

# Effective National Implementation of the Access and Benefit Sharing and Traditional Knowledge Regime in Niger in accordance with the Nagoya Protocol

Review CEO Endorsement and Make a recommendation

## Basic project information

**GEF ID**

10442

**Countries**

Niger

**Project Name**

Effective National Implementation of the Access and Benefit Sharing and  
Traditional Knowledge Regime in Niger in accordance with the Nagoya  
Protocol

**Agencies**

UNEP

**Date received by PM**

3/16/2021

**Review completed by PM**

4/3/2021

**Program Manager**

Adriana Moreira

**Focal Area**

Biodiversity

**Project Type**

MSP

**PIF** ☐**CEO Endorsement** ☐**Part I ? Project Information****Focal area elements**

**1. Does the project remain aligned with the relevant GEF focal area elements as presented in PIF (as indicated in table A)?**

**Secretariat Comment at CEO Endorsement Request**

3-25-21 AM: Proposed projects is aligned with the Biodiversity Focal Area Objectives.

**Agency Response****Project description summary**

**2. Is the project structure/design appropriate to achieve the expected outcomes and outputs as in Table B and described in the project document?**

**Secretariat Comment at CEO Endorsement Request** 3-25-21 AM: Proposed structure and design are technically appropriate.

Agency Response

**3. If this is a non-grant instrument, has a reflow calendar been presented in Annex D?**

Secretariat Comment at CEO Endorsement Request N/A

Agency Response

**Co-financing**

**4. Are the confirmed expected amounts, sources and types of co-financing adequately documented, with supporting evidence and a description on how the breakdown of co-financing was identified and meets the definition of investment mobilized, and a description of any major changes from PIF, consistent with the requirements of the Co-Financing Policy and Guidelines?**

Secretariat Comment at CEO Endorsement Request 3-26-21 AM: Proposed co-financing level is adequate.

Agency Response

**GEF Resource Availability**

**5. Is the financing presented in Table D adequate and does the project demonstrate a cost-effective approach to meet the project objectives?**

Secretariat Comment at CEO Endorsement Request 3-26-21 Am: Proposed financing is consistent with project structure and objectives.

Agency Response

**Project Preparation Grant**

**6. Is the status and utilization of the PPG reported in Annex C in the document?**

Secretariat Comment at CEO Endorsement Request 3-26-21 AM: Status of utilization of PPG is appropriately reported in Annex C.

Agency Response

**Core indicators**

**7. Are there changes/adjustments made in the core indicator targets indicated in Table E? Do they remain realistic?**

Secretariat Comment at CEO Endorsement Request 3-26-21 AM: Proposed indicator's estimate remain consistent with PIF estimates.

Agency Response

**Part II ? Project Justification**

**1. Is there a sufficient elaboration on how the global environmental/adaptation problems, including the root causes and barriers, are going to be addressed?**

Secretariat Comment at CEO Endorsement Request  
3-26-21 AM: Analysis of root cause and barriers is technically sound.

Agency Response

**2. Is there an elaboration on how the baseline scenario or any associated baseline projects were derived?**

Secretariat Comment at CEO Endorsement Request  
3-26-21 AM: Baseline is appropriately described.

Agency Response

**3. Is the proposed alternative scenario as described in PIF/PFD sound and adequate? Is there sufficient clarity on the expected outcomes and components of the project and a description on the project is aiming to achieve them?**

Secretariat Comment at PIF/Work Program Inclusion  
3-29-21 AM: Project description, components, and proposed outcomes are technically sound.

Agency Response

**4. Is there further elaboration on how the project is aligned with focal area/impact program strategies?**

Secretariat Comment at CEO Endorsement Request  
3-29-21 AM: Proposal is well aligned with Focal Area strategy.

Agency Response

**5. Is the incremental reasoning, contribution from the baseline, and co-financing clearly elaborated?**

Secretariat Comment at CEO Endorsement Request

3-30-21 AM: Incremental analysis is satisfactory.

Agency Response

**6. Is there further and better elaboration on the project's expected contribution to global environmental benefits or adaptation benefits?**

Secretariat Comment at CEO Endorsement Request

3-20-21 AM: GEB's are addressed satisfactorily.

Agency Response

**7. Is there further and better elaboration to show that the project is innovative and sustainable including the potential for scaling up?**

Secretariat Comment at CEO Endorsement Request

3-30-21 AM: Proposal presents satisfactory description of innovations and potential for scaling up.

Agency Response

**Project Map and Coordinates**

**Is there an accurate and confirmed geo-referenced information where the project intervention will take place?**

Secretariat Comment at CEO Endorsement Request

3-30-21 AM: Map and coordinates are adequate.

