

DOCUMENT

GUIDELINES FOR THE MANAGEMENT OF WASTE ELECTRICAL AND ELECTRONIC EQUIPMENT (WEEE) IN LATIN AMERICA: RESULTS OF A REGIONAL PUBLIC-PRIVATE ROUND TABLE

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INTRODUCTION

In recent years, the issue of Waste Electrical and Electronic Equipment WEEE has become more prominent on national agendas in several Latin American countries, both in the public and private sectors and in civil society organizations.

Concerns about this kind of waste are due to its characteristics that set it apart from other waste streams, such as household and hazardous waste. They include the following: its potential for reuse, since it contains highly valuable recyclable materials; the presence of toxic elements, which, although minimal, require environmentally sound management that will protect the environment and public health; and its volume and rapid rate of growth, resulting from technological change phenomena.

Faced with the need for environmentally sound management of this waste, a number of Latin American countries have undertaken various actions such as the development of analysis, refuse collection activities, campaigns to educate the population, meetings, seminars, collective round tables, policy proposals, and even the enactment of legislation specifically addressing WEEE.

Most of these initiatives have been established as independent events, in response to local contexts, needs and developments. However, in the different countries in the Region there is a common standard for the design of proposed solutions for the management of WEEE: the principle of extended producer responsibility (EPR). Despite, this common standard regional peculiarities have hindering and delaying the adoption of solutions. Incorporating the principle, EPR will enable all sources of WEEE generation in LAC to be managed in a sustainable manner. The lack of clarity regarding the concept of producer, the lack of adequate infrastructure, the digital divide, the absence of clear, specific policies, the lack of information and ecological culture, among other things, require the adaptation of this management model which has proved successful in industrialized countries.

Apart from this, there is a clear need for harmonized regional strategies in this area, relevant to the characteristics of this waste stream. Indeed, the nature of WEEE determines the significance of the kind of management that will ensure the recovery of this waste and its environmentally sound management. One obstacle to this is the existence of different constraints – often legal – for the development of the activities that WEEE management involves, such as the consideration of WEEE as hazardous waste or limits to transboundary movements, which make it difficult to optimize the recovery of valuable materials at the regional level by using economies of scale.

This paper the result of a Latin American public-private round table, contains guidelines for WEEE management in the Region. In this context, it has been necessary to reconcile approaches and proposals to be able to respond to the needs for definitions regarding a number of key concepts, fundamental elements of a WEEE management system, protocol for handling WEEE during its life cycle and proposed harmonized regional framework.

We offer this paper as the basis to begin the harmonization process required for the implementation of a WEEE management system in LAC. This product includes a range of guidelines relevant to topics currently under discussion in this area. These agreements open a process that first will have to be gradually shaped to address the specific characteristics, needs and priorities of each country and second must continue to make progress in the outstanding aspects and consider a greater dialogue between the public and private sectors.

Having said that, this instrument, aimed at public policy makers in the countries in the region, is a significant standard for the analysis, development and implementation of effective national and regional policies that will ensure environmentally sustainable and integrated management of WEEE. This paper contains ideas and

principles which are not binding on the public or private sector. In any regulatory or policy-making process that uses this paper as a standard, the following shall be taken into account:

- Regulatory bodies in each country are at liberty to incorporate some of the concepts that fall within the regulatory objectives that they seek to cover.
- In no case must the existence of this document substitute public consultation procedures under the laws of each country.
- The contents of this document are dynamic and undergoing continuous refinement between the public and private sector, so some criteria or concepts may change over time.
- The views and concepts in this document do not in any way affect the freedom of companies and regulators to present their positions freely within the various regulatory and legislative processes.

Finally, as electronic waste policies continue to evolve throughout Latin America, it is increasingly important to support harmonization among them. For this purpose, we recommend continuing the dialogue among the different sectors, focusing on the effective implementation of the agreements reached. In this sense, this document is the beginning of a process that must be implemented through concrete actions in the context offered by this proposal.

* * *

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1 KEY CONCEPTS OF WASTE ELECTRICAL AND ELECTRONIC EQUIPMENT STREAMS

Includes all devices needing an electric current or electromagnetic fields for proper operation, the equipment for the generation, transfer and measurement of such currents and fields falling into the categories described herein and intended for use with a voltage rating not exceeding 1000 volts for alternating current and 1500 volts DC.

