



PROCEEDINGS

Workshop on National Reporting and Inventory of the Basel Convention for Africa



Pretoria, South Africa 24 – 26 May 2011



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1. Introduction

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. As of May 2011, the Convention has 176 Parties and aims to protect human health and the environment against the adverse effects resulting from the generation, management, transboundary movements and disposal of hazardous and other wastes. The Basel Convention came into force in 1992. All African countries are Parties to the Convention with the exception of Angola, Sierra Leone, Sao Tome and Principe and Zimbabwe. The Convention is based on the following guiding principles:

- Hazardous waste generation should be minimized at the source, either by prevention of the generation of hazardous waste or by the reduction of its hazardousness;
- Hazardous waste should be treated and disposed of as close as possible to their source of generation;
- Transboundary movement of hazardous wastes should be reduced to a minimum, and;
- Hazardous wastes should be managed in an environmentally sound manner.

Transboundary movement of hazardous waste and non-hazardous waste between Parties and non-Parties is prohibited. However, Article 11 of the Basel Convention indicates that Parties may enter into bilateral, multilateral or regional agreements or arrangements regarding the transboundary movement of hazardous wastes or other wastes with Parties and non-Parties provided that such agreements or arrangements do not derogate from the environmentally sound management of hazardous wastes or other wastes required by the Convention. This is important as not all African countries are yet a Party to the Convention.

The Bamako Convention is important in that context as it serves as an agreement as specified in Article 11 of the Basel Convention for those African countries that have ratified the Bamako Convention but are not a Party to the Basel Convention. The Bamako Convention further strengthens and clarifies the requirements of the Basel Convention for African countries. The States of the African Union may become a Party to this Convention, which aims at banning the import of hazardous wastes into Africa and sets a procedure for transboundary movements of hazardous wastes inside Africa. Currently 24 African countries have ratified the Bamako Convention while 19 others have signed the Convention but did not ratify it¹. The Bamako Convention is suffering from the fact that no secretariat has been designated yet and, so far, no Conferences of the Parties have been organized. The African Union serves as depository for the Convention.

Even though not all African Countries are Party to the Basel Convention or to the Bamako Convention, the whole continent is involved in at least one these two Conventions.

2. The Africa institute

The Africa Institute, that organized the workshop together with the Secretariat of the Basel Convention (SBC) is both a Basel Convention Regional Centre (BCRC) and a Stockholm Convention Regional Centre for English speaking African Countries. It has been established as an intergovernmental organization based in Pretoria, South Africa. It is housed within the Department of Environmental Affairs of the Government of South Africa. This Institute began operating in October 2009 following the closure of its predecessor, the Interim BCRC, in 2007. As an intergovernmental organization the Africa

¹ These are : Benin, Burkina Faso, Burundi, Cameroon, Comoros, Congo (Republic of the), Côte d'Ivoire, Democratic Republic of Congo, Egypt, Ethiopia, Gabon, Gambia, Libyan Arab Jamahiriya, Mali, Mauritius, Mozambique, Niger, Senegal, Sudan, Togo, Tunisia, Uganda, United Republic of Tanzania and Zimbabwe. The following countries have signed the Bamako Convention but did not ratify: Angola, Central African Republic, Chad, Djibouti, Ghana, Guinea, Guinea-Bissau, Kenya, Lesotho, Liberia, Madagascar, Mauritania, Nigeria, Rwanda, Sao Tome and Principe, Sierra Leone, Somalia, Swaziland and Zambia



Institute is governed by a Council which comprises all the countries that have ratified the agreement that establishes it. There are now eight countries that have ratified the Africa Institute agreement. The Council has also established an Executive Committee whose responsibility is day-to-day oversight of the activities of the Institute. The Executive Committee is made up of five countries, namely South Africa (host), Mauritius (Chair), Namibia, Lesotho and Nigeria, and it is elected annually.

The strategic goals of the Institute are:

1. To develop the capacity of the members to manage hazardous waste and other wastes;
2. To develop capacity of members to participate and influence international negotiations related to hazardous waste and chemicals;
3. To enhance implementation of the hazardous waste and chemicals conventions;
4. To enhance regional research and monitoring of chemicals and hazardous waste;
5. To facilitate access to and transfer of technologies for sound management of hazardous waste; and
6. To disseminate information on environmentally sound management of hazardous waste and chemicals.

These strategic goals are achieved through training programmes, projects and development of collaborative linkages between institutions. The Africa Institute serves as a platform that builds capacity of its members to face the challenges arising from dealing with hazardous waste and other wastes and chemicals. To do so it builds networks within the region and beyond. It also encourages its members to share experiences, expertise and resources.

The Africa Institute is involved in a number of regional and national projects. These include:

Project	Financial support from
e-Waste Knowledge Transfer Project for Lesotho, Namibia and South Africa	Denmark
Inventory of hazardous waste for Botswana	Denmark
National projects on hazardous industrial waste for Tanzania, Mauritius and Nigeria	Denmark
Strengthening of regional partnership for environmentally safe management and prevention of hazardous waste in Anglophone African countries	Finland
Management of Chemicals in English-Speaking African Countries	KEMI (Swedish Chemical Agency)
Port enforcement projects for Kenya & Tanzania	Norway/GTZ
Project aimed at strengthening the capacity of Mozambique to monitor and control the transboundary movements of chemicals and hazardous wastes and ensure their environmentally sound management	SAICM Quick Start Programme Trust Fund
Project aimed at strengthening the capacity of Ethiopia to monitor and control the transboundary movements of chemicals and hazardous wastes and ensure their environmentally sound management	SAICM Quick Start Programme Trust Fund
Stockholm Convention PCB elimination project to facilitate a GEF SAPP project on PCBs	Norway/SBC
Workshop on National Inventory and National Report of the Basel Convention for Africa in Pretoria, South Africa from 24-26 May 2011	European Commission

3. Day 1, morning: Opening session and introduction

The workshop addressed the issues of national reporting and inventories under the Basel Convention.

