

PROJETO BRA 18/003 – Projeto ABS

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Tradutora: Christine J. Eida Madureira

MID-TERM REVIEW

Capacity Building and Institutional Strengthening of the National Framework for Access and Benefit Sharing under the Nagoya Protocol (GEF ID: 5760)

Project ATN/FM-16166-BR (BRA/18/003)

Project Area: Brazil

Implementing agency: Inter-American Development Bank (IDB)

Executing Agency: United Nations Development Programme (UNDP)

Technical Coordination: Ministry of the Environment

Guilherme Martins de Macedo

Consultant

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List of Abbreviations

BCA	Brazilian Cooperation Agency
ABS	Access and Benefit Sharing
MTR	Mid-Term Review
CBD	Convention on Biological Diversity
S&T	Science and Technology
CGen	Genetic Heritage Management Council
ATK	Associated Traditional Knowledge (with genetic heritage)
DCGen	Genetic Heritage Management Council Support Department
DGH	Department of Genetic Heritage (MMA)
DL	Distance Learning
NBSF	National Benefit Sharing Fund
GIZ	<i>Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH</i>
IBAMA	Brazilian Institute for the Environment and Renewable Natural Resources
M&E	Monitoring and Evaluation
MMA	Ministry of the Environment
MRE	Ministry of Foreign Affairs
IPTCFFs	Indigenous Peoples, Traditional Communities and Family Farmers
PIF	Project Identification Form
PIR	Project Information Report
NP	Nagoya Protocol
UNDP	United Nations Development Programme
UNEP	United Nations Environment Programme
PRODOC	Project Document
AWP	Annual Work Plan
GRs	Genetic Resources
SBio	Biodiversity Secretariat
SisGen	National System for the Management of Genetic Heritage and Associated Traditional Knowledge
ToR	Term of Reference
TCU	Technical Coordination Unit (of the project)
PMU	Project Management Unit

Executive Summary

Project Name: Capacity Building and Institutional Strengthening of the National Framework for Access and Benefit Sharing under the Nagoya Protocol

Country:	Brazil	GEF Project ID: 1	5760
Agency implementing the GEF:	Inter-American Development Bank	GEF Agency Project ID:	BR-T1304
Execution partners:	Ministry of the Environment Genetic Heritage Management Council	Submission date: Project start date:	7th March, 2014 April 2018
GEF focal area	Biodiversity	Project duration (months)	60
Executing Agency	United Nations Development Programme	GEF Financing	USD 4,401,931
Co-financing Government of Brazil	USD 4,401,931		

Summarized Project Description

Brazil ratified the United Nations Convention on Biological Diversity through Decree nº 2.519 on 16th March, 1998. The Convention is structured on three main bases: the conservation of biological diversity, the sustainable use of biodiversity, and the fair and equitable sharing of the benefits arising from the use of genetic resources.

The Convention also started negotiation on an International Regime on Access to Genetic Resources and Benefit Sharing resulting from this access, through the Nagoya Protocol (NP) in force since October 2014, and ratified by Brazil in March 2021.

The aim of the project is to build capacities and institutional strengthening for the effective implementation of the new legal Access and Benefit Sharing (ABS) framework in Brazil, with a view to guaranteeing access and sharing the benefits of genetic resources and associated traditional knowledge (ATK). Its actions strive to raise awareness and increase the capacity and skills of different stakeholders in Brazil, particularly indigenous peoples, traditional communities, and family farmers, on ABS mechanisms and procedures, so they may take full advantage of the opportunities the ABS regime has to offer.

In order to achieve this objective, the project was structured in four components, directed towards (1) supporting formulation and enacting regulations that enable implementation of the new national law to regulate ABS and the Nagoya Protocol by Brazil; (2) supporting the development and implementation of the essential legal, administrative and technological instruments and institutional capacity to share information and administer the national ABS

mechanism; (3) expanding the knowledge and capacity of the main stakeholders in Brazil, also through the exchange of information at a regional and international level; and (4), efficiently managing the project, and carrying out continuous monitoring and mid-term and final reviews, in order to guarantee registration of the results achieved within the scope of the project, highlighting the importance of each in the advances observed in implementing new ABS legislation in Brazil related to the Nagoya Protocol, and systematizing best practices and lessons learned during project execution.

Summary of Project progress: April 2018 to June 2021

The project started with a five month delay between its signature and the first disbursement, which took place in August 2018. In general, the project alternated between periods of greater execution and the slowdown of activities. The start of 2019 (due to the transition in government) and last quarter of 2020 onwards (due to a change in Ministry of the Environment (MMA) management) were periods with a decreased rhythm with executing activities.

Component 1 activities were then started, with the financing of participation at side events at COP-MOP 2018 and workshops, including an international one. The seminars envisaged for the following years were not held due to the Covid-19 pandemic. However, the Nagoya Protocol was ratified in March 2021, with the project having fulfilled an important goal of Component 1. The National Benefit Sharing Fund (NBSF), another objective of the same component, was structured but is still not in operation. And the Genetic Heritage Management Council is active, adopting resolutions and other regulations to harmonize national standards with the Nagoya Protocol.

Component 2 activities focus on two important systems: one of disseminating information, with the construction and circulation of a channel via the internet that mirrors the ABS Clearing House set out in the Nagoya Protocol, and national information. And preparation of the second version of the National System for the Management of Genetic Heritage and Associated Traditional Knowledge (SisGen), with the improvement of modules and integration with other systems. SisGen related activities were in execution in this component by mid-2021. Activities related to the information dissemination channel were not carried out.

The major focus of Component 3 is on capacity building for public enforcement officers, companies and academic researchers (Genetic Resource (GR) and ATK users), legal practitioners and representatives of indigenous peoples, traditional communities and family farmers, so that they know about and multiply the knowledge required to operate the access system and benefit sharing use of GR and ATK among their groups. This is the most complex component.

The training activities conducted in 2019 were directed towards the Brazilian Institute for the Environment and Renewable Natural Resources (IBAMA) staff members and other bodies (public officials) and researchers (academia). Until this time there have not been initiatives for legal practitioners and companies. The training process for indigenous peoples, traditional communities and family farmers (IPTCFFs) is more complex and, although it started with the production of training methodology, and preparation of the pilot Community Protocol in 2020, activities have been interrupted.

The first semester of 2021 was marked by the interruption of various activities and a lack of planning. There was a considerable delay in execution, since 2021 is the end of the project. It should be highlighted that Component 3 has not yet presented a clear development perspective

until the preparation of this report, mainly considering the most challenging group to be trained, the IPTCFFs.

Summarized Chart of Project Component Evaluation

Project Strategy		Description
Progress against results¹	Component 1 Classification MS	Ratification of the Nagoya Protocol, project support for the Genetic Heritage Management Council (CGen), and establishment of the NBSF were important achievements. However, interruption of the work with key sectors hindered achieving the goals.
	Component 2 Classification MU	Preparation of version 2 of SisGen is underway. However, cancellation of contracts supporting SisGen and the initiative to prepare an information site has compromised the results expected for the Component.
	Component 3 Classification U	Although the initial training for public officials and researchers was successful, the project did not demonstrate any continuity, and did not present planning for training legal practitioners, companies and indigenous and traditional peoples, and family farmers, seriously damaging the prospect of achieving its goals.
Project Implementation and Adaptive Management²	Classification U	The Project teams sought to compensate for the delays in 2018 and 2019 with the endeavours of a “task force” to accelerate execution. However, the departure of MMA technical staff from project activities, requests to cancel processes and hiring staff without justification, and the lack of a well-founded Work Plan for 2021, have seriously affected project implementation.
Sustainability³	Classification MU	Operation of the NBSF and new version of SisGen, although they are expressive results which should be maintained, they will not be enough to provide the sustainability required for the PN to operate, since other fundamental activities have been interrupted, and do not have any prospect of continuing.

¹ Classification caption: HS – Highly Satisfactory S – Satisfactory MS – Moderately Satisfactory MU – Moderately unsatisfactory UI – Unsatisfactory HU – Highly Unsatisfactory.

² Consider the caption above.

³ Classification captions of “sustainability”: P – Probable; MP – Moderately Probable; MI Moderately Improbable; I - Improbable

Summary of conclusions of the Mid-Term Review

The project has indicators coherent with the subject although two, in particular, present problems: one of these is not linked to project action (ratification of the Nagoya Protocol already achieved). The other does not have clarity and measurability conditions (“harmonized sectors with the ABS regime”), since it correctly indicates target groups for training, but does not quantify achieving this goal.

The management structure, having resolved bureaucratic issues between the implementation and execution agencies, displayed the support required for the project, since the partners have kept communication flowing, and there is rapid and efficient liaison, to solve pending project matters.

There was a set of distinct factors that produced delays in execution: the need to harmonize bureaucracy at the implementing and executing agencies (IDB and the United Nations Development Programme (UNDP)) in 2018, the change in government in 2019, Covid-19 pandemic in 2020 and until now, and change in management at the Ministry of the Environment in 2020.

It was identified that the Project Management Unit - PMU/UNDP had the initiative to minimize the negative impacts of these situations, and make up for the period of little project activity. The current PMU/UNDP technical teams and Technical Coordination Unit - TCU/Department of Genetic Heritage - DGH/Biodiversity Secretariat - SBio/MMA have the knowledge required to develop the activities and achieve the results, as planned. The training

held with IBAMA inspectors and academia are positively highlighted, although it was not enough to totally achieve the goal, and preparation of version 2 of SisGen System, and NBSF compliance required to operate the ABS system in Brazil are underway.

However, the project is at a period of uncertainty with regards to achieving the expected results. Until the present time, some of the essential activities do not have the planning required, indicating that they will be carried out effectively. Achieving the results of Component 3, and the topic of disseminating information in Component 2 should be prioritized, which will require intensive and coordinated activity from the partners.

It is clear that possible achievement of the main project results will only be possible with an extension of its execution deadline. A commitment from partners to efficiently and effectively execute the activities that were interrupted, with real impacts and widely acknowledged by the beneficiary groups, will also be required. Greater participation of all the beneficiary groups and broader dissemination of planning and the results achieved is recommended.

Main findings

Topic	Findings
Strategy/Design/Project Logical Matrix	The project is aligned with national priorities related to implementation of the Nagoya Protocol, particularly the fair and equitable system to share benefits, related to the use of genetic resources and associated traditional knowledge.

	Configuration of the activities envisaged and the results to be achieved is satisfactory, despite problems with some indicators that should be corrected. The activities are correctly focused on results, which are in compliance with the impacts and Theory of Change presented in the project description.
Project implementation and progress	The mid-term review is being carried out in the last year of execution. Project activities are delayed in relation to the execution schedule. Despite PMU efforts to execute the activities, there was an interruption of various initiatives during the second half of 2020, and first six-months of 2021 on the initiative of the Project Technical Coordination Unit (DPB/SBio/MMA). Annual Planning for 2021 has not been prepared until the date of this review. The majority of the objectives have not been achieved, and there are clear risks to achieving these, due to appropriation difficulties and project continuity arising from the TCU.
Adaptive management	The project team worked tirelessly to by-pass obstacles and delays. Adaptations and hiring technical reinforcement to support execution were made. However, in the 2020/21 period, there was a clear mismatch between PMU/ UNDP and new TCU management, and evidence of this is presented in this report. Requests for cancelling contracts and interrupting programmed activities are outside the scope of management efforts by the PMU.
Financing	Project execution has been delayed, and there is an expressive amount of resources which have not been disbursed. Devaluation of the real against the dollar during the period 2018 – 2021, and the slowdown in carrying out the activities envisaged meant that only two disbursements have been made until the time of this report. The lack of annual planning for 2021 prevents a forecast of expenditure for this year, as well as planning for the co-financing.
Stakeholder engagement	Representatives of indigenous peoples, traditional communities and family farmers on the CGen, and CGen Sector Chamber, demonstrated a great lack of knowledge on the project, its objectives and logic. There was a lack of distribution of project information, within the scope of the CGen, to group representatives. The research institute representatives on the CGen demonstrated a little more project knowledge, but there are no periodic updates on the project on this council. There was little dissemination of the project to civil society. There was good coordination of operational partners for the training that has been held.

Chart Summarizing Recommendations

Results	Recommendation	Responsible
C1	ABS National Regulatory Framework	
C1.3	Resume contracting a study to investigate the Brazilian biodiversity market, and potential of the resources to be invested in the National Benefit Sharing Fund	MMA/ UNDP

Results	Recommendation	Responsible
	Alter the goal of result/product 1.3, defining a number of people to be trained from IPTCFF groups, legal practitioners, company representatives, public officials and academic researchers, to quantify what is understood by “harmonized sectors”.	MMA/ UNDP / IDB
	Include training activities on ABS for the business sector and legal practitioners.	MMA/ UNDP / IDB
C2	Management of Knowledge and Information	
C2.1	Resume hiring process to prepare an Access and Benefit Sharing site, and other related contracts. The site could host Distance Learning (DL) courses, links and manuals for SisGen, links to articles and documents on national legislation, exchanges of experiences, and relevant Convention on Biological Diversity (CBD) material.	MMA/ UNDP
C2.2	Resume hiring process: <ul style="list-style-type: none"> • Prepare SisGen manuals • Digital Certification Services • SisGen compatibility with other information systems 	MMA/ UNDP
C3	Capacity Building and Institutional Strengthening	
C3.1	Resume the contract to produce ABS content for the training cycles for key actors.	MMA/ UNDP
	Resume preparing online modules for continued ABS training programme, and maintain support during the training cycles.	MMA/ UNDP
	Resume activities to prepare the Pedagogical Training Plan (methodology) on Access and Benefit Sharing for indigenous peoples, traditional communities, and family farmers.	MMA/ UNDP
	Resume activities to prepare a pilot Community Protocol.	MMA/ UNDP
	Resume hiring process to negotiate materials for ABS contracts for IPTCFF and ATK users.	MMA/ UNDP
Project Implementation and Adaptive Management		
	Resume the DGH technical team`s direct and official participation in project activities.	MMA
	Encourage the DGH technical team to have direct, daily communication with the PMU.	MMA/ UNDP
	Establishment of a “task force” with DGH /MMA analysts, along the lines of the first six months of 2020, together with PMU`s contribution to resume processes which were interrupted in 2020/2021.	MMA/ UNDP
	Planning (and incorporation into the logical matrix/work plan) of support activities for peer-educators , with support for specific regional workshops for indigenous peoples, traditional communities, and family farmers.	MMA/ UNDP / IDB
	Planning a workshop on the results of the Community Protocol establishment process, with mass participation by	MMA/ UNDP

Results	Recommendation	Responsible
	environmental analysts who should/could guide other processes, appropriating knowledge.	
	Closer and constant follow-up of the implementing agency on project execution.	IDB
Sustainability		
	Engagement of CGen members and sector chambers in the Project, with six-monthly presentations on activity development and achievement of results.	MMA
	Preparation of an IPTCFF peer-educator action plan	MMA/ UNDP

1. Introduction

1.1 – Objective of the Mid-Term Review.

