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POLICY BRIEF

Reflection on Africa's Participation in the INC Plastics Negotiations Process

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Executive summary

Africa does not significantly contribute to global primary plastics production, however, the region is a major importer of plastic raw materials and products. Consumption of plastics and plastic products in the region is estimated to grow exponentially by 375% compared to the global average of 210% by 2060. This is likely to result in an exponential growth of plastics in municipal waste from 23 Mt/yr in 2010 to 72 Mt/year in 2060. Much of this waste is mis-managed (88.5%) and ends up leaking into the environment, with single-use plastics contributing the biggest plastic pollution leakage in the African region. The region faces regulatory, technical, financial and behavioural constraints to solving the plastic pollution problem. However, the on-going negotiations to develop an international legally binding instrument on plastic pollution provide an opportunity for Africa to advance a common position and influence the framing of the treaty to address some of the challenges faced by the region. This policy paper hence identifies policy actions under four thematic areas; regulatory, technical, economic and behavioural, which the region can advance during the negotiations.

Introduction

Africa does not significantly contribute to global primary plastics production. For example, Africa and the Middle East only account for 7% of global resin production (Lebreton & Andrady, 2019). The region is however a major importer of plastic raw materials and products. Although consumption of plastics in Africa in 2015 was estimated at 16kg/person compared to the global average of 45kg/person, this is expected to grow exponentially by 375% by 2060 (Statista 2016; Babayemi et al 2019). Plastics consumption in the region is dominated by Polyethylene Terephthalate (PET), low density polyethylene (LDPE) and Polypropylene (PP), which are widely used in containers and packaging, as well as many commodity plastics (IUCN, 2020). This growing demand for plastics by end-users particularly in Africa, is likely to result in an exponential growth of plastics in municipal waste from 23 Mt/yr in 2010 to 72 Mt/year in 2060. Indeed, in 2015, Africa generated 19 million tonnes of plastic waste and had the highest rates of mismanaged municipal waste in the world (88.5%). Consequently, 17Mt of plastic waste remains mismanaged and ends up in the environment, with single-use plastics contributing the biggest plastic pollution leakage in the African region (Lebreton & Andrady, 2019).

Existing challenges to addressing plastic pollution in Africa

Several barriers are documented in existing literature that constrain Africa's progress towards addressing the plastics pollution problem, including:

Gaps in regulatory frameworks: including, the absence of a common global vision and fragmented policy and regulatory frameworks at regional and national levels; lack of common standards and targets; lack of internationally binding standards, for example to regulate the various chemical additives used in the manufacture of plastic raw materials and products (World Bank 2022, Zaynab et al 2022).

Technological and capacity gaps: including, limitations in research, innovation and technology in the region for collection and recovery, particularly of problematic and unnecessary plastics, hence low recycling capacity at only 0.5% to 14%; and, increasing difficulties in recovery and recycling of plastics due to the types of polymers, hazardous chemicals and additives used in manufacture of plastics and the design of plastic products (IUCN, 2020; World Bank, 2022, Lebreton & Andrady, 2019, Dalberg, 2021).

Economic constraints: including, absence of economic incentives and limited access to affordable finance, particularly for circular economy investments; supply chain limitations such as limited supply of quality plastic waste and material alternatives recovered for re-manufacturing or reutilization; market externalities for example low quality of recycled plastics and lack of secondary markets for recycled plastic, in comparison to the availability of virgin plastic materials and products manufactured from virgin materials at globally competitive prices (Dalberg, 2021; World Bank, 2022).

Behavioural and social barriers: Including, absence of adequate information to empower and influence consumer choices and the slow willingness to change to more sustainable business models (Julian, 2017; UNEP, unpublished). Similarly, barriers influencing consumer choices, such as convenience and availability of the necessary collection and recovery infrastructure to support this behaviour change.

Current initiatives to address the plastic pollution challenge in Africa

In 2019, the African Ministerial Conference on Environment (AMCEN) adopted the Durban Declaration on 'Taking Action for Environmental Sustainability and Prosperity in Africa'. AMCEN committed to support global action to address plastic pollution and to accelerate actions towards a circular economy for the transformation of Africa.

