

## PRESS RELEASE

September 2021

### Report to the Flemish Parliament

#### *E-Waste management - management of the stream of waste electrical and electronic equipment (WEEE) in Flanders*

*E-waste is one of the fastest growing waste streams. Careless handling can seriously threaten the environment and health. The Court of Audit examined whether Flanders has correctly transposed international regulations into Flemish regulations, whether Flanders collects and processes e-waste efficiently, whether it monitors and evaluates its WEEE policy, and whether it is achieving its recovery objectives. It concluded that Flanders has correctly transposed international waste regulations into Flemish regulations, but that it is not meeting its recovery targets. For the time being, it collects too little useful information for policy, the coordination between the different policy levels involved is not always clear and enforcement is insufficient to discourage incorrect processing of WEEE.*

#### **Flemish policy frame**

Europe has developed an environmental and waste policy, which gives preference to prevention, reuse and recycling for other applications, and which is based on producer, distributor and consumer responsibility. It has asked Member States for appropriate collection and treatment measures, permanent monitoring with annual reporting and an enforcement policy. Flanders has included its waste management regulations in the materials decree and the implementing decree called VLAREMA. They transpose European waste policy well, but the 2019-2024 coalition agreement and the Environment policy memorandum did not specifically focus on WEEE. Environmental policy agreements with producers and distributors regulate the take-back obligation of WEEE and a collective collection and processing system was developed at national level, with the establishment of private non-profit associations Recupel (lamps and electrical appliances), Bebat (batteries and accumulators) and PV Cycle Belgium (solar panels). For reuse and recycling, Flanders set a stricter target than Europe. Everyone who handles waste must also keep a waste register for OVAM, the Public Flemish Waste Company. Since 2015, all actors in the waste processing chain for WEEE have to report treated quantities in the reporting tool BeWeee or to Recupel.

#### **Results**

OVAM expects a collection percentage of 65% cannot be achieved in the short term. The collection of WEEE also faces some specific problems. For example, data from OVAM shows that the collection figures for professional WEEE through the system of recognized Recupel recyclers remain low, despite further announcement and promotion among those involved. Furthermore, some of the so-called freeriders, mainly foreign online companies who market EEE, do not pay recupel contributions and thus undermine the financing system of waste

processing. In practice, some of them do not accept return of WEEE with their sales. Moreover, not every collector registers and reports.

Belgium maps reuse only to a limited extent: data is only available from thrift shops. Individuals or private actors, such as flea market sellers or online sales platforms, have no reporting obligation. In any case, the EEE reuse percentage is low. It was only 0.35 kg per inhabitant in 2018. Insufficient supply, poor supply quality and a lack of repair knowledge play a role in this.

The recovery rate of precious and rare minerals and raw materials from WEEE is also low, mainly due to their difficulty. However, market demand for it is high.

All export of WEEE - which is always hazardous waste - requires a notification file. However, the amount of reported WEEE exports is lower than the amount of unreported ones. Currently, there is no central registration of the export notifications and in practice WEEE export is rarely reported to the regional authorities, because WEEE is partly exported under the guise of reuse.

Flanders is making efforts to raise awareness. Recupel, Bebat and OVAM invest annually in communication plans and campaigns to bring about sustainable behavioral changes among all stakeholders.

### Enforcement

Although management instruments for the flow of e-waste are available (such as registration obligations and sanction options), enforcement has significant bottlenecks. For example, it is fragmented over numerous services at different levels of government, the cooperation and coordination of which is not always clear: the OVAM and the Enforcement Division (AHH) of the Environment department at the Flemish level and the federal judicial police, the central Directorate for the Environment Service and customs at the federal level. This organization across several policy levels entails increased complexity. Flanders has not specifically regulated the supervision and enforcement of WEEE, but has included it in the broader waste legislation and in environmental policy agreements. In general, OVAM and the Environment department are responsible for the supervision of all aspects of Flemish waste legislation. However, many waste processors have not concluded an agreement with a management body and therefore work under the control radar. Incidentally, there are insufficient checks on the export of WEEE in any case, while Belgium nevertheless has a lot of international transit traffic. The AHH also has too few staff to act decisively and effectively. Finally, there is the specific problem surrounding the existing option of not notifying a container until it has already left the port of Antwerp, which limits inspection and enforcement.

### Conclusions

The Court of Audit concluded that, although Flanders has correctly transposed international waste regulations into Flemish regulations, it paid too little attention to WEEE in policy terms. Moreover, Flanders processes e-waste in a poorly performing manner and therefore does not achieve its ambitious recovery targets. Regulatory enforcement is generally too complex, inadequate and fragmented.

### Minister's response

The response of the Flemish Minister for the Environment was incorporated into the response of OVAM dated 21 June 2021, which endorsed most of the Court's

recommendations, contained additional information, some updated data and a number of point corrections, and announced a number of initiatives. The Court of Audit has incorporated this answer in the report.

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### Information for the press

The Court of Audit exerts an external control on the financial operations of the Federal State, the Communities, the Regions and the provinces. It contributes to improving public governance by transmitting to the parliamentary assemblies, to the managers and to the audited services any useful and reliable information resulting from a contradictory examination. As a collateral body of the Parliament, the Court performs its missions independently of the authorities it controls.

The audit report on the *E-Waste management - management of the stream of waste electrical and electronic equipment in Flanders* has been sent to the Flemish Parliament. The full version and this press release can be found on the Court's website:

**[www.courtofaudit.be](http://www.courtofaudit.be)**.