Reviews carried out during execution of a project are monitoring instruments which aim to identify challenges and prepare correction measures, to ensure that the project is on target to achieve the results expected with its execution. Therefore, the review should, necessarily, indicate the progress and advances made by the project by executing its activities, towards the expected results; clearly identify the problems found during execution, and to propose actions for any corrections required, within a wide range of areas.

At the end, the mid-term review report should map the project's history, update the risks, identify any problems, and the paths to be taken, so the project may achieve the planned results, which meet the concrete requirements of the country which executes it.

Thus, the mid-term review report should focus on:

- Evaluating progress against results.
- Monitoring implementation and adaptive management to guarantee results.
- Clear and opportune identification of risks to project sustainability.
- Emphasis on recommendations to correct problems, and starting discussions for project modifications, if necessary.

In turn, the measurements taken during the evaluation process were focused on advances in the delivery of results, to what extent the goals were achieved, and what are the chances of achieving them, considering the current implementation status. The report should provide an independent viewpoint and be prepared in a transparent way, and with broad participation from the teams engaged. However, its results will reflect the perspective of the consultant responsible for the analyses.

In the case of Project BRA/18/003, as part of the monitoring and evaluation policy of projects that are funded by the Global Environment Facility, this mapping of executing activities, results and the obstacles to be overcome is a coordinated set of information related to the performance of three components, which will be presented throughout the report.

1.2 - Scope and Methodology

Scope

In accordance with the term of reference that guides the mid-term review of Project BRA/18/003 (see appendix 1), its scope is made up of the content provided below. In order to facilitate identification of the items throughout the document, the table below lists the points requested in the Term of Reference (ToR), and the respective pages:

Scope items (ToR)	Sections
a. Determine and evaluate project progress, qualitatively and quantitatively identifying the physical and financial results ⁴ of the products achieved. The GEF evaluation criteria should be considered: efficiency, effectiveness, relevance, sustainability, and impact;	3.4 3.7 3.13 4
b. Evaluate the efficacy and efficiency of project execution, identifying any obstacles to its satisfactory and timely execution, with proposals for any adjustments to the design, and any other aspects required to achieve the objectives agreed within the project scope. Conduct an analysis of the sustainability of investments, and efficacy in its development, and the positive added values.	3 4 5
c. Carry out an analysis of compliance with the results matrix and vertical logic of the project: establish a relation between the results obtained mid-term, and what was planned, in order to identify if what was proposed for the project will effectively contribute to achieving its objectives; evaluate the design and indicators formulated for the project and monitoring instruments.	2.4 3.1 3.2 3.3 3.4
d. Analyse the reach of the projected performance indicators and objectives, considering: (i) comparison of performance in relation to the projected indicators and goals; (ii) if current performance indicates the probability of achieving the purpose of the project (specific objective); (iii) whether there were any unplanned effects, or not; (iv) the main issues that affect project implementation; (v) the adjustments made or proposed for the project to accommodate these problems, including technical, institutional, financial and economic considerations.	3.4 3.5 3.6 3.12 3.13 4 4.3
e. Analyse the <i>pari passu</i> of the application of parallel funding (co-financing), and adequate coordination between the activities financed by the IDB/GEF Fund, and those executed with resources from beneficiaries' parallel funding.	3.7
f. Evaluate the relevance and contribution the activities envisaged in the project to implement public policies, correlated plans and programmes, and identify any measures to increase the synergy between the project and initiatives with converging objectives. The evaluation should consider: (i) if the project design is adequate for solving the problem(s) in question; and (ii) the internal and external factors that influenced the capacity of beneficiary groups and stakeholders of achieving the intended objectives;	2.2 2.4 2.4 3.9 3.11 3.12 3.13 4.1
g. Evaluate evidence of the sustainability of actions and direct and indirect project results, in environmental, institutional and financial terms, by their incorporation in public policies. The following should be evaluated: (i) if the mid-term financial, environmental, socio-economic and institutional risks have changed; and (ii) if this could be an obstacle to bringing the project to a close;	3.12 3.13 4
h. Analyse the institutional arrangements defined for project implementation, identifying any restrictions to executing the activities and opportunities to improve the operational and monitoring instruments. The evaluation should also analyze the level of collaboration and project complementarity with partners and local actors (environmental companies, community organisations, and civil society organisations, among others), highlighting the commitments, roles and responsibilities they have acquired;	2.5 2.6 3.5 3.6

⁴ Including the total project value, stipulated in the only appendix of the Cooperation Agreement (IDB/GEF Funds, Contribution and Co-financing).

i. Review the Tracking Tools (TTs) of the focal area of the original biodiversity approved during CEO Endorsement, and update them based on investigations undertaken with corresponding stakeholders ⁵ .	
j. Present the lessons learned in the framework of the mid-term review undertaken, identifying possible alternatives to improve the project, which may include adjustments to the project's schedule of activities, and implementation and budget arrangements, among others.	5
k. Analyze and propose an update of the risks identified in the project, and an update of the Risk Management Matrix (RMM);	3.12
l. If pertinent, evaluate if the project gender strategy and its implementation plan are aligned with GEF Gender Policy and the Action Plan.	3.3
m. Based on the analyses above, the consultancy services should prepare key-recommendations, focused on the modifications required for the project to overcome obstacles, in order to ensure implementation of the instruments developed by the project, and the sustainability of its benefits. The recommendations should contain proposals of adjustments required in the design, technical, financial, economic and institutional structure to execute the project.	5
n. Identify or propose the corrective and strategic actions required to efficiently achieve the planned products, including adjustments to the institutional arrangements, the operational and monitoring instruments of each component and measures, to improve supervision.	5
o. Identify or propose/present any adjustments to the objectives, strategies, components and activities, with a view to readjusting the project, also considering the current legal, institutional, political and sanitary context in the country related to the Covid-19 pandemic.	5
p. Present a readjustment of physical and financial targets, also considering the availability of financial resources.	5

The final result includes the conclusions based on evidence, linked to a set of objective recommendations of measures to overcome the obstacles to Project development.

Methodology

The working methodology, i.e. the way of developing activities and approach of the mid-term review is organised from two central sources of information: analysis of project documents, and semi-structured interviews with the actors engaged in the activities, and beneficiaries.

The analysis of documents (project documents, six-monthly reports, products, institutional letters, and exchanges of messages, etc) aims to provide documented evidence of project development, the difficulties identified, and advances in relation to the expected results.

This information is complemented by interviews conducted with various actors and project beneficiaries. The interviews provide the context of the actions and dynamics for executing the activities.

The combination of document analysis with interviews enables the information registered in the reports to be clarified, to contextualize the processes and situations experienced by the project team, identify the need for complementary data and qualify the information recorded in the six-monthly Project Information Reports. Appendix 2 presents the matrix of guiding questions for

⁵ - This project received and exemption from preparation and follow-up GEF Tracking Tools, as demonstrated in Appendix 10.

the Mid-Term Review (MTR), in line with Guidance for Conducting Mid-Term Reviews of UNDP-Supported, GEF – Financed Projects.

The methods and sources of information were categorized in the following way:

Sources/Methods	Evaluation use
Analysis of Project documents: Project Identification Form (PIF), UNDP Project Document (PRODOC), IDB and GEF documents.	Basic information on the project objectives, products and results expected, project planning matrix, management configuration and project alignment with the country`s sectoral policy.
Analysis of UNDP planning and monitoring tools: six-monthly Project Information Reports (PIRs), Annual Work Plans, audit reports, disbursement request form and accounts.	Development of project activities over time, planning changes, reach of results and goals, disbursements and costs in relation to the execution of activities, identification of risks and measures taken to avoid them, and corrections made to guarantee execution.
Samples of activity reports and activities and documents generated by contracts.	Verify the development and impact of planned activities.
Interviews with teams engaged in the Project. Group and individual interviews: PMU, TCU, and IDB teams.	Obtain the context of project development during execution, clarify information, obtain different points of view to understand the challenges and difficulties in executing and/or planning the project, and identify the sustainability context.
Interviews with partner agencies (Brazilian Cooperation Agency and other relevant partners) and institutions contracted by the Project).	Verify project alignment with national sectoral policy, confirm partner participation, obtain the vision of developing activities by entities and consultancy firms contracted by the project.
Interviews with beneficiaries.	Evaluate project initiatives and results, identify the envisaged and unforeseen impacts of the activities, verify the audience`s awareness level of the project, and links made to achieve the expected results.

Limitations related to the methodology used and the work context of this mid-term review:

The mid-term review was conducted between April and June 2021, and was completely online due to the travel restrictions caused by the Covid-19 pandemic. Face-to-face interviews were not possible with the project teams or beneficiaries. Face-to-face interviews were replaced by online interviews. However, no disadvantage was noticeable in the flow of information with the replacement of face-to-face interviews by online meetings. It is possible that the online meetings also made the interviewees more at ease to freely express their impressions of the project. Two of the interviewees preferred to not turn on their cameras, and were more comfortable about speaking as a result.

On the other hand, all the documentation requested for the MTR process was promptly made available by the UNDP team. Other complementary documents (emails) were sent by stakeholders. No gaps in documentation were noted during the evaluation process.

The greatest limitation was the time available to evaluate consultancy and contract products. However, this type of evaluation is secondary, since the products and contracts had already been validated by the PMU and TCU teams, and an external audit.

The consultancy work was guided by United Nations Evaluation Group (UNEG) evaluation best practices. The texts used as a reference are available in Appendix 20.

1.3 Mid-Term Review Report Structure.

This report is organised in accordance with the Guidance for Conducting Mid-Term Reviews of UNDP-Supported, GEF-Financed Projects, prepared by the UNDP and GEF in 2014. Thus, the report is divided into the following parts:

- Executive summary: with a summary of the mid-term review.
- Presentation of the way of developing the mid-term review, its methodology and objectives.
- A summarised description of the project structure, including problems on which the project seeks to act, objectives to be achieved, indicators established, and the main stakeholders;
- Findings (project achievements): includes analysis of the project strategy and design, its progress against planned results, description of the various aspects of its implementation (planning, financing, management arrangements, partner engagement, challenges faced and schedule) and sustainability perspectives.
- The objective conclusions and recommendations prepared in the evaluation process, based on concrete evidence and related to the various implementation aspects.

The appendices contain the summarized project information tables, lists of interviewees and documents used, mid-term review guidance documents, and concrete evidence of evaluation conclusions, which form the basis of the recommendations.

1.4 Evaluation Criteria and Key Issues Analysed

The mid-term review is based on four evaluation criteria which are applied in the project development analysis:

Relevance – This criterion is related to the role of the project in the effective implementation process of the Nagoya Protocol in Brazil, which is an international commitment signed by the country together with the Convention on Biological Diversity. It seeks to identify the point to which the design of the intervention and intended results are consistent with local and national environmental priorities and policies, and GEF strategic priorities and objectives, and remains coherent, despite changes in the context during execution.

Efficiency – Evaluation of efficiency includes a preliminary analysis of the results and impacts in relation to inputs, implementation costs and time, considering if the project was economical and the cost -v- time relation of its execution. Until what point the intervention produced benefits, considering the resources used. Was the project able to convert the inputs (funds, staff, experience and equipment, etc.) into results in the most appropriate and less onerous way possible?

Effectiveness – The evaluation aims to understand up to which point the intervention achieved, or expects to achieve, results (products, results and impacts, including global environmental benefits), taking the main influencing factors into consideration.

Sustainability – The continuation or probable continuity of the positive effects of the intervention after its completion and its potential for being scaled-up and/or replicated; the interventions need to be environmentally, institutionally, financially, politically, culturally and socially sustainable.

2. Project Description and its Development Context

2.1 - Context

The Convention on Biological Diversity (CBD) was opened for signature at the `Earth Summit` held in Rio de Janeiro in 1992, coming into effect in 1993. The CBD is guided by three objectives: the conservation of biological diversity; sustainable use of its components; and the fair and equitable sharing of benefits arising from the use of genetic resources. The CBD explicitly recognizes the sovereign right of states to discipline the use of genetic resources under its jurisdiction, in accordance with its environmental policies. In addition, it requires all signatory parties to take legislative, administrative or political measures to guarantee the fair and equitable sharing of the results of research and development and benefits resulting from the use of genetic resources.

In order to put the third CBD objective into practice, Access and Benefit Sharing (ABS), the Nagoya Protocol (NP) was approved on 29th October, 2010, coming into effect on 12th October, 2014. The NP provides a set of international regulations, which may facilitate access and benefit sharing, decisively contributing to the conservation and sustainable use of biodiversity.

The NP provided greater legal security and transparency to providing countries and users of genetic resources and associated traditional knowledge. In addition, it establishes provisions on access to the traditional knowledge of indigenous peoples and local communities which are associated with genetic resources, improving the perspectives of these communities benefiting from the use of their knowledge and practices.

Its approval by National Congress took place on 8th August, 2020. On 4th March 2021, Brazil deposited the ratification instrument of the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization at the United Nations, which came into effect nationally on 2nd June, 2021.

