

## DISCUSSION PAPER

### Proposed Regional Action Plan to Combat Marine Plastic Pollution in area of the Abidjan Convention

Workshop version, July 2023

This Discussion Paper is one of two papers prepared for the Indian Ocean Commission as a part of the development of Strategic Action Plans to Combat Marine Plastic Pollution in the Africa Indian Ocean Island States (AIODIS). The AIODIS are: Cape Verde, Guinea Bissau and São Tomé and Príncipe in the Atlantic/ West Africa region; and Comoros, France (Reunion), Maldives, Madagascar, Mauritius, and Seychelles in the Western Indian Ocean. Because marine plastic pollution is transboundary the scope of the proposed plans extends to both ocean basins and include the mainland Sub-Saharan countries.

The two Discussion Papers focus on the Atlantic Sub-Saharan Africa (the 'Abidjan Convention area') and the Western Indian Ocean (the 'Nairobi Convention area'). In accordance with AIODIS guidance, any follow-up actions are envisaged as linked the processes of the Regional Seas Conventions (Abidjan and Nairobi Conventions) and to related processes such as the UNEA 'plastics treaty', regional ocean governance, blue economy and circular economy initiatives.

*The views expressed are those of the author and should not be taken to be the positions or opinions of any organization mentioned. The Discussion Paper has not been reviewed by the Indian Ocean Commission and is made available for discussion purposes only.*

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## SUMMARY

### Development of the Proposed Action Plan

Two Discussion Papers proposing regional action plans to combat marine plastic pollution have been prepared for the West Africa/ Atlantic Sub-Saharan ocean region and for the Western Indian Ocean region.

The proposed regional action plans result from African Indian Ocean Developing Island States (AIODIS)<sup>1</sup> stakeholder's recommendations arising from the review of eight AIODIS country studies on marine plastic pollution. The stakeholders recognised the transboundary nature of plastic pollution and the need to engage with mainland countries to effectively combat marine plastic pollution (MPP) in their regional seas. For this reason, the scope of the work, which originally focused on the island countries, was extended to the mainland Sub-Saharan coastal countries in the Atlantic and Western Indian Ocean.

The Sub-Saharan coastal states have mandated the Regional Seas Conventions to address marine pollution and both the Abidjan Convention (West Africa) and the Nairobi Convention (Western Indian Ocean) have protocols on marine pollution. These Conventions have been used as the functional units for the preparation of the proposed action plans. The proposed action plans are also intended to inform the ongoing marine litter initiatives of the Conventions and regional dialogues on the emerging 'plastics treaty'.

The two discussion papers provide working drafts of two parallel and closely aligned regional action plans for the Abidjan Convention and the Nairobi Convention regions. The pillars and components of each proposed action plan are similar for several reasons. Some regional stakeholder institutions include countries in both ocean regions. Parallel plans can facilitate any possible future African continent-wide action plan and may potentially advance consensus in the 'Africa group' charged with the plastics treaty negotiations.

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The work has been prepared as part of the World Bank/ GEF-financed regional SWIOFish2 project which is managed by the Indian Ocean Commission.

### Rationale

1. Because of the transboundary nature of marine plastic pollution (MPP) and the plastics value chains, effective combat against MPP requires regional and global cooperation. This cooperation requires actions along the entire plastic value chain and plastics economy - from production and trade, through product development to consumer behavior and waste management. The proposed action plan is intended to support national plastics plans, or initiatives, and create opportunities for implementing actions at national and regional levels, including through the Regional Economic Commissions (RECs). The proposed action plan can also inform regional dialogues on the 'plastics treaty' negotiations.

### National strategies

2. National plastics plans or strategies are the basic building blocks of a regional strategy to combat marine plastic pollution. Some plans may have a narrow scope, such as targeting marine litter

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<sup>1</sup> The AIODIS countries are: Cape Verde, Comoros, France (Reunion), Guinea Bissau, Maldives, Madagascar, Mauritius, São Tomé, and Seychelles. Although the Maldives is part of the AIODIS group of countries it is not specifically included in this report as its political economy is more aligned to South Asia than Africa in relation to plastics and waste management. A country paper was not prepared for France (Reunion) as its 'plastic economy' is subject to EU regulation. The synthesis and country studies are available at: <https://www.commissionoceanindien.org/en/prevention-reduction-and-control-of-marine-plastic-pollution-in-african-and-indian-ocean-developing-island-states-aiodis/>.

or single-use plastics. Others outline a more ambitious scheme to develop a sustainable plastics value chain and circular plastics economy. The national strategies generally recognize that:

- a) marine plastic pollution is part of a broader plastic pollution and waste management challenge
- b) plastics are essential in a modern economy, so that effective reduction of non-essential use of plastics and management of plastic waste is a growing necessity
- c) that fundamental changes in the behaviour of consumers, in the behaviour of the actors in the plastics value chain and in waste management practices and financing of solid waste management at national and municipal levels is required
- d) that economic factors are key drivers of reforms in plastics production, plastic use, and management of plastic waste across the plastic life cycle and value chains
- e) and that a combination of actions is required to combat plastic pollution along the plastic life cycle both at national level and through international cooperation.

3. National plastics management strategies and plans are tailored to the specific needs and capacity of each country - from large economies, where a circular economy is established, to small islands, where the volumes of plastic waste may be unable to create the economies of scale needed for reuse or recycling of many forms of plastic waste. Most national strategies or plans have the following common elements:

- a) improved knowledge of MPP and the plastics economy through monitoring of plastic trade, plastic pollution and the plastic economy
- b) public and private (or public-private) investment in solid waste management and in the plastic waste value chain
- c) improved institutional arrangements, particularly between national and municipal or local authorities responsible for waste management and enhanced arrangements with waste management service providers or contractors and the municipalities or waste management authorities
- d) engagement with the private sector producers and distributors of plastic products, including with enterprises managing plastic waste and with circular economy innovators
- e) targeted policy, legislative and fiscal measures, including import bans and import levies, or other charges, on selected plastics (e.g., on single-use-plastics and 'problem' plastics)
- f) increased financing of waste management infrastructure and support for circular economy initiatives and
- g) raised public awareness.

4. In general, the resources (finance, human and institutional capacity) available for implementing the national or municipal plans are insufficient to implement the planned actions. This is due to numerous factors, including: weak revenue generation by municipalities; reluctance to use central government revenues to support municipal investment or recurrent costs of waste management; and weaknesses in the contractual arrangements with waste service providers.

### **Regional cooperation**

5. Many of the activities set out in the national strategies can benefit from improved regional cooperation developed through regional strategies or action plans, as proposed in the following sections. Because of the different geographies (Atlantic and Western Indian Ocean) and because of the different regional institutional cooperation arrangements on marine pollution, the AIODIS proposed the preparation of two parallel regional action plans: one for the Abidjan Convention region and one for the Nairobi Convention region.

6. The Abidjan Convention supports the development of the 'plastics treaty'<sup>2</sup> and has established regional initiatives on marine litter. Several countries in the region have developed national action plans to address plastic pollution and several are leading African voices in the 'plastics treaty' negotiations.

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<sup>2</sup> COP 12 Decision.

7. Although MPP in the two regions differs, both regions share similar challenges. The actions required to combat marine plastic pollution are similar. The key actors in both of the proposed regional action plans to combat MPP are also similar. These key actors include:<sup>3</sup>

- a) national and municipal authorities, waste producers and consumers to be engaged through implementation of national plastics action plans
- b) regional economic communities (RECs) and the Indian Ocean Commission (in the Western Indian Ocean),<sup>4</sup> through: (i) regional alignment of policy frameworks and (ii) harmonised trade measures; (iii) through bringing key infrastructure financing to scale; through facilitating dialogues with industry and financial institutions; and (iv) by implementing any plastic action plans at the level of the RECs
- c) Regional Seas Conventions, through fostering national commitments on actions to combat MPP, including (possibly) through new Convention protocols on MPP or development of norms and guidelines on plastic pollution. In the area of the Abidjan Conventions these actions may be supported by sub-regional bodies, including the Benguela Current Convention, the Gulf of Guinea Commission and the Niger Basin Authority
- d) financial institutions, through the development of a regional financing architecture which can bring the major infrastructure investment required to scale
- e) the Economic Commission for Africa (ECA), through potentially providing a coordinating and advisory role on the regional action plan and bridging the environmental, economic and social components
- f) the UN Environment Programme (UNEP), through advisory and support services, particularly on the environmental dimensions of MPP, on the proposed ‘plastics treaty’ and on other international initiatives
- g) the African Union, through an oversight and policy review role with particular attention to common positions in relation to the interventions, binding obligations and controls and financing provisions negotiated in the global plastics treaty.

#### **Core elements of regional strategic action plans**

8. The following are the core components of the proposed strategic action plan. These core elements do not necessarily address all the elements of all national plans. The core elements focus on those areas where regional cooperation can provide substantial benefits nationally and regionally:

- a) support for the development and implementation of national plastics plans or strategies
- b) shared knowledge, including on monitoring of MPP and capacity building to effectively manage the plastics life cycle
- c) compatible, or equivalent regulatory and fiscal measures to make the measures more effective at regional scale
- d) bringing the financing of national and municipal solid waste management to scale, including replication of success stories for investment and sustainability of solid waste management infrastructure and the related institutional arrangements
- e) alignment of policies and initiatives, particularly on definitions and standards for plastic products, for trade in plastic products (including for plastic waste)
- f) regional dialogues with key industries on codes of practice, cost sharing of waste management, extended producer responsibility and development of a plastics circular economy

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<sup>3</sup> South Africa spans both the Atlantic and Indian oceans and that some RECs include countries with both Atlantic or Indian Ocean coastlines (e.g. SADC, COMESA). Plastic pollution originating from landlocked REC members may also leak into the Atlantic or Indian Ocean.

<sup>4</sup> The countries party to the Abidjan Convention are members of several different Regional Economic Communities: the Economic Community of Central African States (ECCAS); the [Economic Community of West African States](#) (ECOWAS); the [Southern African Development Community](#) (SADC) and the [Common Market for Eastern and Southern Africa](#) (COMESA). For the purposes of this document, the Indian Ocean Commission is grouped with the RECs under the term ‘REC’.

- g) development of common positions on international initiatives, including in the ‘plastics treaty’ negotiations, in the WTO discussions on trade in plastics, on industry initiatives and high level dialogues on links between the plastics economy, the environment and climate change.

### **Implementation arrangements**

9. **Abidjan Convention.** The parties to the Abidjan Convention can consider using the proposed action plan as the basis for a dialogue on regional cooperation on combatting MPP and marine litter. UNEP can potentially help align any action plan with the emerging global plastics treaty.

10. **The RECs.** The RECs, ideally working in close collaboration with the Abidjan Convention, can include the action plan (or components of the action plan) in existing agendas on environmental management, on the blue economy initiatives, on investment in the circular economy, on trade and on the financing requirements, including for solid waste management.

11. **African Union.** The AU, working through the AMCEN, the Economic Commission for Africa (ECA) other high level instruments (notably on trade and finance), can guide actions to harmonise rules on the trade in plastics at the African level and coordinate policies in global fora, such as in the working groups and conferences negotiating the plastics treaty and in related discussions in the WTO Committee on the Environment.

