

To: Vice President Timmermans
Commissioner Vella
Commissioner Andriukaitis
Commissioner Bieńkowska
Commissioner Malmström
Copy: Director General Calleja Crespo
Director General Prats Monné
Director General Evans
Director General Demarty

Brussels, 14 December 2015

Subject: The European Union (EU) and its Member States (MS) should rapidly ratify the Minamata Convention on mercury

Dear Vice President and Commissioners,

In October 2013, the EU was among the first parties to sign the Minamata Convention on Mercury, adopted in Minamata/Kumamoto, Japan. However, 50 countries must first ratify the Convention before it can enter into force and, unfortunately, the EU was not among the first 19 countries to do so.¹ If the EU delays its ratification any further, the implementation of the Convention is likely to be significantly delayed. Therefore, we the undersigned call for the EU and its Member States to expedite the process of ratifying the Convention.

Since 2005, with the Community Strategy Concerning Mercury² as its flagship, the EU has played an important role, pressing for global legally binding solutions to achieve adequate control and reduction of mercury use, supply and demand. Since then the EU has adopted several important policies to reduce exposure to mercury, including taking the lead in banning mercury exports and reducing mercury supply, demand and releases to the environment.

A public consultation on the implementation of the Minamata Convention at EU level was launched in late 2014. Its results, together with the final report of the EC commissioned study (launched in early 2014) concerning the EU legislative gaps vis-à-vis the Minamata Convention and the review of the Regulation on mercury export ban and safe storage, were published at the end of March 2015. The EU roadmap on the ratification and implementation of the Convention was then published in September 2015, and it recognizes the importance of expediting the process:

“This means that impact on EU’s environment as well as the exposure of people living in the Union cannot be reduced to an acceptable level through domestic policies alone. Co-ordinated international action is therefore needed to address the mercury problem in a globally effective manner.”

“In order to ensure the quick implementation of the Convention, the EU itself needs to ratify it as soon as possible (leading by example, and allowing MS to ratify it), and therefore to make sure its *acquis* allows for this ratification. By becoming Party at an early stage, the EU would have a strong voice at the first Conference of the Parties, where important implementing decisions will be taken.”³

¹ <http://www.mercuryconvention.org/Countries>

² <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52005DC0020>

³ http://ec.europa.eu/smart-regulation/roadmaps/docs/2014_env_014_minamata_convention_mercury_en.pdf

Furthermore the effectiveness of EU policies on mercury depends in part on international implementing decisions. So the earlier the EU ratifies, the more likely it can secure the 'added value' of EU wide regulation.

However, the mercury legislative package (which was to be proposed by the EC, including a proposal for a revised mercury Regulation, a Communication and a Council Decision for the Treaty ratification) has been seriously delayed, by almost a year, apparently due to the Better Regulation agenda. This EU delay in ratification may possibly postpone the Convention from entering into force, and is contrary to the leadership role EU has taken to address the global mercury crisis over the last decade. As a result, it appears that the Better Regulation agenda is getting in the way of the EU's international commitments and our ability to lead on critical issues.

It is therefore imperative that the EU Commission expedites its internal process and presents its proposals as soon as possible. We urge the Commission to take all necessary steps including the publication of the EU package, to ensure that ratifications will not be held up by the EU.

As you may be aware, delays in ratification and Convention implementation are already having an adverse effect on the global mercury supply and trade situation. For example, primary mercury mining has increased in Mexico, total mercury production increased in China, and mercury export "hot spots" have shifted to Asia, closer to countries with heavy use of mercury in artisanal and small scale gold mining. Such emissions from outside the EU undermine the health and environmental protection that the EU laws are intended to confer, and could thereby weaken their effectiveness.

In parallel, we also urge the EC to include in its revised mercury regulation proposal measures that go beyond the minimum requirements of the Minamata Convention, as per the outcome of the public consultation. These could include, but not be limited to, banning the export of mercury-containing products that are not allowed on the EU market and phasing out mercury in dental care since safe mercury-free alternatives are available. This is necessary not only for the protection of EU (and world) citizens but also to ensure that the EU leadership role is maintained at the global level through rapid entry into force and effective implementation of the mercury treaty.

In summary, in order to remain a global leader on addressing the global mercury crisis, the EU and its Member States must act quickly to bring the Convention into force. Thank you in advance for your attention to this important issue.

