

Strengthening Capacities for Implementation of the Nagoya Protocol in Nepal

End Term Review



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June, 2022

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Acknowledgments

We would like to express our deep sense of gratitude to the Project Management Unit/ Ministry of Forests and Environment and IUCN Nepal for entrusting us this interesting assignment of conducting End Term Review of the 'Strengthening Capacities for Implementation of the Nagoya Protocol in Nepal'. We would like to thank National Project Director, Country Representative of IUCN, and officials of Project Management Unit and Project Execution Unit for their insight into the project and providing valuable information.

We are grateful to the community members of Sikles, Madi Rural Municipality, Kaski; Lwangghalel, Machhapuchhre Rural Municipality, Kaski; Jungu, Gaurishankar Rural Municipality, Dolakha; and officials of Gandaki Provincial Forest Directorate, Pokhara for candidly sharing their experience and concerns.

The ETR Team

Abbreviations and Acronyms

ABS	Access and benefit-sharing
ABS-GEF	Strengthening Capacities for Implementation of the Nagoya Protocol in Nepal Project
ABSSAP	Access to Genetic Resources and Benefit Sharing Strategy and Action Plan
ABT	Aichi Biodiversity Target
ACAP	Annapurna Conservation Area Project
ACOFUN	Association of Collaborative Forest Users, Nepal
ADS	Agriculture Development Strategy
BMC	Biodiversity Management Committee
CAMC	Conservation Area Management Committee
CBD	Convention on Biological Diversity
CFUG	Community Forest User Group
CGIAR	Consultative Group on International Agricultural Research
CNA	Competent National Authority
CP	Community Protocol
CS	Citizen Scientist
CSO	Civil Society Organization
DAC	Development Assistance Committee
DANAR	Dalit Association for Natural Resources
DFO	Division Forest Office
DNA	Deoxyribonucleic acid
DPCC	District Project Coordination Committee
DPR	Department of Plant Resources
DSCO	District Soil Conservation Office
DSI	Digital Sequence Information
EBD	Environment and Biodiversity Division
FAO	Food and Agriculture Organization
FECOFUN	Federation of Community Forestry Users Nepal
FGD	Focused Group Discussion
FNCCI	Federation of Nepalese Chambers of Commerce and Industry
GEF	Global Environment Facility
GESI	Gender Equity and Social Inclusion
GoN	Government of Nepal
GoN-NPC	Government of Nepal, National Planning Commission
ICIMOD	International Centre for Integrated Mountain Development
IMISAP	Implementation-Strategy-and-Action-Plan
I-NGO	International Non-Government Organization
IPBES	Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services.
IPLCs	Indigenous Peoples and Local Communities
IMISAP	Implementation Strategy and Action Plan
ITPGRF	International Treaty on Plant Genetic Resources
ITPGRFA	International Treaty on Plant Genetic Resources for Food and Agriculture
ITPGRFA-MLS	International Treaty on Plant Genetic Resources for Food and Agriculture and Multilateral System

IUCN	International Union for Conservation of Nature
LI-BIRD	Local Initiatives for Biodiversity Research and Development
MAT	Mutually Agreed Terms
MoAD	Ministry of Agriculture Development
MoALD	Ministry of Agriculture, Livestock Development
MoALRC	Ministry of Agriculture, Land Reform and Cooperative
MoLJPA	Ministry of Law, Justice, and Parliamentary Affairs
MoFE	Ministry of Forests and Environment
MoFSC	Ministry of Forests and Soil Conservation
MTA	Material Transfer Agreement
MTR	Mid Term Review
NARC	Nepal Agriculture Research Council
NBSAP	National Biodiversity Strategy and Action Plan 2014-2020
NEFIN	Nepal Federation of Indigenous Nationalities
NGO	Non- Government Organizations
NGRCC	National Genetic Resource Coordination Council
NPD	National Project Director
OECD	Organization for Economic Cooperation and Development
PEU	Project Execution Unit
PGR	Plant Genetic Resources
PGRFA	Plant Genetic Resources for Food and Agriculture
PIC	Prior Informed Consent
PMU	Project Management Unit
PSC	Project Steering Committee
RNA	Ribonucleic acid
SAWTEE	South Asia Watch on Trade, Economics and Environment
SDG	Sustainable Development Goals
SM	Social Mobiliser
SMTA	Standard Material Transfer Agreement
TK	Traditional Knowledge
TOT	Training of Trainers
TU	Tribhuvan University
TUCDB	Tribhuvan University Central Department of Botany
TYP	Three Year Plan
UNDP	United Nations Development Programme
UNFCCC	United Nations Framework Convention on Climate Change
VDC	Village Development Committee

Project Identification

Project Title	Strengthening Capacities for the Implementation of the Nagoya Protocol in Nepal	
Country	Nepal	GEF Project ID:
GEF Agency(ies):	IUCN	GEF Agency Project ID:
Other Executing Partner(s):	Ministry of Forests and Environment Government of Nepal	Submission Date: 17 February 2016
GEF Focal Area(s):	Biodiversity	Project Duration (Months): 30

Project budget

Sources financing	Type financing	Amount (\$)
GEF	In cash	1,500,000
Co-financing		0
- Ministry of Forests and Environment	In kind	3,000,000
- Federation of Nepalese Chambers of Commerce and Industries (FNCCI)	In kind	10,000
- Tribhuvan University - Central department of Botany	In kind	15,000
- IUCN Nepal	In kind	43,574
Total (cash+ kind)		4,568,574
Breakdown of GEF contribution		1,500,000
Agency fee		123,853
Available cash with the executing agency		1,376,147

Executive Summary

Project Overview

The Ministry of Forests and Environment (MoFE) initiated a two-and-half-year-long project 'Strengthening capacities for implementation of the Nagoya Protocol in Nepal', also called ABS-GEF, in late 2016 with the technical support of IUCN Nepal and financial support from the Global Environment Facility (GEF). The objective of the project is to build the capacity of key stakeholders at national, sub-national, and local levels to implement ABS in Nepal. The project had three components:

- Component 1: Policy, Rules, and Regulation;
- Component 2: Capacity needs and Training; and
- Component 3: Education, Public Awareness, and Communication

The Project was implemented in three Pilot field sites: Lwangghalel (Machhapuchhre Rural Municipality Wards 8 and 9) and Parche (Madi Rural Municipality Ward 1) in Kaski District and Jungu of Gaurishankar Rural Municipality (Wards 1 and 2) in Dolakha District. The total budget of the Project is USD 4,444,721, which includes a GEF grant of USD 1,376,147 and co-financing of USD 3,068,574, mostly in kind from the Government of Nepal and other project partners.

Although the Project was planned to complete by April 30, 2019, it had four no-cost extensions and finally the Project was completed on April 30, 2022. These extensions were sought as some of the activities were planned to be executed upon passing of the ABS Bill, which did not happen during the Project duration, and later the delay was due to the COVID-19 pandemic. Some activities were amended and added during the extension period.

End Term Review

As the Project came to an end, after the no-cost extensions, the MoFE and IUCN Nepal, as executing and implementing agencies, conducted an End Term Review (ETR), as required for all the medium sized GEF financed projects.

The purpose of the End Term Review is to provide an independent external view of the progress of the Project against the planned output and deliverables, and to provide feedback and recommendations to the MoFE and the stakeholders in the implementation of ABS mechanism in Nepal.

The ETR followed consultative approach and an evaluation matrix was developed following OECD (Organization for Economic Cooperation and Development)- DAC (Development Assistance Committee) revised criteria. The methods included desk review, consultation with project officials, individual experts, partner organizations, and community members.

Findings

The ETR found that all the Project activities planned have been successfully completed. The major achievements of the project are:

- Database on stakeholders for ABS prepared
- Draft ABS Bill has been prepared
- Strategy and Action Plan for implementation of ABS at policy level prepared
- Draft regulations for implementation of ABS at policy level formulated
- Training materials to carry out trainings on ABS prepared
- Three Community Protocols developed, and process of preparation documented
- ABS related documents in Nepali published and disseminated
- A large pool of human resources on ABS (especially the government officials) has been developed
- Capacity, understanding, and awareness on ABS and documentation of traditional knowledge improved

Most important achievement has been Accession to the Nagoya Protocol on 28 December 2018; and Nepal became a party to the Nagoya Protocol on 28 March 2019. However, ABS Bill is yet to be passed by the Parliament.

The summary of the findings of the ETR are presented in the table below

Summary of MTR Findings

SN	Criteria	Rating	Key features
1	Relevancy	Relevant	Objectives of the Project are consistent with the Aichi Targets 16 and 18; Post-2020 Global Biodiversity Framework; ITPGRFA; Articles 51.g, 51.5, 51.10 of the Constitution of Nepal 2015; SDG 2, 5, and 15; Strategy 1 and 4 of the Fifteenth National Plan; and contributes to the National Forest Policy 2015; Agriculture Development Strategy 2016, Agro-biodiversity Policy 2014, NBSAP 2014-2020. Activities planned are relevant in contributing to the objectives of the Project. However, reservation has been expressed in piloting the project in only two sites of same agro-climatic/physiographic zone.
2	Achievement and Effectiveness	Satisfactory	All the activities planned were successfully completed. Some activities (such as ToT trainings in all the provinces, Gender Assessment) were added as the project implementation progressed and successfully completed. One of the key achievements has been Nepal's accession to the Nagoya Protocol on December 28, 2018 and became a party on March 28, 2019. A large pool of trained human resources on ABS has been developed at all levels of governance. These training of officials and citizen scientists have been effective.

			Publication of materials on ABS in Nepali language is very effective and the training manuals will help in expansion of such activities in other local levels.
3	Efficiency	Satisfactory	Although there was a considerable delay for several reasons at the initial phase, such delay was offset by the intense pace of implementation in 2018. However, COVID-19 affected the implementation of activities in later phase of the project and the Project had four no-cost extensions till April 30, 2022. The Project had a financial delivery of 99.68 % of the total proposed budget with a program expenses ratio of 90.87%. Human resources were effectively utilized, and Project followed adaptive management.
4	Sustainability	Likely	As being the government led and executed project, the institutional basis for sustainability is perpetual and strong. There has been good networking with relevant institutions both at national and local levels to enhance the sustainability of the effects. Some rural municipalities (Ward 9 of Machhapuchhre <i>Gaunpalika</i> in Kaski) have taken the initiative of documenting agrobiodiversity contributing to sustainability of the project effects.
5	Coherence	Coherent	The Project exhibited high level of coherence as there was high level of inter-dependency and complementarity among different components. Similarly, the Project was coherent to the national priorities and obligations.
6	Impact	Significant	The Project has developed human resources, and draft of institutional/legal framework to implement ABS Bill once it is passed and therefore the impact will be significant.

The Project had well developed mechanism for networking and coordination with other government and non-governmental agencies. The implementing relationship with the agencies as envisaged in the Project Document has resulted in complementarity.

Several factors affected the implementation of the Project by either facilitating or detracting. The project implementation in the first year was largely affected by the local level elections. The COVID-19 pandemic, which occurred in the late stage of the Project greatly affected the implementation of the activities planned for that period. 'Passing of ABS Bill' in the Parliament is largely affected by the overall political priority of the country and it could not be tabled during the Project period. Some activities (such as preparation of ABS Strategic and Action Plan, preparation of ABS regulations) were contingent upon passing of the Bill and were accordingly delayed. Those activities were nonetheless carried out based on the draft ABS Bill. The project followed adaptive management and incorporated most of the suggestions/recommendations of the Mid Term Review.

Out of the total approved budget of USD 1,376,147, the expenses booked as of closing of the project date (April 30, 2022) was 1,371,727.67 which is 99.68% of the total budget. The total expenses incurred in the three components is USD 624,665 which 45.5% of the total budget. Component-wise, Components 1,2, and 3 accounted for 28.76%, 53.7%, and 17.54% respectively. The overall ratio of program and administrative expenses is 90.87 % and 9.13%.

Recommendations

Since the Project has already completed, the recommendations set forth here deals mostly with sustaining the effects of Project and effective implementation of Nagoya Protocol in Nepal.

- Efforts should be made to pass the ABS Bill. ABSSAP, ABS Regulations, and trained human resources are already in place to implement the ABS Act once passed.
- In order to advance the implementation of ABS as soon as possible, Nepal should proceed to incorporate provisions of ABS mechanism into sectoral, including Forestry and Agriculture Sectors, and cross-sectoral, including Intellectual Property Rights (IPRs) legal policies.
- Policy debates should be initiated to establish functional and acceptable Competent National Authority for effective implementation of Nagoya Protocol. Nepal is required of information sharing related to ABS through the ABS Clearing House.
- Nepal, as a contracting party, should ensure that monetary and non-monetary benefits from the utilization of genetic resources in any form, including DSI and related traditional knowledge are shared fairly and equitably with the country of origin of those genetic resources and IPLCs.
- An improved integration of scientific, indigenous, and local knowledge under science-policy-practice interfaces at different levels to support ABS mechanism.
- Enhance capacities of disadvantaged groups in the ABS process
- Sensitization of ABS mechanism to larger audience
- The exploration of biodiversity for commercially valuable and socio-culturally important genetic resources is an important aspect of giving natural biodiversity an economic value.
- The learning of the project should be utilized to expand the capacities of the local governments to document and conserve their biodiversity resources. Efforts should be made to initiate a comprehensive initiative so that the local governments are strengthened to document and conserve their biodiversity resources. Institutions like IUCN can undertake such an initiative. Efforts should be made to incorporate ABS issues in future National Biodiversity Strategy and Action Plans.

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1. INTRODUCTION

1.1 Background

Nepal, as a contracting party to the Convention on Biological Diversity (CBD), is committed to conservation of biodiversity, sustainable use of biodiversity components, and fair and equitable sharing of the benefits from the utilization of genetic resources (UN 1992). The CBD was ratified by the Nepalese parliament in 1993 and enforced in 1994. The Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits arising from their Utilization (ABS) was adopted at the 10th Conference of the Parties (CoP) meeting on 29 October 2010 in Nagoya, Japan.

The objective of the Nagoya Protocol is fair and equitable sharing of benefits arising from the utilization of genetic resources, thereby contributing to the conservation and sustainable use of biodiversity and implementing the three objectives of the CBD. It also covers traditional knowledge (TK), skills, practices, and innovations of the Indigenous Peoples and Local Communities (IPLCs) associated with genetic resources that are covered by CBD and the benefits arising from its utilization. The House of Representatives and the National Assembly acceded to the Nagoya Protocol on 29 August 2018 and 11 September 2018, respectively. Subsequently, Nepal became a party to the Nagoya Protocol on March 28, 2019.

The Ministry of Forests and Environment (MoFE) initiated a two-and-half-year-long project 'Strengthening capacities for implementation of the Nagoya Protocol in Nepal', also called ABS-GEF, in late 2016 with the technical support of IUCN Nepal and financial support from Global Environment Facility (GEF). The objective of the project is to build the capacity of key stakeholders at national, sub-national, and local levels to implement ABS in Nepal. Although the project was planned to complete by April 30, 2019, it had four no-cost extensions and finally the Project was completed on April 30, 2022. These extensions were caused as some of the activities were planned to be executed upon passing of the ABS Bill, which did not happen during the Project duration, and later due to the COVID-19.

As the Project came to an end, after the no-cost extensions, the MoFE and IUCN Nepal, as executing and implementing agencies, have planned to conduct End Term Review (ETR), as required for all the medium sized GEF financed projects.

1.2 Purpose of End Term Review

The purpose of the End Term Review is to provide an independent external view of the progress of the project against the planned output and deliverables, and to provide feedback and recommendations to the MoFE and the stakeholders in the implementation of ABS mechanism in Nepal.

Specifically, the objectives of the End Term Review are to:

- Assess progress toward achievement of expected project outputs and outcomes;

- Assess the issues and challenges project faced during its design phase as well as during implementation and assess their impact in terms of project's delivery and sustainability of project results;
- Document lessons learned to contribute to sustainability of outputs and benefits generated from this project and support overall enhancement of ABS implementation in Nepal;
- Make concrete recommendations to help consolidate and support sustainability of project results; and
- Provide recommendation on way forward for implementation of ABS in Nepal outlining follow up activities

1.3 Methodology

The overall methodological approach of the ETR was guided by the principal purposes of the review as outlined in the TOR. The team followed consultative approach which involved refining evaluation matrix outlining the review questions, methods of information generation, selection of site for field study done with the Project Execution Unit team. The evaluation matrix developed through consultation is in Annex 7. The team followed the OECD (Organization for Economic Cooperation and Development) DAC (Development Assistance Committee) revised criteria to assess the project performance (OECD-DAC 2019).

During the inception phase, project documents such as project proposal, logical framework, annual progress reports, activity reports, policy briefs, joint monitoring reports, and publications on ABS were reviewed. In addition, other relevant national and international documents such as Aichi targets, CBD, SDGs, ADS, NBSAP, and national plans were also reviewed to contextualize the Project. Checklists for field study were prepared.

Field study was conducted from April 26 to 30 in both the Districts (detail in annexes 5 and 6). The team conducted Focus Group Discussions in Sikles of Madi Rural Municipality in Kaski District and Jungu of Gaurishankar Rural Municipality in Dolakha District. The ETR team also conducted interviews with the Officials of the Division Forest Office, Annapurna Conservation Area Project (ACAP), and secretary of Conservation Area Management Committee of ACAP in Kaski. Key Informant Interviews were conducted



Focus Group Discussion in Jungu, Dolakha

with the officials of Project Management Unit and Project Execution Unit in Kathmandu. The people met in field level and Kathmandu are listed in Annex 5.

The information generated from the consultation meetings and documents review were cross-checked and verified. The findings of the ETR rely both on primary and secondary source of information. The team adopted the rating system under different criteria from the OECD criteria (OECD-DAC 2019). The findings of the review were shared with the PMU and PEU and the suggestions comments were addressed.

The End Term Review of the Project took place well after cessation of most of the activities in the Project site and as such there was a limitation in consulting with the project beneficiaries/stakeholders in the field/districts and field project staff. Similarly, the timing of the field study which coincided with the campaigning for local election and short time available for field study did not allow meeting with the several intended project stakeholders.

1.4 Organization of the Report

The Review report consists of four chapters. The first chapter provides an overview of the Project, objectives of the review, and methodology followed. The Second chapter provides the information on objectives and expected outcomes of the Project and implementation modality. The Third chapter forms the crux of the report and assesses the Project in terms of the criteria set forth in the methodology section. The final fourth chapter is on summary, conclusion, and recommendation.

