

Public consultation on the evaluation of the EU Directive on waste electrical and electronic equipment (WEEE)

Fields marked with * are mandatory.

Introduction

The European Commission is evaluating [Directive 2012/19/EU on waste electrical and electronic equipment \(WEEE\)](#), hereinafter referred to as "the Directive", and therefore collecting insights into how the Directive is functioning.

The evaluation aims to assess the performance of the Directive against its objectives and expectations. The evaluation is also looking into how consistent the Directive is with the EU's wider policy objectives, including those introduced under the European [Green Deal](#) and the [Circular Economy Action Plan](#) and will take into account any other relevant developments in EU environmental and waste policy (e.g., [Batteries](#), [Ecodesign for Sustainable Products](#), [Restriction of Hazardous Substances in EEE](#), [Waste Shipments](#), [Critical Raw Materials](#)).

The evaluation covers the implementation of the Directive along with the related secondary legislation and any related measures and good practices taken at national level in all Member States.

You are invited to respond to the questionnaire according to your level of knowledge and involvement in the Directive's implementation or policy.

You can save your answers as drafts and finish the survey later. The questionnaire is accessible in all official EU languages and you may submit your reply in any of these languages.

If you have any questions, please contact the European Commission via ENV-WEEE@ec.europa.eu.

About you

* 1 Language of my contribution

- Bulgarian
- Croatian
- Czech
- Danish
- Dutch

- English
- Estonian
- Finnish
- French
- German
- Greek
- Hungarian
- Irish
- Italian
- Latvian
- Lithuanian
- Maltese
- Polish
- Portuguese
- Romanian
- Slovak
- Slovenian
- Spanish
- Swedish

* 2 I am giving my contribution as

- Academic/research institution
- Business association
- Company/business
- Consumer organisation
- EU citizen
- Environmental organisation
- Non-EU citizen
- Non-governmental organisation (NGO)
- Public authority
- Trade union
- Other

The Commission will publish all contributions to this public consultation. You can choose whether you would prefer to have your details published or to remain anonymous when your contribution is published. **For the purpose of transparency, the type of respondent (for example, 'business association,**

'consumer association', 'EU citizen') country of origin, organisation name and size, and its transparency register number, are always published. Your e-mail address will never be published. Opt in to select the privacy option that best suits you. Privacy options default based on the type of respondent selected

* 4 Contribution publication privacy settings

The Commission will publish the responses to this public consultation. You can choose whether you would like your details to be made public or to remain anonymous.

Anonymous

Only organisation details are published: The type of respondent that you responded to this consultation as, the name of the organisation on whose behalf you reply as well as its transparency number, its size, its country of origin and your contribution will be published as received. Your name will not be published. Please do not include any personal data in the contribution itself if you want to remain anonymous.

Public

Organisation details and respondent details are published: The type of respondent that you responded to this consultation as, the name of the organisation on whose behalf you reply as well as its transparency number, its size, its country of origin and your contribution will be published. Your name will also be published.

* 5 First name

Edoardo

* 6 Surname

Bodo

* 7 Email (this won't be published)

edoardo.bodo@rreuse.org

* 11 Organisation name

255 character(s) maximum

RREUSE

* 13 Organisation size

Micro (1 to 9 employees)

- Small (10 to 49 employees)
- Medium (50 to 249 employees)
- Large (250 or more)

14 Transparency register number

255 character(s) maximum

Check if your organisation is on the [transparency register](#). It's a voluntary database for organisations seeking to influence EU decision-making.

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* 15 Country of origin

Please add your country of origin, or that of your organisation.

This list does not represent the official position of the European institutions with regard to the legal status or policy of the entities mentioned. It is a harmonisation of often divergent lists and practices.

