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# A GLOBAL TREATY ON PLASTIC POLLUTION

PERSPECTIVES FROM AFRICA - WORKSHOP REPORT

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WWF is one of the world's largest and most experienced independent conservation organisations with over 6 million supporters and a global network active in more than 100 countries.

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Our sincere thanks goes to all AUC member states who attended the meeting and shared their insights and experiences on policy and legal frameworks for addressing plastic pollution in their respective countries.

We recognize and appreciate the contribution of the presenters including government representatives, regional bodies and inter-governmental organizations, and experts from various organisations.

And finally, a thanks to all workshop participants who found time out of their busy schedule to attend this meeting.

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## LIST OF ABBREVIATIONS

AU - African Union

AUC - African Union Commission

AMCEN - African Ministerial Conference on the Environment

COP - Conference of the Parties

EPR - extended producer responsibility

IDP - Informal Dialogue on Plastic Pollution and Environmentally Sustainable Plastics Trade

UN - United Nations

UNEA - United Nations Environment Assembly

WTO - World Trade Organisation

WWF - World Wide Fund for Nature



# ABOUT THIS REPORT

The virtual regional policy workshop on Africa's Perspectives in Exploring the Possible Key Elements of a Global Treaty to address Plastic Pollution was co-organised and co-hosted by the African Union Commission (AUC) and the World Wide Fund for Nature (WWF) on the 29<sup>th</sup> and 30<sup>th</sup> of November, 2021.

The workshop brought together more than 70 participants drawn from government representatives of 22 African Union (AU) Member States and representatives of 15 organisations representing civil society and the private sector.

The workshop was moderated by the AUC and the African Ministerial Conference on the Environment (AMCEN) Experts Chair.

The objectives of the workshop were to;

- i. Review progress made towards establishing a legally binding global treaty to address plastic pollution and explore potential elements from an African perspective;
- ii. Share lessons and experiences on national perspectives from African countries on the current state of play in policy and legislative frameworks to address plastic pollution with a view to informing the global treaty frameworks on plastics; and

- iii. Agree on the way forward and next steps, as may be necessary and appropriate, to refine and elevate workshop results to relevant regional and global processes including the fifth Session of the United Nations Environment Assembly (UNEA 5.2), and other international fora.

To enable open discussions and free sharing of ideas, the workshop was conducted under Chatham House rules where discussions are not attributed to specific participants. The key findings summarised in this report are based on the insights and contributions by representatives which should be taken as the collective results of this workshop.

This report aims to provide a starting point for further bilateral, regional, and global discussions to explore the potential elements of a legally binding global treaty to address plastic pollution, taking into consideration aspirations and national circumstances for African countries.



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# PLASTIC POLLUTION IN AFRICA

Plastic pollution is a growing crisis globally and Africa is no exception. There are high volumes of plastic waste polluting African cities, farmlands, waterways, as well as coastal and marine environments.



Furthermore, plastic pollution is transboundary in nature due to globalised plastics value chains, cross-border trade networks, and transport of plastic waste through oceanic and atmospheric currents or media. The impacts of plastic pollution include risks to human health, loss of livelihoods, biodiversity loss, compromised ecosystem functioning, and contributions to greenhouse gas emissions, which, in turn, all result in economic losses.

Plastic pollution is not simply a marine and coastal environment issue; many land-locked African countries are also affected, with impacts experienced particularly in urban and agricultural areas. Plastic pollution is also not simply a waste management issue; there are failures across the full life cycle of plastics. These include the dependence on fossil fuel value chains, the use of toxic chemicals, the prevalence of problematic and unnecessary plastic product design, and unsustainable, non-circular business models. Unsustainable plastic production and consumption is expected to increase rapidly in the coming decades globally and in Africa if “business-as-usual” continues.

Existing voluntary interventions to address plastic pollution by both the public and private sector lack coordination and do not tackle the challenge comprehensively at the pace and scale

that is required. There is a need for a safe, circular economy for plastics in Africa and globally. This would involve an international, cross-sectoral, and multi-pronged approach.

