



The Government of the City of Buenos Aires
Ministry of Health

Buenos Aires, July 4, 2006

**LETTER OF INTENT ON MERCURY ELIMINATION AT HEALTH
CARE INSTITUTIONS REPORTING TO THE MINISTRY OF HEALTH
OF THE CITY OF BUENOS AIRES**

On the understanding that:

The right to health is a subjective right intimately linked to human dignity and integrity, and the basis for the practice of all other rights, and as such it requires the implementation of positive public action, in consideration of State power as the necessary intermediary for its materialization.

Such a right is expressly protected in the American Declaration of the Rights and Duties of Man, the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, the American Convention on Human Rights and the Convention on the Rights of the Child, all of which are international instruments of a constitutional standing;

The right to health was definitely added to the body of fundamental and collective rights related with environmental law;

In such a context, the Constitution of the Autonomous City of Buenos Aires guarantees the right to Integral health;

Basic Health Act N° 153 ensures the right to integral health, which supports itself, inter alia, on the principles of an integral conception of health - connected with catering to whatever needs as may be related with food, housing, work, education, clothing, culture and environment - , as well as the advancement of a culture for health, and the social learning that is necessary for enhancing the community's quality of living;

Along these lines, a number of basic priorities need to be considered by the State with the aim of implementing positive measures targeted on detecting risk factors and envisaging prevention and protection measures that may ensure the availability of proper living conditions;

As part of the activities that must be implemented, health care professionals need to be properly trained to recognize, evaluate, prevent and treat environmentally-related diseases;

International Organizations have underscored the high toxicity of mercury for human health, ecosystems and fauna, so that it becomes necessary to adopt measures aimed at reducing emissions of this metal;

According to the World Health Organization (WHO), health care institutions constitute one of the major sources of mercury releases into the atmosphere on account of medical waste incineration;

It is worth mentioning, in this regard, that mercury is also used in medical control and measurement devices;

The WHO encourages the evaluation of current uses of mercury and waste management programs;

Along these lines, short-, medium- and long-term strategies have been conceived with the goal of eliminating mercury from the health care sector;

Act N° 747 of the Legislature of the Autonomous City of Buenos Aires, which bans the incineration of pathogenic waste, has represented a quantum leap in the city's attempts to prevent pollutant emissions;

Despite the above statement, other sources of risk continue to persist in health care institutions as a result of mercury-containing medical products that entail a serious threat to the entire hospital population and, in the long run, to the environment and the community at large.

For this reason, and in agreement with the need to guarantee the fundamental right to a clean and healthy environment, which is an inalienable component of the right to integral health, and on the understanding that such a right is a priority element in governmental policies, this Ministry, through the Environmental Health Coordination Agency, undertakes to adopt positive measures in order to phase out mercury-containing medical inputs and gradually replace them by non-mercury medical inputs and devices at the health care institutions reporting to the State sub-sector of the Health System of the City of Buenos Aires.

In addition, as part of a joint work initiative undertaken with the Ministry of Environment of the Autonomous City of Buenos Aires, this Ministry undertakes to implement training programs for the prevention and proper handling of mercury and other types of hazardous waste.

Signed in the Autonomous City of Buenos Aires on July 4, 2006.-

Dr. Alberto de Micheli

Minister of Health of the City of Buenos Aires