

TERMINAL EVALUATION

Project ID:	3646
Project Name:	BS Support the Implementation of the National Biosafety Framework of Lesotho
Countr(ies):	Lesotho
Implementing Agency:	UNEP

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I. Overview

A. Description

Project name

BS Support the Implementation of the National Biosafety Framework of Lesotho

Country

Lesotho

GEF ID

3646

Implementing Agency

UNEP

Executing Entity

Ministry of Tourism, Environment and Culture

Trust Fund

GET

Project Type

MSP

Objective

To develop a workable and transparent National Biosafety Framework, in line with its national development priorities and the obligations to the Cartagena Protocol on Biosafety

B. Key Dates

CEO Endorsement/Approval

3/30/2011

Agency Approval

7/14/2011

Implementation Start

11/1/2011

First Disbursement

9/19/2011

Expected MTR

3/1/2013

MTR Submission

5/7/2026

Actual MTR

3/21/2013

Expected Completion

7/13/2018

Actual Completion

12/7/2018

Actual TE

6/1/2020

TE Submission

5/7/2026

Final Disbursement

6/26/2020

C. Disbursements

Project Financing

973,287.00

Cumulative Disbursement

859,806.00

II. PROGRESS STATUS AND ISSUES

A. Main Terminal Evaluation Findings

Key Findings

1. The National Executing Agency of the Project was the Department of Environment (DoE) of the Ministry of Tourism, Environment and Culture, which is also Competent National Authority for the Cartagena Protocol on Biosafety and hosts the Biosafety Clearing House. The Project also established a National Coordinating Committee (NCC) to advise and guide the implementation of the National Biosafety Framework, which included representations of all government agencies with mandates relevant to the Cartagena Protocol on Biosafety (Ministry of Agriculture and Food Security, Min. of Health, Min. of Science and Technology, Min. of Trade), as well as representatives from the University and NGOs.
2. The Project was implemented during a difficult period of country's socio-political life. Particularly from 2014 onward, Lesotho has, in fact, experienced complex and tense political instability that has heavily reflected into the institutional framework. The Parliament has been dismissed twice and also Ministries and Principal Secretaries have abruptly changed more than once, including the Ministry of Tourism, Environment and Culture. All procurement tenders have been blocked for 10 months by the Government with a "blanket suspension" of tenders in December 2015, which has impacted very negatively on the establishment of the laboratory and the implementation of some planned activities to be executed through consultancies (postponed from 2015 to 2017).
3. Despite the low baseline situation and the unfavourable external conditions, the Project has developed a number of significant activities and delivered relevant outputs. The Biosafety Bill (2018) has been drafted, guidelines for risk assessment, risk management, monitoring and enforcement have been developed, as well as a manual for handling requests. Laboratory equipment for Living Modified Organisms (LMOs) testing have been procured and are currently stocked at the University of Lesotho. Additionally, the Project developed a broad National Biotechnology and Biosafety Awareness Strategy 2012 – 2017 and carried out outreach programmes in the form of workshops, awareness materials, newspaper, radio and TV programmes, and mainstreaming into educational curriculum.
4. Overall, Project Financial Management and Project Monitoring and Reporting have been satisfactorily implemented. However, the Project has not been time-efficient due to a very slow start and a low rate of delivery until the planned termination date (2015). This was due to concomitant factors, such as the political and institutional instability, changes in the leadership of the National Executing Agency (Ministry of Tourism, Environment and Culture) and in the Department of Environment, limited Human Resources in the Department and a certain bureaucratic inertia within and outside the National Executing Agency / Competent National Authority. The Project Design was, in retrospect, also quite overambitious and unrealistic.
5. The excessively low rate of activities implementation until 2015 asked for three subsequent no-cost extension for a total of 36 months, i.e. an increment of 75% of the planned time duration of the Project. Around 70% of the Project Budget was spent in the last two years (2017-18), during the extension period, whereas, at the planned end date (2015), only 24% of the budget had been spent.
6. As for the institutional changes and systemic effects (Outcomes) resulting in a fully operational National Biosafety Framework (Project Objective), they have not been substantially achieved. The situation of political and institutional instability of the country in recent years, coupled with lengthy procedures for laws discussion and approval, have strongly affected the smooth progression towards the approval and enactment

of the Biosafety Bill. As a result, no “Regulatory regime in place, published and applied” was achieved (Outcome 2).