### **The way forward**

12. The AIODIS Focal Points, working in close collaboration with the Abidjan Convention working group on marine litter and other key regional stakeholders, review the proposed action plan with a view to informing and advancing the regular processes of the Abidjan Convention in relation to marine litter and plastic pollution.

13. The Abidjan Convention consider convening policy-level and technical dialogues with key regional stakeholder to consider regional cooperation on combatting marine plastic pollution.

14. The IOC explore further means of supporting ongoing dialogues on regional action plans to combat marine plastic pollution with its development partners.

## **1 BACKGROUND**

### **1.1 Introduction**

15. In 2021 a study on marine plastic pollution (MPP) in the eight African Indian Ocean Developing Island States (AIODIS)<sup>5</sup> provided:

- a) estimates of marine plastic pollution in the AIODIS
- b) detailed the policy, legal, and operational dimensions of marine plastic pollution
- c) described the actions taken, or planned, at the national level to combat marine plastic pollution and the related solid waste management schemes and
- d) sets out core national and regional actions required to effectively combat MPP.<sup>6</sup>

The 2021 study recognised the transboundary nature of MPP and the interdependence of the island and mainland states in the plastic economy, including in the effective and cost-efficient management of plastic waste within an emerging circular economy.

### **1.2 Marine Plastic Pollution trends and projections**

#### **1.2.1 Global**

16. Between 2000 and 2019, global plastic waste generated rose from 156 million tons to 353 million tons, a 126% growth rate.<sup>7</sup> By 2050 plastic is expected to account for 5%-10% of greenhouse gas emissions. About half of all plastics ever produced have been manufactured since 2000. Less than 10% of the plastic produced globally is reused or recycled annually and an estimated nearly 6 Gt of accumulated plastic waste now pollutes every corner of the planet.<sup>8</sup> About 11% of waste plastic leaks into marine and freshwater ecosystems.<sup>9</sup> Of the estimated 359 million tons of plastics produced in 2018, an estimated 14.5 million metric tons (4%) entered the ocean.<sup>10</sup> Many plastic fragments degrade to microplastics, or to even smaller nanoplastics (particles < 1µm), which were first discovered in 2017.<sup>11</sup> The abundance and distribution of nanoplastics in the marine environment are unknown.

17. Costs associated with the plastic life cycle in 2015 include costs to human health (\$250 billion) and to the climate (GHG \$340 billion).<sup>12</sup> Costs to biodiversity, to ocean health and global ecosystems may not become clear for generations.<sup>13</sup> Macroplastics (large plastic pieces) represent 88% of the anthropogenic debris trapped on coral reefs and fishing activities as the main source of plastics in most of these areas.<sup>14</sup> Research on plastics in the environment is growing exponentially bringing new and, at

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<sup>5</sup> The AIODIS countries are: Cape Verde, Comoros, France (Reunion), Guinea Bissau, Maldives, Madagascar, Mauritius, São Tomé, and Seychelles.

<sup>6</sup> Kelleher, K., 2021. [Prevention, reduction and control of Marine Plastic Pollution in African and Indian Ocean Developing Island States](#). October 2021. Southwest Indian Ocean Fisheries Project No. 2 (World Bank/ Indian Ocean Commission) (available in English and in French).

<sup>7</sup> OECD Global Plastics Outlook Database.

<sup>8</sup> Geyer R, Jambeck JR, Law KL. [Production, use, and fate of all plastics ever made](#). Sci Adv. 2017; 3(7): e170078.

<sup>9</sup> Borrelle, S.B., et al. 2020. [Predicted growth in plastic waste exceeds efforts to mitigate plastic pollution](#). Science 369, 1515–1518 (2020).

<sup>10</sup> Wayman, C. and H. Niemann, 2021. [The fate of plastic in the ocean environment – a mini review](#). Environ. Sci.: Processes Impacts, 2021, 23, 198-212

<sup>11</sup> In 2019, the global production of paints contained almost 20 million tons of microplastics (Paruta et al., 2022. [Plastic Paints the Environment](#). EA-Environmental Action); IUCN, 2017. Primary Microplastics in the Ocean.

<sup>12</sup> Under the current trajectory, by 2050, production of plastics is projected to make up 20% of total oil demand and 15% of the global carbon budget (Zheng, J., and Suh, S. [Strategies to reduce the global carbon footprint of plastics](#). Nat. Clim. Chang. 9, 374–378 (2019). See also: Ocean Conservancy. [How Investor and Company Climate Commitments Ignore Plastics](#).

<sup>13</sup> The [Minderoo-Monaco Commission on Plastics and Human Health](#).

<sup>14</sup> Pinheiro, H.T., et al. 2023. [Plastic pollution on the world's coral reefs](#). Nature 619, 311–316 (2023).

times, disquieting knowledge and science-based understanding. This includes, for example, information on: atmospheric transport of microplastics, breakdown of plastics by marine bacteria, the scale of ocean ‘garbage patches’, microplastics in drinking water, and insights into plastic pollution’s complex ecosystem impacts and possible long-term effects on human health.

### **Selected global analyses**

18. Several global analyses and models reach the same general conclusion - that even if more robust measures than are being considered under the proposed global plastics treaty are applied, plastic consumption and plastic waste will continue to increase.

19. Studies and models are unanimous that no single measure or set of action will ‘break the plastic wave’. Multiple actions along the entire plastic life cycle are required: *upstream* in reducing virgin plastic production; *midstream*, through altered product design and substitution of plastics with other products; and *downstream*, through effective management of waste. One study quantifies the impact of eight such measures and estimates that plastic leakage to the environment can be reduced by about 80% without compromising social or economic benefits.<sup>15</sup> In contrast, under a business-as-usual scenario, about three times more plastic are projected to leak into the oceans.

20. Considerable advances have been made in framing the proposed global plastics treaty. However, even assuming that countries implement those components of the proposed global plastics treaty that focus on measures to curb plastic waste generation, models suggest that the rate of growth of plastic waste will fall by less than half.

21. A recent analysis considered the impact of a phased ban on single-use-plastics (SUPs), mandatory extended producer responsibility (EPR), and a tax on virgin plastics. It concluded that even with the combined impact of the three interventions modelled, plastic consumption will continue to increase beyond 2050 and be 1.25 times higher in 2050 for the G20 countries studied.<sup>16</sup> If the treaty negotiations fail, plastic consumption in the studied G20 countries is projected to nearly double by 2050: This analysis “*illustrates the scale of the ‘plastics problem’*” and concludes that: “*achieving a reduction in plastic pollution is going to require all the stakeholders to implement all the known solutions.*”<sup>17</sup>

22. On a more positive note, the analyses also indicate that a transformation of the plastics life cycle and value chain offers opportunities for businesses, investors and innovators to create employment, for growth and wealth generation in a more sustainable world that uses circular business models and new sustainable materials.<sup>18</sup>

### **1.2.2 Sub-Saharan Africa**

23. Estimates of mismanaged plastic waste in Africa range from 4-17 million tons, of which up to 10% may leak into the oceans (0.4-1.7 million tons). Land-based sources account for approximately 80% of MPP, largely as a result of mismanaged waste and river transport of waste plastic to the ocean. The proposed action plan focuses mainly on land-based sources, but also directs attention to marine sources, including fisheries and shipping. Microplastic MPP is a growing problem and combatting microplastic pollution is considered to be integral to any action plan although specific actions at regional level would require scientific and policy advice.

24. The Nile (ranked 5 of the world’s most polluting rivers) and the Niger (ranked 9) are among the global ‘top ten’ river basins that generate MPP. The Nile and Niger basins annually generate 2.3 and 2 million tons of mismanaged plastic waste respectively.<sup>19</sup> The catchments of the Congo and Cross rivers are also considered to generate significant volumes of mismanaged plastic waste. The Indus

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<sup>15</sup> SYSTEMIQ, Pew Charitable Trusts, “Breaking the plastic wave: A comprehensive assessment of pathways towards stopping ocean plastic pollution” (Ellen MacArthur Foundation, 2020).

<sup>16</sup> Economist Impact and the Nippon Foundation. Peak plastics: bending the consumption curve.

<sup>17</sup> Winnie Lau, Project Director, Preventing Ocean Plastics, The Pew Charitable Trusts.

<sup>18</sup> E.g., [South Africa](#); UNEP 2023. [Turning off the Tap](#).

<sup>19</sup> Schmidt, C. et al. 2017. Export of Plastic Debris by Rivers into the Sea. *Environmental Science & Technology* 2017 51 (21), 12246-12253; Ryan PG, et al. Monitoring the abundance of plastic debris in the marine environment. *Philos Trans R Soc Lond B Biol Sci*. 2009 Jul 27;364(1526):1999-2012.



basin (ranked 2) generates 4.8 million tons of solid waste annually and may contribute some MPP to the WIO. However available studies do not indicate a significant east-west transport of MPP in the northern hemisphere of the WIO or Arabian Gulf area.

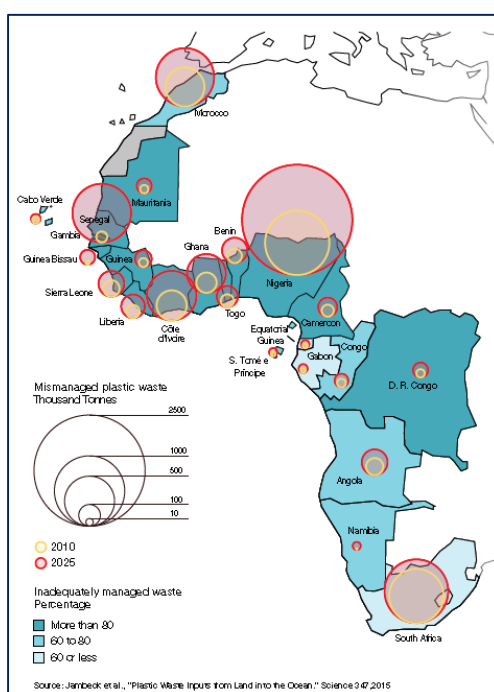
25. Coastal cities are a major source of MPP. Available studies indicate that the mainland Sub-Saharan catchment basins generate about 2.2 million tons of mismanaged plastic waste annually, or over 0.5 kg/person/year.<sup>20</sup> However, estimates of the resulting MPP need to be treated with caution as plastic can be trapped in dams or flood plains and some rivers may have limited discharge into the ocean due to water extraction for agriculture or urban supplies.<sup>21</sup>

### 1.2.3 Marine plastic pollution in the area of the Abidjan Convention

26. The country estimates of MPP made in 2021 were only for the AIODIS group (see table).<sup>22</sup> These estimates were based on largely on possibly outdated information (e.g., national statistics on waste generation for 2015). A number of mainland Sub-Saharan countries have estimated their plastic pollution loads and MPP. However, a robust compilation of current quantitative information on MPP generated by the countries in the Abidjan Convention region is lacking. Inconsistent country data and assumptions on mismanaged plastic waste and waste leakage to the ocean makes estimates of the total MPP attributable to Abidjan Convention countries unwieldy. A synthesis of recent quantitative information on plastic waste and MPP for the region and critical appraisal of the underlying data sets and assumptions is necessary to provide an empirical basis for identifying pollution hotspots and targeted actions.<sup>23</sup>

Country	MPP (ton/year)
Cabo Verde	300
Guinea-Bissau	409
São Tomé and Príncipe	61
Total	770

27. Studies suggest that there is limited transport of MPP from the Indian Ocean into the Southern Atlantic and transport from North and South American waters to the Eastern African waters is relatively small in comparison to the MPP generated by Sub-Saharan countries.



