

# The Right to Repair

European Consumer Day 2022

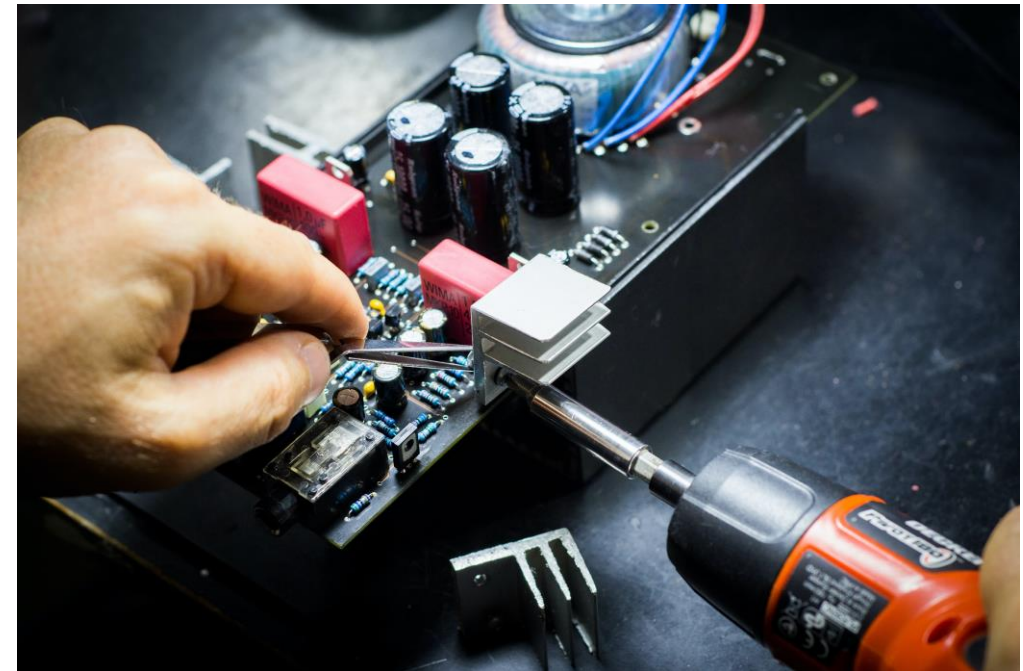
Anthony D. Rosborough | 17 November 2022

# What is the Right to Repair?

- A public-interest movement calling for greater access to **parts, tools, and information** necessary to complete repairs of devices, equipment and products.
- Originates primarily as a consumer rights movement in the United States
  - Was pioneered by organisations such as **iFixit** and the **Electronic Frontier Foundation (EFF)**
- Now a **global movement**, with environmental, consumer, and market competition rationales.
- The **European Union** has declared its intention to create policy enabling the Right to Repair on many recent occasions:
  - *European Green Deal, New Circular Economy Action Plan, EcoDesign Regulations (2019), European Parliament Resolution (7 April 2022)*

# Why is the Right to Repair important?

- **Ecology:** extending product lifespan, reducing waste
- **Society:** bolstering technological literacy, user empowerment, empowers remote communities
- **Market:** encourages competition, enables secondary markets, increases consumer choice, facilitates innovation



# Repairability in Europe

## Some quick facts

- **77%** of EU consumers would rather repair their goods than buy new ones, but **access to repair** remains difficult.  
(Source: Eurobarometer survey)
- **79%** of EU citizens think that manufacturers **should be required** to make it easier to repair digital devices or replace their individual parts  
(Source: European Parliament)
- **16kg** = the amount of e-Waste generated **annually** by each person in the EU as of 2019, which is the **highest in the world**  
(Source: International Telecommunication Union)
- **Less than 40%** is recycled, and recycling practices **vary significantly** between EU member states



# Progress Toward the Right to Repair

## Some positive developments in Europe

- **EcoDesign Directive 2019 Implementing Regulations**
  - Requires that manufacturers provide access to repair information, parts, and tools to “professional repairers”
  - Regulations apply to 10 product categories, including: refrigerators, washing machines, dishwashers, electronic displays, welding equipment, power transformers, electric motors, etc.
- **Emphasis on Rating Systems & Manufacturing Standards**
  - France’s mandatory reparability index
  - EU-wide standard for a uniform mobile charging port (USB-C)

# Progress Toward the Right to Repair

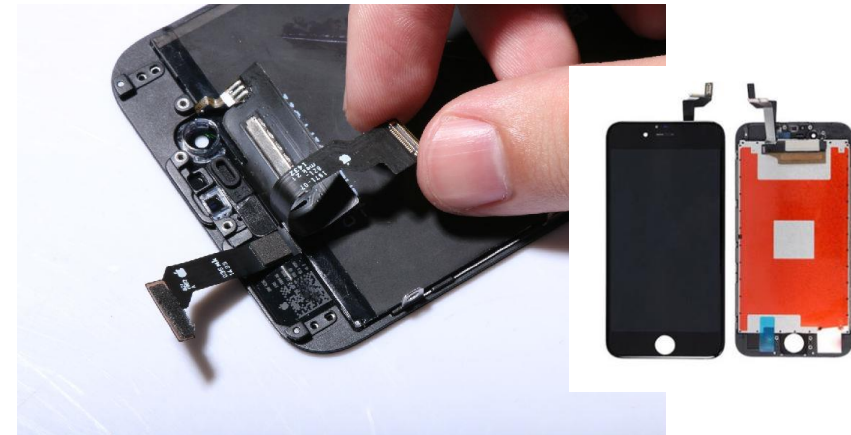
## Some positive developments in Europe (Continued)

- **European Parliament Resolution [2022/2215(RSP)]**
  - "...to ensure better access by **end-users and independent repair service providers** to spare parts and instruction manuals within a reasonable time and at a reasonable cost..."
  - "...goods with digital elements require special attention...**software updates have to be made available** for a minimum period..."
  - "...practices that unduly restrict the right to repair or lead to obsolescence should be considered **unfair commercial practices**..."
  - "...Consumers should receive reliable, clear and easily understandable **information at the point of sale on the durability and repairability of a product...including repair scores**..."

# Legal Obstacles to the Right to Repair

Some remaining challenges

- **Intellectual property laws**
  - Copyright (manuals, software, digital locks/TPMs)
  - Trademarks (refurbished parts and importation of “counterfeit goods”)
- **Competition policy**
  - Need for clarifying policy re: deliberate tactics by companies to suppress independent repair



**Thank you!**