
**Terminal Evaluation of the UN Environment
Project “ABS Guatemala: Access to and Benefit
Sharing and Protection of Traditional Knowledge
to Promote Biodiversity Conservation and
Sustainable Use”**



April 2019



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© Paola N. Cotí Lux (Transfer of Traditional Knowledge in San Juan de la Laguna, Guatemala)

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ABS Guatemala: Access to and Benefit Sharing and Protection of Traditional Knowledge to Promote Biodiversity Conservation and Sustainable Use”

GEF ID 4618

April 2019

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ABOUT THE EVALUATION

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Brief Description: This report is a terminal evaluation of a UN Environment-GEF project implemented between 2014 and 2018. The Project Objective was “to develop policy and legal frameworks and institutional mechanisms for access and benefit sharing (ABS), in order to strengthen biodiversity conservation, promote rural development and support climate change adaptation”. The evaluation sought 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 UN Environment, the GEF and the executing partner National Council for Protected Areas (CONAP) of Guatemala, and the relevant stakeholders of the project.

Key words: [Nagoya Protocol, Access and Benefit Sharing (ABS), Genetic Resources, Traditional Knowledge, CONAP, Indigenous People and Local Communities (IPLC), ABS Policy and Law, Pilot sites, Socio-political and Institutional Sustainability, Project Evaluation, GEF]¹

¹ This data is used to aid the internet search of this report on the Evaluation Office of UN Environment Website

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“ABS Guatemala: Access to and Benefit Sharing and Protection of Traditional Knowledge to Promote Biodiversity Conservation and Sustainable Use”

Project Identification Table

Sub-programme:		Environmental Governance	Expected Accomplishment(s)/ Programme of Work Output(s):	MTS 2014-17 Env. Governance: EA 1 (<u>Coherence and synergies</u> : the United Nations system and the multilateral environmental agreements, respecting the mandate of each entity, demonstrate increasing coherence and synergy of actions on environmental issues); EA 2 (<u>Law</u> : the capacity of countries to develop and enforce laws and strengthen institutions to achieve internationally agreed environmental objectives and goals and comply with related obligations is enhanced).
UN Environment approval date:		January 2014		
GEF project ID:		4618	Project type:	Medium Size Project
GEF OP #:			Focal Area(s):	Biodiversity
GEF approval date:		May 2013	GEF Strategic Priority/Objective:	Objective 4 of Biodiversity Focal Area
Expected start date:		June 2013	Actual start date:	March 2014
Planned completion date:		June 2017	Actual completion date:	March 2018
Planned project budget at approval:		USD 1,846,514	Actual total expenditures reported as of May 2018	USD 1,951,299.94
GEF Allocation:		USD 874,500	GEF grant expenditures reported as of November 2018	USD 842,130
Project Preparation Grant - GEF financing:		\$34,590	Project Preparation Grant - co-financing:	\$38,450
Expected Medium-Size Project co-financing:		USD \$972,014	Secured Medium-Size Project/Full-Size Project co-financing:	USD 1,110,000.00
First disbursement:		\$131,175.00 (March 2014)	Date of financial closure:	Planned 31/12/2018
No. of revisions:		7	Date of last revision:	January 2018
No. of Steering Committee meetings:		7	Date of last Steering Committee meeting:	September 2015 (reported in ANUBIS)
Mid-term Review/ Evaluation (planned date):		May 2016	Mid-term Review/ Evaluation (actual date):	November 2015

Terminal Evaluation (planned date):			Terminal Evaluation (actual date):	September-December 2018 (Country Visit 13-28/10/2018)
Coverage (Countries):		Guatemala	Coverage - Region(s):	Central America

List of Acronyms and Abbreviations

ABS	Access and Benefit Sharing
ANUBIS	A New UNEP Biosafety Information System
CBD	Convention on Biological Diversity
CNA	Competent National Authority
EOU	Evaluation Office of UN Environment
GEF	Global Environment Facility
IPLC	Indigenous People and Local Communities
NEA	National Executing Agency
NGO	Non-Governmental Organisation
ProDoc	Project Document
TOC	Theory of Change
TOR	Terms of Reference

Executive Summary

1. The Project “ABS Guatemala: Access to and Benefit Sharing and Protection of Traditional Knowledge to Promote Biodiversity Conservation and Sustainable Use” (GEF ID 4618) was approved by GEF in 2013 for a duration of four years, started its operation in March 2014, and was completed in March 2018. This is the final report of its Terminal Evaluation that took place between September and December 2018, including a mission to Guatemala from 13 to 28 October 2018. The evaluation was undertaken to assess project performance; provide evidence of results to meet accountability requirements; and promote learning, feedback, and knowledge sharing through results and lessons learned.
2. The Project was a Medium-Size Project (MSP) with a total budget of 1,846,514 USD comprising GEF financing of 874,500 USD (47%) and an expected in-kind co-financing by third parties of 972,014 USD (53%). The National Executing Agency was the National Council of Protected Areas (Consejo Nacional de Areas Protegidas, CONAP), which is also the Competent National Authority (CNA) for the implementation of the Protocol and for the Convention on Biological Diversity (CBD).
3. The Project was conceived to support Guatemala in two main aspects. On the one hand, by promoting the creation of standards for the access to Traditional Knowledge (TK) and Genetic Resources (GR) through the setting of an institutional and regulatory framework and, on the other hand, by strengthening the linkage between biological diversity and rural development, through pilot-experiences in two selected rural areas.
4. The Project has intensively worked to conceptualise, socialise and discuss proposals of a National Policy and of a National Draft Law on Access and Benefit Sharing (ABS). This process has faced different and serious challenges due to relevant socio-political and institutional gaps, some of them derived from the turbulent political conjuncture of the country during the Project time-frame (2014-2018), and others related to what has been defined the “structural discrimination” suffered by the Indigenous People (IP) in Guatemala, with all its negative consequences in terms of access to land and natural resources, health and education services, inclusion and participation in decision-making (see chapters 3.1 and 5.4.1)
5. The access to genetic resources and traditional knowledge, and the sharing of the possible benefits from their use, have actually proved to be sensitive and controversial issues, where divergent and somewhat conflicting visions and opinions between Indigenous People (IP) and the State (ministries, public institutions, projects, etc.) still remain unsolved. In that context, the ratification of the Nagoya Protocol (2014) has been “suspended” by the Constitutional Court of Guatemala in 2016, following a request of indigenous leaders, groups and organisations claiming that the Protocol had been ratified by the Congress without the necessary “quorum”. It is also worth mentioning that, in 2014, the Law on the “Protection of Plant Varieties”, was abrogated three months after its approval, following large protests from Civil Society and Indigenous Organisations (see chapter 5.4.1).
6. In view of the challenging socio-political context, the Project tried to promote bridging actions and an inclusive approach, by supporting the efforts of CONAP in implementing Rounds of Dialogue with the Indigenous People and Local Communities (IPLCs), which eventually led to the formulation of the “National Policy of Genetic Resources and Bio-Cultural Heritage of the Indigenous People in Guatemala” approved by CONAP in 2015, as well as the Draft Law on “Protection of Biological Diversity and Bio-Cultural Heritage of

Guatemala” finalised in 2017. While the Policy needs to be endorsed and approved at Governmental level, the Draft Law stays in “stand-by” due to the unfavourable external context, and it is meanwhile further revised and improved at CONAP level.

7. The Project has developed an assiduous field work in two pilot-sites, namely the rural Municipalities of Rabinal (Dep. of Baja Verapaz) and of San Juan de la Laguna (Dep. of Sololà). Mixed results have been registered on this component. There has been a significant initiative in two Pilot Primary Schools for introducing “Traditional Knowledge” in the education curriculum, and valuable Pedagogical Guides for Teachers and Students have been produced and are actually in use in the pilot-schools. However, the institutional uptake by the Ministry of Education does not seem in sight and the replicability of the initiative relies on the motivation and goodwill of the teachers involved in the experience.

8. Two interesting and well-compiled Catalogues/inventories of the Genetic Resources and Traditional Knowledge have been produced in the two pilot-sites, but only one has been published, due to the opposition, in one site, of some Indigenous Leaders and Communities, to “disclose and make public the information regarding the genetic resources and the ancestral knowledge of the Maya Aichi People”.

9. Overall, the Project has given proof of a remarkable resilience and risk adaptation despite strongly limiting external factors and the complexity of the ABS subject with regard to development of a robust national policy, legal and regulatory framework. The Project has remarkably progressed in that direction and, most of all, has represented a unique opportunity for different stakeholders (at institutional and community level) to actively participate in the process of definition, discussion and implementation of the ABS national framework. As some stakeholders remarked, the Project “opened a breach” and represented “a first attempt from which everybody can learn now” (see Findings in chapter 5.4.1).

10. In fact, the Project has surely progressed towards both expected Direct Outcome 1 - *Policy and legal framework in place for access and benefit sharing*, and Direct Outcome 2 - *Improved protection and integration of TK in the Sustainable use of Biodiversity and in Rural Development*. Their full achievement however depends on the consolidation of some key-stakeholders (notably the Department of Valuation and Conservation of Biological Diversity and the Unit of IPLCs of CONAP), the full institutional uptake of an “ILPC-driven” approach to Biodiversity Conservation and Management by CONAP itself, and the overall enhancement of the socio-political and institutional context regarding key national policies and strategies such as Land Tenure, Land Access and Use, Natural Resources Management and Sustainable Rural Development, among others (see chapters 5.8.1 and 5.8.3 on Sustainability).

11. Regarding changes in stakeholders behaviour as a result of the project’s direct outcomes, hopefully leading to less pressure on biodiversity and to inclusive and sustainable development, the evaluation has shown that some institutional changes are on-going, yet, not at the necessary level of uptake and national ownership so as to ensure adequate institutional, financial and socio-political sustainability.

12. Pertaining to access to project findings, updated information and guidelines to catalyse action by stakeholders, it has to be outlined that the Project has indeed produced and distributed to national and local stakeholders an impressive number of relevant documents. This include among others, the Rounds of Dialogue, the Legal Framework and

the Pilot-Activities (see Annex 6). Some stakeholders have, nevertheless, pointed out that some summarised 'lessons learned' from the field experience and "guidelines" or "road-map" regarding the next steps could have helped to focus stakeholders' attention on "what next" after the end of the Project.

13. As a matter of fact, there are some lessons learned regarding the need of a more structured and systematic approach of Participatory Research when implementing pilot experiences, so as to provide an evidence-based analysis on the viability and replicability of the results achieved (or not) in the pilot sites (see chapter 5.4.3 and 6.2). The composition of the field team should have also reflected this approach, but the Project, unfortunately, was not able to find available human resources with the adequate profile for the purpose.

14. Based on the findings, the terminal evaluation has identified four (4) lessons learned, as well as three (3) recommendations (chapters 6.2 and 6.3) summarised as follows:

Lesson 1. Field "Pilot experiences" need appropriate methodological instruments of planning, monitoring and evaluation in order to produce their expected results, such as lessons learned, viability and replicability assessment, and best practices systematisation. Specific know-how of the field-team on participatory research and community work is needed for the purpose.

Lesson 2. It could be a good practice, at the end of the Project, to complete the Project Cycle by sharing and discussing, with main Stakeholders, Project's achievements, lessons learned and perspectives.

Lesson 3. Teams working over Access and Benefit Sharing of Genetic Resources and Traditional Knowledge in the field should be multidisciplinary and prepared to inter-cultural communication.

Lessons 4. Gender disaggregated indicators can provide Projects' Teams with valuable elements for self-assessing their responsiveness to Human Rights and Gender Equity.

Recommendation 1: The Evaluation recommends CONAP to support the joint efforts of the Direction of Valuation and Conservation of Biological Diversity and of the Unit of IPLCs in setting participatory and IPLCs-driven forms of management of the Biological Diversity, Genetic Resources and Bio-cultural Heritage in the Indigenous Territories.

Recommendation 2: The Evaluation recommends the Direction of Valuation and Conservation of Biological Diversity and the Unit of IPLCs of CONAP to keep-on the revision of the Draft Law also in partnership with the University of San Carlos and the Center for Conservation Studies CECON.

Recommendation 3: The Evaluation recommends giving effective steps to revitalise the existing Memorandum of Understanding between CONAP and MINEDUC in order to upscale the introduction of "Traditional Knowledge" in the Curriculum of other Primary Schools of the Departments where the pilot initiative has taken place.

1 The project performance against evaluation criteria was rated against a six-point scale ranging from highly satisfactory to highly unsatisfactory. The report details the assessments made based on the guidelines provided in the Terms of Reference for the evaluation. The table below provides the summarized ratings in the different evaluation criteria (the whole Table is in chapter 6.1, Conclusions)

Summary of Evaluation Criteria and Ratings Table

Criterion	Rating
A. Strategic Relevance	HS
B. Quality of Project Design	MU
C. Nature of External Context	Unfavourable
D. Effectiveness²	MS
<i>1. Achievement of outputs</i>	MS
<i>2. Achievement of direct outcomes</i>	MU
<i>3. Likelihood of impact</i>	MU
E. Financial Management	S
F. Efficiency	S
G. Monitoring and Reporting	MS
H. Sustainability	MU
<i>1. Socio-political sustainability</i>	MU
<i>2. Financial sustainability</i>	MU
<i>3. Institutional sustainability</i>	MU
I. Factors Affecting Performance	MS
<i>1. Preparation and readiness</i>	MU
<i>2. Quality of project management and supervision</i>	MS
<i>3. Stakeholders participation and cooperation</i>	S
<i>4. Responsiveness to human rights and gender equity</i>	HS
<i>5. Country ownership and driven-ness</i>	MS
<i>6. Communication and public awareness</i>	MS
Overall project rating	MS

² Where a project is rated, through the assessment of Project Design Quality template during the evaluation inception stage, as facing either an Unfavourable or Highly Unfavourable external operating context, the overall rating for Effectiveness may be increased at the discretion of the Evaluation Consultant and Evaluation Manager together.

1 Introduction

15. In its capacity as an Implementing Agency of the Global Environmental Facility (GEF), UN Environment is providing administrative and technical assistance to countries participating in the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization (universally known as ABS) to the Convention on Biological Diversity (CBD). The main objective of the Protocol is the fair and equitable sharing of benefits arising from the utilization of genetic resources, thereby contributing to the conservation and sustainable use of biodiversity.

16. This is the Final Evaluation of the Project “ABS Guatemala: Access to and Benefit Sharing and Protection of Traditional Knowledge to Promote Biodiversity Conservation and Sustainable Use” (GEF ID 4618), which was approved by GEF in May 2013 and countersigned by UN Environment and the National Executing Agency in January 2014 for a duration of 4 years. The Project actually started its operation in March 2014 and was completed in March 2018.

17. The Project was a Medium-Size Project (MSP) with a total budget of 1,846,514 USD composed of the GEF financing of 874,500 USD (47%) and an expected in-kind co-financing from third parties of 972,014 USD (53%).

18. The National Executing Agency was the National Council of Protected Areas (*Consejo Nacional de Areas Protegidas*, CONAP), which was also the Competent National Authority (CNA) for the implementation of the Protocol (until its suspension, see chapter 5.3 and 5.4.1).

19. The Evaluation took place in the period between September (Inception Report) to December 2018 and included a mission to Guatemala from 13/10/2018 to 28/10/2018. The Evaluation Team consisted of one Lead Consultant - a specialist of projects evaluation in the environmental sector (See Annex 8) working under the methodological guidance of the Evaluation Office of UN Environment (EOU).

2 The Evaluation

2.1 Overall approach of the Evaluation

20. In line with the UN Environment Evaluation Policy, the UN Environment Evaluation Manual and the Guidelines for GEF Agencies on Conducting Terminal Evaluations, this Terminal Evaluation has been undertaken upon technical 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; (ii) to promote learning, feedback, and knowledge sharing through results and lessons learned among UN Environment, the GEF, the National Executing Agency and the national partners.

21. The report follows the format for Terminal Evaluations provided by the UN Environment Evaluation Office. According to the UN Environment evaluation methodology and the Terms of Reference (TOR) of the Evaluation (see Annex 2), most criteria have been rated on a six-point scale as follows: Highly Satisfactory (HS); Satisfactory (S); Moderately Satisfactory (MS); Moderately Unsatisfactory (MU); Unsatisfactory (U); Highly Unsatisfactory (HU). Ratings are provided at the end of the assessment of each evaluation criterion (Chapter 5: Findings) and the complete ratings table is included under the Conclusions section (6.1).

22. As requested by the UN Environment methodology for Terminal Evaluations, an Inception Report was produced at the beginning of the evaluation, containing a review of the project context, of the quality of project design, a draft reconstructed Theory of Change of the project, the evaluation framework and a tentative evaluation schedule. The Inception Report underwent a Peer Review at the UN Environment Evaluation Office. The reconstructed Theory of Change at Inception and the Evaluation Framework have been shared with the Project Team before the country visit.

23. The Evaluation has fostered a participatory approach with the Project Team and key stakeholders at national level. During the preparation of the field visit, the consultant, through the support of UN Environment Evaluation Office, has come to contact with the Project Team and the National Executing Agency, and a preliminary and fruitful exchange of information, documents and views took place.

24. Considering that the Project was expected to mostly deliver institutional and capacity building outputs and outcomes, quantitative outputs have been assessed against their quality and effectiveness, hence their capacity to drive and sustain changes at higher level of objectives. During the interviews (individual and in group) particular attention has been given to understand the process for the attainment of Project's results and the level of participation and ownership of the different stakeholders involved, as well as to better understand the reasons for successes or failures.

25. Whenever possible, the information received during the visit (through personal interviews or group semi-structured interviews) was triangulated with the information acquired from the desk review (reports, etc.). Divergent views were also captured during the interviews and group meetings, as well as through the review of existing local media (e.g. newspapers, websites, etc.). When diverging opinions or facts were emerging, that was critically assessed and discussed.

26. In compliance with the TORs as well as the "Norms and Standards for Evaluation, UN Evaluation Group", the mission engaged appropriately and respectfully with the participants in the evaluation processes, upholding the principles of confidentiality and anonymity; respect to their dignity and diversity; human rights and gender equality; and took any possible precautionary measures for avoiding any harm.

2.2 Methods and tools for data collection and analysis

27. Overall, the Terms of Reference (TOR) of the Evaluation and the methodological tools and formats provided by the UN Environment Evaluation Office have proved to be a robust methodological framework for the Evaluation exercise, facilitating the systematisation and presentation of the evaluation findings. Exchanges with the Evaluation Managers of UN Environment Evaluation Office have been constant and most useful to clarify issues of methodological and technical nature regarding the evaluation development and the project implementation.

28. The Desk Review of all project documents and reports filed in the e-platform ANUBIS (A UNEP Biosafety Information System) has been most helpful to gather relevant information regarding the technical and financial performance of the Project.

29. The Inception phase of the Evaluation has permitted a preliminary approach to the Project and the delivery of the Inception Report, which laid the foundation for the main report in some essential aspects, by including:

- The thorough Review of the Project Design Quality (PDQ) that has highlighted strong and weak points of Project Design (see section 5.2);
- The reconstruction of the Theory of Change of the project (see chapter 4);
- The Stakeholders analysis, which has put in evidence some weaknesses regarding the involvement of non-State actors in the preparation of the Project;
- The elaboration of the Evaluation Framework, which included the key-questions outlined in the TOR of the Evaluation and a matrix of specific questions / issues for each of the Evaluation criteria with relative indicators to be assessed.

30. The reconstructed Theory of Change at Inception and the Evaluation Framework have been shared and preliminarily discussed with the Project Team before the field visit. Similarly, the Financial Tables have been shared with the outsourced Financial Administration of the Project.

31. Overall, the TOC has been a relevant methodological tool for data collection and analysis. It has offered, on the one hand, the evaluation hypothesis, indicating what key data should be looked for, and, on the other hand, provided the interpretative framework for data analysis and verification. Outputs and outcomes were assessed against their quality and effectiveness, hence their capacity to drive and sustain changes at higher level of objectives. Quantitative and qualitative indicators were used and discussed, particularly with the Project Team.

32. The main methods and tools used in the Evaluation can be outlined as follows:

- A Desk Review of all project documents and tools the consultant had access to, including technical documents and progress reports posted in ANUBIS, relevant ABS strategic and methodological documents published by the Project, as well as education material produced and published by the Project (see Annex 6 and 7).

- Exchanges (before and after the country visit) through skype meeting and emails with the former Task Manager, who followed Project implementation during its whole duration (currently based at CBD Secretariat in Montreal), and email exchanges with the Programme Assistant at UN Environment Regional Office in Panama (before and during the country visit).
- Frequent exchanges through email with the Project Manager and the National Executing Agency before the Country visit, regarding the Evaluation objectives and methodology, the preliminary discussion on the reconstructed Theory of Change and the definition of the agenda of the Country visit.
- A Country visit (two weeks, from 13 to 28 of October), which was very well planned by the National Executing Agency (CONAP), namely the Directorate of Valuation and Conservation of Biological Diversity. Both Pilot-Sites of the Project were visited during the first week of the country visit, which allowed a close look at project activities in the field and to get a sample of the complex socio-economic and cultural environment of the country. The country visit included:
 - a. First week: travel to the two pilot-sites of the Project (i.e. the Municipality of Rabinal in the Department of Baja Verapaz and the Municipality of San Juan de la Laguna in the Department of Sololà). The Consultant was accompanied by a former Project Team member, currently CONAP officer (after Project conclusion in March 2018), which was most useful to fully understand and discuss the field methodology of the Project. The field visit was very well organised and comprised meetings with local project stakeholders, such as groups of artisans, the pilot-schools and teachers, members of Local Associations and of Indigenous Associations, Municipality Authorities and Departmental Officers of the Min. of Education. The field visit also included a meeting with two former Project Team members (Consultants) living in the Department of Sololà and a national NGO working with Indigenous People, also member of the Steering Committee of the Project (NGO Sotz'il based in the city of Chimaltenango). Details and limitations of the visit to the two Pilot-sites are provided in the following chapter 2.3.
 - b. Second week: Meetings in Guatemala City with relevant Project Stakeholders members of the Project Steering Committee, such as the Min. of Agriculture, the Min. of Natural Resources and Environment, the Min. of Economy (Department of the Rights of Author and Registry of Intellectual Property), the Faculty of Agronomy of the University of San Carlos, the Center of Conservation Studies and the Institute for Inter-ethnic Studies of the same University. The Technical Unity for Indigenous People and Local Communities of CONAP was also met, as well as a representative of the "Organisation of Indigenous Women and Biodiversity". All meetings were extremely interesting and fruitful. Relevant and sensitive issues were frankly discussed. The Swiss NGO Helvetas, sub-contracted by CONAP to carry-on the Financial Administration of the Project was also met. The complete list of people met is in Annex 3.

- c. Final De-briefing with the former Project Manager (Project ended in March 2018), the Director of the Directorate of Valuation and Conservation of Biological Diversity of CONAP and the recently appointed ABS Programme Officer of the same Directorate (former Project Consultant). The evaluator had previously prepared and distributed a document (in Spanish) of “Preliminary Notes on Findings and Conclusions” (including the reconstructed TOC of the Project at Evaluation) that was extensively discussed during the meeting. Possible Lessons Learned and Recommendations were also discussed.

33. Overall, confidentiality was insured throughout the Personal interviews. Group interviews just occurred in the field visits and are discussed in next chapter 2.3. All meetings were in Spanish and no relevant language barriers have been remarked.

34. The evaluation engaged in assessing whether gender aspects were considered across the life of the project (design, implementation, monitoring reporting and evaluation) and by assessing whether the project produced any intended or unintended results relating to gender equality and the empowerment of women.

35. The evaluation did consider Gender and Human Rights aspects, starting by the Inception phase (Review of the Project Design Quality and the Stakeholders Analysis). The evaluation assessed whether, and to which extent, challenges facing gender/ marginalized groups were addressed by the Project. It was also assessed whether Project Monitoring and Reporting reflected gender-differentiated achievements/challenges. All Project Implementation Reviews (PIR) and other reporting material were critically consulted through Gender and Human Rights lens.

36. Regarding data collection, the evaluation was sensitive to capture Gender and Human Rights aspects, using appropriate methods and tools; e.g. interviewing women and marginalized people in senior or mid-level posts, as well as women in the pilot-sites related to handicraft and value-chains of GR and TK (e.g. weaver crafters, wax producers), female teachers in the Pilot-Schools and women activists at grassroot level working with IPLCs (Rabinal).

2.3 Field visits to the Pilot-sites: methodological aspects and limitations

37. The Project ended its operations in March 2018 and the Project Team was no more officially in place when the country was visited. This fact did not limit the collection and exchanges of significant information by the Consultant during the country visit and before. On the one hand, the former Project Manager was available to participate in two key-meetings (initial and final) and also discussed relevant information with the evaluator before and after the country visit, including the discussion of the TOC of the project.

38. On the other hand, one of the national full-time consultants formerly based in the pilot-site of Rabinal is currently working in CONAP. She organised the field visits in the two pilot-sites and accompanied the consultant. A former full-time consultant still based in San Juan de la Laguna (the second pilot-size) was also available to meet the evaluator and

exchange relevant information and opinions. The same applies to the consultant socio-pedagogue that was met in the capital city of the Department (Sololà).

39. As mentioned above, both pilots-sites of the Project were visited (Rabinal and San Juan de la Laguna) in the first of the two weeks of the country visit. Therefore, the time devoted to the field visits was proportionate to the overall duration of the country visit (50%). However, when considering the travels to and from the sites, as well as the travel from one site to another, the effective time available for meetings in the two pilot sites was no more than one full day for each site.

40. The available time, thanks to the sequence of meetings previously well organised, was sufficient to have an idea of the overall presence and achievements of the Project in the two sites, yet, clearly too short for a comprehensive understanding of the socio-economic and socio-cultural dynamics existing in the two sites around the theme of Access and Benefits Sharing related to Genetic Resources (GR) and Traditional Knowledge (TK). Moreover, due to the fact that, all the meetings were organised in town (seat of the Municipality), view the obvious time limitation of the visit, the participation of a larger and more representative group of people from the communities, particularly those distant from town, was not possible.

41. Most of the meetings in the Pilot-sites were in group (with or without the presence of the former Project Staff, depending on the characteristics of the group) and had their own dynamics that the evaluator observed without mayor interventions, mostly for asking further clarifications or for introducing a new element for analysis. This was particularly evident in the meeting with the representatives of the Local and Indigenous Groups in Rabinal that, though in disagreement among them regarding the publication of the Catalogue (see chapter 5.4.1), preferred discussing how the Project could have better approached the communities with a more appropriate, clear and targeted (key-people) communication since the beginning.

42. The evaluator met, chronologically:

a) In the Municipality of Rabinal (Dept. of Baja Verapaz, 16/10):

- Two officers (male) of the Directorate of the Ministry of Education (MINEDUC) of the Department of Baja Verapaz. The meeting was useful to understand the viability of the pilot exercise after the end of the Project (joint meeting in presence of former Project Consultant).
- The Executive Secretary (male) of the Municipal Council. The meeting was useful to understand the main socio-economic and cultural issues at stake in the Municipality and the level of institutional up-taking of the issue (ABS) by the Municipality;
- Eight representatives (three women, five men in a joint meeting) of Civil Society Groups and Associations, including grassroots activists working and/or representing "Indigenous Communities and Organizations of the Maya Aichi People", three representatives of Local Associations (non-indigenous) active in the Local Steering Committee of the Project and in Community Activities in the Municipality, and one member of the Community Development Committee

(CODECOM, see chapter 3.3). The meeting was useful to hear from the representatives of the Indigenous Communities and Organizations the reasons of their opposition to the publication of the catalogue of TK (see chapter 5.4.1), as well as to the Nagoya Protocol in general. All participants underlined the need of a clear initial communication regarding the objectives of the Project, which could have helped in finding consensual activities.

- A group of five artisans (joint meeting, 2 women, three men) that worked with the Project for the setting of possible value-chains of products related to Traditional Knowledge (former Project Consultant was present);
- A group of five teachers (joint meeting, 4 women, one man) that actively participated in the implementation of the Curriculum of Traditional Knowledge in the Primary Pilot-School of the Municipality (former Project Consultant was present).
- Individual meeting with the former project Consultant (female) in Rabinal (including SWOT exercise).

b) In the Municipality of San Juan de la Laguna (Dept. of Sololà, 18/10):

- Meeting with the Mayor of the Municipality and some Counsellors (all men) that did not bring supplementary information regarding the Project, because of the recent change of Administration in the Municipality;
- Meeting with two teachers (one male, one female) of the Pilot-School where the Curriculum of Traditional Knowledge (TK) was implemented. The discussion about the future of the Curriculum was at the focus of the meeting.
- Joint meeting with a group of four Artisans / Fishermen (all men) regarding their activities for the conservation of the genetic resources of Atitlan Lake and the interrelation between fishery and handicraft.
- Joint meeting with a small group of weavers (women) to hear about their initiative for using a local variety of cotton in their artisanal activity.
- Individual meeting with former Project Consultants (one male, one female) of the Project in San Juan de la Laguna (SWOT exercise) and in Sololà.
- The elaboration of the Evaluation Framework, which included the key-questions outlined in the TOR of the Evaluation and a matrix of specific questions / issues for each of the Evaluation criteria with relative indicators to be assessed.

3 The Project

3.1 Context

43. Guatemala is home to a variety of ecosystems that enshrine a large and relevant biological diversity. The country is considered a “mega-diverse” country, including relevant “biodiversity hotspots” and the highest rate of species endemism in Central America. Forests

cover around one third of the country, and almost half of them are classified as primary forest. The country is the birthplace (centre of genetic origin) and of domestication of several food crops, such as corn, beans and cassava, among others, and of several other economically relevant cultivated species. It is also a natural reservoir of genes in the wild relatives of such species.

44. Unfortunately, biodiversity is being degraded through land occupation and unsustainable land uses that are incessantly threatening natural habitats and species. Traditional practices and knowledge associated with the sustainable use of biological resources are at risk as well, for different reasons. As clearly stated in the Country's Profile of Guatemala in CBD website, Biodiversity and Traditional Knowledge (TK) loss are "primarily due to the lack of mainstreaming and management of biodiversity components; insecurity about property rights and land use; lack of awareness, including in regard to the goods and services provided by biodiversity; lack of policy/legislation and institutional enforcement; high population growth, poverty and unemployment; and the prevailing agrarian structure."