Electrical and
Electronic Equipment (EEE)

An EEE dealer is a natural or legal person who sells or distributes electrical and electronic equipment. This category includes chain stores.

EEE Dealer

Integrated WEEE management refers to the coordinated and interrelated group of regulatory, operational, financial, administrative, educational, planning, monitoring and evaluation actions for the management of waste from its generation through to its recovery and final disposal.

Integrated WEEE
management

A WEEE manager is a person or entity, public or private, that performs any of the operations involved in the management of WEEE (transport, collection, storage, dismantling, recovery or final disposal) authorized for that purpose, as stipulated by national regulatory frameworks.

WEEE Manager

A Producer Responsibility Organization is a non-profit entity established by a group of producers to fulfil their responsibilities in the context of EPR. A PRO assumes operational responsibility for the proper handling of WEEE by organizing funding, collection, transport and control systems.

Producer Responsibility
Organization (PRO)

An EEE producer is a natural or legal person who regardless of the sales technique used :

EEE Producer

- Manufactures or assembles EEE under their name or brand, or has EEE designed or manufactured and markets these products under their name or brand,
- Puts on the market or resells EEE manufactured or assembled by third parties, except when the EEE bears the third party's name or brand,
- Imports or introduces into the country EEE from other countries in order to put them on the local market,
- Manufactures, assembles EEE or has EEE assembled from components from various producers and puts such products on the market,
- Refurbishes EEE to be used or reused on the local market in a new life cycle.

Historic WEEE includes WEEE that comes from products placed on the market before the date when a regulation assigning responsibility for funding the costs of managing WEEE was established.

Historic WEEE

Orphan WEEE is that whose producer has ceased trading or has left the market.

Orphan WEEE

Cloned EEE is equipment without a brand which has been put together by assembling parts from various sources, looks like an original product, and has been placed on the market.

Cloned EEE

Waste requiring special handling is waste which, due to its composition and physical-chemical or biological characteristics, requires special technical and organizational measures, different from those for other waste streams.

Waste requiring special
handling

Waste Electrical and Electronic Equipment is waste from EEE discarded by the consumer at the end of its service life which, due to its characteristics, must be subject to special handling and be delivered to an environmentally sound management system.

Waste Electrical and
Electronic Equipment
(WEEE)

Extended Producer Responsibility refers to an environmental policy principle aiming to reduce the environmental impact of a product. It involves the producer of EEE taking responsibility for the whole life cycle of a product, especially the post-consumer stage, which comprises collection, recovery and final disposal. Extended Producer Responsibility is implemented through various administrative, economic and informational instruments. The composition of these instruments determines the form of EPR applied (individual, collective, or mixed).

Extended Producer
Responsibility (EPR)

2 ELEMENTS OF WEEE MANAGEMENT SYSTEMS

2.1 WEEE AS A DIFFERENT WASTE STREAM

WEEE requires specific handling unlike that required for Municipal Solid Waste (MSW) and hazardous waste. This waste is identified as requiring special handling owing to its potential for use and recovery, because it contains a minimum proportion of toxic compounds, and also its accelerated growth as a result of rapid technological change.

Differentiated management

The concept of WEEE is based on the idea of abandonment or disposal by its owner. It has been established that the characteristics that cause EEE to be regarded as WEEE, in order of importance, are as follows: it can no longer be used for its intended purpose; obsolescence or technological change; its owner makes the decision to discard it or stop using it.

Definition of WEEE

It has been established that regarding WEEE as waste does not mean that post-consumer management should not promote treatment for potential use and recovery as raw material or supply for production.

Use
and recovery

2.2 EXTENDED PRODUCER RESPONSIBILITY-EPR

Governments in the region should incorporate the principle of EPR into their national regulatory frameworks so that it is applied in the management of WEEE generated within its territory.

Inclusion of EPR in
Regulatory Frameworks

The principle of EPR can be developed both in individual and collective systems. Producers of EEE should be given free choice between the two systems.

Individual and collective
systems

The implementation of a WEEE management system should especially consider the following: product life cycle (from design through to recovery and disposal); stages in WEEE management (collection, transport, storage, dismantling, refurbishment, recycling and disposal); design and implementation and, in some cases, administration and monitoring of the system; administrative, economic and informational instruments.

