

Decision 18/2: Decision on Africa's participation in the development of an international legally binding instrument on plastic pollution, including in the marine environment

We, African ministers of the environment,

Having met in Dakar on 15 and 16 September 2022 at the resumed eighteenth session of the African Ministerial Conference on the Environment,

Recalling the outcomes of the seventeenth ordinary session of the African Ministerial Conference on the Environment, held in Durban, 11 to 15 November 2019, where member States committed to support a global action to address plastic pollution, including through a new global agreement that would, among other things, take a comprehensive approach.,

Further recalling the outcomes of the first part of the eighteenth ordinary session of the African Ministerial Conference on the Environment, 13 to 16 September 2021, that affirmed the decision by Africa to work towards having a new global agreement on marine litter and plastic pollution that takes a comprehensive approach to address the full lifecycle of plastics,

Noting the ninth special session of the African Ministerial Conference on the Environment, held 15 to 17 March 2022, that noted that Africa must work towards having a new global approach to address plastics pollution, in accordance with the principles of equity and common but differentiated responsibilities and respective capabilities, in light of national circumstances,

Welcoming the decision by the Conference of the Parties to the Bamako Convention that called for a new legally binding global agreement to combat plastic pollution, covering the full life cycle of plastics, with a view to reducing both the quantity and the harmful qualities of plastic wastes, highlighting the elimination of the trade, production and use of single-use plastics and the substitution and re-design of such products, while emphasizing the importance of technology research and transfer, and the need for adequate financing to enable African countries to prevent plastic pollution,

Welcoming the United Nations Environment Assembly resolution 5/14, entitled "End plastic pollution: towards an international legally binding instrument", resolutions 1/6 on marine plastic debris and microplastics, 2/11 on marine plastic litter and microplastics, 3/7 on marine litter and microplastics, 4/6 on marine plastic litter and microplastics, 4/7 on environmentally sound management of waste and 4/9 on addressing single-use plastic products pollution,

Affirming the urgent need to strengthen global coordination, cooperation, and governance to take immediate action towards the long-term elimination of plastic pollution in marine and other environments, and to avoid detriment from plastic pollution to ecosystems and the human activities dependent on them,

Recognising that plastic pollution and associated chemicals are a threat to Africa's population, climate, and biodiversity,

Recognising that proper collection and treatment of plastic waste can contribute positively to strengthening the economies of African countries and should enable the transition to a circular economy,

Recognising the right of African countries to development, and gaps between developing and developed countries in terms of historical responsibility, scientific knowledge, capacity, technological advances, and technical and financial support in the fight against plastic pollution,

Recognising the need to include harmonised, legally binding global measures across the full life cycle of plastics in the global instrument, including measures to:

- a) eliminate plastic materials and products that can be avoided and/or substituted with environmentally sound alternatives;
- b) Ensure circularity standards and requirements for plastic materials and products that cannot be eliminated or substituted; and

- c) Safely collect, manage, and treat plastic materials and products that cannot be eliminated, substituted, or circulated,

Reaffirming the importance of including mechanisms in the global instrument to ensure the necessary means of implementation, including financial and technical support, technology transfer and capacity building,

Recognising the need for a harmonised structure for monitoring and reporting of progress to be included in the global instrument, including through the development and implementation of national and regional action plans on plastic pollution,

Commending initiatives taken by members states in eliminating plastic pollution including eliminating the production and distribution of single use plastics and adoption of a total ban policy on the production and use of plastic bags; providing economic incentives to discourage use of plastics in production; and establishing extended producer responsibility schemes all which are geared towards a plastic free environment,

Noting that the context of extreme climate emergency and the consequences on biodiversity require a revision of the implementation framework in order to accelerate the effective implementation of decisions taken by the African Ministerial Conference on Environment,

Recognizing the leading role of local authorities in anchoring and effectively implementing decisions on the ground regarding sustainable waste management and plastic waste management,

Determined to have a unified African voice and a common African position in the Intergovernmental Negotiation Committee processes to develop an international legally binding instrument on plastic pollution.

