

Transboundary Shipment Of Hazardous Wastes To Sub-Saharan Africa: A Challenge For The Nigerian Foreign Policy

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Introduction

Hazardous waste is defined as waste which is capable of causing harm to human health and the environment. These wastes tend to be, for the most part, man-made; vary widely, and come in both solid and liquid forms (Singh and Laklan, 1989). They include hazardous substances such as asbestos, dioxins, PCBs, DDT, chlordane and mirex. Transboundary shipment of hazardous wastes from the industrialized countries to developing countries is extensive and has been going on for decades. (Rabe, 1991). Stricter environmental laws, emergence of hundreds of environmental interest groups, increasing awareness of environmental hazards, coupled with the population's capacity to effectively lobby for environmental safety and astronomical increase in the cost of safe disposal of toxic wastes are some of the factors which have contributed to the growth of transboundary movements of these hazardous wastes from the North to the South (Hiltz and Ehrenfeld, 1991: *Passim*; Wynne 1989:121). In 1975, for instance, Velsicol Chemical Corporation, a company based in Texas, U.S.A., exported Phosvel, a nerve-attacking pesticide, to thirty countries. Half of the shipment went to Egypt, which did not have environmental laws or safety standards governing the production and application of pesticides. The consequence of several deaths of Egyptian farmers and severe impairments on the part of farmers who did not succumb to death (Seferovich, 1981:537). Another highly publicized arrangement to dump toxic waste occurred in 1980 between the Republic of Sierra Leone and a Philadelphia-based private firm. However, owing to pressure the Carter Administration and the Organization of African unity exerted on parties to the transaction, the Republic of Sierra Leone reneged on the agreement in which it was to receive \$ 25million in exchange for toxic wastes dump sites. (Logan, 1991:62). Ibrahim Babangida, then Nigeria's military leader averred that, " no government, no matter the financial inducement has the right to mortgage the destiny of future generations of African

children” (Anyadike, 1988:1108).

Similarly, arrangements by George Kouros, a Chicago-based businessman to export tons of hazardous wastes from the East Coast of the United States to Brazil, Chile and some African countries was foiled (Rachel's Hazardous Waste News#257, 1991). Examples of such shipments undertaken both covertly and overtly abound and many were, unfortunately, successfully completed. It was not until 1988 before the problem attracted global attention. In that year, “several incidents of hazardous waste shipments from the United States and Western Europe, mostly to African countries, alarmed the public and caused a wave of scathing protests from journalists, statesmen, and international organizations” (Rublick, 1989:114). Most of those cases involved West African countries. One of the most notorious cases of all was an illegal dumping at Koko, Nigeria's port city, of highly toxic PCBs from Pisa, Italy (Anyadike, Idem; Singh and Lakan, Idem). As a result, the Nigerian government which did not have a national environmental policy or laws, launched the policy for the first time. The federal Environmental Protection Agency (FEPA) was established and charged with, among other responsibilities, protecting and enhancing people's health, helping to maintain a health balance between population and the environment, ensuring sustainable development and above all, cooperating with other countries to abate transboundary pollution (Ogunseitan, 1989). The Italian government subsequently removed the wastes as a result of diplomatic pressure the Nigerian government applied on it including seizing its ship and threatening to execute, by firing squad, an Italian businessman involved in the illegal transaction as well as all other people associated with the scheme (Singh and Lakan, idem). But, by then, substantial damage to the environment and human health had already been done. In the end, no one was executed as a result of the toxic waste dumping.

To stem the shipment of hazardous wastes from the industrialized countries to developing countries, international environmental groups such as Greenpeace, international organizations and individual states came together in the 1980s and signed several treaties. For example, in 1989, a group of 68 developing countries in Africa, the Caribbean and the Pacific known collectively as ACP countries, joined with European Community and signed a treaty known as LOM, IV Convention which prohibits international trade in wastes and banned “all shipment of

hazardous or radioactive wastes from EEC to ACP countries” (Rachel’s Hazardous Waste News, idem). Other international treaties were the Organization of African Unity Treaty known as the Bamako Convention which banned importation of hazardous wastes into Africa (OAU, 1991), ABD TGE Basel Conventions which started by seeking to curb Transfrontier movements of hazardous wastes but later opted to place a total ban on the transfer and disposal of such wastes from OECD to non- OECD states (Clapp, 1995).

Despite these treaties, Africa is still the prime target of dumpers in part because of its persistent vulnerabilities such as porous borders, general governmental inefficiency as exemplified by sloppy custom checks, lack of probity among public officials and chronic indebtedness food shortages and generally, very poor economies and weak governments (Islam and Smith, 1988:38).