2. PROJECT OVERVIEW

2.1 Introduction

The Ministry of Forests and Environment (then Ministry of Forests and Soil Conservation) launched a GEF-funded project 'Strengthening Capacities for Implementation of the Nagoya Protocol in Nepal' (ABS-GEF) in November 2016. The Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization (ABS) was adopted at the tenth meeting of the Conference of the Parties to the Convention on Biological Diversity (CBD) on 29 October 2010, in Nagoya, Japan. Its objective 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 and implementing the three objectives of the CBD. The Nagoya Protocol also covers traditional knowledge (TK) associated with genetic resources that are covered by the CBD and the benefits arising from its utilization. The Government of Nepal, as a party to Nagoya Protocol, is committed to implement the provisions of ABS by formulating conducive national policies and programmes.

The Project was launched against the backdrop of: (i) Nepal's becoming a party to the CBD in 1994 and to the International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA) in 2010 (Dhakal et al. 2018), (ii) Nepal's effort to develop ABS law since 2001, and (iii) the Promulgation of the Constitution of Nepal in 2015 that establishes the conservation and sustainable use of biological resources are a policy of the State (Article 51(5)). Nepal developed draft ABS Bill in 2001 which was revised several times but still waiting for passing by the Parliament.

The project supports the MoFE to ensure that the draft ABS law meets constitutional requirements and adequately incorporates agrobiodiversity and implementation of the ITPGRFA and will also support to advocate its enactment. The project supports Nepal's contribution to meet following two Aichi Targets:

- Aichi Target 16, which focuses on implementing the Nagoya Protocol. The project will support the process of finalizing and enacting national ABS legislation and preparing implementing regulations; and
- Aichi Target 18, which calls for respecting traditional knowledge and integrating it into national efforts to implement the CBD and Nagoya Protocol with the full participation of indigenous and local communities.

The Project is implemented by the MoFE as executing agency with technical support from IUCN Nepal Country Office. Although the project was planned to complete by April 30, 2019, it had four no-cost extensions until April 30, 2022, owing to several factors described later. The total budget of the project is USD 4,444,721 which includes a GEF grant of USD 1,376,147

and co-financing of USD 3,068,574 mostly in kind from the Government of Nepal and other project partners.

2.2 Project objective and components

The Objective of the Project is to build the capacity of key stakeholders at national, sub-national, and local levels to implement ABS in Nepal. It intends to facilitate the Government of Nepal for the accession and implementation of the Nagoya Protocol in Nepal by formulating appropriate laws, regulations, policies, and strategies at national, provincial, and local levels.

The project focused mainly on:

- Disseminating knowledge and the learning of pilot works to raise awareness of multiple stakeholders.
- Strengthening capacities of stakeholders to contribute at different levels on Nagoya Protocol.
- Ratification of the Nagoya Protocol and finalization of the ABS Act.

The project had three major components as:

Component 1: Policy, Rules, and Regulation

Component 2: Capacity needs and Training; and

Component 3: Education, Public Awareness, and Communication

The major outputs of the Project under these components were:

- Component 1: Assessments, Strategy and Action Plan for implementation of ABS, National ABS Policy, and Draft ABS rules and regulations and guidelines
- Component 2: Training materials and training, Community Protocols, and Process documentation
- Component 3: Nepali language ABS terminology, translation of international ABS documents, Radio Spots on ABS in Nepali; Videos on ABS in Nepali, and Alternative media resources on ABS in Nepali

The outcome, outputs, and activities under each component are listed in table 2.1

Table 2.1 (a): Outcome, outputs, and activities of the Project

Outcome	Outputs	Activities
The rules and regulations that will allow the implementation of the Nagoya Protocol once the ABS law is enacted.	1.1: Stakeholder identification and analysis and capacity self-assessments	1.1.1: Conduct baseline, collect and compile baseline data
		1.1.2: Stakeholder analysis and identification, and capacity self-assessments
	1.2: Gap analysis	1.2.1: Stocktaking and assessment - Conduct gap analysis and analysis of users' rights
	1.3: Strategy and action plan for implementing ABS	1.3.1: Carry out consultations and develop strategy and action plan to implement ABS
	1.4: National ABS	1.4.1: Policy Labs
1.4.2: Revise and finalize national ABS policy		

	policy document which will reflect the Nagoya Protocol and the input from the policy lab process	
	1.5: Draft ABS rules and regulations	1.5.1: Advocate for and support Nepal's accession to the Nagoya Protocol 1.5.2: Support finalization of the draft ABS bill and advocate for its adoption 1.5.3: Support to Biodiversity and Environment Division to implement ABS related NBSAP activities
Representatives of ABS stakeholder groups at all levels have sufficient skills to contribute to implementing ABS and communities have enhanced bargaining power for negotiating eventual ABS agreements	2.1: Scoping and baseline data collection	2.1.1: Baseline data
	2.2: Training materials and Training of trainers and training for stakeholder groups	2.2.1: Identify existing training materials and develop new training materials as necessary
		2.2.2: Organize Training of Trainers (ToT) for selected representatives of each stakeholders group
		2.2.3: Conduct citizen scientist training
		2.2.4: Negotiation Skills Training
	2.3: Community Protocols	2.3.1: Identify and support researchers and academics who can assist communities in developing community protocols
		2.3.2: Organize training programmes for community members and selected district level government officials and CSOs on developing community protocols
		2.3.3: Support communities in project sites to develop their own community protocols
	2.4: Process documentation	2.4.1: Exchange visits 2.4.2: Learning framework documentation
	2.5: Monitoring and Evaluation	2.5.1: Develop and implement project joint monitoring mechanism (monitoring and reporting) and conduct project midterm and final evaluation.
Stakeholders at all levels have greater understanding and awareness of ABS and the issues involved in implementing it.	3.1: Communications and visibility plan	3.1.1: Continuously scope, compile and systematize baseline information, on how to communicate ABS
		3.1.2: Communications and visibility plan
	3.2: One Publication of Nepali language ABS terminology and translations of Seven international ABS documents	3.2.1: ABS terms in Nepali Convene an expert working group to develop Nepali definitions and translations for terms related to ABS, publish the working group's output, and promote its use
		3.2.2 Translate 7 documents related to ABS in Nepali
	3.3: Radio spots on ABS in Nepali	3.3.1: Develop radio spots on ABS and have them broadcast regularly
	3.4: Videos on ABS in Nepali	3.4.1: Create videos, post them on YouTube, and arrange for them to be broadcast on TV
3.5: Alternative media	3.5.1: Develop alternative media resources on ABS in Nepali	

	resources on ABS in Nepali	3.5.2: Publication of project communication materials (Brochures, Pamphlets and other project related publicity materials)
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The Project adopted an adaptive management approach, and some activities were added/amended after the Mid Term Review. Following activities were added.

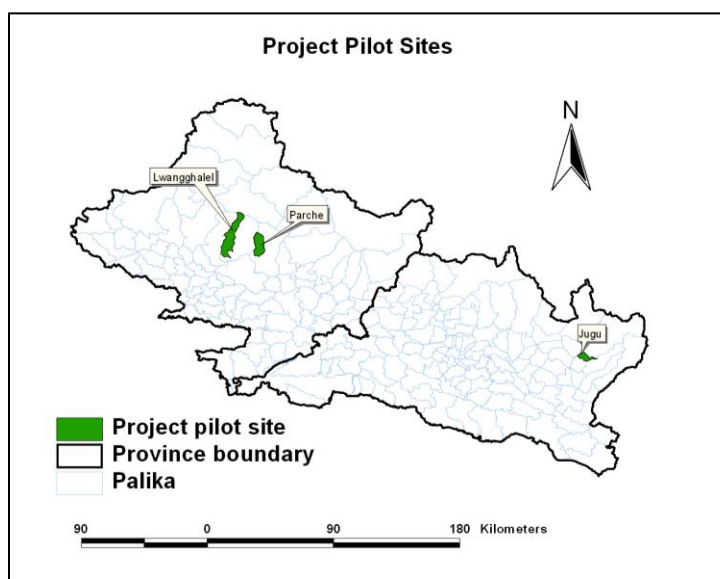
Table 2.1 (b): Added activities of the Project

Output	Activities
Output 1.1 Stakeholder identification and analysis and capacity assessments	Gender Assessment
Output 2.2 Training materials and Training of trainers and training for stakeholder groups	Capacity Building on ABS related Policies and Legal Frameworks in all Provinces
	Capacity Building on Biodiversity and TK Documentation in all Provinces
	Capacitate local bodies of the Pilot sites to demonstrate ABS institution mechanism
	Negotiation Skill training for private sector (FNCCI members, Bio-prospectors)
	Training of MoFE officials by an international expert
	Training for officials of all centers of Department of Plant Resources
	TKDL Finalization and handover to DPR (Community Protocol, Documentation etc.)

2.3 Project Site

At the field level, the Project was implemented in two districts- Dolakha and Kaski. The materials and tools developed for ABS implementation were tested in these Project sites. In fact, the materials were developed through testing in these Districts. In Kaski District, Wards 8 and 9 of Machhapuchhre Gaunpalika (erstwhile Lwangghalel VDC) and Ward 1 of Madi Gaunpalika (erstwhile Parche VDC); and wards 1 and 2 of Gaurishankar Gaunpalika (erstwhile Jungu VDC) in Dolakha District were selected for piloting the Project.

Parche, village in Madi Gaunpalika-1 is situated 40 km north-east of Pokhara and Lwang (Ward 8) and Ghalel (Ward 9) in Machhapuchhre Gaunpalika are situated 20-30 km northwest of Pokhara in Kaski District. The Lwangghalel has a population of diverse ethnicity comprising Gurung, Chhetri, Brahmin, and Dalits whereas Parche is dominantly a Gurung village. Similarly, Jungu in Dolakha has a mixed population of Chhetri,



Brahmin, Tamang, Jirel, Thami, and Dalits.

These Project sites were selected on the basis of them having previously GEF-funded projects implemented, potential for leveraging from similar other projects, and accessibility. Biodiversity International, Nepal's National Agricultural Research Centre (NARC), Department of Agriculture, and Local Initiatives for Biodiversity, Research and Development (LI-BIRD) have implemented a GEF full-sized project "Integrating Traditional Crop Genetic Diversity into Technology Using a Biodiversity Portfolio Approach to Buffer Against Unpredictable Environmental Change in Nepal Himalayas" in Dolakha district. IUCN, in 2003 implemented 'Building Capacity to Protect Biodiversity and Indigenous Rights through Documentation and Registration of Traditional Knowledge in Nepal' in Kaski District among others.

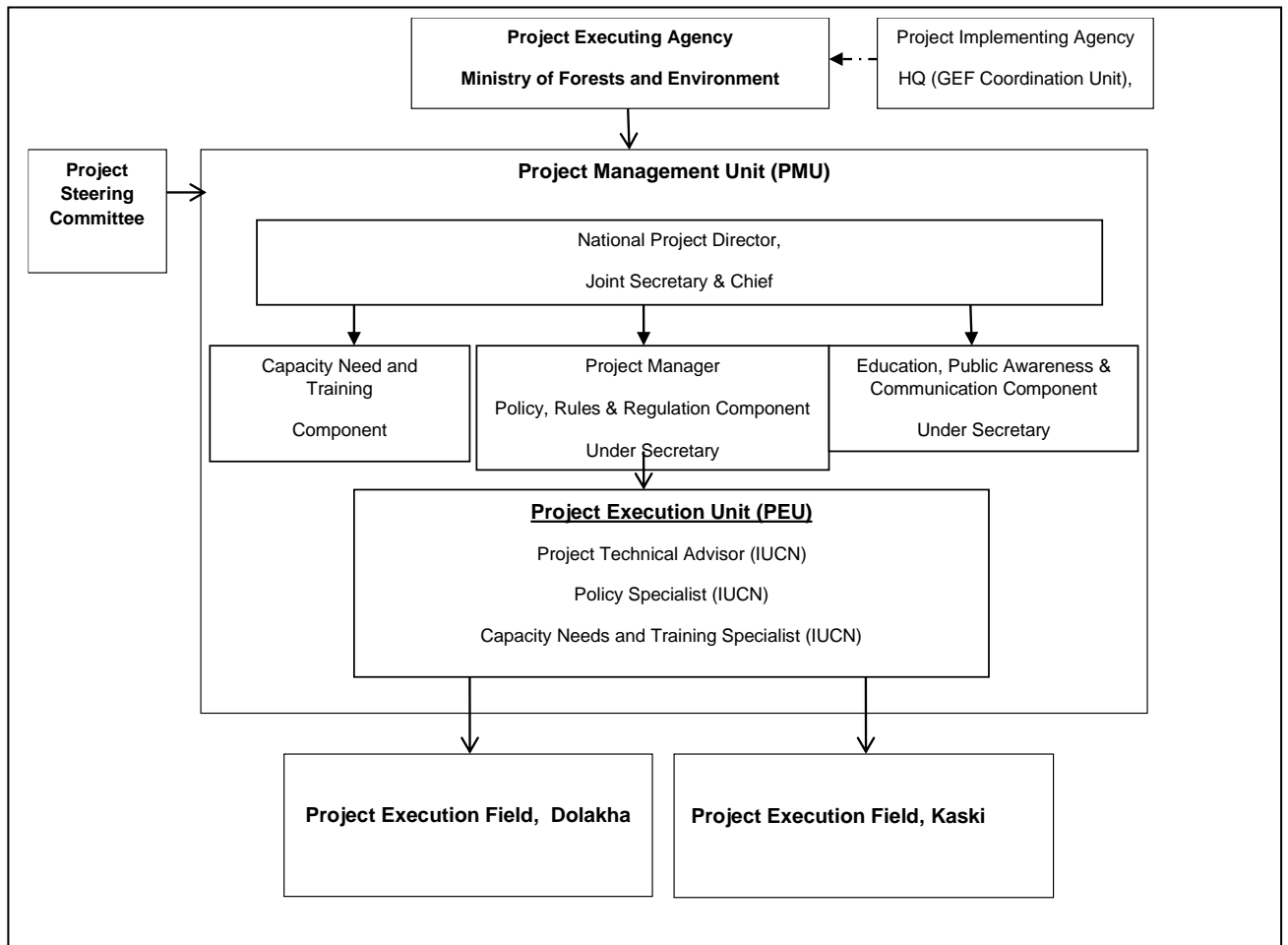
2.4 Implementation Modality

The Project Management Unit (PMU), the project implementing unit, was placed in the Environment and Biodiversity Division (EBD) of the Ministry of Forests and Environment (MoFE). The Project was executed in collaboration with IUCN Nepal, as a technical Service Provider. The Project is led by the National Project Director (NPD), the Joint Secretary and the Chief of the EBD at MoFE. Each Component of the Project is led by a Component Lead in PMU - Under Secretaries of MoFE. One of the Component Leads also serves as the Project Manager. The PMU has the responsibility of overall administration and management of the Project and timely and quality delivery of the outputs.

A unit called Project Execution Unit (PEU) was established to support PMU. The PEU was housed at IUCN Nepal. The PEU was responsible for executing the project activities, providing administrative and managerial support to PMU, and manage budget and provide financial support to PMU. The PEU had three Component Experts, one for each component. Each Component Expert worked in collaboration with the respective Component Lead at the PMU. In addition to three Component Experts, PEU had a Project Technical Advisor and a Project Officer to facilitate implementation of the Project.

At the District level (in the Pilot districts), two Field Project Officers, one in each District, were hired to manage the Project. Each District had one Admin/Finance Assistant and two Social Mobilisers (one male and one female). The Social Mobilisers were based in the respective villages.

The Project Steering Committee (PSC), which provided the strategic direction and policy guidance, was chaired by the Secretary of MoFE. The PSC comprised representatives from 14 government and civil society institutions and the NPD was the Member Secretary of the Committee. In addition to providing strategic direction to PMU and PEU for major decisions, it provided policy guidance and feedback on Project plans and strategies; monitored the Project goals, outputs, and activities; reviewed performance; and liaised with the Government. Altogether, PSC held 7 meetings and the Project was extended with the recommendations of the PSC for four times.



At the District level, a District Project Coordination Committee (DPCC) was formed comprising representatives from DADO, DLSO, WDO and other relevant organizations. In Kaski, the DPCC was chaired by the Regional Forest Directorate whereas in Dolakha it was chaired by DFO.

The Project coordinated with organizations such as NARC, NTNC, ICIMOD, ACAP, LI-BIRD, FECOFUN, HIMAWANTI, FNCCI, Department of Plant Resources, and Nepal Administrative Staff College. In addition, it also coordinated with the academic institutions such as Tribhuvan University, Central Department of Botany, Kathmandu, and Institute of Forestry, Pokhara and Hetauda.

The timeline of implementation of activities under different components is listed in Annex 2.

3. FINDINGS

This chapter forms the crux of the report and analyzes the project performance. This will assess the project performance in terms of the criteria of relevance, achievement and effectiveness, efficiency, and sustainability following project evaluation criteria of OECD-DAC (OECD-DAC 2019). Coordination and networking, and factors affecting the project performance are also discussed in this chapter.

3.1 Relevance

Relevancy of the Project has been assessed against national development policies, international obligations, and design of the Project in relation to meeting the stated objectives. Relevancy of the Project in relation to international treaties, and national development plans and policies have been looked at the specific clauses/ articles and the details are presented in the Annex 8. Overall, the Project is consistent with the objectives of the international obligations, to which Nepal is a party, national development policies, programmes, and priorities as well as local development goals in Nepal.

(i) International obligations. Among various international bodies and instruments dealing with the access and benefit-sharing, this assessment focusses mainly on the Convention on Biological Diversity, its Nagoya Protocol and the Post-2020 Global Biodiversity Framework; International Treaty on Plant Genetic Resources, and FAO Commission on Genetic Resources for Food and Agriculture; the 2030 Agenda for Sustainable Development; and Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES).

In general, the Project contributes to achieve the third objective of the Convention on Biological Diversity (CBD), Strategic Plan for Biodiversity 2011-2020 and the Aichi Targets, and Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization to the CBD. The Project is related to Access to Biological Resources (CBD Article 15.2 must be in accordance with appropriate legislations (CBD Article 15.1), and be on mutually agreed terms (CBD Article 15.4) involving prior informed consent (CBD Article 15.5) and also Article 8j that commits the contracting parties to preserving the traditional knowledge of indigenous peoples and local communities (IPLCs) to promoting their involvement in developing wider applications of their knowledge (Annex 8).

The outcome of the Project contributes to the Aichi Biodiversity Targets (ABT), in particular, ABT 16 and 18. The ABT 16 states that “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”. And ABT 18 relates with the traditional knowledge, innovations, and practices of indigenous [peoples] and local communities (IPLCs).

