

To: Doris Leuthard  
President of the Swiss Confederation  
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3003 Bern

Marc Chardonens  
Director  
Federal Office for the Environment  
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Franz Perrez  
Ambassador for the Environment and  
Head of the International Affairs Division  
Federal Office for the Environment  
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Martin Schiess  
Head of the Air Pollution Control and Chemicals Division  
Federal Office for the Environment  
3003 Bern, Switzerland

23 October 2017

Dear Madam, Dear Sirs,

Congratulations to Switzerland for hosting the first Conference of the Parties for the Minamata Convention on Mercury. Along with this recognition and visibility, however, comes the moral responsibility not only to reduce mercury use, but also to demonstrate unimpeachable leadership by enacting a full—rather than partial—export ban on mercury.

Since the EU export ban took effect, Switzerland remains the weak link in Europe when it comes to allowing mercury flows to the rest of the world. The EU not only banned exports of mercury in 2011, but starting in 2018 will also ban dental amalgam use in pregnant women and children under 15. However, Swiss mercury trade has continued unabated. Between 2011 and 2015, Switzerland exported an average of 108 tonnes per year, although that was reduced to 29 tonnes in 2016.

To achieve the Convention objective of simultaneously reducing mercury supply and demand, Parties plan to enact stricter controls on mercury use and trade flows. In Switzerland, a public consultation was launched with proposed amendments to four ordinances, including an export ban on dental amalgam and other products—which we fully support. According to the FOEN website, the objective is “to ensure that recycled mercury in Switzerland is removed from the global market and stored using an environmentally sound method.” The Federal Council's decision on these amendments is expected soon.

Unfortunately, commercial interests reportedly appear to have convinced the Swiss government to consider only a partial ban and to allow mercury exports to continue for some uses allowed by the Convention—including for manufacturing dental amalgam. On 28 September 2017, Switzerland's interest in exporting mercury for authorized uses in accordance with the Convention was confirmed during COP1.

For several reasons, we the undersigned respectfully urge Switzerland to reconsider this view:

- The Convention calls on Parties to phase down the use of dental amalgam, which Switzerland has already done. Yet exporting mercury specifically for dental mercury use may send a contradictory message—even if it were a time limited partial ban—because allowing mercury exports for dentistry appears to promote, rather than reduce amalgam use.
- It may be difficult to ensure that exported mercury will only go for intended uses and that any controls will not be circumvented for financial gain, or that mercury may change hands further down the chain. With the price of mercury doubling in the last year alone, financial incentives to circumvent any informal agreements or regulations have only increased.

- At least some of the mercury exported from Switzerland will eventually end up in nations that do not have the waste management infrastructure, the budget allocations, or the storage facilities to handle mercury. As a result, this mercury is likely to contaminate our environment.

In closing, we would again express our sincere appreciation for all that Switzerland has done to promote the Minamata Convention and support the NGO community. In line with Switzerland's visibility and influence in this area, however, we strongly urge that you reconsider implementing only a partial export ban. Such an arrangement would encourage an ongoing flow of mercury to developing countries and others via distribution channels<sup>1</sup> intent on promoting, rather than reducing dental amalgam use.

Thank you in advance for considering our request. We would welcome the opportunity to dialogue before a final decision is made on this important issue.

Sincerely,

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<sup>1</sup> SDI's products are sold through distributors and retailers in over 100 countries throughout the world. See <https://www.sdi.com.au/au/en-us/>

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