

**Evaluation Office of UN Environment**



Terminal Evaluation of UN Environment Project: “Capacity Building for the Early Entry Into Force of the Protocol on Access and Benefit Sharing”

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February 2017



## **Evaluation Office of UN Environment**

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Capacity building for the early entry into force of the Protocol on Access and Benefit Sharing  
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## LIST OF ABBREVIATIONS AND ACRONYMS

ABS	Access to genetic resources and benefit sharing
APPF	Asia Pacific Parliamentary Forum
ASEAN	Association of South East Asian Nations
CBD	Convention on Biological Diversity
COP	Conference of the Parties
COP MOP	Conference of the Parties serving as Meeting of the Parties
EA	Executing agency
EOU	Evaluation Office of UN Environment
GEF	Global Environment Facility
GIZ	Deutsche Gesellschaft für Internationale Zusammenarbeit GmbH (German Corporation for International Cooperation)
IA	Implementing agency
ICA	Internal Cooperation Agreement
ICNP	Intergovernmental Committee for the Nagoya Protocol
ILCs	Indigenous and local communities
ITPGRFA	International Treaty on Plant Genetic Resources for Food and Agriculture
M&E	Monitoring and evaluation
MSP	Medium-sized project
NBSAP	National Biodiversity Strategy and Action Plan
NPIF	Nagoya Protocol Implementation Fund
PIR	Project Implementation Review
PSC	Project Steering Committee
SCBD	Secretariat of the Convention on Biological Diversity
SSFA	Small scale funding agreement
ToR	Terms of Reference
UNDP	United Nations Development Programme
UN Environment	United Nations Environment Programme
UNEP DGEF	UNEP Division of Global Environment Facility Coordination
UNEP DELC	UNEP Division of Environmental Law and Conventions
UNEP DEPI	UNEP Division of Environmental Policy and Implementation
UNU-IAS	United Nations University Institute for the Advanced Study of Sustainability
USD	United States dollars

## PROJECT IDENTIFICATION TABLE

Project Title:	Capacity Building for the early entry into force of the Protocol on Access and Benefit Sharing		
Executing Agency:	Secretariat of the Convention on Biological Diversity (SCBD)		
Project partners:	SCBD, GLOBE International, and the United Nations University Institute for the Advanced Study of Sustainability (UNU-IAS)		
Geographical scope:	Global		
Participating Countries:	50 GEF-eligible CBD Parties		
GEF project ID:	4415	IMIS number:	GFL- 2328 -2740-4B89
Focal Area(s):	Biodiversity	GEF OP #:	N/A
GEF Strategic Priority/Objective:	BD SO 4: Access and benefit-sharing	GEF approval date:	4 February 2011
UN Environment approval date:	15 March 2011	Date of first disbursement:	18 March 2011
Actual start date:	1 March 2011	Planned duration:	24 months
Intended completion date:	March 2013	Actual completion date:	30 June 2014
Project Type:	MSP	GEF Allocation:	USD 944,750
PPG GEF cost:	-	PPG co-financing:	N/A
Expected MSP/FSP Co-financing:	USD 1,159,400	Total Cost:	USD 2,104,150
Mid-term review/eval. (planned date)	Midway through project <sup>1</sup>	Terminal Evaluation (actual date):	March-April, July 2016
Mid-term review/eval. (actual date):	N/A	No. of revisions:	2
Date of last Steering Committee meeting:	13 November 2013	Date of last revision:	28 May 2014
Disbursement:	USD 885,856.58	Date of financial closure:	31 December 2014
Date of Completion:	30 June 2014	Actual expenditures reported:	USD 885,856.58 <sup>2</sup>
Total co-financing realized:	USD 2,109,035 <sup>3</sup>	Actual expenditures entered in IMIS:	USD 885,856.58
Leveraged financing:	USD 0		

<sup>1</sup> According to the MSP document.

<sup>2</sup> As of 30.04.14. This figure will be updated when the evaluation is complete and evaluation expenses are incorporated.

<sup>3</sup> As of 30.04.14.

## EXECUTIVE SUMMARY

### Introduction

- i. The project “Capacity Building for the early entry into force of the Protocol on Access and Benefit Sharing” was a Global Environment Facility (GEF) medium-sized project (MSP) with a global scope. The project’s purpose was to encourage 50 Global Environment Facility-eligible Parties to the Convention on Biological Diversity (CBD) to ratify the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization (Nagoya Protocol). The project started on 1 March 2011 and completed on 30 June 2014.
- ii. The Global Environment Facility Implementing Agency of the project was the United Nations Environment Programme (UN Environment), initially through its Division of Global Environment Facility Coordination and later through its Ecosystems Division<sup>4</sup>. The Global Environment Facility Executing Agency was the Secretariat of the Convention on Biological Diversity (SCBD), in partnership with GLOBE International and the United Nations University Institute for the Advanced Study of Sustainability (UNU-IAS). The Secretariat of the Convention on Biological Diversity provided the Project Management Unit.
- iii. The total budget of the project was USD 2,104,150: USD 944,750 of Global Environment Facility funding and a total of USD 1,159,400 of cash and in-kind co-financing from the Secretariat of the Convention on Biological Diversity. For this global project, the original budget allocated 100 percent of Global Environment Facility funding for activities, with all project staff and administrative expenses to be covered by co-financing. Total in-kind co-financing of USD 1,216,908 and cash co-financing of USD 892,127, all from the Secretariat of the Convention on Biological Diversity, exceeded the amount anticipated in the Medium-Sized Project document. Total cash and in-kind co-financing reported as of 30 April 2014 totalled USD 2,109,035, 82% more than originally budgeted. As of 30 April 2014, the project had expended USD 885,856.58 of Global Environment Facility funding, 16% of that amount through small scale funding agreements with GLOBE International and the United Nations University Institute for the Advanced Study of Sustainability. The project did not leverage any funding.

### Findings and Conclusions

- iv. The key questions for this evaluation concerned relevance, achievement of outputs, effectiveness, sustainability and replicability, and factors affecting project performance. The overall weighted rating for this project based on the evaluation findings is ‘satisfactory’.
- v. **Outputs.** The project final report indicated that the project achieved 100% of its outputs. The overall rating on achievement of outputs is ‘satisfactory’.
- vi. **Project relevance.** The project was designed and implemented in response to Global Environment Facility’s ongoing strategic priority for Access and Benefit Sharing and complemented UN Environment’s priority of assisting countries to implement international environmental obligations. The Nagoya Protocol was adopted in October 2010 and the project was approved and being implemented within less than a year. The overall rating on relevance is ‘satisfactory’.

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<sup>4</sup> Formerly the Division of Environmental Policy Implementation (DEPI).



- vii. **Effectiveness.**The project was timely and the objective was clear, which helped to make it effective in assisting Global Environment Facility-eligible Convention on Biological Diversity Parties to prepare for ratification and the early entry into force of the Nagoya Protocol. The overall rating on attainment of direct outcomes is ‘satisfactory’.
- viii. The likelihood of the project’s outcomes leading to the impact/global environmental benefit will require sustained support for national measures to implement it, well beyond project completion, and additional follow-up activities will be required for the intended impact to occur. The likelihood of the project’s outcomes leading to the impact/global environmental benefit will depend in part on the direction the Conference of the Parties to the Convention on Biological Diversity serving as Meeting of the Parties of the Nagoya Protocol (COP MOP) gives to the Global Environment Facility to fund capacity building for implementing the Protocol. It will also depend on the commitment of Parties to the Nagoya Protocol to initiate their own follow-up actions, independent of Global Environment Facility funding. The rating for the overall prospects that the project will achieve the long-term impact is ‘moderately likely’.
- ix. The Medium-Sized Project document did not state a goal for the project. The objective was to assist Global Environment Facility-eligible Parties to the Convention on Biological Diversity to prepare for ratification and the early entry into force of the Protocol through targeted awareness raising and capacity building. The project was successful in promoting the ratification and entry into force of the Nagoya Protocol. The overall rating on achievement of the project goal and planned objectives is ‘satisfactory’.
- x. **Sustainability and replicability.** The Global Environment Facility takes direction from the Convention on Biological Diversity Conference of the Parties for the content of its biodiversity focal area strategy. As access to genetic resources is one of the three fundamental objectives of the Convention on Biological Diversity, it may be considered likely that the Conference of the Parties will continue to include Access and Benefit Sharing in its direction to the Global Environment Facility. Bilateral donors, particularly Germany and Japan, continue to provide funding to build capacity for Access and Benefit Sharing. Financial support from the Japan Biodiversity Fund is enabling the Secretariat for the Convention on Biological Diversity to develop training materials to support implementing the Protocol. Financial sustainability of the project’s results – which require actually implementing the Nagoya Protocol – does not depend solely on Global Environment Facility funding or other sources of international aid. It will also require commitment from governments to invest cash and in-kind resources to the task. The overall rating on financial sustainability is ‘moderately likely’.
- xi. The project attracted interest from a diverse audience that included national government officials and regional bodies that are not usually considered Access and Benefit Sharing stakeholders, as well as traditional Convention on Biological Diversity and Access and Benefit Sharing stakeholders. It stimulated further discussion and dissemination of information regarding the Nagoya Protocol. Countries are using the materials the project produced, which are available on the internet as well as in hard copy, to develop national measures to implement the Protocol. This indicates that countries find the materials helpful and are using them, which could contribute to the project’s socio-political sustainability. Several factors that could negatively affect the sustainability of implementing the Nagoya Protocol at national level include: lack of funding; governments assigning low political priority to Access and Benefit Sharing; lack of political will; inadequate capacity building; and inadequate governance structures. The overall rating on socio-political sustainability is ‘moderately likely’.
- xii. The institutional framework exists at the international level – the Secretariat for the Convention on Biological Diversity. The Secretariat collaborates with the Secretariat of the International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA) and

with other intergovernmental institutions, such as the International Development Law Organization, particularly on training to implement Access and Benefit Sharing and the Protocol. National institutions will ultimately have to sustain project results by regulating Access and Benefit Sharing and countries across all regions have indicated a lack of institutional capacity to implement Access and Benefit Sharing. The overall rating on institutional sustainability is 'moderately likely'.

- xiii. Seychelles, which ratified the Nagoya Protocol in 2012, was one of the project's 'champions', helping to promote ratifying the Protocol among other countries. This project's strategy and activities – reaching out to decision-makers who are not traditional Access and Benefit Sharing stakeholders and providing them with reliable information in a variety of ways – are replicable in the event that the Parties to the CBD decide to adopt another Protocol. The overall rating on the project's catalytic role is satisfactory and on replicability is 'moderately likely'.
- xiv. **Efficiency.** The project built on the outcomes of the Global Environment Facility-financed National Capacity Self-Assessment projects, coordinated closely with the network of National Access and Benefit Sharing Focal Points world-wide, and coordinated with the regional UN Environment/ Global Environment Facility Access and Benefit Sharing projects for the countries of the Association of South East Asian Nations (ASEAN) and Latin America. The project used a variety of cost-saving measures, such as organizing very few stand-alone events, saving travel costs by organizing events on the side of Convention on Biological Diversity meetings and holding Project Steering Committee (PSC) meetings back-to-back with Access and Benefit Sharing related events and by teleconference. The project's intention to expedite ratification of the Nagoya Protocol was intended to be a cost-saving investment. There was insufficient information available to determine whether the total investment was cost-effective. The overall rating on efficiency is 'moderately satisfactory'.
- xv. **Factors affecting project performance.** Both UN Environment and the Secretariat for the Convention on Biological Diversity were involved in designing the project. The overall focus of the Project Document and the components it proposed were appropriate and the project activities necessary to achieve the project objective, but some risks were insufficiently addressed and affected project implementation. The Medium-Sized Project document implied that Secretariat for the Convention on Biological Diversity/project staff would visit countries on an individual basis. That was not feasible, either in terms of time or available funding. The Medium-Sized Project document did not realistically establish its scope. The Project document did not address the issue of how to assist countries in designing national follow-up actions to enable them to implement the Nagoya Protocol once the project closed. The overall rating on preparation and readiness is 'moderately unsatisfactory'.
- xvi. Project management was adaptive and the project achieved its objective. From that perspective, project implementation and management were satisfactory. The project extension requests indicated that the project knew which countries were close to ratification and needed additional assistance, but did not report which countries those were. The project reportedly documented the information needed to identify the countries with which it interacted but did not produce even a superficial comparison of those countries and the ones that signed and ratified the Nagoya Protocol. The project final report did not include information that the Project Steering Committee specifically requested. From that perspective, project implementation and management were moderately unsatisfactory. The overall rating on project implementation and management is 'moderately satisfactory'.
- xvii. The Project Document identified the primary group of stakeholders of the project to be national politicians, legislators, National Access and Benefit Sharing Focal Points and National Competent Authorities for Access and Benefit Sharing. The secondary group of stakeholders was indigenous and local communities (ILCs). Other stakeholders, such as the private sector, civil society, academia and research groups, were to be included in some

project activities where appropriate. Component 2 of the project was entirely dedicated to engaging stakeholders to promote ratification of the Nagoya Protocol. The overall rating on stakeholder participation and public awareness is 'satisfactory'.

- xviii. The project arose from a request from countries participating in the 10<sup>th</sup> Conference of the Parties to the Convention on Biological Diversity to be assisted in the ratification process. The project design followed recommendations that Global Environment Facility-eligible developing country Convention Parties had made on how to address capacity barriers and capacity-building needs that they had themselves identified. Both project extensions were needed, in part, to allow the project to respond to requests from countries, which were at an advanced stage in their internal ratification processes, for targeted awareness-raising and capacity-building activities. The overall rating on country ownership and driven-ness is 'satisfactory'.
- xix. The Project Document stated that gender consideration would feature prominently in the implementation of the project. The majority of participants in project-sponsored events were designated by their governments. The Secretariat of the Convention on Biological Diversity could encourage, but not require, governments to assign women to participate. Project reports did not address gender issues and did not indicate what percentage of the decision-makers the project targeted were women. The Project Document did not mention youth. The project objective was to convince decision-makers to ratify the Nagoya Protocol, and youth are unlikely to be working at the high levels of governments where such decisions are made. Representatives of indigenous and local communities participated in all three capacity-building workshops the project sponsored. The overall rating on gender and equity is 'moderately satisfactory'.
- xx. Total co-financing from the Secretariat of the Convention on Biological Diversity was 82% higher than budgeted. The project did not leverage any funds. Two budget re-allocations increased the budget line for staff travel and reduced the budget line for publications. The Secretariat submitted four expenditure reports and two reports on co-financing. The project was not audited because it was internally executed. The overall rating on financial planning and management is 'moderately satisfactory'.
- xxi. Two UN Environment Task Managers were successively responsible for supervising project implementation. The first Task Manager did not complete all monitoring and evaluation (M&E) requirements. The second Task Manager based her supervision on the Project Steering Committee meetings and on the Project Implementation Reviews (PIRs) that the Secretariat of the Convention on Biological Diversity submitted. She moved on to other responsibilities in 2014 before the project completed. The overall rating on UN Environment supervision and backstopping is 'moderately satisfactory'.
- xxii. The rating for Monitoring and Evaluation design is 'satisfactory', budgeting and funding for Monitoring and Evaluation was slightly less than UN Environment parameters and therefore rated as 'moderately unsatisfactory', and rating for M&E implementation was 'moderately satisfactory'. The overall rating for monitoring and evaluation is, therefore, 'moderately satisfactory'.

### Lessons

- xxiii. **Lesson 1.** Make sure that risks are clearly identified at the design stage and that proposed measures to mitigate them are realistic in the context of the project's targets. Promoting early ratification did not take sufficiently into account that it was dependent on the political climate and procedures in individual countries. The project did not adequately foresee the impact on its activities of the range of differences in procedures from one country to another. The project document acknowledged the risk that the pace of ratification would be different from country to country, but as a mitigating measure indicated simply that building awareness would be sufficient to

ensure that ratifications processes would proceed. The MSP document noted the risk that there might be changes in national governments during project implementation, but stated that the diversity of stakeholders the project would target would mitigate that impact. The project document rated both of these risks as medium. In practice, these risks had a significant impact on the project's prospects for achieving its targets. Also, take into account that the individuals responsible for managing a project may or may not have been involved in developing it. Managers and other project staff who were not involved in preparing the project proposals may not be aware of or fully understand the risks involved in implementing a project and the project document may be the only information they have, at least at the project inception stage.

- xxiv. **Lesson 2.** Clearly define the project's scope and targets at the design stage. At the time of project implementation there were 169 Global Environment Facility-eligible Parties to the Convention of Biological Diversity, all of which were, at least in principle, eligible to participate in the project. The project document indicated that the project would work with "at least" 50 of those countries, but did not set an upper limit. The indicators in the logical framework in the project document were that the project should achieve 50 countries having ratified the Protocol and another 50 countries having signed it. The project did not establish end-of-project targets in the first 2011-2012 Project Implementation Review (PIR); it did so in the 2012-2013 PIR. The targets in the 2012-2013 PIR were significantly higher than the indicators in the project document, but in the same Project Implementation Review the project recorded that it was focusing on 40, rather than 50 countries. What the project reported it was doing in practice was probably realistic – but under target – particularly given the issues described for Lesson 1, which is to make sure that risks are clearly identified at the design stage and that proposed measures to mitigate them are realistic in the context of the project's targets.
- xxv. **Lesson 3.** Address the realities of the administrative procedures for project start-up at the design phase. It takes a significant amount of time to set up a project and this is time that is not typically spent on carrying out project activities. The set-up time particularly impacts short projects – two years or less – such as this project. In the case of this project, there was a long lag in recruiting project staff, which meant that by the time the project could begin work, several months of the 24-month project had passed and the understandable pressure to deliver meant that project staff did not have the time to deal with the issues described for Lesson 2, which is to clearly define the project's scope and targets at the design stage.
- xxvi. **Lesson 4.** Assuming that all stakeholders who should have been consulted in the project formulation phase were actually consulted, project design should build in a minimum of two months at the beginning of a project to allow project staff to re-think assumptions, risks, and targets and re-calibrate before starting project operations. This would allow projects to avoid situations in which project management is forced to be reactive during implementation. This does not mean that project management should not be adaptive; it means that project management should critically examine assumptions, risks and targets as implementation begins, to identify and deal proactively with issues that can be foreseen at project inception so that project staff have more flexibility to deal with situations that arise during implementation that could not have been foreseen.
- xxvii. **Lesson 5.** Try to ensure continuity in project supervision, to the extent possible, and ensure that the project manager completes the project's final reporting. Final reporting was done after the second UN Environment Task Manager retired and after the project manager had left the Secretariat of the Convention on Biological Diversity. Had the individuals most closely associated with the project done the project's final reporting, the results would likely have been much more useful for the Secretariat and the Global Environment Facility.

- xxviii. **Lesson 6.** Consider a policy to ensure that workshops are as substantively effective as possible. A first workshop is usually designed to start grounding people on an issue and a second workshop is designed to build on the first. The second workshop loses its meaning if the same individuals who participated in the first workshop do not participate in the second. When designing and planning a series of capacity-building workshops, any entity – particularly an intergovernmental entity – that organizes a series of training workshops should establish at the planning stage a policy that makes it clear to countries which will send individuals for training that the same individuals must participate in all workshops in the series and explain why. This needs to be done at the time that all countries are invited to designate individuals for training, so that no individual country perceives that it is being targeted.

### **Recommendations**

- xxix. Recommendation 1: The final meeting of the project Steering Committee agreed on an action item which specified that the project should generate, in table format, information on the countries that signed the Protocol, those that ratified it, and those that benefited directly from the Project, so that the Secretariat of the Convention on Biological Diversity, UN Environment and Global Environment Facility could report back to the countries that moved their processes forward. It is recommended that the Secretariat of the Convention on Biological Diversity produce the table as agreed at the final Project Steering Committee meeting.
- xxx. Recommendation 2: The project could have been a case study of the process of bringing an international agreement into force, and the costs and benefits of such a process. The information that would be generated by following through on Recommendation 1 – the countries that signed and ratified the Protocol during the project period and other countries that benefited directly from the project's workshops – would provide the first step for producing such a case study. It is recommended that the Secretariat of the Convention on Biological Diversity consider developing the case study and, particularly, the corresponding cost-benefit analysis.

## 1. INTRODUCTION

1. The project “Capacity Building for the early entry into force of the Protocol on Access and Benefit Sharing” was a Global Environment Facility (GEF) medium-sized project (MSP) with a global scope. This report will refer to the project as the Global ABS Project.
2. The project started on 1 March 2011 and completed on 30 June 2014. The total budget was USD 2,104,150: USD 944,750 in cash from the GEF; USD 350,000 in cash co-financing from the Secretariat of the Convention on Biological Diversity (SCBD); and another USD 809,400 of SCBD in-kind co-financing. For this global project, the original budget allocated 100% of GEF funding for activities, with administrative costs to be covered by SCBD co-financing. As of 30 April 2014, the project had actually expended USD 885,856.58, or 94% of GEF funding.
3. The project objective, as stated in the MSP document, was to assist GEF-eligible CBD Parties to prepare for ratification and the early entry into force of the Protocol through targeted awareness raising and capacity building. The project target was to involve at least 50 GEF-eligible Parties to the Convention on Biological Diversity (CBD); the MSP document did not specify the countries with which the project would work. All countries that were potential beneficiaries of the project were Parties to the CBD, and had previously accessed funding from the GEF.
4. This terminal evaluation of the Global ABS Project is part of an evaluation of a portfolio of five GEF projects the United Nations Environment Programme (UN Environment) implemented to assist countries in acceding to or ratifying the Nagoya Protocol and in complying with their international obligations related to access to genetic resources and benefit sharing (ABS). It is conducted under a common set of Terms of Reference (ToR) for the five projects in the portfolio – there are no separate ToR for each individual project evaluation.

### 1.1 Evaluation Objectives

5. According to the ToR for the Portfolio Evaluation, the evaluation has two primary purposes: (i) to provide evidence of results to meet accountability requirements, and (ii) to promote learning, feedback, and knowledge sharing through results and lessons learned among the United Nations Environment Programme (UN Environment), the GEF and their executing partners. The evaluation is to identify lessons of operational relevance for future project formulation and implementation. The ToR for the Portfolio Evaluation do not specify any other objectives for the individual project evaluations. The ToR are attached as Annex 1.

### 1.2 Evaluation Approach

6. The evaluation followed UN Environment’s key evaluation principles, which require that evaluation findings and judgements be based on sound evidence and analysis, verified from different sources, and clearly documented. The ToR for the evaluation required that the findings be based on: background documentation, in particular UN Environment and GEF policies, strategies and programmes; project design documents, annual work plans and budgets or equivalent, revisions to the logical framework and project financing; project reports; Steering Group meeting minutes; annual Project Implementation Reviews (PIR), GEF Tracking Tools, project Mid-Term Reviews; documentation related to project outputs; relevant correspondence; and interviews with UN Environment Task Managers and Fund Management Officers, project management, project stakeholders, GEF Secretariat staff, and representatives of other relevant organizations.
7. The evaluation used quantitative and qualitative methods to determine project achievements against the expected outputs and outcomes and against projected impacts. In

attempting to attribute any outcomes and impacts to the project, the evaluation considered the difference between what happened because of the project and what would have happened without the project. The evaluation also addresses the questions of why things happened and how they are likely to evolve.

### 1.3 Evaluation Limitations

8. The Evaluation Office of UN Environment (EOU) agreed with the Portfolio Evaluation team to deviate somewhat from its standard practice for evaluations. Usually, the EOU must accept the inception report for an evaluation before evaluators may make field visits. In the case of this evaluation, the EOU wanted to take advantage of the opportunity presented by an international meeting for the Global Project evaluation and overall Portfolio Evaluation. The CBD Secretariat convened the Third Meeting of the Open-ended Ad Hoc Intergovernmental Committee for the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization (ICNP-3) in Pyeongchang, Republic of Korea. The ICNP-3 was held 24-28 February 2014, before the Portfolio Evaluation Team Leader, who was also the evaluator for the Global ABS Project, was available to begin the evaluation in May. The EOU asked the evaluator to attend the ICNP-3 before producing an inception report because it was a unique opportunity to make contact with almost all of the people who would be key informants for all five of the projects in the UN Environment /GEF ABS Portfolio.
9. This evaluation is being carried out two years after the project ended, due to scheduling issues with the original evaluation team. The original Portfolio Evaluation Team Leader and evaluator for the Global ABS Project stepped down mid-October 2015. In March 2016, UN Environment contracted another evaluator, who was available to work on a part-time basis and had prior commitments for May-June 2016. The evaluation schedule is in Table 1.

**Table 1. Evaluation Schedule**

<b>Milestone</b>	<b>Date</b>
Initial discussions with SCBD Project Coordinator and UNU-IAS during the ICNP-3, Pyeongchang, South Korea	24 February – 3 March 2014
Original evaluator unable to continue	Mid-October 2015
UN Environment contracted second evaluator	2 March 2016
Inception report submitted	21 March 2016
Interviews	April-May 2016
Draft evaluation submitted to UN Environment	3 August 2016
Contacts with current ABS National Focal Points	October 2016
Revised draft evaluation submitted to UN Environment	7 November 2016
Final evaluation submitted to UN Environment	January 2017

10. This evaluation is based in part on interviews with a relatively small number of individuals who were associated with the project in various capacities. The list of individuals interviewed for this evaluation is in Table 2. Most of the individuals who worked directly with the project have moved on to other responsibilities and no longer have immediate access to project documents. Their responses are likely to be biased in some way in favour of ABS and the project. Some of these same individuals prepared the reports on project implementation which constitute the majority of the project documents that are the primary evidence base of the evaluation.

**Table 2. Individuals Interviewed for the Evaluation**

<b>Individual interviewed</b>	<b>Position/Institution</b>
Mr. Olivier Rukundo	Project Coordinator, SCBD Programme Officer, ABS Unit
Ms. Esther Mwangi	Project Task Manager, UN Environment
Ms. Valerie Normand	Head, ABS Unit, SCBD
Mr. David Duthie	Senior Programme Officer, SCBD
Mr. Erie Tamale	Programme Officer, Capacity-building and Outreach, SCBD
Mr. Geoff Burton	Senior Fellow, UNU-IAS
Ms. Sarah Laird	Consultant/Research Fellow, UNU-IAS

11. The Secretariat of one project partner, Global Legislators Organisation for a Balanced Environment International (GLOBE International) (see paragraphs 21, 25, and 32), informed the UN Environment EOU that, for internal reasons, GLOBE's archives for the period it was involved with the project were unavailable and it was not possible to determine which GLOBE staff had been involved. It was therefore not possible to interview anyone with GLOBE International.
12. At the beginning of the evaluation process, due to the length of time since the project ended, and the fact that project-sponsored events had been held four and five years ago, EOU and the evaluator agreed that it would not be feasible to attempt to trace individuals who had participated in project events. EOU subsequently decided that it was necessary to do so. Information on participants in events organized by GLOBE International was not available (see paragraph 11). The project organized three capacity-building workshops, one in June 2011, one in October 2011, and one in June/July 2012 (see paragraph 79). Of the participants in those workshops, 21 were ABS National Focal Points in their countries as of October 2016 and their current contact information was available from the ABS Clearing-House. The EOU agreed that the evaluation should contact those individuals because it could be assumed that they would have continued to work on ABS since their participation in the project workshops and would be familiar with their governments' positions during the project period and afterward. Ten of the 21 countries whose ABS Focal Points the evaluation contacted ratified or acceded to the Nagoya Protocol during the project period. Eleven of the countries ratified or acceded after the project ended. ABS National Focal Points from five countries – Croatia, Dominican Republic, Republic of Moldova, Vanuatu, and Viet Nam – responded to the request for input for the evaluation. Of the countries those five ABS National Focal Points represent, one ratified the Nagoya Protocol during the project period and four ratified or acceded after the project ended. One of the responding ABS National Focal Points attended all three workshops, two of them attended two workshops, and two of them attended one workshop. The five respondents represent almost one-quarter of the current ABS National Focal Points who participated in project workshops, but they constitute a small percentage of the total number of participants (see Table 5).
13. The MSP document provided for a terminal evaluation but not for a mid-term review, so there was no prior evaluation of the project's interim progress as a basis for comparison with its final results.