Yours sincerely,

Jeremy Wates, Secretary General
European Environmental Bureau (EEB), Brussels

Also on behalf of:

Genon Jensen, Executive
Director, Health and Environment
Alliance (HEAL), Brussels

Anja Leetz, Executive Director
Health Care Without Harm
(HCWH) Europe

James Nix, Director,
Green Budget Europe, Brussels

Samuel Martin-Sosa, International coordinator Ecologistas en Accion, Spain	Alexandra Caterbow, Chemicals and Health coordinator, Women in Europe for a Common Future, Germany	Denez l'Hostis, President France Nature Environnement, France
Jindrich Petrlik, Toxics and Waste Programme Arnika, Czech Republic	Pr Dominique Belpomme, President and Dr Philippe Irigaray, Scientific Director ARTAC (Association for Research and Treatment against cancer), France	Pr Dominique Belpomme, Executive Director and Christine Campagnac, General Secretary ECERI (European Cancer and Environment Research Institute), Belgium
Margaretha Molius, Chairman Tandvårdsskedeförbundet (The Swedish Association of Dental Mercury Patients), Sweden	Marie Grosman, Vice president for Europe, World Alliance for Mercury-Free Dentistry, France	Geoffrey Begon, Délégué Général Non au Mercure Dentaire, France
Jean-Pierre Havard, Chairman NGO Solidarité Guyane, France	Dr. med. Joachim Mutter Environmental Medicine Treatment Center, Germany	Antigone Dalamaga, Director, Οικολογική Εταιρεία Ανακύκλωσης/Ecological Recycling Society, Greece.
Rebecca Dutton, Founder, Mercury Madness Support Group, United Kingdom	András Lukács, President Levegő Munkacsoport - Az Év Civil Szervezete, Hungary	Monika Frielinghaus, Association for the Support of Environmental Sick People - VHUE e.V., Germany
Štefan Szabó, SOSNA, Slovakia	Miroslav Mojžiš Executive director Friends of the Earth-CEPA Slovakia	Greta Draganova, Chairperson Regional Initiative Association, Bulgaria
Mihaela Papazu, Executive Manager Green Planet Association, Romania	Adrian Velikov, Chairperso "Europe and We" Association, Bulgaria	Doz. Dr. Hanns Moshhammer, Chair, ÄrztInnen für eine gesunde Umwelt" (ÄGU, Austrian Doctors for a healthy environment, ISDE Austria), Austria
Risto Sulkava, President of the Board and Leo Stranius, Executive Director Finnish Association for Nature Conservation, Finland	Dr Andreas Hadjichambis, Scientific Director Cyprus Center for Environmental Research and Education (CY.C.E.R.E.), Cyprus	Reinhard Lauer, President BBFU e.V - Bundesverband der Beratungsstellen für Umweltgifte, insbesondere Amalgam, Schwermetalle und Holzschutzmittel e.V. Federal Association of information centres for environmental toxins, in particular amalgam, heavy metals and wood preservatives, Germany
Johanna Sandahl, President Swedish Society for Nature Conservation (SSNC), Sweden	Francesca Romana Orlando Vice President A.M.I.C.A - Associazione Malattie da Intossicazione Cronica e Ambientale (Association for Chronic Toxic and Environmental Injury), Italy	Henrik E. Kock NoBody needs Mercury!, Denmark