45. The country has, nonetheless, made advances to protect its biological and cultural diversity since the first National Biodiversity Strategy Action Plan (NBSAP) was published in 1999 and the National Biodiversity Policy was officially adopted in 2011. The current NBSAP was adopted in 2012 with an Action Plan (2012-2022). Responsibility for implementation of all policies related to biodiversity was assigned to the National Council for Protected Areas (CONAP), which was also the Competent National Authority for the implementation of the Nagoya Protocol ratified by the country in 2014 (and National Executing Agency of the Project), until its suspension by the Constitutional Court in 2016 (as discussed in chapter 5.3 and 5.4.1).

46. As reported in the Project Document, the National Biodiversity Policy fosters the creation of standards for the access to Traditional Knowledge (TK) and Genetic Resources (GR) in order to ensure a fair and equitable sharing of the benefits, as well as the strengthening of the linkage between biological diversity and rural development, through the valuation of collective TK and actions in public education that could promote an inter-generational transfer of collective TK. Actually, the setting of a conceptual, institutional and regulatory framework to address all these issues was at the core of the formulation and implementation of the Project.

47. Guatemala is a mega-diverse country not only from an environmental point of view, but also, and remarkably, from a cultural perspective. According to official data of 2014³, "38,8% of the population self-identified as indigenous people" of Maya, Xinca and Garifuna origin, with a predominance of the Maya groups (38,5%). The latter are defined by the existence of more than 20 socio-linguistic communities, with a very wide geographical distribution, an extraordinarily high proportion (more than 90% of the population) in some of the departments (*departamentos*) and a deeply rooted sense of territoriality historically developed, as clearly discussed in the Project Document, from which the map of Figure 1 here below is extracted.

³ "Encuesta Nacional de Condiciones de Vida 2014", published in 2016, Instituto Nacional de Estadística, www.ine.gob.gt



48. As discussed later in this report, the socio-economic and political context of the country has deeply influenced the smooth progress of the Project and its institutional frame of implementation. It is, therefore, relevant to highlight the main aspects of this context.

49. Socio-economic indicators reveal a worrying situation, particularly regarding poverty rates and inequality among the population. The World Bank overview of Guatemala⁴ (2018) underlines that, despite being one of the strongest economic performers in Latin America in recent years, with a growth rate of 3% since 2012, and the biggest economy in Central America, Guatemala “has one of the highest inequality rates in Latin America, with some of the worst poverty, malnutrition and maternal-child mortality rates in the region, especially in rural and indigenous areas”.

50. Official estimated figures of 2014⁵ indicate that 59,3% of the population lived below the poverty line and, according to IFAD⁶, in the same year, the poverty rate within the indigenous population was closed to 80%. When compared with the non-indigenous population, the poverty rate among indigenous people was significantly higher (1,7 times bigger). Similarly, according to the National Survey of 2014⁷, people living in conditions of

⁴ <http://www.worldbank.org/en/country/guatemala/overview>

⁵ “República de Guatemala: Encuesta Nacional de Condiciones de Vida 2014- Principales Resultados”, 2015, Instituto Nacional de Estadística, www.ine.gov.gt

⁶ “Nota técnica de país sobre cuestiones de los pueblos indígenas Republica de Guatemala”, CADPI/IFAD, 2017

⁷ “Encuesta Nacional de Condiciones de Vida 2014”, published in 2016, Instituto Nacional de Estadística, www.ine.gov.gt

“extreme poverty” represented 15,2% of the population, but this percentage was 39,8% among the indigenous population.

51. The recent report (May 2018) of the United Nations Special Rapporteur on the rights of indigenous peoples in Guatemala⁸ states that “the implementation rate of the 1996 Peace Accords regarding the Agreement on the Identity and Rights of Indigenous Peoples is only 19%. Failure to comply with these commitments has undermined progress in adopting measures in many areas, including land reform, recognition of indigenous authorities and justice, political participation and bilingual intercultural education”.

52. Inequality is a major socio-economic factor characterising the country and causing poverty. The distribution of income is highly unequal with the richest 20% of the population accounting for more than 51% of Guatemala’s overall consumption⁹. Land distribution is highly unequal. The largest 2.5% of farms occupy nearly two-thirds of agricultural land, while 90% of the farms occupy only one-sixth of the agricultural land¹⁰. Land tenure is insecure among indigenous communities and unresolved land disputes and ineffective mechanisms to resolve them are major factors of social unrest in rural areas, notably among the indigenous communities¹¹.

53. Although, since the signing of the Peace Accords in 1996, Guatemalan society has made significant progress towards becoming more equitable, the current socio-political context remains highly challenging for the progress of sustainable and inclusive patterns of sustainable development like those fostered by the Project under current evaluation, as described and discussed later in this report.

54. The Project was expected to implement pilot-activities in two “Pilot-sites” selected according to the following criteria: a) both territories are quite homogeneous in terms of ethnic group (Achi territory in Rabinal and Tzutujil in San Juan de la Laguna); b) the Achi and Tzutujil sociolinguistic groups are relatively concentrated in few departments; c) both territories are relatively small and with different ecological life-zones; d) geographical location (4-6 hours from Guatemala City); e) presence of community organizational development and of traditional activities linked to the use of local genetic resources; f) presence of decentralised structures of public institutions; g) presence of bilingual schools.

3.2 Objectives and components

55. According to the Project Document (ProDoc), the Project Objective was “to develop policy and legal frameworks and institutional mechanisms for access and benefit sharing

⁸ <https://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=23068&LangID=E>

⁹ https://www.cia.gov/library/publications/the-world-factbook/geos/print_gt.html

¹⁰ Source: LANDLINKS/USAID, <https://www.land-links.org/country-profile/guatemala/>

¹¹ The 36-year armed conflict (1960-1996) that caused the death or disappearance of around 200.000 people was deeply rooted in the situation of exclusion and marginalisation of indigenous population. About 83 percent of those killed were Mayan, according to a 1999 report written by the U.N.-backed Commission for Historical Clarification titled “Guatemala: Memory of Silence.”

(ABS), in order to strengthen biodiversity conservation, promote rural development and support climate change adaptation”.

56. The project was conceived with three components. The following table presents each Component and expected Outcomes as outlined in the Logical Framework (Logframe) of the Project.

Table 1: Project Components and Outcomes from the Logframe

Project component	Expected Outcomes
1) Developing a national framework for accessing genetic resources (GR), protecting traditional knowledge (TK) and ensuring benefit sharing.	1. Guatemala has in place the instruments needed to facilitate access to genetic resources, protected traditional knowledge, and engage in benefit sharing supported by a legal framework.
2) Protecting traditional cultural knowledge associated with sustainable use of biodiversity to catalyse its potential for rural development	2. Enabling conditions established within the relevant Guatemalan Institutions for the development of rural community-based initiatives relating to the sustainable use of biodiversity and the transfer and use of traditional knowledge.
3) Building linkages between biodiversity conservation and sustainable use	3. Strengthened integration of Traditional Knowledge (TK) and Sustainable Use of Genetic Resources in accordance with CBD provisions consistent with development at local and sub-national levels.

57. **Component 1** is focussing on the establishment of a **national policy** on access to genetic resources and traditional knowledge, the preparation of legal instruments (law and regulations) and procedures manual, the awareness raising of different stakeholders on the value of genetic resources and traditional knowledge, and the preparation of a strategic plan to incorporate / mainstream collective traditional knowledge associated with biodiversity in relevant projects, programs and public policies.

58. **Component 2** foresees the preparation of a protocol to develop a **traditional knowledge inventory / catalogue** as well as models and mechanisms to teach traditional knowledge in at least two socio-linguistic areas, at primary and secondary school levels.

59. **Component 3** focuses on the implementation of four **pilot experiences / models** on the Sustainable Use of Genetic Resources and Traditional Knowledge, in two socio-linguistic territories, possibly regarding non-commercial conservation, commercial use and merging scientific and traditional knowledge. This Component was intended to show linkages between biodiversity conservation and economic development: in other words – to demonstrate the potential use of genetic resources and traditional knowledge for national and local economic development.

60. The overall sequence of Project Objective, Outcome and Outputs, as spelled out in the Project Document, is discussed in chapter 4 (Theory of Change of the Project).

3.3 Stakeholders

61. The Project Document (ProDoc) assigned a key-role to the National Council for Protected Areas / *Consejo Nacional de Areas Protegidas* (CONAP), which is National Focal Point for the Convention on Biological Diversity (CBD), Competent National Authority (CNA) for the implementation of the Nagoya Protocol (until its suspension by the Constitutional Court) and has been the National Executing Agency (NEA) of the Project. CONAP is attached directly to the Office of the President and was created by Legislative Decree 4 of 1989. It is responsible for the management of the Guatemalan System of Protected Areas, which include 52% of Guatemala's forests, and for biodiversity within the entire national territory. For that purpose, CONAP employs, at central and decentralised level, around one thousand people. It is led by an Executive Council that is chosen by the President from a pool of candidates presented by the Ministry of Environment and Natural Resources (*Ministerio de Ambiente y Recursos Naturales*, MARN).

62. The interaction between the Project implementation structure (see next chapter 3.4) and CONAP has been strong throughout the Project through the Directorate of the Valuation and Conservation of the Biological Diversity ("*Valoracion y Conservacion de la Diversidad Biologica*"). Due to the multi-sectoral nature of the Project, a range of other institutional stakeholders were expected to be involved, which actually happened, at a variable extent. The Ministries of Agriculture (MAGA), of Environment and Natural Resources (MARN), of Education (MINEDUC), of Culture and Sport (MICUDE) and of Economy (MINECO) were members of the Project Steering Committee (see following chapter 3.4).

63. Other relevant stakeholders and members of the Project Steering Committee were the Faculty of Agronomy, the Institute of Inter-Ethnic Studies and the Centre for Conservation Studies (CECON) of the University of San Carlos of Guatemala (USAC), as well as the NGO Sotz'il, which works with Indigenous People and Local Communities (IPLC). Most of the institutions mentioned above were also expected to co-finance the Project through in-kind contribution, which was realized, according to the Project Final Report (see also Table 3 in Chapter 3.6).

64. At decentralised level, the ProDoc identified as relevant stakeholders the two Municipalities where the pilot-initiatives were to be developed, as well as the decentralised structures of the National Development System created by the Guatemala Constitution to promote decentralised development and citizens participation at Community, Municipality and Department levels. They are the Community Development Committees (COCODES), the Municipal Development Committees (COMUDES) and the Departmental Development Committees (CODEDES).

65. Socio-cultural and ethnic dimensions are crucial in Guatemala, as described in previous chapter 3.1 (Context), and their socio-political implications have been evident along the whole story of the country until current days. Both art. 15 of the Convention on Biological Diversity (CBD) and the Nagoya Protocol attribute to the States (the Parties) the overall responsibility, hence the "duty", to fulfil their obligations regarding the Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilisation (ABS), including the Traditional Knowledge (TK) associated with Genetic Resources. The latter is

obviously linked, in the case of Guatemala, to discussions on the general rights of Indigenous People at international and national levels¹².

66. Nevertheless, a Human Rights approach in Stakeholders Analysis, discussing who the “duty bearers” and “rights holders” are in the context of the ABS and TK in Guatemala, was missing in the ProDoc, as also mentioned in Chapter 5.2 (Quality of Project Design). Actually, the ProDoc, though showing consideration for that dimension, did not identify any specific Civil Society actor (e.g. associations and networks) and/or Indigenous People and Local Communities (ILPCs) as key-stakeholders. As pointed out in following Chapter 3.5 (Changes in design during Project Implementation) and discussed in Chapter 5 (Findings), the Project has addressed the socio-cultural dimension much more than originally foreseen and a wider range of stakeholders have been involved, particularly at decentralised level.

3.4 Project implementation structure and partners

67. The National Executing Agency of the Project was the National Council of Protected Areas (CONAP), namely its Directorate for Valuation and Conservation of Biological Diversity. Due to the political situation of the country during Project implementation (see chapter 3.1, Context), CONAP, together with UN Environment, decided to outsource the Administrative and Financial Management of the Project to Helvetas (a Swiss NGO active in the country since 1990). The Implementing Agency (UN Environment) provided technical and administrative assistance to the Project through the Task Manager and the Programme Assistant based in the Regional Office of Panama. In January 2018 (hence virtually at the end of the Project) the TM left the Agency and was replaced in the last quarter of 2018.

68. The Project Team foreseen in the Project Document (ProDoc) was large and multi-disciplinary. A national consultant was selected (out of three candidates) at the Project start and worked as Project Manager for its whole duration (March 2014 – March 2018).

69. Two teams of two consultants each (with academic background in Biological or Environmental Sciences in both teams) were fielded, in the two areas selected for the ABS and TK pilot initiatives, e.g. the Municipality of Rabinal (Department of Baja Verapaz) and of San Juan de la Laguna (Dep. of Sololà).

70. The two field teams worked full time for 36 months (October 2014 – October 2017) and were initially gender balanced (during Project implementation one of the teams changed composition and was eventually composed by two male consultants). The profile of the field-team was slightly, yet significantly, different from what was originally foreseen in the ProDoc. The issue is addressed in next chapter 3.5.

71. The team also included other long and medium-term consultants, namely: a) Consultant for Value-Chain and Innovation (2 years); b) Consultant for design and production

¹² Particularly, the United Nations Declaration on the Rights of Indigenous People (2007) and the International Labour Organisation Convention n. 169 on Indigenous and Tribal Peoples (1989), as well as the Guatemala Constitution, the Peace Accords of 1996 and the Legal Framework for Peace Agreements (2005).

of communication and training material (2 years); c) Socio-pedagogue for Component 2 (13 m.) and d) Legal Advisor for Component 1 (2 years).

72. Due to the multi-sectoral feature of the Project, the different aspects of the Project fell under the jurisdiction of various Ministries and Departments. Therefore, coordinating, organizational and technical structures were created, such as a Project Steering Committee, two Local Steering Committees and a Scientific Advisory Committee.

73. The National Steering Committee, originally foreseen (according to the ProDoc) with the sole representation of the five line-ministries mentioned in previous chapter 3.3, extended progressively the participation, since the beginning of the Project, to other institutions and organisations, such as the University of San Carlos de Guatemala (USAC) through the Institute of Inter-Ethnic Studies, the Center for Conservation Studies and the Faculty of Agronomy, as well as the NGO "Sotz'il" and the Registry of Intellectual Property.

74. The dynamism and frequency of the meetings mainly depended on the agenda of the meetings and the relevance of the issues to be discussed, yet, the participation was overall good, despite some of the most active members indicating that Ministry representatives changed too frequently, which lowered their level of involvement. The Scientific Committee, also foreseen in the ProDoc, was initially formed. However, its members were virtually the same of the Steering Committee and the role and functions of the Scientific Committee was not evident. Therefore, it was decided that the Steering Committee was sufficient and able to provide strategical, methodological and scientific advice.

75. According to the ProDoc, the Project was also expected to form a Local Steering Committee in each of the two rural areas of intervention, in order "to provide opportunities for participation to local organizations and local authorities" and to enable local delegates to be included in the national steering committee. The Local Committees were put in place and were useful, particularly at the beginning of the operations in the field. However, the field teams of the Project progressively worked in coordination with the existing local committees (e.g. the local development committees / COCODES and the municipal development committees / COMUDES, see above Chapter 3.3), as well as with the Municipality and its Council. As a result, though informal meetings of the Project Local Committee were going on to exchange opinions and capture feed-backs, their institutional role progressively faded out.

3.5 Changes in design during implementation

76. Since the beginning, the Project has focussed on defining and setting the conceptual and institutional framework to be adopted and implemented for shaping the ABS strategy in the country. On the one hand, the reviewed National Biodiversity Strategy and Action Plan (NBSAP - 2012-2020) was available when the Project started and included ABS among its target-areas. That has permitted to accommodate Project results within the targets of the NBSAP.

77. On the other hand, the National Executing Agency (CONAP) and the Project Team took the challenge to extensively discuss and openly debate the core-elements of the ABS

strategy through an inclusive and participatory approach that involved a substantively larger number of actors at national, sub-national (regional) and local levels, than originally foreseen in the Project Document (ProDoc).

78. The actors involved were not only governmental officers and academic and research institutions (as originally foreseen), but also local associations and community-based groups, regional representatives of Indigenous People, local indigenous associations and the national members of the Working Group on art. 8(j)¹³. This process is discussed in chapter 5.4 (Effectiveness, particularly at Outputs level, regarding the formulation of the ABS Policy and Draft Law). Some private entrepreneurs were also contacted in the framework of setting possible value-chains related to the sustainable use of GR and TK. As a result, there was a substantive shift in the Project Approach that, essentially, brought about:

- The integration of the national ABS framework within the National Biodiversity Strategy and Action Plan (NBSAP) that had been meanwhile prepared and approved by CONAP (2012-2020);
- The extensive and active participation of Indigenous People and Local communities (IPLCs) in the elaboration of the ABS Policy and Draft Law, as well as the promotion of a Technical Working Group established at the Congress level, as discussed in chapter 5.4.1. This represents a major strategical change when compared with the original approach of the ProDoc that was mainly focussed on the participation of governmental and academic sectors (see also Chapter 5.2, Project Design);
- The adoption of a new national paradigm for the enhancement of ABS agenda in the country based on the concept of “Bio-Cultural Heritage”, due to the rejection by the Indigenous People and Local Communities (IPLCs) of the concept of “Traditional Knowledge”, considered by them as inappropriate and with a negative connotation.

79. As mentioned above in chapter 3.4, the profile of the permanent or long-term staff to be posted in the two pilot-sites changed slightly but significantly, compared with that originally foreseen in the Annex 10 of the ProDoc. The two permanent staff eventually selected and located in each of the pilot areas (4 consultants in total, for 36 months each) had an academic background in Biology or Environmental Sciences, whereas the ProDoc had foreseen that two consultants for “TK Participatory Research and Community work / Anthropologists” should be part of both teams (24 months). Two consultants for program and bilingual education models development (21 months each) were foreseen as well, but only one was actually contracted.

80. It is worth commenting on these changes. In fact, when observing the kind of work made by the field teams in the two pilot sites on Traditional Knowledge (e.g. the catalogue of GR and TK, the TK education curricula, local groups organization and promotion), it

¹³ The Working group on article 8(j) of the CDB was established in 1998 by the fourth meeting of the Conference of the Parties (COP4). At its fifth meeting in 2000, the COP adopted a programme of work to implement the commitments of article 8 (j) of the Convention and to enhance the role and involvement of indigenous and local communities in the achievement of the objectives of the Convention. <https://www.cbd.int/convention/wg8j.shtml>

appears evident that a specialist in Social Sciences (e.g. sociologist, socio-pedagogue, anthropologist) would have been most useful. The issue has also been raised by some of Project stakeholders in their interviews with the evaluator and is discussed later in this Report in chapter 5.4.3, regarding the Pilot-experiences. A Lesson Learned is also formulated on the issue (chapter 6.2). The explanation given for that modification basically lies, according to the Project Team, on the difficulty or impossibility to find available human resources in those sectors and willing to work in the ABS context.

81. The suspension of the ratification of the Nagoya Protocol by the Constitutional Court (see chapter 5.3 and 5.4.1) has represented a relevant political fact that changed the political and institutional framework of reference of the Project.

82. Nonetheless, the Project Team, the National Executing Agency (CONAP), UN Environment Task Manager, as well as other national stakeholders, when specifically consulted on this point, were unanimous in clarifying that:

a) the Project was formulated, approved and started before the ratification of the Protocol by Guatemala;

b) the Project is pursuing the promotion of a participatory process gradually leading to equitable and transparent rules and mechanisms for the management of Biological Diversity and of its related Genetic Resources and Traditional Knowledge. This is a substantive part of the national agenda and is being implemented independently from the Nagoya Protocol. For instance, the discussion and revision of the ABS Draft Law is continuing and CONAP has in 2018 (two years after the suspension of the Protocol) reinforced its team with an ABS Officer (in this regard see also chapter on Institutional Sustainability, 5.8.3)

83. The Project underwent seven Budget Revisions, which is a high number considering the planned duration of the Project (four years). Some of them refer to the re-allocation of resources for implementing new, unplanned activities (e.g. the Rounds of Dialogue for the discussion of the Policy and the Law, see chapter 5.4.1), Others refer to yearly reallocation of unspent money. The justifications for the revisions, though always presented, are not always clearly explained. This issue is discussed in chapter 5.5 (Financial management).

3.6 Project financing

84. The Project did not keep any record of expenditures by activities based on GEF format, because they were never asked to do that, according to information provided by the Administrative and Financial Team. The repartition of the expenditures according to UN Environment Components is presented in following Table 2. In Annex 4 a detailed breakdown of expenditures by Budget Lines is also provided. Co-financing has been estimated by CONAP and the Project Manager and is reflected in Table 3.

Table 2: Budget (GEF) at design and expenditures by UN Environment Components (November 2018)

Budget Line	Description	Estimated cost at design (USD)	Actual Cost (USD)	Expenditure ratio (actual/planned)
1999	Sub-total Project Component (Project Personnel & Consultants)	612,327	595,655	97%
2999	Sub-total (Sub Contracts)	0	4,928	
3999	Sub-total (Training)	138,000	129,274	94%
4999	Sub-total (Equipment & Premises)	17,581	15,513	88%
5999	Sub-total (Miscellaneous)	106,592	96,760	91%
Total		874,500	842,130	96%

Table 3: Co-financing Table (GEF Projects only) (updated March 2018)

Co-financing (Type/Source)	UNEP own Financing (US\$1,000)		Government (including University and Municipalities) (US\$1,000)		Other* (US\$1,000)		Total (US\$1,000)		Total Disbursed (US\$1,000)
	Planned	Actual	Planned	Actual	Planned	Actual	Planned	Actual	
– Grants			100				100		
– In-kind support	20		612	962	240	148	872	1,110	
Totals	20		712	962	240	148	972	1,110	1,110 (114%)

* This refers to contributions mobilized for the project from other multilateral agencies, bilateral development cooperation agencies, NGOs, the private sector and beneficiaries.

4 Theory of Change (TOC) of the project

4.1 The reconstructed TOC of the project: overview

85. The Project Document did not include any Theory of Change (TOC)¹⁴ and the Logframe was incomplete, since it only provided Outcomes without clearly specifying the logical sequence of Activities-Outputs-Outcomes. It was equally lacking the description of the intervention logic from the Outcomes to the long-term Impact.

86. Table 4 here below compares the project's results as stated in the ProDoc (namely in the Logical Framework and the Monitoring and Evaluation Plan) and as formulated in the Theory of Change (TOC) at Evaluation. The enunciation of the Outcomes in the LogFrame was vague and, admittedly, unclear also to the Project Team. For instance, it did not specify

¹⁴ Not requested at the time of Project's formulation

which “the instruments needed to facilitate access” are (Outcome 1) or the “Enabling conditions established within the relevant Guatemalan Institutions” (Outcome 2).

87. The formulation of Outcomes 2 and 3 in the ProDoc was considered confusing by the Project Team and somewhat redundant. While Outcome 2 refers to “the development of rural community-based initiatives relating to the sustainable use of biodiversity and the transfer and use of traditional knowledge”, Outcome 3 seeks the “Strengthened integration of Traditional Knowledge (TK) and Sustainable Use of Genetic Resources consistent with development at local and sub-national levels”. In fact, the two formulations seems to express the same concept in a specular way.

88. In practical terms, the Project has worked on two main components: 1) an institutional component related to the formulation and implementation of the national ABS framework (National Policy and Law) and 2) a field component to implement some pilot-initiatives of different kind to protect Genetic Resources and Traditional Knowledge and to promote their Sustainable Use at local level.

89. The reconstructed TOC at Evaluation, elaborated and also discussed during the country visit, has consequently identified two main logical pathways of Project Implementation (see table 4 below and diagrams 1 and 2):

- a first pathway leading to two “Institutional” Outputs (1.1 and 1.2, the Policy and the Law) and to Direct Outcome 1 (Policy and legal framework in place for ABS), as visualised in Diagram 1;
- a second pathway (Diagram 2) merging the original Outcomes 2 and 3 of the ProDoc into a single “field pathway” leading to the Direct Outcome 2 of the TOC (Improved protection and integration of Traditional Knowledge and Sustainable Use of Genetic Resources in Rural Development at local and sub-national levels), which includes the expected Outputs from the pilot-experiences in the field (Outputs 2.1, 2.2 and 2.3 of the TOC. In addition, considering that the Outputs foreseen from the Pilot-experiences (2.1, 2.2 and 2.3) could not by themselves sustain the logical pathway to Direct Outcome 2, the Reconstructed TOC has identified two supplementary Outputs (at a superior level), Outputs 2.4 and 2.5, that build upon the previous 2.1, 2.2 and 2.3 and can lead to DO 2 (see Diagram 2).

90. The ProDoc contained, in the enunciation of the Project Objective and of the Project Goal (see Table 4 below), mixed and somewhat overlapping levels of results. In the reconstructed TOC at Evaluation, some of them makes part of the Main Project Outcome, while others were reformulated with more precision in the Intermediate States to Impact, the latter being defined as the Global Environmental Benefit (GEB) to which the Project was deemed to contribute (Enhanced conservation and sustainable use of biological diversity in Guatemala),

Table 4: Comparison of Results Framework

Results as stated in the ProDoc Logframe	Results as stated in the TOC at Evaluation (Chapter 4.2 and 4.3, Diagrams 1 and 2)
Goal of the Project (in the ProDoc)	Impact
To promote the observance and implementation of the Convention on Biological Diversity and the Nagoya Protocol in Guatemala, developing conditions for the conservation and intergenerational transfer of traditional knowledge, in order to strengthen the conservation of biological diversity, promote rural development and support adaptation actions to climate change in the country.	Enhanced conservation and sustainable use of biological diversity in Guatemala
	Intermediate States (I.S.) to Impact
	I.S. 3 Objective of the Protocol (art. 1): Fair and equitable sharing of the benefits arising from the utilization of genetic resources, including by appropriate access to genetic resources
	I.S. 2.1 Fair and Equitable Benefit Sharing in line with Art. 5 of the Protocol I.S. 2.2 Improved Access to Genetic Resources (GR) in line with Art. 6 of the Protocol I.S. 2.3 Traditional Knowledge (TK) associated with GR enhanced in line with art. 12 of the Protocol
	I.S. 1 Policy and Legal framework fully operational through regulations and administrative procedures / mechanisms of implementation and compliance
Objective (in the ProDoc)	Main Project Outcome
To develop policy and legal frameworks and institutional mechanisms for access and benefit sharing (ABS), in order to strengthen biodiversity conservation, promote rural development and support climate change adaptation.	Policy, legal frameworks and institutional mechanisms facilitate access to genetic resources, protection of traditional knowledge, and engagement in benefit sharing.
Outcomes (in the Logframe)	Direct Outcomes
<u>Outcome 1</u> : Guatemala has in place the instruments needed to facilitate access to genetic resources, protected traditional knowledge, and engage in benefit sharing supported by a legal framework. <u>Outcome 2</u> : Enabling conditions established within the relevant Guatemalan Institutions for the development of rural community-based initiatives relating to the sustainable use of biodiversity and the transfer and use of traditional knowledge.	Direct Outcome 1 (DO 1) Policy and legal framework in place for access and benefit sharing (ABS) Direct Outcome 2 (DO 2) Improved protection and integration of Traditional Knowledge (TK) and Sustainable Use of Genetic Resources in Rural Development at local and sub-national levels

Results as stated in the ProDoc Logframe	Results as stated in the TOC at Evaluation (Chapter 4.2 and 4.3, Diagrams 1 and 2)
<p><u>Outcome 3</u>: Strengthened integration of Traditional Knowledge (TK) and Sustainable Use of Genetic Resources in accordance with CBD provisions consistent with development at local and sub-national levels.</p>	
<p>Outputs based on Logframe (Ann. 4 of ProDoc) and Monitoring and Evaluation Plan (Ann. 7 of ProDoc) - as enumerated in the Logframe</p>	<p>Outputs</p>
<p><u>Outputs for Outcome 1</u></p> <p>1.1.1. National policy for access to genetic resources and traditional knowledge groups is approved by the Consejo Nacional de Areas and broadcast agreement for the processing of a Government agreement to promote it as a public policy.</p> <p>1.1.2.1 National law for the management of access to collective TK and genetic resources that will ensure the fair and equitable sharing of the benefits arising from their use and that recognizes the right to own mechanisms and mechanisms of management of local communities.</p> <p>1.1.2.2 Procedures manual that defines mechanisms for the management of access and protection of collective traditional knowledge associated to genetic resources, and also that recognize different levels of authorities in their management.</p> <p>1.1.3 Framework for use and promotion of the elements of traditional knowledge associated to biodiversity with climate change, desertification, and change in land use.</p>	<p>Summary of Outputs corresponding to the Institutional component</p> <p>1.1 A National Policy on access to GR and TK approved by CONAP and presented to the Council of Ministers</p> <p>1.2 Proposal of the National Law "Protection of Biological Diversity and Bio-Cultural Heritage of Guatemala" presented to the Congress</p> <p>Outputs 1.1.2.2 and 1.1.3 of the Logframe are contemplated at a higher level of results in the TOC (see chapter 4.3), namely:</p> <ul style="list-style-type: none"> - 1.1.2.2 is contemplated in Intermediate State 1 (Diagram 2, chapter 4.3) - 1.1.3 is taken into consideration in the Assumptions from Intermediate State 3 to Impact (Diagram 2, Chapter 4.3)
<p><u>Outputs for Outcome 2</u></p>	<p>Summary of Outputs corresponding to the piloting component</p> <p>In two selected pilot areas:</p>

Results as stated in the ProDoc Logframe	Results as stated in the TOC at Evaluation (Chapter 4.2 and 4.3, Diagrams 1 and 2)
<p>2.1. Protocol containing the basic elements of the inventory and content formats for capture and registration of traditional knowledge. 500 hard copies of the Protocol for inventories.</p> <p>2.2. Intervention models of educational plans and programs to teach traditional knowledge are systematized and proposed as an alternative to improve the conservation of traditional knowledge in the sociolinguistic territories</p> <p><u>Outputs for Outcome 3</u></p> <p>3.1.1.1. Systematization of 4 access experiences and use Genetic Resources and Traditional Knowledge in two territories socio-linguistic.</p> <p>3.1.1.2. Documentation of four models of access to genetic resources and traditional knowledge that promote the sharing of benefits and rural development.</p> <p>3.1.1.3. Two ABS agreements derived from the pilots.</p> <p>3.1.2. Background documents for the systematization of experiences and lessons learned access during the process, for the general public and to institutions on access management.</p>	<p>2.1. A protocol produced to develop TK inventories / catalogues, with information on the distribution, diversity and sociolinguistic relevance of TK, and on its potentiality for conservation and sustainable use of biodiversity and for rural development.</p> <p>2.2. Two models of educational plans and programs to teach TK systematised and proposed in at least two socio-linguistic areas, bilingual schools.</p> <p>2.3. Four (4) pilot experiences of access and use of GR and TK developed and systematised in two socio-linguistic territories including one example each of the following: A) non-commercial use (conservation); B) Commercial use (bio-trade); C) Commercial use (value chain); D) Merging scientific and traditional knowledge</p> <p>2.4 Methodological instruments delivered, such as lessons learned, risk analysis and assumptions for future actions, best practices to be replicated, viability analysis and recommendations, possible road-map and future “scenarios”, etc.</p> <p>2.5 Pilot-experiences are institutionally up-taken in the Municipalities and Departments where they took place and possibly up-scaled to other geographical areas.</p>

4.2 The causal logic from Outputs to Outcomes

91. As described above, the Project has been implemented through two main pathways of intervention. There has been an “institutional component” focussing on the elaboration of the ABS Policy and the ABS Law in Guatemala and a “field / pilot component” focussing on the application of the concept of Traditional Knowledge for the protection of Biodiversity and Genetic Resources and their use for initiatives of Rural Sustainable Development.

