Facultat de Ciències Polítiques i Sociologia

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Resum executiu

Illegal E-Waste Export from the EU to Africa: The Case Studies of Nigeria and Ghana

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Environmental crime is the fourth largest criminal activity in the world (UNEP-INTERPOL, 2016) and one of the most profitable forms of transnational crime. Specifically, illegal trafficking of electronic waste (i.e., e-waste or WEEE) is worth between $10-12 billion annually (UNEP, 2015).

According to the Basel Convention, e-waste is "anything with a plug, electric cord or batter that has reached the end of its life, as well as the components that make up these products" (PACE *et* E-Waste Coalition 2019, p.7). Its illicit export is one of the foremost challenges the European Union (EU) faces, due to the rapid expansion of the electronics industry, and the heavy environmental and health consequences on the receiving population. Illegal e-waste shipment and dumping undermines the quality of air and water, pollutes the soil, harms wild species and ecosystems, and has negative impacts on health, among others, altering the lung function and damaging DNA (Abalansa *et al.,* 2021).

This report investigates illegal e-waste exports from the EU to West Africa, particularly to Nigeria and Ghana, as main import hubs. Nigeria is the leading importer of Used Electrical and Electronic Equipment (UEEE) in Africa, receiving 288.000 tones (Iwenwanne, 2019), followed by Ghana with 215.000 tones in 2017 (Sovacool, 2019, p.5).

To conduct the investigation, the qualitative research method of documentary analysis is adopted, since key aspects like processes, actors' dynamics and responses cannot be quantified. In turn, case studies are examined as, even if e-waste trafficking is transnational in nature, it especially affects certain locations. Concretely, 55 sources have been analyzed, including primary sources like EU legislation, and secondary sources like reports from EUROPOL, articles, and books.

This policy paper aims to provide recommendations by responding the research question: "What can the EU do in order to improve its action in tackling illegal e-waste trafficking in Europe and Africa?"

Despite the Waste Shipment Regulation, the Waste Framework Directive, and the Directive 2008/99/EC on the protection of the environment via criminal law, around 44.7 tones of e-waste go undetected (Maes *et* Preston-Whyte 2022, p.3). The main challenges to overcome are differences in transposition in Member States, the lack of penalties and available resources and the lack of cooperation and information exchange (Rucevska *et al.,* 2015).

The EU should act in accordance with the values protected in Article 2 of the Treaty of the European Union, its Green Deal Diplomacy and Joint Strategy for the Africa-EU Partnership and should enhance existing and develop new tools to fight illegal e-waste shipments. With the object of providing recommendations, this report studied the EU legal framework and focused on the case studies of Nigeria and Ghana. Of these, main actors, drivers, legal framework, and links to other crimes have been considered.

All in all, illicit e-waste shipment is characterized by its structure, which is loosely organized through a coordinated approach (Iddrisu, 2021). Thus, a wide range of actors operate on a thin line between legal and illegal activities. The role of mafia groups (e.g., Cosa Nostra, Camorra and 'Ndrangheta), which enable transit by forming connections with businesses and corrupt politicians (Olivi, 2021), scrap and waste disposal firms which illegally mislabel WEEE as UEEE (Iddrisu, 2021), and transport actors which facilitate trade by having smugglers as their clients (Geeraerts, 2015) are highlighted.

The key motivating drivers are profit, as it is 400 cheaper disposing e-waste in Nigeria and Ghana than lawfully dispose it in the EU (OECD 2012 in Geeraerts *et al.* 2015, p 37) and WEEE is a source of precious materials, and lax enforcement of the EU, Nigerian and Ghanian laws (OECD 2012 in Geeraerts *et al.* 2015, p. 37). Moreover, it breaks the digital divide and employs 132.000 informal workers in Nigeria (Abalansa 2021, p.5) and 200.000 in Ghana (Lundgren 2012 in McMahon *et al.*, 2021).

Illegal e-waste exports lead to poor environment and health protection (Strand, n.d.). Furthermore, it has been linked to other organized crimes, such as money laundering, migrant smuggling, and cybercrime.

Responding the research question, the following recommendations have been drafted.

At the EU level, the EU should integrate further legislation (e.g., increase inspections and monitoring, stricter sanctions and online regulation and non-interpretable definitions,); provide Member States with training and resources; digitalize and enhance data systems; increase Customs control and capabilities; introduce positive and negative financial incentives; enhance the role of Non-Governmental Organizations (NGOs); and include e-waste export as part of its Green Deal Diplomacy.

In Africa, the EU should focus on providing funding and tools for the development of strategies aimed at combating poverty, inequality, and corruption; training the formal and informal

sector; promoting African manufacturing industry; encouraging bilateral projects between EU companies and African stakeholders; establishing collection points to facilitate the return of e-waste; and enhancing the role of NGOs in raising awareness.

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