It was organized by the African Institute and the Secretariat of the Basel Convention (SBC), with financial support that was obtained from the European Commission and took place in the Africa House, an annex to the Burger Park Hotel in Pretoria, South Africa. Mr. Moore Moffat, Project Coordinator of the Africa Institute, acted as the moderator of the workshop. The list of participants, the agenda of the workshop and the evaluation form are included in the appendix.

The opening session and introduction of the workshop contained 4 elements:

- An opening address by the Africa Institute;
- An opening address by the SBC;
- A presentation of the objectives of the workshop; and
- Country presentations by 6 African countries on the experience with national reporting and inventories.

3.1 Opening address by Dr. Taelo Letsela, Executive Director of the Africa Institute

Dr. Letsela indicated that the Africa Institute is the Regional Centre for the English speaking African countries for both the Basel Convention and the Stockholm Convention.



He explained that there are many challenges on reporting and inventories in the region. He stressed that reporting is important, not only because it shows that African countries take their obligations under the Basel Convention seriously when they ratify the Convention. It is also important to show the world the progress Africa is making. This progress can only be shown if African countries report on their achievements.

Regarding the workshop he indicated that the programme was designed to include hands-on activities. Participants were asked to be as transparent as possible about the situation in their countries, to allow for concrete results from the workshop.



To stress the importance his institute gives on the issues addressed in the workshop he announced that the Africa institute has decided to assign one of its Projects Coordinators to assist members with the challenges on national reporting and inventory. This officer will serve as a contact point for everybody in the region for questions regarding these subjects and will provide advice to solve practical issues and assist in getting financial support.

He finally indicated that the Africa institute was pleased to organize the workshop to show that African countries are committed to the Convention and to its ideals.

3.2 Opening address by Mr Ibrahim Shafii, Chief, Programme Support Unit at the SBC



Mr. Shaffi congratulated the Africa Institute on behalf of the Secretariat of the Basel Convention on the excellent organization of the workshop. He also thanked the European Commission for the generous financial contribution that made it possible to organize the workshop and invite the participants.

He emphasized that national reporting is a very important subject, not only because it is a key provision in the Convention but also having a complete data and information on hazardous waste generation and management is key for defining strategies and planning at the national level. Without data and information countries are not in a position to properly manage their hazardous waste.

To illustrate this he indicated that the Implementation and Compliance Committee (ICC) of the Convention has made an assessment of the way a number of Parties are currently fulfilling their obligations on national reporting and detected challenges that are required to be resolved. This workshop could contribute to the objectives of the ICC work in this regard.

In order to provide the participants of the workshop with information about the state of discussion within the Convention a number of recent key developments within the Convention were highlighted by Mr. Shafii.

The Indonesian-Swiss led CLI

After a request of the president of 9th Conference of the Parties (COP) to the Basel Convention in Bali, Indonesia and Switzerland started a process called the Country Led Initiative (CLI) to strengthen the effectiveness of the Convention. The Initiative looked in particular to mechanisms that would have potential to resolve problems with enforcement of provisions for transboundary movements; promote the application of Environmentally Sound Management of hazardous wastes and resolve the deadlock of the entry into force of the Ban Amendment. During the process of development of the proposals, which will be presented to the next COP, the lack of data, in particular from developing countries, was seen as a problem. It was very hard to make a case for a need to act if there were only very limited information about the magnitude of the problem.



COP 10

The next COP of the Basel Convention, which will be held in Cartagena, Columbia from 17 – 21 October 2011, will consider, among others, the following issues:

- The adoption of a new Strategic Framework for the implementation of the Convention for 2012-2021;
- The adoption of the synergies decision, including streamlining of the national reporting obligations of the Basel Convention with those of the Stockholm Convention;
- The CLI: discussions and decisions based on a package developed by the above-mentioned CLI process;
- The review of the functioning and role of the Basel Convention Regional Centers;
- The adoption of technical guidelines on environmentally sound management of used tyres, mercury waste, co-processing waste in cement kilns and on TBM of e-waste.

He urged countries to provide comments and guidance to the SBC on the above-mentioned issues.

The theme of the COP10 will be 'prevention, minimization and recovery of wastes'. On the Sunday, 16 October 2011, before the COP, a meeting will be organized to consider the new Strategic Framework. This is of particular importance since it may provide a way forward, not only for the Basel Convention, but also for the synergies with other MEAs (multi-lateral environmental agreements) and discussions at the Commission on Sustainable Development and Rio+20.

3.3 Presentation of the objectives of the workshop

Dr. Taelo Letsela presented the objectives of the workshop which were:

- To assist the participating countries in meeting their reporting obligations under the Basel Convention;
- To provide guidance on the methods of developing national inventories and assessing the quantities of hazardous wastes in the African region, in order to plan for an environmentally sound strategy for hazardous waste; and
- To serve as a possibility for knowledge exchange in the region.

He stressed that the reporting record of Africa at this point in time is not very good and some assistance may be needed. He also stressed that the fact that Africa has a does not report well may also have some drawbacks for Africa itself. It is difficult to show that Africa is making progress if there are no reports.

Some African countries have reported very regularly to the SBC, while others have submitted only a limited number of reports over the years and some have never reported. There may be several reasons why this is the case. These may be rather fundamental, such as the fact that there is no focal point or no competent authority. Some countries need to develop a strategy for the national reporting obligations. Some countries may also lack legislation, policies or a strategy to manage hazardous waste. Another challenge in Africa is the fact that competences and roles are often very fragmented. Finally, a large number of Ministries and agencies are involved, which may hamper effective implementation of the Basel Convention.

3.4 Country presentations

Six countries in the region were asked to prepare a presentation regarding their experiences with national reporting and inventories. Botswana, Madagascar, Mauritius, Mozambique, South Africa and Zambia kindly accepted to do so. The following subjects were covered:

- Main general characteristics of the country;
- Status of ratification and implementation of the Basel Convention;
- Existing legal instruments and institutional arrangements;
- Experiences with national reporting and inventories;
- Cooperation with police and customs;

- Challenges encountered and solutions found to meet those.