Also, in 1991, Lawrence Summers, former U.S Treasury Secretary, then World Bank chief economist wrote an internal memorandum in which he proposed that dirty industries and toxic wastes should be encouraged to move to developing nations because “ health -impairing pollution should be done in the country with the lowest cost, which will be the country with lowest wages” (Henwood: 1992). Such views and incidents have prompted Africans to complain of “ toxic terrorism” on the part of those they describe as merchants of death. This has prompted some regional groups such as Economic Community of West African States (ECOWAS) to criminalize covert shipment of hazardous wastes to the region. However, toxic waste trader and their agents have devised sophisticated ways such as deliberately mislabeling hazardous wastes as agricultural or food items and incorporating “shadow” companies whose addresses do not ever match those indicated in incorporation papers (Iwobi, 1988; Islam and Smith, idem), to avoid detection.

Given the complicated nature of this problem, its magnitude and damage caused to the environment and human beings can not be fully comprehended because, illegal trade in hazardous wastes might have been made difficult by the treaties, but still goes on as is transfrontier covert shipments of toxic wastes. In addition, increasing industrial productivity and attendant commercial activities which tend to generate large quantities of highly perilous wastes have aroused major concerns throughout the world as dumping grounds have gradually become

scarce. Thus, the illegitimate trade in harmful substances cannot be eliminated easily. Individual business persons, private companies, states NGOs and International Governmental Organizations are actors who should be continuously urged not just to comply with various existing treaties aimed at resolving the problems of shipping hazardous wastes across borders but also to find ways to close the loopholes in the treaties. But the kernel of the problem goes beyond mere dumping of hazardous wastes on Africa's soil. It calls into question to problems of industrial development offered to these countries as the way out of their poverty as well as the need to generate less garbage than the necessity to safely dispose it. It also brings to the forefront the immorality inherent in the dumping hazardous wastes known to be detrimental to environment and humans in countries least prepared to deal with their perilous consequence. This should be seen as nothing short of an abuse of fundamental human right of people whose health is put perpetually in peril and environment permanently damaged now and for posterity mostly a result of greed on the part of actors sometimes described as "merchants of death" and their agents. Wastes exported to developing countries are generated mostly by the world's armed forces (Renner, 1991).

Therefore, exogenous and endogenous sources of hazardous wastes are likely to result in considerable environmental degradation if left unchecked.

The primary purpose of this article is to review major cases of transboundary shipment of hazardous wastes to West African subregion with emphasis on Nigeria and to examine policy options for Nigeria within the context of its foreign policy. To do so, the article first reviews the essential features of Nigeria's foreign policy in order to display the context within which national wealth and foreign policy making has developed and how a weak economy may affect its responses concerning waste dump in the region. Also to be examined are other national attributes which directly impinge on Nigerian foreign policy. Finally, the article outlines and analyzes major instances of toxic waste trade.

Background

The amalgamation of the Britain's Northern and Southern Protectorates in 1914 resulted in what is now called Nigeria. With 250 ethnic groups, Nigeria is undoubtedly one of the most

heterogeneous countries in the world. A unitary government existed from 1914 to 1946. In 1947, a new colonial constitution divided the country into three regions – east, north and south. Nigeria achieved political independence on October 1, 1960, as a federation of three regions until 1963 when an additional region (Midwest) was created. Nigeria became a Republic in 1963; in 1967, 12 states were created out of the four regions. In response to political demands, the number of states was increased to 19, then to 21, and 30. Today, Nigeria has a total of 36 states, with a governor in each state.

Since independence, Nigeria has had an unstable political system where change of government has remained a constant feature. In spite of the changes in government and the 30 – month civil war, there has still been a consensus regarding the importance of self-determination for all countries on the continent. Under democratic government as well as military administrations, Nigeria has committed its resources toward the upliftment of other African countries. This is based on the general belief of Nigerians and others that Nigeria is the “giant of Africa”, and that it is in Nigeria’s interest to rid the continent of elements likely to undermine its leadership.

Nigeria’s self-image was articulated in 1966 Ministry of External Affairs’ working paper which stated that “Africa is Nigeria’s natural sphere of influence. To shirk this manifest destiny is not to heed the logic of history” (Stremlau, 1977:79). During the initial stage of Nigeria’s independence, A.Bolaji Akinyemi, former External Affairs Minister, saw the possibility of a “Continental Pax Nigerian” (Akinyemi, 1974), while Olajide Aluko has similarly asserted that “ Nigeria cannot readily give up the bid to play a leading role in the OAU” (Aluko, 1973:162).

