

### 3. REGIONAL OVERVIEW OF THE E-WASTE LEGISLATION AND E-WASTE MANAGEMENT SYSTEM

#### A. Status of Legislation

All twelve countries in the region have well-developed legal and regulatory frameworks in the field of waste management, but six countries have no specific legislations or EPR systems focused on regulating e-waste (Table 3).

#### Five countries have EPR on e-waste established and functioning.

The frontrunners in the region have e-waste legislations in place or have an EPR related to e-waste integrated into their waste management law. Georgia, Moldova, and Ukraine have e-waste-specific legislation or regulation. Belarus, Kazakhstan, and Russia regulate e-waste through bylaws in the national legislation (i.e. by specifically mentioning e-waste in their general waste laws). All other countries have laws for general waste management but do not regulate e-waste specifically, while Tajikistan and Uzbekistan do not have a comprehensive law for e-waste but have a specific focus only on lamps containing mercury. The EPR system has been established in five countries: Belarus, Georgia, Kazakhstan, Moldova, and Russia. These five countries apply the EPR to the waste streams arising from several products, such as packaging, batteries and accumulators, EEE, vehicles, and oils.

Table 3. Presence of e-waste-specific legislation, EPR, & EHS standards on e-waste management\*

Country	Legislation/Regulation Specific on E-waste	EPR Relating to E-waste	Status of E-waste EHS
Armenia	✘	⚙️	✘
Azerbaijan	✘	✘	✘
Belarus	✘	✔️	✔️
Georgia	✔️	✔️	✔️
Kazakhstan	✘	✔️	⚙️
Kyrgyzstan	✘	✘	✘
Moldova	✔️	✔️	✔️
Russia	✘	✔️	✔️
Tajikistan	✔️ (lamps)	✘	✘
Turkmenistan	✘	✘	✘
Ukraine	✔️	⚙️	✔️
Uzbekistan	✔️ (lamps) ⚙️ (other)	✘	✘

⚙️ draft stage   ✔️ present   ✘ absent

\*Detailed information about the specific laws can be found in the respective country profiles (see also Chapter 9).

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**Three countries have draft legislations or the EPR system on e-waste in development.**

Armenia and Ukraine are in a drafting process of the EPR for e-waste, and Uzbekistan has e waste draft legislation in development. Specifically, the State Committee of Uzbekistan on Ecology and Environmental Protection developed a draft provision for disposal of EEE, domestic, and other office equipment, and the provision is under review for approval.

**Four countries neither have specific e-waste legislation in place nor have any legislation in development, meaning that their e-waste is managed through general waste laws.**

Four countries in the region (Azerbaijan, Kyrgyzstan, Tajikistan, and Turkmenistan) do not have specific e-waste legislation in place. Thus, their e-waste is managed mostly through general waste laws or laws on hazardous waste management. These countries are progressing toward the establishment of an EPR system, but no related draft or legislation currently exists.

**Half of the countries have e-waste management standards or are in the process of developing them.**

Recently, six countries have adopted or are in the process of adopting specific e-waste management standards (Belarus, Georgia, Kazakhstan, Moldova, Ukraine, and Russia). The management of waste, including hazardous waste, is regulated by several national laws and rules in all countries in the region.

## B. International Agreements

There are several international agreements that countries in the region have put in place or agreed to be bound by that relate to e-waste. These range from multilateral environmental agreements (MEAs) to agreements on restricting the use of hazardous substances in manufacturing to agreements promoting the circular economy. Table 4 provides a summary of all international agreements in the region and is described below.

### All countries are Parties to the Basel Convention, but not the other MEAs.

Countries in the region have adhered to the three major MEAs relevant for e-waste issues (Basel, Rotterdam, and Stockholm) to different degrees. All twelve countries in the region are Parties to the Basel Convention on the Control of TBM of hazardous waste and its disposal. Seven countries are bound to the Rotterdam Convention on the Prior Informed Consent procedure for Certain Hazardous Chemicals and Pesticides in International Trade. Tajikistan signed the Convention in 1998, but has not ratified it, while Azerbaijan, Belarus, Turkmenistan, and Uzbekistan have not started the signature process yet. Eleven countries – i.e. all except Turkmenistan – are also Parties to the Stockholm Convention.