Special Considerations

EEE producers should have the following responsibilities::

The producer's
responsibility

- To ensure proper operation of the management system, in terms of its implementation, development and administration, with measures such as identifying EEE under their own brand, funding their share of the management system and meeting their responsibilities assigned in the system,
- To develop products that, by virtue of their design, manufacture, marketing or use, will encourage prevention of waste generation and facilitate the reuse and recycling of products, or allow their treatment and disposal can occur in a way that will minimize harm to human health and the environment,

- To incorporate eco-design in the development of their products,
- To submit to the environmental authorities an integrated post-consumer scheme or system. The document must include system design, implementation and administration aspects according to the corresponding individual or collective mode,
- To adopt a policy of disclosure and informing consumers so that they can respond to the need for their participation in the management of WEEE, specifically in the return and care of equipment at the end of its service life,
- To consider and develop synergistic strategies with business chambers in areas such as the preparation of documents for the management of WEEE.

WEEE refurbishers are responsible for the disposal of WEEE generated by their activity. Additionally, if a refurbisher puts refurbished EEE on the local market, he or she assumes the producer's responsibilities, unless they are transferred to another entity by contract.

2.3 RESPONSIBILITIES OF THE OTHER STAKEHOLDERS INVOLVED

The principle of shared responsibility should be encouraged, supported and implemented in the allocation of roles and responsibilities to those involved in the WEEE management system, including distributors, traders (wholesalers and retailers), managers (whether collectors, transporters, operators, treaters, recycling companies and/or exporters), consumers, civil society organizations and governments (whether national, provincial, state or local).

Shared Responsibilities

Shared responsibility should not be applied indiscriminately. Each type of WEEE (new, historic and orphan) must have a solution that will consider differentiated management policies. In this context, consensus should be sought between the public and private sectors to determine their level of participation and funding in the management of this WEEE, depending on the reality of each country.

Differentiated shared responsibility

The EEE dealer should ensure that the products placed on the local market comply with existing national legislation, especially as regards import rules and others that may be developed to implement WEEE management systems.

EEE dealer's responsibilities

EEE dealers should offer part of their facilities as a collection centre, if necessary, so as to ensure adequate availability of collection points.

Governments should make a public policy for the management of WEEE that will contemplate:

Responsibilities of the government

- Developing a regulatory framework based on the principle of EPR that will regulate the most significant aspects of WEEE. This framework must ensure compliance with obligations and respect for the rights of each stakeholder involved in the system. It is also recommended that relevant actions and sanctions should be established against stakeholders who do not honour the obligations concerning them,
- Making policies on education, health and the environment, in coordination with the private sector and civil society organizations,

- Developing environmental awareness activities for the population,
- Encouraging the creation and formalization of companies and organizations specializing in the refurbishment, recycling and disposal of WEEE by expediting the paperwork that will authorize their operation,
- Establishing communication and cooperation channels with the private sector and civil society organizations so that they will work together to set parameters for integrated WEEE management,
- Adopting a management policy on all the EEE used by the government and public companies through the implementation of green procurement mechanisms that will take environmental standards for products as a benchmark, as well as other actions that may be developed in this area,
- Implementing effective measures to curb the smuggling in and illegal sale of EEE, components and parts.
- Improving WEEE export and import controls so as to ensure a sound environmental management process,
- Promoting research programmes and agreements that will help optimize integrated WEEE management and innovation in science and technology aimed at minimizing the generation of WEEE. It is also suggested that capacity-building and reliability of management processes provided locally should be strengthened.

Municipalities or local governments should cooperate with WEEE management processes by harmonizing their municipal strategies and programmes where possible, especially in the areas of collection and raising awareness among the population in their jurisdiction.

National, provincial and municipal/local legislation should be harmonized to facilitate effective management in a given country. The publication of municipal or provincial laws that are more stringent or contravene the provisions of national legislation should be avoided.

