



European Metals' recommendations for the upcoming revision of the WEEE Directive

Introduction

The non-ferrous metals' ecosystem represents a key enabler of the EU's circular economy objectives. As the demand for many of these materials is expected to rise exponentially by 2050, it is of key importance that EU legislation enhances the collection and proper treatment of the metals-rich stream of waste of electrical and electronic equipment (WEEE), and the recovery of critical raw materials (CRMs) and other valuable metals from e-waste. This would strongly support the EU's objective to boost its domestic industrial production, also in line with recent EU initiatives, notably the Industrial Accelerator Act (IAA) and the RESourceEU Action Plan.

In the context of the upcoming revision of the Waste Electrical and Electronic Equipment (WEEE) Directive, we have developed some key recommendations to increase the recovery of non-ferrous metals from e-waste.

Our high-level recommendations for the revision of the WEEE Directive

1. **Fragmented implementation** – Convert the WEEE Directive into a WEEE Regulation
2. **Collection of WEEE** – Expand and improve collection infrastructure and revise both the Placed – on– the–Market (POM) and WEEE Generated collection methodologies.
3. **Harmonised standards** – Make certification against the EN 50625 core standards on collection, logistics, and treatment requirements mandatory.
4. **Recovery and recycling of CRMs and other valuable metals** – Ensure recovery considerations start at the design phase and avoid the introduction of recycled content requirements, except for emerging critical segments, notably rare earths in permanent magnets.
5. **Coherence with other EU files** – Ensure alignment with other existing EU legislations, such as the Critical Raw Materials Act, the Waste Shipment Regulation and the End-of-Life Vehicles Regulation.



Context

As recognized by the European Commission in its [evaluation](#) of the current WEEE Directive, collection rates of WEEE across EU Member States are still lower than what mandated under Article 7, due to the lack of necessary infrastructure and public awareness. Moreover, the majority of pre-processing facilities still do not apply high-quality treatment standards, leading to the loss of valuable secondary raw materials.

Therefore, it will be fundamental that the upcoming revision of the WEEE Directive, facilitates **higher collection rates, more efficient treatment standards, and increased recovery and recycling of valuable materials** from the e-waste stream. To achieve this result, the revised text will need to consider the whole lifecycle of electrical and electronic equipment (EEE), starting from the design phase. Moreover, as fragmentation across Member States further hampers the appropriate collection and treatment of WEEE, **the WEEE Directive should be converted into a Regulation**, to ensure a more homogeneous implementation.

Finally, **the revised WEEE Directive must be coherent with the wider EU legislative framework, for example on CRMs and waste shipments**, in order to avoid duplication of requirements and excessive administrative burdens for the metals value chain.

Our detailed recommendations

1) Fragmentated implementation

Despite sustained efforts to ensure sufficient collection and proper treatment of non-ferrous metals from WEEE, companies across the metals value chain continue to face substantial economic and regulatory challenges ensuring environmentally sound management of CRMs and valuable metals. Notably, the fragmented implementation of the WEEE Directive across Member States leads to significant administrative burden for companies when it comes to accessing valuable metals contained in e-waste. Member States' provisions vary widely on several key aspects, ranging from permit requirements to the definition of "waste" under the Waste Framework Directive. This fragmentation creates an uneven regulatory environment for companies in the metals value chain.

Establishing an EU Single Marke for Waste requires an EU-level approach to key waste streams like e-waste. **Converting the WEEE Directive into a Regulation** would improve harmonization across Member States, which in turn would help establish a level playing field and improve regulatory certainty for industrial stakeholders.

Our recommendation

- Convert the WEEE Directive into a WEEE Regulation.



2) Collection of WEEE

Collection rates of e-waste in the EU remain low due to inconsistent infrastructure, low consumers awareness, and a lack of enforcement at Member States level. Moreover, current collection methodologies do not appropriately take into account the life expectancy of EEE, leading to inaccurate data on the amount of e-waste that actually reaches the final waste stream. **Increasing collection rates of WEEE** across Member States and amending collection methodologies, therefore, **must remain a central priority** in the revision of the WEEE Directive.

2.1) Collection infrastructure

Lack of sufficient and adequate infrastructure in Member States leads to significant loss of CRMs and other valuable metals across the value chain and discourages consumers from properly disposing of small WEEE, contributing to hoarding of unused and broken EEE at home.

The revision of the WEEE Directive must incentivize the expansion and improvement of **collection infrastructure** across Member States, including through **citizen-oriented collection systems**. Initiatives such as the [Recupel project](#) in Belgium show how these systems can support increased collection rates and address the issue of WEEE flows not collected separately. These measures should be complemented by **awareness initiatives promoting the responsible collection of WEEE highlighting the importance of the recovery of CRMs and other valuable metals**.

2.2) Collection methodologies

Current collection methodologies, as set out in Article 7 of the WEEE Directive and Commission Implementing Regulation 2017/699, **would benefit from revision**. The current Placed on the Market (POM) methodology calculates WEEE collected in a given year based on the amount of EEE placed on the market in the three preceding years, without properly accounting for the average lifespan of EEE. This leads to inaccurate data on the amount of WEEE that reaches the end-of-life waste stream.

