SBC E-waste Africa Project, Component 4

National Training Workshop on E-Waste in Nigeria Lagos, 13th – 15th September 2011

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Summary

The third African national training workshop of the SBC e-waste Africa Project (Component 4) was held on 13th – 15th September in Lagos, Nigeria. The workshop was mainly organised by the Federal Ministry of Environment (FMEnv) , National Environmental Standards and Regulation Enforcement Agency (NESREA) and Nigeria Customs Service (NCS) with technical support from IMEPEL-TFS, Secretariat of the Basel Convention and Basel Convention Coordinating Centre.

In attendance were 47 participants made up of regulatory and enforcement officers representing the main stakeholder institutions. These are the Federal Ministry of Environment (FMENV), National Environmental Standards and Regulation Enforcement Agency (NESREA), Nigeria Customs Service (NCS), Nigerian Police Force, Lagos State Environmental Protection Agency (LASEPA), Lagos State Waste Management Authority (LAWMA), Port Health Service of Federal Ministry of Health, Nigerian Navy, Nigerian Ports Authority (NPA), Federal Ministry of Defence, Experts from BCCC-Nigeria, SBC and IMPEL. Other stakeholders were representatives of the shipping agencies, Association of computer traders from Alaba and Ikeja markets and the media. The list of participants is attached in Annex 2.

Welcome address was given by the Director Pollution Control & Environmental Health FMEnv represented by Eng. A.I. Adefule Deputy Director FMEnv Lagos Zonal Office.
It was then followed by goodwill messages from the following institutions:

- SBC
- NESREA
- NCS
- IMPEL-TFS
- BCCC

The Keynote Address by the Honorable Minister of Environment was given by Mrs. O.O. Babade Acting Director Pollution Control & Environmental Health FMEnv after which technical papers on the topics below were given:

- Overview of SBC e-waste African Project
- Overview of e-waste management in Nigeria
- International and regional policy and regulation relevant to WEEE
- EU legislation on transboundary (waste) shipments relevant to WEEE
- National Regulation and Guidelines on WEEE in Nigeria
- Introduction to the e-waste inspection and the Enforcement Manual
- Film show, a short version of *Toxic City* and two sections of the IMPEL-TFS DVD
- Conception of Part 4 of the e- waste inspection
- Port inspection procedures in Nigeria
- Cooperation and MOU with relevant Agencies in Nigeria

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There was a visit to the Tin Can Island Port Terminal on the second day to have a demonstration of examination procedures on three containers with UEEE. Afterwards the participants got an overview of ASSYCUDA++, a computerized customs system. They filled in the questionnaire and discussed in four groups the observations and challenges of the examination procedures.

The results of the group discussion were presented in the morning of the third day. NESREA gave a pictorial presentation on inspection and examination of UEEE containers. This was followed by simulation exercises in the same four groups, which was presented afterwards. The communiqué was presented and some amendments were made. Certificates were issued to the participants and closing remarks were made by SBC, FMEnv and the BCCC.

Organisation committee

Dr. L. Nnamdi Nwankwo (...), FMEnv, Abuja
John Adefemi Adegbite (Assist. Director – pollution Control), FMEnv, Abuja
http://environment.gov.ng/about-moe/departments-agencies/technical-departments-3/pcehd/
Mrs. E. O. Eze (NESREA) Lagos
http://www.nesrea.org/about.php
Mr. Aloysius Anamah (NCS) Abuja
http://www.customs.gov.ng/About/customs_headquarters.php

IMPEL members

Mr Joseph Sarfo Domfeh, Klif (NO) www.klif.no/artikkel____38627.aspx
Mr Klaus Willke, BSU (DE) www.hamburg.de/abfallverbringung

BCCC Ibadan

Prof. Oladele Osibanjo
Bolanle M. Ajai
www.basel.int/Partners/RegionalCentres/DirectorsContactPersons/tabid/1558/Default.aspx#nigeria2

UNDP/SBC programme officer

Ms Tatina Terekhova www.basel.int/Secretariat/Staff/tabid/1296/Default.aspx

Daily reporting

Day 1: Tuesday, 13th September

Opening Ceremony

The welcome address was given by the Director Pollution Control & Environmental Health FMEnv represented by Eng. A.I. Adefule, Acting Controller, FMEnv Lagos Zonal Office. He welcomed all participants to the workshop and stated that the purpose of the workshop was to train relevant enforcement officers at the seaports and land borders including other relevant stakeholder to monitor and control the transboundary movement of E-waste from the develop-

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ed countries. He said the Nigerian government was determined to combat the E-waste menace and prevent the harmful effect on human health and the environment.

Goodwill messages

Good will messages were given by the Executive Secretary of Secretariat of Basel Convention – Ms. Katharina Kummer represented by Ms. Tatiana Terekhova, the Director General NESREA – Dr. Mrs. N.S Benebo represented by Mrs. M.A Amachree, The Customs Area Controller, Tin Can Island Port Mr. E. Edike represented by Dr C.E Agu, Mr Gerard Wolters Inspector General for international Enforcement Cooperation VROM and former Chairman of IMPEL represented by Mr. Klaus Willke of IMPEL, and Executive Director of BCCC – Nigeria – Prof. O. Osibanjo.

Keynote Address by the Honorable Minister of Environment

The Honorable Minister of Environment, Mrs. Hadiza Ibrahim Mailafia, represented by Mrs. O.O. Babade Acting Director Pollution Control & Environmental Health FMEnv, described the workshop as a welcome development in view of the fact that Nigeria had been a major recipient of E-waste in Africa. She said in line with the plan by the Ministry to avert this dangerous trend; the Ministry had developed a draft policy, guidelines and strategic plan on E-waste management and recently the federal government gazetted the regulations on electrical and electronic sector. She concluded her address by stating that the Ministry has concluded plans to establish a pilot project on E-waste recycling in Nigeria.

A group photograph of participants at the workshop

1.0 Technical Session 1: Introduction to the E-waste Africa Project

1.1 Overview of SBC E-waste African Project

Prof. O. Osibanjo, in presenting an overview of the project, identified E-waste as the next burning environmental issue apart from climate change.

E-waste, he said had given rise to ailments such as cancer, infertility etc. he also added that there was death, disease and money in E-waste.

