

Executive Summary

Evaluation of the ABS Capacity Development Initiative



Project Number: 15.2014.7-001.00

Submitted by:

KOMIS



19 July 2021

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Report Cover Page

Project Title:	ABS Capacity Development Initiative
Contract Number:	15.2014.7-001.00
Countries:	Benin, Ivory Coast, Kenya, South Africa (as partner countries) and Ethiopia, Cameroon, The Caribbean and The Pacific.

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Glossary of Terms

Abbreviation	Description
ABioSA	ABS Compliant Biotrade in South(ern) Africa project
ABS	Access and Benefit-Sharing – short term for the so-called third objective of the Convention of Biological Diversity
ABS-CH	ABS-Clearing House
ABS I	ABS Capacity Development Initiative
ABS-IP	ABS Capacity Development Initiative (Implementation Programme)
ACP	African, Caribbean and Pacific States
aTK	Associated traditional knowledge
AUC	African Union Commission
AU	African Union
BABS	Bioprospecting Access and Benefit-Sharing (regulations of South Africa)
BCP	Biocultural Community Protocol
BMZ	German Federal Ministry for Economic Cooperation and Development
CARICOM	The Caribbean Community
CBD	Convention on Biological Diversity
DEFF	Department of Environment, Forestry and Fisheries
DSI	Digital Sequence Information
GIZ	Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH
GR	Genetic Resources
HCD	Human capacity development
IBR	Indigenous biological resource
IPLC	Indigenous peoples and local communities
IUCN	International Union for the Conservation of Nature
MAT	Mutually agreed terms
MoM	Minutes of Meetings reporting interviews conducted with key stakeholders
NBES	National Biodiversity Economy Strategy
NFP	National Focal Point
NP	Nagoya Protocol on ABS
PIC	Prior Informed Consent
R&D	Research and Development
RSC	Regional Steering Committee
SC	Steering Committee of the ABS I
SECO	Swiss State Secretariat for Economic Affairs
SMART	Specific, measurable, achievable, relevant and time-bound (a type of indicator; refer to RACER)
SMME	Small, Medium and Micro Enterprise
ToC	Theory of Change

Synopsis ABS-IP

Project Title:	ABS Initiative Programme 2015-2020
Project Number:	15.2014.7-001.00
Country(-ies):	ACP

Intervention logic

Objective	The fair and equitable sharing of the benefits arising from the utilization of genetic resources, including by appropriate access to genetic resources and by appropriate transfer of relevant technologies, taking into account all rights over those resources and to technologies, and by appropriate funding, supports national sustainable development, the livelihoods of rural people, the conservation of biological diversity and the sustainable use of its components.
Outcome(s)	Stakeholders in partner and cooperation countries (governments, indigenous and local communities, public research organisations, private sector and NGOs) as well as regional and international organizations use the contributions of the ABS Initiative for operationalizing access to genetic resources and the fair and equitable sharing of benefits arising from their utilization.
Outputs	1 Draft institutional and legal frameworks including roadmaps for ABS implementation at national and (sub-) regional level. 2 Draft ABS agreements with users of the public research and private sector. 3 Biocultural Community Protocols (BCPs) or comparable instruments as basis for the negotiation of ABS agreements involving indigenous peoples and local communities (IPLCs). 4 Instruments and tools (check lists, manuals, guidelines, etc.) for supporting stakeholders in partner and cooperation countries in implementing ABS. 5 Necessary information for the Steering Committee of the ABS initiative.
Activities	A0 Total Quality Management. A1.1 Coordinating and, where applicable, jointly implementing activities to promote competence of relevant stakeholders with the Secretariat of the Convention on Biological Diversity (SCBD), the Secretariat of the International Treaty for Plant Genetic Resources for Food and Agriculture (Treaty Secretariat) and/or other relevant actors. A1.2 Coordinating and, where applicable, jointly preparing materials for capacity development and awareness raising with the SCBD, the Treaty Secretariat and/or other relevant actors. A1.3 Developing technical and financial support packages for and with partner institutions for the implementation of measures for the national and local implementation of ABS. A1.4 Analysing and presenting interfaces with other sectors, such as agriculture, forestry, fisheries, research etc. A1.5 Analysing and presenting value chain models in different business sectors. A1.6 Conceptualising, implementing and financing workshops, trainings and discussion fora at national and (sub-) regional level, where applicable in cooperation with SCBD, the Treaty Secretariat and/or other relevant actors. A1.7 Supporting the preparation and coordination of (sub-)regional strategies and guidelines. A2.1 Conceptualising and implementing dialogue forums, where applicable in cooperation with the SCBD. A2.2 Commenting on drafts for ABS agreements. A2.3 Implementing negotiation and contract trainings for relevant stakeholders. A3.1 Identifying and financially supporting NGOs and other partners for competence promotion of IPLCs. A3.2 Conceptualising, implementing, and financing workshops and trainings for IPLC representatives, where applicable in cooperation with SCBD, the Treaty Secretariat and/or other relevant actors. A4.1 Further developing the ABS Initiative's website (www.abs-initiative.info) as knowledge management platform on ABS. A4.2 Developing appropriate training and capacity development formats and curricula for the relevant stakeholder groups. A4.3 Developing generic awareness raising material to facilitate the production of such materials in different languages. A4.4 Developing and producing manuals, guidelines and checklists etc. for developing regulatory ABS frameworks and negotiating ABS agreements. A5.1 Developing annual progress and financial reports. A5.2 Developing annual work plans and budgets. A5.3 Developing further requested decision proposals.