28. As already noted, the Niger river is among the world's 'top 10' rivers in terms of discharging plastic into the global ocean.<sup>24</sup> The nine countries in the Niger river basin are estimated to generate almost 2 million tons of plastic waste annually of which an estimated 1% is leaked into the Gulf of Guinea.<sup>25</sup> Dams, reservoirs,

<sup>20</sup> Schmidt *op.cit.*

<sup>21</sup> The 'Jambeck model' used to determine the relationship between mismanaged plastic waste and MPP is derived from observations in California and would ideally need to be adjusted for the particularities of the main African river basins (over 70 in total on the mainland).

<sup>22</sup> Kelleher, K., 2021. [Prevention, reduction and control of Marine Plastic Pollution in African and Indian Ocean Developing Island States](#). October 2021. Southwest Indian Ocean Fisheries Project No. 2 (World Bank/ Indian Ocean Commission). Note that the estimates rely on models (Jambeck, 2015) and waste data sets (What a Waste 2.0 database (Kaza et al., 2018)).

<sup>23</sup> UNEP, Abidjan Convention and GRID-Arendal (2020). [Preventing and Managing Marine Litter in West, Central and Southern Africa A review](#). This useful study lacks key quantitative data. For data see: Silpa, K., et al. (2018). [What a waste 2.0. A global snapshot of solid waste management to 2050](#). World Bank.

<sup>24</sup> Schmidt, C., et al. 2017. [Export of Plastic Debris by Rivers into the Sea](#). Environmental Science & Technology, Vol. 51, No. 21.

<sup>25</sup> Meijer, L.J.J. et al. [More than 1000 rivers account for 80% of global riverine plastic emissions into the ocean](#). Science Advances Vol 7 No 18.

and wetlands may act as buffers preventing plastic pollution entering the oceans.<sup>26</sup> There are 130 major dams in Sub-Saharan Africa and 323 large, medium and small dams, in Nigeria alone. Ghana has three major dams on the Volta river. Plastic pollutants may enter drinking water or the food chain through irrigation.

### **1.3 Lessons from global, regional and national plans and initiatives**

29. Global, regional and national action plans have broadly similar core components:

- a) policy development and regulation for an enabling environment either through legislation, voluntary codes, fiscal measures or other means
- b) enhanced and shared knowledge of the plastic life cycle and MPP, including monitoring of pollution levels and its impacts, raised public awareness and broad stakeholder engagement in developing effective approaches
- c) a changing relationship and engagement with industry which reflects the costs of plastic waste management and industry responsibilities for plastic waste management and pollution
- d) access to finance for major investments in solid waste management infrastructure and the associated institutional arrangements for operation and maintenance of schemes
- e) support for circular economy initiatives and innovation
- f) cooperative frameworks with key actors, including municipalities, consumers producers, manufacturers and distributors plastics, the waste management industry and institutions providing public and private/ commercial finance.

30. There is a recognition that the solutions require attention to the entire life cycle and may involve political trade-offs. Many national actions focus on the downstream side (waste management), but also envisage the elimination of single-use plastics (SUP), or elimination of plastics which cannot readily be part of the circular economy, or plastics with harmful components (e.g., additives, such as fire retardants). The focus on the downstream side may reflect the fact that many developing countries have little influence over the upstream side – the production of virgin plastics and trade in raw plastic products. Production of virgin plastic is highly concentrated. Some twenty multinational corporations produce over 50% of the global supply and their mission is to produce more plastic or diversify their fossil fuel production. Society generally pays for the environmental costs.<sup>27</sup>

31. A recent assessment illustrates some of the gaps in formulating and implementing national action plans in Africa:<sup>28</sup>

- a) narrow scope and limited approach of existing national policy and legislation, with no clear targets or actions plans
- b) weak ability to enforce regulation, such as bans or illegal dumping
- c) low public awareness of the impact of plastic pollution
- d) lack of a common, harmonised policy approach, including definitions, standards, labelling and customs tariffs
- e) lack of comprehensive monitoring of plastic waste, pollution and reuse/recycle
- f) transboundary issues including lack of harmonised trade measures
- g) diffused national responsibilities among national ministries and municipalities with regard to waste management infrastructure and finance and
- h) limited human and financial capacity.

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<sup>26</sup> See: van Emmerik, T. et al. 2021. [Rivers as Plastic Reservoirs](#). Front. Water, 26 January 2022. Sec. Environmental Water Quality Volume 3 – 2021; Hadeel Al-Zawaidah, et al. 2021. [Macroplastics in rivers: present knowledge, issues and challenges](#) Environmental Science: Processes & Impacts; Jiachen Shen et al. 2023. [Damming has changed the migration process of microplastics and increased the pollution risk in the reservoirs in the Shaying River Basin](#). Journal of Hazardous Materials. Volume 443, Part A, 5 February 2023, 130067

<sup>27</sup> [The Minderoo-Monaco Commission on Plastics and Human Health](#).

<sup>28</sup> WWF/AU WWF and the African Union Commission. 2022. [A Global Treaty on Plastic Pollution: Perspectives from Africa – Workshop Report](#). WWF South Africa, Cape Town, South Africa.

32. There are a wide range of non-governmental initiatives supported by foundations, conservations organisations and responsible industry actors.<sup>29</sup> Actions by major investment funds are of particular importance, as funds with a social mandate (such as pension funds) are pressuring institutional investors to disinvest from plastic producers or from enterprises which fail to reduce their plastic footprint. For example, 185 investors with US\$10 trillion in combined assets, recently called for more action to address the plastics crisis.<sup>30</sup>

### **1.3.1 Regional action plans**

33. The Abidjan Convention has an existing protocol on land-based sources of pollution and is already addressing marine plastic pollution and marine litter on a regional basis.<sup>31</sup> A baseline study on marine litter has been completed and ongoing work is expected to lay a foundation for action and inform existing decisions of the Abidjan Convention COP.<sup>32</sup> The Guinea Current Commission and the Benguela Current Commission are partners in various initiatives related to MPP, including through the ACP MEAS III programme.<sup>33</sup> The Niger Basin Water Charter aligns with similar international instruments prohibiting riparian countries from causing harm to other countries, including through pollution.<sup>34</sup> The region has ample opportunities for action.<sup>35</sup>

34. The Nairobi Convention has prepared a Western Indian Ocean Regional Action Plan on Marine Litter.<sup>36</sup> This Action Plan has a focus on litter, rather than on the plastic life cycle and the more general problem of waste management.<sup>37</sup> The plan essentially addresses downstream actions - managing litter rather than the plastic life cycle. This is partly because the action plan was developed in response to Nairobi Convention COP decision which preceded the life cycle approach framework of the UNEA resolution on the development of a plastics treaty. The plan recommends:

- a) institutional and stakeholder engagement
- b) improved policy and legal frameworks
- c) operations for removal and prevention of marine litter (e.g., beach clean-ups)
- d) education and outreach
- e) monitoring, research and reporting, and
- f) exchange and sharing of experiences, lessons and best practices in managing marine litter.

35. The East African Community (EAC) enacted landmark legislation which restricted polythene in the EAC.<sup>38</sup> The restrictions met with considerable opposition from manufacturers, importers, vendors and others. The legislation is distinct from similar European Union directives on plastics and waste as it is the EAC text which becomes national law. EU directives must be ‘transposed’ into national

<sup>29</sup> See AIODIS report (Kelleher, *op cit.*) for details.

<sup>30</sup> See: <https://www.vbdo.nl/en/2023/05/investors-with-us10-trillion-aum-call-on-corporates-to-dramatically-ramp-up-action-on-plastics/>.

<sup>31</sup> LBSA Protocol - Amended Protocol concerning Co-Operation in Combating Marine Pollution in cases of emergency in the Western, Central and Southern African Region (Grand Bassam, 2012).

<sup>32</sup> See: See Draft decision CP.12/16: Marine waste (2017); Draft Decision CP13/16 on Marine Plastic Waste and UNEA resolution, UNEP/EA.1/Res.6 (2019) calling for regional marine litter action plans.

<sup>33</sup> [ACP MEAS III](#)

<sup>34</sup> Sidy Ba, et al. 2022. [The current legal framework for pollution control in the Niger River Basin relative to SDG 6.3](#). Water International. See also: Niger Basin Authority; <http://www.abn.ne/>.

<sup>35</sup> Sadan, Z. and De Kock, L. 2021. [Plastic Pollution in Africa: Identifying policy gaps and opportunities](#). WWF South Africa, Cape Town, South Africa. See also the [SST/AWMN guidelines](#).

<sup>36</sup> UN Environment 2018. [Western Indian Ocean Regional Action Plan on Marine Litter](#). UN Environment/Nairobi Convention, Nairobi. Marine litter is estimated to comprise about 80% plastics. Also, see the activities of the GEF-funded project: Addressing Land-based Activities in the Western Indian Ocean (WIOLAB).

<sup>37</sup> UN Environment, 2018. [Western Indian Ocean Regional Action Plan on Marine Litter](#). UN Environment/Nairobi Convention.

<sup>38</sup> [Polythene Materials Control Bill \(2017\)](#).

law. Further assessment of the effectiveness of this regulatory model will be of value to regional cooperation on plastic pollution.<sup>39</sup>

36. The EU has formulated (arguably) the most comprehensive suite of regional actions on MPP. While some lessons from the EU are of value in the Abidjan Convention area, it should be noted that the EU directives makes the actions mandatory for EU countries.<sup>40</sup> The OSPAR and Helsinki Convention activities reflect an extension of the EU actions into the North Atlantic and Baltic respectively. The Mediterranean action plan is also heavily influenced by EU financial support and approach. Planned activities in the Black Sea have been constrained by conflict.

37. The Regional Marine Litter Action Plan for South Asian Seas Region provides a comprehensive framework for action through a ‘roadmap’ that sets targets for 2030.<sup>41</sup> It was backed by a range of South Asia Cooperative Environment Programme (SACEP) country reports that reviewed the status of MPP and marine litter in South Asia. The targets are linked to SDGs and specify a phase-out of single-use plastics; all plastic packaging to be either recyclable, reusable or compostable; and a reduction in MPP of all kinds.

