



POLICY BRIEF

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TOWARDS A HARMONIZED REGIONAL FRAMEWORK ON PLASTICS WASTE MANAGEMENT IN COMESA

Industry Perspectives and Experiences

Introduction

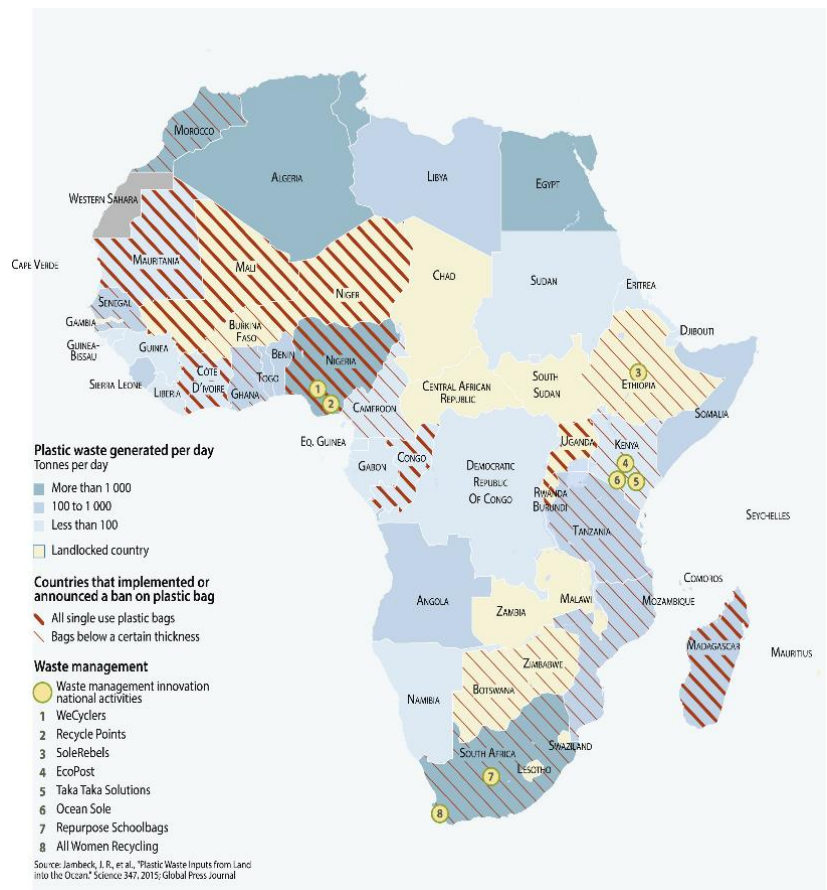
Plastics are one of the most common groups of products garnering interest, from an industry perspective, as a low-cost input or material, and from an environment perspective, its grave adverse impacts on the environment due to its disposal methods.

Plastic has been an emerging issue, at the centre of international and regional agendas for environment and waste management. On one hand, plastics are a key

The main types of plastic polymers used include polyethylene (pe), polypropylene (pp), polyvinyl chloride (pvc), polystyrene (ps), polyurethane (pur) and polyethylene terephthalate (pet).

component in the manufacturing industry, distribution and packaging, retail and even for consumers. On the other, plastics if not managed well pose grave risks to the environment, public health and other economies that rely on environmental resources.

In fact, plastic production, disposal and waste management are responsible for significant greenhouse gas emissions and pollution. With rapid urbanisation, and the growth of the manufacturing sectors in Africa, plastic waste control management has become an emerging policy and regulatory issue, globally and amongst African



countries. UNEP (2018) estimates plastic production at 280 million tonnes, with a third being single use plastics, which burdens the environment and marine resources.

Within these discussions, there is growing recognition on the need for alignment between trade and environmental sustainability. In fact, for the private sector, as businesses become more integrated into regional and global chains, they are also exported to various environmental obligations that need to be met along the production processes, determining their competitiveness and continued existence.

Existing Frameworks on Plastics Control

At global level, the Basel and the Stockholm Conventions have expressed concerns over the impact of plastic waste, plastic litter, and microplastics, and emphasised the importance of reducing consumption and ensuring the environmentally sound management of waste plastics. Several Regional Trade Agreements have measures for environmental regulations to provide the much-needed alignment between trade and environmental regulations. For instance, the EU Directives on the management of packaging waste and Directive 94/62/EC on Packaging and Packaging Waste and Directive 2015/720 for the European Community.

At COMESA Level, countries have singularly put in place mechanisms and policies to regulate plastic waste management within their respective countries. However, currently there is no regional or harmonised framework to cater for plastic or waste control in COMESA. On the other hand, 4 COMESA countries which are part of the East African Community and the EAC have promulgated the Polythene Materials Control Bill, setting out a number of restrictions and control for manufacture, distribution and retail use of polythene control within the Community.

