



Partners for Water and Sanitation

Note on project reports

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Partners for Water and Sanitation

NESREA Institutional Strengthening:

**Support to the development of a
Corporate Strategic Plan**

Submitted by:

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Environment Agency**

January 2010

Contents amendment record

| This report has been issued and amended as follows: | | | |
|-----------------------------------------------------|---------------|-----------|---------|
| Revision | Description | Date | Signed |
| 1 | Initial draft | 14 Jan 10 | S Moore |
| | | | |
| | | | |

1 CONTEXT

This section outlines the background information provided by Dr. Benebo, Director General of NESREA for the original Terms of Reference.

NESREA has taken the lead in the development of its corporate strategy, which is a step higher than the initial Strategic Action Plan (SAP) that was developed mainly for operational and budgetary purposes.

The draft Corporate Strategic Plan (CSP) which was forwarded to the EA through Partners for Water and Sanitation was developed entirely by a committee established solely for the development of the strategy, and made up of NESREA staff at directorate level. The committee carried out brainstorming sessions that lasted for a week, and came up with the draft CSP.

The document had not been reviewed at a formal external stakeholders forum. However, informal consultations have been held with major stakeholders and experts on environmental issues in Nigeria on the CSP. NESREA had organized Stakeholders' fora in 2007 and 2008, and resolutions at these fora were considered during the development of the CSP. These were mainly NESREA's relationship with external actors. Other documents used as reference for the development of the CSP included:

- The EA institutional assessment report of 2008
- The EA corporate strategy
- The EA consultative comments on NESREA SAP and
- The NESREA SAP

The NESREA priority was to complete the CSP as soon as possible, to enable them to start the process of applying/implementing it. The priority area of support requested from the EA was general comments on the draft CSP, quickly followed by an in-country strategy workshop focusing on linking the CSP and action on ground. That way, an implementation plan will be clearly defined and understood. It was hoped that these activities could be completed before the end of the second quarter of this year (June 2009).

The plan for the NESREA relationship with EA is to take full advantage of the offering of the EA skills and experiences through the PAWS programme. And ultimately through a twinning relationship that will sustain knowledge sharing, capacity building, and exchange programmes between NESREA and the EA.

Further comments on the draft CSP, produced by the EA (Steve Moore) were shared with NESREA in August 2009. These comments were well received, reinforcing NESREA commitment to the process and reiterating their desire to complete this piece of work as a priority and as a stepping stone to developing a clear implementation plan for the strategy.

A follow up visit was arranged for October where it was clear the main objective was to finalise and sign off the Corporate Strategic Plan.

Further info:

Activities to date include:

1. Support to scoping mission for capacity building on gully erosion: Clare Twelvetreets and Michael Kehinde Feb 2007 (report available)
2. Institutional Appraisal and Strategic Planning visit: Catherine Lorenzen, John Seager, Keith Ashcroft Feb 2008 (report available)
3. Review of Strategic Action Plan: Michael Kehinde (report available)
4. 3 month placement from NESREA to Environment Agency: Olikitan, September 2008 (report available)
5. 3 month and 7 week placement Environment Agency: Simon Joshua (zonal director) and Godwin Atsegwasi (Deputy Director) Sept 2009.
6. Current activity – support to the development of the Corporate Strategy: Steve Moore, August and November 2009

2 VISIT SUMMARY

2.1 Objective

The one week visit commenced on Monday 19 October 2009. Steve Moore and Anna Tombs from the EA were based at the NESREA main offices at Abuja, Nigeria, ably supported by Partners for Water and Sanitation Country Manager Gabriel Ekanem.

The objectives for the week were reiterated by Bola Odugbesan (Legal Director) at the welcome meeting. These were to:

- complete the corporate strategy by the end of the week incorporating relevant points from the earlier desk-based exercise in the UK.
- Support NESREA Directors in developing ways of translating the strategy into actions and plans that would drive their operational activity across Nigeria.

2.2 Summary of Directorate discussions

As part of the week long visit a number of meetings were held with the Directors of NESREA and their teams to understand the environmental and operational challenges the organisation was dealing with, the can be summarised as:

Dept of Inspection and enforcement

- All industries and facilities to adopt a good practice.
- Want an empowered, enlightened organisation with good capacity
- Relationship with States was cited as critical
- Not all states are functional, no clear picture of across the country

- New regulations coming into force, potentially imminently
- Links with other directorates
- Some good work with industry, particularly tanning ...some sector plans in place
- Compliance inspections are carried out according to risk

Dept of planning policy and analysis

- Developing 3 year business plan inc resources to support Corporate Strategy
- Developing systems and processes to enable NESREA to deliver an effective and customer focussed regulatory role
- Developing effective stakeholder strategies to secure funding, manage reputation and deliver environmental improvement

Dept of environmental quality

- Establishing the baseline environmental quality data and information needed to inform the Agency where the environmental risks are greatest and resources should be prioritised.

Dept of Admin and finance

- Challenge – 80-85% employees are young inexperienced graduates
- Management team often sent overseas on international training and cannot be seen to have less knowledge than younger management
- Poor retention of staff due to frustration
- opportunity – the admin controls the training budget

Dept of legal services

- Approval of 11 draft pieces of legislation
- Development of enforcement policies and practices relating to these new regulations
- Skilling and development of NESREA legal team and the wider judiciary, the latter in relation to environmental law and impact.