38. In general, other regional frameworks (South East Asia, the Caribbean and the Pacific Islands) take the form of declarations, international ‘commitments’ and regional action plans. In most cases, the action plans do not have the force of law or lack a robust mechanism for monitoring and reporting and the adjustment of targets. Nevertheless, the frameworks underpin regional collaboration and secure support for investment. The ASEAN framework identifies four categories of action: (i) policy support and planning; (ii) research, innovation, and capacity building; (iii) public awareness, education, and outreach; and (iv) private sector engagement. Under the framework, ASEAN will consider a regional agreement on MPP.<sup>42</sup>

39. A number of NGOs and international initiatives operate at the regional scale or in several AIODIS countries. These include Parley, the Sustainable Seas Trust and Africa Waste Management Network, International Alliance of Waste Pickers and numerous other environmental NGOs.

### **1.3.2 National strategies and plans**

40. National plans may have a narrow scope, such as targeting marine litter or single-use plastics. Some outline a more ambitious scheme to develop a sustainable plastics value chain. Others are embedded in broader waste management plans or environmental conservation strategies. The national strategies and plans generally recognize that:

- a) plastics are essential in a modern economy, so that effective reduction of non-essential use of plastics and management of plastic waste is a growing necessity
- b) fundamental changes are required: in the behaviour of consumers, in the behaviour of the economic actors in the plastics value chain, in waste management practices, and in financing of waste management and in the development of circular economy initiatives at both national and municipal levels and
- c) that economic factors are key drivers of reforms to production of plastic products, plastic use and effective management of plastic waste value chains.

41. National plastics management strategies and plans are tailored to the specific needs and capacity of each country - from large economies where a circular economy is established, to small

<sup>39</sup> Flipflop, ALN, SIBK, 2023. [State of Affairs: Policies, Regulations and Laws that Address the Harmful Effects of Single-Use Plastics in the East African Community](#) (2023). Baker McKenzie. 2017. [Is the East African Community a Model for Plastics Pollution Strategy?](#) Environmental Law Insights.

<sup>40</sup> European Commission.: Staff Working Document accompanying ‘[A European Strategy for Plastics in a Circular Economy](#)’. SWD(2018) 16 final. The Packaging & Packaging Waste Directive (PPWD) 2018 sets packaging recycling targets for all materials. The Waste Framework Directive 2018/851 introduced ‘eco-modulated’ EPR fees, e.g., recyclable packaging incurs lower and non-recyclable packaging is heavily penalised.

<sup>41</sup> SACEP, 2019. Regional Marine Litter Action Plan for South Asian Seas Region. South Asia Co-operative Environment Programme, Colombo.

<sup>42</sup> ASEAN Framework of Action on Marine Debris. <https://asean.org/storage/2019/06/3.-ASEAN-Framework-of-Action-on-Marine-Debris-FINAL.pdf>; <https://live.worldbank.org/marine-plastics-east-asia-pacific>.

islands where the volumes of plastic waste may be unable to create the economies of scale needed for reuse or recycling of many types of plastic waste. The importance of national action plans has been highlighted in the ‘plastics treaty’ INC-2 preparatory documents.<sup>43</sup> Many national strategies or action plans share many of the following common elements. These elements may be embedded in different instruments, e.g., policies that address marine litter, waste management plans, circular economy initiatives, or environmental conservation:

- a) improved knowledge of MPP and the plastics life cycle through monitoring of plastic trade, plastic waste management, plastic pollution and the economics of plastic and plastic waste
- b) public and private (or public-private) investment in solid waste management and the plastic waste value chain
- c) improved institutional arrangements, particularly between national and municipal or local authorities and waste management contractors
- d) engagement with the private sector producers and distributors of plastic products, waste management companies and circular economy innovators
- e) targeted policy, legislative and fiscal measures, including import bans and import levies, or other charges, on selected plastics (e.g., on single-use-plastics) and consideration of extended producer responsibility (EPR) schemes<sup>44</sup>
- f) increased financing of waste management infrastructure and circular economy initiatives
- g) raised public awareness with a view to changing the behaviour of consumer and generators of plastic waste (e.g., retailers, packaging companies).

42. The AIODIS national policies and plans are presented in detail in the background study.<sup>45</sup> The plans and initiatives for selected mainland countries are outlined below. In general, the policies and plans recognize that the conventional approaches to solid waste management have to be adapted to the national, municipal or rural context. The plans recognise that reliance on technologies and centralized approaches may have limited application; and recognise the potential contributions of the informal sector and effectively designed public-private partnerships within an adaptable regulatory framework.

### **Ghana**

43. The National Plastics Management Policy is built on four focal pillars designed to collectively contribute to a comprehensive system for managing plastics, which enhances or conserves natural capital and strengthens environmental protection and socio-economic development.<sup>46</sup> The plan draws on the AU Agenda 2063 and the SDGs. The strategic actions are directed at: (i) behavioural change; (ii) strategic planning and cross-sectoral collaboration; (iii) resource mobilization towards a circular economy; and (vi) good governance, inclusivity and shared accountability.

44. Ghana planning process is of note. Ghana undertook a baseline studies on plastic pollution, analyzed the policy, regulatory and waste management frameworks, modelled waste plastic management scenarios and identified twenty interventions in five ‘accelerated action’ categories: (i) reduce and substitute; (ii) redesign plastic products; (iii) increase recycling; (iv) increase waste collection; and (v) expand safe disposal. The total investment costs for all wastes (not just plastics) are estimated to be in the order of \$3 billion over the planning period and recurrent costs are estimated at \$5-6 billion to 2040.<sup>47</sup> Some key activities are undertaken through public-private-partnerships and the effectiveness of this latter approach has come under scrutiny.<sup>48</sup>

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<sup>43</sup> Co-facilitators’ summary of Contact Group 2.

<https://wedocs.unep.org/bitstream/handle/20.500.11822/42622/CG2.pdf>

<sup>44</sup> Out of 54 African states, 34 have either passed a law banning plastics and implemented it or have passed a law with the intention of implementation. <https://www.greenpeace.org/africa/en/blogs/11156/34-plastic-bans-in-africa/>.

<sup>45</sup> Kelleher, *op cit*.

<sup>46</sup> *NPMP 2019*, revised in March 2020.

<sup>47</sup> National Plastic Action Partnership, 2021. [Roadmap for Radical Reduction of Plastic Pollution in Ghana](#). November 2021.

<sup>48</sup> Volsuuri, E. et al. 2022. [Rethinking solid waste governance in Ghana](#). *Heliyon*, Volume 8, Issue 12, E12235, December 2022.

45. The scale of plastic waste in the mainland countries is many times that of the island countries, as illustrated by recent data from Ghana. Ghana is estimated to generate 0.5 kg/person/day of municipal solid waste, of which 12% (0.06 kg) is plastic. Total plastic waste was estimated to be 0.84 million tons in 2020. The waste collection rate was 49% and about 66% of the waste is considered mismanaged. An estimated 9.9% is leaked to water bodies (about 0.08 million tons)<sup>49</sup> and MPP is considered to be a significant menace.<sup>50</sup>

### **Nigeria**

46. In 2018, Nigeria (220 million people) generated an estimated 32 million tons of solid waste. About 2.5 million tons are plastic waste. An estimated 200,000 tons of plastic waste leaks into the marine environment annually. Less than 20% of solid waste generated is collected through a formal system, highlighting the role of the informal collectors and reuse/ recycling activities. Plastic consumption in Nigeria has grown by 6.5% annually and was estimated to be about 1.5 million tons in 2022. Nigeria's plastics production has grown by 10.3% annually, from 120,000 tons in 2007 to 436,000 in 2018 and was projected to be 523,000 in 2022.<sup>51</sup> A study of Nigeria's plastic value chain illustrates technical, regulatory and economic challenges faced by plastics circular economy initiatives.

47. Nigeria's National Policy on Plastic Waste Management (2020) has been backed by legislation restricting some plastic products. However, the application of the law has been delayed. Numerous public and private interventions target plastic pollution and waste management in general, but activities vary widely by state, sector or municipality. These initiatives include:

- a) Nigeria's membership of the World Economic Forum's Global Plastic Action Partnership (2021)
- b) Lagos State Government Plastic Waste Management Policy (2021)
- c) cash for trash schemes
- d) registers of waste pickers, recyclers
- e) bicycle waste collectors using online app(s) ~ 'bicycle Uber-waste'
- f) production of building materials from waste plastic
- g) incineration/ energy production
- h) engagement with multinationals/ EPR schemes
- i) monitoring and assessment studies<sup>52</sup>

### **Other selected countries**

48. Rwanda has been an advocate of action to combat plastic pollution at UNEA and initiated national actions with baseline studies in 2003 followed by regulation on plastic bags in 2008. Although landlocked, Rwanda's experience in reducing plastic pollution provides lessons.<sup>53</sup> Like many African countries, Rwanda is a net importer of plastics products (about \$40 million in imports, \$5 million local production). Rwanda does not have an integrated solid waste management strategy. Monitoring of plastic flows and waste are weak. Municipalities face financial and capacity challenges, and circular economy initiatives face technical, market and economic challenges, partly linked to the small scale of the Rwanda economy.<sup>54</sup> South Africa's waste pricing strategy also offers lessons.<sup>55</sup>

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<sup>49</sup> Miezah et al, #. World Bank Ghana Plastic Pollution report

<sup>50</sup> Baba Imoro Musah et al 2021 [Plastic waste menace in Ghana, a serious threat to marine ecological Diversity](#). IOP Conf. Ser.: Earth Environ. Sci. 725 012006.

<sup>51</sup> UNIDO, 2021. [Study on plastics value-chain in Nigeria](#).

<sup>52</sup> [Wirnkor, V.A., et al. 2019. The importance of microplastics pollution studies in water and soil of Nigeria ecosystems](#). Analytical Methods in Environmental Chemistry Journal September 2019.

<sup>53</sup> Duhuze, R.N. (2018). [Solutions to tackle plastic waste: the Rwandan experience](#); GAIA. [Rwanda: A Global Leader in Plastic Pollution Reduction](#);

<sup>54</sup> Xie, Jian, and J. Martin. 2022. [Plastic Waste Management in Rwanda: An Ex-post Policy Analysis](#). Washington, DC: The World Bank.

<sup>55</sup> Republic of South Africa Department of Environmental Affairs (2016). Government Notice 40200, "National Pricing Strategy for Waste Management," Staatskoerant vol. 614, August 11.

## **2 PROPOSED ACTION PLAN TO COMBAT MARINE PLASTIC POLLUTION IN THE ABIDJAN CONVENTION REGION**

### **2.1 Rationale**

49. SDG 14.1 states: “By 2025, prevent and significantly reduce marine pollution of all kinds, in particular from land-based activities, including marine debris and nutrient pollution”. Between 80% and 90% of marine litter, or marine debris, is considered to be plastic. In 2022, the UN General Assembly adopted the resolution on the human right to a clean, healthy and sustainable environment and called for enhanced international cooperation to achieve this aim.<sup>56</sup>

50. This discussion paper argues that marine plastic pollution (MPP) must be addressed, not only at country level and through global initiatives, but also through regional cooperative actions. In particular, there are regional benefits if the Regional Economic Communities (RECs) can work in close coordination with or through the Regional Seas Conventions. The reasons are as follows:

- a) MPP has an important regional transboundary dimension, in terms of the sources of pollution, the impacts and the potential solutions
- b) country-level, municipal and private sector investments required to manage plastics and other solid waste are fundamentally similar and successes or sustainable models can be replicated nationally and regionally, including at the level of provinces, counties, municipalities or communities
- c) a regional portfolio of the required investments can generate significant economies of scale to help access affordable and available ‘blue’ and ‘green’ finance
- d) few countries have the economies of scale required to build a viable circular economy for plastics (or other wastes)
- e) without regional cooperation, or coordination, the policy and regulatory frameworks of countries, or those of Africa’s Regional Economic Communities, may diverge and fragment the markets for and trade in plastic products and plastic wastes. This may result in parallel discussions on trade measures, different regimes of extended producer responsibility, or undermine regional economies of scale in the development of and support for a circular plastics economy and
- f) Sub-Saharan countries need to establish mechanisms for effective cooperation on plastic pollution in anticipation of the outcomes of the proposed global ‘plastics treaty’ now under negotiation.