Governments should undertake the following actions related to the integrated WEEE management system:

Government actions

- Defining the general criteria for the establishment of an integrated WEEE management system, looking to international environmental standards in the field for guidance,
- Setting progressive, phased WEEE collection and recycling targets based on official data and actual information, and in coordination with the parties involved,
- Establishing control and monitoring stages for the management system. Ensuring compliance with legislation by means of inspection, monitoring and control of all the stakeholders that must be involved in the management system, preventing unfair competition,
- Creating and managing a WEEE producer registration and manager authorization and supervision system,
- Promoting the creation of economic and financial instruments that will encourage the operation of the integrated WEEE management system. These tools can come from the public, private or international sector, and shall be consistent with the country's economic, legal and social reality,
- Promoting solutions agreed by consensus for financing WEEE from orphan and historic equipment,
- Promoting the integration of informal sectors, ensuring that the management of WEEE is conducted in an environmentally sound manner, incorporating best practices and training.

Consumers should make sure that their consumption habits respect the environment by buying equipment backed by full management schemes until the end of its life cycle.

Responsibilities of consumers

Consumers must participate in the management system with their own responsibilities, inasmuch as they are the owners of the WEEE.

The end user must deliver the WEEE at the sites designated by post-consumer plans, and must not dispose of it into the household solid waste stream or in the street.

The consumer is responsible for destroying the information stored in the data containers of EEE.

Donor centres should report the final destination and use of the units received through donations. The WEEE that is generated for refurbishment by these centres should be treated and recycled properly. A donation centre becomes a producer if, when performing its activity, it introduces a used piece of EEE on the market for the first time.

Responsibilities of donors, donation centres and recipients

The recipient (the person receiving the equipment) should be considered an EEE consumer and have the same obligations and responsibilities as one.

Establishing clear policies on imports of EEE for reuse or refurbishment. If such imports are allowed, importers will be regarded as producers and must comply with

all obligations resulting from this status in relation to the EEE brought into the country.

WEEE Dismantling and Recycling Companies should:

- Be formalized, approved and registered as a requirement for participation in the WEEE management system,
- Comply with technical, environmental and quality standards established for the management of WEEE,
- Ensure the proper procedure in the refurbishment of equipment and maintain the quality standards of the original product.

Responsibilities
of dismantling and recycling
companies

2.4 FINANCING MECHANISMS FOR WEEE MANAGEMENT SYSTEMS

It is necessary to create a transparent, non-profit financing system that will set criteria regarding WEEE management costs. This system must consider at least the costs associated with collection, transport, consumer information, recycling, administration and monitoring and auditing of key stakeholders, as well as other steps involved in the WEEE management system. In addition, its development should consider issues such as: point or time of payment, Internet sales, operating reserve amounts, initial funding of the proposed management system, the creation of funds to finance the WEEE management system, and ensuring transparency in management costs.

Criteria for
a financing system

In order to follow the principle of EPR, each producer should be responsible for financing the management of their WEEE, for which purpose the producer may choose to fulfill this obligation either individually or by joining a collective system. Any financing mechanism for the system should ensure equitable participation of all EEE producers in the market, as well as integrated management of all WEEE falling into the categories described in this document.

Producer's Financing
Guarantee

The producer of EEE must submit to the competent national authorities an integrated post-consumer plan or system that includes a sustainable financing mechanism, so as to ensure the availability of financial resources for integrated WEEE management.

Control by the authority

Regarding the mechanisms to be adopted to internalize WEEE management costs, we recommend flexibility in their selection and considering the best way to adapt to the needs, after a consensus has been reached with the parties involved.

Internalizing management
costs

Cost internalization and early recycling rate systems are considered as alternatives for financing WEEE management, but these are not the only ways. The criterion for choosing the financing system is best adaptation to the needs, after the parties involved have reached a consensus.

Financing Arrangements

Producers must be allowed to inform consumers about the costs of the environmentally sound management of WEEE. Each country should establish the criteria under which these costs shall be calculated and disclosed to the public.

Informing
consumers

Financing policies should consider differentiated integrated management for all

New, historic and orphan

types of WEEE: new, historic, or orphan. Each system must be adapted to the local situation and variables involved.

equipment

Regarding the management of orphan and historic WEEE, it is recognized that this is a common problem in the public and private sectors. Therefore, it is proposed that the solution to this should be the result of an agreement between both sectors that will determine the level of participation of each stakeholder involved and the financing of the management of this WEEE.

