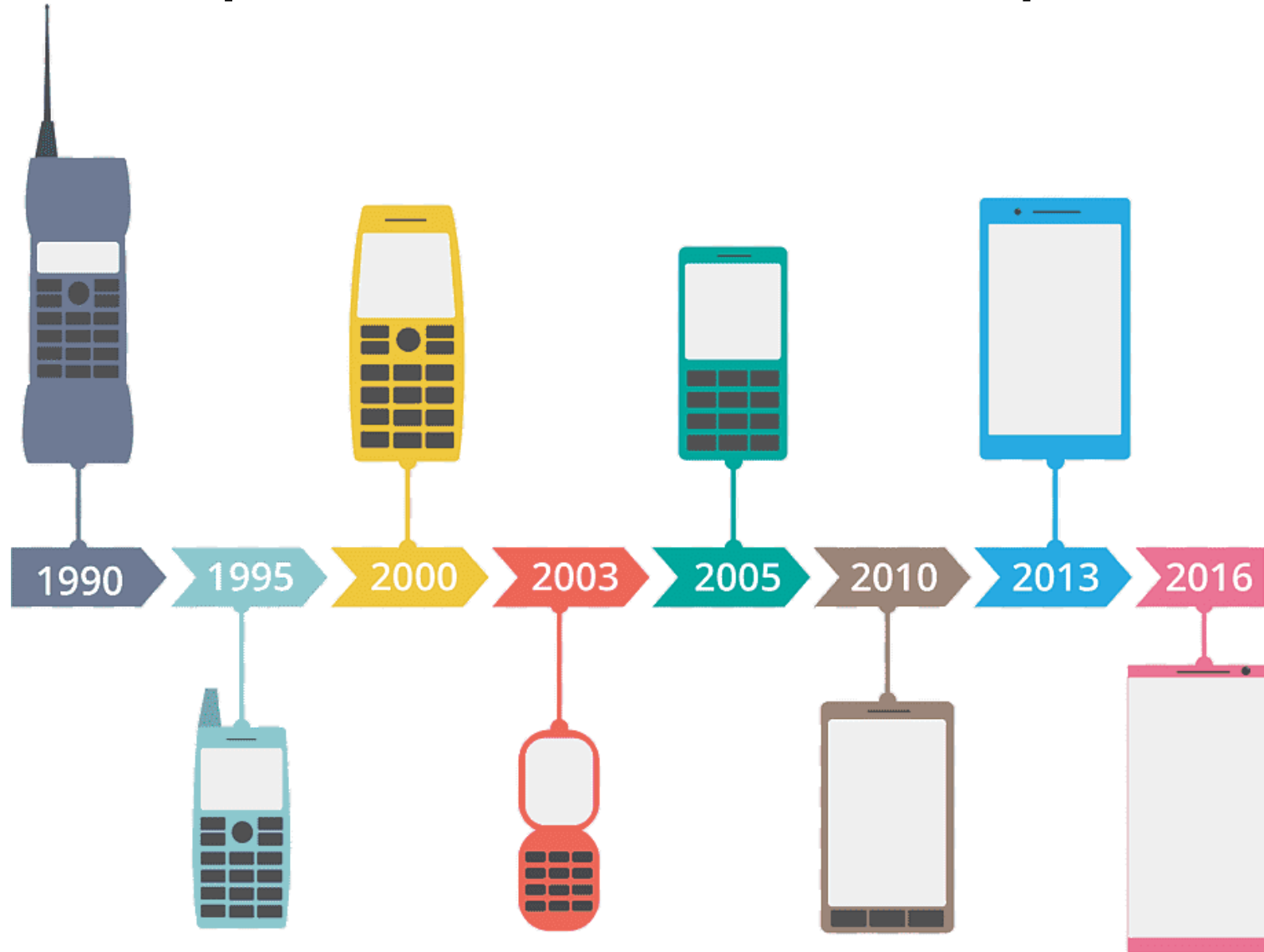


# Regulations that work and how to enforce them

EACO Sustainable E-Waste Management Webinar 13.10.2020