51. **Abidjan Convention.** The Abidjan Convention already has a protocol on regional cooperation in addressing marine pollution. Both UNCLOS and the LBSA protocol (Art. 5) require countries to take measures to “*prevent, reduce and mitigate*” marine pollution and to “*cooperate in the formulation and adoption of agreed measures, procedures, practices and standards*”. Various decisions of the Abidjan Convention call for actions on marine litter and microplastics, in particular analyses on “*marine waste, thus contributing to well-founded decisions and policies at municipal, national, subregional and regional levels.*”<sup>57</sup>

52. **African Union.** In preparation for the ‘plastics treaty’ negotiation, in 2019, the African Union (AU) convened a high level working group on plastics ‘toward a pollution-free Africa’ and in 2021 an AU plastic policy workshop highlighted “*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.*”<sup>58</sup> The African Ministerial Conference on the Environment (AMCEN) has supported action on MPP (Durban Declaration), but specific policies, positions, or measures at AU level have not been formally agreed, other than the call for development of the plastics

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<sup>56</sup> UNGA 76/300. [The human right to a clean, healthy and sustainable environment](#).

<sup>57</sup> See Decision CP.12/16: Marine waste; CP13/16; and actions under the ACP MES III project, e.g.: [UNEP/ABC-WACAF/COP.12/7.27.4](#). (p.26).

<sup>58</sup> WWF and the African Union Commission, 2022. [A global treaty on plastic pollution. Perspectives from Africa – workshop report](#).

treaty (2021) and development of a common position in the plastic treaty negotiations. The AMCEN has called for measures to address the burning of waste and for African countries to actively engage in the plastics treaty negotiations.<sup>59</sup> One of the objectives of the African First Ladies High-Level Side Event was to “*define a strategic action plan on Plastic Pollution Solutions*”.<sup>60</sup>

53. **Plastics treaty.** As evidenced by the UNEA Resolution on plastics, there is broad international agreement that actions are required on the ‘plastics problem’.<sup>61</sup> If and when a plastics treaty comes into force, countries will have a legal or moral obligation to implement the consensus actions. Pending the conclusion of any treaty, Sub-Saharan countries can find common ground and cooperate through a regional strategy or action plan. The proposed action plan takes account of the measures being considered in the global treaty. The proposed action plan can help inform African negotiators and any post-treaty roll out of obligations, for example, by assessing the costs of any treaty implementation and exploring financing models for effective waste management and circular economy development.

54. **Two parallel plans.** All the AIODIS are party to either the Abidjan Convention or to the Nairobi Convention. Both Conventions have existing protocols on marine pollution, so that parallel action plans for the Atlantic and Western Indian Ocean can be envisaged as a means of initiating parallel regional dialogues on marine plastic pollution. Such parallel processes may facilitate any future plastics initiative by the AMCEN. Actions to address marine litter have already been initiated in both Convention areas.

## **2.2 Objective and principles**

### **2.2.1 Objective**

55. The objective for the proposed plastic action plan is: “**to end marine plastic pollution**”.

56. Different objectives extracted from stakeholder submissions to the second round of the plastic treaty negotiation (INC-2) (see following table) are categorised as ‘higher ambitions’; ‘lower ambitions’; and ‘industry objectives’. They provide useful examples or objectives, even though the functions of the treaty and a regional action plan differ.<sup>62</sup>

57. The Africa Group (excluding Egypt) INC-2 submission proposed the following objective:

*“ .... the objective of the treaty should be to end plastic pollution, including pollution from legacy plastics, in all environments in order to protect the environment and human health, and to create a non-toxic circular economy for plastics, based on a comprehensive approach that addresses the full life cycle of plastics, taking into account, the principles of the Rio Declaration on the Environment and Development (Rio Declaration), as well as national circumstances and capabilities.”*<sup>63</sup>

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<sup>59</sup> AMCEN Decision 18/1(b): [Towards phasing out open burning of waste in Africa](#). Decision 18/2, on Africa’s participation in the development of an international legally binding instrument on plastic pollution.

<sup>60</sup> On “[Plastic Pollution Solutions for Development in Africa](#)”.

<sup>61</sup> UNEA Resolution 5/14 “End plastic pollution: Towards an international legally binding instrument”. [https://wedocs.unep.org/bitstream/handle/20.500.11822/39812/OEWG\\_PP\\_1\\_INF\\_1\\_UNEA%20resolution.pdf](https://wedocs.unep.org/bitstream/handle/20.500.11822/39812/OEWG_PP_1_INF_1_UNEA%20resolution.pdf). The negotiations towards the ‘plastics treaty’ started in 2022 and are expected to conclude in 2024. Five intergovernmental negotiating committee (INC) meetings are scheduled: INC-2, Paris 22-26 May 2023 and INC-3 in Kenya. For a summary of INC-1 see: <https://enb.iisd.org/sites/default/files/2022-12/enb3607e.pdf>

<sup>62</sup> Table sources: Submissions to Intergovernmental negotiating committee to develop an international legally binding instrument on plastic pollution, including in the marine environment Second session Paris, 29 May–2 June 2023.

<sup>63</sup> The [Africa Group submission](#).



Selected objectives adapted from submissions by INC-2 stakeholders		
High Ambition	Lower Ambition	Industry/ Major oil/ gas producing countries
<ul style="list-style-type: none"> <li>To end plastic pollution (Africa Group, Island States, GRULAC, others)</li> <li>prevent, reduce and eventually eliminate plastic pollution</li> <li>Near-zero plastic pollution to the environment by 2040</li> <li>Polluter pays levy on virgin plastic production (Ghana)</li> </ul>	<ul style="list-style-type: none"> <li>To protect human wellbeing and the health of the environment against pollution caused by the production, use and discharge of plastics across its life cycle (USA, EU, Kenya, Uganda, Tanzania)</li> <li>Ensure health impacts of plastic are adequately accounted</li> <li>Protect human health, the environment and biodiversity (Guinea, Gabon)</li> </ul>	<ul style="list-style-type: none"> <li>To enable and encourage businesses to fully play their role</li> <li>Focus on downstream and midstream measures</li> <li>Effective management of plastic waste</li> <li>common international standards for the full life cycle of plastic and create a 'level playing field'</li> </ul>
<ul style="list-style-type: none"> <li>Quantitative, time-bound goals and targets</li> </ul>	<ul style="list-style-type: none"> <li>To require all plastics to contribute to a circular economy for plastics (Sri Lanka, Uganda)</li> </ul>	
<ul style="list-style-type: none"> <li>a human rights -based approach</li> </ul>	<ul style="list-style-type: none"> <li>Minimize leakage of plastic into the environment (marine &amp; land )</li> </ul>	

58. The Africa Group submission proposes upstream measures (virgin plastic production), midstream measures (product design and use) and downstream actions (waste management). This is in contrast the submission of the African Petroleum Producers' Organization, which focuses primarily on downstream measures.<sup>64</sup> The African Environmental Network's position is more technical, but largely aspirational and generic: (i) establish mechanisms for environmentally sound management of plastics; (ii) promote the limited consumption of plastics and their reuse (iii) establish legally binding measures for polluters (iv) define a maximum pollution threshold according to the type of plastic and the methods of measuring the thresholds.<sup>65</sup> Notably, the RECs have not made submissions, and their positions are assumed to be reflected by the submission of the Africa Group.

59. The Alliance of Small Island States (AOSIS) suggests that the plastics treaty objective would be "to prevent, reduce and eventually eliminate plastic pollution".<sup>66</sup> AOSIS considers that core components include: (i) a high level of initial ambition across the full-life cycle of plastics; (ii) mandatory process based on best available science; (iii) flexibility in implementation for (developing) countries and (vi) mitigation of adverse impacts on economies.

### 2.2.2 Principles, obligations and policies

60. As stated by the Africa Group, the principles set out in the Rio Convention provide an adequate foundation for action. Existing national action plans and strategies refer to many of these principles or approaches, including (for example): the polluter pays principle, precautionary approach, equity, gender, human rights and other high-level considerations. A detailed discussion of relevant principles, international legal obligations and regional policies is provided in the background report prepared for AIODIS.<sup>67</sup>

61. As previously indicated, states already have international obligations to address pollution under UNCLOS and other conventions (e.g., Basel, Bamako conventions and IMO/MARPOL). In particular, states have obligations under UNCLOS, Part XII to "prevent, reduce and control" MPP (i.e., all forms of marine pollution). Specifically, states are obliged to: adopt and enforce national laws that take into account international efforts to "establish global and regional rules, standards and recommended practices and procedures to prevent, reduce and control pollution of the marine environment from land-based sources". States are also obliged to cooperate to establish competent international regimes.<sup>68</sup> Plastic production accounts for an increasing proportion of global GHG emissions and states have made

<sup>64</sup> African Petroleum Producers' Organization, 2023. [Submission on the Potential options for Elements Towards an international Legally Binding Instrument to End Plastic Pollution](#).

<sup>65</sup> [African Environmental Network's position](#) in INC-2.

<sup>66</sup> [AIODIS position in INC-2](#).

<sup>67</sup> Kelleher, K., 2021. [Prevention, reduction and control of Marine Plastic Pollution in African and Indian Ocean Developing Island States](#). October 2021. Southwest Indian Ocean Fisheries Project No. 2 (World Bank/ Indian Ocean Commission).

<sup>68</sup> See e.g., UNCLOS, Art 207.1 and 4, Art. 213, Art 214.

commitments to emissions reduction. Many states have also incurred international obligations related to plastic pollution through adherence to conventions on biodiversity, international rivers and chemical pollution.<sup>69</sup>

## **2.3 Core components of the proposed action plan**

62. The following are the core components of the proposed regional action plan. They do not necessarily address all the element of the numerous national plans, but focus on those areas where regional cooperation can provide substantial national and regional benefits. The following sections detail the proposed core components:

1. Support for **national action plans**, strategies, or roadmaps to manage the plastic life cycle
2. Shared and enhanced **knowledge** and understanding of the plastic economy and life cycle, including at regional scale, and enhanced human and institutional **capacity** to manage the life cycle
3. **Regional alignment** on policy approaches, including: (i) on **trade** in plastics and plastic waste; (ii) on key fiscal and **regulatory measures**; (iii) on relationships with **industry**, in particular with major regional producers or distributors of plastic, or plastic products and with the key circular economy actors; and (vi) development of common positions for engagement with **global initiatives**, including the proposed ‘plastics treaty’, either directly, through the RECs, or through the AU
4. Joint efforts to access to **affordable finance** to support priority national and regional activities.