In addition to specific Directorate challenges, a number of common themes emerged, these were

- The need to continue the capacity building, both in NESREA and wider Agencies and Governments.
- Impact of the regulations in terms of resource, process and enforcement
- Governance issues, particularly developing relationships and clarity of roles especially in relation to the State and Local Governments

Placement update and impact

Mr Olufundi O Sode and Mrs Miranda Amachree updated on the progress since Olikitan's placement in Autumn 2008. Unfortunately Olikitan is no longer part of NESREA but she is working in an independent consultancy with strong links to NESREA and the industrial sector. The main successes as a result of her placement, as identified by those mentioned, is that they now see an 80% success rate in the tannery sub-sector. They are the most experienced in baseline data in this sector following her drive and have identified there are 31 sites in Kanu State with 5 of these currently inactive

Other placements were currently active in the UK.

Feedback throughout the visit was that these placements were seen as particularly valuable and would look to be continued. Similar arrangements are being considered by NESREA with other countries, albeit less formally.

2.3 Implications for the Corporate Strategy

Following the initial remote review of the corporate strategy (Steve Moore, August 2009) and the two days of departmental conversations with NESREA during the visit a number of changes to the draft corporate strategy were suggested, these included:

Branding of NESREA: There was not a clear, consistent image of NESREA represented in the previous document however there is an image for NESREA emerging from all conversations relating to both building capacity and environmental enforcement that is. 'Building capacity, Enforcing compliance'. This brand also reflected the 'partnership' and development role that NESREA would have to fulfil as well as enforcing regulations.

Action words. Liked by Nesrea.

Setting the scene: The duty of NESREA is repeated throughout the February 2009 draft. For clear messages and to give clear direction it is suggested to keep this at the front of the doc and give clear representation of the challenge ahead. This needs to link clearly to the DG's vision for NESREA and drive forward the direction and passion in a DG statement (foreword) of the challenge ahead. The content suggested is only minor changes from the existing scene setting.

Inclusion of the key strategic and environmental challenges: Throughout discussions and representation in the Feb 2009 draft a long list of priorities and activities were referenced without a clear definition of when or how. The table (page 5) presents a regrouping of the key high level aims for change that can be identified. The supporting activities are then referenced later in the report. These were discussed in some detail during the final part of the visit and agreed by Directors and the Director General.

Timeline: The need to allocate time commitment to the aims and activities was reviewed. A further discussion around the key strategic and environmental challenges across the 3 years enabled the document to reflect a realistic and the more immediate activity of engaging with stakeholders before many environmental outcomes and impact can be achieved in the subsequent years, all being linked to capacity building. The three year time-scale shows there is a pace to the activity but still recognises the realism that some of the environmental improvements may not fully materialise for a few years.

Environmental priorities. The Feb 09 draft highlights two environmental outcomes that are extremely broad and challenging so, without altering what these outcomes are, there is a need to prioritise strategy blocks within these as set out in the Framework for Action. This was addressed by linking the key priorities from the Directorates discussions with the umbrella priorities.

Future pressures: Initially there was little explanation of key pressures and or risks to the proposed strategic objectives. Again through discussion it emerged there were three big strategic risks that would be worth stating and in doing so set work in motion around how these risks may be mitigated. These were risks of: climate change (understanding the global warming impact on the sub-Saharan continent; the impact of inadequate investment / funding to support the environmental improvements necessary across the country; and the growth and regeneration pressures that in themselves result in an adverse environmental impact due to the unsustainability of the plans and the lack of adequate environmental infrastructure as part of the process.

Framework for action: A Framework for Action was recommended as a tool to highlight how to achieve the 2 stated environmental outcomes (the 'why') through 5 building blocks. These building blocks (named as strategy block) are high-level themes that simplify and summarise the guiding intentions set out by the Feb 09 version, now stating 'where' the priorities are. Moving along the table a list of strategic actions or intentions is stated to provide guidance on what we are going to do under those areas (the 'what') followed by the statements in far column of 'how' NESREA will know they have achieved it in a measured and timely way (by 2012). The suggestions have tried to capture the common language and messages being used by NESREA as effectively as possible to make it meaningful.

2.4 Finalising the Corporate Strategic Plan

Following discussions around the range of suggested amendments to the draft 'strategy', a final draft was developed with selected Directors and Department Heads and forwarded to the Director General for her review, comment and approval.

The DG was delighted with the work that had been progressed and following a few further minor amendments, the document was taken in final form directly by the DG to the Minister of Environment for his review and signature.

Before the end of the week the draft corporate strategy had been reviewed, amended and reworked into a strategic and clear statement of intent that will serve NESREA well over the coming years. The support of the Minister and others in government reinforced the commitment to the Agency and the offer of support to help NESREA fulfil its necessary duties.

At the end of the week the Director General reiterated her gratitude to all those that had helped develop the Corporate Strategic Plan and committed to publish and launch it and the national Environmental forum NESREA were hosting in the near future.