Various studies have demonstrated that the existing policy and legal frameworks are fragmented and ineffective due to policy and implementation gaps at global, regional, and national levels. These gaps include the absence of global rules, standards, or recommended practices; a lack of clarity on commitments and obligations, concerns, or preventive measures; non-existence of common reporting, monitoring, and review mechanisms; and absence of financial mechanisms for supporting states in their efforts to address plastic pollution. There is therefore an urgent need for a global governance framework to combat plastic pollution systemically, while complementing existing frameworks.

This is the premise for growing demand for the proposed legally binding global treaty to combat plastic pollution from the majority of UN Member States<sup>1</sup>, several businesses<sup>2</sup>, over 600 civil society organisations<sup>3</sup>, and over 2.1 million individuals<sup>4</sup>. Herein lies a unique opportunity to begin formal negotiations for a global legally binding treaty to address plastic pollution.

1 <https://plasticnavigator.wwf.de/#/en/policy/?st=0&ch=0&layers=surface-concentration%7Cpolicy-commitments-area&ui-info=0&ui-mpol=show%3Atrue&info=policy-commitments-area>

2 <https://www.plasticpollutiontreaty.org/>

3 <https://docs.google.com/document/d/1zso7RaebtapsWmZx6LA-sfJlAFSNC12W/edit>

4 [https://wwf.panda.org/act/take\\_action/plastics\\_campaign\\_page/](https://wwf.panda.org/act/take_action/plastics_campaign_page/)



# THE GROWING MOMENTUM TOWARDS A GLOBAL TREATY

The plastic pollution problem is escalating rapidly and has now reached crisis level. African countries are collectively calling for a new global framework to address the issue.

Setting the scene for the workshop, participants reflected on the need for a legally binding global treaty to address plastic pollution as well as recalling significant events in recent years that have added Africa's united voice to the growing momentum

towards making such a treaty a reality. These events, including additions relevant to the African continent, are outlined in the following timeline.

## TIMELINE OF GROWING SUPPORT FOR A GLOBAL TREATY FROM AFRICAN GOVERNMENTS

- November 2019** 17th session of AMCEN: The Durban Declaration<sup>5</sup> incorporated the first collective statement of support from all African Environment Ministers for global action to address plastic pollution including the possibility of a new global agreement.
- February 2020** “The Third Conference of the Parties to the Bamako Convention (COP 3): The Conference of the Parties<sup>6</sup> included a decision<sup>7</sup> calling for a new legally binding global agreement to combat plastic pollution.
- June 2020** Group of Friends to Combat Marine Plastic Pollution included seven African countries<sup>8</sup> as founding members. One of the specific objectives<sup>9</sup> of the Group of Friends is to support the exploration of response options, one of which is a new global agreement.
- September 2020** Statement<sup>10</sup> by Environment Minister of Rwanda at the UN Biodiversity Summit: Rwanda declared its commitment to support the establishment of a new global agreement to combat plastic pollution.
- November 2020** Statement<sup>11</sup> by Special Assistant to the Minister of Environment of Ghana at the World Circular Economy Forum: Ghana declared that it intends to use the National Plastic Action Partnership platform to support the Global Agreement.
- February 2021** Statement<sup>12</sup> by Principal Secretary, Ministry of Environment and Forestry of Kenya at the Ocean Action for Sustainability high-level event: Kenya mentioned the need for countries to commit to implementing a global agreement on plastics, including adoption of common standards.

Timeline continues...

5 AMCEN17/9, Annex I, Appendix, VIII (page 8) [https://wedocs.unep.org/bitstream/handle/20.500.11822/30786/AMCEN\\_17L1.pdf?sequence=1&isAllowed=y](https://wedocs.unep.org/bitstream/handle/20.500.11822/30786/AMCEN_17L1.pdf?sequence=1&isAllowed=y)

6 Benin, Burkina Faso, Burundi, Cote d'Ivoire, Democratic Republic of Congo (DRC), Egypt, Gambia, Mali, Mauritius, Niger, Republic of the Congo, United Republic of Tanzania, Zimbabwe

7 UNEP/BC/COP.3/11, Decision CB.3/8, paragraph 6 (page 24) <https://www.informea.org/sites/default/files/imported-documents/Report%20English%20K2000527.pdf>

8 Cabo Verde, Djibouti, Eritrea, Kenya, Morocco, Mozambique, Seychelles

9 <https://www.norway.no/en/missions/UN/news/news-from-norwayun/CombatMarinePlastic/#Objectives>