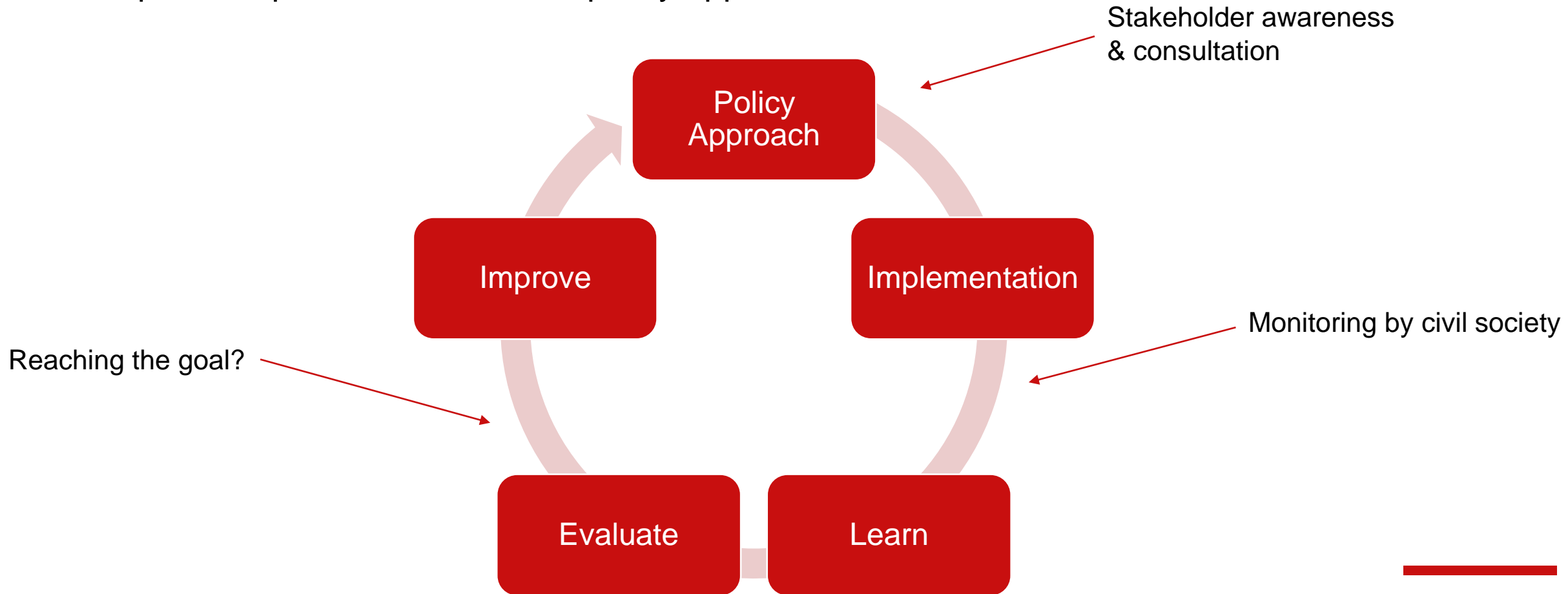
Daniel Hinchliffe, GIZ *Global Advisory Project „Sustainable Solid Waste Management and Circular Economy“*