Synopsis ABioSA

Project Title:	ABS Compliant Biotrade in South(ern) Africa
Project Number:	N/A
Country:	South Africa (Southern Africa)

Intervention logic

Objective	In line with the objectives of the Nagoya Protocol on ABS a high-growth, jobs-rich, innovative Biotrade sector compliant with national ABS regulations supports sustainable development goals and contributes to livelihoods of rural people and the sustainable use of South(ern) Africa's plant biodiversity
Outcome(s)	1 SMEs access new global markets for Biotrade products based on national and transboundary value chains with strong participation of IPLCs. 2 SMEs use financial assistance designed specifically for Biotrade innovation and growth whilst leveraging own resources and/or government incentive schemes. 3 Improved ABS implementation and frameworks support the Biotrade sector development in South Africa and the (sub-)region.
Outputs	- O1.1 Targeted non-tariff barriers are addressed in a way that enables multiple SMEs to access new global markets for key Biotrade products. - O1.2 Selected IPLCs are supported with technical assistance to assert their participation in agreed Biotrade value chains. - O1.3 Selected SMEs in the Biotrade sector are supported by technical assistance for investment readiness. - O2.1 Biotrade innovation facility is designed and established. - O2.2 Biotrade innovation facility operated to support ABS compliant SMEs to innovate and grow. - O3.1 Technical input/comments on relevant policies and regulations (including the draft amendments for NEMBA and BABS) integrating experiences of compliance support are available to respective institutions. - O3.2 Industry best practices complementing NEMBA, BABS and other relevant policies / regulatory frameworks are endorsed by sector organisations. - O3.3 Lessons learned and best practices are documented and shared with relevant stakeholders in southern Africa, Africa and at global scale (e.g. via UNCTAD BioTrade Platform).
Activities	- A0 Total Quality Management. Annual Project Steering Committee meeting. - A111 Product Dossier gap analysis to enter the EU market & recommendation implementation - A112 12 value chains/species/products assessments with justification for 6 selected. - A113 6 Sector Development Plans (SDP) developed including market information are prepared. - A114 Briefings/reports/communication etc. - A121 BCP/Community strategy activities. - A131 HCD training activities. - A132 ABioSA/UNIDO Stakeholder forums, mapping and synergies. - A211 Key stakeholders including potential co-founders engaged and in agreement. - A212 Facility designed and established with targets/objectives and criteria, focus areas, modus operandi. - A221 Round 1 financial incentives. - A222 Review/evaluation of performance of facility's first round. - A223 Round 2 financial incentives. - A311 At least 3 reviews/concepts for improved efficiency and effectiveness of key features of BABS amendments and other relevant policies and regulations are prepared (Policy and regulations reviews). - A312 5 individual exchanges between (inter-) national industry and DEFF for better understanding of business sectors / models and compliance with regulations.

	A313¹ A concept for a coherent permitting and monitoring/checkpoint system facilitating ABS compliant value chains is outlined A314 At least 4 consultative workshops with DEA and/or key stakeholders A315 Technical inputs/comments on the drafts for NEMBA and BABS amendments are provided A321 At least 3 sector organisations develop best practices aligned with the SA NBES. A322 At least 1 sector organisation endorses best practices aligned with the SA NBES. A331 Lessons learned and best practices are documented and shared. A332 Project webspace for dissemination of guidance documents / handouts created. A333 At least 3 (sub)-regional workshops and dialogue fora for scaling-up experiences are conducted.
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¹ Activities A313, A314 and A315 were taken away from the project work plan 2020/2021 at the request of DEFF. They are kept as strikethrough text in the revised logframe of ABioSA.

1 Background

The Access and Benefit Sharing (ABS) Initiative is a multi-donor facility aiming to promote the ABS mechanisms. The ABS Initiative started its activities in 2006 and since 2010, with the adoption of the Nagoya Protocol (NP), the ABS Initiative focused on the compliance of the NP provisions in African, Caribbean and Pacific States (ACP) with a clear alignment with the strategic framework for capacity-building and development to support the effective implementation of the NP (in particular, Decision NP-1/8). The ABS Initiative is a member of the Informal Advisory Committee on Capacity Building for the implementation of the NP. The ABS Initiative, since its establishment, is evolving to address current but also new challenges that are emerging as a consequence of the experience gained in pursuing the third objective of the Convention on Biological Diversity (CBD).

Initially, the core activities of the ABS Initiative were centred on supporting the implementation of a capacity development framework aimed at Bonn Guidelines/NP compliance. More recently, market-based strategies supporting the adoption of benefit-sharing mechanisms involving genetic resource providers are promoted to the private sector through biotrade value chain models.

In the current context, “Nagoya Protocol (NP) implementation” should be understood as translating the provisions of the Protocol into national ABS frameworks (i.e., domesticating the NP). “ABS implementation” corresponds to enabling institutions and stakeholders to put the national ABS framework into practice. Based on this understanding, the NP implementation addresses legal, policy and administrative measures for establishing the national ABS and related institutional frameworks. ABS implementation supports institutions and stakeholders to use the national ABS framework with a view to establish effective benefit-sharing agreements. The focus of the work of the ABS Initiative, in a specific country concerning NP implementation and ABS implementation, depends on the ABS status and needs of this country.

2 Approach / Methodology

The evaluation design of the ABS Capacity Development Initiative - Implementation Programme (ABS-IP) and its component project, ABS Compliant Biotrade in South(ern) Africa project (ABioSA), was structured according to nine evaluation questions (EQs) during the evaluation inception phase, which combined a brief desk review of the project documents. A selected number of representatives from the main stakeholder groups were interviewed during the field phase that was implemented remotely due to the COVID-19 pandemic. For each interview the content of the exchanges was reported in minutes of meeting (MoMs). The number of stakeholders interviewed (53) has no statistical validity; it results from a compromise between the evaluation design and the resources allocated to conduct the evaluation. The MoMs form the main source of information used for the preparation of the evaluation report. The information base was complemented by communication of notes, draft reports, final reports and other publications by interviewees and the ABS-IP Secretariat. No evaluation committee was established, instead the evaluation is managed directly by the ABS-IP Secretariat. The draft evaluation report was submitted on 14 April 2021 and comments on the report were communicated to the evaluation team on 27 April 2021. The present Executive Summary addresses the third round of ABS-IP comments received on 15 July 2021.

