

# E-Stewards Initiative and the Electronic Recycler's Pledge of True Stewardship

## *Frequently Asked Questions*

*Updated January 25, 2005*

***Q. What Inspired the E-Stewardship Initiative? Who developed it?***

**A.** The e-Stewardship Initiative (The Pledge) was inspired by the release of the report "Exporting Harm: The High-Tech Trashing of Asia," in February 2002 authored by the Basel Action Network (BAN) and Silicon Valley Toxics Coalition (SVTC). The report uncovered that about 80% of the electronic or computer waste (e-waste) collected for recycling in North America, does not get recycled in North America, but is quickly exported from "recyclers" to Asia where it is broken down in horrific, primitive operations that jeopardize Asian workers and environments alike.

The report sent shockwaves around the world about the true nature of e-waste recycling. When asked by consumers what could be done with their e-waste, the only responsible answer was to tell them to hang on to their electronic waste for the time being, until we were able to find recyclers that agreed to do the *right* thing instead of the *cheap* thing. Finding recyclers that were not involved in the unsustainable practices of either exporting their hazardous wastes or dumping them in landfills, or utilizing prison labor was difficult. So, BAN, SVTC, and the other environmental organizations making up the Computer TakeBack Campaign (CTBC) worked to develop the Electronic Recycler's Pledge of True Stewardship. Through open consultations with electronics recyclers the pledge was refined, and after 4 months of this process the pledge was opened to all recyclers for signing.

***Q. What is the purpose of the Pledge?***

**A.** The pledge is designed to accomplish the following:

- To provide consumers, institutions, and businesses a sustainable and socially just avenue for disposing of obsolete or broken computers and electronic equipment;
- To use market forces to create a trend for doing the right thing with respect to e-waste in the absence of federal or state legislation;

- To eventually close-off unsustainable “cheap and dirty” pathways for e-waste, so that incentives are created to induce computer designs geared for efficient recycling and without toxic materials; and
- To usher-in the development of a viable recycling infrastructure in the country where electronic products are consumed and become e-waste.

***Q. Why is the Pledge necessary?***

**A.** Unfortunately, in North America, both the electronics manufacturers as well as the federal governments in Canada and the USA have failed miserably to close-off unsustainable avenues of e-waste management, such as export to developing countries, dumping in municipal landfills, and use of prison labor. For example, Canada and the USA are the only developed countries in the world that have failed to control export of hazardous electronic waste exports to developing countries. Further they have failed to require that electronic manufacturers take responsibility for the end-of-life of their products. While in Canada, some progress is currently being seen among manufacturers, in the USA, the National Electronics Product Stewardship Initiative (NEPSI) process is moving painfully slow, and thus, legislation at a federal level to remedy the e-waste crisis is seen as a long way off. Thus, it is necessary to find a means of changing societal practices in the current absence of legislation. The recycling companies that have pledge to meet the pledge criteria are forging ahead with an answer for conscientious consumers, leading the way with a market-driven solution in the midst of a business-as-usual environment.

***Q. Who or what are BAN, SVTC and the CTBC?***

**A.** The Basel Action Network is a global network of organizations whose mission is to prevent the globalization of the toxic trade crisis. BAN works to prevent “toxic trade” in toxic wastes, toxic products, and toxic technologies exported from rich to poorer countries. BAN works to ensure national self-sufficiency in waste management through clean production and toxics use reductions, and advocates the principle of global environmental justice -- where no peoples or environments are disproportionately poisoned and polluted due to the dictates of unbridled market forces and trade. For more information about BAN visit: [www.ban.org](http://www.ban.org).

The Silicon Valley Toxics Coalition is a pioneering organization working to promote a clean electronics industry. SVTC envisions a sustainable world where a healthy environment is a right, rather than a privilege. To bring about this vision, SVTC works for the empowerment of people locally, nationally and globally. SVTC is a diverse, grassroots organization committed to the practice of social justice and multi-racial democracy. For more information about SVTC visit: [www.svtc.org](http://www.svtc.org).

The Computer TakeBack Campaign is a pioneering organization focused on the environmental and social impacts of the electronics industry. It is a coalition of activist

organizations dedicated to protecting the health and well being of electronics users, workers, and the communities where electronics are produced and discarded by requiring consumer electronics manufacturers and brand owners to take full responsibility for the life cycle of their products, through effective public policy requirements or enforceable agreements. BAN and SVTC are members of the CTBC. For more information about the CTBC visit: [www.computertakeback.com](http://www.computertakeback.com).

