End user certificate for Chemical Weapons Convention Schedule 3 chemicals

Guidance for UK licensees

An End User Certificate (EUC) is required when applying for a Standard Individual Export Licence (SIEL) to export chemicals listed in Schedule 3 of the Chemical Weapons Convention (CWC) to states not party to the convention. This EUC is required supporting-documentation for end-use control purposes in making an export licence application to the Export Control Organisation (ECO).

Please note that we will only normally accept undertakings as valid within six months of the date of the application.

A list of countries that have ratified the CWC is available from the UK CWC National Authority (NCLU), telephone: 020 7215 8493. You can also find a list of countries in the CWC on the Organisation for the Prohibition of Chemical Weapons (OPCW) website. This webpage also has a link to a list of non-member states (non-signatories to the convention).

The end user should be advised to use this EUC format for Schedule 3 chemicals. If they choose not to, you should advise them that the UK Authorities require an original signed/dated undertaking, in English on their headed paper, which contains the same information and assurances as specified in the relevant version.

It is the UK licensee’s responsibility to ensure that:

- The correct certificate format is supplied with your export licence application to cover the export of Schedule 3 chemicals to a state not party to the CWC, ie this EUC not the end user undertaking (EUU) format nor the stockist undertaking (SU) format. An incorrect undertaking type will not be accepted by ECO and will therefore need to be resubmitted, which is likely to result in your application being delayed or withdrawn.

- All sections of the form are completed legibly and in English (or accompanied by an authorised translation if written in a foreign language) by the end user on their original official headed paper (where the end user is a company or a legal entity). The English translation should be verified by the exporter, that is the owner of the business applying for a licence, or a partner, director or company secretary of the firm, or anyone authorised to sign the licence application on behalf of the company. Alternatively, if you prefer, translations may be verified by a member of the Institute of Translation & Interpreting or a Notary Public.
The EUC Form needs to be signed and dated by a person properly authorised by the end user organisation to sign on their behalf (the responsible official). 'Digital' signatures are not acceptable.

The same responsible official of the end user should also complete, sign and attach a covering letter (see Annex A to CWC Schedule 3 EUC Form). This letter must be on their original official headed paper. It should also be accompanied by an authorised translation if written in a foreign language (please see above regarding verification of authorised translations).

Copies of the EUC form and covering letter should be attached to the completed export licence application on ECO’s SPIRE database.

The original EUC/covering letter must be obtained and kept by you at your premises. The original of this document may be requested by ECO at any time.

To help reduce further ‘requests for information’ from ECO during licence processing, you are advised as part of your standard procedures to forward the guidance note (page 3) to enable your end user to understand how to complete the EUC form.

If we request a revised EUC during processing of your application, it should include all of the EUC pages and be newly dated.

Please note: You should not obtain either this EUC, the normal end user undertaking (EUU) or the stockist undertaking (SU) if the goods for export are chemicals listed in Schedule 2 of the Chemical Weapons Convention and you want to export them to states not party to the convention. Under the CWC, Schedule 2 chemicals are prohibited from being transferred to countries that have not ratified the convention.

Be mindful of references to any unfamiliar abbreviations or acronyms particularly those referring to consignees or end users. To avoid requests for information (RFIs) from ECO which might delay your application, acronyms should be spelt out in full.
Guidance for end-users to complete template and covering letter

This end user certificate (EUC) Form and annex A must be provided when you order Schedule 3 chemicals which are to be used by you (whether via a consignee or not). Both documents must be completed on your company’s letter-headed paper.

Please read the following ‘explanation of terminology’ carefully for guidance on completing the EUC form.