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| <input type="radio"/> Åland Islands | <input type="radio"/> Dominica | <input type="radio"/> Liechtenstein | <input type="radio"/> Saint Pierre and Miquelon |
| <input type="radio"/> Albania | <input type="radio"/> Dominican Republic | <input type="radio"/> Lithuania | <input type="radio"/> Saint Vincent and the Grenadines |
| <input type="radio"/> Algeria | <input type="radio"/> Ecuador | <input type="radio"/> Luxembourg | <input type="radio"/> Samoa |
| <input type="radio"/> American Samoa | <input type="radio"/> Egypt | <input type="radio"/> Macau | <input type="radio"/> San Marino |
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| <input type="radio"/> Angola | <input type="radio"/> Equatorial Guinea | <input type="radio"/> Malawi | <input type="radio"/> Saudi Arabia |
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| <input type="radio"/> Bahamas | <input type="radio"/> French Guiana | <input type="radio"/> Mexico | <input type="radio"/> Somalia |

- Bahrain
- Bangladesh
- Barbados
- Belarus
- Belgium
- Belize
- Benin
- Bermuda
- Bhutan
- Bolivia
- Bonaire Saint Eustatius and Saba
- Bosnia and Herzegovina
- Botswana
- Bouvet Island
- Brazil
- British Indian Ocean Territory
- British Virgin Islands
- Brunei
- Bulgaria
- Burkina Faso
- Burundi
- Cambodia
- Cameroon
- French Polynesia
- French Southern and Antarctic Lands
- Gabon
- Georgia
- Germany
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- Greece
- Greenland
- Grenada
- Guadeloupe
- Guam
- Guatemala
- Guernsey
- Guinea
- Guinea-Bissau
- Guyana
- Haiti
- Heard Island and McDonald Islands
- Honduras
- Hong Kong
- Hungary
- Iceland
- Micronesia
- Moldova
- Monaco
- Mongolia
- Montenegro
- Montserrat
- Morocco
- Mozambique
- Myanmar/Burma
- Namibia
- Nauru
- Nepal
- Netherlands
- New Caledonia
- New Zealand
- Nicaragua
- Niger
- Nigeria
- Niue
- Norfolk Island
- Northern Mariana Islands
- North Korea
- North Macedonia
- South Africa
- South Georgia and the South Sandwich Islands
- South Korea
- South Sudan
- Spain
- Sri Lanka
- Sudan
- Suriname
- Svalbard and Jan Mayen
- Sweden
- Switzerland
- Syria
- Taiwan
- Tajikistan
- Tanzania
- Thailand
- The Gambia
- Timor-Leste
- Togo
- Tokelau
- Tonga
- Trinidad and Tobago
- Tunisia

- Canada
- Cape Verde
- Cayman Islands
- Central African Republic
- Chad
- Chile
- China
- Christmas Island
- Clipperton
- Cocos (Keeling) Islands
- Colombia
- Comoros
- Congo
- Cook Islands
- Costa Rica
- Côte d'Ivoire
- Croatia
- Cuba
- Curaçao
- Cyprus
- Czechia
- Democratic Republic of the Congo
- Denmark
- India
- Indonesia
- Iran
- Iraq
- Ireland
- Isle of Man
- Israel
- Italy
- Jamaica
- Japan
- Jersey
- Jordan
- Kazakhstan
- Kenya
- Kiribati
- Kosovo
- Kuwait
- Kyrgyzstan
- Laos
- Latvia
- Lebanon
- Lesotho
- Liberia
- Norway
- Oman
- Pakistan
- Palau
- Palestine
- Panama
- Papua New Guinea
- Paraguay
- Peru
- Philippines
- Pitcairn Islands
- Poland
- Portugal
- Puerto Rico
- Qatar
- Réunion
- Romania
- Russia
- Rwanda
- Saint Barthélemy
- Saint Helena
- Ascension and Tristan da Cunha
- Saint Kitts and Nevis
- Saint Lucia
- Türkiye
- Turkmenistan
- Turks and Caicos Islands
- Tuvalu
- Uganda
- Ukraine
- United Arab Emirates
- United Kingdom
- United States
- United States Minor Outlying Islands
- Uruguay
- US Virgin Islands
- Uzbekistan
- Vanuatu
- Vatican City
- Venezuela
- Vietnam
- Wallis and Futuna
- Western Sahara
- Yemen
- Zambia
- Zimbabwe

I agree with the [personal data protection provisions](#)

Objectives and Scope

The assessment should explore whether the objectives and scope of the Directive are still applicable and sufficient also considering current and future needs. The objectives are to protect the environment and human health by:

- preventing or reducing the adverse impacts of the generation and management of WEEE;
- reducing the overall impacts of resource use;
- improving the efficiency of resource use.

