EUROMETAUX
EUROPEAN ASSOCIATION OF METALS

Brussels, 9th October 2013.

Eurometaux Position on the proposed amendments to the Waste Shipment Regulation
"Need for ambitious measures to fight against the estimated 25% of illegal shipments of waste"

Eurometaux welcomes the proposed amendments to the Waste Shipment Regulation which address the important and challenging problem of illegal shipments of valuable material embedded in waste and end-of-life products outside the EU. The amendments point to the right problems and propose useful measures. However, Eurometaux believes that the amendments are not ambitious enough and should go further so as to significantly reduce the estimated 25% of illegal shipments.

Since metals do not lose their intrinsic properties during recycling, they can be used and re-used, again and again, with all the benefits linked to recycling. Some metals are already highly recycled, while others, including some critical metals are much less recycled. The EU recycling industry has the potential to develop still further, provided that the right framework conditions are created. The challenges include improved access to secondary raw materials (notably through halting illegal exports of scrap and end-of-life products), quality recycling targets for each of the three steps of the recycling value chain (collection, preparation for recovery and material recovery), and a global level playing-field to ensure that secondary materials exported legally or illegally are treated in acceptable environmental, health and efficiency conditions.

The Waste Shipment Regulation establishes clear rules that need to be met to export waste to OECD and non-OECD countries, but implementation and enforcement are challenging. For example, it is currently virtually impossible to check that waste exported to non-OECD countries is treated in environmental sound conditions as required by Article 49.

Eurometaux welcomes the two main amendments to the WSR proposed by the Commission, namely the introduction of requirements regarding inspection planning by MS and the reverse burden of proof by which MS can demand evidence from suspected illegal waste exporters regarding the status of the material, the nature of the treatment foreseen, and the conditions in which it will be treated.

However, Eurometaux believes that a simple paper claiming compliance with Article 49 is not sufficient, and therefore suggests that a mandatory certification scheme of end processing/recycling facilities be set up, so as to ensure that secondary materials may only be exported if a final processor is duly identified and certified on the basis of criteria related to environmental, health, governance conditions and process efficiency. The text of the proposed Article 50 could be modified as follows:
In order to ascertain that a shipment is destined for recovery operations which are in accordance with this Article, the Commission will examine the feasibility of establishing a global certification scheme for recycling facilities for the export of certain waste streams, building on environmentally-sound management criteria and technical standards, and make a proposal on the subject no later than…."

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Eurometaux represents the European non-ferrous metals industry

- **The NF-metals industry is indispensable for modern society**. Thanks to their intrinsic properties – including durability and recyclability - non-ferrous metals are indispensable to meet essential societal needs and to build a low-carbon economy.
- **Non-ferrous metals contribute to the European - and global - creation of wealth and jobs**: they represent 2% of EU GDP and create **450,000 direct jobs and over 1 million indirect** jobs in Europe. Their use in high-tech and high added-value activities makes them extremely valuable to the EU's economy and competitiveness.
- **The NF-metals industry contributes to resource efficiency** by enhancing the in-use phase of products and also thanks to high recycling rates ranging between 30% and 95%, depending on the metals and their use. Primary and secondary raw materials are complementary, as secondary raw materials cannot meet the growing needs of a sustainable economy on their own.

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