

KENYA 1

Project: Support to chemicals
and wastes MEAs and SAICM
implementation in KenyaSecond Independent Assessment of the Closed Projects under
the Special Programme Report (December 2024)

RESULTS

Overall Assessment

The project in Kenya demonstrated progress across seven of the eight Core Indicator Criteria, achieving notable outcomes in fostering multi-stakeholder coordination and advancing national frameworks for chemical and waste management. It established a legislative basis and framework for a centralized chemical and waste data portal (awaiting approval), developed the National Chemical Policy, and laid the groundwork for a Chemical Unit within the Ministry of Environment. While the Minamata Convention was ratified after the project concluded, the preparatory work conducted was pivotal in achieving this milestone. Additionally, the project catalyzed the adoption of the Responsible Care Program, with active industry participation ensuring its sustainability. Although formalization of mechanisms such as the Multisectoral Committee on Sound Chemical Management remains pending, these structures continue to function effectively.

Implementing partner:

Ministry of Environment and
Natural Resources

Agreement timeframe:

17 Jul 2018 - 31 Mar 2022
(initially to 30 Jun 2021, with
1 Amendment)

Budget: 250,000 USD

Results & progress by Core Indicator Criteria

The project covered seven of the existing eight Core Indicator Criteria, namely:

Criterion 1.1: Level of development of national chemical/waste database

The grey color coding reflects the fact that as of the time of this assessment the portal is developed but not yet operational or integrated as planned.

RATING



- 0** No database or registry
- 1** Database or registry covering 1 Multilateral Environmental Agreement (MEA)
- 2** Database or registry covering 2 MEAs

- 3** Database or registry covering 3 MEAs
- 4** Database or registry covering 4 MEAs
- 5** Database or registry covering 4 MEAs and SAICM

SPECIFIC RESULTS:

- A notable output of the project was the establishment of a legislative basis and a Framework of Cooperation to support a centralized chemical and waste data portal covering all MEAs and SAICM/GFC, as an initial step toward developing a comprehensive database. Guided by the Swedish chemical agency, commonly known as KEMI¹, the project developed this portal to consolidate existing chemical data from key agencies and encouraged universities to contribute additional data. The Framework of Cooperation outlines the modalities for data sharing among institutions, fostering synergy and collaboration across sectors.
- Efforts were also made to link a “chemical observatory” database from a GEF project² to the portal, though it remains unclear if this link is fully established. While a functional structure for data access has been created and links were made to the existing databases, the portal’s full operation awaits final legislative approval to designate an institution³ for its maintenance.

Criterion 1.2: level of necessary for chemical/waste management expertise

The yellow color coding reflects the fact that the progress is measured at a non-governmental level: Progress on this indicator reflects the enhanced expertise in Responsible Care, closely aligning with SAICM objectives. However, the indicator does not assess the capacity of government agencies regarding chemicals-related MEAs.

RATING

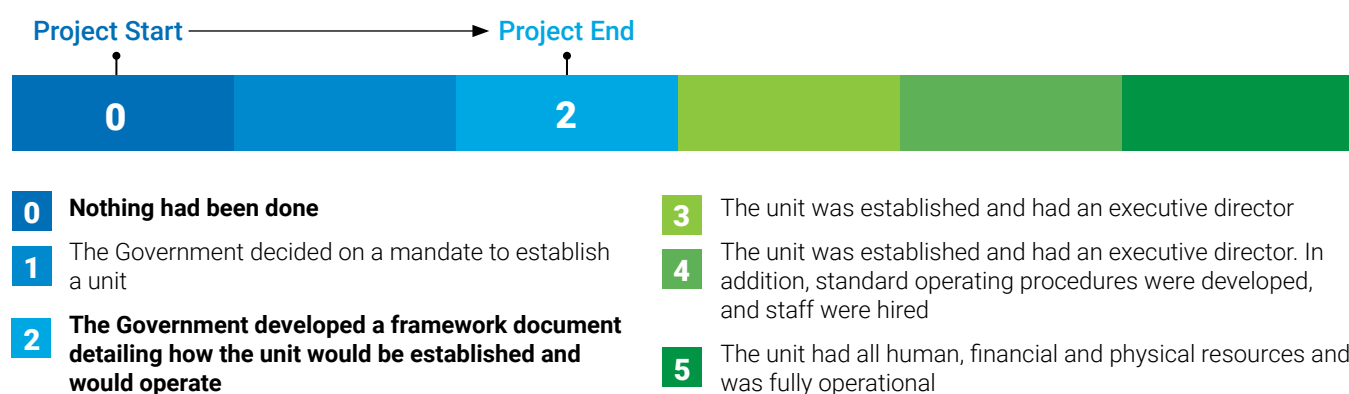


SPECIFIC RESULTS:

- The project's capacity building efforts focused on promoting Responsible Care among members of the Kenya Association of Manufacturers (KAM), with multiple information-sharing forums and awareness-raising workshops conducted. These sessions engaged industry leaders, international partners, and regulatory bodies, contributing to the development of a Responsible Care Global Charter, Kenya-specific guidelines, and a formal leadership structure.
- The project successfully catalyzed the adoption of the Responsible Care Program by the industry. Multinational and smaller industries in Nairobi took ownership of the program, expanding their network and investing their own resources to ensure its implementation across Kenya.

Criterion 1.3: Existence and level of development of chemical/waste management unit or department

RATING

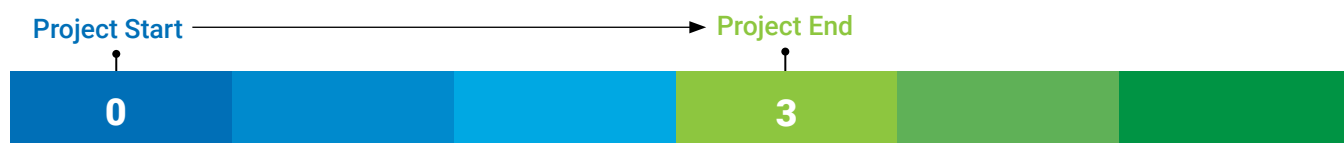


SPECIFIC RESULTS:

The project developed a framework document for the establishment of a Chemical Unit within the Department of Multilateral Environmental Agreements under the Ministry of Environment and Natural Resources. However, operationalizing the unit faced challenges due to shifts in government. Currently, the plan is to create a combined Chemicals and Biodiversity Unit, with resources being mobilized to recruit two staff members, including one chemist. The project's Terms of Reference (TOR) developed by the project for the Chemical Unit were applied in this process, ensuring that its efforts were not in vain.

Criterion 1.4: Level of development of multi-stakeholder coordination mechanism for chemical/waste management

RATING



0 There was no multi-stakeholder coordination mechanism

1 There was a multi-stakeholder coordination mechanism with very limited and irregular participation from Government and non-Government bodies

2 There was a multi-stakeholder coordination mechanism with more regular and structured participation from Government and non-Government bodies

3 There was a multi-stakeholder coordination mechanism with regular meetings and adequate participation from Government and non-Government bodies

4 There was coordinated planning and a common knowledge exchange mechanism in addition to a multi-stakeholder coordination mechanism with regular meetings and adequate participation from Government and non-Government bodies

5 The multi-stakeholder coordination mechanism reached full maturity with full participation from all Governmental and non-Governmental stakeholders and a joint community of practice

SPECIFIC RESULTS:

The project facilitated the establishment of the Multisectoral Committee on Sound Chemical Management (MCCM), bringing together various stakeholders from government, the private sector, and academia. The coordination body's work was structured, with dedicated subcommittees and detailed action plans in place, and it remains operational at the time of this assessment. Formalization of the functioning of such coordination mechanisms is foreseen in the project-developed National Chemicals Policy (see Criterion 2.1 below).

Criterion 2.1: Level of development and implementation of chemical/waste management policy, plan or strategy

RATING



0 There was no strategy, policy or plan

1 The strategy, policy or plan was proposed

2 The strategy, policy or plan was adopted

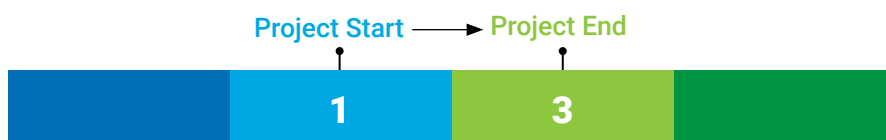
3 The strategy, policy or plan was in place and being implemented

SPECIFIC RESULTS:

- The project supported the development of the National Chemical Policy, which was reviewed by the Swedish Chemical Agency (KEMI) and validated by stakeholders. It then progressed to the ministerial level but faced a delay due to a cabinet reshuffle.
- The individuals who worked on the National Chemical Policy are still in place and are expected to provide the necessary follow-up for its adoption. The urgency lies in the fact that the next follow-up project, funded by the Special Programme, aims to develop a comprehensive chemicals strategy, which can only proceed once the policy is officially adopted. This makes the timely approval of the policy fundamental for future project implementation and progress.