To reach these objectives, the Directive sets out measures, inter alia, for WEEE to be collected separately from unsorted municipal waste, for proper treatment (recovery and recycling) and promoting (preparing for) re-use. It sets ambitious collection targets increasing over time, combined preparing for re-use and recycling targets as well as recovery targets. The Directive incorporates extended producer responsibility (EPR), according to which electrical and electronic equipment (EEE) producers are obliged to finance WEEE collection and treatment.

16 To what extent do you think the Directive has been effective in achieving the following main objectives?

	Very Effective	Effective to some extent	Ineffective	Don't know
* Reduction of WEEE generation	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
* Reduction of negative impacts on the environment and on human health during collection and treatment of WEEE	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Efficient use of (primary) resources to produce EEE	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
* Retrieval/ Recycling of secondary raw materials from WEEE	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Application of best available techniques for WEEE collection and treatment (prevention of emissions, proper treatment)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Prevention of illegal shipments of WEEE out of the EU	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Establishment of a level playing field between the Member States	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>

17 Please provide a justification

- The Directive has been ineffective in reducing the quantity of total WEEE generated as all European and international data shows a clear and sustained rising trend in WEEE generation.
- The Directive has also introduced clear requirements for collection, transport and treatment that helped with lessening some of the negative consequences on the environment and human health associated with substandard management of electronic waste. However, further progress in this direction is hampered by the lack of incentives for the application of the waste hierarchy (especially regarding preparation for re-use targets), as well as weak transposition and implementation across the EU.
- The establishment of EPR schemes in accordance with the Directive gave a slight contribution to recycling rates. Nonetheless, the overall EU recycling rate remains relatively low (< 40 %) as many Member States still struggle to achieve the recovery and recycling targets set by the Directive.
- The absence of concrete prevention measures coupled and the lack of clear guidance on the eco-modulation of the EPR fee means that there are no adequate regulatory incentives to encourage a more efficient use of resources. This results in EEEs becoming increasingly less durable and repairable, with negative consequences on the environment and a missed opportunity to increase value retention in the economy.
- The presence of clear requirements for shipments in Annex VI provides an adequate legislative framework to fight against illegal export, but adequate resources for competent authorities and increased coordination among Member States are both needed to enforce these provisions effectively.
- Collection and management of WEEE varies significantly across the European Union, so that the potential benefits of the internal market fail to materialise due to the lack of a level playing field among different Member States. Turning the Directive into a Regulation should be considered as an effective solution to increase harmonisation, while also solving issues related to weak transposition and implementation.

18

For each of the objectives listed below, please indicate and describe the factors that supported or hindered their achievement.

Objectives	Contributing factor	Hindering factor
Reduction of WEEE generation	Ecodesign	Lack of waste prevention
Reduction of negative impacts on the environment and on human health during collection and treatment of WEEE	Ecodesign	Lack of preparation for re-use targets
Efficient use of (primary) resources to produce EEE	Nothing, the use primary resources is incredibly inefficient and wasteful	Overproduction and Overconsumption, Throwaway culture

Retrieval/ Recycling of secondary raw materials from WEEE	Recovery and recycling targets	Competition with primary resources
Application of best available techniques for WEEE collection and treatment (prevention of emissions, depollution)		
Prevention of illegal shipments of WEEE out of the EU	Clear requirements in Annex VI	Lack of adequate enforcement
Establishment of a level playing field between the Member States	The WEEE Directive itself	Differences in transposition and implementation

General aspects

19 To what extent has the Directive been successful in implementing specific aspects of the extended producer responsibility principle?