Decide:

1. To protect Africa region from the health, climate and biodiversity threats posed by plastic pollution.
2. To urge member States to upscale measures to address plastic pollution, including microplastics, that address the full life cycle of plastic to achieve sustainable production and consumption of plastics.
3. To promote national and international cooperative measures to reduce the health and environmental impacts of plastic pollution, including existing plastic pollution and develop, implement, and update national action plans, reflecting country-driven approaches to contribute to the objectives of the proposed legally binding instrument on plastic pollution.
4. To encourage member States to carry out policy reforms that lead to legislative, policy and regulatory actions that protect human health and the environment by addressing plastics design and to eliminate or minimize waste taking into consideration national capacities and priorities, while ensuring coherence and coordination of activities undertaken by existing regional and international instruments.
5. To encourage member States to promote adoption of policy frameworks which will stimulate the involvement of the private sector in eliminating plastic pollution by encouraging investment into circular approaches in the plastics value chain.
6. To encourage action by all stakeholders, including integrating the informal sector, civil society, private sector, to promote cooperation, investments at the local, national, regional, and global levels on prevention, elimination, and reduction of plastic pollution.
7. To urge member States to prepare and actively participate in the Intergovernmental Negotiation Committee processes to develop an international legally binding instrument on plastic pollution, including in the marine environment so as to advance Africa's interest in the negotiations, and in this regard have made the key policy messages contained in the annex to this decision.
8. To establish the African group of negotiators on plastics pollution with a view of coordinating Africa's interest in the intergovernmental negotiation committee processes to develop an international legally binding instrument towards ending plastic pollution, including in the marine environment.

9. To mandate the African group of negotiators on plastics pollution to develop a coordination mechanism, operational modalities, strengthen the capacity of negotiators and to regularly update the African ministerial conference on the environment on key African common positions and understanding in the Intergovernmental Negotiation Committee negotiation process.
10. To request the Executive Director of the United Nations Environment Programme and other partners to support the Africa Region in the Intergovernmental Negotiation Committee processes.
11. To establish mechanisms for strengthening commitments, targets, and controls over time, implement monitoring and reporting at each stage through the lifecycle of plastics, facilitate effective technical and financial assistance, scientific and socio-economic assessments.
12. To prioritize the ban on illegal trafficking and shipment of plastic waste in accordance with the Bamako Convention into Africa.
13. To encourage adoption by member States of integrated finance system comprised of public, private sector engagement and a dedicated international finance to provide for the means of implementation of the upcoming plastic treaty.
14. To mandate the President of the African Ministerial Conference on the Environment to submit and convey these decisions to the African Union Structures.

Annex

Africa regions key policy messages on the development of an international legally binding instrument on plastic pollution, including in the marine environment

1. The toxic impacts of plastics during production, design, consumption, and waste management must be addressed in the treaty negotiations.
2. Transparency: As plastics enter Africa through products and in waste, full knowledge of the ingredients included in plastic materials is key to protect human health, the environment and transition to a clean and safe circular economy.
3. Finance: funding for Africa to implement various international instruments (SAICM, Stockholm convention, Basel convention) are limited, there is a need for new, additional, sustainable, and adequate funding for the implementation of the Treaty and require the chemical and petrochemical industry to contribute to financing the prevention and remediation of the pollution their materials cause.
4. We recognize the triple planetary crises that humanity currently faces of climate change, pollution and biodiversity loss, and the contributing role of plastic to each, and commit ourselves to developing an ambitious and effective international legally binding instrument with the dual objectives of ending plastic pollution in all environments and creating a non-toxic and transparent circular economy for plastics.
5. We recognize that ending plastic pollution will require a comprehensive approach with provisions addressing each stage of the lifecycle of plastic, from polymer production and product design to waste prevention and management, accompanied by national reporting and action plans.
6. We reaffirm our commitment to Sustainable Development Goal 12 and commit ourselves to achieving the sustainable production and consumption of plastic and eliminating problematic and hazardous polymers.
7. We call for availability of adequate means of implementation for African states to meet their obligations and commitments under the new instrument, with additional and predictable financial and technical assistance provided via a dedicated multilateral fund established for that purpose, and provisions to ensure technology transfer, development, and deployment as well as capacity-building.