92. For the institutional component (Component 1 of the ProDoc, see chapter 3.2), the Project was essentially called to deliver two main Outputs, as visualised in Diagram 1, i.e. “A national policy on access to GR and TK approved by CONAP and presented to the Council of Ministers” (Output 1.1 of the TOC) and a “Proposal of the National Law *“Protection of Biological Diversity and Bio-Cultural Heritage of Guatemala”* presented to the Congress” (Output 1.2 of the TOC).

93. The delivery of Outputs 1.1. and 1.2 would ensure the setting of a Policy and legal framework for access and benefit sharing (ABS), which is, in fact, the institutional / systemic change expressed in Direct Outcome 1.

94. While the Project and CONAP are considered key-players for this Component, their capacity of being Driving-forces in the process of adoption of a national policy and law is assessed in chapters 5.4.1 and 5.4.2. A key-assumption to hold is the participation and ownership of the IPLCs over the process of policy and law discussion and possible adoption. This is a strong assumption not only at Outcome level, but also in the pathway to Impact (chapter 5.4.3) and for the Socio-political Sustainability of ABS agenda in the country (chapter 5.8.1). Obviously, the smooth functioning of the Congress and of the Government represents an indispensable assumption to hold for the approval of the ABS Policy and Law. As previously outlined in chapter 3.5 the ratification of the Nagoya Protocol by the country was not, at any moment, considered by the Implementing and the Executing Agencies as a "*conditio sine qua non*" for the implementation of the Project. Consequently, it is not considered, as such, an Assumption to hold in the TOC. Nonetheless, the suspension of the Protocol by the country in 2016 has evidently a strong political significance and will be discussed both in chapter 5.4.2 and under socio-political Sustainability (5.8.1)

95. The "field / pilot component" Diagram 2) merges the original Component 2 and 3 of the ProDoc (see Table in chapter 3.2) by gathering different but synergic actions (and subsequent Outputs) at field level, leading to a common Outcome (Direct Outcome 2). There is, in fact, a common logic and a shared approach and objective linking the three Outputs (2.1, 2.2 and 2.3). All of them propose innovative experiences in the two pilot-sites on three different aspects / areas of work related to Traditional Knowledge and to the Sustainable Use of Genetic Resources, each of them related to a specific Output (see Diagram 2).

96. There is an area of work intended to protect the Traditional Knowledge (TK), for which purpose the Project was called to deliver a Catalogue / Inventory of the GR and TK following a certain "protocol" (or model) of research. This is expressed through Output 2.1 of the TOC. The rationale was that, once GR and TK are "codified" in a catalogue, the community may claim "rights" on them and could be "GR and TK provider" (in the framework of Nagoya Protocol). On the same token, it was argued, once the catalogue is published, the information divulged through it could not be used for the development of "patents". These were the key-assumptions on which the publication of the "catalogues" lay. Stemming from this key-Assumption, a second one follows, i.e. that mechanisms would be defined in the Pilot-sites for the attribution of the possible Benefits derived from the Access to the information contained in the Catalogues. Chapter 5.4.1 and following discuss the practical implications of these assumptions in the delivery of Output 2.1.

97. The second pilot-area was Primary Education, where the Project intended to promote, in the two pilot-sites, "Traditional Knowledge" as a module of study in the Curriculum of Primary Schools, in view of its inter-generational sustainability. This is expressed in Output 2.2. of the TOC. The key-assumption, here, was that, in the framework of the new Basic Education Curriculum (Pre-primary, Primary and Basic Cycle), the planned "operationalisation ("*concrecion*" in the Ministry programme) of the educational system to the Regional Level of the Garifuna, Maya and Xinka Peoples" could have advanced at a

speedy and steady pace, corresponding to the period of implementation of the Project. That was regarded as a great opportunity to introduce modules of “Traditional Knowledge” in the two pilot-sites corresponding to the Socio-linguistic Maya Group “Achi” (Rabinal) and “Tzutujil” (San Juan de la Laguna). The willingness of cooperation between CONAP and the Min. of Education (MINEDUC) through a Memorandum of Understanding (in pipeline and eventually signed at the beginning of 2017) was considered a driving-force for the purpose. The MoU, in fact, regards, among others, the support of CONAP in the production of educational material for the operationalisation of the National Basic Curriculum in Indigenous Territories

98. The third pilot-area was deemed to produce four concrete pilot-experiences of use of TK based on the existing GR in the two pilot-sites, able to contribute to the Rural Sustainable Development of the IPLCs, which is expressed in Output 2.3 of the TOC. The four pilot-experiences were supposed to comprise:

a) non-commercial use of GR and TK (Conservation); b) commercial use through Bio-trade; c) commercial use and value chain through the Market and d) experiences merging scientific and traditional knowledge.

99. There was obviously the underlying Assumption that the required experiences could be already available or, at least, there would be an existing potential to be enacted during the project lifetime, in the two pilot-areas and in the four modalities of use listed above. The ProDoc, in fact, gave concrete and promising indications of some Traditional Knowledge and Genetic Resources present in both Pilot-sites that, according to the Document, could have allowed the Project to obtain interesting results and lessons learned. Another Assumption to hold is the existence of potential external partners in the four sectors listed above (Conservation, Bio-trade, Value-chain/Commercial use and Research/Development. The intensive technical assistance deployed by the Project in the two Municipalities, including a specialist on Value-chain and Innovation for two years (see the composition of the Team in chapter 3.4) was regarded as a key-driving force for developing this sector of work.

100. While it seems logic to expect that the Direct Outcome 2 could benefit from the experience and the lessons learned from the pilot-sites, the ProDoc remained quite elusive in describing and discussing how this process of analysis and systematisation would take place. In fact, the ProDoc states that the Project could “develop a proposal for the integration of biodiversity in rural development from experiences of access to genetic resources (ABS Pilots) and...in this context the ABS pilots will generate lessons and best practices”. There seems to be, therefore, the expectation that the Project could be a Key- driving force capable to define, adopt and implement methodological tools for the analysis and systematisation of the “pilots” and for generating proposals, lessons learned, best practices, etc. This point is specifically discussed in chapter 5.4.3 (Methodological considerations on the Pilot-experiences) and is captured in the Reconstructed TOC through the definition of a new Output (2.4) that corresponds to a further step (superior level) in the logical pathway from Outputs 2.1, 2.2 and 2.3 towards Direct Outcome 2 (see Diagram 2).

101. The ProDoc is also silent in discussing the logical sequence of results and the appropriate methodology that would allow transforming the very specific experience produced in two Municipalities located in two different Departments into the significant,

systemic change envisaged by Direct Outcome 2, at local and sub-national levels (there are 340 Municipalities and 22 Departments in Guatemala). There is, therefore, an implicit Assumption that the “pilot-experiences” would be firstly “up-taken” and integrated in the programmes and plans of the Local Authorities at Municipality and Department level where the “pilots” take place, and, successively, up-scaled to other zones, municipalities or departments. The institutional up-taking of the “pilots” by the Local Authorities and their possible up-scaling is discussed in chapter 5.4.2 and under Financial and Institutional Sustainability (chapter 5.8.2 and 5.8.3). This is also captured in the Reconstructed TOC through the insertion of a new Output (2.5) that corresponds to a superior level in the logical pathway from Outputs 2.1, 2.2 and 2.3 towards Direct Outcome 2 (see Diagram 2).

4.3 The pathway from Outcome to Impact

102. The intended impact of the project is the Global Environmental Benefit (GEB) to which it contributes: the “Enhanced conservation and sustainable use of biological diversity in Guatemala”. The main, specific contribution of the Project to this GEB is the fulfilment of art. 1 of the Nagoya Protocol, i.e. the “Fair and equitable sharing of the benefits arising from the utilization of genetic resources, including by appropriate access to genetic resources”, which, in Diagram 2 below, represents the last step to be achieved before Impact. Actually, the pathway from the Project Outcome to the intended Impact is not a clear-cut process: transitional and significant conditions (called Intermediate States, IS) have to be fulfilled, as shown in Diagram 2.

103. Once the Main Project Outcome is achieved with the ABS policy and legal framework in place (i.e. approved at the highest level necessary, Government and Congress, respectively), it must be made fully operational through subsequent regulations and/or guidelines, and by administrative procedures / mechanisms of implementation and compliance. This represents the first Intermediate State (IS 1) in Diagram 2. At this stage, CONAP is still playing a key-driving role by building capacities of the stakeholders involved and by ensuring that the foreseen ABS procedures, such as the Prior Informed Consent (PIC) and the Mutually Agreed Terms (MAT), are implemented. Clear and transparent public information should also be a driver, through an effective National ABS Clearing-House, as well as appropriate Monitoring and Compliance measures to follow-up the implementation of the agreements. Participation and cooperation of key-stakeholders (mainly GR Providers and Users) is a key-assumption, as well as the existence of financial resources to run the framework.

104. The transition from Intermediate State 1 (IS 1) to Intermediate State 2 (IS 2) is crucial and it has been expressly simplified in Diagram 2. In fact, it represents the substantive passage from operational tools (IS 1) to substantive and systemic changes (the three results under IS 2), which are at the core of the Nagoya Protocol (art. 5, 6 and 12 of the Protocol). While clear, fair and non-arbitrary rules and procedures in place are the key-driving forces for this step, relevant assumptions should also hold, such as the willingness and capacity of GR Providers and Users to openly negotiate, as well as, most relevant in Guatemala, clear land property rights and land use rights and regulations, including the use of the natural and genetic resources contained in it. The cooperation with the Judiciary system and clear

jurisdiction on ABS issues are also relevant assumptions for warranting adequate compliance to the ABS rules.

Compliance with National legislation and with the Protocol will lead to Intermediate State 3 (IS 3), i.e. the achievement of the Objective of the Protocol (as stated in its art. 1) and eventually to the intended Impact, the enhanced conservation and sustainable use of biological diversity in Guatemala (Global Environmental Benefit). The main assumption is that other National Policies / Strategies, such as Rural Development Policy, Land Use Planning, Industrial and Mining Policies, Tourism, among others, do not conflict with Sustainable Use of Biological Diversity. For instance, the pilot experience in San Juan de la Laguna has shown how tourism activity around the Atitlan Lake is dramatically increasing water pollution and threatening its biodiversity.

Diagram 1: Reconstructed Theory of Change (TOC) from Outputs to Direct Outcome 1

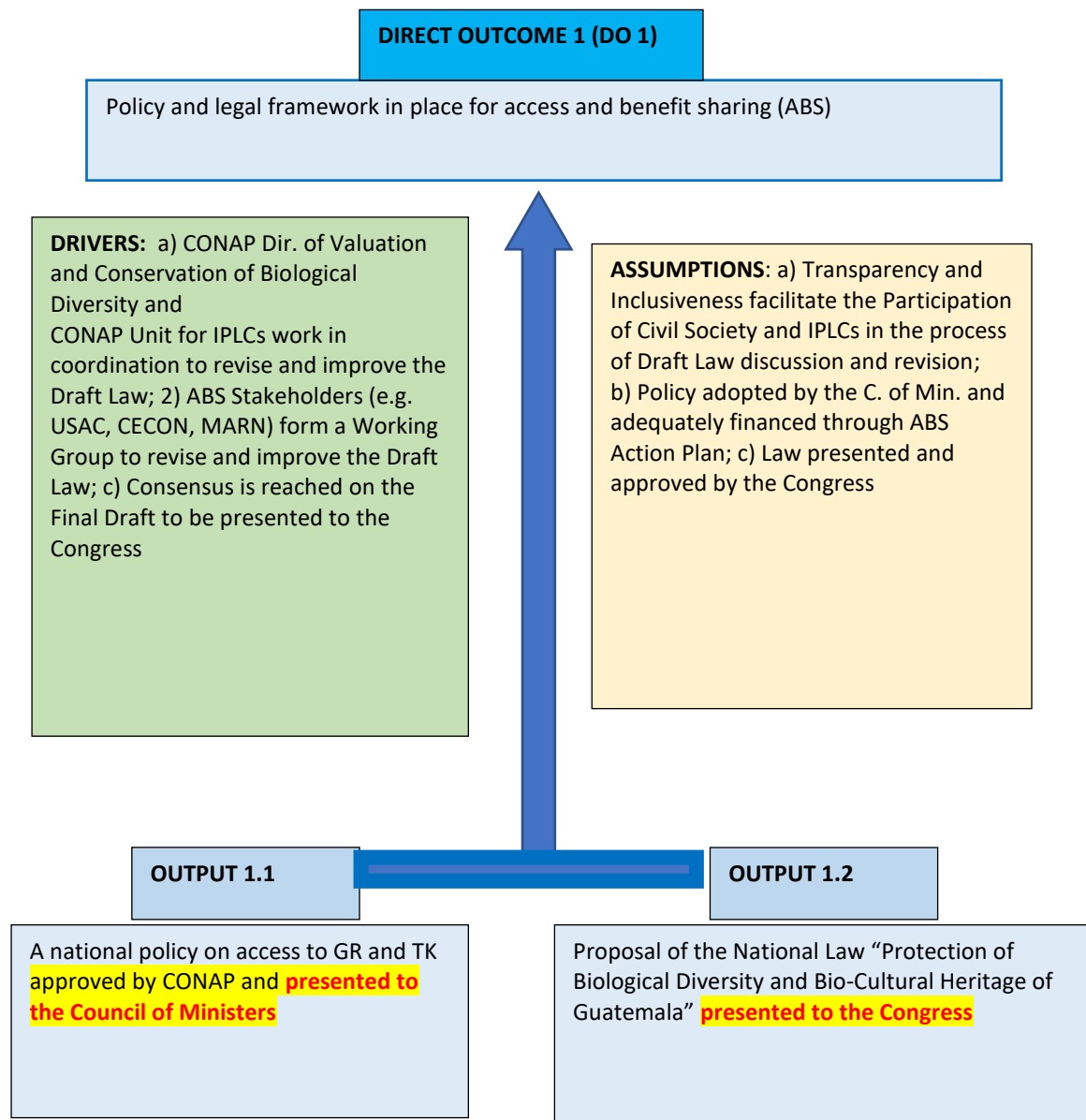


Diagram 2: Reconstructed Theory Of Change (TOC) from Outputs to Direct Outcome 2 (DO2)

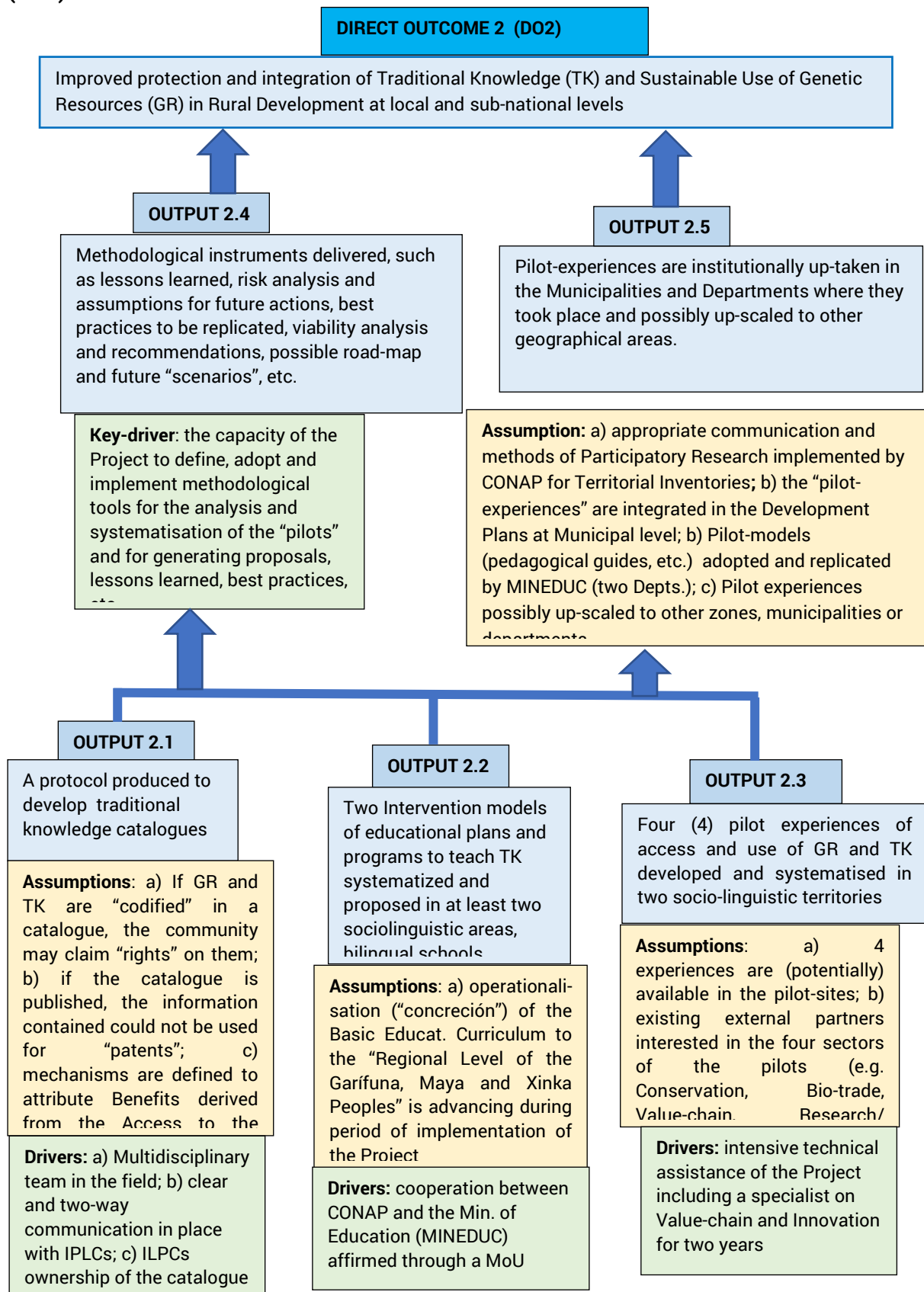
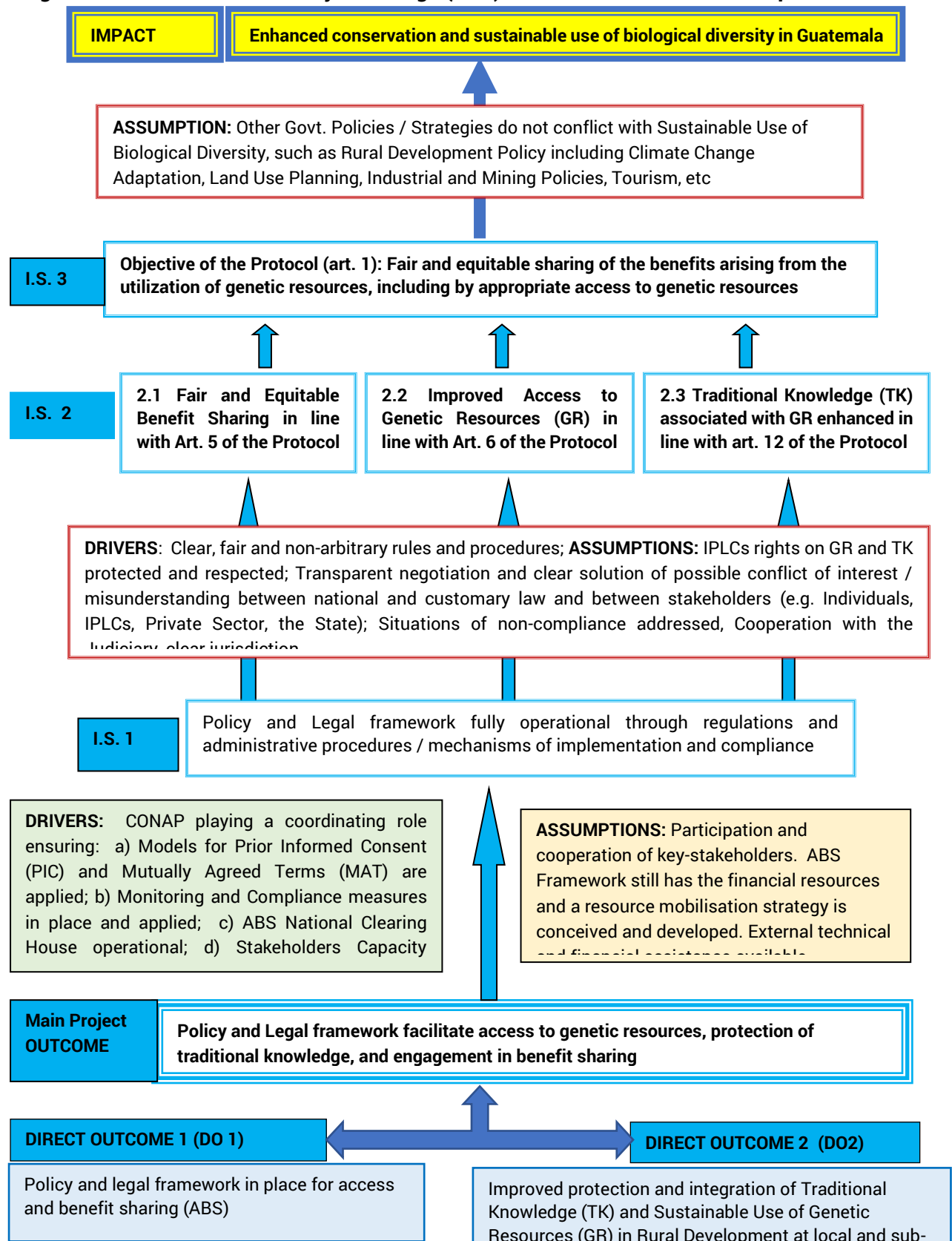


Diagram 3: Reconstructed Theory of Change (TOC) from Direct Outcomes to Impact



5 Evaluation Findings

5.1 Strategic relevance

5.1.1 Alignment to the UN Environment Medium Term Strategy (MTS) and Programme of Work (POW)

105. The Project is aligned with UN Environment Sub-Programme Environmental Governance objective: “The capacity of States to implement their environmental obligations and achieve their environmental priority goals, targets and objectives through strengthened laws and institutions is enhanced”. More particularly, it is aligned with the Medium-Term Strategy (MTS) 2014-2017, Expected Accomplishment 1 and 2, as summarised in following Table 5.

Table 5: Alignment of the Project to UN Environment Medium-Term Strategy (MTS) 2014-2017

Expected Accomplishment (EA) MTS 2014-2017, Sub-programme Environmental Governance	Contribution of the Project
<p>Expected Accomplishment 1 (EA 1) Coherence and synergies: The United Nations system and the multilateral environmental agreements, respecting the mandate of each entity, demonstrate increasing coherence and synergy of actions on environmental issues.</p>	<ul style="list-style-type: none"> • Support to the preparation and drafting of the ABS Policy and ABS National Law • Overall support to the Competent Nat. Authority for Nagoya Protocol
<p>Expected Accomplishment 2 (EA2) Law: The capacity of countries to develop and enforce laws and strengthen institutions to achieve internationally agreed environmental objectives and goals and comply with related obligations is enhanced.</p>	<ul style="list-style-type: none"> • Support to the preparation and drafting of the ABS Policy and ABS National Law • Overall support to the Competent Nat. Authority for Nagoya Protocol

5.1.2 Alignment to UN Environment /GEF Strategic Priorities

106. The project is aligned with GEF intention to support countries to meet their obligations under art.15 (Access to Genetic Resources) of the Convention on Biological Diversity (CBD). More in particular, it is in line with Objective 4 of the Biodiversity Focal Area Strategy for GEF-5 “Build capacity on Access to Genetic Resources and Benefit Sharing (ABS)”. The Project also aligns with Objectives 1 to 4 of the GEF’s Corporate Programs Strategy for capacity development.

107. The project has also been active in addressing many of the cross-cutting issues of Bali Strategic Plan (BSP), listed in Section D of the Plan, such as the strengthening of national institutions, the development of national law and regulations and the Compliance with obligations under multilateral environmental agreements.

108. The Project is consistent with:

- Aichi Target 16: By 2015, the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization is in force and operational, consistent with national legislation;
- Aichi Target 18: By 2020, the traditional knowledge, innovations and practices of indigenous and local communities relevant for the conservation and sustainable use of biodiversity, and their customary use of biological resources, are respected, subject to national legislation and relevant international obligations, and fully integrated and reflected in the implementation of the Convention with the full and effective participation of indigenous and local communities, at all relevant levels.

109. The Project was essentially Gender-blind in its formulation and, as discussed further in chapter 5.2 (Project Design) also elusive in its analysis of compliance with measures of social safeguards towards more disadvantaged IPLCs.

5.1.3 Relevance to Regional, Sub-regional and National Environmental Priorities

110. Chapter 3.1 has highlighted the relevance of Guatemala as a “megadiverse country” in the context of Central and Meso-America, as well as globally. As a matter of fact, Guatemala has been one of the first countries to benefit from a National Project funded by GEF to support the implementation of the Nagoya Protocol, on account of its outstanding richness in biodiversity, genetic resources and traditional knowledge.

111. To preserve this richness is not only relevant to Biodiversity Conservation, but also for the Equitable and Sustainable Development of its large Indigenous Population (around 40% of country’s population) and, consequently, for the full implementation of the Peace Agreement of 1996.

112. The project, as mentioned in previous chapter 3.5, has fostered the integration of ABS issues in the reviewed NBSAP 2012-2020. The temporary suspension of the ratification of the Nagoya Protocol by the country (2016) did not affect the relevance of the Project, well on the contrary, it has enhanced its strategic role in defining and implementing a National ABS Framework (National Policy and Law).

5.1.4 Complementarity with Existing Interventions

113. During Project implementation, Guatemala portfolio of Environmental Projects included other GEF funded Projects that can be considered complementary or synergic with the ABS Project, such as the Project to support the formulation of the National Biodiversity Strategy and Action Plan 2012-2020 (executed by CONAP, see chapter 3.5), the project supporting land/forest management and biodiversity conservation (where CONAP was one of the Executing Agencies) and the project supporting Eco-Tourism in the Protected Areas (implemented by CONAP), among others. All these projects are strategically oriented to the Protection of Biological Diversity and its Sustainable Use, particularly in Protected Areas and Indigenous territories, therefore highly complementary with the promotion of ABS Frameworks.

114. The GIZ (German Cooperation) Regional Project “Promotion of economic potentials of biodiversity in an equitable and sustainable way for the implementation of the Nagoya Protocol in Central America” (2014-2018) has developed capacity building activities also in

Guatemala, such as several “Rounds of Dialogue” organised by CONAP, to which the current Project has also significantly contributed (see chapter 5.4.1).

115. As a whole, the strategic Relevance of the Project can be rated as **HS (Highly Satisfactory)**.

5.2 Quality of Project Design

116. The assessment of the Quality of the Project Design was carried out in the Inception Report and conveyed a mixed picture of clear, well-articulated parts and some more elusive chapters regarding relevant aspects that could have deserved a deeper discussion.

117. Although Outcomes, Outcome Indicators and End-of-Project Targets were defined in the Monitoring and Evaluation Plan (Annex 7 of the ProDoc), the Logical Framework (Annex 4 of the ProDoc) did not succeed in providing a clear, straightforward idea of the logical pathway from Outputs to Outcomes. In fact, Outputs were just listed (outside the Logframe), often poorly articulated and the difference between Outputs and Outcome Indicators was not clear (End-of-project Targets).

118. The country visit and the exchanges with the Project Team and the National Stakeholders have highlighted some structural weaknesses in the original Project implementation strategy and in the methodology of intervention in the Pilot-sites. More specifically:

- Problem and situation analysis did not clearly address root problems of socio-economic nature related to unbalanced land tenure and unequal access to natural and genetic resources.
- Stakeholders analysis was also somewhat elusive and a clear enunciation of the stakeholders involved and their role in the Project was not provided. Among Project Stakeholders there was a clear prevalence of institutions from the Public Sector, while the role and relevance of Indigenous Organisations was not specifically discussed, which is quite surprising for a project focussed on ABS Framework and the protection of TK. Gender Analysis was completely absent in the Project Design.
- The methodology for systematising and capitalising on and the pilot-experiences was not described and discussed, hence remaining unclear how the “pilots” should be used, upgraded and up-scaled for the achievement of Project’s Outcomes and Impact

119. Everything considered, the overall Project Design was rated **Moderately Unsatisfactory (MU)**.

5.3 Nature of the External Context

120. The External Context of the Project has proved to be much more influential on Project implementation than originally expected in the Project Document (ProDoc). Although the ProDoc had anticipated that “political changes resulting from the election of representatives

could interfere with the adoption of the proposed policies, affecting the negotiation process and the issuing of binding agreements”, the political environment during the life-time of the Project (2014-2018) has been exceptionally turbulent, well beyond the expectations.

121. The life-time of the Project has, in fact, coincided with the resignation of the President of the Republic (2015), under allegation of leading a corrupt network of politicians and customs officials, and his subsequent arrest (2017). General elections of 2015 brought to power a political new-comer that in 2017 fell under investigation over alleged campaign funding irregularities. The same year the new President ordered the expulsion of the head of the UN anti-corruption mission which backed calls by prosecutors for the removal of his political immunity.

