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## **E.MA THESIS**

***‘The “dirty” side of the European countries,  
Illustrated by their growing E-waste export to Africa and its shameful  
consequences regarding Human Rights over there.’***



**European Master’s Degree in Human Rights and Democratisation**

**EMA academic year 2009/2010**

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## **ABSTRACT**

*E-waste, understood as high-tech items discarded, is an emerging international issue that may affect both the environment and human health when it is mishandled. It requires high investments in order to be managed in an environmentally sound manner as it is required by a multitude of legislations. However, today, the majority of e-waste produced in rich countries is exported to developing countries where it is well-known that these poor countries have much lower environmental and social standards.*

*Admittedly, the European Union is the only economic organization today that has adopted binding regulations about e-waste. Nevertheless, the analysis of these latter reveals important shortcomings which still allow a large part of European e-waste to move to Africa. On the other side, this continent, being the poorest of the world, seems compelled to accept these toxic products, but in the detriment of the health of its peoples.*

*In this regard, this thesis aims at assessing the efficiency of the international environmental and Human Rights regimes to protect the health of African peoples. The ultimate objective will consist in determining whether or not the European countries may be held responsible for the adverse effects of their e-waste on African peoples' health.*

Cover picture: Dismantling monitors, and attempting repairs from dismantled parts. Ikeja village, Nigeria. From the Basel Action Network Report, 'The Digital Dump, Exporting Re-use and Abuse to Africa', 2005, p.21. Available at <http://www.ban.org/Library/TheDigitalDump.pdf> (consulted 25 March 2010).

## ACKNOWLEDGMENTS

Je voudrais tout d'abord adresser en français mes chaleureux remerciements à M. Perrakis pour m'avoir accueillie dans son université, à Athènes, et pour m'avoir supervisée, orientée et écoutée durant tout ce semestre. Ses conseils ont été des plus précieux pour l'avancée de mes recherches.

Otherwise, I would like to sincerely thank Ms. Marouda for her great support and all the confidence she had in me during the semester, even when I was myself completely lost.

I want to thank also the *University Panteion* for its free accommodation and lunch services that were very helpful for me. I thank *EUIC* too for having created such a great programme for students committed to Human Rights. This year has been an accomplishment for me, professionally as personally.

Then, I want to thank a lot Aidan McGowan who has reviewed my thesis and corrected my approximate English. Knowing him only by internet, I see how great technology can be when it is well used. Equally, I am so grateful to Ms. Axone and Ms. Ordimagik for their technical skills without which, this thesis could not have been ready on time.

Personally, I would like to thank my parents who have encouraged me during all my studies, and supported all my choices, the good as the bad ones. Thank you so much for believing in me.

Finally, I would like to dedicate the present thesis to my first nephew who will be born in three months, I really wish him to live in a better world than ours, respectful of Human Rights and caring about real sustainable development for everyone.

## ABBREVIATIONS

Aarhus Convention on Access to Information, Public Participation in Decision-making and Access to Justice for Environmental Matters	Aarhus Convention
African Charter of Human and Peoples' Rights	ACHPR
African Commission of Human and Peoples' Rights	AComHPR
African Union	AU
African, Caribbean and Pacific (countries)	ACP (Group)
Bamako Convention on the Ban of the Import into Africa and the Control of Transboundary Movement of Hazardous Wastes within Africa	Bamako Convention
Basel Action Network	BAN
Basel Convention on the Control of Transboundary Movement of Hazardous Wastes and their Disposal	Basel Convention
Commission of Human Rights	CHR
Committee on Economic, Social and Cultural Rights	CESCR
Conference of the Parties	COP
Economic Community of West African State	ECOWAS
Electrical and Electronic Equipments	EEE
Environmental Sound Management	ESM
European Economic Community	EC/EEC
European Convention of Human Rights	ECHR
European Court of Human Rights	ECtHR
European Court of Justice	ECJ
European Topic Centre on Sustainable Consumption and Production	ETC/SCP
European Transnational Corporations	TNCs
European Union	EU
European Waste List	EWL
Foreign Direct Investment	FDI
General Agreement on Tariffs and Trade	GATT
General Comment n°14 on the right to the highest attainable standard of health	General Comment n°14
Human Rights Committee	HRCCom
Human Rights Council	HRC
Idem	Id.
Information and Communication Technology	ICT°
Inter-American Commission of Human Rights	I-ACHR
International Court of Environmental Arbitration and Conciliation	ICEAC
International Court of Justice	ICJ
International Covenant on Economic, Social and Cultural Rights	ICESCR

International Covenant on Civil and Political Rights	ICCPR
International financial institutions	IFIs
International Labour Organisation	ILO
International Tariff	IT
Non Governmental Organisations	NGOs
Optional Protocol to the African Charter on the Rights of Women in Africa	Optional Protocol to the ACHPR
Organisation for Economic Co-operation and Development	OECD
Organisation of African Unity	OAU
Paragraph	Para.
Polluteur Pays Principle	PPP
Prior Informed Consent	PIC
Producer Responsibility Principle	PRP
Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade	Rotterdam Convention
Special Rapporteur on Adverse effects of the movement and dumping Of toxic wastes and dangerous products and wastes on the enjoyment of human rights	SR on Toxic Wastes
Special Rapporteur on the right of everyone to the enjoyment to of the highest attainable standard of physical and mental health	SR on the Right Health
Special Representative of the General Secretary on the issue of Human Rights and Transnational Corporations and other business enterprises	Special Representative on Business and Human Rights
Stockholm Convention on Persistent Organic Pollutants	Stockholm Convention
Transnational Corporations	TNCs
United Nations	UN
United Nations General Assembly	UN GA
United Nations Environment Programme	UNEP
Waste Electronic and Electric Equipment	WEEE
World Bank	WB
World Health Organisation	WHO
World Trade Organisation	WTO

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