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## **FEAD position paper – implementation of the Basel Convention e-waste amendments in the EU**

The EU single market is essential for the circular economy. A complex waste flow like e-waste, which is treated in highly specialised plants, requires enormous investments (several billion euros) and the corresponding economies of scale. The recycling of e-waste and the recovery of critical raw materials is today high on the political agenda, but also needs a strong demand. Therefore, processes suitable for the recovery of these materials are not developed in all EU countries. In fact, the market counts with a few actors that have been already active for years with comforting benefits and results. At OECD level, we count with relevant operators in few countries: Germany, Sweden and Belgium, in Europe, one in South Korea, four in Japan and one in Canada. Stimulated by EU policies, the recovery of critical raw materials is expected to increase in the coming years and with it, the needed shipments. **Facilitated intra-EU shipments would strengthen recycling within the EU.**

The single market is one of the biggest achievements of the EU and was conceived as a basis for peace and prosperity. **The ambition of the Single Market is to enable people, services, goods, and capital to move more freely.** In this context, restrictions regarding the movement of recoverable waste, and in particular, the movement of e-waste, counteract both the objectives of a single market, as well as the key EU Green Deal objective of a transition to a circular economy. Further aspirations concerning the circular economy and environmental impact of the growing demand for electrical products within Europe should also be taken into account when considering the additional burdens and costs associated with the movement of recoverable waste.

In addition, EU legislation ensures the highest environmental protection standards, which certainly guarantees that e-waste is not managed in a less environmentally sound manner by facilitating its shipment internally. **Both, the particularities of the nature of our single market and the high environmental and social standards we enjoy in the EU must be considered and should enable, within the EU, a differentiated regime from the international landscape, meaning a dedicated intra-EU e-waste entry.** Given the environmental controls for the shipment, acceptance, treatment and recovery of e-waste within Europe (as set down, for instance, in the WEEE Directive and the Batteries Regulation), the routes of untreated e-waste between Member States partners have little probability of pollution or other environmental damage.

In summary, **FEAD**, the European Waste Management Association, **has repeatedly called for such facilitated intra-EU shipments with a dedicated e-waste entry, notably based on following arguments:**

- No option for Annex VII shipments within the EU will be both an administrative and economic barrier for more recycling. Among others, financial guarantees are a considerable burden for all notifiers.
- No option for Annex VII shipments is also contradictory with the objectives of the Critical Raw Materials Act, according to which movements of critical raw materials (CRMs) within the EU should be facilitated.

- Annex VII procedures make it possible to utilise market opportunities that arise at short notice, which is especially relevant for the recovery of CRMs, stimulated by the EU to develop and increase rapidly.
- High increase of notifications is expected which will delay competent authorities even more than they already are today.
- With the implementation of the electronic data interchange system, Annex VII procedures will already be submitted to the competent authorities, registered and published electronically, which ensures traceability and transparency.

**Were the Basel Convention e-waste amendments still to be fully implemented within the EU, FEAD strongly notes the following points and calls upon all competent authorities to make sure that there is a smooth, harmonised and uniform transition across all EU Member States, that does not hamper the circular economy:**

- The implementation of the e-waste amendments will mean an enormous increase in the numbers of PICs applications being made each year. It is essential that PIC procedures are efficient and effective in a harmonised manner across the EU. Competent authorities must ambitiously deploy the necessary technical and human resources to ensure that the circular economy is not hampered by the new codes and increased procedures.
- It must be ensured that operators are able to already use the new codes before their entry into force. Competent authorities must be briefed and trained accordingly to be able to process requests in a timely matter. Specific training in e-waste streams, components and fractions and treatment and recovery routes is especially key to a smooth transition to the new codes and to prevent the backlog and large stockpiles of e-waste that will result otherwise.
- While appreciating the effort, due to the unfruitful negotiations that took place at OECD level, operators will have now a very short time to react after the adoption of the EU regulations implementing the Basel amendments. This will affect especially smaller operators with less resources. A longer transition period, i.e. a delay in the entry into force of the new codes in the EU would help granting all operators better and more equal opportunities.
- **If no solution can be found to preserve the EU single market with a dedicated intra-EU e-waste entry, FEAD strongly suggests that, for shipments within the EU, the application of the new Basel e-waste entries is postponed, and that they start applying together with the rules from the new Waste Shipment Regulation on 21 May 2026.**

*FEAD is the European Waste Management Association, representing the private waste and resource management industry across Europe, including 19 national waste management federations and 3,000 waste management companies. Private waste management companies operate in 60% of municipal waste markets in Europe and in 75% of industrial and commercial waste. This means more than 320,000 local jobs, fuelling €5 billion of investments into the economy every year. For more information, please contact:*

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