



GAIA

GLOBAL ALLIANCE FOR INCINERATOR ALTERNATIVES
GLOBAL ANTI-INCINERATOR ALLIANCE



turn back the toxic tide

4Rs – The Key to a Sustainable and Just Waste Policy

Introduction

Basel Action Network (BAN) and the Global Alliance for Incinerator Alternatives (GAIA), the two global networks most active on issues of waste and waste management, work to achieve true waste prevention, toxics use reductions, promoting a toxics free world and global environmental justice, where no community is disproportionately burdened by toxic wastes or pollution from wastes.

The 3R (Reduce, Reuse, and Recycle) Initiative launched by the Group of Eight (G8) industrial countries in 2004 raises both serious concerns as well as hopes for BAN and GAIA. We wish to take this opportunity to address the former in order to attain the latter. This paper has been written as a response to the documents prepared in anticipation of the Ministerial Conference on the 3R Initiative held in Tokyo from 28th till 30th of April 2005.

3Rs -- an Old Concept in Need of an Upgrade

The concept of 3Rs has been in use for over twenty years and in that time it has proven to be a useful concept. However, in those years, it has also been revealed to be inadequate to serve as a basis for government or corporate waste policy, since it fails to address some of the most important issues of both environmental and social responsibility with respect to waste issues.

*What is essential is the 4th R – **Responsibility**.*

Before delineating further what this means, we feel compelled to outline the problem. One of the primary shortcomings with the 3Rs approach is that, despite waste management hierarchies that are aimed to give more weight to waste reduction and re-use, it is the last R, recycling, that ends up being the real thrust. Recycling, while having great utility, is far from being the best solution. It cannot address issues of over-consumption and profligate wastefulness. It is the R embraced by industry because it masks problems of over-consumption, short lived products and the throw-away society, while seemingly offering a solution and a green cloaking to business-as-usual.

Further, where hazardous waste is concerned, such as in the matter of electronic waste, recycling by itself will perpetuate those hazards. Rather than being eliminated, they will either be released as residual hazardous wastes, creating more risk for recyclers and their communities or be reintroduced as product into society and the marketplace with the result that these hazards either re-expose people and the environment or postpone the day when such exposure is inevitable.

It has been the over-reliance on the 3rd R while only providing rhetoric on the first of the 2 Rs that has led to the fact that not one developed country, least of all the G8 have been successful in capping their generation rates of hazardous and other wastes, let alone, reducing them. And yet this is despite the fact that the notion of the 3Rs and a waste hierarchy supposedly emphasizing reduction has been policy for more that 20 years.

Increasingly we have become aware that despite the “green” term of recycling, such processing is likely to be, even in state of the art facilities, either a very risky and harmful enterprise (in the case of hazardous wastes) or an energy intensive one for other wastes. And yet as can be seen in the background paper prepared by the Japanese government for the G8 conference, the term “recycling” tends to be over-emphasized in comparison with the other 2Rs and the more far-reaching policy approach known as Zero Waste has been ignored.¹

Irresponsible Recycling Must be Addressed

Even more frightening is the discussion in the preparatory papers for the 3R conference, of lifting trade barriers and regional waste trade schemes. The history of waste trade has seen “recycling” and more recently, “remanufacturing” used as a “green passport” to send hazardous wastes to developing countries to exploit cheap labor or lack of capability to enforce environmental regulations. It was for this reason that the Parties to the Basel Convention adopted in 1994 and again in 1995 a proposed amendment (the Basel Ban Amendment) to the Convention which in effect is a full ban on the export of hazardous waste from developed to developing countries for disposal *and for recycling*.

Electronic waste trade from North America and from Japan to developing Asian countries is representative of this new form of waste trade that the world has tried to ban. Millions of tons of computers cross the Pacific from the United States, Canada and Japan annually, and find their way to small towns and villages in rural China, where displaced agricultural workers eke out a living at \$1.50 a day and expose themselves to the hazardous ingredients in waste computers and other electronic products.

¹ For more information on Zero Waste Policies, see <http://www.no-burn.org/resources/index.html>

As documented in the report “Exporting Harm: The High-Tech Trashing of Asia by the Basel Action Network et al., it is clear that often recycling can be highly dangerous to workers and very polluting to the environment. Further, the report demonstrates that utilizing low-wage developing countries as “recycling colonies” for rich countries, is the antithesis of environmental justice. Further, by externalizing real costs and liabilities such trade for recycling actually serves to work against the goal of waste minimization and reduction.

Similarly the United States and Japanese governments are currently seeking to export toxic obsolete ships such as ex-naval vessels for recycling abroad. The United States has already sent delegations to China to explore the options of having the vessels recycled there and are under a Congressional mandate to scrap some 300 ships by 2006 and to do so by exploring exports. Japan likewise has argued vociferously within the Basel Convention that ships cannot be seen as wastes under the Convention and therefore their trade for scrapping, should not be controlled under the Convention.