## 2 The Project

### 2.1 Context

14. One of the three objectives of the CBD is the fair and equitable sharing of benefits arising out of the use of genetic resources, including by appropriate access to genetic resources. CBD Article 15 established the basis for regulating what has become known as ‘access and benefit sharing’ (ABS). In 1998, the CBD Conference of the Parties (COP) established an ABS Working Group and in 2002 adopted the Bonn Guidelines on ABS to assist countries in implementing Article 15 of the CBD. Also in 2002, the World Summit on Sustainable Development mandated the development of an ‘international regime’ on ABS. In 2004, the seventh CBD COP (COP-7) mandated the Ad Hoc Open-ended Working Group on Access and Benefit-sharing to elaborate and negotiate an international regime on access to genetic resources and benefit-sharing.
15. CBD COP-9 in 2008 adopted the Four-Year Framework of Programme Priorities Related to Utilization of GEF Resources for Biodiversity for the Period from 2010 to 2014, which called for promoting the implementation of the Convention’s third objective, ABS, and supporting the implementation of the international regime on access to genetic resources and benefit-sharing.<sup>5</sup> The COP also requested the GEF to strengthen efforts to implement its strategic programme on capacity-building for ABS and to provide appropriate resources in its fifth replenishment.<sup>6</sup>
16. On 29 October 2010, CBD COP-10 adopted the Nagoya Protocol on ABS. The Nagoya Protocol stipulated that it would come into force 90 days after the 50<sup>th</sup> ratification.

### 2.2 Objectives and components

17. The project objective, as stated in the MSP document, was to assist GEF-eligible CBD Parties to prepare for ratification and the early entry into force of the Protocol through targeted awareness raising and capacity building.
18. The project design identified four expected outcomes for two project components. See Table 3.

**Table 3. Project components and expected outcomes**

Component	Expected outcomes
1: Development of Capacity Building Tools	Enhanced understanding by key stakeholders of the provisions in the Protocol and the implications for government and other stakeholders
2: Building Readiness of Key Constituencies	2.1 Enhanced political, legislative and policy readiness for the accelerated ratification of the Protocol
	2.2 Enhanced national stakeholder readiness for the accelerated ratification of the Protocol
	2.3 Enhanced political momentum and negotiation capacity in

<sup>5</sup> Convention on Biological Diversity. 2008. COP 9 Decision IX/31 Financial mechanism. Available online: <https://www.cbd.int/decision/cop/default.shtml?id=11674>

<sup>6</sup> Convention on Biological Diversity. 2008. COP 9 Decision IX/12 Access and benefit-sharing. Available online: <https://www.cbd.int/decision/cop/default.shtml?id=11655>

Component	Expected outcomes
	addressing issues of common concerns in accelerating the ratification process for the Protocol

### 2.3 Target areas/groups

19. The Global ABS Project's target group was at least 50 GEF-eligible CBD Parties. The MSP document did not specify the countries with which the project would work. All GEF-eligible CBD Parties that had previously accessed funding from the GEF were entitled to participate in the project. During implementation, the project strategy was to target countries with good potential for ratification.

### 2.4 Key milestones and dates in project design and implementation

20. The initial development of the proposal took place on the margins of CBD COP-10 in Nagoya, Japan, in October 2010, with the involvement of both SCBD and GEF staff. UN Environment submitted the MSP document to the GEF on 31 January 2011. The GEF approved the MSP on 4 February 2011. UN Environment approved the project on 15 March 2011 and signed the Internal Cooperation Agreement (ICA) with the SCBD on the same date. Due to internal SCBD administrative processes, there was a long lag in recruiting project staff; the project hired a project manager and a programme assistant.

21. The SCBD entered into small scale funding agreements (SSFA) with two project partners, GLOBE International and the United Nations University Institute for the Advanced Study of Sustainability (UNU-IAS) (see paragraphs 24-26 and 32-33).

22. There were two project revisions, in 2012 and 2014 (see section 3.8). Key milestones and dates in project design and implementation are set out in Table 4.

**Table 4. Key Milestones and Dates in Project Design and Implementation**

Milestone	Date
GEF approved the project	4 February 2011
UN Environment approved the project	15 March 2011
Grant agreement with GLOBE International	18 October 2011
Grant agreement with UNU-IAS	26 July 2012
1 <sup>st</sup> revision, no-cost extension to 31 December 2013	27 November 2012
2 <sup>nd</sup> revision, no-cost extension to 30 June 2014	28 May 2014

### 2.5 Implementation arrangements

23. This was the first GEF project for which the SCBD was the Executing Agency (EA). Consultations were held with UN Environment's Law Division<sup>7</sup> to establish the legality of the SCBD becoming the Executing Agency for a GEF project, given that the intent of CBD Article 24, which established the SCBD, was to provide operating funds, rather than project management funds. Consequently, to avoid the perception of a conflict of interest, the SCBD charged no project management costs to the project, including the costs of participation in the inception workshops, site visits, and steering committee meetings. The SCBD drew on

<sup>7</sup> Formerly the Division of Environmental Law and Conventions (DELIC)

its core resources to fund administrative and project management costs and ensure that all of the GEF project funds would be dedicated to assisting parties with the early ratification of the Protocol.

24. The SCBD entered into agreements with GLOBE International and UNU-IAS, dated 18 October 2011 and 26 July 2012, respectively (see section 3.7).
25. ABS was a new issue for GLOBE International, but the organization had done a great deal of work on climate change and the SCBD saw the value in tapping into that network. The SSFA with GLOBE International required that organization to: raise awareness of the Nagoya Protocol among legislators worldwide; identify key legislators to be invited to CBD Regional Workshops on the Nagoya Protocol; facilitate parliamentary visits for the CBD Executive Secretary; and develop and implement a communications strategy to raise awareness of the Nagoya Protocol by adding a specific page on the Protocol to the GLOBE International website. The work was to be completed by 31 December 2012. According to the SSFA, GLOBE International was to submit a progress report by 31 March 2012 and a final report with a financial report by 31 December 2012. A progress report dated 1 April 2012 was available for this evaluation; no final report from GLOBE International was available for this evaluation.
26. The SSFA with UNU-IAS required that institution to: raise awareness of the Nagoya Protocol among decision-makers in its networks in the Asia-Pacific and Latin American regions; and develop communications materials to provide convincing arguments in support of the Nagoya Protocol. According to the SSFA, UNU-IAS was to submit a progress report by 15 September 2012 and a final report with a financial report by 30 January 2013. UNU-IAS submitted an interim progress report for the period 26 July-14 September 2012 and a final report for the period 15 September 2012-28 February 2013. The final report noted that the SSFA had been extended for several months by mutual agreement.
27. The project established a Project Steering Committee (PSC). According to the MSP document, members of the PSC were supposed to represent participating countries and in-country stakeholders. In practice, the members of the PSC were staff of the GEF Secretariat, the SCBD, and UN Environment. Minutes of three PSC meetings were available for this evaluation. The first meeting was held on 8 June 2011; the second at the SCBD on 9 May 2012; and the final meeting on 13 November 2013 was held by conference call. The first two meetings discussed the current status of ratifications of the Nagoya Protocol on ABS, updates on activities already carried out and upcoming activities, and offered PSC members the opportunity to ask questions of the project manager. The final PSC meeting focused on issues involved in wrapping up the project.

## **2.6 Project financing**

28. The GEF financing for the project was USD 944,750, which was 45% of the USD 2,104,150 total projected cost of the project. The budget in the MSP document allocated 100% of GEF funds for project activities, with administrative expenses to be covered by SCBD co-financing. By the time it submitted its final financial report as of 30 April 2014, the project had expended 94% of GEF funding.
29. The MSP document budgeted USD 245,000 of GEF funding for consultants and resource persons. The SCBD contracted GLOBE International (see paragraphs 24-25 and 32) and allocated USD 50,000 for its work. The SCBD contracted UNU-IAS (see paragraphs 24, 26 and 33) and allocated USD 95,000 for its work.
30. The MSP document and the ICA that the SCBD signed with UN Environment on 15 March 2011 indicated USD 350,000 in cash co-financing from the SCBD, and another USD 809,400 of SCBD in-kind co-financing. By the time of the financial report as of 30 April 2014, the

project had realized USD 892,127 in cash co-financing and USD 1,216,908 of in-kind co-financing from for total SCBD co-financing of USD 2,109,035.

31. The review of financial planning and management is presented in section 4.6.6.

## 2.7 Project partners

32. GLOBE International, founded in 1989 and with its secretariat in Brussels, Belgium, is a non-party political organisation which supports legislators, through national chapters, to develop, advance and oversee the implementation of policies and laws in pursuit of sustainable development with an emphasis on climate change, environmental economic accounting and governance, and forests.<sup>8</sup>

33. The United Nations University Institute for the Advanced Study of Sustainability (UNU-IAS) carries out research, education and training in three thematic areas, one of which is natural capital and biodiversity. In 2014, UNU consolidated its Institute of Advanced Studies, established in 1996 and based in Yokohama, and its Institute for Sustainability and Peace, founded in 2009 and based in Tokyo. The consolidated institute, referred to as UNU-IAS, is based in Tokyo, at the global headquarters of UNU. It is one of 13 institutes and programmes, located in 12 different countries, which together comprise UNU.<sup>9</sup>

34. The ABS Capacity Development Initiative is a multi-donor initiative, established in 2006 and with its secretariat at the headquarters of the Deutsche Gesellschaft für Internationale Zusammenarbeit GmbH (German Corporation for International Cooperation- GIZ) in Germany, to promote development of national ABS regulations. It supports stakeholders in the African, Caribbean and Pacific Group of States and other countries on the African continent.<sup>10</sup> The PIR for the period 1 July 2012-30 June 2013 listed the ABS Capacity Development Initiative as a project partner, but did not provide information on what the Initiative contributed as a partner. The project final report indicated that the SCBD had provided briefings during three activities the Initiative organized in support of ratification and implementation of the Nagoya Protocol and had provided substantive advice on the Initiative's technical materials. The Initiative provided funding and/or technical input for two regional briefings and two regional workshops (see paragraphs 71, 75, and 76).

## 2.8 Changes in design during implementation

35. By the time project staff were hired, there was pressure to get project activities moving quickly and no time to make formal adjustments to the design of the project (see paragraph 138).

36. There were two project revisions: the first on 27 November 2012 and the second on 28 May 2014. Neither revision made any substantive changes in the project design. Each revision extended the timelines for project activities and reallocated the budget to take actual expenditures from individual budget lines into account. The project revisions did not change the co-financing arrangement.

37. The 2012 revision granted a no-cost extension of the project from 31 March 2013 to 31 December 2013. The justification for the 2012 revision was to: meet high demand from

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<sup>8</sup> GLOBE International. <http://globelegislators.org/about-globe>

<sup>9</sup> United Nations University Institute for the Advanced Study of Sustainability. <https://ias.unu.edu/en/about-unu-ias#history> and <https://ias.unu.edu/en/about-unu-ias#overview>

<sup>10</sup> The ABS Capacity Development Initiative. <http://www.abs-initiative.info/about-us/>

countries in all regions for raising awareness and building capacity to ratify and implement the Nagoya Protocol; and develop awareness-raising materials.

38. With the 2014 revision, UN Environment granted a second no-cost extension, which repeated the extension from 31 March 2013 to 31 December 2013, and added an extension to June 2014 to allow for project completion and closure activities. The agreement between UN Environment and SCBD remained in force until December 2014. The justification for the 2014 revision was to: undertake targeted awareness-raising and capacity-building to support countries that were at an advanced stage of their internal ratification processes; and allow time to translate some of the awareness-raising materials into six UN languages and to print and distribute them. With the extension to 30 June 2014, the project's total duration was 39 months – the original 24 months plus two extensions totalling 15 months. The 2014 revision document stated that the total project duration was 41 months, but did not explain the difference.

## 2.9 Reconstructed Theory of Change

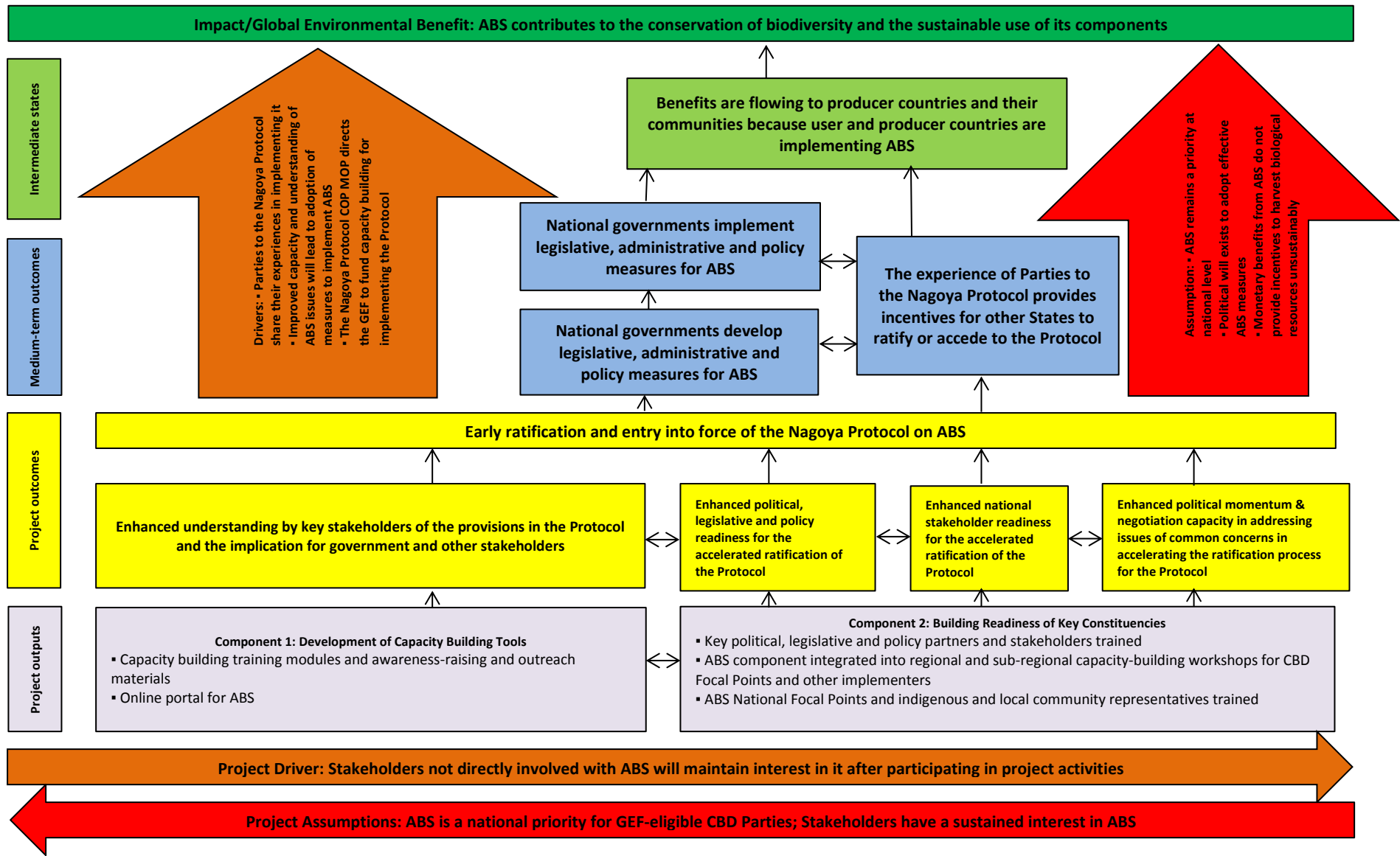
39. The Global ABS Project was designed, approved, and being implemented before UN Environment required use of the Theory of Change (ToC) approach. Consequently, the MSP document did not include any analysis of causal pathways or consideration of future impacts. The MSP document did not identify an impact pathway for the project, saying simply that “...decision and policy makers and other stakeholders have not yet for the most part fully understood its [the Nagoya Protocol's] potential impact on advancing the CBD at national level”. The MSP document did include a “Results Framework” in UN Environment's logical framework (logframe) structure. The logframe included assumptions, but the MSP document did not define drivers. This evaluation therefore will in part be a process of retrofitting a ToC onto the project. Figure 1, below, is a desk-based reconstructed ToC for the Global ABS Project. The reconstructed ToC uses elements from the MSP document to the extent possible.
40. GEF investments require delivery of global environmental benefits in focal areas that correspond to the subject matter of the principal multilateral environmental agreements whose implementation the GEF supports. In the case of ABS, the focal area is biodiversity and the corresponding global environmental benefit is the third objective of the CBD: fair and equitable sharing of the benefits arising from the utilization of genetic resources, including by appropriate access to genetic resources.<sup>11</sup> The other two CBD objectives are: the conservation of biological diversity; and the sustainable use of its components.
41. The reconstructed impact for this project is: ABS contributes to the conservation of biodiversity and the sustainable use of its components. This impact focuses on the contribution ABS, the third CBD objective, can make to achieving the other two objectives of the CBD.
42. The project design identified four project outcomes (see paragraph 18 and Table 3). The reconstructed ToC extracts from the MSP document two possible medium-term outcomes and proposes a third one:
  - The experience of Parties to the Nagoya Protocol provides incentives for other States to ratify or accede to the Protocol;

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<sup>11</sup> GEF. 2013. Global Environmental Benefits. <http://www.thegef.org/gef/GEB> Accessed 9 July 2014.

- National governments develop legislative, administrative and policy measures for ABS (MSP document); and
  - National governments implement legislative, administrative and policy measures for ABS (MSP document).
43. The reconstructed ToC proposes one potential intermediate state through which the project's medium-term outcomes could move toward impact: Benefits are flowing to producer countries and their communities because user and producer countries are implementing ABS.
44. The MSP document did not identify drivers. The draft reconstructed ToC extracts from the project logframe one common driver for all project outcomes: Stakeholders have a sustained interest in ABS and those not directly involved with ABS will maintain interest in it after participating in project activities. For the medium-term outcomes and the intermediate state, the draft reconstructed ToC proposes three drivers:
- Parties to the Nagoya Protocol share their experiences in implementing it;
  - Improved capacity and understanding of ABS issues will lead to adoption of measures to implement ABS; and
  - The Nagoya Protocol COP MOP directs the GEF to fund capacity building for implementing the Protocol.
45. The draft reconstructed ToC extracts from the project logframe two common assumptions that may affect progress from project outcomes to medium-term outcomes to the intermediate state to impact and adds a third one:
- ABS remains a priority at national level;
  - Political will exists to adopt effective ABS measures; and
  - Monetary benefits from ABS do not provide incentives to harvest biological resources unsustainably.

Figure 1. Draft Reconstructed Theory of Change Diagram for the Global ABS Project



### 3 Evaluation Findings

46. The evaluation findings are based on: interviews with the individuals listed in Table 2 and the documents listed in Annex 2. The project final report, together with the two PIRs and financial reports that the SCBD submitted to UN Environment, and the reports submitted to the SCBD by GLOBE International and UNU-IAS were the primary sources of information for this evaluation of the project's progress and results.

#### 3.1 Strategic relevance

47. The GEF created a strategic objective and strategic program in the GEF biodiversity strategy for GEF-4 (1 July 2006 to 30 June 2010) entitled "Building Capacity on Access and Benefit Sharing (ABS)", which carried over to GEF-5 (1 July 2010 to 30 June 2014) as "Build Capacity on Access to Genetic Resources and Benefit Sharing (ABS)".<sup>12</sup> The MSP document summarized the GEF-5 focal area strategy for biodiversity and its objective for ABS. See section 4.6.9.

48. The MSP document listed capacity barriers and capacity building needs that GEF-eligible countries across all regions had identified. Countries also suggested ways in which those needs should be addressed, including regional capacity-building approaches and development of user-friendly information packs on ABS-related issues. The project design followed these recommendations.

49. The MSP document noted SCBD analyses<sup>13</sup> which showed the degree to which CBD Parties were already implementing the ABS provisions of CBD Article 15 at the time the project was designed. Parties' Third National Reports on CBD implementation showed that, of 129 Parties which had submitted their reports, 98 Parties, or 76%, rated ABS as a high or medium priority. The MSP document included a table listing these findings by country and characterized countries as follows:

- Countries rated ABS as medium to high priority and also had some national measures on ABS and/or experience with implementing ABS;
- Countries rated ABS as medium to high priority but had limited or no national measures or experience;
- Countries rated ABS as a low priority due to resource constraints but had some national measures on ABS and/or experience with implementing ABS;
- Countries rated ABS as a low priority and had limited or no national measures or experience.

50. The SCBD's original target for the Nagoya Protocol to enter into force was within two years of its adoption, in 2012, so that CBD COP-11 in 2012 would serve as the first Meeting of the Parties (COP MOP-1) to the Nagoya Protocol. In July 2014, less than 10 days after the project closed, the 50<sup>th</sup> signatory ratified the Nagoya Protocol, triggering the Protocol's entry into force 90 days later, on 12 October 2014, which was two weeks less than four years after it was adopted. All ratifications of the Nagoya Protocol took place after the project began.

51. The overall rating on relevance is 'satisfactory'.

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<sup>12</sup> The GEF maintains its strategic focus on ABS with GEF-6 (1 July 2014-30 June 2018). Under its Biodiversity Focal Area Strategy, GEF-6 includes Program 8: Implementing the Nagoya Protocol on Access and Benefit Sharing.

<sup>13</sup> The analysis in the MSP was based on CBD Parties' second and third national reports to the SCBD. The second national report was to be submitted in 2001; the third national report was due in 2005.



## 3.2 Achievement of outputs

52. The project achieved 100% of its planned outputs. The sources of information that were available for this section are:
- MSP document
  - Capacity-building workshop reports
  - Progress and final reports from project partners
  - Awareness-raising materials the project produced
  - Resolutions and declarations of regional groups and institutions in support of ratifying/implementing the Nagoya Protocol.
53. The PIR for the period 18 March 2011-30 June 2012 (see paragraph 191) reported that the project had developed awareness-raising materials on the Nagoya Protocol, carried out 36 briefings, delivered seven presentations on the Nagoya Protocol during five workshops on National Biodiversity Strategies and Action Plans (NBSAPs), and held three capacity-building workshops. This PIR did not include any mid-term or end-of-project targets.
54. The combined 2012-2013 PIR (see paragraph 191) noted the same activities reported in the first PIR, without specifying the number of activities that had been carried out during the 2012-2013 reporting period. The combined PIR included the following end-of-project targets: 70-90% of GEF-eligible CBD Parties have initiated national level processes towards the ratification of the Protocol; and 40% of GEF-eligible CBD Parties have ratified/acceded to the Protocol or are at an advanced stage in their national-level ratification processes. According to the project manager, there were 169 GEF-eligible CBD Parties. That means that the project's targets were 118-152 countries that had initiated national ratification processes and 67 countries that would have ratified or acceded or were in an advanced stage of doing so. These targets are higher than the ones in the MSP document, whose indicators were that 50 countries would have started the ratification process and 50 countries would have actually ratified.
55. Based on the information provided for Parties and signatories on the Nagoya Protocol website as of 7 November 2016, 37 GEF-eligible countries ratified or acceded to the Protocol during the project period. Of those 37 countries, 31 had participated in at least one of the capacity-building workshops the project convened. Twenty-four countries signed the Protocol during the project period; 17 of those countries participated in at least one of the project's workshops. After the project ended and up to 7 November 2016, an additional 37 countries ratified or acceded to the Nagoya Protocol; 29 of those had participated in at least one of the project's workshops. Representatives of at least 60 countries that have ratified the Protocol, and 17 that have signed but not yet ratified it, were involved in at least one project event.
56. The project final report noted that, given the large numbers of participants in the various activities the project sponsored or contributed to, the SCBD, in consultation with the UN Environment Task Manager, decided not to include in the report full lists of all participants in all events the project sponsored or to which the project contributed, but could make lists available as separate documents, on request. The project did not carry out an analysis of the participants in the more than three dozen events which the project convened or to which it contributed. Lists of participants for the three capacity-building workshops the project sponsored, plus three other events to which the project contributed, were available for this evaluation. This evaluation analysed participation in the workshops the project sponsored because they reflect the project's efforts to secure stakeholder participation in the events for which it was accountable.

### 3.2.1 Component 1 Development of Capacity Building Tools

57. The outcome for this component was enhanced understanding by key stakeholders of the provisions in the Protocol and the implications for government and other stakeholders. There were two outputs for this component. The original project budget allocated a total of USD 371,650 for this component: USD 262,500 or 28% of the GEF contribution; and USD 109,150 or 9% of SCBD co-financing.
58. When the project began, few materials on ABS were generally available. The ABS Capacity Development Initiative in Africa (see paragraph 34) had produced an ABS Information Kit, which was one of very few existing sources that had compiled and presented information on ABS in a format accessible to the public. The minutes of the first PSC meeting note that countries were constantly demanding simplified materials.

#### 3.2.1.1 Output 1.1 Capacity-building training modules and awareness-raising and outreach materials

59. By April 2011, the project prepared a series of three two-page factsheets:

- Access and Benefit-Sharing
- The Nagoya Protocol on Access and Benefit-Sharing
- The Nagoya Protocol on Access and Benefit-Sharing - Towards Early Ratification

These factsheets, generally titled “Nagoya Protocol Factsheets”, were designed to provide readers with a broad understanding of the key issues related to ABS and the Nagoya Protocol and procedures for ratifying/acceding to the Protocol. These factsheets, in six official UN languages, are available on the Nagoya Protocol section of the CBD website (see Output 1.2): <https://www.cbd.int/abs/factsheet/>.

60. The project also, by April 2011, updated the ABS Information Kit to include information on the Nagoya Protocol. The ABS Information Kit consists of:
- 2 brochures – ABS Information Kit, Introduction to Access and Benefit-sharing;
  - 6 factsheets – Access and benefit-sharing; Uses of genetic resources; Traditional knowledge; the Bonn Guidelines; National implementation; Nagoya Protocol on ABS; and
  - 7 PowerPoint presentations – Introduction on ABS; Summary of ABS; Uses of genetic resources; Traditional knowledge; the Bonn Guidelines; National implementation; Nagoya Protocol on ABS.

The updated ABS Information Kit is available in six official UN languages, plus Portuguese, and can be accessed on the Nagoya Protocol section of the CBD website (see Output 1.2): <https://www.cbd.int/abs/information-kit-en/>.

