

Improved WEEE policy for an effective Circular Economy

Towards reduced environmental pressures and greater economic resilience

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Executive Summary

European Recycling Platform (ERP) identifies four priorities for the future WEEE framework:

- **Establish clear and coherent producer obligations.** The future framework should use harmonised rules and definitions, retain a clear focus on the waste stage of EEE and ensure adequate financial guarantees for long-lived products.
- **Improve collection through realistic targets, appropriate categories and consumer participation.** Collection targets should reflect WEEE actually available for collection, product categories should better reflect product characteristics and awareness-raising should be intensified.
- **Secure control, movement and high-quality treatment of WEEE flows.** WEEE should be properly reported and treated, ownership rules clarified, cross-border movement facilitated and harmonised treatment standards applied across the EU, monitored by effective enforcement.
- **Bring WEEE-derived materials back into production.** Recycled-content measures should operate at material level and support functioning markets for verified secondary raw materials.

These WEEE-specific reforms should be complemented by a stronger EU framework for EPR, including **competitive PRO models, effective enforcement, digitalised compliance** and **harmonised eco-modulation**.

EPR as the foundation of an effective WEEE framework

The revision of the WEEE Directive (2012/19/EU) provides an opportunity to create a more harmonised, enforceable and market-oriented framework for the management of waste electrical and electronic equipment (WEEE).

Extended Producer Responsibility (EPR) should remain its foundation. Among economic instruments, EPR is the only dedicated, sufficient and ongoing mechanism for financing proper waste management¹. It provides stable funding for collection and treatment while supporting eco-design, operational efficiency and material circularity. By internalising end-of-life costs, EPR also supports fair competition between producers, mobilises investment and can strengthen Europe's strategic autonomy through sustained demand for secondary raw materials. Producer Responsibility Organisations (PROs) also increasingly connect producers and recyclers, combining the organisation of end-of-life management with access to secondary materials and helping to close material loops.

The future WEEE framework should combine clear producer responsibility with harmonised rules, realistic performance metrics, strong enforcement and a functioning Single Market for waste and secondary raw materials, as set out in this position paper.

¹ See Ellen MacArthur Foundation (2021), 'Extended Producer Responsibility, a necessary part of the solution to packaging waste and pollution'.

Key policy recommendations for the future WEEE framework

1. ESTABLISH A CLEAR AND COHERENT FRAMEWORK FOR PRODUCER OBLIGATIONS

Establish the future WEEE framework as an EU regulation with harmonised definitions

The future WEEE legislation should be established as an EU regulation. Directly applicable requirements would reduce the fragmentation created by divergent national transposition of the directive and support a more coherent Single Market.

- Under current EU waste law, waste-related definitions, including for EPR, are treated at the Member State level, which has resulted in different applications of terminology across Member States.
- The most significant potential shift would come from **aligning the legal definitions** of “placing on the market”, “making available on the market”, and ‘producer’ across the EU.
- **Greater harmonisation** would reduce administrative burdens, improve compliance, create a level playing field for producers, and enhance the effectiveness of WEEE collection and treatment systems.

Keep WEEE obligations focused on the waste stage

The revised WEEE framework should retain its primary focus on the collection, treatment, and recovery of end-of-life electrical and electronic equipment (EEE).

- Ambitions related to product longevity, repairability, and circular business models are important but should be pursued through **separate legislative instruments** that address products throughout their lifecycle rather than at the waste stage alone.
- Within this clearly defined waste-stage focus, **EPR cost coverage must be limited** to activities that producers and PROs can **reasonably control**. Costs arising from consumer behaviour or municipal errors should therefore be excluded.

Keep reuse targets outside WEEE legislation

Reuse is an important objective of the circular economy. While the importance of reuse is fully recognised, any binding reuse targets should be addressed through the appropriate legislative framework rather than WEEE legislation.

- Reuse depends on actors beyond the WEEE value chain and cannot be effectively driven by WEEE actors alone. WEEE legislation should therefore focus on the waste phase, while **reuse, repair and refurbishment** should be **addressed** through the **relevant product and circular economy legislation**.