AMCEN decision 18/2 on Africa's participation in the development of the legally binding instrument highlighted among others; the need for the instrument to address the toxic impacts of plastics across the entire lifecycle, transparency for a clean and safe circular economy, adequate and predictable finance and technical assistance, environmentally sound management of plastic waste, elimination of problematic plastics, sustainable product design and a just transition for all. In 2022, the African Development Bank Group launched the first ever circular economy financing facility, accessible to all 54 African States.

At the national level, some countries in the region have established regulatory frameworks to address the problem, however, majority are targeting the downstream or specific products. For example, by 2019, at least 43 countries around the world had enacted policies relating to bans on plastic carrier bags, over half of which were enacted in sub-Saharan Africa, while 33 African Countries had established bans on plastic carrier bags (IUCN, 2020). However, these have not necessarily resulted in the desired change. For example, the ban on plastic carrier bags made of LDPE in Kenya only resulted in an increase in PP plastic bags (IUCN, 2020). A few countries in the region including Senegal, the Gambia and Zimbabwe are implementing Extended Producer Responsibility (EPR), a policy approach that seeks to implement the producer pays principle, while development of EPR is on-going in Kenya and South Africa.

Towards an international legally binding instrument to end plastic pollution

In March 2022, following several earlier resolutions that sought to address plastic pollution to the marine and other environments¹, the United Nations General Assembly (UNEA) adopted resolution 5/14 entitled 'End plastic pollution: towards an international legally binding instrument', and established an intergovernmental negotiating Committee (INC) with a mandate develop the instrument by the end of 2024.

The African Region's approach to the negotiations

Decision 18/2 adopted by AMECN in September 2022 established the African Group of Negotiators (AGN) on plastics pollution. This was one of the measures to ensure that Africa has a unified and common position in the INC negotiation process. The United Nations Environment Programme (UNEP) was requested to support the African Group.

¹ Resolutions 1/6 on marine plastic debris and microplastics, 2/11 on marine plastic litter and microplastics, 3/7 on marine litter and microplastics, 4/6 on marine plastic litter and microplastics, 4/7 on environmentally sound management of waste and 4/9 addressing single-use plastic products pollution.

It is against this background that UNEP, in collaboration with Konrad-Adenauer-Stiftung (KAS) and the German Embassy in Nairobi organised the Africa regional plastics pollution negotiations training and regional consultations on the INC process. The training, which took place virtually from 26th – 27th October 2022 and in-person from 7th – 8th November 2022 in Naivasha, Kenya, was facilitated by UNITAR and other resource persons.

The regional consultations, which were attended by member states from the African Region, took place in Naivasha, Kenya from 9th to 10th November 2022. The meeting provided an opportunity for the AGN to reflect on Africa's needs and priorities, as well as the structure of the proposed instrument in preparation for the first meeting of the Intergovernmental Negotiating Committee (INC-1), that was scheduled to take place from 26th November to 2nd December in Uruguay.

Reflecting on the policy guidance from AMCEN 18/2, deliberations covered the proposed scope and objectives, key priority elements across the plastics lifecycle and cross cutting issues that the instrument should address. These included among others: harmonisation of standards; data and information sharing including appropriate labelling; awareness creation and education; research and development; adoption of circularity principles and practices; integration of the informal sector to ensure a just transition; strengthening of waste management systems; and, legacy plastics.

In addition, the meeting recommended that the means of implementation should take into account the principle of common but differentiated responsibilities, provide for national action plans, private sector finance and investments, dedicated multilateral funding and contributions from governments as well as development partners. The discussion also reflected on the need to implement the polluter pays principle as well as measures to influence the demand for plastics. Regarding the science-policy interface, the meeting highlighted the need for a scientific body, clear metrics, monitoring and evaluation mechanisms and research including on the social-economic costs and impacts, technology transfer and recognition of the roles of stakeholders and local communities.

The Naivasha meeting also provided a platform to initiate discussion on the operationalization of the AGN as guided by AMCEN. The draft AGN rules of procedure were thus deliberated, reflecting on similar AGNs such as that on Climate Change and Biodiversity. Ghana took on the role of Chair of the Africa Group for the INC negotiations, with UNEP Regional Office for Africa providing a Secretariat.

