

Draft Guidelines for legislation on marine litter in Africa

**Recommendations in the Development of legal framework governing
marine litter in Africa**

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Background

The problem of marine pollution and litter points to a range of governance failures on land and at sea (Raubenheimer and Urho, 2020). The impact of mismanaged waste translates not only to the degradation of marine ecosystems, but ultimately damages the livelihoods of many who rely on these ecosystem services (Arabi and Nahman, 2020; Naidoo and Rajkaran, 2020). In the African context this is a critical consideration because of the proportion of the population directly dependant on marine resources through subsistence fishing (Obura, 2017). The right of communities, therefore, to a healthy, functioning environment is infringed upon (Naidoo and Rajkaran, 2020). Moreover, the rights to decent work and economic growth and opportunity, stipulated in Sustainable Development Goal 8 (SDG8), sustainable cities and communities (SDG11) and, and significant for Africa, poverty eradication (SDG 1), through job creation, are denied.

Existing international and regional waste and marine pollution/litter legal frameworks, and the domestication of these into national legal frameworks are approached in a fragmented way. The current frameworks are commonly assessed by evaluating those instruments that aim to prevent marine pollution, protect species and biodiversity or manage chemicals and waste, often only considering the downstream components of the waste life cycle, and failing to consider the lifecycle assessment approach (UNEP, 2019). Waste related issues are presently exacerbated in Africa, presenting a major challenge for policy makers and alike. Therefore, an inclusive approach in the development of marine litter legislation for Africa is necessary to address present gaps in legislation and to ensure that recommendations meet the requirements for sound implementation into national and regional frameworks. Furthermore, there needs to be harmonisation in policy development in addressing cross-cutting issues at the national and transboundary-regional level.

Objectives and outputs

Under the supervision of WIOMSA, and the UNEP, Africa Office, Regional Sub-Programme Co-ordinator for Environmental Governance, the Sustainable Seas Trust (SST) was invited to 1) prepare a gap analysis report on marine litter legislation in Africa and 2) prepare guidelines for the development of legislation and related policies on marine litter in Africa. The focus of the study is on the countries of Africa, considering waste through its entire lifecycle, taking a “source-to- sea” approach. Meaning that both land-based sources of waste and sea-based sources of waste are considered for these countries. The countries are shown in Table 1 below.

Table 1: Some of the countries included in the analyses

Coastal Countries	Landlocked Countries	Island States
Gambia	Botswana	Mauritius
Ghana	Lesotho	Seychelles
Kenya	Malawi	

Liberia	Rwanda	
Namibia	Uganda	
Nigeria	Zambia	
Sierra Leone	Zimbabwe	
Somalia		
South Africa		
Tanzania		
= 10 countries	= 7 countries	= 2 countries

This document serves as output 2 of the WIOMSA study (WIOMSA/MLL/2021/2), including the guidelines to address existing gaps and propose possible regional frameworks that might guide regional and national efforts in developing appropriate legislation to manage pollution better and, in turn, hasten the reduction of the negative impacts of solid waste pollution, particularly those resulting from plastics. This approach is consistent with UNEA Res. 2/111 (Marine plastic litter and microplastics) and UNEA Res.4/62 for which the Government of Norway has provided funds to enable technical support to strengthen legal frameworks regarding unnecessary and avoidable marine litter, including single-use plastics.

Outline

The recommendations are presented at an international, regional, and national legislative level. Five countries were selected as priority countries – for these countries’ recommendations were obtained through expert interviews and surveys and added to the findings. Priority countries include Tanzania, Lesotho, Mauritius, Namibia, and Kenya. The list of interviewees and participants can be made available upon request, as to protect the privacy of these individuals.

¹ Excerpts from UNEA Res. 2/11: *calls on Member States to establish and implement necessary policies, regulatory frameworks and measures consistent with the waste hierarchy, and in this context stresses the importance of providing capacity-building and that Member States should consider financial assistance to developing countries, least developed countries and in particular small island developing States for the realization of these objectives; (para. 7)*

² Excerpt from UNEA Res. 4/6: *Reiterating the importance of the long-term elimination of discharge of litter and microplastics into the oceans and of avoiding detriment to marine ecosystems and the human activities dependent on them from marine litter and microplastics, as stressed in Environment Assembly resolution 3/7 on marine litter and microplastics*

Qualification and methods to inform guidelines

It is very important to note that the guidelines do not reflect the views or personal opinions of the Sustainable Seas Trust. The guidelines were informed by 1) a gap analysis which evaluated all existing waste related legal frameworks for each country and 2) expert opinions obtained through an interview process. For the detailed methodology of the study, please refer to output one, WIOMSA gap analysis report on legal frameworks governing marine litter in Africa.