# Electronics development and innovation is an adaptive, iterative process

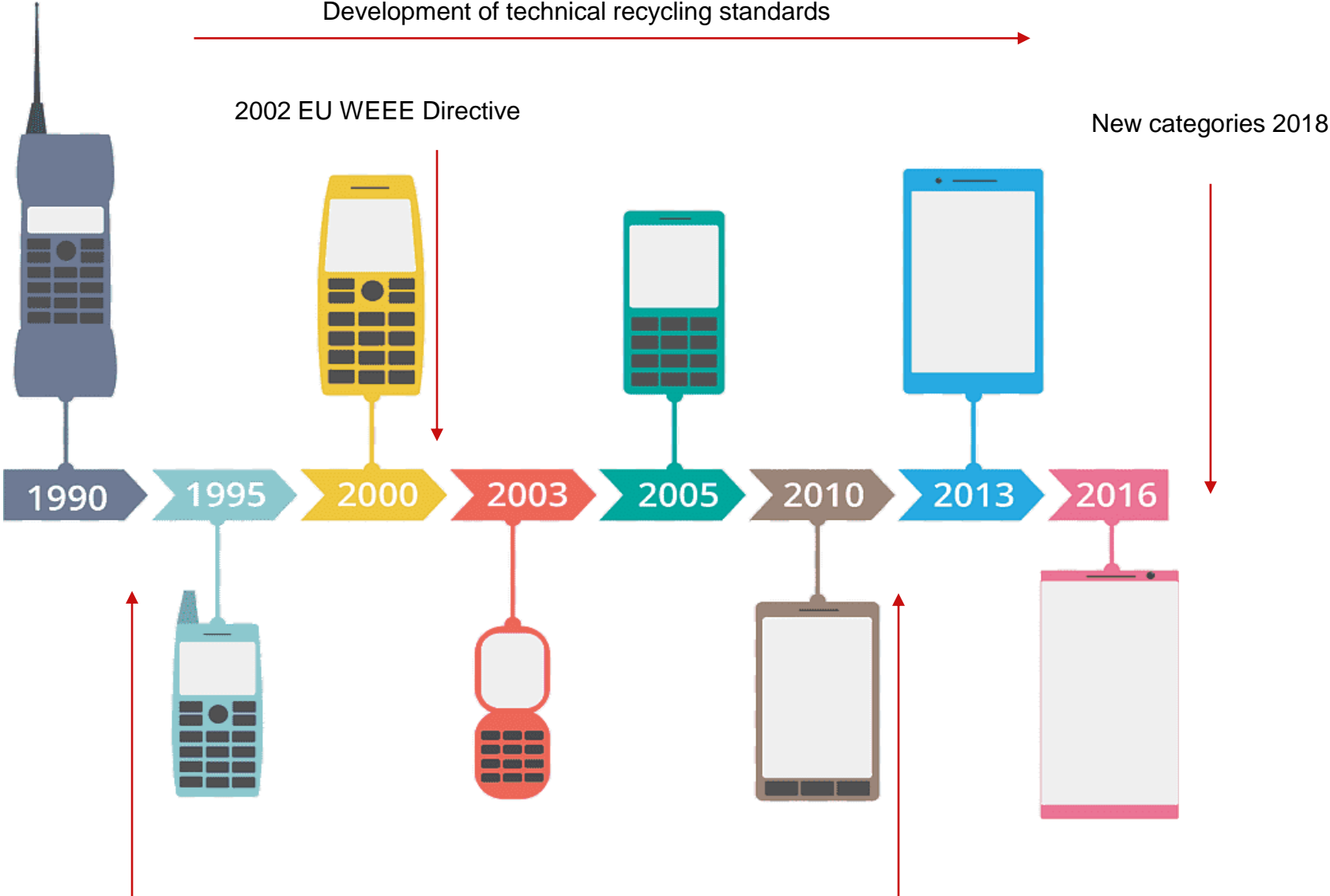


# Policy development and implementation is an adaptive, iterative process

- Identify problem and set a common goal with affected stakeholders
- Develop a transparent and inclusive policy approach



# WEEE Policy Cycles in the EU (over-simplified)



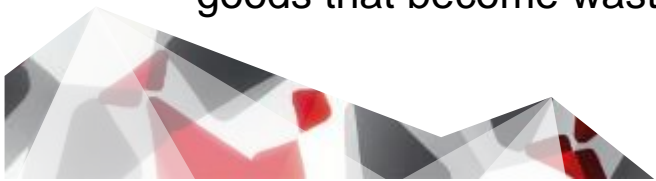
National WEEE schemes in Europe

2012 updated WEEE Directive

# Regulate what?

Various areas you may want to have regulated related to e-waste management:

- **Environmentally Sound Management (ESM) Standards:** normally split into various functions such as permitting/licensing, environmental impact assessments, reporting obligations
- **Financing the system: infrastructure, treatment and administration cost coverage.**
  - designate roles and responsibilities in a collection and treatment system (mostly the approach taken by EPR, but so far difficult to put into practice).
  - As soon as money gets involved things become difficult: need to assure mechanisms for transparency, reporting and correct allocation of funds: setting up as non-profit independent third parties can be useful here. Also competitive system.
- **Imports and product quality standards:**
  - Regulations that control e-waste imports, implementation of the Basel Guidance on Transboundary Movements.
  - Quality standards: Reduction through setting minimum performance and safety requirements of products on the market (Ecodesign). Important to reduce e-waste from poor quality/counterfeit goods that become waste in short time.