3 Main Findings and Conclusions

In this section, the main findings and conclusions are grouped per OECD evaluation criterion (i.e. relevance, coherence, effectiveness, efficiency, impact, and sustainability). Some additional transversal findings and conclusions related to universal values are grouped under the section “Cross-cutting issues”.

3.1 Relevance

As a global programme, the ABS-IP is fully aligned with the NP and its broader relevance is optimal. The ABS-IP Secretariat is supporting partner and cooperation countries to operationalise NP provisions into building blocks for ABS implementation by facilitating consultation and exchange platforms at country level as well as exchanges of experience at regional level. At national level, conflicting interests often arise and are

addressed, with ABS awareness and consensus building activities. At global level, ABS-IP activities stay abreast of ongoing developments in the field (e.g., engagement in the Science-Policy Dialogue on Digital Sequence Information (DSI) and related technical capacity development).

ABioSA is aligned with the National Biodiversity Economy Strategy (NBES) of South Africa and contributes successfully to its operationalisation aimed at the harmonisation of indigenous biological resource (IBR) biotrade development with the Bioprospecting Access and Benefit-Sharing (BABS) regulations of South Africa.

The ABS-IP Secretariat has good understanding of the target group needs, and in this respect, the planned operations / activities are considered appropriate to address the needs on the ground. Activities of the ABS-IP follow the capacity development framework of the NP and attend mostly to the needs of governments and IPLCs.

ABioSA activities are also targeted at the private sector (SMMEs), in pursuit of the set objectives. Drivers of changes are adequately covered to support the set up and operationalisation of ABS regulatory and institutional frameworks by government institutions. ABioSA combines market access, innovation and sector dialogue as drivers for sector development.

The causal relations between outputs and outcome are valid but remain challenging due to the complexity of establishing operational ABS regulatory and institutional frameworks. Whether ABS implementation will contribute to conservation and sustainable use is debatable, but there is a consensus on the social and economic impact that can be achieved through ABS implementation, which could only add to the relevance of ABS-IP and ABioSA.

The main conclusion is that the ABS-IP is not only fully aligned with the NP, but it is also the single global spearhead initiative supporting the achievement of the Aichi biodiversity target 16. The ABS-IP Secretariat generally understands needs, is sensitive to country readiness and has mostly taken into account what drives change. In South Africa, ABioSA contributes successfully to the operationalisation of the National Biodiversity Economy Strategy (NBES) by reducing the gap between local economic operators using indigenous biological resources (IBR) and the custodian of the Bioprospecting Access and Benefit-Sharing (BABS) regulations of the Department of Environment, Forestry and Fisheries (DEFF) of South Africa.

Key points of the evaluation in relation to Relevance are:

- ABS-IP alignment with the NP is the basis for its strategic relevance and its alignment with the NP capacity development framework is the basis for its operational relevance.
- ABS-IP builds on the priorities of the African Union Commission (AUC). The AU ABS guidelines are a follow up to the adaptation of the Model Law taking into account the elements of the Nagoya Protocol. The “AUC’s Agenda 2063: The Africa We Want” and the AUC structure through a new dedicated division have recently been embracing environment as a key topic.
- ABioSA’s alignment with the NBES is the basis for its strategic and operational relevance.
- The linkages between ABS-IP and ABioSA are somewhat artificial and in a sense resembling that of a forced marriage. ABioSA is contributing to ABS-IP’s objectives and not really to its outcomes. There are two distinct theories of change (ToCs) aiming at a common objective.
- The needs among countries vary substantially; they vary according to their advancement level of domestication of the NP but also according to their specificities; this provides a measure of the breadth and customisation of activities that have to be made by ABS-IP and ABioSA.
- After working a few years with CARICOM, the ABS-IP implementation in the Caribbean has narrowed to supporting the small island developing states.
- In terms of perceived relevance by the targeted beneficiaries, there were challenges in engaging all indigenous peoples and local communities (IPLCs). Consultation was rather limited and the needs of local communities are generally not well understood.

- The ABS-IP design in combination with relevant capabilities and agile attitudes allowed for a rapid and effective response to the emerging discussion on Digital Sequence Information (DSI) governance.
- ABS compliance is becoming a pre-condition to apply for research programmes using genetic resources (GR) that are sponsored by major research centres in Europe, Japan etc.
- ABS compliant IBR value chains, in the context of South Africa, might lead through a constructive dialogue between government, communities and private sector representatives to a mutually beneficial ABS implementation that will benefit all parties involved in the value chain.
- In terms of monitoring and evaluation (M&E), a structured data collection system does not seem to be in place.
- ABS is proving to be a sustainable development governing instrument with important social and economic implications, which may take precedence over environmental (biodiversity) ones.

3.2 Coherence

There are many gains provided by the ABS-IP in addition to the expected ones as part of the ABS implementation. Knowledge, capacities, and concerted solutions for ABS implementation are the main gains mentioned at national level. Experience sharing and harmonised capacity development instruments are gains that are visible at regional level. Making the position(s) of partner and cooperation countries be heard during negotiations is the main gain that was reported at global level. The strict domestication of the NP may be conducive to tunnel vision for ABS implementation; there are now conscious efforts to explore broader ABS implementation approaches as is the case with ABioSA.