***Q. Where can we find the pledge and the list of pledgers?***

**A.** The current list of Signatories, their addresses and phone numbers, a list of what types of e-waste each company takes, and a copy of the pledge can always be found at [www.ban.org](http://www.ban.org), and [www.computertakeback.com](http://www.computertakeback.com).

***Q. How was it determined what E-waste is considered hazardous waste?***

**A.** Because the U.S. and Canadian definitions of hazardous wastes are completely unscientific (as they exclude wastes regardless of toxicity simply because they can be recycled), we chose to work with the Basel Convention definitions. The Basel Convention is an international treaty established to deal with toxic wastes. On its Annex VIII listing of internationally agreed hazardous wastes, are various electronic wastes. While this listing is open to some interpretation, the Convention relies on Annexes I and III in order to determine how to interpret the list. We looked into how countries applied these definitions. Australia, a country that is not known for strong environmental stances in international treaties, nevertheless has conducted an excellent and probably most complete analysis of which electronic wastes are to be considered hazardous wastes under the Basel Convention. You can find this guideline at: <http://www.deh.gov.au/industry/chemicals/hwa/papers/scrap.html>

Australia concluded that because of the lead content in cathode ray tubes (CRTs) and CRT glass, and due to the lead content in lead-soldered circuit boards, most products containing CRTs or circuit boards will fail the Toxic Characteristic Leaching Procedure (TCLP) test and therefore be considered a hazardous waste under the Basel Convention. Also, any waste that contains significant amounts of cadmium, mercury or PCBs will also fail. Thus, for the purposes of the pledge, we have drawn the line accordingly. Still, we recognize that there are indeed other problematic hazardous materials in computer waste that warrant serious concern. These include beryllium, brominated flame retardants (BFRs), PVC (polyvinyl chloride), and phosphor compounds. However, because the Basel Convention is not explicit in this regard, we have not included these substances in our definition of hazardous e-waste for the purposes of the pledge.

***Q. What are the OECD and the EU and why is the export prohibition defined with this group?***

A. The pledge echoes an international accord that seeks to ban the export of all hazardous waste from developed to developing countries. This ban is embodied in Decisions II/12 and Decision III/1 of the Basel Convention, and is known as the Basel Ban Amendment. The Basel Ban Amendment was developed by the countries who are parties of the Basel Convention in order to prohibit *economically* motivated hazardous waste exportation. Such exportation works at cross purposes to source reduction of hazardous waste and furthermore victimizes poor communities and nations with environmental problems not of their making. The most enforceable way to go about this was to use economic grouping of countries that were readily defined and not subject to opting in or out at will. The Organization for Economic Cooperation and Development (OECD) is such a group as is the European Union (EU). The OECD consists of 30 member countries that represent the most industrialized nation states. The EU consists of includes a list of 25 countries that are also industrialized and highly developed. Thus, it was decided in the Basel Convention to make the export ban applicable to OECD and EU countries with respect to non-OECD/non-EU countries. The only exception to this rule at the moment is the country of Liechtenstein, which for the purposes of the Basel Convention, is also considered as a country banning export. For a complete list of OECD and EU countries, visit: [www.ban.org/country\\_status/country\\_status.html](http://www.ban.org/country_status/country_status.html) and find OECD countries shaded in gray.

***Q. Why is it important to ban export of hazardous e-waste? Can't we just make sure that we set up good, technologically advanced facilities in developing countries and then export?***

A. This argument fails to visualize that *even if* developing countries employed the best e-waste recycling techniques in the world, and *even if* one could guarantee that a developing country could somehow possess the resources to acquire such a technology and to properly monitor and enforce the proper maintenance of such technologies (an impossibility), the export to Asia of our hazardous computer waste would still equate to an export of our pollution and a monumentally bad idea.

There is no such thing as 100% recycling. Even North American or Western European recyclers and smelters have to contend with toxic emissions, releases and discards. As the waste in question is hazardous, the inevitable contamination, risks, and residues associated with recycling will be transferred to developing country territories, that will become rife with landfills, incinerators, and waste treatment facilities and the accompanying occupational disease and degraded environment. Because risk mitigation, liability, and remediation are far more expensive in developed countries, combined with labor being far cheaper in the developing countries, there is a strong likelihood the processing and recycling of *all* hazardous wastes, will continue to be driven by market forces toward developing countries. In this scenario that is already beginning to play out today, the rich developed countries can effectively cleanse their hands while wringing out industrial dirt on the poor. It means that the poorest regions of the world, by virtue of brute economics alone, would become the toxic waste colonies of the rest of the world.