He said the project which was for a three (3) year timeframe was being funded by the EU, Norway, UK and NVMP. The participating countries are Benin, Cote D'Ivoire, Egypt, Ghana, Liberia, Nigeria and Tunisia. The implementing organizations are BCRC-Senegal, BCCC-Nigeria, BCRC-Egypt, IMPEL, EMPA and the Oeko-Institute.

He said the objectives of the project included enhanced environmental governance of E-waste in Africa, capacity building, protection of human health and provision of economic opportunities.

He concluded by saying it was expected that the project would result in the establishment of An African enforcement network to prevent and minimize the imports of E-waste dumping in Africa.

1.2 Overview of E-waste management in Nigeria

The Director General (D.G.) NESREA was represented by Mrs. M.A Amachree, a Deputy Director in the Agency. In her presentation, she gave one of the definitions of E-waste as *unwanted obsolete or unusable electrical electronic equipment which no longer satisfies owner for its original purpose*.

She said Nigeria was faced with the huge challenge in the management of E-waste imported and internally generated in the attempt to bridge the digital divide. She identified some of the reasons as to an increase in level of poverty and rapid change in technology. She also said some of the problems developing countries face includes lack of relevant laws and lack of capacity to manage e-waste.

In her presentation, she identified some of the national level instruments as the toxic dump watch and some NESREA regulations. She also said some of the national efforts include the international conference on E-waste organized by her agency; first Eko summit on e-waste. The D.G. informed participants at the workshop that her agency had intercepted and arrested five (5) ships till date.

She concluded by saying that Nigeria had signalled her refusal to be a dumping ground for e-waste.

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2.0 Technical Session 2: International, regional and national regulatory policy and legislation relevant to WEEE

2.1 International and regional policy and regulation relevant to WEEE

The Programme Officer SBC, Ms. Tatiana Terekhova in her presentation identified international legislation relevant to WEEE as Basel Convention, Stockholm Convention and Montreal Protocol and regional legislation as the Bamako Convention and the European Waste Shipments Regulation.

She explained that the goal of the Basel convention is to ensure hazardous wastes do not damage human health or the Environment and are managed in an environmentally sound manner. The goal of the Stockholm Convention on Persistent Organic Pollutants, she said was to protect human health and the environment from chemicals that remain intact in the environment for long periods, become widely distributed geographically, accumulate in the fatty tissue of humans and wildlife, and have adverse effects to human health or to the environment.
Ms. Terekhova informed participants that the aim of the Montreal protocol was to protect the ozone layer by phasing out the production and use of ozone depleting substances (ODS) such as CFCs.

She identified two policy developments on WEEE as the Nairobi ministerial declaration on the environmentally sound management of electronic and electrical waste, adopted in Nairobi, Kenya in 2006 by COP8 and the "Hazardous substances within the life cycle of electrical and electronic products" as an emerging policy issue also adopted in Geneva, Switzerland by the second session of the SAICM International Conference on Chemicals Management in May 2009. In conclusion, she said Basel requires the use of prior informed consent (PIC) procedures and the implementation into domestic legislation, and there are obligations under the Stockholm Convention related to e-waste (e. g. releases of dioxins and furans). Montreal Protocol she said prohibits import of ODS (EEE & WEEE) and Bamako prohibits the import of all hazardous waste.

2.2 The EU Waste Shipment Regulation

Joseph Sarfo Domfeh, Project Manager, EU-Africa collaboration project, enumerated in his presentation the key legislation relevant to EU waste shipments as Basel Convention 1989, OECD Decision 2001, The Waste Shipment Regulation (EC/1013/2006) and the Commission Regulation (EC) No 1418/2007.

He said according to EU Directive on Waste 2006/12/EC, *'waste' shall mean any substance or object in the categories set out in Annex I which the holder discards or intends or is required to discard*. He said waste can be classified into three main categories namely Green list, Amber List and unassigned. Non-hazardous waste which is listed in Annex III or IIIA or IIIB to the Regulation is classified as 'Green listed' waste e.g. paper, plastic, metals, glass; Amber list are usually hazardous wastes and include wastes listed in Annex IV and IVA e.g. CFCs lead acid batteries, oils and oil mixtures, certain WEEE items and unassigned when it has no appropriate code.

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He explained that with respect to exports of waste to EU / OECD countries, disposal was prohibited in most circumstances, waste on the amber list and unassigned waste required Notification controls and waste on the green list required the filling of Annex VII form. He further explained that that all waste exports to some 'new' EU member states, Latvia, Poland, Slovakia, Bulgaria or Romania required notification. Export of waste to non-OECD countries, he said, was permitted only for recovery and hazardous waste prohibited.

Mr. Domfeh identified four (4) control mechanisms namely; Prohibited, Notification (prior informed consent), No controls = Annex VII, Controls in destination under domestic legislation (Annex VII) and No response = Notification.

He talked about international cooperation between the European Union (EU) and other Parties to the Basel Convention and inter-State organizations, inter alia, via the exchange and/or sharing of information, the promotion of environmentally sound technologies and the development of appropriate codes of good practice. He said the challenges experienced by competent authorities and exporters included financial restrictions, precious time lost and uncertainties.
He educated participants on the steps to follow according to Article 9 Basel Convention and Article 24 WSR in return shipments.

2.3 National Regulation and Guidelines on WEEE in Nigeria

The Director General (D.G.) NESREA was represented by Mrs. M.A. Amachree. In her presentation, she told participants about the huge challenges faced by Nigeria in the management of e-waste. She said in the face of the increasing generation of e-waste at an alarming rate worldwide, there was an urgent need for the country to take decisive steps. She lamented that Nigeria had no estimation of the volume of e-waste generated or that thrown away.

She said the absence of a recycling plant in the country, have resulted in business opportunity for the informal sector, where recycling is carried out in a crude way as commonly practiced in most developing countries. The missing public awareness on e-waste toxicity and consumers' common habits of buying UEEE which is almost at end of life, rather than new ones are some of the factors supporting persistent existence of informal Recycling.

In order not to hinder the economic growth of the country, she said Government did not pronounce an outright ban of importation of UEEE but rather developed guidelines on UEEE importation to assist the importers in differentiating between e-waste and used EEE. She further said any WEEE imported into Nigeria shall be sent back to the Port of origin.

The Agency, she said, had successfully developed a "National Environmental (Electrical Electronic Sector) Regulations," to prevent and minimize pollution from all operations and ancillary activities of the electrical and electronic sector; this has been gazetted and enforced.