10 <https://www.youtube.com/watch?v=5WoQoJjMzP8&t=38191s>

11 <https://www.youtube.com/watch?v=rGV3aOAXNBQ&t=1011s>

12 <https://www.youtube.com/watch?v=VU1hoCHhP-k&t=3782s>

**June 2021** Ocean Day Plastic Pollution Declaration<sup>13</sup> presented at the UN High-Level Debate on the Ocean endorsed by nine African countries<sup>14</sup>. The Declaration includes the commitment to work for a decision at UNEA5.2 to establish an Intergovernmental Negotiating Committee and recommended starting negotiations towards a global legally binding agreement to combat plastic pollution.

**September 2021** Ministerial Conference on Marine Litter and Plastic Pollution (co-convened by Ecuador, Germany, Ghana and Vietnam): Fourteen African countries<sup>15</sup> endorsed the Ministerial Statement<sup>16</sup> which commits to working towards the timely establishment of an Intergovernmental Negotiating Committee on Marine Litter and Plastic Pollution at UNEA-5.2, with the aim of achieving a new Global Agreement with ambitious goals, wide participation, and means of implementation.

**September 2021** Statement<sup>17</sup> by Eritrea at Ministerial Conference on Marine Litter and Plastic Pollution: Eritrea declared that it is time to commence negotiations towards a binding global agreement on plastic.

**September 2021** Draft Resolution on an internationally legally binding instrument on plastic pollution proposed by Peru and Rwanda: Six African countries<sup>18</sup> endorsed the draft resolution which will be considered for adoption at the fifth United Nations Environment Assembly scheduled for February 2022. The draft resolution includes the request to convene an intergovernmental negotiating committee with the mandate to prepare an international legally binding instrument to address plastic pollution, commencing its work in 2022 with the goal of completion by the sixth session of the Environment Assembly.

**September 2021** 18th session of AMCEN: African Ministers for the environment declared in the key policy messages<sup>19</sup> a commitment to work towards a new global legally binding agreement on marine litter and plastic pollution and to support the draft resolution on marine litter and plastic pollution presented by Rwanda and endorsed by other countries; and all agreed to develop a common Africa regional approach on engagement on the proposed draft resolution on marine litter and plastics pollution.



**December 2021**<sup>20</sup> World Trade Organisation's (WTO) Informal Dialogue on Plastic Pollution and Environmentally Sustainable Plastics Trade (IDP): Ministers representing the Members of the WTO, including six African countries<sup>21</sup> issued the statement, which emphasized the importance of continuing to engage and support actions in other international processes and continued cooperation on areas of common interest such as the ongoing discussions towards a new global instrument on plastics at UNEA-5.2.

13 <http://plasticdeclaration.aosis.org/>

14 Cabo Verde, Comoros, Ghana, Guinea, Guinea- Bissau, Madagascar, Mauritius, São Tomé and Príncipe, Seychelles

15 Burkina Faso, Cameroon, Côte d'Ivoire, Democratic Republic of the Congo, Ethiopia, Equatorial Guinea, Ghana, Kenya, Madagascar, Mauritania, Morocco, Seychelles, Somalia, Sudan

16 <https://ministerialconferenceonmarinelitter.com/ENDORSEMENTS/>

17 [https://soundcloud.com/marine\\_litter\\_prevention/english-recording-day-2-part-2?in=marine\\_litter\\_prevention/sets/english-recording-of-the](https://soundcloud.com/marine_litter_prevention/english-recording-day-2-part-2?in=marine_litter_prevention/sets/english-recording-of-the)  
18 Guinea, Kenya, Madagascar, Rwanda, Senegal, Uganda

19 AMCEN/18(1)/8, Appendix I, paragraph 10, 11 and 12 (page 8) [https://wedocs.unep.org/bitstream/handle/20.500.11822/37587/K2102596\\_EN.pdf](https://wedocs.unep.org/bitstream/handle/20.500.11822/37587/K2102596_EN.pdf)

20 This event took place after the Workshop was held but is added for relevance

21 Cameroon, Cabo Verde, Central African Republic, Chad, Gambia, Morocco

# AFRICA'S NATIONAL POLICY GAPS

A starting point for workshop participants was to understand the shared national challenges and circumstances in addressing plastic pollution. Government representatives shared their national perspectives by outlining existing policy and legislative frameworks on plastics in their respective countries while highlighting the policy gaps that could not be effectively addressed at the national level.