Criterion 2.2: Level of development of legal framework/primary legislation

RATING



- | | |
|--|---|
| 0 Nothing was done | 2 The integration of the MEAs into national legislation was adopted |
| 1 The relevant authority proposed to integrate the MEAs into national legislation | 3 The MEAs were integrated into national legislation and being implemented |

SPECIFIC RESULTS:

- The project laid the foundation for the ratification of the Minamata Convention by facilitating preparatory meetings and developing essential documentation, including a memorandum submitted to the caucus of Principal Secretaries, where the treaty was discussed and approved. Additionally, the project supported the creation of necessary Cabinet and National Assembly documents, which were critical steps in the ratification process. The convention was officially ratified after the project ended, in September 2023.

Criterion 2.4: Submission of reports to MEAs to which the country is a party

RATING



- | | |
|---|--|
| 0 No reports were submitted | 2 Reports were submitted on time, yet they were partially completed |
| 1 Reports were partially completed and delayed | 3 Reports were both complete and submitted on time |

SPECIFIC RESULTS:

Through the project's support, Kenya successfully submitted key reports to the BRS Conventions Secretariat, including the National Basel Convention report (2020) and Stockholm Convention reports (2018 and 2022). Additionally, reports for the Minamata Convention (2020) and the Rotterdam Convention (2019 and 2020) were completed and submitted.

FACTORS AFFECTING PERFORMANCE



Gender: The project was gender-responsive, with over 46% of participants in broader activities being women. Notably, two of the three co-chairs of the Multisectoral Coordination Committee were women, reflecting a commitment to inclusivity in leadership. Gender considerations were further incorporated through awareness campaigns focused on women's health, particularly addressing the impacts of chemicals like mercury.



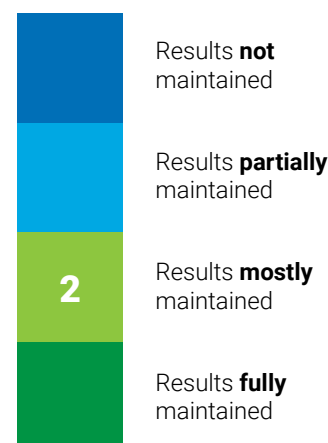
Socio-political factor: The formation of a dedicated chemical management unit was not fully realized due to shifts in government priorities and alignment. However, the TOR developed by the project was used for the development of a combined chemicals and biodiversity unit.



COVID-19: Activities during the COVID-19 period were minimally implemented due to office closures and restrictions. While certain actions continued, the pandemic severely hindered the project's momentum and led to delays in key deliverables.

The project results are **mostly maintained** due to the following:

- The Responsible Care Program has proven sustainable as the industries continue to implement the program, developing long-term plans and securing external funding, including support from the US government.
- As mentioned under the Core Indicator Criterion 2.1, Kenya started the implementation of a second project with the SP which builds upon the results of the first project. The approval of National Chemical Policy by the Cabinet will be necessary to develop the chemicals strategy under the second project.



LESSONS LEARNED

Multi-stakeholder and cross-sectoral coordination is key to advance international commitments. The MCCM played an instrumental role in supporting Kenya's alignment with its ratified MEAs and in advancing the ratification of the Minamata Convention by facilitating collaboration across government agencies and stakeholders. Establishing or strengthening such committees can be essential in driving the adoption and implementation of international instruments.

Follow-up projects can provide critical stimuli for policy adoption. The presence of a follow-up project that depends on the adoption of the National Chemical Policy has created an important incentive for maintaining momentum toward its approval.

Fostering local ownership is essential for long-term continuity. The project promoted Responsible Care by encouraging and guiding industry-led initiatives, with the Kenya Association of Manufacturers (KAM) leading the development of an action plan, guidelines, and a Responsible Care Charter. This approach enabled local stakeholders to take ownership, mobilize resources, and expand Responsible Care independently, demonstrating the value of guided engagement and practical work for sustained progress.

¹ KEMI comes from the Swedish word "Kemikalieinspektionen," which translates to "Chemicals Inspectorate." It is the Swedish government authority responsible for regulating and monitoring chemicals to ensure safety for humans and the environment.

² Name of the GEF project: Integrated Health and Environment Observatories and legal and institutional strengthening for the Sound Management of chemicals in Africa (African ChemObs)

³ The National Environmental Management Authority (NEMA) was identified as the agency responsible for overseeing and maintaining the portal.