

Terminal Evaluation

Project: Mainstreaming the Multilateral Environmental
Agreements into the Country's Environmental
Legislation. PIMS: 3617

23/02/2012

UNDP

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Executive Summary

Brief description of project

Nicaragua is the second poorest country in Latin America with half of its 5 million inhabitants living in poverty. It is also the largest country in Central America with over 130,000 km², and with a rich biological endowment.

The Government of Nicaragua is signatory to the three Rio Conventions: the Convention on Biological Diversity (CBD), the UN Framework Convention on Climate Change (FCCC); and the Convention against Desertification and Drought (CCD). The institutional responsibility to follow up and facilitate compliance and enforcement of these agreements lies with the Ministry of the Environment and Natural Resources (MARENA). Although progress has been achieved on some issues, Nicaragua still faces very complex challenges if it is to improve its capacity for adequate standards of compliance with environmental legislation, in particular as concerns the integration of the MEAs to national and sectoral development policy, the training of the necessary human resources at central and local level, public awareness-raising and monitoring, and research in support of compliance.

MARENA has implemented positive actions to strengthen its capacities for observance, compliance and reporting, but significant deficit still remains for the management of MEAs in the institutional context. Country's socioeconomic situation has contributed to aim public attention mainly to areas not directly related to environment. Despite past and ongoing efforts, there remains much to be done to effectively implement the Rio Conventions at the national level and mainstream environment into local and national policies.

Under the auspices of the GEF intervention, the proposed Project would strengthen the national judicial system and adjust it to present-day changes and conditions in the country's reality, as well as needs to protect the natural environment. MARENA, the agency in charge of national environmental management, will build up its technical and financial capacities to efficiently promote a better application of legal instruments and elevate its level of compliance.

Likewise, the judiciary would gain the necessary technical knowledge for the correct interpretation and application of the recently approved "Crimes against Natural Resources and the Environment Act". Thereby, officials would be able to identify non-fulfillment of regulations, assess damages with the necessary technical expertise and sanction according to the just and applicable penalties. This would only be possible through a constant training process within these authorities, providing them with teaching materials and transmitting expert knowledge on matters of environment and natural resources. These tools would constitute the two main pillars for improved compliance with national environmental legislation and consequently international norms, particularly the Rio Conventions.

In 2004 a National Capacity Self-Assessment (NCSA) for the fulfillment of international environment-related agreements was carried out; it identified the main obstacles and root causes for compliance with the Multilateral Environment Agreements; based on this analysis, project

proposed a series of interventions aimed to remove, as possible, the obstacles to meet a more effective compliance of MEAs considered by the project.

The project's overall goal is to increase local and national capacities to enforce environmental legislation, in particular the Special Law on Crimes against the environment and natural Resources in support of the Rio Conventions.

To this end, three main outcomes have been defined:

- Outcome 1: The administrative and legal system, as well as other observance institutions at central and local levels, effectively enforces the environmental legislation related to MEA, with emphasis on the recently passed Special Crimes against the Environment and Natural Resources Act.
- Outcome 2: Organizational development and inter-institutional strengthening on environmental mainstreaming in line with the MEAs and other environmental agreements, in an institutionally sustainable manner.
- Outcome 3: MARENA has acquired the technical and methodological capacities to monitor the impact of a more effective enforcement of the environmental legislation, and the way it contributes to act in accordance to compliance with MEAs.

To fulfill this task, the Project would involve directly and permanently, members of NGOs, local governments and municipalities, government and academic institutions. Support and participation of municipalities is of key importance, especially because they are intimately in touch with local environmental problems in the management and enforcement of the national environmental legislation.

The Project would have a direct impact on two specific pilot areas characterized by a high representation of the target structures for the strengthening intervention through the project (judiciary and executive power) and a high population density.

A decisive selection criterion for these two pilot areas was the presence of wide-range projects aimed at achieving goals in common with the project, such as biodiversity preservation, fight against desertification and drought, and mitigation of climate change. Another key element for the selection of these regions is the participation of civil society in all activities carried out by the NCSA.

Context and purpose of the evaluation

In accordance with UNDP-GEF M&E policies and procedures, all full and medium-sized country projects supported by UNDP with GEF and other financing should undergo a terminal evaluation upon completion of implementation.

The TE is performed according with UNDP-GEF M&E policies and procedures, and its purpose is to:

- Assess overall performance against the project objectives as set out in the Project Document and other related documents
- Assess project relevance to national priorities, as well as UNDP and GEF strategic objectives
- Assess the effectiveness and efficiency of the project

- Critically analyze the implementation and management arrangements of the project
- Assess the sustainability of the project interventions.
- Document lessons and best practices concerning project design, implementation and management which may be of relevance to other projects in the country and elsewhere in the world.

Project performance will be measured based on the Project Logical Framework, which provides clear performance and impact indicators for project implementation along with their corresponding means of verification.