2.2 Problems the Project Sought to Address.

Ratification of the Nagoya Protocol obligated the country to establish a transparent regulatory framework to implement a national ABS regime. Thus, the country should harmonize its national regulations on access, the use of genetic resources and associated traditional knowledge and sharing the benefits produced, and disseminate the knowledge required between the relevant actors, who are as follows:

- providers (also called holders) of associated traditional knowledge of genetic heritage – indigenous peoples, traditional peoples and communities, and family farmers;
- users, research institutions and companies with interests in the development of products utilizing genetic resources;
- government enforcement authorities and legal practitioners who regulate processes to access, utilize and share the benefits of genetic resources and associated traditional knowledge.

The new ABS regime was proposed with the aim of making procedures to access genetic resources and associated traditional knowledge less bureaucratic, promoting and encouraging the advance of scientific research and national industry, and protecting the knowledge of the indigenous peoples, traditional peoples, communities, and family farmers identified in legislation as holders of associated traditional knowledge. In its preparation, it was understood that the establishment of clear rules on accessing and sharing benefits would reduce transaction costs, resulting in high values raised as benefit sharing, which should be applied to sustainable use strategies, the conservation of biodiversity, and the protection and safeguard of associated traditional knowledge.

The “Capacity Building and Institutional Strengthening of the National Framework for Access and Benefit Sharing under the Nagoya Protocol” Project, is a partnership between the Inter-American Development Bank (IDB), Ministry of the Environment (MMA) and United Nations Development Programme (UNDP). Its objective is to support Brazil in the effective implementation of its new legal and national regulatory framework, and the institutional capacity and governance required for the management of access and benefit sharing arising from the economic exploitation of finished products or reproductive material obtained from access to genetic heritage and/or associated traditional knowledge (ATK). It has the additional purpose of supporting the advancement of knowledge of public officials, holders of associated traditional knowledge, and users of genetic heritage and ATK, enabling the country to fulfil the terms set out in the Convention on Biological Diversity and Nagoya Protocol, which is now in effect.

The mid-term review considered the purpose of the Project, considering the context and national demand due to the highly relevant and coherent need for the effective implementation of the Nagoya Protocol in Brazil.

2.3 Project Objectives and Expected Results

The project foresees the achievement of the following specific objectives:

- I. supporting the formulation and enactment of regulations that allow the new national law that regulates ABS to be implemented, which favour ratification of the Nagoya Protocol by Brazil;
- II. supporting the development and implementation of essential legal, administrative and technological instruments and the institutional capacity to share information, and administer the national ABS mechanism; and
- III. increasing main stakeholder knowledge and capacity in Brazil, including the exchange of information at the regional and international level.

The objectives should be achieved by developing activities organised in three components:

1. ABS National Regulatory Framework.

This component aims to establish the new Regulatory Framework for Access and Benefit Sharing, through a combination of key-instruments and studies, increasing awareness and the creation of capacity, which form the fundamental factors for the effective implementation of the Nagoya Protocol by Brazil, and new ABS legislation.

The activities executed are: (i) national, regional and international dialogue meetings, awareness campaigns, and strengthening institutional capacity, focused on stakeholders, in order to promote an environment favourable to the implementation of new ABS legislation and the Nagoya Protocol by Brazil; (ii) development of two key provisions of the national ABS law and Nagoya Protocol: the National Benefit Sharing Fund (NBSF) and regulations to harmonize the Nagoya Protocol, with national laws and standards in key sectors, including traceability mechanisms (e.g., control points and authorization for the government and indigenous peoples and local communities to monitor the use and sale of genetic resources, as per the terms of Articles 15 and 17 of the Nagoya Protocol); (iii) technical studies to support improvement of the ABS Institutional System, focusing on new competencies and activities for the Genetic Heritage Management Council (CGen), and integrating its systems with databases and systems of other government bodies with responsibilities within the scope of the national ABS law; and (iv) strengthening the institutional structure to support the CGen.

2. Management of Knowledge and Information.

This component aims to provide the appropriate conditions and management instruments to facilitate the dissemination of knowledge, to encourage the registration processes and authorisation of access activities, and make available the notification channels coherent with the requirements of the Nagoya Protocol, through development and implementation of the internet-based digital instruments required. The following activities, among others, are envisaged: (i) development, implementation and improvement of the National System for the Management of Genetic Heritage and Associated Traditional Knowledge – SisGen, and an integrated and advanced internet-based ABS site (national information exchange mechanism), which mirrors and complements the Access and Benefit Sharing Clearing House, established in accordance with Article 14 of the Nagoya Protocol; (ii) collection and organisation of information on ABS required to feed the ABS site and SisGen; (iii) development of an access traceability system; (iv) manuals and instructions for users and providers of both systems and the site; and (v) technical requirements to incorporate the management system and site.

3. Capacity Building and Institutional Strengthening.

This component aims to increase the awareness, capacity and skills of the various stakeholders in Brazil, so they may take full advantage of the opportunities that the ABS regime has to offer. In order to maximise its effectiveness, the training will concentrate on training peer-educators on knowledge and information on the new ABS system and the main stakeholders: male and female representatives of indigenous peoples, traditional communities, and family farmers, as providers of associated traditional knowledge (ATK), and potential local users of genetic heritage and associated traditional knowledge, such as researchers, entrepreneurs, and start-ups.

Training activities will focus on improving the capacity to negotiate ABS contracts, the benefits and implications of a new ABS legal and administrative framework, and operation of the system. Key government staff and employees of the Judiciary should also receive training to operate as peer-educators in the creation of regulatory and administrative capacity in ABS procedures.

The activities to be carried out, among others, are as follows: (i) instruction and training materials on the new Brazilian legal framework for all the key actors of the national ABS system, such as public officials, legal practitioners, researchers and science and technology institutions, companies and indigenous peoples, traditional communities, and family farmers; (ii) awareness campaigns and peer-educator training programmes for indigenous peoples, traditional communities, family farmers, and other stakeholders, in ABS operation, negotiation skills, and participation in benefit sharing projects; (iii) methodological guidelines as a tool to acquire prior informed consent; and (iv) formulation and preparation of a pilot Community Protocol as the basic model for ABS agreements involving associated traditional knowledge, with prior informed consent, mutually agreed terms, and benefit sharing, according to the terms of the national ABS law and Nagoya Protocol.

2.4 Project Logic

The project facilitates implementation of the Nagoya Protocol, with the fair and equitable sharing of the benefits arising from the utilization of the genetic resources of biodiversity and associated traditional knowledge, within the scope of legislation and the Brazilian context.

In order to achieve this objective, the project operates in three areas:

- Structuring the components required set out in national legislation to operate the ABS system: supporting the organisation and operation of the National Benefit Sharing Fund, strengthen the institutional capacity of the Genetic Heritage Management Council (CGen), and supporting harmonization between the protocol and national standards.
-
- Development and support of management mechanisms and dissemination of information to guarantee the legal use of genetic resources and associated traditional knowledge: the National System for the Management of Genetic

Heritage and Associated Traditional Knowledge (SisGen) and information site to guide providers and users.

- Train public officials (enforcement), members of research institutions (users) and indigenous peoples, traditional communities, and family farmers (holders of associated traditional knowledge and genetic resources).

2.5 Project Implementation Arrangements

The project is executed by the UNDP in the form of Direct Implementation, in partnership with the Inter-American Development Bank – IDB, the project’s implementing agent, together with the GEF. The Ministry of the Environment, the main project beneficiary, operates as the Technical Coordinator, through the Department of Genetic Heritage at the Biodiversity Secretariat.

The UNDP is responsible for project planning, administrative and financial management, technical follow-up, monitoring and evaluation.

The MMA is responsible for guaranteeing general strategic guidance and technical coordination of the project, in addition to coordination with local and indigenous communities for awareness-raising and training activities, as envisaged in Component 3, and with other government agencies relevant to project implementation.

Preparation of planning documents, terms of reference, and six-monthly reports is a joint UNDP and MMA activity.

In addition to the partners described above, the Brazilian Cooperation Agency (BCA), a body of the Ministry of Foreign Affairs, is responsible for following-up the development of project activities and meetings between the implementing (IDB), executing (UNDP) and technical guidance (MMA) agencies.

The project budget is USD 4,401,931 (four million, four hundred and one thousand, nine hundred and thirty-one American dollars), funded by the Inter-American Development Bank – IDB (IDB /GEF Fund). A further USD 4,401,931 (four million, four hundred and one thousand, nine hundred and thirty-one American dollars) of a non-financial nature were mobilised by the Ministry of the Environment, which are not listed in this budget, and are reported by the MMA to the IDB, through co-financing reports.

The time for execution envisaged for the project is 48 months, in accordance with the Project Identification Form (PIF). The first year of execution was 2018, and its completion was originally envisaged as 2021.

2.6 Main Stakeholders

Implementation of the Nagoya Protocol is of interest to a wide range of diverse actors, all related to the access, utilization and benefit sharing of genetic resources, and associated traditional knowledge.

The table below presents a list of project stakeholders.

Stakeholders	Position/interest
Providers	
Indigenous peoples, traditional peoples and communities, and family farmers	The groups produce and master the traditional knowledge associated with genetic heritage, which means a dominion of knowledge that serves as shortcut for research on genetic resources. Therefore, these groups should benefit from sharing the commercial utilization of GRs, through benefit sharing agreements. Thus, the group is a priority in project execution
Supervision and control on access, use, and benefit sharing	
IBAMA and the Federal Police.	Enforcement bodies
Department of Genetic Heritage of the MMA, Biological Diversity Secretariat	Responsible for chairmanship of the Genetic Heritage Management Council (CGen), a deliberative body that regulates the National Framework for Access and Benefit sharing originating from GRs.
FUNAI	Body of the executive power responsible for guaranteeing the rights of indigenous peoples.
6th Chamber of the Federal Public Prosecution Service	Bodies which defend minority rights.
Users of Genetic Resources	
Academia	National and international research institutions interested in investigation and development
Companies	Private national and international companies that develop GR products

2.7 – Review of Safeguards

Analysis of the Project`s socio-environmental safeguards

The analysis provided below is an update of the Social and Environmental Screening Template document (see Appendix 6).

a – Project alignment in relation to a human right based approach.

PRODOC description is coherent with the approach, which respects and values human rights. No deviation from this approach was identified during project activities.

Among other objectives, the project aims to guarantee the rights of minorities related to associated traditional knowledge of genetic heritage, ensuring the fair and equitable sharing of the benefits produced from their use.

b – Project relation with gender equity and women`s empowerment.

PRODOC satisfactorily describes the topic. The project supports the access mechanisms, protection and sharing the benefits produced by the use of genetic resources and associated traditional knowledge. Therefore, it does not have any relevant impacts on gender issues. In its planning, the project incorporates concern with ensuring the equal participation of men and women who have benefited from their activities, mainly the training processes. Holding these activities has demonstrated that this concern has been put into practice.

Implementation was carried out in accordance with the alignments described.

The project equally includes men and women as its beneficiaries. The *in locu* training activities for peoples and traditional communities include adaptation for equal gender participation.

c – Description of the project’s environmental sustainability approach.

On account of the topic and its approach, the project received category C from the Inter-American Development Bank, which requires implementing environmental monitoring. The activities do not have a direct relation with the environment.

The project aims to strengthen a system of biological diversity protection mechanisms, in accordance with the Convention on Biological Diversity and Nagoya Protocol, ratified by Brazil.

Project’s position in relation to IDB Operational Policies on Indigenous Peoples (PPI).

The project is categorized in “Positive Inclusion Projects: which are operations or projects in any sector, for which there is the possibility of including indigenous peoples as the target audience (having positive impacts or benefits for indigenous peoples) through specific components or actions and without any major potential adverse impacts for these peoples.”⁶

The table below updates the project classification in the IDB safeguards related to indigenous peoples

IDB Safeguards	Relation with the project
Territories, land and natural resources. The operations which directly or indirectly affect the legal situation, ownership or management of territories, land, or natural resources traditionally occupied or used by indigenous peoples	The project is not developed on indigenous land and territories. The project includes a set of protection mechanisms for traditional knowledge associated with biological diversity. Therefore, it should positively affect the lives of indigenous peoples, traditional communities, and family farmers.
Indigenous rights.	The project aims to strengthen the mechanism that ensures the rights of

⁶ IDB - OPERATIONAL GUIDELINES. OPERATIONAL POLICY FOR INDIGENOUS PEOPLES (PPI), 6th October, 2006, item 2.17 - b (p12). This document presents the following description for projects of this type: “The promotion of positive inclusion in the PPI. When these opportunities are identified, these projects will seek to promote and support the beneficiary countries or the proponents of these projects, to make the appropriate adjustments to meet the needs and opportunities of the development of indigenous peoples, mainly with regards to: (a) respect for traditional knowledge and cultural, natural and social heritage, and their specific systems in the social, economic, linguistic, spiritual and legal spheres; and (b) adapting services and other activities to facilitate the access of indigenous beneficiaries, including equal treatment and, when feasible, the adaptation of procedures, criteria, training programmes and compensation due to exclusion ”(p.15).

	indigenous peoples, traditional communities, and family farmers, on the fair sharing of the benefits arising from the use of traditional knowledge associated with genetic resources.
Prevention of exclusion for ethnic reasons	Not applicable.
Culture, identity, language and traditional knowledge of indigenous peoples	<i>Idem</i> indigenous rights
Cross-border indigenous peoples	Not applicable
Indigenous peoples not contacted	Not applicable.

Monitoring in accordance with the GEF instrument – tracking tools was not required, according to a review of the project design carried out by the GEF (Appendix 10).

3. Mid-Term Review (Findings)

3.1 Project Strategy

The question which guides analysis of the project design is as follows: “How was the original project planning prepared to achieve the expected results?”

Three types of document were analysed to answer this question: the Results Matrix (see Appendix 7) which organises the components by expected results, indicators and goals; the Acquisition Plan, which presents the specific activities to be carried out throughout the project, and six-monthly execution reports.

The activities planned in the project documents were verified in relation to the level of coherence with the results expected. The table below presents an overview of the general and specific activities organised, in accordance with the results expected for each component. The numbering used is the same as for project documents.

