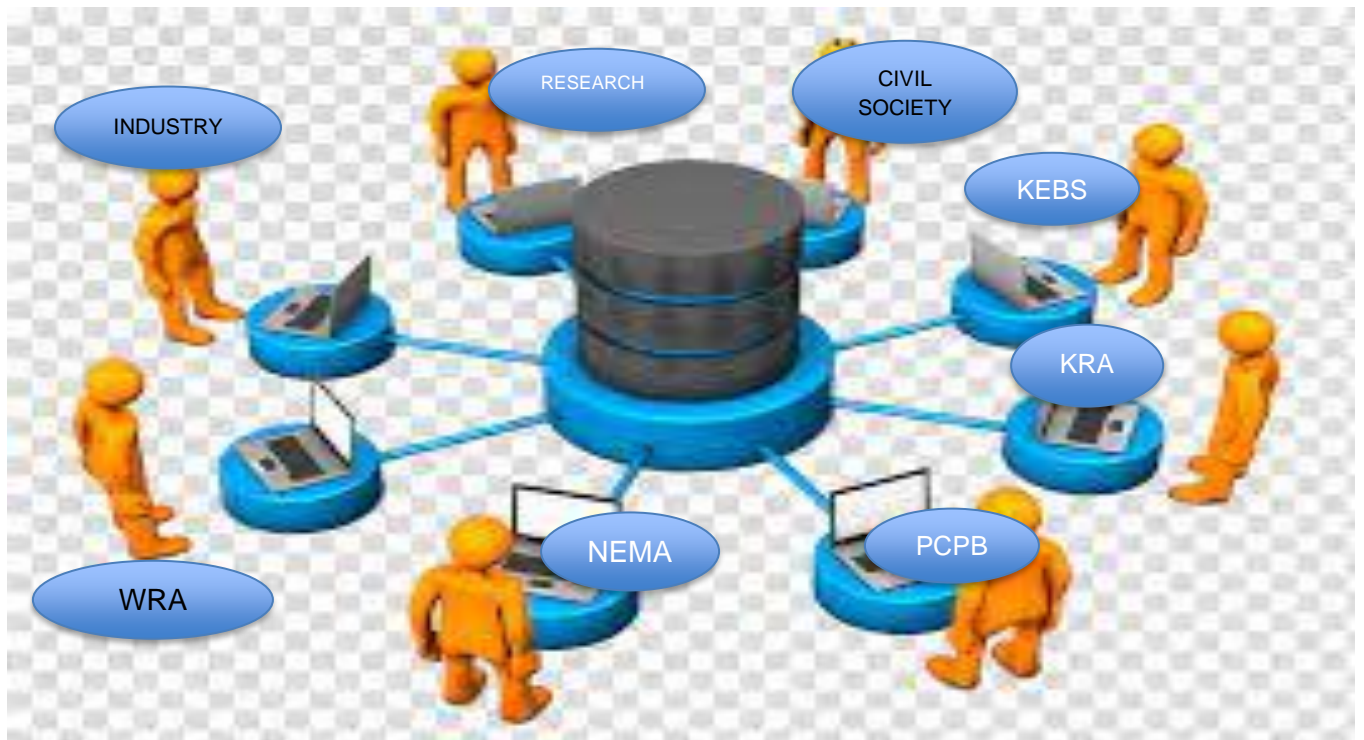




REPUBLIC OF KENYA

**MINISTRY OF ENVIRONMENT, CLIMATE CHANGE AND FORESTRY
STATE DEPARTMENT OF ENVIRONMENT AND CLIMATE CHANGE**

**REPORT ON THE POTENTIAL LINKAGES OF THE INTEGRATED ELECTRONIC
TOOLKIT WITH THE DATA MAGEMENT SYSTEMS AVAILABLE AT THE
NATIONAL LEVEL**



MARCH 2023

1. Executive summary

A report on how the existing data management systems, here referred to as the toolkit, and procedures applied for compiling the Kenya's national data and information for Persistent Organic Pollutants (POPs) is presented. The report is basically of the findings of an assessment that was conducted on the existing data management systems, and how the toolkit can be linked to existing databases at the national level. Kenya is Party to the Stockholm Conventional on Persistent Organic Pollutants (POPs). In 2022/23 the Ministry of Environment Climate Change and Forestry (MECCF) is required to report on how the toolkit can be linked to existing databases at the national level, as part of its obligation on reporting to the Secretariat of Stockholm Convention.

The assessment also included a review of how MECCF is linked to key government departments and other institutions, in availing important data and information for the UNEP/GEF and the Secretariat of Stockholm Convention.

In the report, the recommended arrangements for the administration and sustainability of the Integrated Articles 7 And 15 Toolkit at the National Level are:

1. Obligating all government line ministries, departments and institutions to report relevant POPs data, to support easy access to current and historical information as required under the Stockholm Convention.
2. A Proposed linkage structure and workflow for administering the electronic toolkit for SC reporting.
3. An elaborate support structure by the Ministry of Environment Climate Change and Forestry (MECCF) for Use Microsoft Teams as it is included in the Microsoft 365 subscription. MS Teams is a tool for concerned ministries, departments and other institutions on administering data in the electronic toolkit.

2. Background

Kenya is required to submit its National Implementation Plans (NIP) and other National Reports on POPs to the Stockholm Convention's Secretariat under Articles 7 and 15 respectively. Kenya ratified the Stockholm Convention on September 24, 2004. Under Article 15 of the Stockholm Convention, where each party is required to prepare and deliver a national report containing information on the measures taken by a Party in implementing the Convention and its effectiveness.

Persistent Organic Pollutants (POPs) have attracted a lot of interest in research because of their adverse health effect on human and the environment in general. posed major and increasing threats to human health and the environment, which led to the adoption of the Stockholm Convention on POPs (SC Convention). The SC secretariat has seen the need for effectiveness reporting on data from national reports and NIPs. The proposed innovative integrated electronic toolkit for reporting data and information was necessitated by the extremely limited data from nations. The toolkit for reporting under Articles 7 and 15 for POPs information has been developed by the United Nations Environment Programme (UNEP). Kenya is one of the countries selected for the pilot testing of the integrated electronic toolkit. In Kenya, the toolkit will be hosted by the State Department for Environment and Climate change.

In this regard, there is a need to have an effective system of consolidating the national POPs data and information. At present, the existing systems and procedures for POPs data collection and provision at the national level is disjoint, and is mainly done through nationally engaged consultants. The Stockholm convention aims at restricting the production and use of persistent organic pollutants (POPs) to protect human health and the environment.

3. Obligations of parties to the Stockholm Convention

- i) To protect human health and the environment from 22 highly toxic chemicals that are persistent organic pollutants
- ii) To prohibit and/or take the legal and administrative measures necessary to eliminate production and use of chemicals
- iii) Restrict production and use of chemicals listed are imported for the purpose of environmentally sound disposal
- iv) To make biennial reports to the Conference of Parties
 - a. Status of implementation
 - b. Actions taken
 - c. Challenges in reporting

3. Objectives/activities

The overall objective is to report on how the toolkit can be linked to existing databases at the national level, in order to aid reporting in accordance to article 7 and 15 of the Stockholm Convention.

Specifically, the objectives aim at:

- i. linking all government line ministries, departments and institutions to report relevant POPs data, through a unified system.
- ii. structuring the workflow for administering the electronic toolkit for SC reporting.
- iii. creating a supportive structure for the ease of availing and sharing POPs data and information.

4. Methodology

The approach used to compile this report included conducting an assessment of the institutional arrangement for chemicals management in Kenya and the existing databases that can be linked to the electronic reporting toolkit.

5. Institutions involved in chemicals management

The institutional analysis established that there are several institutions in Kenya involved in chemicals management. The institutions and their role in chemicals management is illustrated in below.

a. Ministry of Environment, Climate Change and Forestry (Foca point)

The Ministry of Environment, Climate Change and Forestry is the National Focal Point for the Stockholm Convention and is therefore the Official Contact Point with the Stockholm Convention Secretariat. The Ministry is responsible for the coordination of the implementation of the Stockholm Convention in Kenya in collaboration with relevant stakeholders. The Ministry is also responsible for the collection and dissemination of data and information regarding the Stockholm Convention implementation.

Being the National Focal Point, it will be the responsibility of the Ministry to transmit data and information on the implementation of the Convention to the Secretariat through the integrated electronic toolkit.

b. Ministry of Health

The Ministry of Health will be responsible for providing data and information related to the health effects of chemicals listed under the Stockholm Convention and measures taken to comply with the requirements of the Convention. The Ministry of Health has been very

active in the provision of data on the use of DDT which is a restricted chemical under Annex B for malaria vector control purposes and is scheduled to be phased-out by 2030. It also addresses non chemical alternatives and contributes data on impacts of unintentionally produced organic pollutants and other public health information. Most critical is data and information on linkages between chemicals and non-communicable diseases such as cancer, hypertension, endocrine disruption, reproduction etc.

c. Ministry of Energy

The Ministry is in charge of issues related to POPs such as those in transformer oils, data on UPOPS emissions from power and domestic utilities.

According to the Stockholm Convention Parties must eliminate the use of PCB in equipment by 2025 and to ensure the environmentally sound waste management of liquids containing PCB and equipment contaminated with PCB by 2028. PCBs are an issue of concern in Kenya and there is need to put in measures to begin the process of officially labelling and phasing them out as per the convention. The Ministry of Energy (Kenya Power and Lighting Company) is a major consumer of PCB transformer oils and will be crucial in providing data on PCB, PCNs and SCCPs inventories and promotion of the adoption of PCB free alternatives.

d. National Environment Management Authority (NEMA)

The National Environment Management Authority (NEMA) is responsible for provision of information and data on industrial chemicals listed under the SC and the Rotterdam Convention on Prior Informed consent (PIC) trade in toxic Industrial Chemicals and Pesticides in International trade Convention. NEMA is the host for the chemicals database/portal that is currently under development. The chemicals database/portal will be used as the national repository for chemicals data including data required for reporting under the Stockholm Convention. It has been proposed that the electronic data could be linked to the chemicals database to make the collection of data needed for reporting under the SC efficient.

e. Pest Control Products Board (PCPB)

The Pest Control Products Board (PCPB) is responsible for regulating pesticides used in the Kenya. PCPB maintains a register/database of all the allowed, restricted, severely restricted and banned pesticides Kenya and is the designated national authority for PIC Rotterdam Convention. The role of PCPB is to provide data on the measures taken on the POPs pesticides listed under the Stockholm Convention.

f. Kenya Revenue Authority (Customs)

The Kenya Revenue Authority Customs Department is responsible for controlling the general taxation of chemicals and chemical processes as well as import and export of chemicals in Kenya. The Authority maintains a database on all the chemical imports and exports and works with the relevant institutions to implement chemicals and wastes conventions including the Stockholm Convention. In regard to the electronic toolkit, Kenya Revenue Authority will be responsible for providing import/export data on chemicals listed under the Stockholm Convention.

g. Kenya Bureau of Standards (KEBs)

The Kenya Bureau of Standard (KEB) is mandated to ensure that all products produced and imported in Kenya comply with the set national and international product quality standards. KEB will be responsible to ensure that standards for chemicals and chemical products in Kenya are compliant with Kenya's commitments to the Stockholm Convention as detailed in domesticated national legislation, regulations and guidelines.

h. Water Resources Authority

Water Resources Authority is responsible for the management of water resources in Kenya and to ensure that water resources are protected from pollution. The Water Resources Authority conducts monitoring of the quality of water resources in Kenya to determine if they are polluted and maintains a database on the results. This database is providing data that is vital to assess the presence of chemicals listed under the Stockholm Convention in water resources.

i. Research Institutions and Universities

Research Institutions and Universities are very instrumental in promoting compliance with the Stockholm Convention through analyzing alternatives to chemicals listed under the Convention. Moreover, research institutions and universities conduct studies to show the impacts of chemicals on human health and the environment. The Ministry of Environment, Climate Change and Forestry works closely with research institutions and universities including;

- i. Kenya Medical Research Institute (EDCs, reproduction, respiratory disease, malaria etc.
- ii. Kenya Plant Health Inspectorate Services (reinspection and chemical residues)
- iii. International Centre of Insect Physiology and Ecology (ICIPE) (non-chemical alternatives to DDT and SC Africa Regional Centre for Transfer of Technology)
- iv. Kenya Chemicals Society (capacity building)

- v. University of Nairobi (Global POPS Monitoring, nanotechnology, UPOPs)
- vi. Jomo Kenyatta University of Science and Technology (JKUAT) (AFRI plastics and pesticides)
- vii. Masinde Muliro University of Science and Technology (MMUST) (PFOS, PFAs)

j. Kenya Association of Manufacturers

The Kenya Association of Manufactures (KAM) is the representative organization for manufacturing value-add industries in Kenya. KAM provides the essential link for the co-operation, dialogue and understanding with the Government by representing the views and concerns of its members to the relevant authorities. KAM promotes the formulation and enactment of sound policies that promote sustainable business as well as environmental sustainability. KAM is very instrumental in promoting the implementation of the Stockholm Convention in the manufacturing sector which is a main chemicals consumer.

k. Civil Societies

The Ministry of Environment, Climate Change and Forestry has been working closely with civil society organizations that promote sound chemicals management. These organizations help to disseminate information on sound chemicals management to the relevant institutions including government and the public. Civil societies will therefore be very important in reporting on the status of creation of awareness on implementation of the Stockholm Convention.

6. Chemicals databases existing at the national level

There are several databases on chemicals that are maintained by some of the identified institutions. The institutions with databases and the type of data they maintain is presented in the table below.

	Institution	Data maintained
1	Ministry of Environment, Climate Change and Forestry	National Implementation Plans (2006)

2	Ministry of Health Kenya Medical Research Institute	Statistics on health effects associated with chemicals impacts. DDT alternatives
3	National Environment Management Authority	Industrial POPs used in the country
4	Ministry of Energy	PCB transformers inventories
5	Pest Control Products Board	Pesticides used in Kenya Status of POPs pesticides in Kenya (Restrictions, exemptions, stockpiles etc.)
6	Kenya Revenue Authority	Chemicals import/export
7	Water Resources Authority	Chemical pollutants in water resources

Kenya is in the process of developing a chemicals database that will be used as the national repository for all chemicals data and information. The chemicals database will be integrated to the existing databases maintained by the various institutions shown in the table above. The chemicals database will be hosted by the National Environment Management Authority (NEMA) and will be accessible to the public for non-sensitive information. There will be a procedure for allowing access to sensitive data that will be linked to the database.

7. Potential linkages of the electronic toolkit with the existing databases at the national level

Kenya is currently developing a chemicals database that will be used as a central for chemicals information including chemicals import/export data, chemicals toxicity data, emerging chemicals issues, reported chemicals incidences etc. The national

stakeholders have proposed that there is need to integrate the electronic reporting toolkit with the chemicals database under development.

8. Conclusion

Kenya has previously been having challenges in complying with Article 7 and 15 of the Stockholm Convention due to limited technical capacity to collect the required data and due to low exchange of information required for reporting by the national stakeholders. Moreover, the previous NIP and reporting formats under Article 7 and 15 were complex making it difficult especially for developing countries like Kenya to collect data comprehensively.

The electronic toolkit aims to make the NIP submission under Article 7 and reporting under Article 15 simpler and therefore provides a chance for Kenya to improve on compliance with the Stockholm Convention obligations. Linking the electronic toolkit with the chemicals database that is under development will improve the sharing of data and information required for reporting. It will also strengthen stakeholder collaboration and coordination in promoting sound chemicals management in Kenya.



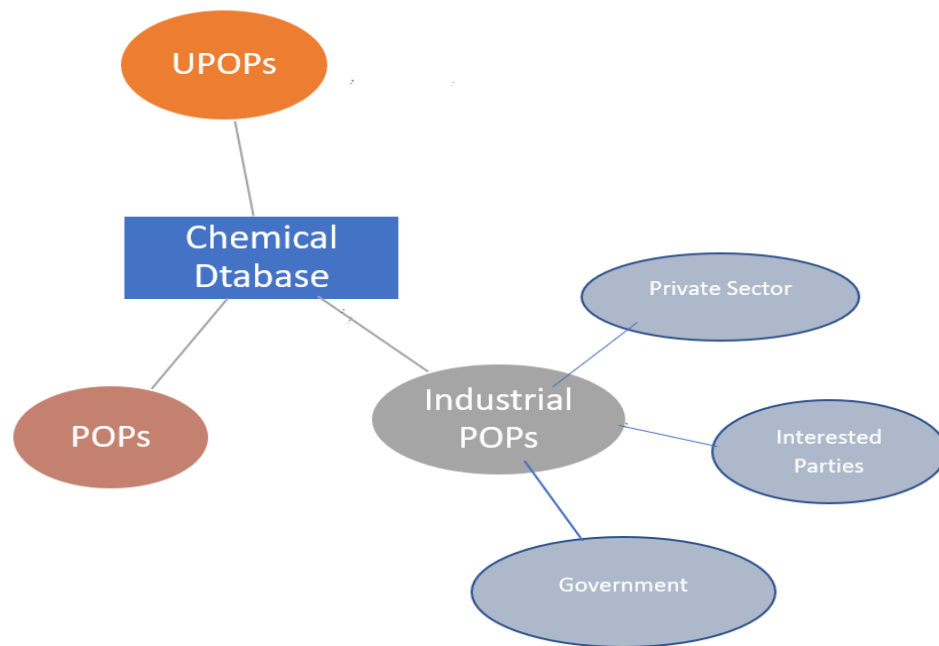
REPUBLIC OF KENYA

MINISTRY OF ENVIRONMENT CLIMATE CHANGE AND FORESTRY

State Department for Environment and Climate Change

REPORT ON THE PROPOSED INSTITUTIONAL FRAMEWORK FOR THE
ADMINISTRATION OF THE REPORTING TOOLKIT UNDER ARTICLES 7 & 15 OF THE
STOCKHOLM CONVENTION

KENYA POPs INFORMATION NETWORK



APRIL 2023

Parties to the Stockholm Convention are required to report to the Conference of Parties on the measures taken to implement the Convention and the effectiveness of the measures in meeting the objectives of the Convention.

This report presents a brief overview of the proposed institutional arrangement for the administration of the integrated Article 7 and 15 electronic toolkit at the national level.

Mr. Cyrus Mageria
Director, Department of Multilateral Environmental Agreements
State Department for Environment and Climate Change

Endorsed by:

Eng. Festus K. Ng'eno
Principal Secretary
State Department for Environment and Climate Change

Introduction

Article 7 and 15 of the Stockholm Convention requires Parties to develop national implementation plans and national reports and submit them to the Secretariat. The Integrated SC reporting toolkit project aims to help countries improve on their reporting under Article 7 and 15 of the Stockholm Convention. The project has introduced the new integrated electronic toolkit developed by UNEP to assist Parties to organize their data and report more effectively and efficiently. This report therefore outlines the proposed institutional arrangement for the administration of the integrated electronic toolkit in Kenya.

Methodology

The proposed institutional arrangements for the administration of the integrated electronic toolkit were developed based on the below approaches.

a. Review of the national legal framework

National chemicals and waste related laws and legislations were reviewed to assess the mandate of the various institutions in regard to implementation of the chemicals and waste in general and the Stockholm Convention on persistent organic pollutants in particular.

b. Stakeholders workshop and meetings

The Ministry of Environment Climate Change and Forestry which is the Convention National Focal Point organized relevant stakeholder workshops and forums in order to gather data and information required in the toolkit. The stakeholders included ministries, government semi-autonomous agencies, intergovernmental organizations, academia, civil society organizations, non-state actors among others. The discussions on the institutional arrangement for administration of the electronic toolkit were held in these meetings.

Currently there is the Kenya Environmental Information Network (KEIN). KEIN is a project initiated by United Nations Environment Programme (UNEP) together with the NEMA. KEIN initiative brings together Kenyan institutions that generate environmental data. The network will create a framework for cooperation and coordination amongst various stakeholders thus preventing duplication of information

Kenya is currently developing a chemicals portal/database that will be national repository for chemicals data and information. The chemicals database/portal will be a great data source for the integrated electronic toolkit. The Ministry of Environment, Climate Change and Forestry being the National Focal Point for the Stockholm Convention, will be

responsible for collection of information from the identified relevant stakeholders and transmitting it to the Secretariat via the integrated electronic toolkit. Kenya has started interacting with the toolkit and is confident that our national reporting will improve as a result of this electronic toolkit.

3. Institutional arrangements for the administration of the electronic reporting toolkit

The figure below illustrates the proposed institutional arrangements for information sharing and transmission of information to the Stockholm Convention Secretariat. This framework will provide a mechanism for coordination and linkages for different government ministries, departments, and agencies. It will foster and enhance good working relationships and collaboration. Previously, data sharing for reporting as required by the convention has faced many challenges like delays in reporting.

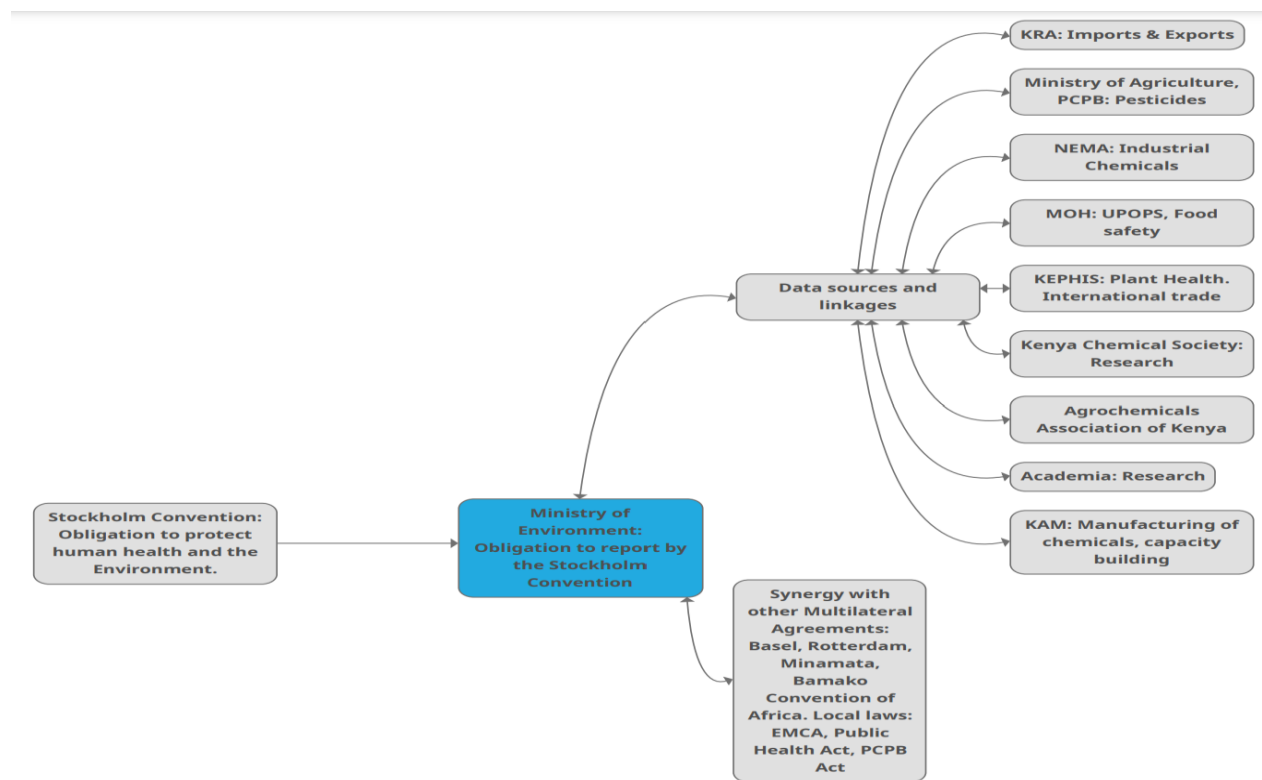


Figure 1: Proposed institutional framework

The main functions of this framework will be to:

- ✓ promote collaboration and partnership among the stakeholders;

- ✓ create and promote awareness and advocacy on sound chemicals management;
- ✓ establish data collection, analysis, information, sharing of best practices and knowledge management to inform decision making, promote capacity building among the chemical management stakeholders.

The framework will further encourage development of joint multi-sectoral project concepts and implementation of activities as well as evaluation and promotion of innovative solutions for sustainable sound chemical management.

A multi sectoral committee on sound management of chemicals which exists at the national level with the mandate of coordinating and synergies on activities related to chemicals management will oversee its implementation. Institutional members of this committee are the ones that lead Kenya in international forums on chemicals and waste agenda as well as the national policy guidance on chemicals and wastes. The committee is helpful in bringing synergies among the various stakeholders involved in chemicals and waste management and bridge the inter-agency coordination gap. The committee further drives the efforts in reviewing and repealing relevant pieces of legislation.

4. Roles of the key institutions

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Conclusion

Reporting under the Articles 7 and 15 of the Stockholm Convention has been a challenge to Kenya especially due to limited data and lack of institutional coordination. Moreover, the previous reporting structure was complicated which resulted to inadequate reporting.

The new integrated electronic toolkit provides a chance for improved reporting under the Stockholm Convention and promotes stakeholder coordination which is very important for generating data required for the reporting. Kenya is currently developing a chemicals portal/database that will be national repository for chemicals data and information. The chemicals database/portal will be a great data source for the integrated electronic toolkit. The Ministry of Environment, Climate Change and Forestry being the National Focal Point for the Stockholm Convention, will be responsible for collection of information from the identified relevant stakeholders and transmitting it to the Secretariat via the integrated electronic toolkit. Kenya has started interacting with the toolkit and is confident that our national reporting will improve as a result of this electronic toolkit.

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