In conclusion, she said despite the hazardous substances contained in e-waste, there are also valuable materials of great value. She said the Agency was looking for reputable recyclers who

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will retrieve the valuable materials in an environmentally sound manner and also dispose the hazardous ones in an environmentally sound manner.

3.0 Technical Session 3 & 4: Introduction to the e-waste inspection and enforcement manual & investigation and inspection

3.1 Introduction to the E-waste Inspection and Enforcement Manual

In his presentation, Mr. Klaus Willke of IMPEL explained to participants that the e-waste Inspection and Enforcement Manual was a day-to-day tool for Customs Authorities, Environmental Protection Authorities, (Environmental) Police; Port Authorities and others confronted with transfrontier e-waste shipments. He said the manual could also be a training and study tool for the officers.

He told participants about the existence of the Basel Convention training manual.
He said the e-waste Inspection and Enforcement Manual was made up of six (6) chapters moving from the general to the more specific issues. In addition, he said the manual had also six (6) annexes.

Mr. Klaus Willke rounded up his presentation by saying that the manual was still a draft and it was expected to have country specific inputs before its finalization. This he said it would be done in close collaboration with Basel Convention Regional Centre (BCRC), Basel Convention Coordinating Centre (BCCC) and SBC.

3.2 Film show

Two films were shown. Participants were showed a shortened version of the film "Toxic City", which shows the e-waste challenges in Ghana and the enforcement activities in Hamburg, Germany.
Two chapters namely *Inspections Guidance* and *Awareness & Capacity* of the IMPEL-TFS DVD were also shown.

3.3 Conception of Part 4 of the E-waste Inspection and Enforcement Manual

Mr. Klaus Willke of IMPEL gave a presentation of chapter four (4) of the manual on the topic "Investigation and Inspection".

In his introduction, he talked about two lines of differences between investigation and inspections. The first one is more a desk and computer work, partly still also paper work. The second one is a physical activity. This is mostly done as an upon arrival inspection. Investigations are mostly done as a pre-arrival activity. A third one is an (investigation and/or) inspection at an importers site. Besides these a national policy that should distinguish between UEEE and WEEE is needed. He highlighted also the need for domestication of the Basel Convention.
On the issue of collaboration and communication, he identified the Customs authority as the key players in detecting and interception of UEEE and WEEE. Other enforcement authorities he

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said were the Federal Ministry of Environment, NESREA, NPA and maybe others. Here we need the input from our Nigerian colleagues. Other actors could be shipping lines, trade associations etc.

On administrative investigation, he talked about the Customs authority having a risk management program, risk indicators, search parameters and documentation analysis. He said additional investigation that could be carried out included inspections at importer's site for reasons such as, to see the follow up after importing UEEE to see where it eventually ends up.

3.4 Port inspection procedures in Nigeria

Mr. Aloysius Anamah, of the Nigeria Customs Service in his presentation described the Customs as global guards, first point of contact and trade facilitators. He described inspection as an act of conducting physical examination on any consignment/goods to determine if what was declared on the document was correct. He said inspection documents included bill of laden, invoices, packing list and customs declaration amongst others.

He explained that at the Nigerian ports methods of selectivity for examination involved scanning and risk management techniques. He said risk determinants included country of origin, name and address of importer and exporter and description of goods.

He emphasized the importance of safety measures during inspection for officers.
He concluded by appealing for assistance to help the customs distinguish between UEEE and WEEE and provision of safety kits for officers during inspection.

3.5 Cooperation and MOU with relevant Agencies in Nigeria

Mr. Aloysius Anamah, in his second presentation briefed the participants of the forms of inter-agency collaborations his organization had embarked on. This he said were in the form of joint physical inspection of goods, membership of the national toxic dump watch, inter-agency meetings, and exchange of information.

On the international level, he said included membership of the World Customs Organization (WCO), Green Customs Initiative (GCI) an initiative for enforcement of all multilateral environmental agreements (MEA).

He rounded up his presentation by saying he hoped NESREA would sign an MOU with his organization as it had done with some other national agencies.

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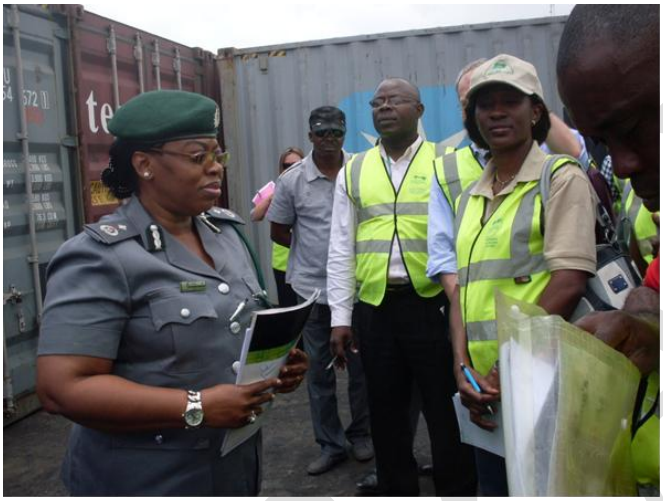
Day 2: Wednesday, 14th September

4.1 Visits to the Tin Can Island Port Terminal

Participants were driven in a LAWMA bus to visit the Tin Can Island Port Terminal in Lagos to carry out inspection of containers of UEEE. Participants were divided into three (3) groups and each group was given the necessary shipping documents to examine and inspect the containers.



Participants being addressed by the Deputy Comptroller in charge of the terminal

However, the teams could not carry out proper examination of the containers as the available containers had already been opened and there were no facilities to unload the containers to physically examine the goods. A demonstration of the examination procedure was conducted instead.

In the first container was a TV set on top of the first row, which had a label / sticker indicating, that an EEE Test had been done and was successful. The label / sticker had a unit ID number, the registration number of the Environment Authority (EA) of Great Britain, a date and a signature. If this sticker or label is authentic, then it may be an indication that EA is starting to implement the proposed annex 1 of the projected new WEEE directive. See the picture next page.

TV set with test label

4.2 Conference room NCS at

After the visit to the port terminal, participants congregated at the hall of the customs authority, where they were welcomed by the Customs Area Controller of the Tin Can Island Port, Comptroller Eporwei Edike. After which the ASSYCUDA++ project manager, F.F .Adegoke explained the ASSYCUDA++ system to participants. This he said was a computerization of the operations of the customs service which had minimized the level of human contact between the port users and the Customs officials.