(post visit note – the strategy was launched at the national event by the Minister and the Director General. Copies of the final document have been shared with the EA).

2.5 Implementation planning

In parallel with the work on the Corporate Strategic Plan, discussions took place in relation to how the Strategy and its key outcomes could be delivered. Importantly the discussions focussed on the key activities of the Agency, namely: Communications and stakeholder management; Regulation in the form of permitting and compliance and enforcement; Environmental monitoring and assessment; Planning and performance management.

Communications – it was evident NESREA had progressed some work in considering the key stakeholders that would aid the delivery of the ‘strategy’. Further work was discussed, particularly how a more thorough analysis of key stakeholders in terms of government, industry, development and community based themes. Examples of this type of work could be shared from EA experience or other similar organisations, or more helpfully it is likely a ‘brainstorm’ of the new strategy and specific actions by NESREA senior managers would provide a more valuable output.

Regulation – in reviewing how this was to be carried out by the Agency, a small group of relevant staff and managers described the processes likely to be employed to both permit relevant industry’s (once the regulation were in place) and secondly to monitor their compliance and where breaches occur carry out **enforcement** activity.

Flow charts describing this process were produced with the teams, this helped identify key issues that required more consideration, resource or decisions in terms of the future way of working. These flow charts were left with NESREA Directors and have been appended for completeness.

Environmental monitoring and assessment – as described earlier in the report, the Agency lacks a comprehensive baseline of the environmental quality of the country’s land, air and water quality. This was agreed as being an essential part of NESREA’s evidence for doing what they do and as such should be prioritised. Again we discussed how this information may be collected, analysed and reported. Clearly a ‘monitoring strategy’ would be required to prioritise the collection of this information either by NESREA or where appropriate third parties. As before a flow chart presenting existing activity and gaps was developed by the relevant team and is attached, this was also shared with Directors during the visit.

Planning and performance management – to support the completion of the Corporate Strategy, we discussed how the Directors would be monitoring their progress against the key actions and outcomes. This was important as delivery was both critical for the state of the Nigerian environment and also the reputation of NESREA in being seen to be effective and doing what it says it will do. Taking each strategic action and 2012 target, a suite of strategic indicators were developed and again shared with Directors. As this work was not fully discussed, NESREA were again provided with the suggestion and Directors agreed to review how this suite of indicators could be used to ensure they focussed on the key strategic performance issues.

In terms of implementation it is anticipated NESREA will continue to progress all the issues identified during this work. (flow charts attached for info and reference)

2.6 Recommendations for further development within NESREA

It was clear from the work progressed during the visit, the discussions held with the Directors, Senior Managers, Staff and the Director General that the relationship with Partners for Water and Sanitation and the Environment Agency had been of extreme value over the last couple of years.

This visit itself highlighted a suite of further areas of development that could be considered by the respective organisations (see below).

For NESREA the impact of having a clear Corporate Strategy and in the very near future a range of new regulations, was reflected in their desire to grow and learn quickly. The work the EA is doing across the sub-saharan continent with other countries demonstrates the successes that can be achieved in a relatively short time.