- Significant volumes of EEE intended for reuse are traded through second-hand markets and should therefore be duly considered in relevant circular economy policies. This occurs long before products reach a WEEE collection point and become subject to WEEE legislation.
- **Any binding targets** should be **evidence-based, proportionate** and reflect the **maturity** of reuse and second-hand markets.

Require financial guarantees for products with long lifetimes

Products with particularly long lifetimes, such as photovoltaic modules (15–30 years), can create waste-management liabilities decades after they are placed on the market. Member States should therefore require adequate financial guarantees to ensure proper waste management and to create a level playing field between producers and PROs.

- **Adequate financial guarantees** for future waste obligations for products having a long lifespan should include reasonable criteria and mechanisms defining how and when to release such guarantees.
- They should be **funded by current producers**, either directly in case of individual fulfilment of EPR obligations, or indirectly via the designated PRO in case of collective fulfilment of EPR obligations.
- **Clear rules should govern the calculation, management and verification** of financial guarantees. These should include:
 - A transparent methodology for calculating an appropriate guarantee amount;
 - The segregation of guarantee funds from operational assets, for example through a financial trust;
 - Certified transfer of the required funds;
 - Clear rules governing how the funds may be invested, to prevent speculative activity.

2. IMPROVE COLLECTION THROUGH CONSUMER PARTICIPATION, REALISTIC TARGETS AND APPROPRIATE CATEGORIES

Base collection targets on the amount of WEEE actually available for collection

Collection targets should reflect the amount of WEEE that is realistically available for collection by EPR schemes.

- The **current calculation method**, based on quantities placed on the market (**POM**), does **not adequately reflect product lifetimes or differences in lifespan between product types**.
- The calculation method should therefore be **updated to estimate the amount of WEEE available for collection** based on the expected lifespan of each product category.
- The methodology and collection targets should be **reviewed periodically** to assess whether they continue to reflect the amount of WEEE actually available for collection, taking into account collection performance and technological developments. The methodology and/or targets should be adjusted where necessary.

Redefine collection categories based on product characteristics and treatment needs

Product categories should provide a meaningful basis for setting appropriate collection requirements and measuring performance.

- Current WEEE categories **group products** with very **different characteristics** under the **same requirements**. For example, photovoltaic modules are classified as large equipment (Category 4) alongside products such as washing machines.
- Existing **categories** should therefore be **reviewed**, to **take account of differences** in lifespan, composition, size and treatment needs, and be fully harmonised across Member States without national sub-categories.

Prioritise awareness-raising over complex deposit refund schemes

Improving WEEE collection requires consumers to know where and how to return their end-of-life equipment. Coordinated awareness-raising and accessible collection networks are therefore more effective and proportionate tools than complex deposit-refund schemes (DRS).

- Awareness campaigns are an effective tool and should be **organised nationwide, with dedicated resources and coordination** involving the relevant stakeholders in

WEEE collection. Several Member States already provide examples of such approaches to awareness-raising².

- **DRS is not an appropriate tool to increase the collection of WEEE³.** Unlike fast-moving products, such as beverage containers, **electrical and electronic equipment varies widely in size, composition, value and lifespan**, making deposit calculation and administration significantly more complex.
- **A DRS could also weaken existing collection networks** by concentrating returns among actors able to process financial transactions, particularly retailers. This risks reducing the role of municipal and voluntary community collection points and making WEEE collection less accessible.
- Moreover, these actors would be required to sort different types of WEEE while also **calculating and refunding the correct deposit** for each item, taking account of differences in product size, composition and value.
- This would require **additional time, space and staff training**, which not all collection points can afford, and could ultimately reduce both the number of collection points and overall collection volumes.

3. SECURE CONTROL, MOVEMENT AND HIGH-QUALITY TREATMENT OF WEEE FLOWS

Ensure all WEEE flows are reported and properly treated

Parallel WEEE flows should be avoided to ensure that all WEEE available for collection is captured by responsible collection systems and properly treated.