61. UNU-IAS, under its SSFA with the project, prepared a series of policy briefs and factsheets on seven ABS-related issues:

- Implementing the Nagoya Protocol
- The Agricultural Sector
- Botanicals
- The Cosmetics Sector
- The Food and Beverage Sector
- Industrial Biotechnology
- The Pharmaceutical Industry

The policy brief “implementing the Nagoya Protocol” provides an overview of ABS issues. It was completed in August 2012; the accompanying factsheet was completed in December 2013. The other six factsheets and policy briefs were completed by December 2013. The

seven factsheets are two pages and are available in six official UN languages. The seven policy briefs are 16-20 pages and are available in English. This series of high-quality materials, generally titled “Bioscience at a Crossroads: Access and Benefit Sharing in a Time of Scientific, Technological and Industry Change”, can be accessed on the Nagoya Protocol section of the CBD website (see Output 1.2): <https://www.cbd.int/abs/policy-brief/default.shtml/>.

62. According to the project final report, the awareness-raising materials were widely disseminated among international and regional bodies and international associations of parliamentarians, distributed at all project events and all meetings related to the Nagoya Protocol, and sent to individual countries that requested them. The final report noted that GEF-eligible CBD Parties were very receptive to the materials and that a large number of National ABS Focal Points informed the SCBD that they were frequently using these materials to brief decision makers during national consultation processes related to ratifying the Nagoya Protocol. The project final report also said that feedback to the SCBD from individual countries suggested that the materials the project produced and updates were instrumental in enhancing decision-makers’ awareness of the Nagoya Protocol.
63. The five responding ABS National Focal Points stated that their countries have used, and continue to use, the awareness-raising materials the project produced. Two countries distributed the materials at national and community levels and one country continues to use them in workshops and meetings. Another country used the project materials as a basis for developing its own national-language materials. One country used the materials as a basis for developing the briefing papers advocating ratification, another uses the materials as a basis for developing documents for meetings and as guidance in preparing draft legislation and regulations. One of the National Focal Points, whose national language is not one of the official UN languages, indicated that the materials would have been even more useful if there had been support to translate them into national languages. Another National Focal Point expressed that the materials would have been even more useful if they had analysed additional examples of best practice around the world.
64. The project did not produce training modules, which Output 1.1 specifically called for, because, after consultation with the UN Environment Task Manager, it was decided to focus the project’s resources on developing the awareness-raising materials. That decision was not recorded by either the SCBD or the UN Environment Project Manager in any project report.

### **3.2.1.2 Output 1.2 Development of a new online portal on ABS for dissemination of relevant information related to the Protocol**

65. The project developed the Nagoya Protocol portal on the CBD website: <http://www.cbd.int/abs/>. The SCBD continues to expand and update this portal, which contains information on the Protocol, Parties to the Protocol, key Protocol issues, the COP MOP, activities and communications, and resources, which include the materials the project developed and updated. The page on the Nagoya Protocol portal that is dedicated to awareness-raising was receiving 300-400 views per month during the project period and has continued to receive 150-250 views per month from the time the project closed in 2014 until the present.

## **3.2.2 Component 2 Building Readiness of Key Constituencies**

66. There were three outcomes for this component:
  - Enhanced political, legislative and policy readiness for the accelerated ratification of the Protocol

- Enhanced national stakeholder readiness for the accelerated ratification of the Protocol
- Enhanced political momentum and negotiation capacity in addressing issues of common concerns in accelerating the ratification process for the Protocol

Each outcome had one output.

67. The original project budget allocated a total of USD 1,598,750 for this component: USD 656,250 or 69% of the GEF contribution; and USD 942,500 or 80% of SCBD co-financing.

### **3.2.2.1 Output 2.1 Key political, legislative and policy partners and stakeholders trained through targeted briefings/workshops**

68. The initial key activity for this component was to promote awareness of ABS and the Nagoya Protocol among decision-makers. GLOBE International, under its agreement with the project to raise awareness of the Nagoya Protocol among legislators, carried out the following activities between October 2011 and March 2012:

- Circulated a letter to the GLOBE network of legislators from the CBD Executive Secretary and the GLOBE President, November 2011. The letter aimed to seek support to promote the early entry into force of the Nagoya Protocol by highlighting the central role that parliamentarians play in the ratification of multilateral environmental agreements.
- Facilitated the SCBD's attendance at the Commonwealth Parliamentary Association event 'International Parliamentary Conference on the Millennium Development Goals', in London in November 2011. The Vice-President of GLOBE International spoke about the importance of the early ratification and entry into force of the Nagoya Protocol.
- Arranged for a video presentation by the CBD Executive Secretary at the GLOBE Legislators Cape Town Forum, December 2011. GLOBE International circulated the 'ABS Factsheet' and the joint GLOBE/CBD letter to all of the legislators in attendance.
- Facilitated the SCBD's attendance at the Twentieth Annual Meeting of the Asia Pacific Parliamentary Forum (APPF) in January 2012 and coordinated with GLOBE Japan to ensure that the Nagoya Protocol was included in the meeting agenda. The report of the meeting requested APPF members to promote the Nagoya Protocol.
- Facilitated discussions on the Nagoya Protocol with legislators at the national level in Indonesia.
- Arranged for the Executive Secretary of the CBD to participate in the inaugural World Summit of Legislators in June 2012. The Rio+20 Globe World Summit of Legislators adopted a Legislator's Protocol which urged Governments to ratify the Nagoya Protocol.

The project final report noted only two of the activities listed above, but included a GLOBE-supported Inter-Parliamentary Hearing in Rwanda in July 2012 in a list of project events. A final report from GLOBE International was not available for the evaluation.

69. In addition to the activities GLOBE International reported, project staff and project partner UNU-IAS organised briefings during and at the margins of key regional and international meetings. Several of these briefings resulted in the adoption of resolutions and statements encouraging countries that had not done so to ratify or accede to the Nagoya Protocol:

- Council of Arab Ministers Responsible for the Environment, 23rd Meeting, 21-22 December 2011
- Asia-Pacific Parliamentary Forum, 20th Meeting, 8-12 January 2012

- Caribbean Community (CARICOM), Meeting of Officials Preparatory to the 39th Special Meeting of the Council for Trade and Economic Development (COTED), 17-18 April 2012. The ABS Initiative provided technical input during this event.
  - Kigali Declaration on Forests for People, Inter-Parliamentary Hearing, 8 July 2012
  - Gaborone Declaration on Climate Change and Africa's Development, 5th special session of the African Ministerial Conference on the Environment, 17-18 October 2013.
70. UNU-IAS staff participated on behalf of the project in several events convened by the UN Environment -GEF ABS project for the countries of the Association of South East Asian National (ASEAN ABS Project) (see paragraph 74) as well as the following meetings in the Asia-Pacific region:
- Special Meeting of the Indian National Biodiversity Authority, 10-13 July 2012, Chennai, India
  - Special Briefings with Governments of Vietnam and Laos, 16 and 30-31 August 2012, Hanoi, Vietnam and Vientiane, Laos
  - BIO KOREA 2012, 12 September 2012, Seoul, Korea
  - Access and Benefit Sharing Negotiations and Training Workshop, 11-14 February 2013, Apia, Samoa.
71. UNU-IAS contracted an ABS expert who participated on behalf of the project in the following meetings in Latin America:
- Andean Community of Nations/*Comunidad Andina de Naciones (CAN)*/ Amazonian Regional Meeting on '*Perspectivas y Pendientes en Material de Acceso a los Recursos Genéticos, Conocimientos Tradicionales y Propiedad Intelectual*' (Perspectives and Pending Issues on Access and Benefit Sharing (ABS), Traditional Knowledge and Intellectual Property, 16-17 August 2012, Lima, Peru
  - National meeting for the launching of the Project "Strengthening National Capacities to Implement the International Treaty on Plant Genetic Resources for Food and Agriculture", 23 August 2012, San Jose, Costa Rica
  - Regional meeting of the Environmental Focal Points and the Technical Committee on Biodiversity of the Central American Commission on Environment and Development (CCAD), 11 September 2012, by teleconference/Skype
  - Knowledge Café on Access and Benefit Sharing Guyana, 28 November 2012, Georgetown, Guyana
  - Bilateral Meeting with Environmental Protection Agency Guyana, 29 November 2012, Georgetown, Guyana
  - Workshop on Relationships between Global Regulations on Access and Benefit Sharing and Intellectual Property Rights, 16-18 January 2013, Antigua, Guatemala.
72. UNU-IAS, under its agreement with the project, participated in the following events related to the ASEAN ABS Project:
- In-Country Capacity Building Support for Vietnam and Laos, 14-15 August 2012, Hanoi, Vietnam and 27-29 August 2012, Vientiane, Laos
  - Southeast Asia Training-Workshop on Building Institutional and Stakeholders Capacities on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization, 20-23 August 2012, Bangkok, Thailand
  - Second Meeting of the International Project Steering Committee of the Southeast Asia Regional Project on ABS, 24 August 2012, Bangkok, Thailand
  - Third South East Asia Regional Workshop on Access and Benefit Sharing, 10-13 December 2012, Kuala Lumpur, Malaysia
  - Third International Project Steering Committee Meeting, 13 December 2012, Kuala Lumpur, Malaysia

- Access and Benefit Sharing Capacity Building Workshop, 22-24 January 2013, Dili, Timor-Leste
- Workshop on the (Draft) National Access and Benefit Sharing Framework, 28-29 January 2013, Vang Vieng, Lao PDR.

73. The project also contributed to workshops to build capacity for ABS, some of which adopted statements in support of ratifying the Nagoya Protocol:

- East African Community, Workshop on the Nagoya Protocol for members of the Committee on Agriculture, Tourism and Natural Resources, East African Legislative Assembly, 27 May 2011
- Pan-African Parliament, Information session on the Nagoya Protocol for members of the Permanent Committee on Agriculture, Rural Economy, Natural Resources and Environment, 28 July 2011
- Pacific Region Capacity Building and Awareness Raising Workshop on ABS, participants from the Cook Islands, Fiji, Kiribati, Nauru, Palau, Papua New Guinea, Samoa, Solomon Islands, Tonga, Tuvalu and Vanuatu, 8 October 2011. The ABS Initiative provided technical input during this event.
- Regional Workshop for ABS Focal Points and parliamentarians of the Southern Africa Development Community (SADC), 17-18 September 2012. The ABS Initiative contributed financially and provided technical input during the workshop.

74. The project final report included a list, in chronological order rather than by project output, of key meetings, briefings and events. The items in that list that specifically indicated that the event focused on legislators and/or political and policy stakeholders and that are not listed in paragraphs 70-75 are:

- Briefing to the Permanent Missions to UNESCO, 7 April 2011, Paris, France
- Briefing to the Environmental Commission, *Assemblée Nationale du Sénégal*, 24 May 2011, Dakar, Sénégal
- Briefing to the East African Legislative Assembly, 27 May 2011, Arusha, Tanzania
- Meeting of Foreign Affairs Ministers of the African Union, 24 June 2011, Malabo, Equatorial Guinea
- Briefing to the Committee on Agriculture, Livestock and Environment of the Parliament of Rwanda, 27 June 2011, Kigali, Rwanda
- Briefing to the Meeting of Heads of States of the Africa Union, 27 June-1 July 2011, Malabo, Equatorial Guinea
- Meeting with official from the Government of Quebec, 29 September 2011, Quebec, Canada
- Meeting with Members of Parliament of Gabon, 24 September 2011, Libreville, Gabon
- Meeting with Members of Parliament of Mali, 27 September 2011, Bamako, Mali
- Briefing with the Secretariat of the Pacific Community (no date given)
- Briefing with the South Pacific Regional Environment Programme (no date given)
- Briefing in Honduras with the Secretary of State Natural Resources and Environment, Director of External Cooperation and Resource Mobilization of the Secretariat of Natural Resources and Environment, Director of Biodiversity Direction, officer in charge of treaties in the Secretariat of Foreign Affairs, the CBD Political focal point and the CBD Technical focal point (no date given)
- Briefing to members of the *Réseau des parlementaires pour la gestion durable des écosystèmes forestiers d'Afrique Centrale* (no date given)
- Briefing to the Inter-Parliamentary Union 126th Assembly, 31 March-5 April (year not given), Kampala, Uganda
- Capacity-building workshop on ABS back-to-back with ICNP-2, 30 June-1 July 2012, New Delhi, India

- Regional Capacity Building Workshop on the Nagoya Protocol for Parliamentarians and decision makers of the West Africa sub-region, 24- 27 July 2012, Cotonou, Benin. The ABS Initiative contributed financially and provided technical input during the workshop.

### **3.2.2.2 Output 2.2 ABS component to be integrated into regional and sub-regional capacity building workshops for CBD focal points and relevant implementers**

75. For this output, the project final report states that briefings on the Nagoya Protocol were included as a component of workshops on National Biodiversity Strategies and Action Plans (NBSAPs) carried out in Southern Africa, West Africa, Central Africa, Eastern Africa, Pacific, Caribbean and Mesoamerica. The final report, in a list of key meetings, briefings, and events, indicates two NBSAP workshops:

- Briefing on the Nagoya Protocol during a one-day workshop hosted by the ABS Capacity Building Initiative organized back-to-back with the NBSAP Regional Capacity Building workshop for the Pacific, organized by the Secretariat of the Convention on Biological Diversity (no date given);
- Briefing on the Nagoya Protocol during the NBSAP Regional Capacity-building Workshop for the Caribbean, organized by the Secretariat of the Convention on Biological Diversity (no date given).

76. The project final report's chronological list of key meetings, briefings and events also lists the following regional and sub-regional events to which the project contributed:

- 4th ABS workshop for East Africa and Maghreb, sponsored by GIZ, 26 September-1 October 2011, Bamako, Mali
- Briefing on the Nagoya Protocol at the ABS Capacity Development Initiative 6th Pan-African ABS workshop, 1-5 February 2012, Limbe, Cameroon
- Briefing during the ABS Capacity Development Initiative Pacific ABS Workshop, 22-24 May 2012, Asau, Samoa
- Regional Capacity-building Workshop on the Nagoya Protocol for Central and Eastern Europe and Central Asia, 11-13 December 2012, Budapest, Hungary
- Regional Capacity-building Workshop on the Nagoya Protocol for Middle East region and Djibouti, Libya, and Mauritania, 9-10 April 2013, in Amman, Jordan
- Sub-regional Capacity-building Workshop on the Nagoya Protocol for the Pacific, 25-29 November 2013, Suva, Fiji
- Sub-regional Capacity-building Workshop on the Nagoya Protocol for East, South and South-east Asia, 3-7 December 2013, Chennai, India.

### **3.2.2.3 Output 2.3 ABS National Focal Points and indigenous and local communities trained to assist key players at the national level with a view to expedite the entry into force of the Protocol**

77. The project supported three workshops on building capacity for ABS. The SCBD co-organized all three workshops with the Secretariat of the International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA)<sup>14</sup>.

- Workshop on Capacity-building on Access and Benefit-sharing, 4-5 June 2011, Montreal. The workshop focused on identifying countries' capacity needs to

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<sup>14</sup> The ITPGRFA also governs access to genetic resources and sharing the benefits of their use, specifically for 64 plant species that are the most important crops used for food and agriculture.

implement the Nagoya Protocol and the ITPGRFA, which both govern ABS but are different in scope.

- Second Workshop on Capacity-building on Access and Benefit-sharing, 29-30 October 2011, Montreal. The workshop focused on national issues related to the implementation of the Protocol and measures related to traditional knowledge associated with genetic resources.
- Third Workshop on Capacity-building on Access and Benefit-sharing, 30 June-1 July 2012, in New Delhi. The purpose of the third workshop was to focus on strategic approaches to building capacity to support the implementation of the Nagoya Protocol.

The MSP document indicated that these workshops would target ABS national focal points and indigenous and local communities (ILCs). More than 100 of the 169 GEF-eligible countries sent at least one representative to these workshops: 18 countries sent a representative to all three workshops; 46 countries were represented at two workshops; and 41 countries participated in one workshop. Table 5 provides an overview of participation in the capacity building workshops the project sponsored.

**Table 5. Stakeholder participation in project-supported workshops**

	<b>Workshop 1 4-5 June 2011</b>	<b>Workshop 2 29-30 October 2011</b>	<b>Workshop 3 30 June-1 July 2012</b>
CBD Parties	173	29	138
▪ ABS Focal Points	5	0	6
▪ CBD Focal Points	3	1	2
NGOs	1	2	4
ILCs	10	16	4
Women <sup>15</sup>	79	27	51
Men	100	20	14
Private sector	1	0	0
Universities/research institutions	3	2	2
Observers and others	9	6	39
<b>Total participants</b>	<b>197</b>	<b>55</b>	<b>187</b>

78. The project final report lists the following activities that do not appear to be directly linked to a specific output:

- Briefing during the Annual Conference of the Union for Ethical BioTrade, 5 May, Paris, France
- Legal and Regulatory Annual Conference of the Personal Care Products Council, 17-20 May 2011, San Francisco, USA
- Fourth meeting of the Ad Hoc Open-ended Informal Working Group to study issues relating to the conservation and sustainable use of marine biological diversity beyond areas of national jurisdiction of the UN Law of the Sea, 31 May-3 June 2011, New York, USA

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<sup>15</sup> The figures for gender distribution of workshop participants are for only those categories of participants the project targeted – CBD Parties and particularly ABS National Focal Points, NGOs, and representatives of indigenous and local communities (ILCs). It was not possible in every case to determine the gender of individual participants. The figures for women and men given in this table include only those whose gender was indicated in the list of participants.



- Participation and briefing on the Nagoya Protocol during l'École d'été francophone, Organisation internationale de la francophonie, 20-23 September 2011, Libreville, Gabon.
79. The awareness materials the project produced are high technical quality. The materials are factual and objective. They provide in-depth overviews of key issues involved in ABS. It was not possible, with project resources, to prepare country-specific materials for all GEF-eligible CBD Parties. One obstacle to using the materials is that some countries do not have experts who have the capacity to adapt the materials with country-specific issues to explain why ABS is important at the individual country level. Doing that will require additional expert assistance for the countries that require it. The overall rating on achievement of outputs is 'satisfactory'.

### 3.3 Effectiveness: Attainment of project objectives and results

80. The project was timely and the objective was clear, which helped to make it effective in assisting GEF-eligible CBD Parties to prepare for ratification and the early entry into force of the Nagoya Protocol.
81. There were other initiatives, including other GEF-funded projects, which also promoted ratification of the Nagoya Protocol. It was not possible to directly attribute the ratification and entry into force of the Nagoya Protocol to this project alone, but 84% of the countries that ratified or acceded to the Nagoya Protocol during the project period had participated in a project-sponsored event (see paragraph 56). The overall rating for effectiveness is satisfactory.

#### 3.3.1 Achievement of direct outcomes

##### 82. **Direct Outcome 1: Enhanced understanding by key stakeholders of the provisions in the Protocol and the implications for government and other stakeholders.**

The project produced and updated packages of high-quality, reportedly well-received materials that ABS stakeholders have used to explain what ABS is and the issues that are involved with it, and why countries should ratify the Nagoya Protocol. All of the materials the project produced are available on the Nagoya Protocol pages of the CBD website, whose development the project also supported. According to the project team, this project outcome was, and continues to be, a significant contribution to broader understanding of ABS and the Nagoya Protocol, which cannot be underestimated.

##### 83. **Direct Outcome 2: Enhanced political, legislative and policy readiness for the accelerated ratification of the Protocol.**

The project's strategy was to reach out not only to the CBD's usual stakeholders, but also to try to influence key decision makers such as parliamentarians and foreign affairs officials who make the ultimate decisions to sign, ratify, or accede to an international agreement such as the Nagoya Protocol. Project activities targeted legislators and policy-makers more than any other stakeholder group and secured statements and resolutions from bodies representing African countries, Arab states, the Asia-Pacific region, and the Caribbean promoting ratification and implementation of the Nagoya Protocol. The texts of these statements and resolutions were available for the evaluation. They are visible, tangible, documented evidence of enhanced political, policy, and legislative readiness to address the issues involved in ABS and implement the Nagoya Protocol (see paragraph 71).

##### 84. **Direct Outcome 3: Enhanced national stakeholder readiness for the accelerated ratification of the Protocol.**

The project also targeted the CBD's usual stakeholders including national CBD and ABS Focal Points. Three workshops co-organized by the SCBD and the ITPGRFA Secretariat targeted these institutional stakeholders, as well as representatives of indigenous and local

communities. The project provided briefings on the Nagoya Protocol for participants in NBSAP workshops in the Caribbean and the Pacific and for seven other regional and sub-regional workshops focused on raising awareness of ABS and the Nagoya Protocol in Africa, Central and Eastern Europe and Central Asia, the Middle East, East, South and Southeast Asia, and the Pacific.

**85. Direct Outcome 4: Enhanced political momentum and negotiation capacity in addressing issues of common concerns in accelerating the ratification process for the Protocol.**

The process of signing, ratifying or acceding to an international agreement varies from country to country and can be lengthy and complicated. National processes are often subject to internal, political factors that are beyond the scope of a project to address. In addition to consultations during project events and other meetings, the Global ABS Project maintained communication by email and telephone to get updates on where each country was in its ratification process and to understand what each country needed to support that process. In most cases, it is not possible to definitively state that any particular country's ratification of the Nagoya Protocol was entirely due to the project. One of the responding ABS National Focal Points stated that the project provided the impetus for the Ministry responsible for biodiversity to work with the Ministry of Foreign Affairs to make the case for ratification and that a project PowerPoint presentation was used in the national workshop that resulted in consensus to sign and ratify the Nagoya Protocol, after the project had ended.

86. The overall rating on attainment of direct outcomes is 'satisfactory'.

### **3.3.2 Likelihood of impact**

87. The discussion of the likelihood of impact cannot be disconnected from the discussion of sustainability of direct project outcomes, because it will take a long time to achieve medium-term outcomes, the intermediate state, and impact, well beyond the project lifetime. The immediate project outcome – the Nagoya Protocol is in force – will require sustained support for national measures to implement it, long after project completion, and additional follow-up activities will be required for the intended impact to occur. The MSP document did not consider pathways toward impact because that type of analysis was not required at the time the project was designed. The MSP document also did not ask the question 'what next?' That question has been partly answered by the Parties to the Nagoya Protocol. At COP MOP-1, in October 2014, the Parties to the Protocol adopted decisions on capacity building<sup>16</sup> and awareness-raising<sup>17</sup>, the tools identified in the objective of this project. GEF-6 (2014-2018) supports national measures designed to move towards the medium-term outcomes and the intermediate state proposed in the reconstructed ToC.

#### *Drivers*

88. The MSP document did not identify a driver or drivers. This evaluation extracted information from the MSP document to propose what could have been a driver for the project: Stakeholders have a sustained interest in ABS and those not directly involved with

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<sup>16</sup> Conference of the Parties to the Convention on Biological Diversity Serving as the Meeting of the Parties to the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization. 2014. NP-1/8. Measures to assist in capacity-building and capacity development. UNEP/CBD/NP/COP-MOP/DEC/1/8. 20 October.

<sup>17</sup> Conference of the Parties to the Convention on Biological Diversity Serving as the Meeting of the Parties to the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization. 2014. NP-1/9. Measures to raise awareness of the importance of genetic resources and associated traditional knowledge. UNEP/CBD/NP/COP-MOP/DEC/1/9. 20 October.

ABS will maintain interest in it after participating in project activities (see paragraph 44). This project specifically targeted not only national ABS focal points and other usual CBD stakeholders, but also key decision makers including parliamentarians and foreign affairs officials (see paragraph 85) and did what it could to influence them (see paragraphs 70-76).

89. This evaluation proposed three drivers that could move the project's outcomes toward medium-term outcomes, intermediate states, and the eventual global impact (see paragraph 44 and Figure 1).
- One of those drivers is that the CBD COP requests the GEF to fund capacity building for implementing the Protocol. The likelihood of the project's outcomes leading to the impact/global environmental benefit will depend in part on the request the CBD COP makes to the GEF to fund capacity building for implementing the Protocol. COP-MOP 2 was held 4-17 December 2016. The report of the Informal Advisory Committee on Capacity-building available on the Nagoya Protocol website did not include a specific element in the draft recommendation to COP MOP 2 to request the GEF to provide funding for capacity building.<sup>18</sup>
  - Another driver is that improved capacity and understanding of ABS issues will lead to adoption of measures to implement ABS. The project drew in non-traditional decision-maker stakeholders whose awareness of ABS will carry forward, particularly because they have the high-quality awareness-raising materials that the project produced and disseminated widely (see paragraphs 61-63 and 70-76). A document to be submitted to COP MOP 2 describes the progress by Nagoya Protocol Parties in establishing ABS domestic legislative, administrative or policy measures (see paragraph 115).
  - The third driver is that Parties to the Nagoya Protocol share their experiences in implementing it. Parties do this at the COP MOP every two years. The Nagoya Protocol requires that an Access and Benefit-sharing Clearing-House be created and the SCBD has done so, not as a result of this project, but because the Nagoya Protocol requires it. The primary purpose of the Clearing-House is to facilitate sharing of experiences among Parties.<sup>19</sup> Two of the responding ABS National Focal Points stated that the project workshops were useful opportunities to share experiences.

#### *Assumptions*

90. The MSP document indicated two assumptions at the level of the project's objectives; two of those were drivers, rather than assumptions, and have been indicated as such in paragraph 44 and Figure 1. This evaluation identified two assumptions, in addition to the third one set out in the MSP document.
- The assumption from the MSP document was that political will exists to adopt effective ABS measures. A related assumption, which is actually a pre-condition for the assumption from the MSP document, is that ABS remains a priority at national level. The likelihood of the project's outcomes leading to the impact/global environmental benefit will depend to a significant degree on the priority that Parties to the Nagoya Protocol assign to implementing it and their willingness to address the

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<sup>18</sup> Conference of the Parties to the Convention on Biological Diversity Serving as the Meeting of the Parties to the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization. 2016. Progress Report on Implementation of the Strategic Framework for Capacity-Building and Development to Support the Effective Implementation of the Nagoya Protocol. UNEP/CBD/NP/COP-MOP/2/8. 12 October. <https://www.cbd.int/doc/?meeting=NP-MOP-02>

<sup>19</sup> Convention on Biological Diversity. The ABS Clearing-House. <https://www.cbd.int/abs/theabsch.shtml>

technical and social issues involved in implementation (see section 4.4.2). The fact that Parties have already taken major steps to create the institutional structure required to implement ABS is a positive indication (see paragraph 115).

- The third assumption is that monetary benefits from ABS will not serve as incentives to harvest biological resources unsustainably. When ABS is implemented effectively and benefits begin to flow, it is possible that both producers and users of genetic resources will want to maximize those benefits without paying attention to negative impacts on the biological resources (see paragraphs 96-97). Costa Rica has demonstrated that it is possible to balance monetary and non-monetary benefits from ABS; the lessons that country has learned have already been shared and the information is available for others.

*What would have happened anyway, without the Global ABS Project?*

91. At the time project implementation began, no country had yet ratified the Nagoya Protocol. Without the project, countries that had signed the Protocol would have proceeded with ratification at the paces dictated by their own priorities, procedures, and capacities. The project provided an impetus for these processes to move more quickly. A relatively small number of countries that had not been involved in any project activity ratified the Nagoya Protocol after the project ended (see paragraph 56).