4.3 Questionnaire and group discussions

The questionnaire on the enforcement structure was given out to the participants to fill. Altogether 36 were given back.

The participants then went into four working groups to discuss their observations, challenges and recommendations on the port exercise.

Day 3: Thursday, 15th September

5.1 Presentation of group work

The third day of the workshop commenced with presentation of the group work which was carried out at the port the previous day.

Some of their observations included lack of safety wears and equipment for inspection officers such as personal protective equipment, gas and radiation monitors. Participants said evidence could be collected and secured during inspection by taking model and serial number, photographs and year of manufacture of UEEE.

They suggested some ways of curbing WEEE as awareness raising and international certification from reputable organizations as a pre-requisite for importation of UEEE.

5.2 Presentation of NESREA experience at the port

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NESREA gave a pictorial presentation of their experiences at the port on inspections/examinations of container of on UEEE.

5.3 Simulation Exercise

Participants once again went into their previous groups and were given simulation exercises to get a feeling of

a) difficulties in an inquiry of a Custom suspicion on discovering potential WEEE towards a Competent Authority., and
b) difficulties of an (pre arrival) investigation by having certain documents on particular shipments. These were two exercises, which have been prepared by Anno Loonstra of IMPEL TFS. The participants were asked to choose which containers they would examine in order of priority.

After the simulation exercise, each group gave a presentation of their assignment.

5.4 Communiqué

The communiqué of the workshop was put together by Mrs. Olakitan Ogungbuyi Environmental consultant, Sustainability Ltd. and Ms. Bolanle Ajai Programme officer BCCC-Nigeria. Mrs. O.O. Babade presented the communiqué to the house and after amendments and suggestions were incorporated, Mohammed Yahaya of the NPA moved a motion for adoption of the communiqué, while Okoye Nkechi of NCS and Chidi Osuagwu of Computer Village supported the adoption of the communiqué. Full version of the Communiqué can be found in annex III.

5.5 Presentation of Certificates

Participants were presented with a certificate of participation by Prof. Oladele Osibanjo, Executive Director, BCCC-Nigeria. Signed by him and Mrs. O.O. Babade Acting Director Pollution Control & Environmental Health FMEnv on behalf of Permanent Secretary of the FMEnv.

Presentation of certificate to Ms. Bolanle Ajai, Programme Officer BCCC-Nigeria

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5.6 Closing Remarks

The Programme Officer SBC, Ms. Tatiana Terekhova, expressed her delight at the outcome of the workshop. Mrs. O.O. Babade, Acting Director Pollution Contol & Environmental Health Department FMEnv and the Executive Director BCCC-Nigeria, Prof. Oladele Osibanjo also thanked participants for their positive contribution to the success of the workshop.

6.0 Outcome questionnaire

Evaluation to be done

Legal framework

Evaluation to be done

Involved organisations and collaborations issues

Evaluation to be done

Legal powers and competences

Evaluation to be done

Inspections

Evaluation to be done

Material available for inspections

Evaluation to be done

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7.0 Recommendations (taken from the communiqué)

1. Enhance collaboration to implement the Basel Convention to meet the objectives set out therein.

2. The Federal Ministry of Environment being the Competent Authority of the Basel Convention in Nigeria to ensure the domestication of relevant international laws and treaties such as the Basel Convention.

3. There is need to expedite action on institutional capacity building to enhance cooperation on e-Waste management and the exchange of information between the key regulatory agencies (Toxic waste dump watch Committee).

4. NCS needs to be supported in distinguishing between WEEE and UEEE.

5. There is a need for awareness raising campaign to the general public and importers on the need for proper disposal and environmental sound management of e-waste.

6. The Federal government to commit resources to support regulatory authorities to effectively operationalize the National E-waste Regulations, chemicals management

7. Strategies and other relevant interventions aimed at curbing the WEEE menace.

8. NESREA certification to be a prerequisite for the opening of Form 'M' by importers to curb illegal importation of WEEE

9. Strengthen exchange of information between regulatory and enforcement officers both locally and internationally.

10. FMENV to Promote policies which would encourage the procurement and import of 'Green EEE' in order to minimize the health and environmental impacts posed by WEEE from toxic components.

11. FMENV to promote activities that would foster regional cooperation and facilitate the formation of common understandings.

12. FMENV to promote the establishment of national, sub- regional and regional WEEE recycling facilities in compliance with applicable environmental regulations;

13. Strengthening the existing African Network on the control of illegal traffic of e-waste in and explore its synergy with the proposed INECE network for west Africa as well as IMPEL. Furthermore explore an effective funding mechanism and necessary infrastructure.

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14. Utilize the lessons learnt from the Strategic Approach to International Chemicals Management (SAICM) process in signing of an MOU between the FMENV, NESREA, and NCS.

15. Include e-waste management in the statutory NCS curriculum for understanding on current environmental trends.

16. NESREA should be conversant with customs and port procedures.

17. The Federal government to provide and enforce the use of personal protective equipment and other safety equipment's in the course of inspection at the ports.

8.0 Lessons learnt

Inspite of all the troubles we went through, one can boldly say that the workshop was very fruitful. The participants were engaged, positive, helpful and warm-hearted.

Preparation of the workshop

- There was clear indication that the preparation of the workshop was poor. It may be useful to have a mechanism in place to check the progress of the preparation process prior to the workshop.
- Due to bureaucracy and other bottlenecks, the leader of the local organization team must be someone of a higher rank in his or her organization. He or she must command some kind of authority to be able to make certain bold decisions to ensure that things are done properly. Fair division of labour cannot be overemphasized.
- Although a soft copy of the manual was sent in advance to Nigeria to be printed, the printed copies were not complete. Some of the pages including all the annexes were missing. This made it difficult for the experts to use the manual. The printed copies were also insufficient in number.
- The core organisers of the workshop missed some of the important sessions at the workshop. Partly because they were moving to and fro trying to address some of the mishaps which erupted due to poor preparation of the workshop. We realised that majority of the core organisers were not based in Lagos and were therefore not familiar with the place. This posed serious problems for all of us.
- The programme for the workshop was actually finalized during our pre-meeting with the local organizers in Lagos. It was unfortunate. Contact with the local organizers some weeks prior to the workshop was almost non-existent. Emails were hardly answered. We always had to make phone calls.