Therefore, **European Metals supports a modification of the POM methodology to account for the lifespan of different EEE categories** and calculate the amount of EEE placed on the market based on a different x-year window adjusted for certain product categories.

Likewise, the current WEEE generated methodology should rather be changed to a **“WEEE available for collection” methodology**, to ensure more accurate reporting on the amount of end-of-life WEEE reaching the waste stream.

2.3) Illegal and undocumented shipments and informal collection channels

Illegal and undocumented shipments of e-waste, together with scavenging through informal collectors, represent a major obstacle to proper collection of e-waste and are facilitated by a lack of sufficient data on collection and weak data systems.



Therefore, **improving data systems on collection** will also be of key importance to facilitate enforcement at Member States level and tackle illegal shipments and scavenging of e-waste. In this context, digital tools such as the Digital Product Passport (DPP) can play an important role in tracking the presence of CRMs and other valuable metals in e-waste and promoting further awareness at the end-users' level.

Our recommendations

- Incentivise expansion and improvement of collection infrastructure, also through citizen-oriented collection systems and awareness initiatives.
- Revise both the POM and WEEE generated methodologies to properly reflect the amount of end-of-life EEE reaching the final waste stream.
- Improve data quality on collection to support better enforcement at Member States level and tackle illegal shipments and scavenging of WEEE at the source.

3) Harmonised standards

Diverging treatment standards across Member States lead to significant legal uncertainty for companies across the metals value chain and increases the risk of loss of CRMs and other valuable metals. Currently, only around 23% of EU recycling facilities apply high quality treatment standards, as underlined in the [Commission revision](#). In this context, the core CENELEC EN 50625 series standards on collection, logistics, and treatment of e-waste¹, promote best practices for the environmentally-sound management of e-waste and represent a comprehensive framework of rules. However, under the current WEEE Directive, compliance against these standards remains voluntary. So far, only eight Member States (France, the Netherlands, Czech Republic, Ireland, Luxembourg, Belgium, Slovenia, Lithuania) have incorporated the EN 50625 framework into their national legislation, making them mandatory.

As underlined in the final report of the [CEWASTE project](#), the experience in these countries shows that the mandatory implementation of the EN 50625 standards enhances legal certainty and translates into a level playing field for all operators in the metals value chain, allowing for fairer competition in the regulated market. **Making those standards mandatory would also reduce chances of large quantities of CRMs and other valuable metals being lost** due to suboptimal collection, treatment, and recycling practices, as well as illegal and undocumented shipments and scavenging through informal channels.

The revised WEEE framework should, therefore, require mandatory certification against the EN 50625 core standards.

¹ Drafted by CENELEC by request of the European Commission, under Article 8(5) of the WEEE Directive.



Our recommendations

- Make certification against the CENELEC EN 50625 core standards on collection, logistics, and treatment of WEEE mandatory.

4) Recovery and recycling of CRMs and other valuable metals

Recovery of CRMs and other valuable metals from e-waste remains low, due to both technical and regulatory challenges, as also underlined by the European Commission's evaluation of the WEEE Directive. From a technical perspective, the low concentration of certain CRMs and other valuable metals in WEEE, often renders the recycling of these metals not economically viable.

Measures to increase recovery rates should cover CRMs and other valuable metals alike. Several critical and strategic metals are often extracted from primary or "carrier" metals via recovery in slags or hydrometallurgical residues. For instance, cobalt is a key by-product of copper and nickel. Therefore, **prioritizing certain CRMs for recovery, without considering the wider metals mix necessary to produce them, can lead to the severe loss of other valuable materials** fundamental to recycling activities.

4.1) Design for recycling

Although design requirements are not in scope of the WEEE Directive, the design phase of EEE represents an essential step for determining whether CRMs and other valuable metals can be easily recovered from e-waste. Components in modern EEE, including smaller metals-rich parts, are often glued together, rendering disassembling increasingly complex. Hence, **product design rules for EEE should adopt a life-cycle approach** and incorporate considerations on the recovery of CRMs and other valuable metals, for instance through **dismantling and removability requirements and by requiring the separation of components rich in CRMs and other valuable metals prior to recycling**. Design for recycling could be further incentivised by establishing harmonised EPR schemes for both physical and online sales of EEE, including eco-modulation and further rewards for WEEE recycled in Europe.

These rules should be calibrated based on the physical presence (small, medium, large) of those materials in EEE components, the technical and economic feasibility of recovery operations, and the strategic value of different CRMs and other valuable metals.

4.2) Recycled content requirements

While product design can effectively enhance recoverability, taking into account specific quality and/or price considerations, the introduction of recycled content requirements should overall be avoided for non-ferrous metals and only considered in specific emerging critical segments, notably for Rare Earth Elements (REE) in permanent magnets.