Outside observers also believed that Nigeria was the natural leader of Africa. As Timothy Shaw pointed out: “undeniably, Nigeria is *primus inter pares* in Black Africa (Shaw, 1987:4). Andrew Young, former U.S Ambassador to the United Nations, also agreed that “ Nigeria in some important respects is Africa’s most powerful nation” (Young, 1981:54). To him,

Nigeria is playing an increasingly influential role in the political and economic policies of other African countries. As a consequence of its oil wealth and OPEC membership, Lagos exercises considerable leadership in the OAU and dominates the Economic Community of West Africa States. Nigeria’s resources and zealous commitment on Zimbabwe made a virtual partner with the frontline states at various stages of negotiation for settlement. Its

diplomatic corps has been central to efforts by West African countries to resolve the conflicts in Chad (Young, idem).

In addition to Nigeria's efforts to resolve conflicts in Chad, it has in recent years been instrumental to the relative peace experienced in Liberia and Sierra Leone. Although peace has not yet completely returned to the two countries, Nigeria is still working through ECOMOG and the United Nations to bring about peace in the region.

Also commenting on Nigeria's key role in African affairs, the *Times of London* asserts that, Nigerians, justifiably, see themselves as the giants of Africa. It is the one element they are agreed upon. And they are now seeking to use their oil and emerging industry muscle to influence opinion and guide events – it is Nigeria's foreign policy, more than that of any black African country that most determines Africa's collective future (*Times, 1981*).

However, this view is increasingly under challenge (not the least from Nigerian themselves) as Nigeria's socio-political system has become notoriously chaotic in recent years, quite apart from the fact that its economic fortunes which accorded it clout have dwindled considerably.

The bases of Nigeria's aspirations have varied over time. In the immediate post-independence period, its Westminster-inspired political system, natural and human resources and geographical expanse seemed justify grand hopes. It has a land area greater than the United Kingdom, France, and Portugal put together. Unlike other African countries, three-fourths of Nigeria's land is arable, providing agricultural employment for over a third of the population. Indeed, until the 1970s, agriculture was the mainstay of Nigeria's economy contributing to 70 percent of the gross domestic product. Moreover, the country is relatively rich in natural resources.

Essential Elements of Nigerian Foreign Policy

To many Nigerian foreign policy makers, the vitality of the country's economy, closely coupled with the oil boom, meant that it could assume continental leadership and related responsibilities. Even earlier, the Tafawa Balewa government of the early 1960s, despite Nigeria's low level of development and the regime's otherwise passive foreign policy orientation, it gave substantial financial "assistance to the liberation movements in Southern Africa and former Portuguese territories" (Akinyemi, 1979:151). Nigerian governments have proceeded on the view that Africa

is the “centerpiece” of Nigerian foreign policy, and that the liberation of Africans subject to colonialism, neocolonialism and the provision of foreign aid to poorer African countries should be Nigeria’s primary responsibility. As President Shehu Shagari indicated in his speech to the U.N.General Assembly on October 7, 1979, “the destiny of Nigeria is inextricably linked with the fortunes of all the African countries and all the peoples of African decent abroad. As a result, we have, and will continue to strive vigorously for the restoration of the rights and dignity of the black man everywhere; for too long he has suffered humiliation and discrimination” (Shagari, 1981:9). Shagari’s statement in both tone and substance envisioned very broad responsibilities which have entailed a great deal of financial commitment.

In the 1970s oil wealth gave Nigeria increased clout in international affairs, and it was not afraid to exert it. In reference to South Africa, President Shagari declared in 1981 in Washington that: “ Oil has become a weapon in international politics. I am on record as saying we shall use all weapons at our disposal including oil if it becomes unavoidable to pursue and fight for the interests of Nigeria” (Falola and Ihonvbere, 185:187). Nigeria’s foreign policy in Southern Africa did not conform with British or American policy in the region, and Nigeria had not been afraid to confront the Western powers. In April 1978, for instance, punitive economic sanctions were taken against the Nigerian branches of Barclays Bank when Barclays London Branch announced it was subscribing to South African Defense Bonds. In mid-1979, on the eve of the Lusaka Commonwealth Summit, in retaliation for British Petroleum’s sale of crude oil to South Africa, Nigeria nationalized that company’s local holding and renamed it African Petroleum. In so doing, Nigeria also hoped to pressure the British government to grant independence to Zimbabwe. Another issue on which Nigeria had opposed the United States is the war in Angola; Nigeria has been supporting the MPLA since 1975, whereas the U.S. still supports UNITA.