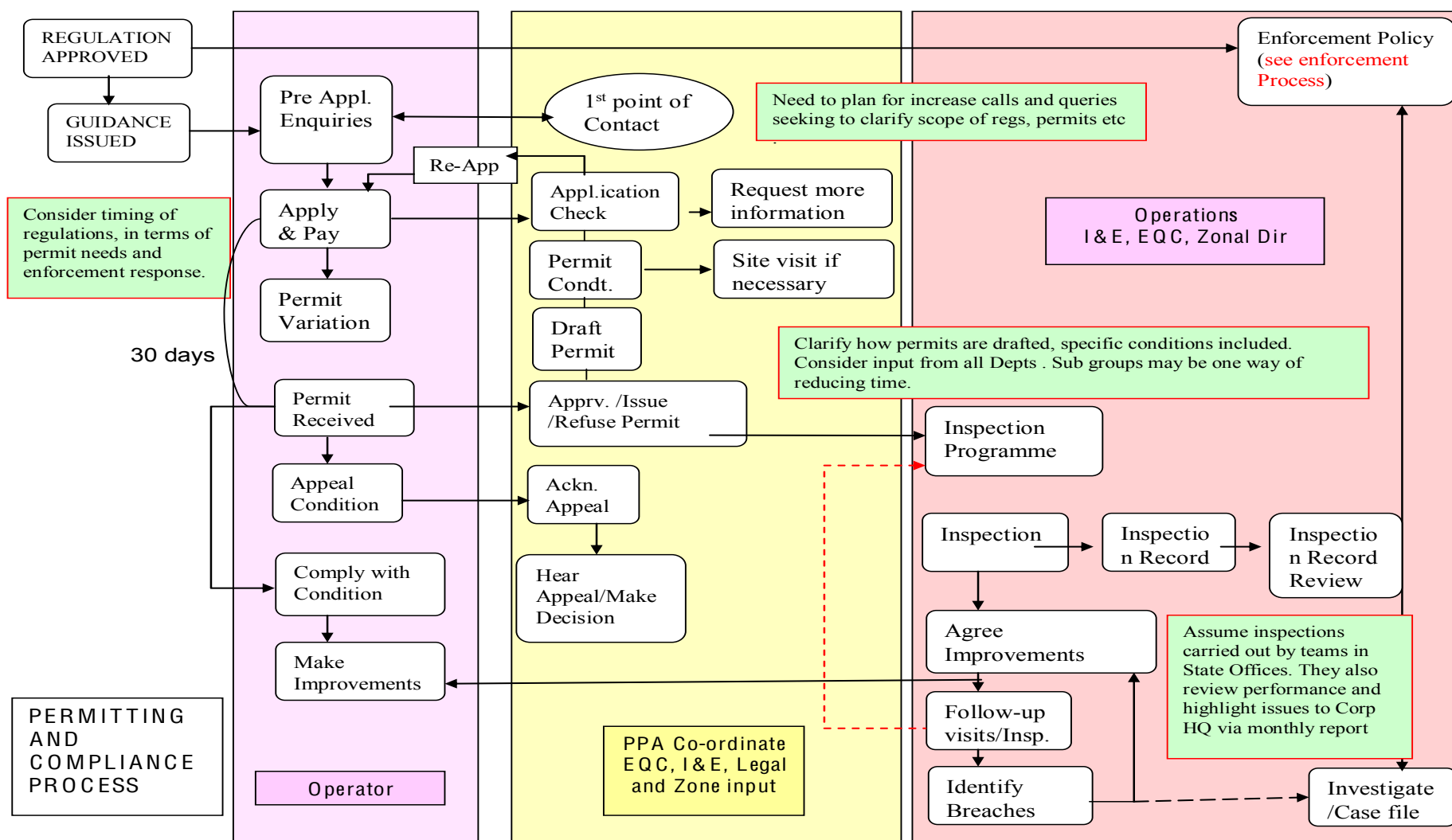
It is suggested a strategic approach to the partnership with NESREA is more fully considered. Issues that need to be better understood are the relevant organisations priorities and outcomes ie the EA may want to focus on the transfrontier shipment of waste in particular electronic and electrical wastes ... all of this should be set in the context of how some degree of personal relationships and continuity can be provided, how the long term funding can be secured and what risks there may be to any change or early withdraw from this agreement.

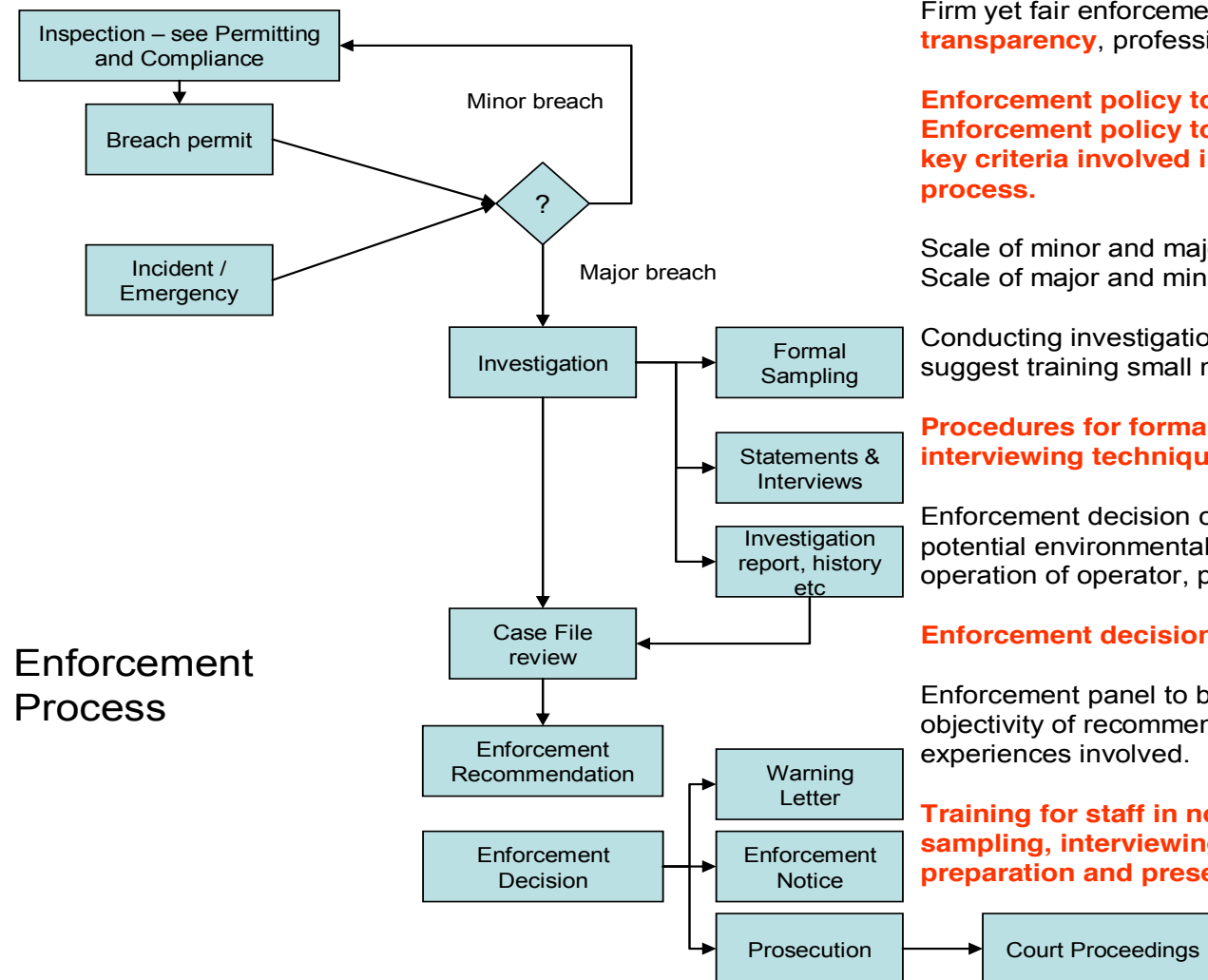
In putting this in context the work and support from PAWs during the visit was excellent and it was only through the effort of the local Country Manager that the visit was a smooth and effective as it was. The understanding of the local relationships, politics and priorities is fundamental, this continued support would need to be considered as part of any long term strategic partnership between any or all of the organisations.