It is recognized that all the evidence for well-informed recommendations may not be available to the researchers at the time of writing. It should be clear therefore that the recommendations provided here are preliminary and form the basis for discussion in a planned workshop on a gap analysis. None of the recommendations is firm, all are subject to discussion and possible modification from both discussion and acquisition of further information.

Table 2: Proposed guidelines and recommendations to address legal framework gaps regarding marine litter in Africa.

Legal framework or entity	Relevant countries	Relevant stakeholders	Gaps identified	Recommendations
International and regional level				
United Nations Watercourses Convention, 1997	The following great lake states are Botswana, Kenya, Liberia, Rwanda, Somalia, Tanzania, Uganda, and Zambia, Zimbabwe	Relevant national government representatives of Botswana, Kenya, Liberia, Rwanda, Somalia, Tanzania, Uganda, and Zambia, Zimbabwe.	The United Nations Watercourses Convention, 1997, is the only international Multilateral Environmental Agreement (MEA) that addresses the prevention and reduction of pollution in shared watercourses. Africa has three Great Lakes (including Lake Malawi, Tanganyika, and Victoria), which hold ecological and socio-economic significance. However, only Ghana, Nigeria, South Africa, and Namibia have ratified or acceded to this agreement. Therefore, it is problematic that countries in the Great Lake Region such as Kenya, Zambia, Uganda, Rwanda, and Malawi are not signatories.	It is recommended that countries on these Lakes, and their associated tributaries, are encouraged to ratify or accede to such international agreements to integrate more protective legislative frameworks regionally, and nationally, to reduce river-based sources of pollution.
Regional action plans for transboundary and therefore collective resources, like the Zambezi Plan.	The following Great Lake African countries: Tanzania, Zimbabwe, and Zambia.	Regional conventions and governmental representatives of relevant countries.	As noted above, Africa has seven Great Lakes states, which share water resources across national boundaries. It is problematic that these countries have few regional legal frameworks which address these waterways as transboundary, shared environmental resources. While the recommendation above focuses on international legislation, it is also important to consider regional action plans which might address potential issues. A good example of such an action plan is the Zambezi Plan, which addresses transboundary environmental issues across national and regional borders. A significant	It is recommended that countries with vulnerable shared resources should enter similar agreements, like the Zambezi Plan, to promote collective action in this regard amongst their states.

Legal framework or entity	Relevant countries	Relevant stakeholders	Gaps identified	Recommendations
			gap is that similar action plans do not exist between other Great Lake states.	
International, regional, and national legal frameworks.	All 19 countries.	Intergovernmental organisations (global decisionmakers), regional conventions, national waste government representatives, and relevant worker unions.	The informal sector is a large part of the waste industry in Africa. Waste pickers play an important role in reuse and recycling of waste (mostly e-waste and metal). However, legal frameworks are not presently integrating the informal waste sector into waste management policy, which means there is a lack of protective factors for people within this industry.	It is recommended that countries create inclusive frameworks that encourage and formalise this sector to provide workers with health and safety rights within national legislation. It is encouraged that relevant stakeholders engage with informal waste sector workers and unions to ensure provision are in keeping with the needs of those within the sector.
Regional entities	All 19 countries.	SADC, ECOWAS, EAC, and the African Union (AU)	Intergovernmental organisations such as Southern African Development Community (SADC), the Economic Community of West African States (ECOWAS), the East African Community (EAC), and the African Union (AU), govern common regional African interests. These organisations are well structured to better implement environmental issues regionally and nationally. Currently, these organisations mostly address economic and social issues. Environmental issues are beginning to be incorporated with higher priority status; however, environmental issues should be widely integrated into regional and continental agendas for countries to follow.	It is recommended that regional coordination of marine litter legislation be spear-headed by intergovernmental organisations such as SADC, ECOWAS, EAC, and the African Union (AU).
Bamako Convention	Botswana, Ghana, Kenya, Lesotho, Malawi,	Bamako Convention representatives and	The Bamako Convention is a regional agreement that contextualises the Basel convention within the African context. It	It is recommended that the listed countries ratify the Bamako Convention.