63. The INC-2 Africa Group proposed that the following elements to be included in the ‘plastics treaty’. The proposed action plan attempts to create the space to further advance these actions:<sup>70</sup>

- a) reducing overall plastic production and use
- b) specific and measurable actions to tackle plastic pollution including cooperation to control plastic pollution and virgin plastics
- c) ensuring a just and inclusive transition for informal waste workers and affected communities, especially in developing countries
- d) promoting sustainable production and consumption and circular economy approaches to address plastic pollution, including resource efficiency, product design and reuse, that retain plastics in the economy
- e) avoiding adverse consequences of the implementation of the legally binding instrument on the climate, on biodiversity, and on food security.

### **2.3.1 Supporting national strategies and plans**

64. National plans are the fundamental building blocks of a strategy to combat MPP. The proposed regional plan would support the implementation of national plans with a focus on common challenges. Actions at the regional level can provide synergies, source financial and technical support, foster policy alignment, enhance effectiveness and address transboundary challenges (e.g., garbage disposal by international shipping). The target areas would reflect the demand from countries as reflected in their national policies and approaches and the challenges common to many countries. These could include (examples only):

- a) review of effectiveness of plastic bag regulations<sup>71</sup>
- b) assessment of microplastic pollution sources and flows

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<sup>69</sup> BRS MEAs & Minamata Convention, 2021. [Interlinkages between the Chemicals and Waste Multilateral Environmental Agreements and Biodiversity – Key insights](#). There are more than 800 marine and coastal species affected by marine debris through ingestion, entanglement, ghost fishing and dispersal by rafting, as well as habitat effects. 100% of marine turtle species, up to 66% of marine mammal species, and 50% of seabird species are affected by entanglement or ingestion of plastics from the ocean <sup>70</sup><https://wedocs.unep.org/bitstream/handle/20.500.11822/41840/AfricaGroupSubmission.pdf?sequence=1&isAllowed=y>

<sup>71</sup> Hasson, R., et al. 2007. [The Economics of Plastic Bag Legislation in South Africa](#). South African Journal of Economics 75(1): 66-83.

- c) best practices in municipal contracting of waste service providers<sup>72</sup>
- d) guidelines on design/ implementation/ contracting of EIAs for landfill sites
- e) review of technologies, such as incineration, including scalable technologies for use in rural areas and adoption of appropriate technologies developed by African entrepreneurs
- f) design of institutional support for informal waste collectors / waste pickers<sup>73</sup>
- g) design of awareness programmes and sharing of awareness materials
- h) financing of national action plans (see below 2.3.4).

65. In the rapidly changing world of plastics, support for updating or revision of national strategies plans as may be required.<sup>74</sup> Particular attention may be directed to marine sources of MPP, such as the design of extended producer responsibility for waste or lost fishing gear and schemes to dispose of end-of-life GRP (fiberglass) fishing vessels and recreational boats.<sup>75</sup>

66. A range of country analyses (including several noted above) highlight many challenges common to Sub-Saharan countries: weak baseline information; weak capacity and finance for solid waste management; coordination among national institutions and with the private sector; circular economy technologies and investment climate; and support for the informal waste sector. A regional approach may leverage resources to address many of these shared challenges.

67. A number of countries in the region produce raw or virgin plastic or industrial scale recycled plastic raw material. Defining a niche or role for African production of this raw and recycled plastic raw materials faces both opportunities and challenges. For example, regional schemes could require certified recycled content in selected plastic products, or tariff preferences for such product when sourcing African recycled plastic feedstuff.

68. Updating or revision of national strategies plans as may be required with particular attention to marine sources of MPP, such as the design of extended producer responsibility for waste or lost fishing and schemes to dispose of end-of-life GRP (fiberglass) fishing and recreational boats.<sup>76</sup> A range of country analyses (including several noted above (see section 1.3.2) highlight many challenges common to Sub-Saharan countries: weak baseline information; weak capacity and finance for solid waste management; coordination among national institutions and with the private sector; circular economy technologies and investment climate; and support for the informal waste sector. A regional approach may leverage resources to address many of these shared challenges.

### **2.3.2 Shared knowledge, capacity building and raised public awareness**

69. Shared knowledge and capacity building are common theme in the submissions on the proposed global treaty and also feature in most national approaches to waste management and plastic pollution. The measures take various forms, including:

- a) a transparent reporting framework on plastics
- b) scientific advice, possibly in a similar arrangement to that provided by the IPCC on climate change
- c) technology development, with measures to enable rapid and cost-effective sharing or transfer of technologies
- d) capacity building along the entire plastics value chain.

70. Effective monitoring of plastic trade, consumption, plastic waste and marine plastic pollution provides the information base for analysis and science-based advice on measures to combat plastic pollution, helps assess the impact on health, the national economy and the marine environment. Shared

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<sup>72</sup> Medina, M. 2010. [Solid Wastes, Poverty and the Environment in Developing Country Cities – Challenges and Opportunities](#). Working Paper - UNU-WIDER, 2010 - Helsinki, Finland. Waste management usually accounts for 30–50 per cent of municipal operational budgets.

<sup>73</sup> Waste pickers Around the World (WAW) – [Africa](#).

<sup>74</sup> See: Sustainable Seas Trust & Ecogeos. [Draft guidelines for the development of legislation and policies on marine litter in Africa](#).

<sup>75</sup> <https://www.recyclermonbateau.fr/>

<sup>76</sup> <https://www.recyclermonbateau.fr/>

monitoring and reporting methodologies lay the foundation for contributions to African or global assessments of the state of the oceans and progress in tackling MPP.

71. Public awareness drives changes in consumer behavior and in public investment. It drives policy change, decision-making and participation in sustainability initiatives and schemes to combat MPP. In particular, public awareness drives political processes. Changed public opinion on plastics is a key to the social acceptance of measures which may increase consumer prices. Allocation of national and municipal public resources to improved waste management requires political choices. The high capital and recurrent costs associated with waste management; with measures to reduce plastic consumption (e.g., bans on plastic bags); or increases municipal charges for waste collection can generate social dissent in the absence of enhanced public awareness.<sup>77</sup>

### **2.3.3 Alignment of policies and approaches**

72. At the regional level, it is proposed that policies, measures, standards and information flows will be aligned through initiatives facilitated by the Regional Economic Communities (RECs), by the AU or other competent regional agency. For example, at a technical level regional fisheries bodies may address MPP arising from waste fishing nets and end-of-life GRP (plastic) vessels. Port authorities may share information on ships garbage logs. Environment ministries may coordinate effort to track the transboundary movement of microplastics in water bodies.

73. Regional alignment can deliver multiple shared benefits, in particular in relation to the following priorities areas which are further detailed below:

- a) policy and regulatory frameworks
- b) trade in plastics and in plastic waste
- c) financing national and regional action plans
- d) global fora
- e) collaboration with industry
- f) circular economy innovation and initiatives including recognition and development of informal waste management activities and<sup>78</sup>
- g) knowledge and capacity building.

#### **Policy alignment between countries.**

74. Recent consultations undertaken in preparation of the plastics treaty underscored the diversity of approaches and the need for further alignment of Africa's policies that address plastic pollution.<sup>79</sup> There is already some alignment in some RECs (e.g., an EAC ban on some plastics). However, there are benefits in enhanced policy alignment between the RECs to create a regional enabling environment for investors in the circular economy, for design and implementation of regulatory measures, to generate scientific advice on trade-offs, to negotiated regional EPR schemes, and to assess the effectiveness of approaches to combat MPP in different countries.

75. Harmonised positions can draw attention to the information gaps, capacity and resource deficits, special considerations for trade measures, the issue of MPP generated by non-African sources and carried into African seas by ocean currents. Cooperation among port authorities can help monitor compliance with MARPOL requirements by international shipping and fishing vessels.

#### **Policy alignment in global fora**

76. It is proposed that the action plan support the formulation of a common policy platforms either through the RECs, the AU or by other means. The targeted fora may include the plastics treaty negotiations, UNGA reports and resolutions, WTO discussions on plastic trade, discussions on IMO and Basel measures. The exercise of formulating consolidated regional positions drives analysis and refines policy interpretation and application. There are substantial regional benefits in 'speaking with

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<sup>77</sup> Japan and UNIDO. 2022. [Partnering for Africa's challenge on plastic pollution](#).

<sup>78</sup> See: Waste pickers Around the World (WAW) <https://globalrec.org/waw/list/?continent=africa>

<sup>79</sup> WWF and the African Union Commission. 2022. A Global Treaty on Plastic Pollution: Perspectives from Africa – Workshop Report. WWF South Africa, Cape Town, South Africa.

[https://au.int/sites/default/files/documents/41658-doc-WWF\\_AUC\\_Africa\\_Regional\\_Plastic\\_Policy\\_Report.pdf](https://au.int/sites/default/files/documents/41658-doc-WWF_AUC_Africa_Regional_Plastic_Policy_Report.pdf)

one voice’ in global fora and acting to support a common position. A common regional voice or position may allow more effective coverage and influence in many of the technical advisory bodies, or committees, which manage the international agendas and prepare proposals for resolutions, measures, or guidelines and shape international initiatives, including on access to finance and resources to combat MPP.

77. The Africa Group has already been formed to present a common position in the ‘plastics treaty’ negotiations. Participation by smaller countries in the numerous technical or expert committees supporting the international conventions is costly, particularly in terms of the time and focus of senior officials and establishment a common voice can articulate the concerns of these countries.

78. The proposed action plan will direct particular attention to the ‘plastics discussions’ in the WTO Committee on Trade and the Environment and to any recommendations to be considered by the WTO ministerial conferences (see paragraph 79).<sup>80</sup> Given the difficulty of small and island economies to manage certain types of plastic waste, specific attention is required to numerous emerging issues, including on extended producer responsibility extending to trade in wastes generated by imported products.

### **Alignment of trade in plastics**

79. Alignment of trade measures will create larger markets for plastic waste and facilitate the economies of scale required for developing a plastics circular economy. Alignment of trade means common regional plastic product definitions, harmonized tariffs regimes, harmonized customs codes and import and export standards.<sup>81</sup> It means similar classification of single-use plastics, equivalent standards for waste plastic, similar approaches to EPR schemes, and potentially, common codes of best practice for industry.<sup>82</sup>

80. Smaller countries may not have the volume of some plastic waste products to economically sort, reuse or recycle. Crafting EPR measures, harmonised approaches and common regional targets and custom codes can reduce the costs to consumers and producers, streamline their development and facilitate effective monitoring of compliance.<sup>83</sup> Trade alignment can also facilitate monitoring of recycled plastic content in products, facilitate market access for regional products which are sustainable substitutes for plastic, and create business opportunities at scale for intermediaries that assess and certify compliance with the rules of the new plastic economy.