The foregoing discussion suggests that Nigeria’s relative passivity in international affairs in the few years following political independence was a product of its backward economy. With the rising price of oil and unexpected wealth, Nigeria’s role in the international affairs changed dramatically. The willingness to live up to its commitments underscores Nigeria’s “spraying diplomacy” which is directly tied to its perception of oil wealth as a source of national power. According to a Nigerian official, the availability of petro-dollars has provided the state with the

necessary “ resources and capabilities that make it play the role of “ Big Brother” in regional politics” (Abubakar, 1986:159).

Against this backdrop, Nigeria could no longer be regarded as a “sleeping giant”. Nigeria extended long-term, interest-free loans to Niger, Chad, Cameroon, and Togo while building Nigeria n-financed roads across the shared borders, but the “Big Brother” orientation in foreign policy did not end there. When Zambia’s economy was strangled after Rhodesia closed its borders, Nigeria sent substantial foreign aid to that country. Nigeria financed various projects and gave interest-free loans to neighboring Benin and established a special fund at the African Development Bank for less endowed African countries. These funds are replenished regularly as they diminish (Abubakar, Ibid)...

The so-called “ spraying diplomacy”, was possible solely because of Nigeria’s oil wealth. The intent was to reduce the presence of foreign powers on the continent, particularly those who might use aid to infiltrate African counties. Also, the Nigerian policy makers believed that the nation cannot exist as an oasis of prosperity amidst poverty in the surrounding states. This fundamental belief prompted Nigeria to exhibit good neighborliness in a financial sense. Nigeria offered 33 percent of the budget to establish the Economic Community of West African States (ECOWAS). Various aid programs pursued in the 1970s disbursed \$11,925,484 to various countries (Akinyemi, 1979:165). According to Akinyemi, as Nigeria became actively involved in African affairs, other states expected Nigeria to foot the bill for their economic programs. Requests ranged from the construction of industrial projects to the building of hospitals and roads. Others wanted petroleum to be sold to them at concessionary prices, or sought deferred payment schedules (Akinyemi, *ibid*).

Relying mainly on its economic power, Nigeria came to be recognized and respected in African politics. The number of dignitaries visiting Lagos to hold talks with Nigerian officials on important aspects of African politics increased dramatically. In 1978 alone, ten visited Lagos, among them Jimmy Carter and West German Chancellor Helmut Kohl. Nigeria’s influence in other multilateral organizations also increased as a result of its financial assistance and contributions. In the African Development Bank, for instance, Nigeria had a substantial voting power, and could exercise a dominant influence on the Bank’s policies (Akinyemi, *Idem*).

Oil replaced agriculture as the mainstay of Nigeria's economy since the 1970s. Currently, Nigeria earns 95 percent of its revenue from oil. The global oil glut and the decline of oil revenues has seriously restrained the conduct of Nigerian foreign since the mid-1980s. Even so, Nigerian foreign policy makers tenaciously asserted that it is the policy of the government to continue to provide multidimensional support to other African countries. In 1987, President Ibrahim Babangida launched the Technical Aid Corps Scheme (TACS). TACS can be seen as the equivalent of the U.S Peace Corps. Although Nigeria has long been providing technical assistance to other African countries, such a program has never been institutionalized. Thirteen countries applied for Nigerian technical assistance, including Mozambique, Cape Verde, Zimbabwe, Sierra Leone, Lesotho, Liberia, Equatorial Guinea, Guinea Bissau, Jamaica, and Seychelles. The recipient countries insisted on highly qualified and experienced people. Most of their requests were in the area of medicine; also in demand was engineering. By January, 1988, 250 people had been sent to various countries. Critics say that the scheme will result in a "brain drain." The government's response is that "the best brains in this country run into millions...we can afford to be our brother's keeper," (since they are not being sent into a permanent exile) (Usen,1987:24).

However, Nigeria could not meet all the demands of recipient countries because its resources even though immense by African standards, are by means unlimited. In fact, Nigeria is currently a major debtor country. At the beginning of 1988, for instance, Present Ibrahim Babangida had committed \$50 million for the next five years to the South African liberation movement- and apologized for the notional economic adversity which did not allow Nigeria to give more money. At the same time, Nigeria donated one million dollars toward hosting a meeting of frontline states.

Political Culture

At least one aspect of Nigerian political culture deserves mention, i.e., the African notion of prosperity and attendant responsibility. A critical element found all over Africa offers a powerful explanation for Nigeria's foreign policy. It is argued that Africans differ in their perception of prestige and consumption from the West. Africans do not seek prestige to increase personal

consumption, but rather as a mechanism for distribution. Those who prosper are expected to share their wealth with those less fortunate (even at the expense of their well-being). This is true at an individual, group as well as state levels. In reality, however, whether or not Nigeria embarks upon an aggressive or active foreign policy depends very much on its economic performance. As Timonthy Shaw aptly puts it: "...if its political economy can be more self reliant and self-sustaining, then its foreign policy can yet be influential. The on-going oil glut coupled with widespread corruption makes it exceedingly difficult for the country to be active in international affairs. I would, however, contend that a country need not be necessarily rich in order to press for its interests in the international arena. Neither does it need to be rich to succeed diplomatically. In fact, Nigeria is still playing a substantial role in shaping political issues in Africa and beyond, especially where its interests are threatened as seen in the saga of hazardous waste dump in the region.