- **Parallel WEEE flows** outside responsible collection systems, such as those handled by scrap metal collectors, **can lead to inadequate treatment**, harm the **environment** and make **collection targets** harder to meet⁴.
- WEEE should therefore **be channelled through the responsible collection systems**. Where WEEE is collected outside these systems, all actors concerned, including those not subject to collection obligations, should be **required to report the volumes collected and ensure proper recycling**. Where necessary, recyclers' procedures and permits should be updated to allow these volumes to be properly treated and reported.

² Member State approaches include coordinated national awareness-raising campaigns and dedicated funding requirements. For example in Italy, compliance schemes must invest a defined share of turnover in communication activities, which largely supports coordinated awareness-raising campaigns; similar funding requirements apply in Portugal and Ireland.

³ See ERP/Landbell Group, '[Feedback to the Öko-Institut and Ramboll DRS Battery Workshop](#)', May 2026, on the structural mismatch between DRS and battery collection.

⁴ In Italy, significant quantities of WEEE, particularly from the large domestic appliances (LDA) category, are reportedly handled as ordinary metal scrap rather than through the appropriate WEEE system. The estimated volume is around 200,000 tonnes. Stronger controls by competent authorities and more effective penalties are needed to prevent such practices.

- WEEE reported in this way should count towards the fulfilment of mandatory collection targets placed on producers and/or PROs.

Monitor compliance through effective enforcement

Effective enforcement is essential to ensure that all actors comply with WEEE collection, reporting and treatment obligations and to prevent parallel flows.

- Member States should establish **national bodies that are independent of private interests and public authorities**, to oversee the activities of the PRO(s) and other stakeholders
- Furthermore, in a multi-PRO setup, this entity should also be obliged to coordinate among PROs to put in place an **adequate waste allocation mechanism**.
- See also the subsequent sections: 'Strengthen EU-wide enforcement and move towards a European producer concept' and 'Establish independent national coordination bodies and waste-allocation mechanisms'.

Clarify ownership of WEEE flows and support access to secondary raw materials

Clear ownership rules are essential to prevent disputes and ensure accountability throughout the WEEE value chain. They can also support producers' access to secondary raw materials and help close material loops.

- **Ownership** of collected WEEE should be **clearly defined** to prevent disputes and cherry-picking. Regardless of its market value, ownership should remain with the relevant EPR scheme, whether collective (PRO) or individual, until transferred by contract to another actor in the value chain. This reflects the operational and financial role of EPR schemes and helps prevent cherry-picking, thereby supporting a level playing field.
- **Clear ownership rules throughout the end-of-life process** would strengthen accountability and investment certainty. Competing claims over materials can otherwise create uncertainty, disputes and potential non-compliance, particularly where recovered materials have a positive market value.
- Forward-looking producers increasingly expect PROs to act as strategic partners in **accessing secondary raw materials**. By facilitating or coordinating access to recycled materials from multiple sources, and by providing the scale that individual producers or recyclers might struggle to achieve on their own, **PROs help manufacturers reintegrate these materials** into their products and processes, thus supporting circularity objectives.

Create a functioning internal market for waste and secondary raw materials

A functioning internal market for WEEE is vital for Europe's competitiveness and circular economy. This requires removing barriers that prevent waste and recovered materials from moving efficiently across the EU.

- Specialised treatment capacity for WEEE and other complex waste streams is unevenly distributed across the EU. Requiring every Member State to host all types of recycling facilities would be inefficient and undermine competitiveness. WEEE and other complex waste streams should therefore be able to **move efficiently** to the most suitable treatment facilities across the Union.
- To enable this, a **"Schengen for Waste"** should simplify the cross-border movement of recyclables, including WEEE fractions. EU and national rules should allow PROs and their partners to transport waste to the most suitable facility anywhere in the Union.
- As a first concrete step, non-hazardous e-waste destined for recovery within the EU should **continue** to benefit from the **green-list procedure** under the Waste Shipment Regulation (EU) 2024/1157 beyond 1 January 2027⁵, as proposed by the Commission⁶.
- The internal market also requires common standards for secondary materials recovered from WEEE and other waste streams. The Circular Economy Act should establish **EU-wide quality standards and certification schemes for recyclates** to foster trust and cross-border trade. While markets for metals and glass are mature, plastics and certain composites remain fragmented. Regulatory divergence, for instance in food-contact rules and waste-shipment procedures, continues to hinder efficiency. To maintain a level playing field, imported secondary materials must meet equivalent environmental and quality standards enforced consistently at EU borders.
- **Harmonised EU-wide end-of-waste criteria** should further support the internal market by providing clarity on when recovered materials from WEEE and other waste streams cease to be classified as waste and can circulate as secondary raw materials across the EU.

