



delegate alert

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8 Reasons Why Basel Parties Must Keep R14ALT in Annex IV

Basel Legal Contact Group Must Close the Dangerous Loophole of Traders Claiming “Repair”

R14 and R14ALT

Many in the Legal Contact Group are pushing back against the EU’s proposal to close a significant loophole in the Convention. By removing the proposed R14 or R14ALT (the preferred version) from Annex IV—which defines operations considered waste under the Convention—it becomes nearly impossible, except through national definitions, to classify non-functional equipment (such as EV cars, electronic waste, lithium-ion batteries, and old PFOA cookware) as waste. If these items are not considered waste, they fall outside the Convention’s control and can be dumped en masse in your country, violating the core principles of the Basel Convention.

8 Reasons We Must Retain R14ALT

1. Contradicts Glossary of Terms

Removing R14 in any form contradicts the Glossary of Terms adopted by the Parties after much deliberation. The Glossary defines “repair” as “fixing a specified fault in an object that is a waste or a product.” Clearly, repair can involve waste. Removing that possibility from Annex IV—which is binding—would reverse a carefully negotiated agreement.

2. Weaker than Existing Electronic Waste Guidance

Even the Basel Electronic Waste Technical Guidance, which has been criticized for loopholes, requires five stringent criteria to be met before an item can be declared “non-waste.” Removing R14ALT effectively signals that no care, contracts, or safety measures are required. Exporters could freely ship toxic-laden items—such as old printers with toner, selenium drums, and lead-filled circuit boards—by merely claiming

“repair.” Including R14ALT in Annex IV ensures Basel controls apply.

3. Undermines National Policies

Many countries prohibit the import of non-functional equipment, requiring functionality testing. This includes the EU and numerous others. Without Annex IV defining repair as a waste-related operation, these countries will struggle to enforce their policies and will need to develop new national definitions under Article 1(1)(b) to maintain control.



All of these old printers full of toxic toners, selenium drums, and lead containing circuit boards could be exported to your country without Basel PIC or controls of any kind simply by claiming "repair". R14ALT placed into Annex IV will ensure Basel Controls. Copyright BAN.

4. Disregards the Bamako Convention

The Bamako Convention, representing 30 African countries, already classifies non-functional electronic waste as waste. Removing R14ALT would ignore these Parties' established positions. Annex IV must include operations that reflect the will of these nations and others that deem non-functional materials as waste.

5. Invites Fraud

Many exporters already exploit the “repair” loophole, falsely claiming repair intentions. Without listing repair as a waste destination, Basel Parties will be powerless to prevent such deceptive exports, paving the way for widespread fraud.

6. Legitimate Repairs Still Generate Waste

Even genuine repair operations can be environmentally unsound and involve hazardous waste disposal. Picture boatloads of old EVs with degraded lithium-ion batteries dumped in your country, mismanaged by informal operators who burn the batteries for metals. Imagine shipments of batteries, mercury-laden monitors, and PFOA-containing cookware—exported under the guise of “repair.” Without R14, these would be legally classified as non-waste and evade Basel controls.

7. Erodes Basel Safeguards

If “repair” escapes Basel’s jurisdiction, there will be no prior informed consent (PIC), no notification rights, no accountability, and no guarantee of environmentally sound management (ESM). This loophole would be a massive step backward for the

Convention.

8. Exploits Weaker Economies and Undermines the Ban Amendment:

Why do certain corporations push to exclude repair? Because it's cheaper. Shipping items to countries with weaker economies exploits cheap labor and lax environmental enforcement. This practice is environmental injustice at its core.

>> ACTION NEEDED:

Let's not allow this to happen. The EU rightly recognized the need to include R14ALT in Annex IV. Please attend the Basel Legal Contact Group and fight to retain R14ALT. If it cannot be added at COP17, Annex IV should not be adopted at this time.

Thank you.