Trip to the Port and experience at the port

- On our way to the port we spent over 3 hours in traffic. If the traffic situation was that bad in Lagos, why didn't we start early enough?

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- We were fortunate to see the first row of three opened containers at the port. The seals of the containers were already broken. Port inspections should not only be a demonstration. There was no personal protective equipment (PPE) for the participants. We were only given reflector vests. We didn't have any tools with us to test functionality of the items. Furthermore, it rained heavily so we had to leave to find shelter.

Simulation exercise
The presentations of the simulation exercises could have been done using a beamer to show certain documents on the screen.

Memory stick
The memory sticks, which were given to all the participants at the end of the workshop should have contained all presentations and in a pdf-format and not in the original format like WORD or PowerPoint. The presentations are listed in annex V.

Questionnaire
This was quite successful. We haven't been able to analyse them yet. In the near future, the questionnaire must be sent to the participants to fill out long before the commencement of the workshop.

Accommodation and the conference hall
The experts from Europe encountered problems with accommodation due to high hotel rates. The experts should have consulted with the local organisers to find out how much they were going to pay per night. The inconvenience was too much to bear.

The venue for the workshop was way too expensive resulting in situations where some of the organizers had no option than to use their own money to cover extra the costs incurred.

Presentations by IMPEL
Not all presentations prepared by the IMPEL-team could be used for the Nigerian workshop, because of time, see notes at 2.2, 3.1, 3.3, 4.3 and 5.3 of Daily reporting for the one, which has been used.

Basecamp
This point wasn't discussed at all, pity.

Press
On the first day of the workshop, the press was present for the opening ceremony. For some strange reason, we still haven't seen excerpts in the newspapers. As our colleagues of the Benin workshop suggested, it may be a good idea to give press men business cards and ask them to forward their reports (newspaper article or film)

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Annexes

I Programme of national training workshop in Lagos
II Participant list
III Communiqué
IV Report of working groups on observations, challenges and recommendations on port visit
V List of documents on the USB stick, which was given to every participant
VI Pictures
VII Press *(not available yet)*

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Annex I

National Workshop on monitoring and control of transboundary movements of e-wastes and used e-equipment to Africa and the prevention of illegal traffic in Nigeria

AGENDA

DAY 1, 13 September 2011		
Activities	**Facilitator**	**Time**
Registration of participants	Secretariat	8:30am
Introduction of invited guests	M.C.	9:00am
Opening Remarks/Welcome address	Director (Pollution Control & Environmental Health) FMENV	9:15am
Good will messages	SBC / UNEP, IMPEL, National Environmental Standards and Regulations Enforcement Agency (NESREA).	9:30am
Keynote Address	Honourable Minister of Environment	9:40am
Session 1: Introduction to the E-waste Africa Project		
1.1 E-waste Africa project and EU-Africa Collaboration (network)	Executive Director (BCCC)	10:00am
1.2 Overview of e-waste management in Nigeria	Director-General NESREA	10:25am
Comprehension questions and answers to both presentations		10:50am
Group photograph		11:00am
TEA BREAK		11:10am
Session 2: International, regional and national regulatory policy and legislation relevant to WEEE		
2.1 International and regional policy and legislation relevant to WEEE	SBC / UNEP	11:25am
2.2 EU Legislation on Transboundary (Waste) Shipments relevant to WEEE	Joseph S. Domfeh, IMPEL	11:50am
2.3 National Regulation and Guidelines on Waste Electrical Electronics	Legal Adviser NESREA	12:40pm

1 / 3 *Agenda of the National Training Workshop Nigeria*

Equipment in Nigeria		
Comprehension questions and answers to all four presentations		1.05PM
LUNCH		1:25pm
Session 3: Introduction to the E-Waste Inspection and Enforcement		
3.1 Introduction to the E-Waste Inspection and Enforcement Manual (draft)	Klaus Willke, IMPEL	2:25pm
Comprehension questions and answers		2:50pm
FILM SHOW TOXIC CITY (SHORT ENGLISH VERSION)	Klaus Willke, IMPEL	3:00pm
3.2 Port inspection procedures in Nigeria	Mr. A. I. Anamah, Nigeria Customs Service	3:15pm
FILM SHOW ON JOINT INSPECTION	Mrs. E. O. Eze, NESREA	3:30pm
3.3 Cooperation and MoU with relevant Agencies in Nigeria	Mr. Anamah, NCS	3:45pm
Comprehension questions and answers to both presentations		4:00pm
TEA BREAK		4:15pm
Session 4: Investigation and inspection		
4.1 Conception of part 4 of the E-Waste Inspection and Enforcement Manual (draft): Investigation and inspection	Klaus Willke, IMPEL	4:30pm
4.2 Intervention		
4.3 First introduction to Port excursion/exercise	Mr. A. I. Anamah, Nigeria Customs Service	4:55pm
Comprehension questions and answers to both presentations		5:10pm
Closure		5:20pm

DAY 2, 14 September 2011		
Continuation of Session 4: Investigation and inspection		
4.4 Second introduction to Port excursion/exercices	Nigeria Ports Authority (NPA)	9.00am
Visit to the Port terminals (participants will be divided into groups. Checklist / Guidelines for assessment will be given to each group)		9.50am
Demonstration of Port inspection procedures, safety measures and container inspection at Terminals	Nigeria Ports Authority (NPA)	10.50am
Bus conveys participants back from Port to workshop venue		2.00pm
Lunch		2.30pm
Working groups on observations, challenges and recommendations	Dr. Nwankwo, FMENV	3.00pm
Closure		5.00pm
DAY 3, 15 September 2011		
Session 5: Intervention and take back procedure		
Simulation Exercise on take back procedure of illegal shipment	IMPEL, all Participants	9.00am
Tea Break		9.30am
5.1 Group Discussion		9.40am
5.2 Presentation of working groups' outcomes	Group heads	
Comprehension questions and answers to this presentations		10:05am
5.3 Follow-up	Discussion by all participants	10.15am
Communiqué	Federal Ministry of Environment	11.15am
Presentation of Certificates	Acting Director (Pollution Control & Environmental Health), FMENV	12:10am
Lunch		1.00pm
Closing Remarks	IMPEL , SBC and Federal Ministry of Environment	2.45pm
Vote of Thanks	Federal Ministry of Environment	2.55pm
Coffee Break/Departure		3.05pm

