

# EVALUATION OF THE BATTERIES DIRECTIVE

## CONSULTATION STRATEGY

### 1. BACKGROUND

#### The Batteries Directive

Within the European Union, the Directive on batteries and accumulators and waste batteries and accumulators 2006/66/EC<sup>1</sup> lays down rules about the placing on the market of batteries and on the treatment of waste batteries. It applies to all batteries and accumulators<sup>2</sup> irrespective of their chemical nature, size or design.

The overarching objective of the Directive is to ensure the safe collection and disposal of waste batteries, preventing the disposal of spent batteries as mixed municipal waste. In particular, the Directive sets minimum targets to be reached at national level for the collection of waste portable batteries and related to the minimum performance of recycling facilities.

The Directive also restricts the use of some hazardous substances, requiring that users are properly informed of the characteristics of batteries.

#### The evaluation process

The Directive requires that the Commission review the implementation of the Directive and its impact on the environment and the functioning of the internal market. The review is to be performed after receiving the second series of the implementation reports from Member States, due in July 2016. The first step in this process is to evaluate the performance of the Batteries directive to date ó to assess whether the Directive meets its objectives in the expected manner. The evaluation began in January 2017 and is scheduled to conclude in a year.

Within the evaluation process, the consultation of stakeholders aims at capturing the views and ideas of relevant stakeholders, allowing them to provide relevant and robust information for assessing the performance and suitability of the Directive.

This consultation strategy outlines the different steps and consultation activities which are expected to feed into the evaluation.

The website dedicated to the study in support of the evaluation of the Batteries Directive<sup>3</sup> will include documents related to the evaluation process (e.g. evaluation roadmap, this consultation strategy) as well as news on the development of the process and links to the webpage of the public consultation. It will be maintained until the end of the evaluation process.

---

<sup>1</sup> <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:02006L0066-20131230&qid=1420631813560&from=EN>

<sup>2</sup> In the following, the terms -batteriesø and -accumulatorsø are considered synonyms and used indistinctively.

<sup>3</sup> <http://www.batteryevaluation-study.eu/index.php?id=2>

## 2. STAKEHOLDERS TO BE CONSULTED

Relevant stakeholders may be grouped as follows,

- “ **Public administrations.** The experience gathered by National Administrations in the implementation of the Directive is very relevant and highly specific. National Administrations will be consulted through the participation of the members of the Expert Group on Waste, a consultative group to the European Commission, formed by experts designated by Member States.
- “ **Industry associations** (producers, waste batteries collectors and recyclers, including small and medium enterprises). The experience and knowledge of the industry is very important to assess the impact of the Directive on the different stages of the production and use of batteries.

Industrial operators constitute a well-structured sector and there are several organizations at EU level that cover the whole life cycle of batteries and that are able to convey the different interests and views of their members.

- “ **General public, consumers, environmental protection organisations.** The views of end-users and consumers, who directly experience the impact of the Batteries Directive in their day to day life, are essential to assess if the Directive has met its objectives. Of particular interest is that their views go beyond purely technical considerations.

The contribution of environmental NGOs is of high interest to link the particular case of batteries with broader considerations of circular economy, pollution, waste management, environmental legislation, etc.

- “ **Other stakeholders** e.g. academia, think-thanks, etc., who may have an interest in the Batteries Directive could be consulted on specific issues.

## 3. METHODOLOGICAL OVERVIEW

A range of different tools and approaches will be used to engage with stakeholders. This section presents a short summary of the main tools proposed to be used for the consultation.

### Interviews

Interviews (telephone interviews; in exceptional cases face-to-face interviews) are envisaged to allow direct correspondence with relevant stakeholders, namely organisations (industry associations, consumer organisations, environmental NGOs). Interviews shall be used to validate and clarify aspects understood from initial data gathering as well as those aspects that have emerged through the cross-referencing of data from different sources. Aside from this first intent to validate results or clarify aspects, interviews are also to address areas where a more detailed understanding and additional information are required.

Specific guidelines for each interview will be developed and submitted to interviewees in advance, to allow interviewees to become familiar with the aspects to be discussed.

Minutes will be prepared to document the interviews, to allow reference to provided information in the reporting stages.

The Roadmap for the Evaluation of the Batteries Directive<sup>4</sup> identifies a number of active stakeholders that provide information on batteries and on the implementation of the Directive. On that basis, a list of stakeholders to be interviewed will be prepared. Particular care will be taken to ensure that the list of stakeholders to be interviewed is representative (in terms of the batteries' life cycle stages) and balanced (to ensure the representation of all stakeholders groups concerned) and that the number of interviewees is tractable.

Interviews will be held in English. This is an ongoing activity to be completed by September 2017.

### **Stakeholder survey**

A questionnaire (in English) has been developed and circulated to the members of the Expert Group on Waste, who are expected to provide written answers. At the meeting of the group held on June 2017 some of the aspects of the questionnaire were discussed. The deadline to submit the contributions, also in English, by the members of the group was fixed at the end of July.

### **Public consultation**

An internet based public consultation with a duration of 12 weeks, will allow collecting information from any interested citizen or organisation and is to be held in German, French and English. Among others, the public consultation is intended to engage with stakeholders who may not have been included in other forms of consultation.

Within this evaluation process the public consultation aims to gather the opinions of all stakeholders as to the degree to which the objectives of the Directive have been achieved. The process should help identify areas/provisions in which the Directive works well and areas/provisions where it is not working so well, as well as understanding the background such issues and their drivers.

Given the technical nature of the evaluation process, and despite the expressed interests of informed individuals, the bulk of contributions is expected to come from specialized actors (industry, retailers, etc.).

Although the final timing for this consultation is still to be decided, it should be launched in August 2017.

### **Stakeholder workshop**

A stakeholder workshop is planned for late 2017, possibly December, and is to present and discuss the initial results of the study in support of the evaluation and to collect further feedback.

The workshop is also meant to gather further evidence where not yet identified.

---

<sup>4</sup> [http://ec.europa.eu/smart-regulation/roadmaps/docs/2017\\_env\\_016\\_batteries\\_evaluation.pdf](http://ec.europa.eu/smart-regulation/roadmaps/docs/2017_env_016_batteries_evaluation.pdf)