In terms of possible areas of further support, the following came out as priorities during the visit:

- Compliance assessment
- Enforcement inc judiciary training
- Records management – linked to permitting administration and customer service
- Environmental monitoring

A fuller list of possible areas is appended. It is anticipated any list requires further discussion with the appropriate Directors once the basic principle of continued support and a longer term strategic partnership has been made.





Firm yet fair enforcement requires **consistency**, **transparency**, professionalism and discipline.

Enforcement policy to be publicly available.
Enforcement policy to include principles and key criteria involved in decision making process.

Scale of minor and major breaches to be clarified.
 Scale of major and minor incidents to be clarified.

Conducting investigations is a specialist skill, suggest training small number of investigators.

Procedures for formal sampling and interviewing techniques to be confirmed.

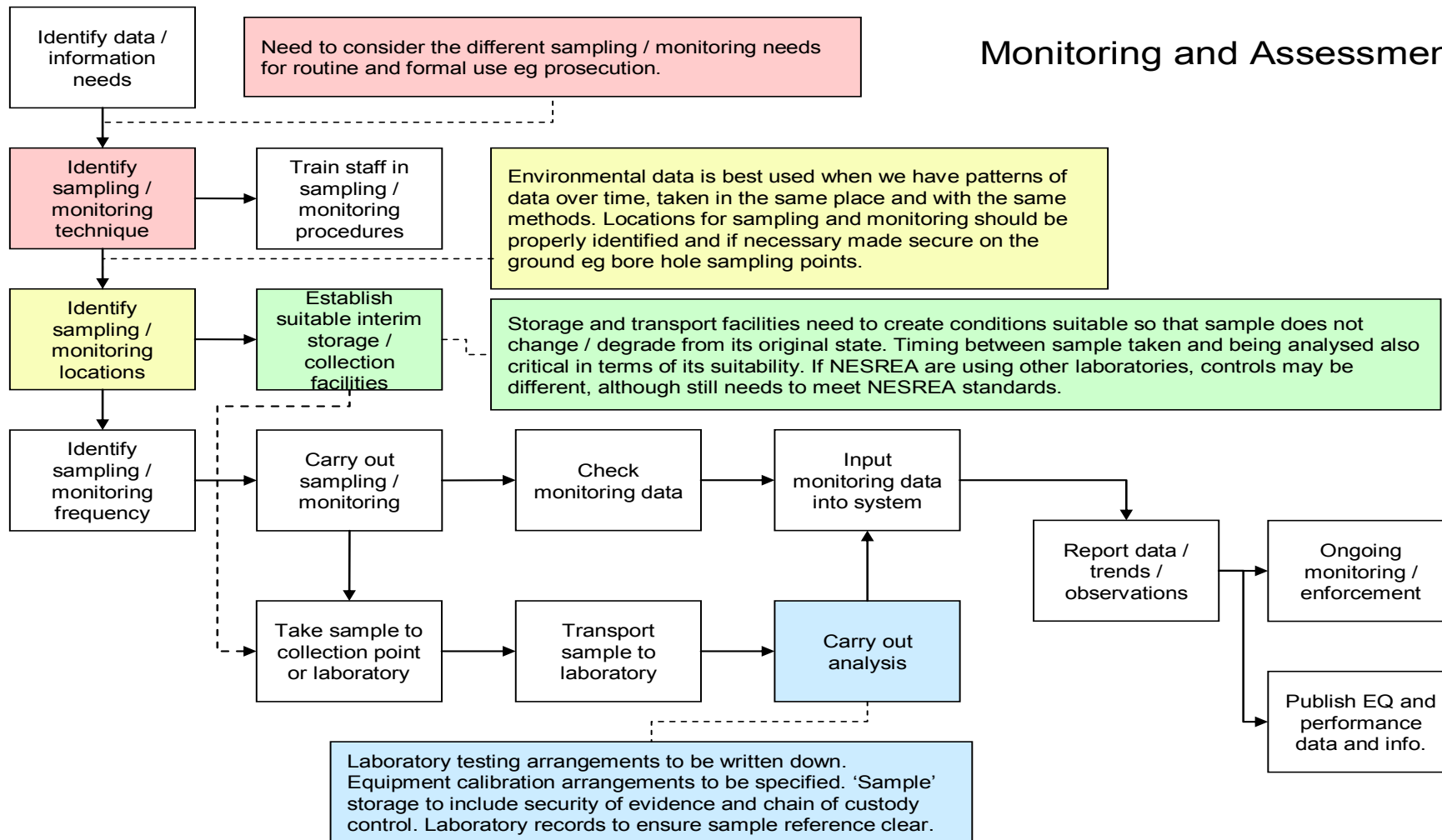
Enforcement decision criteria to be clarified ie potential environmental impact, history of site, co-operation of operator, public interest.