81. Common standards underpin any regional or online market in plastic waste.<sup>84</sup> The global market for plastic waste management is estimated at \$33 billion in 2021 and is projected to increase to \$39 billion by 2028, partly as a result of pending rules on recycled content for some plastic products. African countries have an opportunity to access this market. However, economies

<b>Sub-Saharan Regional Economic Communities., Trade arrangements and issues in harmonising trade</b>
<p><b>Regional Economic Communities (RECs)</b>                      Common Market for Eastern and Southern Africa (COMESA)(customs union)                      East African Community (EAC)                      Economic Community of Central African States (ECCAS)                      Economic Community of West African States (ECOWAS)                      Southern African Development Community (SADC)                      Southern African Customs Union (SACU)</p> <p><b>Non-REC cooperation or trade arrangements</b>                      African Continental Free Trade Area (AfCFTA) Agreement                      IGAD Intergovernmental Authority on Development (IGAD) (cooperation)                      Indian Ocean Commission (IOC) (not a REC)                      Indian Ocean Rim Association (not a REC)                      Bilateral. West Africa and the European Union EPA (not in force)</p>

<sup>80</sup> Committee on Trade and the Environment [https://www.wto.org/english/tratop\\_e/envir\\_e/wrk\\_committee\\_e.htm](https://www.wto.org/english/tratop_e/envir_e/wrk_committee_e.htm).

<sup>81</sup> [Communication to the World Customs Organization \(WCO\) on the work of the IDP in support of efforts to address plastics pollution.](#)

<sup>82</sup> See the African Continental Free Trade Area discussions. <https://au-afcfta.org/>

<sup>83</sup> See case study: GPAP, 2022. Trade and the Circular Economy: Plastics Action in South Africa 2022.

<sup>84</sup> [The Global Waste Marketplace.](#)

of scale are important in production of recycled plastic raw material, which requires rigorous standards and product quality assurance.

82. The RECs generally benefit from a common customs union and several of the REC and trade cooperation agreements make provision for alignment of customs and tariff codes and a common external tariff.<sup>85</sup> Most of the RECs have provisions on entering trade agreements with third parties (e.g., other RECs).<sup>86</sup> The African Continental Free Trade Area agreement (AfCFTA (Art 3(h)) provides for solutions to the challenges of multiple and overlapping REC, or trade cooperation memberships to expedite the continental trade integration processes.<sup>87</sup> A further challenge is that the Economic Partnership Agreements (EPAs) with the European Union are not aligned with the RECs.<sup>88</sup> Alignment of trade measures on plastics may require a dedicated high-level process.

83. Common trade standards can facilitate a regional online market for plastic waste and the supply of raw materials to replace virgin plastic.<sup>89</sup> Substitution of the ‘lower cost’ virgin plastic with recycled ‘higher cost’ raw material is likely to involve market interventions which ideally would be harmonized at the regional level.<sup>90</sup> The region can potentially draw on norms developed through the Stockholm, Basel and Bamako Conventions and lessons from international experiences (e.g. Maldives single use plastics laws, WTO Committee on the Environment discussions, EU plastics and REACH directives).<sup>91</sup>

84. A common position in relation to ‘environmental aspects of trade in plastics’ is likely to emerge as a challenging area for interpretation of WTO rules.<sup>92</sup> A common regional stance may help prevent WTO disputes with individual countries with respect to their trade measures.

#### **Alignment in relations with industry**

85. Business is the primary producer, consumer, distributor and reuser/ recycler of plastics. Both business and consumers benefit from plastics but rarely pay directly for the environmental costs incurred. Society bears these costs. Responsible business can bear an equitable proportion of the environmental cost of plastic waste through fiscal and other measures. Alignment on relations with industry, in particular with the upstream manufacturers and distributors of plastic products (e.g., producers of packaging) at regional scale can also create economies of scale, help industry plan investment and create larger regional markets for more ‘sustainable’ plastics, or their substitutes. The initial targets could include the bottled drinks manufacturers and distributors, fishing net suppliers, elimination of undesirable plastics (e.g., toxic additives, un-recyclable) and dialogues on the introduction of EPR schemes at the regional scale.<sup>93</sup>

#### **Innovation and the circular economy**

86. Alignment can create synergies, facilitate transfer of technologies, benefit from experiences and potentially avoid duplication of effort. Financing of innovation and emerging circular economy enterprises becomes more attractive at scale where transaction costs can be reduced and risks can be offset by bundling and diversifying investments using ‘accelerators’ or impact investment schemes.

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<sup>85</sup> E.g., UEMOA. [Harmonised tariff codes](#) Tarif Extérieur Commun 2017 Section VII (plastics) Ch 39. (39.01-39.26).

<sup>86</sup> For examples of challenges to harmonised trade standards on plastics and plastic waste see: Article XXXI.3 of the SACU agreement; SADC Protocol on Trade (Article XXVIII, paragraph 2); Article 56 of the COMESA Treaty; Article 37 (4a) of the EAC Protocol on the Establishment on the East African Customs Union.

<sup>87</sup> See also: [AEC Protocol on Relations with RECs](#). Article 3(b).

<sup>88</sup> <https://saiia.org.za/research/a-pending-crisis-of-overlap/>.

<sup>89</sup> E.g., <https://www.wastetrade.com/about/>; <https://www.reboundplasticexchange.com/> and others.

<sup>90</sup> By this is meant that when the environmental costs are ignored, virgin plastic generally has a lower price than recycled plastic raw material, so that to increase demand for recycled plastic market interventions may be required which may possibly be contested under WTO rules.

<sup>91</sup> EU plastics. [https://environment.ec.europa.eu/topics/plastics\\_en](https://environment.ec.europa.eu/topics/plastics_en).

<sup>92</sup> See: [WTO Dialogue on Plastics Pollution and Environmentally Sustainable Plastics Trade](#).

<sup>93</sup> Examples of approaches are provided by: waste-picker associations, ACEN, Parley, Ocean Innovation Africa. See also: [Hidden Hazards: The Chemical Footprint of a Plastic Bottle](#).

### **Alignment of knowledge management**

87. The need for standardized approaches to knowledge management has been noted above. For example, standardized means of assessing and monitoring plastic waste and MPP can facilitate compilation and interpretation of regional trends, identify hotspots or transboundary transport of MPP function.<sup>94</sup> Capacity building cuts across all activities from the wellbeing of waste-pickers, through training of customs officials to backstopping circular economy innovators.

### **2.3.4 Financing**

88. Financing is arguably the main constraint to implementation of national and regional action plans to combat plastic pollution and to effective management of solid waste management in general.

#### **Demand for investment**

89. There is a strong regional demand for finance to combat MPP and solid waste management more generally. The financing needs are broadly similar throughout the region and fall into several broad categories:

- a) capital investment in infrastructure for solid waste collection, for reuse, for recycling, or for final disposal
- b) investment a circular economy for plastics and other wastes (e.g., innovation accelerators)
- c) investment in institutional arrangements to underpin sustainable waste management, including for example: in design of waste management systems at municipal level (e.g., financing recurrent costs, cost recovery); private sector contracting arrangements; reduced carbon footprint of waste disposal; raised consumer awareness; and in establishing the enabling environment for changed business and consumer behaviours.

#### **Supply of capital**

90. There is a large pool of capital seeking viable investment opportunities in sustainable practices. The capital is managed by global funds, philanthropic foundations, impact investors, international financial institutions, pension funds, insurance companies and many others.<sup>95</sup> Investors typically need a large stream of similar investments in order to generate economies of scale, to modulate risks, to track comparative performance and impacts, to negotiate co-finance and to generate implementing capacity at regional scale in both the public and private sectors.

#### **Business as usual**

91. In a business as usual approach, many solid waste management investment projects are individually financed and assessed (baselines, risks, returns, economic viability, social and environmental benefits and management modalities). This implies high transaction costs and many projects get ‘dropped’ because of these high transaction costs, because of preparation delays or financing issues, or because of challenges in linking investments to global goods and commitments, such as those on oceans, clean water, poverty reduction, or human health. It also means that regional or global co-benefits (reduced carbon emissions, health benefits) may not be fully reflected in the impact assessment and financing. Typically, these investments are complex, requiring long-term social, economic and environmental returns on investments. The projects require negotiations on the contributions by national and municipal authorities. They require long-term contractual arrangements with private sector service suppliers to enable these enterprises to finance infrastructure investments. The projects are contingent on environmental assessments and local planning permits for any landfills and numerous other arrangements (e.g. approval of plastic taxes, increased waste collection charges, or functional EPR schemes). The business as usual scenario has many of the following characteristics:

- a) few investment-ready projects and planning for future investments constrained by political factors and financing horizons

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<sup>94</sup> See, e.g. the [Pacific Islands marine waste dashboard](#).

<sup>95</sup> Examples include the Climate Funds, World Bank, International Finance Corporation, the GEF and FFEM and many others.

- b) limited collective dialogue between impact investors, development partners, international financial institutions, municipal implementing agencies and the private sector
- c) inadequate baseline data on waste streams and the potential social and environmental benefits of investments making impacts difficult to baseline or track
- d) success stories not shared or replicated and limited appreciation of how the waste streams can be organised to generate economic returns
- e) uncertainty, political risk and weak municipal authorities makes projections of financial performance and expected returns challenging .

### **Recurrent costs of waste management**

92. Solid waste management typically costs \$35/ton and absorbs up to 20% of municipal budgets in low-income countries.<sup>96</sup> Globally about half of investments in waste services are made by local governments, with an estimated 20% ‘subsidy’ from national governments, and 10–25 percent invested by the private sector (depending on the services provided by the private sector). National governments typically finance up to 50% of the recurrent costs of municipal waste management. The capacity to impose user charges (such as collection fees) for waste services varies widely with the regulatory regime, the effectiveness of the municipal authorities and the income level of the community.<sup>97</sup>

### **Scaling up at regional level – regional portfolio**

93. The demand for SWM investments can be ‘bundled’, or aggregated across the region and the individual projects (or proposals) structured as a ‘portfolio’ of potential investments in sustainability, in environmental resilience and in adaptation to human pressures on the environment. Each ‘municipal’ project can draw on a ‘menu’ of common components. These may include (for example): waste reduction and collection, circular waste economy, landfill, incineration, managing cost recovery and municipal finance, regulatory reform, extended producer liability schemes, or awareness raising campaigns. Each municipality or project may tailor and combine these modules to meet its particular requirements. Such a ‘menu’ would need to be sufficiently generic to accommodate the diversity of municipalities, risk guarantees, cost recovery schemes and other elements, but collectively it establishes a range of solutions, experiences and approaches. A regional (virtual) portfolio creates a scale of investment which is more attractive to major institutional investors. It opens the opportunities to These investors can then plan a medium/long-term series of investments within a common framework, offset risks with the diversity of investments, and use common metrics to assess the investment opportunities and performance.<sup>98</sup>

94. The intention is not to create a fund, but a platform to access affordable finance for common types of investment and a means to blend various forms of financing, such as grants, loans, debt, private equity or municipal bonds in order to meet the specific requirements of different investments. For its preparation, the platform could draw global and regional experiences, including African climate finance and blue economy initiatives.<sup>99</sup>

### **Blue taxonomy**

95. A blue taxonomy can provide a classification of economic activities and investments according to their contributions to blue (or green) sustainability objectives (e.g., SDG 14 objectives and indicators, net zero targets). The taxonomy establishes verifiable scientific criteria and metrics to rate and track the environmental, social and economic benefits of investments. By structuring the investment portfolio

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<sup>96</sup> Kaza, S. et al. 2018. *What a Waste 2.0: A Global Snapshot of Solid Waste Management to 2050*. Urban Development. World Bank. See Chapter 5 on financing. See also: Kaza, S. et al. 2021. *More Growth, Less Garbage*. World Bank. Washington, DC. for updated waste projections for Sub-Saharan Africa.