*What happened because of the Global ABS Project?*

92. The MSP document noted that the SCBD is not a capacity building organ, although it had developed toolkits and guidelines and facilitated discussions, particularly with indigenous and local communities. The SCBD was learning by doing as it executed this capacity-building and awareness-raising project. Before the Global ABS Project, the SCBD was focused on servicing meetings to help countries move toward ratifying the Nagoya Protocol. The project gave the SCBD much-needed resources for communication and outreach and specifically focused those resources on promoting ratification and accession. With these resources, the project not only encouraged countries that had already signed the Protocol to ratify it, it also encouraged countries that had not signed to sign. More than 100 GEF-eligible countries participated in the capacity-building workshops the project convened and one-third of those countries ratified or acceded to the Protocol during the project period (see paragraphs 56 and 79). One of the responding ABS National Focal Points indicated that input from the project was instrumental in achieving national consensus to sign and ratify the Nagoya Protocol (see paragraph 87).
93. The materials the project produced are still being used extensively by the SCBD, countries, and others. The SCBD would have had to find a way to produce such resources, but securing funding just to develop materials alone would have been challenging. The factsheets and policy briefs the project developed to promote ratification are now being used as tools for implementing the Nagoya Protocol. Countries that are now Parties to the Protocol are using the project materials to develop their own long-term implementation frameworks. This was not the objective in creating these resources and was beyond the scope of the project, but it illustrates the usefulness of the materials and their potential for supporting actions that achieve the project's ultimate impact.

*Potential negative impacts*

94. UN Environment, in its 2012 publication *GE05: Environment for the Future We Want*, addressed the equity issues associated with ABS, but not the environmental issues. GE05 gave the following assessment of the issues driving the adoption of the Nagoya Protocol:

The impetus behind the Nagoya Protocol arose from growing discontent amongst developing countries and indigenous and local communities regarding the lack of implementation of the benefit-sharing provisions of CBD since it came into force in

1993. This was compounded by only a handful of user countries undertaking any compliance measures to prevent bio-piracy despite the adoption of Bonn Guidelines in 2002. The Nagoya Protocol is an important milestone for rectifying the issues of equity associated with the commercial use of genetic resources and associated traditional knowledge. The Protocol is also unprecedented in its recognition of the right of indigenous and local communities to regulate access to traditional knowledge associated with genetic resources in accordance with their customary laws and procedures.<sup>20</sup>

95. As stakeholders increase their understanding of ABS and their capacity to implement it, the potential for conserving biological resources and using them sustainably should increase. A conceivable negative environmental impact that could result from implementing the Nagoya Protocol is that the lure of potential monetary benefits from ABS may provide incentives to harvest biological resources unsustainably and/or obtain associated traditional knowledge without appropriate sharing of benefits with those who provide it.
96. The overall prospects that the project will achieve the long-term impact proposed in the reconstructed ToC are rated as 'moderately likely'.

### **3.3.3 Achievement of project goal and planned objectives**

97. The MSP document did not state a goal for the project. The objective was to assist GEF-eligible CBD Parties to prepare for ratification and the early entry into force of the Protocol through targeted awareness raising and capacity building. The project was successful in promoting the ratification and entry into force of the Nagoya Protocol.
98. The SCBD's, and the MSP document's, original target for the Nagoya Protocol to enter into force was within two years of its adoption, so that CBD COP-11 in 2012 would serve as COP MOP-1. In July 2014, less than 10 days after the extended project closed, the 50<sup>th</sup> signatory ratified the Nagoya Protocol, triggering the Protocol's entry into force 90 days later, on 12 October 2014, which was two weeks less than four years after it was adopted. All ratifications of the Nagoya Protocol took place after the project began.
99. The overall rating on achievement of the project's planned objective, as stated in the MSP document, is 'satisfactory'.

### **3.4 Sustainability and replication**

100. The MSP document did not provide for specific follow-up to the project. The project provided additional funding for functions that are part of the SCBD's core work; post-project, the SCBD continues to promote ratification, capacity-building, and awareness-raising.
101. ABS is one of the CBD's three objectives. It appears unlikely that the CBD would be amended to change that. Beginning with CBD COP-3 in 1996, each CBD COP has adopted a decision on ABS which includes a call to build capacity for implementing it. CBD COP-7 in 2004 adopted a capacity building action plan. Decisions of COP-9 in 2008 and COP-11 in 2012 specifically invited the GEF to strengthen its strategic programme on capacity building for ABS and to provide resources for it. Building capacity on ABS has been part of the GEF's biodiversity focal area strategy since GEF-4 (2006-2010). COP MOP-1 of the Nagoya Protocol in 2014 adopted a strategic framework for capacity building (see paragraph 88).

The explicit mandate for building capacity, from the Parties to the Nagoya Protocol, is a further indication of countries' commitment to building capacity for and implementing ABS, which enhances the prospects for sustainability of the project's results.

### **3.4.1 Financial sustainability**

102. The project gave the SCBD the resources to respond to country needs, on the specific issue of ratifying the Nagoya Protocol, for a limited period of time. One challenge for the SCBD post-project is to continue responding to the demands of Nagoya Protocol Parties and other CBD Parties, without the dedicated financial resources the project provided. Building capacity on ABS has been part of the GEF's biodiversity focal area strategy since GEF-4 (2006-2010). The GEF takes direction from the CBD COP for the content of its biodiversity focal area strategy. As ABS is one of the CBD's three fundamental objectives, it may be considered likely that the COP will continue to include ABS in its direction to the GEF.
103. In addition to the GEF Trust Fund, the GEF administers the Nagoya Protocol Implementation Fund (NPIF). As of May 2016, the GEF reported<sup>21</sup> that the NPIF was supporting 27 countries' processes to ratify the Nagoya Protocol. One NPIF project, which UN Environment is implementing, has a global scope and began in May 2013 with 21 participating countries from Africa and Central Asia. By May 2016, 10 of those countries had ratified the Protocol and the others were in the process of depositing their instruments of ratification. Two other UN Environment -implemented NPIF projects that support ratification and implementation of the Nagoya Protocol are regional – one for central Africa and the other for the Pacific. As of May 2016, the NPIF was also supporting implementation of the Protocol in 25 countries that had ratified it.
104. Bilateral donors, particularly Germany and Japan, continue to provide funding to build capacity for ABS. Financial support from the Japan Biodiversity Fund is enabling the SCBD to develop training materials to support implementing the Protocol.
105. Financial sustainability of the project's results – which require actually implementing the Nagoya Protocol – does not depend solely on GEF funding or other sources of international aid. It will also require commitment from governments to invest cash and in-kind resources to the task. The majority of the 17 countries that are considered megadiverse and which are also providers of genetic resources are in varying stages of development. Three of those countries have not yet signed the Nagoya Protocol. According to the MSP document, half of the developing megadiverse countries that gave a ranking, ranked ABS as a high national priority, while the other half ranked ABS as a medium or low priority.
106. Given that financial sustainability depends in part on national governments, the overall rating on financial sustainability is 'moderately likely'.

### **3.4.2 Socio-political sustainability**

107. The MSP document assumed that there was sufficient political will on the part of individual countries to translate the Nagoya Protocol into their national legal regimes. It highlighted the ASEAN ABS Project and the multi-donor ABS Capacity Development Initiative in Africa as evidence of acceptance and ownership of other ABS projects. The MSP

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<sup>21</sup> Global Environment Facility. 2016. Progress Report on the Nagoya Protocol Implementation Fund. GEF/C.50/Inf.08. 10 May. Available online: [https://www.thegef.org/gef/sites/thegef.org/files/documents/EN\\_GEF.C.50.Inf\\_08\\_NPIF\\_Progress\\_Report\\_v2.pdf](https://www.thegef.org/gef/sites/thegef.org/files/documents/EN_GEF.C.50.Inf_08_NPIF_Progress_Report_v2.pdf)

document stated that such projects indicate sufficient demand by countries to fulfil their international obligations on ABS and that this demand should be enough to negate any negative impacts due to any lack of political will.

108. Several factors that could negatively affect the sustainability of implementing the Nagoya Protocol at national level include: lack of funding; governments assigning low political priority to ABS; lack of political will once projects have ended; inadequate capacity; and inadequate governance structures.
109. According to the SCBD, as of November 2016, 81 countries had ratified or acceded to the Nagoya Protocol and an additional 37 countries had signed but not yet ratified it. A significant number of countries that have not even signed the Nagoya Protocol have designated National ABS Focal Points, perhaps indicating those countries' intentions to accede to the Protocol in the future. Even those CBD Parties that have not ratified or acceded to the Nagoya Protocol have already assumed the obligation to implement ABS under Article 15 of the CBD.
110. The project attracted interest from a diverse audience that included national government officials and regional bodies that are not usually considered ABS stakeholders, as well as traditional CBD and ABS stakeholders. It stimulated further discussion and dissemination of information regarding the Nagoya Protocol. Countries are using the materials the project produced, which are available on the internet as well as in hard copy, to develop national measures to implement the Protocol.
111. The overall rating on socio-political sustainability is 'moderately likely'.

### **3.4.3 Institutional framework**

112. The institutional framework exists at the international level – the SCBD. The MSP document noted that the SCBD's ABS Unit is the only institutional structure in the world dedicated to ABS, that its convening power on ABS is globally recognized and politically accepted, and that it provides the global hub of expertise on ABS, indicating that the SCBDs' role in sustaining project results would be significant. The SCBD collaborates with the ITPGRFA Secretariat and with other intergovernmental institutions, such as the International Development Law Organization, particularly on training to implement ABS and the Protocol.
113. The MSP document also indicated that national institutions would ultimately have to sustain project results by regulating ABS, which was outside the scope of the Global Project. The MSP document noted that countries across all regions had indicated a lack of institutional capacity to implement ABS. This does not necessarily mean that an institutional framework does not exist at the national level, but even where national institutions exist, many of them did not have sufficient capacity to implement ABS. This assessment was apparently based, at least in part, on information from countries' second and third national reports to the CBD, which were to have been submitted more than 10 years ago (see paragraph 50). The report of the First Meeting of the Subsidiary Body on Implementation reported the progress by Parties in establishing the institutional structures required for implementing the Protocol.<sup>22</sup> As of 12 February 2016:
  - 68 Parties (94%) had designated a national ABS focal point;
  - 22 Parties (31%) had established one or more competent national authorities;

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<sup>22</sup> Convention on Biological Diversity. 2016. Progress towards Aichi Biodiversity Target 16 on the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization. UNEP/CBD/SBI/1/3. 29 February. paragraphs 14-24. <https://www.cbd.int/doc/?meeting=SBI-01>

- 6 Parties (8%) had designated one or more checkpoints; and
- 3 Parties (4%) had established country-specific institutional structures for implementing ABS.

114. The overall rating on institutional sustainability is ‘moderately likely’.

#### **3.4.4 Environmental sustainability**

115. The MSP document and the project final report did not address environmental safeguards or environmental sustainability. This criterion was not applicable to this project.

116. It was not possible to rate environmental sustainability for this project.

#### **3.4.5 Catalytic role and replication**

117. The project sought to catalyse the process of ratifying the Nagoya Protocol. Each country’s internal processes for ratifying international agreements is subject to internal, political factors that were beyond the scope of the project to address (see paragraph 87). Therefore, the project’s catalytic role varied substantially from country to country.

118. The minutes of the second PSC meeting noted that the project team was keeping in close contact with countries which had ratified and was exploring how these countries could act as ‘champions’ to promote ratifying the Protocol among other countries. Seychelles was one such ‘champion’. The project requested Seychelles, which ratified the Nagoya Protocol in April 2012, to host the Regional Workshop for the Southern Africa Development Community (SADC) in September 2012 (see paragraph 75) to encourage other SADC member countries that had not yet ratified or acceded to the Nagoya Protocol to do so. The workshop adopted recommendations for SADC parliamentarians, the first of which was to champion and promote the ratification of the Nagoya Protocol in their respective parliaments and in the region. Within the project period, two SADC countries – Botswana and Namibia – acceded to the Nagoya Protocol. As of September 2016, 12 of the 15 SADC member countries had ratified or acceded to the Nagoya Protocol.

119. Based on the list of Parties to the Nagoya Protocol on the CBD website on 1 February 2017, 43 GEF-eligible countries ratified or acceded to the Protocol after the project closed. Of those countries, 34 (79%) had participated in at least one of the capacity-building workshops the project convened. The high percentage of GEF-eligible countries that ratified or acceded after sending a representative to a project-sponsored workshop tends to indicate that the project had a catalytic effect even after it closed.

120. This project’s strategy and activities – reaching out to decision-makers who are not traditional ABS stakeholders and providing them with reliable information in a variety of ways – are replicable. In the event that the Parties to the CBD decide to adopt another Protocol, the experience with this project will inform any decision to undertake a similar initiative to promote ratification of a new Protocol.

121. The overall rating on the project’s catalytic role is ‘satisfactory’ and on replicability is ‘moderately likely’.

### **3.5 Efficiency**

122. The MSP document stated that the project’s intention to expedite ratification of the Nagoya Protocol was intended to be a cost-saving investment, as opposed to the ‘normal’



ratification process, which from previous experience had been lengthy. Previous experience was that the CBD was ratified and in force within less than two years and the Cartagena Protocol<sup>23</sup> entered into force approximately three-and-one-half years after it was adopted. The MSP document assumed that the project's investment would decrease the time required for the Protocol to achieve the necessary 50 ratifications and hence reduce the amount of time and money that would have to be invested to secure the Protocol's entry into force. The Nagoya Protocol entered into force slightly less than four years after it was adopted.

123. The project built on the outcomes of the GEF-financed National Capacity Self-Assessment projects. It coordinated closely with the network of National ABS Focal Points world-wide. Project reports document that it also coordinated with the regional UN Environment /GEF ABS projects for the ASEAN countries and Latin America (see paragraphs 74 and 142). The project used cost-saving measures including: organizing very few stand-alone events and saving travel costs by piggy-backing on CBD meetings, including workshops for NBSAPs (see paragraph 76); holding PSC meetings back-to-back with ABS-related events and by teleconference; holding project-sponsored workshops back-to-back with ICNP meetings; identifying and organizing briefings on the Nagoya Protocol during regional and sub-regional meetings which brought together large numbers of decision-makers involved in national ratification processes (see paragraphs 70-78); and relying on contracted experts to act on behalf of the project in two regions. The ASEAN ABS Project covered the costs of the UNU-IAS expert who participated in that project's events on behalf of the global project.
124. The project's original total budget was USD 2,104,150, of which USD 1,159,400 was cash and in-kind co-financing from the SCBD. By the end of the project, the SCBD had contributed total co-financing of USD 2,109,035, or 82% more than anticipated. The most significant adjustments to the project budget in both project revisions were to increase the budget line for staff travel and to decrease the budget lines for publications (see paragraph 169). The total cost of the project was USD 2,994,892, or 42% more than budgeted. The GEF contribution to the project was under-spent by USD 58,893, or 6%.
125. The Cartagena Protocol and the Nagoya Protocol govern different aspects of the use of genetic resources. The Cartagena Protocol governs the movement of living genetically-modified organisms between countries. The Nagoya Protocol aims at sharing the benefits arising from the use of genetic resources in a fair and equitable way. The Cartagena Protocol provides a framework for countries to control organisms whose genetic resources have been modified. The Nagoya Protocol requires countries to introduce mechanisms to share, both domestically and bilaterally, benefits from using genetic resources. It is clear that the two Protocols deal with different aspects of the use of genetic resources and are not directly comparable. In the case of the Cartagena Protocol, UN Environment executed a GEF-funded global project to support development of national biosafety frameworks. The objective of that project was to build capacity for national implementation. Countries had to have declared their intent to ratify the Cartagena Protocol in order to be eligible to participate in the project, which provided an incentive for ratification. The total cost of the project supporting national biosafety frameworks was USD 38,433,000; the GEF contribution was USD 26,092,000. UN Environment and participating countries contributed USD 12,341,000 in co-financing; there was no breakdown available indicating the SCBD's specific contribution to co-financing.

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<sup>23</sup> The CBD's Article 19.3 specifically called on Parties to consider a protocol on biosafety. The Cartagena Protocol on Biosafety was the first Protocol that CBD Parties adopted, on 29 January 2000; it entered into force on 11 September 2003.

126. It took almost five months longer to achieve 50 ratifications of the Nagoya Protocol than it did to achieve the same number of ratifications of the Cartagena Protocol. Because information on the amount of money the SCBD dedicated to promoting the ratification of the Cartagena Protocol was not available, it was not possible for this evaluation to compare the efficiency of the SCBD's investments in securing the entry into force of the two protocols. The project that supported developing national biosafety frameworks focused on capacity for national implementation, which in turn provided an incentive for ratifying the Cartagena Protocol. The Global ABS Project focused solely on ratification and did not address national implementation. Whatever the relative cost of achieving the ratifications necessary for both protocols, the Global ABS Project enabled the SCBD to respond quickly and substantively to specific requests from CBD Parties regarding the Nagoya Protocol. It will be some time before it may be possible to calculate the long-term value of that response, for the SCBD and for the Parties.
127. The Nagoya Protocol did not enter into force any more quickly than the previous CBD Protocol. The project did use cost-saving measures, but by the end of the project, the SCBD had invested 82% more in co-financing than originally budgeted. The overall rating on efficiency is therefore 'moderately satisfactory'.

## **3.6 Factors affecting performance**

### **3.6.1 Preparation and readiness**

128. Both UN Environment and the SCBD were involved in designing the project. The content of the MSP document was satisfactory for two of the evaluation's project design criteria: relevance and efficiency. It was moderately satisfactory for the following criteria: intended results and causality; replication and catalytic effects; risk identification and social safeguards; governance and supervision; financial planning and budgeting, and evaluation. It was moderately unsatisfactory in the way it provided for sustainability of project outcomes, management, execution and partnership arrangements, and monitoring. It did not foresee ways of mobilizing resources other than co-financing from the SCBD and the project did not leverage any funding.
129. The overall focus of the MSP document and the components it proposed were appropriate and the project activities necessary to achieve the project objective. When implementation began, however, project staff realized that many assumptions – about time, funding, and countries' internal processes, among others – had to be re-examined. See section 4.6.2.
130. The MSP document implied that SCBD/project staff would visit countries on an individual basis. That was not feasible, either in terms of time or available funding. The project had to find partners in order to be able to respond to as many countries in as many regions as possible. The MSP document did not anticipate the need for partnerships, stating that, for project Component 2 only, unidentified partners would be invited to participate, as appropriate.
131. The MSP document did not realistically establish its scope. It stated that the project would support "at least 50" – the minimum number needed for the Nagoya Protocol to enter into force – of the 169 GEF-eligible CBD Parties, but did not specify a limit on the number of countries with which the project could work, given the project duration and available resources.
132. Although the MSP document noted that awareness of the implications of the Nagoya Protocol was mostly limited to technical specialists and CBD negotiators while other national decision-makers had not yet for the most part fully understood its potential impact on advancing the CBD at national level, it nevertheless proposed that the Nagoya Protocol

could be ratified by 50 countries and in force within two years, by 2012. The CBD's Strategic Plan for Biodiversity 2011-2020, included the Aichi Biodiversity Targets; Aichi Target 16 called for the Nagoya Protocol to be in force by 2015. This time frame proposed by the MSP document was too short to be practical and feasible in the context of the Aichi Targets, national processes required for ratification, and the work that needed to be done to bring national decision-makers to a level of understanding of ABS and the Nagoya Protocol that would allow them to recommend ratifying the Protocol. This was reflected in the fact that the project needed two extensions that added 15 months to the original 24-month original duration of the project.

133. The MSP document did not address the issue of how to assist countries in designing national follow-up actions to enable them to implement the Nagoya Protocol once the project closed and the Protocol subsequently entered into force.

134. The overall rating on preparation and readiness is 'moderately unsatisfactory'.

### **3.6.2 Project implementation and management**

135. SCBD staff noted that the project was very demanding administratively. As implementation progressed, the SCBD realized that, because of the project's relatively short duration and the global scope of its activities, the project really needed more than one project officer. SCBD staff in the ABS Unit, in addition to the two people hired specifically for the project, were actively involved in all activities, as were other SCBD staff outside the ABS Unit. From February 2013 – one month prior to the project's original completion date – the Head of the SCBD's ABS Unit was on leave, working with GIZ on building capacity for ABS. Her interim replacement supervised the project manager. The project manager left the SCBD before the project's final reporting was done, but after the substantive work had been completed.

136. Project staff did not revise the project logframe because doing so would have meant a delay in implementation and the timeframe of getting the Nagoya Protocol in force within two years was short. They did, however, increase some end-of-project targets (see paragraph 55). For the most part, the project team worked on the basis of what was set out in the MSP document, and reallocated budget lines at the project revisions within the scope of what was allowable for the UN Environment as the implementing agency (IA).

137. During implementation, the project strategy was to try to focus on the countries with good potential for ratification. In practice, many more than 50 CBD Parties requested assistance and the project had to adapt to respond to their needs. The project team documented countries' requests, which helped define the project's operational strategy and capacity building priorities. The team discussed with UN Environment how to work around the constraints, which included that initial assumptions were not all correct and that risks should have been better foreseen and understood. Attempting to promote early ratification did not sufficiently take into account that ratification is dependent on the political climate and procedures in individual countries. UN Environment was open to SCBD suggestions to implement activities in ways that were more realistic, given the project's original time and funding.

138. One adaptation strategy was to enter into partnerships with entities that could assist the project team. The minutes of the first PSC meeting noted that the project was exploring the possibility of partnerships with the International Parliamentary Union and the United Nations Development Programme (UNDP), and ultimately entered into SSFAs with GLOBE International and UNU-IAS (see paragraphs 25-26 and 32-33).

139. The MSP document listed the other projects in the UN Environment /GEF ABS Portfolio and indicated that those projects would be involved in the execution of the Global ABS Project through sharing information and lessons learned and providing pertinent expertise,

as appropriate, without specifying how they would be involved. The project final report indicated that project staff participated by teleconference in two events related to the Latin America regional ABS project:

- Regional Inception Workshop for the Regional Project: Strengthening the implementation of Access to Genetic Resources and Benefit-sharing regimes in Latin America and the Caribbean, 30 Aug-2 Sep 2011;
- Unspecified event related to the Latin America and Caribbean regional project, 26 March 2012.

140. There was a PSC, which met three times during the course of the project (See par. 27).

141. The MSP document listed capacity-building approaches that GEF-eligible countries themselves had identified, one of which was to use a regional focus for capacity-building (see paragraph 50). The project team documented countries' requests for information and assistance (see paragraph 140) in order to better focus the project's activities. The project convened three workshops and provided resource persons and input on ABS and the Nagoya Protocol for dozens of workshops organized by other institutions and organizations. SCBD staff noted that the SCBD is grappling with the time- and cost-effectiveness of workshops and that, generally, workshops for the sake of workshops are neither time- nor cost-effective, and that continuity of participation in training workshops is essential. The project strategy was to reach the maximum number of countries and stakeholders in the most cost-effective way. Workshops that brought these stakeholders together in one place at one time were a cost-effective means of doing that. The five responding ABS National Focal Points stated that the project workshops were useful both for receiving information and for sharing and comparing experiences with other countries. One of the National Focal Points indicated that it would have been optimal if the project had had the resources to support additional participants from the smaller countries. SCBD and project staff noted the following with respect to the use and value of workshops in the particular context of the Global ABS Project:

- ABS has always been considered a separate issue that is only addressed by ABS experts. Even the broader biodiversity community is not familiar with ABS. The project needed to reach out to a significant range of people – including non-traditional stakeholders from a large number of countries – broaden everyone's understanding of ABS, and do it in a relatively short period of time. Doing this by working with large groups was more cost-effective than trying to target countries and their decision-makers individually.
- Working remotely on new issue is difficult. Especially when countries were first starting to come to grips with ABS-related issues, workshops allowed face-to-face to contact with resource people and questions and answers in real time.
- Meeting large groups of country representatives during workshops allowed project management to identify and understand trends in countries' thinking, to identify interventions that could help to unlock processes in individual countries, and to develop a framework and the networks necessary for effective follow-up.
- Countries do not always communicate internally in ways that might be expected. National focal points do not always communicate as fully as envisaged or assumed. The workshops helped the project team to identify these internal communications issues so that the project could devise ways to address them.
- The questions countries asked and the roadmaps they produced indicated the issues on which countries still needed clarity and also showed that the workshops were having an impact because participants were beginning to consider ABS in detail.

142. The minutes of the second PSC meeting noted that the project had created a database of the officials with whom the project had interacted during briefings and meetings, maintained email contact with these officials to follow up on developments in national

ratification processes, and included that information in the database. The second PIR, for the period 1 July 2012-30 June 2013, mentions this database, and noted that the project was in contact with “about 40” countries on a weekly basis. At the final PSC meeting, the GEF representative requested that the project record the number of countries that signed the Protocol, those that ratified it, and the countries that benefited directly from the project, to enable the GEF to report back on the number of countries that moved their ratification processes forward as a result of the project. The minutes of the final PSC meeting also note as an action item that the project manager was to provide to the UN Environment Task Manager the feedback that the project had received from countries. None of the project reports that were available for this evaluation provide that information.

143. Project management was adaptive and the project achieved its objective. From that perspective, project implementation and management were satisfactory. The project extension requests indicated that the project knew which countries were close to ratification and needed additional assistance (see paragraph 154), but did not report which countries those were. The project reportedly documented the information needed to identify the countries with which it interacted but did not produce even a superficial comparison of those countries and the ones that signed and ratified the Nagoya Protocol. The project final report did not include information that the PSC specifically requested. It does not appear that this was for reasons of confidentiality; the GEF names the countries the NPIF supports and makes reports on the NPIF publicly available. From that perspective, project implementation and management were moderately unsatisfactory. The overall rating on project implementation and management is therefore ‘moderately satisfactory’.

### **3.6.3 Stakeholder participation and public awareness**

144. Component 2 of the project, which received 69% of the GEF contribution, was dedicated to engaging stakeholders to promote ratification of the Nagoya Protocol (see section 4.2.2).
145. The MSP document identified the primary group of stakeholders of the project to be national politicians, legislators, National ABS Focal Points and National Competent Authorities for ABS. The secondary group of stakeholders was indigenous and local communities. Other stakeholders, such as the private sector, civil society, academia and research groups, were to be included in some project activities where appropriate.
146. NGO representatives participated in all three of the capacity-building workshops the project sponsored (see Table 5) and in other events to which the project contributed. One private sector representative participated in the first of those workshops; the participant lists for the second and third workshops do not identify any private sector participants. Representatives of universities and research institutions participated in each workshop. The PIRs and the project final report did not mention private sector or NGO participation. The minutes of the second PSC meeting noted the involvement of NGOs in the project had been limited due to the fact that relatively few NGOs seemed to be actively involved in ABS issues. The minutes noted, however, that a number of NGOs had participated in NBSAP workshops which included a component on the Nagoya Protocol.
147. The overall rating on stakeholder participation and public awareness is ‘satisfactory’.

### **3.6.4 Country ownership and driven-ness**

148. The project arose from a request from countries participating in CBD COP-10 to be assisted in the ratification process. The MSP document noted that, among other things, countries at the time suggested the following: regional capacity-building approaches; and development of user-friendly information packs on ABS related issues. The project delivered on both of these requests.

149. The project design followed recommendations that GEF-eligible developing country CBD Parties had made on how to address capacity barriers and capacity-building needs that GEF-eligible countries across all regions had themselves identified (see paragraph 50).
150. The project provided remote and, when possible, on-site assistance to National ABS Focal Points, national decision-makers, and other stakeholders and maintained regular contact via email, phone and skype to follow up on progress towards ratification. This allowed the project to provide timely support to facilitate, on request, national ratification processes.
151. The documents for both project extensions gave identical explanations that the extensions were needed, in part, to allow the project to respond to requests from countries, which were at an advanced stage in their internal ratification processes, for targeted awareness-raising and capacity-building activities. The extension documents, the PIRs, and the project final report did not name the countries that made these requests.
152. The overall rating on country ownership and driven-ness is 'satisfactory'.

