



Strengthening the legal, regulatory and institutional framework for an effective digital waste management in Cameroon

Policy brief

WHAT IS THE CONTEXT ?

ICTs and Internet are increasingly becoming more and more important in the daily lives of Cameroonians. Moreover, public authorities who consider them to be a major asset for promoting economic and social development, have implemented a number of actions for the benefit of citizens and different set of actors (deployment of multi-purpose community telecentres, programme for remote tax declaration and customs clearance of goods, the "Higher Education Vision" programme aimed at distributing 500,000 laptops to students in higher education, etc.)

In addition, the constraints of social distancing and lockdown resulting from the COVID-19 pandemic have further accentuated the use of e-solutions (teleworking, tele-education, tele-medicine, tele-shopping, etc.).

The logical consequence of these various initiatives and measures has been the massive acquisition of new or used electronic equipment (laptops and desktops, tablets, fixed telephones and smart phones), all imported.

However, at the end of their life cycle, some components of these equipment become hazardous waste for both human health and the environment. The Global Monitor e-Waste 2020 estimates that 24,600 tonnes of waste from electrical and electronic equipment (WEEE) were produced in Cameroon in 2019. But less than 10% of this waste is treated in a conventional and traceable manner.

The difference follows the paths of the informal sector where this waste is manually dismantled and/or burnt to recover the fractions that are easily resold. Several articles and reports have drawn attention to what has been called "*Cameroon's waste from electrical and electronic equipment time bomb*".

Yet, Cameroon has developed a legal, regulatory and institutional framework for the management of this digital waste. This observation raises the following questions:

- Is this legal, regulatory and institutional framework adequate and respected in order to ensure effective management of digital waste in Cameroon?
- What improvements could be proposed?

THE LEGAL, REGULATORY AND INSTITUTIONAL FRAMEWORK DEALING WITH THE WASTE FROM ELECTRICAL AND ELECTRONIC EQUIPMENT

Waste from electrical and electronic equipment (WEEE) is a term used to cover elements of all types of electrical and electronic equipment (EEE) and their parts that have been discarded by the owner as waste with no intention of reuse.

The management of waste from electrical and electronic equipment is regulated in Cameroon by the laws, decrees and orders listed below:

- Law n°89/27 of 29 December 1989 on toxic and dangerous waste;
- Law n°96/12 of 05 August 1996 on the framework law on environmental management;
- Decree n°2008/064 of 04 February 2008 establishing the management modalities of the national environment and sustainable development fund;
- Decree n°2012/2809/PM of 26 September 2012 laying down the conditions for sorting, collecting, transporting, recovering, recycling, treating and finally disposing of waste;
- Order n°001/MINEPDED of 15 October 2012 to lay down the conditions for obtaining an environmental permit for waste management;
- Order n°002/MINEPDED of 15 October 2012 laying down specific conditions for the management of industrial waste (toxic and/or hazardous);
- Joint Order n°005/MINEPDED-MINCOMMERCE of 24 October 2012 laying down specific conditions for the management of electrical and electronic equipment and the disposal of waste from such equipment.

The institutions in charge of WEEE management are:

The public authorities

- The administration in charge of the environment (Ministry of the Environment, Nature Protection and Sustainable



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Development (MINEPDED)) with the following responsibilities: adapting the legal framework and popularising texts and laws, granting various approvals and permits, supporting and strengthening the capacities of the sector's actors, approving the specifications and contracts of private operators, approving local waste management plans drawn up by the DTUs, monitoring collection, transport and treatment activities for hazardous waste, raising the awareness of the actors and the population, and setting up an adequate financing mechanism for the waste sector.

- The ministry in charge of urban affairs (Ministry of Housing and Urban Development (MINH DU)) responsible for monitoring compliance with hygiene and sanitation standards, removal and/or treatment of household waste.

Regional and local authorities (RLAs)

In particular city councils and councils, which are assigned the following responsibilities: pre-collection, collection, storage and management at local level of household and similar waste, as well as the development of a local waste management plan, information and awareness-raising for the population, and monitoring and control of industrial waste management.

Private operators

The texts assign the following responsibilities to producers and distributors: reducing the quantities of WEEE, taking back used electrical and electronic equipment free of charge, contributing (operationally or financially) to the setting up and running of WEEE collection systems, informing and raising awareness among the population.

As for dealers, they are responsible for the elimination and recycling of waste, the maintenance of a register in which information on the quantities and characteristics of the waste collected, transported or treated is recorded, the regular reporting of this information to the administration in charge of the environment, as well as the elaboration, updating and communication to this administration of the hazardous waste management plan.

Associations and NGOs

The texts only consider those approved by the administration in charge of the environment. They are concerned with the information and sensitisation of the population, the promotion and creation of waste collection centres, the promotion of labour-intensive projects, pre-collection and selective collection in informal settlements.

WHAT SHORTCOMINGS HAVE BEEN NOTED?

Insufficiencies in the legal and regulatory framework for WEEE management

Despite the magnitude of the WEEE management problem, there is no specific law or decree on WEEE, only an order. The majority of texts refer to toxic and hazardous waste in general, but not specifically to WEEE.

The National Waste Management Strategy (2005-2015) developed by the Ministry in charge of the Environment expired in 2015 and has not been replaced.

Although it is a legal requirement, the majority of local authorities have not developed a Local Waste Management Plan.

Difficulties in disposing of WEEE

Users find it difficult to dispose of WEEE.