During the INC-1 meeting held in Uruguay, the Africa Group, complimented by several member states in the region, presented the group's position on several agenda items during the plenary sessions². In regard to the scope and objectives of the instrument, Africa called for an ambitious objective covering the entire lifecycle of plastics and protective of human health and the environment, addressing the plastic pollution sources. Regarding the key elements of the proposed instrument, Africa emphasized the need for elimination of unnecessary plastics, control of harmful additives in the production of plastics, harmonisation of global standards, development of action plans aligned to global targets, implementation of extended producer responsibility and synergies with other multilateral environmental agreements that seek to address illegal trafficking and plastic waste dumping in the guise of promoting circularity. Africa highlighted the need for dedicated and predictable financing and environmentally sound technology transfer, and a robust monitoring and evaluation mechanism backed by a harmonized set of indicators and supported with the necessary capacity building to address the data gaps in the region.

Recommended policy actions to accelerate circularity in plastics:

Africa needs to build on progress made so far during the on-going plastics treaty negotiations, and the policy support from AMCEN, to consolidate the common regional position. Considering that the region faces challenges from the regulatory, technical, economic and behavioural perspectives, this will require actions across all these fronts along the plastics lifecycle.

² The statements presented by the Africa group are available on the INC website (https://apps1.unep.org/resolutions/uploads/all_state-ments_made_by_african_group_during_inc1.pdf)

1. Regulatory Action:

- (i) **Strengthen global ambition**, by setting clear targets, taking into account common but differentiated responsibilities. Both voluntary and mandatory measures are required including push policies, such as extended producer responsibility (EPR) and pull policies, such as driving recycled content in plastics.
- (ii) **Strengthen the common regional position** building on policy guidance and recommendations from the African Union, AMCEN, and other regional frameworks such as the Bamako Convention. This should be backed by regional strategic plans to guide national actions and commitments. AMCEN should continue to provide policy guidance for the negotiation process and the African Group of negotiators supported to regularly engage and discuss possible solutions to the challenges.
- (iii) **Define and harmonise global standards and certification** for the manufacture of raw materials and products. This would involve for example eliminating harmful chemicals in plastics, influencing the design of plastics for reuse and recyclability, and minimum levels of post-consumer plastics recycled content. This would be beneficial for the region as circularity standards for imported materials and products could not only encourage improvement in local products but also boost recyclability to higher value products (Collete, 2020).
- (iv) **Foster collaboration with other international frameworks**. For example, the World Trade Organisation that could advance the circular economy agenda at the multilateral level and facilitate initiatives and actions towards the circular economy. For example, through development of a shared set of definitions (harmonised system codes) and standards, and mechanisms for traceability and transparency of circular economy trade flows. Similarly, collaboration with the Stockholm Convention on Persistent Organic Pollutants and the Basel Convention on Transboundary Movement of Hazardous Waste to minimize harmful chemicals in plastics and control transboundary movement of waste and avoid waste dumping.

2. Technical and capacity building:

- (i) **Eliminate unnecessary and problematic plastics**, including removal of unnecessary packaging on products, plastic polymers, materials and products that are not easily recycled, and harmful chemicals in plastics, to protect human health and the environment and make plastics more recyclable. The instrument can identify specific categories of plastics for phase-out or elimination and set clear timelines. A precautionary approach should however be applied while considering substitutes, for example bioplastics, to determine the net environmental and social benefits (PACE, 2021). Hence the need for a scientific body to support this process.
- (ii) **Improve design of products for circularity** and to retain materials longer in circulation, through ensuring material inputs are safe and recyclable, and enhancing reparability, recyclability, re-useability, as well as reuse models (PACE, 2021).
- (iii) **Promote innovation and technology transfer** of proven environmentally friendly technologies across the plastics lifecycle. This includes technologies for the recycling, recovery and remanufacture of plastics, while promoting research and development of technologies workable for the region, and building technical capacity to sustain these efforts.
- (iv) **Establish transparency, responsibility and accountability** by players along the entire value chain, particularly upstream actors such as producers of virgin materials, manufactures and distributors of plastic inputs and products. This will necessitate appropriate labelling of plastics and plastic products and making actors along the chain responsible for providing the necessary infrastructure for collection and uptake of recyclable materials, finances to run the system, facilities for preparation as feedstock, as well as enhancing uptake of recyclable materials. EPR can provide an opportunity to stimulate both upstream and downstream action. Disclosure is one way of promoting transparency and continuous improvement and may include for example, the amount of plastic product/packaging placed on the market, the amount of waste generated, and the recycling rate (IUCN, 2020).
- (v) **Establish clear targets and science-based metrics**. This should be informed by detailed inventories on the plastic value chains particularly in the region, so as to identify and plug plastics leakage hotspots including, polymers of concern, applications (e.g. packaging) and sectors that contribute largely to plastics leakage.
- (vi) **Establish standardised global frameworks for monitoring and reporting** on the set targets, as well as trends in production, trade, consumption, waste generation and recycling so as to track progress.