Against this backdrop, and with the realization that Japan and the United States are the program’s biggest supporters, we view with alarm the G-8’s 3R initiative’s aim to:

“Reduce barriers to the international flow of goods and materials for recycling and remanufacturing, recycled and remanufactured products, and cleaner, more efficient technologies, consistent with existing environmental and trade obligations and frameworks;”

and

“Cooperate with developing countries in such areas as capacity building, raising public awareness, human resource development and implementation of recycling projects.”

The first point, is that it appears the drafters are taking great pains not to mention the “w” word – *waste*. However under international law (The Basel Convention, OECD treaties etc.) “goods and materials for recycling and remanufacturing are known as “wastes”. While mentioning consistency with existing environmental and trade obligations, the papers pointedly fail to describe which barriers they wish to reduce and under what circumstances it is appropriate or not to export wastes. It is well known that the most serious trade barrier to “recyclables” or “wastes” is in fact the Basel Convention, both the original treaty and the Basel Ban Amendment. The Basel Convention and the Basel Ban Amendment, consist of very intentionally crafted waste trade barriers to protect developing countries from the uncontrolled free market’s propensity to exploit weaker economies, desperate laborers, and disproportionately burden the global environment with pollution.

The second point, rings alarm bells as well, as we have observed often that waste trade as well as promotion of inappropriate waste management technology such as waste incinerators (sometimes incorrectly characterized as recycling), is frequently conducted under the guise “capacity building”. Waste incinerators are major contributors to air pollution. They produce extremely

harmful chemicals, including cancer-causing dioxins, that poison our bodies and the environment. Incinerators exacerbate air quality, endanger public health and destroy materials that could have been recycled. Further the reliance on such polluting “end-of-pipe” “solutions” often promoted by developed countries, actually endangers the viability and success of safer and superior alternatives, such as Zero Waste projects, that are being pioneered in communities and municipalities around Asia and the rest of the world. That is, waste incinerators, prevent or detract from initiatives to reduce waste and toxics in manufacturing.

With respect to waste trade, we have seen time and again, the pretext of capacities of scale used to justify waste importation and waste management technology, combined in a package deal that is supposed to be justified by building domestic capacity for waste management. This is both an immoral and impractical business scheme, as it is tantamount to sugar coating a poison pill – “we will give you a multimillion dollar waste incineration plant as long as you agree to import toxic waste.” Further the introduction of such waste management facilities such as landfills or incinerators, or even recycling facilities to developing countries as “capacity building” does not help developed countries facilitate real solutions —minimizing the generation of wastes at source through the use of clean production and technologies, -- the practices of Reduction and Reuse.

A Fourth R is Needed — Responsibility

It has become abundantly clear that the current and former 3Rs policies with too much emphasis on the 3rd R, recycling, has not succeeded to ensure a sustainable approach to dealing with hazardous and other wastes, and it would be a mistake to build a national or even an international policy on the 3Rs alone. **A fourth R is necessary. *Responsibility***, a key element in the life-cycle approach to waste management, needs to be added to the present formulation to arrive at a sane and sustainable solution to our global waste problems. This all important R, encompasses the social and economic considerations and places more emphasis on the root causes of the waste crisis – cost externalizations and lack of appropriate design. We have identified four tiers to responsibility — *consumer, producer, national/international, and social/democratic* responsibility.

Consumer Responsibility

Consumer responsibility is fundamental. It engages consumers to be accountable for the products they consume and their subsequent disposal. Consumers must be made aware of which products are least damaging to the environment during its entire life cycle. They must become aware that disposing of hazardous electronic wastes in landfills and incinerations or through export to poorer nations, is an unsustainable option that has detrimental impacts on the environment and human health, not to mention palpable economic costs for those unfortunate to be saddles with them. Consumers must press for laws to forbid this type of dumping or cost externalization.

Consumer Responsibility is not an alien concept in the area of waste management. The concept of household waste segregation - separating paper, plastics, and other recyclables from other

household wastes has firmly taken hold of the collective consciousness. Thus, it is not a stretch for individuals or households to be held accountable for the proper disposition of their wastes. However for consumers to be responsible, they must likewise have access to choices that they are a part of defining. Not only should consumers have a “Right to Know” they must also have a “Right to Design” – Corporations must involve stakeholders in design decisions.

The 3R Initiative mentions as an objective the need for raising public awareness. Awareness raising, however, is not enough.. Consumers must be given access to decision making at all levels, access to information and, therefore become instrumental in creating sustainable options on what products to purchase and how best to dispose of them. Producer and national responsibility are keys to making this happen.

Producer Responsibility

The second tier, producer responsibility, extended to the entire life cycle of products, is vital. As generators of products are the ones that can maximize profits through rapid obsolescence and over consumption, or can choose to introduce toxic inputs into the products’ life cycle or not, most often with or without public approval, producers hold the essential role in any program to end our waste crisis. Unless the producer is held responsible for all of the environmental and health costs of their products, these costs can too easily be externalized and ultimately passed on to consumers, local governments or distant impoverished communities in developing countries, that have little to do with product design. Without producers being financially or physically responsible for post-consumer wastes, there is no appropriate feedback mechanism to ensure green design by virtue of the incentive to lower overall amounts of wastes. Extended Producer Responsibility requires producers to address upstream solutions, such as enhancing product longevity, toxic use reductions, energy efficiency, and green designing for recycling.