Agency Response

**Child Project**

**If this is a child project, is there an adequate reflection of how it contributes to the overall program impact?**

Secretariat Comment at CEO Endorsement Request

N/A

Agency Response

**Stakeholders**

**Does the project include detailed report on stakeholders engaged during the design phase?  
Is there an adequate stakeholder engagement plan or equivalent documentation for the  
implementation phase, with information on Stakeholders who will be engaged, the means of  
engagement, and dissemination of information?**

Secretariat Comment at CEO Endorsement Request

3-30-21 AM: Proposal includes relevant information on stakeholders engagement and proposes specific activities for capacity building.

Agency Response

**Gender Equality and Women's Empowerment**

**Has the gender analysis been completed? Did the gender analysis identify any gender  
differences, gaps or opportunities linked to project/program objectives and activities? If so,  
does the project/program include gender-responsive activities, gender-sensitive indicators  
and expected results?**

Secretariat Comment at CEO Endorsement Request

3-30-21 AM: Proposal includes gender-sensitive activities and indicators consistent with technical assistance nature of project.

Agency Response

**Private Sector Engagement**

**If there is a private sector engagement, is there an elaboration of its role as a financier  
and/or as a stakeholder?**

Secretariat Comment at CEO Endorsement Request

3-30-21 AM: The project will help to establish a capacity building program to expedite implementation of the national ABS framework with a focus on strengthening the institutional capacity of the government and private sector agencies.

Agency Response  
**Risks to Achieving Project Objectives**

**Has the project elaborated on indicated risks, including climate change, potential social and environmental risks that might prevent the project objectives from being achieved? Were there proposed measures that address these risks at the time of project implementation?**

Secretariat Comment at CEO Endorsement Request  
3;30-21 AM: Project risks are adequately described.

Agency Response  
**Coordination**

**Is the institutional arrangement for project implementation fully described? Is there an elaboration on possible coordination with relevant GEF-financed projects and other bilateral/multilateral initiatives in the project area?**

Secretariat Comment at CEO Endorsement Request  
3-30-21 AM: Institutional arrangements and coordination with other agencies is adequately described.

Agency Response  
**Consistency with National Priorities**

**Has the project described the alignment of the project with identified national strategies and plans or reports and assessments under the relevant conventions?**

Secretariat Comment at CEO Endorsement Request  
3-30-21 AM: Proposal is well aligned with national strategies.

Agency Response  
**Knowledge Management**

**Is the proposed ?Knowledge Management Approach? for the project adequately elaborated with a timeline and a set of deliverables?**

Secretariat Comment at CEO Endorsement Request

3-20-21 AM: Proposed knowledge management approach is technically satisfactory.

## Agency Response

### Environmental and Social Safeguard (ESS)

**Are environmental and social risks, impacts and management measures adequately documented at this stage and consistent with requirements set out in SD/PL/03?**

## Secretariat Comment at CEO Endorsement Request

3-30-21 AM: Environmental and social risks are described.

4-16-21: The Safeguard Risk Identification Form and the project overall ESS risk is identified as low. However, the section 11 of ESS Risks in the CEO Approval entry page of the Portal said the Overall Project Risk Classification as moderate. In addition, the Safeguard team said that Indigenous people and local communities (IPLC) should be given special attention in the process to fully reflect their needs, concerns and TK ideas and opportunities. The safeguard Risk Checklist also mentioned risk around economic displacement and changes in land tenure arrangements. However, we do not find clear mitigation measures for these risks. Please revise and clearly indicate the mitigation measures for identified risks and classification of overall ESS risk.

## Agency Response

**29-04-2021**

The entry page of the Portal on overall Project Risk classification of the section 11 of ESS Risk in CEO Approval is now corrected and now it reads Low risk.

Special attention to Indigenous people and local communities (IPLC) have been addressed in project components description. Please see section 3 of CEO endorsement with concerned areas highlighted in blue in the CEO Endorsement document.

The following information has been added in Safeguard 6.2. of the Safeguard Check List.

The project will be implemented with full compliance with Niger legal framework related to possible displacement. The Framework include: Decree N° 2009-224/PRN/MU/H of 12 August 2009 determining the modalities of application of the Law n° 61-37 of 24 November 1961 related to the expropriation for public utility and temporary occupation modified by the Law n° 2008-37 of 10 July 2008 related to involuntary displacement and population resettlement Article 22 of the Law particularly indicate that any promoter of project which implementation will lead to involuntary physical or economic population displacement, or restriction of access is obliged to develop a plan for resettlement which level de details will depend on the number of people to be affected. The plan should be supported by a social impact assessment. Furthermore, Article 13/Bis indicates that when expropriation will lead to displacement the process of compensation of affected people will be based on established principles.

### Monitoring and Evaluation



**Does the project include a budgeted M&E Plan that monitors and measures results with indicators and targets?**

Secretariat Comment at CEO Endorsement Request

3-30-21 AM: Monitoring and evaluation plan is technically satisfactory.

Agency Response

**Benefits**

**Are the socioeconomic benefits at the national and local levels sufficiently described resulting from the project? Is there an elaboration on how these benefits translate in supporting the achievement of GEBs or adaptation benefits?**

Secretariat Comment at CEO Endorsement Request

3-30-21 AM: Socioeconomic benefits are adequately described.

