



## **BAMA KO CONVENTION**

## **Conference of the States Parties**

*First Session*

*Bamako, Mali*

*24-26 June 2013*

### **DECISION 1/15 – Decision on the Prevention of Hazardous e-Waste and Near End-of-Life EEE Importation and Dumping in Africa**

#### **The Conference:**

**Recognizing** that Africa<sup>1</sup> is a major destination of e-waste coming from developed countries.

**Aware** that there is a lack of capacity and resources to handle electrical and electronic waste in an environmentally sound manner in most African States, which may lead to the release of hazardous substances causing harm to human health and the environment<sup>1</sup>;

**Recalling** Article 4.1 of the Bamako Convention on the Ban of the Import into Africa and the Control of Transboundary Movement and Management of Hazardous Wastes within Africa, which bans the importation of all forms of hazardous waste into the Continent of Africa;

**Further recognizing**, Article 2 of the Bamako Convention establishing a definition of hazardous waste that is more comprehensive than that of the Basel Convention and includes any wastes containing any of the constituents of Annex I, or exhibiting the hazardous characteristics found in Annex II;

**Noting** that the presence of heavy metals such as lead and mercury, and persistent organic pollutants including brominated flame retardants (BFRs) in end-of-life electrical and electronic equipment or e-waste makes them hazardous wastes, and a priority hazardous and problematic waste stream globally and in the region requiring urgent actions;<sup>2</sup>

**Understanding**, that even when used electronic equipment is not defined as waste due to its functionality, it may become waste rapidly after importation due to its poor condition or age, and therefore importation of such near-end-of-life electrical and electronic equipment may also need to be strictly controlled by the Parties;

**Cognizant** that the amount of electronic waste arising from the domestic consumption of electronic products is increasing rapidly in Africa and will likewise have a negative impact on health and the environment unless steps are taken as a matter of urgency to build up, collection and recycling infrastructure in African regions and states;

**Recollecting** the Nairobi Ministerial Declaration on the Environmentally Sound Management of Electronic and Electrical Waste on the occasion of the eighth meeting of the Conference of the Parties to the Basel Convention in Nairobi, Kenya;

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<sup>1</sup> UNEP/SBC (2011) : Where are WEEE in Africa

**Recalling also** that Africa<sup>2</sup> supported by Peru, moved to accept e-waste as an emerging global environmental policy issue at the second session of SAICM International Conference on Chemicals Management (ICCM2) in Geneva 2009 which was approved;

**Remembering** the Fourteenth session of AMCEN<sup>3</sup> Arusha Declaration in September 2012 on Africa's Post RIO+20 Strategy For Sustainable Development , which requested Member States individually or collectively to develop policies, guidelines, legislation and other strategies or mechanisms for the management of electrical and electronic wastes;

**Further remembering** the Pan African E waste Forum<sup>4</sup> held in 14-16 March 2012 in Nairobi which made a "Call for Action on E-waste in Africa" which set priority actions, and the views expressed in the Abuja Platform on E-waste created during the International Conference on E-waste Control held in Abuja, Nigeria, in July 2009;

**Acknowledging with appreciation** the Basel Convention E-waste Africa Project that was funded by the European Union, the United Kingdom, Norway and the Dutch Association for the Disposal of Metal and Electrical Products (the "NVMP Foundation"), as well as the assistance provided by the business members of the Africa e-Waste Alliance, all with the goal of building local capacity to address the domestic e-waste arising sustainably;

**Appreciating** that the problem of e-waste in Africa, remains very serious and threatens the achievement of the United Nations Millennium Development Goals for sustainable development if not acted upon with universal resolve;

**Hereby:**

1. *Urges*, Parties and other African states that have not already done so, to enhance or supplement existing legislation to prevent illegal and unwanted traffic in hazardous and other e-waste from entering their territory and the African Continent;
2. *Encourages*, Parties, and other African states to likewise create and adopt legislation for individual producer responsibility in the collection and environmentally sound recycling of domestic arisings of e-waste in the Continent of Africa.
3. *Calls upon*, Parties and other African states that have not already done so to legally consider all non-functional or untested used electronic equipment as hazardous waste and prevent their importation into the African Continent.
4. *Calls also upon*, Parties, and other African states that have not already done so to adopt legislation to control the importation of near-end-of-life or unwanted equipment, inter alia by designating such equipment as hazardous waste;

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<sup>2</sup> Resolution II/4 on emerging policy issues adopted by the International Conference on Chemicals Management at its second session, held in Geneva, Switzerland, 11 to 15 May 2009

<sup>3</sup> Fourteen session of AMCEN Arusha Declaration on Post Rio+20 Conference on Sustainable Development September 2012.

<sup>4</sup> UNEP Pan African E waste Forum on effective solutions to E-waste Problems in Africa

5. *Asks*, Parties and other African States to strengthen their capacity and institutions to implement all relevant measures on the prevention and control of transboundary movement of e-waste including participation in partnerships such as the Africa –European Union Network on the Prevention and Control of illegal import of e-waste from Europe into Africa, INECE, and others;
6. *Resolves*, to nationally and regionally undertake intense promotion and implementation of public education and awareness on the environmental and human health problems associated with the uncontrolled importation of e-waste while taking advantage of the economic opportunities including the creation of green jobs that may arise from the environmentally sound management of e-waste;
7. *Requests*, that the Basel Convention Regional Centres (BCRCs) and Basel Convention Coordinating Centre for the African Region (BCCC-Africa) actively engage in capacity building, awareness raising, pilot projects and consultancy activities on the environmentally sound management (ESM) of e-waste and the control of their transboundary movements, in order to leverage their regional and international expertise;
8. *Invites*, responsible electronics recyclers holding internationally accredited electronics recycling certifications to establish environmentally sound recycling operations in the African Continent for African generated e-waste, on a regional or national basis;
9. *Further invites*, the United Nations Environment Programme including the Joint Secretariat of Basel-Rotterdam -Stockholm Conventions, and other relevant intergovernmental, industry, and non-governmental organizations to fund and develop programs for capacity building and institutional strengthening to assist African states in the enhancement of export and import controls to prevent illegal traffic in e-waste and to establish environmentally sound management of domestic generation of e-waste in accordance with the foregoing decisions.