

Call for Action on E-waste in Africa

Set of priority actions

Preamble

The Pan-African Forum on E-waste held at United Nations Environment Programme Headquarters in Nairobi, Kenya, during 14-16 March 2012, calls for action outlining a set of priorities to support development of a regional approach for the legal transboundary movements and the environmentally sound management of e-waste for the African continent to protect human health and the environment as well as to promote opportunities for social and economic development.

The participants consisting of Governments from twenty Africa states¹, States outside the region, regional organizations, intergovernmental organizations, academia, the private sector, civil society and other stakeholders take into consideration existing international and regional legal frameworks relevant to electronic and electrical waste (e-waste), in particular the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal, 1992 and its Ban Amendment and the Bamako Convention on the Ban on the Import into Africa and the Control of Transboundary Movement and Management of Hazardous Wastes within Africa, 1998 as well as the Decision BC-10/3 on the Indonesian-Swiss country-led initiative to improve the effectiveness of the Basel Convention and work undertaken under the Global Partnership on Hazardous Management led by UNEP International Environmental Technology Centre.

Furthermore efforts are to build upon a number of policy instruments, including, *inter alia*, the Bali Strategic Plan for Technology Support and Capacity-building, 2005, Nairobi Ministerial Declaration on the Environmentally Sound Management of Electronic and Electrical Waste, 2006, Bali Declaration on Waste Management for Human Health and Livelihood, 2008, Durban Declaration on E-waste Management in Africa, 2008, Abuja Platform on E-waste, 2009, the report of the International workshop on hazardous substances within the lifecycle of electrical and electronic products held in 2011 in Vienna, and Cartagena Declaration on the Prevention, Minimization and Recovery of Hazardous Wastes and Other Wastes, 2011.

Vision

The participants of the Forum believe that access to Information and Communication Technology (ICT) for all in Africa is of paramount importance for achieving UN Millennium Development goals in the region. The participants also recognize increasing demand and use of this and other electrical and electronic equipment (EEE).

However the serious health, socio-economic, and environmental problems that arise due to unsound management of e-waste must be avoided. E-waste that cannot be avoided

¹ Algeria, Benin, Burundi, Côte d'Ivoire, Democratic Republic of Congo, Egypt, Ethiopia, Gambia, Ghana, Kenya, Lesotho, Liberia, Madagascar, Malawi, Nigeria, Rwanda, South Africa, Uganda, United Republic of Tanzania, and Zambia.

should to be considered as a resource. Managing e-waste in an environmentally sound manner would create green jobs and business opportunities while alleviating poverty. Participants envision a continent free from illegal traffic in e-waste and poorly managed e-waste, achieved through the proper management of all aspects of the life-cycle of EEE, including green design. Unified action is required for the African region to harness synergies and avoid shifting challenges from one country to another.

Set of priority actions

The following priority areas for action have been identified to support transboundary movements and the environmentally sound management (ESM) of e-waste:

Area 1: Baseline assessment of e-waste problems

1.1 Participants of the Forum agree to adopt a common approach towards informed decisions on EEE import and export, its use and the generation of e-waste as well as on its collection, recycling, and disposal. Relevant institutions from the governmental and non-governmental sectors will cooperate in producing national, sub-regional, and Pan-African e-waste assessments using a multi-stakeholder approach and in sharing knowledge. Support is to be provided to governments undertaking national assessments on e-waste by UNEP, Basel Convention regional and coordinating centers for training and technology transfer, and other relevant agencies and institutions.

Area 2: Principles for environmentally sound management of e-waste

2.1 Participants of the Forum agree that an increased pace to implement green design and the phase-out of hazardous substances contained in EEE is required. It is necessary to improve transparency with respect to information on hazardous substances used in EEE for all stakeholders involved in the life-cycle, including consumers, workers, and in communities around manufacturing and disposal sites.

2.2 The system for environmentally sound management of e-waste should be based on the Extended Producer Responsibility (EPR) principle and the polluter-pays principle.

2.3 All African States should develop cost-effective national systems for environmentally sound management of e-waste, covering collection, recycling, transport, storage and disposal.

2.4 The system should be based on international recycling standards. Best applicable technologies should be shared among the countries between the region, other developing countries as well as developed countries.

2.5 Refurbishment, repair and re-use of EEE should be encouraged whenever appropriate from the human health and environmental perspective.

2.6 The system should ensure that the informal sector is recognized as one of key stakeholders and employ practices that minimize risks to human health and the environment as well as give opportunities to them to formalize their operations.

Area 3: Legal, policy and regulatory frameworks

3.1 African States are to make a concerted effort to ratify the Basel Convention and its Ban Amendment and the Bamako Convention.

3.2 African States should transpose these conventions into their national law and to enforce their provisions.

3.3 Efforts should also include developing and adopting a separate legal instrument specifically supporting e-waste management on a national level. Key elements in national legislation should be harmonized on a regional level and include, *inter alia*:

- a) Common understanding and interpretation among African States of agreed key definitions and terminology such as: e-waste, producer, ESM and EPR, in harmony with definitions developed by the Basel Convention, including its Mobile Phone Partnership Initiative (MPPI) and Partnership for Action on Computing Equipment (PACE);
- b) Major actors and their roles and responsibilities in e-waste management and transboundary movements;
- c) Health, safety and environmental standards; and
- d) Stakeholder and infrastructure registration and permitting with auditable standards.