Annex II

Participants List

NATIONAL E-WASTE MONITORING AND ENFORCEMENT TRAINING WORKSHOP, 13TH – 15TH SEPTEMBER, 2011 AT SHERATON HOTEL, IKEJA, LAGOS NIGERIA

REGISTRATION FORM DAY ONE 13TH SEPTEMBER, 2011

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Annex III

Communiqué

Secretariat of Basel Convention, E-Waste Africa Project :

National Training Workshop on Monitoring and Control of Transboundary Movements of E-Wastes and Used Equipment to Africa and the Prevention of Illegal Traffic, 13-15 September, Lagos, Nigeria

Introduction

E-waste has been identified as the fastest growing waste stream in the world. In 2005, the Basel Action Network (BAN) of USA produced a film titled "The Digital Dump: Exporting Re-Use and Abuse to Africa". This was done with the active participation of the Basel Convention Coordinating Center for the African Region (BCCC-Nigeria). It was reported that about half a million used computers came in through the Lagos Ports every month. Out of these, 40% were imported from Europe, 40% from the United States of America and 20% from other countries. Furthermore, only 25 % of the imports were functional while the remaining 75% were junk or e-scrap.

Nigeria and Ghana have featured prominently in international print and electronic media in recent years as dumping ground for e-waste from Europe and USA. In reaction to the adverse media publicity, the European Union (EU) responded by commissioning the Secretariat of Basel Convention (SBC) E-waste Africa Project in 2009, Consequently, from January 2009, with the assistance of the Secretariat of the Basel Convention, the SBC E-Wastes Africa Project, funded by the EU, Norway, the UK and Dutch Recyclers Association (NVMP), was initiated in seven countries of Africa namely Benin, Nigeria, Ghana, Cote d'Ivoire, Liberia, Tunisia and Egypt.

The project has the following objectives:

- Enhance environmental governance of e-wastes in African countries;
- Build capacity to monitor and control e-waste imports coming from the developed world, including Europe;
- Protect the health of citizens;
- Provide economic opportunities.

The project which is being implemented by, BCRC-Senegal, BCCC-Nigeria and BCRC-Egypt, IMPEL, EMPA and the Oeko-Institute has four components namely:

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1. Study on flows in used and end-of-life e-products imported into: Benin, Ghana, Nigeria, Côte d'Ivoire and Liberia, from European countries

2. National assessments on used and end-of-life e-equipment; National environmentally sound management plans

3. Socio-economic study on the e-waste sector in Nigeria and Ghana

4. Enforcement program on the monitoring and control of transboundary movements of used and end-of-life e-equipment and the prevention of illegal traffic in five African countries.

The European Union Network for the implementation and Enforcement of European Law (IMPEL) is executing the fourth component of the SBC E-waste Africa project with funding from the European Union.

Among the expected results of component four of the project is the training of enforcement officers on the monitoring and control of imports of e-waste at the ports of entry and to establish a network which would facilitate joint cooperation between enforcement authorities in exporting States in Europe and importing States in Africa.

Consequently, the Federal Ministry of Environment with the assistance of IMPEL, and in collaboration with the SBC and BCCC-Nigeria, organised a 3 day national training workshop for enforcement officers on the monitoring and control of imports of e-waste at the ports of entry and to establish a network which would facilitate joint cooperation between enforcement authorities in exporting States in Europe and importing States in Africa.

In attendance were 47 participants made up of regulatory and enforcement officers representing the main stakeholder institutions such as the Federal Ministry of Environment (FMENV), National Environmental Standards and Regulation Enforcement Agency (NESREA), Nigeria Customs Service (NCS), Nigerian Police Force, Lagos State Environmental Protection Agency (LASEPA), Lagos State Waste Management Authority (LAWMA), Port Health Service of Federal Ministry of Health, Nigerian Navy, Nigerian Ports Authority (NPA), Federal Ministry of Defence, Experts from BCCC-Nigeria, SBC and IMPEL. Other stakeholders were representatives of the shipping agencies, Association of computer traders from Alaba and Ikeja markets and the media.

Opening Ceremony

Welcome address was given by the Director Pollution Control & Environmental Health FMENV who was represented by Engr. A.I Adefule, Acting Controller, FMENV Lagos Zonal Office. She welcomed all participants. and stated the purpose of the workshop which is to train relevant enforcement officers at the seaport and land , borders including other relevant stakeholder to monitor and control the transboundary movement of e waste from the developed countries.

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She stated that the Nigerian government is determined to combat the e-waste stream and prevent the risk associated to our corporate health and environment.

This was followed by good will messages from the Executive Secretary of Secretariat of Basel Convention- Ms. Katharina Kummer represented by Tatiana Terakova; the Director General NESREA- Dr (Mrs) Ngeri S. Benebo represented by Mrs. Miranda A. Amachree; The Customs Area Controller, Tin Can Island Port Mr. E. Edike represented by Dr C.E Agu; Mr Gerard Wolters inspector General for international Enforcement Cooperation VROM and former chairman of IMPEL represented Mr. Klaus Willke of IMPEL and Executive Director of BCCC- Nigeria- Prof Oladele Osibanjo.

Also at the opening ceremony were Mr. Joseph Sarfo Domfeh, Project Manager EU-Africa collaboration project, ACP Titilayo Kayode representing Inspector general of Police Mr Ringim, and SLT M.S Saidu representing the Nigerian Navy Headquarters.

The Honourable Minister of Environment Mrs Hadiza Ibrahim Mailafia, represented by Mrs. Olufunke O. Babade Acting Director Pollution Control & Environmental Health FMENV, described the workshop as a welcome development in view of the fact that Nigeria had been a major recipient of e-waste in Africa. She said in line with the plan by the Ministry to avert this dangerous trend; the Ministry had developed a draft policy, guidelines and strategic plan on e-waste management and recently the federal government gazetted the regulations on electrical and electronic sector. She concluded her address by stating that the Ministry has concluded plans to establish a pilot project on e-waste recycling in Nigeria.