The following key points were highlighted in the different presentations.

Botswana indicated it obtained information about the amount of hazardous waste, not only by doing an inventory at sites, but also by comparing those with the amounts of chemical products that are imported into the country. It has a specific challenge at schools, where large amounts of obsolete laboratory chemicals are being stored. There is no treatment capacity in Botswana and the material should be removed to South Africa, the only neighbor country which has facilities to deal with hazardous wastes. However, due to the high costs involved, schools are not able to export these chemicals, and they are permanently stored at the schools' sites.

Madagascar highlighted the particular problems that competences and responsibilities in the country are divided over a very large number of ministries and agencies. The lack of financial resources is also a problem. An "ecotax" might be instrumental to collect the necessary financial resources.

Mauritius indicated that it had only some data on hazardous waste generation dated from 2003. It has proven to be very difficult to set up an inventory. Moreover, the hazardous waste management infrastructure is largely deficient. For a small island state it is hard to set up an adequate infrastructure to manage this type of waste.

Mozambique indicated that it is aware of the fact that the information that is provided to the SBC may not be of the best quality. However, it is convinced that it is important nevertheless to report and to do the best possible job with the limited resources that are available. It also stressed the importance to focus on the large industrial generators of hazardous waste and not only on the companies that collect and treat waste.

South Africa has a number of hazardous waste management facilities that import certain amounts of hazardous wastes from the neighboring countries. A particular challenge of this country is the import of wastes under the disguise of second hand goods, e.g. e-waste.

Zambia indicated that the most recent data on hazardous waste generation dated from 1997. Since that year the government works with projected amounts to estimate the generation, but that there are plans for a new inventory in 2011/2012. The particular problems with data on intermediary treatment or pre-treatment were mentioned as well as the high turnover of persons involved in the ministries and agencies.



The challenges mentioned by the different countries include:

- Conflicting interests between ministries and agencies within the country;
- Industry is not always willing to cooperate with inventories maybe because they fear that their hazardous wastes will need to be removed at high cost;
- Lack of (trained) human resources;

- One has to be aware that doing an inventory may be dangerous due to the nature of the hazardous wastes;
- Establishing a database with the data of the inventory and the information on transboundary movement has proved to be complicated;
- Follow-up on information on transboundary movements is not an easy task.

Solutions that were suggested include:

- Clear repartitions of competences between ministries and agencies;
- The BCRCs could play a role by screening the national reports before they are being send to the SBC;
- Better coordination with the customs, both to get better enforcement and to assure better information gathering;
- Link data collection with the process of issuing environmental permits for large industrial installations;
- Development of a standard database program that would facilitate the follow-up of data and to generate the reports that are required for the national reporting.

4. Day 1, afternoon: waste definition and classification



During the afternoon session of day 1 Mr. Kees Wielenga, senior consultant of FFact Management Consultants, the Netherlands, gave a presentation on waste definition and waste classification. Without a definition of waste and a classification system to describe the different types of waste that occur it is not possible to define effective policies to address the environmental challenges of waste management. The definition and classification are also essential as basic tools for the reporting and inventories.

Mr. Wielenga explained that the Basel Convention contains a **definition of waste**. National definitions as included in waste legislation in Africa may differ from the definition of Basel. This is not contrary to the Convention. However, it may lead to situations where materials that are waste under the national definition in one country may not be waste under the definition in other countries. This may result in disputes between countries when such materials are subject to transboundary movements. However, as per Article 6(5) of the Basel Convention, if the material is waste in at least one of the countries involved, the rules of the Basel convention should be applied.

He also indicated that in certain cases it may be difficult to assess if the material is waste or not. A number of Parties have indicated that this is particularly the case for e-waste. Some materials are shipped by economic operators as second-hand goods but are of such poor quality that they are rather to be regarded as waste. However, it may be difficult for authorities to determine the status of such materials when a particular shipment is entering the country. . Currently there is guidance on this particular issue under development within the Basel Convention. A draft guidance document is open for consultation until 30 June 2011 on the website of the SBC and can be found under



<http://www.basel.int/techmatters/index.html> in the section 'development of technical guidelines on e-waste'.

He continued by highlighting that the **definition of hazardous waste** in Article 1.1.a of the Convention makes reference to Annex I and Annex III of the Convention. Annex I contains 45 waste streams that are hazardous waste unless they do not possess any of the hazard characteristics included in Annex III. Most hazardous wastes are covered by this definition. However, some wastes that may exhibit hazard characteristics are not covered, including waste containing certain Vanadium compounds or waste containing certain forms of Aluminium. To facilitate the use of the hazard characteristics, technical guidelines have been prepared or are under preparation by the SBC.

Apart from the definition in Article 1.1.a, which is common for all Parties to the Convention Article 1.1.b. specifies that also waste that is defined or considered to be hazardous waste under national legislation is hazardous waste under the Convention. This is an important safeguard clause in the Convention. Even if waste is only considered to be hazardous waste in one of the countries involved in transboundary movement of those wastes, it has to follow the procedures of the Basel Convention of prior informed consent (PIC), or can be subject to import or export bans. The inclusion of national definitions of hazardous waste has as a consequence that the definitions are not fully harmonized. This has to be taken into account when interpreting data that are transmitted under the national reporting obligations.

The definition in Article 1.1.a makes reference to two Annexes. Mr. Wielenga explained that the application of Annex I and III of the Convention, when taking decisions on specific cases of transport of hazardous waste, is complicated and may lead to difficulties of understanding between competent authorities. Thus, a specific **waste classification system** was developed to provide a clear distinction between hazardous wastes and non-hazardous wastes. Annexes VIII and IX of the Convention contains this classification. Annex VIII (also called list A) contains wastes that are hazardous according to Article 1.1.a. of the Convention. Annex IX (also called list B) contains wastes that are not hazardous according to Article 1.1.a. However, in all cases Annex III may be used to demonstrate that, for certain cases, wastes on list A are not hazardous. Waste on list B may contain in, some cases, Annex I materials to an extent causing them to exhibit an Annex III characteristic and hence are hazardous.