122. The activity of the Congress has been obviously largely impacted by the political crisis, as well as governmental and public institutions (including the National Executing Agency of the Project, CONAP, which is attached to the Office of the President). As a matter of fact, the mistrust of Civil Society, Indigenous Organizations, and of public opinion in general, towards the political and administrative “establishment” has further increased, and the progress towards the setting of a national ABS framework, including Policy, Law and Institutional arrangements on a very sensitive issue like ABS in Guatemala, has become more and more intricate.

123. Moreover, in 2016, the Constitutional Court has “suspended” the ratification of the Nagoya Protocol, as outlined in following chapter 5.4.1. The process of preparation and discussion of ABS Policy and the drafting of the ABS Law have particularly suffered from the unstable political environment. Overall, the External Context has been considered Unfavourable.

5.4 Effectiveness

5.4.1 Delivery of outputs

Outputs 1.1. and 1.2 related to the Direct Outcome 1 (Policy and legal framework in place for access and benefit sharing / ABS) (Diagram 1, Theory of Change)

124. The Project has devoted energies, time and resources to conceptualise, socialise and discuss proposals of a National Policy and of a National Draft Law on Access and Benefit Sharing (ABS). This process has faced different and serious challenges due to relevant socio-political and institutional gaps, some of them derived from the turbulent political conjuncture of the country during the Project time-frame (2014-18), and other related to what has been defined the “structural discrimination”¹⁵ suffered by the Indigenous People (IP) in Guatemala, with all its negative consequences in terms of access to land and natural resources, health and education services, inclusion and participation in decision-making (see Chapter 3.1, Context).

¹⁵ “Situation of Human Rights in Guatemala: Diversity, Inequality and Exclusion” (Chapter 3: The Situation of Indigenous People), Inter-American Commission on Human Rights (IACHR / OAS), 2015.

125. In that context, in fact, the access to genetic resources and traditional knowledge, and the sharing of the possible benefits from their use, have actually proved to be highly sensitive and controversial issues, where divergent and somewhat conflicting visions and opinions between Indigenous People (IP) and the State (ministries, public institutions, projects, etc.) remain still unsolved and in strong need of bridging actions and an inclusive approach. The Project has worked in that direction, trying to test appropriate strategic and methodological approaches that could make possible the delivery of highly demanding Outputs like an ABS Policy and an ABS Law.

126. Output 1.1 (A National Policy on access to GR and TK approved by CONAP and presented to the Council of Ministers) has been almost delivered, since the Policy has been produced and approved by CONAP (December 2015) and is waiting favourable conditions to progress towards the Council of Ministers. The process of formulation of the Policy has been gradual and progressively involving an increased number of stakeholders. A first draft of the Policy prepared at inter-institutional level was rejected by IP organisations and three Rounds of Dialogue with IP were subsequently organised (May, July and September 2015), leading to the formulation of the concept of “Bio-Cultural Heritage” that substituted “Traditional Knowledge” (see Chapter 3.5), and to the formulation of a second draft. As a result, the “National Policy of Genetic Resources and Bio-Cultural Heritage of the Indigenous People in Guatemala” was eventually produced, approved by CONAP and published. The process of construction of the Policy is well systematised and presented in the Document “Report on the Rounds of Dialogue with IPLCs” published and distributed by the Project (2016). (see Annex 6).

127. Output 1.2 (Proposal of the National Law “Protection of Biological Diversity and Bio-Cultural Heritage of Guatemala” presented to the Congress) has been only partially delivered. In fact, the process has been more complex and time-consuming than in the case of the Policy. Seven Rounds of Dialogue with IP Organisations were organised in 2017 in four selected Regions¹⁶, institutional platforms were established, as well as the coordination with the Working Group on art. 8(j) of the CDB (see footnote in chapter 3.5). A Technical Working Group was also established at the Congress level, which worked on the Proposal from November 2016 to September 2017 (until a new political crisis hit the Congress hindering its smooth functioning).

128. As a result of the process, the Document “Construction of legal instruments for the equitable sharing of the benefits from the use of the Bio-cultural Heritage and Genetic Resources in Guatemala”, which contains the Draft of the Law, has been produced and published by CONAP (2018). The Draft Law includes the identification of National and Local Competent Authorities, specific roles and responsibilities, as well as procedures and mechanisms for ABS management and compliance. The draft is a valuable instrument, yet, it is not a fully accomplished endeavour. At CONAP level, the Directorate of Valuation and Conservation of Biological Diversity and the Unit of Indigenous People and Local Communities are keeping-on working to revise and improve the document, as discussed also in chapter 5.8.2, Institutional Sustainability.

¹⁶ CONAP organised 12 supplementary Rounds in different Regions, with the support of GIZ (German Cooperation).

129. It is also largely consensual among all stakeholders that it would not be currently opportune to present an ABS Draft Law to the Congress, because:

- The ratification of the Nagoya Protocol (2014) has been “suspended” by the Constitutional Court of Guatemala in 2016, following a request of indigenous leaders, groups and organisations claiming that the Protocol had been ratified by the Congress without the necessary “quorum”;
- There has been a negative precedent, with the Law on the “Protection of Plant Varieties”¹⁷, voted in 2014 and abrogated three months later, following large protests from Civil Society and Indigenous Organisations that paralysed the country;
- Next year (2019) Guatemala will go to political elections and, until a new Congress is established (2020), it is very unlikely that a new proposal of law is taken into consideration.

Outputs 2.1, 2.2 and 2.3 related to the Direct Outcome 2 (Improved protection and integration of Traditional Knowledge (TK) and Sustainable Use of Genetic Resources (GR) in Rural Development at local and sub-national levels) (Diagram 2, Theory of Change)

130. Output 2.1 (A protocol produced to develop TK inventories / catalogues, etc.) basically consisted of a standard model for the collection and systematisation of information regarding the TK of a community, in view of its protection. As explained in chapter 4.2 and visualised in Diagram 2, the catalogue was regarded by the Project and CONAP as a basic instrument for the entitlement of the community to be the potential GR and TK “provider” , and for protecting GR and TK by their possible “misuse”. A protocol / model of “participatory research” was adopted and used by the Project Team in some selected communities of the pilot areas, leading to the production of two catalogues, one for each pilot site (Rabinal and San Juan de la Laguna).

131. The Catalogue produced in San Juan de la Laguna (“Catálogo de Conocimientos Propios del Pueblo Tz’utujil, Asociados a los Recursos Genéticos y Protocolo. San Juan la Laguna, Dep. of Sololá, Guatemala”) has been published (500 copies) and will be soon available to the Communitarian Library of San Juan, both for consulting and for selling. It includes the description, photos and traditional use of more than 100 (mainly) plant species (described both in Spanish and in Tz’utujil), presented in a clear and attractive format.

132. At the moment of publication of the Catalogue relative to the second pilot-site (the Municipality of Rabinal, Dep. of Baja Verapaz), there has been a strong opposition to the publication by some of the Associations of the Maya Aichi People and Traditional Authorities (*Autoridades Ancestrales*)¹⁸. They claimed, among others, not having been adequately

¹⁷ The Law is related to the International Convention for the Protection of New Varieties of Plants and was voted in the framework of the Trade Agreement between Central America States and USA. The UPOV (Union for the Protection of New Varieties of Plants) is an intergovernmental organization based in Geneva that encourages the development of new varieties of plants and protect them through the intellectual property rights of the plant breeders.

¹⁸ A formal Declaration of Opposition was sent to CONAP and a copy of it handed-on to the TE.

informed and consulted regarding the presence of the Project in their territory and about the purpose and objective of the research and affirmed that the “information regarding the genetic resources and the ancestral knowledge of the Maya Achi People should not be disclosed and made public”.

133. By hearing the representatives of IPLCs and the grassroots activists met in Rabinal, and through subsequent discussions with the Project Team, there seems to be three main aspects that may have played a role in the occurrence of the “opposition”:

- The assumption that the publication of the Catalogues is a protective measure in favour of the IPLCs is not shared by all the members and representatives of the Communities. In other words, there is no consensus among the IPLCs around the compilation and publication of the “catalogues”. Some argue that they can indeed be an instrument of protection of their TK, of reaffirmation of the collective value of that Knowledge, and a complementary instrument to the traditional oral transmission. Some argue, however, that the “catalogues” are not appropriate mechanisms for the transmission of TK, that the TK has its own “channels” of transmission, and that, once it is made public, can be subject to misuse or misappropriation¹⁹.
- The socio-cultural complexity of the IPLCs, including different forms of participation, leadership, representativeness and mechanisms of decision-making may not help “outsiders” to deeply understand the value and adequacy of their communication with the Indigenous People and/or Representative of a Community, a Village, a Territory. While the Project Team may claim that a large and preparatory information campaign (lasting around two years) has been carried-out done around the research and compilation of the catalogues, the “Traditional Authorities” complained the lack of information.
- ABS is one of the main controversial issues of the political arena of Guatemala (as the suspension of the Protocol shows), where IPLCs Organisations, Food Sovereignty movements, Groups supporting Civil and Indigenous Rights exercise their legitimate protest against the Government and the “establishment”, based on a profound sentiment of “mistrust”. The declaration of opposition mentioned above, pointed out (we quote) “serious doubts regarding the equitable sharing of benefits derived from the genetic resources that ABS is proposing”.

134. As for Output 2.2 (“Two models of educational plans and programs to teach TK systematised and proposed in at least two socio-linguistic areas, bilingual schools”), the project has put in place two interesting and innovative pilot experiences in two schools of Rabinal and San Juan de la Laguna regarding the conception / design, preparation and implementation of a training module on Traditional Knowledge for Primary Schools.

135. Relevant products have been delivered in two pilot-schools, such as the preparation, publication and distribution of six (6) Pedagogical Guides on Traditional Knowledge for students (one for each level of the Primary School) plus two different Pedagogical Guides

¹⁹ There is already un abundant literature regarding the ambiguity of the term “Traditional Knowledge” and its uncertain applicability when moving from the socio-anthropologic sphere to other issues, like legal aspects, intellectual property rights, identification of a clear ownership, among others.

for the Teachers. Nearly 60 teachers have been introduced to Traditional Knowledge and trained on the preparation and use of the Pedagogical Guides. A total of nearly 7.000 guides have been produced and distributed.

136. The use of the Guides by the students have proved to be very successful and the pilot-schools are already photocopying the exercises of the Guides so as to allow other students to make the exercises. Some other schools (beside the pilot ones) have started to use the Guides. Some of the teachers initially trained by the Project affirm to be able to be facilitators / trainers of new teachers that could not benefit from the initial training. There are, therefore, signals that the pilot-experience is having a multiplier, catalyser effect. Overall, the delivery of Output 2.2 has to be considered highly satisfactory.

137. Regarding Output 2.3 (Four pilot experiences of access and use of GR and TK developed and systematised in two socio-linguistic territories), it was admittedly quite complex and would have probably deserved a more accurate analysis of its viability during the preparation of the Project. Actually, it seems quite unrealistic to find out four significantly different experiences of use of GR and TK in each of the two relatively small areas of intervention of the Project, e.g. non-commercial use (conservation), commercial use (bio-trade and value chain), and merging scientific and traditional knowledge.

138. The Project has tried to develop and systematise at least one pilot-experience in each Municipality, which are surely of great interest for the conservation and the sustainable use of the GR and the TK related to them, as well as for the conservation of local natural resources and ecosystems²⁰. Both initiatives have worked on the non-commercial use (conservation) of the GR and TK related to them, coupled with some experience of improvement of the existing commercial use (value-chain and bio-trade).

139. Despite a few encouraging results (e.g. three products came to appear in an e-commerce catalogue), the overall socio-economic impact of these activities has remained rather limited for different reasons mainly linked to the small and erratic scale of the production, and to the unstable quality of the hand-made products. The traditional “value-chain” in use, i.e. the selling of the artisanal products like the “morro calabash” or the “straw-mats” in the local markets and fairs, is certainly very well adapted to the existing conditions, and this is probably the best lesson that we can extract from the pilot-experiences focussed by the Project.

140. The Project has systematised the pilot experiences in a final publication “*Experiencia piloto de acceso al patrimonio biocultural en Guatemala, Documento Técnico. No, 02 – 2018* (see Annex 6).

²⁰ They are the “Morro-Niji system” in Rabinal and the “Tul-Fishing” system in San Juan de la Laguna. The first one is based on the use of the fruit (calabash) of the Morro tree (*Crescentia* sp.) to produce handcrafted objects (e.g. cups) and of the mealy bug Niji (order: Homoptera) that is bred for extracting the wax used to darken and polish the handicrafts. The second refers to the inter-action between the aquatic plant Tul (*Thypha* sp.) that is planted and conserved by the fishermen, because it is the favourite habitat of lake fish and crabs, and is also used for straw handicrafts.

Outputs 2.4 and 2.5 related to the Direct Outcome 2 (Improved protection and integration of Traditional Knowledge (TK) and Sustainable Use of Genetic Resources (GR) in Rural Development at local and sub-national levels) (Diagram 2, Theory of Change)

141. The Reconstructed Theory Of Change (TOC) has identified two supplementary Outputs (2.4 and 2.5, see chapter 4.2 and Diagram 2) that were not explicit in the LogFrame of the Project, yet logically represent relevant products to be delivered for the achievement of Direct Outcome 2.

142. Outputs 2.4 refers to the production and delivery by the project of methodological instruments for the systematisation and capitalisation of the “pilots”, such as lessons learned, risk analysis and assumptions for future actions, best practices to be replicated, viability analysis and recommendations, possible road-map and future “scenarios”, etc.

143. The methodological implications and benefits of having these instruments for the full achievement of Direct Outcome 2 is discussed more in depth in chapter 5.4.3 (Methodological considerations on the Pilot-experiences). The ProDoc had somewhat foreseen multi-disciplinary teams also for this purpose, which were not fully fielded in practice, as already discussed in chapter 3.5 (Changes in Design). It can be concluded, therefore, that the Project has missed the opportunity for putting in value and systematically assessing the strong and weak points of the “pilot experiences”, which could have been of great value for future ABS and TK interventions.

144. The Project has given steps for the delivery of Output 2.5 (Pilot-experiences are institutionally up-taken in the Municipalities and Departments where they took place and possibly up-scaled to other geographical areas), yet, the assumptions for the institutional uptake by the Local Authorities do not hold and both the up-grading and the up-scaling of the “pilots” are not evident.

Final remarks on Outputs delivery

145. The Project was called to produce relevant institutional Outputs (like a Policy and a Law) under very difficult socio-political conditions and on a very controversial issue for Guatemala. It was also asked to implement pilot-experiences in most disparate areas such as the publication of GR and TK catalogues, the design and implementation of a Primary School Curriculum for TK and the setting of four different experiences of commercial and non-commercial use of GR and TK, including products value-chain (which is a quite complex issue in itself).

146. Despite several and relevant limiting factors, some relevant Outputs have been nonetheless timely produced (e.g. a Policy, the Draft of a Law, one GR and TK Catalogue, 8 Pedagogical Guides). As many stakeholders pointed out, the Project “opened a breach” and represented “a first attempt from which everybody can learn now”. It remains the fact that the delivery of the Outputs has been quite partial, hence not fully satisfactory. Output delivery is rated **Moderately Satisfactory**.

5.4.2 Achievement of Outcomes

147. The Evaluation has assessed to what extent the actual delivery of the Outputs outlined in chapter 5.4.1 has produced, or have the potential to produce in the short-medium term, the institutional changes and systemic effects (Direct Outcomes) resulting in an improved institutional and socio-political environment for accessing genetic resources, for the benefit sharing from their use, and for protecting the traditional knowledge (Main Project Outcome). On this basis, this chapter presents a qualitative analysis and interpretation of the Outcomes achieved in the light of the reconstructed Theory of Change (TOC) from Outputs to Outcomes, depicted in Diagrams 1 and 2 (chapter 4.2).

148. Direct Outcome 1 (Policy and legal framework in place for access and benefit sharing / ABS) has been partially achieved. The National Competent Authority (National Council for Protected Areas, CONAP) has approved the “National Policy of Genetic Resources and Bio-Cultural Heritage of the Indigenous People in Guatemala” (not yet submitted to the Government for final adoption), which is well aligned with the National Biodiversity Strategy and Action Plan 2012-2020. The Policy, however, needs to be complemented by operational instruments like an Action Plan and an adequate budget.

149. Similarly, a proposal of Law called “Protection of Biological Diversity and Bio-Cultural Heritage of Guatemala” has been drafted after a participatory process, as discussed in previous chapter 5.4.1. The Draft Law represents the first attempt of the country to create a comprehensive regulatory framework for ABS that is consistent with the National Strategy on Biodiversity and with the requirements of the Nagoya Protocol.

150. As also discussed in chapter 5.8.3, the internal revision (already on-going) in CONAP and the setting (or revitalisation) of a working group to revise and improve the Draft are regarded as a relevant driver for the achievement of direct Outcome 1 (see Diagram 1 of the TOC).

151. The achievement of Direct Outcome 2 (Improved protection and integration of Traditional Knowledge (TK) and Sustainable Use of Genetic Resources (GR) in Rural Development at local and sub-national levels) has proved to be dependent on several assumptions (as discussed in the Theory of Change, chapter 5.4.2) that could not materialise so far. More specifically, we can outline the following aspects:

- The assumption that inventories / catalogues are valuable instruments to protect the IPLCs from being deprived of the GR and TK of their territories should be openly discussed and verified in the field, with a large range of local stakeholders, particularly the ancestral leaders (see Assumption 2.1 in Diagram 1 of the TOC). In fact, as the Rabinal experience shows, an Indigenous Local Community is not a homogeneous entity; while some may agree on that assumption, others may look at the inventory as a threat, a first step to seize the community’s GR and TK.
- While Output 2.2 has been successfully delivered, its effect on the achievement of Direct Outcome 2 is still limited by relevant assumptions that do not hold at the institutional level (see Assumptions a, b, c and d for Dir. Outcome 2.5 in Diagram 2 of the TOC). The reform of the National Curriculum is progressing slowly and the Ministry of Education does not seem prepared for the institutional uptake of the pilot experiences successfully developed by the Project in the two

pilot-areas. To a certain extent, however, the pilot-experience is progressing and a certain replication is already on-going through the individual initiative of some teachers. A positive element to be considered is the existence of a Memorandum of Understanding between the Ministry of Education (MINEDUC) and CONAP, that could be worth reactivating for gradually upscaling the pilot-experience (see driver for Output 2.2, Diagram 2).

- The limited extent of delivery of Output 2.3 has reduced its potential effect on the delivery of subsequent Output 2.5 and the achievement of Direct Outcome 2. Nevertheless, the pilot experiences have shown the relevance of some factors that play a relevant role in protecting and integrating TK in the processes of Sustainable Rural Development. They are: a) the level of organization and dynamism of the local actors; b) the relevance of the TK for their livelihood, as a significant source of incomes; c) The need of inter-institutional coordination for a comprehensive and integrated Rural Development Plan at Municipal or Territorial level is also needed (see Assumption b in Diagram 2 of the TOC).
- Regarding the latter, some timid, yet significant, steps forward have been given. We can mention: the recognition of the two “systems” (“Morro-Nijj System” in Rabinal, and traditional “Tul-Fishing System” in San Juan La Laguna) as “emblematic” of each territory; the declaration of the Morro-Nijj System as “Cultural heritage” of the Municipality of Rabinal and the protection of the Crescentia and Jathropa trees found in public places for the production of the artisans.

5.4.3 Methodological considerations on the Pilot experience

152. Pilot-projects or experiences usually refer to small-scale initiatives with an experimental / testing feature, planned to help an organization to learn from the experience, before undertaking large-scale, wider programs or plans. Therefore, the experimental and / or innovative character of a “pilot” is clear. As a matter of fact, “pilots” are normally used to test the viability of new ideas, new approaches or new products.

153. It was, supposedly, in that sense that the Project Document introduced the ideas of the “ABS pilots”. We quote from the ProDoc: “The project aims to develop a proposal for the integration of biodiversity in rural development from experiences of access to genetic resources (ABS Pilots)...In this context the ABS pilots will generate lessons and best practices....”.

154. Typical deliverables of a “pilot” may include:

- Identification of requirements for future projects;
- Robust lessons learned, risks and assumptions to be considered in the future;
- Potential benefits assessment of future interventions and “best practices” to be promoted;
- Viability analysis and recommendations;

- Possible rout map and “scenarios” for the future.

155. The deliverables outlined above clearly refer to the viability of the proposed approach or project (the “pilot”) and not to the actual outcomes produced by the approach. This is a key-point that makes the difference between a “pilot” and a “non-pilot” initiative. For instance, the deliverable (output) of the Pilot initiatives regarding the GR/TK Catalogue or the TK Educational Curriculum are not the Catalogue in itself or the Pedagogical Guides, but, instead, should have been the systematic analysis of lessons learned, the viability and replicability assessment of the methodology proposed, a possible road map for larger implementation, etc. This key-difference has not been captured by the Project (see Lessons Learned, chapter 6.2).

156. The implementation of a “Pilot” also entails a particular and accrued interest in monitoring and analysing the process of its development, so as to capture the key-elements that are favouring or limiting the development of the initiative (e.g. drivers of progress, causes of failures, “back and forth” processes, etc.), to register the opinions of the participants and to discuss with them causes and plans forward. There is, therefore, an inherent aspect of “research”, notably of “participatory research”, in the implementation of a “pilot”, particularly when it refers to processes of sustainable development (in fact, two consultants on “participatory research” were foreseen in the Project Team, according to the ProDoc, see chapter 3.5). This is another “key-methodological” aspect of the “pilots” that the Project was not able to systematise and to build upon (see Lessons Learned, chapter 6.2).

5.4.4 Gender mainstreaming in the Project

157. The “pilot” character of the intervention in the two Municipalities could have benefited from a specific Gender and Human Right Approach putting in evidence the effect and impact of the project on the most Disadvantaged Groups in local communities, including Women, which was not foreseen the Project Document. As a matter of fact, in 2017 the Project, following a request of the TM, has produced a paper called “Gender mainstreaming: Project analysis” for internal use (it is not part of the “official” documents produced by the Project and listed in Annex 6) that, though lacking a methodological introduction explaining the rationale of the study and the methods used, provides some interesting insights on the issue.

158. Women participation in Institutions and Organizations linked to Project activities (e.g Steering Committee, Technical Working Groups, etc.) depended on the choice of each participating institution and was generally low, both at national level and in the Municipalities. For instance, only one out of nine Municipality Counsellors was female and the members of the Local Steering Committees of the Project were all male.

159. The same applies to the process of institutional discussion of the draft ABS Policy and Law, where Gender composition only reflected the choice of the institutions involved and showed a women percentage of around 30%. Anecdotally, when the Project tried to increase Women participation in the discussion of the ABS Policy by inviting the Women Cabinet of the Presidency, the representative sent by the Cabinet was a male.

160. Nevertheless, during the process of open consultation of IPLCs, Women participation has been significantly higher (around 50%) particularly when the invitation to the events

came from the NGO “Indigenous Women and Biodiversity”. It has been noted a lower rate of Women’s participation in the Departments with higher political activity and level of conflicts.

161. Women participation in the pilot-experiences have been variable and highly dependent on the character of the initiative. Women participation in the elaboration of the GR and TK catalogues has been high (60-80% in Rabinal), because women are usually responsible for running the botanical gardens where medicinal plants are cultivated for the use of the family.

162. Women participation has also been high among the teachers of the Pilot-Schools (50%), in the outreach activities of the Pilot-Modules in the Communities (70%) and in the participation of elder people as trainers/facilitators at community level (60%). On the contrary, the presence of Women among the directive staff of the Min. of Education at Departmental level was null.

163. The participation of women in the pilot-initiatives related to non-commercial and commercial use of TK depended on the nature of the activity. However, the initial activities of the Project to sensitise and inform the population and the local institutions about the “pilots” registered a high participation of women (75%) in the communities, whereas the number of women representing some local associations or committees at Municipality level was generally low (20%).

164. Gender participation in the “Morro-Niji system” (Rabinal) is quite balanced (50/50): while “morro artisans” (engravers) are usually men, the collect and preparation of the “lacker/wax” from the insect Niji is mostly done by women. The selling of the final handicrafts in local markets is also balanced. The GR/TK system selected in San Juan de la Laguna was related to Fishing activity, which is a typical male activity.

Final remarks on Outcomes achievement

165. The Project has made substantive steps towards the achievement of Direct Outcome 1, through the approval of the ABS Policy by CONAP and the preparation of the Draft ABS Law (Outputs). The quality of the Outputs produced and the level of ownership of the intended users (particularly the Directorate of Valuation and Conservation of Biological Diversity of CONAP) is good, yet, the country cannot claim having a Policy and Legal ABS Framework in place, as expected.

166. The achievement of Direct Outcome 2 was objectively difficult, and the Project has only partially achieved it, as well. As discussed above, most of the Assumptions for progress from project outputs to direct outcome(s) hold partially, if at all, and the drivers to support transition from outputs to direct outcome(s) are also partially in place.

167. The pilot experiences have been exhaustively described in the final document produced by the Project (*“Experiencia piloto de acceso al patrimonio biocultural en Guatemala, Documento Técnico. No. 02 – 2018*), which, however, does not offer sufficient elements of methodological analysis and systematisation expected from a “pilot” exercise, as outlined above (chapter 5.4.3).

168. Stemming from all the above, the substantive, systemic change envisioned by the Main Project Outcome (Policy and Legal framework and institutional mechanisms facilitate access to genetic resources, protection of traditional knowledge, and engagement in benefit sharing) cannot be considered presently achieved. Accordingly, it should be rated Moderately Unsatisfactory (MU). Nevertheless, the existence of strongly limiting external conditions has to be taken into account, as discussed in previous chapters 5.3 and 5.4.1, and the overall rating for the achievement of the Project's Direct Outcomes has been upgraded (see footnote 21 in Table 7 of chapter 6.1.1) to **Moderately Satisfactory**.

5.4.5 Likelihood of impact

169. The overall Moderately Unsatisfactory achievement of the Direct Outcomes (see rating above) is not particularly conducive to the smooth and steady progress toward Impact, which includes a series of challenging Intermediate States (IS), discussed in detail in chapter 4.3 (TOC) and visualised in Diagram 3. The suspension of the Protocol has also formally disempowered CONAP as Competent National Authority.

170. As discussed in the previous chapter, Important Direct Outcomes have not been fully achieved, both at institutional level (Policy and Law) and in the "Pilot-experiences" (particularly those related to the systematisation of the "pilots" and to their up-grading and up-scaling). In fact, many of the Assumptions for progressing from project outputs to direct outcome(s) did not hold so far (see Assumptions for Outputs 2.2, 2.3 and 2.5) and all the Drivers played a more limited role than expected (see Drivers for Output 2.1 to 2.4).

171. It is also evident, when analysing Diagram 3 (TOC from Outcomes to Impact), the need for substantive steps to be given to reach the operationalisation of the ABS Framework visualised in the Intermediate State 1 (IS 1). Key-drivers are not clearly defined and in place, notably the Models for Prior Informed Consent (PIC), the Mutually Agreed Terms (MAT), as well as Monitoring and Compliance measures and a fully operational National Clearing House.

172. Moreover, as extensively discussed in chapter 5.4.2 there is no consensus (and evidence so far) regarding possible positive or unintended (and negative) impact of the publication of the "catalogue" on the ABS of the Community involved.

173. Everything considered, at the current stage, the progress of Project Results obtained so far towards Impact seems **Moderately Unlikely**.

5.5 Financial management

174. Due to the extraordinary political conjuncture at the time of Project starting, a consensual decision was made by the Implementing and the Executing Agency to outsource the administrative and financial management of the Project. The Swiss NGO Helvetas, active in the country since 1990, was selected for the purpose and a Memorandum of Understanding was signed in December 2013 between CONAP and Helvetas.

175. As a matter of fact, in the initial MoU signed between CONAP and Helvetas, some "technical collaboration" was also foreseen regarding the component 2 and 3 of the Project,

which eventually was not feasible due to problems of timing and of availability of funds at the proper moment. The appearance of the logo of Helvetas over all technical documents and outreach material produced by the Project was initially agreed upon and maintained.

176. Helvetas has accurately managed all administrative and financial aspects of the Project (Project account management, expenditures and financial reports, work contracts of the Project Team, purchase and inventory, etc.). The overhead amount stipulated by the contract was 6.5%, which was annually paid to Helvetas on the budget line 5375 (UNDP charges).

177. The Project budget did not foresee any provision for Auditing and, since Helvetas / Guatemala was requested by its Head-Quarter to undergo an annual auditing of all the funds managed during the year, it was agreed with CONAP and the Implementing Agency that Helvetas would use the budget line of the Overhead to pay for the external annual Auditings, too. As a result, incorrectly, the overhead of Helvetas appears to be the 8,5% of the budget, instead of 6,5% and the expenditures for Auditings do not emerge. For the sake of transparency and accountability, the Implementing Agency should have proposed a Budget Revision at the beginning of the Project to include Auditings as a separate budget-line.

178. The operations of the Project have been completed at the end of March 2018 and the administrative closure is planned for 31/12/2018.

5.5.1 Completeness of financial information

179. The financial information of the Project is complete and updated, and the flow of the financial reports onto ANUBIS has been steady and timely submitted (quarterly). The actual project expenditures to April 2018, successively updated to November 2018, have been produced during the TE by Component (see Table 2 in chapter 3.6), and also per budget line (see Annex 6).

180. The actual costs of the Project at the end of the operations represent the 96% of the GEF Budget and no budget line was significantly overspent compared with the budget at design, except the budget line of the Overhead (plus 39%, see Annex 6), because, as explained above, it was also charged by the costs of the Auditings.

181. The information on co-financing (in-kind contribution) was valued by the Project Manager and CONAP and, there is little room for an objective assessment of the amount indicated that, in this case, represents 114% of the originally foreseen at Project design.

5.5.2 Communication Between Finance and Project Management Staff

182. The outsourcing of the Administrative and Financial Management has brought about the physical separation between the administrative and the project management teams, which, in itself did not represent a problem. The administrative team, however, would have liked to be more involved in the regular coordination meetings of the Project team, as a form of knowing better the activities developed and of better understanding their administrative implications. Since that seems to be the normal practice in Helvetas projects, a certain feeling of "exclusion" was present among the Helvetas Administrative team.