Analysis of adequacy of the project design

Results expected	Activities	Specific activities	Analysis
1.1. Nagoya Protocol (NP) ratified by the legislative authority	1.1.1 Dialogue meetings, awareness-raising campaigns, capacity building and institutional strengthening addressed at stakeholders and policy formulators, to promote an environment favourable to implementation of new ABS legislation and the Nagoya Protocol by Brazil.	4 international workshops to exchange experiences with best practices and management of the ABS system and NP.	Coherent with project objectives. The exchange of experiences adds knowledge to the national system and provides support to other countries. However, the project needs to advance with planned execution, to retain the coherency of conducting exchanges.
		Side-events: international workshops at COP-MOP 2018 to present the project.	Coherent with project objectives. The exchange of experiences adds knowledge to the national system and provides support to other countries.
		Side-event at SBSTTA to present the GEF-ABS project.	Coherent with project objectives. The exchange of experiences adds knowledge to the national system, and provides support to other countries.
1.2. Regulatory and national institutional framework approved and operational	1.2.1 Development of two key provisions of the national ABS law and Nagoya Protocol: the National Benefit Sharing Fund (NBSF) and regulations to harmonize the Nagoya Protocol with national laws and standards in key sectors.	Consultancy services propose rules for operation of the National Benefit Sharing Fund (NBSF)	Coherent with project objectives. The establishment of a national fund that centralizes resources is required, in order to share the benefits of the use of GR and ATK.

Results expected	Activities	Specific Activities	Analysis
1.3 Key productive sectors with standardised regulations and procedures harmonized with ABS law, and the NP	1.3.1 Technical studies to support improvement of the institutional ABS system, with a focus on new competencies and activities of the Genetic Heritage Management Council (CGen) and integration of its systems with databases and systems of other government bodies with responsibilities within the scope of national ABS law	Hold 2 training cycles for public officials; 1 training cycle for researchers and technological institutions; 1 workshop for indigenous peoples and traditional communities, and 1 interface symposium between holders of ATK, academia, companies, and the government.	Coherent with project objectives. Considering the target audience of the CGen sectoral chambers and CGen, continuity of the council strengthening process is required. Component goal: “5 sectors harmonized with the Nagoya Protocol (public officials, legal practitioners, traditional peoples and communities, researchers and the business sector)”.
	1.3.2 Strengthen the CGen institutional support structure		
2.1 ABS Clearing-House Mechanism notification channels accessible to users and in operation	2.1.1 Development and introduction of the National System for the Management of Genetic Heritage and Associated Traditional Knowledge – SisGen, and an integrated, advanced internet-based ABS site (national information exchange mechanism) which mirrors and complements the Access and Benefit Sharing Clearing House	Hire a company to develop the site.	Coherent with project objectives. The site is an important instrument to disseminate ABS information. It has multiple uses, and may reach a wide audience, with general and specific content for researchers, companies, and peoples holding traditional knowledge, etc. Preparation and operation of the site are essential for the result expected.
	2.1.2 Collect and organize information on ABS required to feed the ABS site and SisGen	Contract consultancy services to prepare specific material for the site.	Coherent with project objectives. Activity complements the previous one.

Expected results	Activities	Specific activities	Analysis
2.2 National ABS Electronic Management Systems in use by stakeholders.	2.2.1 Development of an Access Traceability System	Hire a consultancy firm	Coherent with project objectives. SisGen improvement is essential to control access to GRs and ATK.
	2.2.2 Instruction manuals for users and providers of both the systems and site	Hire a consultancy firm	Coherent with project objectives. Activity complements the previous one.
	2.2.3 Technical requirements to incorporate the management system and the site	Hire a consultancy firm	Coherent with project objectives. Activity complements the previous ones.
3.1 Public officials, legal practitioners, researchers and science and technology institutions, companies and indigenous peoples, traditional communities and family farmers trained on ABS mechanisms and procedures on face-to-face and DL courses.	3.1.1 Instruction materials and training for the participation of holders of associated traditional knowledge in local ABS projects.	Hire a consultancy firm to develop training materials.	Coherent with project objectives. IPTCFF training requires specific materials for this group of beneficiaries.
	3.1.2 Awareness-raising campaigns and programmes to train peer-educators for indigenous peoples, traditional communities, family farmers, and other stakeholders on implementing ABS and negotiation skills	Hold training cycles. Hire a consultancy firm to prepare materials for peer-educators. Planning and support for peer-educator activities.	Coherent with project objectives. The dissemination of knowledge on prior informed consent and negotiating benefit sharing agreements is essential for the operation of the Nagoya Protocol. This process will be started by the project, with the training of peer-educators among the IPTCFFs.
	3.1.3 Methodological guidelines as a tool to disseminate best practices, in order to acquire prior informed consent	Hire a consultancy firm for participative preparation of the Pedagogical Training Plan.	Coherent with project objectives. The base for IPTCFF training and establishment of peer-educators peer-educators should be a participatively constructed pedagogical project, in order to adapt the methodologies for the various groups of beneficiaries.

	3.1.4 Formulation and preparation of a pilot Community Protocol, as the basic model for ABS agreements involving associated traditional knowledge, with prior informed consent, mutually agreed terms, and benefit sharing, in accordance with the terms of the national ABS law and Nagoya Protocol.	Hire a consultancy firm for the participative preparation of the Community Protocol	Coherent with project objectives. The Community Protocol is an instrument that will make viable authorized access to ATK related to genetic resources. It is a base to make the NP feasible.
4.1 Management, Monitoring and Evaluation systems are implemented	4.1.1 Conduct project management and monitoring	Hire an auditing firm. Preparation of Project Information Reports. Hire an assessment consultant.	Coherent with project objectives.

3.2 Analysis of the Guiding Questions⁷ on the Original Project Design.

The following questions provide complementary information on project design. The coloured marking at the side signals a positive or negative response in relation to the specific content.

- ✓ a. To what extent were lessons from other relevant projects were incorporated into the design of the evaluated project?

The Project Identification Form (PIF) and PRODOC do not mention any links with others relevant projects. However, the PIF mentions an accumulation of experience related to the objectives of Component 3, with regards to training indigenous peoples and traditional communities to prepare Community Protocols, ABS training processes addressed at these peoples, and other actors. The initiatives identified involve various government organizations (MMA, Ministry of Foreign Affairs (MRE), FUNAI and the Ministry of Agrarian Development – dissolved), private sector (Avina Foundation and Companhia Vale – mining company), Amazon Cooperation Treaty Organization (ACTO) and the NGO: Amazon Working Group (GTA). b. To what extent is the project focused on national development priorities?

- ✓ The project supports the concrete implementation of an international commitment of Brazilian interest, ratified by Parliament, and approved by the Executive Authority. Brazil is a provider country and user of genetic resources and associated traditional knowledge, with a concrete interest in regulating the access, use and benefit sharing generated by its GR. The project is clearly aligned with national priorities on the topic.

- ✓ c. What is the prospect of project sustainability and viability (considering its original planning) and what are the relevant externalities that may interfere in its execution strategy?

- ✓ The original project design demonstrated viable execution, due to the coherence of activities in relation to the expected results. The results to be produced have great sustainability potential, since the CGen strengthening activities, SisGen improvement, making information available on ABS on a site, and stakeholder training courses (including the establishment of peer-educators among indigenous peoples, traditional communities, and family farmers) are all structuring activities to disseminate knowledge. The relevant externalities which may negatively interfere in the execution are analysed in the risks section (Item 3.12, risks update). d. Verifying the project position in relation to issues on the “Social and Environmental Screening Template” (see Appendix 6 for Project Document responses).

This session aims to verify the relation between the project structural and social and environmental risks previously listed by the UNDP. Verification is achieved using questions in chapter 3 of Guidance for Conducting Mid-Term Reviews of UNDP-Supported, GEF-Financed Projects⁸.

First part: integrating comprehensive principles to strengthen social and environmental sustainability

- ✗ d.1 – Is the project correctly aligned with a human right based approach?

PRODOC description: coherent.

⁷ - Guidance for Conducting Midterm Reviews of UNDP-Supported, GEF – Financed Projects.

⁸ - https://procurement-notices.undp.org/view_file.cfm?doc_id=49928

Among other objectives, the project aims to guarantee the rights of minorities related to their traditional knowledge, associated with genetic heritage, ensuring the fair and equitable sharing of the benefits produced from their utilization.

d.2 - Project relation with gender equality and women`s empowerment.



Satisfactorily answered in PRODOC.

The project equally includes both men and women among its beneficiaries. The *in locu* training initiatives for peoples and traditional communities is adapted for equal gender participation.

d.3 – Description of the project environmental sustainability approach.

Satisfactorily answered in PRODOC.

The project aims to strengthen a system of mechanisms to protect biological diversity, in accordance with the Convention on Biological Diversity and Nagoya Protocol, ratified by Brazil.

Second part: identification and management of social and environmental risks in the Project Document.

d.4 – Will the project involve the use of genetic resources?

Satisfactorily answered in PRODOC.

Low level of importance. The project includes a comprehensive protection system for GR, not directly working with any GR.

d.5 – Could the project affect communities` human rights, land, natural resources and traditional ways of life?

Satisfactorily answered in PRODOC.

Moderate level of importance. The project includes a set of mechanisms to protect the traditional knowledge associated with biological diversity. Therefore, it should positively affect the lives of indigenous peoples, traditional communities, and family farmers.

d.6 – Does the project involve the use or commercial development of natural resources, or land related to indigenous peoples?

The level of importance marked by the Project Document is low. For this mid-term review: moderate level of importance, with positive impacts and probabilities. Although the project does not act in the direct use of natural resources, the mechanisms to protect and disseminate knowledge on ABS processes directed towards indigenous peoples and traditional communities will operate to produce the capacity for these groups to negotiate and protect their traditions. In other words, the project aims to positively impact IPTCFFs in the regulation and negotiation of their traditional knowledge associated with GR, considering its commercial use, to avoid improper access and use.

d.7 – Could the project affect the cultural heritage of indigenous peoples, traditional communities and family farmers through the sale or use of their traditional and practical knowledge?

The level of importance signalled by the Project Document is moderate. For this mid-term review: high level of importance. The project intends to act directly to protect traditional knowledge associated with biodiversity, which will impact the way that these peoples and groups deal with ATK. Strengthening and disseminating knowledge of free, prior and informed consent to access ATK, Community Protocols which provide the basis for possible consent, and negotiation to share the benefits, are fundamental parts of the project (Component 3). Production of this knowledge is a guarantee to protect the traditions of IPTCFs related to genetic resources.

e. Decision-making processes: were the prospects of those who will be affected by project decisions, which may influence the expected results, and may contribute with information or other resources, considered during the preparation process?

The PRODOC advises that there was a considerable construction process on the control mechanisms to access genetic resources, in line with discussions that culminated in the approval of the Nagoya Protocol by the CBD. Brazilian legislation on the topic was prepared, incorporating a NP logic, which facilitated the preparation of Brazil for its ratification. The control and public policy preparation bodies, such as the CGen, were evolving with national legislation and incorporating representatives of process participants (traditional peoples, civil society, government, and research institutions, etc), in addition to expanding debates in the Sectoral Chambers that assist CGen deliberations.

However, the interviews with IPTCFF representatives on the CGen, and holders of ATK sectoral chamber, indicated that during discussions with the MMA and IDB consultant with these groups, at the time of its preparation, the objectives and reach of the results were presented in an overestimated way, as if they were the solution to demands for training, and the preparation of Community Protocols for indigenous and traditional peoples. The final project text and its reach were more restricted than the images that illustrate the negotiations, which generated a certain level of detachment and distrust by IPTCFF CGen representatives, who are one of the most important groups of project beneficiaries. The text presented in the PRODOC “Beneficiary Engagement” does not reflect the reality of the participation of this group during the project preparation process.



f. Gender relations in the project design

The project includes supporting mechanisms for access, protecting and sharing the benefits generated by the utilization of genetic resources and associated traditional knowledge. Therefore, it does not have any relevant impact on gender issues. In its planning, the project incorporates the concern for ensuring the equal participation of men and women who have benefited from its activities, mainly the training processes. Holding the activities demonstrated that this concern was considered.

3.3 SMART Analysis of the Project Logical matrix.

The main focus of analysis of the project’s logical matrix was formulating the indicators and their respective goals. It is based on the following indicator qualities, and the initials form the word SMART:

- Specific: the indicators need to be clearly formulated and specify a future condition.
- Measurable: the indicators need to be formulated in such a way that they can be measured, allowing the provision of information on achieving the goals.
- Achievable: the indicators and goals need to be within the capacity and reach of partners who are committed to the project.
- Relevant: the indicators need to be related to a contribution towards national development priorities.
- Time-bound: the indicators and goals need to establish clear timeframes to be achieved, within the project duration.

The table below verifies the indicators and goals in the logical matrix, according to the original project design in the PRODOC.

SMART analysis of the indicators and goals

Component 1: Nacional ABS regulatory framework.

Results	Indicator	Goals	SMART	Comments
1.1. Nagoya Protocol (NP) ratified by the legislative authority*	Legal instrument approved	Year 1: not applicable. Year 2: Ratification of the protocol by the legislative authority, published in the Official Federal Gazette. Year 3: not applicable. Year 4: not applicable. Total: 01 legal instrument (ratification) approved.	✓	The indicator is in accordance with SMART criteria. However, the reach of the indicator is not directly related to project activities and cannot be attributed to project actions.
1.2. Regulatory and national institutional framework approved and operational	Number of approved regulations	Year 1: 01 (resolution by CGen and/or the NBSF Management Committee). Year 2: 01 (resolution by CGen and/or the NBSF Management Committee). Year 3: 01 (resolution by CGen and/or the NBSF Management Committee). Total: 03 regulations approved.	✓	The indicator is in accordance with SMART criteria. However, the reach of the indicator is only partially related to project activities (in the case of establishing the NBSF) and cannot be totally attributed to project actions. Resolutions by CGen or the National Benefit Sharing Fund (NBSF) Management Committee are independent of project activities. The indicator is not clear.
1.3 Key productive sectors with regulations and procedures which are standardized and harmonized with ABS legislation and the NP	Number of sectors [public officials, legal practitioners, Science & Technology (S&T) institutions, companies, and IPTCFFs] harmonized with the Nagoya Protocol	Year 1: not applicable. Year 2: 05 sectors harmonized with the Nagoya Protocol (1. public officials; 2. legal practitioners; 3. Researchers and science and technology institutions; 4. Business sector; 5. Indigenous peoples, traditional communities and family farmers) registered on the Project Information Reports. Year 3: not applicable. Year 4: not applicable.	✗	The indicator is not specific: “key productive sectors harmonized”. The indicator is not measurable or achievable, due to the lack of objectivity. Although the sectors are named, the goals do not advise of the number of people who should take part in a project action in order to be considered “harmonized”. The term “harmonized” does not define the change intended by the project. It would be “having knowledge” and “able to operate the NP”? The indicator is relevant in the project context, but lacks precision.