Although a useful tool to apply the definition of waste in the context of transboundary movement, mr. Wielenga stressed that there are wastes that are not covered by entries on List A and List B. List A is limited to wastes that are hazardous under Article 1.1.a. of the Convention and additional wastes that are hazardous under national legislation of certain Parties is therefore not included. List B was developed to clarify the scope of the concept of hazardous waste by listing examples of non-hazardous wastes that are frequently transported over national borders. Some important non-hazardous wastes, e.g. certain types of construction and demolition waste and certain types of mining wastes are not included in list B.

The Lists A and B are not the only classification system for waste that are relevant. Also the **customs** use a classification for goods that is useful for the purposes of transboundary movement of waste. The system is developed for goods, but also contains a large number of codes specifically applicable for waste. The system is developed by the World Customs Organization and is used by customs officer all over the world.

Some of the codes in this classification system are exclusively for waste, others are used for waste and products (e.g. in the case of electronic equipment). The SBC has developed together with the World Customs Organization a correspondence table linking wastes covered by the Convention to the specific codes in the customs system. This table can be found on the web-site of the SBC under <http://www.basel.int/techmatters/index.html>, in the sub-group "WCO Harmonised System Committee"

The customs codes for waste provide an important tool to cooperate with customs officers in the control of transboundary movement of hazardous wastes and other wastes.

Q&A sessions

The Q&A sessions during and after the presentation focused on issues related to the application of the legal definitions and the delimitation of waste and non-waste. After the break a hands-on exercise was done in groups where a number of examples of waste had to be assigned to the most appropriate entries in List A or B. Different uses and fields of application of the waste definition were identified.

5. Day 2, morning: national inventory



The morning session of day 2 was dedicated to the issue of national inventories. Inventories are undertaken to get information the amounts of hazardous wastes and other wastes that are generated within a country and the treatment these wastes undergo. The session started with an introduction by Mr. Ibrahim Shaffi on the methodological guide for undertaking national inventories under the Basel Convention. First, a short introduction to the Convention was given. Mr. Shaffi mentioned that it was estimated by UNEP that the total quantities of hazardous wastes generated annually worldwide were 250 million tonnes. However, according to the reports sent to the SBS for the year 2003, where only 40 Parties provided information on the generation of hazardous wastes, this amounted to a total of 64 million tonnes only. And according to the reported information, one of the most rapidly growing waste streams is end-of-life equipment. Mr. Shaffi also indicated that the reported amounts of waste subject to transboundary movement have been growing considerably over the last 10 years. Most of the movements take place between industrialized countries; but there are also important flows to and from developing countries. National inventories can include data to analyze such flows.

In 2000, the SBC published the “Methodological Guide for Undertaking National Inventories under the Basel Convention”. This guideline can be found on the website of the SBC under “Technical matters”, in all six United Nations official languages.

One of the main principles of the guidelines is that carrying out an inventory is a preliminary step for the development and implementation of a national policy for hazardous wastes within the implementation of the Basel Convention. It is the responsibility of the Competent Authorities to undertake such inventories and to regularly update them. In order to be able to do so, legal, institutional and technical aids are required. The guidelines provide a specific methodology to do inventories.

Inventories are a vital part of a national strategy for environmentally sound management of wastes. And objectives of the inventories can include the development of a national policy on hazardous waste, including priority setting, monitoring, enforcement and waste minimization programmes. It can help countries generate the information and reports required by Article 13 of the Convention, i.e.



national reporting. It may also have more specific objectives for national purposes, including risk management.

The execution of a national inventory consists of 3 stages:

- Preparation of the inventory;
- Incorporation of the first results;
- Maintenance of the inventory / permanent inventory

During the preparation stage the institutes that have to participate are identified, tasks are distributed and the nature of information that is needed is determined. During the preparation it is also determined how information can be obtained and how the data will be processed and stored when collected. It is also considered if there are any existing databases in place in the country that contain information that may be useful for the inventory. Training of participants is also part of the preparation stage. When first doing an inventory it may be useful to seek assistance from external sources or consultants specialized in this field(s).

There are several methods that can be used for data collection. Questionnaires and field visits may be used to get data from industries. Modeling may be used to extrapolate data from industries to get a full picture if not all companies are included in the data gathering activities. Ideally the inventory is done on an annual basis.

Doing inventories requires that the tasks and obligations of the different actors, both from authorities and businesses are defined in acts or regulations. It requires cooperation of all institutes and businesses that are involved. The actual work is best supervised by a small team with members from the key institutes involved.

The guidelines contain detailed schemes and explanations on the different stages of an inventory project and constitutes a valuable tool for countries that undertake national inventories.

Q&A session

The Q&A session after the presentation focused on two issues:

How to get funding for setting up an inventory?

There are mechanisms, e.g. for some specific wastes: POPs, PCBs, mercury. There is no financial mechanism for national inventories provided by the Convention except on voluntary basis. There are, however, some possibilities for POPs waste within the Global Environment Facility GEF.

Doing an inventory can be a huge task. Where to start?

Some suggestions were provided, including:

- To select a limited number of priority waste streams to start with;
- Collect information on e-waste imports, which may not be that important for land-locked countries, but for coastal countries;
- Use information obtained from data on imports of chemicals;
- Give priority to a small number of large generators of waste;
- Use indexes, indicators and growth-rate estimations for extrapolation and projections.

After the coffee break a hands-on exercise was done on an inventory of waste oils.

6. Day 2, afternoon: national reporting

The Basel Convention contains an obligation for Parties to report on definitions and policies applied within their country and information on generation and on transboundary movement hazardous wastes and other wastes. During this session Germany presented its experience with the reporting obligations and the SBC presented its views on the subject.

6.1 National experience from in Germany

The afternoon session started with a presentation of the theory and **practice of national reporting in Germany**, by Mr. Harald Junker, responsible for national reporting in the Federal Environmental Agency of Germany, which is also the Focal Point for the Basel Convention.