⁵ For further reading on the case for maintaining green-listing for non-hazardous intra-EU e-waste shipments, see the Joint white paper, '[Enabling EU industrial policy through improved circular material flows: A proportionate green-list route for non-hazardous intra-EU e-waste shipments](#)', 9 July 2026.

⁶ [Green-listing certain waste for the purposes of shipments to recovery between Member States](#).

Mandate harmonised WEEE treatment standards and independent verification

Harmonised treatment standards and independent verification are essential to ensure consistent, high-quality WEEE treatment across the EU.

- WEEE treatment should be subject to **mandatory and harmonised standards**, such as the CENELEC EN 50625 and EN 50614 series.
- Compliance should be verified through **mandatory third-party conformity assessments**, based on official, harmonised auditing protocols.

4. BRING WEEE-DERIVED MATERIALS BACK INTO PRODUCTION

Set recycled-content targets at material level and strengthen markets for verified secondary materials

Recycled-content requirements should support functioning markets for secondary raw materials, allowing recovered materials to flow to the applications where they can deliver the greatest value.

- Recycled-content targets should be set at the **material rather than product level**, taking account of technical limitations, infrastructure capacity and safety requirements.
- **Open-loop recycling** can maximise the use of recycled content across sectors by channelling materials to the most suitable applications. This can help avoid competition between industry sectors for premium recycled materials, which could disadvantage producers required to meet product-level compliance targets and drive up material prices.
- A realistic approach must also acknowledge that not every technical polymer will have a viable recycled counterpart; therefore, **material convergence around scalable streams is necessary**.
- Public procurement rules should favour **products with verified recycled content or recognised ecolabels**.
- Care must be taken, however, to ensure that such measures **do not disadvantage the European recycling industry** through imports of secondary raw materials based on false claims.
- By taking a holistic, harmonised and market-driven approach backed by clear regulatory signals and the strategic use of EPR tools, the EU can unlock the full potential of secondary raw materials to support its circular economy and strategic autonomy goals.

Further recommendations for the future EPR framework

In addition to the WEEE-specific recommendations set out above, the upcoming Circular Economy Act provides an opportunity to strengthen the broader EU framework for Extended Producer Responsibility across waste streams, including WEEE.

The following recommendations address cross-cutting EPR issues and aim to support a more coherent, harmonised and effective EU circular economy framework⁷.

Enable competitive and operational PRO models under clear EU safeguards

Member States should authorise multiple PROs and apply governance rules based on performance and transparency rather than ownership or profit status⁸. Competitive EPR models can strengthen performance through cost pressure and continuous optimisation.

- PROs that manage collection and recycling end-to-end deliver better outcomes across market conditions, demonstrating that **effective operational responsibility is a cornerstone of system performance**. They achieve higher yields and better unit costs than systems where they are required only to finance the operations of other actors, such as municipalities⁹.
- Competitive models help maintain a **diverse recycling landscape**, as recyclers compete to provide effective and innovative solutions to PROs. Multiple PROs give recyclers **alternative market opportunities** and foster a **dynamic market** in which new players can emerge, and established ones are pushed to improve.
- **State-owned PROs** should explicitly be **excluded** to preserve the principle of producer responsibility. Assigning producer responsibility to a state-owned operator creates a structural contradiction, as responsibility for producers' end-of-life obligations is placed back under public control. This creates conflicts of interest and risks turning EPR fees into general public revenues, reducing producers to mere taxpayers with no influence over operations or strategy.
- **Harmonisation** should **not** come at the cost of **overly prescriptive governance models**. Imposing fixed structures such as mandatory producer ownership, non-profit status, or board seat allocations could stifle competition and exclude many producers, since typically only the largest producers can realistically take on such governance roles. Instead, the regulatory framework should be open to any actor

⁷ More details on these proposals can be found in Landbell Group, 'Refining EPR to boost the circular economy' (2024); 'ERP Position Paper: Circular Economy Act' (2025) and 'Competition as a policy tool for effective EPR' (2025).