The Project's relevancy is related with the post-2020 global biodiversity framework in relation to access to genetic resources and benefit sharing and the Nagoya Protocol, as outlined by the Conference of Parties at its fourteenth meeting in Egypt in 2018.

ITPGRFA. The International Treaty on Plant Genetic Resources for Food and Agriculture aims at guaranteeing food security through the conservation, exchange and sustainable use of the world's plant genetic resources for food and agriculture (PGRFA), the fair and equitable sharing arising from its use, and the recognition of farmer's rights. This Project is relevant to Article 6 of the Treaty that asks the Contracting Parties to develop and maintain appropriate policy and legal measures that promote the sustainable use of plant genetic resources for food and agriculture by maintaining diverse farming systems, strengthening research which enhances and conserves biological diversity, and promoting as appropriate, plant breeding efforts with the participation of farmers (FAO, 2009). It is also relevant to article 9 that deals with the "Farmer's Rights".

The Project is directly related with the *2030 Agenda for Sustainable Development*. ABS can help to achieve many of the Sustainable Development Goals (SDG) of the 2030 Agenda for Sustainable Development, *viz.*, Goal 1 (no poverty), Goal 2 (zero hunger), Goal 8 (decent work and economic growth), Goal 9 (industry, innovation and infrastructure), and Goal 15 (life on land). In particular, under the SDG Goal 15, there is a target 15.6 "Ensure fair and equitable sharing of the benefits arising from the utilization of genetic resources and promote appropriate access to such resources, as internationally agreed." (CBD-UNEP (2019a).

Global Assessment of Biodiversity and Ecosystem Services of Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES) has deeply raised concerns over disappearing trends of genetic diversity that poses a serious risk to global food security. The Assessment has reiterated and re-emphasized the positive contributions of indigenous peoples and local communities that sustainability can be facilitated through national recognition of land tenure, access and resource rights in accordance with national legislation, the application of free, prior and informed consent, improved collaboration among stakeholders, fair and equitable sharing of benefits arising from the use, and co-management arrangements with local communities (IPBES, 2019).

(ii) National commitments. The Project is consistent with the legal instruments and regulatory frameworks, policies, and plans of Nepal.

Constitution of Nepal. The Project is consistent with provisions of the Constitution of Nepal, 2015, such as to: i) conserving the natural resources available in the country, its sustainable use in an environmental friendly way, and ensuring the fair distribution of the benefits generated by it by giving local people the priority and preferential rights (Article 51.g); ii) making a sustainable use of biodiversity through the conservation and management of forests, fauna and flora (article 51.5); and iii) making special arrangements to ensure the rights of *Adivasi Janajatis* (indigenous ethnic groups) to lead a dignified life with their respective identities, and making them participate in decision making processes that concern them, and

preserving and maintaining the traditional knowledge, skill, experience, culture and social practices of *Adivasi Janajatis* and local communities (article 51.10) (CAS, 2015).

Nepal SDGs. The Project contributes to meeting Nepal Sustainable Development Goals (SDGs) (NPC 2017) especially to: (i) maintain the genetic diversity of seeds, cultivated plants and farmed and domesticated animals and their related wild species, and ensure access to and fair and equitable sharing of benefits arising from the utilization of genetic resources and associated traditional knowledge, as internationally agreed by 2020 (SDG 2, Target 2.5); (ii) undertake reforms to give women equal rights to economic resources, as well as access to ownership and control over land and other forms of property, financial services, inheritance and natural resources, in accordance with national laws (SDG 5, Target 5.a); and (iii) ensure fair and equitable sharing of the benefits arising from the utilization of genetic resources and promote appropriate access to such resources (SDG 15, Target 15.6).

The Project also contributes to Nature Conservation National Strategic Framework for Sustainable Development (2015-2030), in particular, forest, biodiversity, agriculture, GESI sectors (NPC 2015).

Fifteenth National Plan. The implementation of the Project has supported implementation of Nepal's Fifteenth Plan (2019/20 - 2023/24) to meet the national strategies of the "Forests, biodiversity and watershed [wetlands]" Sectors including national Strategy 1: High, sustainable and employment-based national income; and Strategy 4: Enhancing production and productivity through four objectives of enhancing ecosystem services, conservation, restoration and sustainable use, fair and equitable distribution of benefits arising, and developing enterprises from utilization of forests, biodiversity and watershed. The Fifteenth Plan also reiterates: i) documentation and registration of biodiversity and associated indigenous knowledge, skills, practices, social-cultural processes, arts, intellectual properties of indigenous peoples and local communities (IPLCs); and ii) implementation of access to genetic resources and fair and equitable sharing of benefits by making legal instruments and establishing implementing structure (GoN-NPC, 2020).

In addition to these overarching national documents, the outcomes of the Project are relevant and contribute to materializing several policies, strategies, and action plans: the National Forest Policy, Agrobiodiversity Policy, 2063 (2007) (first amendment 2014), National Intellectual Property Policy 2017, and Climate Change Policy 2019.

More importantly, the Project contributed directly to improve and formulate the Bill "Access to genetic resources, utilization, and benefit-sharing Bill" on access to genetic resources and benefit sharing (AGRBS) which has incorporated the provisions related to ABS as stipulated in the CBD. The Project also supported to draft Strategy and Action Plan, the Rules and Regulations for Access to genetic resources, utilization, and benefit-sharing once the Bill is passed. In fact, by and large, the Project activities revolved around this Bill.

It is also related with the Forest Act 2076, National Biodiversity Strategy and Action Plan 2014-2020; Forestry Sector Strategy 2016-2025; Agriculture Development Strategy, ITPGRFA Multilateral System Implementation Strategy and Action Plan (IMISAP) 2018-2025.

(ii) Design of the project

As explained above, the Project was necessary to capacitate the government institutions and other stakeholders for implementation of Nagoya Protocol in Nepal. The objective of the Project 'to build the capacity of key stakeholders at national, sub-national, and local levels to implement ABS in Nepal' is well articulated and consistent with the national obligations and aspirations. The Project had three inter-linked and complementary components of: (i) Policy, Rules and Regulation; (ii) Capacity Needs and Training; and (iii) Education, Public Awareness and Communication. The activities planned under component 1 help in the process of development of policies, rules, and regulations for implementation of ABS; the activities under component 2 relate to development of training materials and conduction of training for capacity strengthening of stakeholders, and those under component 3 on educating people and generating public awareness. The activities planned thus were interlinked and generated synergy.

Some of the activities planned were contingent upon the passing of ABS Bill which did not happen during the Project time. Nonetheless, those activities were implemented based on the draft Bill. Similarly, the sites for piloting the Project were selected from the same ecological belt of Middle Mountains. The Project could have been more comprehensive had the pilot sites also covered other ecological belts of Tarai and high mountain.

The activities planned under different components are appropriate to meet the overall objective of the project, and thus relevant.

3.2 Achievement and Effectiveness

The achievements of the Project against the targets have been presented in Annex 1.

3.2.1 Component 1: Policy, Rules, and Regulation

The expected outcome of the component 1 is the formulation of rules and regulation that will allow the implementation of Nagoya Protocol once the ABS law is enacted.

With persistent lobbying and continuous advocacy, one of the major achievements of the ABS-GEF project has been the accession of the Nagoya Protocol by the parliament of Nepal on 29 August 2018 and Nepal acceded to the Nagoya Protocol on March 28, 2019. However, despite continuous efforts, the ABS Bill has not yet been tabled for endorsement by the Parliament.

Output 1.1. Stakeholder identification and analysis and capacity assessments. There were two activities: (i) to conduct baseline, collect, and compile baseline data; and (ii) stakeholder analysis and identification and 3 capacity self-assessments (initial, mid-term, and final) with ABS stakeholder groups.

An in-depth analysis of “Capacity Self-Assessment” at baseline, mid- term, and end- term was conducted. The Project made assessment of the existing status on the level of awareness and capacity of six groups of stakeholders (government institutions at the Federal level, government institutions at the District level, academic and research institutions, the private sector, NGOs, and the communities at the village level) in the ABS context, on policy, capacity, training and awareness and information and communication in ABS in six sites. The study revealed that general capacity of all stakeholders has increased from the baseline and midterm capacity assessments, and most of them have a good level of capacity on most aspects of ABS. The communities scored higher in most of the indicators compared to their baseline and midterm scores because the ABS-GEF Project has intensively worked on three pilot sites with the communities. It has made an important contribution in enhancing awareness on ABS from Central to community levels.

Output 1.2: Gap analysis of the existing ABS Bill and other relevant policies, laws, and regulations. A gap analysis of ABS related provisions in governing the rights of users of biological resources was conducted under the activity "Stocktaking and assessment by conducting gap analysis and analysis of users' rights."

A review of the gap analysis of the ABS-related provisions in existing policies, laws, and regulations as well as an analysis of existing provisions governing the rights of users of biological resources in Nepal was conducted. The review identified that the existing sectoral laws, policies, and strategies related with biodiversity do not adequately address the issue of access to genetic resources and benefit sharing. The current proposed ABS Bill has made an attempt to cover some relevant issues related to the protection of rights of the indigenous peoples and local communities (IPLCs) over biological/genetic resources; access to genetic resources and associated traditional knowledge (TK); benefit sharing process; mechanism of access to genetic resources for preliminary scientific study; and institutional mechanism to implement the ABS Bill; etc.

The Project also conducted a Gender Assessment as an amended activity to review the project performance and make necessary amendment from the gender perspective. The Gender Assessment conducted soon after the MTR found that participation of women and IPs was more in component 3 and less in the first two components. It also recommended to report gender and ethnicity disaggregated data of beneficiaries. The Project followed the recommendations and the subsequent reporting included segregated data.

The gap analysis was effective in identifying the gaps, drafting the ABS Bill and draft of ABS Regulations.

Output 1.3: Strategy and action plan for implementing ABS Act. Strategic and Action Plan for implementing ABS in Nepal was prepared in 2019. The PEU waited for some time for the ABS Bill to pass for the preparation of ABS Strategy and Action Plan (SAP), but as it was not happening, the ABS SAP was prepared based on the draft ABS Bill. It is being processed for

endorsement by the Ministry of Forests and Environment. Its implementation has been pending waiting for the ABS Bill to be passed.

Output 1.4: National ABS policy document that reflects Nagoya Protocol: Series of Policy labs (23 Policy discussions) were organized for drafting ABS Bill and Regulations. The discussion focused on PIC and MAT provisions, ABS institutions, and Community Protocol. Policy discussions were also held with the MOALD; Agriculture, Cooperative, and Natural Resources Committee of the Parliament; and NEFIN.

Output 1.5: Draft ABS rules and regulations. There were three activities: (i) to advocate for and support Nepal's accession to the Nagoya Protocol; (ii) to support finalization of National ABS Bill and advocate for its adoption; and (iii) to draft ABS Rules and Regulations. Nepal's accession to the Nagoya Protocol' was completed on 28 December 2018. Similarly, Nepal became a party to the Nagoya Protocol on 28 March 2019. Final draft of the ABS Bill has been prepared. Similarly, First Draft of ABS Regulations has been prepared on the basis of the final draft of the ABS Bill. Discussions were also held with the Ministry of Agriculture and Livestock Development so as to harmonize ABS bill with the Agrobiodiversity Bill.

3.2.2. Component 2: Capacity Needs and Training

The expected outcome of this component is 'Representatives of ABS stakeholder groups at all levels have sufficient skills to contribute to implementing ABS and communities have enhanced bargaining power for negotiating eventual ABS agreements. This component had five outputs: (i) Continuously scope, compile and systematize information to support training and raising awareness on ABS; (ii) Training materials and training of trainers and training for stakeholder groups; (iii) Community protocols; (iv) Process documentation; and (v) Monitoring and Evaluation.

Output 2.1. Scoping and baseline data collection: Scoping and baseline data were collected for capacity needs and training.

Output 2.2. Training materials and training of trainers and training for stakeholder groups: One of the activities was to "Identify existing training materials, undertake gap analysis, and suggest content to design and develop new training materials". The existing materials were reviewed, and training materials were developed for: (i) Package of ABS orientation materials, (ii) ABS Training of Trainers manual, and (iii) Citizen Scientist Training Manual.

Several trainings were organized by the Project. Seven Training of Trainers were organized one each in a Province. These trainings were three-day package and contained the topics like (i) State of biodiversity, its management, and utilization in respective Province; (ii) Convention on Biological Diversity (CBD) Objectives, mechanism and its Protocols including 6th National Report; (iii) Introduction and general concept of ABS; (iv) Access to Genetic Resources and Benefit Sharing Draft Bill- 2018/19; (v) Convention on Biological Diversity (CBD), International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA), Nagoya Protocol, TRIPS and other international instruments related to ABS and national

obligations; (vi) Biodiversity and Traditional Knowledge; (vii) Genetic resources and associated traditional knowledge, biodiscovery, product development and patent rights; and (viii) Negotiation Skills on ABS. Altogether, 277 individuals from the Forestry, Agriculture, Livestock, Soil Conservation sectors and representatives from partner organizations such as academic institutions received the training. A total of eight negotiation skills trainings were organized and 341 ABS practitioners at National, Provincial, and Local levels were trained.

One of the means to strengthen the capacity of the stakeholders has been identified as development and training of 'Citizens' Scientist'. The group included traditional healers, social workers, school teachers, volunteers, youth clubs, and women's group. Generally, 25 to 30 individuals were identified as citizen scientists in each place. Three-day long trainings were organized in Jungu (Dolakha), Lumre and Saidighatta (Lwangghalel, Kaski) and two-day trainings were organized in Khilang and Sikles in Parche (Kaski). The training aimed to build local resource persons on Nagoya implementation, to sensitize them on the process and procedure of Community Protocol preparation, update the Community Biodiversity Registers format, and orient on the importance of access to genetic resources and benefit sharing. The training covered the topics of essential knowledge of biodiversity and traditional knowledge documentation. Altogether, 125 community members (29 in Lumre, 31 in Saidighatta, 33 in Khilang, and 32 in Sikles) were trained as citizen scientists in Kaski district and 23 people were trained in Jungu, Dolakha. The training sessions also provided feedback for improvement of Community Protocol (CP). Training for preparing Community Protocols were conducted in three project sites a total of 77 individuals were trained.

Capacity building training of Provincial Government Officials were organized in all the seven Provinces participated by the officials of Provincial Ministry of Industry, Tourism, Forests and Environment; Agriculture Knowledge Centre; Veterinary Hospital and Livestock Service Expert Centers. The topics of the training included International ABS regime, Nagoya Protocol and national obligations; ABS mechanism, Processes and Terminologies; Proposed ABS Bill and ABS Strategy in Nepal; and Biodiversity and traditional knowledge documentation and Community Bio-cultural Protocol (BCP). Other trainings included training focusing on ABS legal framework and updated documentation format for the Officials of Department of Plant Resources participated by 24 individuals; National level ABS capacity building training for stakeholders in Kathmandu participated by 32 individuals; and ABS capacity building training focusing on ABS legal framework by an International Expert participated by 26 individuals.

All these trainings were highly effective in capacitating the respective stakeholders

Output 2.3 Community protocols: The Project helped to prepare three community protocols one each in a project site. The Manuals and trainings imparted helped in preparing these community protocols.

Similarly, the Project supported seven Master level students of Central Department of Botany of TU, and Institute of Forestry, Pokhara and Hetauda to document biodiversity and

traditional knowledge in the project pilot sites. The list of theses developed from these field studies is in Annex 3. Similarly, the Project also supported study tour of MSc level students to document wildlife in Sikles (9 students) and Lwangghalel (9 students).

Output 2.4 Process documentation: The activities planned for Process documentation are exchange visits and learning framework documentation. The Project organized exposure visit in December 2017 for the community members to make them aware of the ongoing initiatives and practices on biodiversity, traditional knowledge, and ABS at local level in different parts of the country. The visit aimed to provide the opportunities for the community members to get the first-hand idea on documentation of traditional knowledge, preparation of Biodiversity Register and Community Bio-cultural Protocol, and formation of Biodiversity Management Committees in the districts of Kanchanpur, Banke, and Kailali. A six-day visit was organized for 17 community members (six from Dolakha and 11 from Kaski).

A team of 5 officials from the MoFE visited Australia from March 15 to March 22, 2018, to enhance the capacity of the Ministry officials by learning from Australia's experience in approach to ABS, ABS mechanism adopted by state laws, procedures for accessing biological resources, and minimum requirements for benefit sharing agreement. The team visited School of Law at the University of Queensland, University of Southern Queensland, University of Sunshine Coast, and University of New South Wales.

Similarly, one week-long study tour of MoFE and MoLJPA officials was organized in India in November 2019 and the team met with National Biodiversity Authority in Chennai, State Biodiversity Board in Kerala, and State Biodiversity Board in Kerala. They also interacted with the Kani and Irula communities. Among others, one important point of discussions with officials was the process of Traditional Knowledge Digital Library.

Output 2.5 Monitoring and Evaluation. A joint monitoring of the Project was done in May 2018 by a Joint Monitoring Team. The team comprised representatives from MoFE (Chief of Monitoring and Evaluation Division and Under Secretary of Foreign Aid Division), Ministry of Finance, MoALRC (Biodiversity and ITPGRFA focal point), and NEFIN. The project conducted Mid Term Review in June/July 2018. Several of the recommendations of the MTR were adopted. The list below shows the adoption of recommendations.

Adoption of MTR Recommendations

The Project conducted Mid Term Review in June/July 2018. At the time of MTR, the Project had already completed most of the planned activities and yet the financial delivery was less than 40%. The MTR made several recommendations to enhance the effectiveness of the Project. The recommendations were broadly framed into two categories: (i) for undertaking during the remaining project duration by the PMU and (ii) for consideration by the MoFE for longer term effects. The PMU adopted most of the recommendations as suggested in the MTR whereas the suggestions for MoFE could not be adopted. The following table shows the MTR recommendation and their adoption.

