

# Mapping of measure relating to circular economy – circularity in WTO

TESSD Working Group on Circular Economy - Circularity

17 March 2023



WTO OMC

# Approach and overview

- Starting point: [Steinfatt \(2020\)](#) – Trade Policies for a Circular Economy: What can we learn from WTO experience?
- Source: WTO Environmental Database
- Mapping of measures by circular economy
  - Activity / objective
    - E.g. Reduce, Biocycles, Hazardous substances management, Substitute, Repair, Remanufacturing, Reuse, Recycling, Waste to energy, Waste management, Technology / Research, Transparency
  - Lifecycle stage
    - E.g. Raw material; Design; Production; Packaging; Product use; End of life; Waste disposal
- Mapping of measures explicitly related to batteries
  - Notifications: 33 measures, notified by 18 Members under 5 Agreements
  - Trade Policy Reviews: 24 measures included in 20 TPRs
- Going forward: Refinement of approach and feedback from Members



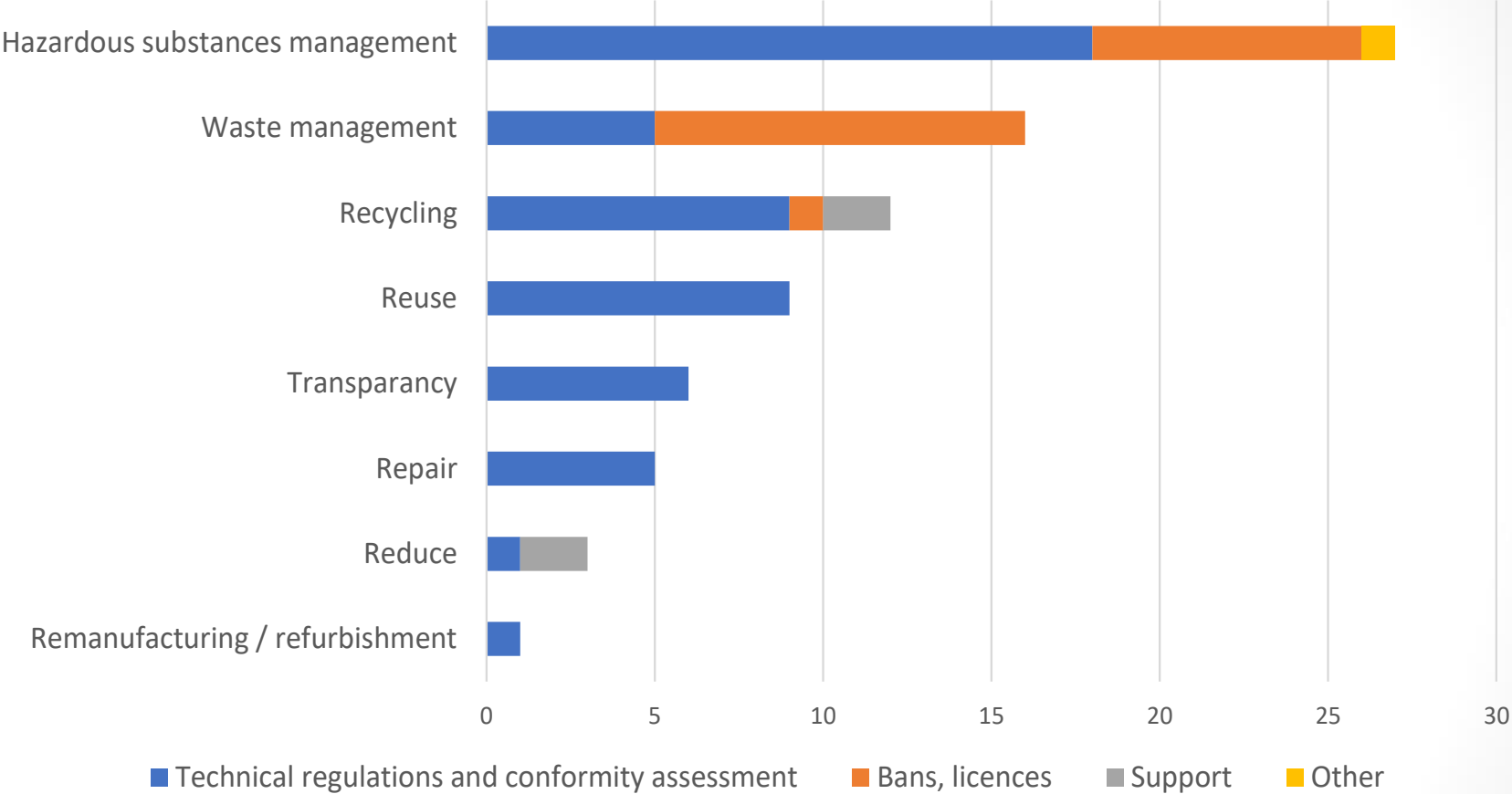
# Batteries: Measures by Agreement and notifying Member

<b>Agreement</b>	<b>Measures</b>
Technical Barriers to Trade	24
Quantitative Restrictions	3
Import Licensing Procedures	3
Subsidies and Countervailing Measures	2
Trade Facilitation	1
<b>Total</b>	<b>33</b>