7. In absence of a regulatory framework, subsequent Outcomes 3, 4 and 5 (Biosafety Administrative procedures, Monitoring and Enforcement mechanisms, and forms of Public Participation were not put in place and implemented, as well. As for the mainstreaming of Biosafety in the main national strategies and plans (Outcome 1), the National Report (2020) to the Secretariat of the Convention on Biological Diversity (SCBD) has recognised that “Biosafety Policy should be reviewed to reflect the reality of resources and capacity constraints and the fact that Lesotho is surrounded by a country that has embraced use of GMOs for a while now”.

8. The relevant assumptions outlined in the Theory of Change and visualised in Diagram 1 still stand mostly unfulfilled. Specialised Human Resources in the area of Biotechnology and Biosafety are not available at the suitable level within the Competent National Authority (Department of Environment) and among other relevant Biosafety stakeholders, and the Department does not seem sufficiently empowered to play a leading and coordinating role in the implementation of the National Biosafety Framework. The socio-political environment, too, has not been overall conducive to put forward Biosafety agenda in the country and there is the need of further efforts to make Biosafety progressing in the national agenda.

9. As a matter of fact, Project Activities and Outputs delivery essentially occurred thanks the championing role of few people of the Department of Environment, supported by UNEP through the assiduous back-stopping of the Task Manager and the technical assistance of regional consultants mobilised by the Project under the guidance of UNEP. The institutional uptake from the relevant ministries and the overall national ownership of the implementation process of the Biosafety Framework remained insufficient.

Conclusions

1. The evaluation has concluded that the Policy, Regulatory and Administrative systems did not satisfactorily progress despite the support of the Project and a “workable and transparent National Biosafety Framework” is not yet operational, as initially foreseen. There is, therefore, the need for a more comprehensive, in-country analysis at Ministerial and Governmental level about the priority to be given to Biosafety and to the fulfilment of Cartagena Protocol requirements. The dimension and the geographical location of the country call for a regional approach and integration of the National Biosafety Framework of Lesotho within the Southern Africa institutional context and the regional mechanisms of partnership and cooperation.

2. Based on the findings from this evaluation, the project demonstrates performance at the ‘Moderately Satisfactory’ level. A table of ratings against all evaluation criteria is found in the Conclusions section of the Report.

3. The ToR of the Evaluation had identified two key strategic questions to be answered by the Evaluation. Answers to these questions are fully reported in Chapter VI (Conclusions) and summarised here below:

a) To what extent did the project help to enhance national institutional and technical capacity and awareness amongst the key actors for effective enforcement of the Biosafety Law, decrees and sub-decrees on biosafety? The Project has implemented several Activities and made available relevant Outputs for enhancing national institutional and technical capacities to implement the National Biosafety Framework (NBF) in Lesotho, including a Biosafety Law and subsequent Administrative and Enforcement Systems. The political commitment and responsiveness of the country, however, has been much lower than expected. Regulatory tools have not yet been adopted and inter-institutional mechanisms are not operational for further promoting and steering the NBF. Overall, the role and the capacities of the Competent National Authority (Department of Environment) have not been sufficiently strengthened to enable the institutional up-take and sustainability of Project activities and results.

(b) To what extent are the outcome indicators verifiable, and record progresses towards the achievement of the development objectives, as well as the obligations under the Cartagena Protocol?

The Project Document did not satisfactorily discuss the causal/logical sequence of activities and results, and the Project Results Framework also showed a certain misunderstanding and overlapping of concepts and components (outcomes, outputs, indicators, targets, etc.). The two main Terminal Documents prepared by the Project, i.e. the Terminal Report and the Final Project Output Summary (formats provided by UNEP) basically refer to the delivery of Outputs and Activities.