### **3.6.5 Gender and equity**

153. The project did not formally monitor participation by gender, age, or ethnicity. It was possible to partially analyse participation by gender in the three capacity-building workshops the project organized (see paragraph 79 and Table 5).
154. The MSP document stated that gender consideration would feature prominently in the implementation of the project and that efforts would be made to ensure that equal numbers of women and men were involved in the project implementation. The majority of participants in project-sponsored events were designated by their governments. The project and the SCBD could encourage, but not require, governments to assign women to participate. Women were 35% of the resource persons named in the reports of the three project-sponsored workshops. The PIRs did not address gender issues, nor did project reports indicate the percentage of decision-makers the project targeted who were women.
155. The MSP document did not mention youth. The project objective was to convince decision-makers to ratify the Nagoya Protocol, and youth are unlikely to be working at the high levels of governments where such decisions are made.
156. Representatives of ILCs participated in all three capacity-building workshops the project sponsored (see paragraph 79 and Table 5). The project final report listed the following briefings which explicitly addressed indigenous peoples or traditional knowledge:
- Briefing during the 10th Tenth Session of the United Nations Permanent Forum on Indigenous Issues (UNPFII), 16-27 May 2011, New York, USA;
  - Participation and briefing during the workshop on Access and benefit-sharing and traditional knowledge: the Nagoya Protocol and the way ahead, organized by the ABS Capacity Development Initiative for Africa, 21-22 May, 2011, New York, USA.
157. The overall rating on gender and equity is 'moderately satisfactory'.

### 3.6.6 Financial planning and management

158. The review of project financing is in Section 3.6.
159. In September 2011, six months after the project began, UN Environment approved an accountability framework for directly executed GEF projects.<sup>24</sup> In 2012, UN Environment issued an Operational Guideline for implementing the Accountability Framework.<sup>25</sup> Both documents address financial management. The Accountability Framework provides that, when UN Environment is both IA and EA, as in the case of the Global ABS Project, a segregation of duties will be developed on a case-by-case basis and the IA Task Manager will be given sufficient authority to oversee the EA project manager. Under the Accountability Framework and Operational Guidelines, UN Environment as IA is responsible for timely disbursement/sub-allotment to the EA once reporting is found to be complete, based on the ICA and on UN Environment and GEF fiduciary standards and for clearing cash requests. The Operational Guideline has identical provisions.
160. The ICA for the Global ABS Project stipulated that the SCBD as EA was responsible for managing financial resources. The ICA specified that UN Environment as IA would provide an initial sub-allotment to cover estimated expenses for the first year of the project. The IA was to make subsequent sub-allotments on the basis of satisfactory financial and progress reports and cash advance requests from the SCBD.
161. The MSP document included a budget on the basis of UN Environment budget lines, indicating the allocation of GEF funding and total co-financing, by budget line, for each project component. The budget did not include a breakdown differentiating cash co-financing and in-kind co-financing by budget line.
162. The original budget indicated that GEF funds would be used for the following purposes: consultants and resource persons; staff travel; sub-contracts with private firms; meetings; publications, translations, dissemination and reporting costs; and monitoring and evaluation (M&E).
163. Annex 3, Table 1 provides a summary of estimated expenditure, broken down by project component as indicated in the budget in the MSP document, against total actual expenditure, which was USD 885,856.58 as of 30 April 2014. When the terminal evaluation is complete, UN Environment will revise total expenditure to include the costs of the evaluation.
164. Table 2 of Annex 3 provides the breakdown of estimated and actual cash and in-kind co-financing. Co-financing was significantly greater than anticipated. The project realized a total of USD 1,216,908 of in-kind co-financing from the SCBD – USD 407,508, or 50%, more than the MSP document had estimated. The SCBD also contributed a total of USD 892,127 in cash co-financing, which was USD 542,127, or 155%, more than budgeted.
165. The project did not leverage any funding. The minutes of the first PSC meeting note that the GEF representative encouraged the project to raise awareness of the Nagoya Protocol Implementation Fund, which had funding available to support individual countries to both sign and ratify the Protocol, but the PIRs and the project final report do not indicate whether this was done. The GEF website makes available NPIF reports that list the countries the Fund is supporting. From the database the project reportedly maintained of contacts with

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<sup>24</sup> UNEP. 2011. *Integration of GEF Operations in UNEP: Accountability Framework for Directly Executed GEF Projects*. Approved 25 September 2011.

<sup>25</sup> UNEP. 2012. *Operational Guideline for implementing the Accountability Framework for Directly Executed GEF Projects*. Approved 30 April 2012.

the countries with which it interacted, it should have been possible to identify the countries that also receive funding from the NPIF. It is not clear whether funding from a different GEF source could have been considered leveraged funding, however.

166. Budget re-allocations were included in the two project revisions, in 2012 and 2014. The largest adjustment of the 2012 re-allocation (+144%) was for staff travel. The budget lines for consultants and publications were reduced by 41% and 44%, respectively. The 2014 re-allocation increased the budget line for staff travel by an additional 45% and reduced the budget line for publications by an additional 31%.
167. Financial reporting did not provide an accounting on the basis of project components, although the original project budget included such a breakdown. UN Environment financial reporting formats do not provide for accounting on the basis of project components – only on the basis of UN Environment budget lines.
168. The SCBD submitted to UN Environment expenditure reports based on UN Environment budget lines, which did not provide a breakdown of expenditure by project component. These reports were prepared in the format of Quarterly Expenditure Statements, but were submitted for the periods: 15 March-31 December 2011; 1 January-31 December 2012; 1 January-31 December 2013; and 1 January-30 April 2014. There were no expenditures incurred after 30 April 2014. The SCBD submitted the expenditure report up to 30 April 2014 as the final expenditure statement.
169. The SCBD submitted to UN Environment two reports on planned and actual co-finance by UN Environment budget line. The first report covered the 34-month period 1 March 2011-31 December 2013. The second report covered the four-month period 1 January-30 April 2014.
170. The project was not audited. Because the project was internally executed, the internal cooperation agreement (ICA) between UN Environment and the SCBD did not require a project audit.
171. The second UN Environment Task Manager (see section 4.6.7) reported that, because the SCBD is part of UN Environment, it was in a position to have project funds released internally without waiting for the UN Environment project task manager's approval, as stipulated in the Accountability Framework and Operational Guideline and specified in the ICA. One of the SCBD staff interviewed for this evaluation indicated that this did occur, but only once and due to internal SCBD considerations. The UN Environment financial officer who reportedly resolved the issue did not respond to a request to be interviewed for this evaluation.
172. The overall rating on financial planning and management is 'moderately satisfactory'.

### **3.6.7 UN Environment supervision and backstopping**

173. The Accountability Framework and Operational Guideline provide that, when UN Environment is both IA and EA, as in the case of the Global ABS Project, a segregation of duties will be developed on a case-by-case basis and the IA Task Manager will be given sufficient authority to oversee the EA project manager. The ICA for the project set out the responsibilities of UN Environment as IA and of the SCBD as EA.
174. GEF funds flowed through UN Environment Headquarters, which was responsible for overall project administration. Three Nairobi-based UN Environment Task Managers were successively responsible for supervising project implementation. The first and third Task Managers were not available to be interviewed for this evaluation. The second Task Manager assumed supervisory responsibilities in 2012, at the mid-point of the project's original duration, and retired in 2014 before the project completed; UN Environment assigned a third Task Manager to finalize the project. The Task Manager and a Nairobi-



based Fund Management Officer jointly supervised the financial aspects of project implementation. A UN Environment /Ecosystems Division Senior Portfolio Manager, based in UN Environment Headquarters in Nairobi, exercised general oversight over the UN UN Environment/GEF ABS project portfolio, including the Global ABS Project.

175. The first Task Manager did not complete all M&E requirements (see paragraph 191). There was no documentation available for this evaluation on the degree to which the first UN Environment Task manager was involved in supervising the project. The ongoing involvement of the second Task Manager and the Fund Management Officer in supervising the project is documented in emails. The second Task Manager reported that it was difficult to obtain reports, particularly on the activities of GLOBE International and UNU-IAS. According to the SCBD project team, the level of UN Environment feedback, at least from the first Task Manager, did not appear to be proportional to the effort that the SCBD invested in preparing the PIRs. The second Task Manager did not comment on the second PIR, but did comment on the combined 2012-2013 PIR (see paragraph 192). The documents available for this evaluation do not reflect any input from the third Task Manager.
176. The second Task Manager was a member of the PSC. She attended the second PSC meeting, which was held at the SCBD in Montreal on 9 May 2012, and participated in the third and final PSC meeting, which was held by conference call on 13 November 2013. She based her supervision on the PSC meetings and on the PIRs that the SCBD submitted.
177. The overall rating on UN Environment supervision and backstopping is 'moderately satisfactory'.

### **3.6.8 Monitoring and evaluation**

178. The original project budget allocated a total of USD 133,750 for this component: USD 26,000 or 2.8% of the GEF contribution; and USD 107,750 or 11% of SCBD co-financing.

#### **3.6.8.1 Monitoring and Evaluation Design**

179. The narrative section of the MSP document on M&E explained that the project would carry out M&E according to UN Environment and GEF minimum requirements for project monitoring, reporting and evaluation processes and procedures, under which a mid-term evaluation is not mandatory. The MSP document provided for a terminal evaluation only.
180. The results framework, which was Annex A in the MSP document, identified assumptions, indicators, and means of verification for the project objective. It specified indicators and means of verification, but no assumptions, for Component 1; it did list assumptions, as well as indicators and means of verification, for both outputs of Component 1. The results framework did not give overall indicators, means of verification and assumptions for Component 2, but did specify them for the first output of Component 2; it did not provide assumptions for the other two outputs of Component 2. The project results framework did not reflect a clear and logical Theory of Change, which was not required at the time the project was designed and approved.
181. The MSP document included a costed M&E plan, which was limited to indicating that various types of reports to be produced during the course of the project would be the primary means of verifying that the project was achieving its targets.
182. The rating on M&E design is 'satisfactory', given that the MSP document specified that M&E would be done to minimum UN Environment and GEF requirements.

### **3.6.8.2 Budgeting and funding for Monitoring and Evaluation activities**

183. Budgeted funding for M&E was slightly below UN Environment's recommended minimum. The budget allocation for evaluation was USD 26,000, which corresponded to 2.8% of the GEF budget, and 1.2% of the total project cost of USD 2,104,150. UN Environment's 2008 Evaluation Manual recommends that for projects with a total budget of USD 1million-USD 2million, indicative evaluation costs should be USD 30,000-40,000, or 1.5 % to 4% of the total project budget. The budget for M&E was not adjusted in either budget re-allocation.

184. The rating on budgeting and funding for M&E is 'moderately unsatisfactory'.

### **3.6.8.3 Monitoring and Evaluation Plan Implementation**

185. According to the MSP document, M&E was to be based on PSC meeting reports, PIRs, operational reports to UN Environment, financial reporting as required under the ICA between the SCBD and UN Environment (see section 4.6.6), and the project's final report. The second UN Environment Task Manager noted that project supervision was based on the PIRs and that Half Yearly Progress Reports were not required. It is possible that the "operational reports to UNEP" listed in the MSP document was intended to refer to Half Yearly Progress Reports. If that was not the case, it is not clear what "operational reports to UNEP" were supposed to be.

186. The reports of the first two PSC meetings focused on the status of ratification of the Nagoya Protocol, project activities carried out, and upcoming project activities, and documented clarifications from the SCBD project coordinator in response to PSC members' questions.

187. There are three PIRs for this project. According to the project manager, the first PIR covered the period 18 March 2011 – the date of the first disbursement – until 31 December 2011. The second PIR covered the period 1 July 2012-30 June 2013. The third PIR is a combined one for 2012-2013, which presumably covers the period 1 January-30 June 2012.

188. In the 2011-2012 PIR, the UN Environment Task Manager did not rate progress toward project objectives, project implementation progress, or risks but rated implementation of the M&E plan as satisfactory.

189. In the 2012-2013 PIR, the UN Environment Task Manager rated progress toward project objectives and project implementation progress as satisfactory, the project's overall risk factors as low, and implementation of the M&E plan as moderately satisfactory.

190. Mid-term review is not an absolute requirement for MSPs, although the GEF recommends it. The MSP document did not plan for a mid-term review and the project did not conduct one, although the ICA for the project stipulated that the IA should undertake a mid-term management review or request the EOU to perform an independent mid-term evaluation. Both PIRs indicated that a mid-term review was planned for March 2012.

191. The rating for M&E plan implementation is 'moderately satisfactory'.

192. The rating for M&E design is 'satisfactory', budgeting and funding for M&E was slightly less than UN Environment parameters and therefore 'moderately unsatisfactory', and M&E implementation was 'moderately satisfactory'. The overall rating for monitoring and evaluation is, therefore, 'moderately satisfactory'.

### **3.6.9 Complementarity with UN Environment and GEF strategies and programmes**

193. The Global ABS Project was one of five in a UN Environment/GEF portfolio of projects supporting implementation of the CBD's provisions on ABS. All five projects in the ABS

Portfolio had a common goal – to assist countries in implementing ABS. The five projects were carried out at the global level, at the national level in India, and at the regional level in Africa, Latin America, and South East Asia. The Global ABS Project was funded under the fifth replenishment of the GEF Trust Fund (GEF-5). The other projects in UN Environment’s ABS portfolio were funded under the fourth replenishment (GEF-4).

194. Objective Four of the Biodiversity Strategy for GEF-5 was to build capacity on ABS. The rationale for this objective noted that implementation of the CBD’s objective on ABS had been slowed by a general lack of capacity among most key stakeholder groups. In particular the GEF noted the difficulty most countries were encountering in their efforts to establish common understandings between providers and users of genetic resources and the associated traditional knowledge of indigenous and local communities.<sup>26</sup> The outcome of Objective Four was expected to be legal and regulatory frameworks and administrative procedures for ABS at the national level. The core output was expected to be ABS agreements that recognize the core ABS principles of Prior Informed Consent (PIC) and Mutually Agreed Terms (MAT) including the fair and equitable sharing of benefits. CBD COP-9, in 2008, had called for strengthened efforts to build capacity for ABS and invited UN Environment and other intergovernmental organizations to facilitate regional activities to do this. The Global ABS Project reflected the CBD call for action to building for ABS and the GEF-5 objective to respond to that call.
195. The Global ABS project was initially designed during CBD COP-10 in Nagoya, Japan, which adopted the Nagoya Protocol in October 2010. The MSP document did not specifically refer to ABS within the context of UN Environment’s approved programme framework. In UN Environment’s 2010-2011 approved Programme of Work, ABS fell within the ecosystem management priority area. For the period 2010–2013, environmental governance was one of UN Environment’s cross-cutting thematic priorities. One of the expected accomplishments under this priority was “[t]hat States increasingly implement their environmental obligations and achieve their environmental priority goals, targets and objectives through strengthened laws and institutions”. At the time of project implementation, 2011-2014, the UN Environment medium-term Strategy did not explicitly mention ABS, but focused on supporting States to implement international environmental obligations generally.
196. The MSP document noted that, at the time the Nagoya Protocol was adopted in 2010, awareness was largely limited to technical specialists and CBD negotiators. The MSP document stated that the project would “address these barriers and contribute to the achievement of the third objective of the CBD by targeted awareness raising and capacity building of GEF-eligible Parties to help them prepare for ratification of the ABS Protocol, a necessary first step to allow for the implementation of ABS at national level.”
197. The project complemented UN Environment’s and the GEF’s strategies and programmes.

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<sup>26</sup> Global Environment Facility. Biodiversity Strategy for GEF-5. p. 7. Available online: [https://www.thegef.org/gef/sites/thegef.org/files/documents/document/GEF-5\\_Bio\\_strategy.pdf](https://www.thegef.org/gef/sites/thegef.org/files/documents/document/GEF-5_Bio_strategy.pdf)

## 4 Conclusions, Lessons Learned and Recommendations

### 4.1 Conclusions

198. Substantively, the project appears to have successfully responded to well-documented gaps in two areas that were crucial for making the case for ratifying the Nagoya Protocol – information and awareness. The project was much more focused on raising awareness about ABS and the Nagoya Protocol than on actually building capacity. The MSP document indicated that the project would produce training modules, but it did not because the SCBD agreed with the UN Environment Task Manager to focus the project's resources on developing the awareness-raising materials. The project produced factsheets and policy briefs and updated existing materials which can of course be used to develop training resources, post-project. The project convened three two-day capacity building workshops, but the majority of the events envisaged in the MSP document and for which the project provided resource persons and materials were focused primarily on briefing as many decision-makers as possible on ABS and the Protocol and getting information to them. This is not a critique of the project activities, as implemented, which appear to have been appropriate; rather it is an observation on the relationship between the title of the project and what the project was designed to do and actually did.
199. The project's temporal and geographical scope was not well-defined at the design stage. The most significant challenges the project faced were due to the relatively brief two-year original duration of the project and the sheer number of the countries with which it ultimately had to deal.
- Temporal: The CBD's own Aichi Targets called for the Nagoya Protocol to enter into force by 2015. The SCBD had already had experience with getting another protocol ratified and in force; that process took three-and-one-half years. SCBD staff who were themselves involved in developing the MSP document noted that even the broader biodiversity community was not familiar with ABS and that promoting ratification required reaching out to non-traditional stakeholders, who had even less understanding of the issues. The positive aspect of setting the optimistic target of bringing the Protocol into force within two years was that it might have spurred stakeholders to move quickly. The negative aspect, in the case of this project, was that project staff, once hired, perceived that there was no time to re-think assumptions and issues of project design at the outset and instead reacted and adapted as implementation proceeded.
  - Geographical: The MSP document did not specify the countries the project would support, indicating simply that the project would work with at least 50 GEF-eligible CBD Parties. 'At least 50' ultimately meant more than 100 countries. In the 2012-2013 PIR, the project had introduced end-of-project targets that were even higher. The project coped with the increased expectations by entering into partnerships to develop the awareness-raising materials and deliver some of the project's briefings to make its case for ratifying the Protocol.
200. The optimistic and increased expectations related to the project's temporal and geographical scope required increased funding. The SCBD, which had to cover all of the project's administrative and management costs, invested more than 80% additional co-financing than it had originally planned.
201. The project aggressively sought out and cultivated national officials who were not traditional CBD stakeholders but who would ultimately have a voice in their countries' decisions to ratify the Protocol. The project engaged two partners, both of which were tasked with interacting with these stakeholders. The partnership with UNU-IAS was very productive, giving the project the awareness-raising materials as well as additional capacity

to conduct briefings on ABS and the Protocol. GLOBE International provided access to legislators – non-traditional stakeholders – but, because there was no final report from GLOBE International, the extent to which that partnership had benefitted the project was less clear.

202. There were issues of continuity in project administration. Three UN Environment Task Managers in succession were responsible for the project. The second Task Manager began supervising the project in 2012 and retired before the project was complete, handing the project over to a third Task Manager to finalize. The Head of the SCBD's ABS Unit began another assignment external to the SCBD in February 2013 – one month before the project's original termination date – and returned to the SCBD after the project actually ended. The project manager left the SCBD after the project's substantive work was complete but before project reporting was done. These changes may have been coincidental and unavoidable, but they appear to have affected project reporting, at a minimum.
203. The project missed an opportunity to carry out an in-depth analysis of the process of bringing an international agreement into force, and the costs and benefits of that process. The Nagoya Protocol achieved its 50<sup>th</sup> ratification – and the project achieved its objective – shortly after the project ended. It is understood that national procedures for ratifying an international agreement are country-specific and that there are multiple factors – domestic and external – that influence them. Even so, it appears that the project maintained information that would have made it possible to generate such an analysis.
204. Project staff said that the project's strategy was to identify countries with good potential for ratification and that the project maintained a database of contacts with countries so that it could monitor progress toward ratification. The project final report did not include an analysis of this information in the final report even though UN Environment and the GEF requested it.
205. This was the first time the SCBD had executed a GEF project. The GEF representative on the PSC requested that the project record the number of countries that signed the Protocol, those that ratified it, and the countries that benefited directly from the project (see paragraph 145). As far as could be determined, this was not done. The GEF was able to determine and report on which countries the NPIF supported toward ratification under UN Environment-implemented projects. The project maintained a database which, as described, would have provided the information for the kind of report the GEF PSC representative requested (see paragraph 145). If the SCBD needed assistance with the kind of reporting the GEF representative was seeking, it seems likely that the GEF would have provided guidance. The manager of the Global ABS Project left the SCBD before the project final reporting was done (see paragraph 138). That may be the reason why the report the GEF PSC representative requested was not prepared. Whatever the reason, the SCBD missed an opportunity to carry out or enable a cost/benefit analysis of promoting ratification of an international agreement – information that could have been invaluable for the future.
206. The overall rating for the Global ABS Project, based on the assessment findings, is 'satisfactory'.

**Table 6. Overall ratings table**

<b>Criterion</b>	<b>Summary Assessment</b>	<b>Rating</b>
A. Strategic relevance	The project was designed and implemented in response to GEF's ongoing strategic priority for ABS and complemented UN Environment's priority of assisting countries to implement international environmental obligations. The Nagoya Protocol was adopted in October 2010 and the project was approved and being implemented within less than a year.	<b>S</b>
B. Achievement of outputs	The project final report indicated that the project achieved 100% of its outputs.	<b>S</b>
C. Effectiveness: Attainment of project objectives and results	The project was timely and the objective was clear, which helped to make it effective in assisting GEF-eligible CBD Parties to prepare for ratification and the early entry into force of the Nagoya Protocol.	<b>S</b>
1. Achievement of direct outcomes	The packages of high-quality, reportedly well-received materials the project produced was, and continues to be, a significant contribution to broader understanding of ABS and the Nagoya Protocol, which cannot be underestimated. Project activities targeted legislators and policy-makers more than any other stakeholder group and secured statements and resolutions from bodies representing African countries, Arab states, the Asia-Pacific region, and the Caribbean promoting ratification and implementation of the Nagoya Protocol. The project also targeted the CBD's usual stakeholders including national CBD and ABS Focal Points. It is not possible to definitively state that any particular country's ratification of the Nagoya Protocol was entirely due to the project, but the project final report noted that the project did contribute to at least initiating the ratification process or placing it as a priority on the national political agenda.	<b>S</b>
2. Likelihood of impact	The immediate project outcome – the Nagoya Protocol is in force – will require sustained support for national measures to implement it, well beyond project completion, and additional follow-up activities will be required for the intended impact to occur. The likelihood of the project's outcomes leading to the impact/global environmental benefit will depend in part on the direction the Nagoya Protocol COP MOP gives to the GEF to fund capacity building for implementing the Protocol. It will also depend on the commitment of Parties to the Nagoya Protocol to initiate their own follow-up actions, independent of GEF funding.	<b>ML</b>
3. Achievement of project goal and planned objectives	The MSP document did not state a goal for the project. The objective was to assist GEF-eligible CBD Parties to prepare for ratification and the early entry into force of the Protocol through targeted awareness raising and capacity building. The project was successful in promoting the ratification and entry into force of the Nagoya Protocol.	<b>S</b>
D. Sustainability and replication		<b>ML</b>
1. Financial	The GEF takes direction from the CBD COP for the content of its biodiversity focal area strategy. As ABS is one of the CBD's three fundamental objectives, it may be considered likely that the COP will continue to include ABS in its direction to the GEF. GEF funding is likely as long as the CBD COP requests it, but countries may not choose to use their GEF STAR allocations for the biodiversity focal area to support implementing ABS. Bilateral donors, particularly Germany and Japan, continue to provide funding to build capacity for ABS. Financial support from the Japan Biodiversity Fund is	<b>ML</b>

Criterion	Summary Assessment	Rating
	<p>enabling the SCBD to develop training materials to support implementing the Protocol. Financial sustainability of the project's results – which require actually implementing the Nagoya Protocol – does not depend solely on GEF funding or other sources of international aid. It will also require commitment from governments to invest cash and in-kind resources to the task. Financial sustainability is not 100% dependent on GEF funding. National governments must (1) use all or part of their GEF STAR allocation for the biodiversity focal area for ABS and (2) also provide financial and human resources to implement the Nagoya Protocol. It is not possible at this point to state with certainty that GEF-eligible countries will use their GEF STAR allocation for the biodiversity focal area for ABS and/or whether ABS will become or remain a budget priority for them.</p>	
2. Socio-political	<p>The project attracted interest from a diverse audience that included national government officials and regional bodies that are not usually considered ABS stakeholders, as well as traditional CBD and ABS stakeholders. It stimulated further discussion and dissemination of information regarding the Nagoya Protocol. Countries are using the materials the project produced, which are available on the internet as well as in hard copy, to develop national measures to implement the Protocol. Several factors that could negatively affect the sustainability of implementing the Nagoya Protocol at national level include: lack of funding; governments assigning low political priority to ABS; lack of political will; inadequate capacity building; and inadequate governance structures.</p>	<b>ML</b>
3. Institutional framework	<p>The institutional framework exists at the international level – the SCBD. The SCBD collaborates with the ITPGRFA Secretariat and with other intergovernmental institutions, such as the International Development Law Organization, particularly on training to implement ABS and the Protocol. National institutions will ultimately have to sustain project results by regulating ABS and countries across all regions have indicated a lack of institutional capacity to implement ABS.</p>	<b>ML</b>
4. Environmental	<p>The MSP document and the project final report did not address environmental safeguards or environmental sustainability. It was not possible to rate environmental sustainability for this project.</p>	<b>N/A</b>
5. Catalytic role and replication	<p>The project indicated that it was working with countries that had already ratified the Nagoya Protocol to act as 'champions' to promote ratifying the Protocol among other countries, but did not report on whether that was successful. This project's strategy and activities – reaching out to decision-makers who are not traditional ABS stakeholders and providing them with reliable information in a variety of ways – are replicable in the event that the Parties to the CBD decide to adopt another Protocol.</p>	<b>S (catalytic role) /ML (replication)</b>
E. Efficiency	<p>The project built on the outcomes of the GEF-financed National Capacity Self-Assessment projects, coordinated closely with the network of National ABS Focal Points world-wide, and coordinated with the regional UN Environment /GEF ABS projects for the ASEAN countries and Latin America. The project used a variety of cost-saving measures. The project's intention to expedite ratification of the Nagoya Protocol was intended to be a cost-saving investment. There was insufficient information available to determine whether the total investment was cost-effective.</p>	<b>MS</b>

