

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

Fields marked with \* are mandatory.

## Introduction

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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](mailto:ENV-WEEE@ec.europa.eu).

## Objectives and Scope

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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.

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"/>	X	<input type="radio"/>
* Reduction of negative impacts on the environment and on human health during collection and treatment of WEEE	<input type="radio"/>	X	<input type="radio"/>	<input type="radio"/>
* Efficient use of (primary) resources to produce EEE	<input type="radio"/>	<input type="radio"/>	X	<input type="radio"/>
* Retrieval/ Recycling of secondary raw materials from WEEE	<input type="radio"/>	<input type="radio"/>	X	<input type="radio"/>
* Application of <a href="#">best available techniques</a> for WEEE collection and treatment (prevention of emissions, proper treatment)	<input type="radio"/>	X	<input type="radio"/>	<input type="radio"/>
* Prevention of illegal shipments of WEEE out of the EU	<input type="radio"/>	<input type="radio"/>	X	<input type="radio"/>
* Establishment of a level playing field between the Member States	<input type="radio"/>	<input type="radio"/>	X	<input type="radio"/>

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	<input type="text"/>	There are no specific targets for waste prevention and reuse.
Reduction of negative impacts on the environment and on human health during collection and treatment of WEEE	<input type="text"/>	Treatment standards such as CENELEC for treatment of WEEE (EN 50625 series) reduce the negative impacts. Only with mandatory treatment standards the reduction of negative impacts will increase.
Efficient use of (primary) resources to produce EEE	<input type="text"/>	There are no specific targets on recycled content and high quality recycling.
Retrieval/ Recycling of secondary raw materials from WEEE	<input type="text"/>	The Directive has a strong focus on weight. For example, Member States have to calculate the collection rate achieved every year either on the basis of the average weight of EEE placed on their

		market in the three preceding years or on the basis of the quantity of WEEE generated in their territory. In other words, legislation has failed to capture the importance of recovering materials that are not necessarily valuable but that are critical for the economy at large or certain sectors, the critical raw materials.
Application of best available techniques for WEEE collection and treatment (prevention of emissions, depollution)		Treatment standards such as CENELEC for treatment of WEEE (EN 50625 series) are not mandatory in EU, as long application of technology or methods is voluntary progress will be slow in this respect.
Prevention of illegal shipments of WEEE out of the EU		Export of used EEE to third countries of used EEE of low quality that turns into waste quickly should be restricted to avoid the negative local impact. Enforcement is proven to be difficult. Therefore specific requirements for shipment of items for re-use should be considered to essentially rule out illegal exports of e-waste.
Establishment of a level playing field between the Member States		National implementation of the WEEE Directive has led to differences between MS, as a result a level playing field between MS is hard to achieve and will need additional legislation.

## General aspects

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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 checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Ensuring that sufficient and convenient take-back possibilities for WEEE from households exist	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Development of appropriate recycling technologies for WEEE	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>

* Ensuring that WEEE is managed using best available techniques	<input type="radio"/>	<b>X</b>	<input type="radio"/>	<input type="radio"/>
* Ensuring knowledge about volumes of EEE put on the market	<input type="radio"/>	<b>X</b>	<input type="radio"/>	<input type="radio"/>

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"/>	<b>X</b>	<input type="radio"/>
* is well adapted to scientific progress regarding management of hazardous substances	<input type="radio"/>	<input type="radio"/>	<b>X</b>	<input type="radio"/>
* is well adapted to the technological developments in WEEE treatment	<input type="radio"/>	<input type="radio"/>	<b>X</b>	<input type="radio"/>
* has helped to improve knowledge about WEEE flows (including materials derived from WEEE treatment)	<b>X</b>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* has promoted research and innovation	<b>X</b>	<input 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"/>	<b>X</b>	<input type="radio"/>
* has contributed to creating additional jobs	<b>X</b>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* implementation does not cause unnecessary costs for business, citizens and public authorities	<b>X</b>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Member States would not have achieved as much progress in the absence of the EU legislation	<b>X</b>	<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 type="radio"/>	<input type="radio"/>	<b>X</b>	<input type="radio"/>

## WEEE collection

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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 type="radio"/>	<input type="radio"/>	<input checked="" 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 checked="" type="radio"/>	<input 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 type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Enforcement shortcomings	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Other	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

## WEEE treatment

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\* 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**

\* 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**

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?

A treatment standard such as CENELEC for treatment of WEEE (EN 50625 series) reduces negative impacts. With mandatory treatment standards the reduction of negative impacts will increase and provide a secure level of proper treatment.

## Efficiency of the Directive

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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
* <b>Adjustment costs</b> (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"/>	X	<input type="radio"/>	<input type="radio"/>
* <b>Administrative costs</b>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	X	<input type="radio"/>	<input type="radio"/>
* <b>Enforcement costs</b> (linked to the implementation of an initiative such as monitoring, inspections etc.)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	X	<input type="radio"/>
* <b>Hassle costs</b> (e.g. because of deficiencies in the administrative implementation of legislation)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	X	<input type="radio"/>	<input type="radio"/>

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
* <b>Transaction costs</b> (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"/>	X
* <b>Opportunity costs</b> (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"/>	X
* <b>Indirect compliance costs</b> (e.g. because other stakeholders must comply with legislation.)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	X
* <b>Offsetting/substitution costs</b> (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"/>	X
* <b>Environmental costs</b> (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"/>	X
* <b>Indirect social costs</b> (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"/>	X

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

No data available.

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.

\* 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

## Coherence and EU added value

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

Attached paper contains the main viewpoints from the Netherlands on the issues that should be considered in the process of the review. We think further steps are urgently needed in order to fully contribute to the circular economy.

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

Since the publication of the WEEE Directive, several publications indicate a larger amount of hazardous components in WEEE than mentioned in Annex 7 of the directive, are not depolluted properly. Especially substances of (very) high concern are a threat to the circular economy so mandatory removal of components with these substances from WEEE prior to size reduction should be usual. Therefore an update on the materials and the components as listed in Annex 7 is relevant and should be considered.

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

There is no emphasis on waste prevention and reuse at all in the current Directive, so the focus is mainly on collection and recycling. Achieving the collection target is the main driver for action skipping opportunities for repair and reuse.

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

We think the chosen approach for the Batteries Regulation could also very well be applicable to WEEE, meaning a regulation as legislative concept and dealing with all aspects in the life cycle of EEE with regard to due diligence, sustainability, extended producer responsibility, waste management and conformity.



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

The link is simply too weak and lacks interaction in a uniform manner.

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)**?

Both legislations should be consistent with each other and be of additional value.

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

The regulation for WEEE should quickly be updated to the standards of the new Batteries Regulation and the recent proposal for a Regulation on circular vehicles. Harmonized and consistent legislation will support a smooth transition to circular economy in a level playing field.

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

Please take note of the attached/uploaded paper containing the main viewpoints of the Netherlands on the review of the WEEE Directive.

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

Especially the lacking of clear incentives or targets for reuse, repair or refurbishment aiming at extending the value of products instead of focussing on recycling by setting the right specific and differentiated targets.

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

**Yes**

No

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

The Netherlands consider the current implementation of the WEEE Directive as being a solid foundation that offers the opportunity for taking further steps by the e-waste sector in contributing to the circular economy. We think those further steps are urgently needed in order to minimize our environmental footprint and preventing e-waste whenever possible.

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