ABS implementation remains very much in a development phase. The ABS-IP Secretariat plays a pivotal role in the construction of the ABS knowledge base, but the depth and breadth of ABS implementation is far from being fully explored given the limitations in the availability of resources (e.g., in terms of thematic areas of support, level of support provided to partner and cooperation countries / geographic coverage); also new challenges are emerging (e.g., digital sequence information on genetic resources).

Stopping the interventions (ABS-IP / ABioSA) would put an end to the ABS Initiative and its Secretariat. While knowledge resources would remain accessible on the CBD Clearing House, ABS capacity development for the operationalisation of ABS at national and regional levels will most certainly come to a near standstill.

In South Africa, ABioSA has boosted the confidence in the private sector and small industry and would suffer if the programme were to be terminated.

The ABS-IP has effectively coordinated and synergised with several other initiatives / interventions. The ABS-IP Secretariat is a trusted partner and is the glue between international organisations, national focal point (NFP) networks, government silos, between the African Union Commission (AUC) and local NGOs, and between national and supra-national levels.

Partially due to the unique position of the ABS-IP Secretariat in being the implementation leg of ABS, there is a natural tendency to work together with other entities and programmes. Synergies are developing as a consequence of coordination between agencies, but they probably develop mostly organically due to the fact that the ABS community remains small and is composed by experts that are seeking opportunities to bring ABS a step further.

Within countries, ABS has the potential to crystallise new synergies with other existing national programmes through increased integration as a transversal instrument; this is already taking place in South Africa with "Operation Phakisa".

A main conclusion drawn in relation to coherence is that there are several gains provided by the ABS-IP. Overall, the social capital of the ABS-IP Secretariat is substantial. This one-of-a-kind entity is available to support ABS implementation.

ABioSA synergies led to a systemic and inclusive approach for ABS compliant IBR biotrade value chains that is moving the needle.

Key points of the evaluation in relation to Coherence are:

- The ABS Initiative occupies a unique position and one can only wonder what the level of NP domestication and ABS implementation would be without the ABS Initiative. There are indications that NP / ABS implementation would probably never have taken off or barely so.
- The ABS-IP Secretariat has an in-depth insight on the implementation of the NP that can be used for the preparation of more country-owned ABS frameworks.
- Consultation and exchange platforms or stakeholder forums have been repeatedly mentioned by interviewees as essential processes to engage with value chain stakeholders to ensure the development of an ABS compliant biotrade sector.
- The IBR biotrade sector has an importance for national economies that can be made stronger through ABS compliant value chains articulated around ABS compliant development plans.
- ABS implementation is still very much 'work in progress' at the national, regional and global level, and therefore ABS-IP and ABioSA have to continually adjust to the changing needs and advancements on the ground.
- Stopping the ABS-IP will be very damaging to the implementation of the NP in countries with an interim ABS framework based on the domestication of the NP.
- Stopping ABioSA would be damaging to an ABS compliant sector, but the sector will continue to grow as demand for IBR is growing.
- The ABS-IP Secretariat has co-organised many events with a great number of partners.
- The APS-IP has taken advantage of many opportunities to coordinate or synergise with several other entities at local, national, regional, and international levels.
- The ABS-IP Secretariat is not only managing and supporting its implementation, but it is also ensuring that the ABioSA experience can be linked up with international bodies.

3.3 Effectiveness

The ABS-IP improved the capabilities of relevant national stakeholders, thus increasing the effectiveness of the implementation of the NP and the benefit sharing for genetic resource providers. Significant progress is being made in partner and cooperation countries towards the establishment of regulatory frameworks and the ABS-IP contributed significantly to the increase of regulatory and institutional capacities for partner and cooperation countries.

Partner and cooperation countries are highly appreciative of the attentive attitude of the ABS-IP Secretariat towards their capacity development needs and the Secretariat's responsiveness to reinforce national capacities to address those needs.

The value chain approach that is implemented by ABioSA through sector development plans and the facilitation of Biocultural Community Protocol (BCPs) will be leading to the establishment of sector-wide agreements that have significant potential to increase sustainable production.

The AU guidelines were used by African countries when they were developing or amending their regulatory frameworks that led to increased convergence among countries (increased effectiveness), with reduced use of national resources (increased efficiency) in the process.

The ABS-IP facilitates exchanges between countries on NP implementation through its regional activities; those exchanges are highly valued by participants. Outcome targets have mainly been met through demand driven capacity building of national actors, the closure of ABS agreements and to a lesser extent through the implementation of regulatory frameworks.

The positive trend that is emerging in terms of established ABS agreements is encouraging and reflects the increased ABS implementation abilities of partner and cooperation countries. For the year 2019, 19 ABS agreements were reported by the ABS-IP. In 2020 the number increased to 31, with a target set at 20. Added value has materialised by deploying sector-wide agreements in South Africa including process simplification for stakeholders, ability to focus on resources, increased confidence and improved innovation potential. Such approach leads to optimal use of resources (increased efficiency) for the effective delivery of expected outputs.

Main conclusions drawn are that the ABS-IP improved the effectiveness of the implementation of the NP and did increase the benefit sharing for genetic resource providers. Outcome targets have mainly been met through demand driven capacity building of national actors, the closure of ABS agreements and to a lesser extent through the implementation of regulatory frameworks. Added value has materialised by deploying sector-wide agreements in South Africa including process simplification for stakeholders, ability to focus on resources, increased confidence and improved innovation potential. ABioSA contributes to the emergence of new communities of practice that are necessary for the implementation of ABS compliant value chains.