Summary of conclusions, recommendations and lessons

The result of Project Evaluation is SATISFACTORY. Relevance of Project was recognized by different instances and institutions of local and central level. Pilot areas were pertinent to planned objectives. Although participation of all stakeholders within the project was not considered during design, this didn't affect considerably its execution, due to the project institutional capacities strengthening characteristics and also because stakeholders had a legal mandate to implement MEAs and national legislation. The project had a catalyzing effect while harmonizing stakeholders' efforts.

During design, results were planned in a coherent manner, nevertheless some risks and assumptions could have required further valuation, which were presented at project starting, without modifying the baseline that was developed during formulation process.

During Project implementation, changes were adequately managed, without meaning a risk or results modification. All project activities were institutionalized in MARENA. So it can be concluded that institutional capacity was strengthened and it enables the project replication in other areas.

Monitoring and evaluation mechanisms were accomplished as established in PRODOC, nevertheless GEF templates provided to implementing agency are so bare that they don't allow to perform a more efficient quality control. As no Midterm Evaluation was performed, there was no chance to influence in some relevant aspects, as the quality control of project products.

Is evident the project input in the strengthening process of institutions related to the environmental legislation and MEAs accomplishment, although the process to influence to increase political will in central levels is definitively longest.

MARENA is recommended to improve the content of the Training Plan for future areas, structuring a logic base that allows continuing gradually advancing in a more secure way, according to the level of knowledge and appropriation of the officials who are trained. As well as differentiate the trainings, according to the competences of institutions of central and municipal governments and legal authorities.

It is appropriate to use the results of the project to continue the management of increased funding to improve compliance of the Conventions of Biological Diversity and Desertification and Drought and work rapidly in the mobilization of financial resources to maintain SINIA, which has the institutional responsibility of monitoring the accomplishment indicators of MEAs and national

legislation. It's highly recommended reactivating the development of National Environmental Reports, which allow people to know clearly the institutional efforts to accomplish the MEAs and the enforcement of national legislation.

Acronyms and abbreviations

APR	Annual Progress Report
CBD	Convention on Biological Diversity
CCAD	Central America Commission for Environment and Development

CDM	Clean Development Mechanism
CITES	Convention on International Trade in Endangered Species of Wild Flora and Fauna
CNU	National University Council
CONADES	National Commission for Sustainable Development
CONPES	National Council for Economic and Social Planning
EAs	Environmental Agreements
GEF	Global Environment Facility
INAFOR	National Forest Institute
INTA	National Institute for Agricultural Technology
IR	Inception Report
MAGFOR	Ministry for Agriculture and Forest
MARENA	Ministry of Environment and Natural Resources
MEAs	Multilateral Environmental Agreements
MIFIC	Ministry of Promotion, Industry and Trade
MINREX	Ministry of Foreign Affairs
MSP	Medium Sized Project
NCSA	National Capacity Self-Assessment
ND	National Director
NCP	National Coordinator of Project
NGO	Non Governmental Organization
PANIC	Environmental Policy of Nicaragua
TC	Technical Coordinator
UNCCD	United Nations Convention to Combat Desertification and Drought
UNDP	United Nations Development Program
UNFCCC	United Nations Framework Convention on Climate Change
SICA	Central America Integration System
SINIA	National System for Environmental Information

1. Introduction

1.1 Purpose of the evaluation

1. The independent terminal evaluation is a requisite for full and medium size projects funded by the Global Environment Facility. The purpose of the terminal evaluation is to:

- Assess overall performance against the project objectives as set out in the Project Document and other related documents

- Assess project relevance to national priorities, as well as UNDP and GEF strategic objectives
- Assess the effectiveness and efficiency of the project
- Critically analyze the implementation and management arrangements of the project
- Assess the sustainability of the project interventions.
- Document lessons and best practices concerning project design, implementation and management which may be of relevance to other projects in the country and elsewhere in the world.

1.2 Key issues addressed

2. The evaluation covered six major criteria: **relevance, effectiveness, efficiency, results, sustainability and impact** of Project, broken out in three main sections as follows:
 - Project formulation
 - Project implementation
 - Project results

1.3 Methodology of the evaluation

3. The evaluation used methodologies and data collection and analysis techniques based on the specific needs of information required. As a first step, the consultant analyzed the relevant information sources, such as Project documents and files, internal reports, strategic development country documents and other relevant documents.
4. For field data compilation two different instruments were used:
 - a) Base questionnaire for Project Technical Team. This instrument was intended to allow a deep knowledge of how the technical executor team analyzed and perceived project environment.
 - b) Theme Guide for Interviews to Project stakeholders. At this level of information gathering, interview was the most successful tool, due to it allowed to the Consultant, in a more direct and specific environment, to identify at more detail, the level of ownership, training and expectative of stakeholders.
 - Official focal points of MEAs prioritized by Project.
 - MARENA Delegations in Rivas and Estelí
 - Local judicial authorities (Ometepe and Condega)
 - Municipal Governments (Rivas and San Juan del Sur)
5. The inception report envisioned interviews with the judicial authority of Pueblo Nuevo and the Responsible of the Municipal Environmental Unit of Estelí, but they wasn't possible due to the difficult to match with the agenda of this officials during evaluation period.
6. The drafting of the report besides Implementing Agency reports, also considered institutional reports generated by Project for MARENA monitoring and tracking system.