Component 2: Management of Knowledge and Information.

Results	Indicator	Goals	SMART	Comments
2.1 ABS Clearing-House mechanism notification channels are accessible to users and in operation	Number of visits to the ABS site: 410	Year 1: 80,000 visits/year to the site. Year 2: 100,000 visits/year to the site . Year 3: 110,000 visits/year to the site . Year 4: 120,000 visits/year to the site . Total: 410,000 visits/year to the site during the four years of project execution.	✓	The indicator is in accordance with SMART criteria. The reach of the goal stipulated for the first year is impaired by the time required to prepare and launch the ABS site. The goal should be counted from year 2 or 3, giving time for development of the ABS site.
2.2 National ABS Electronic Management Systems in use by stakeholders	Number of accumulated registers and notifications on SisGen: 9,119	Year 1: 1,715 registers (of access and/or remittance) and notifications. Year 2: 2,340 registers (of access and/or remittance) and notifications. Year 3: 2, registers (of access and/or remittance) and notifications. Year 4: 2,600 registers (of access and/or remittance) and notifications. Total: 9,119 registers (of access and/or remittance) and notifications Registered on SisGen during four years of project execution.	✓	The indicator is in accordance with SMART criteria. However, an old version of SisGen existed before the new one, which is being prepared within the project scope.

Component 3. Capacity Building and Institutional Strengthening.

Results	Indicator	Goals	SMART	Comments
3.1 Public officials, legal practitioners, researchers and science and technology institutions, companies and indigenous peoples, traditional communities and family farmers trained on ABS mechanisms and associated procedures on face-to-face and DL courses.	Number of male and female representatives from academia, companies and the government trained per year. Total: 232	Academia, company and government representatives: Total: 232 people trained during the four years of project execution. UNDP recommendation: a minimum of 30% of the people trained should be women.	✓	<p>The indicator is in accordance with SMART criteria. However, there is a disconnection between the expected results and the indicator. The expected results (and project logic) indicate the various groups to be trained:</p> <ul style="list-style-type: none"> • public officials • legal practitioners • Researchers and S&T institutions • companies • Indigenous peoples, traditional communities and family farmers. <p>The indicator does not reflect all of the above-mentioned groups, removing some of them.</p>
	Number of male and female representatives of indigenous peoples, traditional peoples and communities and family farmers trained per year. Total: 300	Number of male and female representatives of indigenous peoples, traditional peoples and communities and family farmers trained per year. Total: 300	✓	<p>The indicator is in accordance with SMART criteria.</p> <p>Note that the goal presents a total number, without itemizing the number of people in each group who will be trained.</p>

Component 4: Management, Monitoring and Evaluation

Results	Indicator	Goals	SMART	Comments
4.1 Management, Monitoring and Evaluation Systems implemented	Percentage of compliance of the Annual Work Plan (AWP) established for the project.	Minimum of 70% of each AWP executed.	✓	The indicator is in accordance with SMART criteria. It is understood that the unit to be measured for fulfilment of the AWP (minimum of 70%) are the lines of activities to be executed, and not the sum planned -v- expenditure.
	Annual Project Information Reports (PIR) prepared.	3 Annual Project Information Reports prepared.	✓	The indicator is in accordance with SMART criteria.
	Frequency of monitoring meetings between the MMA and UNDP technical teams.	4 monitoring meetings held per year.	✓	The indicator is in accordance with SMART criteria.
	Mid-term and final reviews conducted.	MTR conducted in year 2. Final review conducted at the end of year 4.	✓	The indicator is in accordance with SMART criteria. There is an error in the Results Matrix in which the above indicator goals are repeated in this indicator. It is understood that there will be two reviews during the project.
	Audit conducted.	An annual audit has been conducted.		The indicator is in accordance with SMART criteria.

3.4 Analysis of Progress Against the Expected Results

The table below demonstrate the level of achievement of the indicator goals evaluated in the previous section. The source of information was the Project Information Form (PIF) and Project Document, which were compared to the five six-monthly Project Information Reports. The table captions are provided at the end of the item.

Component 1: National ABS Regulatory Framework.

Result Expected	Indicators	Baseline	Mid-Term Goal	End goal	Evaluation goal	Evaluation of reach	Justification
1.1. Nagoya Protocol (NP) ratified by the legislative authority	Legal instrument approved	1	1	1		HS	The Nagoya Protocol was ratified in March 2021
1.2. Regulatory and national institutional framework approved and operational	Number of approved regulations	1	3	3		HS	The indicator mixes project objectives with CGen operation obligations. The NBSF has been established and the CGen has ordinarily approved more than 66 resolutions.
1.3 Key productive sectors with regulations and procedures standardized and harmonized with ABS legislation and the NP	Number of sectors [public officials, legal practitioners, S&T institutions, business sector, and IPTCFF] harmonized with the Nagoya Protocol	0	5 sectors	5 sectors		U	There is no clarity on how many people should be trained so that the “key sector” can be considered “harmonized”. There were expressive training efforts for public enforcement officials (IBAMA) and researchers (S&T). Current project planning does not include continuation of the activities envisaged of disseminating information to the IPTCFF sectors and legal practitioners.

Component 2: Management of Knowledge and Information.

Expected Result	Indicators	Baseline	Mid-term Goal	End Goal	Goal Evaluation	Evaluation of reach	Justification
2.1 ABS Clearing-House mechanism notification channels accessible to users and in operation	Number of visits to the ABS site	0	180	410		HU	After 34 months of project execution, considering the first disbursement, the hiring process for the activity was interrupted ⁹ in the phase for receiving proposals, at the request of the MMA.
2.2 ABS National Electronic Management Systems in use by stakeholders	Number of accumulated registers and notifications on SisGen: 2,600	680	4,055	9,119		U	Although maintaining the contract for preparing the SisGen version 2 modules, the MMA also requested cancellation of contracting system compatibility with those of other bodies, digital certification services, and SisGen manuals.

⁹ The complete list of interrupted contracts and cancelled contracting processes is provided in Appendix 13.

Component 3. Capacity Building and Institutional Strengthening.

Expected Result	Indicators	Baseline	Mid-Term Goal	End goal	Evaluation of goal	Evaluation of reach	Justification
3.1 Public officials, legal practitioners, researchers and science and technology institutions, companies, indigenous peoples, traditional communities and family farmers trained on ABS mechanisms and associated procedures on face-to-face and DL courses	Number of male and female representatives from academia, companies and the government trained per year.	0	60	232		MS	The training initiatives started very well, with actions with IBAMA staff and researchers. However, there was no continuity in the process, which is one of the objectives and requires the project's attention. Training was not held for companies and legal practitioners.
	Number of male and female representatives of indigenous peoples, traditional peoples and communities and family farmers trained per year.	0	140	300		HU	Due to the reality of the traditional populations, the training initiative focused on these groups requires more attention and effort, since it needs to be pedagogically appropriate. The contract to prepare specific training methodology has been interrupted at the request of the MMA. The contract to prepare a pilot Community Protocol, which is at the base of the process to place these communities in the NP has also been interrupted at the request of the MMA. Until this time, there has been no justification or demonstration of how to achieve the results which are crucial for the project with the cancellations of planned activities.

Component 4: Management, Monitoring and Evaluation

Expected Result	Indicators	Baseline	Mid-Term Goal	End goal final	Evaluation of goal	Evaluation of reach	Justification
Management, Monitoring and Evaluation Systems implemented	Percentage of fulfilment of the Annual Work Plan (AWP) established for the project.	0	Minimum 70% execution of the AWP	Minimum 70% execution of the AWP		U	Execution of the 2018, 2019, 2020 and 2021 Work Plans experienced various delays, and activities were interrupted from the second half of 2020.
	Annual Project Information Reports (PIR) prepared.	0				HS ¹⁰	The Project Information Reports are presented every six months and contain the information required to understand project evolution.
	Frequency of the monitoring meetings between MMA and UNDP technical teams.	0				MU	The monitoring meetings between the teams of the two units were frequent until the second half of 2020. Following this period, they were not held with the frequency required, with various cancellations despite initiatives of meetings held by the UNDP team.
	Mid-term and final reviews conducted.	0				MS	The mid-term review was conducted but with a considerable delay.
Captions for the Mid-term Review (half of the project execution period):					Captions for evaluation of achievement:		
<ul style="list-style-type: none"> • Goal achieved • Goal in the process of being achieved • Goal not within the process of being achieved 					<ul style="list-style-type: none"> HS – Highly Satisfactory S – Satisfactory MS – Moderately satisfactory MU – Moderately unsatisfactory U – Unsatisfactory HU – Highly Unsatisfactory 		

¹⁰ Since the review of fulfilling the goal and the project have not come to an end, we opted to use the colour yellow to indicate that the PIRs are being satisfactorily prepared. See more about the Project Information Reports in the specific item below.

3.5 Project Implementation and Adaptive Management.

During project evaluation, information related to various aspects of its implementation and management were identified. Conclusions and recommendations on each item are provided below:

a) Management arrangements.

In this project, the UNDP is responsible for the management unit (PMU), which executes the activities, and acts in liaison with the Project Coordination Unit, responsible for providing technical guidance, and is under the responsibility of the Department of Genetic Heritage (DGH), MMA, Biodiversity Secretariat.

The IDB is the implementing unit.

In relation to the actions of the three actors, interviews held with the teams, and analysis of communication between partners, produced the following conclusions:

- There was difficulty in harmonizing the rules for accounting and disbursements between the IDB and UNDP in the first year of the project, resulting in a delay in the first disbursement, which only took place in August 2018 (and not in April of that year, the month the project was signed). Both of the institutions` teams acted collaboratively and flexibly to be able to solve the problems. However, the project start, scheduled for April 2018, only occurred in August of that year.
- The change in the MMA management team, which took place at the start of 2019, due to the change in government, also delayed the schedule for this year.
- During 2018, 2019, and start of 2020, the control meetings between the MMA and UNDP took place as normal. The 2018 and 2019 reports identified the importance of constant communication between the teams (MMA, UNDP and IDB) for the fluid execution of activities, based on adaptive management.
- The initial delays were administered with the UNDP initiative of establishing a “task force” between 2019 and 2020, to accelerate execution, preparing terms of reference and selection processes for companies and consultants. A number of contracts were started. However, again, there was a decline in execution, produced on account of the new change of DGH /SBio/MMA management in September 2020.
- From the above date, the execution of activities decreased at the request of the MMA, with the justification that the new management needed some time to become familiar with and analyze the project, generating an interruption in the hiring processes. There was less communication between the units until February 2021. The difficulty required prompt intervention by the implementing agency in relation to the project. The PMU (UNDP) informed the IDB team of the communication difficulties, and an interruption in activities by the TCU (MMA).
- The delay in project execution was due to several reasons: change in the 2018/2019 ministerial team, the Covid-19 pandemic, and change in DGH/SBio/MMA management. In this context, the unjustified interruption of contracts and hiring processes for previously agreed activities raised questions from the UNDP and IDB.
- During the period between November 2020 onwards, there were considerable efforts by the executing agency to mobilize the TCU, with the knowledge of the IDB, to solve the problems of delays, and the paralysis of contracts.

- The context of delays, the stoppage of activities at the request of the TCU, and interruption of processes, are partially related to the change in MMA teams. This risk had been previously identified in the PRODOC Risk Analysis framework, and categorized as high probability of high impact. Despite prior identification, and UNDP efforts to maintain liaison with the MMA, the problem continued solely due to the TCU.
- The IDB and UNDP's attempts to jointly discuss and reschedule planning for 2021 were frustrated, due to the unilateral cancellation of meetings between the three teams at the request of the MMA, including a tripartite meeting scheduled for December 2020, re-scheduled for January 2021, and cancelled once more at the Ministry's request¹¹. A preliminary meeting was finally held in early June 2021. Until the time of writing this report, the project did not have a justified 2021 annual Work Plan, or evidence that numerous and unjustified cancellations of contracts would be corrected, in order to ensure achieving the results expected.
- The six-monthly Project Information Reports and exchange of electronic messages analyzed clearly demonstrated the PMU's concern with the situation of delays, and the interruption of activities, in addition to the lack of a technically justified planning instrument approved by partners.
- There was a coherent project initiative to reinforce technical capacity by hiring a professional specialized in the topic to join the team. However, the benefit produced by the initiative (which took place in 2021), was not able to compensate for the departure of DGH/SBio technicians from project activities, due to a decision by MMA management (Appendix 13). All of the interviews with members of the MMA technical team and other partners confirmed this departure. This problem is demonstrated in a letter to the UNDP notifying a change in the technical team responsible at the MMA, dated March 2021 (see Appendix 12). Equally, all communication between DGH technical staff and the PMU/UNDP was discontinued, at the request of the new Department management.