Enforcement decision powers to be confirmed.

Enforcement panel to be considered to ensure objectivity of recommendation and wider experiences involved.
















Training for staff in note taking, formal sampling, interviewing under caution, case file preparation and presenting evidence in court.

Monitoring and Assessment



Strategic Indicators – NESREA Performance Scorecard (EXAMPLE)

 *Green on track,*
 *Amber, some slippage,*
 *Red – Needs attention*
 *Clear - Needs baseline data*

| | | | |
|---------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------|
| Environmental Advocacy, Communication and Advice | | Regulation | |
| No of joint environmental campaigns with MDA's (Year 1 – 5, Year 2 – 8, Year 3 – 10) |  | From our regulatory programme, the number of regulations approved and publicised. (Year 1 – 11, Year 2 - ?, Year 3 -) |  |
| No of Sector Plans published (Year 1 - ... Year 2 Year 3) |  | % of permits issued within 30 days (target >95%G, 90-95%A, <90%R) |  |
| Communications strategy agreed with FMoE |  | % of major industry sites with breaches of permit conditions. (Develop target for each sector) |  |
| National conference attendance greater than last year. |  | % of inspections carried out against the number planned. (Target >80%G, 70 – 80%A, <70%R) |  |
| We will have offices on all 36 States and FCT ... (Year 1 >18, Year 2 > 25, Year 3 – 36 & FCT) |  | No of Judiciary workshops (Year 1 -2, Year 2 – 2) |  |
| No of students on NYSC environmental projects increases. No of community projects > 100 |  | No of Law Graduates specialising in environmental law and enforcement (Year 1 – 5, Year 2 – 10) |  |
| No of media reports of NESREA activities (Papers > 5qtr, Radio > 5 qtr) |  | % of Industries with own Environmental Management System increases 10% year on year (need baseline) |  |
| No of complaints in qtr (G <10, A 10-20, R>20) |  | | |

Strategic Indicators – NESREA Performance Scorecard (EXAMPLE)

 *Green on track,*
 *Amber, some slippage,*
 *Red – Needs attention*
 *Clear - Needs baseline data*

| | | | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>Environmental Monitoring and Reporting Availability of baseline environmental and social data against planned. (Target >80%G, 70 – 80%A, <70%R)</p> <p>Availability of data base % entry of data onto system (understanding backlog)</p> <p>% of sampling programme completed on time (Target >80%G, 70 – 80%A, <70%R)</p> <p>No. of information sharing agreements in place (Target Federal Agencies – 2, State Governments 5, Year 2 to be set..)</p> <p>Research programmes delivered by Universities</p> | <p></p> <p></p> <p></p> <p></p> <p></p> | <p>Partnering and working through others The % of major waste dumping is reducing year on year. (Year 1 develop baseline, Year 2, 10%, Year 3 30%)</p> <p>% of Waste Strategies agreed with State Governments. (Target Year 1 – 2, Year 2 – 5, Year 3 – 5)</p> <p>Waste water / sewerage disposal guidance issued to key sectors (need to identify key sectors and monitor)</p> <p>Formalised joint State Government and NESREA partnerships will be in place focussing on agreed environmental priorities. (Target Year 1 – 5, Year 2 – 5, Year 3 – 8)</p> <p>Scale of Federal and State academic curriculum reinforcing sanitation and waste messages and good practice.</p> | <p></p> <p></p> <p></p> <p></p> <p></p> |
| <p>Developing ourselves and learning from others No of staff employed versus no planned (Target within 5%G, 10%A, <10%Red).</p> <p>No of staff on secondment / attachment to industry (Target Year 1 – 5, Year 2 – 5, Year 3 – 10)</p> | <p></p> <p></p> | <p>Developing ourselves and learning from others Training delivered against training requested. (Target within 5%G, 10%A, <10%Red).</p> <p>International development agreements in place (Target Year 1 – 5, Year 2 – 5, Year 3 – 10)</p> | <p></p> <p></p> |

3 Notes of selected meetings

3.1 Welcome meeting

Welcome: Mr Bola led the welcome meeting for the team and further attendance was made up by most of the deputy director level team. Several of the Directors were unable to attend due to other travel commitments. Mr Bola welcomed the team, gave an overview of the relationship with the Environment Agency to date and thanked the **Environment Agency** for their continued support.