Key points of the evaluation in relation to Effectiveness are:

- The implementation of national ABS frameworks is still very much in an interim phase and in all four partner countries (Benin, Ivory Coast, Kenya, South Africa) ABS frameworks are set to be remodelled to ensure that they are more aligned with national objectives and to take into account lessons learned since the adoption of the NP.
- Intermediate set up structures or ad hoc committees are used to respond to ABS permit applications. Research permit applications are submitted by the academic sector and commercial permit applications are sporadic at best. The ABS framework in South Africa is much more far reaching than the ones being prepared in the other partner countries.
- Regional activities implemented by the ABS-IP Secretariat were essentially regional capacity development delivery mechanisms for national ABS implementation with limited scope for coordinated approaches of ABS implementation.
- Value chain development plans have the potential to support regional policy development for ABS implementation.
- Knowledge resources, consultation and exchange platforms, webinars and ABS implementation that were supported through the ABS-IP have all contributed to increased capacities for the domestication of the NP and the implementation of ABS regulatory framework.
- The absence of national financial resources dedicated to ABS, will make it very challenging for countries with an interim regulatory framework to move from pilot implementation (interim framework) towards a full-scale implementation (full-fledged legislation) without additional external financial support.
- As there is more ABS awareness and capacities within countries, there is an increased understanding of the issues that need to be addressed and a greater ability from partner and cooperation countries to implement a more demand-based capacity development process. Countries are becoming sufficiently aware and start to take control of the nature of ABS rather than to be fed ABS principles and mechanisms.
- ABS agreements are finalised and reported on the CBD ABS-CH and/or on national ABS-CH but the extent to which they are implemented is not well reported or documented by national authorities.

- ABS non-monetary benefits have emerged as a consequence of the ABS journey, especially through the process of establishing BCPs which is a powerful empowering instrument. There is room for improvement in the early engagement with IPLCs in ABS processes and in the awareness raising of communities on such benefits.
- ABS implementation for commercial agreements in South Africa is not deferred as they are not necessarily conditional to the commercialisation of a hypothetical new product resulting from research and development (R&D) but based on actual use of IBR.
- R&D time to produce commercially operational results induces deferred potential ABS benefits. This deferment of potential benefits gives credence to the questioned effectiveness of ABS as a governing instrument, and imposes additional challenges to ABS-IP and ABioSA in identifying and introducing effective support to the targeted beneficiaries in advancing the set objectives.
- ABS value chain compliance that can be formalised through ABS-sector wide agreements is a more inclusive implementation of ABS that takes account of existing actors along value chains, which are important economic levers that contribute to the sustainable use of IBR.
- Training events received high satisfaction ratings from participants.

3.4 Efficiency

Implementation efficiency is supported by: (i) governing structures (steering committees) that are more or less fulfilling their mandates; (ii) the excellence of the implementing agencies, the dedication and respected subject matter expertise of the implementing partners, and the dedication of the ABS-IP Secretariat; (iii) a flexible/adaptative planning based on annual costed work-plans and an implementation following GIZ procedures; and (iv) comprehensive and transparent reporting.

Risk management may underestimate risks attached to the identification of legitimate custodians of associated traditional knowledge (aTK) of IBR, as information of aTK ownership is not exhaustive and remains a complex and potentially contentious issue.

ABioSA combines SECO's knowledge for private sector support and the ABS-IP Secretariat's ABS experience for ABS implementation.

Regional Steering Committees for Africa and the Pacific are operational and yearly decision-making is supported by quality documentation provided by the ABS-IP Secretariat. Besides the acknowledgement of transparency and participation, claims towards greater ownership of the programme delivery by beneficiary countries, in line with the Accra Agenda for Action, were expressed by interviewed stakeholders.

ABioSA's governing structure is very much focused on implementation.

The content-based role of the ABS-IP Secretariat is particularly valued by ABS stakeholders and in general the level of excellence of the implementing partners is recognised across the board. Roles and responsibilities for the implementation of roadmaps would benefit from a more formalised procedure that would support mutual accountability for results.

There is a 'gap' of more than 40% between the envisioned / indicative budget described in the ABS-IP programme document and the volume of secured funding for its implementation. This 'gap' reflects the fund-raising success of ABS-IP Secretariat rather than the efficient utilisation of the programme resources. However, a general observation is that whenever the 'gap' increases, envisaged activities would have to be curtailed and this may lead to some inefficiencies in the allocation and utilisation of resources. The limited absorption capacity of the Caribbean and the Pacific substantially neutralised the effects of this budget 'shortage'.

The allocated resources for ABioSA are considered satisfactory. Resource management according to GIZ procedures supports efficiency of implementation and accountability to the Steering Committees (SCs). Risk

management and the adoption of mitigation measures may need to be reviewed both for the ABS-IP and ABioSA.

The activities under the programme facilitate the efficiency in the implementation of activities at national level for the establishment of national ABS frameworks so that the respective countries would succeed in the implementation of the NP in a systematic way.

Overall, output targets have been met and have often been exceeded through: (i) support in drafting regulatory frameworks, (ii) a multitude of awareness building initiatives, (iii) capacity building events, (iv) dissemination of knowledge products, (v) the realisation of African Union ABS guidelines, (vi) operationalisation tools (pilot integrated ABS IT systems, as well as more conventional ones such as operationalisation flow charts), (vii) information and communication technology (ICT) networking platforms (a success case is the AUC coordination tool; the proposed regional network in the Caribbean appears promising), (viii) value chain models (ABioSA is successfully supporting a more market-based approach aimed at the establishment of actual ABS value chains for a few selected IBR), and (ix) grants.

Besides providing hands-on support to partner countries, the ABS-IP responded to demand for advice from many cooperation countries. The support of ABS-IP has been translated to more efficient use of resources at national level for developing and operationalising national ABS frameworks.