Technical Papers

Presentations were made by national and international speakers. These included:

i. Overview of SBC E waste African Project

ii. Overview of E waste management in Nigeria.

iii. International and regional policy and regulation relevant to WEEE,

iv. EU legislation on transboundary (waste) shipments relevant to WEEE,

v. National Regulation and Guidelines on WEEE in Nigeria

vi. Introduction to the E-waste inspection and Enforcement Manual

vii. Port inspection procedures in Nigeria

viii. Cooperation and MOU with relevant Agencies in Nigeria

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ix. Conception of Part 4 of the E- waste Inspection and Enforcement Manual

Film shows on toxic city and joint inspection of consignment at the ports were shown. Port excursion and group exercises were conducted.

Deliberations:

- E-waste was identified as the fastest growing waste stream in the world.
- Nigeria has been identified as a dumping ground for e-waste and it lacks the capacity to manage e-waste.
- Participants deplored the inadequate capacity, infrastructure and institutional mechanisms to support the process
- Participants noted that crude e-waste management occurs in the informal sector of the economy involving people who in their ignorance are exposed to toxins in e-waste thereby endangering their health and the environment.
- Participants observed that there is inadequate public education and awareness on the problems associated with the uncontrolled importation of near-end-of-life and end-of-life electrical electronic equipment (EEE) into the country, and the lack of clear distinction between e-waste and used EEE.
- Participants welcomed efforts made on information exchange on the transboundary movement of e-waste and the establishment of an interim e-waste enforcement network of the e-waste Africa project and the collaboration between Nigeria and its sub-regional neighbors as well as international partners, such as International Network on Environmental Compliance and Enforcement (INECE) and IMPEL
- The effort of the Nigerian Government was applauded for being the first country in Africa to have a specific legislation on electrical/electronic sector.
- Participants welcomed the ongoing process of registration of importers of UEEE by NESREA.
- Participants noted the need to put in place a take back system by producers /manufacturers for UEEE.
- Participants noted that the EU legislation on transboundary waste shipment is based on the Basel Convention. It also noted the non-domestication of the Basel Convention in Nigeria.

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- Participants recognized the need for an MOU between Federal Ministry of Environment, NESREA and NCS to facilitate activities at the port.
- Participants noted the need for collaboration between relevant Government agencies at the sea ports and land borders.
- Participants were informed that NESREA has access to ASYCUDA++ of the NCS.
- Participants noted that enforcement officers are exposed to dangers during inspection due to non-availability and usage of safety equipment.

Recommendations

1. Enhance collaboration to implement the Basel Convention to meet the objectives set out therein.
2. The Federal Ministry of Environment being the Competent Authority of the Basel Convention in Nigeria to ensure the domestication of relevant international laws and treaties such as the Basel Convention.
3. There is need to expedite action on institutional capacity building to enhance cooperation on e-Waste management and the exchange of information between the key regulatory agencies (Toxic waste dump watch Committee).
4. NCS needs to be supported in distinguishing between WEEE and UEEE.
5. There is a need for awareness raising campaign to the general public and importers on the need for proper disposal and environmental sound management of e-waste.
6. The Federal government to commit resources to support regulatory authorities to effectively operationalize the National E-waste Regulations, chemicals management strategies and other relevant interventions aimed at curbing the WEEE menace.
7. Strategies and other relevant interventions aimed at curbing the WEEE menace.
8. NESREA certification to be a prerequisite for the opening of Form 'M' by importers to curb illegal importation of WEEE
9. Strengthen exchange of information between regulatory and enforcement officers both locally and internationally.

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10. FMENV to Promote policies which would encourage the procurement and import of 'Green EEE' in order to minimize the health and environmental impacts posed by WEEE from toxic components.

11. FMENV to promote activities that would foster regional cooperation and facilitate the formation of common understandings.

12. FMENV to promote the establishment of national, sub- regional and regional WEEE recycling facilities in compliance with applicable environmental regulations;

13. Strengthening the existing African Network on the control of illegal traffic of e-waste in and explore its synergy with the proposed INECE network for west Africa as well as IMPEL. Furthermore explore an effective funding mechanism and necessary infrastructure.

14. Utilize the lessons learnt from the Strategic Approach to International Chemicals Management (SAICM) process in signing of an MOU between the FMENV, NESREA, and NCS.

15. Include e-waste management in the statutory NCS curriculum for understanding on current environmental trends.

16. NESREA should be conversant with customs and port procedures.

17. The Federal government to provide and enforce the use of personal protective equipment and other safety equipment's in the course of inspection at the ports.

Conclusion

Participants expressed satisfaction with the fruitful outcome of the training workshop. The Federal Ministry of Environment on behalf of the Government of Nigeria, expressed gratitude to the SBC, IMPEL, EU and BCCC-Nigeria for the assistance in organizing the workshop.

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Annex IV

Report of working groups on observations, challenges and recommendations on port visit

Group 1.

Risk assessment report and bill of laden are two important documents agent drops in offices of all actors involved in joint inspection.

Suggestions on curbing shipment of WEEE:

- Awareness raising
- International certification from reputable organisations.

Observations

No safety equipment, gas or radiation monitors are used.

To collect and secure evidence:

- Take note of model of equipment,
- Take note of serial number and year of manufacture.
- Take photographs.

Recommendations:

- One-on-one communication
- Harmonization of extant laws
- More awareness creation
- Adequate funds should be released
- Bridge communication gap between relevant agencies.

Group 2

Recommendations and suggestions

1) Awareness and sensitization

2) International collaboration, it is assumed that every consignment would pass through examination but with African campaigning against being used as dumping ground for used electronics this would reduce export from other countries.

3) Patriotism ; relevant agencies should both individually and collectively contribute to the cause of saving our environment from hazardous implication of importation of e-waste

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4) NESREA should go a step further to request for certification to certify that imported UEEE is in good working condition.

5) Inclusion of e-waste into the list of items banned from being imported into the country.

6) Organize workshops to educate decision makers on e-waste.

7) The government should provide a good policy framework that would make it mandatory for all agencies and authority to adhere to relevant rules and regulations.

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GROUP 3

KEY DOCUMENTS

The following documents were identified as the key documents

- Risk assessment report
- SGD - Single Goods Declaration
- Bill of Lading
- Packaging list
- Invoice
- Form M

The key actors to obtain this information include:

- Customs
- NPA
- NESREA
- Others

The information should be shared with other organisations through:

- e-mail;
- fax;
- SMS
- Phone calls; and
- Meetings.

