Thank You Madame Chair. BAN feels compelled to take the floor at this time to state a very serious concern regarding global policy coherence on the subject of controlling the export of e-wastes for alleged repair and refurbishment.

Both the MPPI and the PACE partnerships grappled with this issue and came up with a guideline that probably does not go far enough. However these guidelines do assert that exports of non-functional equipment for repair can only take place outside of Basel Controls if the material is non-hazardous or if it is being returned to producer under warranty.

Delegates from the European Union were part of those guideline negotiations and agreed to the limited exceptions to the rule. Then following those efforts, the European Council in the negotiations of the Waste from Electronic and Electrical Equipment Directive (WEEE) recast – that is the renewed legislation on managing e-waste in Europe very late in the game have pushed hard for new exceptions which are unexpected and massive loopholes that would open wide the floodgates for manufacturers to export all manner of electronic wastes for alleged repair including all after lease equipment. The computer leasing industry is a billion dollar industry which retires massive volumes of electronics every year. Yet exceptions for leased equipment were specifically eliminated as a possibility from PACE guidelines. The new exceptions now promoted by the EU set a new standard far less rigorous than what the EU negotiated in PACE and MPPI and which exists there currently.

We believe that such an action is inappropriate and in bad faith. How can the EU negotiate and then expect the world to live up to a certain set of standards and then go back home and do far less themselves. It is perfectly acceptable for countries to want to do MORE than what is negotiated internationally, but not less.

Such a move undermines the good faith of the partnership and guideline setting process. We hope all of the Parties join in asking the European Union to not create double standards that benefit some of their industry alone but distort an even and environmentally more robust playing field for the rest of the world.

Thank you.

Extracts from EU proposal: used electrical and electronic equipment for professional use is sent for refurbishment or repair under a valid after-sales service maintenance contract with the intention of re-use, or

c) defective used electrical and electronic equipment for professional use, such as medical devices or their parts, is sent for root cause analysis under a valid after-sales
service maintenance contract, in case such an analysis can only be conducted by the producer or third parties acting on his behalf,