

**To: Mr. Martin Meeus, Belgian Presidency
Mr. Patrick Child, European Commission
Mrs. Marlene Mortler, European Parliament**

**Cc: Member State Mercury Experts and Environment Attaches, European Parliament Shadow
rapporteurs, DG Environment Mercury experts**

**Re: Open letter - Stop exports of EU banned mercury added lamps to developing
countries, under the review of the EU Mercury regulation**

Brussels, 6 February 2024

Dear EU Negotiators,

We, the undersigned organisations, during revisions to the EU Mercury Regulation, urge you to ban the EU exports of all fluorescent lamps by 31.12.2025 at the latest, including all linear and non-linear triband phosphor fluorescent lamps. Our countries – the recipients of the EU’s fluorescent exports – will benefit far more from mercury-free lighting and are not prepared to manage the inevitable mercury waste resulting from several more years’ worth of fluorescent lighting production and sales.

Mercury is a dangerous neurotoxin and is considered by the World Health Organization “as one of the top ten chemicals or groups of chemicals of major public health concern”.ⁱ Despite these warnings, anthropogenic mercury pollution still occurs in the EU – with mercury levels often exceeding legal limits, such as in the case of surface water bodiesⁱⁱ. Each year, a third of EU born babies have mercury levels above “the recommended safe limit”, threatening lifelong impacts on the child’s brain developmentⁱⁱⁱ.

The current review of the EU mercury regulation provides the opportunity to finally close the loop on mercury added lamps and end the EU’s manufacture for export of fluorescent lamps. The European Commission, supported by the Council, proposed to ban linear and non-linear triband phosphor fluorescent lamps by 31.12.2027, while the European Parliament suggested a more ambitious target: 31.12.2025.

The 2025 deadline for the exports should be retained because:

Fluorescent lamps are an outdated and unnecessary technology. Affordable, cost-saving, and widely available lighting alternatives (light-emitting diodes a.k.a. LEDs) have replaced global reliance on mercury-added lamps. The ban on linear fluorescent lamps (LFLs) and non-linear fluorescent lamps should and can begin by 2025 in support of EU commitments to maintain global leadership in the mercury-free transition.

Double standards must cease. The EU banned new fluorescent lamps from its own markets since September 2021 and September 2023, respectively. Allowing the continued manufacture and export of domestically banned products to low- and middle-income countries is environmentally and socially unjust and ethically flawed. These import countries lack effective fluorescent recycling systems meaning every additional lamp poses an imminent threat to their people’s health and environment. This double standard stands against EU principles, the European Green Deal, the Chemicals Strategy for Sustainability as well as

the Zero Pollution Action Plan. The EU commitments via the Energy Efficiency Directive and the Joint communication on the new EU external energy strategy should also not be forgotten. It is imperative to ban fluorescent exports and put an end to this double standard as early as possible.

The EU should keep its frontrunner seat. While Parties of the Minamata Convention decided to ban triband phosphor lamps at a later stage during their fifth meeting, it does not prevent the EU from taking a leading seat and driving a faster change. Strong EU leadership will encourage other countries to reduce mercury consumption, as well as engage in multilateral and global trade agreements, which are critical to significantly reduce mercury as a global pollutant.

Mercury-free lighting solutions are a vital climate solution. The EU will secure bigger climate mitigation benefits with an earlier fluorescent ban. As calculated by CLASP, if the EU adopts a 2025 deadline (two years before 2027), the EU will **prevent 284 kg of mercury pollution and 27 Mt of CO2 emissions.**^{iv}

The global market is already transitioning to mercury free alternatives: Research shows that more than 60 countries globally, representing 70% of the fluorescent lighting market have initiated actions for a smooth transition to all LED lighting.^v Demand for half of EU-27 fluorescent exports will end due to new domestic bans of importing countries.