<b>Criterion</b>	<b>Summary Assessment</b>	<b>Rating</b>
F. Factors affecting project performance		<b>MS</b>
1. Preparation and readiness	Both UN Environment and the SCBD were involved in designing the project. The overall focus of the MSP document and the components it proposed were appropriate and the project activities necessary to achieve the project objective, but some risks were insufficiently addressed and affected project implementation. The MSP document implied that SCBD/project staff would visit countries on an individual basis. That was not feasible, either in terms of time or available funding. The MSP document did not realistically establish its scope. The MSP document did not address the issue of how to assist countries in designing national follow-up actions to enable them to implement the Nagoya Protocol once the project closed.	<b>MU</b>
2. Project implementation and management	Project management was adaptive and the project achieved its objective. From that perspective, project implementation and management were satisfactory. However, the project extension requests indicated that the project knew which countries were close to ratification and needed additional assistance, but did not record which countries those were. The project did not systematically document the information needed to identify the countries it interacted with so that even a superficial comparison could be made of those countries and the ones that signed and ratified the Nagoya Protocol. The project final report did not include information that the PSC specifically requested. From that perspective, project implementation and management were moderately unsatisfactory. The overall rating for project management and implementation is therefore moderately satisfactory.	<b>MS</b>
3. Stakeholder participation and public awareness	The MSP document identified the primary group of stakeholders of the project to be national politicians, legislators, National ABS Focal Points and National Competent Authorities for ABS. The secondary group of stakeholders was indigenous and local communities. Other stakeholders, such as the private sector, civil society, academia and research groups, were to be included in some project activities where appropriate. Component 2 of the project was entirely dedicated to engaging stakeholders to promote ratification of the Nagoya Protocol.	<b>S</b>
4. Country ownership and driven-ness	The project arose from a request from countries participating in CBD COP-10 to be assisted in the ratification process. The project design followed recommendations that GEF-eligible developing country CBD Parties had made on how to address capacity barriers and capacity-building needs that GEF-eligible countries across all regions had themselves identified. Both project extensions were needed, in part, to allow the project to respond to requests from countries, which were at an advanced stage in their internal ratification processes, for targeted awareness-raising and capacity-building activities.	<b>S</b>
5. Gender and equity	The MSP document stated that gender consideration would feature prominently in the implementation of the project. The majority of participants in project-sponsored events were designated by their governments. The project and the SCBD could encourage, but not require, governments to assign women to participate. Project reports did not address gender issues and did not indicate what percentage of the decision-makers the project targeted were women. The MSP document did not mention youth. The project objective was to convince decision-makers to ratify the Nagoya Protocol, and youth are unlikely to be working at the high levels of governments where such decisions are made. Representatives of ILCs participated in all three capacity-building workshops the project	<b>MS</b>



<b>Criterion</b>	<b>Summary Assessment</b>	<b>Rating</b>
	sponsored.	
6. Financial planning and management	Total co-financing from the SCBD was 82% higher than budgeted. The project did not leverage any funds. Two budget re-allocations increased the budget line for staff travel % and reduced the budget line for publications. The SCBD submitted four expenditure reports and two reports on co-financing. The project was not audited because it was internally executed.	<b>MS</b>
7. UN Environment supervision and backstopping	Two UN Environment Task Managers were successively responsible for supervising project implementation. The first Task Manager did not complete all M&E requirements. The second Task Manager based her supervision on the PSC meetings and on the PIRs that the SCBD submitted. She moved on to other responsibilities in 2014 before the project completed.	<b>MS</b>
8. Monitoring and evaluation		<b>MS</b>
a. M&E Design	The narrative section of the MSP document on M&E explained that the project would carry out M&E according to UN Environment and GEF minimum requirements for project monitoring, reporting and evaluation processes and procedures. The MSP document provided for a terminal evaluation only.	<b>S</b>
b. Budgeting and funding for M&E activities	Budgeted funding for M&E was slightly below UN Environment's recommended minimum.	<b>MU</b>
c. M&E plan implementation	The SCBD submitted two PIRs. In the first PIR, the UN Environment Task Manager did not rate progress toward project objectives, project implementation progress, or risks but rated implementation of the M&E plan as satisfactory. In the second PIR, the UN Environment Task Manager rated progress toward project objectives and project implementation progress as satisfactory, the project's overall risk factors as low, and implementation of the M&E plan as moderately satisfactory. The MSP document did not plan for a mid-term review and the project did not conduct one, although both PIRs indicated that a mid-term review was planned for March 2012.	<b>MS</b>
Overall project rating	The project achieved 100% of its outputs and the Nagoya Protocol achieved its 50 <sup>th</sup> ratification shortly after the project closed. Some project design issues affected project performance and the project did not address the follow-up that would be needed to sustain its outcomes.	<b>S</b>

General Ratings

HS = Highly Satisfactory

S = Satisfactory

MS = Moderately Satisfactory

Ratings for sustainability sub-criteria

HL = Highly Likely

L = Likely

ML = Moderately Likely

Likely

General Ratings

MU = Moderately Unsatisfactory

U = Unsatisfactory

HU = Highly Unsatisfactory

Unsatisfactory

Ratings for sustainability sub-criteria

MU = Moderately Unlikely

U = Unlikely

HU = Highly Unlikely

## 4.2 Lessons Learned

207. The lessons learned from the Global ABS Project are directed to both the implementing agency and the executing agency. They are:

**Lesson 1.** Make sure that risks are clearly identified at the design stage and that proposed measures to mitigate them are realistic in the context of the project's targets. Promoting early ratification did not take sufficiently into account that it was dependent on the political climate and procedures in individual countries. The project did not adequately foresee the impact on its activities of the range of differences in procedures from one country to another. The MSP document acknowledged the risk that the pace of ratification would be different from country to country, but as a mitigating measure indicated simply that building awareness would be sufficient to ensure that ratifications processes would proceed. The MSP document noted the risk that there might be changes in national governments during project implementation, but stated that the diversity of stakeholders the project would target would mitigate that impact. The MSP document rated both of these risks as medium. In practice, these risks had a significant impact on the project's prospects for achieving its targets. Also, take into account that the individuals responsible for managing a project may or may not have been involved in developing it. Managers and other project staff who were not involved in preparing the project proposals may not be aware of or fully understand the risks involved in implementing a project and the project document may be the only information they have, at least at the project inception stage.

**Lesson 2.** Clearly define the project's scope and targets at the design stage. At the time of project implementation there were 169 GEF-eligible CBD Parties, all of which were, at least in principle, eligible to participate in the project. The MSP document indicated that the project would work with "at least" 50 of those countries, but did not set an upper limit. The indicators in the logframe in the MSP document were that the project should achieve 50 countries having ratified the Protocol and another 50 countries having signed it. The project did not establish end-of-project targets in the first 2011-2012 PIR; it did so in the 2012-2013 PIR. The targets in the 2012-2013 PIR were significantly higher than the indicators in the MSP document, but in the same PIR the project recorded that it was focusing on 40, rather than 50 countries. What the project reported it was doing in practice was probably realistic – but under target – particularly given the issues described for Lesson 1, which is to make sure that risks are clearly identified at the design stage and that proposed measures to mitigate them are realistic in the context of the project's targets.

**Lesson 3.** Address the realities of the administrative procedures for project start-up at the design phase. It takes a significant amount of time to set up a project and this is time that is not typically spent on carrying out project activities. The set-up time particularly impacts short projects – two years or less – such as this project. In the case of this project, there was a long lag in recruiting project staff, which meant that by the time the project could begin work, several months of the 24-month project had passed and there the understandable pressure to deliver meant that project staff did not have the time to deal with the issues described for Lesson 2, which is to clearly define the project's scope and targets at the design stage.

**Lesson 4.** Assuming that all stakeholders who should have been consulted in the project formulation phase were actually consulted, project design should build in a minimum of two months at the beginning of a project to allow project staff to re-think assumptions, risks, and targets and re-calibrate before starting project operations. This would allow projects to avoid situations in which project management is forced to be reactive during implementation. This does not mean that project management should not be adaptive; it means that project management should critically examine assumptions, risks and

targets as implementation begins, to identify and deal proactively with issues that can be foreseen at project inception so that project staff have more flexibility to deal with situations that arise during implementation that could not have been foreseen.

**Lesson 5.** Try to ensure continuity in project supervision, to the extent possible, and ensure that the project manager completes the project's final reporting. Final reporting was done after the second UN Environment Task Manager had retired and after the project manager had left the SCBD. Had the individuals most closely associated with the project done the project's final reporting, the results would likely have been much more useful for the SCBD and the GEF.

**Lesson 6.** Consider a policy to ensure that workshops are as substantively effective as possible. A first workshop is usually designed to start grounding people on an issue and a second workshop is designed to build on the first. The second workshop loses its meaning if the same individuals who participated in the first workshop do not participate in the second. When designing and planning a series of capacity-building workshops, any entity – particularly an intergovernmental entity – that organizes a series of training workshops should establish at the planning stage a policy that makes it clear to countries which will send individuals for training that the same individuals must participate in all workshops in the series and explain why. This needs to be done at the time that all countries are invited to designate individuals for training, so that no individual country perceives that it is being targeted.

### 4.3 Recommendations

208. The following recommendations are made in the context of the conclusions and lessons learned from this project, in the event that the GEF and a convention secretariat contemplate a similar initiative in the future.

**Recommendation 1:**

209. The final meeting of the project Steering Committee agreed on an action item which specified that the project should generate, in table format, information on the countries that had signed the Protocol, those that ratified it, and those countries that benefited directly from the Project, so that the SCBD, UN Environment and GEF could report back to the countries that moved their processes forward. It is recommended that the SCBD produce the table as agreed at the final PSC meeting.

**Recommendation 2:**

210. The project could have been a case study of the process of bringing an international agreement into force, and the costs and benefits of such a process. The information that would be generated by following through on Recommendation 1 – the countries that signed and ratified the Protocol during the project period and other countries that benefited directly from the project's workshops – would provide the first step for producing such a case study. It is recommended that the SCBD consider developing the case study and, particularly, the corresponding cost-benefit analysis.

## PROJECT BACKGROUND AND OVERVIEW

This is the Terms of Reference for an Evaluation of UNEP/GEF Access and Benefit Sharing portfolio. It will draw its findings on Final Evaluations of five UNEP/GEF projects on Access and Benefit Sharing (ABS), as defined under the Convention on Biological Diversity. The projects include “*Capacity building for the early entry into force of the Protocol on Access and Benefit Sharing*” (ABS Global); “*Supporting the development and implementation of access and benefit sharing policies in Africa*” (ABS Africa); “*Building capacity for regionally harmonized national processes for implementing CBD provisions on access to genetic resources and sharing benefits*” (ABS Asean), “*LAC ABS – Strengthening the implementation of access to genetic resources and benefit-sharing regimes in Latin America and the Caribbean*” (ABS LAC) and “*Supporting ratification and implementation of the Nagoya Protocol on ABS through technology transfer and private sector engagement in India* (ABS India).

### Rationale of the portfolio projects<sup>27</sup>

1. Access and Benefit Sharing (ABS) is one of the three main objectives of the Convention on Biological Diversity (CBD), signed in the 1992 Rio Earth Summit and it sets out obligations to the parties related to access to genetic resources and to the fair and equitable sharing of the benefits arising out of their utilisation. As defined by the Convention, it refers to the way in which genetic resources are accessed and how the benefits from their use are shared between the people or countries using them (users) and the people or countries that provide them (providers). Accessing and using genetic resources bears significant potential benefits, since they provide information to better understand the natural world and they can be used to develop products and services, such as medicines, cosmetics and agricultural techniques. These valuable resources make up complex ecosystems which, however, can be threatened or endangered and therefore the way in which genetic resources are accessed, shared and used can create incentives for conservation and sustainable use of different ecosystems. Moreover, the current understanding and knowledge of the genetic resources is based on traditional knowledge of indigenous and local communities. Therefore it is paramount to value the traditional knowledge and to value it appropriately to avoid risking the communities together with their resources.

2. The Convention identifies providers of the genetic resources as States that have sovereign rights over the natural resources under their jurisdiction. However, national legislation may entitle others, such as Indigenous and Local Communities (ILCs) as providers and thereby to negotiate on the terms of ABS. The Convention defines users as diverse groups, such as researchers for pharmaceutical, agriculture and cosmetic industries, botanical gardens and research institutes, seeking genetic resources for wide ranging purposes from basic research to development of new products. The Convention defines the potential benefits deriving from the use of genetic resources to be either monetary, such as sharing of royalties when the resource is used to create commercial products, or non-monetary, such as development of research and knowledge. The users of genetic resources are responsible for sharing the benefits with the providers. Therefore, understanding the ABS – frameworks of CBD and the Bonn Guidelines can assist governments to establish their national frameworks in a way which ensures that access and benefit-sharing is equitable and fair. In practice, the provider grants a Prior Informed Consent (PIC), i.e. a

<sup>27</sup> Sources : Convention on Biological Diversity : Introduction to access and benefit-sharing (<https://www.cbd.int/abs/infokit/revised/web/all-files-en.pdf>); UNEP/GEF project documents for the evaluated projects.

permission from a national authority to the user prior to accessing genetic resources, and negotiations are held to develop Mutually Agreed Terms (MAT), i.e. agreement on the conditions of access and use of the resources, and the benefits to be shared, to ensure fair and equitable sharing of genetic resources and associated benefits.

3. The CBD COP6 (2002) adopted the *Bonn Guidelines on Access to Genetic Resources and Fair and Equitable Sharing of the Benefits Arising out of their Utilization*, as voluntary guidelines to assist the governments with the implementation of the CBD ABS-framework. More precisely, the Guidelines were aimed to assist countries as providers in setting up legislative, administrative and policy measures for ABS, e.g. recommending the elements of PIC – procedures, as well as to assist providers and users in the negotiation of MATs. Moreover, in COP-6, discussions were initiated to negotiate an international regime to promote fair and equitable ABS and the following COPs discussed, agreed on and set in motion a process to establish a *Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization*, finally adopted in the COP-10 (2010) in Nagoya.

4. After the Bonn Guidelines were adopted, it was, however, recognized that some countries were constrained in fully utilizing the guidelines due to capacity constraints, and therefore unable to effectively participate in the negotiations of the international ABS regime. The five UNEP/GEF projects under evaluation now responded to the need for building capacity of countries for access and benefit sharing to enable the Parties of the CBD to elaborate, negotiate and implement the Convention.

**(i) Capacity building for the early entry into force of the Protocol on Access and Benefit Sharing (ABS Global)**

5. According to the Second National Reports to the CBD, 81 countries out of the 93 attached high or medium level priorities to access and benefit sharing, in the Third National Reports, high or medium level priorities have been awarded by 98 of the 129 countries. Moreover, a study on 109 National Biodiversity Strategies and Action Plans (NBSAPs) showed that more than 50 % included ABS measures and / or objectives. However, the countries identified several capacity barriers and capacity building needs regarding ABS, and assessed that in general there is poor understanding of the critical issues related to access and benefit sharing, there are inadequate capacities of institutional frameworks relevant for the regulation of access and benefit sharing, there is lack of adequate skills on the valuation of biological / genetic resources, and lack of general awareness on ABS issues.

6. The ABS Global – project was designed as a global technical assistance project to address the identified capacity barriers and to contribute to the achievement of the third objective of the CBD. The project specifically arose from a request from countries participating in COP 10 to be assisted in the ratification process. Through targeted awareness raising and capacity building activities, the project aimed to help developing countries include improved ABS measures and plans in national priorities. The project was implemented from April 2011 to January 2014.

**(ii) Supporting the development and implementation of access and benefit sharing policies in Africa (ABS Africa)**

7. Africa contains five globally significant hotspots and numerous unique environments, home to only partially documented plethora of indigenous species. The ABS Africa - project was developed against the backdrop that Africa hosts a substantial proportion of the world's genetic diversity but that loss of biodiversity, and consequently the genetic resources, is a major concern. Moreover, for centuries Africa has contributed significantly to the world's reserve of genetic resources, but instead of the local communities, the benefits from these have mainly flowed to states, enterprises, institutions or individuals outside the region. Considering the threats to biodiversity and the fact that Africa still hosts a vast potential of undiscovered genetic resources, there is a need to ensure that benefits of sustainably utilizing genetic resources are recognized and that the benefits are equitably shared. If properly managed, the biological wealth can contribute to poverty alleviation and food security, fostering industrial innovation

and developing new medicines. However, it was recognized that whilst reasonable capacity exists in the relevant core sciences, there is lack of capacity in the legal and policy aspects of genetic resources use and conservation. This combined with adverse economic conditions, most African countries lack the human and organizational resources to conduct research and implement policies to combat threats of environmental degradation and loss of biodiversity, especially of indigenous food crops and other useful plants, animal species and microorganisms.

8. The ABS Africa - project was implemented from August 2010 to December 2012 to build capacities to meaningfully participate in access and benefit sharing processes. The project engaged with different actors, from governments to local communities in six African countries; Cameroon, Kenya, Madagascar, Mozambique, Senegal and South Africa.

**(iii) *Building capacity for regionally harmonized national processes for implementing CBD provisions on access to genetic resources and sharing benefits (ABS Asean)***

9. The Southeast Asian region is rich in biological resources and hosts an exceptionally rich diversity of cultivated plant species and domesticated animals. Throughout the region crop cultivation is largely dependent on traditional cultivars, old varieties and landraces and the region is rich in local, unimproved varieties of regionally and globally food crops. The regions many indigenous and traditional communities constitute important repositories of biodiversity-related knowledge. However, the region is increasingly environmentally vulnerable as the forest, mountain, inland water and marine and coastal ecosystems are threatened by land conversion and degradation, pollution, deforestation and overuse of resources.

10. The ABS Asean project was developed as a regional response to the identified capacity building needs in regards to ABS in the ASEAN member countries. The countries share many biological, economic, legal, cultural and linguistic similarities and ties, implying sensibility of a regional approach to ABS capacity building. However, the project baseline study found that implementation of existing environmental legislation has left room for improvement, provisions related to ABS were fragmented and overall the ABS measures were limited. There was thus a need to establish effective ABS strategies to secure conservation and sustainable use of biodiversity, to ensure that traditional knowledge on biodiversity is respected and preserved, to support the development of biotechnology in the region, and to ensure equitable sharing of benefits from genetic resources. The project aimed to address this by assisting the Southeast Asian countries to implement the Bonn Guidelines and to build capacity of the countries to effectively participate in the negotiations of the international ABS regime.

11. The ABS Asean project was implemented from November 2010 to October 2012 in ten Southeast Asian countries (Brunei Darussalam, Cambodia, Indonesia, Lao PDR, Malaysia, Myanmar, Philippines, Singapore, Thailand, and Viet Nam, together with Timor Leste). The project aimed to respond to three key priority needs identified by the participating countries, namely (i) Develop the regional ABS network by building on the Agreement; (ii) Develop national capacities to ensure access and benefit sharing; and (iii) Develop a targeted public awareness and educational programme to increase awareness in marginalised and key non-governmental stakeholder and assist them to participate more effectively in the development and implementation of an ABS Policy.

**(iv) *LAC ABS - Strengthening the implementation of access to genetic resources and benefit-sharing regimes in Latin America and the Caribbean (ABS LAC)***

12. The LAC ABS- project is being implemented from June 2011 to May 2014 in nine Latin American and Caribbean countries; Colombia, Costa Rica, Cuba, Dominica, Dominican Republic, Ecuador, Guyana, Panama and Peru, from which all are important centres of biological and cultural diversity, and four countries are members of the Group of Megadiverse Countries. The countries are also increasingly recognizing the opportunities catalysed by an effective ABS framework, and gradually linking this area of work to protection of Traditional Knowledge (TK) and other social issues. Since the countries share a

portion of each other's resources, regional approaches to developing ABS are economically, politically and environmentally sound.

13. The project aimed to ensure that the principles of conservation, sustainability, equity and justice of the CBD in regards to access and benefit sharing and the protection of traditional knowledge are incorporated in the development and implementation of public policies, norms, programs and activities in Latin America and the Caribbean. The overall objective of the project was to strengthen the capacities of the nine countries to develop and / or comply with national policy and legal frameworks regarding access to genetic resources, benefit sharing and the protection of traditional knowledge. The Project consisted of three technical components that focused on (i) capacity building of stakeholders through knowledge transfer and knowledge management, (ii) capacity building for integration and application of ABS and TK regimes and for negotiating contracts and agreements, and (iii) capacity building for comprehensive cross-implementation of the various international treaties that relate to ABS and TK.

**(v) "Strengthening the implementation of the Biological Diversity Act and Rules with focus on its Access and Benefit Sharing Provisions (ABS India)"**

14. India is one of the mega biodiversity rich countries of the world, home to four of the 34 global biodiversity hotspots and 45,968 species of flora and 91,364 species of fauna. This vast biodiversity is of immense economic, ecological, social and cultural value and it has tremendous value for posterity. However, similar to many other countries in the world, India is facing human pressure on the natural resources in the form of habitat destruction, monoculture and intensive agriculture, climate change, invasive alien species and poaching of wildlife. In the context of ABS, degradation of bio-resources also leads to the loss of traditional knowledge associated with it. Recognizing ABS potential and developing ABS agreements would help better use of country's biodiversity potential, and contribute to biodiversity conservation and sustainable use. As many other countries, however, also India is faced with gaps in the existing mechanisms in implementing the ABS provisions in terms of lack of awareness, lack of regional capacity and man power and gaps in legal mechanisms and their implementation.

15. The project was implemented from March 2011 to February 2014 to build the capacity of stakeholders at national, state and local levels in developing suitable mechanisms for effective implementation of ABS provisions towards achieving access and equitable sharing of benefits arising out of the utilization of bio-resources from mountain, forests, arid/semi-arid, wetland, coastal and marine and agrobiodiversity and wetland ecosystems in India. The project aimed to facilitate valuation of bio-resources that can be commercially utilized, help India to conserve biodiversity in selected ecosystems, support documentation of the Peoples Biodiversity Registers (PBRs), valuation of biodiversity and help in establishing biodiversity heritage sites.

**Project objectives and components**

16. These five projects contributing to the ABS Portfolio Evaluation were developed to aim towards the same goal; to assist countries in the implementation of the third objective of the CBD – the Access and Benefit Sharing. Below are listed the specific goals for each of the projects, more detailed results frameworks are presented in Annex 8 of the ToRs.

**(i) *Capacity building for the early entry into force of the Protocol on Access and Benefit Sharing (ABS Global)***

17. Targeting the participation of at least 50 countries, the objective of the ABS Global project was "to assist GEF-eligible Parties to prepare for ratification and the early entry into force of the Protocol through targeted awareness raising and capacity building" and expected outcomes stated as (i) Enhanced Understanding by key stakeholders of the provisions in the Protocol and the implications for government and other stakeholders; (2.1) Enhanced political, legislative and policy readiness for the accelerated ratification of the Protocol; (2.2) Enhanced national stakeholder readiness for the accelerated ratification

of the protocol; (2.3) Enhanced political momentum and negotiation capacity in addressing issues of common concerns in accelerating the ratification process for the Protocol.

**(ii) *Supporting the development and implementation of access and benefit sharing policies in Africa (ABS Africa)***

18. The ABS Africa project was designed to support the development, implementation and revision of ABS frameworks in Cameroon, Kenya, Madagascar, Mozambique, Senegal and South Africa. The project aimed to build awareness for ABS among all relevant agencies and stakeholders in each country, by involving them from the onset, fostering cross-sectoral dialogue and by developing targeted communication, education and public awareness materials. The specific project objective was stated as “*Development, implementation and review of ABS frameworks in six African countries*” and the project had four expected outcomes: (1) Development of national ABS policies and regulations; (2) Implementation of national ABS policies and regulations; (3) Revision of existing national ABS policies and regulations; and (4) Regional and sub-regional cooperation and capacity-development.

**(ii) *Building capacity for regionally harmonized national processes for implementing CBD provisions on access to genetic resources and sharing benefits (ABS Asean)***

19. The overall goal of the ABS Asean project was “*to assist Southeast Asian countries to implement the Bonn Guidelines in a harmonized manner, in accordance with the Action Plan on Capacity-building for Access to Genetic Resources and Benefit-sharing adopted by the COP, taking into consideration the draft ASEAN ABS Framework Agreement, and to build capacity for Southeast Asian countries to be able to effectively participate in the negotiation of the international ABS regime*”. The Project had three specific objectives: (i) Strengthen the capacity of Southeast Asian countries to better able to implement the CBD provisions on access and benefit sharing; (ii) Increase understanding of access and benefit sharing issues among stakeholders and the general public and strengthen national capacity to participate effectively in global discussions on ABS to strengthen national policies and promote equitable benefit sharing; and (iii) Improve public understanding of the contribution ABS can make to biodiversity conservation and sustainable livelihoods.

**(iv) *LAC ABS – Strengthening the implementation of access to genetic resources and benefit-sharing regimes in Latin America and the Caribbean (ABS LAC)***

20. The ABS LAC project was developed with a goal of ensuring that the principles of conservation, sustainability, equity and justice of the CBD in regards to access and benefit sharing and the protection of traditional knowledge are incorporated in the development and implementation of public policies, norms, programs and activities in Latin America and the Caribbean. The project objectives were (1) To strengthen the capacity of countries to develop, implement and apply the CBD provisions related to access to genetic resources and benefit sharing as well as to traditional knowledge associated to these resources; and (2) To increment the understanding and the negotiation skills of countries regarding ABS agreements / contracts, in a way that will contribute to align bioprospecting projects and national ABS decisions with the CBD, while also benefit progress under the CBD’s International Regime (ABS Protocol).

**(v) *Strengthening the implementation of the Biological Diversity Act and Rules with focus on its Access and Benefit Sharing Provisions (ABS India)***

21. The main objective of the ABS India project was “*to increase the institutional, individual and systemic capacities of stakeholders to effectively implement the Biological Diversity Act to achieve biodiversity conservation through implementing ABS agreements in India*”. The project consisted of 6 components; (i) Identification of biodiversity with potential for ABS and their valuation in selected ecosystems; (ii) Development of methodologies, guidelines, frameworks for implementing ABS provisions of the Biological Diversity Act; (iii) Piloting agreements on ABS; (iv) Implementation of policy and regulatory frameworks relating to ABS provisions at national level and thereby contribute to



international ABS policy issues; (v) Capacity building for strengthening implementation of ABS provisions of the Biological Diversity Act; and (vi) Increasing public awareness and education programmes.

### Executing Arrangements

22. The GEF **Implementing Agency** for the five ABS projects was the United Nations Environment Programme (UNEP). In this capacity, UNEP had overall responsibility for the implementation of the projects, project oversight, and co-ordination with other GEF projects.

23. The Lead Executing Agency of the **ABS Global** project was the Secretariat of the CBD (SCBD) working in collaboration with UNEP Regional Offices. Consultations were held with UN Environment Law Division<sup>28</sup> to establish the legality of the SCBD becoming the LEA for a GEF project. The SCBD charged no project management costs from the project, but draw on its core resources for administrative and project management funds, to avoid the perception of conflict of interest.

24. The Lead Executing Agency (LEA) of the **ABS Africa** project was the Deutsche Gesellschaft für Technische Zusammenarbeit GmbH (GTZ). The Project Manager at GTZ was responsible for overall supervision of all aspects of the project, for providing overall supervision for project staff at GTZ as well as other staff appointed by GTZ. The Project Coordinator at GTZ was responsible for the overall coordination and management of all aspects of the project, for all substantive, managerial and financial reports from the project and was to liaise closely with the National Project Coordinators. The GTZ was responsible for executing the regional component. For execution of the national components, the LEA established financing agreements with six National Executing Agencies that appointed National Project Coordinators (NPC). The NPCs were responsible for management and implementation of the respective national components of the project, for managerial and financial reports to the LEA in accordance to the financing agreement between the NEA and LEA.

25. The Lead Executing Agency for the **ABS Asean** project was the ASEAN Centre for Biodiversity (ACB), in collaboration with the UNU Institute of Advanced Studies and ASEAN Secretariat. National Focal Points and National Project Committees were selected in each country. The Project Steering Committee, established to provide overall policy guidance to the project consisted of the ACB, UNEP, SCBD, a member of ASEAN Senior Officials on the Environment (ASOEN), a nominated national project focal point and a bilateral funder.