New Challenges to Nigeria's Foreign Policy

A totally new challenge requiring urgent attention faced Nigerian foreign policy since the 1980s. In that decade, industrialized nations had turned to Africa and other Third World countries in their search for dumping grounds for toxic wastes, threatening to turn Africa into a dustbin of rich industrial countries. Therefore, in March, 1988, Nigeria sent a high-powered delegation to neighboring Equatorial Guinea, an island 60 nautical miles south of Nigeria, to hold talks with the government of Teodoro Obian Mbasogo which had just agreed to the dumping of French toxic waste on the island in exchange for an unspecified amount of money. Two months later, an agreement was reached between a British company, Emtrex of Buckinghamshire, and the government of Equatorial Guinea. Also involved was a U.S. firm, the Axim Consortium Group of New York City. Under the terms of the agreement, the firm would acquire 200 hectares of land on a volcanic island called Annobon where the firm may store 2 million drums of "mixed chemical wastes from Europe." According to Jim Vallette of Greenpeace, "the wastes would be dumped in a large hole being dug by convict labor" (Vallette, 1988:19). President Teodoro Obiang Mbasogo personally approved the plan. The government had already received a down payment of \$1.6 million for the contract which was to expire in 1997. Despite the concern that the storage facility would leak and damage the environment and fisheries, the main source of livelihood for the inhabitants of the island, they were not consulted about the plan. Nether was the Nigerian

government which shares a border with Equatorial Guinea.

To reverse the decision, Nigeria had donated money to Equatorial Guinea. In September, 1988, Equatorial Guinea's industrial Minister, Francisco Pascual Eyegue Oban Asue indicated in a letter to Axim Consortium Group that, "given the uncertainty stemming from the lack of mutual understanding, we have decided to suspend this project and all of our relationships until we can obtain by ourselves an accounting of the risks...involved in the international traffic in wastes" (Vallette, *idem*). Still, it was doubtful that Equatorial Guinea had suspended all waste trade agreements and/or negotiations. Towards the end of September, 1988, Presnet Mbasogo denied that plans were made to bury toxic wastes on Annobon Island (Vallette, *Supra*). The Nigerian government was greatly concerned about the possible pollution to its oil field in the Atlantic Ocean as well as its fisheries.

But Equatorial Guinea is not the only country involved. The Republic of Benin, a tiny country bordering Nigeria on the west, had been as much of a nuisance neighbor as Equatorial Guinea. According to a Brussels-based ecological lobbying group, *Entete Europeenne pour l'environnement*, the Beninois government signed a contract on January 12, 1988 with Sesco-Gibraltar, a British company, controlled by South Africa, which called for the dumping in Benin between one and five million tons of wastes each year for a period of ten years. In return, Benin would be paid \$2.50 per ton of waste, providing the government a potential annual income of up to \$12,500,000 (Vallette, *idem*). Two dump sites were proposed. The first site was in the Abomey region near Lake Aheme, not too far away from Anecho, one of the major cities in Southeast Togo. One reason for choosing the Abomey region is that Brigadier General Mathieu Kerekou, Beninois Head of State considers it as the dissident center of his rule (*African concord* May 3, 1988). The other site was a fishing village near Agege located on a swampy piece of land at the mouth of the Oueme river, Benin's major waterway that feeds Port Novo and also the Port Harcourt and Lagos Harbors in Nigeria. When the agreement was made public, General Kerekou attempted to nullify the contract with Sesco. Sesco officials refused, contending that they would stop shipment only if 100 million Francs CFA paid in advance of shipments were returned. Unable to return the money, Kerekou did not have much choice but to live up to terms of the agreement. Instead, he dismissed Colonel Anchade, Benin's Health Minister for publicizing the agreement (*Africa*

Concord, idem).

Also, in April, 1988, Benin agreed to import two shiploads of radioactive waste from France in exchange for \$20 million aid package yearly for an unspecified number of years (*Africa Concord*, *supra*). A French firm named Cogema was involved in the scheme. Although the Head of State had denied any dealings with Cogema, Benin was viewed by many Africans as one of the major clients of European and North American exporters of death. For the first time in its history, the Organization of African Unity denounced two countries including Benin in its resolution for allowing industrialists to dump virulent poison on their territories. According to *Africa Concord*, the nuclear wastes were imported into Benin aboard *Ganvie*, Benin's sole merchant vessel, which picked up the cargo at the French port of Le Havre (*African Concord*, idem). Importation of toxic wastes into Equatorial Guinea and Benin posed serious ecological problems not just for Nigeria and Togo (their neighboring countries), but for the entire subregion.