Legal framework or entity	Relevant countries	Relevant stakeholders	Gaps identified	Recommendations
	Namibia, Nigeria, Seychelles Sierra Leone, Somalia, South Africa, and Zambia	national governing bodies	seeks to improve on some of the Basel Convention matters by creating stricter prohibitions for the transboundary movement of hazardous waste. However not all 19 countries were found to be ratified or acceded into this convention. Therefore, it is considered a gap if countries are not ratified to the Bamako Convention as it strengthens the prohibition of all hazardous waste importation and does not make exceptions for certain types of hazardous waste (e.g., radioactive materials), where the Basel Convention does.	
Basel Convention and Bamako Convention	All 19 countries.	Basel and Bamako Convention representatives, and national governing bodies	Electronic waste is currently categorised as a sub-category of hazardous waste. Recently the Basel Convention has created specific guidelines to address the transboundary movement and handling of electronic waste (e-waste). However, this is only effective if the products are labelled as e-waste. Second-hand and near end-of-life electronic equipment or plastic products enter many African countries under market pretences (e.g., for repairs), even though many of these products have a very short shelf life and are largely obsolete electronic waste. This loophole in the importation of e-waste recreates a major problem in effectively controlling the movement of electronic waste into Africa.	It is recommended that amendments are made to the Basel and Bamako Conventions to better account for the importation of obsolete electronic products. The recommendation is that more directive terminology is created to mitigate the entry of e-waste in the form of near end-of-life products by formally integrated it into their definition of e-waste.
Regional Best Practice Guides	All 19 countries.	Regional Convention	Independent development of waste management goals and practices can cause	It is recommended that African countries develop a comprehensive document based on the value chain

Legal framework or entity	Relevant countries	Relevant stakeholders	Gaps identified	Recommendations
		representatives and relevant governing bodies.	some countries to be very advanced while others lag depending on the various challenges face in the countries. Regional waste management guides can be useful as it allows for regions to advance in a uniform way using common goals and shared practices, which overall may allow for more cohesive management into the future.	and life cycle approaches to fully address marine litter for the regional and national context to ensure easier policy implementation and enforcement. It is recommended that a regional best practice guide on how to manage different waste types throughout their entire lifecycle is developed. This will allow for better regional collaborations on future waste management. It is also encouraged that guidelines are subsequently integrated into countries' national frameworks to ensure better implementation and enforcement of laws. The recommended coordinators for developing best practice guide are the SADC, ECOWAS, EAC, and the AU in close collaboration with regional conventions, such as the Abidjan and Nairobi Conventions and national country representatives.
National level				
Multilateral Agreements	All 19 countries	National governments of the 19 countries.	One of the aims for creating international treaties and agreements is to set precedence for its members to follow. However, the gap analysis shows a disconnect between countries' national legal frameworks and the obligations they have agreed to internationally. At the same time, international frameworks are often broad which can fail to capture the unique problems that different African countries face. An example of this is the ban of plastic bags without suitable alternatives. In Europe plastic bags are now deemed unnecessary however, in Africa, plastic bags are	This calls for a two-pronged approach: (1) It is recommended that waste-related international and regional legal frameworks are translated into national legal frameworks to ensure the success of such top-down interventions. (2) As international instruments can be broad, these frameworks need to be domesticated with particular African contexts in mind. To achieve this, international legal frameworks should not be directly translated into countries' National legislation, but rather African countries incorporate it with their own relevant frameworks (bottom-up perspective) that works in their particular context.