⁸ For a comparative map of competitive versus monopoly PRO systems across EU Member States and waste streams (packaging, WEEE, batteries), see Adelphi (2021, updated 2025), 'Analysis of Extended Producer Responsibility Schemes'.

⁹ For related analysis, see Favot, 'Regulation and competition in the extended producer responsibility models: Results in the WEEE sector in Europe' (2022), and Hieronymi, 'Vergleich und Bewertung der Effizienz von Rücknahmeorganisationen für Elektro-Altgeräte in 32 Ländern', Technical University of Dortmund (2025).

meeting permit requirements, helping shift EPR from a purely legal obligation to a viable circular economy business model.

- PROs should be able to operate on a **for-profit or not-for-profit basis**. Competition among PROs can help prevent market dominance and naturally curb excessive profits of for-profit PROs or reserves for not-for-profit PROs increasing overall system efficiency.
- **EPR fees** should not be set centrally but should **remain adjustable to market conditions**, reflecting regional costs, raw-material prices and evolving obligations.
- **Harmonised EU-wide permitting requirements** for PROs would reduce existing differences between Member States, create a **level playing field** across the EU and reduce complexity.
- PROs should be required to implement **certified management systems** such as EMAS, ISO 9001 or ISO 14001 or equivalent specifications.
- PROs should provide evidence of **minimum financial stability** as a condition for authorisation, for example by meeting defined financial indicators or, where these cannot be met, through an appropriate financial guarantee. If a PRO fails to meet the requirements, it should **not be authorised** to operate.

Strengthen EU-wide enforcement and move towards a European producer concept

All market participants must be held to the same standards and contribute to the achievement of EPR objectives to ensure a level playing field.

- Effective enforcement requires **stronger cross-border cooperation and mutual assistance** between Member States, as well as between the EU and third countries. This cooperation should be strengthened through European and, ideally, global enforcement networks.
- Product legislation often recognises a single EU producer with harmonised responsibilities. EPR legislation, by contrast, generally treats waste management and EPR as national responsibilities, requiring national enforcement and national authorised representatives (AR). This creates complexity and administrative duplication across Member States.
- The creation of a **European-level enforcement mechanism**, led by a European Waste Agency, can ensure oversight and consistent supervision, preventing regulatory arbitrage and reducing complexity. For example, the need for a national AR for EPR could be removed.
- As a minimum, **EU-wide coordination, capacity building and best practice exchange** should help align national authorities, strengthen enforcement activities and cooperation.

Establish independent national coordination bodies and waste-allocation mechanisms

Effective EPR implementation requires independent national oversight to ensure compliance across the value chain and consistent implementation of the obligations under the Waste Framework Directive (2008/98/EC).

- Member States should establish **national bodies that are independent of private interests and public authorities**, to oversee the activities of the PRO(s) and other stakeholders and ensure effective implementation of the relevant obligations as defined in Article 8a of the Waste Framework Directive.
- Such an independent body should be established regardless of the number of PROs operating and should **oversee compliance** by all actors in the value chain that handle WEEE.
- Furthermore, in a multi-PRO setup, this entity should also be obliged to coordinate among PROs to put in place an **adequate waste allocation mechanism**. In the absence of such a mechanism, waste allocation between multiple competing PROs has proven to be difficult due to antitrust rules.

Create a digital EU-wide EPR One-Stop Shop for registration, reporting and traceability

Digitalisation can reduce the administrative burden created by fragmented EPR registration and reporting requirements while improving transparency and traceability across the EU.¹⁰

- Establish a **digital EU-wide EPR One-Stop Shop for registration and reporting**, allowing producers to provide relevant company and product information only once for registration with the relevant national registers and PRO, and to report compliance data directly through the platform to national PROs and/or national registers.
- Strengthen traceability through **digital tracking of material flows**, supporting enforcement and transparency across complex recycling chains.