On February 4, 1988, the *Bark*, a merchant vessel owned by Bulkbanding of Norway sailed off the shores of the U.S. with a load of 15,000 tons of toxic incinerator ash from Philadelphia. The ship headed for Haiti, one of the world's poorest states. Due to a stormy protest by angry Haitians at Port-au-Prince, the ship's crew steered the vessel off the original course while awaiting new orders on an alternative dump site. Subsequently, Bulkbanding's managers changed the ship's manifest to Guinea, the West African country of 5.7 million people and a land area of 245,857 square kilometers. According to the Guinean government statement the importation of the toxic waste was arranged by a local Guinean firm, *Societe Internationale Aluko Guinea* (SIAG), an investment firm jointly owned by Guinean businessmen and Norwegian expatriates (*African Concord*, May 24, 1988). The toxic waste was imported as "raw material for bricks." In late February and early March, the toxic waste was unloaded from *Bark* and hurriedly buried at Kasa, one of Guinea's tourist centers, located less than 10 kilometers from Conakry, the state capital. The wastes which was said to have contained high levels of dioxin and furia was not regulated by the U.S. Environmental Protection Agency because it does not fall under the agency's category of toxic wastes banned for exportation. But, soon after the toxic waste was buried, the devastating effect became evident— plants and trees died instantly and Kasa ceased to be the tourist attraction that it had been.

In April, the Geinean government ordered Bulkhandling to remove the ash. Bulkhandling officials refused, claiming that it no longer owned the waste. In retaliation, the Norwegian Consul General and Sigmund Stromme, an official of Bulkhandling, were arrested in June, 1988, and put under house arrest. Also arrested were 10 officials of the Guinean Ministry of Commerce. On July 2, 1988, *Banja*, Bulkhandling's vessel, picked up the ash on the Island and sailed for the U.S. *Banja* returned the cargo to Philadelphia on July 22, 1988. Four Guinean officials involved in the scheme were found guilty and sentenced to 4 years imprisonment while Sigmund Stromme was found guilty of complicity and were fined \$600 each (*African Concord*, idem), a mere slap on the wrist.

In May, 1988, Guinean Bissau postponed an agreement with several Eruopean and U.S. firms to import 15 million tons for toxic wastes from U.S. and European pharmaceutical companies and tanneries. Under the agreement, the brokers would have exported 15,000,000 metric tons of industrial waste to Guinea Bissau over a five-year period. The proposed payment was \$40 per each metric ton of waste – representing a potential earning of \$600 million, which is four times the country's GNP and more than twice its foreign debt. As a result, most of the developing countries that were either victims of illegal dumping of toxic waste or had agreed to serve as dump sites are strapped for foreign exchange. They are also heavily indebted to the International Monetary Fund (IMF) and other international financial institutions.

Nigeria and Ghana have for long been trying to prevent dumping of nuclear wastes in the West Africa subregion. In 1980, for instance, Nigeria objected to Sierra Leone accepting \$5 million as a fee to provide a dump site. Nigeria also spearheaded a move which resulted in the OAU summit in Addis Ababa where members sighed a resolution condemning the dumping of toxic wastes on the continent. While Nigeria resisted efforts to turn Africa into the cesspit for Western technology, little did Nigerians know that they were themselves victims of the lethal wave of toxic waste on the continent. Between August 1978 and May 1988, about 4000 tons of toxic wastes from the Italian port city of Pisa and other European ports were clandestinely dumped at the small port city of Koko in Bendel State, Nigeria. Several Nigerians were involved in the conspiracy to pollute the country with the hazardous wastes. Also involved was an Italian businessman, Gianfranco Raffaelli, whose company, Iruerken Construction Company (ICC), imported the wastes into

country as “ building material” and as “ agricultural chemicals” (*West Africa*, June 20, 1988). Another Italian businessman, Desiderco Perazzi, managing director of polletti Construction Company Nigeria Limited, assisted Raffaelli in moving toxic wastes from the port to Sunday Nana’s compound, the Nigerian in whose compound the hazardous wastes including dioxin and highly toxic PCBs were stored. Due to heavy rainfall and high humidity, the chemicals began to spill, causing more damage to residents and the environment. Jelly Wax, an Italian waste broker firm, with the connivance of four other Italian firms exported the wastes. The wastes came from the following companies: Dyno-Cyanimid of Norway, Elma of Italy, Euro-Citrus of the Netherlands, ICI of Italy, Lanvik Pigmentfabrikk of Norway, PPG of Pittsburg, USA, and Varn Products Ltd., of UK (Ibid).