Mr. Junker started by explaining that Germany is a member State of the European Union (EU). It is a densely populated country with 83 million inhabitants. Germany generates 4.6 tonnes of waste per capita per year. It is a federation of States with a large autonomy of the States that form the federation. The States are responsible for the notification procedures for transboundary movement, the checks of facilities and the administrative follow up, including prosecution of illegal traffic. The Federal Environment Agency is responsible for the notifications for transit and is the Focal Point for the Convention and is the correspondent for contacts with the European Union.

He indicated that the most important **waste types** in terms of quantities are excavated soil, demolition waste and excavation material from mining. The vast majority of the waste is recycled. In 2007 Germany generated approximately 20 million tonnes of hazardous waste. It is a net importer of hazardous waste. Export of notified waste² corresponds to approximately 1 to 2 million tonnes per year. Transit represents less than 500.000 tonnes per year. Since 1999 the import of notified waste has increased considerably from around 1 million tonnes to around 7 million tonnes per year. Germany is involved in more than half of all the waste movements of waste in the 27 countries that make up the European Union.

Germany has had **legislation** on transboundary movement even before the Basel Convention entered into force. The Basel Convention requirements have taken effect in Germany since 1994 when the EU regulation on shipments of waste came into effect. Germany has implemented the Ban Amendment to the Convention in 1998.

² Notified waste consists of wastes covered by the Basel Convention and a number of wastes for which the EU regulations require a notification but that are out of the scope of the Basel Convention definition of hazardous wastes and other wastes.



To assure the smooth functioning of the **reporting system** in Germany a number of acts and Regulations address the necessary obligations and tasks. Some of those are included in the EU shipment regulation, which is directly applicable in the whole of the EU. However, a number of issues not covered by the EU Regulation required specific legislation in Germany. A specific German act requires the States within Germany to report to the Federal Agency and the German act on environmental statistics requires economic operators to transmit the data for the national inventory.

Regarding the **information technology** systems in place, Mr. Junker explained that a variety of solutions are applied within Germany from rather simple MS Excel databases to very sophisticated programs that were developed specifically for the purpose of waste reporting. However, it was suggested that MS Excel could be sufficient for countries with only a few notifications per year. All data that have to be reported to the SBC on transboundary movements, apart from the amounts that are shipped, are part of the notification form. The States in Germany are the competent authorities and receive information from the importers and exporters. They send information to the Federal Environment Agency that collates the data and transmits them to the SBC, to the European Commission and to domestic partners. The data are also published on the website of the German Federal Environment Agency (www.uba.de).

To understand the German system addressing transboundary movements, Mr. Junker stressed that Germany is part of the EU and therefore has to follow the requirements of the EU Regulation on Shipment of Waste. This Regulation applies to all shipments, including those of non-hazardous waste. Within the EU and between EU and other OECD³-countries non-hazardous wastes can be shipped for recovery without a Prior Informed Consent procedure. The only obligation is that a specific transport document accompanies the shipment. The EU did not assume that all countries in the world would like to accept non-hazardous waste without any control procedure. It therefore asked all non-OECD countries, including all African countries, if they want to receive non-hazardous wastes and if so which procedure the countries would like to apply to such shipments. Most African countries replied that they want to apply the PIC procedure as foreseen by the Basel Convention. The total amount of export of non hazardous waste from Germany to Africa was 187.000 tonnes in 2009. The most important waste exports of these non-hazardous wastes consist of waste textiles, iron and steel scrap, and slags and ashes.

6.2 National reporting from the point of view of the SBC



³ Organization for Economic Co-operation and Development; an international governmental organization that counts 34 Member Countries that are sometimes also referred to as 'developed countries' or 'industrialized countries' as a complement of the group of 'developing countries'.



After the coffee-break Mrs. Carla Valle-Klann, programme officer responsible for national reporting within the SBC, gave a presentation on the reporting obligations under the Convention. The mandate for this work comes from Article 13(3) of the Convention and requires Parties to submit information on a yearly basis. It is the focal point of the Convention that is responsible for transmitting the information. In order to be able to fulfill the reporting obligations the Party must have:

- A focal point and competent authority;
- Legislation;
- A national inventory;
- Coordination at the national level; and
- A responsible person or group of persons to deal with national reporting.

She indicated that currently the information is transmitted in a simplified reporting format as adopted at COP VI. It contains two parts:

- Part I, called "Status information", contains information on contact information, legislation and policies in place, as well as information on treatment capacity, sources of technical and financial assistance. This part of the report has to be updated only if developments have occurred.
- Part II contains information on generation, export and import of waste, information on disposals which did not proceed as intended, and accidents. This part has to be updated every year.

Information on the focal points and competent authorities in the Parties can be found on the SBC website.

The information on definitions of waste, bans and restrictions on transboundary movements and details about the notification procedure, as applied in the Parties, is important for other competent authorities when they process notifications. The notification and movement forms can be found on the SBC web-site: <http://www.basel.int/pub/pub.html> under the header: 'manuals'. A collection of the national legislation in Parties can be found under <http://www.basel.int/legalmatters/natleg/byparties/frsetmain.html>

The information on transboundary movement transmitted under part II of the questionnaire consists of:

- Description of the waste (Y-codes, codes from annex VIII or IX or article 1.1.b. wastes, description);
- Hazard characteristics of the waste (UN class, H code, description);
- Amount imported or exported
- Country of destination and origin
- Transit country (if applicable)
- Disposal operation (R and D-codes)

Mrs. Valle-Klann further stressed that it is important to indicate which waste type is involved. Information on wastes that are not covered by the Convention should not be included in the report. If in a given year no imports and/or exports occurred this should also be indicated.

Regarding the information on generation of hazardous wastes and other wastes the information that is transmitted should allow to distinguish:

- Hazardous waste according to Article 1.1.a.
- Hazardous waste according to Article 1.1.b.
- Other wastes (Y codes 46 and 46 in Annex I)

The transmission of generation of hazardous wastes per Y code is optional.