26. The Lead Executing Agency for the **ABS LAC** project was IUCN. The IUCN established a project management team and appointed a Head of Project Coordination to oversee project execution and to provide technical back-stopping. A regional Project Steering Committee was established to provide overall oversight of the project. A Technical Manager was appointed to work directly with IUCN, under the supervision of the Head of Project Coordination, to support the project team. National Focal Points representing ABS and TK authorities were selected in each country.

27. The Lead Executing Agency for the **ABS India** project was the National Biodiversity Authority (NBA) in collaboration with the Ministry of Environment and Forests, Government of India.

### Project Cost and Financing

28. The combined total budget for these five ABS projects was a bit over US \$ 17 million, with a GEF contribution of approximately US \$ 7 million. The total budgets and funding sources are presented in Table 1 below. The **ABS Global** project had an overall budget of US \$ 2,104,150 from which US \$ 944,750 was from the GEF and US \$ 1,159,400 from co-financing. The overall budget of the **ABS Africa** project

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<sup>28</sup> Formerly the Division of Environmental Law and Conventions (DELIC)

was US \$ 2,179,350 including GEF fund and co-financing from the participating country governments. The country allocations to the project were, however, very unequal and budgets for national-level activities in some participating countries would have been too small to achieve significant results. Therefore, the allocated funds were redistributed to make national budgets more equitable, enabled mainly through a generous agreement of the National Executing Agency in South Africa.

29. The overall budget of the **ABS Asean** project was US \$ 1,500,000, of which US \$ 750,000 from the GEF and US \$ 750,000 from co-financing from Asean Member States, ACB, Asean Secretariat and UNUIAS. The overall budget of the **ABS LAC** project was US \$ 1,757,166, of which US \$ 850,000 are provided by GEF and US \$ 907,166 by the Executing Agency, project countries (in-kind) and technical partners. Finally, the overall budget of the **ABS India** project was US \$ 9,839,000, of which US \$ 3,561,000 from GEF and US \$ 6,278,000 from co-financing from the Government of India.

Table 1. Total budgets and funding sources of the five UNEP/GEF ABS projects

	<i>ABS Global</i>	<i>ABS Africa</i>	<i>ABS Asean</i>	<i>ABS LAC</i>	<i>ABS India</i>
<i>Cost to the GEF Trust Fund</i>	944,750	1,177,300	750,000	850,000	3,561,000
Co-Financing					
<i>Cash</i>	SCBD : 350,000	BUWAL: 151,302	<ul style="list-style-type: none"> <li>• Indonesia: 100,000;</li> <li>• Malaysia: 200,000;</li> <li>• Philippines: 150,000</li> </ul>	WIPO: ?	<ul style="list-style-type: none"> <li>• Gov. of India: 1,535,000;</li> <li>• UNDP: 1,000,000</li> </ul>
<i>In-Kind</i>	SCBD : 809,400	<ul style="list-style-type: none"> <li>• Project Govs (6 countries): 414,150;</li> <li>• UNU-IAS: 81,800;</li> <li>• ABS Initiative: 316,100;</li> <li>• SCBD: 40,000</li> </ul>	<ul style="list-style-type: none"> <li>• UNU-IAS: 100,000;</li> <li>• ACB: 200,000</li> </ul>	<ul style="list-style-type: none"> <li>• Project countries: 567,166;</li> <li>• PDA: 35,000;</li> <li>• IUCN-South: 165,000;</li> <li>• UNEP (DELC/ROLAC): 140,000</li> </ul>	<ul style="list-style-type: none"> <li>• GoI: 1,810,000;</li> <li>• Project partners: 1,933,000</li> </ul>
<i>Co-financing total</i>	1,159,400	1,003,352	750,000	907,166	6,278,000
<b>Total</b>	2,104,150	2,180,652	1,500,000	1,757,166	9,839,000

### Progress and Implementation

30. The **ABS Global** project did not undergo a Mid-term Review. The Project PIR 2013 rated the overall implementation progress as Satisfactory (?). According to the PIR, “the project has contributed to the implementation of the third objective of the CBD by providing support through capacity building and awareness raising activities to governments to assist them in meeting their obligations under the Nagoya Protocol. The project has also contributed in enhancing the awareness and understanding among stakeholder groups, including indigenous and local communities and the scientific community”.

31. The **ABS Africa** project did not undergo a Mid-Term Review, but according to the project PIR 2012, the project was well underway in terms of executing the planned activities in most countries, albeit initial delays in signing agreements caused delaying commencement of activities in other countries. The project was granted a no-cost extension to enable completion. In terms of meeting the project objectives, progress has been made in almost all countries, but with different rates of progress due to the initial delays. The PIR rated the overall project progress as Satisfactory.

32. The **ABS Asean** project underwent a Mid-Term Review (MTR) in late 2012, which found that the project had been reasonable effective in building capacity of the participating countries on ABS and in promoting regional learning, but was still in its infancy in terms of achieving the fourth outcome on common understanding and regional harmonisation of ABS issues. However, the Review is positive in terms of sustainability prospects, partly due to the high country commitment in implementing ABS. The project experienced some delays at its early days, and the review concluded that this might have negative implications especially in regards to the delivery of the fourth outcome. The latest PIR (June 2012-July 2013) rated the progress towards meeting project objectives as Moderately Satisfactory with an overview of *“Project has achieved a lot on the regional deliverables and outcomes, as well as established a good basis for national programs. However, several national outputs remain delayed in several of the AMS project countries (not only those with delayed contract), and as such outcomes are only partly met. That is comparable with the last reporting year and as such the rating cannot be increased given the project moves into the last months of implementation”*. Due to initial delays, the project was granted a no-cost extension to allow completion of planned activities.

33. The **ABS LAC** project underwent a Mid-Term Review in early 2013, which found that the project was relevant and timely response to the increasing needs in LAC countries regarding ABS and rated the overall effectiveness of the project as satisfactory. The project has been successful in increasing understanding of and improving negotiation skills for ABS contracts, but the review noted that additional effort and financial support may be needed. It was noted that the project’s limited budget is a challenge to implementing a regional project and therefore the project mainly focused on creating conditions for national authorities to develop and increase their understanding on ABS. The MTR noted some shortcomings in terms of active stakeholder involvement and country ownership, which may have negative implications on project’s sustainability if not strengthened. The PIR 2013 rated the project’s overall progress towards meeting its objectives as Satisfactory.

The **ABS India** project did not undergo a Mid-Term Review but according to the project PIR 2013, the project activities are progressing as planned. The project has held workshops and discussion meetings with a wide range of stakeholders, collected the base line information, reviewed existing ABS agreements and undertaken a gap analysis, and developed a wide range of ABS information material.

## TERMS OF REFERENCE FOR THE EVALUATION

### Objective and Scope of the Evaluation

34. In line with the UNEP Evaluation Policy<sup>29</sup>, the UNEP Evaluation Manual<sup>30</sup> and the Guidelines for GEF Agencies in Conducting Terminal Evaluations<sup>31</sup>, the Portfolio Evaluation of the five UNEP/GEF Access and Benefit Sharing projects is undertaken six months after or prior to the completion of the project to assess project performance (in terms of relevance, effectiveness and efficiency), and determine outcomes and impacts (actual and potential) stemming from the project, including their sustainability. The evaluation has two primary purposes: (i) to provide evidence of results to meet accountability requirements, and (ii) to promote learning, feedback, and knowledge sharing through results and lessons learned among UNEP, the GEF and their executing partners. Therefore, the evaluation will identify lessons of operational relevance for future project formulation and implementation.

### Overall Approach and Methods

35. The ABS Portfolio evaluation draws findings from five UNEP/GEF projects on Access and Benefit Sharing (i) *“Capacity building for the early entry into force of the Protocol on Access and Benefit Sharing”* (ABS Global); (ii) *“Supporting the development and implementation of access and benefit sharing policies in Africa”* (ABS Africa); (iii) *“Building capacity for regionally harmonized national processes for implementing CBD provisions on access to genetic resources and sharing benefits”* (ABS Asean), (iv) *“LAC ABS – Strengthening the implementation of access to genetic resources and benefit-sharing regimes in Latin America and the Caribbean”* (ABS LAC) and (v) *“Supporting ratification and implementation of the Nagoya Protocol on ABS through technology transfer and private sector engagement in India (ABS India)* will be conducted by a team of independent consultants under the overall responsibility and management of the UNEP Evaluation Office (Nairobi), in consultation with the UNEP GEF Coordination Office (Nairobi), and the UNEP Task Managers at UN Environment Ecosystems Division<sup>32</sup>.

36. The evaluation will be an in-depth evaluation using a participatory approach whereby key stakeholders are kept informed and consulted throughout the evaluation process. Both quantitative and qualitative evaluation methods will be used to determine project achievements against the expected outputs, outcomes and impacts. The consultant team will deliver concise evaluation reports for each of the five individual projects following the evaluation approach and methods described in this Terms of Reference. In addition, the consultant team will prepare the main portfolio evaluation report, bringing the findings of the five evaluations together, identifying commonalities and differences in project designs and their implementation, and most importantly, drawing lessons to be applied in future ABS – projects by UNEP, GEF and their partners.

37. The findings of the evaluation will be based on the following:

- (a) A **desk review** of project documents and others including, but not limited to:
  - Relevant background documentation, inter alia UNEP and GEF policies, strategies and programmes;

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<sup>29</sup> <http://www.unep.org/eou/StandardsPolicyandPractices/UNEPEvaluationPolicy/tabid/3050/language/en-US/Default.aspx>

<sup>30</sup> <http://www.unep.org/eou/StandardsPolicyandPractices/UNEPEvaluationManual/tabid/2314/language/en-US/Default.aspx>

<sup>31</sup> [http://www.thegef.org/gef/sites/thegef.org/files/documents/TE\\_guidelines7-31.pdf](http://www.thegef.org/gef/sites/thegef.org/files/documents/TE_guidelines7-31.pdf)

<sup>32</sup> Formerly the Division of Environmental Policy Implementation (DEPI)

- Project design documents; Annual Work Plans and Budgets or equivalent, revisions to the logical framework and project financing;
  - Project reports such as progress and financial reports from the executing partners to the Project Management Unit (PMU) and from the PMU to UNEP; Steering Group meeting minutes; annual Project Implementation Reviews, GEF Tracking Tools, project Mid-Term Reviews and relevant correspondence;
  - Documentation related to project outputs;
- (b) Interviews with:
- UNEP Task Managers (Nairobi, Washington, Bangkok) and Fund Management Officers (Nairobi, Moscow);
  - Respective project management and execution support;
  - Respective project stakeholders, including relevant government agencies, NGOs, academia and local communities;
  - Relevant staff of GEF Secretariat; and
  - Representatives of other multilateral agencies and other relevant organisations.
- (c) **Country visits.** The five ABS projects were implemented in six African countries; Cameroon, Kenya, Madagascar, Mozambique, Senegal and South Africa; ten Southeast Asian countries (Brunei Darussalam, Cambodia, Indonesia, Lao PDR, Malaysia, Myanmar, Philippines, Singapore, Thailand, and Viet Nam, together with Timor Leste); nine Latin American and Caribbean countries; Colombia, Costa Rica, Cuba, Dominica, Dominican Republic, Ecuador, Guyana, Panama and Peru; and in India. One of the projects was a global initiative. The countries to be visited will be determined in consultation with the Project Teams, the UNEP Evaluation Office and the Evaluation Team, however, including all projects and taking into consideration budgetary and logistical restrictions.

### Key Evaluation principles

38. Evaluation findings and judgements should be based on **sound evidence and analysis**, clearly documented in the evaluation report. Information will be triangulated (i.e. verified from different sources) to the extent possible, and when verification was not possible, the single source will be mentioned. Analysis leading to evaluative judgements should always be clearly spelled out.

39. The evaluation will assess the five projects, and further the entire portfolio, with respect to a **minimum set of evaluation criteria** grouped in four categories: (1) Attainment of objectives and planned results, which comprises the assessment of outputs achieved, relevance, effectiveness and efficiency and the review of outcomes towards impacts; (2) Sustainability and catalytic role, which focuses on financial, socio-political, institutional and ecological factors conditioning sustainability of project outcomes, and also assesses efforts and achievements in terms of replication and up-scaling of project lessons and good practices; (3) Processes affecting attainment of project results, which covers project preparation and readiness, implementation approach and management, stakeholder participation and public awareness, country ownership/driven-ness, project finance, UNEP supervision and backstopping, and project monitoring and evaluation systems; and (4) Complementarity with the UNEP strategies and programmes. The evaluation should also assess cross-cutting issues, especially (5) gender mainstreaming and integration of social and environmental safeguards at design and during implementation. The evaluation consultants can propose other evaluation criteria as deemed appropriate.

40. **Ratings.** All evaluation criteria will be rated on a six-point scale for the individual projects. The evaluation team, in consultation with the Evaluation Office, will determine the feasibility of providing portfolio-level ratings. Complementarity of the project with the UNEP strategies and programmes and

cross-cutting issues are not rated. Annex 2 provides detailed guidance on how the different criteria should be rated and how ratings should be aggregated for the different evaluation criterion categories.

41. In attempting to attribute any outcomes and impacts to the projects and the entire portfolio, the evaluators should consider the difference between *what has happened with and what would have happened without the projects*. This implies that there should be consideration of the baseline conditions and trends in relation to the intended project outcomes and impacts. This also means that there should be plausible evidence to attribute such outcomes and impacts to the actions of the project. Sometimes, adequate information on baseline conditions and trends is lacking. In such cases this should be clearly highlighted by the evaluators, along with any simplifying assumptions that were taken to enable the evaluators to make informed judgements about project performance.

42. Particular attention in this Portfolio Evaluation should be given to learning from the experience. Therefore, the “*Why?*” question should be at front of the consultants’ minds all through the evaluation exercise. This means that the consultants needs to go beyond the assessment of “*what*” the project performance was, and make a serious effort to provide a deeper understanding of “*why*” the performance was as it was, i.e. of processes affecting attainment of project results (criteria under category 3). This should provide the basis for the lessons that can be drawn from the project. In fact, the usefulness of the evaluation will be determined to a large extent by the capacity of the consultants to explain “*why things happened*” as they happened and are likely to evolve in this or that direction, which goes well beyond the mere review of “*where things stand*” today.

## Evaluation criteria

### Strategic relevance

43. The evaluation will assess, in retrospect, whether the portfolio objectives and implementation strategies were consistent with: i) Sub-regional environmental issues and needs; ii) the UNEP mandate and policies at the time of design and implementation; and iii) the GEF Biodiversity focal area, strategic priorities and operational programme(s).

44. It will also assess whether the five projects were relevant in regards to broader ABS-related national/regional and global needs, whether the project objectives were realistic, given the time and budget allocated to the projects, and assess the baseline situation and the institutional context in which the projects were to operate.

### Achievement of Outputs

45. The evaluation will assess the projects’ success in producing the programmed results, both in quantity and quality, as well as their usefulness and timeliness. Briefly explain the degree of success of the projects in achieving their different outputs, cross-referencing as needed to more detailed explanations provided under Section F (which covers the processes affecting attainment of project objectives). The achievements under the regional and national demonstration projects will receive particular attention. The Portfolio Evaluation will provide an overall assessment of achievement of outputs at the project level, giving a particular focus on outputs deemed as “key outputs” in contributing to the Portfolio level – objectives.

### Effectiveness: Attainment of Objectives and Planned Results

46. The evaluation will assess the extent to which the projects’ objectives were effectively achieved or are expected to be achieved.

47. The Project Evaluations will reconstruct a Theory of Change (ToC) for each of the projects based on a review of project documentation and stakeholder interviews. The ToC of a project depicts the causal pathways from project outputs (goods and services delivered by the project) over outcomes (changes

resulting from the use made by key stakeholders of project outputs) towards impact (changes in environmental benefits and living conditions) identifying how the project is contributing to broader ABS objectives. The ToC will also depict any intermediate changes required between project outcomes and impact, called intermediate states. The ToC further defines the external factors that influence change along the pathways, whether one result can lead to the next. These external factors are either drivers (when the project has a certain level of control) or assumptions (when the project has no control). The Portfolio Evaluation will present a ToC, following the guidance above, but focusing on the portfolio level; depicting causal pathways from the portfolio projects towards the portfolio objectives. It will assist in examining complementarities among the five projects and assessing whether a causal logic exists at the portfolio level.

48. The assessment of effectiveness at both, project and portfolio level, will be structured in three sub-sections:

- (a) Evaluation of the **achievement of direct outcomes as defined in the reconstructed ToC**. These are the first-level outcomes expected to be achieved as an immediate result of project outputs.
- (b) Assessment of the **likelihood of impact** using a *Review of Outcomes to Impacts* (ROtI) approach as summarized in Annex 6 of the TORs. Appreciate to what extent the project has to date contributed, and is likely in the future to further contribute to changes in stakeholder behaviour as a result of the projects' direct outcomes, and the likelihood of those changes in turn leading to changes in the natural resource base, benefits derived from the environment and human living conditions.
- (c) Evaluation of the **achievement of the formal project overall objective, overall purpose, goals and component outcomes** using the projects' own results statements as presented in the original logframes and any later versions of the logframe. This sub-section will refer back where applicable to sub-sections (a) and (b) to avoid repetition in the report. To measure achievement, the evaluation will use as much as appropriate the indicators for achievement proposed in the Logical Framework Matrix (Logframe) of the projects, adding other relevant indicators as appropriate. Briefly explain what factors affected the projects' success in achieving its objectives, cross-referencing as needed to more detailed explanations provided under Section F.

### **Sustainability and replication**

49. Sustainability is understood as the probability of continued long-term project-derived results and impacts after the external project funding and assistance ends. The evaluation will identify and assess the key conditions or factors that are likely to undermine or contribute to the persistence of benefits. Some of these factors might be direct results of the projects while others will include contextual circumstances or developments that are not under control of the projects but that may condition sustainability of benefits. The evaluation should ascertain to what extent follow-up work has been initiated and how project results will be sustained and enhanced over time. The reconstructed ToCs will assist in the evaluation of sustainability both at the project and portfolio level.

50. Four aspects of sustainability will be addressed:

- (a) *Socio-political sustainability*. Are there any social or political factors that may influence positively or negatively the sustenance of projects results and progress towards impacts? Is the level of ownership by the main national and regional stakeholders sufficient to allow for the projects results to be sustained? Are there sufficient government and stakeholder awareness, interests, commitment and incentives to execute, enforce and pursue the programmes, plans, agreements, monitoring systems etc. prepared and agreed upon under the projects?

- (b) *Financial resources.* To what extent are the continuation of projects results and the eventual impact of the projects dependent on continued financial support? What is the likelihood that adequate financial resources<sup>33</sup> will be or will become available to implement the programmes, plans, agreements, monitoring systems etc. prepared and agreed upon under the projects? Are there any financial risks that may jeopardize sustenance of projects results and onward progress towards impact?
- (c) *Institutional framework.* To what extent is the sustenance of the results and onward progress towards impact dependent on issues relating to institutional frameworks and governance? How robust are the institutional achievements such as governance structures and processes, policies, sub-regional agreements, legal and accountability frameworks etc. required to sustaining projects results and to lead those to impact on human behaviour and environmental resources?
- (d) *Environmental sustainability.* Are there any environmental factors, positive or negative, that can influence the future flow of project benefits? Are there any project outputs or higher level results that are likely to affect the environment, which, in turn, might affect sustainability of project benefits? Are there any foreseeable negative environmental impacts that may occur as the project results are being up-scaled?

51. **Catalytic role and replication.** The *catalytic role* of GEF-funded interventions is embodied in their approach of supporting the creation of an enabling environment and of investing in pilot activities which are innovative and showing how new approaches can work. UNEP and the GEF also aim to support activities that upscale new approaches to a national, regional or global level, with a view to achieve sustainable global environmental benefits. The evaluation will assess the catalytic role played by these projects, namely to what extent the projects have:

- (a) *Catalysed behavioural changes* in terms of use and application by the relevant stakeholders of: i) technologies and approaches show-cased by the demonstration projects; ii) strategic programmes and plans developed; and iii) assessment, monitoring and management systems established at local, national and regional level;
- (b) Provided *incentives* (social, economic, market based, competencies etc.) to contribute to catalysing changes in stakeholder behaviour;
- (c) Contributed to *institutional changes*. An important aspect of the catalytic role of the project is its contribution to institutional uptake or mainstreaming of project-piloted approaches in the regional and national demonstration projects;
- (d) Contributed to *policy changes* (on paper and in implementation of policy);
- (e) Contributed to sustained follow-on financing (*catalytic financing*) from Governments, the GEF or other donors;
- (f) Created opportunities for particular individuals or institutions ("*champions*") to catalyse change (without which the project would not have achieved all of its results).

52. *Replication*, in the context of GEF projects, is defined as lessons and experiences coming out of the project that are replicated (experiences are repeated and lessons applied in different geographic areas) or scaled up (experiences are repeated and lessons applied in the same geographic area but on a much larger scale and funded by other sources). The evaluation will assess the approach adopted by the projects to promote replication effects and appreciate to what extent actual replication has already

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<sup>33</sup> Those resources can be from multiple sources, such as the public and private sectors, income generating activities, other development projects etc.



occurred or is likely to occur in the near future. What are the factors that may influence replication and scaling up of experiences and lessons from the projects?

## Efficiency

53. The evaluation will assess the cost-effectiveness and timeliness of execution of the projects. It will describe any cost- or time-saving measures put in place in attempting to bring the projects as far as possible in achieving their results within the programmed budgets and (extended) time. It will also analyse how delays, if any, have affected execution, costs and effectiveness of the projects. Wherever possible, costs and time over results ratios of the projects will be compared with that of other similar interventions. The evaluation will give special attention to efforts by the project teams to increase project efficiency all within the context of project execution, by, for example making use of/building upon pre-existing institutions, agreements and partnerships, data sources, synergies and complementarities with other initiatives, programmes and projects, such as the other projects within this portfolio.

### Factors and processes affecting project performance

54. **Preparation and readiness.** This criterion focusses on the quality of project design and preparation. Were project stakeholders<sup>34</sup> adequately identified? Were the objectives and components of the five projects clear, practicable and feasible within their timeframes? Were the capacities of executing agencies properly considered when the projects were designed? Were the project documents clear and realistic to enable effective and efficient implementation? Were the partnership arrangements properly identified and the roles and responsibilities negotiated prior to implementation of the projects? Were counterpart resources (funding, staff, and facilities) and enabling legislation assured? Were adequate project management arrangements in place? Were lessons from other relevant projects properly incorporated in the project design? What factors influenced the quality-at-entry of the project design, choice of partners, allocation of financial resources etc.? Were GEF environmental and social safeguards considered when the projects were designed<sup>35</sup>? The evaluation should also specifically assess the complementarity of the portfolio projects; were projects designed jointly or in separation, were complementarities and synergies identified, and what was the relation of the ABS – Global project vis-à-vis the regional/ national projects.

55. **Project implementation and management.** This includes an analysis of implementation approaches used by the projects, their management frameworks, their adaptation to changing conditions (adaptive management), the performance of the implementation arrangements and partnerships, relevance of changes in project designs, and overall performance of project management. The evaluation will:

- (a) Ascertain to what extent the implementation mechanisms outlined in the project documents have been followed and were effective in delivering project outputs and outcomes. Were pertinent adaptations made to the approaches originally proposed?
- (b) Evaluate the effectiveness and efficiency of project management of each of the projects and how well the management was able to adapt to changes during the life of the projects.
- (c) Assess the role and performance of the units and committees established and the execution arrangements of the projects at all levels.

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<sup>34</sup> Stakeholders are the individuals, groups, institutions, or other bodies that have an interest or stake in the outcome of the project. The term also applies to those potentially adversely affected by the project.

<sup>35</sup> <http://www.thegef.org/gef/node/4562>

- (d) Assess the extent to which project management responded to direction and guidance provided by the Steering Committee and UNEP supervision recommendations in each of the five projects.
- (e) Identify operational and political / institutional problems and constraints that influenced the effective implementation of the projects, and how the project partners tried to overcome these problems. How did the relationship between the project management team and the local executing agencies develop?
- (f) Assess the level of exchange between the portfolio projects during their implementation; was there cross-fertilization? Was there a mechanism in place to share experiences, challenges and best practices?
- (g) For the projects that underwent a Mid-term Review, assess the extent to which MTR recommendations were followed in a timely manner.
- (h) Assess the extent to which the project implementation met GEF environmental and social safeguards requirements.

56. **Stakeholder participation and public awareness.** The term stakeholder should be considered in the broadest sense, encompassing project partners, government institutions, private interest groups, local communities etc. The TOC analysis should assist the evaluators in identifying the key stakeholders and their respective roles, capabilities and motivations in each step of the causal pathway from activities to achievement of outputs and outcomes to impact. The assessment will look at three related and often overlapping processes: (1) information dissemination between stakeholders, (2) consultation between stakeholders, and (3) active engagement of stakeholders in project decision making and activities. The evaluation will specifically assess:

- (a) The approach(es) used to identify and engage stakeholders in the design and implementation of the projects. What were the strengths and weaknesses of these approaches with respect to the projects' objectives and the stakeholders' motivations and capacities? What was the achieved degree and effectiveness of collaboration and interactions between the various project partners and stakeholders during design and implementation of the projects?
- (b) The degree and effectiveness of any public awareness activities that were undertaken during the course of implementation of the projects; or that are built into the assessment methods so that public awareness can be raised at the time the assessments will be conducted;
- (c) How the results of the projects (strategic programmes and plans, monitoring and management systems, sub-regional agreements etc.) promote participation of stakeholders, including in decision making.

57. **Country ownership and driven-ness.** The evaluation will assess the performance of government agencies involved in the projects, as relevant:

- (a) In how far have the Governments assumed responsibility for the projects and provided adequate support to project execution, including the degree of cooperation received from the various public institutions involved in the projects and the timeliness of provision of counter-part funding to project activities?
- (b) To what extent have the political and institutional frameworks been conducive to project performance?
- (c) To what extent has the participation of the private sector, local communities and non-governmental organisations been encouraged in the projects?
- (d) How responsive were the government partners to project coordination and guidance, and to UNEP supervision?

58. **Financial planning and management.** Evaluation of financial planning requires assessment of the quality and effectiveness of financial planning and control of financial resources throughout the lifetimes of the projects. The assessments will look at actual project costs by activities compared to budget (variances), financial management (including disbursement issues), and co-financing. The evaluation will:

- (a) Verify the application of proper standards (clarity, transparency, audit etc.) and timeliness of financial planning, management and reporting to ensure that sufficient and timely financial resources were available to the projects and their partners;
- (b) Appreciate other administrative processes such as recruitment of staff, procurement of goods and services (including consultants), preparation and negotiation of cooperation agreements etc. to the extent that these might have influenced performance of the projects;
- (c) Present to what extent co-financing has materialized as expected at project approval (see Table 1). Report country co-financing to the projects overall, and to support projects activities at the national level in particular. The evaluation will provide a breakdown of final actual costs and co-financing for the different project components (see tables in Annex 3).
- (d) Describe the resources the projects have leveraged since inception and indicate how these resources are contributing to the ultimate objectives of the projects. Leveraged resources are additional resources—beyond those committed to the project at the time of approval—that are mobilized later as a direct result of the project. Leveraged resources can be financial or in-kind and they may be from other donors, NGO's, foundations, governments, communities or the private sector.

59. Analyse the effects on project performance of any irregularities in procurement, use of financial resources and human resource management, and the measures taken by the Executing Agencies or UNEP to prevent such irregularities in the future. Appreciate whether the measures taken were adequate.

