



Project: Legal and institutional strengthening for the sound management of chemicals in Benin

Independent Assessment of the Closed Projects under the Special Programme Report (December 2022)

RESULTS

Overall Assessment

During the project's execution period, not all of the planned activities were completed. Drafts of the national regulatory framework for the responsible management of chemicals have been prepared but have not been implemented. This was due to three factors: the initial delay in the disbursement of funds, the medical leave of the person responsible for project implementation, and the delays in approval of the Law. The draft Law on the Management of Chemical Products and their Residues (PGPC)¹ in the Republic of Benin the most important result of this project. However, it is still pending approval by the National Assembly, which prevented the subsequent implementation of a National Environmental Management Program.

Implementing partner:
General Direction of Environment - Ministry of Living Environment and Sustainable Development

Agreement timeframe:
June 2017 to December 2021

Budget: 248,384 USD

Results & progress by Core Indicator Criteria

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

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

RAITING

Project Start → Project End



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| <p>0 No knowledge or expertise available</p> <p>1 Not enough personnel in at least one priority Ministry, Department or Agency have basic training in chemical and/or waste management</p> <p>2 Enough personnel in at least one priority Ministry, Department or Agency have basic training in Chemical and/or waste management</p> | <p>3 Enough personnel from 1 or 2 Ministry, Department or Agency have been trained in chemical and /or waste management and know how to apply it into country planning</p> <p>4 Enough personnel in 3 or 4 Ministries, Departments or Agencies have been trained in chemical and/or waste management and can transfer their knowledge to colleagues for day-to-day use</p> <p>5 All the required personnel have necessary expertise and can integrate chemical management into the development planning process</p> |
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SPECIFIC RESULTS:

The logframe of the project included training officials a) on the legislative & institutional framework for the sound management of chemicals, and b) on tools for the sound management of chemicals. The indicator for these activities proposed to train at least 70 staff members in six sessions. However, it cannot be confirmed that these training sessions were conducted. The country did not provide any documentary evidence, despite the SP Secretariat following up and requesting the evidence several times.

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

RAITING



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|-----------------------------------------------------------|--------------------------------------------------------------------------|
| 0 There was no strategy, policy or plan | 2 The strategy, policy or plan was adopted |
| 1 The strategy, policy or plan was proposed | 3 The strategy, policy or plan was in place and being implemented |

SPECIFIC RESULTS:

- The project aimed to implement a *National Program for Environmental Management* of the Ministry of Environment. The National Program foreseen would a) ensure the implementation of the institutional and legislative framework, and b) create a permanent committee for the sound management chemicals and wastes which would strengthen the institutional framework and ensure its sustainability.
- At the end of the project the Terms of Reference and other documents related to the National Program had been drafted, including the Law on the Management of Chemical Products and their Residues (see further below under criterion 2.2).

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

RAITING



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|-------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|
| 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 |

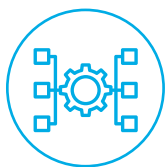
SPECIFIC RESULTS:

- The 1990 Constitution provides a broad policy basis for environment protection², although there is no specific law for the responsible management of chemicals.
- As a first step, the project prepared a baseline status report on the legal and institutional framework for chemicals management.
- As next step, it formulated parts of the draft The Law on the Management of Chemical Products and their Residues to provide a regulatory framework and integrate the MEAs ratified by the Government³ into national legislation.
- Finally, the draft law was entrusted to the Law, Administration and Human Rights Commission and the Planning, Equipment and Production Commission but - at the time of the assessment – did not yet receive parliamentary treatment given the 2019 legislative elections and the COVID-19 crisis.
- Despite the law not having been passed yet, efforts are already being made to implement the MEAs ratified. In specific terms, the national authorities have already sent the first draft of the initial assessment report to the Minamata Convention Secretariat.

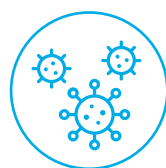
FACTORS AFFECTING PERFORMANCE



Gender: The ratio of participation of women in project activities was about the same as in the overall administration, which ranges 16%-30%. In terms of content, no output was developed addressing women's specific exposure to chemicals. Benin is, however, working within the framework of the agreements to train women in the use of chemical products and the disposal of containers; also, on food poisoning due to pesticide contamination.



Institutional structure: Members of the project put great effort to raise the awareness of legislators about the importance of passing the PGPC Law and they directly explained the serious public health and sanitary risks. However, from the interviews, it became clear that there was strong opposition from industrialists and importers - two groups with great political influence in Benin - who understood that the law would increase their costs. Finally, the elections and COVID pushed the passing of the PGPC Law further down among the priorities of the legislators.



COVID-19: The pandemic stopped the project activities. The postponement of the Law on the Management of Chemicals and their Residues prevented the subsequent implementation of the National Program.



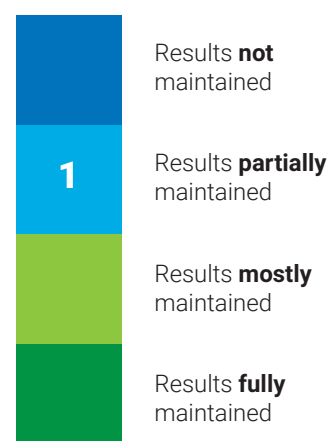
Other:

- The first instalment of funds was disbursed at the end of September 2017, which meant a delay of five months in the start of the project (PCA signed in May 2017).
- Occasionally, institutions were not well coordinated, and duplications of lines of action occurred among different institutions, agencies, or ministries.
- Given the interdependence of the activities, a delay in one activity, such as the formulation of an initiative lead to delays in further activities, such as the one involved with their implementation.
- The person responsible for coordinating the implementation of the project experienced health issues, which hindered the follow-up of some activities. A replacement was not designated during the period of the officer's absence because there was nobody available with the requisite knowledge or time to absorb all the functions of the coordinator.

SUSTAINABILITY

- Funding is assured only for the maintenance of the most basic elements of the project, which are the costs associated with the personnel in charge of project activities and the revision of documents produced during the project.
- While the law on the Management of Chemicals and their Residues is still in the process of being passed, UNITAR is supporting a review of the draft text before its approval.
- The country has taken some steps outside of the project to enhance the sustainability of the sound management of chemicals and waste, by:
 - integrating a budget line into the budget of the Ministry of the Environment with another project on the management of chemicals and the creation of the Ministry's laboratory for environmental monitoring, and
 - launching of a program for chemicals and Waste from Electrical and Electronic Equipment with a government action program 2021-2026.

RAITING After the End of the Project



LESSONS LEARNED

Two factors can help in avoiding the non-implementation of planned activities. 1) The team implementing the project needs to have technical qualities and well-defined tasks (independent of the size of the team). 2) It is important to ensure that the established goals are plausible, and if not, that they are quickly replaced by other concrete objectives.

It is key to raise awareness and support for the law to be finally passed, not only in the members of the National Assembly, but also in the society at large, including the private sector.

The project implementation was centralized, and project activities were monitored by a single local authority. An alternative focal point would have helped to prevent delays in the project.

¹ PGPC is the acronym in French for "Portant gestion des produits chimiques"

² through its articles 11 and 27

³ At the time of applying to the Special Program (SP) in 2016, Benin was party to the Basel, Rotterdam, and Stockholm Conventions. Also, the Minamata Convention on Mercury was ratified in July 2017. Benin participates in the Strategic Approach to International Chemicals Management (SAICM).