After reception of the information from the Parties the SBC performs a basic verification on completeness and quality of the information. This may involve frequent contacts with the focal points

that transmitted the data. Verified data are copied into the SBC national reporting database and are transferred to the SBC website where the data can be consulted. Parties are requested to make an effort to:

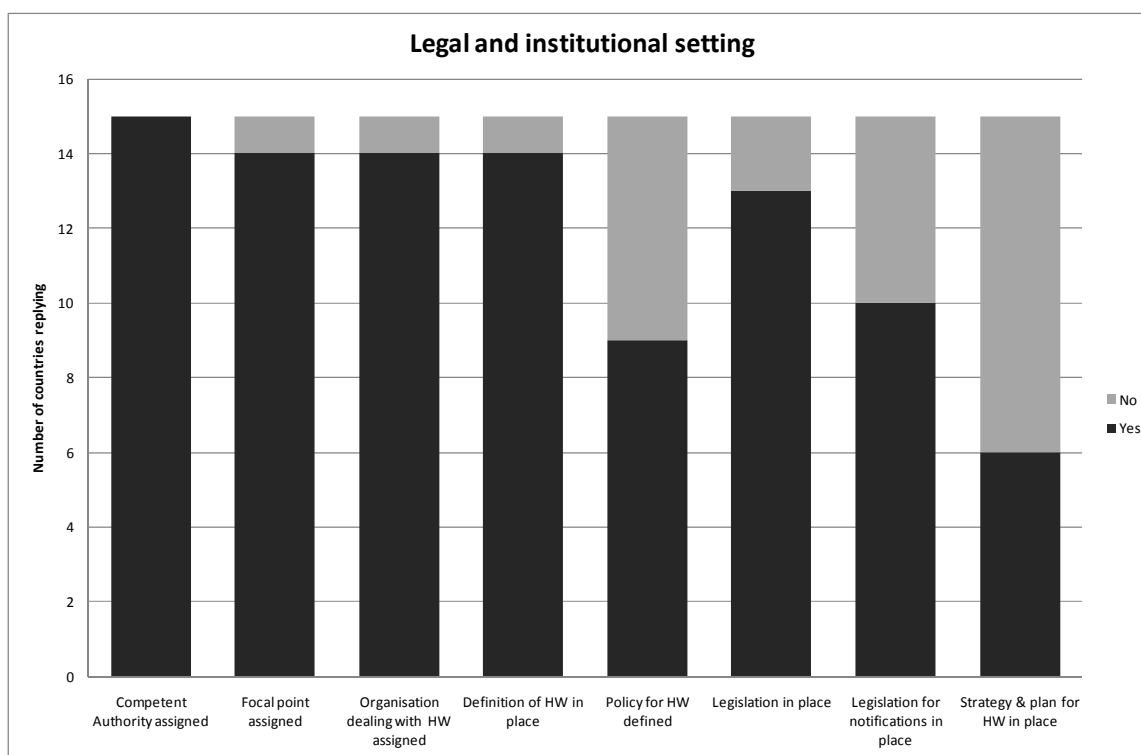
- Provide complete reports in time;
- Perform quality checks before transmitting the reports to the SBC;
- Clarify outstanding questions when requested by the SBC.

To stimulate Parties to report more frequently and to improve the quality of the reports as submitted, the Implementation and Compliance Committee of the Convention has looked into the situation of national reporting and developed a guidance document on improving national reporting by Parties to the Basel Convention. The Committee has as objective to assist Parties to comply with their obligations under the Convention and to facilitate, promote, monitor and aim to secure the implementation of and compliance with the obligations under the Convention. As follow up on the work on national reporting, several African countries have started developing compliance action plans.

The presentation was followed by a hands-on exercise in which groups had to reply to a number of questions regarding the national reporting obligations.

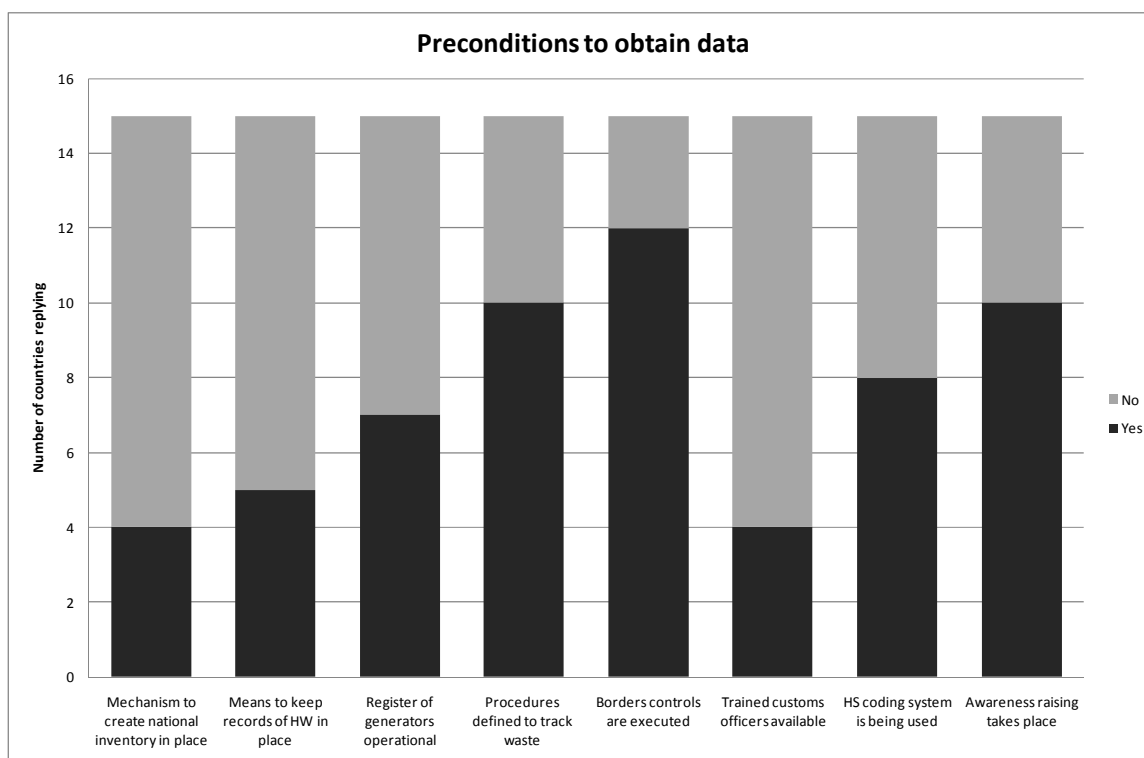
7. Day 3, morning: conclusions and recommendations