EU Fluorescent Lamp Exports and Export Value, 2012-2022

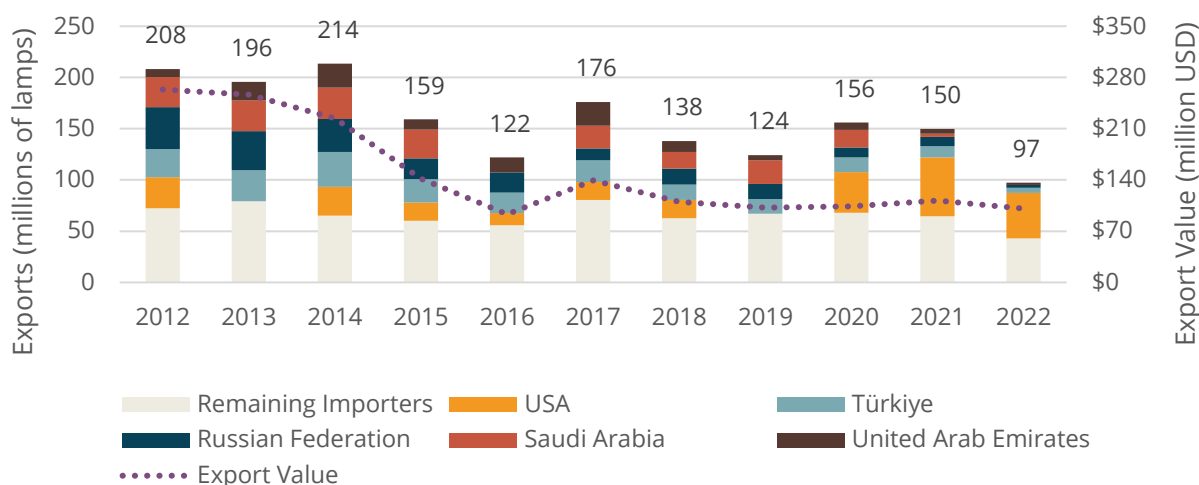


Figure based on UN Comtrade data (HS 853931).

The size and value of EU's fluorescent lamp exports have consistently decreased over the past decade – with a 35% decrease from 2021 to 2022 alone. Since 2020, more than half the revenue value from EU-27 exports have gone to countries moving to phase-out fluorescent lamps - through legislation that aligns with the EU-27 decision on RoHS (including the UK, Switzerland and Norway), or through their own legislation to eliminate toxic mercury-added lamps (including the USA).

Countries comprising the remaining half, including Canada, Australia and Singapore, are all actively working on legislation to phase-out fluorescent lamps as well. These national initiatives are above and beyond what is mandated by the Minamata Convention on Mercury. The EU-27 has an opportunity to lead the world by making a responsible decision to swiftly ban exports.

The EU economy is ready. The economic impact from a 2025 fluorescent ban is estimated to be small or non-existent. The remaining four EU fluorescent manufacturers know the fluorescent market is dying. In turn, these companies have already shifted part of their production lines to LEDs, made plans to shut down fluorescent facilities, and begun supporting local assembly of LEDs in some of our traditionally importing countries. In fact, growth in LED revenues more than exceeds the decline in fluorescents. Europe's LED exports are expected to rise as trends show^{vi}.

Since 2018, the EU has earned 50% more revenue from LED light sources compared to fluorescent. A CLASP analysis shows that countries around the world are consuming EU-27-sourced LED lamps faster, and at greater trade value, than they are consuming EU-27-sourced fluorescent lamps. This trend shows there is an on-going consumer preference for switching to LED and EU lighting importers are reflecting that demands.

The value of the LED exports to EU-27 countries, not only multiples higher than fluorescent exports, but also replaces those revenue losses from fluorescent lamps at the same rate, so losses to EU-27 lighting companies nets to zero (N.B. all companies producing fluorescent lamps in the EU-27 also offer LED alternatives).

Relocation of EU businesses is also unlikely, considering that mercury use is going down and equivalent measures in other countries are being implemented. Based on data^{vii} from more than 1200 lighting technologies, phasing out LFLs as early as 2025 is technologically feasible and economically justified in over 60 countries.