Recommendations

The Evaluation recommended that UNEP Program Team communicate the following recommendation to the Department of Environment - to resume efforts to restore a Biosafety Coordinating Committee to draw a possible plan of action / road map including:

- Assessing current priorities and identification of realistic objectives to improve country's fulfilment of Cartagena Protocol requirements, through the gradual implementation of the National Biosafety Framework (NBF);
- Setting strong relationship with relevant Biosafety players (State and Non-state actors) in South Africa and other SADC (Southern Africa Development Community) countries and identify possible forms of joint initiatives in support of the implementation of the National Biosafety Framework (NBF) in Lesotho;
- Design of a resources mobilization strategy at National, Regional and International level (NBSAP, SADC, NEPAD - New Partnership for Africa Development of the African Union, GEF/UN Environment, Bilateral Cooperation) to implement the NBF in Lesotho.

B. Stakeholder Engagement

The Department of Environment (DoE) of the Ministry of Tourism, Environment and Culture (MTEC) is the key-stakeholder for Biosafety Framework implementation in Lesotho. The DoE is the Competent National Authority (CNA) for the Convention on Biodiversity (CBD), for the Cartagena Protocol (CPB) and is also the focal point for the Biosafety Clearing House (BCH). DoE was also the National Executing Agency of the Project.

1. Due to the multi-sectorial nature of Biosafety, different Ministries were expected to be involved, at a variable extent, throughout the implementation of the NBF. Some of them are foreseen in the proposed drafted law (Biosafety Bill 2018) as core members of the envisaged National Biosafety Council, namely the Ministry of Agriculture and Food Security, the Min. of Health, the Min. of Science and Technology, and the Min. of Trade. The National Biosafety Clearing House (BCH) and the drafted Biosafety Policy also indicate the Min. of Agriculture as a Competent Authority. Representatives of the Academic sector and of Civil Society were also expected to be present in the National Biosafety Council. Parliamentarians and the Cabinet were also considered relevant stakeholders in the process of enactment of the biosafety regulatory regime and biosafety policy.
2. Whereas the National Biosafety Council has not been formally put in place due to the missing approval and enactment of the Biosafety Bill (see chapter V, Section D, Availability of Outputs for Outcome 2), all the Ministries and Institutions mentioned above have been part of the National Coordinating Committee promoted by the Project.

C. Gender Equality

The project has been active in addressing many of the cross-cutting issues listed in section D of the Plan, such as the strengthening of national institutions, the development of national law and regulations and the compliance with obligations under multilateral environmental agreements. Gender issues were not specifically addressed by the Project.

National training workshops were also organised related to the topics covered by the developed technical Manual and the Guidelines for a total of 50 people (27 M and 23 F). Gender balance was deliberately considered by the Project Team.

A very large number of people have been exposed to training activities on different issues related to Biosafety, as described in this section (773 participants, 413 M and 360 F). 99. The Project took into account the need of approaching, raising awareness and building capacities among different societal groups, as shown by the large national surveys and different outreach activities. A large effort has been done for producing main outreach materials in Sesotho language. All training activities carried out by the Project have deliberately considered the balance of gender and the gender disaggregated data provided by the Project reports show a high rate (47%) of women participation.

Though not explicitly addressed in its activities, the Project has considered Human rights and Gender as relevant dimensions of its intervention. The Project has actually developed many outreach activities of information and awareness raising targeting different societal groups and promoting their involvement in the process of NBF implementation. All main outreach material has been produced in Sesotho language. The Project has also deliberately considered and applied a gender-balanced approach in developing its activities, particularly capacity building.

A gender analysis report was prepared which captures segregated data during project implementation

D. Knowledge Management

The KM Approach in the project was through development and provision of knowledge materials through the National Biosafety Clearing House (<http://environment.gov.ls/doe-divisions/biosafety-clearing-house/>) and website of the Department of Environment. The links of relevant websites are as indicated below

National Biosafety Policy (2015) - <http://environment.gov.ls/download/national-biosafety-policy-2005/>

Outreach, news and learning activities - <http://environment.gov.ls/category/news/>

Technical outputs: <http://environment.gov.ls/projects/closed-projects/support-for-the-implementation-of-national-biosafety-framework-of-lesotho-nbf-four-years-2011-2015-extended-to-2018/>

National Biosafety Clearing House - <http://environment.gov.ls/doe-divisions/biosafety-clearing-house/>