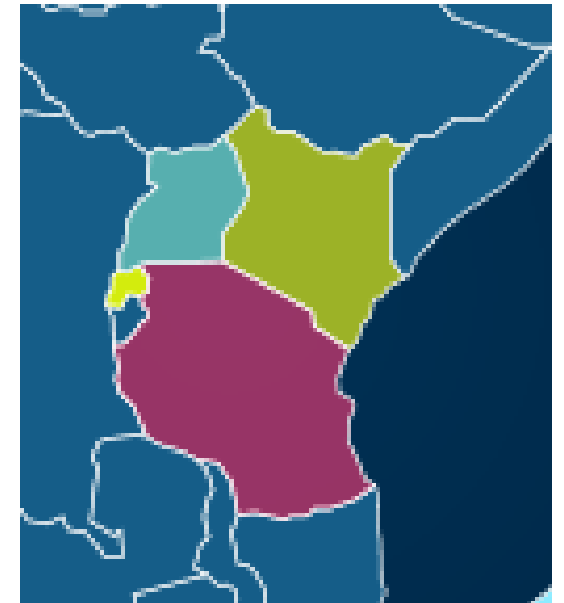
## Start first, then optimise along the way

- **Regulations and policy setting are an iterative process:**
  - Start from somewhere, it is not permanent, can adjust as learn how the system functions best. There will always be points where unexpected dynamics arise.
  - If there are no regulations, then no framework and no certainty for actors.
  - Can start with pilot scheme to inform set up and develop technical guidelines
- **Private Sector can already play a role without legislation:**
  - Many EPR schemes in Europe were set up based around the voluntary system set-up by private sector.
  - EPR Systems in Europe were started to finance an already existing scrap treatment system. EPR and regulations could focus on jointly building the infrastructure to start regulating afterwards.
  - Recyclers can also make their voices heard: why do they need a level playing field?

# How far are countries in East Africa?

GIZ [supported mapping activities](#) as first pillar of EACO Regional E-Waste Strategy (2018)

Topic	RW	KE	TZ	BI	UG
<b>Environmental management law/policy - permits/licensing</b>	Yes	Yes	Yes	Yes	Yes
<b>Specific E-waste management legislation</b>	Yes, in force. Guidelines, policy & strategy	Draft; non-binding guidelines and strategy	draft	Draft decree	Guidelines and policy
<b>E-Waste EPR based financing</b>	Yes, in force	draft			
<b>Transboundary movements</b>	Basel/Bamako Convention	Basel /Bamako Convention	Basel/ Bamako Convention	Basel/ Bamako Convention	Basel/ Bamako, bans used imports
<b>Technical standard e-waste management</b>	yes		Yes		



GSMA policy map now gives clear overview of these activities (implemented by Sofies):

<https://www.gsma.com/mobilefordevelopment/e-waste-legislative-framework-map/>

Role of the regional strategy here in relation to the national legislation?

# Some regional harmonisation priorities on waste movement

(discussed end of 2018)

## Requirements (forms) for authorizations (waste permits/import and exports) and requirements import/export EEE/UEEE/Waste

- harmonisation of the licensing of imports and exports,
- EIA requirements, fees charged and checklists for licensing need to be harmonised;
- Definitions of collectors/transfer stations etc. need to be the same across EAC;

## Movement of Waste in EAC

- Sending waste to licensed facilities following regulations of Basel and Bamako;
- Guidance for fast track shipment of waste (faster approval) in EAC; harmonise institutions responsible for approval (faster communication) and reporting

**Taking forward: PREVENT Waste Alliance** will support implementation of project in Tanzania in 2021 (awaiting final approval): implementing the basel technical guidelines on e-waste imports (distinction between used and new, implementation plan for TZ and hopefully for the region).



# Implementation and enforcement

- Effective legislation requires cooperation of many stakeholders on different levels. Some countries have the legal framework in place, with the exception of EPR. But it can prove difficult to follow up on enforcement actions
- Look at what structures and capacities you have locally, involve affected stakeholders and conduct a compliance oriented approach.
  - What data flows do enforcement agencies already have control of, strengths that can be built upon?
  - There are examples of Environmental Impact Assessments attached to Permits locking out formal operators from the system in Egypt, Ghana. Standards are good, but should aim to be a collaborative effort that support improvement processes of local industry
  - Informal sector: how to regulate, how to incorporate? Cannot lock out of system or ignore, possible to use collection structures and dismantling skills