With ABS implementation taking momentum, the focus of the ABS-IP Secretariat is now on implementation guidance documents for regional value chains as well as for BCP development for cross border GR and aTK.

In the Caribbean, the ABS-IP is embarking on an ambitious regional objective (regional regulatory framework).

Main conclusions drawn in relation to efficiency are that implementation efficiency is supported by an appropriate casting of the ABS-IP Secretariat. The ABS-IP Secretariat provides respected global subject matter expertise, is well connected with governments as well as with international organisations and adds a powerful lever in being part of a larger development machinery (BMZ/GIZ, other programmes, permanent presence on the ground); and foremost its commitment is total.

The ABS-IP increased the efficiency of the implementation of the NP. ABioSA remained attentive to the needs of the private sector and the requirements from the government and delivered quality outputs that are valued by their users.

Key points of the evaluation in relation to Efficiency are:

- The steering and guiding processes induce some overlaps (even possible confusion) between the roles of the governing and management structures of the ABS Initiative in the implementation of activities.
- A steering committee embedded in an existing regional coordination institution with a strong political mandate is a 'natural' choice.
- The leading role of the ABS-IP Secretariat is balanced by Regional Steering Committees (RSCs) when it comes to the implementation of global and regional activities. When it comes to implementation at national level, the formalisation of the respective roles between national institutions and the ABS-IP Secretariat may not be governed sufficiently.
- The ABS-IP Programme Document is not realistic considering a 45% funding gap between what was envisaged and what was committed by the ABS-IP donors. Levels of expenditures in the Caribbean and the Pacific are significantly lower to what was planned in the Programme Document. With a level of funding that was slightly over half of what was anticipated in the planning document, an in-depth review of the implementation strategy would have been justified.
- Besides resources, time is key in the IBR industry because product development is a lengthy process especially if it is aimed at the export market as products have to conform with very stringent

registration and quality procedures. The efficiency of ABS-IP / ABioSA activities could be affected as a consequence of such protracted processes.

- Risks that were identified at the beginning of the ABS-IP are often structural risks that cannot be mitigated by the ABS-IP Secretariat and should call for more than mitigation measures. Flexibility is often used as a mitigation strategy.
- Envisaged budgets but also budgets eventually available by the donors are overambitious in terms of achieving the originally set target values of the intended outcomes.
- As a general observation, notwithstanding good intentions, some attitudes and behaviours are perceived by some beneficiaries not to show deep empathy with all target audiences. This observation highlights the need that stakeholders involved in ABS-IP / ABioSA activities have to be first and foremost respectful of one another, trying to understand the perspectives of all parties involved.
- In the design of the programme there is no causality leading to conservation of biodiversity.
- Funding limitations (the 'gap' between envisaged and actually secured annual budget for ABS-IP / ABioSA activities) pose a risk that may not have been addressed sufficiently.
- Output & Outcome indicators have been met. Nevertheless, target values may have been unambitious and the quality of the Outputs has not been assessed.
- The ABS-IP Secretariat made a good start at awareness raising especially at regional and international platforms; however, at national level these actions had less impact and the ABS-IP was not able to keep up the momentum towards the end. Even though some excellent awareness products have been created, reaching out to the grassroots level in rural areas remained a challenge. In South Africa, ABioSA was able to break through departmental silos and the private sector acknowledges the successes made.
- There is a potential risk that many governments could lose interest because of the complexity of the ABS process and lack of status information on what has been implemented.
- More IT-based capacity development delivery mechanisms have been used successfully as a consequence of the COVID-19 pandemic.
- Regulatory frameworks and institutional roles require a case-by-case approach at country level.
- ABS readiness differs substantially at country level.
- Putting in place regulatory frameworks requires behavioural change. Massive effort is required to accomplish that and inputs are too modest to have real impact.
- The AU guidelines are a potentially powerful catalyst for change; they are built around an African core Model Law that predates NP.
- Many effective operationalisation tools were created such as flow charts, models for Prior Informed Consent and Mutually Agreed Terms (PIC & MAT), guidelines, codes of conduct and best practices; it should be noted, however, that the major single window ABS tool in Kenya has not come to fruition.
- Even though some beneficiaries are still deprived of access, existing technology is rapidly closing the digital divide and opens new possibilities for networking and knowledge sharing.
- Organisations such as Natural Justice provide a unique service in facilitating the establishment of Biocultural Community Protocols (BCPs).
- ABS-compliant value chain models support the implementation of more rapid commercial benefit sharing agreements.

- The quality of outputs is not really monitored, since the existing indicators favour rather quantitative measurements.
- In South Africa, the NBES strategy to regulate and grow the indigenous biological resources (IBR) biotrade sector to become ABS-compliant can only be effective with the continuous engagement of other governmental departments such as innovation, trade, and commerce.

3.5 Impact

There have been early signs of impact in the realisation of the ABS-IP objectives, with contribution to the fair sharing of commercial and non-commercial benefits from genetic resources.

The confidentiality of agreements tends to render the outcomes of ABS agreements fairly opaque, and it still has to be demonstrated that those monetary benefits will have a positive effect on biodiversity.

So far, agreements do not lead to biodiversity support; it appears that socio-economic benefits are taking precedence over environmental (biodiversity conservation) benefits.

Main conclusion drawn is that ABS-IP has shown early signs of impact (which means realising the objective). The programme contributed to the fair sharing of commercial and non-commercial benefits arising from genetic resources. Moving beyond the NP, the global multilateral benefit sharing mechanism may possibly be more effective, once ABS is recognised and streamlined across the world. So far agreements do not lead to biodiversity support.