3.6 Analysis of Work Planning.

The annual PRODOC work plans, Acquisition plan, and the six-monthly Project Information Reports were reviewed. The evaluation arrived at the following conclusions:

- Project planning is structured in accordance with the results to be achieved. The planning instruments reflected the activities and contracts required to achieve the objectives.
- Despite solid planning, there was a series of contingencies that negatively impacted the execution of activities in accordance with the timeframes envisaged:
 - The initial delay to the start of the project, envisaged for the first two months of 2018, which took place in the fifth bimester of that year. This delay took place due to the need to align the rules for execution, disbursement, auditing and accounting for the implementing (IDB) and executing agencies (UNDP). The teams worked in a coordinated manner to overcome the difficulties. The majority of the consultancy contracts envisaged for 2018 were delayed until the following year.
 - Another factor which produced delays to execution is related to the alteration to the MMA management team, on account of the change of government

¹¹ See [Appendix 11](#) for the exchange of messages to arrange and cancel tripartite meetings.

between 2018 and 2019. The risk was correctly envisaged in the project documents, and the PMU/UNDP and MMA technicians acted in order to reduce the time for the new management responsible for the DGP to transition and become familiar with the project. Following a period to fully understand the project, the UNDP formed a “task force” of staff, with DGH technicians, to accelerate execution of the planned activities. Holding training for public officials and a contract to prepare the NBSF are highlighted for 2019. Even with concentrated efforts, several activities scheduled for the first and second year of execution were accumulated for 2020.

- In 2020, the Covid-19 pandemic affected holding face-to-face training. In a letter to the UNDP, dated 11th June, 2020 the director of DGH /MMA at the time advised the PMU of the IPTCFFs` decision to pause the process of preparing an Pedagogical Training Plan (see Appendix 15). There was a new delay in execution in the second semester, generated by the change in the SBio/ DGH management team. From November 2020 onwards, cancellations of ongoing contracts and the interruption of ongoing hiring processes were requested¹².
- Specifically, with regards to the planning process, despite the PMU and IDB`s efforts to resume preparation of the 2021 Annual Work Plan, this was not produced until June this year, when this report was prepared¹³. Correspondence with email exchanges demonstrate two cancellations of tripartite meetings (December 2020 and January 2021) requested by the MMA (Appendix 11). The tripartite meeting had not been held by May 2021. Even following direct action from the UNDP Deputy Resident Representative to hold a planning meeting for the new 2021 AWP, this document had not been prepared by June this year¹⁴.
- The planning instruments analyzed were all results-orientated, defined in the PRODOC, and considered relevant for this review.
- The MMA presented suggestions for alterations to activities, and the reassignment of resources which were evaluated by the UNDP in terms of viability and impacts on the reach of the indicators (see Appendix 16). Until the time of this review, there were no alterations to the original project results matrix, which was maintained as the guiding instrument for execution.

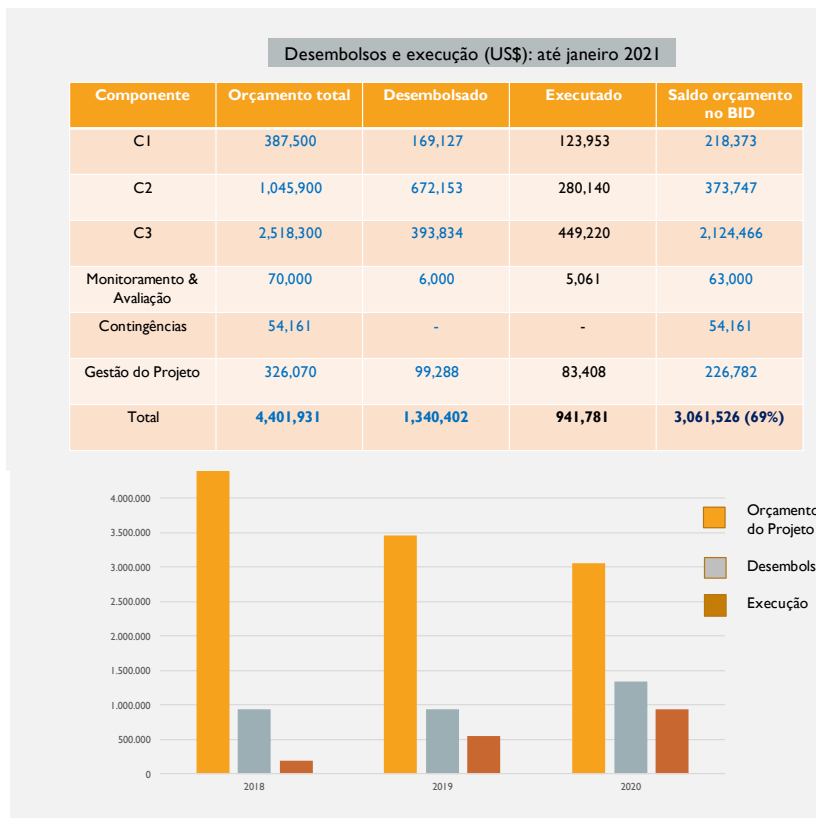
3.7 Financing and Co-Financing

As highlighted, the first project disbursement was considerably delayed. Delays in execution, interruptions to contracts and hiring requested by the MMA, and the foreign exchange gain, with the devaluation of the real against the American dollar, had an impact on reducing the expenditure envisaged. The tables below present the project`s financial situation until the last six-month report of January 2021.

¹² The list of contract cancellations is available in Appendix 13.

¹³ - To prove the attempts to correct gaps in the project and PMU/UNDP`s concern, see Appendix 9.

¹⁴ - *idem*.



The PMU demonstrated that it has full control of project expenditure, which was confirmed by the audits which were conducted. The low level of expenditure is due to the above-mentioned reasons. The expenditure made was within the forecasts registered in the planning instruments. There was no need to request the reassignment of resources.

With regards to co-financing, the reports presented begin in 2016, two years before the start of the project. The first co-financing report mentions that it was agreed between the MMA, UNDP and IDB that accounting for the balancing entry of activities directly related to project results, would start in 2016:

“In a meeting held on 9th March, 2018, in the Maria da Penha room, UNDP head offices in Brasília, the Inter-American Development Bank - IDB was questioned on the timeframe for providing information on the balancing entry. According to information presented at the meeting, complemented by an email dated 9th March, 2018 (SEI 0336426 e 0336429), accounting for the balancing entries in this report was conducted from 29th April, 2016, date of Official Letter nº 153/2016/SBF/MMA to the project donor, the Global Environment Fund - GEF.”¹⁵

The balancing entry was provided in financial and non-financial forms, in accordance with the lines provided below:

- a) financial resources from non-government institutions, acting in association with the MMA, and directly used to execute activities;
- b) hours of public officials and other workers involved with the coordination and execution of project activities;
- c) resources stemming from other national and international projects, which contribute towards the execution of the activities envisaged in Project BRA/18/003, with the exception of resources from other projects with GEF resources;
- d) costs related to the use of infrastructure and equipment to execute project activities (equipment, digital programs and platforms, and physical structures, etc.);
- e) state budget resources applied in programmes or actions correlated to project activities.

¹⁵ - MMA Co-financing report (SEI nº 0421884)

According to the PRODOC, the balancing entries precisely mirror the GEF financing sums envisaged in each project component (see the table above in this report). The co-financing reports presented by the MMA did not follow the format requested by the GEF/UNDP, and did not specify expenditure per project component.

Table C (Indicative co-financing for the Project by Source and Name, if Available) of the PIF (Project Identification Form) was not completed in the document and, therefore, does not record the co-financing sources identified, partner names, type of balancing entry, and the sums involved. On the other hand, the PRODOC Pluri-Annual Work Plan only registers the source of the IDB resources for all the activities, not presenting the co-financing.

The balancing entry reports presented did not use the categorization envisaged in the GEF Co-Financing Guidelines¹⁶. The MTR analyzed the reports and classified the data in accordance with the above-mentioned document. The summarized table provided below systematizes the expenditure, in accordance with the de GEF/UNDP report model, with the information available. The descriptive tables of the original co-financing reports are attached, organized chronologically from 2016 to 2020 (see Appendix 14), which were sent by the MMA.

¹⁶ - GEF: GUIDELINES ON CO-FINANCING. Policy: FI/GN/01 Approved on June 26, 2018.

Consolidated co-financing table: 2016 to 2020

Sources of Co-financing	Name of Co-funder	Type of Co-financing	Sum Confirmed in the CEO Endorsement	Real sum materialized in the Project Mid-Term
National government	DCGen/Sbio/MMA	In kind	Not recorded on the PIF	USD 631,226
Multilateral agency	GIZ*	In kind	Not recorded on the PIF	USD 4,438
National government	DCGen/Sbio/MMA	In kind	Not recorded on the PIF	USD 227,110
Multilateral agency	UNEP** – Project	In kind	Not recorded on the PIF	USD 77,730
Multilateral agency	GIZ*	In kind	Not recorded on the PIF	USD 4,248
Multilateral agency	UNEP** - Project	In kind	Not recorded on the PIF	USD 55,593
Multilateral agency	FAO - REAF	In kind	Not recorded on the PIF	USD 32,734
National government	DCGen/Sbio/MMA	In kind	Not recorded on the PIF	USD 671
National government	FUNAI	In kind	Not recorded on the PIF	USD 18,446
		Total	Not recorded on the PIF	USD 1,052,196

* *Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH*

** *United Nations Environment Programme*

Financing sources: Bilateral agencies, Foundations, GEF Agency, local and national government, civil society organizations, other multilateral agencies, and the private sector, among others

Type of co-financing: grant, loans, guarantee, in kind, and others.

The MTR, comparing the activities conducted with the records in the co-financing reports, came to the conclusion that not all of the balancing entry activities were recorded. It is likely that some of the partners did not send the record of sums related to activity expenditure.

The co-financing reports do not present a calculation of the “real percentage in relation to that expected in the project”, nor do they show any future balancing entry commitments.

The expectation of co-financing information provided in the UNDP/GEF report model could not be fully met, since the reports do not follow the model defined by the UNDP/GEF, and do not link the balancing entries to the project components. There was no planning on how the balancing entries would be made, and the reports gathered *a posteriori* information.

The MTR registers that, despite omissions in information, the balancing entry expenditure presented is in align with that defined for the project in the PRODOC. The sums spent with the funding until January 2021 (USD 1,340,402) and co-financing between 2016 and 2020 (USD 1,052,196) are reasonably balanced until this time. It may be considered that the co-financing accompanied the level of project execution during its course.

3.8 Project Monitoring and Evaluation.

Analyses of monitoring and evaluation quality are based on guiding questions¹⁷:

a) Were and are the budgets allocated to the Monitoring and Evaluation (M&E) plan in the project planning and implementation sufficient?

YES. The monitoring and evaluation activities were adequately funded, and the planning forecast was correct.

b) Was the M&E planning appropriate for the project context?

YES. The project prepares six-monthly Project Information Reports, as per the implementing agency (IDB) rule. It is different to the usual annual reporting

c) Did the monitoring tools produce the information required? Do they involve key partners? Are they aligned with national systems? Are they effective and efficient?

YES. The tools used produce all the information required for the MTR, and project decision-making. These are: the logical matrix, work and acquisition plans, project information, and execution reports. The tools are effective and efficient.

d) Is the project using inclusive, innovative, and participative, monitoring systems?

NO. The project is using traditional monitoring tools, which are completely adequate for the context. Satisfaction research was used in a training activity (with public enforcement officials). The use of this type of survey is recommended in order to improve future training initiatives.

e) Were follow-up and adaptive management actions carried out in response to the project context?

¹⁷ *Guidance for Conducting Midterm Reviews of UNDP-Supported, GEF – Financed Projects.*

YES. There was no need for adaptive management in relation to the initial planning (PIR). However, in an effort to solve the issues of initial delays, the UNDP, together with the MMA, formed a “task force” to accelerate the hiring processes.

There was an activity involving the broader UNDP decision structure, with the direct involvement of the Deputy Resident Representative (see Appendix 9), with the goal of overcoming the communication and execution difficulties which had taken place from the second half of 2020, due to the TCU’s (MMA) position. In addition to the situations mentioned above, the MTR identified other evidence of initiatives that are in line with adaptive management, in so far that they are responses and efforts to overcome obstacles and uncertainties. The following are examples of this practice:

- Efforts to adapt the training planning with IPTCFF representatives (component 3 activity) due to the Covid-19 pandemic.
- Effort to support new DGH/SBio/MMA management to become familiar and acquire knowledge of the project objectives and logic.
- Action with the consultants who received informal requests to cancel their contracts, to extend the timeframes, and attempt to resume the initiatives.
- Hiring (not foreseen in the original planning) a specialist in legislation and processes related to the Nagoya Protocol to increase the project’s technical capacity.

f) How were the issues of gender and involving ethnic minorities dealt with in the project?

The project objectives are not directly related to gender issues. However, one of the main and more necessary project results in Component 3 directly involves male and female (equally) indigenous populations, traditional communities and peoples, and family farmers. Monitoring project development related to Component 3, the project is operating adequately in relation to the United Nations Development Goals.

g) How were the social and environmental risks identified in the UNDP Social Framework and Environmental Risk Screening Checklist dealt with? (see Appendix 6)

The MTR agrees with the content of the table registered in the PRODOC. The project activities conducted until this time did not require mitigation or management actions for the items of this specific risk table. However, there is the risk of the project promoting access and use of ATK of genetic resources without strengthening the capacity of indigenous peoples, traditional peoples and communities and family farmers, by not conducting the training activities and preparation of Community Protocols as planned.

3.9 Stakeholder Engagement

Analysis of the level of stakeholder participation in the project is guided by the following points:

a) Did the project develop the appropriate partnerships required with direct and indirect stakeholders?

The management arrangement between the technical partners and project administration is appropriate for providing the technical guidance required for its execution.

The mobilization of partnership with the federal government for the training (IBAMA inspectors, and Federal Police, among others) and partnerships to train members of research institutions and universities were other demonstrations of appropriate engagement.

However, the IPTCFF group is the stakeholder that requires greater support, to ensure conditions to operate the Nagoya Protocol, in accordance with the national reality. Until this time, this group has had little participation in the project, ranging from planning to execution. In the “Beneficiary Engagement” session, the PRODOC mentions participation of a working group made up of indigenous, traditional community and family farmer representatives in discussions related to Law 13.123/2015, following its approval, to prepare the regulation text. However, no relevant participation or dialogue with IPTCFF representatives has been identified in the project preparation process, which took place between 2016 and 2018, under the leadership of the MMA and IDB.