3. Economic actions:

- (i) **Make finances more predictable, sustainable and accessible** by mobilizing the necessary financial and technical support from global, regional, national, private and public sector sources. A global financial mechanism should be established to support particularly developing countries and countries with economies in transition implement and enforce the treaty. In addition, the region should leverage existing financing mechanisms such as the AfDB Circular Economy Fund, while at national level, the polluter pays principle should be applied to mobilize resources for monitoring and enforcement by government agencies.
- (ii) **Incentivise circular economy approaches** for example through, preferential public procurement processes at national level, supporting business models that are circular, making recycled products markets more competitive and reflecting the externalities of plastics in the cost.

4. Behavioural & societal interventions:

- (i) **Take deliberate action to influence behavioural and attitude change** by actors along the value chain and consumers, for adoption of more sustainable business models and responsible consumer behaviour. This will necessitate information flow and transparency to inform consumer choices and circular economy solutions, including accurate and credible data on material flows and technologies. This will facilitate material efficiency and exchange of information between the waste collectors and buyers/recyclers hence improve recycling and extend the product lifecycle.
- (ii) **Engagement and cooperation with relevant stakeholders** to make plastic value chains more circular and sustainable, and to strengthen monitoring and evaluation functions, while securing a just transition, by recognising the relevance of informal sector in recovery of materials. Similarly, strengthen mechanisms for international and regional cooperation through trade organisations, to ensure sustainable supplies of 'clean' recyclable materials. Explore partnerships to promote stewardship by all actors across the plastics lifecycle, for example through plastic pacts.

Conclusion

The current global momentum and negotiation processes to develop an international legally binding instrument to address plastics pollution provides an opportunity for Africa to accelerate efforts to address the plastic pollution problem. This calls for a policy mix of regulatory, technical, economic and behavioural actions across the plastics lifecycle, applied in a complementary manner. Africa therefore needs to effectively participate in the negotiations to ensure that this is achieved.

References

1. Babayemi, J.O., Nnorom, I.C., Osibanjo, O. and R. Weber. 2019. Ensuring sustainability in plastics use in Africa: Consumption, waste generation, and projections. Environmental Sciences Europe, <https://enveurope.springeropen.com/articles/10.1186/s12302-019-0254-5>.
2. Dalberg Advisors, 2021. Plastics: The Costs to Society, The Environment and the Economy. WWF, Gland, Switzerland.
3. IUCN, 2020, Plastic Pollution Hotspotting and Shaping Action: Regional Results from Eastern and Southern Africa, the Mediterranean, and Southeast Asia. IUCN, Gland, Switzerland, Global Marine and Polar Programme.
4. Julian Kirchherr, Marko Hekkert, Ruben Bour, Anne Huijbrechtse-Truijens, Erica Kostense-Smit, Jennifer Muller, 2017. Breaking the Barriers to the Circular Economy.
5. Laurent Lebretton & Anthony Andrady, 2019 Future scenarios of global plastic waste generation and disposal, Palgrave Communications, volume 5, Article number: 6 (2019).
6. Platform for Accelerating Circular Economy (PACE), 2021. Circular Economy Action Agenda: Plastics.
7. Statista, 2016. Per capita consumption of plastic materials worldwide in 2015 by region. Statista, Hamburg, Germany. <https://www.statista.com/statistics/270312/consumption-of-plastic-materials-per-capita-since-1980/>. Accessed 15th January 2023.
8. UNEP, unpublished. Circularity Principles - A Systemic Approach. Preparation of an international legally binding instrument on plastic pollution, including in the marine environment
9. World Bank, 2022. Where Is the Value in the Chain? World Bank Group, Washington DC.
10. Zaynab Sadan and Lorren de Kock, 2022. Plastic Pollution in Africa: Identifying Policy Gaps and Opportunities. WWF, Cape Town, South Africa.



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