**Source 2015 - there may be some change*

Selected Country Experiences

Rwanda

In 2008, the country issues Law N° 57/2008 relating to the prohibition of manufacturing, importation, and sale of polythene bags in Rwanda. The regulation extended to all packaging plastics, with penalties provisions for noncompliance. The country is heralded amongst the countries that have effectively managed plastics waste through an ultimate ban.

Mauritius

Waste management is a crucial agenda for the coastal countries. Mauritius has put in *place Environment Protection (Banning of Plastic Bags) Regulations 2015*, restricting the use of certain types of plastic bags. The country is in the process of developing an Environment Management Plan. It includes reviewing the regulatory and institutional framework with regards to the ban on the use of plastic bags at the consumer level, the ban of roll-on bags and pocket bags of less than 300 cm², the establishment of a mechanism for the collection of PET bottles, and the ban on ten single-use plastic products.

Kenya

In 2017, Kenya under *section 3 and 86 of the Environmental Management and Coordination Act (EMCA Cap 387)*, issued the *Gazette notice No. 2356*, banning the use, manufacture and importation of all plastic bags used for commercial and household packaging. The ban is cited as one of the strictest with penalties which include imprisonment.

Eritrea

In 2003, the country imposed an ultimate ban on plastics bags through *Regulations L.N. No. 63 of 2003 -prohibit the Production, Sale or Distribution of Plastic Bags in Eritrea*. The regulation production, importation, selling or distribution of plastic bags of high density or low-density polyethylene product not exceeding two millimeters in thickness.

Zambia

The government through the Environmental Management Act No. 12 of 2011 (EMA), introduced a partial ban on the use of plastics through Statutory Instrument No. 65 of 2018 on Extended Producer Responsibility (EPR).

Madagascar

Plastic bags less than 0.05 millimeters thick have been banned in Madagascar since 2015 and have required local businesses to find alternative packaging solutions.

Zimbabwe

In 2010, the country instituted a regulation banning thin plastic bags- *Statutory Instrument 98 of 2010 (Plastic Bottles and Plastic Packaging Regulations)* which prohibits the use of certain plastics. The regulations ban the manufacture for use within Zimbabwe, commercial distribution or importation of plastic packaging with a wall thickness of less than thirty micrometres unless it is biodegradable plastic packaging.

Rationale for Plastic Waste Control

- ⊕ Several COMESA countries are party to the *Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal*, and the *Stockholm Convention on Persistent Organic Pollutants*, providing obligations for plastic waste control and management. However, due to the trade relationships, a regional approach is not only useful but also reduces the costs of individual implementation.
- ⊕ Plastics are a key component for several manufacturing industries, and also used by most industries in packaging. The application of different standards across the countries results in high costs for manufacturers or industry as they have to meet different requirements across the countries in COMESA. For instance, the thickness threshold in COMESA countries varies (Ethiopia has a ban on nonbiodegradable plastic bags with a wall thickness of 0.03 millimetres or less, whilst Uganda and Zimbabwe's ban plastic bags less than 30 microns and Madagascar's ban is for plastic bags with less than 50 microns; Rwanda has a complete ban on polythene plastics). The disparities are an additional cost for businesses operating in multiple markets.
- ⊕ Plastic manufacturing companies and industries in the region, to remain relevant and competitive, need to upgrade their systems and adopt environmentally friendly alternatives and packaging materials.
- ⊕ Environmentally friendly packaging can become a competitive edge for COMESA industries as they look into the African Continental Free Trade Area, as environmental regulations are fast becoming a global and international standard.
- ⊕ Stimulating the regional market for recycled plastics offers several benefits not only for the environment but job creation, new industries and overall economic improvement.

Addressing Industry Issues

CBC seeks to improve the competitiveness and deepen the participation of the private sector in regional and global trade, through advocacy, business facilitation and enterprise development. This includes prioritizing and taking

specific advocacy strategies to address key business issues and measures that affect our industries and have a direct bearing on the participation of our businesses in trading in the COMESA region.

The issue of plastic waste control is a key issue for various industries and CBC members who are operating in different markets, with differing regulations and requirements. Insufficient information and knowledge on the matter also poses several risks to plastic manufacturers, industries using plastics packaging, retailers distributing plastics. This brief provides some insights on the issues and to sensitises the business community on the need for regional harmonisation of plastic waste control in COMESA.

In this regard, CBC is engaging with industry players to develop a business position for the harmonisation of regulations related to plastics control. As part of this process, CBC is carrying out a survey to understand policy challenges and emerging needs of the industry players with regard to differing regulations on plastic waste control.

About the COMESA Business Council



The COMESA Business Council (CBC) is a business member organization bringing together a diverse group of businesses and associations in the region from 34 sectors in 21 countries of COMESA. CBC is the recognized regional apex body of the private sector in the region. CBC as the key advocacy driver for business, provides a link between the private sector and organs of the Common market. We seek to improve the competitiveness and deepen the participation of the private sector in regional and global trade, through advocacy, business facilitation and enterprise development.

This includes prioritizing and taking specific advocacy strategies to address key business impediments and measures that affect our industries and have a direct bearing on the participation of our businesses in trading in the COMESA region.

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