



Deutsche Umwelthilfe

NGOs to EU ministers: We need rules to make batteries low carbon, reusable, and responsibly sourced – now

ECOS – Environmental Coalition on Standards, EEB - European Environmental Bureau, Transport & Environment, and DUH - Deutsche Umwelthilfe call on EU ministers to show the same ambition as the position on the Batteries Regulation approved by the European Parliament last week.

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Four NGOs, including some of the largest environmental organisations in Europe, ask ministers to set strict rules for the sourcing, design, reuse, and recycling of batteries.

With electric vehicle (EV) production booming, the EU Batteries Regulation must include robust carbon footprint, reuse and recycling requirements to be applicable as soon as possible, ensuring batteries and EVs further improve their climate advantage over combustion engine cars and preventing landfilling at end-of-life, NGOs warn.

Ministers from the 27 EU member states will agree on a revised Batteries Regulation on Thursday 17 March at an Environmental Council, taking place in Brussels [1]. The Regulation will govern the entire battery product life-cycle, from design to end-of-life, covering all types of batteries, from electric vehicles to e-bikes and scooters to those used in household products.

The new legislation comes at a watershed moment in the transition to electrified mobility and mass-market production of electric vehicles. In Europe alone, at least 38 battery gigafactories are planned or announced, with enough capacity to power around 8 million electric cars [2].

Drafts seen by NGOs suggest that **ministers are likely to water down the proposal** put forward by the European Commission, and take a much less ambitious stand than the text approved by the European Parliament on 10 March. [3]

Main NGO requests (as compared to the compromise text under negotiation):

- Implement requirements for supply chain due diligence checks and removability of portable batteries as soon as possible – avoiding unnecessary delays

- Due diligence provisions must apply to all batteries. Producers of batteries for increasingly popular smaller electric vehicles must not be excluded from being obliged to ensure their supply chains do not contribute to human rights abuses or environmental harm.
- Due diligence requirements should be extended to bauxite, iron and copper, which are all key battery metals that have been linked to environmental and human rights abuses.
- Batteries must be designed to be replaceable and repairable. Users should be able to replace batteries in consumer electronics and light means of transport themselves. Independent operators should be enabled to repair batteries in light means of transport, industrial robots and power tools. This includes making spare parts available to them, and preventing software locks.
- Promote reuse of batteries for EVs and light means of transport by an obligation to check for the possibility of reuse and by creating a conducive framework for reuse companies. In particular, the ‘producer’ obligations for reuse companies should be limited and they should be exempted from EPR charges.
- Ensure new battery recycling targets (including higher recovery targets for lithium) apply as soon as possible – not in 7 years. According to the current compromise text, new recycling targets are delayed by three years compared to the Commission’s proposal, delaying an important supply of critical battery metals including cobalt and nickel. But with EVs sales on the rise, there is no time to waste.

Last week, NGOs sent a letter to the Environment Ministers of the European Union asking to reverse course on some harmful proposals in the Regulation text under negotiation, including many of the points above. [5]

Rita Tedesco, Senior Programme Manager at ECOS – Environmental Coalition on Standards, said:

“We are at a turning point for battery production. This week, ministers will determine whether the transition to transport electrification is a true win for the planet or a pyrrhic victory – cutting on CO2 emissions, but creating tonnes of additional waste. For batteries to enable a transition to clean energy, we must plan for repair, reuse and recycling right at the design stage.”

Jean-Pierre Schweitzer - Senior Policy Officer for Circular Economy and Product Policy, EEB, said:

“Without the resources to produce batteries, Europe can only lead on high environmental standards and its ambition for a circular economy. It must make reuse, repair, refurbishment and recycling default option for all products. The report from the Parliament voted on today starts to go in this direction. Now it is vital that the European Council swiftly follows their lead to avoid creating future dependencies.”

Alex Keynes, Clean vehicles manager, Transport & Environment, said:

“The vote in the European Parliament puts Europe firmly on the path to a sustainable zero-emissions future and means batteries and EVs will continue to improve their climate advantage over combustion engine cars.

Europe’s battery factories are being set up today, not in six years’ time - it is therefore crucial that national governments drop the unnecessary and counterproductive delays being proposed for the new battery recycling targets and supply chain due diligence checks. With speed the name of the game in this fast growing industry, providing legal certainty will also help unlock large-scale investments, ensuring Europe can be a leader in the green battery value chain.”

Philipp Sommer, Deputy Head of Circular Economy, Environmental Action Germany (Deutsche Umwelthilfe - DUH), said:

“A key to improving the environmental performance of batteries is to extend their lifetime. Thus, it is imperative that retired EV and LMT batteries are checked for a possible secondary use as stationary power storage. In addition, the collection of spent batteries must be ensured - for example, through a deposit return system - so that any pollutants they contain can be treated and raw materials recycled.

Finally, online marketplaces must be obliged to guarantee that the batteries they enable selling are compliant to European laws, so that EU legislation is not evaded by third-country-sellers.”

ENDS

Editor’s Note

[1] <https://www.consilium.europa.eu/en/meetings/env/2022/03/17/>

[2] <https://www.transportenvironment.org/wp-content/uploads/2021/08/Battery-brief-1.pdf>

[3] New rules on batteries: MEPs want more environmental and social ambition - europarl.europa.eu/news/en/press-room/20220304IPR24805/new-rules-on-batteries-meps-want-more-environmental-and-social-ambition

[4] <https://www.mckinsey.com/industries/oil-and-gas/our-insights/recharging-economies-the-ev-battery-manufacturing-outlook-for-europe>

[5] NGO letter - <https://eeb.org/library/letter-to-the-environment-ministers-on-the-battery-regulation/>