The process of designing the system for financing the management of WEEE should consider the creation of tax or tariff incentives or other economic instruments aimed at those stakeholders who undertake to bear the costs of managing historic and orphan equipment.

Economic instruments

2.5 GOAL SETTING, CONTINUOUS IMPROVEMENT AND GRADUAL PROCESS OF WEEE MANAGEMENT SYSTEMS

It is suggested that governments, in consultation with EEE producers and on the basis of official information, should set goals by paying special attention to market size and conditions, penetration by EEE category, EEE life cycle, the mechanisms adopted for financing WEEE management, and conditions of local infrastructure.

Setting WEEE collection and use goals

Other performance targets in the areas of materials recovery and recycling levels – previously studied and analyzed on the basis of local conditions and supply – will be allocated to approved management systems, whether the latter are collective or individual.

The development of definitions of these goals and the implementation of the WEEE management systems should occur gradually, taking account of product categories, collection volume and geographic area to be covered. Along with this, it is suggested that these goals and the designated application areas be reviewed periodically, partially and with adjustment monitoring, for adaptation to the local reality.

Gradual goals

2.6 ORGANIZATION OF PRODUCERS, INDIVIDUAL SYSTEMS AND COLLECTIVE SYSTEMS

The Producer Responsibility Organizations (PRO) should operate within the following guidelines: transparent organization, promoting competitiveness, preventing monopolies, non-profit status, no self-regulation or self-control, and legal entity status.

PRO development framework

It would be wise to create legal, financial, tariff and market instruments to promote the sustainability and viability of both individual and collective systems.

Sustainability and viability of systems

Competitiveness between systems should ensure so as to generate best practices for the WEEE management system and optimize the costs of WEEE management (transport, recovery, disposal, etc.).

Competitiveness of systems

2.7 ADOPTING TECHNICAL STANDARDS FOR EEE AND ITS MANAGEMENT

It is recommended to governments that technical standards regarding EEE should be linked to internationally established standards and ensure the preservation of the environment, bearing in mind the concept of eco-design.

Link with international standards

2.8 TRANSBOUNDARY MOVEMENTS

In response to current discussions at the Basel Convention and the latest recommendations of the OECD, governments should reconcile the transboundary movement of WEEE with these resolutions, both for refurbishment and recycling and treatment and disposal. Countries in the region should also be encouraged to cooperate with each other in order to take advantage of the existing infrastructure, ensuring that the companies receiving these volumes of WEEE are duly authorized and monitored by the countries of destination

Compatibility of Transboundary Movements

Efforts should be made to harmonize tariff items or customs regulations for transboundary movements of WEEE.

A control framework and clear guidelines should be developed regarding transboundary movements of WEEE, ensuring legal transboundary movements, exports and imports, and properly interpreting the obligations under the Basel Convention and other regulations that may be established at the municipal, provincial, national and/or regional level.

Control framework and guidelines

2.9 INFRASTRUCTURAL DEVELOPMENT FOR WEEE MANAGEMENT

It would be wise to encourage the development of a local dismantling and recycling industry, incorporating different environmentally and socially sustainable business models and technical management standards. It is also considered necessary to promote the development of a refining industry to recover valuable materials and a disposal infrastructure for components beyond recovery.

Promoting the local dismantling and recycling and refining Industry

To encourage the development of the necessary infrastructure for WEEE management, governments should produce policies to attract national and international capital, in the context of a clearly defined regulatory framework.

Government policies

2.10 INFORMATION AND AWARENESS

It is necessary to promote a communication, information and education policy aimed at the corporate and private consumer and society at large. The communication methods should be flexible so as to meet the varied needs of countries and communities.

Communication, information and education policy

Under this policy, consumers should receive information on social and environmental purchase variables, as well as the proper management required by the EEE they have acquired, and their return once they have completed their life

Informing consumers

cycle. It is necessary for the consumer to be fully informed of the differentiated collection points where the WEEE can be delivered. Consumers should receive information on the proper recycling procedures for their products

An internationally recognized symbol should be adopted to help recognize that EEE is subject to the management system. The symbol must be agreed upon with the producers of EEE.

Adopting
a symbol

In implementing this policy, government authorities (environmental, health, education, etc.), producers, distributors and wholesalers, retail outlets, consumers and civil society organizations, and managers must work together and in coordination.

