



Work Package 3: Legal Framework

Deliverable 3.1

Development and Distribution of Legal & Policy Questionnaire



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EXECUTIVE SUMMARY

A clear understanding of the current legal framework on how electrical & electronic products are dealt with at the end of life stage is the first step in compiling a gap analysis of how policy may be improved. One of the key objectives of the CWIT project is the comparative overview of relevant legal policies and requirements and how these are implemented and enforced globally. This information is important for establishing the baseline legal scenario in countries where WEEE originates and is finally treated or dumped.

It is necessary therefore to understand the correlation between the policies and regulations in place (or proposed) and how these may act as a deterrent or conversely an opportunity to engage in illegal trade in e-waste.

This analysis depends on a methodological approach to data collection. To achieve this, the CWIT consortium has developed two comprehensive legal and policy questionnaires for the EU and a select group of international countries. The objective of these questionnaires is to provide a global overview of the current legal framework and policies that effect the fight against illegal trade in WEEE, at EU and international levels.

The Consortium has a number of concurrent data gathering requirements relating to crime analysis information, recycling and WEEE amounts and streams, in addition to the legal and policy data requirements. The Work Package 3 questionnaires are designed to establish the existing legal framework in the target countries and will be supplemented with the information collected by work packages 2, 4 and 5. This information will feed into the overall project recommendations of Work Package 6.

Targeted questionnaires have been compiled for specific actors within the WEEE industry through work packages 2 and 4. These industry specific questionnaires are aimed at recyclers, refurbishers and pre-processors in order to determine key metrics and obtain critical data. The questionnaires constructed as part of Work Package 5 request details of court decisions, case law, and information on the modalities used in the illegal trade of e-waste. In addition, there is a restricted access, law enforcement specific questionnaire which is being distributed securely via INTERPOL's channels. These questionnaires will provide vital information on the practical implementation of the legislation. These questionnaires are also available on the CWIT project website and each will enable participants to engage fully with the output of the project.

The countries requested to provide information for Work Package 3 were the 28 EU Member States and a number of international countries representing both originators and final destinations of WEEE. The research into these countries provides a valuable insight into the effectiveness or otherwise of established legal frameworks in combatting illegal trade of waste, the results of which will be discussed further in Deliverable 3.3.

Respondents of the survey are the relevant authorities in the countries of interest, typically officials within the Ministry of Environment. The list of recipients of the questionnaire was supplemented by the list of stakeholders generated in Work Package 2 (Deliverable 2.1 "Mapping of WEEE Actors"). More detailed analysis of the respondents is contained in Deliverable 3.2 in the synthesis of the questionnaires.