¹⁰ See Joint Statement, '[Supporting the digitalisation of EPR schemes and the set-up of a digital, EU-wide One-Stop Shop for EPR](#)', Brussels, 18 May 2026, and the Coalition's follow-up '[Recommendations for the establishment of a digital, EU-wide One-Stop Shop for Extended Producer Responsibility under the Circular Economy Act proposal](#)', 7 July 2026.

Harmonise EPR fee modulation and establish a workable clearing mechanism

Eco-modulation connects waste management with product design and must rely on clear, enforceable and harmonised criteria that respect the internal market.

- **Criteria should be harmonised across the EU.** If individual Member States or PROs set their own criteria, producers could face different design incentives and compliance requirements for the same products across the EU, increasing complexity and fragmenting the internal market. Neither the EPR fee-modulation criteria nor the modulated part of the fee should be subject to competition.
- Non-harmonised criteria would also increase the complexity of producer reporting, creating a significant burden for producers and in particular for SMEs.
- EU-wide eco-modulation criteria should **focus on recyclability and circularity aspects and avoid political or unrelated targets.** The approach of the Packaging and Packaging Waste Regulation (EU) 2025/40 offers a sound model. For WEEE, however, the criteria should also be aligned with the eco-design requirements adopted pursuant to the Ecodesign for Sustainable Products Regulation (EU) 2024/1781 (ESPR), as foreseen for textiles under Article 22c(5)(a) of the Waste Framework Directive.
- In a competitive PRO environment, a **fee modulation clearing mechanism**, for example a central fund, should be established to balance non-corresponding income (resulting from varying product performances of contracted brands) and cost (resulting from treatment of similar non-brand sorted collection qualities).
- In such a mechanism, PROs could be financed exclusively via base fees, while all malus fee revenues are channelled into an independently managed **Circular Economy Innovation Fund supporting initiatives such as R&D, awareness raising and repair promotion.**
- **Complex bonus systems should be avoided.** Instead, a two-level approach (a higher malus fee and a lower base fee) should be preferred to minimise the administrative burden for all actors (reporting, evidence documentation, pricing, clearing, enforcement).

Conclusions

The revision of the WEEE framework provides an opportunity to build on more than two decades of EPR experience while adapting the system to Europe's circular economy and competitiveness objectives.

The future framework should focus on making existing responsibilities work better through clearer and more harmonised rules, realistic collection targets, transparent and properly managed WEEE flows, high treatment standards and better conditions for returning secondary raw materials to production. A stronger Single Market also requires waste and recycled materials to move more efficiently across borders and enforcement to become more consistent across the EU.

These objectives do not require more prescriptive or complex EPR systems. Harmonisation should reduce fragmentation while preserving competition, operational flexibility and producer responsibility. Common safeguards, effective oversight, digitalised compliance and harmonised eco-modulation can create a level playing field without prescribing a single model for how EPR should operate.

The Circular Economy Act and the revision of the WEEE framework should therefore support a framework that is simpler where possible, stronger where necessary and genuinely European where scale matters. Such a framework would strengthen collection and recycling, support investment and secondary raw material markets, and contribute to Europe's environmental objectives and its economic resilience.

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About ERP

European Recycling Platform (ERP) was founded in 2004 in response to the introduction of the European Union's Waste Electrical and Electronic Equipment (WEEE) Directive. ERP's mission is to ensure high-quality and cost-effective implementation of the WEEE, batteries and packaging directives, for the benefit of its customers and the environment.

In June 2014, ERP joined Landbell Group, a global platform for extended producer responsibility. ERP and Landbell Group have collected and treated over 8.6 million tonnes of packaging waste, 4.9 million tonnes of WEEE, and 148,000 tonnes of waste batteries.

ERP is the first and only company authorised to operate producer responsibility organisations in Austria, Brazil, Denmark, Finland, Germany, Ireland, Italy, Netherlands, Norway, Poland, Portugal, Slovakia, Spain, and the UK. By passing on the advantages of multinational recycling operations to customers, ERP has proved to be the most competitive solution for companies in the countries where it operates for WEEE, batteries, packaging and textiles compliance, as well as take-back services.

For more information on ERP, please visit: www.erp-recycling.org