Therefore, we call on all co-legislators to adopt the most ambitious target, i.e. the phase out date of 31 December 2025 for all categories of lamps under the current revision. This decision, combined with an early phase out date for dental amalgam (while addressing other remaining uses and source of mercury pollution) can truly reduce the health risks to millions of EU citizens, and many more globally.

This is an opportunity we cannot afford to miss.

Yours sincerely,

Faustine Bas-Defossez, Director Nature Health and Environment, European Environmental Bureau (EEB)

Ana Maria Carreño, Senior Director, Climate, CLASP

Rachel Kamande, Clean Lighting Coalition Campaign (CLIC) Lead

Elena Lymberidi-Settimo and Michael Bender, Zero Mercury Working Group International Co-ordinators

Elorm Kokou AMEGADZE, Directeur Exécutif par intérim de l'ONG Les Amis de la Terre-Togo (ADT-Togo)

Leslie Adogame, Executive Director, SRADeV Nigeria

Emmanuel Odjam-Akumatey, Ecological Restorations, Ghana

Ram Charitra Sah, Executive Director, Center for Public Health and Environmental Development, Nepal

Kamese Geoffrey N., Executive Director, Bio Vision Africa (BiVA), Uganda

Brian Fadie, State Policy Manager, Appliance Standards Awareness Project (ASAP), USA

Riedo Panaligan, President, Center for Renewable Energy and Sustainable Technology (CREST), Philippines

Michael Musenga, Executive Director, Children's Environmental Health Foundation, Zambia

Mr. Satish Sinha, Associate Director, Toxics Link, India

Lien To, Deputy Director, CCHIP, Vietnam

Dr. Razia Safdar, Sustainable Development Policy Institute (SDPI), Pakistan

Nithi Nesadurai, Director & Regional Coordinator, Climate Action Network Southeast Asia, Malaysia

Siddika Sultana, Environment and Social Development Organization-ESDO, Bangladesh

Lilian Corra, Asociacion Argentina de Medicos por el Medio Ambiente, AAMMA, Argentina

Decio Yokota, Information coordinator, Iepé - Instituto de Pesquisa e Formação Indígena, Brazil

Rico Euripidou, Campaigns' coordinator, groundWork, South Africa

Hemsing Hurryrag, Pesticide Action Network, and DION, Mauritius

Thony Dizon, Toxics Campaigner, BAN Toxics Philippines

Sofia Chávez, General Director, Casa Cem Vías Verdes A. C. Mexico

Gilbert Kuepouo, Executive Director, CREPD Cameroon

Wondwossen Sintayehu, Co-lead, Destiny Ethiopia.

Nicola Bird, Integrated Health Outreach Inc (IHO), Antigua and Barbuda

Naji KODEIH, Consultant on Chemicals and Waste Management, IndyACT - Lebanon

Dr. Elena Manvelyan, President, Armenian Women for Health and Healthy Environment, Armenia

Solomon Kusi Ampofo, Projects Coordinator, Friends of the Nation, Ghana

Alexandra Caterbow and Olga Speranskaya, HEJSupport Co-Directors, Germany

Jean-Pierre Havard, President, Association Solidarité Guyane - France

Susana Fonseca, Vice-President – ZERO, Portugal

Hanna Schudy, EKO-UNIA Poland

Servando Pérez-Domínguez, President, MERCURIADOS, Spain

ⁱ <https://www.who.int/news-room/fact-sheets/detail/mercury-and-health>

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

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

^{iv} For inquiries about the methodology and assumptions behind CLASP's impact projections, please contact jwebber@clasp.ngo.

^v <https://www.clasp.ngo/wp-content/uploads/2023/12/Global-Report.pdf>

^{vi} <https://eeb.org/library/joint-statement-on-mercury-added-lamps/>

^{vii} See: <https://www.clasp.ngo/research/all/2023-global-lighting-report/>