3.4 Legislation should ensure a level playing field for all stakeholders, attract and upgrade recycling infrastructure in African States.

3.5 African States, in cooperation with relevant regional and international organizations, should be encouraged to develop and implement regional and inter-regional strategies on e-waste.

Area 4: Enforcing international, regional and national law concerning imports and exports of used electronic and electrical equipment and e-waste

4.1 African States should work in cooperation with international partners to intensify efforts to prevent the illegal traffic of e-waste and the flow of used EEE lacking a reuse market into the African continent by strengthening enforcement measures.

4.2 African States are encouraged to likewise control near-end-of-life EEE entering their countries.

4.3 Exports of e-waste from African and within African States should be facilitated wherever necessary for ESM due to lack of local infrastructure or effective treatment of hazardous fractions in accordance with the provisions of the Basel and Bamako Conventions and any other relevant national laws and regulations.

4.4 African States are encouraged to establish criteria to distinguish between wanted and unwanted EEE imports and communicate them to the relevant regional and international institutions.

4.5 States of export of used EEE are called upon to adequately enforce compliance with the criteria as stipulated in paragraph 4.4.

4.6 Relevant national authorities in Africa should intensify efforts to enforce laws and regulations that are relevant to transboundary movements of e-waste and ESM. This can be achieved, for example, by formalizing working arrangements among national authorities such as regulatory, enforcement and port authorities, conducting joint inspections and developing criteria for environmental inspections; etc.

4.7 Participants of Forum call for establishment and strengthening of regional and international networks to prevent the illegal traffic of e-waste such as: EU-Africa network on e-waste enforcement, Eastern African Network of Environmental Compliance and Enforcement (EANECE), West African Network for Environmental Compliance and Enforcement (WANECE), European Network for the Implementation and Enforcement of Environmental Law (IMPEL) and International Network for Environmental Compliance and Enforcement (INECE).

Area 5: Financing environmentally sound management of e-waste

5.1 To apply the principles of EPR, producers should be required to organize collection, recycling and recovery of e-waste and ensure its environmentally sound management in line with market forces and in accordance with national laws.

5.2 Financial mechanisms should be put in place by producers² to facilitate collection and environmentally sound management of all e-waste including non-valuable and/or hazardous items.

5.3 Financing mechanisms need to recognize the realities of the current system and prioritize the improvement of the health, safety and environmental standards of e-waste recycling through applied research in African States.

Area 6: Environmental, health, and socio-economic aspects of e-waste management

6.1 Participants of the Forum endorse the safe and efficient recycling and refurbishment of e-waste which provides an opportunity for the generation of employment, economic growth and poverty reduction, if performed in compliance with the Basel Convention, the Bamako Convention and their requirements, guidelines and decisions.

6.2 Participants of the Forum call to support the implementation of approaches that promote social inclusion of all stakeholders, including the informal sector, in environmentally sound e-waste collection, recycling and management. Implementation and monitoring of a variety of approaches is believed to be the appropriate way to improve the knowledge-base on sustainable African solutions to the e-waste problem.

² By producer one may understand the international or local manufacturer or importer of record of new and used EEE to be placed on the market at first invoice by sale.

Area 7: Capacity building and awareness raising

7.1 Participants of the Forum call on UN agencies, MEA secretariats, donors, Basel Convention regional and coordinating centers for training and technology transfer and other stakeholders to assist relevant entities in the African region with capacity building and awareness activities.

7.2 Participants recommend the following activities:

- a) Use existing or develop new training toolkits to adopt a train-the-trainer approach utilizing respected community leaders, community based organizations, schools, and others;
- b) Develop a pan-Africa coordinating network for regulatory authorities;
- c) Develop a best practice repository within the Basel convention regional coordinating centres for training and technology transfer;
- d) Undertake capacity-building on monitoring and enforcement;
- e) Undertake capacity building for assessments on e-waste problems on the national, sub-regional and Pan-African levels; and
- f) Other activities.

7.3 Education and awareness-raising on risks related to unsound practices and benefits of e-waste recycling as well as on hazards of e-waste dumping should be strengthened throughout the African continent, including through the inclusion in the university curriculum and educational programmes.

7.4 Bilateral and multilateral donors are encouraged to support these capacity building programmes.

Area 8: Coordination of implementation of the Call for Action

8.1 UN agencies in partnership with Basel Convention regional and coordinating centers for training and technology transfer and national governments will coordinate the implementation of the actions.

8.2 Given the success of the Pan-African Forum on E-waste, participants agree that the Forum is to take place every two years (when possible back-to-back to the African Union, the African Ministerial Conference on the Environment (AMCEN) or other relevant meetings).

Adopted on 16 March 2012 in Nairobi, Kenya