Day 3 started with a short introduction by Ms. Carla Valle-Klann on the results of the questionnaire that were sent to the participants prior to the workshop. These results were summarized in two charts. The first chart showed the state of Parties regarding the legal and institutional setting. It showed that in particular there are still deficiencies in developing policies, strategies and plans for management of hazardous waste in the region. Also a large number of countries still lack legislation to cover the obligations for notification of transboundary movement.



The second chart showed the responses on questions related to the preconditions to obtain data. In this area, the deficiencies in the region are even more critical. Most countries do not have a mechanism to create inventories or to keep record on hazardous waste. Often a register of waste

generators is also lacking. Border controls are being done, but most countries indicate a lack of trained customs officers.



After this short introduction, participants worked in 4 groups that discussed the following topics:

- Legislation;
- National inventories;
- System development and implementation;
- Customs and enforcement agencies.

Their task was to make a list of problems and possible actions to remediate those, to formulate recommendations and identify possible actors that should work on those recommendations. Additionally, they were asked to determine the expected timeframe to achieve results on those areas. After a presentation by each group on the different items, priorities were determined in a plenary session.

Regarding **legislation** the following issues were identified:

Issue	Description	Order of priority
Lack of legislation	Certain countries still lack the basic acts to deal with hazardous waste and with the obligations of the convention. To remediate this is the responsibility of the national governments.	Identified as first priority field of action
Inadequate legislation	Other countries do have the basic acts in place but they are incomplete, or lack coherence. This is also an issue that has to be taken up by the national governments.	
Regulations are not in place	To enable effective application of the legal acts, regulations need to be in place to make	

Issue	Description	Order of priority
	them effective and to allow the competent authorities to effectively do their work.	
Enforcement	Enforcement is only possible if the legislation provides the possibilities for agencies to act and to issue penalties. There may be an important role for the communities in this context.	
Compliance	Having the legislation in place does not mean that there is automatically compliance. Inspection, monitoring and audits are needed to assure compliance.	Identified as second priority field of action



Regarding **inventories** the following issues were identified:

Issue	Description	Order of priority
Definition of scope and delimitation of work	This is the vital step when starting an inventory. One has to take stock of existing information, assign roles, determine what sectors will be covered, which information will be gathered and which expertise is needed. An online tool could help during this stage.	Identified as first priority field of action
Stakeholder participation	Stakeholders have to be identified and questionnaires to be developed. Participants of the inventory need training and a database needs to be developed or updated to accommodate the inventory.	Identified as second priority field of action
Conducting the inventory	It is important to make sure that the tools are in place to do this and to publish the results of the inventory, including via press statements	



Regarding **systems development**, the following issues were identified:

Issue	Description	Order of priority
Data management and reporting	There is a need to have systems to: <ul style="list-style-type: none"> • Support data management, • Help generate reports to the SBC • Manage companies related data • Manage information on tracking movements following notification This system should, ideally, be web-based.	Identified as first priority field of action
Quality assurance of reports	The BCRC might play a role to check the quality of the reports in the region before they are being sent to the SBC.	
Customs codes	It is necessary to further harmonize the customs codes with the Basel lists, in order to make them more user-friendly.	Identified as second priority field of action



Regarding **customs and enforcement** the following issues were identified:

Issue	Description	Order of priority
Lack of expertise	Enforcement agents often lack the expertise to classify hazardous waste and to adequately enforce the requirements for managing those. Continuous training and development of tools to assist enforcement officers (e.g. a tool kit) might be useful to overcome this.	
Lack of awareness	Most customs officers are not aware of the Basel Convention. This could also be remediated via awareness campaigns followed by training.	Identified as first priority field of action
Customs codes	The customs codes are not taking full account of the Basel listings of annex VIII. Improving this would facilitate the enforcement activities of customs officers.	
Lack of collaborations between agencies	Often it is complicated to have good collaboration between the different agencies involved in enforcement. A strategic plan involving all of these agencies could be of help.	Identified as second priority field of action



Before closing the workshop Mrs. Valle-Klann indicated that there would be a follow up questionnaire by the end of 2011. The questionnaire will invite participants to share information about changes that may have taken place in their countries, after the workshop, in the areas of national reporting, inventories, and the recommendations for priority action in the region. Also a number of projects and events that might be of interest for the participants were mentioned.

Mr. Moore Moffat thanked all for participating in the workshop. An opportunity was given to one of the participants to also pass a vote of thanks. Finally, the participants were asked to fill in an evaluation form.



8. Evaluation

Participants were requested to fill in an evaluation form to help the BCRC and the SBC assess if the workshop met the needs and expectations and if certain aspects could be improved.

In general the participants expressed that the workshop reached most of their expectations and was an opportunity to exchange information and experiences with other Parties. Some indicated that they would like to have online exercises, that more exchange of practical issues could have been envisaged and that the level of detail on certain subjects could have been deeper.

In general, it was agreed that the workshop was a good opportunity to learn about definition and classification of waste, national inventories, national reporting and that the workshop would help the participants in meeting their reporting obligations under the Convention. Some expressed doubts about the contribution of the workshop to better understand national definitions, and they wished that information on the classification could have been more detailed. The most important possible shortcoming according to a number of participants was the lack of time to provide more in depth information about the methodology for national inventories and the methods that can be used to do those. Making sure that all countries will do national inventories is considered to be the biggest challenge. Some participants considered that the information on national reporting was known already. In general the quality of the presentations was considered to be good, although there was some differences in quality amongst the presentations.