Legal framework or entity	Relevant countries	Relevant stakeholders	Gaps identified	Recommendations
			sometimes used as school bags. There is a gap in domestication of international and regional conventions and legal frameworks at an international level.	
Waste streams	All 19 countries	Governmental representatives of relevant countries.	All countries had the basic framework law to manage solid waste; however, the level of specificity in addressing waste varied. Somalia was found to only have framework legislation that set up governmental structures. In contrast, countries like South Africa and Kenya had a complement of legal frameworks, including legislation, regulation, action plans, strategies, and policies to address waste.	Therefore, it is recommended that certain countries create more targeted/specified waste management legislative frameworks based on the value chain and life cycle approaches. It is further recommended that different types of waste are specifically addressed to better manage land-based sources of marine litter. <i>See country profiles as a reference to inform which type of legal frameworks are lacking for each of the countries analysed. Considering that there are 19 countries include, here, these specific gaps are highlighted within country profiles in the WIOMSA Gap Analysis Report.</i>
Ports and harbours waste management legal frameworks	All coastal countries and island nation states	National representatives and port authorities of relevant countries	A weakness in MARPOL is the lack of monitoring of waste from port to port. Most countries accede to overarching global frameworks such as MARPOL without defining complementing national strategies to implement legal frameworks. Many ships dump illegally, especially between Asia and Africa. Better management of this is imperative.	A recommendation is that waste is logged from port to port – Basel convention has now included plastics as hazardous, which hopefully will allow for better monitoring. It is also recommended that port waste receptions are monitored from port to landfill, as there can be a lack of accountability between these facilities.
Laws governing fishing-related waste disposal	All coastal countries and island nation states	Governmental and maritime law representatives of the relevant countries.	Laws governing fishing-related waste disposal is mainly covered in soft laws, apart from MARPOL (which is legally binding). These soft laws, such as the Honolulu Strategy and Conduct for Responsible Fishing, addresses many of the areas of	It is recommended that support and guidance from soft law initiatives which govern fishing-related waste disposal, like the Honolulu Strategy and Conduct for Responsible Fishing are domesticated into national legally binding laws.

Legal framework or entity	Relevant countries	Relevant stakeholders	Gaps identified	Recommendations
			concern around waste management of fishing vessel waste with reasonable implementation strategies. However, the adoption of these soft laws into national legal frameworks is a massive gap found across all countries. This may be due to non-legally binding laws lacking enforceability.	
National legal frameworks governing E-waste	All 19 countries	Governmental representatives of the relevant countries.	Electronic waste was not found to be widely addressed in the national legal frameworks of studied countries. Many African countries lack regulatory systems to handle, process, and dispose of e-waste adequately. This poses a significant gap in legal frameworks and serious ramifications to human and environmental health, especially given that large amounts of electronics/e-waste are imported into Africa.	It is recommended that countries adapt their national legislation to include e-waste into their regulatory frameworks. It is recommended that e-waste regulations specify how to safely handle, process, and dispose of e-waste and that the needed infrastructure is provided or maintained to make this possible.
National, regional, and international legal frameworks governing microbeads	All 19 countries.	Governmental representatives of the relevant countries. Regional and international representatives	None of the countries have any legal framework which addresses microbeads. Microbeads pose significant threats to marine habitats and human populations that consume marine-based sources of food.	It is recommended that the use of microbeads is banned.
National, regional, and international legal frameworks governing nurdles	All 19 countries.	Governmental representatives of the relevant countries. Regional and international representatives	Currently, African countries have not addressed the transportation of nurdles or pellets at-sea or on land legislatively. Although Africa has faced two recent nurdle spills of the coast of Plettenburg Bay, South Africa in 2020 and in Durban, South Africa in 2017. The combined spills caused 200	It is recommended that the safe production, and transportation of nurdles or pellets are included in national legal frameworks. It is recommended that nurdles/pellets are securely wrapped in containers when transported.

Legal framework or entity	Relevant countries	Relevant stakeholders	Gaps identified	Recommendations
			billion nurdles to be lost into the marine environment.	
Extended Producer Responsibility policies and legislation	All 19 countries.	Role-players in the waste life cycle (manufacturers, packagers, and retailers), who have been identified as major polluters in their respective countries or regions.	Extended Producer Responsibility (EPR) is financial mechanism that allows for responsibility of recycling/disposal to be placed on manufacturers. Several countries have incorporated EPR into their legislative frameworks, with some only having EPR in place for plastic bags, for example. EPR should be widely adopted by countries as it creates a feedback loop which serves to reduce the amount of disposed waste at the end of a products life cycle.	It is recommended that EPR be introduced or where existing developed in legal frameworks to ensure efficacy in enforcement. It is recommended that responsibility is framed to create accountability of all role-players found at each step of the life cycle.
National Governing Departments	All 19 countries.	National health department, national commerce department and the national environmental department.	Enforcement of waste management is a cross-cutting issue for most African countries. Waste management issues are largely an intersection of economic, health and environmental issues. Enforcement ability from certain Departments naturally carry more weight (e.g., Department of Health), therefore integrating issues across economic, environmental and health departments can help increase enforceability of regulations.	Based on the expert opinion of a country representative, it is recommended that better integration and co-ordination on waste between the Health, Commerce and Environment governmental Departments take place, so that the responsibilities of waste management are shared between these departments and do not fall solely on the Department of Environment. The combination of these authorities is expected lead to increased capacity to address waste issues which are truly cross-cutting, and increase the enforceability of these legal frameworks by using the authority of multiple Departments.
National legal frameworks on reuse, recycling, and repurposing	All 19 countries.	Governing representatives of each country, including the Department of Environment and	To increase the size of the recycled goods market, there is a need to create a financially viable market through incentives. An example would be governments seeking tenures with companies which produce goods out of recycled materials. In the context of	WHEREAS countries that are unable to keep up with waste management and have committed themselves to get rid of plastic waste, it is recommended that to achieve these goals, enabling legislation is developed in which taxation is removed for recycling businesses and similar