Existing national legislation in African countries includes bans, restrictions or taxes on certain plastic items, municipal solid waste management, and extended producer responsibility (EPR) schemes (voluntary and mandatory). An extensive list of national policy frameworks and legislation is not included here. Workshop participants highlighted common national policy gaps which are summarised as follows:

## **1. The narrow scope and limited approach of existing national policy and legislation, with no clear targets or actions plans, including**

- The lack of a comprehensive approach to address the full life cycle of plastics: Most relevant policy and legislation is limited to solid waste management policies. Furthermore, some existing policies lack regulations for operationalization;
- The lack of instruments to ensure value chain accountability such as mandatory EPR and other market-based incentives to promote circular interventions including reduction, reuse, recovery, and recycling: Most existing EPR schemes are voluntary and not fully established or inclusive of all stakeholders along the plastics value chain; and
- The narrow scope of bans, restrictions or taxes on certain plastic items, such as carrier bags and other single-use items: These instruments have also been criticised as being reactionary, have received significant resistance from industry, and have proven ineffective over time.

## **2. The lack of a common, harmonised policy approach, including**

- Absence of common obligation for countries to develop national action plans; and
- The lack of harmonised definitions, methods, standards, and regulations to effectively combat plastic pollution, including, but not limited to, interventions such as circular product design, labelling, reuse models, and recycling.



## **3. The lack of accurate and comprehensive data monitoring and measurement, including**

- An agreed upon data reporting method and platform for tracking implementation and progress made towards plastic leakage is lacking.

## **4. Transboundary issues, including**

- The lack of coordination in regional and international policy frameworks relating to plastic pollution and related areas, including marine litter, waste management, and plastic products and waste trade;
- Weak enforcement on cross-border control of banned or restricted plastic items resulting in illegal trade across 'porous' national boundaries; and
- There are not effective measures to prevent, manage, and control transboundary ghost fishing gear and nurdle spills in commons seas.

## **5. The lack of coordination and co-operation at different levels of governance, including**

- Poor coordination and co-operation on relevant plastic policy development and implementation across relevant government departments (e.g. Environment, Water, Trade, Industry, Agriculture, Fisheries, Minerals - fossil fuel and petrochemical industries, Science, Technology, Innovation and others); and
- Implementation of national policies and legislation is ineffective at sub-national levels.



**6. Limited capacity, resources, and infrastructure for the effective implementation of existing policies, strategies, actions, plans, and initiatives, including**

- Limited circular economy interventions and waste management infrastructure;
- Strained waste management systems;
- Financial and capacity constraints;
- Competing demands and changing priorities of government bodies (e.g. Covid-19 relief);
- Lack of designated authority to enforce legislation; and
- Poor governance including corruption in managing the plastics sector.

**7. The lack of inclusivity in policy development, including**

- The lack of recognition and integration of informal waste picker services; and
- The lack of private sector engagement and consultation in some cases.

**8. Knowledge gaps and lack of knowledge sharing, including**

- The lack of Pan-African research and knowledge sharing;
- Dearth of knowledge on circularity to inform policy development including technology and employment;
- Limited knowledge and understanding of the impacts of replacing plastic with biodegradable materials and other plastic alternatives; and
- The lack of understanding of the full life cycle impacts of plastic pollution, including the relationship to fossil fuel industry impacts, for stakeholders across the value chain.

Workshop participants concluded that current national approaches to address plastic pollution are insufficient and fragmented. A global governance framework is necessary in order to comprehensively tackle the issue.



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# A SHARED GLOBAL VISION

With the objective of finding policy approaches that effectively address the impacts of plastic pollution faced by countries in Africa and globally, workshop participants outlined a set of shared goals and approaches. This helped frame the subsequent conversations, providing a starting point for all participants to recognise the shared values and outcomes for the region to work towards in the coming decade.

