



ECONOMIC COMMUNITY OF WEST AFRICAN STATES

ELEVENTH SESSION OF THE AUTHORITY OF THE HEADS
OF STATE AND GOVERNMENT

LOME, 23 - 25 JUNE 1988

RESOLUTION A/RES.1/6/88 OF THE AUTHORITY OF
HEADS OF STATE AND GOVERNMENT RELATING TO
THE DUMPING OF NUCLEAR AND INDUSTRIAL WASTE



THE AUTHORITY OF HEADS OF STATE AND GOVERNMENT,

MINDFUL of Article 5 of the Treaty of the Economic Community of West African States (ECOWAS) establishing the Authority and defining its composition and functions;

AWARE that the West African sub-region faces serious problems of ecological degradation principally brought about by drought and desertification;

CONSCIOUS of the efforts of the countries of the sub-region to re-establish the natural ecological balance through the implementation of environmental protection programmes at both National and Community levels;

ALARMED at the increasing reports of the incidence of acts of or attempts at dumping nuclear and other harmful industrial waste within the territories of ECOWAS Member States;

DETERMINED to continue to protect, preserve and improve the natural environment of the sub-region for the benefit of the present and future generations of West Africans and other people;

HEREBY RESOLVES AS FOLLOWS:

1. We condemn in no uncertain terms all acts of or attempts at dumping of nuclear and other industrial waste in the territory or territorial waters of any ECOWAS Member State;
2. We undertake to enact laws in our respective countries to make it a criminal offence for anybody, group of persons or firms or organisations to take part in any act that facilitates the dumping of nuclear and industrial waste in any of our territories;



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3. Each Member State is urged to take all possible measures to prevent the involvement of the Government or its officials, any corporate body or private citizen in any act that could lead to the dumping of toxic and other harmful waste in its territory;
4. We undertake to establish a "dump-watch". The Council of Ministers, with the assistance of the Executive Secretary shall ensure the effective establishment of this system of surveillance to ensure that the West African sub-region is kept free of nuclear and industrial waste;
5. The Governments of the industrialised countries are called upon to take the necessary measures to ensure the safe disposal of nuclear and other industrial waste and to strengthen their procedures for enforcing such measures, so as to prevent the export of these waste materials to other countries.

DONE AT LOME, THIS 25TH DAY OF JUNE, 1988

H.E. GENERAL IBRAHIM BADAMASI BABANGIDA

C H A I R M A N

FOR THE AUTHORITY

CM/Res.1153(XLVIII)

DUMPING OF NUCLEAR AND INDUSTRIAL WASTES IN AFRICA

The Council of Ministers of the Organization of African Unity, meeting in its Forty-eighth Ordinary Session, in Addis Ababa, Ethiopia, from 19 to 23 May 1988,

Aware of the growing practice of dumping nuclear and industrial wastes in African countries by transnational corporations and other enterprises from industrialized countries, which they cannot dispose of within their territories,

Gravely concerned about the growing tendency of some African countries to conclude agreements or arrangements with such corporations and enterprises which facilitate the dumping of nuclear and industrial wastes in their territorial boundaries,

Bearing in mind the harmful effects of radiation from nuclear and other hazardous industrial wastes to human and marine life as well as to the ecosystems on which they depend for their existence:

1. DECLARES that the dumping of nuclear and industrial wastes in Africa is a crime against Africa and the African people;
2. CONDEMNS all transnational corporations and enterprises involved in the introduction, in any form, of nuclear and industrial wastes in Africa; and DEMANDS that they clean up the areas that have already been contaminated by them;