Legal framework or entity	Relevant countries	Relevant stakeholders	Gaps identified	Recommendations
		the Department of Commerce	Africa, where most countries are developing, creating a financially viable market will allow for higher success in companies buying into sustainable markets as countries look to increase their GDP.	operations for the importation of equipment and where possible, dispensations on costs of land and operating costs should be considered. It is recommended, that at the local-level sustainable end markets could be secured by municipalities undertaking to use recycled materials, like bricks, paving stones, and tiles with plastic content in municipal developments and operations.
Priority country specific recommendations <i>**Please not these guidelines were informed by expert representatives of the relevant countries</i>				
President's Office - Regional Administration and Local Government	Tanzania	National representatives of the President's Office - Regional Administration and Local Government	Tanzania is in the process of developing an Integrated Waste Management Plan that adequately addresses all types of waste streams at different stages of its lifecycle.	In developing an Integrated Waste Management Plan that adequately addresses all types of waste, it is recommended that a life cycle approach is followed which looks at potential leakages at all stage of the lifecycle for all waste types (municipal solid waste, E-waste, hazardous waste, and plastic waste). It is also recommended this Integrated Waste Management Plan includes regulations on waste monitoring, recycling, the informal waste sector, and general data storage.
Solid Waste Management Division of the Ministry of Environment and Sustainable Development	Mauritius	National representatives of the Solid Waste Management Division of the Ministry of Environment and Sustainable Development.	The current Solid Waste Management Strategy 2011-2015 does not include a life cycle approach for different types of waste.	If Mauritius is in the process of updating their Solid Waste Management Strategy 2011–2015 and all waste types may not have been considered, it is recommended that provisions on all waste types (MSW, E-waste, hazardous waste, plastic waste, construction and demolition waste) at each stage of its lifecycle is included.
Solid Waste Management Division of the	Mauritius	National representatives of the Solid Waste	The current Solid Waste Management Strategy 2011-2015 does not include specific	If Mauritius is in the process of updating their Solid Waste Management Strategy 2011–2015 it is recommended that provisions are included for

Legal framework or entity	Relevant countries	Relevant stakeholders	Gaps identified	Recommendations
Ministry of Environment and Sustainable Development		Management Division of the Ministry of Environment and Sustainable Development.	provisions for waste monitoring, recycling, and proper storage of collected data.	waste monitoring, general data storage and recycling.
National Environmental Secretariat (NES)	Lesotho	National Environmental Secretariat (NES)	Currently there is no waste management division within the structures of the National Environmental Secretariat.	It is recommended that a waste management division be formalised within the National Environmental Secretariat (NES).
National Environmental Secretariat (NES)	Lesotho	National Environmental Secretariat (NES)	Currently there are no landfills in Lesotho, instead it makes use of legal dumping sites. However, with only ~25% of Lesotho receiving municipal waste collection, illegal dumping is prevalent and illegal dumping sites are also often near water sources.	It is recommended that a dedicated landfill is developed to service larger metropolitan areas. Landfill guidelines and practices must also be developed to ensure proper maintenance into the future.
National Environmental Secretariat (NES)	Lesotho	National Environmental Secretariat (NES)	Currently there are no specific acts addressing waste management. The environmental department relies on the environmental Act for guidance however, it is broad and untargeted.	It is recommended that a Waste Management Act be developed for Lesotho which allows for regulations to be developed for different types of waste.
National Environmental Secretariat (NES)	Lesotho	National Environmental Secretariat (NES)	Lesotho has no Integrated Waste Management Plan. An Integrated Waste Management Plan would provide direction and allow incorporation of recycling issues, recovery, disposal etc.	It is recommended that an Integrated Waste Management Plan is developed that adequately addresses all types of waste (municipal solid waste, E-waste, hazardous waste, and plastic waste) at each stage of its lifecycle. It is also recommended this Integrated Waste Management Plan includes regulations on monitoring, data storage and recycling.
National Environmental	Lesotho	Representatives of the National	Currently, there are no legislative frameworks governing e-waste in Lesotho.	It is recommended that regional laws around e-waste are domesticated as there are currently no legal frameworks that address e-waste.