Objectives: He highlighted that NESREA greatly valued the relationship and had good expectations for the week including the objective to finish the strategic plan by making it **realistic** and achievable.

Challenges/ areas of support: capacity building was a key issue across the whole of the organisation. Mr Bola also highlighted that he wished to discuss further areas of support inc:

- Capacity building for waste management
- River catchment compliance monitoring
- Information management
- Draft enforcement and prosecution policy
- Shorter/ longer capacity building for the judiciary (11 regulations coming in)

3.2 Meeting - Dept of Inspection and enforcement

Role: to ensure all industries and facilities adopt good practice.

Overview of sectors and compliance monitoring: There are 11 industrial sectors including manufacturing, gas stations, financial but excluding export. There are sector groups and each sector has a 5 year plan setting out rules, responsibilities process including work with other agencies. Routine inspections are carried out and the frequency is according to risk. The inspections are done by NESREA state officers who then send the info up to the national office. The aim is to achieve voluntary compliance. Quality control of the data is responsibility of environmental quality department. There is no sector prioritisation across the sectors other than responding to high polluter, high complaints which are usually the tannery, textile, iron and steel, construction and quarry sectors.

Governance: There are 17 officers at national level, 6 zonal officers and intention to have one state and zonal officer in each state (36 states in total). NESREA has secured offices (free of charge) in 15 states. The remainder won't be fulfilled until there is the political will granted by each state governor. NESREA has to work with the State to implement regulations at the state level but NESREA will enforce at all levels. Thursday will see the inauguration of the partnership with NYSC which will ease capacity issues.

Regulations: NESREA are waiting for 11 regulations to be gazetted. Going forward industry will have to apply for permits to exceed permissible levels but will not pay for the service they are already doing.

Judiciary: The inspections team create the case file which include the records of the parameters exceeded. There is an awareness issue with the judiciary even if cases were able to be presented. The only successful example to date is the telecoms example. They have started collecting baseline data since the 10 years of inactivity (since FEPA).

Waste management: When asked specifically about the challenges around waste management the following areas were mentioned: Awareness and attitude, lack of engineered landfills and many illegal dumpsites, industries are viewed by sector rather than by waste type, they is no strategy for hazardous waste, poor or no segregation, challenge of e-waste. Littering and waste collection is managed by the states and acts as a revenue.

Other areas referenced:

- Sampling – There are good sampling skills and training but need analytical tools. Currently use analytical chemists
- Aiming to be one of the 20 emerging economies
- Public Awareness Action plan – UNDP funding.
- Following an emergency/incident NESREA issue an agreed improvement plan

3.3 Meeting - Dept of planning policy and analysis

Role/structure: This is made up of planning and information management, environmental education and awareness and policy analysis and co-operation. The core role is to assist NESREA to do its job. Activities include the co-ordination of audit, projections, and data management. The core is taking on a lot of roles of a communications directorate also.

Business planning: Projections are intended for the short, medium and long term. Business plans are for 3 years but the budget is set for one year, plus medium term strategic projecting for the next 3 years. Although activity based costing isn't used and there isn't a business plan for actual resource or intended results. There's not enough baseline data or awareness of state of current issues (reason for creating database). The planning response to increased recruitment is to spread the resources more thinly.

Resource planning: There is some role in planning training although need to work with the budget allocation (admin and finance). There isn't any current planning for growth but they are aware they will need to do it. Steve shared the experience of seconding officers to industry, mentoring and boot camp.

External funding: There is a need for a funding strategy. Potential external funds include the ecological fund, permits and licences, World Bank (land management-legal team), Public Awareness Action Plan (UNDP). The licences will bring in income but they will come into a NESREA pot rather than ringfencing.

Data management: A database has recently been tendered for development. Consultants are needed to do the baseline data as NESREA doesn't have the skill set but there are financial constraints. The re is also an issue over what data is needed. The database will help with financial projections. The main financial projection they are working to is the 2020 Visioning to become one of the largest economies. There are quarterly bulletins produced for the public.

Public Awareness: This is a large challenge for the department but there isn't currently a strategy to support it. DG has been doing advocacy visits, there is a large emphasis put on the Stakeholder forum. The Ministry leads on strategic events but the communication channels are open. There is a lot of interest in tv ads and jingles but these cost a lot. There was a question over whether the EA would be happy to produce leaflets but this is outside of our relationship.

3.4 Meeting - Dept of environmental quality

Role/Content: The department is made up of conservation monitoring, environmental quality and technology, and land degradation and natural environment. One key element is to promote appropriate technology.

Air quality: There has been a lot of priority on this and will continue to be going forward, including the purchase of a further AQ Monitoring station. The strategic plan represents AQ but no plan underneath it. According to deputy director they aim to have pollution free air by 2015. They are also involved in the AQ technical committee for Sub-Saharan Africa and have also been working with the Stockholm environment institute (UNDP). Power generators are one of the biggest air polluters in Nigeria but this is very controversial as they are heavily relied upon due to the poor power supply. Intend to have AQ data from 6 states within a year.

Deforestation: There are major issues of deforestation, partly due to firewood for poverty stricken areas but also infrastructure in a growing economy.