Table 3.1: List of Adoption of MTR recommendations

SN	MTR Recommendations	Adoption
1	Initiate administrative arrangement for extending the duration of the project implementation.	The project was extended four times until the end of April 30, 2022. The extension was mainly caused by the COVID-19 pandemic. The Project carried out several added/amended activities during this extended time.
2	Expand activities like orientation on ABS to officials of the relevant agencies at province level and TOT trainings to all the provinces	TOT was organized in all the provinces, and orientation training was organized for DPR, Negotiation skill training for FNCCI etc. Capacity building training on ABS for government officials (mostly Forestry and Agriculture) was organized in all the seven provinces to disseminate/ capacitate on proposed ABS Bill and Biodiversity documentation.
3	Incorporate additional activities for capacity strengthening of both PMU and PEU (including field staff and community resource person) human resources.	Activities like training of MoFE officials by an International Expert, study tour to India were organized. These training and visit included officials from PEU as well.
4	Communication and dissemination on ABS should be done at larger scale covering the country.	Information on ABS was expanded to larger scale and radio programs were broadcast in all the provinces.
5	Support for the development of Local Governments as Resource Centers	Support provided to create Local Resources Centers in Sikles, Kaski (at ACAP museum) and Jungu Dolakha (at Himchuli cooperative).
6	Orientation of private sectors on ABS	Training was organized for FNCCI and bioprospectors
7	Expand the project activities (testing of tools such as CP) in other ecological zones (Tarai and mountain)	The Project activities were not extended in other ecological zones other than trainings.
8	Develop GESI disaggregated data retroactively for effective monitoring and impact assessment	GESI disaggregated data were created made integral in reporting
9	Conduction of taxonomic training (botany) to stakeholders	Some topics on taxonomic aspects were covered in the trainings.

3.2.3. Component 3: Education, Public Awareness, and Communication

The expected outcome of this component is Stakeholders at all levels have greater understanding and awareness of ABS and the issues involved in implementing it. The outputs in this component are: (i) Communications and visibility plan, (ii) Nepali language ABS terminology and translations of international ABS documents, (iii) Radio spots on ABS in Nepali, (iv) Videos on ABS in Nepali, and (v) Alternative media resources on ABS in Nepali.

Output 3.1 Communications and visibility plan: Project Communication plan and rosters of ABS expert has been prepared.

Output 3.2 Nepali language ABS terminology and translations of international ABS documents:

The major outputs of the component are: Nepali language ABS terminology, translations of international ABS documents, Radio sports on ABS in Nepali, Videos on ABS in Nepali, and Alternative media resources on ABS in Nepali.

Glossary of ABS terminology in Nepali has been published and widely disseminated. Following seven documents have been published in Nepali language. These booklets contain both English and Nepali versions.

1. Introduction to Access and benefit-sharing
2. Access and Benefit Sharing Fact Sheet
3. Uses of Genetic Resources
4. Traditional Knowledge
5. The Bonn Guidelines
6. ABS National Implementation
7. Nagoya Protocol on Access and Benefit Sharing

Publishing documents containing both Nepali and English helps in capturing the subtle nuances contained in the document which otherwise might lost in the process of translation.

Output 3.3 Radio spots on ABS in Nepali: A total of 30 episodes of radio programs were aired by Radio Barahi in Kaski, Radio Sailung in Dolakha, and nationally through Image FM in Kathmandu. The radio episodes are aired fortnightly for fifteen minutes on Saturdays. These radio programs have been effective in reaching out to larger audience. As per the suggestion of MTR, the coverage of radio programme was expanded later to all the seven Provinces.

Output 3.4 Videos on ABS in Nepali One short video titled What is ABS in English and Nepali was developed and aired. Similarly, one long video on ABS was developed and broadcasted through three National TV channels (Nepal television, Image Channel, and AP1 TV) on the occasion of International Biodiversity Day. The third video on the project outcomes was developed to document the major activities and outputs of the Project.

Output 3.5 Alternative media resources on ABS in Nepali. 48 events using alternative media such as art competition, quiz contests, street drama, poem competition, speech competition,

and song competitions were organised at local level of Kaski and Dolakha (27 alternative media activities in Kaski and 21 in Dolakha district) during the local events like *Chaita dashain*, *Teej*, or Environment Day, and Biodiversity Day. These activities were well appreciated at local level. Linking of alternative media with radio was very effective. Effectiveness of alternative media is highly satisfactory.

3.3 Efficiency

(a) Financial

The Project had no-cost extension till April 30, 2022. The extensions were requested and granted as some of the activities were planned to be implemented upon passing of the ABS Bill. However, since the Bill was also not tabled in the parliament and the delay in the implementation of activities due to COVID 19 pandemic, the Project was extended four times. Despite of this, the Project implemented all the planned activities (including the added activities) within the extended project period. The work plans and budget were revised by the PSC during these subsequent extensions. Out of the total approved budget of USD 1,376,147, the expenses booked as of closing of the project date (April 30, 2022) was USD 1,371,727.67 which is 99.68% of the total budget. The direct expenses incurred in implementation of three components, human resources, and travelling expenses for carrying out these activities were booked as program expenses. The total expenses incurred in the three components is USD 624,665 which is 45.5% of the total budget. Component-wise, Components 1,2, and 3 accounted for 28.76%, 53.7%, and 17.54% respectively. The overall ratio of program and administrative expenses is 90.87 % and 9.13%. There has been a significant improvement in the financial delivery of the project since the Mid Term Review. Financial performance at the time of Mid Term Review (June 30, 2018) was only 35% of the total budget. The PMU adopted measures to enhance the delivery of the Project.

(b) Timeliness of Implementation

Timeliness of implementation of activities was affected by several factors such as: (i) First local level election in 2017, (ii) Dependency on passing of ABS Bill from the Parliament, and (iii) Two waves of COVID-19 pandemic. Initial implementation was delayed in 2017 as inception phase was affected by local level election held in May 2017. Similarly, implementation of some activities (development of Rules and Regulations, ABS Strategy and Action Plan) were dependent on the passing of ABS Bill, and as such could not be conducted on timely basis. However, these activities were carried out later based on the draft ABS Bill as the Project realized that tabling of the Bill was conditioned on factors beyond the means of the Project. Several trainings rescheduled in 2020 were delayed because of the COVID-19 pandemic lockdowns. All the initially planned, amended, and added activities were completed by the extended Project period.

(c) Management

Human resource was effectively utilized. The PMU had assigned responsibility of overseeing each component to one senior official of the Ministry. Similarly, the executing agency, IUCN

had also hired one Specialist for each of the component in addition to Project Officer, Finance and Administration Officer, and support staff. Implementation arrangements were made so that financial resources are efficiently utilized. For example, baseline studies planned for each component (expected to be executed separately) was done jointly by one team thereby reducing the cost and making the study more comprehensive. Some of the activities like capacity self-assessment tool, development of biodiversity registration format, editing of publication materials, though initially planned to be done by hiring consultants, were done by the PEU experts, thereby reducing the cost.

The PEU followed adaptive management and added activities like Training of Trainers in all the provinces and customized training to DPR among others. These have been listed in section 3.2.

3.4 Sustainability

Sustainability of the Project is viewed in relation to institutional basis and continuity of the effects of the Project. As the Project was implemented by the Government of Nepal, the institutional base of the Project is perpetual. Capacity of the human resources of the Federal, Provincial, and Local governments on ABS was enhanced. The Federal and Provincial government officials (mostly from Forestry, Agriculture, and Livestock sectors) were trained, and the number of trained officials would ensure the continuity of ABS initiatives in the country. In the case of Local governments, local community members (citizen scientists) and ward officials from the pilot sites were capacitated. However, at the local levels, there will be dearth of human resources when the ABS initiative will be in full swing in implementation.

There have already been instances of Rural Municipality taking initiative for documenting agro-biodiversity. For example, Ward 8 of Machhapuchhre Gaunpalika in Kaski District and Wards 1 and 2 of Gaurishankar Gaunpalika in Dolakha District have already documented agro-biodiversity in their area. Expansion of such local level initiatives would further reinforce the initiatives of the Project. Linking with the academic institutions (IOF and TU) and institutions working on biodiversity conservation such as ACAP and LI-BIRD will also contribute towards ensuring the sustainability.

However, there is one possible threat that the local communities in the pilot site have high expectations that they will get benefit from utilization of genetic resources in immediate future. If such expectations are not met or the perception is not changed/corrected, it might lead to resentment, ultimately affecting the sustaining of the effects of the of the Project.

The Ministry strongly owned the design, implementation, and outcomes of the Project. Therefore, there is a strong likelihood that the achievements/effects will be streamlined in future initiatives. In addition, the Department of Plant Resources was also supported on Traditional Knowledge Digital Library which will go a long way in systematic documentation of traditional knowledge.

Table 3.2 a: Detail budget and expenses

SN	Description/Summary of Expenditures	Budget	Expenditures	(%)	Balances	(%)
A	Human Resources	454,988.74	454,146.28	99.81%	842.46	0.19%
B	Travel DSA and Others	170,031.74	167,812.39	98.69%	2,219.35	1.31%
C	Project Management Cost (PMC)	125,104.00	125,104.00	100%	-	0%
D	Component 1: Policy Rules and Regulation	180,205.62	179,645.53	99.69%	560.09	0.31%
E	Component 2: Capacity Needs and Training	335,743.77	335,423.23	99.90%	320.54	0.10%
F	Component 3: Education, Public Awareness and Communication	110,073.12	109,596.24	99.57%	476.88	0.43%
G	Grand Total (USD)	1,376,147.00	1,371,727.67	99.68%	4,419.33	0.32%

(b) Ratio of administrative and programme expenses

Description	Budget	Expenditures	Ratio
Programme	1,251,042	1,246,623.67	90.87
Administration	125,104	125,104.00	9.13
Total (USD)	1,376,147	1,371,727.67	

Continuation of the Project's effects would not require large sum of monetary resources hence the effects of the project are financially sustainable.

3.4 Coherence

The Project showed high level of internal and external coherence. The internal coherence relates to the interrelationship among different components and how they complement one another in achieving overall objective of the Project. From this perspective, activities planned under different components were coherent as they complemented one another. Successful completion/execution of activities were dependent on implementation of other activities under other components. Component 1 focused on identifying the gaps and developing policies, component 2 focused on developing training packages and conduction of training and the third component focused on developing awareness, and communication. As such, the Project had high internal coherence. Similarly, the Project is coherent with national policies, (also related with the agrobiodiversity) and international obligations related to biodiversity conservation, accessing to benefit sharing, and traditional knowledge as outlined in the relevance section.

Table 3.3 Performance Rating

Output/Activities	Achievement	Performance ranking
1.1 Stakeholder identification and analysis and capacity assessments		
1.1.1 Continuously scope, compile and systematize baseline data on issues involved in mainstreaming ABS in national policy and its implementation	Baseline database developed, Mid-term and End- term completed to assess existing status on awareness level of six groups of stakeholders	Effectiveness: Satisfactory Efficiency: Satisfactory Sustainability: NA
1.1.2 Stakeholder identification and analysis and capacity self-assessments	Stakeholder identification and capacity self-assessment done at national, two district levels, and local levels (in pilot sites)	Effectiveness: Satisfactory Efficiency: Satisfactory Sustainability: NA
1.2 Gap analysis		
1.2.1 Conduct gap analysis and analysis of user rights	Gap analysis of the ABS-related provisions in existing policies, laws and regulations conducted	Effectiveness: Satisfactory Efficiency: Satisfactory Sustainability: NA
1.2.2 Gender Assessment	Gender Assessment conducted	Effectiveness: Satisfactory Efficiency: Satisfactory Sustainability: NA
1.3 Strategy and action plan for implementing ABS		
1.3.1 Carry out consultations and develop strategy and action plan	ABS Strategy and Action Plan prepared and consultation with MoLJPA and MoALD done	Effectiveness: Satisfactory Efficiency: Satisfactory Sustainability: Likely
1.4 National ABS Policy		

1.4.1 Policy Labs	Series of Policy Labs conducted to finalize ABS Bill and ABS Regulations (23 policy discussions of drafting team) Policy discussion with the MOALD; Agriculture, Cooperative and Natural Resources Committee of the Parliament; NEFIN completed	Effectiveness: Satisfactory Efficiency: Moderately satisfactory Sustainability: NA
1.5 Draft ABS Rules and Regulations and Guidelines		
1.5.1 Advocate for and support the Government of Nepal to accede to the Nagoya Protocol	Accession to the Nagoya Protocol on 28 December 2018; became party to the Nagoya Protocol on 28 March 2019	Effectiveness: Highly Satisfactory Efficiency: Satisfactory Sustainability: NA
1.5.2 Support finalization of the draft ABS Bill and advocate for its adoption	Final draft of the ABS Bill has been prepared and waiting for passing discussion is an ongoing process	Effectiveness: Moderately satisfactory Efficiency: Moderately satisfactory Sustainability: NA
1.5.3 Draft ABS Rules and Regulations and Guidelines	Draft of ABS Rules has been prepared	Effectiveness: Satisfactory Efficiency: Satisfactory Sustainability: NA
2.1 Continuously scope, compile and systematize information to support training and raising awareness on ABS		
2.1.1 Conduct baseline	Baseline completed	Effectiveness: Satisfactory Efficiency: Satisfactory Sustainability: NA
2.2 Training materials and training of trainers and training for stakeholder groups		
2.2.1. Identify existing training materials and develop new training materials as necessary	Identified existing training materials and review carried out on gaps, Package on ABS orientation materials, ABS ToT manual, Citizen Scientist training material prepared	Effectiveness: Satisfactory Efficiency: Satisfactory Sustainability: Likely
2.2.2 Training of trainers and stakeholders	ToT completed in seven Provinces and the achievement has been more than planned.	Effectiveness: Satisfactory Efficiency: Satisfactory Sustainability: Likely
2.2.3 Citizen scientist training	Total 125 community members trained as citizen scientists in Kaski and Dolakha Districts.	Effectiveness: Highly Satisfactory Efficiency: Satisfactory Sustainability: Likely

2.2.4 Negotiation skills training	A total of eight negotiation skills trainings were organized for 341 ABS practitioners	Effectiveness: Satisfactory Efficiency: Satisfactory Sustainability: Likely
2.2.5 Capacity Building Training of Government Officials	Training conducted in all the seven provinces	Effectiveness: Satisfactory Efficiency: Satisfactory Sustainability: Likely
2.3 Community protocols		
2.3.1 Identify and support researchers and academics who can assist communities in developing community protocols	Identified and supported 8 researchers (4 from TU-CDB and 4 from TU-IOF)	Effectiveness: Satisfactory Efficiency: Satisfactory Sustainability: Likely
2.3.2 Organize training programmes for community members and selected district level government officials and CSOs on developing community protocols	Community biodiversity registers were discussed during CS training and 3 community protocols prepared	Effectiveness: Satisfactory Efficiency: Satisfactory Sustainability: Likely
2.4 Process documentation		
2.4.1 Exposure visits	17 participants (6 from Dolakha and 11 from Kaski) visited for 6 days at six places in Nepal, 5 PMU officials visited Australia, 20 officials visited India	Effectiveness: Satisfactory Efficiency: Satisfactory Sustainability: NA
2.4.2 Develop and use an ABS learning framework	ABS Learning framework based on piloting of community protocol in pilot field sites prepared	Effectiveness: Satisfactory Efficiency: Satisfactory Sustainability: NA
2.5 Monitoring and Evaluation		
2.5.1 Develop and implement project joint monitoring mechanism (monitoring and reporting) and conduct project mid-term and final evaluation	Detailed Activity description and execution guidelines prepared. Joint monitoring conducted in May 2018, MTR was completed in 2018 and recommendations were adopted End Term review is ongoing	Effectiveness: Satisfactory Efficiency: Satisfactory Sustainability: NA
3.1 Communications and visibility plan		
3.1.1 Continuously scope, compile and systematize baseline information on how to communicate ABS	Baseline survey completed	Effectiveness: Satisfactory Efficiency: Satisfactory Sustainability: NA
3.1.2 Develop communication and visibility plan	Communication and visibility plan prepared and implemented ABS experts' data base (roster) prepared.	Effectiveness: Satisfactory Efficiency: Satisfactory Sustainability: NA
3.2 Nepali language ABS terminology and translations of international ABS documents		

3.2.1 Convene group of experts that will develop ABS terminology in Nepali	the booklet containing terminology has been prepared and widely disseminated	Effectiveness: Highly Satisfactory Efficiency: Satisfactory Sustainability: Likely
3.2.2 Translate 7 documents	Translated and published 4 documents related to ABS in Nepali (ABS Glossary; ABS Information Kit (CBD)- 7 documents; ABS Fact Sheet (CBD); Nagoya Protocol Fact Sheet (CBD); summary of IUCN Explanatory Guide to the Nagoya Protocol	Effectiveness: Highly Satisfactory Efficiency: Satisfactory Sustainability: Likely
3.3 Radio spots on ABS in Nepali		
3.3.1 Develop radio spots and arrange for them to be broadcast	Total 30 episodes of radio programs on ABS developed and broadcasted from Image FM (national), Radio Barahi (Kaski) and Radio Sailung (Dolakha) The radio spots were later expanded in all provinces through provincial FM Stations Mass awareness programs through Radio Sagarmatha has been completed	Effectiveness: Moderately satisfactory Efficiency: Satisfactory Sustainability: Moderately likely
3.4 Videos on ABS in Nepali		
3.4.1 Create videos, post them on YouTube, and arrange for them to be broadcast on TV	One Short video entitled "What is ABS" in English and Nepali developed One long video on ABS developed and broadcasted through three National TVs	Effectiveness: Satisfactory Efficiency: Satisfactory Sustainability: Moderately likely
3.5 Alternative media resources on ABS in Nepali		
3.5.1 Develop alternative media resources on ABS in Nepali	48 events using alternative media such as art competition, quiz contests etc. organised at local level of Kaski and Dolakha (27 alternative media activities in Kaski and 21 in Dolakha District).	Effectiveness: Highly satisfactory Efficiency: Satisfactory Sustainability: Likely
3.5.2: Publication of project communication materials (Brochures, Pamphlets and other project related publicity materials)	Brochures, flyers, and other publicity materials produced and disseminated/distributed.	Effectiveness: Satisfactory Efficiency: Satisfactory Sustainability: Likely
Rating scales (UNDP 2012): Relevance (1. Not relevant, 2. Relevant); Effectiveness, Efficacy (1. Highly Unsatisfactory (HU), 2. Unsatisfactory (U), 3. Moderately Unsatisfactory (MU), Moderately Satisfactory (MS), Satisfactory (S), Highly Satisfactory (HS); Impact (1. Negligible, 2. Minimal, 3. Significant).		

Sustainability (1. Unlikely (U), 2. Moderately Unlikely (MU), 3. Moderately Likely (ML), and 4. Likely (L); Additional rating: Not applicable (NA), Unable to access (UA).

Note: The table above presents the performance of the individual project activities in terms of effectiveness, efficiency, and sustainability and the overall assessment including the criteria relevancy, coherence, and impact is discussed here and presented in conclusion section.