The villagers were unaware that the drums contained hazardous chemicals even though they were clearly marked “ R”. Some of them applied the so-called “ fertilizer” to their crops and they withered and died. Still, they reeled in their ignorance. Others used the empty containers to store water for drinking and other domestic uses. For ten months, Sunday Nana lived with the deadly toxic wastes in his backyard. Nigerian radiologists reported high levels of radio-activity as far as 50 kilometers away from Koko. A number of premature births and skin diseases had been associated with the presence of these highly toxic wastes in the town. (*Newswatch*, June, 21, 1988).

The Nigerian government was unaware of the illegal dump until a group of 12 Nigerian students in Pisa alerted the Nigerian Press in a letter dated April 24, 1988. Quoting reports from Italian press, the students claimed that the importation of the wastes enjoyed the tacit approvals of the Pharmacists’ Board of Nigeria, a body responsible for ensuring the safety of chemicals imported into the country. In response to the dumping, Nigeria recalled its ambassador from Italy and seized an Italian vessel, *Piave*, one of the vessels involved in the toxic waste trade in order to pressure the Italian government to remove the toxic wastes from Nigeria. A Danish vessel, *MV Danix* and its seven crew members were also detained in Port Harcourt for its role in the toxic waste trade.

On July 17, 1988, the Italian Government agreed to remove the wastes from Nigeria. By the end of July that year, over 2000 tons of wastes were removed aboard an Italian chartered *Karin B*.

The remainder of the wastes were removed on August 15, 1988, aboard the ship, *Deepsea Carrier*. Though the actual wastes were removed, contaminated soils had to be cleaned and people evacuated. Despite the dangers, Kolo residents refused to leave the town, arguing that their ancestors would be angry with them if they abandon their place of birth. (*Newswatch*, *Idem*). Although the Nigerian government did not make public the cost of removing the wastes and cleaning the environment, estimates run into several millions dollars. The U.S. committed over \$30,000 to help out in the evacuation of wastes. Princeton Lyman, the U.S. Ambassador to Nigeria also arranged for experts from the U.S. Environmental Protection Agency (EPA) who assisted Nigeria in the clean-up of the wastes (*Newswatch*, *supra*).

When the scandal broke, Raffaelli fled Nigeria, using a forged passport. At least 54 Nigerians involved in the scandal served long jail sentences. Nigeria did not have specific laws governing importation of toxic wastes into the countries. A decree stipulating summary execution for anyone involved in toxic trade was promulgated. At first, seemed likely that those found guilty of conspiracy to pollute the nation would all be executed. In fact, Duro Onable, Presidential spokesperson, averred that “we will rather do away with 20 stupid Nigerians than to endanger the lives of millions (*African Guardian*, June 27, 1988). However, no one was executed.

Nigeria has since led an international movement for the establishment of a “Dumpwatch”. A Toxic Waste Task Force was also established on a permanent basis in the country to monitor transboundary transportation of toxic wastes. Nigeria also addressed the problem of corruption at home which made it possible for toxic waste to be dumped clandestinely in the country.

Many African countries, as well as other Third World nations, have been repeatedly asked to turn their countries into the dustbin of the industrial countries. At least ten African countries have been victims of illegal dumping. But, toxic waste trade and illegal dumping of hazardous wastes are not limited to Africa. Many other Third World countries have also been adversely affected. According to Greenpeace, “ more than 3,176,000 tons of wastes slipped from industrialized countries to less developed countries between 1986 and 1988” (Vallette, *ibid*).

Efforts to ban or even halt or limit international toxic trade at international fora has been vehemently resisted by advanced industrial countries especially the U.S., in the name of free trade. The current U.S. policy allows for transboundary movements of hazardous wastes if

countries provide “prior and informed consent.” Pursuing this policy of informed consent, the U.S Department of State at EPA’s request, issued four notices in 1987 and 1988 to the governments of Guinea, Guinea Bissau, and the Congo informing them of plans to dump approximately 17 million tons of highly toxic chemicals, but the proposals were rejected. (Bernthal, 1988). On the other hand, Third World countries and international organizations have called for a total ban traffic in toxic waste. “In contrast, developed nations, particularly the U.S., continue to resist efforts to limit the toxic [waste] trade” (Schierholz, 1988:6). Prior consent may be given but the notion of informed consent is far fetched. If industrial countries with all the technical knowledge cannot dispose of toxic waste safely, it is impossible for the Third World countries to know any better. Cases of hazardous wastes shipments reviewed above are not by any means exhaustive. Suffice it to say that, they represent a substantial threat to human and environmental safety of the region and should be avoided at all costs.