Recycled content materials serve the purpose of increasing the demand for secondary raw materials. However, demand for most recycled CRMs and other valuable metals is already high



even in the absence of mandatory recycled content requirements for e-waste, with the key issue rather laying in low collection and recycled rates of those materials. The introduction of recycled content targets for non-ferrous metals would not generate any significant advantage for the metals value chain but would rather risk translating into undesired consequences for the European metals' ecosystem.

Notably, it is essential to consider that meeting recycled content requirements is strictly dependent on the availability of secondary raw materials. In case of a lack of sufficient resources, the EU would need to rely on imports from third countries without minimum recycled content targets, leading to new strategic dependencies and an increase in CO₂ emissions. Moreover, such targets risk incentivising a reduction of the lifetime of electrical and electronic equipment to meet the demand for secondary raw materials. Furthermore, they risk translating into a distortion of materials flows, notably the reallocation of recycled materials from applications with no recycled content requirements to those for which those targets are mandated, without leading to an actual increase in recycling rates.

Therefore, **EU measures should rather consider alternative solutions**, focusing upstream on **meeting collection rates, advancing sorting and recycling technologies, and ensuring high-quality recycling of CRMs and other valuable metals** from WEEE.

As an exception, minimum recycled content requirements should **only be considered for specific emerging critical segments, notably Rare Earth Elements (REE) in permanent magnets**, as already prescribed under Article 29(3) of the Critical Raw Materials Act (CRMA).

Our recommendations

- Ensure ecodesign considerations for EEE adopt a lifecycle approach and take into account physical presence of metals, the technical and economic feasibility of recovery operations, and the strategic value of different CRMs and other valuable metals.
- Avoid the introduction of minimum recycled content requirements for non-ferrous metals, with the exceptions of Rare Earth Elements (REE) in permanent magnets.

5) Coherence with other EU files

The WEEE Directive is strongly interlinked with several key EU files in the field of circularity, including, but not limited to, the CRMA, the Waste Shipment Regulation (WSR), and the Waste Framework Directive (WFD).

Ensuring **coherence between the revised WEEE Directive** and those files will ensure the establishment of harmonised conditions to facilitate the environmentally-sound management of e-waste and avoid unnecessary administrative burdens for companies in the metals value chain.



5.1) Critical Raw Materials Act

Article 26(5) of the CRMA requires Member States to identify separately and report the quantities of components containing relevant amounts of CRMs removed from WEEE and the quantities of CRMs recovered from such equipment.

To avoid inconsistencies or duplication of reporting and excessive administrative burden for companies, the European Commission should ensure coherence between the information requirements mandated under Article 26(5) and potential new reporting requirements under the revised WEEE Directive.

5.2) Waste Shipment Regulation

Under the [Commission Delegated Regulation 2024/3230](#), shipments between Member States of non-hazardous WEEE classified under the entries GC010 and GC020 will remain subject to the “green-listed” regime, following the general information procedure under Article 18 of the WEEE Directive, until the end of 2026.

Applying the Prior Informed Consent (PIC) regime in 2027, following the requirements of the Basel Convention, risks hampering rather than facilitating intra-EU shipments of metals-rich e-waste, potentially leading to leakage of those materials to third countries not following similar rules, and going against the creation of an EU Single Market for Waste, as also acknowledged by both the [Letta](#) and [Draghi](#) reports.

Moreover, **shipments of e-waste to European high-quality pre-consented facilities should be facilitated by ensuring that they can receive both hazardous and non-hazardous WEEE following the general information procedure.** This would ensure faster shipments of metals-rich e-waste to European high-quality facilities already vetted to provide the specialised environmentally sound treatment hazardous e-waste would require, leading to increased recycling and recovery of key CRMs and other valuable metals.

5.3) End-of-Life Vehicles Regulation

The revised WEEE Directive should be aligned with the existing requirements under other related waste legislation, such as the End-of-Life Vehicles Regulation. In particular, it should mirror the quality criteria for the output fractions set out in Annex VII of the ELVR. To that end, such alignment will serve to streamline legal obligations across the value chain and eliminate the risk of circumvention, while ensuring consistency and reducing regulatory fragmentation.

Our recommendations

- Ensure coherence between reporting requirements in the CRMA and potential new reporting requirements in the revised WEEE Directive.
- Extend green-listed shipment regime for e-waste past 2027 and fast-track shipments to pre-consented high quality recycling facilities.



- Ensure alignment with the existing quality requirements within the End-of-Life Vehicles Regulation.

Contacts:

Laura FAZIO BELLACCHIO, Head of Sustainability | fazio@european-metals.eu | +32 487 40 28 77

Enrico MACCIOTTA, Sustainability Policy Officer | macciotta@european-metals.eu | +32 494 03 28 21

About European Metals

European Metals is an umbrella association representing the interests of the combined non-ferrous metals industry towards EU policy makers. We bring together the companies and associations shaping Europe's non-ferrous metals ecosystem: from upstream mining and refining to downstream use and high-quality recycling. By connecting technical expertise with policy action, we ensure that the importance of the metals sector is recognised, valued, and that our sector's future is secured. For more information, visit our website: <https://european-metals.eu/>