3.5 Coordination and networking

The Project had put strong emphasis on strengthening coordination with several relevant agencies. Several committees formed at the different tiers of governance contributed to coordinating with relevant agencies. For example, at the central level, PSC comprises representatives from Ministries of Agriculture; Livestock; Local Development; Women, Children, and Social Welfare; NARC/Gene-Bank, NTNC, ICIMOD, FNCCI, NEFIN, FECOFUN etc. The District Project Coordination Committees also had representatives from these sectoral line agencies. Although such committees helped to keep abreast the members of the initiatives of the Project, it is not clear whether the learning from the Project are adopted by other agencies and vice versa.

Coordination with agencies like ACAP, FNCCI, NEFIN, and LIBIRD was found to be effective, and these agencies contributed to project implementation. A relationship characterized by synergy has developed.

3.6 Factors affecting implementation

Several factors affected the implementation of the Project by either facilitating or detracting. The implementation in the first year was largely affected by the local elections. As the whole political/administrative set up of the country focused on conducting the election, the Project launching was delayed in the field. The setting up of project office in the district and hiring of staffs was delayed. The COVID-19 pandemic, which occurred in the late stage of the Project greatly affected the implementation of the activities planned for that period.

'Passing of ABS Bill' in the Parliament is largely affected by the overall political priority of the country. As the Parliament had long lists of bills (such as those on fundamental rights) the ABS Bill could not be passed during the Project period. Some activities were contingent upon passing of the Bill and as such they were delayed. These issues are beyond the Project's implementation sphere.

The enthusiasm shown by elected local level governments (rural municipalities) has contributed towards smooth functioning of the Project at the local level. Some of the wards have already taken initiatives which are in line with the Project objectives. Strong ownership exhibited by the MoFE, and the interest of Province level governments facilitated the project implementation.

3.7 Impact

ABS is a new concept and mechanism in Nepal. Evidence of the impact of implementation of Nagoya Protocol in Nepal is not available. In the absence of information on the Project impact pathways, it is difficult to understand a clear impact pathway of the project. However, on the basis of achievements made in strengthening capacities for implementation of Nagoya Protocol in Nepal, it will have long term positive impact.

The Project was designed with the objective to build capacity of key stakeholders at national, sub-national, and local levels to implement ABS-GEF project in Nepal. It comprised three components with three synergistic outcomes as: (i) ABS Bill in place, (ii) enhanced capacity of the stakeholder groups at all levels, and (iii) enhanced greater understanding and awareness of ABS with pilot sites testing. Although the Bill is not in place yet, the capacity and framework is in place for implementation once the Bill is passed.

4. CONCLUSION, LESSONS LEARNED AND RECOMMENDATIONS

4.1 Conclusion

Summary of the progress

The ETR found that all the Project activities planned have been successfully completed. The major achievements of the project are:

- Database on stakeholders for ABS prepared
- Draft ABS Bill has been prepared
- Strategy and Action Plan for implementation of ABS at policy level prepared
- Draft regulations for implementation of ABS at policy level formulated
- Training materials to carry out trainings on ABS prepared
- Three community protocols developed, and process of preparation documented
- ABS related documents in Nepali language published disseminated
- A large pool of human resources on ABS (especially the government officials) has been developed
- Capacity and enhanced understanding and awareness on ABS and documentation of traditional knowledge improved

The achievements of the project were reviewed against the criteria of relevancy, achievement and effectiveness, efficiency, sustainability, and impact. Based on the detail discussions presented in the previous chapter, the summary of performance of the Project is presented in table 4.1.

Table 4.1: Summary of MTR Findings

SN	Criteria	Rating	Key features
1	Relevancy	Relevant	Objectives of the Project are consistent with the Aichi Targets 16 and 18; Post-2020 Global Biodiversity Framework; ITPGRFA; Articles 51.g, 51.5, 51.10 of the Constitution of Nepal 2015; SDG 2, 5, and 15; Strategy 1 and 4 of the Fifteenth National Plan; and contributes to the National Forest Policy 2015; Agriculture Development Strategy 2016, Agro-biodiversity Policy 2014, NBSAP 2014-2020. Activities planned are relevant in contributing to the objectives of the Project. However, reservation has been expressed in piloting the project in only two sites of same agro-climatic/physiographic zone.
2	Achievement and Effectiveness	Satisfactory	All the activities planned were successfully completed. Some activities (such as ToT trainings in all the provinces, Gender Assessment) were added as the project implementation progressed and successfully completed. One of the key achievements has been Nepal's accession to the Nagoya Protocol on December 28, 2018, and became a party on March 28, 2019. A large pool of trained human resources on ABS has been

			developed at all levels of governance. These training of officials and citizen scientists have been effective. Publication of materials on ABS in Nepali language is very effective and the training manuals will help in expansion of such activities in other local levels.
3	Efficiency	Satisfactory	Although there was a considerable delay for several reasons at the initial phase, such delay was offset by the intense pace of implementation in 2018. However, COVID-19 affected the implementation of activities in later phase of the project and the Project had four no-cost extensions till April 30, 2022. The Project had a financial delivery of 99.68 % of the total proposed budget with a program expenses ratio of 90.87%. Human resources were effectively utilized, and Project followed adaptive management.
4	Sustainability	Likely	As being the government led and executed project, the institutional basis for sustainability is perpetual and strong. There has been good networking with relevant institutions both at national and local levels to enhance the sustainability of the effects. Some rural municipalities (Ward 9 of Machhapuchhre <i>Gaunpalika</i> in Kaski) have taken the initiative of documenting agrobiodiversity contributing to sustainability of the project effects.
5	Coherence	Coherent	The Project exhibited important level of coherence as there was high level of inter-dependency and complementarity among different components. Similarly, the Project was coherent to the national priorities and obligations.
6	Impact	Significant	The Project has developed human resources, and draft of institutional/legal framework to implement ABS Bill once it is passed and therefore the impact will be significant.

In addition to these four criteria, the project performance was also reviewed in terms of coordination and networking and factors affecting the implementation. The project has well developed mechanism for networking and coordination with other government and non-governmental agencies. The implementing relationship with the agencies as envisaged in the Project Document has resulted in complementarity.

One of the strengths of the project implementation has been thorough exercise and development of 'Activity Description and Execution Guidelines' and 'Summary of the Project'. These documents have translated and refined the Project document in 'implementable' form minimizing the confusions. Similarly, a system has been developed in reporting to incorporate the narratives of issues raised by the participants and responses to those issues. Such documentation provides good feedback mechanism and facilitates adaptive management.

4.2 Lessons learned and opportunities

Stakeholders Collaboration and Partnership

The 'access and benefit sharing' provisions of the CBD and the Nagoya Protocol are particularly complex to implement. They interact with a number of laws and policies, broad range of academic and commercial activities, and extremely diverse groups of individuals and organizations. The resource rights of indigenous peoples and local communities are critical to the effective distribution of the benefits to the communities and to the conservation of biodiversity. Stakeholders' collaboration provides opportunities to contribute to strengthening capacities for implementation of the Nagoya Protocol and enhancing the process of passing of the ABS Bill in Nepal.

Capacity strengthening

Capacity strengthening under the Project covered an array of stakeholders. The stakeholders in the government sector and at the pilot sites acknowledged that the Project had increased their knowledge and skills on the concept of ABS and sustainable harvest of genetic resources. However, there is a need for expansion at the local governments level.

Unrealistic expectations for benefit sharing

There is a common perception among local level stakeholders and community organizations, particularly among those who are the custodians of biological resources, that there will be high demand for genetic resources, and they would get benefit in short term from benefit sharing. It is not clear to them that a commercial market product development involves a lengthy process of investment in research and development (see for details ten Kate and Laird 2002). A proper understanding of intricacies and complex process would minimize the false expectation.

Implementation of some of the activities depended on the factors beyond the means of the Project (for example on Passing of the ABS Bill by the Parliament) and Project design should take into account what can be achieved with the Project intervention.

4.3. Recommendations

Since the Project has already completed, the recommendations set forth here deals mostly with sustaining the effects of Project and effective implementation of Nagoya Protocol in Nepal and mostly for the Executing Agency. Recommendations are based on: (i) Mid- term and End- term reviews, ii) international agreements/obligations to which Nepal is a party, and (iii) ongoing discussion on the Post-2020 Biodiversity Framework in relation to Access and Benefit Sharing and the Nagoya Protocol.

There is no single universal mechanism that works in all communities. Acceptance of benefit-sharing mechanisms depends at least partly on the local context including biological resources, institutions that use and govern the resources, and governance of enabling environment.

1. Policy, Rules, and Regulations

Enactment of ABS Act: In order to effectively implement the Nagoya Protocol, to which Nepal is committed, passing of ABS Bill is essential. The ABS draft Bill has been prepared through rigorous exercise with multi-stakeholders' participation as well as synergizing and incorporating the provisions of Multilateral System (MLS) of the ITPGRFA into the Nagoya Protocol. Approval of draft ABS Bill through consensus of diverse stakeholders, Indigenous peoples and local communities (IPLCs), different user groups, and research institutions would greatly enhance the implementation of the Protocol. Since the momentum has already been in place, efforts should be made to pass the Bill.

Strengthen ABS implementation into relevant sector specific legal frameworks: In order to advance the implementation of ABS as soon as possible, Nepal should proceed to incorporate provisions of ABS mechanism into sectoral, including Forestry and Agriculture Sectors, and cross-sectoral, including Intellectual Property Rights (IPRs) legal policies; similar approach has been in practice in Mexico.

Competent National Authorities (CNA): The Competent National Authorities (CNA), as per the Article of the Nagoya Protocol, are responsible for granting access or, as applicable, issuing written evidence that access requirements have been met and be responsible for obtaining prior informed consent (PIC) and for entering into mutually agreed terms (MAT). **We recommend initiating policy debates on establishment of functional and acceptable Competent National Authority.**

Digital Sequencing Information (DSI): The DSI is an emerging issue proposed in the Post-2020. This plays a crucial role in catalyzing research applications that can contribute to international societal and biodiversity conservation targets. However, benefit sharing relating to DSI is difficult to identify. There exists a lack of clear international governance and legislation to make DSI publicly and freely available. Critically, no precise definition exists under the CBD, the Nagoya Protocol, or the ITPGRFA. Nepal, as a contracting party, should ensure that monetary and non-monetary benefits from the utilization of genetic resources in any form, including DSI and related traditional knowledge are shared fairly and equitably with the country of origin of those genetic resources and IPLCs.

2. Capacity needs and Training

Capacity strengthening of government elected local bodies to govern science-policy-practice interface: Local elected bodies in Nepal are committed and responsible for governing natural resource management within their boundaries. Science-policy-practice interfaces at different levels are strengthened to address priority knowledge gaps that integrate scientific, and indigenous and local knowledge to inform more targeted and effective actions for achieving the Post-2020 GBF. We also recommend an improved integration of scientific, indigenous and local

knowledge under science–policy–practice interfaces at different levels to support ABS mechanism.

Enhance capacities of disadvantaged groups in the ABS process: The GoN has provision for the participation of disadvantaged groups in the local governments and national and provincial assemblies. Such participation is also essential in ABS implementation mechanism.

3. Education, Public awareness, and Communication

Sensitization of ABS mechanism: Benefit-sharing has been instrumental in empowering indigenous peoples and local communities living on biodiversity hotspots to engage in natural resource management and enhance biodiversity conservation outcomes. Draft Post-2020 GBF biodiversity framework appeals to conserve, restore, and sustainable use of biodiversity to enhance nature’s contribution to the achievement of the sustainable development goals by 2030.

4. Research

Bioprospecting: The exploration of biodiversity for commercially valuable and socio-culturally important genetic resources is an important aspect of giving natural biodiversity an economic value. Benefit-sharing arrangements during bioprospecting for commercially valuable discoveries create incentives for conservation and provides alternatives to destructive use. Bioprospecting should be given high priority in biodiversity conservation and ABS programme.

Delivery of desirable social and conservation outcomes. Future research explores the values and demand for benefits among local people living close to biodiversity hotspots, particularly among IPLCs. It is recommended to ensure that the benefit-sharing mechanisms deliver desirable socio-economic outcomes for local communities as well as conservation outcomes.

5. Building on the Project achievement

The learning of the project should be utilized to expand the capacities of the local governments to document and conserve their biodiversity resources. Efforts should be made to initiate a comprehensive initiative so that the local governments are strengthened to document and conserve their biodiversity resources. Institutions like IUCN can undertake such an initiative. Efforts should be made to incorporate ABS issues in future National Biodiversity Strategy and Action Plans.

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Annexes

Annex 1: Targets and Achievements

Output	Activities	Target	Achievement
Outcome 1: The rules and regulations that will allow the implementation of the Nagoya Protocol once the ABS law is enacted.			
1.1 Stakeholder identification and analysis and capacity assessments		1.1 Documented results of stakeholder analysis and of 3 capacity self-assessments: initial, mid-term, and final	
	1.1.1 Continuously scope, compile and systematize baseline data		Baseline database developed, Mid-term and End term completed to assess existing status on awareness level of six groups of stakeholders
	1.1.2 Stakeholder identification and analysis and capacity self-assessments		Stakeholder identification and capacity self-assessment conducted one at national, two district level, and local level (in pilot sites) District Coordination Meetings and Site level Coordination meetings conducted in two project districts.
1.2 Gap analysis		1.2 Documented analysis of gaps in ABS-related provisions in existing policies, laws and regulations and an analysis of existing provisions governing the rights of users of biological resources	
	1.2.1 Conduct gap analysis and analysis of user rights		Gap analysis of the ABS-related provisions in existing policies, laws and regulations conducted
	1.2.2 Gender Assessment (amended activity)		Gender assessment carried out and report prepared
1.3 Strategy and action plan for implementing ABS		1.3 Document that sets out the government's intentions, goals, and timetable for implementing ABS	

	1.3.1 Carry out consultations and develop strategy and action plan		ABS Strategy and Action Plan prepared and consultation with MLJPA and MoALD done.
1.4 National ABS Policy		1.4 Finalized National ABS policy which reflects the Nagoya Protocol and incorporates the input from Policy Lab discussions	
	1.4.1 Policy Labs		Series of Policy Labs conducted to finalize ABS Bill and ABS Regulations (23 policy discussions of drafting team) Policy discussion with the MOALD; Agriculture, Cooperative and Natural Resources Committee of the Parliament; NEFIN completed
1.5 Draft ABS Rules and Regulations and Guidelines		1.5 Draft ABS Rules and Regulations and Guidelines available to be issued	
	1.5.1 Advocate for and support the Government of Nepal to accede to the Nagoya Protocol		Acceded Nagoya Protocol by the Parliament. Nepal became party to the Nagoya Protocol on 28 March 2019
	1.5.2 Support finalization of the draft ABS bill and advocate for its adoption		Final draft of the ABS Bill has been prepared and waiting for passing
	1.5.3 Draft ABS Rules and Regulations and Guidelines		Policy labs conducted to prepare ABS Rules and the Draft of ABS Rules has been prepared.
Outcome 2: Representatives of ABS stakeholder groups at all levels have sufficient skills to contribute to implementing ABS and communities have enhanced bargaining power for negotiating eventual ABS agreements			
2.1 Continuously scope, compile and systematize information to support training and raising awareness on ABS		Documented results of Scoping and baseline data collection and of 3 capacity self-assessments: initial, mid-term, and final	

	2.1.1 Conduct baseline		Baseline completed
2.2 Training materials and training of trainers and training for stakeholder groups		2.2.1 Training materials identified and adapted or new materials developed that are used in general ABS training, training citizen scientists, and negotiation skills training	
	2.2.1. Identify existing training materials and develop new training materials as necessary		Identified existing training materials and review carried out on gaps, Community Level Training Manual prepared, Posters published ToT manual and ABS prepared
	2.2.2 Organize Training of Trainers (ToT) for selected representatives of each stakeholders group	20 stakeholders at national level and 15 stakeholders at district level given general training on ABS issues	ToT completed in seven provinces Training on ABS completed at central level.
	2.2.3 Conduct Citizen scientist training	48 citizen scientists trained, 24 from each project site	Initial sensitization training conducted in 4 sites Conducted six citizen-scientist trainings-1st phase (2 in Dolakha and 4 in Kaski) Conducted citizen scientists training-2nd phase (1 in Dolakha and 4 in Kaski) for the same group of citizen scientists trained in first phase Total 125 citizen scientists trained
	2.2.4 Negotiation skills training	150 community members trained in negotiating skills	Negotiation skill training was integral part of the ToT. One Central level and one district level negotiation skills training were completed
2.3 Community protocols		At least 2 community protocols developed	

	2.3.1 Identify and support researchers and academics who can assist communities in developing community protocols		<p>Identified and supported 8 researchers (4 from TU-CDB and 4 from TU-IOF)</p> <p>Final research reports on Biodiversity and TK from all sites prepared</p> <p>Biodiversity and TK documentation completed in Sikles</p> <p>Guideline to prepare community protocol prepared</p> <p>1 policy brief on community protocol prepared</p> <p>Training of CP in project sites and piloting CP in the project sites and documenting learnings (three CPs developed)</p>
2.4 Process documentation		Systematized documentation on the process of developing community protocols, the issues that arise in training community members in negotiation skills, and what communities learn as they interact with each other in the context of ABS	
	2.4.1 Exchange/ Exposure visits		<p>17 participants (6 from Dolakha and 11 from Kaski) visited for 6 days at six places in Western Tarai where piloting of documentation and community protocols was done</p> <p>Conducted cross project site exchange visits for the selected citizen scientists for the cross-project site learning on biodiversity and associated traditional knowledge</p> <p>5 PMU officials visited Australia</p> <p>20 government officials participated in a week-long visit to India</p>

	2.4.2 Develop and use an ABS learning framework		ABS Learning framework based on piloting of community protocol in pilot field sites prepared
2.5 Monitoring and Evaluation		Midterm and Final Evaluation Report	
	2.5.1 Develop and implement project joint monitoring mechanism (monitoring and reporting) and conduct project mid-term and final evaluation		Joint monitoring conducted in May 2018, MTR was completed in 2018 and recommendations were adopted End Term review is ongoing
Outcome 3: Stakeholders at all levels have greater understanding and awareness of ABS and the issues involved in implementing it.			
3.1 Communications and visibility plan		3.1 Communication and visibility plan	
	3.1.1 Continuously scope, compile and systematize baseline information on how to communicate ABS		Baseline survey completed
	3.1.2 Develop communication and visibility plan		Communication and visibility plan prepared and implemented ABS experts' data base (roster) prepared.
3.2 Nepali language ABS terminology and translations of international ABS documents		Nepali language ABS terminology published	
	3.2.1 Convene group of experts that will develop ABS terminology in Nepali		The group convened and the booklet containing terminology has been prepared and widely disseminated
	3.2.2 Translate 7 documents	Nepali translations of 7 international documents related to ABS	Translated and published 4 documents related to ABS in Nepali (ABS Glossary; ABS Information Kit (CBD)- 7 documents; ABS Fact Sheet (CBD); Nagoya Protocol Fact Sheet