8. We reaffirm our commitment to Sustainable Development Goal 3 and commit ourselves to promoting sustainable product design through global sustainability criteria and standards and eliminating harmful chemicals in plastic, ensuring transparency across the value chain.
9. We reaffirm our commitment to Sustainable Development Goal 11 and commit ourselves to promoting the environmentally sound management of plastic waste, in line with the waste hierarchy whereby priority is given to prevention and reuse followed by recycling before recovery and disposal.
10. We commit ourselves to securing adequate means of implementation through additional and predictable financial assistance provided through a dedicated multilateral fund established for that purpose, as well as capacity building and technical assistance, including technology transfer and deployment.
11. We recognize that ending plastic pollution is a generational undertaking requiring dedicated workstreams for different sources of plastic pollution to compel actions across the value chain and commit ourselves to establishing an adaptive framework with mechanisms to strengthen commitments and controls over time.
12. We commit to developing harmonized, legally binding global measures across the full life cycle of plastics in the global instrument, including measures to eliminate problematic plastics, through global bans, restrictions, product design criteria and standards, and ensuring transparency for material and chemical composition along the plastics value chain.
13. We invite the United Nations Environment Programme, the African Union Commission, AUC and other intergovernmental organisations, the Global Environment Facility and other financial partners including donor countries, to mobilize adequate and efficient financial resources to sustain the participation for African countries during the inter-governmental negotiating committee process on plastics and the implementation of activities for ratification and implementation.
14. We call for a global instrument that focuses on the most problematic, harmful and high-risk plastic categories including single-use plastic items and packaging, microplastics and ghost fishing gear.
15. We recognize that Africa has a significant responsibility in designing the global governance framework for plastic pollution that will be relied upon by current and future generations of Africans and strive to ensure all essential elements are included to meet our objectives and promote mechanisms to allow for a strengthening of commitments, obligations and controls over time.
16. We emphasize the strong need to develop an ambitious international legally binding instrument that ends plastic pollution in all environments and achieves circular economy for plastics protective of human health and the climate system.
17. We resolve to support a comprehensive approach toward plastic pollution with measures and interventions across the full lifecycle of plastic, from production and consumption to product design and use to waste prevention and management, while also promoting remediation of existing plastic pollution.
18. We emphasize the need for sustainable production and consumption of plastic, in line with the 2030 Agenda for Sustainable Development and its Sustainable Development Goal 12, by promoting measures to eliminate problematic and unnecessary plastics and otherwise reduce production to sustainable levels.
19. We call for enhanced commitment towards sustainable product design and use, in line with the principles of a circular economy and resource efficiency, and to promote transparency of and restrictions on harmful additives and chemicals.
20. We call for environmentally sound management of plastic waste, in line with the waste hierarchy, by prioritizing prevention and reuse before recycling, recovery and disposal and extending producer responsibility to waste management and support the development of provisions to facilitate the participation of workers under informal and cooperative settings to ensure a just transition.

21. We stress the importance of national reporting covering each stage of the lifecycle of plastics to inform policies and priorities and facilitate the assessment of the implementation and effectiveness of the instrument, as well its role in supporting the monitoring of plastic pollution in the environment and its evolution.
22. We stress the need to ensure adequate means of implementation for African states to meet their obligations and commitments under the new instrument, with additional and predictable financial and technical assistance provided via a dedicated multilateral fund established for that purpose, and provisions to ensure technology transfer, development and deployment as well as capacity-building, in line with the principles of equity and common but differentiated responsibilities and respective capabilities.
23. We emphasize the importance of establishing dedicated programmes of work tailored to the nature of specific sources of plastic pollution and their value chains, including packaging, fishing gear and agricultural plastics.
24. We call for the hosting of the final Diplomatic Conference of the Plenipotentiaries to be held on the African continent.
25. We reiterate that the United Nations Environment Programme hosts the Secretariat at its headquarters in Nairobi.