# Who's doing what?

**Ensure awareness:** Regulations assume that everyone you have regulated know about them and what is their role

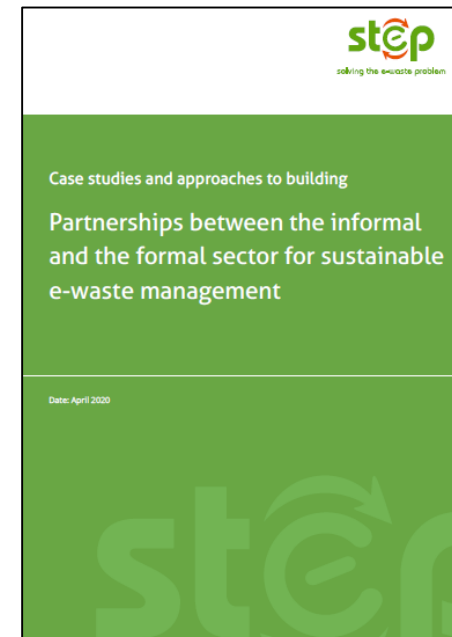
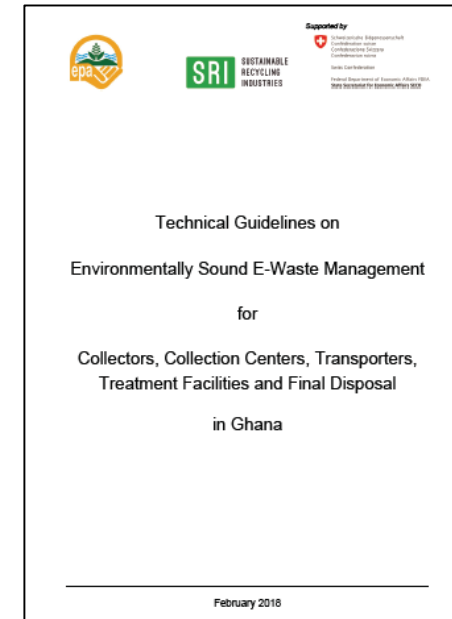
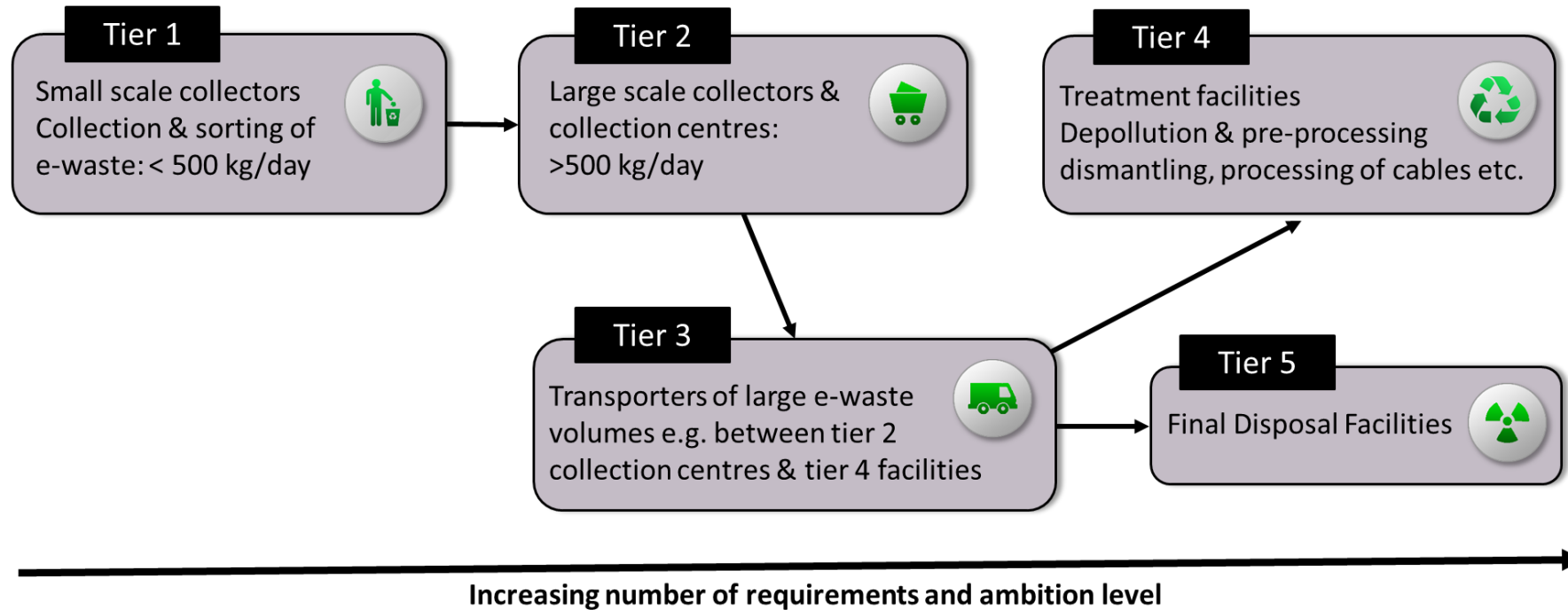
- important to involve affected stakeholders so they are aware of their obligations and these can be made realistic. Define clear roles and responsibilities!
- After legislating need to inform affected stakeholders and give timeframe to comply. Should be easily accessible and easy to understand for operators.
- Rules and regulations must be easily accessible for affected stakeholders