Companies, administrations, repairers and individuals keep end-of-life equipment in their premises for varying lengths of time before disposing of it.

There are very few sites where waste from end-of-life equipment can be deposited and very little awareness of these sites. Despite the risks involved, some large companies, second-hand dealers, NGOs and individuals dispose of end-of-life equipment in household waste bins.

The collection fees for used equipment charged by some approved organisations are out of reach for SMEs, micro-enterprises and NGOs.

Repairers and some individuals prefer to sell used equipment to informal collectors without any control over the treatment they receive.



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As opposed to the provisions of Joint Order No. 005/MINEPDED/MINCOMMERCE of 24 October 2012 (Article 5 al.2), equipment distributors do not take back used electrical and electronic equipment free of charge when acquiring new equipment.

Insufficient awareness of the hazardousness and management of WEEE

Awareness of the management of WEEE is very low. The population and businesses say that they have never been made aware of or informed about the management of WEEE, either by distributors of electrical and electronic equipment, or by MINEPDED, or by the Regional and local authorities. Also, the rules on how to dispose of waste or used equipment are not known to the population.

At the time of purchase, equipment distributors do not systematically provide buyers with information on how to dispose of waste or used equipment. It should be noted, however, that certain measures are prescribed in the instructions for use of the equipment, but are rarely read by users.

Weak national capacity to manage and recover WEEE

According to the Global Monitor E-waste 2020, Cameroon produced 24,600 tonnes of electrical and electronic waste in 2019. However, in 2017, through formal channels (Solidarité Technologique), less than 500 tonnes of WEEE were processed per year.

It should be also noted that through the import of second-hand equipment, 5-10% of electrical and electronic equipment arrives at second-hand shops already out of use.

Unfortunately, the statistics available at MINEPDED do not reflect the real situation.

In terms of human resources, there are no specific experts in WEEE management at MINEPDED and MINH DU. Furthermore, despite the competences that have been transferred to them in this area, the local authorities do not have the resources (human, financial) and capacity to manage WEEE.

PROPOSALS FOR IMPROVING THE WEEE MANAGEMENT EFFICIENCY

Following a study conducted specifically on WEEE, particularly from microcomputers, fixed and mobile phones and tablets, recommendations were made along five (05) areas.

Area 1: Strengthening the legal, regulatory and institutional framework

The following is recommended:

- **Parliament and MINEPDED** should bring national texts into line with the requirements and recommendations of regional and international texts on WEEE and facilitate the implementation of EPR (Extended Producer Responsibility) provisions, even for producers located outside the national territory;
- **To the Executive,**
 - strengthen MINEPDED's means of action by creating a specific department for the management of WEEE in order to avoid this competence being drowned in the department in charge of the Management of Chemical, Toxic and Hazardous Waste;
 - review the missions and competences of the Ministry in charge of the State Property (MINDCAF), strengthen its capacities (structure, human and material resources, procedures) to enable it to integrate the group of WEEE collection and treatment actors, in view of the large volume of used electronic and electrical equipment that it receives as a result of the 'reform' carried out within the administrations.

Area 2: Capacity building of actors

It is recommended that **MINEPDED in partnership with civil society organizations,**



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- strengthen the capacities of legislators as well as local and regional elected officials in relation to WEEE in order to equip them on related issues and in particular on their management once they have reached the end of their life cycle;
- strengthen the capacities of municipal staff in charge of waste management either by introducing a module on WEEE management in the curricula of municipal staff training institutions, or by internship with approved and operational organisations;
- ensure capacity building of the control services for second-hand electrical and electronic equipment at import (land borders, ports, airports).

Area 3: Information, awareness raising and education

The following is recommended:

- awareness-raising campaigns on the hazardous nature of WEEE, on the measures to be taken to dispose of it and, more generally, on its management should be organised for the general public, administrations, companies and repairers, using, among other things, mobile telephony (sms) and social networks;
- CSOs to develop a policy brief for Regional and local authorities on the WEEE management ecosystem, the precise their responsibilities in this ecosystem and realistic approaches to meeting these responsibilities;
- ICT training institutions and university programmes on environmental protection should include a module on WEEE management in their curricula.

Area 4: Economic and social incentives

The following is recommended:

- to MINEPDED, strengthen the material and financial capacities of Solidarité Technologique in order to increase its ability to equip a significant number of informal recyclers;

- with a view to increasing national WEEE processing capacity, financially support approved operators to become operational and encourage capacity building for a large number of recyclers; accompany them to enter the formal circuit (institutional, material and financial support);
- to the ministries in charge of finance and trade, to considerably reduce taxes on new electrical and electronic equipment in order to encourage their acquisition, to the detriment of second-hand equipment.

Area 5: As support and advice

It is recommended that local authorities approach MINEPDED, MINH DU, competent CSOs and donors to obtain support for the development and implementation of their local waste management plan with an emphasis on WEEE in line with the Waste Management Plan for Electrical and Electronic Equipment (PGDEEE) developed in 2019 as part of the Information and Communication Technology Sector Reform Project (PRSTIC), led by MINPOSTEL.

Finally, at an operational level, it is recommended that the government (MINEPDED, MINPOSTEL and MINH DU) ensure the implementation of the activities of the Waste Management Plan for Electrical and Electronic Equipment (PGDEEE) drawn up in 2019 within the framework of the Information and Communication Technologies Sector Reform Project (PRSTIC) led by MINPOSTEL.