



To: EU Environment Ministers

Cc: Mr. Janez Potočnik, Commissioner for Environment
Permanent Representatives Environment Attachés
Mr. Jo Leinen, Chair of the Environment Committee at the European Parliament

Concerns: Input to the EU Environment Council Meeting, 14 October 2010 – Need for a robust revised Community Strategy Concerning Mercury

11 October 2010

Dear Environment Minister,

In relation to the relevant AOB point at the upcoming EU Environment Council meeting, the EEB and HEAL ask you to underline the importance of a robust revised EU Mercury policy. The European Commission (EC) has carried out a review of the current strategy, and is at this time preparing a communication on a revised EU Mercury Strategy by the end of 2010. We call upon you to insist that this EC communication includes further concrete actions not only to carry out the non-implemented-until-now foreseen actions, but to include new and ambitious actions to further reduce mercury emissions, supply and demand at EU level. We would further call on the Council to react to this communication with priority; in that way the EU can continue to have its leadership role at the global (UNEP) level towards developing a vigorous mercury treaty.

Mercury is a global pollutant that travels long distances. Its most toxic form – methylmercury - accumulates in large predatory fish and is taken up in our bodies through eating fish, with the worst impacts on babies *in utero* and small children, and scientific evidence continues to mount on the negative long term health impacts to society.

The EU's 2005 Strategy Concerning Mercury aims to reduce emissions, supply and demand of mercury in the EU. Many of the Strategy actions have been implemented (e.g. *export ban by 2011 and safe storage of metallic mercury, market restrictions of certain mercury-containing measuring devices*). These initiatives, among others, have and will have great impact not only within the EU but also globally; the EU is currently still the biggest mercury exporter - mercury is exported to developing countries with very little or non-existent control measures; and mercury is haphazardly used, eventually ending up in the environment and contaminating food resources and populations.

With the EU mercury strategy as its flag, the EU has played a leadership role at the global level, and has been instrumental in reaching the UNEP Governing Council decision where world governments agreed to develop a legally binding instrument on mercury by 2013.

A prompt review of the EU mercury strategy is therefore very important. The stakeholder consultation (June 2010) has confirmed that also many member states strongly support reinforcement of current action, as well as further action. We think that a robust revised EU Mercury Strategy is imperative not only for the protection of EU citizens, but also fundamental to ensure that the leadership role of EU is maintained at global level and in view of the intergovernmental negotiations towards the mercury treaty that will start in June 2010. The EU

should lead the negotiations with own examples, and not fall behind just following global decisions.

Priority areas where EEB would expect further action from the strategy include:

- phasing out the use of mercury in the chlor-alkali industry by setting a sunset date,
- phasing out the use of mercury in dental care since safe mercury-free alternatives are available, and
- phasing out mercury from button-cell batteries

Member states – during the consultation meeting – have as well - specifically called for immediate action on establishing a sun-set date for the use of mercury in the chlor-alkali industry, and in button cell batteries. They have further supported that a phase down on mercury use in dentistry would be possible. It needs to be noted that a mercury phase down is also supported by the World Health Organisation, as declared during the first Intergovernmental Negotiating Committee meeting (June 2010, Stockholm) to prepare a mercury treaty.

Furthermore, re-enforcement of foreseen actions is seriously needed regarding emissions from coal-fired power plants but also with respect to expanding the export ban to mercury-containing products which are prohibited on the EU market. Emissions from coal fired power plants is the biggest source of mercury emissions in the air – in Europe and globally, with long-term implications on human health. Also at global level, there is a growing understanding that in these areas there is a need and possibility to move away from mercury.

The EU's mercury strategy has a key role to play in reducing mercury exposure within the EU but also in ensuring a strong EU presence in the UNEP discussions. So, to conclude, we count on you to ensure a swift and transparent review of the EU mercury strategy allowing for the timely input of all interested bodies and stakeholders.

Thank you in advance for addressing our concerns

Yours sincerely,

John Hontelez
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