<sup>97</sup> For more details see: World Bank. 2021. *Bridging the Gap in Solid Waste Management: Governance Requirements for Results*. Washington, DC. (Chapter 4).  
<https://openknowledge.worldbank.org/server/api/core/bitstreams/a942fa2b-f011-5341-88d0-4e149aaaa4c1/content>.

<sup>98</sup> Thornton Matheson. 2019. [Disposal is Not Free: Fiscal Instruments to Internalize the Environmental Costs of Solid Waste](#). IMF Working Paper.

<sup>99</sup> African Union, 2022. [African Union Climate Change and Resilient Development Strategy and Action Plan \(2022-2032\)](#) - see section 4.3; Africa Blue Economy Strategy (2019).



within a blue (or green) taxonomy the proposed platform can provide a framework to access concessional or affordable sources of finance at the scale required. It presents individual investment projects as a constituent part of regional and global investment in sustainability through advancing ‘net zero’, or reducing the ocean’s microplastic load. The taxonomy helps capture intangible benefits, such as marine ecosystem function (e.g. reduced seabird mortality) or the health of unborn generations (reduced microplastic load in seafood).<sup>100</sup>

96. Experiences in the use of a green taxonomy in the EU and ASEAN can to inform development of an initial blue taxonomy in order to structure linkages between major sources of investment finance and the demand for investment in healthy oceans. The EU and ASEAN experiences focus largely on climate (net zero), biodiversity, or nature-based solutions rather than sustainable oceans, but the framework can readily be applied to a blue taxonomy. The EU taxonomy includes a specific activity to facilitate transition of polluting activities.<sup>101</sup> The ASEAN green taxonomy allows for transition pathways to address hotspots, e.g., eliminate landfill burning of plastic waste, or closure of coastal landfill sites as a first step while aiming to move to plastic reuse/ recycling in subsequent phases. AMCEN has called for greater engagement with finance ministers to address the funding gap in investment in the environment.<sup>102</sup>

### **Common criteria and indicators**

97. By using common criteria across the portfolio, performance targets can be set and refined. Comparative assessment of outcomes can identify anomalies, outliers or best practices and their underlying causes. Common metrics can avoid duplication of effort in the design of performance indicators, help refine methodologies and potentially reduce the costs of EIAs and of monitoring. Common ‘dashboards’ can foster public engagement and accountability of polluters, service providers, waste managers or municipal expenditures. Facilitated public engagement through dashboards and other means may also direct attention to the corporate behavior, for example by producers of packaging or drinks.

## **2.4 Implementation arrangements**

98. This section outlines the possible institutional arrangements for implementation of the action plan. Given the critical importance of financing, it is orientated around the arrangements required to secure finance at a regional scale to support the range of action plan activities.

99. The main actors fall into four groups:

- a) The **executors**. These are the national and municipal authorities responsible for solid waste management at national level. These are notionally represented at regional level by the RECs for the purposes of this scenario
- b) The **financial partners**. These include local commercial banks, international financial institutions, environmental funds (e.g., the GEF, FFEM, climate funds), development partners, impact investors (e.g., Ocean 14 Capita Fund), philanthropic foundations and others

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<sup>100</sup> See, e.g. Solid Waste Tariff Setting Guidelines for Local Authorities, Department of Environmental Affairs, South Africa, May 2012; Pacific Islands factsheet on human rights and plastics.

(<https://wedocs.unep.org/handle/20.500.11822/37406> and <https://digitalcommons.schulichlaw.dal.ca/bhreplastics/>). Links between microplastics and human health are still the subject of intense study.

<sup>101</sup> EU Taxonomy Regulation (<https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32020R0852>) ‘Substantial contribution to pollution prevention and control’ (Art. 14) and ‘Transition to a circular economy’ (Art 13). See also Ch.2. Art 3 (criteria) and Art 20 ‘Platform on Sustainable Finance’.

<sup>102</sup> AMCEN, Decision 18/1(d): Strengthening collaboration with the African Ministers of Finance and Economic Planning. “*To encourage Member States to mobilize and allocate the financial resources needed to develop the required institutional frameworks and physical infrastructures for efficient and integrated waste management systems*”

- c) **Private sector** – generators of plastic waste (e.g., manufacturer associations, users of plastic packaging) and the enterprises and organisations engaged in waste management (e.g., landfill operators, waste picker associations, recyclers)<sup>103</sup>
- d) The **facilitators**. These are institutions that can support or manage the design and coordination of the regional-scale financing arrangements. At the regional level they include: the Economic Commission for Africa, the AU/AMCEN secretariat, the AfCFTA Secretariat, UNEP/ Nairobi Convention, the AfDB and others. At a global level they include: the World Bank (PROBLUE/ BE4RAP),<sup>104</sup> the World Economic Forum,<sup>105</sup> The Economist,<sup>106</sup> the Ellen MacArthur Foundation<sup>107</sup> and many the others.

100. The Abidjan Convention already has a mandate to advance a marine litter action plan. With the support of some of the above ‘facilitators’ the Convention can convene a series of dialogues engaging the groups listed in the previous paragraph to build the financing architecture to address MPP and land-based sources of pollsolid waste management more generally. The outcomes can be streamed into the Abidjan Convention Conference of the Parties, linked to the work of the AMCEN, or the Africa Group in ‘plastics treaty’.

101. The goal of the dialogues would be to facilitate access to the required finance at scale by building a financing architecture that reduces the transition costs; facilitates investment project preparation processes through a menu of flexible templates for the most common investments; standardises assessment and performance tracking criteria and metrics; links these criteria and indicators to SDG indicators; and tailors best available practices to the specific requirements of the municipality or project.

102. The potential roles of the key actors in the action plan to combat MPP and develop a circular plastics economy in the region are as follows:

- a) countries and municipalities, through implementation of national plastics action plans<sup>108</sup>
- b) the Regional Economic Communities (RECs) and the Indian Ocean Commission,<sup>109</sup> through: (i) regional alignment of policy frameworks and (ii) alignment of trade measures; (iii) through bringing financing to scale; (iv) through engaging in dialogues with industry and financial institutions; and through (v) considering preparation of REC plastic action plans<sup>110</sup>
- c) the Abidjan Convention through fostering national commitments on actions to combat MPP, including through considering establishing norms of behaviour and performance on MPP within the existing LBS protocol and backstopping the creation of the required scientific advice
- d) financial institutions, through contributing to the development of a regional financing architecture which can bring major investment requirements to scale
- e) the Economic Commission for Africa (ECA), through providing a coordinating and advisory role on the action plan and bridging the environmental, economic and social components<sup>111</sup>
- e) the UN Environment Programme (UNEP), through advisory and support services, particularly on the environmental dimensions of MPP, on the proposed ‘plastics treaty’ and on other international initiatives.

<sup>103</sup> E.g., the African Marine Waste Network. <https://sst.org.za/projects/african-marine-waste-network/>; International Alliance of Waste Pickers. <https://globalrec.org/>.

<sup>104</sup> <https://www.worldbank.org/en/topic/environment/brief/blue-economy-for-resilient-africa-program>

<sup>105</sup> <https://www.weforum.org/topics/ocean> and <https://www.globalplasticaction.org/home>.

<sup>106</sup> <https://impact.economist.com/ocean>.

<sup>107</sup> <https://emf.thirdlight.com/file/24/Om5sTEKOn0YUK.Om7xpOm-gdwc/Financing%20the%20circular%20economy%20-%20Capturing%20the%20opportunity.pdf>.

<sup>108</sup> Lehua Gao, L. 2022. [An evolutionary game study of environmental regulation strategies for marine ecological governance in China](#). Front. Mar. Sci., 01 December 2022. Volume 9 – 2022.

<sup>109</sup> For the purposes of this document, the Indian Ocean Commission is grouped with the RECs under the term ‘REC’ and has a prominent role in advocacy for all the island countries.

<sup>110</sup> E.g., SADC is considering a strategy to combat marine pollution; the EAF has enacted legislation restricting some plastic products.

<sup>111</sup> [https://www.uneca.org/sites/default/files/public/eca-terms-of-reference-and-rules-of-procedure-1994\\_en\\_print.pdf](https://www.uneca.org/sites/default/files/public/eca-terms-of-reference-and-rules-of-procedure-1994_en_print.pdf)

- f) the African Union, through an oversight and policy review role with particular attention to common positions in relation to the interventions, binding obligations and measures negotiated in the global plastics treaty and alignment of trade arrangement on plastics
- g) private sector and financial sources through articulating requirements for a stable investment climate, policy coherence and effective cooperation with and between public actors
- h) NGOs have a key role to play in fostering awareness, acting as a ‘watchdog’ on performance, providing independent assessments, articulating the needs of informal waste collectors and ensuring that actions take due account of broader environmental and social dimensions.

103. As part of the ‘plastics treaty’ some negotiators have proposed the establishment of the multilateral fund to address plastic pollution which in the longer-term could potentially be an important source of financing.<sup>112</sup>

## **2.5 Proposed next steps**

104. The Abidjan Convention secretariat, in consultation with the AIODIS Focal Points and other key interested parties, provide timely comments to the Indian Ocean Commission on the discussion paper/ proposed action plan indicating:

- a) if there is support for the further development of such an action plan;
- b) if there are major issues or disagreements with the content; the nature of any major changes or proposed and other relevant comments
- c) and suggesting any follow-up actions

105. The Abidjan Convention marine litter working group review the discussion paper/ draft action plan possibly in close consultation with the RECs, the Guinea Current Commission, the Benguela Current Commission and other key stakeholders and consider:

- a) the need for a regional action plan to combat marine plastic pollution and assuming that there is consensus on the need for such a plan
- b) the institutional architecture and preparation process for any such plan
- c) the linkages between the proposed plan and other processes, including those targeting the blue economy, the circular economy, implementation of the Convention protocol on land-based sources of pollution and the negotiations on the plastics treaty.

106. The Abidjan Convention direct attention to the resources and processes required to effectively combat marine plastic pollution in the Convention area.

107. It is suggested that the Indian Ocean Commission request the Abidjan Convention to consider use of the proposed action plan to inform its actions on MPP and the IOC opportunities for supporting follow-up activities with its development partners.

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<sup>112</sup> [Proposal from Chile, the Cook Islands, Ecuador, the Federated States of Micronesia, Rwanda, Senegal and Uganda on Means of Implementation.](#)