## WITH SHARED GOALS BY 2030...

- Zero plastic leakage into the environment from land- and sea-based sources
- A sustainable and safe circular economy for plastics
- Measures taken result in zero harm to human health and the environment



## ACHIEVED THROUGH...

- A comprehensive, harmonised approach addressing the full lifecycle impacts of plastic pollution
- Alignment with the Sustainable Development Goals (SDGs) and Agenda 2063: 'The Africa we want'
- Common, agreed upon standards and definitions
- Provision for flexible and agile implementation pathways
- Integration of global policy framework at national levels
- A robust review and reporting mechanism
- Sustainable production and consumption practices and reduction in overall plastic usage
- Elimination of potentially harmful and/or non-essential plastics
- Scientific, technical, and technology transfers
- Education, awareness, and behaviour change
- Capacity building and support for implementation
- Open and transparent measures for funding
- Establishment of a platform that captures and promotes both State and Non-State actions and partnerships
- Promotion of the adoption of extended producer responsibility schemes



## GUIDED BY...

- Consideration for national circumstances and aspirations
- Promotion of equity amongst countries
- Principle of 'zero harm' to people and the environment
- Inclusivity and participation processes to involve all stakeholders and to avoid the exclusion and marginalization of certain groups (including youth, women, informal sector, labour unions, and others)
- Common and differentiated responsibilities
- A precautionary approach
- The producer-pays principle

# AFRICAN PERSPECTIVES ON POTENTIAL ELEMENTS OF A GLOBAL TREATY ON PLASTIC POLLUTION

Workshop participants reflected on lessons learnt from other international treaties and discussed which criteria of success are necessary for a global treaty and how these could be applied. These discussions gave rise to the unpacking of potential elements of a global treaty on plastic pollution from the collective perspectives of workshop participants.



## GOVERNANCE FRAMEWORK

A clear governance framework and bureau should be established for the development and implementation of the treaty including clear roles, mandates, and regionally distributed appointments.

The governance framework should ensure due process is followed and support the negotiation process, including engagement with relevant parties.



## SHARED VISION

This vision should be a set of shared ambitious global goals with agreed upon minimum critical requirements established with the view of gradual strengthening over time. These should avoid duplication and rather be complementary to existing global frameworks. Shared objectives should be based on common but differentiated responsibility according to national circumstances and respective capabilities.



## NATIONAL ACTION PLANS AND COMMITMENTS

All parties should commit to adopt and implement national action plans with well-defined targets that are measurable and feasible.



## CLEAR REPORTING AND MONITORING

A robust and transparent reporting mechanism and practical monitoring framework should be established.



## SCIENTIFIC AND TECHNICAL BODY

A scientific and technical expert panel should be established that is inclusive and representative of all parties.





## FUNDING MECHANISM

A clear financing and sustainable funding mechanism should be established to support countries in the implementation of the treaty.



## IMPLEMENTATION SUPPORT

A mechanism should be established to support countries in capacity building, technology transfer, and lessons learned.



## GLOBAL CLEARING HOUSE MECHANISM

A global clearing house mechanism should be established to ensure relevant knowledge sharing and consolidation of latest research.



## INCLUSIVITY AND PARTNERSHIPS

Inclusive engagement with relevant parties, including existing global and regional structures and trade bodies, must be ensured to support mobilization of resources and the development and implementation of the treaty.

Inclusion of groups representing the informal waste sector, labour unions, youth, and women should also be prioritised during treaty development and implementation.



## INDUSTRY ENGAGEMENT

Appropriate strategies and platforms must be established for industry engagement to support implementation through voluntary and mandatory mechanisms including EPR schemes.





# THE ROAD AHEAD

Workshop participants identified the following recommendations which should be considered for implementation by the African Union Commission and AMCEN, and supported by Regional Economic Commissions, WWF, development partners, civil society groups or organisations, the private sector, and other like-minded entities in the plastic sector.



## **1. Take stock of existing experts in Africa on plastic pollution issues**

It was noted that there are relatively few experts in plastics in Africa. The meeting recommended taking stock and preparing a database of plastic experts from Africa as part of capacity building.

## **2. Setting up an African expert group**

Participants recommended setting up African experts and negotiators for the new treaty on plastic pollution.

The expert group is to be led by Ghana and Rwanda in the negotiations.

## **3. Prepare the African position ahead of UNEA 5.2**

The meeting recommended that an African position should be prepared for presentation to upcoming UNEA 5.2. The AMCEN Secretariat will initiate a conversation to see how best to strengthen the African position. The AMCEN President will reach out to AUC, WWF, UNEP, and other interested parties to participate in a task team to support the development of the African position.