183. The extension of the geographical scope of the Project in the different Indigenous Territories where the “Rounds of Dialogue” for the discussion of the Policy and the Law took place, has generated some internal debate between the Project Management and the Administration. Overall, however, the impression is that the dynamics of communication between Administrative and Management Team was good, and that Project implementation surely benefited from the efficient administrative management put in place by Helvetas.

184. The support to Helvetas from the Programme Assistant of UN Environment at the Regional Office of Panama has been good, though, on some issues, Helvetas complained having been “by-passed” by CONAP through a direct contact with the Regional Office of Panama regarding Administrative issues.

5.5.3 Compliance with UN financial management standards and procedures.

185. Helvetas has fully complied with UN standards procedures and rules, such as timely (quarterly) reporting, rules for equipment purchases, inventories and regular audits (discussed above). Small Project expenditures in the two pilot sites were covered through the setting of a petty-cash account of 1,000 USD managed by the project team in each site.

186. The responsibility for the lack of budget for Auditing and for not having revised the budget accordingly, seems more a responsibility of the Implementing Agency than of the Out-sourced Administrator.

187. Overall, Financial Management is rated **Satisfactory**.

Table 6: Financial Management Table

Financial management components:		Rating*	Evidence/ Comments
1. Questions relating to financial management across the life of the project:			
Compliance with financial requirements and procedures of UN Environment and all funding partners (including procurement rules, financial reporting and audit reports etc)		S	The Project has been accurately managed by the NGO Helvetas (outsourced) and has complied with all UN requirements and procedures. Audits were not budgeted and no revision was proposed to accommodate it
Timeliness of project financial reports and audits		HS	Financial reports have been timely and accurately provided. Annual Audits were regularly carried out and costed through the overhead of Helvetas, because the Project Budget did not have funds available for the purpose.
Quality of project financial reports and audits		HS	Very good quality
Contact/communication between the PM/TM & FMO		S	Constant contact between CONAP. Regular support and collaboration with Regional Office of UN Env. In Panama.
PM/TM & FMO responsiveness to addressing and resolving financial issues		S	Financial issues were always solved without major problems
2. Questions relating to financial information provided during the evaluation:			
Provision of key documents to the evaluator (based on the provision of A-F below)		HS	
A.	An up-to-date 'Co-financing and Project Cost's table	YES	Financial breakdown of April 2018 (end of operations) presented and discussed

Financial management components:		Rating*	Evidence/ Comments
			during the country visit. Updated to November 2018 further provided. Cost table available by Component and Budget Lines
B.	A summary report on the project's annual financial expenditures during the life of the project.	Yes	
C.	Financial documents from Mid-Term Evaluation/Review (where appropriate)	Not applicable	
D.	All relevant project legal agreements (e.g. SSFA, PCA, ICA) – where appropriate	YES	MoU between Helvetas and CONAP in Anubis.
E.	Associated financial reports for legal agreements (where applicable)	Not applicable	
F.	Copies of any completed audits	YES	All of them in Anubis
Demonstrated knowledge by the PM/TM & FMO of partner financial expenditure		HS	Very good knowledge of the financial expenditures and status
PM/TM & FMO responsiveness to financial requests during the evaluation process		HS	Highly responsive
Overall rating		S	

* Ratings given on a 6-point satisfactory scale from 'Highly satisfactory' (HS) to Highly Unsatisfactory (HU).

PM/TM Project Manager/Task Manager

FMO Financial Management Officer

5.6 Efficiency

188. The Project has suffered an initial delay of almost one year from GEF approval (March 2013) until the actual start of the operation (first advancement, January 2014). According to information of the Project Manager, the delay was due to the long administrative procedures in CONAP leading to the outsourcing of the administration of the Project to Helvetas. After the initial delay, the Project has been very time-efficient. Though an amendment to the Project Cooperation Agreement (PCA) was signed in September 2017 extending the Agreement until 31/12/2018, in fact, the Project completed its operation in March 2018 (i.e. at the completion of the 48 months foreseen for its duration). Therefore, no project extension for the completion of the activities was made operational. Administrative closure occurred the 31/12/2018.

189. The Project has, nonetheless, suffered from the political conjuncture of the country that had an evident bearing on the smooth implementation of the institutional component of the Project, the Outputs of which (Policy and Law) have been delayed and not fully delivered, as discussed under chapter 5.4.1.

190. The complexity of the institutional framework for the design and approval of the Policy and of the Draft Law has forced CONAP and the Project to undertake large and time-consuming activities of information and public discussion in different regions of the country in order to involve IPLCs (the so-called Rounds of Dialogue, see chapter 5.4.1), which have been managed efficiently by the Project, despite their organizational and logistic challenges.

191. The National Executing Agency CONAP has been active in the implementation of Project activities and the Project has benefited from the presence of CONAP in the Protected

Areas of the country that are under its jurisdiction, particularly for the implementation of the Rounds of Dialogue mentioned above. The existence of other cooperation agreements (for instance the cooperation between CONAP and GIZ mentioned in chapter 5.4.1) has also permitted synergies. Other institutions, like the University and its Research Centers, have also actively participated in Project implementation, not only as members of the Project Steering Committee, but also in some specific activities (e.g. ABS training at the Faculty of Agronomy). As a matter of fact, the value of overall in-kind co-financing has been estimated by the Project higher than originally expected (see Table 3 in chapter 3.6).

192. The Project was designed with a large part of its budget to be allocated to Project Personnel and National Consultants (almost 70% of the budget), great part of it being devoted to the national consultants for the component of the Pilot experiences in the field (70%). This proportions have been respected in Project implementation. When considering the moderately unsatisfactory achievement of the Outcomes, including those related to the Pilot-experiences, it could be argued that the cost-effectiveness of this important component of the budget has not been maximised.

193. Nevertheless, as discussed in the next chapter (Monitoring and Evaluation), there has been an assiduous monitoring of field activities by the Project Manager, in such a way that the logical and most cost-effective sequence of activities has been respected and adaptive management measures timely implemented.

194. Everything considered, the Efficiency of the Project is considered **Satisfactory**.

5.7 Monitoring and Reporting

5.7.1 Monitoring design and budgeting

195. The Project Document included (as in all GEF/UN Environment Projects) a costed Monitoring and Evaluation (M&E) Plan (Appendix 7 to the ProDoc), with a budget of 25,000 USD, including a Mid-term Review and the Terminal Evaluation, which looks inadequate for the purpose. The Monitoring of the pilot-activities in the two pilot-sites has been integral part of the functions and responsibilities of the Project Manager and of the Staff in the field, and its cost is not reflected in the budget of the M&E Plan.

196. The Costed M&E Plan presented some useful elements (baseline situation, mid-term and final targets, with indicators). The same could apply to another tool, "Key Deliverables and Benchmark" (Appendix 6 to the ProDoc). As already mentioned, the Results Framework (Logframe) only presented Outcomes. The ProDoc did not contain the GEF-Tracking Tools, which are a useful instrument measuring the progress of some agreed key-indicators at the beginning of the Project, at Mid-term and at the End of the Project. When considering the pilot character of the Project in the field, one would have expected more emphasis in the Project Design regarding the methodology of data collection, frequency and responsibility, specific monitoring formats for each of the "pilots", as well as disaggregated data by communities and by gender. Weak points of the methodology of the "pilots" have already been discussed in chapter 5.4.3.

5.7.2 Monitoring implementation

197. The field work in the two pilot-sites has been monitored through regular follow-up visits of the Project Manager approximately every two months and through monthly meetings of the whole Project Team (the project manager, the two permanent teams of the pilot sites and all the other long and medium-term consultants) in Guatemala City. The information exchange has therefore been constant and close. Nevertheless, none of the instruments mentioned above (e.g. the M&E Plan, the Tracking Tools) was used, implying that targets and verifiable indicators (set-out in the M&E Plan) were not systematically monitored. As also remarked by the Mid-Term Review (see below), “the team was very familiar with the project work plan, the list of activities, which were pending and for when”, implying that the focus of Project Monitoring was more on the activities, rather than on results.

198. The Mid-Term Review (MTR) by the UN Environment Task Manager (based in Panama Regional Office) took place in November 2015 and an exhaustive report was produced. The socio-political situation was indicated as the main risk for the achievement of Project results and the difficulties inherent to the implementation of the four ABS pilot experiences in the two selected areas were already evident, due to the lack of interested potential “users”. In fact, it was remarked, “There are no applications so far for the use of genetic resources locally, which was expected to serve as a base for the actions of the pilots in component 3”.

199. A recommendation was issued in order “to immediately identify an alternative method that could generate the same or similar outputs as those expected from the pilots”. The emphasis of the MTR on a possible re-definition of Outputs seems very relevant and, in retrospect, could have called for a large and intensive consultation at central and local level, involving CONAP and Local Authorities in order to find alternative models to put forward the ABS agenda in the two pilot-Municipalities.

200. The rapid deterioration of the political context in the country, just few months, if not weeks, after the MTR, has triggered a chain of events that dramatically influenced the implementation of the Project, as described in chapter 5.3 and 5.4.1 and hampered the possibility of, at least partially, re-thinking and reviewing the scope and objectives of the pilot-experiences.

5.7.3 Project reporting

201. The usual GEF/UN Environment tools for Reporting on Project’s Progress have been implemented, transmitted and filed in ANUBIS every six months (Progress Reports) and Yearly (at the end of June) through the Project Implementation Review (PIR), which also includes the comments of the Task Manager. As mentioned before, there is no evidence of the GEF Tracking Tools (Initial, Mid Term and Final) on record.

202. Overall, the reporting system has been orderly and systematically filled-in by the Project Manager, and the Task Manager has also usually provided thoughtful comments and given suggestions for actions and improvements. It has to be highlighted, however, that the Reporting System adopted by the Implementing Agency is mostly based on the implementation and completion of “Activities” (see PIR Format), according to the revised Work-plans of the Project. Of course, this type of Reporting does not provide the objective

state of delivery of the planned Outputs of the Project at Design, hence not allowing Project M&E “by results”.

203. The Risk Factor Tables presented by the Project Manager in the PIR have been found objective and clearly substantiated, including “Substantial” Risks in Political Stability (2015 and 2016), in Social, Cultural and Economic Factors (2015), and “High” Risk of Political Influences (2016).

204. The Project has made a remarkable effort in monitoring, analysing and reporting “Gender Mainstreaming” in Project Implementation, as described and discussed in chapter 5.4.4. The paper produced called “Gender mainstreaming: Project analysis” provides valuable elements of Gender Analysis regarding different aspects, such as Project Management, the Composition of the Team, the Participation in Policy Formulation, in the Educational pilot initiative, in the protection of GR and TK in the pilot sites, in Project Training activities and in the participation to Local Committees (see also, on this regards, Lessons Learned, chapter 6.2).

205. Overall, the Monitoring and Reporting System is considered **Moderately Satisfactory**.

5.8 Sustainability

206. The evaluation has analysed to what extent follow-up work has been initiated and how project results could be sustained and enhanced over time. Three aspects of sustainability have been addressed: a) Socio-political sustainability, b) Financial sustainability, c) Institutional sustainability

5.8.1 Socio-political sustainability

207. The sustainability of the ABS project’s outcomes has a high degree of dependency on socio-political factors. This remains a key-issue due to the difficult socio-political situation of the country and the complex, structural problems of the Indigenous population. CONAP and the Project gave relevant steps towards a greater inclusion and participation of IPLCs in the setting of the national ABS Policy and Draft Law, but the problem is broader than that. It concerns the feeling of mistrust and contrast of the IPLCs and a part of Civil Society towards the State and the Government.

208. The suspension of the ratification of Nagoya Protocol, the abrogation of the so-called “Ley Monsanto” (the Law of Protection of New Plant Varieties in the framework of the Free Trade Agreements between USA and Central America) and the campaigns of different vocal groups of Civil Society against the Biosafety Law and GMOs are concomitant signals that cannot be put aside or misjudged. Debates around these themes are nurtured by a set of arguments, whose complexity goes well beyond the mere ABS agenda.

209. Several aspects come to play, such as the social and economic unbalanced development of the country, cultural and ethnic differences, cosmogonic and ethical values, as well as political purposes, including those of organised groups of civil society claiming for larger people participation and the promotion of civil, social, economic and environmental rights. The socio-political sustainability of the ABS agenda will, therefore, inevitably depend on how the country is shaping its overall socio-political agenda, particularly in subjects like

Land Tenure, Land Access and Use, Natural Resources Management and Sustainable Rural Development, among others.

210. The participatory approach established by CONAP with the support of the Project and of other external partners (see chapter 5.1.3) has been highly instrumental to the definition of a consensual ABS Policy and to the preparation of a Draft Law focussing on the “Protection of the Biological Diversity and Bio-Cultural Heritage”. The approach should be regarded as a major opportunity to implement a steady process of information, dialogue and risk communication with the IPLC, with governmental and academic institutions, with representatives of Civil Society Groups and towards the public in general.

211. The absence of an established ABS regulatory framework so far (further threatened by the suspension of the ratification of the Protocol) is obviously a major factor of weak socio-political sustainability of the ABS Agenda in the country. The consensus on the Draft law by Congress has to be built again, possibly until 2020, when a new Congress is expected to be reconstituted.

212. To pursue the strengthening of the capacity of IPLCs to conserve the biodiversity and the genetic resources in their territories (“IPLCs-driven conservation”) seems currently the only viable strategy for limiting the vulnerability of the IPLCs and for mitigating the possible risks of misappropriation and misuse of the GR and TK present in their territories.

213. The TE has found that the sustainability of project outcomes has a high degree of dependency on social/political factors and a moderate ownership, interest and commitment among government and among other stakeholders to sustain the project outcomes. Moreover, mechanisms to adapt to changes in the current social/political context are still weak. Overall, therefore, **Socio-political Sustainability is considered Moderately Unlikely.**

5.8.2 Financial sustainability

214. The budget of CONAP looks overall inadequate to cope with the large national responsibilities on the management of the Protected Areas and of Biological Diversity in the whole country. While the overall part of the National Budget (2017) devoted to the Environment (which includes also the budget for the Ministry of Environment and Natural Resources) was 1,44%, CONAP was attributed only 0,14%. The access to the National Fund for Conservation (FONACON) may help to integrate the national budget, particularly through the Thematic Area / Priority “Identification and shaping of models for the sustainable use and conservation of Biodiversity among IPLCs”.

215. There are also bilateral cooperation agencies interested in pursuing their support to the country in the environmental sector, but their support may prove difficult in absence of a clear national regulatory framework. Financial sustainability is rated **Moderately Unlikely.**

5.8.3 Institutional sustainability

216. As discussed in chapter 4.2 (TOC) and Effectiveness (5.4.1, 5.4.2 and 5.4.3), there are relevant assumptions related to the institutional uptake by national stakeholders of the results of the Project at Outputs and Direct Outcomes level (see also Diagrams 1 and 2). Most of those Assumptions still do not hold, such as:

- The ABS Policy is not yet approved by the Council of Ministers and lack of an Action Plan and Budget, while the Law is at a draft stage and the ratification of the Protocol has been suspended (rfr. Diagram 1, Assumptions for DO 1);
- Mechanisms to attribute Benefits from the Access to information are not clear (see Diagram 2, Assumption for Output 2.1) and there is no evidence of the institutional up-take by the Min. of Education of the pilot-curricula on TK (Diagram 2, Assumption for Output 2.2 and 2.5);
- Assumptions for Pilot-experiences on Access did not materialise in practice (Diagram 2, Outputs 2.3) and the Project did not produce a consistent “package” of methodological tools to systematise and build upon the pilot experiences (weak drivers for Output 2.4, Diagram 2);
- The Assumptions for the up-grading (and possible up-scaling) of the pilot-experiences did not hold as well (Diagram 2, Output 2.5).

217. The Institutional Sustainability of the ABS Framework has, however, to be assessed within the overall context of the institutional mandate of CONAP, which is, beyond any doubt, wide and strong in the institutional context of the country (see also chapter 3.3).

218. CONAP is a big institution with seven Directorates (the Directorate of Valuation and Conservation of Biological Diversity being one of them), several Technical Units (among them the Unity for IPLCs) and a regional network of ten Regional Directorates. The institution is making an effort to develop a more integrated approach to the management of Biological Diversity and Natural Resources, rooted in its Policy and Strategy on Biological Diversity and its Action Plan 2012-2020.

219. The collaboration between the Directorate of Valuation and Conservation of Biological Diversity and the Unity for IPLCs is promising and in need of consolidation. The Directorate and the Unity are jointly discussing and revising the draft ABS Law and they are also jointly planning comprehensive Surveys (called “Territorial Inventories”, already on pipeline through the National Fund for Conservation / FONACON) in the Indigenous Territories, with the participation and involvement of the IPLCs. CONAP has also recently started the review and updating of the regulations for the authorisations of research activities in Protected Areas, also regarding ABS of GR and TK.

220. On its side, the University of San Carlos (USAC) is planning to conceive and implement a curricular Course on the Management of Genetic Resources, which could be an element of institutional sustainability. Overall, the possibility of pursuing and consolidating the partnership between CONAP, the Faculty of Agronomy of USAC, the Center of Inter-Ethnic Studies and the Center for Conservation Studies of USAC are element of institutional sustainability that should be reinforced through joint activities, including the revision of the Draft Law and the Territorial Inventories.

221. There exist also a Memorandum of Understanding between CONAP and the Ministry of Education (MINEDUC) that could be worth refreshing, in view of the consolidation of the pilot experience in the Department of Baja Verapaz and the possible replication in other municipalities of the training modules on “Traditional Knowledge” in Primary Schools.

222. At decentralised level, the institutional framework is complex, due to the coexistence and overlapping functions of formal institutions (e.g. Municipalities, Development Committees at Community, Municipal and District levels), non-formal institutions like the Elders' Council and the Ancestral Leaders, and "intermediate" institutions like the Indigenous Municipalities (*Alcaldías Indígenas*). The issue of the representation of IPLCs and of the representativeness of Indigenous Organisations add complexity to the institutional sustainability of the ABS policy and legal framework, because all these institutions may play or may be willing to play a role in the definition of the ABS Framework at decentralised and central level.

223. Overall, Institutional sustainability is presently considered **Moderately Unlikely**.

6 Conclusions and Recommendations

6.1 Conclusions

224. The lifetime of the Project has coincided with a turbulent political crisis of the country hitting the highest office of the State (under allegation and successive arrest for corruption) and the Congress of the Republic, from 2015 onward. Governmental and public institutions have been largely affected by the unstable political situation, while the mistrust of Civil Society, Indigenous Organizations, and of Public Opinion in general, towards the political and administrative "establishment" has further increased.

225. Within the context above, there has also been a growing opposition to some decisions of the Congress directly or indirectly related to the management of the Genetic Resources of the country, such as the "Law of Protection of New Plant Varieties", approved in 2014 (in the framework of the free-trade agreement between Central America States and USA), and abrogated after three months from its approval due to strong street demonstrations, as well as the suspension in 2016 of the ratification of the Nagoya Protocol by the Constitutional Court (following a request of indigenous leaders, groups and organisations claiming that the Protocol had been ratified without the necessary "quorum"). There have also been campaigns of different vocal groups of Civil Society against the Cartagena Protocol and GMOs introduction (CONAP is also the National Competent Authority for Cartagena Protocol).

226. 213. Despite the difficult external conditions, the Project and CONAP have implemented a series of inclusive and participatory actions to discuss with Indigenous People and Local Communities (IPLCs) the policy and legal framework for the protection and the management of the Biological Diversity, the Genetic Resources and the Bio-Cultural Heritage of the country. Several Rounds of Dialogue were organised in different Regions and Indigenous Territories from 2015 to 2017 and there is currently the perception that a participatory process has been triggered and is on-going in some Indigenous Territories.

227. In the context of the participatory process put in place, CONAP has approved the national ABS Policy in 2015, which is well aligned with the National Biodiversity Strategy and Action Plan 2012-2020, but needs to be complemented by operational instruments like an

Action Plan and an adequate budget. The Policy has not yet been submitted to the Government for final adoption.

228. Similarly, a proposal of Law called “Protection of Biological Diversity and Bio-Cultural Heritage of Guatemala” has been drafted and represents the first attempt of the country to create a comprehensive regulatory framework for ABS, consistent with the National Strategy on Biodiversity and with the requirements of the Nagoya Protocol. The Draft is in need of further revision, both internally at CONAP level (the process is on-going) and through additional contributions of national stakeholders, in view of its final submission to the Congress for discussion and approval (probably after the general elections foreseen in 2019). Therefore, though the country cannot yet claim having a policy and legal framework fully in place, the Project has undoubtedly set the process in motion and created relevant conditions for achieving that Outcome.

229. Based on the above, the answer to the first key-question outlined in the TOR of the Evaluation (see Annex 1, TOR) regarding the development of “a robust national policy, legal and regulatory framework”, it can be concluded that, despite various limiting factors, the Project has remarkably progressed in that direction. Most of all, the Project has represented a unique opportunity for different stakeholders (at institutional and community level) to actively participate in the process of definition, discussion and implementation of the ABS national framework. As some stakeholders remarked, the Project “opened a breach” and represented “a first attempt from which everybody can learn now”. These are important remarks.

230. The Project was also called to enhance the protection and integration of Traditional Knowledge in the processes of Sustainable Rural Development and has, to a certain extent, contributed to that Outcome through an assiduous field work in two pilot-sites. However, mixed results have been registered on this component.

231. At Outputs level, the Project has actually implemented a significant pilot-initiative in two Pilot-Primary Schools for introducing “Traditional Knowledge” in the education curriculum. The experience has been exciting and relevant outputs have been produced (e.g. Pedagogical Guides for Teachers and for Students, already in use), but the institutional uptake by the Ministry of Education does not seem in sight and the replicability relies on the motivation and good will of the teachers involved in the experience. Two interesting Catalogues/inventories of the Genetic Resources and Traditional Knowledge have been produced in the two pilot-sites, but only one has been published, due to the opposition, in the second site, of some Indigenous Leaders and Communities, to “disclose and make public the information regarding the genetic resources and the ancestral knowledge of the Maya Aichi People”.

232. Therefore, regarding the second key-question related to possible “changes in stakeholders behaviour as a result of the project’s direct outcomes” hopefully leading to “less pressure on biodiversity and to inclusive and sustainable development”, the evaluation has shown that some institutional changes are on-going, yet, not at the necessary level of uptake and national ownership so as to insure adequate institutional, financial and socio-political sustainability. Community-driven plans of Biodiversity and Genetic Resources

management have also to be decidedly implemented in the Indigenous Territories for the inclusive and sustainable development of the IPLCs in the process.

233. As for the third and fourth questions related to the “access to project findings and updated information” and to the “generation” of guidelines “to catalyse action by stakeholders” it has to be outlined that the Project has indeed produced and distributed to national and local stakeholders an impressive number of relevant documents regarding, among others, the Rounds of Dialogue, the Legal Framework and the Pilot-Activities (see Annex 6). Some stakeholders have, nevertheless, rightly pointed-out in their interviews that some more user-friendly, summarised lessons learned from the field experience and some sort of “guidelines” or “road-map” (we are quoting) regarding the next future could have helped to focus stakeholders’ attention on “what next”, after the end of the Project. That seems a relevant remark. The same could apply for the lessons learned from the pilot initiatives in the field (see next chapter on Lessons Learned).

6.1.1 Evaluation Criteria and Ratings Table

Table 7: Evaluation Criteria and Ratings Table

Criterion (<i>section ratings A-I are formed by aggregating the ratings of their respective sub-categories, unless otherwise marked</i>)	Summary Assessment	Rating
A. Strategic Relevance	Very satisfactory in all aspects (see below)	HS
1. <i>Alignment to MTS and POW</i>	Well aligned with MTS 2014-17, Sub-Programme Environmental Governance, Expected Accomplishment 1 and 2 (EA1 and EA2)	HS
2. <i>Alignment to UNEP/GEF/Donor strategic priorities</i>	Aligned with Objective 4 of the Biodiversity Focal Area Strategy for GEF-5 “Build capacity on Access to Genetic Resources and Benefit Sharing (ABS)”. Also aligned with Objectives 1 to 4 of the GEF’s Corporate Programs Strategy for capacity development and with the cross-cutting issues of Bali Strategic Plan (BSP). The Project is consistent with Aichi Target 16 and 18.	HS
3. <i>Relevance to regional, sub-regional and national environmental priorities</i>	Highly relevant due to the “megadiversity” of the country and of the sub-region, as well as for the relevance of IPLCs presence in the country	HS
4. <i>Complementarity with existing interventions</i>	Complementary to other GEF funded action in the country, also implemented by CONAP, as well to bilateral cooperation projects in the area of Biodiversity and ABS (GIZ regional project)..	HS
B. Quality of Project Design	Weak points in relevant aspects related to Project Preparation (Problems and Situation Analysis, Stakeholders Analysis) and to the Logical Framework. Also not clear the process of analysis,	MU

Criterion (section ratings A-I are formed by aggregating the ratings of their respective sub-categories, unless otherwise marked)	Summary Assessment	Rating
	systematisation, upgrade and upscale of the "Pilot-experiences"	
C. Nature of External Context	Highly challenging socio-political context and institutional environment. Suspension of the ratification of Nagoya Protocol.	Unfavourable
D. Effectiveness²¹	<i>In accordance with foot-note 21 (below), considering the Unfavourable External Context in which the Project was operating, the overall rating for Effectiveness has been discretionally increased to MS.</i>	MS
1. Achievement of outputs	Despite several and relevant limiting factors, the Project has been able to deliver some relevant Outputs (e.g. a Policy, the Draft of a Law, one GR and TK Catalogue, 8 Pedagogical Guides). As many stakeholders pointed out, the Project "opened a breach" and represented "a first attempt from which everybody can learn now".	MS
2. Achievement of direct outcomes	The substantive, systemic change envisioned by the Main Project Outcome (Policy and Legal framework facilitate access to genetic resources, protection of traditional knowledge, and engagement in benefit sharing) cannot be considered presently achieved. Most of the Assumptions hold partially, if at all, and the drivers to support transition from outputs to direct outcome(s) are also partially in place. Pilot initiatives not adequately systematised.	MU
3. Likelihood of impact	The overall Moderately Unsatisfactory achievement of the Direct Outcomes (see rating above) is not particularly conducive to the smooth and steady progress toward Impact, which includes a series of challenging Intermediate States (IS). Although CONAP is keeping on working on CBD and ABS, the suspension of the Protocol can delay the pathway to Impact.	MU
E. Financial Management		S
1. Completeness of project financial information	Financial information is accurate, complete and timely / quarterly delivered (outsourced to NGO Helvetas)	HS

²¹ Where a project is rated, through the assessment of Project Design Quality template during the evaluation inception stage, as facing either an Unfavourable or Highly Unfavourable external operating context, the overall rating for Effectiveness may be increased at the discretion of the Evaluation Consultant and Evaluation Manager together.

Criterion (section ratings A-I are formed by aggregating the ratings of their respective sub-categories, unless otherwise marked)	Summary Assessment	Rating
2. Communication between finance and project management staff	Regular and effective	S
3. Compliance with UNEP standards and procedures	Overall compliant with UN standards and procedures (purchase, inventories, audits, etc.). Auditing was not budgeted by the Implementing Agency and no budget revision was proposed to amend it	MS
F. Efficiency	Despite an initial delay for identifying and implementing out-sourced administration, the Project has been very time-efficient and completed its operation after 48 months, as foreseen. No project extension was made operational. Budget spent at 96%. Pilot-projects could have been more cost-effective	S
G. Monitoring and Reporting		MS
1. Monitoring design and budgeting	Costed M&E Plan in place, MTR and TE not properly budgeted. Logframe only presented Outcomes. The ProDoc did not contain the GEF-Tracking Tools. When considering the pilot character of the Project in the field, one would have expected more emphasis regarding data collection, frequency and responsibility, specific monitoring formats for each of the “pilots”, as well as disaggregated data by communities and by gender.	MS
2. Monitoring of project implementation	Regular follow-up visits of the Project Manager and monthly meetings of the whole Project Team. Information exchange constant and close. The M&E Plan was not used, implying that targets and verifiable indicators (set-out in the M&E Plan) were not systematically monitored. Focus of Project Monitoring was more on the activities, rather than on results.	MS
3. Project reporting	The usual GEF/UN Environment tools for Reporting on Project’s Progress have been implemented, transmitted and filed in ANUBIS every six months (Progress Reports) and Yearly (at the end of June) through the Project Implementation Review (PIR), which also includes the comments of the Task Manager. Reporting System adopted by the Implementing Agency mostly based on completion of “Activities”, does not provide the objective state of delivery of the	MS

Criterion (<i>section ratings A-I are formed by aggregating the ratings of their respective sub-categories, unless otherwise marked</i>)	Summary Assessment	Rating
	<p>planned Outputs of the Project at Design, hence not allowing Project M&E “by results”.</p> <p>The Project has monitored and reported “Gender Mainstreaming” providing valuable elements of Gender Analysis regarding different aspects.</p>	
H. Sustainability (<i>the overall rating for Sustainability will be the lowest rating among the three sub-categories</i>)		MU
<i>1. Socio-political sustainability</i>	<p>Sustainability of project outcomes has a high degree of dependency on social/political factors and a moderate ownership, interest and commitment among government and among other stakeholders to sustain the project outcomes. Moreover, mechanisms to adapt to changes in the current social/political context are still weak.</p>	MU
<i>2. Financial sustainability</i>	<p>The budget of CONAP is overall inadequate. The access to the National Fund for Conservation (FONACON) may help to integrate the national budget, since investment lines linked to the theme of ABS have been created. Bi-lateral cooperation agencies interested in pursuing their support, but their support is difficult in absence of a clear national regulatory framework.</p>	MU
<i>3. Institutional sustainability</i>	<p>Relevant assumptions to hold related to the institutional uptake by national stakeholders of the results of the Project at Outputs and Direct Outcomes level. ABS Policy not yet approved by the Council of Ministers and lack of an Action Plan and Budget. Law is at a draft stage and the ratification of the Protocol has been suspended.</p> <p>No institutional up-take by the Min. of Education of the pilot-curricula on TK. Assumptions for Pilot-experiences on Access did not materialise in practice and the Project did not produce a consistent “package” of methodological tools to systematise and build upon the pilot experiences.</p> <p>Assumptions for the up-grading (and possible up-scaling) of the pilot-experiences do not hold.</p> <p>CONAP is making an effort to develop a more integrated approach to the management of Biological</p>	MU

Criterion (section ratings A-I are formed by aggregating the ratings of their respective sub-categories, unless otherwise marked)	Summary Assessment	Rating
	<p>Diversity and Natural Resources, rooted in its Policy and Strategy on Biological Diversity and its Action Plan 2012-2020.</p> <p>The collaboration between the Directorate of Valuation and Conservation of Biological Diversity and the Unity for IPLCs is promising and in need of consolidation. Comprehensive Surveys (called the "Territorial Inventories" are on pipeline in the Indigenous Territories, with the participation and involvement of the IPLCs. . CONAP has also recently started the review and updating of the regulations for the authorisations of research activities in Protected Areas, also regarding ABS of GR and TK.</p>	
I. Factors Affecting Performance		MS
<i>1. Preparation and readiness</i>	Project design was quite weak, particularly in problem analysis and stakeholders analysis	MU
<i>2. Quality of project management and supervision</i>	Overall satisfactory, though some procedures were not applied (e.g. Tracking Tools). Pilot initiatives not adequately monitored also at UN Env. level.	MS
<i>3. Stakeholders participation and cooperation</i>	Good participation, compatibly withy the complex socio-political and institutional context	S
<i>4. Responsiveness to human rights and gender equity</i>	The Project has promoted IPLC participation in the discussion on ABS Policy and Draft Law (see Rounds of Dialogue, chapter 5.4.1). Gender analysis carried out. Project responsive to IPLCs inclusiveness and participation	HS
<i>5. Country ownership and driven-ness</i>	Not at the suitable level, due to the complex socio-political situation, CONAP only partially involved.	MS
<i>6. Communication and public awareness</i>	Significant activities implemented at local level with IPLCs, many Project Documents published. Information and awareness raising were less impacting at general public level.	MS
Overall project rating		MS

6.2 Lessons Learned

Background: Pilot-experiences implemented in the Pilot-sites have not been adequately analysed, systematised and capitalised on by the Project, hence depriving the Project of relevant elements for possible upgrading and upscaling of its results.

