

To: Mrs. Teresa Ribera, Ecological Transition Minister, Spain

Mrs. Zakia Khattabi, Minister of Climate, the Environment, Sustainable Development and Green Deal, Belgium

Mr. Alain Maron. Minister of the Government of the Brussels-Capital Region, responsible for Climate Change, Environment, Energy and Participatory Democracy.

Cc: Ms. Ángeles Jiménez Redondo, Senior Advisor of Clean Air and Industrial Sustainability Unit;

Ms. Maria Jose Alonso Moya, Deputy Head of Clean Air Unit (Sustainability expert);

Mr. Juan Romero Calvo, Director of Clean Air and Industrial Sustainability Programme;

Mr. Oscar Gonzalez Sanchez, Coordinator Area coordinator of the Clean Air and Industrial Sustainability Subdirectorate.

Mr. Arne Donders, Senior Attaché Chemical Policy · Federal Public Service Health, Food Chain Safety and Environment, National Focal Point for the Minamata Convention on Mercury and lead expert for the EU Mercury regulation (and revision)

Ms. Marie Vennin, Attache for Environment (Products and Chemicals Policy) , Permanent Representation of Belgium to the EU

Mr. Adly Manseri, Attaché for Environment (Chemicals & Products Policy) · Permanent Representation of Belgium to the EU

Re: Calling on the Spanish and Belgian Presidencies to drive forward the revision of the EU mercury regulation.

Brussels, 15 December 2023

Dear Ministers,

With this letter we would like to urge you in your capacity leading the EU Presidency during this and coming periods respectively, to make the necessary progress including advancing in the working parties, for the Council under the BE presidency, to be in a position to adopt its position on the proposed revision of the EU mercury legislation and for a political deal between the Institutions to be found before the European elections.

European Environmental Bureau

• Rue des Deux Églises 14-16, 1000 Brussels, Belgium • ☎ +32 228 91090 • eeb@eeb.org • www.eeb.org

*International non-profit association • Association internationale sans but lucratif (AISBL) • EC register for interest representatives:
ID number: 06798511314-27 • BCE ID number: 0415.814.848 • RPM Tribunal de l'entreprise francophone de Bruxelles*

Mercury is a very well-known neurotoxin and continues to pose a significant threat to the environment and people's health in the EU, but also globally. Yet, anthropogenic mercury pollution still occurs in the EU and mercury levels nowadays often exceed levels permitted by law such as in the case of surface water bodies¹. Each year, a third of EU born babies have mercury levels above "the recommended safe limit", of which the potential impact on children's brain development can be lifelong².

The current review of the EU mercury regulation opens a window of opportunity to address the most significant remaining uses of mercury within the EU, which is much needed considering the current levels of pollution.

However, the review of the EU mercury regulation, which was expected to start much earlier, is now put at risk, considering the upcoming European elections scheduled for June 2024. If no agreement is reached during this legislature, the realistic objectives currently proposed - a much needed phase-out for dental amalgam and some categories of mercury added lamps by 2025- would simply become unreachable. But there are other reasons why this review needs to advance fast:

- **We are already too late.** The phase out of mercury added lamps and dental amalgam was assessed to be feasible already long before 2025. A study commissioned by the European Commission had already concluded back in 2012 that dental amalgam could be phased out by 2018. When it comes to mercury added lamps, their placing on the EU market is already prohibited. It is therefore imperative to ban their exports and put an end to this double standard that we are currently facing. This is without mentioning that markets in the EU and around the world have been transitioning to mercury free and, energy and cost-efficiency alternatives.
- **Pointless mercury pollution should cease now.** There is no point in maintaining uses of mercury where it is no longer needed or for which alternatives exist. It is also important to take into account the significant co-benefits that could be gained by completing the revision of this regulation during this legislature. On the one hand, phasing out dental amalgam would further limit mercury pollution of our already-too-polluted European rivers; on the other hand, the earlier the phase out of mercury added fluorescent lamps (FL), the greater the gains are in reducing future CO2 emissions, which is crucial when considering the very worrying direction that global warming takes. As calculated by the Clean Lightening Coalition, if the EU continues FL exports for two years past 2025 (through 2027), the EU will be responsible for an additional **284 Kg** of mercury pollution, and **27 Mt** of CO2 emissions.
- **It is pragmatic, realistic and achievable:** Addressing these uses of mercury is realistic, achievable, pragmatic and rather non-controversial. This is supported by years of research, strong evidence and many assessments.

¹ <https://www.eea.europa.eu/publications/mercury-in-europe-s-environment>

² <https://www.eea.europa.eu/articles/mercury-a-persistent-threat-to>

- Furthermore, the revision gives a **unique opportunity to address some additional remaining uses**, for which straightforward solutions are possible, notably on the manufacture and trade of mercury compounds especially used for non-allowed uses, mercury emissions from crematoria, and other remaining uses. Please find attached our views reflecting these concerns.

Moreover, strong EU leadership will encourage other countries to reduce mercury consumption, as well as engage in multilateral and global trade agreements, which are clearly needed to significantly reduce mercury as a global pollutant.

After successfully leading the mercury discussions at the COP5 of the Minamata Convention on Mercury last November, it is in the Spanish and Belgian Presidencies' hands to ensure that the revision at EU level progresses well and fast, and to secure a timely completion of this file. If an agreement is reached before April 2024, it will truly reduce the health risks to millions of EU citizens, and many more globally, that we cannot afford to miss.

Yours sincerely,



Patrick ten Brink
Secretary General
European Environmental Bureau

European Environmental Bureau

• Rue des Deux Églises 14-16, 1000 Brussels, Belgium • ☎ +32 228 91090 • eeb@eeb.org • www.eeb.org

*International non-profit association • Association internationale sans but lucratif (AISBL) • EC register for interest representatives:
ID number: 06798511314-27 • BCE ID number: 0415.814.848 • RPM Tribunal de l'entreprise francophone de Bruxelles*