



**ROYAL NORWEGIAN MINISTRY OF
CLIMATE AND ENVIRONMENT**

The Minister

European Commissioner for Environment, Oceans and
Fisheries, Virginijus Sinkevičius

Your ref

Our ref
21/1184-

Date
29 April 2021

Re: Norway's preliminary views on the new batteries and waste batteries regulation.

I would like to express Norway's support to the Commission's proposal for a regulation on batteries and waste batteries as the foundation for a comprehensive and ambitious future batteries policy framework at the European level. The proposal will increase sustainability in the value chains for batteries and lead to reduced greenhouse gas emissions, less waste for final disposal and increased resource efficiency. It will strengthen Europe's handling of key resources and raw materials, increase competitiveness and create jobs in the transition towards a circular economy that is essential to reaching the overall goals of the European Green Deal.

Norway wants to be a partner and contribute to its implementation. Our green energy as well as industry producing components and metals make us a good location for battery production. Investments in battery production and recycling capacity is increasing in line with increased demand in the European and global market. We will work to ensure that Norway continues to be an attractive host for green value chains. Companies and investors across Europe will find possibilities for green value creation and investment in Norway.

In order to secure a full European value chain, Norwegian companies must be able to participate on the same level as EU based companies. Unfortunately, the Trade and Cooperation agreement between the EU and the UK (TCA) will impose barriers to a European battery industry with significant input from Norway, with consequences for a sustainable battery production.

Norway is a frontrunner in the use of electric cars. In 2020 around 54% of the new registered passenger cars were fully battery electric. Norway has experience with handling a growing

volume of waste batteries from electric vehicles. Norway's maritime sector is an important driver of technological development. More than 70 electric car ferries are currently in operation on the Norwegian coast or in planning, largely as a result of governmental requirements and public procurement processes.

Norway welcomes the Commission's proposal for a battery regulation and its broad regulatory approach. We share the view on the importance of ensuring that economic activities in each part of the battery value chain is based on high climate, environmental and social standards. The regulation should cover a wide variety of batteries – from small electronic products to batteries in cars, planes and ships.

The planned electrification within the transport and energy sectors will cut greenhouse gas emissions in Europe. Norway supports the ambition to maximise the climate potential in this transition by making sure that the overall value chain for batteries has a low carbon footprint.

Norway is positive to the following elements of the proposal:

- Mandatory supply chain due diligence obligations for electric-vehicle and large industrial batteries. These should build on internationally acknowledged guidelines such as the OECD Guidelines for Multinational Enterprises and the ILO Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy, and set out appropriate measures to ensure sustainable production whilst keeping the administrative burden on economic operators at a reasonable level.
- The obligation to document a battery's climate footprint in CO₂ equivalents, calculated on the basis of life-cycle assessment principles, making this dimension a competitiveness factor in the battery markets. Care should be taken so that relevant actors in the single market - operating both inside and outside of the EU/EEA - use a similar methodology to calculate the climate footprint of batteries.
- Making market information readily available by electronic means, including by way of unique product passports. Market information is essential for both private and public economic operators. Digitalisation offers new opportunities to gather and present data relevant to both the purchase and use of batteries. It is important that the regulation take into consideration aspects concerning intellectual property rights, cyber security and confidential business sensitive information.
- Setting out Extended Producer Responsibility obligations for batteries and establishing high collection and recycling rates. This is important to help close material loops and to reduce Europe's dependence on resources and products that are extracted and produced in unsustainable conditions. It is important that collection and recycling rates are set so as to ensure both sustainable production and high value creation, in that they also are economically and practically feasible to achieve.
- Requiring the use of secondary raw materials in new products. This will secure more reuse and better prices for raw materials from discarded batteries. It will help strengthen the markets for secondary raw materials and secure valuable minerals for battery technology. It is important to secure the quality of recycled material to avoid

the emission of hazardous substances. It is also important to carefully assess possible impacts of requirements on the use of secondary raw materials to prevent adverse consequences (such as providing incentives for batteries to become waste so that their materials can be recycled instead of reused/used for a longer time-span).

- Handling the process for the restriction of further hazardous substances in batteries, which can pose a risk to human health or the environment, as part of the existing activities under the REACH regulation.
- Paving the way for a second life of batteries as part of the circular economy.
- Setting the same requirements to treat discarded batteries in an environmentally sound manner outside of as well as within Europe. This will help strengthen the European market for returned waste batteries. It is important that the responsibilities of the different economic operators are clarified in the regulation, especially with regards to European-made batteries that are exported out of the single market.

Norway will follow discussions closely and elaborate on its position to the proposal for a new battery regulation, which may require changes to Norwegian law to ensure an appropriate and holistic implementation. We look forward to continued contacts on the EU Green Deal and the corresponding legislative proposals. Sustainable battery production is essential for Europe's transition to clean energies, and we will follow-up in order to ensure a level-playing field for the battery industry.

Yours sincerely



Sveinung Rotevatn

Copy:

- Executive vice-president Frans Timmerman
- MEP Pascal Canfin, Chair of the Committee on the Environment, Public Health and Food Safety
- MEP Anna Cavazzini, Chair of the Committee on Internal Market and Consumer Protection
- MEP Cristian-Silviu Buşoi, Chair of the Committee on Industry, Research and Energy
- Permanent Representation of Portugal to the European Union
- Permanent Representation of Slovenia to the European Union