Agency Response

**Annexes**

**Are all the required annexes attached and adequately responded to?**

Secretariat Comment at CEO Endorsement Request

3-30-21 AM: Required annexes are adequate.

4-16-21: The budget table uploaded in Portal has already correctly included audit cost of \$12,000 under PMC, but the M&E budget still includes the same audit cost. Please, remove this audit item from the M&E budget.

Type of M&E activity	Responsible Parties	Budget from GEF	Budget co-finance	Time Frame
Inception Meeting	Project ABS Technical Adviser (PTA) and Project Management Unit (PMU)	10,000	80,000	Within 2 months of project start-up
Inception Report	PTA and PMU		20,000	1 month after project inception meeting. Cost considered under the budget of the inception meeting
Project Steering Committee (PSC) meetings	PTA and PMU; UNEP TM	10,000	75,000	At the minimum once a year in person attendance and as necessary, via electronic media
Reports of PSC meetings	PTA and PMU		5,000	Within 1 month after PSC meeting. Cost under the PSC meetings budget
PIR	PTA, PMU and UNEP task manager		15,000 (3x 5,000)	Annually, part of reporting GEF reporting
Monitoring visits to selected field sites where gender, indigenous people indicators will be collected, safeguard management approach to be observe and training activities will Take place	PTA and PMU; UNEP TM	20,000	50,000	When required and in a timely basis, largely to be decided by the PMU
Terminal Evaluation	UNEP Task manager, UNEP Evaluation Office, PTA	30,000	100,000	Within 6 months of end of project implementation
Project Final Report	PTA, PMU staff		5,000	Within 2 months of the project completion date as part of direct responsibilities of PMU staff
Co-financing report	PTA, PMU and selected co-financier		1,000	Within 1 month of the PIR reporting period on or before 31 July (cost incorporated in project components and management budget)
Publication of Lessons Learnt and other project reporting	Knowledge management platform, PTA, PMU, external expert	21,871	100,000	Semi-annually, annually and in final report Within 1 month of the end of reporting period: on or before 31 January and 31 July; considered under direct responsibilities of PMU staff and PTA
Audit	PTA, UNEP task manager	12,000	75,000	Annual audits and audit reports
<b>Total M&amp;E Plan Budget</b>		<b>103,871</b>	<b>526,000</b>	

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## Agency Response

29-04-2021

The \$12,000 for audit in M&E budget is now removed.

## Project Results Framework

Secretariat Comment at CEO Endorsement Request 3-30-21 AM: Project results framework is technically sound.

Agency Response

**GEF Secretariat comments**

Secretariat Comment at CEO Endorsement Request

4-1-21 AM: Project is technically sound.

4-16-21: Please, address the minor comments above and resubmit. Thanks!

Agency Response

**Council comments**

Secretariat Comment at CEO Endorsement Request

Agency Response

**STAP comments**

Secretariat Comment at CEO Endorsement Request

Agency Response

**Convention Secretariat comments**

Secretariat Comment at CEO Endorsement Request

Agency Response

**Other Agencies comments**

Secretariat Comment at CEO Endorsement Request

Agency Response

**CSOs comments**

Secretariat Comment at CEO Endorsement Request

Agency Response

**Status of PPG utilization**

Secretariat Comment at CEO Endorsement Request 3-30-21 AM: Status of PPG utilization is adequately reported.

Agency Response

**Project maps and coordinates**

Secretariat Comment at CEO Endorsement Request 3-30-21 AM: Project maps and coordinates are adequate.

Agency Response

**Does the termsheet in Annex F provide finalized financial terms and conditions? Does the termsheet and financial structure address concerns raised at PIF stage and that were pending to be resolved ahead of CEO endorsement? (For NGI Only)**

Secretariat Comment at CEO Endorsement Request

N/A

Agency Response

**Do the Reflow Table Annex G and the Trustee Excel Sheet for reflows provide accurate reflow expectations of the project submitted? Assumptions for Reflows can be submitted to explain expected reflows. (For NGI Only)**

Secretariat Comment at CEO Endorsement Request N/A

Agency Response

**Did the agency Annex H provided with information to assess the Agency Capacity to generate and manage reflows? (For NGI Only)**

Secretariat Comment at CEO Endorsement Request N/A

Agency Response

**GEFSEC DECISION**

**RECOMMENDATION**

**Is CEO endorsement recommended? (applies only to projects and child projects)**

Secretariat Comment at CEO Endorsement Request

**Review Dates**

**Secretariat Comment at  
CEO Endorsement**

**Response to  
Secretariat  
comments**

**First Review**

**Additional Review  
(as necessary)**

**Additional Review  
(as necessary)**

**Additional Review  
(as necessary)**

**Additional Review  
(as necessary)**

**CEO Recommendation**

**Brief reasoning for CEO Recommendations**