WAYS TO STOP ILLEGAL SHIPMENT OF UEEE/WEEE

- ✓ Government should give subsidy on new EEE
- ✓ There should be public awareness/enlightenment campaign on the dangers of e-waste on health and the environment

- ✓ Upon physical examination of any container at the port, if there are more e-waste than the functional ones, then the whole shipment should be returned to the country of origin/export;
- ✓ The outcome of any workshop on e-waste, its dangers on human health and environment should be published on both print and electronic media;
- ✓ Collaboration between the relevant agencies

SAFETY EQUIPMENT

Safety equipment should be made available such as:

- ✓ eye goggles
- ✓ safety boots;
- ✓ overall

The importance of the usage of personal protective equipment should be emphasised
The enforcement of the PPE should be ensured.

ADVANTAGES OF SCANNING

- ✓ saves time;
- ✓ it could detect any strange object not included in the bill of lading and other document.

DISADVANTAGES

- ✓ it requires expert interpretation
- ✓ it is expensive
- ✓ it does not detect functionality of the EEE

SUGGESTIONS/RECOMMENATION

- ✓ effective collaboration between the relevant agencies;
- ✓ the need to include environmental issues in customs curriculum;
- ✓ carry out public awareness/enlightenment campaign on the hazards of e-waste on the health and environment
- ✓ training should be a continuous exercise for enforcement officers

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<u>Group 4</u>

PORT INSPECTION -OBSERVATIONS, CHALLENGES AND RECOMMENDATIONS

COMPOSITION OF MEMBERSHIP

The membership comprise of seven (7) persons drawn from: Customs, NESREA, NPA and FMEnv.
Mr. Kienka Samuel Chairman

Mrs. Miranda Amachree	Secretary
Mr. A.J Adegbite	Member
Mr. Mohammed Yahaya	Member
Mr. Olagoke.E Onile	Member
Mrs. Ibiene Iwuoha	Member
Mr. Daramola A. Olafinola	Member

INSPECTION

Means the act of conducting physical examination on any consignment/goods to determine if what was declared on the documents are correct.

Some examples of key documents to obtain information from are:

- Bill of Lading;
- Invoices;
- Form M;
- Custom declaration, Single Goods Declaration (SGD);
- Combined Certificate of Value and Origin (CCVO) etc.

Information can be obtained from

- Customs;
- Ports Authorities
- Shipping lines; and
- Customs Licensed Agents.

This information can be used to crosscheck what has been declared and to ascertain discrepancies in the containers. The information can also be used to detect illegal shipment and track consignments.

This information can be shared with other organizations, countries and practitioner's networks by:

- Telephone calls;
- SMS notifications;
- E-mails; and
- Meetings

Ways to stop illegal shipments/importation/exportation of UEEE/WEEE:
Laws/Regulations should be put in place;

- Enforcement of Laws;

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- Effective collaboration amongst relevant Agencies;
- Information sharing; and
- Sensitization of stakeholders and the public through workshops and seminars.

Safety, Technical Equipment and Classification

- Availability of safety equipment: Safety equipment even when available are not used.
- Inspectors and other workers at the Port should be educated on the benefits of using appropriate Personal Protective Equipment (PPE).
- The use of PPE should be enforced by the Ports Authorities and the Terminal Operators.
- The general public can also be carried along by carrying out sustained sensitization programmes.
- Scanning equipment are available at the ports. This is carried out by Cotecna and SGS.
- Custom Officers are also being trained to use these equipment.

Advantages of scanning:

- It saves time;
- It is cost effective
- It authenticates the goods /contents of the container

Disadvantages of scanning:

- Requires expert interpretation
- Advantages of Sampling and Analyzing:
- Results can't be used to ascertain the status of the consignment in question

Disadvantages of Sampling:

- Time wastage;
- Exposure in case of improper use of PPE; and
- Improper selection may occur.

Test results:

- Judgment on whether a shipment is waste or not is based on the physical observations made during the examination and the actual tests carried out on the suspected goods.
- Collection and securing of evidence:
- Photographs;
- Proper documentation; and
- Placement of seizures in Government approved secured locations.

Illegal Imports:

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According to Article 9 Basel Convention and Article 24 WSR, The Exporter must return the waste or

The Competent Authority (CA) of dispatch must return waste – within thirty (30) days.

Steps to follow before repatriation:

- Contact CA dispatch and your CA
- Provide the following details
- -Evidence is waste
- -Evidence country of origin
- -Location & holder
- -Date it must be returned by

Note: Good communication & cooperation is vital

Challenges:

- Lack of collaboration/cooperation amongst Agencies;
- Lack of adequate information; and
- Lack of operational facilities e.g. Power, relevant equipment/tools.

Recommendations:

- Establishment of good local networking for illegal traffic control as well as fostering active international partnerships and collaboration with existing international networks such as IMPEL, INECE etc.
- Sufficient funding of relevant Agencies by Government;
- Create constant awareness of Port users through sensitization campaigns; and
- Capacity building for major stakeholders.

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Annex V

List of documents on the USB DISK, which every participant got at the end of the Lagos workshop 13th – 15th September 2011

- Handouts at the workshop
  - Format exercise Port FINAL.docx
  - Simulation 1.pdf
  - Simulation 2.pdf
  - Simulation 3.pdf
  - Simulation exercise fill-in table.docx
  - Simulation exercise FINAL.docx
- Workshop documentation
  - E-waste Inspection and Enforce. Manuel – Annexes – July 2011.pdf
  - E-waste Inspection and Enforcement Manuel July 2011.pdf
  - Format enforcement structure FINAL – not protected.doc
  - Format enforcement structure FINAL – protected.doc
- Checklist Port Exercise for Prepcom-1.doc
- Checklist Port Exercise for Prepcom.doc
- E-waste Inspection and Enforcement Manual-KW.ppt
- E-waste Investigation and Inspection-KW.ppt
- E-waste Investigation and Inspection-KW.pptx
- FINAL2 KEYNOTE ADDRESS.docx
- Legislation 13 Sep.ppt
- National Regulation and Guidelines on E-waste Importation and Shipment4 rev new1.ppt
- NigeriaWSR-final.pptx
- WELCOME ADDRESS PRESENTED BY AG.docx

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Annex VI

Pre-meeting a day before the workshop in Lagos

Notion of the Guide for Importers of UEEE into NG, by Mrs. Amachree

Filling out the questionnaire
Mrs. Eze, Mr. Anamah and Dr. Nwankwo

working in groups at Custom hall

Two of the groups working on the simulation exercise