60. **UNEP supervision and backstopping.** The purpose of supervision is to verify the quality and timeliness of project execution in terms of finances, administration and achievement of outputs and outcomes, in order to identify and recommend ways to deal with problems which arise during project execution. Such problems may be related to project management but may also involve technical/institutional substantive issues in which UNEP has a major contribution to make. The evaluators should assess the effectiveness of supervision and administrative and financial support provided by UNEP including:

- (a) The adequacy of project supervision plans, inputs and processes;
- (b) The emphasis given to outcome monitoring (results-based project management);
- (c) The realism and candour of project reporting and ratings (i.e. are PIR ratings an accurate reflection of the project realities and risks);
- (d) The quality of documentation of project supervision activities; and
- (e) Financial, administrative and other fiduciary aspects of project implementation supervision.

61. **Monitoring and evaluation.** The evaluation will include an assessment of the quality, application and effectiveness of project monitoring and evaluation plans and tools, including an assessment of risk management based on the assumptions and risks identified in the project documents. The evaluation will appreciate how information generated by the M&E system during project implementation was used to adapt and improve project execution, achievement of outcomes and ensuring sustainability. M&E is assessed on three levels:

- (a) *M&E Design.* Projects should have sound M&E plans to monitor results and track progress towards achieving project objectives. An M&E plan should include a baseline (including data, methodology, etc.), SMART indicators and data analysis systems, and evaluation studies at specific times to assess results. The time frame for various M&E activities and standards for outputs should have been specified. The evaluators should use the following questions to help assess the M&E design aspects:

- Quality of the project logframes (original and possible updates) as a planning and monitoring instruments; analyse, compare and verify correspondence between the original logframes in the Project Documents, possible revised logframes and the logframes used in Project Implementation Review reports to report progress towards achieving project objectives;
- SMART-ness of indicators: Are there specific indicators in the logframe for each of the project objectives of each of the projects? Are the indicators measurable, attainable (realistic) and relevant to the objectives? Are the indicators time-bound?
- Adequacy of baseline information: To what extent have baseline information on performance indicators been collected and presented in a clear manner? Was the methodology for the baseline data collection explicit and reliable?
- Arrangements for monitoring: Have the responsibilities for M&E activities been clearly defined? Were the data sources and data collection instruments appropriate? Was the frequency of various monitoring activities specified and adequate? In how far were users of the projects involved in monitoring?
- Arrangements for evaluation: Have specific targets been specified for project outputs? Has the desired level of achievement been specified for all indicators of objectives and outcomes? Were there adequate provisions in the legal instruments binding project partners to fully collaborate in evaluations?
- Budgeting and funding for M&E activities: Determine whether support for M&E was budgeted adequately and was funded in a timely fashion during implementation.

(b) *M&E Plan Implementation.* The evaluation will verify that:

- The M&E system was operational and facilitated timely tracking of results and progress towards objectives of the projects throughout the project implementation periods;
- Annual project reports and Progress Implementation Review (PIR) reports were complete, accurate and with well justified ratings;
- The information provided by the M&E system was used during the implementation of the projects to improve project performance and to adapt to changing needs.

(c) *Use of GEF Tracking Tools.* These are portfolio monitoring tools intended to roll up indicators from the individual project level to the GEF portfolio level and track overall portfolio performance in focal areas. Each focal area has developed its own tracking tool<sup>36</sup> to meet its unique needs; the relevant tracking tool for the ABS Projects is the *Biodiversity Tracking Tool*. Agencies are requested to fill out at CEO Endorsement (or CEO approval for MSPs) and submit these tools again for projects at mid-term and project completion. The evaluation will verify whether UNEP has duly completed the relevant tracking tools for these projects, and whether the information provided is accurate.

### **Complementarities with UNEP strategies and programmes**

62. UNEP aims to undertake GEF funded projects that are aligned with its own strategies. The evaluation should present a brief narrative on the following issues:

(a) *Linkage to UNEP's Expected Accomplishments and POW 2010-2011 / 2012-2013.* The UNEP MTS specifies desired results in six thematic focal areas. The desired results are termed Expected Accomplishments. Using the completed ToC/ROtI analysis, the evaluation should comment on whether the projects make a tangible contribution to any of the Expected

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<sup>36</sup> [http://www.thegef.org/gef/tracking\\_tools](http://www.thegef.org/gef/tracking_tools)

Accomplishments specified in the UNEP MTS. The magnitude and extent of any contributions and the causal linkages should be fully described. Whilst it is recognised that UNEP GEF projects designed prior to the production of the UNEP Medium Term Strategy 2010-2013 (MTS)<sup>37</sup> would not necessarily be aligned with the Expected Accomplishments articulated in those documents, complementarities may still exist and it is still useful to know whether these projects remain aligned to the current MTS.

- (b) *Alignment with the Bali Strategic Plan (BSP)*<sup>38</sup>. The outcomes and achievements of the projects should be briefly discussed in relation to the objectives of the UNEP BSP.
- (c) *Gender*. Ascertain to what extent project design, implementation and monitoring have taken into consideration: (i) possible gender inequalities in access to and the control over natural resources; (ii) specific vulnerabilities of women and children to environmental degradation or disasters; and (iii) the role of women in mitigating or adapting to environmental changes and engaging in environmental protection and rehabilitation. Appreciate whether the intervention is likely to have any lasting differential impacts on gender equality and the relationship between women and the environment. To what extent do unresolved gender inequalities affect sustainability of project benefits?
- (d) *South-South Cooperation*. This is regarded as the exchange of resources, technology, and knowledge between developing countries. Briefly describe any aspects of the projects that could be considered as examples of South-South Cooperation.

### **The Consultants' Team**

63. The evaluation team will consist of a team leader and one to two supporting consultants, who will work in close collaboration. The Consultant Team will produce Project Evaluation Reports for the five projects, under the overall coordination of the team leader. The assigned Responsible Evaluator for each project, will coordinate data collection and analysis, and the preparation of the evaluation report of her/his respective project, with contributions from the other team members, as relevant. The distribution of duties will be done in collaboration with the consultant team and the evaluation office. The Team Leader will be responsible of delivering the main Portfolio Evaluation Report, which collates findings from the individual Project Evaluation Reports. Each consultant will ensure together that all evaluation criteria are adequately covered.

64. Each consultant should have experience in project evaluation, be familiar with CBD and its ABS – frameworks, bioprospecting and incorporation of ABS considerations into national planning. The consultants should have a master's degree or higher in environmental sciences or environmental economics or equivalent, and be fluent in both written and spoken English. The consultant responsible for evaluating the ABS-LAC project should be also fluent in Spanish, and able to translate the Project Evaluation Report into Spanish as deemed necessary.

65. By undersigning the service contract with UNEP/UNON, the consultants certify that they have not been associated with the design and implementation of the project in any way which may jeopardize their independence and impartiality towards project achievements and project partner performance. In addition, they will not have any future interests (within six months after completion of the contract) with the project's executing or implementing units.

### **Evaluation Deliverables and Review Procedures**

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<sup>37</sup> <http://www.unep.org/PDF/FinalMTSGCSS-X-8.pdf>

<sup>38</sup> <http://www.unep.org/GC/GC23/documents/GC23-6-add-1.pdf>

66. The evaluation team will prepare an **inception report** for the ABS Portfolio Evaluation (see Annex 1(a) of ToRs for Inception Report outline) containing a thorough review of the context of the portfolio and the respective projects, review of project design quality, a draft reconstructed Theory of Change of the ABS portfolio and the individual projects, the evaluation framework and a tentative evaluation schedule.

67. The review of design quality of the projects will cover the following aspects (see Annex 9 for the detailed project design assessment matrix):

- Strategic relevance of the project;
- Preparation and readiness (see paragraph 25);
- Financial planning (see paragraph 30);
- M&E design (see paragraph 33(a));
- Complementarities with UNEP strategies and programmes (see paragraph 34);
- Sustainability considerations and measures planned to promote replication and up scaling (see paragraph 23).

68. The detailed project design assessment matrix will be completed for each of the five projects, and presented in the annex of the inception report, accompanied by a brief overview of the design strengths and weaknesses. The main part of the inception report will present synthesised findings from these project-specific assessments.

69. The ToC will define which direct outcomes, drivers and assumptions of the portfolio and individual projects need to be assessed and measured to allow adequate data collection for the evaluation of effectiveness, likelihood of impact and sustainability. It is, therefore, vital to reconstruct the ToC *before* the most of the data collection (review of reports, in-depth interviews, observations on the ground etc.) is done. The main part of the inception report will present a portfolio-level ToC, with detailed assessment on how the individual projects contribute to the broader, portfolio-level goals and identifying common assumptions, impact drivers and intermediate outcomes. The project-specific ToCs will be presented in an annex, accompanied with a narrative.

70. The evaluation framework will present in further detail the evaluation questions under each criterion with their respective indicators and data sources. The framework will be specifically tailored to the project-level evaluations, but can include additional questions for the portfolio-level evaluation as deemed necessary. Any gaps in information should be identified and methods for additional data collection, verification and analysis should be specified.

71. The inception report will also present a tentative schedule for the overall evaluation process, including a draft programme for the country visit and tentative list of people/institutions to be interviewed. In addition, the inception report will present a suggested distribution of duties for the consultant team.

72. The inception report will be submitted for review and approval by the Evaluation Office before the evaluation team travels to the selected countries.

73. **The project evaluation reports** should be brief (no longer than 20-25 pages – excluding the executive summary and annexes), to the point and written in plain English. The reports will follow the annotated Table of Contents outlined in Annex 1(b). The reports will present evidence-based and balanced findings, consequent conclusions, lessons and recommendations, which will be cross-referenced to each other. Each report should be presented in a way that makes the information accessible and comprehensible and easily extractable for the main evaluation report. Any dissident views in response to evaluation findings will be appended in footnote or annex as appropriate. To avoid repetitions in the report, the authors will use numbered paragraphs and make cross-references where possible.

74. **The main portfolio evaluation report** should be concise, explain the purpose of the evaluation, exactly what was evaluated and the methods used (with their limitations). The main report will follow the annotated Table of Contents outlined in Annex 1(c) and draw from the findings presented in the project

evaluation reports, presenting balanced findings and consequent conclusions. The main evaluation report will identify portfolio-level lessons to advise future initiatives, building on the lessons identified in the Project Evaluation Reports. The Portfolio evaluation report may also present portfolio-level recommendations, as deemed relevant. The individual project evaluation reports will be annexed to the main evaluation report. Any dissident views in response to evaluation findings will be appended in footnote or annex as appropriate. To avoid repetition in the report, the authors will use numbered paragraphs and make cross-references where possible.

75. **Presentation of the key findings.** The Team Leader will prepare a brief presentation of the key findings, lessons and recommendations of the Portfolio Evaluation, which s(he) will present in the 12<sup>th</sup> meeting of the Conference of the Parties to the CBD, and the first meeting of the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol on Access and Benefit-sharing to be held in the Republic of Korea 6-17 October 2014.

76. **Review of the Project Evaluation reports.** The evaluation team will submit the project evaluation reports as they are drafted, but latest by xxx to the UNEP Evaluation Office and revise the drafts following the comments and suggestions made by the EO. The EO will assess adequacy and quality of information provided in the project evaluation reports, to support drafting of the main portfolio evaluation report. Once a draft of adequate quality has been accepted, the EO will share this first draft report with the respective UNEP Task Managers, who may provide feedback on any errors of fact and may highlight the significance of such errors in any conclusions. It is also very important that the Task Managers provide feedback on the proposed recommendations and lessons.

77. **Review of the Portfolio Evaluation Report.** The evaluation team will submit the zero draft portfolio evaluation report by xxxx, after approval of the project evaluation reports, to the UNEP EO and revise the drafts following the comments and suggestions made by the EO. Once a draft of adequate quality has been accepted, the EO will share this first draft report with the respective UNEP Task Managers, who will ensure that the report does not contain any blatant factual errors. The UNEP Task Managers will then forward the first draft report to the other project stakeholders for review and comments. Stakeholders may provide feedback on any errors of fact and may highlight the significance of such errors in any conclusions. It is also very important that stakeholders provide feedback on the proposed recommendations and lessons. Comments would be expected within two weeks after the draft report has been shared. Any comments or responses to the draft report will be sent to the UNEP EO for collation. The EO will provide the comments to the evaluation team for consideration in preparing the final draft reports.

78. The evaluation team will submit the final draft portfolio report no later than xxxx, after reception of stakeholder comments. The team will prepare a **response to comments**, listing those comments not or only partially accepted by them that could therefore not or only partially be accommodated in the final report. They will explain why those comments have not or only partially been accepted, providing evidence as required. This response to comments will be shared by the EO with the interested stakeholders to ensure full transparency.

79. **Submission of the final Portfolio Evaluation report.** The final report shall be submitted by Email to the Head of the Evaluation Office, who will share the reports with the Director, UNEP/GEF Coordination Office and the UN Environment Ecosystems Division Task Managers. The Evaluation Office will also transmit the final report to the GEF Evaluation Office.

80. The final evaluation report will be published on the UNEP Evaluation Office web-site [www.unep.org/eou](http://www.unep.org/eou). Subsequently, the report will be sent to the GEF Office of Evaluation for their review, appraisal and inclusion on the GEF website.

81. As per usual practice, the UNEP EO will prepare a **quality assessment** of the zero draft and final draft report, which is a tool for providing structured feedback to the evaluation consultants. The quality of the report will be assessed and rated against both GEF and UNEP criteria as presented in Annex 4.

82. The UNEP Evaluation Office will assess the ratings in the final evaluation report based on a careful review of the evidence collated by the evaluation consultants and the internal consistency of the report. Where there are differences of opinion between the evaluation consultants and UNEP Evaluation Office on project ratings, both viewpoints will be clearly presented in the final report. The UNEP Evaluation Office ratings are the final ratings that will be submitted to the GEF Office of Evaluation.

### Logistical arrangement

83. This ABS Portfolio Evaluation will be undertaken by a team of independent evaluation consultants contracted by the UNEP Evaluation Office. The consultants will work under the overall responsibility of the UNEP Evaluation Office and will consult with the EO on any procedural and methodological matters related to the evaluation. It is, however, the consultants' individual responsibility to arrange for their travel, visa, obtain documentary evidence, plan meetings with stakeholders, organize field visits, and any other logistical matters related to the assignment. The Project Management Units, in coordination with UNEP Task Managers will, where possible, provide logistical support (introductions, meetings, transport etc.) for the country visits, allowing the consultants to conduct the evaluation as efficiently and independently as possible.

### Schedule of the evaluation

84. Each consultant will be hired under an individual Special Service Agreement (SSA). There are two options for contract and payment: lump-sum or "fee only".

85. **Lump-sum:** The contract covers both fees and expenses such as travel, per diem (DSA) and incidental expenses which are estimated in advance. The consultants will receive an initial payment covering estimated expenses upon signature of the contract.

86. **Fee only:** The contract stipulates consultant fees only. Air tickets will be purchased by UNEP and 75% of the DSA for each authorised travel mission will be paid up front. Local in-country travel and communication costs will be reimbursed on the production of acceptable receipts. Terminal expenses and residual DSA entitlements (25%) will be paid after mission completion.

87. The payment schedule for each consultant will be linked to the acceptance of the key evaluation deliverables by the Evaluation Office:

- Final inception report: 20 per cent of agreed total fee
- First draft main evaluation report: 40 per cent of agreed total fee
- Final main evaluation report: 40 per cent of agreed total fee

88. In case the consultants are not able to provide the deliverables in accordance with these ToRs, in line with the expected quality standards by the UNEP Evaluation Office, payment may be withheld at the discretion of the Head of the Evaluation Office until the consultants have improved the deliverables to meet UNEP's quality standards.

89. If the consultants fail to submit a satisfactory final product to UNEP in a timely manner, i.e. within one month after the end date of their contract, the Evaluation Office reserves the right to employ additional human resources to finalize the report, and to reduce the respective consultant's fee by an amount equal to the additional costs borne by the Evaluation Office to bring the report up to standard.



## ANNEX II. DOCUMENTS REVIEWED AND CONSULTED

- UNEP. 2013. *Terms of Reference*. ABS – Portfolio Evaluation: Final Evaluation of five UNEP/GEF projects on “Access and Benefit Sharing”
- MSP Document January 2011
- PIRs: 2011-2012, 2012-2013
- ICA between DGEF and SCBD
- Small scale funding agreements between the SCBD and GLOBE and UNU-IAS
- Project revision documents 2012, 2014
- Project final report 2014
- Project Steering Committee Reports (3)
- Project Expenditure Statements (4)
- Co-finance reports (2)
- Capacity-building workshop reports (3)
- Progress and final reports from project partners (3)
- Awareness-raising materials the project produced (9 fact sheets, 7 translated into 5 UN languages; 6 policy briefs; updates of 6 prior publications explaining different ABS-related issues)
- Resolutions and declarations of regional groups and institutions in support of ratifying/implementing the Nagoya Protocol (9)
- Email correspondence between UNEP and SCBD
- Global Environment Facility (GEF). 2012. *GEF Investments in Support of Access and Benefit Sharing (ABS)*. Washington, D.C.: GEF
- GEF Evaluation Office. 2009. *The ROTI Handbook: Towards Enhancing the Impacts of Environmental Projects*. Methodological Paper #2. Washington, D.C.: GEF
- Global Environment Facility (GEF). 2008. *Guidelines for GEF Agencies in Conducting Terminal Evaluations*. Evaluation Document No. 3. Washington, D.C.: GEF
- Global Environment Facility (GEF). *Biodiversity Strategy for GEF-5*
- UNEP. 2009. *Evaluation Policy*. September. Nairobi: UNEP
- UNEP. 2008. *Evaluation Manual*. March. Nairobi: UNEP

ANNEX III. PROJECT COSTS AND CO-FINANCING

**Table 1. Project Costs**

Component/ sub-component	Estimated cost at design (USD)	Actual Cost	Expenditure ratio (actual/planned)
Component 1	371,650	885,856.58 <sup>39</sup>	94/100 <sup>40</sup>
Component 2	1,598,750		
Evaluation, audits, M&E	133,750		

**Table 2. Co-financing**

Co-financing (Type/ Source)	IA own Financing (USD)		Government (USD)		Other* (USD)		Total (USD)		Total Disbursed (USD)
	Planned	Actual	Planned	Actual	Planned	Actual	Planned	Actual	
<b>Grants</b>			N/A	N/A	N/A	N/A			
SCBD	350,000	892,127					350,000	892,127	
<b>In-kind support</b>			N/A	N/A	N/A	N/A			
SCBD	809,400	1,216,908					809,400	1,216,908	
<b>Totals</b>	<b>1,159,400</b>	<b>2,109,035</b>	N/A	N/A	N/A	N/A	<b>1,159,400</b>	<b>2,109,035</b>	

<sup>39</sup> This does not include the cost of the terminal evaluation.

<sup>40</sup> This does not reflect the total expenditure, which will include the terminal evaluation.

## ANNEX IV. QUALITY ASSESSMENT OF THE EVALUATION REPORT

Evaluation Title:

Terminal Evaluation of the UNEP project Capacity building for the early entry into force of the Protocol on Access and Benefit Sharing (Global ABS Project)

All UNEP evaluations are subject to a quality assessment by the Evaluation Office. The quality assessment is used as a tool for providing structured feedback to the evaluation consultants.

The quality of both the draft and final evaluation report is assessed and rated against the following criteria:

	UNEP Evaluation Office Comments	Draft Report Rating	Final Report Rating
<b>Substantive report quality criteria</b>			
<p>A. <b>Quality of the Executive Summary:</b> Does the executive summary present the main findings of the report for each evaluation criterion and a good summary of recommendations and lessons learned? (Executive Summary not required for zero draft)</p>	<p>Draft report: The draft presents a good summary of the main findings against all evaluation criteria. It also presents a summary of the recommendations and lessons. Minor revisions needed to clarify some points.</p> <p>Final report: Same as above</p>	S	S
<p>B. <b>Project context and project description:</b> Does the report present an up-to-date description of the socio-economic, political, institutional and environmental context of the project, including the issues that the project is trying to address, their root causes and consequences on the environment and human well-being? Are any changes since the time of project design highlighted? Is all essential information about the project clearly presented in the report (objectives, target groups, institutional arrangements, budget, changes in design since approval etc.)?</p>	<p>Draft report: Project context and description have been clearly presented though more detail would be desired, particularly in terms of presenting financial information and target audience.</p> <p>Final report: The report provides a good description of the project context.</p>	MS	S
<p>C. <b>Strategic relevance:</b> Does the report present a well-reasoned, complete and evidence-based assessment of strategic relevance of the intervention in terms of relevance of the project to global, regional and national environmental issues and needs, and UNEP strategies and programmes?</p>	<p>Draft report: The assessment of relevance is adequate; it provides an assessment of the project's relevance to UNEP strategies and policies, GEF focal areas and priorities, and global, regional and national environmental needs. The assessment could have been strengthened with more in-depth assessment.</p> <p>Final report: Same as above</p>	MS	MS
<p>D. <b>Achievement of outputs:</b> Does the report present a well-reasoned, complete and evidence-based assessment of outputs delivered by the intervention (including their quality)?</p>	<p>Draft report: The assessment of the achievement of outputs is well prepared. Some revisions would be needed to also assess the quality and usefulness of the delivered outputs</p> <p>Final report: The report presents a good</p>	S	S

	analysis of the achievement of outputs.		
E. <b>Presentation of Theory of Change:</b> Is the Theory of Change of the intervention clearly presented? Are causal pathways logical and complete (including drivers, assumptions and key actors)?	Draft report: The ToC is adequately presented, it includes a diagram and a narrative describing the result levels and impact pathways, including drivers and assumptions and key actors. Some clarifications are needed.  Final report: The ToC is well presented.	S	S
F. <b>Effectiveness - Attainment of project objectives and results:</b> Does the report present a well-reasoned, complete and evidence-based assessment of the achievement of the relevant outcomes and project objectives?	Draft report: The assessment of effectiveness is adequate. However, the section should be strengthened in several places with stronger evidence. A revision is required to discuss drivers and assumptions.  Final report: Effectiveness has been well discussed.	MS	S
G. <b>Sustainability and replication:</b> Does the report present a well-reasoned and evidence-based assessment of sustainability of outcomes and replication / catalytic effects?	Draft report: The assessment of sustainability and replication / catalytic effects includes all required components. Some aspects of sustainability could be discussed more in-depth, e.g. institutional sustainability as well as the project's catalytic role.  Final report: Same as above.	S	S
H. <b>Efficiency:</b> Does the report present a well-reasoned, complete and evidence-based assessment of efficiency? Does the report present any comparison with similar interventions?	Draft report: The assessment of efficiency is well prepared. Some clarifications could be made to improve the section.  Final report: Same as above.	S	S
I. <b>Factors affecting project performance:</b> Does the report present a well-reasoned, complete and evidence-based assessment of all factors affecting project performance? In particular, does the report include the actual project costs (total and per activity) and actual co-financing used; and an assessment of the quality of the project M&E system and its use for project management?	Draft report: All required factors have been assessed. The section could be strengthened with some revisions particularly in terms of financial management.  Final report: Report provides a good assessment of factors affecting performance.	MS	S
J. <b>Quality of the conclusions:</b> Do the conclusions highlight the main strengths and weaknesses of the project, and connect those in a compelling story line?	Draft report: Conclusions highlight the main findings of the evaluation, following the structure of the report. The section could be slightly more focused on describing the strengths and weaknesses of the project and present those in a story line. That is, the conclusions could focus more on the 'why' and 'how' questions, than 'what'.  Final report: Same as above.	MS	MS
K. <b>Quality and utility of the recommendations:</b> Are recommendations based on explicit evaluation findings? Do recommendations specify the actions necessary to correct existing conditions or improve operations ('who?' 'what?' 'where?' 'when?'). Can they be	Draft report: The recommendations are based on evaluation findings but are better formulated as lessons, since they describe general advice, rather than specific action points for the project.  Final report: Recommendations are adequately	MU	MS

implemented?	formulated.		
L. <b>Quality and utility of the lessons:</b> Are lessons based on explicit evaluation findings? Do they suggest prescriptive action? Do they specify in which contexts they are applicable?	Draft report: The lessons are based on evaluation findings and are generally well formulated. Some revisions are needed to clarify the context from which the lessons are derived from.  Final report: Same as above.	MS	MS
<b>Report structure quality criteria</b>			
M. <b>Structure and clarity of the report:</b> Does the report structure follow EOU guidelines? Are all requested Annexes included?	Draft report: The report structure follows EOU guidelines. Some annexes are missing.  Final report: Same as above	S	S
N. <b>Evaluation methods and information sources:</b> Are evaluation methods and information sources clearly described? Are data collection methods, the triangulation / verification approach, details of stakeholder consultations provided? Are the limitations of evaluation methods and information sources described?	Draft report: Evaluation methods and data sources are broadly described. More detailed information would be desirable.  Final report: Same as above.	MS	MS
O. <b>Quality of writing:</b> Was the report well written? (clear English language and grammar)	Draft report: The report was well written  Final report: Same as above	HS	HS
P. <b>Report formatting:</b> Does the report follow EOU guidelines using headings, numbered paragraphs etc.	Draft report: The report was well formatted  Final report: Same as above.	HS	HS
<b>OVERALL REPORT QUALITY RATING</b>		S	S

The quality of the evaluation process is assessed at the end of the evaluation and rated against the following criteria:

	UNEP Evaluation Office Comments	Rating
<b>Evaluation process quality criteria</b>		
Q. <b>Preparation:</b> Was the evaluation budget agreed and approved by the EOU? Was inception report delivered and approved prior to commencing any travel?		Yes
R. <b>Timeliness:</b> Was a TE initiated within the period of six months before or after project completion? Was an MTE initiated within a six month period prior to the project's mid-point? Were all deadlines set in the ToR respected?	Evaluation was initiated within 6 months before project completion. However, significant delays were experienced in the evaluation due to unforeseen circumstances and a second evaluation consultant was recruited to finalize the evaluation.	No
S. <b>Project's support:</b> Did the project make available all required documents? Was adequate support provided to the evaluator(s) in planning and conducting evaluation missions?	Some documents were not available, at least partly due to the delays in the evaluation.	Partly

T.	<b>Recommendations:</b> Was an implementation plan for the evaluation recommendations prepared? Was the implementation plan adequately communicated to the project?	Yes
U.	<b>Quality assurance:</b> Was the evaluation peer-reviewed? Was the quality of the draft report checked by the evaluation manager and peer reviewer prior to dissemination to stakeholders for comments? Did EOU complete an assessment of the quality of the final report?	Yes
V.	<b>Transparency:</b> Were the draft ToR and evaluation report circulated to all key stakeholders for comments? Was the draft evaluation report sent directly to EOU? Were all comments to the draft evaluation report sent directly to the EOU and did EOU share all comments with the commentators? Did the evaluator(s) prepare a response to all comments?	Yes
W.	<b>Participatory approach:</b> Was close communication to the EOU and project maintained throughout the evaluation? Were evaluation findings, lessons and recommendations adequately communicated?	Yes
X.	<b>Independence:</b> Was the final selection of the evaluator(s) made by EOU? Were possible conflicts of interest of the selected evaluator(s) appraised?	Yes

Rating system for quality of evaluation reports

A number rating 1-6 is used for each criterion: Highly Satisfactory = 6, Satisfactory = 5, Moderately Satisfactory = 4, Moderately Unsatisfactory = 3, Unsatisfactory = 2, Highly Unsatisfactory = 1

The overall quality of the evaluation report is calculated by taking the mean score of all rated quality criteria.