands there is no need any more for comprehensive inventories of mercury use, monitoring of mercury levels in vulnerable populations and biota, assessments of impacts of mercury on society, human health and the environment, and other research and monitoring activities mentioned in Article 19.

▼ COMMENTS

Part C: Comments regarding possible challenges in meeting the objectives of the Convention (Art. 21, para. 1)

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▼ SUPPLEMENTAL – ADDITIONAL COMMENTS

Supplemental: Part D: Comments regarding the reporting format and possible improvements, if any

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