Lesson 1. *Field “Pilot experiences” need appropriate methodological instruments of planning, monitoring and evaluation in order to produce their expected results, such as lessons learned, viability and replicability assessment, and best practices systematisation. Specific know-how of the field-team on participatory research and community work is needed for the purpose.*

Background: Stakeholders have pointed out the need for some user-friendly, summarised lessons learned from the field experience and some sort of “guidelines” or “road-map” regarding the next future of ABS framework. The opportunity to have a conclusive meeting to discuss “what next”, after the end of the Project, was also remarked.

Lesson 2. *It could be a good practice, at the end of the Project, to complete the Project Cycle by sharing and discussing, with main Stakeholders, Project’s achievements, lessons learned and perspectives.*

Background: Access and Benefit Sharing has proved to be a controversial issue among Indigenous and Local Communities due to different interpretations regarding the concept of Traditional Knowledge and the entitlement / right of its use.

Lesson 3. *Teams working over Access and Benefit Sharing of Genetic Resources and Traditional Knowledge in the field should be prepared to inter-cultural communication and be multidisciplinary, so as to capture the multiple dimensions of the issue.*

Background: The Project has carried-out a “Gender Mainstreaming Analysis” that has provided interesting elements of analysis based on simple and easy-to-find disaggregated indicators.

Lessons 4. *Gender disaggregated indicators can provide Projects’ Teams with valuable elements for self-assessing their responsiveness to Human Rights and Gender Equity.*

6.3 Recommendations

Recommendation 1: to CONAP (regarding the strengthening of IPLCs-driven processes of Management of Biological Diversity, Genetic Resources and Bio-cultural Heritage in the Indigenous Territories)

Participatory processes established in the Indigenous Territories (e.g. through the Rounds of Dialogue) need to be maintained and reinforced. Participatory Territorial Inventories are foreseen to implement community-driven plans of management of Biodiversity and Genetic

Resources. (see chapters 5.8.1 – Socio-political Sustainability, chapter 5.8.3 Institutional Sustainability, and Chapter 6.1 – Conclusions).

The Evaluation recommends CONAP to support the joint efforts of the Directorate of Valuation and Conservation of Biological Diversity and of the Unit of IPLCs in setting participatory and IPLCs-driven forms of management of the Biological Diversity, Genetic Resources and Bio-cultural Heritage in the Indigenous Territories.

Recommendation 2: to CONAP (regarding the revision and improvement of the Draft ABS Law)

The proposal of Law “Protection of Biological Diversity and Bio-Cultural Heritage of Guatemala” is in need of further revision, both internally at CONAP level (process on-going) and through additional contributions of national stakeholders (see Findings in chapter 5.4.1 and 5.4.2, Inst. Sustainability chapter 5.8.3 and Conclusions, chapter 6.1).

The Evaluation recommends the Directorate of Valuation and Conservation of Biological Diversity and the Unit of IPLCs of CONAP to keep-on the revision of the Draft Law also in partnership with the University of San Carlos and the Center for Conservation Studies CECON.

Recommendation 3: to CONAP (regarding scaling-up the adoption of the module on “Traditional Knowledge” in the Curriculum of Primary Schools)

The introduction of “Traditional Knowledge” in the pilot-schools of Rabinal and San Juan de la Laguna has been positive and could be replicated in other schools of the Departments. A MoU exists between CONAP and the Min. of Education (MINEDUC). (see Findings chapter 5.4.1 and 5.4.2, and Inst. Sustainability chapter 5.4.3).

The Evaluation recommends giving effective steps to revitalise the existing Memorandum of Understanding between CONAP and MINEDUC in order to upscale the introduction of “Traditional Knowledge” in the Curriculum of other Primary Schools of the Departments where the pilot initiative has taken place.

Annexes

- 1) Response to stakeholder comments received but not (fully) accepted by the evaluators
- 2) Evaluation ToR (without annexes)
- 3) List of people met
- 4) Summary co-finance information and a statement of project expenditure by activity
- 5) Evaluation Bulletin (PREPARATION IS ON-GOING)
- 6) List of documents published by the Project
- 7) List of documents consulted
- 8) Brief CV of the consultant
- 9) Quality Assessment of the Evaluation Report

ANNEX 1: RESPONSE TO STAKEHOLDER COMMENTS RECEIVED BUT NOT (FULLY)
ACCEPTED BY THE EVALUATOR

Stakeholder comments	Evaluator response
From CONAP	
	Factual changes and comments in paragraphs 4, 31, 144 (among others) have been included in the Final Draft.
Table 7 / Chapter 6.1.1	
	<p>Comments on Likelihood of Impact in Table 7 (chapter 6.1.1) has been also integrated. The same applies for Financial Sustainability (same Table)</p> <p>The Evaluator agrees with the comments regarding the rating for “Communication and public awareness” (line I / 6), which has been upgraded from MU to MS. Communication with Institutional Stakeholders has not been fully satisfactory (see also Lesson Learned 2), therefore MS should apply.</p>
Chapter 5.4.3 (Methodological considerations on the Pilot experience)	
<p>§ 142</p> <p><i>Si bien son acertados los criterios para definir un piloto, consideramos que la ejecución del proyecto cumplió con lo que se tenía establecido como output en el marco lógico.</i></p>	<p>The Project Design was weak in defining the logical sequence from Outputs to Outcome (for Outcome 2 and 3), as explained in chapter 4.1 and 4.2 (Theory of Change).</p> <p>The issue is largely discussed in the Evaluation Report, in chapter 4.2 (par. 84-87), in chapter 5.2 (Project Design, par. 105, 3rd bullet), and in chapter 5.4.3.</p>
Chapter 5.4.2 (Achievement of Outcomes, par. 155)	
<p><i>“Considering that the project executed the planned activities, although with certain adjustments to them due to various factors that were influencing its execution, we do not consider that the result is unsatisfactory or moderately</i></p>	<p>Regarding the systematisation of the Pilot-experiences, see comments above (regarding chapter 5.4.3.).</p> <p>Chapter 5.4.2 is assessing Outcomes Achievement (i.e. the “Systemic and Behavioural Changes” obtained through the Project (not the activities).</p>

Stakeholder comments	Evaluator response
<p><i>unsatisfactory, since this weighting is being done based on the defined outputs in the TOC by the evaluator.</i></p> <p><i>Technical document No. 02-2018 presents the systematization of pilot experiences; and systematization we understand it as the reconstruction of a process, reflecting on the factors and actors that influenced it, in such a way that we can learn from experience.</i></p> <p><i>Contrary to what the evaluator establishes in chapter 5.4.3, we consider them as elements for an evaluation, which could have been done within the framework of the project or later, but for the purposes of what was established in the Logical Framework of the project, it was only the systematization of pilot experiences.”</i></p>	<p>The achievement of the Direct Outcomes and of the main Project Outcome (Policy and Legal framework facilitate access to genetic resources, protection of traditional knowledge, and engagement in benefit sharing) cannot be objectively considered satisfactorily achieved, the MU rating should be maintained</p> <p>Nevertheless, the Evaluation has recognised that the External Context has been Unfavourable and has strongly limited Project’s Achievements. Accordingly, and taking into account that the Effectiveness of a Project can be discretionally upgraded (upon consensus between the Evaluator and the Evaluation Manager, see foot note in Table 7, chapter 6.1.1.), the rating for Effectiveness has been upgraded to Moderately Satisfactory (MS).</p>
<p>Chapter 5.6 (Efficiency) (par. 179)</p>	
<p><i>“We consider that the evaluation of the pilot experiences should be moderately satisfactory, considering that from the design of the project no assumptions that were essential for the execution of the project were contemplated. However, during the execution, the necessary and feasible adjustments were made that allowed the development of the activities, obtaining information and inputs that otherwise could not have been obtained”</i></p>	<p>Actually, the Evaluation has overall rated the delivery of the Outputs (including the Pilot Experiences) as Moderately Satisfactory.</p> <p>The Project Design, as already discussed, was weak in defining the Assumptions needed to progress from Outputs to Outcomes, and the effectiveness of the Project was below the expected (hence Cost/ Effectiveness was not optimal, as explained in Par. 179). Nevertheless, the evaluator has considered the considerable efforts of the Project Team (par.180) and, in fact, Efficiency is rated Satisfactory.</p>

ANNEX 2: TERMS OF REFERENCE FOR THE EVALUATION

Section 1: PROJECT BACKGROUND AND OVERVIEW

Project General Information

Table 1. Project summary

GEF Project ID:	4618	Code	GFL/2328-2716-4E05	
Implementing Agency:		Executing Agency:		
Sub-programme:	Environmental Governance	Expected Accomplishment(s):	MTS 2014-17 EG (1) Coherence and synergies and EG (2) Law	
UN Environment approval date:	May 2013	Programme of Work Output(s):		
GEF approval date:	October 2011	Project type:	Medium Size Project (MSP)	
GEF Operational Programme #:		Focal Area(s):	Biodiversity	
		GEF Strategic Priority:	BD-4	
Expected start date:	June 2013	Actual start date:	January 2014	
Planned completion date:	June 2017	Actual completion date:	May 2018	
Planned project budget at approval:	\$1,846,514	Actual total expenditures reported as of May 2018:	\$1,951,299.94	
GEF grant allocation:	\$874,500	GEF grant expenditures reported as of 30 April 2018:	\$841,299.94	
Project Preparation Grant - GEF financing:	\$34,590	Project Preparation Grant - co-financing:	\$38,450	
Expected Medium-Size Project co-financing:	\$972,014	Secured Medium-Size Project co-financing:	\$1,110,000.00	
First disbursement:	\$131,175.00	Date of financial closure:		
No. of revisions:	7	Date of last revision:	January 2018	
No. of Steering Committee meetings:	7	Date of last/next Steering Committee meeting:	Last: September 2015	Next:
Mid-term Review (planned date):		Mid-term Review (actual date):	November 2015	
Terminal Evaluation (planned date):		Terminal Evaluation (actual date):	August 2018	
Coverage - Country(ies):	Guatemala	Coverage - Region(s):	Central America	
Dates of previous project phases:		Status of future project phases:		

i. Project rationale

Guatemala, a country that has ratified the Convention on Biological Diversity (CBD), is a mega diverse country and is the centre of origin and distribution of genetic diversity of many important cultivated species, both for the economy and global food security. Ecologically, Guatemala has seven biomes, one of which is unique of the country. It has fourteen different life zones, one of the highest levels in Central America, and ranks third in a list of thirty mega diverse countries worldwide. By signing and ratifying the Convention on Biological Diversity in 1995 as well as the International Treaty for Plant Genetic Resources for Food Security, Guatemala acquired sovereignty over its biological resources, including genetic resources. Guatemala also signed the Nagoya Protocol or "International Regime on Access to Genetic Resources and Fair and Equitable Sharing of Benefits arising from their use" in 2011.

Domestication of plants in Guatemala is linked to its cultural diversity and the varied lifestyles of the people who defined their use. Because of its cultural importance, the conservation of the variability of this genetic resource directly implies preservation associated with traditional knowledge, unique and valuable cultures, that are independent of the social structure that has been developed.

The access to Genetic Resources can promote social development, particularly in populations that historically have developed, maintained and used elements of biodiversity that are mainly located in their territories, including traditional varieties of crops. The unauthorized and non-consensual use of Genetic Resources and associated Traditional Knowledge has led to the generation of commercial products and benefits of which the generators and current owners are not part of. This resulted in the generation of social pressure on the issue, particularly on the importance of achieving guarantees of fair sharing.

However, the mechanisms and legal tools needed for ensuring fair and equitable sharing and access to Genetic Resources and Traditional Knowledge had not been developed in Guatemala. The bodies responsible for promoting this process needed to institutionalize within their management strategies, the integration of sustainable use of biological diversity. One of the greatest gaps that existed in the country is the lack of a political and legal framework that protects and regulates the access to genetic resources and associated traditional knowledge, and the fair and equitable sharing of benefits arising from the access to the owners. The development of a policy and legislation to regulate the access to Genetic Resources would enable the country to: a) take advantage of development opportunities provided by the use of genetic diversity and Traditional Knowledge in an orderly fashion; b) create institutional capacity that will establish the essential elements of Genetic Resources and Traditional Knowledge management; and c) create inter-agency coordination among the State departments who should participate, according to their attributions and responsibilities.

This project was therefore designed to develop mechanisms that could build policy, legal and regulatory framework instruments for the management of access to Genetic Resources and Traditional Knowledge. The project also aimed to develop a framework Protocol that would allow the development of community inventories of the collective Traditional Knowledge, as a measure to promote its protection.

The population located in the territories with the largest diversity of Genetic Resources and Traditional Knowledge are key players in this process, and an important factor in this project was the development of activities that promote full participation of these communities. With this in mind, the project sought to develop activities in the selected territories which could serve as a model for the generation of management activities and mechanisms in other territories.

ii. Project objectives and components

The goal of this project is to promote the observance and implementation of the Convention on Biological Diversity and the Nagoya Protocol, in Guatemala. Specifically, it aims to develop policies, legal frameworks and institutional mechanisms that lead to access and participation in the benefits arising from the use of Traditional Knowledge and Genetic Resources, developing conditions for the conservation and intergenerational transfer of traditional knowledge, in order to strengthen the conservation of biological diversity, promote rural development and support adaptation actions to climate change in the country.

The main project objective is defined in the Logical Framework in the Project Document (Prodoc) as follows: **“to develop policy and legal frameworks and institutional mechanisms for access and benefit sharing (ABS), in order to strengthen biodiversity conservation, promote rural development and support climate change adaptation”**.

The project is divided into **three technical components**: (1) development of a national framework for the access to genetic resources, protection of the related traditional knowledge, and participation in the distribution of benefits through regulatory measures; (2) protection of collective traditional knowledge associated with sustainable use of biodiversity to promote its potential in rural development; and (3) establishment of links between the biodiversity conservation and sustainable use.

Component 1. Developing a national framework for accessing genetic resources (GR), protecting traditional knowledge (TK) and ensuring benefit sharing: The first component focused on raising awareness of the value of genetic resources and traditional knowledge on different professional, civil and economic sectors, and ensure full participation of rural communities, especially indigenous, possessing this knowledge. It also included the preparation of a Bill and its regulations, to ensure the fair and equitable sharing of benefits arising from their use, and also recognize their own right and management mechanisms of local communities.

Component 2. Protecting traditional cultural knowledge associated with sustainable use of biodiversity to catalyze its potential for rural development: The second component was based on the development of enabling conditions in Guatemalan institutions to promote rural development based on community initiatives for sustainable use of biological diversity, and in particular of the genetic resources and the inter-generational transfer of traditional knowledge. This component enabled dialogue opportunities for the approval of a Protocol to systematize traditional knowledge associated with biodiversity. It is expected that all actors and sectors involved will recognize the value of doing this

systematization as a tool not only for protection but also to promote proper use and the promotion of rural development from them.

Component 3. Building linkages between biodiversity conservation and sustainable use: The third component included the pilot of the ABS experiences to promote rural development based on the sustainable use of genetic resources and associated traditional knowledge, by raising awareness. This component developed pilot experiences to promote the integration of traditional knowledge and the sustainable use of genetic resources, as essential instruments for rural development. It also promoted the training of the community through their organizations and local authorities, with the aim of getting abilities to participate in their own development. It also promoted training on the issue of inherent mechanisms to access to genetic resources and traditional knowledge as prior informed consent, and the development of models and agreements for the access to the benefits derived from their use.

Table 2 below shows a summary of the project components and their expected outcomes, as well as the corresponding planned outputs, as were indicated in the Logical Framework in the Project Document.

Table 2. Summary of Project Components, Outputs and Expected Outcomes

Project Component	Outputs	Expected Outcomes
Component 1. Developing a national framework for accessing genetic resources (GR), protecting traditional knowledge (TK) and ensuring benefit sharing	<p>1.1.1. National policy for access to genetic resources and traditional knowledge groups is approved by the Consejo Nacional de Areas and broadcast agreement for the processing of a Government agreement to promote it as a public policy.</p> <p>1.1.2.1 National law for the management of access to collective TK and genetic resources that will ensure the fair and equitable sharing of the benefits arising from their use and that recognizes the right to own mechanisms and mechanisms of management of local communities.</p> <p>1.1.2.2 Procedures manual that defines mechanisms for the management of access and protection of collective traditional knowledge associated to genetic resources, and also that recognize different levels of authorities in their management.</p> <p>1.1.3 Framework for use and promotion of the elements of traditional knowledge associated to biodiversity with climate change, desertification, and change in land use.</p>	Guatemala has in place the instruments needed to facilitate access to genetic resources, protected traditional knowledge, and engage in benefit sharing supported by a legal framework
Component 2. Protecting traditional cultural knowledge associated with sustainable use of biodiversity to catalyze its potential for rural development	<p>2.1. Protocol containing the basic elements of the inventory and content formats for capture and registration of traditional knowledge. 500 hard copies of the Protocol for inventories.</p> <p>2.2. Intervention models of educational plans and programs to teach traditional knowledge are systematized and proposed as an alternative to improve the conservation of traditional knowledge in the sociolinguistic territories.</p>	Enabling conditions established within the relevant Guatemalan Institutions for the development of rural community-based initiatives relating to the sustainable use of biodiversity and the transfer and use of traditional knowledge.
Component 3. Building linkages between biodiversity conservation and sustainable use:	<p>3.1.1.1. Systematization of 4 access experiences and use genetic resources and traditional knowledge in two territories socio-linguistic.</p> <p>3.1.1.2 Documentation of four models of access to genetic resources and traditional knowledge that promote the sharing of benefits and rural development.</p> <p>3.1.1.3 Two ABS agreements derived from the pilots.</p> <p>3.1.2 Background documents for the systematization of experiences and lessons learned access during the</p>	Strengthened integration of Traditional Knowledge (TK) and Sustainable Use of Genetic Resources in accordance with Convention on Biological Diversity provisions consistent with development at local and sub-national levels.

Project Component	Outputs	Expected Outcomes
	process, for the general public and to institutions on access management.	

iii. Executing Arrangements

The project was implemented in Guatemala by UN Environment (the **Implementing Agency**). The UN Environment unit responsible for project implementation was the GEF Biodiversity and Land Degradation Unit within the Ecosystems Division. At the national level, the Ministry of Environment and Natural Resources (MARN) was the National Executing Agency (NEA), responsible for project execution through a Project Steering Committee (PSC), and a National Project Coordination team.

The project was managed by a **National Project Coordinator** (NPC) who was assisted by a technical assistant and a technical team. The National Project Coordinator was the Convention on Biological Diversity National Focal Point for Guatemala - The National Council for Protected Areas (CONAP). Although CONAP was responsible for the technical delivery of the project, this project involved the participation of many actors (institutional / non-institutional non-governmental organizations, civil society organizations, and indigenous peoples), and as a consequence it was both multi-institutional and multi-sectorial. The National Executing Agency worked on behalf of Guatemala's Government for the overall execution of the project. It was also responsible for the appointment of the National Project Coordinator (NPC) and provision of institutional support to the project team.

The Project **Steering Committee** was set up to serve as the overall coordinator as it was assumed that the decisions taken there should be binding. It is worth noting that the steering committee was involved not only in working through the political and legal aspects of the project, but also in the management and supervision of the project (Monitoring and Evaluation). The Steering Committee was comprised of the following institutions: UN Environment, National Council of Protected Areas (CONAP); Ministry of Environment and Natural Resources (MARN); Ministry of Agriculture (MAGA); Intellectual Property Register (RPI); Ministry Economy (MINECO); Ministry of Education (MINEDUC); and Ministry of Culture and Sports (MICUDE). The Steering committee provided the mechanisms to ensure institutional linkages necessary for action at a national level.

The function of a technical coordinator of the pilot experiences was supported by a **Local Steering Committee (LSC)** in each sociolinguistic territory, whose responsibility was to promote the integration and involvement of local authorities and representatives. The Local Steering Committee was comprised of the institutional representatives of the regions, together with civil society organizations and NGOs active in areas of relevance to this project.

A **Technical and Scientific Advisory** also participated in the local decision-making exercise activities through the Local Steering Committee. It provided advisory functions, and was composed of technical representatives of the public, academic and private sectors (industry and social organizations) or entities wishing to contribute to the development of the regulation of access, conservation and sustainable use of the National traditional knowledge and genetic resources, as well as maximize the use of them to promote rural development.

Diagram 1 overleaf shows an illustration of the decision-making flowchart and organizational chart.

Diagram 1. Decision-making flowchart and organizational chart

iv. Project Cost and Financing

The project falls under the medium-size project (MSP) category, with an overall project of US\$1,846,514 made up of a GEF allocation of \$874,500, and an expected co-financing support of \$972,014 from various partners, both in cash and in-kind, as well as in-kind support from the government.

The funding is focused on providing additional equipment, training tools and on the job training to technical staff with mandates on monitoring, detection and enforcement activities related to transboundary movement of LMOs.

Table 3. Estimated project budget by component (USD)

Source	Amount (USD)
GEF Trust Fund	\$874,500
Co-financing	
In Cash: National Conservation Fund (FONACON)	100,000
In-kind:	
National Council for Protected Areas (CONAP)	312,014

Ministry of Culture and Sport (MICUDE)	100,000
San Carlos University Faculty of Agronomy (FAUSAC)	100,000
Center for Conservation Studies (CECON)	50,000
Institute for Ethnic Studies, San Carlos University (IDEI)	50,000
Sotzil	200,000
Junej Tinam	40,000
UNEP	20,000
Sub-total co-financing	\$972,014
Total	\$1,846,514

v. Implementation Issues

A mid-term review was undertaken in 2015. Based on the latest Project Implementation Report (PIR) for the fiscal year 1 July 2017 to 30 June 2018, the results and objectives described in the logical framework in the Prodoc have undergone adaptation during the project's implementation period. The results and products have changed focus, development and scope, as some have had a greater significance than expected due to changes in the national context. The changes necessitated adapting the project to the socio-political and administrative crisis experienced over the period 2015-16. Under component 1, for instance, the development of the proposed legal mechanisms was affected by the emergence and incorporation of new actors of high political relevance. Therefore, the project focused its efforts on the development of a broader social base for the promotion of the law through the relevant social actors, specifically indigenous peoples, for this purpose. The results of component 3 were limited due to the fact that the national institutional framework is not prepared and does not have the legal, human and logistical capacities for the development of this topic, taking into account that it must have a national coverage, and that it is a sensitive topic, particularly to indigenous people. However, it is an experience that has allowed us to identify some elements that can be taken into account at the time of their legal and logistic development. In general, the results were influenced by both institutional changes and the general perception of the theme, reflecting the need to further develop public awareness on the importance and relevance of genetic resource conservation, and the potential use of traditional knowledge for national and local economic development.

Section 2. OBJECTIVE AND SCOPE OF THE EVALUATION

vi. Key Evaluation principles

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) as far as possible, and when verification is not possible, the single source will be mentioned (whilst anonymity is still protected). Analysis leading to evaluative judgements should always be clearly spelled out.

The "Why?" Question. As this is a terminal evaluation and a follow-up project is likely [or similar interventions are envisaged for the future], particular attention should be given to learning from the experience. Therefore, the "Why?" question should be at the front of the consultants' minds all through the evaluation exercise and is supported by the use of a theory of change approach. This means that the consultants need 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. This should provide the basis for the lessons that can be drawn from the project.

Baselines and counterfactuals. In attempting to attribute any outcomes and impacts to the project intervention, the evaluators should consider the difference between *what has happened with, and what would have happened without, the project*. This implies that there should be consideration of the baseline conditions, trends and counterfactuals in relation to the intended project outcomes and impacts. It 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, trends or counterfactuals is lacking. In such cases this should be clearly highlighted by the evaluators, along with any simplifying assumptions that were taken to enable the evaluator to make informed judgements about project performance.

Communicating evaluation results. A key aim of the evaluation is to encourage reflection and learning by UN Environment staff and key project stakeholders. The consultant should consider how reflection and learning can be promoted, both through the evaluation process and in the communication of evaluation findings and key lessons. Clear and concise writing is required on all evaluation deliverables. Draft and final versions of the main evaluation report will be shared with key stakeholders by the Evaluation Manager. There may, however, be several intended audiences, each with different interests and needs regarding the report. The Evaluation Manager will plan with the consultant(s) which audiences to target and the easiest and clearest way to communicate the key evaluation findings and lessons to them. This may

include some or all of the following; a webinar, conference calls with relevant stakeholders, the preparation of an evaluation brief or interactive presentation.

vii. Objective of the Evaluation

In line with the UN Environment Evaluation Policy²² and the UN Environment Programme Manual²³, the Terminal Evaluation (TE) is undertaken at 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 operational improvement, learning and knowledge sharing through results and lessons learned among UN Environment and the main project partners such as the National Council for Protected Areas (CONAP), Ministry of Environment and Natural Resources (MARN), Ministry of Culture and Sport (MICUDE), San Carlos University Faculty of Agronomy (FAUSAC), Centre for Conservation Studies (CECON), Institute for Ethnic Studies, San Carlos University (IDEI), Sotzil, and Junej Tinam. Therefore, the evaluation will identify lessons of operational relevance for future project formulation and implementation.

viii. Key Strategic Questions

In addition to the evaluation criteria outlined in Section 10 below, the evaluation will address the **strategic questions** listed below. These are questions of interest to UN Environment and to which the project is believed to be able to make a substantive contribution:

To what degree of success has the project met the identified need for developing a robust national policy, legal and regulatory framework for accessing Genetic Resources (GR), protecting Traditional Knowledge (TK) and ensuring benefit sharing?

Has the project contributed to, and is it likely in the future to further contribute to, changes in stakeholder behaviour as a result of the project's direct outcomes? What is the likelihood of those changes in turn leading to less pressure on biodiversity and promoting rural development?

Have findings from the pilot projects been widely disseminated and are adequate mechanisms in place for stakeholders to have access to project findings and updated information as this becomes available?

Has information generated by the project been developed into guidelines that the government and other stakeholders could use to catalyse action by stakeholders for increased use/adoption of ABS measures at the local/community level?

ix. Evaluation Criteria

All evaluation criteria will be rated on a six-point scale. Sections A-I below, outline the scope of the criteria and a link to a table for recording the ratings is provided in Annex 1). A weightings table will be provided in excel format (link provided in Annex 1) to support the determination of an overall project rating. The set of evaluation criteria are grouped in nine categories: (A) Strategic Relevance; (B) Quality of Project Design; (C) Nature of External Context; (D) Effectiveness, which comprises assessments of the delivery of outputs, achievement of outcomes and likelihood of impact; (E) Financial Management; (F) Efficiency; (G) Monitoring and Reporting; (H) Sustainability; and (I) Factors Affecting Project Performance. The evaluation consultants can propose other evaluation criteria as deemed appropriate.

Strategic Relevance

The evaluation will assess, in line with the OECD/DAC definition of relevance, *'the extent to which the activity is suited to the priorities and policies of the target group, recipient and donor'*. The evaluation will include an assessment of the project's relevance in relation to UN Environment's mandate and its alignment with UN Environment's policies and strategies at the time of project approval. Under strategic relevance an assessment of the complementarity of the project with other interventions addressing the needs of the same target groups will be made. This criterion comprises four elements:

i. Alignment to the UN Environment Medium Term Strategy²⁴ (MTS) and Programme of Work (POW)

The evaluation should assess the project's alignment with the MTS and POW under which the project was approved and include, in its narrative, reflections on the scale and scope of any contributions made to the planned results reflected in the relevant MTS and POW.

²² <http://www.unep.org/eou/StandardsPolicyandPractices/UNEPEvaluationPolicy/tabid/3050/language/en-US/Default.aspx>

²³ http://www.unep.org/QAS/Documents/UNEP_Programme_Manual_May_2013.pdf . *This manual is under revision.*

²⁴ UN Environment's Medium Term Strategy (MTS) is a document that guides UN Environment's programme planning over a four-year period. It identifies UN Environment's thematic priorities, known as Sub-programmes (SP), and sets out the desired outcomes, known as Expected Accomplishments (EAs), of the Sub-programmes.

ii. *Alignment to UN Environment / Donor/GEF Strategic Priorities*

Donor, including GEF, strategic priorities will vary across interventions. UN Environment strategic priorities include the Bali Strategic Plan for Technology Support and Capacity Building²⁵ (BSP) and South-South Cooperation (S-SC). The BSP relates to the capacity of governments to: comply with international agreements and obligations at the national level; promote, facilitate and finance environmentally sound technologies and to strengthen frameworks for developing coherent international environmental policies. S-SC is regarded as the exchange of resources, technology and knowledge between developing countries. GEF priorities are specified in published programming priorities and focal area strategies.

iii. *Relevance to Regional, Sub-regional and National Environmental Priorities*

The evaluation will assess the extent to which the intervention is suited, or responding to, the stated environmental concerns and needs of the countries, sub-regions or regions where it is being implemented. Examples may include: national or sub-national development plans, poverty reduction strategies or Nationally Appropriate Mitigation Action (NAMA) plans or regional agreements etc.

iv. *Complementarity with Existing Interventions*

An assessment will be made of how well the project, either at design stage or during the project mobilization, took account of ongoing and planned initiatives (under the same sub-programme, other UN Environment sub-programmes, or being implemented by other agencies) that address similar needs of the same target groups. The evaluation will consider if the project team, in collaboration with Regional Offices and Sub-Programme Coordinators, made efforts to ensure their own intervention was complementary to other interventions, optimized any synergies and avoided duplication of effort. Examples may include UN Development Assistance Frameworks or One UN programming. Linkages with other interventions should be described and instances where UN Environment's comparative advantage has been particularly well applied should be highlighted.