			(CBD); summary of IUCN Explanatory Guide to the Nagoya Protocol
Outputs 3.3 Radio spots on ABS in Nepali			
	3.3.1 Develop radio spots and arrange for them to be broadcast	24 radio spots developed and broadcast on a monthly basis through two local FM stations at project sites and one FM station at the national level.	Total 30 episodes of radio programs on ABS developed and broadcasted from Image FM (national), Radio Barahi (Kaski) and Radio Sailung (Dolakha) The radio spots were later expanded in all provinces through provincial FM Stations Mass awareness programs through Radio Sagarmatha has been completed
Outputs 3.4 Videos on ABS in Nepali			
	3.4.1 Create videos, post them on YouTube, and arrange for them to be broadcast on TV	3.4.1 Three videos on ABS in Nepali language developed and broadcast at least six times on national television.	One Short video entitled “What is ABS” in English and Nepali developed One long video on ABS developed and broadcasted through three National TV (Nepal Television, Image Channel and AP1 TV) on the occasion of International Biodiversity Day. Third Video on Project outcomes and progress developed.
3.5 Alternative media resources on ABS in Nepali			
	3.5.1 Develop alternative media resources on ABS in Nepali	At least 28 events using alternative media such as street drama, art competition, and quiz contests, among other things, will be organised at local level	48 events using alternative media such as art competition, quiz contests etc. organised at local level of Kaski and Dolakha (27 alternative media activities in Kaski and 21 in Dolakha district).
	3.5.2 Publication of project communication materials (Brochures, Pamphlets and other		Brochures, flyers, and other publicity materials produced and disseminated/distributed.

	project related publicity materials)		
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Amended/ Added activities in component 2

Output	Activities	Achievement
Training materials and Training of trainers and training for stakeholder groups	Capacity Building on ABS related Policies and Legal Frameworks in all provinces Capacity Building on Biodiversity and TK Documentation in all provinces	Capacity building on ABS related policies and legal frameworks in seven provinces completed
	Capacitate local bodies of the pilot sites to demonstrate ABS institution mechanism	Capacitated local bodies on pilot sites on ABS institutional mechanism (as provisioned in ABS SAP and draft ABS Bill)
	Negotiation Skill training for private sector (FNCCI members, Bioprospectors) Training of MoFE officials by international expert	Negotiation Skill training for private sector (FNCCI members, Bioprospectors) completed Training of MoFE officials by international expert completed.
	Training for officials of all centers of Department of Plant Resources	Finalised TKDL and handed over to DPR
	TKDL Finalization and handover to DPR (Community Protocol, Documentation etc.)	Conducted training in collaboration with DPR, trained 24 personnel of DPR

Annex 2: Chronology of the Project

SN	Activity	Date
1	Project Agreement	November 24, 2016
2	Inception workshop, Central level at Kathmandu	February 7, 2017
3	PSC meeting (first)	April 5, 2017
4	District Convening Meeting at Kaski	May 30, 2017
5	District Inception Workshop Kaski	June 22, 2017
6	District Inception Workshop, Dolakha	July 21, 2017
7	Hiring of project Field Officer	August 2017
8	Common Understanding Meeting among Project team	August 10 and 11, 2017
9	Office set up district level/ hiring of local staff	Sept/Oct 2017
10	Implementing agreement with TU-CDB for research activities	11 Sept. 2017-10 Sept. 2018
11	Stakeholders' Assessment at Kathmandu	September 26, 2017
12	Baseline Study	Oct 2017- Feb 2018
13	Initial Orientation Workshop at Site Level, Kaski	November 20-23, 2017
14	Implementing Agreement with IoF for Research Activities	November 30, 2017- November 30, 2018
15	Initial Orientation Workshop at Site Level, Dolakha	31 October 2017
16	Stakeholder Assessment in Dolakha	December 2nd week 2017
17	Exposure visit	December 17-24, 2017
18	Publication of Fact Sheet on ABS Nagoya Protocol in Nepali	January, 2018
19	Gap Analysis on Existing Training Manuals	21-26 January 2018
20	Discussion on ABS related Laws and Policies (Policy Lab)	January 26, 2018
21	PSC meeting (Second)	Feb 22, 2018
22	ABS Bill Discussion, Kathmandu (Policy Lab)	February 23, 2018
23	Citizen Scientist Training, Dolakha	February 4-6, 2018
24	Citizen Scientist Training, Lumre, Lwangghalel, Kaski	Feb 19-21, 2018
25	Citizen Scientist Training, Saidighatta, Lwangghalel, Kaski	Feb 26-28, 2018
26	Develop ABS Orientation Manual for sensitization at community level	February, 2018
27	Stakeholder Assessment in Kaski	March 16, 2018
28	Citizen Scientist Training, Khilang, Kaski	March 18-19, 2018
29	Citizen Scientist Training, Sikles, Kaski	March 20-21, 2018
30	Initiation of Radio Broadcast	March, 2018
31	Development of Alternative Media strategy/plan, Implementation	March, 2018
32	Biodiversity Documentation of Gaurishankar Rural Municipality-1, 2	March- July, 2018
33	Initiation of Citizen Scientist Profiling	April, 2018
34	Video production on ABS in Nepali	April, 2018
35	Training of Trainers in Province 4, Pokhara	April 24-27, 2018
36	Video production on ABS in Nepali	April, 2018
37	Joint Monitoring meeting	May 4, 2018

38	Joint Monitoring	May 3- 23, 2018
39	Launching of long video on ABS	May 22, 2018
40	Citizen Scientist training II, Dolakha	May 22, 2018
41	Training of Trainers in Province 3, Hetauda	May 28-31, 2018
42	Develop New training materials based on gap analysis of existing training materials	April-July, 2018
43	Policy Brief based on gap analysis of ABS related Laws and Policies	July, 2018
44	Mid Term Review of the project	June-July, 2018
45	TOT on Negotiation skills in ABS	January 9-11,2019
46	PSC meeting (third)	March 15, 2019
47	Nepal became a party to Nagoya Protocol	March 28, 2019
48	TOT on ABS in Province 1	April16-18, 2019
49	TOT on ABS in Province 2	May 8-10, 2019
50	Interaction Meeting with Parliamentarians on ABS Draft Bill	May 20, 019
51	TOT on ABS in Province 5	May 27-29, 2019
52	Preparation of ABS SAP	July to December 2019
53	Third Supervision Mission	October 2019
54	India Tour of Officials	November 2-10, 2019
55	PSC meeting (fourth)	November 14, 2019
56	Biodiversity and Traditional Knowledge Documentation of Macchapurche RM -8,9 Lwangghalel, Kaski	Dec 31, 2019- January 7, 2020
57	Policy Lab on FPIC and MAT	January 2020
58	Training on ABS and Traditional Knowledge to DPR	January 23-24, 2020
59	Training on ABS and Traditional Knowledge in Karnali Province	January 26-28, 2020
60	PSC meeting (fifth)	June 19, 2020
61	Capacity Building Training of Provincial Government officials in Bagmati province	March 9-10, 2021
62	Capacity Building Training of Provincial Government officials in Province 2	March 14-15, 2021
63	Capacity Building Training of Provincial Government officials in Province 1	March 16-17, 2021
64	Capacity Building Training of Provincial Government officials in Karnali province	April 12-13, 2021
65	Capacity Building Training of Provincial Government officials in Sudur Paschim province	April 15-16, 2021
66	PSC meeting (sixth)	June 18,2021
67	Policy lab on Community Protocol	November, 2021
68	Capacity Building Training of Provincial Government officials in Karnali province	December 1-3, 2021
69	Endline Capacity Assessment	January, February 2022
70	Training of Officials by international expert	March 2022
71	PSC meeting (seventh)	April 25,2022
72	Project Completion Workshop	April 25, 2022

Annex 3: Project Publication

Booklets:

1. Introduction to Access and benefit-sharing (English and Nepali):
2. Access and Benefit Sharing Fact Sheet (English and Nepali)
3. Uses of Genetic Resources (English and Nepali)
4. Traditional Knowledge (English and Nepali)
5. The Bonn Guidelines (English and Nepali)
6. ABS National Implementation (English and Nepali)
7. Nagoya Protocol on Access and Benefit Sharing (English and Nepali)
8. ABS community Sensitising manual (in Nepali)
9. Community Biodiversity Registration format
10. ABS TOT Resource Book (in Nepali)
11. ABS community training resource book (in Nepali)

Flyers:

1. Project on Strengthening Capacities for Implementation of the Nagoya Protocol in Nepal (Nepali)
2. Project on Strengthening Capacities for Implementation of the Nagoya Protocol in Nepal (English)
3. Poster presentation on ABS GEF at CBD COP14, 17-29 November 2018, Sharm El Sheikh, Egypt
4. Community Protocols for establishing ownership over Traditional Knowledge and Genetic Resources; at CBD COP14, 17-29 November 2018, Sharm El Sheikh, Egypt

Theses supported:

Assessment of Floral Diversity and Analysis of Community Structure: *A case study from the Forest of Machhapuchhre Rural Municipality, Kaski District, Nepal*; IoF/TU Hetauda, Bichit Kumar Singh

Ethnobotany, Diversity and Distribution Pattern of Vascular Plants in Lwangghalel, Kaski district, central Nepal; CDB/TU Kirtipur; Bijay Khadka

Ethnobotany and Medicinal Plants in Madi Rural Municipality, Kaski District, Nepal, CDB/TU Kirtipur; Dhruba Khakurel

An Assessment of Plant Diversity: A Case Study from Parche of Madi Rural Municipality, Kaski, Nepal; IoF/TU Pokhara; Sabita Thapa

Diversity, Distribution and Ethnobotany of Epiphytic Orchids in Jungu, Dolakha, Central Nepal, CDB/TU Kirtipur, Sangram Karki

Exploring Major NTFPs and their contribution to Rural Communities (A case study of Lwangghalel, Machhapuchhre rural municipality); Manju KC,

Contribution of Non-Timber Forest Products in Rural Livelihoods (A case Study from Parche of Madi Rural Municipality, Kaski); Chungla Sherpa, IoF, Pokhara

Annex 4: List of Project Documents Reviewed (Produced by the Project)

- Project Document (Project Proposal)
- Implementing Agreement IUCN and MoFSC
- Capacity Self-Assessment and Baseline Study – Baseline Report, 2018
- Proceedings of the Stakeholders’ Assessment Workshop, 2018
- Review report: "Identify existing training materials on ABS and undertake gap analysis to design and develop new training materials", April 2018
- Report of Citizen Scientist Training, Feb 2018
- Citizen Scientists training/ workshop-Report, Feb/March 2018
- Exposure Visit of Community Members to Tarai districts - Report, December 2017
- Joint Monitoring Report, May 2018
- Activity Description and Execution Guidelines: Project Activities for Year 1 (2017)
- Annual Progress Report: (Period covered: January 2017 - December 2017); 2018
- Annual Work Plans
- Project Progress Reports
- Activity Description and Execution Guidelines: Project Activities for Year 1 (2017)
- Exchange Visit Report, Australia (March 15-22, 2018)
- Proceedings of Training of Trainers (in all the Provinces)
- Brief Report of IUCN Funded M.Sc. Students Based on the Output of their Thesis Work
- Preparation of Traditional Knowledge (associated with genetic resources) Database of Nepal
- Gender Assessment Report
- Preparation of Traditional Knowledge (associated with genetic resources): Final Technical Report
- Traditional Knowledge of Indigenous and Local Communities of Dolakha and Kaski District, Nepal associated with Plant Biodiversity
- Community Protocol Preparation: Lessons learned and way forward from a pilot project
- Endline Capacity Assessment Final Report

Annex 5: List of people interacted

Group meeting

SN	Name	Representation
Meeting at Sikles, Madi 1, Kaski; April 27, 2022		
1	Nou Maya Gurung	Mothers' Group Chairperson
2	Chandra Prasad Gurung	Tole Coordinator
3	Indra Jeet Gurung	Tole Coordinator
4	Ichha Bahadur Gurung	
5	Ge Shubha Gurung	School Teacher
Meeting at Jungu, Gaurishankar, Dolakha; April 29, 2022		
6	Basanta Karki	Chairperson, Ward 2
7	Jhalak Kumar Karki	Chairperson, Ward 1
8	Surya Bahadur Tamang	Citizen scientist
9	Rup Maya Tamang	Citizen Scientist
10	Govinda Khadka	Staff at Cooperative
11	Netra Bhadur Khadka	Citizen Scientist

Individuals met

SN	Name/ institution
1	Kedar Baral, DFO Kaski
2	Gehendra Gurung, Secretary CAMC, Sikles Kaski
3	Dhak Bahadur Bhujel, Officer In Charge, ACAP, Sikles Kaski
4	Dhananjaya Poudel, National Project Director, MoFE Kathmandu
5	Gyanendra Mishra, Under Secretary, MoFE
6	Rachhya Shah, Senior Programme Officer, IUCN Nepal
7	Sharad Adhikari, Finance Officer, IUCN Nepal

Annex 6: Field study Itinerary

Date	Place	Activity
April 25, 2022	Kathmandu	Participation in project completion workshop
April 26, 2022	Pokhara	Meeting with DFO Kaski
		Meeting with CAMC secretary
	Sikles, Kaski	Meeting with ACAP Officer In Charge
April 27, 2022	Sikles, Kaski	Meeting with Citizen scientists and community members
April 28, 2022	Pokhara-Kathmandu-Charikot	Travel to Charikot, Dolakha
April 29, 2022	Jungu, Dolakha	Meeting with Citizen scientist and Ward Chairs
April 30, 2022	Dolakha-Kathmandu	Travel to Kathmandu

Annex 7: Review Questions

SN	Criteria/Key questions	Indicators/Analysis	Information required/Methods
1	Relevance		
1.1	To what extent had the project contributed to the strategic policies and programmes of the country?	Comparison of specific components of the project contributing to specific policies (CBD, Nagoya Protocol, Post 2020 Biodiversity Framework, NBSAP, SDGs, National Plans, Provincial plans etc.)	Specific policy provisions and project components contributing to these domains Review of the policies and the project documents
1.2	Assess the contribution of the project towards the achievement of national objectives and contribution in the implementation of the Nagoya Protocol in Nepal	Causal relationship between the project activities and the Nagoya Protocol	Juxtaposing project objectives against the national objectives in relation to the Implementation of Nagoya Protocol; Review of project Document;
1.3	Analyse whether the project's approach addresses the needs and demands of the stakeholders.	Consonance of the project approaches and needs and demands of the stakeholders	Review of the needs and aspirations of the groups of stakeholders (Gap analysis, capacity assessment report)
1.4	Assess the relevance of the tools / instruments / inputs applied by the project for enabling policy environment for implementation of the Nagoya Protocol in Nepal	Consonance of the project approaches and objectives of the project	Teasing out connectivity between objectives, outcomes, outputs, and activities to the objectives
2	Effectiveness		
2.1	What outputs were achieved and What worked well and did not work well as expected?	The degree of achievement under different components (achievements under each planned activities and outputs)	Comparison of target and achievement, Review of the progress report
2.2	Were the activities implemented in accordance with the project plans? If not, why?	Timeline of project implementation	Review of the progress reports, Consultation with the implementing officials

		Identification of contributing and detracting factors and the magnitude of influence	
2.3	To what extent did the output delivery under each component contribute to the objectives?	Comparative achievements of different components and relative contribution in achieving overall objectives	Review of the progress reports, Consultation with the implementing officials
2.4	How effective were the approaches and structures in delivering the desired outputs? Did the collaborative organizations work together effectively?	Implementation mechanism, synergy among different partners,	Review of implementation structure; inquiry of what could be easily implemented; level of adaptive management; Consultation with PMU and PEU
3	Efficiency		
3.1	Were the available technical and financial resources adequate to fulfill the project plans? Assess whether the project utilized project funding as per the agreed work plan to achieve the projected targets and used the right procedures.	Review of the technical human resources and comparative financial resource allocation and expenses in different components Time- line of the project implementation	Review of the progress reports and financial reports Consultation with the implementation team
3.2	Were there any unforeseen problems? How well were they dealt with?	List of the unforeseen problems encountered and the extent of effect on project implementation (including COVID-19 pandemic)	Identification of any unforeseen problems through interview with the project team
3.3	effective process, built into the management structure for self-monitoring and assessment, reporting and reflection? <ul style="list-style-type: none"> • Effective process, built into the management structure for self-monitoring and assessment, reporting and reflection? • Analyse the role of the Project Steering Committee (PSC) and whether this 	Review of monitoring mechanism, and extent of adaptive management practices followed based on monitoring Review of the meeting minutes of the PSC and the extent of refinement in implementation	Interaction with PSC to understand expected and actual roles played; types of decision made by PSC Review of the reporting mechanism; how effectively the timeline is followed; monitoring mechanism;

	<p>forum was optimally used for decision making.</p> <ul style="list-style-type: none"> • Assess the timeline and quality of the reporting followed by the project • Assess the qualitative and quantitative aspects of management and other inputs (such as equipment, technical assistance and budgetary inputs) provided by the project vis-à-vis achievement of outputs and targets. 		changes made in management (if any) based on reporting/monitoring
4	Sustainability		
4.1	Was the approach used likely to ensure continued benefit after the project?	<p>Review of the process and approach followed in relation to the contribution in sustaining the effects</p> <p>Institutional basis for ensuring sustainability</p>	<p>Assessment of institutional basis, financial basis of the sustainability for different components across different levels (Some activities are related with central level government institutions while others are at local levels);</p> <p>Consultation with the project team and review of the report</p>
4.2	Were all key stakeholders sufficiently and effectively involved? Were their expectations met and are they satisfied with their level of participation?	Nature and extent of stakeholders' participation; Assessment of level satisfaction	Review of the reports, consultation with stakeholders at field level and implementation unit
4.3	Was the approach inclusive and gender responsive?	Measures adopted to make the approach socially and gender inclusive	Review of the reports, consultation with stakeholders at field level and implementation unit
4.4	Were alternative or additional measures needed and, if so, what was required to ensure continued sustainability and a positive impact?	Identification of potential measures for contributing sustainability	Review of the reports and consultation with PMU, PEU

	Assess preliminary indications of the degree to which the project results are likely to be sustainable beyond the projects lifetime and provide recommendations for strengthening sustainability. Assess the sustainability of the project interventions in terms of its effect on policies, capacities and awareness	Review of the effects of intervention on policies	
5	Impact		
5.1	What are the long- term positive/negative, intended/unintended effects of the project	Potential impact of the project effects	Review of the reports and consultation with PMU, PEU
6	Coherence		
6.1	To what extent the project interventions were coherent with Government policies, and political economic context?	Comparative analysis of the project outputs and intended relevancy with the national policies and plans	Consonance with national policies and plans and the project outputs
6.2	To what extent the different components of the project were mutually complementary/ supplementary?	Assessment of complementarity/supplementarity among project components	Review of the project document, progress report and consultation with the project team
7	Network /linkages		
7.1	Evaluate the level, degree and representation by the stakeholders, (government and civil society, indigenous peoples' and local communities, academic and research institutions etc.) in the execution of the project	The extent and nature of representation (participation, influencing, etc.) at different tiers and different phases of the project implementation by different groups of stakeholders	Development of matrix/maps of linkages/network in project implementation
7.2	Assess the extent to which the project was aligned with other relevant projects and identify linkages and opportunities for achievement of objectives/targets	Assessment of network developed with other projects and its contribution	Review of the documents/ Consultation with the project team and partner institutions for identifying these network and contribution in achievement
8	Lessons learnt		

	Identify significant lessons and conclusions which could be drawn from the project in terms of effectiveness, efficiency, sustainability and networking	Drawing of overall conclusions based on different criteria	Synthesizing outcome of review under different criteria
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Annex 8: Details of Relevancy

Following section presents detail clauses, articles relevant to the project.