Representatives from this group in the Sectoral Chamber and CGen have little familiarity with the project as a whole. From the second year of the project, they were mobilized to take part in the Component 3 training cycles, a process that had been delayed by two years, and was later cancelled, at the request of the MMA. The representatives of this group who are active on the CGen are fundamental for implementation of the Nagoya Protocol in the country, to form peer-educators of knowledge, which is the project strategy and objective. This mid-term review does not consider that the group is satisfactorily engaged, or has adequate information on project development.

b) Does the national government stakeholder support the project objectives? Does it continue to play an active role in decision-making, in order to provide effective and efficient support for project implementation?

NO. By September 2020, the Ministry of the Environment, under the Biodiversity Secretariat at the Department of Genetic Heritage, which is the technical guidance unit for the project, acted in order to support its implementation. However, the change in the SBio and DGH management team was accompanied by the removal of technical staff members from project activities, who were at the centre of all communication with the UNDP (see Appendix 17), under the Department Director, and there were a set of interruptions to ongoing activities and previously planned hiring processes. Cancellation of the tripartite meeting dates (two cancellations), and the lack of preparation of a work plan for 2021 should be added to these actions.

c) How has the involvement of stakeholders and public knowledge of the project contributed towards achieving its objectives? Are there limitations to the stakeholders` knowledge of the project objectives and results? How is the stakeholders` interest in the project`s long-term success and sustainability?

The interviews held demonstrated that the CGen members group has little information on the project. Although strengthening the CGen is one of its objectives, there are no periodical updates for the council and sectoral chamber members on its execution. The IPTCFF representatives in particular demonstrated disbelief in relation to the project really achieving the results which are associated with them.

3.10 Project Information Reports

Firstly, it should be highlighted that the Project Management Unit (UNDP) prepares six-monthly reports, fulfilling the regulations of the implementing agency (IDB).

The Project Information Reports analyzed follow the UNDP model and contain the information required to understand the evolution of the project, and the actions taken by the teams to overcome the obstacles which have arisen during its execution. The reports provided a clear and objective description of the project difficulties, mainly the interruptions in activities requested by the technical partner (MMA), and the impacts these cancellation requests would have on the results expected.

The Project Information Reports prepared are shared with the partner agencies (IDB, MMA and BCA).

3.11 Communication

As mentioned above, primarily, project communication took place between the two units, Management (PMU) and technical coordination (TCU), and between the PMU and IDB. The main group of project stakeholders, the members of the Genetic Heritage Management Council had limited information on project development.

As registered above, despite PM efforts in the second half of 2020, project communication reduced noticeably, due to the TCU/MMA, from September 2020. The Ministry technical staff did not have permission to communicate directly with the UNDP and, lastly, in a MMA letter to the UNDP, the TCU project team was reduced to 3 people, including the DGH director, his deputy, and a member of staff who has now left the Ministry (see Appendix 12).

The exchange of messages reduced during this period, with meetings between the teams being cancelled.

The project has a number of activities that are directly linked to the dissemination of information: participation at events (which took place in the first year), the production of specific materials to train the key agents on the topic of protection, access and benefit sharing, the production of informational material on the Brazilian ABS system, also in foreign languages and, mainly, preparation of the information site with characteristics similar to the CBD Clearing House.

3.12 Project Risk Update

The table below presents an update of the risks identified in the PRODOC, and new ones identified by the MTR.

Risk analysis table

Nº	Description	Impact/Probability (PRODOC)	Impact/Probability (MTR)	MTR Comments
Risks identified in the planning and registered in the PRODOC				
1	Uncertainty about ratification of the Nagoya Protocol by National Congress.	Impact: high Probability: low	Impact: high Probability: zero	Risk 1 was overcome with the ratification of the Nagoya Protocol in March 2021.
2	Lack of trained professionals with solid ABS knowledge, considering the relative uniqueness of the subject.	Impact: high Probability: high	Impact: high Probability: high	Although the topics covered in the project are very innovative, the PMU and TCU were able to hire consultancy firms and companies able to perform the tasks requested. The project team was also able to hire an ABS specialist in the second half of 2020, reinforcing its technical capacity. However, the risk is still present.
3	The indigenous peoples, traditional peoples, traditional communities, and family farmers, were concerned about the provisions of the national ABS law, and the obstacles for the full involvement of all stakeholders.	Impact: high Probability: average	Impact: high Probability: taking place	The IPTCFF representatives on the CGen and in the Sectoral Chamber had little knowledge and familiarity with the project, and they are the priority audience for the training actions. The Covid-19 pandemic also delayed the activity of constructing a pedagogical plan with this group for the training process, preventing face-to-face meetings in 2020 (Appendix 17). However, at the end of 2020, the group positively signalled the resumption of online activities. Unfortunately, the process was interrupted at the request of the DGH/MMA. The risk remains.
4	Changes in the Department to Support the CGen, MMA Genetic Heritage Department, and the project management team, causing project delays.	Impact: high Probability: high	Impact: high Probability: taking place	In addition to the delays, changes in DGH/SBio/MMA management resulted in the interruption of activities and, consequently, uncertainties about the possibility of the project achieving its results.
New risks identified by the MTR				
5	Changes in the current government's guidelines may impact execution of some of the activities previously envisaged, and the project implementation, due to the prioritization of activities by MMA.		Impact: high Probability: taking place	The change in SBio/MMA management generated the redirection of DGH technicians, with the intentional removal of the team which was working on the project. Government guidelines for indigenous peoples show that they may be responsible for the misalignment between what is planned in the project and intentions for 2021 onwards. New dialogue between partners is necessary to realign project priorities with

				the TCU, in order to ensure that the results are achieved. On the other hand, project logic is at risk, with regards to the cancellation requests mentioned above, without any reasonable justification, are accompanied with the intention to equally redistribute resources (see Appendices 13 and 16) ¹⁸ . Despite efforts by the PMU/UNDP, the occurrences related to risks IV and V are linked to the Ministry of the Environment and could not be overcome.
6	Insufficient time to implement the project within the schedule defined in the project design		Impact: high Probability: taking place	If it is decided to continue the activities, in order to achieve the expected results, an extension of the project timeframe would be required.
7	Devaluation of the real, reducing the percentage of financial implementation of the project		Impact: low Probability: taking place	Devaluation of the national currency against the dollar increases the capacity to execute activities to strengthen the processes responsible for the expected results. This increased capacity will only be positive in the case of a projection extension.
8	Uncertainties with regards to the activities that involve consultations, data investigation, and other field activities, resulting from social distancing measures and travel restrictions on account of the coronavirus pandemic.		Impact: high Probability: taking place	Every training component was altered due to social distancing to prevent Covid-19. In the case of project extension, it is expected that the vaccination advance allows activities with direct interaction, which cannot be replaced by on-line activities, at the risk of losing quality.

¹⁸ - Also see item 3.13 on the relation between sustainability, the initial structure, and governance.

3.13 Sustainability.

Considering the concept of sustainability as the possibility to continue the benefits that the project produces following completion, the mid-term review works with the risks existing during half of the project's life, which may affect the reach and/or continuity of its results.

a) Risks to sustainability related to institutional structure and governance

The current government work concept line indicates a lack of interest and initiative in strengthening the specific rights of ethnic minorities for land, traditions, or traditional knowledge. This is demonstrated both in the stoppage of the processes of demarcating indigenous land in the country, set out in the current Constitution, and the numerous news reports of relaxing the territorial protection of indigenous peoples. Legislative Decree Project nº 177/2021 is highlighted, which authorizes the President of the Republic to denounce International Labour Organization (ILO) Convention 169, which defends indigenous rights, particularly the right to be consulted on actions that affect them in a free, prior, and informed way¹⁹.

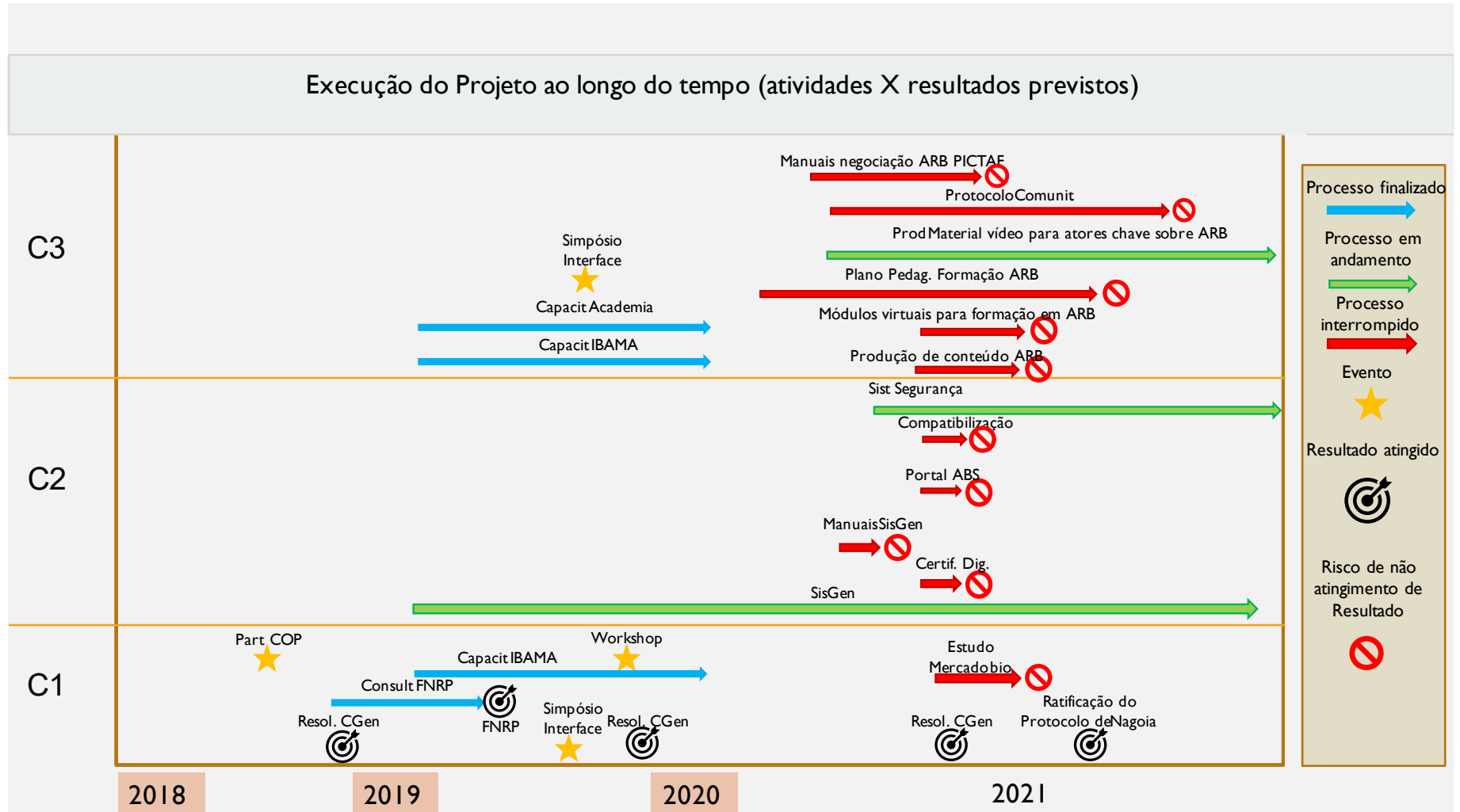
The financial risks to the sustainability of project results, and the risks of little familiarization of the IPTCFF group (part of the set of stakeholders) are all related to the socio-political viewpoint that guides the above-mentioned government action.

Thus, a broader position in relation to the specific rights of traditional peoples forms a context of risks for the project. The risks are mainly related to training these peoples on knowledge which will enable them to make decisions on researchers' access to knowledge related to biodiversity, and to negotiate benefit sharing agreements. This position is probably linked to the MMA action of interrupting processes and activities that would produce planned results.

The diagram below presents the impact of this position of cancelling contracts and hiring processes. Each arrow corresponds to a process, in line with prior project planning instruments:

¹⁹ Some of many examples of the current government's position in relation to ethnic minorities can be found at: <https://g1.globo.com/politica/noticia/2020/02/11/tamanho-de-area-indigena-e-abusivo-diz-bolsonaro-em-ato-do-conselho-da-amazonia.ghtml>
https://www.em.com.br/app/noticia/nacional/2020/09/30/interna_nacional,1190264/invasoes-em-terras-indigenas-crescem-135-no-governo-bolsonaro.shtml
<https://apublica.org/2020/05/com-bolsonaro-fazendas-foram-certificadas-de-maneira-irregular-em-terras-indigenas-na-amazonia/>
<https://brasil.elpais.com/brasil/2020-02-04/governo-bolsonaro-manobra-para-travar-a-demarcacao-de-terras-indigenas-no-brasil.html>
<https://www.dw.com/pt-br/governo-tenta-intencionalmente-destruir-povos-ind%C3%ADgenas/a-55293910>
<https://oglobo.globo.com/brasil/sob-bolsonaro-funai-ministerio-da-justica-travam-demarcacao-de-terras-indigenas-24820597>
https://www.camara.leg.br/proposicoesWeb/prop_mostrarintegra?codteor=1999797

Demonstration of project activity cancellations and their impacts



Classification of project sustainability possibilities established by the MTR:

Moderately improbable

Comments on sustainability, by result.

Result 1.1. (Nagoya Protocol (NP) ratified by the legislative authority) was achieved with the possibilities of it being sustainable. It is an international agreement that should be maintained by the country.

Result 1.2. (Regulatory and national institutional framework approved and operational) was also achieved, but operation of the National Benefit Sharing Fund is linked to the management committee. With the start of the NBSF management committee's work, it is expected that the system operates regularly.

Result 1.3 (Key productive sectors with regulations and procedures standardized and harmonized with ABS legislation and the NP) was partially achieved, but the cancellation of continuity of activities, and inaccuracy of the indicator, complicates achieving the goal.

Result 2.1 (ABS Clearing-House mechanism notification channels accessible to users and in operation) activities have been interrupted. There are no plans for their resumption.