Regarding the organization and infrastructure the participants agreed that these were good. The only problematic issue was the relatively limited access to internet and the travel arrangements for some of the participants. Some participants suggested that it might be preferable to give an early indication of the itinerary e.g. before the issuing of the ticket. One participant indicated that for the entry into South Africa a yellow fever card was required of which no information was given before the workshop. Also a telephone number that participants could use in case of problems would have been welcome. However, most participants had not encountered any problem for their travel and were very satisfied with the organization.

Regarding the room of the workshops, the coffee breaks and the meals there was nearly general satisfaction. One participant suggested that also fruit juice could be offered during the coffee break and some considered that the meals lacked a bit variation.

In the final remarks participants highlighted:

- The importance of establishing focal points in all countries;
- The wish to continue organizing workshops such as this one, in particular to assure wider participation from other actors in the countries;
- An exercise to fill a national report might be a good idea;
- The continued need for capacity building;
- The evaluation form was a bit long;
- Congratulations for the Africa Institute for the good work and to continue like this.



Appendixes

1. List of participants

Country	Participant	Email	Telephone
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ZAMBIA	JAMES MULOLO	jmulolo@necz.org.zm	+260 2112 54023



2. Agenda

Tuesday 24/05/2011		
Time	Topic	Presenter/Speaker
9:00	Opening of the workshop	Dr. Taelo Letsela BCRC South Africa/Africa Institute Executive Director
9:15	Opening remarks by the Secretariat of the Basel Convention	Mr. Ibrahim Shafii SBC
9:30	Introduction of the objectives of the workshop and overview of the region and invited countries	Dr. Taelo Letsela BCRC South Africa/Africa Institute Executive Director
10:00	Coffee break	N.A.
10:30	Country presentations E.g. Botswana, Madagascar, Mozambique, South Africa, Zambia	Respective participants
12:00	Lunch break	N.A.
13:30	Waste definition and classification under the Basel convention	Mr. Kees Wielenga FFact Management Consultant
15:00	Coffee break	N.A.
15:30	Waste classification exercise	Mr. Kees Wielenga FFact Management Consultant
17:00	End of day 1	



Wednesday 25/05/2011		
Time	Topic	Presenter/Speaker
9:00	National inventory Introduction on the "Methodological Guide for Undertaking National Inventories under the Basel Convention"	Mr. Ibrahim Shafii SBC
10:30	Coffee break	N.A.
11:00	National inventory exercise	Mr. Kees Wielenga FFact Management Consultant Mr. Ibrahim Shafii SBC
12:00	Lunch break	N.A.
13:30	National reporting - theory and practice and the example of Germany	Mr. Harald Junker UBA, Germany
14:30	Coffee break	N.A.
15:00	National reporting under the Basel Convention	Ms. Carla Valle-Klann SBC
16:00	National reporting exercise	Ms. Carla Valle-Klann SBC
17:00	End of day 2	



Thursday 26/05/2011		
Time	Topic	Presenter/Speaker
9:00	Group activity: participants should go through their pre-filled surveys/questionnaires (sent to them and collected before the workshop), and their latest questionnaires sent to the SBC with nat. reporting data. They should discuss the common problems, solutions, experiences and ideas to improve.	The 5 speakers can, each, help one group
10:00	Coffee break	N.A.
10:30	Groups presentation on the outcome of the group activity (5 groups with 5 individuals each) – 15 min per group	Groups representatives
12:00	Lunch break	N.A.
13:30	Conclusions and recommendations for the region	All experts in round table
14:30	Evaluation forms and closing session	N.A.
15:00	End of day 3 and of the workshop	



3. Evaluation form

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**Workshop on National Inventory and National Reporting
for African Parties of the Basel Convention,
24-26 May 2011, Pretoria, South Africa**

Evaluation Form

Participant name (optional): _____

Country name (optional): _____

Please rate the following items. This will help us improve for future events and assess the value of the current event.

Content and presentations related

1. The workshop reached most of your expectations.

() totally agree () partially agree () disagree

Please explain: _____

2. The workshop was an opportunity to exchange information and experiences with other Parties.

() totally agree () partially agree () disagree

Please explain: _____

3. The workshop was an opportunity to learn about national definition and classification of hazardous waste.

() totally agree () partially agree () disagree

Please explain: _____

4. The workshop was an opportunity to learn about methods to develop national inventories.

() totally agree () partially agree () disagree



Please explain: _____

5. The workshop was an opportunity to learn about national reporting and the required content.

☐ totally agree ☐ partially agree ☐ disagree

Please explain: _____

6. The workshop will help the participating Parties in meeting their reporting obligations under the Basel Convention.

☐ totally agree ☐ partially agree ☐ disagree

Please explain: _____

7. The quality of the presentations was:

☐ very good ☐ good ☐ bad

Please explain: _____

Organization and infrastructure related

8. The workshop was well organized.

☐ totally agree ☐ partially agree ☐ disagree

Please explain: _____

9. The workshop travel arrangements were well organized.

☐ totally agree ☐ partially agree ☐ disagree

Please explain: _____

10. The workshop infrastructure was adequate.

☐ totally agree ☐ partially agree ☐ disagree

Please explain: _____

11. The internet access provided by the venue was of good quality.

☐ totally agree ☐ partially agree ☐ disagree

Please explain: _____

12. The room where the workshop took place was adequate.

☐ totally agree ☐ partially agree ☐ disagree



Please explain: _____

13. Your level of satisfaction regarding the coffee breaks is:

() totally satisfied () partially satisfied () not satisfied

Please explain: _____

14. Your level of satisfaction regarding the meals provided in the venue is:

() totally satisfied () partially satisfied () not satisfied

Please explain: _____

Other issues

15. If you have any suggestion, comments or critique to do, please use the space below for that.
Your opinion is very important to us.