	Very Effective	Effective to some extent	Ineffective	Don't know
* Financing the costs for the management of WEEE by responsible producers (avoiding free-riders)	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
* Ensuring that sufficient and convenient take-back possibilities for WEEE from households exist	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Development of appropriate recycling technologies for WEEE	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Ensuring that WEEE is managed using best available techniques	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Ensuring knowledge about volumes of EEE put on the market	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>

20 Please provide a justification

- The lack of incentives for the application of the waste hierarchy within the Directive are reflected in most of the financing covering recycling and recovery, with very little money (if any) being allocated to prevention and preparation for re-use. This imbalance in financing puts preparation for re-use at a disadvantage vis-a-vis recycling, resulting in missed opportunities for environmental, social and economic gains.
- With regards to take-back opportunities of WEEEs, there should be more awareness on how and where citizens can donate used electronics to social enterprises, also explaining what the social and environmental benefits of such donations would be.
- The Directive does provide an obligation for Member States to report data for different End-of-Life options, including preparation for re-use. This data can be used to guide the establishment of separate preparation for re-use targets in the next revision, also drawing on different experiences at the national and regional levels that are already in place in the EU. However, some major data gaps remain and must be filled by providing more detail, for instance by specifying the NUTS level of analysis needed for more reliable data gathering.

21 To what extent do you agree with the following statements?

The Directive...	Agree	Neither agree nor disagree	Disagree	Don't know
* is well adapted to the changes in the composition (types of devices, material composition etc.) of WEEE generated	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
* is well adapted to scientific progress regarding management of hazardous substances	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
* is well adapted to the technological developments in WEEE treatment	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* has helped to improve knowledge about WEEE flows (including materials derived from WEEE treatment)	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
* has promoted research and innovation	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
* has helped to establish a well-functioning single market for secondary raw materials	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* has contributed to creating additional jobs	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
* implementation does not cause unnecessary costs for business, citizens and public authorities	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Member States would not have achieved as much progress in the absence of the EU legislation	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Member States acting on their own would have incurred greater expense to achieve the same progress in the absence of EU legislation	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

22 Please provide a justification

- The increasingly lower durability and reparability of WEEEs is a major obstacle to the circularity of the whole value chain, hence stronger and more precise requirements should be set in the legislation to reflect the current situation and counter the tendency towards wasteful consumption in the current market for EEEs.
- The progress made in regulating chemical substances over the years has contributed to phase out many hazardous substances from new EEEs and reduce risks of leakage in WEEEs, provided that WEEE management is carried out in accordance with all relevant health and environmental standards. Therefore, the re-use of WEEEs should not be hindered by legal barriers related to the possible presence of hazardous substances as the risks to environment and human health are very low during the use phase of products when chemicals remain locked in the product .
- There is enough data on preparation for re-use rates, but data gaps still remain.
- The job creation potential of the WEEE Directive is severely limited by the lack of alignment with the waste hierarchy, as the upper stages of the waste hierarchy correlate not only with better environmental outcomes, but also with increased employment opportunities. Data from the RREUSE network shows each tonne of WEEE prepared for re-use by social enterprises can support 70 to 140 jobs.
- The added value of EU action is clear because the challenge of WEEE management in the single market has clear cross-border implications. Therefore, more harmonisation is needed to level the playing field in the different member states and the conversion of the WEEE Directive into a Regulation can be a very effective solution to immediately increase the level of harmonisation in the EU.

WEEE collection

23 The following reasons were mentioned as hindering the achievement of high levels of collection. To what extent do you agree that the following reasons are hindering?

	Fully	To a large extent	To some extent	Not at all	Don't know
* Insufficient collection systems (e.g. coverage, financing of EPR, capacities)	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Inconvenient collection systems	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Collection by the informal sector including scavenging for valuable parts	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Lack of awareness /information about take back possibilities or about the advantages of not hoarding WEEE	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Enforcement shortcomings	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Other	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

24 Please provide a justification

- The EPR schemes established under the WEEE Directive are currently designed in a way that enables a monopolistic behaviour by Producer Responsibility Organisations, often preventing accredited re-use operators from accessing the waste stream and ultimately resulting in the recycling of reusable EEEs. Therefore, minimum requirements should apply to increase the participation of all stakeholders in the governance and daily functioning of the EPR scheme, while also ensuring that such schemes are conducive to the achievement of the objectives of the Directive by respecting the principle of the waste hierarchy.

- Collection by the informal sector, sometimes including large criminal organisations, is a major impediment to the achievement of high collection rates in some Member States, while at least one member state (Austria) is including the estimated illegal / informal collection and shipment into its performance reporting. Furthermore the involvement of the informal sector poses concrete risks to environment and human health due to the high possibility of substandard WEEE management. This is also particularly relevant for extra-EU shipments, where there is often a lack of capacity by competent authorities. Therefore, coordination among Member States should be increased and enough resources should be made available to properly enforce the provisions of the Directive.