Communicating with each
other

Any requirement regarding disclosure of information on producers should safeguard and protect confidential business information such as sales, shipments of equipment or data transmission.

Information Protection

3 PROTOCOL FOR HANDLING WEEE DURING ITS LIFE CYCLE

Efforts should be made to harmonize internationally recognized management standards that include WEEE life cycle and consider environmentally sound management by WEEE managers.

Harmonizing
International standards

WEEE managers must comply with all environmental, health and other standards set by the government, and consider international guidelines in their operational performance.

Legal compliance

WEEE managers must comply with current legislation on the transport of all WEEE equipment, materials and components. In the case of outsourcing to third parties, the latter must also meet the necessary regulatory requirements for approval.

It is considered necessary for WEEE managers to have liability insurance covering possible risks of environmental damage and environmental pollution. The associated amounts of the insurance should be consistent with the nature and size of the company's operations.

Liability insurance

Managers should develop an occupational safety programme for their workforce that includes the necessary measures to preserve worker safety and environmental hygiene.

Occupational safety

It is considered necessary for WEEE managers to have an adequate training program suited to their staff, in line with the guidelines and technologies that apply to activities within the company.

Training

The following basic standards for WEEE management should be adopted:

Basic standards

- WEEE managers must keep a record of the flow of equipment, components and materials received on their premises, including those materials that are then shipped to other destinations, to ensure traceability of WEEE throughout the management process.
- WEEE managers must store equipment, materials and components in an appropriate manner, without endangering the health and safety of workers or the environment.
- Continuous actions must be undertaken for identification, assessment and monitoring of the managers' operations in order to prevent possible environmental pollution caused by emissions, effluents and solid waste resulting from WEEE-related management activities. Furthermore, managers must have an adequate emergency plan to deal with possible accidents in the conduct of their operations.
- WEEE managers must implement a security program that controls access to all or parts of the facility in a manner and to an extent suited to the type of management of each piece of equipment.
- WEEE managers should take all practical steps to adequately control the operation of equipment and components for reuse.

- The WEEE manager must separate, by manually removing and/or mechanically processing pieces of equipment, components and materials that are not intended for reuse and deliver them to adequately equipped technical recovery facilities.
- The consumer is primarily responsible for the destruction of the data contained in the EEE. It is suggested that managers carry out additional procedures for the destruction of the data in their refurbishment and recycling processes.
- The manager must make a commitment not to inappropriately use the information that may be found in the equipment.

WEEE should be classified into the following five categories:

Categorizing WEEE

- Appliances containing refrigerants
- Large and mid-size home appliances (except for those which are included in the above category)
- Lighting fixtures
- Monitors and screens or displays
- Other electrical and electronic equipment.

4 PROPOSAL FOR A REGIONAL FRAMEWORK

It is recommended to governments that national regulatory frameworks should include the minimum elements for WEEE management plans, participation and integration of all stakeholders and definition of responsibilities, financing mechanisms and communication strategies, amongst others.

General Recommendations

It is recommended to governments that the development of the legislation should consider the concept of product life cycle and incorporate the principle of extended producer responsibility, shared responsibilities and integrated management of new, historic, orphan and cloned WEEE.

It would be wise to adopt flexible criteria in determining management models, in response to the products in each country and marketing models used by the various companies in the local reality.

The measures under the legislation must consider the need to bridge the digital and technological gap in the different LAC countries, so it would be wise to encourage refurbishment as a stage in WEEE management.

The measures taken should not amount to an unnecessary administrative burden, in light of the inherent limitations of governments in the region.

A clear monitoring framework should be developed regarding the transboundary movements of WEEE and second-hand EEE, without hindering their transfer for refurbishment, recycling, treatment and disposal. It should encourage the use of all existing infrastructure throughout Latin America, taking account of the size of the markets in each country.

The legislation should establish, where appropriate, rules on environmental design of products, including reduction of toxic elements. If the country operates primarily as an importer of EEE, the entry of products with pollutants should be restricted, in line with internationally recognized standards such as the EU's RoHS Directive.

Entry restrictions for EEE with pollutants should not be stricter than recognized international standards, in order not to prevent the entry of EEE needed for the cultural, social and economic development of the countries in the region.