(i) International obligations. Various international bodies and instruments deal with access and benefit-sharing (ABS), this assessment and evaluation focusses mainly on the Convention on Biological Diversity, its Nagoya Protocol and the Post-2020 Global Biodiversity Framework; International Treaty on Plant Genetic Resources and FAO Commission on Genetic Resources for Food and Agriculture; the 2030 Agenda for Sustainable development; and Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES).

CBD, ABT, Nagoya Protocol and Post-2020. The Convention on Biological Diversity (CBD), with its 30 years of existence, has been conceived to be the major international framework to address the loss of biodiversity through its three interlinked objectives of ensuring “*the conservation of biological diversity, the sustainable use of its components; and the fair and equitable sharing of benefits arising out of the utilization of genetic resources, including by appropriate access to genetic resources and by appropriate transfer of technologies, taking into account all rights over those resources and to technologies, and by appropriate funding*” (IUCN, 2022).

In general, the project contributes to achieve the third objective of the Convention on Biological Diversity, and Strategic Plan for Biodiversity 2011-2020 and the Aichi Targets, and Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization to the CBD. Nepal, a biodiversity hotspot country has ratified the CBD on November 22, 1993, and has enforced since February 21, 1994, to facilitate access to its biological resources (CBD Article 15.2). Such access must be in accordance with appropriate legislations (CBD Article 15.1) and be on mutually agreed terms (CBD Article 15.4) involving prior informed consent (CBD Article 15.5). The CBD Article 8(j) also commits the contracting parties to preserving the traditional knowledge of indigenous peoples and local communities (IPLCs) to promoting their involvement in developing wider applications of their knowledge; however, there is little guidance on how this might be achieved (Harvey and Gericke, 2011).

The outcome of the project contributes to the Aichi Biodiversity Targets (ABT), in particular, ABT 16 which is the Nagoya Protocol on ABS. The ABT 16 provides that “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”. While elements of ABT 16 are still valid and relevant, the target encourages countries, the Secretariat and other relevant organizations to concentrate their efforts in taking the necessary key steps to make the Protocol operational. Overall, ABT 16 implies that a number of actions must be undertaken by Parties, *viz*, a) ratification; b) putting the necessary legislative, administrative or policy measures

and institutional structures in place for implementing the Nagoya Protocol; and c) publishing mandatory information in the ABS Clearing-House.

ABT 16 is being supported by ABT 13 that refers to safeguarding genetic diversity of plants, animals and wild relatives; and ABT 18 relates to the traditional knowledge, innovations and practices of indigenous [peoples] and local communities (IPLCs) and implementation of the Convention with the full and effective participation of IPLCs, at all relevant levels.

As of 17 May 2022, 134 Parties to the Convention on Biological Diversity ratified the Nagoya Protocol. Both the Parties and non-Parties have made considerable progress in putting the ABS frameworks in place; however, further efforts are needed to make the Protocol fully operational (cbd.int/abs/Nagoya-protocol/signatories/ - accessed on 17-05-2022).

The Conference of Parties, at its fourteenth meeting held in Egypt in 2018, adopted decision 14/34 for the preparation of the post-2020 global biodiversity framework in relation to access to genetic resources and benefit sharing and the Nagoya Protocol. Possible elements proposed on ABS and the Nagoya Protocol in the post-2020 global biodiversity framework that include: a) Goal, milestone and indicators; b) Integration of access and benefit sharing into other areas of work under the convention; c) Enabling elements and review mechanisms: Access and Benefit-sharing-Clearing-House, capacity building, resource mobilization, national reports, communication; iv) Indigenous peoples and local communities; v) Digital sequence information (DSI) on genetic resources; and d) Other relevant international instruments (CBD-UNEP 2019a; CBD-UNEP 2019b) will significantly contribute to achieve the objectives of the Protocol and the third objective of the Convention (IUCN, 2022).

Genetic material that contains digital genome sequence information, DNA and RNA stored as DSI, can have a commercial value, therefore, many countries exercise sovereign rights over genetic resources that originate from within the territories. However, the Nagoya Protocol on ABS is unclear on how to administer genetic sequence digital data within the scope of the CBD, and issues related to the DSI has been so far a contentious one (IUCN, 2022)

ITPGRFA. The International Treaty on Plant Genetic Resources for Food and Agriculture (also known as ITPGRFA, International Seed Treaty or Plant Treaty), which was signed in 2002 and entered into force on 29 June 2004, is a comprehensive international agreement in harmony with the CBD (<http://www.planttreaty.org/>, accessed on 24 May 2022). Government of Nepal decided to be a member of ITPGRFA on 2 January 2007 and became a party on 19 October 2009 and MoALD is the focal ministry for the Treaty.

The treaty aims at guaranteeing food security through the conservation, exchange and sustainable use of the world's plant genetic resources for food and agriculture (PGRFA), the fair and equitable sharing arising from its use, as well as the recognition of farmer's rights. Article 6 of the treaty

asks the Contracting Parties to develop and maintain appropriate policy and legal measures that promote the sustainable use of plant genetic resources for food and agriculture by maintaining diverse farming systems, strengthening research which enhances and conserves biological diversity, and promoting, as appropriate, plant breeding efforts with the participation of farmers (FAO, 2009). The ITPGRFA Article 9 recognizes “Farmer’s Rights”, subject to national laws to: a) the protection of traditional knowledge relevant to plant genetic resources for food and agriculture; b) the right to equitably participate in sharing benefits arising from the utilization of plant genetic resources for food and agriculture; and c) the right to participate in making decisions, at the national level, on matters related to conservation and sustainable use plant genetic resources for food and agriculture (FAO, 2009). The Treaty also establishes the Multilateral System of Access and Benefit Sharing to facilitate plant germplasm exchanges and benefit sharing through Standard Material Transfer Agreement (SMTA) (<https://www.cbd.int/api/v2013/documents/2009F679-F104-6CD7-961E-AF2C44CE5618/attachments/212409/CGIAR.pdf>; accessed on 23 May 2022).

Various international bodies and instruments including FAO Commission on Genetic Resources for Food and Agriculture have facilitated and argues ABS-related aspirations and outcomes in the Post-2020 Framework that “by 2030, access and benefit sharing should result in: a) more genetic resources potentially available and used for research and sustainable development subject to ABS mechanism; b) more transfers of genetic resources and related traditional knowledge for use in research and technology development; and c) more monetary and non-monetary benefits are generated and equitably shared” (<https://www.cbd.int/api/v2013/documents/2009F679-F104-6CD7-961E-AF2C44CE5618/attachments/212409/CGIAR.pdf>; accessed on 23 May 2022).

2030 Agenda for Sustainable Development. ABS can help to achieve many of the Sustainable Development Goals (SDG) of the 2030 Agenda for Sustainable Development, *viz.*, Goal 1 (no poverty), Goal 2 (zero hunger), Goal 8 (decent work and economic growth), Goal 9 (industry, innovation and infrastructure), and Goal 15 (life on land). In particular, under the SDG Goal 15, there is a target 15.6 “Ensure fair and equitable sharing of the benefits arising from the utilization of genetic resources and promote appropriate access to such resources, as internationally agreed.” (CBD-UNEP (2019a)). The above target reflects a broader approach promoting sharing of benefits and access to genetic resources ‘as internationally agreed’ without reference to Nagoya Protocol in particular, or any other particular agreement for that matter (<https://www.cbd.int/api/v2013/documents/2009F679-F104-6CD7-961E-AF2C44CE5618/attachments/212409/CGIAR.pdf>; accessed on 23 May 2022).

IPBES. The IPBES (Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services) has made Global Assessment of Biodiversity and Ecosystem Services with credible and independent up-to-date assessments of available knowledge for better evidence-informed policy decisions and action at the local, national, regional and global scales. The assessment has deeply raised concerns over disappearing trends of genetic diversity that poses a serious risk to global

food security. The assessment has reiterated and re-emphasized the positive contributions of indigenous peoples and local communities that sustainability can be facilitated through national recognition of land tenure, access and resource rights in accordance with national legislation, the application of free, prior and informed consent, improved collaboration among stakeholders, fair and equitable sharing of benefits arising from the use, and co-management arrangements with local communities (IPBES, 2019). The success of alignment, however, depends on the modality of ABS chosen (<https://trade4devnews.enhancedif.org/en/op-ed/access-genetic-resources-and-benefit-sharing-post-2020-global-biodiversity-framework> (23 May 2022).

(ii) National commitments. The project is consistent with the legal instruments and regulatory frameworks, policies and plans of Nepal. This part assesses on provisions related to biodiversity and access to genetic resources and benefit sharing, and its related issues. A brief review of pertinent provisions in the legislations, strategies and action plans from 2014 onwards have been provided; National Biodiversity Strategy and Action Plan 2014-2020 (NBSAP) was endorsed in Nepal in 2014.

Constitution of Nepal. The project is consistent with provisions of the Constitution of Nepal, 2015, such as to: i) conserving the natural resources available in the country, its sustainable use in an environmental friendly way, and ensuring the fair distribution of the benefits generated by it by giving local people the priority and preferential rights (Article 51.g); ii) making a sustainable use of biodiversity through the conservation and management of forests, fauna and flora, and by minimizing the negative impacts of industrialization and physical development by promoting public awareness on environmental cleanliness and protection, and formulate policies and enact laws on the basis of the principle of sustainable environment development (article 51.5); iii) making special arrangements to ensure the rights of *Adivasi Janajatis* (indigenous ethnic groups) to lead a dignified life with their respective identities, and making them participate in decision making processes that concern them, and preserving and maintaining the traditional knowledge, skill, experience, culture and social practices of *Adivasi Janajatis* and local communities (article 51.10) (CAS, 2015).

Nepal SDGs. The Project contributes to meeting the Nepal's Sustainable Development Goals (SDGs) (NPC 2017) especially to: (i) maintain the genetic diversity of seeds, cultivated plants and farmed and domesticated animals and their related wild species, and ensure access to and fair and equitable sharing of benefits arising from the utilization of genetic resources and associated traditional knowledge, as internationally agreed by 2020 (SDG 2, Target 2.5); (ii) undertake reforms to give women equal rights to economic resources, as well as access to ownership and control over land and other forms of property, financial services, inheritance and natural resources, in accordance with national laws (SDG 5, Target 5.a); and (iii) ensure fair and equitable sharing of the benefits arising from the utilization of genetic resources and promote appropriate access to such resources (SDG 15, Target 15.6).

The project also contributes to nature conservation national strategic framework for sustainable development (2015-2030), in particular, forest, biodiversity, agriculture, GESI sectors (NPC 2016).

Fifteenth National Plan. The implementation of the project has supported implementation of Nepal's Fifteenth Plan (2019/20 - 2023/24) to meet the national strategies of the "Forests, biodiversity and watershed [wetlands]" Sector including national Strategy 1: High, sustainable and employment-based national income; and Strategy 4: Enhancing production and productivity through four objectives, such as: i) Enhancing ecosystem services through forests and wetlands production and productivity; ii) conservation, restoration and sustainable use of forests, biodiversity and wetlands; iii) fair and equitable distribution of benefits arising from utilization of forests, biodiversity and watershed; and (iv) developing enterprises by promoting teaching and research in the areas of forests, biodiversity and wetland resources. The Fifteenth Plan also reiterates: i) documentation and registration of biodiversity and associated indigenous knowledge, skills, practices, social-cultural processes, arts, intellectual properties of indigenous peoples and local communities (IPLCs); and ii) implementation of access to genetic resources and fair and equitable sharing of benefits by making legal instruments and establishing implementing structure (GoN-NPC, 2020).

Policies.

The National Forest Policy has been formulated with the goal to address the objectives of the CBD including conservation and management of biodiversity and forest resources. The project contributes directly towards achieving vision, goal and objectives of biodiversity conservation and sustainable use in general. The policy specifically encourages fair and equitable distribution of benefits arising from the utilization of resources in context to federal structure of Nepal at the sub-national levels. It also facilitates research and capacity strengthening in the areas of utilizing indigenous knowledge, skills and practice of local communities related to biological resources (MoFE, 2018).

The project contributes to implementation of Agrobiodiversity Policy, 2063 (2007) (first amendment 2014) (MoAD 2015). The policy covers through amendments to: (i) establish farmers' rights in genetic materials/resources and traditional knowledge (clause 4.2); and (ii) carry out fair and equitable distribution of agricultural genetic materials/resources and traditional knowledge as well as the benefit acquired from the access of it (Clause 4.3).

The project also significantly contributes to implement the National Intellectual Property Policy, 2017. The policy facilitates to meet the objectives of the CBD including the third objective of the convention. It has provisions of: a) ensuring intellectual property rights for research on biodiversity and genetic resources, and fair and equitable benefit-sharing from the commercial utilization of resources; b) obtaining prior informed consent of relevant institutions to conduct research and utilization; and c) documentation, conservation and utilization of traditional

knowledge and indigenous knowledge by inventory and establishing “Traditional Knowledge Digital Library” of IPLCs (MoC, 2017).

The project also contributes to Climate Change Policy, 2076 (2019) of Nepal under the policy 8.2 - Forest, Biodiversity and Watershed Conservation which facilitates that Action plan will be formulated and implemented to conserve rare and endangered wildlife and plants as well as sensitive ecosystems that are at risk of climate change (MoLJPA, 2019).

Regulatory Frameworks (Acts & Bills).

Forest Act 2076 B.S. (MoFE, 2019) is an important regulatory framework to effectively implement ABS mechanism for meeting people’s needs through conservation, sustainable use and benefit sharing. According to Forest Act (MoFE, 2019), the Government of Nepal may, by a notification in the Nepal Gazette, impose restriction on the collection, cutting, use, transportation, sale, distribution or export of the prescribed forest products for the purposes of protection of biodiversity, any species or environment. The provisions well cover the first and second objectives of the CBD; however, it does not specifically refer to the third objectives of the CBD, i.e., access to genetic material or resources and benefit sharing.

Access to genetic resources ABS Bill (Draft). The project directly contributes to improve and formulate the Bill “Access to genetic resources, utilization, and benefit-sharing Bill” on access to genetic resources and benefit sharing (AGRBS) which has incorporated the provisions related to ABS as stipulated in the CBD. In addition, the ABS Bill was harmonized with Agrobiodiversity Bill as agreed by the Ministry of Forests and Environment (MoFE) and Ministry of Agriculture and Livestock Development (MoALD). The ABS Bill shall be applicable for access to genetic resources and benefit sharing including agriculture genetic resources and associated traditional knowledge except for the conservation and utilization for research, breeding and training for food and agriculture (Annex 1 of ITPGRFA) (MoFE, IUCN & GeF, 2022).

The Bill covers in detail the provisions of sovereignty of ownership on genetic resources and genetic material to the country, rights over indigenous knowledge to the IPLCs, prior informed consent, registration of intellectual property rights, and different benefit sharing mechanism among different stakeholders at the subnational levels (Federal Government, State Government, and Local Government), IPLCs, and the Authority (MoFE, 2019). Final draft of ABS Rules has also been prepared and is in the process of approval. There are three categories of ownership: (i) ownership of individual person or organization (ii) ownership of local communities (iii) ownership of Government of Nepal if genetic resources and materials do not fall under the first two categories. Any individual, local community, organization, local government body or Government of Nepal itself can separately or jointly prepare register of genetic resources and associated knowledge. However, this will require taking PIC from the owners of such genetic resources and associated knowledge. The Biodiversity Register prepared this way becomes a legal document after it is registered with the National Genetic Resource Coordination Council

(NGRCC). To get access to genetic resources and materials, two procedures need to be followed: firstly, application for preliminary and scientific research and sample collection; and secondly, proposal for obtaining license for access, use and export. An institution named National Genetic Resource Coordination Council has been proposed to be established to coordinate access and benefit related affairs. Benefits arising from the access and use of genetic resources and materials are proposed to be shared among four parties: (i) local community, individual or organization; (ii) NGRCC; (iii) Government of Nepal; and (iv) local bodies (MoFE, IUCN & GeF, 2022). The ABS Bill, and the ABS Rules are in the process of review and revision for approval from the parliament.

Strategies and Action Plans.

NBSAP. As a Party to the CBD, a National Biodiversity Strategic Action Plan (NBSAP) 2014-2020 has been developed to materialize the provisions of CBD. The project directly contributes to meeting several national targets of the NBSAP 2014-2020 of Nepal (GoN/MoFSC, 2014). Conserving biodiversity is considered as an essential part of safeguarding the biological life support systems on Earth. It has been prepared to meet the national needs for managing biodiversity on a sustainable basis for the benefit of present and future generations. The NBSAP contains strategy for management of biodiversity, framework for Local Biodiversity Strategy and Action Plan as separate chapters.