Legal framework or entity	Relevant countries	Relevant stakeholders	Gaps identified	Recommendations
Secretariat (NES)		Environmental Secretariat (NES)		
National Environmental Secretariat (NES) and the Ministry of Local Government and Chieftainship (MOLGC)	Lesotho	Representatives of the National Environmental Secretariat (NES) and the Ministry of Local Government and Chieftainship (MOLGC).	There is a disconnect in communication between the Ministry of Environment and Ministry of Local Government. Current government structures cause implementation issues as the Ministry of Environment cannot make tangible change if actions are not enacted by the Ministry of Local Government.	It is recommended that dedicated units in local government is established which includes skilled personnel and legislation which includes an enabling institutional arrangement. Furthermore, each local government should have a waste management unit to improve municipal waste management capacity and services.

Table 3: Project scope recommendations going forward.

Scope of Intervention	Recommendations on the way forward for a more comprehensive gap analysis
Municipal-level analysis	South Africa, Tanzania, Kenya, and Uganda primarily deal with waste management collection, transport, and disposal (landfill) on a municipal level rather than a national level. Therefore, there may be a level of detail of waste management that is not captured adequately in this study and thus requires further investigation.
Waste management responsibilities	In Africa, private waste management companies play a role in waste management (e.g., South Africa and Nigeria). This was also out of the scope of the study and may need further investigation.
Level of legal framework implementation	Some countries were found to have extensive legal frameworks addressing waste streams; however, it would not be accurate to assume that these countries do not have gaps. Possibly, the most significant gap found is around the implementation of laws. Having a comprehensive framework is vital for function, but it does not guarantee function. Therefore, the second phase of this study must investigate the level of implementation of laws in these countries.

Glossary of terms

Act - A Law made by parliament.

Action Plan - A delineated plan outlining actions needed to reach one or more goals.

Bilateral Agreement - A contract in which two parties exchange promises to perform.

Collaborative Commitment - A commitment to an action between two or more parties.

Common/Customary Legislation - The written and unwritten rules which have developed from the customs and traditions of communities.

Consumers – individuals or a group of individuals that use or purchase goods, products or services primarily for personal, social, familial, household and similar needs which is not directly related to entrepreneurial or business activities.

Controlled disposal – Waste is deposited at a designated site, which has access control, cover and compaction, but no liners and leachate collection systems.³

Disposal – the general term used to describe the action or process of getting rid of something after use.

E-waste – discarded electronic appliances which ranges from major appliances such as refrigerators and the likes, to computer and telecommunication appliances such as mobile phones, computers, and televisions and even electronic toys.⁴

Extended Producer Responsibility (EPR) – is a policy approach under which producers are given a significant responsibility – financial and/or physical – for the collection, treatment and/or disposal of post-consumer products.⁵

Fly-tipping or “indiscriminate” dumping – Waste is deliberately, and often illegally, dumped in open areas in cities, towns, rural areas, or rivers.¹

General waste - an array of waste was mentioned i.e., hazardous, medical, solid, effluent etc.

Glass waste – Bottles, broken glassware, light bulbs, coloured glass.

Guidelines - Provides general guidance, and additional advice and support for policies, standards or procedures.

Hard law – agreements that are legally binding.

Hazardous waste – waste with properties that make it dangerous or capable of having a harmful effect on human health or the environment.

³ UNEP (2018). Africa Waste Management Outlook. United Nations Environment Programme, Nairobi, Kenya.

⁴ <https://www.ewaste1.com/what-is-e-waste/>

⁵ <https://www.oecd.org/env/tools-evaluation/extendedproducerresponsibility.htm>

Initiative - An initiative is the method by which voters may propose new laws or amend existing laws.

Informal waste sector – in the context of municipal solid waste management (MSWM), the informal recycling sector refers to the waste recycling activities of scavengers and waste pickers. These terms are used to describe those involved in the extraction of recyclable and reusable materials from mixed waste.⁶

Land-based waste source – the point on land from which waste reach the marine environment by water, through the air, or directly from the coast.