Factors affecting this criterion may include:

- Stakeholders' participation and cooperation
- Responsiveness to human rights and gender equity
- Country ownership and driven-ness

x. Quality of Project Design

The quality of project design is assessed using an agreed template during the evaluation inception phase, ratings are attributed to identified criteria and an overall Project Design Quality rating is established (www.unep.org/evaluation). This overall Project Design Quality rating is entered in the final evaluation ratings table as item B. In the Main Evaluation Report a summary of the project's strengths and weaknesses at design stage is included, while the complete Project Design Quality template is annexed in the Inception Report.

Factors affecting this criterion may include (at the design stage):

- Stakeholders participation and cooperation
- Responsiveness to human rights and gender equity

xi. C. Nature of External Context

At evaluation inception stage a rating is established for the project's external operating context (considering the prevalence of conflict, natural disasters and political upheaval). This rating is entered in the final evaluation ratings table as item C. Where a project has been rated as facing either an Unfavourable or Highly Unfavourable external operating context, and/or a negative external event has occurred during project implementation, the ratings for Effectiveness, Efficiency and/or Sustainability may be increased at the discretion of the Evaluation Consultant and Evaluation Manager together. A justification for such an increase must be given.

xii. D. Effectiveness

xiii. Delivery of Outputs

The evaluation will assess the project's success in producing the programmed outputs (*products, capital goods and services resulting from the intervention*) and achieving milestones as per the project design document (ProDoc). Any formal modifications/revisions made during project implementation will be considered part of the project design. Where the project outputs are inappropriately or inaccurately stated in the ProDoc, reformulations may be necessary in the reconstruction of the TOC. In such cases a table should be provided showing the original and the reformulation of the outputs for transparency. The delivery of outputs will be assessed in terms of both quantity and quality, and the

²⁵ <http://www.unep.org/GC/GC23/documents/GC23-6-add-1.pdf>

assessment will consider their ownership by, and usefulness to, intended beneficiaries and the timeliness of their delivery. The evaluation will briefly explain the reasons behind the success or shortcomings of the project in delivering its programmed outputs and meeting expected quality standards.

Factors affecting this criterion may include:

- Preparation and readiness
- Quality of project management and supervision²⁶

xiv. Achievement of Direct Outcomes

The achievement of direct outcomes (short and medium-term effects of the intervention's outputs; a change of behaviour resulting from the use/application of outputs, which is not under the direct control of the intervention's direct actors) is assessed as performance against the direct outcomes as defined in the reconstructed²⁷ Theory of Change. These are the first-level outcomes expected to be achieved as an immediate result of project outputs. As in 1, above, a table can be used where substantive amendments to the formulation of direct outcomes is necessary. The evaluation should report evidence of attribution between UN Environment's intervention and the direct outcomes. In cases of normative work or where several actors are collaborating to achieve common outcomes, evidence of the nature and magnitude of UN Environment's 'substantive contribution' should be included and/or 'credible association' established between project efforts and the direct outcomes realised.

Factors affecting this criterion may include:

- Quality of project management and supervision
- Stakeholders' participation and cooperation
- Responsiveness to human rights and gender equity
- Communication and public awareness

xv. Likelihood of Impact

Based on the articulation of longer term effects in the reconstructed TOC (*i.e. from direct outcomes, via intermediate states, to impact*), the evaluation will assess the likelihood of the intended, positive impacts becoming a reality. Project objectives or goals should be incorporated in the TOC, possibly as intermediate states or long term impacts. The Evaluation Office's approach to the use of TOC in project evaluations is outlined in a guidance note available on the Evaluation Office website, <https://www.unenvironment.org/about-un-environment/evaluation> and is supported by an excel-based flow chart, 'Likelihood of Impact Assessment Decision Tree'. Essentially the approach follows a 'likelihood tree' from direct outcomes to impacts, taking account of whether the assumptions and drivers identified in the reconstructed TOC held. Any unintended positive effects should also be identified and their causal linkages to the intended impact described.

The evaluation will also consider the likelihood that the intervention may lead, or contribute to, unintended negative effects. Some of these potential negative effects may have been identified in the project design as risks or as part of the analysis of Environmental, Social and Economic Safeguards.²⁸

The evaluation will consider the extent to which the project has played a catalytic role or has promoted scaling up and/or replication²⁹ as part of its Theory of Change and as factors that are likely to contribute to longer term impact.

²⁶ In some cases 'project management and supervision' will refer to the supervision and guidance provided by UN Environment to implementing partners and national governments while in others, specifically for GEF funded projects, it will refer to the project management performance of the executing agency and the technical backstopping provided by UN Environment.

²⁷ UN Environment staff are currently required to submit a Theory of Change with all submitted project designs. The level of 'reconstruction' needed during an evaluation will depend on the quality of this initial TOC, the time that has lapsed between project design and implementation (which may be related to securing and disbursing funds) and the level of any changes made to the project design. In the case of projects pre-dating 2013 the intervention logic is often represented in a logical framework and a TOC will need to be constructed in the inception stage of the evaluation.

²⁸ Further information on Environmental, Social and Economic Safeguards (ESES) can be found at <http://www.unep.org/about/eses>

²⁹ *Scaling up* refers to approaches being adopted on a much larger scale, but in a very similar context. Scaling up is often the longer term objective of pilot initiatives. *Replication* refers to approaches being repeated or lessons being explicitly applied in new/different contexts e.g. other geographic areas, different target group etc. Effective replication typically requires some form of revision or adaptation to the new context. It is possible to replicate at either the same or a different scale.

Ultimately UN Environment and all its partners aim to bring about benefits to the environment and human well-being. Few projects are likely to have impact statements that reflect such long-term or broad-based changes. However, the evaluation will assess the likelihood of the project to make a substantive contribution to the high-level changes represented by UN Environment's Expected Accomplishments, the Sustainable Development Goals³⁰ and/or the high level results prioritised by the funding partner.

Factors affecting this criterion may include:

- Quality of Project Management and Supervision (including adaptive management)
- Stakeholders participation and cooperation
- Responsiveness to human rights and gender equity
- Country ownership and driven-ness
- Communication and public awareness

xvi. E. Financial Management

Financial management will be assessed under two themes: *completeness* of financial information and *communication* between financial and project management staff. The evaluation will establish the actual spend across the life of the project of funds secured from all donors. This expenditure will be reported, where possible, at output level and will be compared with the approved budget. The evaluation will assess the level of communication between the Project/Task Manager and the Fund Management Officer as it relates to the effective delivery of the planned project and the needs of a responsive, adaptive management approach. The evaluation will verify the application of proper financial management standards and adherence to UN Environment's financial management policies. Any financial management issues that have affected the timely delivery of the project or the quality of its performance will be highlighted.

Factors affecting this criterion may include:

- Preparation and readiness
- Quality of project management and supervision

xvii. F. Efficiency

In keeping with the OECD/DAC definition of efficiency the evaluation will assess the extent to which the project delivered maximum results from the given resources. This will include an assessment of the cost-effectiveness and timeliness of project execution. Focussing on the translation of inputs into outputs, cost-effectiveness is the extent to which an intervention has achieved, or is expected to achieve, its results at the lowest possible cost. Timeliness refers to whether planned activities were delivered according to expected timeframes as well as whether events were sequenced efficiently. The evaluation will also assess to what extent any project extension could have been avoided through stronger project management and identify any negative impacts caused by project delays or extensions. The evaluation will describe any cost or time-saving measures put in place to maximise results within the secured budget and agreed project timeframe and consider whether the project was implemented in the most efficient way compared to alternative interventions or approaches.

The evaluation will give special attention to efforts by the project teams to make use of/build upon pre-existing institutions, agreements and partnerships, data sources, synergies and complementarities with other initiatives, programmes and projects etc. to increase project efficiency. The evaluation will also consider the extent to which the management of the project minimised UN Environment's environmental footprint.

The factors underpinning the need for any project extensions will also be explored and discussed. As management or project support costs cannot be increased in cases of 'no cost extensions', such extensions represent an increase in unstated costs to implementing parties.

Factors affecting this criterion may include:

- Preparation and readiness (e.g. timeliness)
- Quality of project management and supervision
- Stakeholders participation and cooperation

xviii. G. Monitoring and Reporting

³⁰ A list of relevant SDGs is available on the EO website www.unep.org/evaluation

The evaluation will assess monitoring and reporting across three sub-categories: monitoring design and budgeting, monitoring implementation and project reporting.

xix. Monitoring Design and Budgeting

Each project should be supported by a sound monitoring plan that is designed to track progress against SMART³¹ indicators towards the delivery of the projects outputs and achievement of direct outcomes, including at a level disaggregated by gender, vulnerability or marginalisation. The evaluation will assess the quality of the design of the monitoring plan as well as the funds allocated for its implementation. The adequacy of resources for mid-term and terminal evaluation/review should be discussed if applicable.

i. Monitoring of Project Implementation

The evaluation will assess whether the monitoring system was operational and facilitated the timely tracking of results and progress towards projects objectives throughout the project implementation period. This should include monitoring the representation and participation of disaggregated groups (including gendered, vulnerable and marginalised groups) in project activities. It will also consider how information generated by the monitoring system during project implementation was used to adapt and improve project execution, achievement of outcomes and ensure sustainability. The evaluation should confirm that funds allocated for monitoring were used to support this activity.

ii. Project Reporting

UN Environment has a centralised Project Information Management System (PIMS) in which project managers upload six-monthly status reports against agreed project milestones. This information will be provided to the Evaluation Consultant(s) by the Evaluation Manager. Some projects have additional requirements to report regularly to funding partners, which will be supplied by the project team (e.g. the Project Implementation Reviews and Tracking Tool for GEF-funded projects). The evaluation will assess the extent to which both UN Environment and donor reporting commitments have been fulfilled. Consideration will be given as to whether reporting has been carried out with respect to the effects of the initiative on disaggregated groups.

Factors affecting this criterion may include:

- Quality of project management and supervision
- Responsiveness to human rights and gender equity (e.g. disaggregated indicators and data)

xx. H. Sustainability

Sustainability is understood as the probability of direct outcomes being maintained and developed after the close of the intervention. The evaluation will identify and assess the key conditions or factors that are likely to undermine or contribute to the persistence of achieved direct outcomes (ie. 'assumptions' and 'drivers'). Some factors of sustainability may be embedded in the project design and implementation approaches while others may be contextual circumstances or conditions that evolve over the life of the intervention. Where applicable an assessment of bio-physical factors that may affect the sustainability of direct outcomes may also be included.

i. Socio-political Sustainability

The evaluation will assess the extent to which social or political factors support the continuation and further development of project direct outcomes. It will consider the level of ownership, interest and commitment among government and other stakeholders to take the project achievements forwards. In particular the evaluation will consider whether individual capacity development efforts are likely to be sustained.

ii. Financial Sustainability

Some direct outcomes, once achieved, do not require further financial inputs, e.g. the adoption of a revised policy. However, in order to derive a benefit from this outcome further management action may still be needed e.g. to undertake actions to enforce the policy. Other direct outcomes may be dependent on a continuous flow of action that needs to be resourced for them to be maintained, e.g. continuation of a new resource management approach. The evaluation will assess the extent to which project outcomes are dependent on future funding for the benefits they bring to be sustained. Secured future funding is only relevant to financial sustainability where the direct outcomes of a project have been extended into a future project phase. Even where future funding has been secured, the question still remains as to whether the project outcomes are financially sustainable.

iii. Institutional Sustainability

The evaluation will assess the extent to which the sustainability of project outcomes (especially those relating to policies and laws) is dependent on issues relating to institutional frameworks and governance. It will consider whether institutional achievements such as governance structures and processes, policies, sub-regional agreements, legal and

³¹ SMART refers to indicators that are specific, measurable, assignable, realistic and time-specific.

accountability frameworks etc. are robust enough to continue delivering the benefits associated with the project outcomes after project closure. In particular, the evaluation will consider whether institutional capacity development efforts are likely to be sustained.

Factors affecting this criterion may include:

- Stakeholders participation and cooperation
- Responsiveness to human rights and gender equity (e.g. where interventions are not inclusive, their sustainability may be undermined)
- Communication and public awareness
- Country ownership and driven-ness

xxi. Factors and Processes Affecting Project Performance

(These factors are rated in the ratings table, but are discussed within the Main Evaluation Report as cross-cutting themes as appropriate under the other evaluation criteria, above)

i. Preparation and Readiness

This criterion focuses on the inception or mobilisation stage of the project (ie. the time between project approval and first disbursement). The evaluation will assess whether appropriate measures were taken to either address weaknesses in the project design or respond to changes that took place between project approval, the securing of funds and project mobilisation. In particular the evaluation will consider the nature and quality of engagement with stakeholder groups by the project team, the confirmation of partner capacity and development of partnership agreements as well as initial staffing and financing arrangements. *(Project preparation is included in the template for the assessment of Project Design Quality).*

ii. Quality of Project Management and Supervision

In some cases 'project management and supervision' will refer to the supervision and guidance provided by UN Environment to implementing partners and national governments while in others, specifically for GEF funded projects, it will refer to the project management performance of the executing agency and the technical backstopping and supervision provided by UN Environment.

The evaluation will assess the effectiveness of project management with regard to: providing leadership towards achieving the planned outcomes; managing team structures; maintaining productive partner relationships (including Steering Groups etc.); communication and collaboration with UN Environment colleagues; risk management; use of problem-solving; project adaptation and overall project execution. Evidence of adaptive management should be highlighted.

iii. Stakeholder Participation and Cooperation

Here the term 'stakeholder' should be considered in a broad sense, encompassing all project partners, duty bearers with a role in delivering project outputs and target users of project outputs and any other collaborating agents external to UN Environment. The assessment will consider the quality and effectiveness of all forms of communication and consultation with stakeholders throughout the project life and the support given to maximise collaboration and coherence between various stakeholders, including sharing plans, pooling resources and exchanging learning and expertise. The inclusion and participation of all differentiated groups, including gender groups should be considered.

iv. Responsiveness to Human Rights and Gender Equity

The evaluation will ascertain to what extent the project has applied the UN Common Understanding on the human rights based approach (HRBA) and the UN Declaration on the Rights of Indigenous People. Within this human rights context the evaluation will assess to what extent the intervention adheres to UN Environment's Policy and Strategy for Gender Equality and the Environment.

In particular the evaluation will consider 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.

v. Country Ownership and Driven-ness

The evaluation will assess the quality and degree of engagement of government / public sector agencies in the project. While there is some overlap between Country Ownership and Institutional Sustainability, this criterion focuses primarily on the forward momentum of the intended projects results, ie. either a) moving forwards from outputs to direct outcomes or b) moving forward from direct outcomes towards intermediate states. The evaluation will consider the involvement

not only of those directly involved in project execution and those participating in technical or leadership groups, but also those official representatives whose cooperation is needed for change to be embedded in their respective institutions and offices. This factor is concerned with the level of ownership generated by the project over outputs and outcomes and that is necessary for long term impact to be realised. This ownership should adequately represent the needs of interest of all gendered and marginalised groups.

vi. Communication and Public Awareness

The evaluation will assess the effectiveness of: a) communication of learning and experience sharing between project partners and interested groups arising from the project during its life and b) public awareness activities that were undertaken during the implementation of the project to influence attitudes or shape behaviour among wider communities and civil society at large. The evaluation should consider whether existing communication channels and networks were used effectively, including meeting the differentiated needs of gendered or marginalised groups, and whether any feedback channels were established. Where knowledge sharing platforms have been established under a project the evaluation will comment on the sustainability of the communication channel under either socio-political, institutional or financial sustainability, as appropriate.

Section 3. EVALUATION APPROACH, METHODS AND DELIVERABLES

The Terminal 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 as appropriate to determine project achievements against the expected outputs, outcomes and impacts. It is highly recommended that the consultant(s) maintains close communication with the project team and promotes information exchange throughout the evaluation implementation phase in order to increase their (and other stakeholder) ownership of the evaluation findings. Where applicable, the consultant(s) should provide a geo-referenced map that demarcates the area covered by the project and, where possible, provide geo-reference photographs of key intervention sites (e.g. sites of habitat rehabilitation and protection, pollution treatment infrastructure, etc.)

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

(a) A **desk review** of:

Relevant background documentation;

Project design documents (including minutes of the project design review meeting at approval); Annual Work Plans and Budgets or equivalent, revisions to the project (Project Document Supplement), the logical framework and its budget;

Project reports such as six-monthly progress and financial reports, progress reports from collaborating partners, meeting minutes, relevant correspondence and including the Project Implementation Reviews and Tracking Tool etc.;

Project outputs;

Mid-Term Review of the project;

(b) **Interviews** (individual or in group) with:

UN Environment Task Manager (TM);

Project management team;

UN Environment Fund Management Officer (FMO);

Sub-Programme Coordinator;

Project partners, including National Council for Protected Areas (CONAP), Ministry of Environment and Natural Resources (MARN), Ministry of Culture and Sport (MICUDE), San Carlos University Faculty of Agronomy (FAUSAC), Centre for Conservation Studies (CECON), Institute for Ethnic Studies, San Carlos University (IDEI), Sotzil, and Junej Tinam.

Other relevant resource persons.

Surveys - as deemed appropriate, and based on the stakeholders analysis

Field visits to include meetings with relevant project participants. The 2 pilot sites are Rabinal and San Juan la Laguna. Both sites were involved in several different types of pilot activities for Components 2 and 3, including curriculum/teaching material development in local languages, Traditional Knowledge catalogue development, and market access.

Other data collection tools - as will be found appropriate to supplement information from the other sources

xxii. Evaluation Deliverables and Review Procedures

The evaluation team will prepare:

- **Inception Report:** (see Annex 1 for links to all templates, tables and guidance notes) containing an assessment of project design quality, a draft reconstructed Theory of Change of the project, project stakeholder analysis, evaluation framework and a tentative evaluation schedule.
- **Preliminary Findings Note:** typically in the form of a powerpoint presentation, the sharing of preliminary findings is intended to support the participation of the project team, act as a means to ensure all information sources have been accessed and provide an opportunity to verify emerging findings.
- **Draft and Final Evaluation Report:** (see links in Annex 1) containing an executive summary that can act as a stand alone document; detailed analysis of the evaluation findings organised by evaluation criteria and supported with evidence; lessons learned and recommendations and an annotated ratings table.
- **Evaluation Bulletin:** a 2-page summary of key evaluation findings for wider dissemination through the EOU website.

Review of the draft evaluation report. The evaluation team will submit a draft report to the Evaluation Manager and revise the draft in response to their comments and suggestions. Once a draft of adequate quality has been peer-reviewed and accepted, the Evaluation Manager will share the cleared draft report with the Project Manager, who will alert the Evaluation Manager in case the report contains any blatant factual errors. The Evaluation Manager will then forward revised draft report (corrected by the evaluation team where necessary) to other project stakeholders, for their review and comments. Stakeholders may provide feedback on any errors of fact and may highlight the significance of such errors in any conclusions as well as providing feedback on the proposed recommendations and lessons. Any comments or responses to draft reports will be sent to the Evaluation Manager for consolidation. The Evaluation Manager will provide all comments to the evaluation team for consideration in preparing the final report, along with guidance on areas of contradiction or issues requiring an institutional response.

Based on a careful review of the evidence collated by the evaluation consultants and the internal consistency of the report, the Evaluation Manager will provide an assessment of the ratings in the final evaluation report. Where there are differences of opinion between the evaluator and the Evaluation Manager on project ratings, both viewpoints will be clearly presented in the final report. The Evaluation Office ratings will be considered the final ratings for the project.

The Evaluation Manager will prepare a **quality assessment** of the first and final drafts of the main evaluation report, which acts as a tool for providing structured feedback to the evaluation consultants. The quality of the report will be assessed and rated against the criteria specified in template listed in Annex 1 and this assessment will be appended to the Final Evaluation Report.

At the end of the evaluation process, the Evaluation Office will prepare a **Recommendations Implementation Plan** in the format of a table, to be completed and updated at regular intervals by the Task Manager. The Evaluation Office will track compliance against this plan on a six monthly basis.

xxiii. The Evaluation Consultant

For this evaluation, one consultant will work under the overall responsibility of the Evaluation Office represented by an Evaluation Manager (Pauline Marima), in consultation with the UN Environment Task Manager (Robert Erath or Thais Narciso), Fund Management Officer (Paul Vrontamitis) and the Sub-programme Coordinator of the Environmental Governance Sub-programme (Cristina Zucca). The consultant will liaise with the Evaluation Manager on any procedural and methodological matters related to the evaluation. It is, however, the consultant's individual responsibility to arrange for their travel, visa, obtain documentary evidence, plan meetings with stakeholders, organize online surveys, and any other logistical matters related to the assignment. The UN Environment Task Manager and project teams will, where possible, provide logistical support (formal introductions, meetings etc.) allowing the consultant to conduct the evaluation as efficiently and independently as possible.

The consultant will be hired over the period mid-September 2018 to mid-March 2019 during which time the evaluation deliverables listed in Section 10 'Evaluation Deliverables' above should be submitted.

S/he should have: an advanced university degree in sciences, evaluation experience preferably using a Theory of Change approach, at least 15 years' experience in environmental management or a related field, with a preference for specific expertise in the area of biodiversity conservation. Knowledge of English and Spanish languages, along with excellent writing skills in English is required. Experience in managing partnerships, knowledge management and communication is desirable for all evaluation consultants.

The consultant will be responsible, in close consultation with the Evaluation Office of UN Environment, for overall management of these evaluations and timely delivery of their outputs, described above in Section 10 Evaluation Deliverables, above. The consultant will ensure that all evaluation criteria and questions are adequately covered. Detailed guidelines for the Evaluation Consultant can be found on the Evaluation Office of UN Environment website: (<http://web.unep.org/evaluation/working-us/working-us>).

Specific Responsibilities:

The Consultant will be responsible, in close consultation with the Evaluation Office of UN Environment, for overall management of the evaluation and timely delivery of its outputs, described in Section 10 Evaluation Deliverables, above. The consultant will ensure that all evaluation criteria and questions are adequately covered. S/he will be responsible for the evaluation design, data collection and analysis, and report-writing. More specifically:

Inception phase of the evaluation, including:

- preliminary desk review and introductory interviews with project staff;
- draft the reconstructed Theory of Change of the project;
- prepare the evaluation framework;
- develop the desk review, interview protocols, and data collection and analysis tools;
- plan the evaluation schedule;
- prepare the Inception Report, incorporating comments received from the Evaluation Office.

Data collection and analysis phase of the evaluation, including:

- conduct further desk review and in-depth interviews with project implementing and executing agencies, project partners and project stakeholders;
- conduct an evaluation mission to Turkey and India to visit the project locations, interview project partners and stakeholders, including a good representation of local communities. Ensure independence of the evaluation and confidentiality of evaluation interviews.
- regularly report back to the Evaluation Office on progress and inform of any possible problems or issues encountered and;
- keep the Project/Task Manager informed of the evaluation progress and engage the Project/Task Manager in discussions on emerging findings throughout the evaluation process.

Reporting phase, including:

- draft the Main Evaluation Report, ensuring that the evaluation report is complete, coherent and consistent with the Evaluation Office guidelines both in substance and style;
- liaise with the Evaluation Office on comments received and finalize the Main Evaluation Report, ensuring that comments are taken into account
- prepare a Response to Comments annex for the main report, listing those comments not accepted by the Evaluation Consultant and indicating the reason for the rejection; and
- prepare a 2-page summary of the key evaluation findings and lessons;

Managing relations, including:

- maintain a positive relationship with evaluation stakeholders, ensuring that the evaluation process is as participatory as possible but at the same time maintains its independence;
- communicate in a timely manner with the Evaluation Office on any issues requiring its attention and intervention.

xxiv. Schedule of the evaluation

The table below presents the tentative schedule for the evaluation.

Table 3. Tentative schedule for the evaluation

Table 4. Tentative schedule for the evaluation

Milestone	Tentative schedule
Kick-off meeting (via Skype)	Mid-September 2018

Milestone	Tentative schedule
Inception Report	September 2018
Data collection and analysis, desk-based interviews and surveys	September-November 2018
Field Mission to Rabinal and San Juan la Laguna (based on meeting arrangements)	October 2018
Preliminary findings note	November 2018
Draft report to Evaluation Manager (and Peer Reviewer)	November/December 2018
Draft Report shared with UN Environment Task Manager and Project Team	December 2018
Draft Report shared with wider group of stakeholders	January/February 2019
Final Report	Mid-March 2019

xxv. Contractual Arrangements

Evaluation Consultant will be selected and recruited by the Evaluation Office of UN Environment under an individual Special Service Agreement (SSA) on a “fees only” basis (see below). By signing the service contract with UN Environment/UNON, the consultant(s) 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. All consultants are required to sign the Code of Conduct Agreement Form.

Fees will be paid on an instalment basis, paid on acceptance by the Evaluation Manager of expected key deliverables. The schedule of payment is as follows:

Table 3: Schedule of Payment for the Consultant:

Deliverable	Percentage Payment
Approved Inception Report (as per annex document 7)	30%
Approved Draft Main Evaluation Report (as per guidelines in annex 1)	40%
Approved Final Main Evaluation Report	30%

78. **Fees only contracts:** Air tickets will be purchased by UN Environment and 75% of the DSA for each authorised travel mission will be paid up front. Local in-country travel will only be reimbursed where agreed in advance with the Evaluation Office and on the production of acceptable receipts. Terminal expenses and residual DSA entitlements (25%) will be paid after mission completion.

79. The consultant may be provided with access to UN Environment’s Programme Information Management System (PIMS) and if such access is granted, the consultant agrees not to disclose information from that system to third parties beyond information required for, and included in, the evaluation report. In case the consultant is not able to provide the deliverables in accordance with these guidelines, and in line with the expected quality standards by the UN Environment Evaluation Office, payment may be withheld at the discretion of the Director of the Evaluation Office until the consultants have improved the deliverables to meet UN Environment’s quality standards.

80. If the consultant fails to submit a satisfactory final product to UN Environment in a timely manner, i.e. before 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 consultants’ fees by an amount equal to the additional costs borne by the Evaluation Office to bring the report up to standard.

ANNEX 3: LIST OF PEOPLE MET

GUATEMALA - LIST of PEOPLE MET (15-26/10/2018)

NAME	POSITION & INSTITUTION
Mr José Luis Echeverria	Director of Directorate of Valuation and Conservation of Biological Diversity – CONAP – Project National Director echeverriatello@gmail.com
Ms Paola Coti Lux	ABS Advisor – CONAP – (former Project Consultant – Rabinal Team) paola.cotilux@gmail.com
Ms Gloria M. Apen	Director of the Unit for IPLCs – CONAP Gloria.apen@gmail.com
Ms Zonia Zacharias	ABS Consultant (GIZ/CONAP), member of the “Organisation of Indigenous Women and Biodiversity”. zezcus25@gmail.com
Mr Rafael Cetina	Legal Advisor - CONAP
Mr Helmer Ayala	Former Project Manager – dagoayala@gmail.com
Mr Mauricio J. Garcia	Former Project Consultant (met in San Juan de la Laguna) <i>(The NFP of the PGRFA in Guatemala as at the conclusion of this Terminal Evaluation (April 2019) is Mr. Álvaro Ramos Méndez, Director of the Directorate of Phytozoogenetics and Native Resources at MAGA</i> construorganic@gmail.com)
Ms Magdalena Ixquiactap	Former Project Consultant (Component 2) (met in Sololà)
Mr Juan Rolando Villeda	Project Admin. Assistant (Helvetas) juanrolando.villeda@helvetas.org
Mr Isaias Rodrigues	Project Accountant – Helvetas
Ms Silvia Garcia	Resp. Dept. Rights of Authors / Register of Intellectual Property (Min. of Economy). Member of the Steering Committee. sgarcia@rpi.gob.gt
Mr José Vicente Martinez	Professor – Faculty of Agronomy – Univ. of San Carlos (USAC). Member of the Steering Committee. Josevm2000@yahoo.com
Mr Mauricio Hernandez de la Parra	Programme Officer Biotechnology, Biosecurity, Nat. Focal Point for International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA), Min. of Agriculture, Livestock and Food Bioteconologiabiaseguridad.maga@gmail.com
Ms Luisa M. Fernandez	Resp. Dept. of Ecosystems – Min. of Environment and Natural Resources. Member of the Steering Committee lmfernandez@marn.gob.gt

Ms Mercedes Barrios	Coordinator of the Data Center of the Center for Conservation Studies (CECON) of the USAC. Member of the Steering Committee mercedesbarrios@gmail.com
Ms Rebecca Orellana	Researcher at the CECON
Ms M. Teresa Mosquera	Coordinator at the Institute of Interethnic Studies of USAC. Member of the Steering Committee. Teresa.mosquera@usac.edu.gt
Ms Patricia de la Roca	Researcher Inst. Interethnic Studies USAC
Mr Jorge Lu	Lawyer – USAID Consultant (former officer at CONAP) Jorge.Lupalencia@gmail.com
Mr Ramiro Batzin	Director Sotz'il – (met in Chimaltenango). Member of the Steering Committee batzinr@gmail.com
Ms Yeshing Upin Yos	Programme assistant Sotz'il
Meetings in Rabinal (Dept. Baja Verapaz)	
Mr Alfredo Camaja and Mr Fermin Vasquez	Officers of the Dept. Office of Baja Verapaz of the Min. of Education
Mr Elias Xitumul	Exec. Secretary of the Municipal Council of Rabinal
Eight Representative (joint meeting)	Representative of Civil Society groups and associations, IPLCs groups, Local Steering Committee, COMUDES
Five representatives (joint meeting)	Artisans of Rabinal
Five representatives (joint meeting)	Teachers of the Pilot Primary Schools
Meetings in San Juan del Sur (Dept. Sololà)	
Meeting with Teachers	Teachers of the Pilot Primary School "E. Gomes Carrillo"
Municipality of San Juan	Meeting with the Exec. Secretary, the Mayor and members of the Municipal Council of the Municipality of San Juan
Meetings with Artisans and Fishermen	Joint meeting (four participants)

Interviews (Skype) and / or email exchange

Ms Marianela Araya (skype and e-mail)	Former Task Manager at UN Env. Regional Office Panama. Current Program Officer at CBD Secretariat marianela.araya@cbd.int
Ms Gloritzel Frangakis (e-mail)	Programme Assistant – UN Env. Regional Office Panama gloritzel.frangakis@un.org

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ANNEX 4: SUMMARY CO-FINANCE INFORMATION AND STATEMENT OF PROJECT EXPENDITURE BY ACTIVITY

Budget (GEF) at design and expenditures by Activity (UN Environment Budget Lines - November 2018)

Budget Line	Description	Estimated cost at design (USD)	Actual Cost (USD)	Expenditure ratio (actual/planned)
1101	Project National Coordinator	98,127	102,930	102%
1102	Project Personnel	0	32,280	
1202	National Consultants	464,200	438,686	95%
1601	Personnel and Travels	0	21,759	
1999	Sub-total Project Component (Project Personnel & Consultants)	612,327	595,655	97%
2301	Sub-contracts with Private	0	4,928	
2999	Sub-total (Sub Contracts)	0	4,928	
3201	Training (group)	84,000	83,895	100%
3301	Meetings	54,000	45,379	84%
3999	Sub-total (Training)	138,000	129,274	94%
4101	Office material and consumable	8,000	3,709	46%
4201	Equipment (non-lab)	9,581	11,804	123%
4999	Sub-total (Equipment & Premises)	17,581	15,513	88%
5201	Publications	28,219	22,789	81%
5303	Technical Support	25,000	0	0
5375.3	UNDP Charges	53,373	73,971	139%
5999	Sub-total (Miscellaneous)	106,592	96,760	91%
Total		874,500	842,130	96%

Co-financing Table (GEF Projects only) (updated March 2018)

Co-financing (Type/Source)	UNEP own Financing (US\$1,000)		Government (including University and Municipalities) (US\$1,000)		Other* (US\$1,000)		Total (US\$1,000)		Total Disbursed (US\$1,000)
	Planned	Actual	Planned	Actual	Planned	Actual	Planned	Actual	
Grants			100				100		
In-kind support	20		612	962	240	148	872	1,110	
Totals	20		712	962	240	148	972	1,110	1,110 (114%)

* This refers to contributions mobilized for the project from other multilateral agencies, bilateral development cooperation agencies, NGOs, the private sector and beneficiaries.

