

To: Environment Ministers of the European Union

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Ms **Simona Bonafè** MEP, Rapporteur for the EU Battery Regulation (ENVI Committee)
Ms **Jessica Polfjard** MEP, Shadow rapporteur for the EU Battery Regulation (ENVI Committee)
Ms **Karin Karlsbro** MEP, Shadow rapporteur for the EU Battery Regulation (ENVI Committee)
Mr **Sven Giegold** MEP, Shadow rapporteur for the EU Battery Regulation (ENVI Committee)
Ms **Silvia Modig** MEP, Shadow rapporteur for the EU Battery Regulation (ENVI Committee)
Mr **Alexandr Vondra** MEP, Shadow rapporteur for the EU Battery Regulation (ENVI Committee)
Ms **Sylvia Limmer** MEP, Shadow rapporteur of the EU Battery Regulation (ENVI Committee)
Mr **Mattia Pellegrini**, Head of Unit, Waste Management and Secondary Materials, DG Environment
Mr **Stefano Soro**, Head of Unit, Green and Circular Economy, DG Internal Market, Industry, Entrepreneurship and SMEs

Brussels, 9th December 2021

Subject: 40 human rights and environmental NGOs warn against unnecessary and harmful delays to new sustainable battery rules

Dear Environment Minister,

In 2019, EU leaders endorsed the objective of reaching climate neutrality by 2050. As the EU transitions to net zero, batteries will play a crucial enabling role in the decarbonisation of the transport and energy sectors.

The transition to renewable energy and mass-market production of electric vehicles will inevitably drive global battery production: in Europe alone, at least 38 gigafactories¹ are planned or announced, with a total estimated capacity of 462 GWh in 2025 alone, enough to power around 8 million battery electric cars.

In light of this, in December 2020 the European Commission (EC) proposed a new sustainable battery law² - the first of its kind - aiming at creating a sustainable battery industry. The proposal is an opportunity to introduce smart regulations that can underpin the rapid development of a world-leading battery supply chain in Europe by putting in place future-proof rules to ensure batteries both made in and coming into Europe are sustainable, and prevent and avoid harm to frontline communities and the planet.

We, the signatories, are concerned therefore to see a recent Council text³ proposing delays of up to 66 months (four years compared to the EC proposal) for the introduction of rules aiming at reducing

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

² Proposal for a Regulation of the European Parliament and the Council concerning batteries and waste batteries, repealing Directive 2006/66/EC and amending Regulation (EU) No 2019/1020

³ Presidency compromise text, 13135/21

batteries' carbon footprint, a delay of 36 months (two years compared to the EC proposal) for the phase-in of mandatory supply chain checks for environmental and human rights abuses, as well as a delay of two years or more for performance and durability requirements of batteries.

With the proposed Regulation currently being discussed by EU Member States and in the European Parliament, we are writing to ask for your urgent support in ensuring the provisions in the proposed regulation are adopted and implemented as swiftly as possible and make sure Europe's new battery industry commits to address human rights and environmental harm from the get go. Europe's battery industry is being set up now, and not in three or four year's time.

By supporting such delays governments would not only be saying they do not want clean and ethical batteries, putting the entire zero emissions transition in jeopardy, but they would be missing a golden opportunity to support a new sustainable and strategic European industry.

On behalf of the below signatories, we urge Member States to reject calls for needless and counterproductive delays and support at the very least those timelines proposed by the European Commission, thereby ensuring the European Green Deal is built on a truly sustainable platform. We remain at your disposal for any questions.

Yours sincerely,

Amnesty International
Bellona Foundation
Bond Beter Leefmilieu
Clean Air Action Group
Danish Society for Nature Conservation
Deutsche Umwelthilfe e.V.
ECODES
ECOS
Ecoteca
European Environmental Bureau
Finnwatch
GermanWatch
GLOBAL 2000
Green Transition Denmark
HOP - Halte à l'obsolescence programmée
Humusz Szövetség
iFixit Europe
INKOTA-netzwerk e.V.
Institute for Circular Economy - Poland
Legambiente
Milieudéfense
Polish Ecological Club Mazovian Branch

Polish Zero Waste Association
PowerShift e.V.
RREUSE
Runder Tisch Reparatur
Salvia
Society for Earth (TNZ, Poland)
SOMO (The Centre for Research on
Multinational Corporations)
SREDINA - Association of Citizens
Transport & Environment
VCÖ, Austria
VCS Verkehrs-Club der Schweiz
WEED, World Economy, Ecology &
Development e.V.
Zelena akcija / Friends of the Earth Croatia
ZERO
Zero Waste Alliance Ireland
Zero Waste Europe
Žiedinė ekonomika
11.11.11
2Celsius