Thanos Zafiroopoulos, President ECOCITY, Greece	Sarah Cardona, Committee Member Action for Breast Cancer Foundation, Malta	Ojars Balcers, Friends of Earth Latvia, Latvia
Ana Barreira, Director, Instituto Internacional de Derecho y Medio Ambiente (IIDMA), Spain.	Servando Pérez-Domínguez, President MERCURIADOS (Asociación Española de Afectados por Mercurio de Amalgamas Dentales y Otras Situaciones, Spain	
Elena Lymberidi-Settimo and Michael Bender, International Coordinators, Zero Mercury Working Group	Andrea Lichtenecker, Executive Director Naturfreunde Internationale - Naturefriends International - Internationale des Amis de la Nature (NFI)	Dr. Mahmood A. Khwaja, President, International Society of Doctors for Environment (ISDE)
María Isabel Cárcamo, Vice- president Latin America, World Alliance for Mercury-Free Dentistry, Uruguay	Juliet Pratt, Vice President Oceania, World Alliance for Mercury-free Dentistry, New Zealand	Leslie Adogame, Executive Director, Sustainable Research and Action for Environmental Development (SRADev), Nigeria
Fernando Bejarano, Director Centro de Análisis y Acción en Tóxicos y sus Alternativas (CAATA), Mexico	Semia Gharbi, Association de l'Education Environnementale pour les Futures Générations. AEEFG, Tunisie	Richard Gutierrez, Executive Director, Ban Toxics! Philippines
Charles G. Brown, National Counsel Consumers for Dental Choice, USA	Zuleica Nycz, TOXISPHERA Environmental Health Association, State of Paraná, Brazil	Zuleica Nycz, APROMAC Environment Protection Association, State of Paraná, Brazil
Zuleica Nycz, AMAR Environment Defense Association, State of Paraná, Brazil	Silvia Picchioni, Executive Secretary, Chemicals Working Group of the Brazilian Forum of NGOs and Social Movements for the Environment and Development (FBOMS), Brazil	Michael Bender, Director Mercury Policy Project, USA
Naji Kodeih – President IndyACT , Lebanon	Surya Anaya, Director BaliFokus, Indonesia	Yuyun Ismawati, Coordinator Indonesian Toxics-Free Network, Indonesia.
Gilbert KUEPOUO, Coordinator/Executive Director CREPD- Research and Education Center for Development (Centre de Recherche et d'Education pour le Développement, Cameroun	Dominique Bally KPOKRO, Directeur des Programmes Jeunes Volontaires Environnement, Ivory Coast	Najwa Bourawi APEDDUB, Bizerte, Tunisia

Dr. Mahmood A. Khwaja, Senior Adviser Sustainable Development Policy Institute (SDPI), Pakistan

Haji T. Rehani
AGENDA for Environment and Responsible Development, Tanzania

Griffins Ochieng, Programs Coordinator
Centre for Environment Justice and Development (CEJAD), Kenya.

Dr. Manana Juruli, Co-Chair Georgian Environmental and Biological Monitoring Association (GEBMA), Georgia

Odjam-Akumatey,
Ecological Restorations, Ghana.

Adetonah Sounkoura,
GAPROFFA, Benin

Kamese N. Geoffrey, Senior Programme Officer National Association of professional Environmentalists (NAPE), Uganda.

Rico Euripidou
groundWork - Friends of the Earth South Africa, South Africa

Elena Manvelyan, President Armenian Women for Health and Healthy Environment (AWHHE), Armenia

Tom Aneni, Director Sustainable Environment Development Initiative (SEDI), Nigeria

L. Dolgormaa PhD Head,
Nature Environment & Health Center NGO, Mongolia

Hemsing Hurrinag, Programme Manager
Pesticide Action Network – Mauritius, Mauritius.

Baskut Tuncak, Senior Attorney Center for International Environmental Law (CIEL), USA

Takeshi Yasuma, International Coordinator
Citizens Against Chemicals Pollution, Japan

Ilya Trombitsky,
Eco-TIRAS International Association of River Keepers, Moldova

Anabela Lemos, Director JusticaAmbiental JA!/Friends of the Earth Mozambique, Mozambique

Jeffer Castelo Branco
ACPO -Associação de Combate aos Poluente Santos/SP, Brazil

Rafaela Rodrigues da Silva
ASSA -Associação de Saúde Socioambiental Santos/SP, Brazil

Olga Tsygulyova, Head of Chemical Safety Programme UNENGO MAMA-86, Ukraine

Daniel Maina
Environmental Governance/Eco Ethics, Kenya

Euphrasia Shayo, Project Officer Envirocare, Tanzania

Satish Sinha, Associate Director Toxics Link, India

Olga Speranskaya, Director, Programme on Chemical Safety Eco-Accord, Russia

Ram Charitra Sah, Executive Director CEPHEP, Kathmandu, Nepal

Solomon Kusi Ampofo,
Communication, Advocacy & Campaigns Coordinator
Friends of the Nation, Ghana

Added after the letter was sent:

Juliet Duff, Secretary
Irish Doctors Environmental Association (IDEA), Ireland,

Freya Koss, Founder and Director, PA Coalition for Mercury-Free Dentistry, USA