

Call for evidence for an evaluation of the WEEE Directive

Input from the European non-ferrous metals industry

Introduction

The amount of waste electrical and electronic equipment (referred to as WEEE or e-waste) generated every year in the EU is increasing and it is identified as one of the fastest growing waste streams. If not properly treated, for example through informal recycling channels, it can adversely impact the environment and lead to losses of valuable and critical raw materials necessary for achieving the objectives of the Green Deal and securing the EU strategic autonomy.

The digital transition will need more metals for electronic products, being that basic metals (e.g. copper, aluminium), precious metals (e.g. silver, gold, palladium) and technology metals (e.g. silicon, germanium, indium). Hence, upcoming revision of the WEEE Directive (2012/19/EU) is instrumental to deliver as much materials as possible from the secondary sources and to meet objectives of the EU Circular Economy.

It is said that for every 1 tonne of e-waste Europe recycles, 2 tonnes are a lost opportunity. Therefore, the European non-ferrous metals recyclers are calling for actions to establish a level playing field for high-quality recycling.

Our key recommendations

- **WEEE collection:** Encourage Member States to increase separate collection of e-waste supported by actions targeting citizens to properly dispose of WEEE.
- **Level playing field conditions:** Make the standard EN 50625 on WEEE collection, logistic and treatment and its Technical Specifications legally binding under the WEEE Directive.
- **Coherence of the EU raw materials, chemicals, product & waste legislation:** Ensure coherence between on-going & future EU policies developments to maximise circularity and value of metals extracted from e-waste.

WEEE collection

The WEEE Directive has set increasingly stringent collection targets (45% in 2016, 65% in 2019), followed also by the recovery and recycling levels. However, the separate collection of WEEE remains a big issue in many Member States and some countries like Bulgaria, Czech Republic, Latvia, Lithuania, Hungary, Malta, Poland, Romania, Slovenia and Slovakia were granted a derogation under Art. 7.3 to postpone the achievement of the collection target until August 2021 because of lack of the necessary infrastructure and their low level of EEE consumption. The official data published by



Eurostat in February this year revealed that only three Member States met the 65% collection rate for WEEE and only three more nearly achieved it by showing rates between 61-64%.¹

The challenges of WEEE collection are also strongly connected to the consumer behaviour that tend to hoard the e-waste at home. According to 2022 survey result published by WEEE Forum, mobile and smart-phones rank on the 4th place among the top 5 hoarded small EEE products². Considering that a smart phone contains copper, silver, gold, palladium, and a lithium-ion battery with cobalt, nickel and lithium, and other recyclable components the potential of the EU urban mine remains vastly unexploited.

Our recommendations

- Urge Member States to achieve the collection rates prescribed by the WEEE Directive.
- Encourage exchange of good practices among Member States to trigger effectiveness, efficiency and transparency of WEEE collection and sorting systems.
- Untap the potential of the EU urban mine by mobilising citizens to properly dispose of their WEEE (e.g. smartphones, laptops, tablets) to avoid that it gets hoarded in the European households.

Level playing field conditions

Level playing field conditions must be established for the treatment of waste and valuable materials embedded in products. The European state-of-the-art recyclers recover over 20 metals with high recycling efficiency, including several critical raw materials, from many complex end-of-life products out of which WEEE (e.g. laptops, tablets, circuit boards, mobile-/smart-phones) gets to the top of the list.

It is of outmost importance that waste electronics passes through the three-stage process: i) official takeback scheme, ii) dismantling and pre-processing and iii) state-of-the art metal recovery facilities, guaranteeing maximum recovery of materials and safe treatment of hazardous substances.