In addition, knowledge materials were used in training, awareness creation and dissemination activities guided by the Public Communication Strategy in Biosafety. The key deliverables are listed below

1. Guidelines/Manuals

- Guidelines for risk assessment and risk management of genetically modified organism in Lesotho

- Guidelines for monitoring environmental effects of genetically modified organisms in Lesotho
 - Guidelines for emergency response, accidental release, illegal movement, transit, contained use, advance informed agreement procedure, food, feed or processing procedures, handling, packaging, and transport of genetically modified organisms in Lesotho
 - Manual on handling requests and applications of genetically modified organism in Lesotho
 - Technical training manual on enforcement of the biosafety regulatory regime
 - Procedures for review of decisions
 - Guidelines for enforcement of licensing conditions
 - Teachers' Resource Booklet on Biotechnology and Biosafety
 - Suspension and Revocation Order for cases of Non-Compliance
- 2. Technical documents**
- Stocktaking analysis report
 - Biosafety priority needs workshops report
 - National workshops report on emergency response measures
 - National Biotechnology and Biosafety Strategy 2012-2017
 - Customs and Border Control Officers' training on multilateral environmental agreements
 - Civil Society Organisations' training on public access to information and participation in decision-making on approval of living modified organism
 - Workshop for media practitioners on effective communication of biotechnology and biosafety and the decision-making process on genetically modified organism
 - Report on training of biosafety awareness task team
 - 2017 survey to evaluate level of public awareness of biotechnology and biosafety
 - Mainstreaming of biotechnology and biosafety into training courses 'primary and high school'
 - Environment Online Forum Moderators' training report
 - Report on Public Awareness Survey 2012
 - Setting up national information exchange network among Competent Authorities
- 3. Meetings/Workshops/Audits**
- NCC Quarterly minutes
 - Workshop reports
 - Training reports
 - Annual Audit Report
- 4. Legal Documents**
- i. Memorandum of Understanding
 - ii. Biosafety Bill
- 5. Awareness/Education Materials**
- i. Calendars
 - ii. Brochures
 - iii. Posters
 - iv. Pull-ups
 - v. CDs

- vi. Environment Online Forum
- vii. Teacher's Resource Book on Biotechnology and Biosafety

III. Core Indicators

IV: Co Financing

Sources of Co-financing	Name of Co-financier	Type of Co-financing	Investment Mobilized	Anticipated at CEO(\$)	Materialized at MTR(\$)	Materialized at TE(\$)
Recipient Country Government	Government of the Kingdom of Lesotho	In-kind		817,339.00		544,803.66
Total Co-financing				817,339.00	0.00	544,803.66

Comments

The cofinance leveraged was in kind support of the Department of Environment through Office support, transport, dedication of project staff at the cost of the Government and office supplies among others. The in kind cofinance was \$817,339

V: ENVIRONMENTAL AND SOCIAL SAFEGUARDS

Overall Project/Program Risk Classification

PIF	CEO Endorsement/Approval	MTR	TE
			Medium/Moderate

Measures to address identified risks and impacts

The key issue was frequent changes of Principal Secretaries of the responsible Ministry and long/tenuous process of procurement which caused substantial delays well beyond the control of the project team. In addition, the seconded staff had additional responsibilities. To address these findings, UNEP dialogued with the Department of Environment and a project staff was employed paid by the Department to support delivery. On procurement, UNEP requested the Department to do request for clearance of activities in batches instead of individual activity clearances. UNEP also provided a list of experts and arranged for a

study tour of the Project Team and some key stakeholders to South Africa to learn about biosafety activities and processes in the biosafety regulatory regime. In addition, a team was supported to the University of Free State in South Africa to undertake hands on training in LMO Detection.

VI. ANNEX

Uploaded Document

Document Category	Prefix	Title
M and E Document	Tracking Tool	Gender Analysis Report NBF Lesotho 2011 - 2018
M and E Document	ESS Supporting Document	Final Project Output summary
M and E Document	Terminal Evaluation (TE)	GEF BD Tracking Tool_Terminal_endofproject
M and E Document	Terminal Evaluation (TE)	Terminal Evaluation Report