1. The UK licensee is the person or body who is exporting the chemical(s) abroad which may be direct to you or via a separate consignee.
2. If not known, the licensee’s reference can be left blank for completion by the licensee.
3. The consignee is the person or body, who is the first recipient of the chemical(s). This can be yourselves or it can be another person or body within your country or in another country. If you are both the consignee and the end user, then you must enter your own details in boxes (c) and (d) must also be completed.
4. As the end user you will be receiving the chemical(s) for end-use so boxes (e) and (f) must be completed.
5. The end user in this section refers to the entity at the time of export from the UK.
6. The goods in this section refer to those at the time of export from the UK.
7. The UK Authorities need to understand what the chemical(s) is/are and to be able to compare it/them with the chemical(s) described in the UK exporter’s licence application. So a detailed description of the main chemical or chemicals is required; as much information as possible should be provided, such as trade names and common names.
8. If the chemical(s) is/are to be used in the production of another chemical or end-product, then that chemical and/or product – and its use – should also be described.
9. Section 4 must be signed and dated by you as the end user, since you are using the goods mentioned in Section 2. This section should be signed and dated by a person within your organisation with authority to sign on behalf of the company/organisation. ‘Digital’ signatures are not acceptable.
10. Section 5 must be signed and dated by an authorised signatory for the government of the recipient state along with a government department/ministry stamp. This certification is a requirement under the Chemical Weapons Conventions’ verification annex (part VIII, paragraph 26).
CWC Schedule 3 chemicals EUC form

SECTION 1 – ENTITIES INVOLVED

<table>
<thead>
<tr>
<th>(a) Name of UK licensee</th>
<th>(b) Licensee’s reference</th>
</tr>
</thead>
<tbody>
<tr>
<td>(c) Name of consignee</td>
<td>(d) Consignee’s address</td>
</tr>
<tr>
<td>(e) Name of end user</td>
<td>(f) End user’s address</td>
</tr>
<tr>
<td>(g) Is the end user the armed forces or internal security forces of the country? Yes/No</td>
<td></td>
</tr>
<tr>
<td>(h) Specific location where chemical(s) will be used or based (if known) and if different from (f)</td>
<td></td>
</tr>
</tbody>
</table>

SECTION 2 – GOODS

<table>
<thead>
<tr>
<th>(a) Quantity of each chemical</th>
<th>(b) IUPAC name and where possible CAS number of each chemical</th>
</tr>
</thead>
</table>

(If you need to use continuation sheets, each must carry the exporter’s reference, and must be signed and dated by the same person who signs this form.)
SECTION 3 – PURPOSE OF THE CHEMICAL(S)

Please set out the specific purposes for which the goods are to be used by the end user (include the length of time supplies of each chemical are expected to last).

SECTION 4 – END-USER CERTIFICATION

We – the person or body named at 1(e) and 1(f) – certify that we are the end-user of the chemicals described in Section 2, which are to be supplied by the licensee named in 1(a). We further certify that we shall use the goods for the purposes described in Section 3; that the chemical(s) will not be used for any purpose connected with chemical weapons or missiles capable of delivering such weapons; that the chemical(s) will only be used for purposes not prohibited under the Chemical Weapons Convention (CWC); and the chemical(s) will not be transferred.

Sign here _____________________________ Date ________________
(signature of official of end user)

Print name _____________________________
(add name of signatory in capitals)

Role _____________________________
(add job title of signatory in capitals)

SECTION 5 – STATE CERTIFICATION

As an authorised signatory for the government of the recipient state, I confirm that the chemical(s) described in Section 2, will be used by the body named at 1(e) and 1(f) and that the chemical(s) will only be used for purposes not prohibited under the Chemical Weapons Convention (CWC) and the chemical(s) will not be re-transferred.

Sign Here _____________________________ Date ________________
(signature of official government representative)

Print Name _____________________________
(add name of signatory in capitals)

Role _____________________________
(add job title of signatory in capitals)

Government department/ministry stamp ____________________________
Annex A to CWC Schedule 3 Chemicals EUC form

Model covering letter for end user certificate [to be amended where indicated]

[NAME AND ADDRESS OF END USER ON THEIR ORIGINAL HEADED PAPER]

[DATE]

End user certificate relating to the UK export licence application made by [STATE NAME OF LICENSEE]

I attach a completed end user certificate made on the EUC Form.

Yours sincerely

[TO BE SIGNED BY THE SAME SIGNATORY WHO COMPLETED AND SIGNED THE END USER CERTIFICATE TOGETHER WITH THEIR ROLE]