It would be wise to develop proposals for regional harmonization work addressing the following areas: customs cooperation regarding WEEE management; customs training schemes; a protocol for transboundary WEEE movements in Latin America under international agreements; and creating a space for ongoing work and cooperation for WEEE management.

WEEE legislation in Latin American countries should be based on internationally recognized standards in this field, and it should incorporate their requirements where possible, but avoid their adoption without adaptation and focus on the particularities and needs of each of these countries.

Recommendations on legislative techniques

Eco-design criteria should be written in the national technical regulations of each country, separately from WEEE management.

The development of national regulatory frameworks should ensure consistency with other related measures, programs and strategies. This include strategies for sustainable development, climate change, environmental programmes, ICT policies, strategies on sustainable use of resources and waste prevention and recycling, among others.

It is advisable to enact national laws over and above state or local regulations, in order not to hinder management processes within a country. State or local laws and regulations must be compatible with national legislation so as to avoid non-compliance with them. WEEE management policies must be crosscutting in seeking the commitment of all government sectors.

To facilitate continuous updating of the legislation in line with technical advances, the standards should be incorporated through an adoption-by-reference mechanism rather than direct transfer of a standard.

For the development of regulatory frameworks, there should be early processes in place to help conduct diagnoses and pilot tests for the successful establishment of regulations concerning the sustainable handling of WEEE.

The following elements should be regulated for an environmentally sound WEEE management system: setting gradual WEEE collection goals for producers; informing consumers and raising their awareness; knowing about and monitoring the life cycle of EEE and their WEEE; fostering the creation and strengthening of infrastructure for the recovery and disposal of WEEE; defining technical standards for WEEE management; controlling WEEE treatment, reuse and disposal operations; defining aspects of refurbishment in the management chain; and developing technical guides to best WEEE management practices.

The implementation of integrated WEEE management systems should be carried out in a gradual and scalable manner on the basis of result checkpoints. It would also be wise for system requirements to be suited to the infrastructure available for the recovery of WEEE.

Regulatory recommendations for WEEE management systems

In developing regulatory frameworks, it should be born in mind that there are different kinds of WEEE, and specific sub-systems with distinct characteristics can be developed.

Proposals for regional harmonization work should be developed concerning the following aspects: customs cooperation regarding WEEE management; customs training programmes; protocol for transboundary WEEE movements in Latin America under international agreements; and the creation of an ongoing work and cooperation space for WEEE management.

Regional work spaces

5 ANNEXE

5.1 ANNEX 1: DEFINITIONS

<p>Product life cycle is the principle that guides decision-making, considering the relationships and effects that each stage has on all of them all as a whole. It comprises the research, acquisition of raw materials, design process, production, distribution, use and post-consumer management stages. This approach leads to better decisions regarding industrial planning, design and operations, which contributes to protection of human health and the environment. This term was coined by environmental assessors to quantify the environmental impact of a material or product.</p>	Life Cycle
<p>The Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal is the most comprehensive global environmental agreement on hazardous and other wastes. It has been ratified by 175 countries and its aim is to protect the environment and human health against the adverse effects resulting from the generation, management, transboundary movements and disposal of hazardous and other wastes.</p>	Basel Convention
<p>An EEE consumer is a natural person or legal entity, public or private, who uses electrical and electronic equipment until it has reached the end of its service life.</p>	EEE Consumer
<p>The objective of the WEEE Directive of the European Union is to establish measures aimed at protecting the environment and human health by preventing or reducing the adverse impacts of the generation and management of waste electrical and electronic equipment, and by reducing the global impacts of the use of resources and improving the effectiveness of such use.</p>	WEEE Directive
<p>A WEEE manager is a person or entity, public or private, that performs any of the WEEE management operations (transport, collection, storage, dismantling, recovery or final disposal) authorized for that purpose, as stipulated by national regulatory frameworks.</p>	WEEE Manager
<p>Refurbishment is a technical process of renewal which fully restores the functional and aesthetic conditions of EEE, so that it can be reused in a new life cycle for the same purpose. It may also involve repair, in the event that the device is damaged.</p>	Refurbishment
<p>Reuse includes any operation by which electronic waste or some of its components can be returned to the same purpose for which they were conceived. This term includes the continued use of the devices or some of their components returned to collection points or distributors, recyclers, manufacturers, social reuse schemes, etc.</p>	Reuse
<p>Recovery is a set of associated actions aimed at restoring the value of waste for production processes by retrieving materials or harnessing energy for health protection and sensible use of resources.</p>	Recovery of WEEE