The NBSAP has identified policy and legislative gaps related to ABS and made strategic recommendations filling the existing gaps. Relevant among these include: a) Developing, by 2016, umbrella biodiversity management legislation for conservation and sustainable use of biodiversity; b) Ratification and implementation of the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization, by 2015; c) Finalization and enactment, by 2016, of Access to Genetic Resources and Benefit Sharing Bill, by incorporating Geographical Indication (GI) mapping of valuable indigenous species; d) Finalization, by 2018, endorsement and implementation of the National Intellectual Property Rights Policy; e) Development by 2015 and implementation of a National Strategic Framework for Nature Conservation. Some of the legislative gaps that contribute to the implementation of ABS in Nepal have been partly achieved (GoN/MoFSC, 2014).

Some of the strategies in NBSAP for the management of agrobiodiversity are establishment of an efficient system for exchange of information on all kinds of agricultural genetic resources and implementation of ITPGRFA and multilateral system of exchange of PGRFA, strengthening community based management of agrobiodiversity, and expanding it to at least five additional districts by 2020, establishing and strengthening functional linkage between the National Agriculture Genetic Resources Center (Genebank) and community based seed or gene banks and development and implementation of incentive measures for on-farm conservation of agrobiodiversity, and elimination of perverse incentives (if any).

Forestry Sector Policy. The project is in consistent with the “Forestry Sector Strategy 2016-2025” of Nepal (MoFSC, 2016). Under managing ecosystems and conserving biodiversity, it is stipulated to develop formal legal framework, enact and implement Access and Benefit Sharing Arising out of the Utilization of Genetic Resources (ABS) laws. Under Conservation area management, emphasis has been given to promote community-based approaches and develop integrated site-specific conservation practices for protection forests with defined roles and responsibilities of key stakeholders and benefit-sharing mechanisms and by ensuring the rights of indigenous and local communities (MoFSC, 2016).

ABSSAP. Access to Genetic Resources and Benefit Sharing Strategy and Action Plan (ABSSAP), 2023-2032 – Draft has been formulated to facilitate the third objective of the CBD. The ABSSAP comprises 11 strategies that principally include conservation of elements of genetic resources of animals, plants and microorganisms, sustainable use and their promotion; protection and promotion of indigenous knowledge of IPLCs; capacity strengthening of stakeholders, raising awareness about ABS; and fair and equitable distribution of benefits from commercial utilization of genetic resources (MoFE, 2022). The ABSSAP is in the process of review and revision for approval from the parliament.

ADS & ITPGRFA-MILS. The project also supports implementation of Agriculture Development Strategy; and ITPGRFA-MILS Implementation Strategy and Action Plan (IMISAP), 2018-2025.

The project's objectives of the Agriculture Development Strategy – 2015 to 2035 (ADS) of Nepal are also consistent with the clause 29 (Farmers’ Rights) and clause 30 (formulation of legislation for agrobiodiversity) (MoAD 2016). It is also consistent with the clauses 349 (implementation of biodiversity policy) and 379 b (support revision and implementation of NBSAP) of the ADS.

As a Party to the CBD, and ITPGRFA, Nepal has an obligation of developing a national strategy for conservation and sustainable use of agrobiodiversity. To materialize the ITPGRFA, MoAD has revised Agrobiodiversity Policy 2007 including the provisions of ITPGRFA. Similarly, this ITPGRFA-IMISAP has been framed for effective implementation of MLS targeting to harvest maximum benefits from MLS by systematizing germplasm flows outside the country (to advance the research, breeding, study as well training, and by harmonizing with existing policy, regulations, acts and guidelines, and ultimately contributing to global food and nutrition security. Agrobiodiversity should be effectively and efficiently conserved and utilized, which requires to have easy access to a variety of germplasm. ITPGRFA-MLS Implementation Strategy and Action Plan (IMISAP) is a guiding framework for effectively participating in MLS and harvesting both monetary and non-monetary benefits from the MLS.

The ITPGRFA-MLS IMISAP has nine strategies that directly or indirectly facilitate implementation of ABS in Nepal (MoAD, 2017); these include: a) Exploration and collection; b)

Conservation; c) Documentation; d) Materials for exchange; e) Non-germplasm base technology; f) Resource utilization; g) Capacity building; h) germplasm import and export; and i) Monitoring.

6th National Report to CBD. While undertaking assessment of NBSAP progress for meeting the Aichi Biodiversity Targets (ABT) by 2020, NBSAP had set up specific national targets to assess progress of ABS related ABT (MoFE, 2018). The ABT 13 - Genetic diversity was for endorsement of “Agricultural Diversity Conservation Act”, and the progress is on track to exceed the target. Similarly, ABT 16 - related to Access and Benefit Sharing aimed at endorsement of the ABS Bill. In this regard, there is progress towards target but at an insufficient rate. Similarly, ABT 18 is related to “Traditional Knowledge” aiming at amendment of “Plant Variety Protection and Farmers’ Right Bill”. The progress is towards target but at an insufficient rate.

(iii) Synergy. Resolution conf. 16.4 of the United Nations Conference on Sustainable Development, “The future we want”, calls on the parties to “further opportunities to strengthen the cooperation, coordination and synergies among the biodiversity-related conventions at all relevant levels” and to “further strengthen the cooperation, coordination and synergies among the focal points of the biodiversity-related conventions and other partners at the national level to enhance coherent national-level implementation of the Convention” (UN Environment, (2016).

Other UN Programmes. The project contributes to other UN programmes. The Paris Agreement on Climate Change under the United Nations Framework Convention on Climate Change (UNFCCC) has linkages to biodiversity and sustainable management of natural resources (Article 7.9.e). The Agreement has also given emphasis on building the resilience of socio-economic and healthy functional ecosystems that can play in both mitigation and adaptation (UN, 2015: IUCN, 2022).

CBD/Nagoya Protocol and ITPGRFA. Utilization of plant genetic resources (PGR) for benefit sharing is a prerequisite; however, scientists can’t fully utilize PGR because access to their PGR has been governed by Material Transfer Agreement (MTA) on Mutually Agreed Terms (MTA). Plant breeders face difficulties when they hybridize PGR accessed under CBD/Nagoya Protocol (CBD/NP) with PGR received from Multilateral System (MLS) under the ITPGRFA (Yamamoto, 2020). This type of complication has been partially resolved through ITPGRFA-MILS Implementation Strategy and Action Plan (IMISAP), 2018-2025 developed by MoAD.

Relevant ministries and other line departments. The project has built synergy with relevant ministries and departments such as agriculture and livestock when it comes to formulate and implement policies related to ABS. As in India, there is need to strengthen synergy by collaborating with other government departments/organizations for them to participate and manage conservation of biodiversity within their jurisdiction (Bhartiya, 2019).

Provinces and Local Municipalities. There is low level of awareness on policy provisions and rationale of biodiversity conservation and ABS among stakeholders at the field level (GoN/MoFSC, 2014; Chaudhary et al. 2015). Some initiatives at the local level have been undertaken as provisioned in the Constitution of Nepal and Local Government Operation Act 2074 to formulate and endorse new policies to conserve biodiversity at the local level (Chaudhary et al., 2020). The project will help to strengthen biodiversity and ABS related policy issues at the sub-national level.

Annex 9: Term of Reference



Strengthening Capacities for Implementation of the Nagoya Protocol in Nepal Terms of Reference for End Term Review

BACKGROUND/CONTEXT OF THE ASSIGNMENT

The Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization (ABS) was adopted at the tenth meeting of the Conference of the Parties to the Convention on Biological Diversity (CBD) on 29 October 2010, in Nagoya, Japan. Its objective 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 and implementing the three objectives of the CBD. The Nagoya Protocol also covers traditional knowledge (TK) associated with genetic resources that are covered by the CBD and the benefits arising from its utilization. The Government of Nepal, as a party to Nagoya Protocol, is committed to implement the provisions of ABS by formulating conducive national policies and programmes.

Strengthening capacities for implementation of the Nagoya Protocol in Nepal project also called ABS-GEF project is being executed by the Ministry of Forests and Environment with technical support from IUCN Nepal Country Office. The objective of the project is to build the capacity of key stakeholders at national, sub-national and local levels to implement ABS in Nepal. The project has three broad components and thus it has to bring synergy while implementing activities; Component 1: Policy, Rules and Regulations; Component 2: Capacity needs and training; and Component 3: Education, public awareness and communications. The project activities are piloted in two selected pilot districts; Dolakha and Kaski over the period of five years. The project sites are Jungu, Gauri Shankar Rural Municipality, ward 1 and 2 of Dolakha and Parche, Madi Rural Municipality, ward -1 and Lwangghalel, Machhapuchhre Rural Municipality, ward – 8 and 9 of Kaski.

The project is under implementation since November 2016. The initial project period was until April 2019. The project execution was heavily impacted by the COVID pandemic in the years 2020 and 2021 resulting in multiple requests for no-cost extensions. The project period thus has been periodically extended (four times), the sixth project steering committee meeting held on 18th June 2021 decided the fourth and last no cost extension of the project, extending the project period until April 2022. The project in the year 2018 (June-July) conducted the mid-term review and envisioned to conduct the end term review after completion of specified activities in the workplan. With the completion of all the planned activities as per the agreement, the end term review for GEF ABS project will be conducted in Nepal in April 2022.

In accordance with GEF M&E policies and procedures, all medium-sized GEF-financed projects are required to undergo an end term review/evaluation at the end of the project period. This Terms of Reference (ToR) sets out the expectations for the project end term review of the medium-sized project titled “Strengthening capacities for implementation of the Nagoya Protocol in Nepal” project (GEF Project ID 9352) implemented through the Ministry of Forests and Environment and International Union for Conservation of Nature.

The project budget planned for the period of implementation is given in the table below,

Funds	Amount (USD)
Co-financing Total	3,068,574
GEF Project Grant	1,376,147
GEF Agency Fees	123,853
Total Cost	4,444,721

The end term review is expected to assess the achievement of project results against what was expected and draw lessons that can both improve the sustainability of benefits from this project, and aid in the overall enhancement of implementation of ABS in Nepal. The end term review is expected to ensure accountability and transparency and assess the extent of project accomplishments.

The purpose of the evaluation is to provide an independent external view of the progress of the project against the planned output and deliverables, and to provide feedback and recommendations to Ministry of Forests and Environment and the stakeholders in the implementation of ABS mechanisms in Nepal.

OBJECTIVE OF THE ASSIGNMENT

The objectives of the end term review report are to:

- Assess progress toward achievement of expected project outputs and outcomes
- Assess the issues and challenges project faced during its design phase as well as during implementation and assess their impact in terms of project’s delivery and sustainability of project results
- Document lessons learned to contribute to sustainability of outputs and benefits generated from this project and support overall enhancement of ABS implementation in Nepal
- Make concrete recommendations to help consolidate and support sustainability of project results
- Provide recommendation on way forward for implementation of ABS in Nepal outlining follow up activities

PROCESS

1. Desk based review of project documents, including preparing an updated table of project achievements against the planned activities, achievement on capacity

building activities and any relevant output reports (done before the review), the project document, contracts and related agreements.

- Project Identification Form (PIF) and approved Proposal Document (ProDoc)
 - Annual workplans and budgets including revisions and amendments during the project period
 - Workplans
 - Progress Reports
 - Technical reports
 - Project supervision reports and management responses to the supervision's recommendations
 - Mid-term review report and its recommendations
2. Consultations with stakeholders including key partners and personnel (such as PSC)
 3. Final project end term review workshop in Kathmandu involving all implementing partners. The workshop will focus on project achievements, outputs and impact pathway. The workshop will involve presentations of activities, interim results and any issues under each of the three components, discussion of the project team's reflections, and identify preliminary recommendations
 4. Field visit to project districts to gain understanding of the implementation of project field pilot activities, and district stakeholders
 5. Preparation of a draft end term review report

The review process will ensure meaningful participation of all parties involved, focal execution unit, GEF operational focal point, relevant thematic agencies, IUCN country office and other key stakeholders.

This end term review is initiated by IUCN as the Implementing Agency of ABS Project (Strengthening capacities for implementation of the Nagoya Protocol in Nepal). The process of end term review must be independent, thus will be conducted by independent experts.

Key Focus Areas

The project end term review will assess the ABS GEF Project in line with the OECD DAC Evaluation criteria, as elaborated below.

Relevance

1. To what extent had the project contributed to the strategic policies and programmes?
2. What is the way forward?
 - Assess the contribution of the project towards the achievement of national objectives and contribution to the implementation of the Nagoya Protocol in Nepal
 - Analyse whether the project's approach addressed the needs and demands of the stakeholders.
 - Assess the relevance of the tools / instruments / inputs applied by the project for enabling policy environment for implementation of the Nagoya Protocol in Nepal

Effectiveness

1. What worked well and did not work well as expected?
2. Were the activities implemented in accordance with the project plans? If not, why?
3. What outputs were achieved? Assess the project so far with particular reference to qualitative and quantitative achievements of outputs and targets as defined in the project documents and work-plans and with reference to the project baseline. To what extent did the output delivery under each component contribute to the objectives?
 - i. Component 1. Policy Rules and Regulation
 - ii. Component 2. Capacity Needs and Training
 - iii. Component 3. Education, Communication and Awareness
4. How effective were the approaches and structures in delivering the desired outputs? Do the collaborative organizations work together effectively? Assess the effectiveness of the co-funding arrangements

Efficiency

1. Were the available technical and financial resources adequate to fulfill the project plans? Assess whether the project utilized project funding as per the agreed work plan to achieve the projected targets and used the right procedures.
2. Were there any unforeseen problems? How well were they dealt with?
3. Was there an effective process, built into the management structure for self-monitoring and assessment, reporting and reflection?
 - Analyse the role of the Project Steering Committee (PSC) and whether this forum was optimally used for decision making.
 - Assess the timeline and quality of the reporting followed by the project
 - Assess the qualitative and quantitative aspects of management and other inputs (such as equipment, technical assistance and budgetary inputs) provided by the project vis-à-vis achievement of outputs and targets.
 - Identify factors and constraints that affected project implementation including policy related, technical, managerial, organizational, institutional and socio-economic issues in addition to other external factors unforeseen during the project design.

Sustainability and Impact

1. Was the approach used likely to ensure continued benefit after the project?
2. Were all key stakeholders sufficiently and effectively involved? Were their expectations met and are they satisfied with their level of participation?
3. Was the approach inclusive and gender responsive?
4. Were alternative or additional measures needed and, if so, what was required to ensure continued sustainability and a positive impact?
 - Assess preliminary indications of the degree to which the project results are likely to be sustainable beyond the project's lifetime, and provide recommendations for strengthening sustainability.

- Assess the sustainability of the project interventions in terms of its effect on policies, capacities and awareness

Network /linkages

- Evaluate the level, degree and representation by the stakeholders, (government and civil society, indigenous groups and local communities, academic and research institutions etc.) in the execution of the project
- Assess the extent to which the project was aligned with other relevant projects and identify linkages and opportunities for achievement of objectives/targets.

Lessons learnt/ Conclusions

- Identify significant lessons and conclusions which could be drawn from the project in terms of effectiveness, efficiency, sustainability and networking

RESPONSIBILITIES

The review will be conducted jointly by a team of consultants comprising of two members. The team will comprise of two Nepali nationals one being a person with national expertise and the other with international expertise. The nationally experienced consultant will lead the process of the end term review, the internationally experienced consultant will provide inputs and support to conduct the review. Specifically, the nationally experienced consultant will be responsible for the following tasks in the mid-term review:

- Review and analysis of project reports and papers
- Review project-related documents and summarised them for analysis (with summarized translations into the English language, if necessary);
- Reflections on the appropriateness of the original project design and approaches
- Consideration of the project methodologies in policy and lead the process of design of evaluation methodology
- Prepare Inception Report;
- Review engagement of partners and key stakeholders in project activities
- Assess a list of the outputs achieved under the project against the planned outputs
- Reflection on the expected impact pathway for project activities
- Identification of approaches and systems used in this project that might have future implications
- Articulate concrete recommendations to help consolidate and support sustainability of the project results
- Present initial findings (initially with PMU and then in project closing workshops
- Collaborate with international reviewer in finalizing the evaluation report through incorporating suggestions received on draft

The internationally experienced consultant will be responsible for the following tasks:

- Consolidate the overall findings of the end term review
- Analysis of project context and progress over the six-year period of project execution
- Identify key lessons learned (from an ABS GEF Project perspective);

- Articulate the recommendations on way forward for the implementation of ABS in Nepal outlining follow up activities

COMPETENCIES

- Ability to meet strict deadlines and work under stressful conditions
- Ability to work in close collaboration with a group of ABS stakeholders, experts and national and international experts, to meet strict deadlines and plan the work according to priorities
- Strong interpersonal and communication skills
- Good analytical and writing skills
- Excellent oral and written communication skills
- Good interpersonal and facilitation skills; ability to be flexible, respectful, and effective

REQUIRED SKILLS AND EXPERIENCE

- Advanced university degree or higher in Environmental Law or Natural Sciences
- Experience with applying participatory monitoring approaches is an advantage
- Recent knowledge of the International Monitoring and Evaluation methodologies is an advantage
- Experience of review of GEF funded projects
- Recognized expertise in the cross-cutting area of ABS
- Familiarity with ongoing dialogue, discussions, milestones in the process of ABS implementation in Nepal
- Work experience in relevant areas (national and regional development planning, environmental management and planning) for at least 5 years.
- Good analytical skills
- Experience with multilateral or bilateral supported capacity development projects.
- Project evaluation experience within international organizations (UNDP, GEF, USAID and others) will be considered an asset.

OUTPUTS

The review will complete and submit a draft final report in both hard and soft copy at the end of the task. The national consultant will finalize the report addressing all the comments provided on the draft report. The key outputs of the End Term Project Review are:

- **Draft Report Template:** Submission of a draft report format containing Table of Contents after the Inception
- **The Draft report of End Term Review:** The reviewer will present the preliminary findings of the draft report to the project implementation partners including the PMU and PEU
- **The Final Report of End Term Review:** The report should be logically structured, contain evidence-based findings, conclusions, lessons and recommendations, and should be free of information that is not relevant to the overall analysis. The report should respond in detail to the key focus areas described above. It should include a set of specific recommendations as way forward for ABS implementation in Nepal

TIME FRAME

The review will be undertaken in a 15 day period, the international reviewer (Nepalese expert with international experience) will be involved for 8 days and national reviewer will be involved for 14 days to complete the project end term review.

MAXIMUM ALLOCATED BUDGET

NPR 10,00,000 (In words: Ten lakhs only including all taxes and travel expenses)

SELECTION OF SERVICE PROVIDERS

Independent consultants' proposal proposing a team of national reviewer (as team leader) and international reviewer (as expert) is eligible to apply