Key points of the evaluation in relation to Impact are:

- Even though non-monetary benefits are not well documented, they have a significant importance to end beneficiaries.
- Monetary benefits have materialized; however, hard evidence is not readily available partially due to the confidentiality of the agreements.
- Biodiversity is the missing link in the attempt to realise the objective of the ABS-IP.
- In South Africa, the advantages that sector-wide ABS agreements precipitated include process simplification for stakeholders, ability to focus on resources, increased confidence, and improved innovation potential. Benefit sharing at sector level through sector organisations and through sectoral plans can result in conservation measures improving landscapes or society, as the conditions and opportunities on the ground allow.

3.6 Sustainability

The sustainability prospects of the gains / benefits generated by ABS-IP could only be assessed on a case-by-case basis. While certain benefits have a lasting value (e.g., awareness raising, knowledge generated), other benefits depend on the development of opportunities on a commercial basis (e.g., monetary benefit sharing), which are far from being guaranteed.

There is weakness in national authorities depending on external funding and in lack of ownership at different levels. The financial viability of interim institutional and regulatory frameworks is problematic and the ABS-IP Secretariat is accompanying the transformation towards financially sustainable frameworks.

It is not possible to determine if ABS implementation will go beyond ABS compliance by users towards the flow of gains expected from ABS-based sustainable use of GR. Gains achieved towards an ABS compliant IBR biotrade will be resilient as they surf on trends that are unlikely to be reversed: (i) increased global demand for IBR; and (ii) increased market demand for ABS compliant value chains.

A main conclusion in reference to sustainability is that the gains facilitated by ABS-IP depend very much on the undiminished efforts of the relevant stakeholders. The more solid case is South Africa and countries that

are GR rich. There is weakness in national authorities depending on external funding and in lack of ownership at different levels.

Most of the ABS activities may stop if ABS-IP were to cease. Knowledge resources and human capacity development (HCD) products would dry up. Nevertheless, the many knowledge products of the ABS-IP are already on the ABS-Clearing House (ABS-CH) and thus accessible to stakeholders for further use, which could contribute to the ABS sustainability prospects and increase synergies as partners may pursue / build on the results of some key activities.

Key points of the evaluation in relation to Sustainability are:

- The degree of ABS ownership varies from country to country and varies within countries (IPLCs versus local government versus national governments). The myriad stakeholders also have different motivations towards ownership.
- There is a risk for the NP to favour a silo approach at country level and at the thematic level the risk is even higher.
- Even though it takes a long time to reach an ABS agreement, once the signatures are on paper, commitments should be for the long term.
- Genetic / biological resources users do not perceive ABS as a sustainable development tool but rather as an instrument of compliance.

The above evaluation points highlight the complexity of ABS sustainability prospects by effectively addressing issues such as the diverse perceptions and perspectives of stakeholders, the early establishment of a conducive framework of operations, the long processes required to close the loop from accessing the genetic / biological resources to the benefits trickling down to the rightful owners of these resources, etc.

3.7 Cross-cutting issues (supporting universal values)

A main conclusion drawn in relation to cross-cutting issues is that ABS is essentially an instrument that reaffirms the rights of countries and communities over their GR/IBR and in that sense it is very much aligned with the five rights-based principles of the EU. Rights-based safeguards are adopted as they are considered being the principles underpinning ABS implementation. From crops to cosmetics, women are driving the natural products industry; however, structures and customs are not conducive to their formal recognition and involvement in the ABS process. Gender mainstreaming is mostly considered implicitly.

4 Recommendations

Based on the findings / conclusions presented above, recommendations were formulated and presented in the Final Evaluation Report. Four sets of main recommendations are presented for consideration.

4.1 Scenarios for exploration and related workshop

Three scenarios are suggested for exploration:

1. **“Continuity scenario”** in which perseverance reigns and what worked in the current phase is being leveraged, capitalised, consolidated, multiplied, replicated and up-scaled (refer to recommendation clusters “Learning processes” and “Capacity Development”).
2. **“Network & Communication scenario”** in which leadership in the Secretariat would partially shift from content-driven skills to communication and network building skills (refer to recommendation cluster on “Communication and Networks”).
3. **“Multilateral environmental agreement (MEA) scenario”** in which all environment related treaties are consolidated and supported by one programme (refer to the INTPA MEAs programme).

A workshop is needed for feasibility analysis and setting the direction of a next phase.

4.2 Recommendations from the evaluation conclusions

Nine recommendations are drawn from the conclusions that were reached from information collected during the field phase of the evaluation. The set of twenty-four (24) recommendations, as presented in the Final Evaluation Report, forms a coherent ensemble and includes reference to the ABS-IP or ABioSA where relevant. There are nine (9) high priority recommendations:

1. The Secretariat should consider formally expanding ABS-IP legal component that would not be strictly aligned with the NP domestication at national level, but to explore further opportunities for ABS consolidation to the extent possible (e.g. supporting biotrade value chains). Options should be promoted to national governments to domesticate ABS terms locally. Such approach will increase the necessary flexibility to explore forthcoming opportunities for further ABS consolidation (this recommendation is related to the criterion of Coherence).
2. A more ambitious results-based M&E system supporting informed decision making should be designed by the ABS-IP Secretariat to cover ABS-IP's change pathway (or results reporting framework) to process data through quantitative and qualitative indicators to inform management and SC on: (i) actual direct effects of ABS-IP actions, (ii) effects on drivers and enablers, (iii) effects of actual implementation of ABS, and (iv) effects of ABS as a contribution to impact. This will allow timely decision-making / steering of the programme on the basis of objective indicators on the ground (this recommendation is related to the criterion of Efficiency).
3. On the basis of the overall assessment of the efficiency of the ABS-IP and ABioSA operations, as part of the current evaluation, the governing structures of the ABS Initiative need to be trimmed down and their functions at regional and national level related to steering and guiding processes need to be clarified, so that efficiency first and subsequently effectiveness could improve (this recommendation is related to the criterion of Efficiency).
4. IT tools and solutions that would contribute to reduce transactional costs and improve ABS implementation's efficiency need to be pursued by governments in partner and cooperation countries, thus making ABS more attractive, in the long-run, to the targeted beneficiaries (this recommendation is related to the criterion of Sustainability).
5. The ABS-IP Secretariat should investigate with partner and cooperation countries options to institutionalise or perpetuate consultation and dialogue forums that were initiated through ABS-IP or ABioSA at national and regional levels, so that an ABS conducive environment is present and accessible by all stakeholders (this recommendation is related to the criterion of Effectiveness).
6. Involving IPLCs at the outset (at research stage) will increase both the breadth of non-monetary benefits as well as the chance to maintain monetary gains. Benefits to communities need to be widely disseminated / published to increase the credibility of ABS (this recommendation is related to the criterion of Effectiveness).
7. Country readiness could both be precipitated or tested through the mechanism of matching funds. The ABS-IP Secretariat could design formal agreements requesting a commitment by the beneficiary country that may include contributions in kind. Moreover, national institutional ABS frameworks need to be able to operate on a government budget; developing organizational capacities towards that end needs to be prioritized, so that a functional organisational set-up is in place sooner rather than later, effectively supporting the national ABS interests (this recommendation is related to the criterion of Effectiveness).
8. The conservation aspect of ABS needs to be emphasized, as this will highlight an added value of the ABS endeavour that has not been focused upon. This can be done through, (i) adding an outcome on conservation, (ii) adding conservation clauses to ABS agreements, (iii) stipulating conservation measures with IPLCs from the outset when drafting BCPs, and (iv) engaging a biodiversity-oriented partner in phase 2 such as BirdLife, IUCN or a local (African, Caribbean, Pacific) conservation organisation. It is the opinion of the evaluation experts that putting emphasis on the contribution to conservation aspects could further

facilitate the ABS-IP objectives, without necessarily having to set specific target values against this particular aspect (this recommendation is related to the criterion of Impact).

9. Already partially recommended in the Denkmodell evaluation (March 2014), training and capacity development should: (i) be aimed at institutions (rather than individuals, who leave through job turnover), (ii) maximise reach through the use of IT (thus improve efficiency), (iii) apply blended learning formats to optimise instructional design (thus improve effectiveness), (iv) consolidate existing materials and formats and design a training programme that can be communicated as such (not individual events), and (vi) seek education partners for content, IT support and delivery (this recommendation is related to the criterion of Sustainability).

4.3 Agile-based recommendations

A State-of-the-art project management review (Box 1 - Final Evaluation Report) led to eight Agile-based recommendations (Box 2 - Final Evaluation Report). In particular, being aware of the results-based expectations of donors and the project management standards used by aid organisations, the evaluation explored state-of-the-art practices in project management. In the next phase of the programme there continues to be a high degree of unpredictability requiring these adaptive methodologies (refer to the Post 2020 Biodiversity Framework and DSI). The eight specific recommendations are based on a compromise between Agile and mainstream project management practices.

1. The two key principles of the Agile movement should be addressed, the first one being beneficiary-centred (client-centred) and the second being effective in addressing change (responding to it and effecting it). These principles coincide with what may be the first and foremost challenges² of ABS IP. For that reason, it is recommended that a change management advisor is engaged with a track record³ of implementing change management processes (e.g. John Kotter).
2. The Secretariat should be allowed a reasonable degree of self-direction; this is without the straitjacket of reductionist and quantitative OVIs (refer to Agile, Muddling Through, Emergent issues).
3. To balance this relative autonomy and to instil greater ownership in beneficiaries, the SC should be co-chaired by a beneficiary (e.g., the AUC in Africa).
4. A Results Matrix and logframe can be used provided that they be re-designed (not just reviewed) on a yearly basis (Agile).
5. It is advised that best practice *emerging from within* the target countries is better analysed and supported by a local anchor be it a TA or a local NGO (Positive Deviance).
6. The yearly workplan should allow for testing hypotheses (Action Research – PDCA cycle; e.g., “Is it useful to continue to work with this partner country?” or “What to do with DSI?”).
7. Some Indicators should lean towards qualitative progress markers on behavioural change (Outcome Mapping). RACER (Relevant, Acceptable, Credible, Easy, Robust) type indicators may do more justice to the work of the ABS-IP to measure output and outcomes rather than SMART types.
8. To complement the excellent subject matter skills of the Secretariat, it is advised to appoint an additional high-profile project manager with at least one certification in a leading forward looking project management methodology (Agile, Action Research, Outcome Mapping, PM²).

² Client-centrism explains why extra weight was attributed to beneficiary/ stakeholder interviews; the suggestion to tackle change management is not derived from conclusions per evaluation question but is based on the overall observation by the evaluators that much feedback by stakeholders is symptomatic of change processes.

³ Recommended is an expert with an APMG International™ certification in Change Management; it is based on global best practice namely, “The Effective Change Manager’s Handbook: essential guidance to the change management body of knowledge/ edited by Richard Smith, David King, Ranjit Sidhu, Dan Skelsey and the APMG”, © The APMG Group Limited, 2014.

4.4 Recommendations related to the design of a follow up phase

Feedback of a stakeholder survey produced a list of raw suggestions that could be considered for the design of a follow up phase for the ABS-IP and AbioSA (the feedback and summary table are presented in Annex 4 of the Final Evaluation Report).