5.2 ANNEX 2: WEEE CATEGORIES

No.	Categories	Examples	Justification
1	Appliances containing refrigerants	Refrigerators, freezers, others containing refrigerants	They require safe transport (without damage) and the subsequent individual treatment
2	Large and mid-size home appliances (minus equipment in category 1)	All other large and mid-size home appliances	They mostly contain different metals and plastics that can be handled by today's standards
3	Lighting fixtures	Fluorescent tubes, light bulbs	They require special recovery processes
4	Appliances with monitors and screens or displays	TV sets, CRT monitors, LCD monitors	Cathode ray tubes require safe transport (without damage) and the subsequent individual treatment
5	Other electrical and electronic equipment	Computer, office, consumer electronic equipment, brown-line home appliances (except those mentioned in above categories). Laptops, netbooks, phones and compact devices	They mostly consist of the same materials and components and therefore require very similar recycling or recovery treatment.

PARTICIPATING INSTITUTIONS

This paper is the result of a collective process supported by different kinds of contributions. It began to develop as part of the conclusions of the workshop held in Panama City in November 2009. Next, It became a project in the workshop "Regional Consensus on an E-Waste Stream in Latin America" in April 2010 in Mexico City, which had participation of some representatives of governments and companies producing electronic equipment in the region. At the time, the groundwork was laid for the construction of guidelines on the environmentally sound management of WEEE for Latin America.

A second meeting held in November 2010 in Lima which aimed at representatives from the public sector contributed to a more accurate development of the criteria for this sector in order to promote environmentally sound WEEE management. The updated document was completed at the March 2011 meeting in Medellin for Regional Harmonization of WEEE Management in Latin America with the agreement of all participants about the proposals it contains.

At the same time as the document was formulated at the meeting in Mexico in 2010, a committee was set up comprising representatives of the public and private sectors who held virtual meetings for a year for the purpose of developing this common project. This group guided and ensured the proper process of the commitments taken on, which helped inform the creation of the document. Apart from this, there was a consultation through opinion polls among some representatives of the governments involved.

This form of work led to the dynamics used for the drafting of this document, which describes the joint proposal supported by representatives of institutions from the public and private sectors and civil society organizations, all of whom contributed to this final version.

REGIONAL REPRESENTATIONS

Basel Convention Regional Centre for South America. (BRCB-LA)

Basel Convention Regional Centre for Central America and Mexico (CRCB-CAM)

Andean Parliament

PUBLIC SECTOR

Argentina Argentinian Senate's Committee on Environment and Sustainable Development

Brazil Minas Gerais State Government

Colombia Ministry of the Environment, Housing and Territorial Development

Costa Rica Ministry of Health

Chile Ministry of the Environment

El Salvador Ministry of the Environment and Natural Resources

Guatemala Ministry of the Environment and Natural Resources

Honduras Centre for the Study and Control of Pollutants (CESCCO) / Technical Focal Point – Basel Convention in the Republic of Honduras

Mexico National Ecology Institute, Ministry of the Environment and Natural Resources, Mexico

Panama	Ministry of Health of the Republic of Panama
Peru	Ministry of the Environment
Uruguay	Ministry of Housing, Spatial Planning and the Environment (MVOTMA)

PRIVATE SECTOR

DELL Inc

SONY Latin America Inc.

NOKIA

IBM

LENOVO

ANDI National Business Association of Colombia

CCIT Colombian Chamber of Information Technology and Telecommunications, Colombia

CIVIL SOCIETY ORGANIZATIONS

IDRC International Development Research Centre, Canada

EMPA Swiss Federal Laboratories for Materials Science and Technology, Switzerland

GIZ Deutsche Gesellschaft für internationale Zusammenarbeit (GIZ) GmbH - German Association for International Cooperation

ACEPESA Central American Association for Economy, Health and Environment, Costa Rica

IPES Promotion of Sustainable Development, Peru

CNPMLTA National Centre for Cleaner Production and Environmental Technologies, Colombia