ANNEX 5: EVALUATION BRIEF

Duration: 48 months (March 2014-March 2018)

GEF Allocation: USD 874,500

Project Objective was “to develop policy and legal frameworks and institutional mechanisms for **Access and Benefit Sharing (ABS)**, in order to strengthen biodiversity conservation, promote rural development and support climate change adaptation” in Guatemala.

The National Executing Agency was the Nat. Council for Protected Areas /CONAP), also Competent Nat. Authority for the CBD and the Nagoya Protocol.

The Projects focussed on two main components:

- **Institutional Support:** elaboration and approval of a National ABS Policy and a National ABS Law;
- **Field Component** to pilot initiatives linking the sustainable use of Genetic Resources (GR) and Traditional Knowledge (TK) to Rural Development.

RELEVANCE

Guatemala is a “megadiverse country”, center of origin and of domestication of several food crops. The country has also an extraordinary cultural diversity, with at least 40% of its population of Indigenous origin, mainly belonging to Maya socio-linguistic groups.



Socio-economic inequality is high in Guatemala. Indigenous Populations and Local Communities (IPLCs) are still marginalised from socio-economic national development. According to National Survey of 2014, people living in conditions of “extreme poverty” represented 15,2% of the population, but this percentage was 39,8% among the indigenous population.

CHALLENGES and PERFORMANCE

Project implementation has coincided with a very “turbulent” moment of the socio-political life of the country. Unfavourable political context and unstable institutional environment have represented extraordinary challenges for the project, coupled with the conflicting issue of equitable access and management of Biodiversity and Genetic Resources (and the Traditional Knowledge related to them).

Nevertheless, through an inclusive approach developed and several “Rounds of Dialogue” with IPLCs, the Project has delivered some relevant Institutional Outputs, such as:

- A “National Policy of Genetic Resources and Bio-Cultural Heritage of the Indigenous People in Guatemala” prepared and approved by CONAP;
- A Draft Law on “Protection of Biological Diversity and Bio-Cultural Heritage of Guatemala”.



Maize varieties of Guatemala

- At field level, the Project has developed some interesting “pilot experiences” and produced:
 - Two catalogues / inventories of GR and TK in two pilot areas (one published, the second one not being authorised by the traditional authorities);
 - A training module on “Traditional Knowledge” introduced in Pilot Primary Schools of the two pilot sites (8 pedagogical guides published, 70.000 copies distributed);



Young generations meet community “grandfathers”

Some initiatives for linking the use of local GR and TK with the socio-economic development of the rural communities, like the system “*morro-nijil*” (for the production of handcrafts from the “calabash tree”) and the use of the “*Tul*” (aquatic plant of the Atitlan Lake for the enhancement of fish habitats and production of straw handcrafts).



“calabash tree” (morro) artisanal products

The WAY FORWARD: PERSPECTIVES and CHALLENGES

As some stakeholders said, the Project “opened a breach” and was “a first attempt from which everybody can learn now”. The Draft Law will be further revised and improved at CONAP level (already on-going) and, hopefully, with other partner institutions (e.g. the University of San Carlos).

The unexpected “suspension” of the ratification of the Nagoya Protocol in 2016 by the Constitutional Court (following a request of indigenous leaders, groups and organisations claiming that the Protocol had been ratified without the necessary “quorum”), has brought about an unprecedented situation and raise concerns about the future ABS regulatory regime in the country.

There is an overall feeling of mistrust of Civil Society groups, Indigenous People and Local Communities, and the Public in general, towards the political “establishment”, which is undermining the socio-political sustainability of the “ABS agenda”.



“Tul” plants in Lake Atitlan

We have “serious doubts regarding the equitable sharing of benefits derived from the genetic resources that ABS is proposing”, one interviewed said, in a rural community during the evaluation.

The “Territorial Inventories” to be soon implemented by CONAP through the National Fund for Conservation (FONACON) can be used as an instrument of dialogue and participation with the IPLCs.

To strengthen the capacity of IPLCs to conserve the biodiversity and the genetic resources in their territories (IPLCs-driven conservation) by integrating their bio-cultural heritage, seems the only viable strategy, independently from the existence of a national ABS law.



Artisan working the “Morro” Calabash at Rabinal

ANNEX 6: List of Documents Officially Published and Distributed by the Project

Listado de Publicaciones del Proyecto ABS-Guatemala “Acceso a los conocimientos tradicionales y reparto justo de beneficios para la promoción de la conservación de la diversidad biológica y el desarrollo rural”

1. CONAP. 2016. Informe de avances de Proyecto, ABS Guatemala: Acceso a los conocimientos tradicionales y reparto de beneficios para la promoción de la conservación de la diversidad biológica y el desarrollo rural. Documento Informativo No. 02-2016.
2. CONAP. 2016. Rondas de diálogo con pueblos indígenas y comunidades locales. Documento Informativo No. 07-2016.
3. CONAP. 2016. Propuesta de Política sobre Recursos Genéticos y Patrimonio Biocultural. Documento técnico No. 31-2016.
4. CONAP. 2017. Catálogo de Conocimientos tradicionales del Pueblo Tz’utujil de San Juan La Laguna, Sololá. Documento técnico 01-2017.
5. CONAP. 2017. Guía del estudiante para el aprendizaje del Patrimonio Biocultural de Rabinal, Baja Verapaz, Primero Primaria. Documento Educativo No. 01- 2017 (01).
6. CONAP. 2017. Guía del estudiante para el aprendizaje del Patrimonio Biocultural de Rabinal, Baja Verapaz, Segundo Primaria. Documento Educativo No. 01- 2017 (02).
7. CONAP. 2017. Guía del estudiante para el aprendizaje del Patrimonio Biocultural de Rabinal, Baja Verapaz, Tercero Primaria. Documento Educativo No. 01- 2017 (03).
8. CONAP. 2017. Guía del estudiante para el aprendizaje del Patrimonio Biocultural de Rabinal, Baja Verapaz, Cuarto Primaria. Documento Educativo No. 01- 2017 (04).
9. CONAP. 2017. Guía del estudiante para el aprendizaje del Patrimonio Biocultural de Rabinal, Baja Verapaz, Quinto Primaria. Documento Educativo No. 01- 2017 (05).
10. CONAP. 2017. Guía del estudiante para el aprendizaje del Patrimonio Biocultural de Rabinal, Baja Verapaz, Sexto Primaria. Documento Educativo No. 01- 2017 (06).
11. CONAP. 2017. Guía de profesores para la enseñanza del patrimonio biocultural a niños de primaria de Rabinal, Baja Verapaz. Documento Educativo No. 01- 2017 (07).
12. CONAP. 2017. Patrimonio Biocultural, Documento de apoyo para estudiantes de enseñanza media. Documento Educativo No. 01-2017 (08)
13. CONAP. 2017. Guía del estudiante para el aprendizaje del Patrimonio Biocultural de San Juan la Laguna, Sololá, Primero Primaria. Documento Educativo No. 02- 2017 (01).
14. CONAP. 2017. Guía del estudiante para el aprendizaje del Patrimonio Biocultural de San Juan la Laguna, Sololá, Segundo Primaria. Documento Educativo No. 02- 2017 (02).
15. CONAP. 2017. Guía del estudiante para el aprendizaje del Patrimonio Biocultural de San Juan la Laguna, Sololá, Tercero Primaria. Documento Educativo No. 02- 2017 (03).

16. CONAP. 2017. Guía del estudiante para el aprendizaje del Patrimonio Biocultural de San Juan la Laguna, Sololá, Cuarto Primaria. Documento Educativo No. 02- 2017 (04).
17. CONAP. 2017. Guía del estudiante para el aprendizaje del Patrimonio Biocultural de San Juan la Laguna, Sololá, Quinto Primaria. Documento Educativo No. 02- 2017 (05).
18. CONAP. 2017. Guía del estudiante para el aprendizaje del Patrimonio Biocultural de San Juan la Laguna, Sololá, Sexto Primaria. Documento Educativo No. 02- 2017 (06).
19. CONAP. 2017. Guía de profesores para la enseñanza del patrimonio biocultural a niños de primaria. Documento Educativo No. 02- 2017 (07).
20. CONAP. 2018. Experiencias piloto de acceso al patrimonio biocultural en Guatemala. Documento técnico No. 02-2018.
21. CONAP. 2018. Portadores Culturales del pueblo Achí de Rabinal, y el pueblo Tz'utujil de San Juan la Laguna. Documento técnico 03-2018.
22. CONAP. 2018. Rondas Regionales de Dialogo con Pueblos Indígenas y Comunidades Locales. Documento técnico 04-2018.
23. CONAP. 2018. Construcción de medidas legales para garantizar el reparto justo de beneficios derivados de los usos del patrimonio biocultural y los recursos genéticos en Guatemala. Documento técnico 05-2018.

ANNEX 7: LIST OF DOCUMENTS CONSULTED

Project and GEF / UN Environment Documents:

Project:

- Terms of Reference of the Terminal Evaluation
- Evaluation Criteria and Ratings Table (UN Environment, 2017)
- Evaluation Process Outline for Evaluation Consultants (UN Environment, 2017)
- Guidance on the Structure and Contents of the Inception Report (UN Environment, 2017)
- Template for the Assessment of Project Design Quality (UN Environment, 2017)
- Stakeholder Analysis in the Evaluation Process (UN Environment, 2017)
- Use of Theory of Change in project evaluations (UN Environment, 2017)
- ROTI - Review of Outcomes to Impact: Practitioners Handbook, 2009, GEF
- Project Document "ABS Guatemala: Access to and Benefit Sharing and Protection of Traditional Knowledge to Promote Biodiversity Conservation and Sustainable Use" and its Annexes (in ANUBIS)
- Mid-Term Review Report of the TM (2015)
- From ANUBIS: PIRs, Budget Revisions, Audit Reports, Consultants reports, Steering Committee reports, etc.
- **All Documents listed in Annex 6 above**

Global:

- Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization to the Convention on Biological Diversity
- Bali Strategic Plan for Technology Support and Capacity- building
- UN Environment Medium-term Strategy 2014–2017
- IUCN, An Explanatory Guide to the Nagoya Protocol on Access and Benefit-sharing, 2012
- Strategic plan for Biodiversity 2011-20 (CBD Secretariat)
- GEF Investments in Support of Access and Benefit Sharing (ABS), GEF, 2012
- Terminal Evaluation Report of the project Strengthening the implementation of access to genetic resources and benefit-sharing regimes in Latin America and the Caribbean (ABS LAC) 2016

a) Documents and sources regarding existing National Policies and Strategies

- The Biological Diversity Policy (2011)
- The NBSAP (Nat. Biodiversity Strategy and Action Plan, 2012-2020)
- The existing Rural Development Policy (2006)
- The existing Land Tenure and Registry Policy
- "Encuesta Nacional de Condiciones de Vida 2014", published in 2016, Instituto Nacional de Estadística, INE
- "Nota técnica de país sobre cuestiones de los pueblos indígenas Republica de Guatemala", CADPI/IFAD, 2017
- The Report (2018) of the United Nations Special Rapporteur on the rights of indigenous peoples in Guatemala

<https://www.cbd.int/>

<http://conap.gob.gt/>

<http://www.wipo.int/portal/en/index.html>

<http://www.fao.org/plant-treaty/en/>

<http://www.worldbank.org/en/country/guatemala/overview>

<https://www.iucn.org/theme/global-policy/our-work/convention-biological-diversity-cbd/nagoya-protocol>
<https://www.bbc.com/news/world-latin-america-19635877>
[https://www.thegef.org/projects?f\[\]=field_country:70](https://www.thegef.org/projects?f[]=field_country:70)

ANNEX 8: BRIEF CV OF THE CONSULTANT

Camillo Risoli (Italy, 1953) is a seasoned international expert in rural development and environmental management. He has a long experience (more than 30 years) in the implementation, coordination and management of projects and programs in Africa and Latin America, with different donors and agencies. Capacity and Institution Building for Rural Development is his main area of expertise.

Camillo has worked as an expert, a chief technical adviser and an independent consultant for UN agencies (FAO, UNEP), Bi-lateral Cooperations (SDC – Swiss Cooperation, Italian cooperation, EC Delegations) and for International NGOs. He has been Team Leader in Long-Term Missions in Nicaragua (1980-82), Cape Verde (1986-96), Mozambique (1996-99) and Zimbabwe (2003-2005).

Food Security and Poverty Reduction have been at the core of his professional commitment, through Community-based projects and participatory actions, Organization & training of rural associations, Sustainable land use and agriculture, Partnership strengthening and networking (Public, Private, Civil Society) for decentralised and participatory local development.

Mainstreaming Environmental issues in Pro-Poor Strategies has been a main component of his action, through Soil & water conservation projects, Reforestation and agro-forestry initiatives, Watershed management and land use planning, Sustainable management of natural resources (soil, water, forests and bio-diversity).

Camillo has acquired a robust experience in advising on national policies and strategic planning for rural development, a solid background in PCM (Programme Cycle Management) and strong skills in Project Monitoring & Evaluation (M&E).

Since 2005, he works as an Independent Consultant and has carried out and led relevant Evaluation missions, such as the Mozambique National Action Plan for Food Security (FAO), the LADA Project - Land Degradation Assessment in Drylands (FAO/UNEP-GEF) in Argentina and China, the Post-Conflict Rural Development in Ivory Coast (FAO/ADB), the setting of the M&E System for FAO/CLCPRO Program (Commission for Locust Control in Western Africa and Maghreb Region), the terminal evaluation of the FAO Programme of Food Security through Commercialization in West Africa (Gambia, Guinea, Liberia, Senegal, Sierra Leone) and the Evaluation of FAO's Decentralization in Latin America & the Caribbean (2013).

From 2012 on, Camillo has carried-out the Biosafety National Frameworks Evaluation (UNEP-GEF) in Kenya, Namibia, Poland, Lithuania, Czech Republic and Slovakia (2012), Bhutan, Lao PDR and Mongolia (2014), Albania, Macedonia and Egypt (2015), Ghana, Liberia and Nigeria (2017) and the Final Evaluation of the Global GEF/UNEP Programme (123 countries) "Development of National Biosafety Frameworks" (2016).

Camillo has a graduate degree in Agricultural Sciences, a Post-Graduate Diploma in Environmental Management at London University and a PhD in Adult Education. He has published with FAO training manuals and methodological guides for trainers and extensionists.

Camillo is currently engaged in the creation of a small private company in partnership with farmers' associations (out-growing scheme) for the development of a profitable value-chain of Aloe Vera in Cape Verde.

ANNEX 9: QUALITY ASSESSMENT OF THE EVALUATION REPORT

All UN Environment evaluations are subject to a quality assessment by the Evaluation Office. This is an assessment of the quality of the evaluation product (i.e. evaluation report) and is dependent on more than just the consultant's efforts and skills. Nevertheless, the quality assessment is used as a tool for providing structured feedback to the evaluation consultants, especially at draft report stage. This guidance is provided to support consistency in assessment across different Evaluation Managers and to make the assessment process as transparent as possible.

	UN Environment Evaluation Office Comments	Final Report Rating
Substantive Report Quality Criteria		
<p>Quality of the Executive Summary:</p> <p>The Summary should be able to stand alone as an accurate summary of the main evaluation product. It should include a concise overview of the evaluation object; clear summary of the evaluation objectives and scope; overall evaluation rating of the project and key features of performance (strengths and weaknesses) against exceptional criteria (plus reference to where the evaluation ratings table can be found within the report); summary of the main findings of the exercise, including a synthesis of main conclusions (which include a summary response to key strategic evaluation questions), lessons learned and recommendations.</p>	<p>The executive summary captures all the key features required in the Executive Summary</p>	6
<p>I. Introduction</p> <p>A brief introduction should be given identifying, where possible and relevant, the following: institutional context of the project (sub-programme, Division, regions/countries where implemented) and coverage of the evaluation; date of PRC approval and project document signature); results frameworks to which it contributes (e.g. Expected Accomplishment in POW); project duration and start/end dates; number of project phases (where appropriate); implementing partners; total secured budget and whether the project has been evaluated in the past (e.g. mid-term, part of a synthesis evaluation, evaluated by another agency etc.)</p> <p>Consider the extent to which the introduction includes a concise statement of the purpose of the evaluation and the key intended audience for the findings?</p>	<p>Precise, well written and captures the main introductory points as recommended by the TOR</p>	6

<p>II. Evaluation Methods</p> <p>This section should include a description of how the <i>TOC at Evaluation</i>³² was designed (who was involved etc.) and applied to the context of the project?</p> <p>A data collection section should include: a description of evaluation methods and information sources used, including the number and type of respondents; justification for methods used (e.g. qualitative/quantitative; electronic/face-to-face); any selection criteria used to identify respondents, case studies or sites/countries visited; strategies used to increase stakeholder engagement and consultation; details of how data were verified (e.g. triangulation, review by stakeholders etc.).</p> <p>The methods used to analyse data (e.g. scoring; coding; thematic analysis etc.) should be described.</p> <p>It should also address evaluation limitations such as: low or imbalanced response rates across different groups; extent to which findings can be either generalised to wider evaluation questions or constraints on aggregation/disaggregation; any potential or apparent biases; language barriers and ways they were overcome.</p> <p>Ethics and human rights issues should be highlighted including: how anonymity and confidentiality were protected and strategies used to include the views of marginalised or potentially disadvantaged groups and/or divergent views.</p>	<p>This section is complete, concise, and the approach and methods used have been described in sufficient detail.</p>	<p>6</p>
<p>III. The Project</p> <p>This section should include:</p> <ul style="list-style-type: none"> • <i>Context</i>: Overview of the main issue that the project is trying to address, its root causes and consequences on the environment and human well-being (i.e. synopsis of the problem and situational analyses). • <i>Objectives and components</i>: Summary of the project's results hierarchy as stated in the ProDoc (or as officially revised) 	<p>This section is also complete and sufficiently covers all the required sub-topics in a detailed yet clear and concise manner. The recommended revisions for improvement have been made in the final draft</p>	<p>6</p>

³² During the Inception Phase of the evaluation process a TOC at Design is created based on the information contained in the approved project documents (these may include either logical framework or a TOC or narrative descriptions). During the evaluation process this TOC is revised based on changes made during project intervention and becomes the TOC at Evaluation.

<ul style="list-style-type: none"> • <i>Stakeholders</i>: Description of groups of targeted stakeholders organised according to relevant common characteristics • <i>Project implementation structure and partners</i>: A description of the implementation structure with diagram and a list of key project partners • <i>Changes in design during implementation</i>: Any key events that affected the project's scope or parameters should be described in brief in chronological order • <i>Project financing</i>: Completed tables of: (a) budget at design and expenditure by components (b) planned and actual sources of funding/co-financing 		
<p>IV. Theory of Change</p> <p>A summary of the project's results hierarchy should be presented for: a) the results as stated in the approved/revised Prodoc logframe/TOC and b) as formulated in the TOC at Evaluation. <i>The two results hierarchies should be presented as a two column table to show clearly that, although wording and placement may have changed, the results 'goal posts' have not been 'moved'</i>. The TOC at Evaluation should be presented clearly in both diagrammatic and narrative forms. Clear articulation of each major causal pathway is expected, (starting from outputs to long term impact), including explanations of all drivers and assumptions as well as the expected roles of key actors.</p>	<p>The TOC diagram is coherent and is a result of a consultative process. The narrative provides an objective explanation of the causal pathways depicted in the diagram presented, systematically from outputs to outcomes and through to impact. Drivers and Assumptions, as well as the change agents along these pathways are also described. Critical pathways that were overlooked in the draft (e.g. mechanism of reimbursement to communities from the commercial access/use of their GR and TK, education component, generally the 'Benefit Sharing' part of ABS were recommended to be included in the TOC. The recommended revisions have been made in the final draft</p>	6
<p>V. Key Findings</p> <p>A. Strategic relevance:</p> <p>This section should include an assessment of the project's relevance in relation to UN Environment's mandate and its alignment with UN Environment's</p>	<p>Section covers the four main aspects of relevance prescribed in the TOR. Suggestions for further elaboration, for instance explanation of linkages and complementarities, were provided and the</p>	6

<p>policies and strategies at the time of project approval. An assessment of the complementarity of the project with other interventions addressing the needs of the same target groups should be included. Consider the extent to which all four elements have been addressed:</p> <ul style="list-style-type: none"> v. Alignment to the UN Environment Medium Term Strategy (MTS) and Programme of Work (POW) vi. Alignment to UN Environment/GEF/Donor Strategic Priorities vii. Relevance to Regional, Sub-regional and National Environmental Priorities viii. Complementarity with Existing Interventions 	<p>recommended revisions have been made in the final draft</p>	
<p>B. Quality of Project Design</p> <p>To what extent are the strength and weaknesses of the project design effectively <u>summarized</u>?</p>	<p>A summary of the project's strengths and weaknesses at design stage is included. The PDQ assessment that was completed at the inception phase has been referred to support the assessment.</p>	<p>6</p>
<p>C. Nature of the External Context</p> <p>For projects where this is appropriate, key external features of the project's implementing context that may have been reasonably expected to limit the project's performance (e.g. conflict, natural disaster, political upheaval) should be described.</p>	<p>The TE sufficiently describes the external operating context. Implications on project performance have been mentioned</p>	<p>6</p>
<p>D. Effectiveness</p> <p>(i) Outputs and Direct Outcomes: How well does the report present a well-reasoned, complete and evidence-based assessment of the achievement of a) outputs, and b) direct outcomes? How convincing is the discussion of attribution and contribution, as well as the limitations to attributing effects to the intervention.</p>	<p>The delivery of outputs has been assessed in terms of both quantity and quality. Evidence is provided to support the assessment. Elements of ownership and usefulness to intended beneficiaries are included. The chapter also presents a quantitative and qualitative analysis of the achievement of Outcomes achieved in the light of the reconstructed Theory of Change (TOC),</p>	<p>6</p>

	also supported by evidence. Reasons behind the success or shortcomings in effectiveness have been covered to varying degrees of detail. Recommended revisions have been made in the final draft	
<p>(ii) Likelihood of Impact: How well does the report present an integrated analysis, guided by the causal pathways represented by the TOC, of all evidence relating to likelihood of impact?</p> <p>How well are change processes explained and the roles of key actors, as well as drivers and assumptions, explicitly discussed?</p>	The assessment for this criterion follows logically from the assessment of outputs and outcomes A more robust analysis of Intermediate States was recommended and revisions have been made satisfactorily in the final draft	5
<p>E. Financial Management</p> <p>This section should contain an integrated analysis of all dimensions evaluated under financial management. And include a completed 'financial management' table.</p> <p>Consider how well the report addresses the following:</p> <ul style="list-style-type: none"> • <i>completeness</i> of financial information, including the actual project costs (total and per activity) and actual co-financing used • <i>communication</i> between financial and project management staff and • <i>compliance</i> with relevant UN financial management standards and procedures. 	The section covers aspects of completeness, compliance and communication, as per guidance. Assessment could have benefited from more in-depth explanations to support the rating conferred. Minor improvements on the assessment have been noted in the final draft.	4.5
<p>F. Efficiency</p> <p>To what extent, and how well, does the report present a well-reasoned, complete and evidence-based assessment of efficiency under the primary categories of cost-effectiveness and timeliness including:</p> <ul style="list-style-type: none"> • Implications of delays and no cost extensions • Time-saving measures put in place to maximise results within the secured budget and agreed project timeframe • Discussion of making use of/building on pre-existing institutions, agreements and partnerships, data sources, synergies and 	Section has been covered as per guidelines. Findings have been presented adequately and some examples and cross referencing provided to support the assessment. Improvements made in the final draft to expound on the implications of delays on project performance	5

<p>complementarities with other initiatives, programmes and projects etc.</p> <ul style="list-style-type: none"> The extent to which the management of the project minimised UN Environment’s environmental footprint. 		
<p>G. Monitoring and Reporting</p> <p>How well does the report assess:</p> <ul style="list-style-type: none"> Monitoring design and budgeting (<i>including SMART indicators, resources for MTE/R etc.</i>) Monitoring implementation (<i>including use of monitoring data for adaptive management</i>) Project reporting (<i>e.g. PIMS and donor report</i>) 	<p>Section has been covered as per guidelines. Findings have been presented adequately. Suggested improvements were included in the final draft</p>	5
<p>H. Sustainability</p> <p>How well does the evaluation identify and assess the key conditions or factors that are likely to undermine or contribute to the persistence of achieved direct outcomes including:</p> <ul style="list-style-type: none"> Socio-political Sustainability Financial Sustainability Institutional Sustainability (<i>including issues of partnerships</i>) 	<p>One gets a good idea of the status of all the dimensions of sustainability. The recommended revisions have been made in the final draft</p>	5
<p>I. Factors Affecting Performance</p> <p>These factors are <u>not</u> discussed in stand-alone sections but are integrated in criteria A-H as appropriate. To what extent, and how well, does the evaluation report cover the following cross-cutting themes:</p> <ul style="list-style-type: none"> Preparation and readiness Quality of project management and supervision³³ Stakeholder participation and co-operation Responsiveness to human rights and gender equity Country ownership and driven-ness Communication and public awareness 	<p>The required sub-criteria are all covered to varying levels of detail throughout the report.</p>	5
<p>VI. Conclusions and Recommendations</p> <p>i. Quality of the conclusions: The key strategic questions should be clearly and succinctly addressed</p>	<p>The conclusions section is well developed and presents the most critical findings of the evaluation – both strengths and weaknesses</p>	6

³³ In some cases ‘project management and supervision’ will refer to the supervision and guidance provided by UN Environment to implementing partners and national governments while in others, specifically for GEF funded projects, it will refer to the project management performance of the executing agency and the technical backstopping provided by UN Environment.

<p>within the conclusions section?</p> <p>It is expected that the conclusions will highlight the main strengths and weaknesses of the project, and connect them in a compelling story line. Conclusions, as well as lessons and recommendations, should be consistent with the evidence presented in the main body of the report.</p>	<p>are discussed. Responses to the key strategic questions are included and are anchored on findings in the report. Summary of ratings is included. Suggestions offered to improve the text were included in the final draft</p>	
<p>ii) Quality and utility of the lessons: Both positive and negative lessons are expected and duplication with recommendations should be avoided. Based on explicit evaluation findings lessons should be rooted in real project experiences or derived from problems encountered and mistakes made that should be avoided in the future. Lessons must have the potential for wider application and use and should briefly describe the context from which they are derived and those contexts in which they may be useful.</p>	<p>The lessons are relevant and based on findings. The recommended revisions have been made in the final draft to improve contextual information.</p>	5
<p>iii) Quality and utility of the recommendations:</p> <p>To what extent are the recommendations proposals for specific actions to be taken by identified people/position-holders to resolve concrete problems affecting the project or the sustainability of its results. They should be feasible to implement within the timeframe and resources available (including local capacities) and specific in terms of who would do what and when. Recommendations should represent a measurable performance target in order that the Evaluation Office can monitor and assess compliance with the recommendations.</p>	<p>The recommendations are relevant and feasible. <i>(The agent is the Executing Agency and these recommendations can only be communicated to them).</i></p>	5
VII. Report Structure and Presentation Quality		
<p>i) Structure and completeness of the report: To what extent does the report follow the Evaluation Office guidelines? Are all requested Annexes included and complete?</p>	<p>Final draft follows the EOU guidelines in terms of completeness and structure.</p>	6
<p>ii) Quality of writing and formatting:</p> <p>Consider whether the report is well written (clear English language and grammar) with language that is adequate in quality and tone for an official document? Do visual aids, such as maps and graphs convey key information? Does the report follow Evaluation Office formatting guidelines?</p>	<p>The report is written in clear English language that is easy to comprehend. Formatting is also okay.</p>	6

OVERALL REPORT QUALITY RATING	HS
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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.