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3. CALLS UPON African countries which have concluded or are in the process of concluding agreements or arrangements for dumping nuclear and industrial wastes in their territories to put an end to these transactions;
4. REQUESTS Member States of the OAU to carry out information campaigns among their people about the danger of Nuclear and Industrial Wastes;
5. REQUESTS the Secretary-General of the Organization of African Unity (OAU), in close collaboration with the Director-General of the International Atomic Energy Agency (IAEA), the Executive Secretary of the United Nations Economic Commission for Africa (ECA), the Executive Director of the United Nations Environment Programme (UNEP), and other concerned organizations, to assist African countries to establish appropriate mechanisms for monitoring and control of the movement and disposal of Nuclear and Industrial Wastes in Africa;
6. REQUESTS ALSO the Secretary-General of the Organization of African Unity (OAU) to take appropriate steps to ensure the inscription of The Dumping of Nuclear and Industrial Wastes in Africa as an item on the Agenda of the Forty-third Session of the U.N. General Assembly;
7. REQUESTS FURTHER the Secretary-General of the Organization of African Unity (OAU) to report to the Council of Ministers at its Fiftieth Session, on the implementation of this resolution;

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8. CALLS UPON Member States to adhere to the guidelines and principles of Cairo on the dumping of dangerous wastes using ecologically rational methods;
9. INVITES Member States to participate in the Working Group charged with the drafting of the Convention on the Control of the Movement of Dangerous Wastes across Borders.

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RESOLUTION ON GLOBAL CONVENTION FOR THE
CONTROL OF TRANSBOUNDARY MOVEMENT OF HAZARDOUS WASTES

The Council of Ministers of the Organization of African Unity, meeting in its Forty-ninth Ordinary Session, in Addis Ababa, Ethiopia, from 20 to 25 February, 1989,

Recalling Resolution CM/Res.1153 (XLVIII) on the "Dumping of Nuclear and Industrial Wastes in Africa",

Aware of the efforts of the Governing Council of the United Nations Environment Programme towards the adoption of a global convention for the control of transboundary movement of non-nuclear aspects of hazardous wastes, within the framework of an Ad Hoc working group of experts established for that purpose,

Recognizing that the Ad Hoc working group of experts has held many sessions, culminating in the Luxembourg meeting, 30 January to 3 February, 1989,

Aware also that the International Atomic Energy Agency and the United Nations Committee on Disarmament are currently considering the transboundary movement of nuclear aspects of hazardous wastes within their sphere of competence,

Noting that the Ad Hoc working group of experts has now completed the preparation of a draft global convention for the control of transboundary movement of hazardous wastes which will be adopted at the diplomatic conference at Basel, Switzerland, 13 - 17 March, 1989,

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Recalling the disagreement that arose between African and European countries during the Euro-African Conference on Cross Border Movement of hazardous wastes which met in Dakar on 26 and 27 January 1989 and the desire unanimously expressed by African countries attending the said meeting to discuss Resolution CM/Res.1153 (XLVIII) with a view to setting out Africa's strategy during the Basle Meeting scheduled for 20 to 22 March, 1989,

Concerned that the draft Global Convention for the Control of Transboundary Movement of Hazardous Wastes is merely aimed at the regulation or control, rather than the prohibition, of transboundary movement of hazardous wastes, contrary to the spirit of Council Resolution CM/Res.1153 (XLVIII) which determine that dumping of hazardous wastes is a crime against Africa and the African people,

Concerned also about the inadequacy of the provision for the monitoring mechanism "dump watch" for all transboundary movements of hazardous wastes, especially into Africa:

1. NOTES that the narrow scope of the draft Convention still permits of the illegal export of hazardous wastes from the country of generation, especially into Africa, without adequate provision for technical and financial support for their safe and environmentally sound disposal in the importing states;

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2. CALLS UPON all African countries to reach agreement urgently on a common, African position for ameliorating the inadequacies contained in the draft Convention, and to ensure that their solidarity is not disrupted until the draft Convention is adopted;
3. REQUESTS the Secretary-General of the Organization of African Unity, in consultation with the Executive Director of the United Nations Environment Programme, to ensure that Africa is adequately represented on the drafting group of legal experts to review the draft global convention before its adoption,
4. CALLS ALSO UPON all Member States to participate fully, at the appropriate level, at the diplomatic conference to be held at Basel, Switzerland, from 20 - 22 March, 1989,
5. REQUESTS also the Secretary-General of the Organization of African Unity to report to the Council of Ministers at its Fiftieth Session, on the implementation of this resolution.