Landfill – the disposal of waste by burying it in excavated pits.

Law - A body of rules of action or conduct prescribed by a controlling authority.

Legislation - A law passed by parliament. Legislation is rules/law that is written down in a specific format. Firstly, a draft of a proposed law is prepared; this is called a “bill”. This bill then needs to be voted in by the legislative authority (passed) and signed by the president for it to become legislation. A piece of legislation is also called an act or a statute.

Legal framework – the collective term used to describe the suite of governing tools (binding and non-binding) used to regulate and control legal matters – and in this context, that pertaining to waste and marine litter. This includes, legislation (Acts and Bills), regulations, multilateral agreements, bilateral agreements, policy, soft law, customary law, guidelines, action plans and strategies.

Life Cycle - Consecutive and interlinked stages of a product system, from raw material acquisition or generation from natural resources to final disposal.⁷

Manufacturing – the production of goods through the use of labour, machinery, tools and biological or chemical processing or formulation. Manufacturing is taken as the transformation of raw materials into finished goods, usually on a large-scale using machinery.

Marine-based waste source – waste released directly into the marine environment, usual from a ship or other vessel.

Maritime – connected with the sea, especially in relation to seaborne trade or naval matters.

Metal waste – Cans, foil, tins, non-hazardous aerosol cans, appliances (white goods), railings, bicycles.

Multilateral Agreement - A contract in which three or more parties exchange promises to perform.

Open or uncontrolled dumping – Waste is indiscriminately deposited at a designated site with either no, or at best very limited measures to control the operation and to protect the surrounding environment.¹

⁶ Wilson, D. C., Velis, C., & Cheeseman, C. 2006. Role of informal sector recycling in waste management in developing countries. *Habitat international*, 30(4), 797-808.

⁷ ISO 14040

Organic waste – Food scraps, garden (leaves, grass, brush) waste, wood, process residues.

Other forms of waste – Textiles, leather, rubber, multi-laminates, e-waste, appliances, ash, other inert materials.

Packaging – materials used to wrap, contain and/or protect goods.

Paper waste – Paper scraps, cardboard, newspapers, magazines, bags, boxes, wrapping paper, telephone books, shredded paper, paper beverage cups.

Plastic waste – Any single-use plastic products and packaging which includes bottles, packaging, containers, bags, lids, cups and Styrofoam products.

Persistent Organic Pollutants (POPs) – toxic chemicals that adversely affect human health and the environment around the world. They persist for long periods of time in the environment and can accumulate and pass from one species to the next through the food chain.

Policy - The general principles by which a government is guided in its management of public affairs, or the legislature in its measures.

Policy Framework - Principal policies and overall legal context.

Raw materials and processing – the collection of feedstock material (e.g., crude oil) for a particular product (e.g., plastic water bottle) and subsequent transformation into a material (e.g., PET plastic) that is then used to manufacture products.

Recover – the process of collecting end-of-life waste

Recommendations – a suggestion or proposal as to the best course of action, especially put forward by an authoritative body.

Recycling, upcycling and downcycling – Recycling is when waste materials are converted into new materials for the production of new products. Upcycling is when materials are recycled to produce a higher value or quality product than the original. Downcycling is a recycling process where the value of the recycled material decreases over time, being used in less valued processes, with lesser quality material and with changes in inherent properties, when compared to its original use.⁸

Regulations - a rule of order having the force of law, prescribed by a superior or competent authority, relating to the actions of those under the authority's control.

Retailers – a person or business that sells goods to the public in relatively small quantities for use or consumption.

Reuse – an action of using an item again in the item's original form.

Sanitary engineered landfilling – waste is deposited in an engineered, controlled facility, designed, and operated to minimise impacts. Includes liners, leachate collection systems, and landfill gas recovery.¹

Soft law – agreements that are not legally binding.

⁸ Pires A, Martinho G, Rodrigues S, Gomes MI. 2019. Sustainable Solid Waste Collection and Management.

Solid waste - all solid waste types included in this report (plastic, textiles, glass, metal, and construction and demolition waste).

Strategy - a general plan or an approach to achieve an intended objective.

Transportation – the movement of raw materials or manufactured items from one location to another locally or via import and exportation. Transportation can be over land, by sea or by air.

Value Chain - The value chain is the sum of all the processes involved in cradle-to-grave activities (such as upstream resource sourcing and production, to downstream marketing, after-sales services, and product end-of-life) by which a company adds value to a product.⁹

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