However, the global market brings a huge competition from recyclers who do not always perform according to the highest technical, environmental, health, safety and social standards. It is reported that each year 15% of Europe's e-waste is exported mostly to Asia and Africa and we don't know what happens with it. This includes 17000 containers of waste electronics illegally leaving Europe as reported by IMPEL in 2018. Because of that a important part of EU's waste escapes

¹ Eurostat data from Feb. 2022 with a planned update in Dec. 2022: (see the [link](#))

² Results published by WEEE Forum, 14/10/2022 ([link](#)). The surveys show that, of 8,775 European households in six countries (PT, NL, IT, RO and SI, and separately UK) the average household contains 74 e-products such as phones, tablets, laptops, electric tools, hair dryers, toasters and other appliances (excl. lamps). Out of that 13 are being hoarded. The top 5 hoarded small EEE in Europe: 1) Small consumer electronics & accessories (e.g. headphones, remote controls); 2) Small household equipment (e.g. clocks, irons.); 3) Small IT equipment (e.g. external hard drives, routers, keyboards); 4) Mobile & smart-phones; 5) Small equipment for food preparation (e.g. toasters, grills).



value creation domestically, meaning no possibility to close the material loop and to contribute to the EU strategic autonomy.

To this end, the EU should facilitate e-waste flows to European high-quality recycling units, whether intra-EU or imported into Europe. The non-ferrous metals industry advocates for referencing as legally binding in the WEEE Directive (Art. 8.4) the series of standards EN 50625 on collection, logistics & treatment requirements for WEEE together with the related Technical Specifications, i.e. TS50625-5 for the end-processing of WEEE fractions- copper and precious metals.

Our plea is also supported by the conclusions of the EU-funded CEWASTE³ project, led by a consortium of partners across the e-waste value chain. Moreover, so far eight Member States (France, the Netherlands, Czech Republic, Ireland, Luxembourg, Belgium, Slovenia, Lithuania) have incorporated the standards into their national legislation, making compliance against the EN 50625 mandatory.

Our recommendations

- Make EN 50625 on WEEE collection, logistic and treatment and the related Technical Specifications legally binding under the WEEE Directive.

Coherence of the EU raw materials, chemicals, product & waste legislation

The evaluation of the WEEE Directive must be performed in the context of the EU Green Deal, 2020 Circular Economy Action Plan and the future Raw Material Act. Other upcoming and on-going revisions of product and waste policies (i.e. ESPR⁴, RoHS, REACH, CLP, Batteries, End-of-Life Vehicles, waste shipments, waste framework) are of importance to create harmonised conditions that support high-quality recycling of e-waste.

Our recommendations

- **Product design via ESPR** – Encourage electronic products design for circularity and recycling of metals that are contained even in low quantities, as many of them have a high economic value. Require that rechargeable batteries in electronics are removable in order to improve products' repairability and recyclability.
- **Chemicals management via REACH, CLP, RoHS** – Promote risk-based management and safe recycling of hazardous substances contained in e-waste. Ensure coherence between circularity, chemicals and other Green Deal objectives.
- **Waste framework** – Improve the flow of e-waste to EU high-quality recyclers, through improvements to collection, dismantling and sorting infrastructure/technologies and streamline waste shipments legislation.

³ CEWASTE Final public report (2021): <https://cewaste.eu/wp-content/uploads/2021/04/CEWASTE-Final-Public-Raport.pdf>

⁴ ESPR – Ecodesign of Sustainable Products Regulation – legislative proposal put forward by the European Commission in March 2022



- Waste shipments** – Lower the burden for e-waste shipments **intra-EU** by introducing harmonisation of classification 'hazardous' vs. 'non-hazardous' waste and a fast-track notification procedure. For the **extra-EU** shipments, establish rules avoiding that WEEE is falsely declared as used goods and define the content of 'equivalent conditions' for treatment of WEEE waste exported outside the EU for recycling by asking equivalence with the EU treatment standards (e.g. EN 50625). Strengthen controls and clear rules at the Member States and EU-external borders.

ABOUT EUROMETAUX

Eurometaux is the decisive voice of non-ferrous metals producers and recyclers in Europe. With an annual turnover of €120bn, our members represent an essential industry for European society that businesses in almost every sector depend on. Together, we are leading Europe towards a more circular future through the endlessly recyclable potential of metals.

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