<b>Member</b>	<b>Measures</b>
China	6
Russian Federation	3
Canada	2
Chinese Taipei	2
European Union	2
France	2
Kazakhstan	2
Mexico	2
Türkiye	2
United States	2
Brazil	1
Colombia	1
Ecuador	1
Jordan	1
New Zealand	1
Philippines	1
Singapore	1
Switzerland	1
<b>Total</b>	<b>33</b>



# Batteries: Measures by circular economy activity / objective



# Batteries: Examples I

## Entire life cycle – Technical Regulation

- European Union (2022), “Proposal for a Regulation of the European Parliament and of the Council concerning batteries and waste batteries” ([G/TBT/N/EU/775](#)): Sustainability, safety, labelling and information requirements for the placing on the Union market of batteries as well as due diligence requirements for economic operators and requirements for the end-of-life treatment of waste batteries.
- Product requirements concern specifically: restrictions of hazardous substances, reporting, labelling and - to be specified by subsequent legislation - maximum level of carbon footprint over the life cycle (electric vehicle and industrial batteries), minimum level of recycled cobalt, lead, lithium and nickel (automotive, electric vehicle and industrial batteries), performance and durability (portable, electric vehicle and industrial batteries), removability and replaceability (portable batteries), safety (stationary battery energy storage systems), labelling (all batteries), information on the state of health and expected lifetime (electric vehicle and industrial batteries), and a battery passport (electric vehicle and industrial batteries).
- Requirements for the end-of-life management: registration by producers, extended producer responsibility, collection of waste batteries, requirements related to treatment, recycling, repurposing and remanufacturing, providing end-of-life information, and reporting to competent authorities.

## Reduce; Recycle – Support

- China (2018), “Preferential tax treatment for products produced with integrated utilization of resources” ([G/SCM/N/315/CHN](#)): Subsidy provided for metallic oxide and nickel cobalt manganese composite hydroxide, lithium nickel, manganese oxide or cobalt chloride made from waste batteries and their disassembled, items.



# Batteries: Examples II

## Recycling; Transparency – Technical Regulation

- China (2017), "Tentative Administrative Rules on the Recycling and Utilization of Traction Battery for New Energy Vehicle" ([G/TBT/N/CHN/1218](#)): Specify recycling and utilization requirements for the traction battery in new energy vehicles, and the obligations of enterprises in meeting the extended producer responsibility, battery coding, traceability management, recycling, and comprehensive utilization standards.

## Hazardous substance management; Waste management – Technical Regulation

- Mexico (2015), "Draft Mexican Official Standard PROY-NOM-212-SCFI-2016" ([G/TBT/N/MEX/337](#)): Sets out maximum allowable levels of mercury and cadmium in lead-acid batteries, and provides specifications, test methods, and labeling requirements. These batteries are considered hazardous waste at the end of their useful life and are subject to waste regulations.

## Hazardous substances management; Waste management – Bans, licences

- Kazakhstan (2017), "Decision of EEC Collegium No. 30 «On Non-Tariff Regulation Measures» of 21 April 2015, Annex 1 to Decision No. 30 of 21 April 2015 QR No. 2: Prohibition to import of hazardous wastes" ([G/MA/QR/N/KAZ/1](#)): Import and/or export licensing for import and/or export of hazardous wastes (except for goods in transit): Waste lead-acid batteries, not assembled; Unsorted used batteries; Electrical equipment scrap or electrical junctions including galvanic piles, batteries....

## Repair; Reuse – Technical Regulation

- Chinese Taipei (2017), "Proposal for Legal Inspection Requirements for Electric Motorcycle Charging System Equipment and Battery Swap System Equipment" ([G/TBT/N/TPKM/401](#)): Proposes to regulate the safety of electric motorcycle charging system equipment and electric motorcycle battery swap system equipment.

# Batteries: Trade Policy Reviews - Examples

## Tunisia (2016) – Recycle; Regenerate; Technology

“A 5% tax, established by the 2003 Finance Law, is levied on sales, including imports, of a range of generally imported products, namely, petroleum oils, polymers, centrifuges, and cells, batteries and accumulators, and chemicals. This tax goes towards two special treasury funds: 70% to the Pollution Cleanup Fund (FODEP) and 30% to the Fund for the Protection of Environmental Aesthetics (FPEE).” [fn:91]

[fn:91] “The role of FODEP is to encourage manufacturers to prevent pollution by establishing waste collection and recycling units. In practice, FODEP also provides assistance for the prevention of waste pollution and the development of clean technology.”

- para. 3.124; pg. 67 ([WT/TPR/S/341/Rev.1](#))

## Paraguay (2017) – Hazardous substances; waste management

"Prohibited Imports" in Table 3.12: "Ordinary primary cells and batteries of zinc carbon and alkaline manganese exceeding the percentage determined in the Law Protection of human health and the environment Law No. 3.107/06 of 20 December 2006"

- pg. 52 ([WT/TPR/S/360/Rev.1](#))



# First takeaways

Circular economy activities / objectives:

- (Hazardous) waste management
  - Many measures apply to protection of human health and environment
  - Several prohibitions/import ban/licencing related measures are linked to international agreements like Minamata Convention on Mercury
- Recycling - several measures promote or are linked to recycling
  - In some cases, it is unclear how waste measures are linked to recycling
- Reuse - some of the measures captured relate to battery charging stations

Types of measures:

- Regulatory measures are most common; some market access and subsidy measures





Thank you

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