- There is a complete lack of awareness on how and why to donate used electronics to social enterprises, hampering both collection rates and waste prevention efforts.

WEEE treatment

* 25 Do you consider that the requirements for the proper treatment of WEEE set out in Art. 8 and Annex VIII of the Directive are appropriate to minimise pollution as far as possible and contribute to the efficient use of resources?

- Yes
- No
- Don't know

26 If no, please explain:

The current practice of combining preparation for re-use and recycling targets is responsible for the general misalignment of WEEE management with the principle of the waste hierarchy, as producers can fulfill all of their environmental obligations under EU law by simply recycling their used electronics, creating enormous missed opportunities to improve environmental standards, resource efficiency and job creation. Having separate quantitative targets for preparation for re-use is crucial to fulfill the objectives of the legislation and should be one of the main objectives of the next revision, as there is already enough data on preparation for re-use rates and there are several examples of similar targets being implemented at national and regional level throughout the EU.

* 27 Do you consider the recovery targets set out in Art. 11 and Annex V of the Directive are appropriate to ensure high levels of material recycling including critical raw materials and minimizing disposal of WEEE materials?

- Yes

- No
- Don't know

28 Please explain:

The recycling of critical raw materials present enormous opportunities with regards to some applications, especially permanent magnets contained in some large household appliances. However, there are concrete technological barriers which can be hard to overcome, as they are related to the inherent chemical properties of CRMs and their low concentration in consumer products. Furthermore, plastic contained in WEEE is laced with bromine, which acts as a flame-retardant, but also constitutes a hazardous substance that complicates recycling. Therefore, recycling should not be the default option for WEEE management and the upper stages of the waste hierarchy should be given proper consideration.

29 Following a mandate by the Commission, European Standards for the treatment of WEEE have been developed (EN 50625 series on WEEE treatment and EN 50614 on WEEE preparing for reuse). What is your experience with the implementation of these standards?

The development of EN50614 can be very helpful in increasing the reusability of WEEE by setting some clear minimum requirements to protect WEEEs from damaging during collection, transportation and storage. However, compliance with these standards can be rather costly for some social enterprises and SMEs. Therefore, these standards should remain voluntary if their accessibility cannot be guaranteed. The best solution would be to incorporate some of the key provisions of EN50614 within the legislative text of the WEEE Directive, which would make such provisions available for free for all European citizens and businesses, translated in all of the EU's official languages.

A similar issue is also happening in the Netherlands, where the WEEELabex certification became mandatory in 2015 to carry out the repair of electronics, but becoming compliant with the certification requires a significant time and money investment, which is often beyond the possibilities of individual social enterprises and SMEs.

Efficiency of the Directive

30 To what extent has the implementation of the Directive affected the following **direct costs**?

	Lowered significantly	Lowered to some extent	No change	Increased to some extent	Increased significantly	Don't know / na
* Adjustment costs (i.e. investment and expenses to adjust to the requirements of the Directive or national legislation e.g. costs for implementing treatment standards)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Administrative costs	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Enforcement costs (linked to the implementation of an initiative such as monitoring, inspections etc.)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Hassle costs (e.g. because of deficiencies in the administrative implementation of legislation)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

31 To what extent has the implementation of the Directive affected the following **indirect costs**?

	Lowered significantly	Lowered to some extent	No change	Increased to some extent	Increased significantly	Don't know / na
* Transaction costs (e.g. due to renegotiation of contracts due to the requirements of the Directive)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Opportunity costs (e.g. costs of foregone alternative investments to comply with legal obligations)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Indirect compliance costs (e.g. because other stakeholders must comply with legislation.)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Offsetting/substitution costs (e.g. related to reliance on alternative sources of supply)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Environmental costs (e.g. related to negative externalities , e.g., illegal e-waste export)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
* Indirect social costs (e.g. jobs lost due to increased costs of compliance)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

32 What other direct or indirect costs, if any, have you experienced related to the Directive?

Art. 12 of the Directive lays down financing obligations by responsible producers to at least finance the collection, treatment, recovery and environmentally sound disposal of WEEE from households.