## **4. Sharing outcomes of the regional plastic workshop**

The meeting recommended that the outcomes of this workshop should be shared widely to the relevant UNEA processes and other international fora.



# ANNEX I: GOVERNMENTS AND ORGANISATIONS REPRESENTED AT THE WORKSHOP

## GOVERNMENT ENTITIES REPRESENTED

Country	Government Entity
Algeria	Ministry of Environment
Benin	Ministry of the Environment and Sustainable Development
Cabo Verde	Ministry of Agriculture and Environment
Cote d'Ivoire	Centre Ivoirien Anti-Pollution (CIAPOL) under the Ministry of the Environment, Urban Safety and Sustainable Development
Democratic Republic of the Congo	Ministry of Environment and Sustainable Development
Eswatini	Eswatini Environment Authority
Ethiopia	Environment, Forest and Climate Change Commission
	Environmental Compliance Monitoring and Enforcement
Ghana	Ministry for Environment, Science, Technology and Innovation
Kenya	Ministry of Environment and Forestry
Liberia	Environment Protection Agency
Madagascar	Ministry of Environment and Sustainable Development
Mauritius	Ministry of Environment
Mozambique	Ministry of Land and Environment
Nigeria	Federal Ministry of Environment
	Nigeria Maritime Administration and Safety Agency
Rwanda	Rwanda Environment Management Authority
Senegal	Ministère de l'Environnement et du Développement Durable
Seychelles	Ministry of Agriculture, Climate Change and Environment
	Ministry of Environment and Energy
Somalia	Directorate of Environment
South Africa	Department of Forestry, Fisheries and the Environment
Togo	Ministère de l'Environnement, du Développement Durable et de la Protection de la Nature
Uganda	National Environment Management Authority (NEMA)
Zimbabwe	Ministry of Environment, Climate, Tourism and Hospitality Industry

## ORGANISATIONS REPRESENTED

Organisation	Country
<b>African Union Commission (AUC)</b>	Ethiopia
<b>African Reclaimers Organisation</b>	South Africa
<b>Association for Solidarity through Humanitarian Imperative Action (ASHIA) International</b>	Cameroon
<b>Centre for Environment Justice and Development</b>	Kenya
<b>Chargée de la communication Syndicats</b>	Niger
<b>CIEL – Center for International Environmental Law</b>	Switzerland
<b>Dajopen Waste Management Project</b>	Kenya
<b>Go Green</b>	Kenya
<b>Green Anglicans</b>	South Africa
<b>Iten Integrated Environmental Conservation Group (CBO)</b>	Kenya
<b>IUCN</b>	South Africa
<b>Kenya Association of Waste Recyclers</b>	Kenya
<b>KMEG</b>	Kenya
<b>Kpone landfill waste pickers association</b>	Ghana
<b>Kwa Muhia Environmental group</b>	Kenya
<b>Lake Naivasha Riparian Association</b>	Kenya
<b>Ligue pour les Droits de la Femme Congolaise (LDFC)</b>	Congo
<b>Masinde Muliro University</b>	Kenya
<b>Nairobi Convention</b>	Kenya
<b>National Association of Scrap and Waste pickers of Nigeria (NASWON)</b>	Nigeria

Organisation	Country
<b>Platform for Advocacy Research and Capacity Building for NGOs Africa</b>	Sierra Leone
<b>Pwani Circular Economy Association</b>	Kenya
<b>Private</b>	Kenya
<b>QASAMA</b>	Kenya
<b>RCE-NORTH-RIFT</b>	Kenya
<b>Reuters</b>	United States of America
<b>Shimo la Tewa C.B.O</b>	Kenya
<b>The Eldoret National Polytechnic</b>	Kenya
<b>Waste pickers, 42 Kibera Walakolo Self-Help Group</b>	Kenya
<b>WIEGO</b>	Sierra Leone
	Senegal
<b>World Wide Fund for Nature (WWF)</b>	Cameroon
	Côte d'Ivoire
	DRC
	Gabon
	Kenya
	Mozambique
	Norway
	South Africa
	Tanzania
	Zambia





# TOWARDS A GLOBAL TREATY ON PLASTIC POLLUTION

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