In 2017, Armenia and Moldova ratified the Minamata Convention on Mercury, while Belarus, Georgia and Russia have signed it, but the ratification process has not been so far completed (as of May 2021). The other countries have not started the signature process yet. Albeit new, the latter international convention is also relevant for e-waste issues. In fact, Part 1 of Annex A of the Minamata Convention prohibits production, import or export of a whole list of mercury-added products, including EEE.

### The EAEU restricts the use of hazardous substances in EEE production.

Two important legal tools in the EEE and e-waste fields

have also been adopted at regional level, by the EAEU and by the CIS.

One of the important steps taken in the EAEU targeted at health and environmental protection in the field of e-waste management is the adoption by the Resolution of the Eurasian Economic Commission Council, dated October 18, 2016 of the Technical regulation “On restriction of the use of hazardous substances in electrical and radio electronics products” - TR EAEU 037/2016, which entered into force on March 1, 2018. The regulation applies to all EAEU countries<sup>(7)</sup>. On March 1, 2020, the Eurasian Economic Union (EAEU) brought into scope the Limitation of the Use of Hazardous Substances in Electrical and Electronics Products (TR EAEU 041/2017). This regulation, based off of the European Union (EU) Restriction of Hazardous Substances (RoHS) Directive, puts restrictions on substances used in the manufacturing of electrotechnical and electronic products.

According to the requirements of TR EAEU 037/2016, EEE must be designed and manufactured in such a way that they do not contain lead, mercury, cadmium, hexavalent chromium, polybrominated biphenyls and polybrominated diphenyl ethers. In homogeneous materials used in manufacturing of equipment, the concentration of these substances “in weight percent should not exceed 0.1, and hexavalent chromium – 0.01”.

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### Dushanbe Agreement was adopted to promote circular economy within seven of the CIS members.

On June 1, 2018, CIS State Leaders signed the Agreement on CIS Member States cooperation in the field of management of e-waste in Dushanbe, Tajikistan. The so-called Dushanbe Agreement was adopted within seven of the CIS Member States, and was signed by Armenia, Belarus, Kazakhstan, Kyrgyzstan, Russia, Tajikistan, and Uzbekistan.

The purpose of this Agreement is to promote the creation of a regional system for e-waste management to maximize the use of such wastes as secondary materials resources through the application of the best available technologies (BAT). Cooperation in improving the relevant legal and regulatory framework, through the adoption of common classification systems of such waste and through the harmonization of e-waste management standards are also set forth by the Agreement.

In addition, possible joint programs and projects for the use of secondary material resources are also envisaged. The coordinator of cooperation initiatives in charge of implementing this Agreement is the CIS Inter-State Council on Industrial Safety<sup>(8)</sup>.

The Action Plan for the implementation of the Dushanbe Agreement was approved on November 2, 2018 in Minsk, Belarus by a Resolution of the Council of CIS State Leaders. This plan aims to provide integrated and agreed upon strategy for:

- ESM of e-waste.
- E-waste environmental impact minimization.
- Recycling processes.
- Recycling of e-waste into secondary raw materials that can be used in production.

Table 4. Overview of status of ratifications of international agreements

	ARM	AZE	BLR	GEO	KAZ	KGZ	MDA	RUS	TJK	TKM	UKR	UZB
Basel Convention	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Rotterdam Convention	✓	✗	✗	✓	✓	✓	✓	✓	⚙	✗	✓	✗
Stockholm Convention	✓	✓	✓	✓	✓	✓	✓	✓	✓	✗	✓	✓
Minamata Convention	✓	✗	⚙	⚙	✗	✗	✓	⚙	✗	✗	✗	✗
Restriction of hazardous substances*	✓		✓		✓	✓		✓				
Dushanbe Agreement <sup>(9)</sup>	⚙	✗	⚙	✗	⚙	⚙	✗	⚙	⚙	✗	✗	⚙

✓ party ⚙ signatory ✗ not party; not signatory

\*Only valid in the EAEU

<sup>(8)</sup> <https://unece.org/environmental-policy/events/cis-inter-state-council-industrial-safety-0>.

<sup>(9)</sup> Agreement on the creation of a regional system to manage e-waste promoting circular economy through the cooperation of the CIS Member States.