While clearly victimizing the poor with toxic, unsustainable jobs, the export solution whether via “environmentally sound technologies” or not, also works in contradiction to the “polluter-pays principle” and the principle of “waste prevention”, as it allows real environmental costs to be externalized by those responsible for creating them – in this case, electronics manufacturers and consumers. In effect, whenever a government allows externalization of costs, in this case via export, they create an unfair subsidy or reward for industry to continue to create polluting products and wastes. This pollution subsidy then stifles the innovation desperately needed worldwide to implement preventative solutions upstream through green designs that avoid pollution in the first instance. Enough of this distorted economic system that hurts all of us! Free trade is for “goods” -- not hazardous waste!

***Q. Why does the Pledge forbid prison labor? I thought this was a pledge about environmental issues.***

***A.*** The use of prison labor raises many questions, some social, some economic and some environmental. While almost all can support the idea that prisoners should be able to work if they want to, and should receive training for work, the rather alarming growth in the use of prison labor in recent years for “solving” the e-waste crisis is counterproductive. By utilizing a no-wage, or a low-wage labor force, such operations unfairly compete with free-market recycling, hindering its development, and at the same time, provide a form of subsidy for manufacturers. Much like export, the use of prison labor allows an externalization of real end-of-life costs that rightfully should be born by electronics producers and passed on to consumers (internalizing costs). Without cost internalizations in real market conditions, there is little incentive for industry to move rapidly to solve end-of-life pollution problems through fundamental design change. The result is a slowing of innovation to solve our toxic waste problems upstream and a slowing of the development of a viable private sector recycling industry. The result is a loss for the environment and human health.

***Q. Will these electronics recyclers charge more for their services due to the criteria in the pledge?***

***A.*** Undoubtedly, it will be somewhat more expensive to avoid externalizing costs to no-wage labor programs, dumping in the local landfill, or in export to Asia. In effect we as consumers will be paying more dollars to avoid a situation where we all will globally pay with our degraded health or environment. However, sustainable, responsible recycling will undoubtedly be affordable, and furthermore, will leave the consumer with the satisfaction that they will not participate in irresponsible dumping of toxic e-waste on unsuspecting communities at home or abroad. Eventually, when manufacturers are required to take responsibility for the end-of-life of their products as they are now required to do in Europe through legislation calling for extended producer responsibility (EPR), these costs will be rolled into the price of a product and minimized as manufacturers seek to reduce them through more efficient and less toxic design. The

combined efforts of closing off cost externalizations and EPR will eventually lead to both lower prices and more environmentally friendly products.

***Q. How is the pledge enforced? What will happen to companies that sign and then fail to comply?***

**A.** The pledge was the initiative of BAN and SVTC, and is based on the honor system. The recourse for its custodians – BAN and SVTC, in the case of alleged non-compliance, is to first investigate, then negotiate to see if companies can be assisted in finding complying solutions, and then finally, in cases of clear non-compliance or dishonesty, simply remove these offending companies from the active list of the Pledge signatories. BAN and SVTC reserve the right to remove signatories from the Pledge list that will be maintained on the websites of BAN, SVTC and CTBC if we determine that there is sufficient doubt as to pledge compliance.

There are plans to *certify* compliance with the pledge in future. However, for the moment we believe this honor system will work well, not only because our elite corps of recyclers want to do the right thing, but because we believe there are enough consumers and institutions facing e-waste disposal problems that want to do the right thing as well and thus have created a ready and willing market for recyclers maintaining the highest standard of environmental and social criteria. In this way, there exists a strong self-interest for recyclers to stay on the list simply from a business standpoint alone.

***Q. What is the next step?***

**A.** After finally developing a list of viable and sustainable destinations for e-waste, we can begin applying the pressure on major institutions, collection programs and consumers of all stripes to utilize these pathways. No longer should a county, city, or school system ever again use recyclers that are not adhering to the world's most rigorous e-waste criteria.

But a closing-off of “cheap and dirty” disposal options is only half of the battle to solve the e-waste crisis. What is also needed is strong push in state and then federal legislation to enforce extended producer responsibility (EPR). EPR legislation has already been passed in Europe and in Japan and requires that all manufacturers take financial responsibility for the taking back of their products at end-of-life. While such costs will initially be passed on to consumers, the looping of responsibility for end-of-life of products, back to producers provides an effective, built-in, market-based incentive for producers to minimize end of life costs through greener and cleaner design.

**END**