Regulations: This department will be responsible for 5 of the 11 upcoming regulations including noise pollution, ozone depleting substances, access to resource beneficiaries, wetland management and drought and desertification.

There was little talk of wetland and natural resource management at this meeting.

3.5 Meeting - Admin and finance

Role: This department essentially acts as a Human and Financial Resources department.

Staff: The first round of staff creating NESREA came from the ministry but there is now a skills gap as the later employees (80-85%) are young graduates without any practical experience. Retention is poor due to low salaries and expectations not being met. They have asked staff to stay committed for 3 years after their return from training sessions. There is a 2% turnover in middle management. There is a plan to have officers in 13 further states and total of 600 in head office and states. Staff have to take part in an Annual Performance Appraisal Report in order to progress and receive promotion. Unclear as to whether job descriptions exist.

Training: The admin section controls and facilitates the training budget for the organisation and predominantly sends management team overseas for international training and responds to technical training demands sent by the functional (technical) departments.

Budget: The finance is provided by the National Assembly. The priority is to ensure there is sufficient finance to have an officer in each state and there is not felt to be a shortage of Human resources. Intend to have a 50% revenue generation against permits. Although there was uncertainty of the figures from those attending this meeting, the meeting with the planning dept suggested an aspirational budget of 1billion Nira but 200million was expected. There is an ability to move money within departments.

Delegated authority: Directors have delegated approval limits and allocated procurement limits. Forward planning is submitted

3.6 Meeting - Legal Services

Role: priority is to be in a positions to enforce law, target polluting industries and provide quality advice to NESREA. The role of legal services is to provide legal advice to NESREA, draft agreements and regulations, represent and defend NESREA in court of law and prosecute violators of the environment.

Enforcement and Prosecution Policy: drafted based on the US, Australian and UK model.

Regulations: we held a long discussion over the implementation of the regulations, offering ideas of delaying the enforcement, time to find out how many permits, how to allocate resources, pilot with one sector. The current regs say there will be a 7 day response time for all (no priority over permit risk but plan to have a longer review process for complex ones in future). A standard template exists.

Stage of sign off: Bola explained the process of NESREA submitting them to MoE who once happy with them, sends them up to Attorney General and then an instruction up to the federal ministry to gazette them. They are all currently with the MoE.

Preparation for regs: There was a lot of discussion over FAQs, how to communicate with industries to inform them of their arrival and who leads on these (linked to resources), what criteria will be used to accept or refuse licences, delimitation of responsibilities.

Prosecution – Intention: remedy time is granted although may not be standardised. Carrot v stick. Steve shared our definition of intention by history, deliberate, impact, public interest.

Telecoms case: expect a decision on 13th November, need for more case law. Lot of conversation over Env Impact statement.

Sustainable Land Management (World Bank): as a result of moving to a more programmatic approach. National land committee bringing all invested bodies together.

Expectations:

- Capacity building
- Experiencing case files
- Educating the public
- Environmental case law in other jurisdiction
- How to carry out enforcement

- Presentation of case files
- Capacity building esp judges
- Scientific basis of evidence and appropriate responses
- Prosecuting drafting policies

3.7 Site visit

Visit to Mpepe quarry and buffer zones, on route observing illegal dumpsites along the road side.

3.8 Meeting - DG Dr Benebo

DG priority: to do the job we are set out to do and make the environment a cleaner place for people to enjoy and see.

Talked about climate change and the impact on everyone. Talked about the stakeholder forum and the successes from those. What did she say was the success from the forum – partnership, regulations, civil society. Success in getting 80% both of the days. Paying for themselves and interested in the events.

Explained about having offices in 16 of the states that the state has paid for their accommodation.

Building capacity was key, example of links and available resource was the National Youth Service Corp

Annex 5: Framework of support

Forward planning

| | Immediate (quick wins) | Mid-term (6 months) | Long-term (1 year) |
|-----------------------------|-----------------------------------------------------|--------------------------------------------------------------------------|--------------------|
| Information sharing | Sharing of information following the October visit: | | |
| Technical Assistance | | Raising awareness with judges – Feb 10. | |
| Placement | Godwin Simon | One placement?? Industrial compliance monitoring (brown) State EPA | One placement?? |

Other documents asked for:

Enforcement strategy, Compliance strategy, Sector plans, inspection star, zonal plans

Possible areas of further support:

Dept of Inspection and enforcement

Dept of planning policy and analysis

- Environmental education and awareness
- Monitoring and evaluation
- Data management
- Resource forecasting
- External funding strategies
- Communications strategies (campaigns, stakeholder relationships, events, media channels)
- Communicating regulations (NETREGS)
- Building trust with communities / industries
- Media engagement
- Audience/ customer channels
- Info on development programme. Tech exchange to industry, boot camp, mentoring.

- Standardisation across the organisation
- Relationship management

Dept of environmental quality

- Service Departments inc
- Legal Services
- Permit process
- Working to raise awareness with judges
- Working relationships with other organisations

Admin and finance

- Leadership plan – for training of skill set for the management team
- Review of organisational capacity
- Poor retention
- General - Sharing information on good practice and developments in other countries: