



KYRGYZSTAN

Project: Strengthening capacity for national implementation of chemicals and waste related international agreements

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

RESULTS

Overall Assessment

The effectiveness of the project was high as it met all the targets at output and intermediate outcome level in a timely manner. The project contributed to strengthening the institutional capacity of the country by a) increasing capacities of government institutions; b) facilitating the establishment of a coordination mechanism; c) assisting with the elaboration of two action plans; d) strengthening the national legislative & regulatory frameworks; and e) supporting to meet the reporting requirements under the Stockholm and Basel Conventions.

Implementing partner:
Public Association
"Independent Ecological
Expertise"

Agreement timeframe:
April 2017 to June 2020

Budget: 250,000 USD

Results & progress by Core Indicator Criteria

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

Criterion 1.2: Level of necessary chemical/waste management expertise

RAITING

Project Start

Project End



0 No knowledge or expertise available

1 Not enough personnel in at least one priority Ministry, Department or Agency have basic training in chemical and/or waste management

2 Enough personnel in at least one priority Ministry, Department or Agency have basic training in Chemical and/or waste management

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

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

5 All the required personnel have necessary expertise and can integrate chemical management into the development planning process

SPECIFIC RESULTS:

- **The project increased the institutional capacities of 12 government institutions¹ for the sound management of chemicals and wastes.** Prior to the project start the expertise was mainly available at the Agency of Environment Protection and Forestry (SAEPF).
- One of the important mechanisms for capacity building included the participation of key stakeholders in the Project Coordination Committee (PCC) and Inter-Agency Working Group (IWG) meetings where the discussions were held around the project deliverables. As a result, the stakeholders became better aware of the relevant issues and were able to propose and plan appropriate measures that are well documented in the minutes of PCC and IWG meetings.
- Another mechanism included the provision of guiding principles and templates for directing the relevant institutions' work on sound chemicals management (SCM) (e.g. information exchange mechanisms).
- Moreover, the project provided training workshops for the BRS and Minamata Conventions National Focal Points and other stakeholders on topics such as: a) illegal traffic of chemicals, b) synergies between international agreements on chemicals safety, c) European and international regulations, d) key developments

on BRS and SAICM, e) SAICM reporting and evaluation, and f) Minamata Convention. The regulations covered by the training included REACH², Classification, Labelling and Packaging (CLP), Biocidal Products Regulation (BPR) and Prior Informed Consent Regulation (PIC). Participants were also trained in customs procedures and regulations; regulation system for chemicals movement both within the territory of the EU and between the EU and non-EU countries; and the management of chemicals and waste in the European Union.

- The project also contributed to the increase of awareness of interested groups and wider public with regards to sound management of chemicals and wastes. This was done through communicating the project news and SMC related materials to over 1,500 electronic subscribers of the implementing organization, producing various types of information materials (e.g. summary reports, infographics, etc.), engaging mass media in publishing and posting 13 articles, and holding six communication events.

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

RAITING



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| <p>0 There was no multi-stakeholder coordination mechanism</p> <p>1 There was a multi-stakeholder coordination mechanism with very limited and irregular participation from Government and non-Government bodies</p> <p>2 There was a multi-stakeholder coordination mechanism with more regular and structured participation from Government and non-Government bodies</p> | <p>3 There was a multi-stakeholder coordination mechanism with regular meetings and adequate participation from Government and non-Government bodies</p> <p>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</p> <p>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</p> |
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SPECIFIC RESULTS:

- The project facilitated the establishment and functioning of a multi-stakeholder group on chemicals and waste management.** More specifically, the project helped with the elaboration of the TOR and Annual Action Plans for IWG and supported the conduct of 10 IWG meetings during its implementation. It should be noted that a similar mechanism, a Coordinating Commission for SCM, was established by the government decree in 2012, however, this commission had a limited representation of the government agencies, responsible for chemicals management, and it did not fully carry out the functions assigned to it.
- The IWG is comprised of the representatives from government and non-government institutions. It has contributed to the development of action plans and legal acts. It should be noted that the workplans for the IWG were approved by the Vice Prime-Minister.
- The IWG is continues to function after the end of the project. A specific role was entrusted to it in the context of the new action plans for improving the legislative framework and sound management of chemicals.

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

RAITING



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| <p>0 There was no strategy, policy or plan</p> <p>1 The strategy, policy or plan was proposed</p> | <p>2 The strategy, policy or plan was adopted</p> <p>3 The strategy, policy or plan was in place and being implemented</p> |
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SPECIFIC RESULTS:

- The project assisted the government with the elaboration of two action plans in the field of chemicals/waste management.** The first action plan was developed for the implementation of the government program on the international system of hazard classification and labelling of chemicals for 2019-2023; the second action plan was developed for the same time period for the sound management of chemicals. These action plans identified responsible institutions and timeframe for the implementation of each of the listed measures. In addition, the SMC Action Plan also included cost-calculations and the sources of financing and corresponding gaps in financing. The government resolution, containing these **two action plans** as appendices, was **approved in December 2019** and its implementation started before the end of the project.

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 project strengthened the national legislative framework for the protection of the environment, public health, and for ensuring the effective implementation of relevant MEAs.** This was achieved by undertaking legislation analysis, facilitating the preparation of the action plan for strengthening and improving the national legislative framework, and based on that facilitating the development and adoption of the following legal acts:
 - Resolution of the Government of the Kyrgyz Republic on “Amendments to Measures aimed at protecting the environment and public health from the adverse effects of certain hazardous chemicals and pesticides” (approved in June 2019) which introduced a ban on the import and use of certain chemicals and pesticides.
 - Resolution of the Government on “Amendments to Certain Decisions of the Government of the Kyrgyz Republic in the Field of Ensuring Chemical Safety” (approved in December 2019). This resolution included two action plans in appendices that were discussed under Criterion 2.1 above.
 - Additionally, the project facilitated the preparation of the Draft Law on Amendments to the Law of Kyrgyzstan on “Production and Consumption of Wastes” which introduced an extended producer responsibility in the area of waste production and consumption.

Criterion 2.3: Level of development of regulatory framework/secondary legislation

RAITING



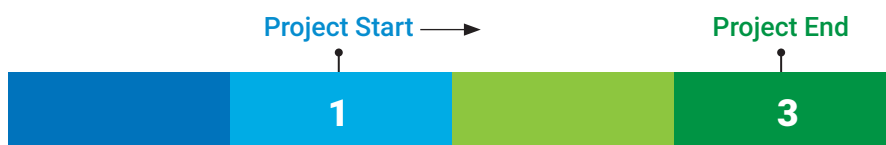
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| 0 Nothing was done | 2 The regulations were adopted |
| 1 The relevant authority proposed to develop regulations | 3 The regulations were in place and being implemented |

SPECIFIC RESULTS:

- **The project strengthened the regulatory framework** for the sound management of chemicals via facilitating the development of two important legal acts: 1) “Regulation of interaction in the field of chemicals and waste management in the Kyrgyz Republic” that was approved by the PCC and signed by 11 ministries and departments in 2018. This legal act ensures regular collection, analysis and reporting of information on the chemicals and wastes regulated by the BRS conventions; 2) Decree of the Ministry of Agriculture, Food Industry and Land Irrigation of the Kyrgyz Republic on “Approval of the catalogue of pesticides and agrochemicals allowed for use in the Kyrgyz Republic” (approved in July 2018, and the catalogue was compiled after the approval).

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

RAITING



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| 0 No reports were submitted | 2 The reports were drafted |
| 1 Only the outlines of the reports were prepared (unfinished draft) | 3 The reports were submitted to the relevant MEA Secretariat |

SPECIFIC RESULTS:

- **The project supported the country in meeting its reporting requirements under the Stockholm and Basel Conventions.** At the start of the project, the country reports to the Basel and Stockholm conventions had only been submitted until 2014. Based on the work done under the project, the following reports were submitted: National reports on the implementation of the Stockholm Convention for the 3rd (2014) and 4th cycles (2018)³; National annual reports on the implementation of the Basel Convention for 2014-2017⁴. The collection of information to prepare the reports was facilitated thanks to the implementation of the “Regulation of interaction in the field of chemicals and waste management” (see specific results under previous criterion).

FACTORS AFFECTING PERFORMANCE



Gender: The project management ensured the involvement of women in its activities. Thus, up to 60% of training participants were women. Women constituted 40% of the project steering committee members and 25% of the intersectoral working group members. Furthermore, the project to a certain extent mainstreamed gender considerations in the development of an Action Plan on SMC⁵.



Socio-political factor: The only factor that to a limited degree impacted the pace of the delivery of a few outputs was the October 2017 presidential elections and a related government staff turnover which concerned mostly the higher-ranking government officials at that time. As the inter-sectoral working group included mostly the middle-ranking government employees, these changes did not affect much the project implementation.



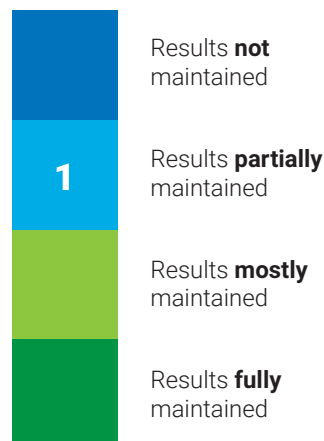
Other:

- Close collaboration between the implementing NGO and the government counterparts and a strong support from the government institutions enabled the effective implementation of the project's activities and the achievement of planned targets.
- The conduct of studies and assessments⁶ informed the project implementation and ensured that the proposed institutional and legislative changes were based on evidence and addressed the identified gaps.
- The use of robust communication tools and partnerships with governmental and non-governmental organizations helped to reach target audiences with communication messages on relevant MEAs' requirements and the country's efforts for meeting those requirements.
- UNITAR's involvement in the delivery of capacity building events and technical assistance helped to ensure the transfer of knowledge on the best international practices to relevant key stakeholders. Furthermore, the inclusion of practical components for the delivery of training sessions (e.g. an exercise on filling out export/import forms for the chemicals regulated by the Rotterdam Convention) promoted the application of built capacities for MEAs' implementation.

SUSTAINABILITY

- At the project end, the prospects for sustainability of results looked promising. The project had ensured the ownership of results, built capacities of stakeholders, facilitated the development of three action plans⁷, and enabled the development of mechanisms for information exchange and reporting under the relevant MEAs.
- However, due to the unrest surrounding the 2020 annulled parliamentary elections and the subsequent structural changes to the form of the government and its institutions, the continuation of certain measures was put on pause.
- For example, prior to the unrest, the action plans were being implemented and the coordination mechanism established by the project was functioning. However, both measures were halted in 2020. A further consequence was that most of the high and medium-level government employees who were cooperating with the project are no longer working for the government. The expertise is partially lost in a few government institutions. On the positive side, the legal acts that were approved by the government are still in force, however, they will need to be revised to reflect the institutional changes.

RAITING After the End of the Project



LESSONS LEARNED

Close collaboration with the mid-level government employees proved to be an effective way for overcoming the challenge of frequent turnover of high-ranking government officials/decision makers.

The involvement of an established NGO in the context of political changes in a country can be beneficial in terms of securing an institutional memory, providing certain follow-up and pushing for action.

Access to international expertise and technical assistance is important when a pool of relevant national experts is not available or is insufficient. The country lacked local experts to conduct capacity building events on BRS-M conventions' implementation issues and UNITAR's involvement in capacity building was instrumental in increasing the capacities of national counterparts.

Oversight of SMC projects by the government institution that has a ministry status and/or by the government apparatus proved to be beneficial in terms of securing wider government support. (SAEPF, an institution responsible for the environment protection, did not have a ministry status when the project was implemented.)

¹ These institutions include the Ministries of Economy, Agriculture, Health, Emergency Situations, Agency of Environment Protection, National Statistical Committee, State Customs Office, State Committee on Industry, Energy and Mining, State Inspection on Environment and Technical Safety, State Inspection for Veterinary and Phytosanitary Safety, and Agency for Architecture and Construction.

² European Regulation on **R**egistration, **E**valuation, **A**uthorization and **R**estriction of **C**hemicals

³ In the view of the Stockholm Convention Secretariat, the quality of reports was considered "fine", most questions were responded in both 2014 and 2018 reports, but some important details were not provided.

⁴ National reports for 2016 and 2017, on which the feedback was provided by the Basel Convention Secretariat, were considered incomplete).

⁵ Plan of Action on SMC for 2019-2023 foresees the elaboration of recommendations for mitigating the risks to human health, including pregnant women.

⁶ Thus, the project conducted legislation analysis based on which the action plan was developed on strengthening the legislative framework for SMC. The project separately analyzed the situation with regards to data exchange among the government agencies and produced an analytical note based on which the relevant regulation was developed on information exchange. The project also conducted the analysis to determine the possibilities of phasing out the use of glyphosate and made recommendations for developing relevant regulatory legal acts.

⁷ These plans were developed for improving the legislative framework and sound management of chemicals. The workplan was developed also for the IWG's work for a two-year period following the project's end.

⁸ For the SP project it was the Ministry of Environment.