Result 2.2 (National ABS Electronic Management Systems in use by stakeholders) has the possibility of being sustainable, since preparation of version 2 of SisGen is ongoing. However, support activities, with the employment of integration and other systems, and the preparation of SisGen manuals, have not been carried out.

Finally, result 3.1 (public officials, legal practitioners, researchers and science and technology institutions, companies, indigenous peoples, traditional communities, and family farmers, trained on ABS mechanisms and their procedures on face-to-face and DL courses) activities were cancelled.

4. Conclusions

Until this time, the project has experienced two distinct phases. The first, marked by delays in partner liaison, due to the change in government and the Technical Coordination Unit management team, and being affected by the Covid-19 pandemic, which mainly hindered Component 3 activities. This phase started with the first disbursement in August 2018 (delay in relation to the schedule) and ended in August 2020.

Despite three distinct delaying factors, there was adequate liaison between the PMU and TCU, with concentrated efforts so that the administrative technical staff in both units could overcome the problems, to ensure execution of the activities which were programmed and not carried out. Many of the processes envisaged for years 1 and 2 of the project were postponed to year 3 (2020). The hiring processes were launched in the first six months of this year.

The second phase starts in September 2020 until the present time. It is marked by the change in the DGH and Ministry of the Environment SBio management staff. The phase is marked by a new type of a vision of the project by the new DGH management. Communication between the MMA technicians and the UNDP stopped taking place and, lastly the technicians have been officially removed from the project team (see Appendix 12).

There are requests to cancel contracts and hiring processes (see Appendix 8) by the Technical Coordination Unit. There was no formal justification for the cancellation requests. The 2020 tripartite meeting was cancelled and postponed until January of the following year, and then cancelled (see Appendix 11). The 2020 work plan has not been prepared until this time, despite the PMU's attempts to hold meetings and discuss the situation. Both the PMU/UNDP and IDB intervened, to try and reorganize the project's direction with the MMA in the first six months of 2021, but the national partner was not available.

The following project strong points are highlighted:

- Its structure is coherent with the country's needs and national demands to be able to implement the Nagoya Protocol.
- Adequate distribution of resources through the components, to achieve the expected results.
- Agility of the PMU/UNDP in forwarding solutions for the problems, where resolution is within its reach.
- An accumulation of essential knowledge for full execution, both at the PMU/UNDP, and among the TCU /MMA technicians.
- Achieving the expressive results of structuring the NBSF, and continuing with the preparation of version 2 of SisGen.

However, the project has little time to achieve the results expected. The need to extend international cooperation projects is not uncommon. However, a clear indication of the commitment of achieving the results and project logic by the actors engaged is essential for the project to be extended. Unfortunately, this mid-term review mission found evidence in opposition to this commitment, both in the institutional political environment, demonstrations of a break with project coherency, and the lack of technical background with a minimum of reasonableness for the requests of extensive changes to the planning, which indicates the probable non-achievement of a fundamental part of the expected results.

4.1. Relevance

This criterion is related to the project's role in the effective implementation process of the Nagoya Protocol in Brazil, which is an international commitment assumed by the country under the Convention on Biological Diversity. It seeks to the point to which the intervention design and the intended results are consistent with GEF's priorities, and local and national environmental policies, priorities, and strategic objectives, and remain coherent, despite changes in the context during its execution.

With this context in mind, the project was considered highly relevant by the mid-term review. Its actions will have a fundamental impact on operationalization of the Nagoya Protocol in Brazil, as planned.

4.2 Efficiency

The level of project execution was relatively low, due to the factors of the delays and interruption of activities. Expenditure related to the hiring of contractors who completed their tasks, was efficient, and this evaluation did not find any signs of a waste of resources in the processes that were fully completed, or are ongoing.

However, the interruption of various contracts without any justification impacts project efficiency, since some of the products were paid for, but do not have the respective conclusions of consultancy actions. This negatively affected the relation of expenditure versus results, in so far that the activities should be resumed at a later date, with delays, or new contracts. Therefore, the project action until this time is classified as moderately efficient.

4.3 Effectiveness

Considering the analyses made, and the problems identified and tackled by the project, the mid-term review did not consider it effective.

A number of the objectives were reached, or are on the way to being achieved (as is the case of the improved version of SisGen). However, with the delays that have occurred, added to the change in the project perspective reflected in the set of unjustified cancellations of activities and contracts, and the lack of planning, suggest the non-achievement of the fundamental results of the project, and the creation of disturbing omission in the process of the fair and equitable sharing of benefits arising from the exploration of national genetic resources.

In order to operate, the ABS system should function while interlocked with various parties playing a number of roles. The base of the chain is access to genetic resources, and using, or not, traditional knowledge associated with biodiversity. In this case, the Nagoya Protocol envisages a participative discussion process in the communities holding ATK, to authorize this access. Therefore, the project must work intensely on various aspects, to disseminate information among the communities, to materialize the base of this chain.

Other processes of equal importance, related to training and information on ABS knowledge for various actors (companies, legal practitioners, and academic researchers) need to be held, or continued. And information tools, as set out in the NP, need to be prepared. The interruption of

these actions clearly indicates the probable lack of project effectiveness, if these problems are not corrected.

5. Lessons Learned

Based on the analyses and conclusions off the mid-term review process, the following lessons are highlighted:

The importance of project partners` actions, to deal with management changes.

Managerial changes in the government executing bodies are envisaged, with the impacts having been identified in the project documents. The new managerial groups which occupy the ministries and other government agencies have difficulties in continuing previous established projects for various reasons: new plans and approaches of new governments, parties or managers, questions of ideological consideration, the need to become familiar with the project, and changes in the bodies` priorities, among others. In order to minimize these difficulties, and guarantee good project continuity, early action by the execution and implementation teams is important, to show project coherence and the importance of its results. This action does not mean a guarantee of neutralizing the risks. The MTR identified extensive mobilization by the UNDP team, to work together with the new MMA management, which was successful in the first change.

The more coherent, objective, and connected, the mobilization of the partners responsible with the new managers are, the more chances the project has of being understood and absorbed.

Project coherence to overcome execution difficulties.

The clear link between the chain of activities and results expected is essential, so that the project is able to coordinate the various partners and beneficiaries. This interlock of activities put forward for the results is fundamental for defence of the project with any changes in management, to incorporate new strategic partners and mobilize stakeholders. Project information should be clear and available, strengthening its action in the various areas of execution. In the case of the GEF/ABS project, the results matrix, with the exception of individual questions which have been identified, is extremely clear, which facilitates visualization of the project logic and ownership.

Dissemination of project information.

In a specific case, project information was not widely disclosed among beneficiaries. Ownership of the project logic by the beneficiary groups is also a factor that defends its continuity and sustainability. The basic information, results, and lines of action, should be disseminated among partners and beneficiaries, to clarify the role of the project and its impacts, increasing collaboration and engagement.

Prioritizing the execution of longer processes and/or of greater complexity.

The activities which require various products (as in the case of version 2.0 of SisGen) and processes that involve learning and training, which are complex and mobilize various beneficiaries (Component 3 activities), need to be prioritized and executed at the start of activities. Thus, the risk of not being conducted for issues of a lack of adequate time to organize all of the related processes is reduced.

6. Recommendations.

The recommendations below, based on the conclusions of the mid-term review, seek to support the decision-making process and are presented related to the respective contexts. Considering the information and analyses made, the MTR registers the following recommendations:

a) Situation:

Removal of the team of MMA analysts from their duties on the project.

The DPB/MMA technical analysis officially stopped working on the project in the second half of 2020.

Official Letter No 196/2021/MMA (18/01/21) indicates that the current technical unit is formed of three people. Of these, the current coordinator is absent, and the information management specialist no longer works at the ministry. The previous technical team, detailed in a letter in September 2020 (6413/2020/MMA), was made up of a coordinator and four technical analysts.

Recommendation

The DGH technical team should officially resume its responsibilities. The analysts' knowledge of the project, its activities and objectives, is essential for its execution.

b) Situation

Low project execution was affected by distinct factors:

1 – The change in government, in which the new MMA management needed time to familiarize themselves with the initiatives and project logic, and to implement operational reviews.

2 – The reduced MMA operational team, a situation which was partially remedied with the appointment of a legislation specialist, and implementation of the Nagoya Protocol.

3 – Delays in communication (and consequent execution) between the technical and management teams since September 2020.

4 – The Covid-19 pandemic, which particularly affected training with the indigenous people, traditional community and family farmer representatives of the CGen sectoral chamber.

Recommendation

The establishment of a "task force" with DGH /MMA and PMU analysts, in the format of the first semester of 2020, to resume the processes which were interrupted in 2020/2021. The DPB/SBio/MMA should prioritize execution of the project activities envisaged.

c) Situation

Centralized communication with the DGH/MMA through the director (see Appendix 17).

There was concentrated technical dialogue between the UNDP and the project technical coordinator (DGH) during the same period. Daily communication between the management and technical units was addressed to Department Management, making decision-making more difficult, and producing delays in the planning and execution processes.

Recommendation

Re-forming the team of project analysts and encouraging direct, daily communication with the management unit. The project technical coordination and DGH/MMA management should work on joint planning with the analysts and PMU, to authorize and supervise the processes which have been defined, supported by the analysts` knowledge.

d) Situation

Cancellation of the study to investigate the Brazilian biodiversity market and potential of the resources to be invested in the National Benefit Sharing Fund.

Recommendation

The study will produce valuable information to highlight the use of legal ways to access biodiversity. Its product will provide guidance to decision-makers on the Fund`s operations and the needs of the biodiversity market. We recommend resuming the contracting process.

e) Situation

Absence of actions to disseminate legal and practical ABS knowledge to the business sector and legal practitioners.

Recommendation

Include activities that focus on these two sectors in project planning. Specify the planning and results on the Project Information Reports.

f) Situation

Lack of clarity of result 1.3 (“Key productive sectors with regulations and procedures standardized and harmonized with the ABS law and NP”).

Recommendation

Alter the goal for the number of people from IPTCFF groups, legal practitioners, company representatives, public officials and academic researchers who take part in training.

g) Situation

Cancellation of the contracting process to prepare the Access and Benefit Sharing site, mirroring the CBD Clearing House. The site can host DL courses, links to SisGen, SisGen manuals, links to articles and national legislation texts, an exchange of experiences, and relevant CBD material.

Recommendation

Resume preparing the site, which is a tool to be used by users/researchers/academics, companies, providers and public officials. The multiple purposes of the site could be integrated with the MMA site, producing considerable added value for the activity.

h) Situation

Suspension of the following activities:

- Preparation of SisGen manuals
- Digital Certification services
- SisGen compatibilization with other information systems

Recommendation

Resume the contracting processes. Although version 2.0 of SisGen has not been finalized, the preparation of manuals is possible, linked to the products that have already been delivered. The other services will provide more security to the system, and facilitate the enforcement activity with other government bodies.

i) Situation

Cancellation of the contract to produce ABS content for the training cycles for key actors.

Recommendation

The production of content adapted to the Brazilian reality is fundamental to support the training cycles, and other types of training, such as DL courses and thematic guidance to be hosted on the site. There is no specific systematization for providers, users, and legal practitioners in the country. We recommend that the activity is resumed.

j) Situation

Cancellation of preparation of the online modules of continued ABS training programmes, and maintenance of support during the training cycles.

Recommendation

The use of DL to disseminate information, and build capacity, will be essential to implement the Nagoya Protocol in the country. The learning modules should be specific for each audience, and could also be used by key actors following cycle completion, producing product sustainability. We recommend that the activity is resumed.

k) Situation

Cancellation of preparation of the Pedagogical Training Plan (methodology) for Access and Benefit Sharing for indigenous peoples, traditional communities and family farmers, enabling the training of peer-educators on negotiating access to traditional knowledge associated with biodiversity.

Recommendation

We strongly recommend resuming the activity. The diversity of groups and cultures demands the preparation of participative training methodology, which is flexible, to be used in various situations and different communities. The production of a negotiating capacity in accordance with the NP and national laws is a highly complex task and requires extensive efforts. We recommend that the activity is resumed.

l) Situation

Cancellation of preparation of a pilot Community Protocol, with systematization of the methodology to replicate the process in other communities, in order to create the base negotiation mechanism and authorization to access associated traditional knowledge.

Recommendation

Resume the activity. Creation of a Community Protocol focused on access to biodiversity is a basic process to operationalize the Nagoya Protocol. Although there are some experiences in this area, the MMA should follow-up the process for use in the different ethnic and social groups which safeguard traditional knowledge.

m) Situation

Cancellation of consultancy services to prepare ABS contract negotiation materials for IPTCFF and ATK users.

Recommendation

Resume the activity. Understood as a specific activity, unlike the ABS content systematization (broader). The preparation of specific contract negotiation materials to train IPTCFF will provide one of the supports, so that communities may authorize the use of biodiversity through a contract.

n) Situation

Lack of direction in the original project design, to support the actions of peer-educators who have been qualified in the training cycles. Although it is envisaged that materials will be prepared that may be used by the peer-educators, there is a lack of activities to support their actions, in order to guarantee dissemination of the knowledge acquired.

Recommendation

Planning (and incorporation into the logic matrix/work plan) of activities to support the peer-educators, such as support for specific regional workshops for indigenous peoples, traditional communities and family farmers. The project needs to clarify the strategy and training process for academia, IPTCFFs, legal practitioners, public officials and companies.

o) Situation

Lack of planning/forecast to replicate/incorporate Community Protocol construction methodology (institutionalize knowledge at the MMA).

Recommendation

Planning workshop on the results of the Community Protocol construction process, with mass participation by environmental analysts, who should/could guide other processes, appropriating the knowledge. The project needs to clarify the sustainability of the instrument constructed, to be used in national public policy, as a tool to implement the Nagoya Protocol.

p) Situation

The problems faced by the project and insecurity in relation to its future direction. The majority of the results have not been achieved, and the project is in the last year of execution. There are various uncertainties with regards to planning, and the reliable execution of activities which should still be correctly described.

Recommendation

In this type of situation, we recommend that the implementing agency closely follows-up the development of activities with the PMU/UNDP and TCU/MMA, to be able to act in a timely manner when required.

