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The world's largest mercury user: Is Indonesia Ready to Implement the Mercury Treaty?

Jakarta, 29 November 2013 - On the 10th of October 2013, government representatives from 139 countries agreed to adopt the new mercury treaty, named the [*Minamata Convention on Mercury*](#), in Kumamoto, Japan. As of today, 94 countries, including Indonesia, have signed the treaty and prepare to ratify it. The US is the first to ratify the treaty. The new treaty regulates the trade and distribution of mercury, restrict and eliminate the use of mercury in products and industrial process, mercury use in artisanal and small-scale gold mining (ASGM), emissions control and releases to air, water and soil, management of wastes containing mercury and mercury storage, and remediation of mercury contaminated sites.

In a recently released UNEP study in January 2013, [*Global Mercury Assessment 2013*](#), ASGM identified as the single largest source of mercury emissions from intentional use. In Indonesia, the highest sources of mercury emissions and releases are ASGM, oil and gas production, coal-fired plants, incinerations and open burning, and waste disposal. Based on the results of studies of mercury inventory in Indonesia in 2012, releases of mercury to the environment was around 339,250 kg Hg/year, about 59.37% was released into the air, about 15.5% was released into the water and about 14% released into soil/sediment. Approximately 57.5% of these emissions came from the ASGM sector with a total emission of about 195 tonnes/year or about 20% of total ASGM global emissions.

Mercury imported to Indonesia, from various countries, for use in light industrial and medical devices. But in Indonesia, most of the illegal entry of mercury for use in the small-scale gold mining for gold extraction process. Based on the [*mercury releases inventory study in Indonesia*](#) in 2012, mercury released to the environment 339,250 kg Hg/year, about 59.37% released to the air, about 15.5% released to water and approx. 14% released to soil/sediment. About 57.5% of this emission was from the ASGM sector with the total emissions of 195 tonnes/year, or approx. 20% from the global ASGM total emissions.

Mercury imported to Indonesia, from various countries, to be used in lamp industry and medical devices. However, in Indonesia, most of mercury entered the country illegally to be used in ASGM sector for gold extraction process. The impact of mercury to our health and the environment is significant and irreversible.

"Illegal mercury imported in 2012 at minimum value of US\$ 31.5 million or approx. IDR 365 billion produced gold at minimum of 65 tonnes or approx. US\$ 1 billion or IDR 11.5 trillion. The mercury was traded illegally in 850 hotspots spread out all over Indonesia," Yuyun Ismawati, Senior Advisor of BaliFokus. Yuyun reminded that, "Beside the economic losses from the loss of revenues from taxes and royalties, with current mercury exposures, the reminiscent of Minamata tragedy could occur in Indonesia. We have to stop importing mercury and Indonesia must set the mercury reduction target immediately in the national implementation plan."

"It is so shameful that Indonesia was the top importer of the illegal mercury of the world. Lack of clear regulation and law enforcement on the legal status of mercury use in ASGM, public health and the future generation are at stake and in high risk," stated Nur Hidayati, Head of Advocacy and Campaign Department of WALHI. "Government must apply the precautionary principle consistently to fulfill the Indonesian people's right to live in a healthy environment as a basic human right."

In regards with artisanal and small-scale gold mining, Gatot Sugiharto, Coordinator of CGGM-AMAN (Community Green Gold Mining - *Aliansi Masyarakat Adat Nusantara*) addressed his concern that the communities are ready and support the implementation on the

ground with non-mercury technique and hope that the small-scale or community miners will not be criminalized, “Even if we have obtained permit, miners and chemicals distributors will not be able to work in particular areas as it has been ‘claimed by others’. The illegality of gold mines managed by communities are not caused by the people but mainly to protect the interests of some officials.”

Moreover, the efforts to minimize the mercury contamination in our food chains should be able to be answered or responded by the treaty. As stated by Rossana Dewi from Gita Pertiwi Foundation, “Once mercury entered the environment, eventually it will enter our food chain, through fish and rice, and accumulated in our bodies. When the food chain contaminated, our food will be unhealthy and unsafe, risking the quality of our future generations.”

Arif Fiyanto, Team Leader Climate and Energy Campaign Greenpeace Indonesia, added that the importance of the synergies to eliminate mercury should be coupled by the using less coals, “With current 50 coal-fired power plants and another 117 plants to be built, this sector will increased the mercury emissions in Indonesia significantly. Indonesian government should stop immediately the addiction of this country to coals, and should maximize the utilization of clean and environmentally friendly renewable energy.”

Various perspectives and comments above represent some of critical issues addressed by unrepresented civil society groups in the national plan. So far, civil society groups and industries representatives are not consulted nor invited in the process to develop the Implementation Plan and Sectoral Action Plans. However, the reality at the ground level, communities at large will be affected by the policy implications. Child bearing age women and children under five are vulnerable groups that are need to be protected from mercury poisoning and other diseases that attack the nerve system similar to Minamata disease.

Sudaryatmo, Director of Yayasan Lembaga Konsumen Indonesia (YLKI), Consumers Association, stated that, “Cosmetic products containing mercury are very dangerous for women. Since 1998, Indonesia has forbidden the use of mercury in cosmetics to protect the consumers health. However, the law need to be enforced as we still found cosmetic products with mercury in the market. Beside, mercury released due to leakage or malfunction of the mercury-based devices, also threatened workers’ health and safety as well as the end users.”

Furthermore, Indonesia need to review the existing regulations related to hazardous substances from the upstream to the downstream that are informed and consulted to public, “Government also have to ensure the involvement of all stakeholders, especially public interests civil society groups in the process to develop relevant regulation process at the national as well as at the local level,” said Henri Subagiyo, Director of Indonesian Centre for Environmental Law (ICEL). “Indonesia need to translate several important principles to regulate and control mercury, including the access to information about the risks of mercury use to their health and the environment.”

Learning from Minamata, Indonesia must also ensure that the polluters must pay the compensation to recover the health of the victims and the environment, as well as the absolute accountability mechanism of polluters that use or discharge waste containing mercury, supported by consistent and effective law enforcement. Build an Eco Park on top of the mercury contaminated site like the one in Minamata is not realistic to be implemented in Indonesia and other developing countries.

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