## **Take a cooperative approach:**

- Often the infrastructure to be regulated is yet to be set-up. How can regulations support to develop framework conditions for sustainable e-waste management. There might be the need for the friendly regulator and continuous process improvement. Joint target (e.g, in 5 years time we want to have treatment capacity in the country for amount X of collection category Y. How do we jointly get there?)
- Do appropriate background checks for technology offers - standalone technology solutions can never solve issue alone: waste management sector is diverse, requires financing and collection system. Good example – Rwanda and EnviroServ cooperate on system set up.

# Making provisions for the informal sector

- Ghana has developed [technical guidelines](#) and a tiered inclusion approach
- Informal sector can be encouraged to cooperate with formal system (see recent [StEP Paper](#))



# Lets move things forward!

- Tie the EACO regional strategy and activities more strongly to local approaches to generate maximum success
- START NOW, adjust along the way.
- Some activities on transboundary movements in 2021 which can maybe support processes (via PREVENT Waste Alliance)

## Further resources:

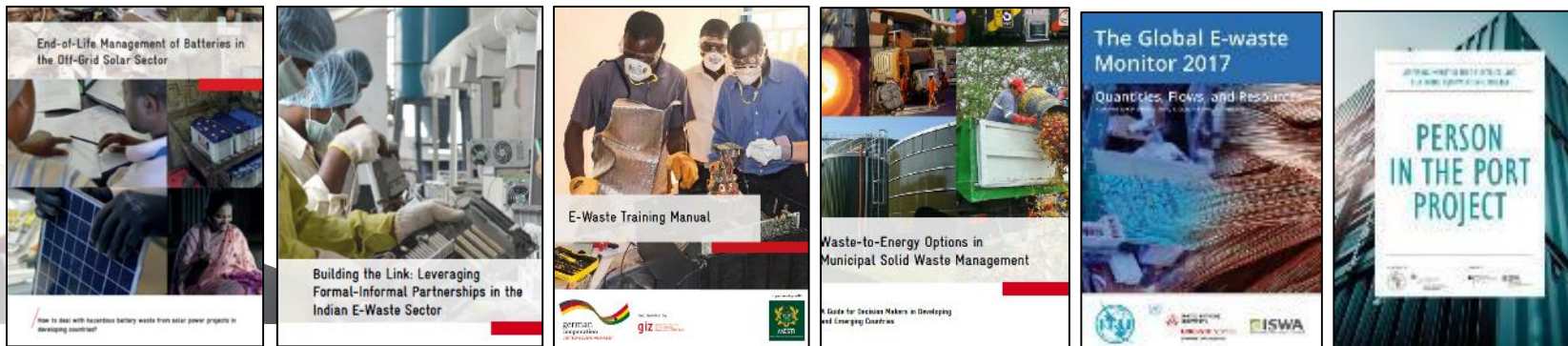
- [Africa Clean Energy E-Waste Policy Handbook](#) (2019)
- [StEP Developing Legislative Principles for e-waste policy in developing and emerging countries](#) (2018)
- [SRI: A practical guide for the systemic design of WEEE management policies in developing countries](#) (2017)

# GIZ Sector Project – Sustainable Waste Management and Circular Economy

- GIZ has offices in 121 countries; around 30 bilateral waste management projects worldwide.
- Sector Project Supports German Federal Ministry of Economic Cooperation and Development (BMZ)
- Develops and finances concepts, publications, trainings and networks with focus on e-waste, marine litter, climate and municipal waste management
- Secretariat of the PREVENT Waste Alliance – a Multistakeholder Partnership working for a circular economy worldwide. [www.prevent-waste.net/en](http://www.prevent-waste.net/en)



Sector Project Publications: <https://www.giz.de/en/worldwide/15109.html>



Selected publications developed/financed by sector project

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