Nigeria’s Foreign Policy Options

Due to the serious decline of its economy and a \$32 billion foreign debt, Nigeria is no longer in apposition to continue with the “Big Brother” diplomacy. Specifically, it is no longer able to provide economic aid to its poor neighbors so that they would resist the pressure to receive foreign aid from industrial countries in return for dump sites. Instead of the “spraying diplomacy” which has been characteristic of Nigeria’s foreign policy since the 1960s, Nigeria should intensify efforts at international organizations in focusing global attention on the problem of toxic waste trade.

Some basic elements of Nigerian foreign policy also demand a thorough reevaluation. For instance, since independence, Nigeria has closely followed the policy of non-interference in the domestic affairs of other African countries. By its involvement in peace efforts in Liberia and Sierra Leone, it can be argued that the policy is gradually shifting from absolute to non-interference some reasonable engagement. Nigeria needs to assume a strong leadership role to protect regional security by doing all it can to rid the region toxic wastes from industrial countries.

The non-interference policy to be re-evaluated mainly because by receiving these lethal chemicals, Benin and Equatorial Guinea are endangering the lives of everyone in the West African subregion. Those countries should not be allowed to pollute the region. This requires

that Nigeria and other West African countries must view trade in toxic wastes as the most perilous form of terrorism and unite to prevent toxic waste importation into the region. Once viewed as a threat to regional security, Nigeria should introduce a series of new laws in the Economic Community of West Africa States aimed at economically isolating member countries that accept these most unwanted products. And if that does not serve as a deterrent, most appropriate measures such as imposition of economic sanctions or even a blockage should be considered as a matter of survival of the region and its people.

The policy of cajoling and offering alternative financial incentives cannot be sustained in view of prolonged poor economic situation in the country.

Rather than depend on neighboring countries to affirm or deny their involvement in the illegal trade in toxic wastes, Nigeria should take a role in halting such trade in the region. This is particularly useful because, while Benin was denying its involvement in the illicit trade, a British document television program reproduced an aerial photograph, taken by the Franco-Swedish satellite Spot-1, that revealed the existence of a one-kilometer square hole in the ground constructed to store the waste near the south-west Beninese village of Agon. Nigeria, which lies west of Benin, might already have been polluted.

Thus, Nigeria should insist that countries which deal with these merchants of death be excluded from receiving loans from the African Development Bank especially from the funds which the Nigerian government invests in the Bank for the benefit of less endowed African countries. At the global level, Nigeria must insist that countries which generate those hazardous wastes must solely be responsible for disposing them within their territories or in other industrial countries with the technical expertise to handle such products. The Third World is ill-equipped to deal with these wastes. Many Third World countries do not have any laws governing the disposal of hazardous waste. Nigeria must impress upon such countries to do so while at the same time reminding the industrial countries of their moral obligation to stop exporting toxic waste to the Third World. Those that continue the clandestine exportation of radio-active wastes must be denied access to Nigerian markets. Those that cooperate should enjoy preferential treatment in their economic dealings with the country. Nigeria should also encourage members of the OAU and Third World countries and organizations to adopt similar policies. Since it is unlikely that all

the advanced industrial countries would accept a total ban on trade in toxic wastes, despite the treaties, it is imperative that the Third World apply economic and diplomatic pressure on these countries. They should form partnerships with international environmental groups to fight against toxic waste dump in their respective regions.

Diplomatic pressure at the regional and international levels in areas in which the fate of humankind is generally jeopardized is likely to work. Nigeria should lead the Third World in averring that if the industrialized countries do not ban trade in hazardous wastes, African states will completely absolve themselves from all international agreements on global environments. It is apposite to point out that the developed countries have also been victims of illegal dumping of toxic wastes. Although others might argue that pollution is the price they have to pay for progress, I contend instead that, they are much better equipped (technologically and economically and even politically) to deal with such problems than developing countries.

Nigeria should lead the Third World in focusing global attention to the potential threat involved in transboundary transportation of toxic wastes. Nigeria should bring to the forefront the dangers of advanced technology presently choking on its effluvia so that developing countries would avoid the temptation to industrialize at all costs. Africa should remain a "dark" continent devoid of industrial growth, but not one "darkened" by toxic wastes from advanced industrial countries.

Policy makers will soon find that Nigeria does not need another oil boom to maintain its activist foreign policy. Africans will soon accept the fact that it is better to remain poor and alive than to kill themselves for "few" dollars.

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