Producers must also be responsible for providing transparency with the pollution they produce, the toxics they use and the environmental impacts of all of their activities. Further, beyond simply relying on the marketplace and advertising, they need to provide consumers with more decision-making authority over how and which products are produced – “Rights to Design”.

National and International Responsibility

The need for national and international responsibility is required by the global nature of the waste problem and the need to legislate against unsustainable recycling, waste management and waste generation and the externalization of pollution costs. Not only should countries embark upon waste minimization strategies that actually succeed in capping and then phasing down hazardous and other waste generation, but they must halt the export of waste problems to others. Hazardous wastes travel the path of least economic resistance that often runs from developed to developing countries. Developed countries being the primary generators of hazardous wastes must manage their own wastes as much as possible and must minimize the transboundary movement of hazardous wastes. These national self-sufficiency obligations are mandated under the Basel Convention on the Transboundary Movement of Hazardous Wastes and their Disposal

and yet countries like the United States and Japan operating without concern for the 4th R have ignored the mandate.

In line with its objective of maintaining consistency with existing environmental obligations and frameworks, it is crucial that the amendment to the Basel Convention, known as the Basel Ban Amendment, be observed in the 3R Initiative's implementation. The Basel Ban Amendment prohibits the export of hazardous wastes from Organization of Economic Cooperation and Development (OECD) member countries, EU, and Liechtenstein to other countries. Even while it is not yet in strict legal force as it gathers the requisite signatures, it is an international decision taken by the global community which is expected to be honored. Moreover, already, 30 of the 37 countries to which the export ban applies have implemented it in their national law. The seven countries that have failed to do this are: Japan, the United States, Canada, Australia, New Zealand, South Korea, and Mexico. Japan, the United States and Canada are all members of the G8.

Further, countries have a crucial responsibility to adopt a waste management hierarchy in terms of budget and program emphasis on waste reduction and reuse. Indeed, the emphasis should be to promote Zero Waste policies. Further, waste management should be conducted nationally with a domestic recycling infrastructure for wastes that cannot be reduced. The European governments through their Waste Electronic and Electrical Equipment (WEEE) and the Restriction of the Use of Certain Hazardous Substances in Electrical and Electronic Equipment (RoHS) Directives as well as their adoption of the Basel Ban Amendment preventing export of the problem, have created such an overarching legal infrastructure that places responsibilities on manufacturers, involves the consumers, and translates their international obligation into national responsibility. This should be echoed by all countries, especially the G8.

Without National Responsibility, there is a clear danger that the 3R Initiative will facilitate a downward spiral and make the developing world the dumping ground for the developed world's toxic garbage in the guise of technology transfer and capacity building, while providing little of the incentives born of cost internalizations – to reduce waste upstream.

Social and Democratic and Economic Responsibility

The fabric that holds the other three tiers of responsibility is social responsibility. This dictates that we respect human rights and democratic involvement in all phases of decision making of waste management including the right to corporate planning and product design. It also demands that we take responsibility for addressing the gross global inequity on the planet today.

Already global poverty has exacerbated environmental devastation in many large areas of the globe. It is certain that we no longer pretend that poverty can continue to be exploited and moreover that we can expect to solve environmental problems without seriously reducing it. In short, we cannot expect to address the root causes of the waste crisis without recognizing that Responsibility must be included as the 4th R and really the most important R of all.

One such principle that the United States has given the world is that of **Environmental Justice** - that no peoples should bear a disproportionate burden of environmental pollution by reason of their economic circumstance, race, or religion, etc.

This principle applies regardless of the level of technology employed in the world and demands equal and ethical treatment in dealing with hazardous wastes and other environmental risks and impacts. All hazardous waste recycling technologies involve substantial worker and environmental risk and downstream hazardous waste management. It is imperative that countries like Japan and the United States, two of the primary proponents of the new 3R Initiative, uphold the principle of Environmental Justice beyond their own borders.

Conclusion

BAN and GAIA fear that the present form of the 3R Initiative is a means to perpetuate business-as-usual under the cloak of the familiar concept – Reduce, Reuse and Recycle. It appears to have been designed to “run around” the Basel Convention, rather than embrace its obligations of waste prevention and national self-sufficiency in waste management. Meanwhile the global generation of hazardous waste continues to rise, as does the exploitation of globalization of trade to irresponsibly sweep these hazardous wastes out the backdoors of rich developed countries. If we are to assure that the 3Rs are not used as a password for such irresponsibility, we need to add a 4th R to any waste policy.

Only through the incorporation of Responsibility as the 4th R, and its accompanying four tiers – individual, producer, national/international, and social/democratic, can we truly begin to embrace global environmental justice in waste management and focus on upstream solutions rather than exporting our problems downstream. Responsibility by all stakeholders is vital, and the fate of future generations rests on the present generation’s willingness to take responsibility and address root causes rather than expect a techno-fix will resolve our waste/pollution/consumption crisis.

BAN, GAIA, and our global partner organizations are prepared to engage in the 3R Initiative to move it from a failed technological policy of yesteryear to a relevant effective policy for today’s globalizing world.

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