* 33 In your opinion: To what extent are the costs associated with the management of WEEE covered by this producer financing obligation?

- Fully covered
- To a large extent
- To some extent
- To a small extent
- Don't know

34 Please explain

The costs of preparation for re-use operations by social enterprises are often not financed by EPR schemes as there is a tendency to redirect most investment to recycling. This makes the re-use of WEEE unprofitable and is a major impediment to greater circularity in the sector.

Coherence and EU added value

35 Are there any provisions in the Directive you consider obsolete? If so, which ones and why?

The role of online marketplaces in the distribution of WEEEs has increased significantly in the last 10 years, but the role and obligations of these actors go beyond the definitions of "producer" and "distributor" present in the Directive. Therefore, the next revision should also extend the scope of the legislation to these increasingly relevant economic operators.

36 Do you see any deficits in the adaptation of the Directive to scientific and technical progress?

37 Are you aware of any unexpected or unintended effects caused by the Directive? If so, which ones?

38 Which EU and international (non-EU) legislation do you consider relevant for the EU (W)EEE market?

Alignment with international obligations is crucial, but should not result in lowering environmental standards in Europe. On the contrary, the EU should continue to push for raising the ambition in relevant international legislation such as the Basel Convention and the upcoming UNEA Treaty on Plastics.

39 What is your opinion about the links **between the Directive and the Ecodesign Directive**?

Strong Ecodesign requirements are crucial to reduce the negative environmental impact of products and increase the circularity of the value chain through more sustainable design choices. Therefore, it is fundamental that the new ESPR sets ambitious requirements for electric and electronic products, especially removing restrictions to repair by designing for easy disassembly and ensuring that independent operators have access to spare parts and relevant information.

40 What is your opinion about the links **between the Directive and the Directive on the restriction of the use of certain hazardous substances in EEE (RoHS)**?

A high level of protection for the environment and human health should be maintained in both legislations. Legal coherence should also be ensured to remove legal barriers preventing the re-use of WEEE, taking into account the fact that risks related to hazardous substances are low when the lifetime of products is being extended through re-use activities. Furthermore, social enterprises operators should not be held liable for information requirements on hazardous substances that have not been passed down to them by producers.

41 Have you encountered any gaps, contradictions, overlaps or missing links **between the Directive and other EU legislation**? Please elaborate, if yes.

The excessive focus on recycling throughout the Directive contradicts the objectives of the Waste Framework Directive, especially after the last revision of 2018. Therefore, a revised WEEE Directive should primarily focus on how to increase its alignment with the overarching principle of the waste hierarchy.

42 Have you encountered any gaps, contradictions, overlaps or missing links **within the Directive**? Please elaborate, if yes.

The provisions in the Directive itself are valid, but weak transposition and implementation results in many positive elements present in the text (e.g: prioritising prevention and allowing social enterprises to access the waste stream) not being applied in reality, thus preventing the Directive from achieving its objectives.

43 Did you encounter any (potential) incoherences with the strategic direction of certain EU policies?

Critical Raw Materials are crucial for the future of the European Union, but EU policy so far has mostly focused on supply-side solutions such as the diversification of trading partners, ignoring the social and environmental impact that mineral exploitation can have on third countries. Therefore, demand-side solutions such as increasing the circularity of products containing CRMs should be more prominent as such an approach would allow to reduce supply risks in an environmentally and socially sustainable way.

* 44 Do you think that the issues addressed by the Directive continue to require action at EU level?

- Yes
- No

46 Do you see the Directive being effective as a legal instrument? Please elaborate.

Turning the Directive into a Regulation could be beneficial to increase harmonisation and level the playing field among different member states. However, it is important that the environmental legal basis (192(1) TFEU) is maintained in order to allow the more environmentally-conscious Member States to increase the level of ambition without hampering the smooth functioning of the internal market.

47 Please feel free to upload a relevant document, such as additional evidence supporting your responses or a position paper. The maximum file size is 1 MB.

Please note that the uploaded document will be published alongside your response to the questionnaire, which is the essential input to this public consultation. The document is an optional complement and serves as additional background reading to better understand your position

Only files of the type pdf,txt,doc,docx,odt,rtf are allowed

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