

Joint Position on the proposed submission, on behalf of the European Union, of proposals to amend Annex IV to the Basel Convention

The European Recycling Industries Confederation (EuRIC) and are very concerned about the proposal for a Council Decision on the submission, on behalf of the European Union, of proposals to amend Annex IV to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal (COM(2020) 362 final)¹.

The newly proposed list of recovery operations in Annex IV B of the Basel Convention completely neglects the fact that mechanical processes are the most used recycling operations to reprocess wastes into materials, products or substances. The current wording of entry R9, which explicitly mentions mechanical treatment (such as shredding, pelletizing, dismantling, sorting, etc.) as operations prior to submission to any of the recycling operations (R2, R3, R4) in section B, suggests that mechanical treatment operations are only preliminary or interim operations but cannot be the main recycling operation.

We strongly urge the European Commission to reconsider the wording of those entries because it would exclude mechanical operations from the scope of R2, R3 and R4. Mechanical recycling refers to the processing of waste by physical means back to products after which no further recovery operation is needed. Mechanical operations are used for a wide-number of waste streams and use state of the art technologies to recycle complex end-of-life products, for example:

- Metals are found in a wide range of products and given their intrinsic properties, can be recycled indefinitely. Using state-of-the-art techniques, mechanical recycling operations enable the metals, often found in end-of-life products that are made of numerous materials, to be separated and processed to a high quality to meet EU-wide end-of-waste criteria. For example, end-of-waste criteria for iron, steel and aluminium scrap as set by Council Regulation (EU) No 333/2011 or for copper as set by Commission Regulation (EU) No 715/2013²;
- Plastics are found in many different products and often used on a daily basis (such as packaging products) or in complex applications (such as thermoplastics used in electronics, or in the transport, automotive and aerospace sectors). Mechanical recycling enables the separation and reprocessing of plastic waste into clean flakes made of one polymer which can then be used to substitute primary raw materials in the downstream manufacturing new products made of plastics;
- Glass is recycled entirely through mechanical operations into furnace-ready-cullet meeting EU wide end-of-waste criteria set by Commission Regulation (EU) No 1179/2012³;
- End-of-life tyres (ELTs) are mechanically recycled into rubber granulates, steel scrap and or textile fibres which can be used in various applications. Rubber granulates from ELTs contribute directly to the substitution of natural rubber and significantly reduce environmental impacts in terms of resource-use and air emissions.

¹ <https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1597668441709&uri=CELEX:52020PC0362>

² <https://eur-lex.europa.eu/eli/reg/2011/333/oj>, <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32013R0715>

³ <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32012R1179>

These examples offer only a short overview of mechanical recycling operations. The current proposal classifying by detailing mechanical operations as interim operations only would prevent all those thousands of facilities relying on mechanical machinery, technology and techniques from being classified as recycling operations.

Besides the fact that the wording of the proposal excludes the vast majority of recycling processes currently used in Europe and globally from the scope of the main recycling entries, its implementation will also have far-reaching negative impacts on the setting and measuring of recycling targets and permits of recycling facilities across Europe as well as legal consequences which cannot be fully assessed at this early stage.

The co-signatories firmly ask to rephrase the current draft in order to correct the draft proposal which in its current form is strongly opposed by the waste management and recycling industry. The following draft amendment is proposed for that purpose:

R*2 Recycling of organic substances (e.g. mechanical operations)

R*3 Recycling of metals and metal compounds (e.g. mechanical operations, smelting)

R*4 Recycling of other inorganic materials (e.g. mechanical operations)

R*9 Mechanical treatment other than covered by R*10 (e.g. dismantling, sorting, crushing, compacting, pelletizing, shredding, conditioning, separating) prior to submission to any of the operations in section B (this does not include mechanical operations under R*2, R*3 and R*4)