1.4 Structure of the evaluation

7. The structure of the evaluation report is adjusted to the template defined in the terms of reference.
8. Chapter 2, briefly describes Project, it development context, start and duration, key issues addressed, as well as logical framework. It also refers to main stakeholders and the expected results.

9. Chapter 3 comprises all the findings, presenting and evaluating the expected results and outputs. Then, in chapter 4 are presented the general conclusions, recommendations and lessons learned.

2. Project description and development context

2.1 Project start and duration

10. Project “Mainstreaming the Multilateral Environmental Agreements into the Country’s Environmental Legislation” was approved by the Global Environment Facility in August 2008 and the Project Document was signed by the Government of Nicaragua and UNDP, in December 2008; the first disbursement was made in that same month.
11. This Project implemented its activities during of 3 years.

2.2 Problems that the Project seeks to address

12. In 2004, a National Capacity Self-Assessment (NCSA) for the fulfillment of international environment-related agreements was carried out in Nicaragua; it concluded that despite positive efforts of MARENA to strength its capacities for observance, accomplishment an reporting, significant deficits still remains for the MEAs management in the institutional context.
13. The socio-economic situation in the country is such that attention to problems has typically concentrated on areas that are not directly linked to the environment. This in turn has led to a deficient enforcement of the regulatory frameworks that would contribute to establishing the necessary legal foundation for adequate environmental management, and the prosecution of conduct damaging to the environment and natural resources.
14. The most significant barriers or obstacles are as follows:
 - Failure to comply with environmental legislation, due to the absence of a penal instrument that typifies environmental crimes and allows for bringing cases or criminal proceedings against any person that break environmental laws and apply the pertinent penalties in both local and national jurisdiction. The recent approval of a new Law on Crimes against natural resources and the environment opens a new phase in which the administrative and judicial authorities have to be prepared and trained to correctly apply this innovative instrument.
 - Insufficient institutional capacity and trained human resources with which to follow up on and promote compliance with the MEAs, at different levels, including institutional technical Focal Points for the different conventions involving MARENA, the level of the Ministry of Foreign Relations, the decentralized bodies charged with environmental management and the application of the respective legislation, and policy makers.
 - Lack of effective and systematic monitoring and register regarding compliance and observance of MEA commitments due to the absence of institutional capacity, standardized methodologies, indicators and appropriate and sustainable environmental information management systems.
 - A modern, harmonized, sustainable and multi-purpose environmental information system capable of measuring key variables using adequate monitoring parameters and indicators, is not yet fully functional.

- National and sectoral policies are not entirely consistent among themselves and with the MEA mandates, and in that regard do not contribute to compliance with the latter.
- Still lacking are effective management plans that include compliance with the MEA in the pilot areas and ecosystems prioritized according to the value of their conservation, potential for sustainable use, or because they are vulnerable and at risk.

2.3 Immediate and development objectives of the project

15. Project proposed a series of interventions aimed to remove, as possible, the obstacles to meet a more effective compliance of the MEAs considered by Project. The Global objective was: to generate global environmental benefits through effective application of environmental legislation at the national and local level, and the training of key actors in the compliance with MEAs signed and ratified by the country.
16. The development objective was: to develop the necessary capacities at the individual, institutional and systemic level to improve compliance with the main obligations and commitments of the Rio Conventions.
17. The specific objectives were: to support effective application of environmental legislation at the national and local level, strengthening the capacities of the different judicial and administrative entities in charge of the application of legal instruments that contribute to the compliance and observance of MEAs with corresponding follow-up and monitoring.

2.4 Main stakeholders

18. Project was designed to be implemented with the participation of diverse actors, including NGO members, local governments and Municipalities, government agencies and academia. The support and participation of municipalities was considered indispensable, especially because they are the ones most intimately in touch with the local problems as it relates to the management and application of the National Environmental Legislation.
19. Project should promote, support, form and train the different social sectors in the pilot areas where it would be executed, since the preservation of biodiversity and natural resources depends on how solid and sustainable the local and national institutions are. Therefore, local judges, delegates of territorial government agencies, small and medium-sized farmers, cooperatives, academic circles and partner institutions, such as MINREX, MAGFOR, MIFIC, INAFOR, INTA, would be direct beneficiaries.

2.5 Expected results

20. The expected outcomes of the Project were:
 - Outcome 1: The administrative and legal system, as well as other observance institutions at central and local levels, effectively enforces the environmental legislation related to MEA, with emphasis on the recently passed Special Crimes against the Environment and Natural Resources Act.
 - Outcome 2: Organizational development and inter-institutional strengthening on environmental mainstreaming in line with the MEAs and other environmental agreements, in an institutionally sustainable manner.

- Outcome 3: MARENA has acquired the technical and methodological capacities to monitor the impact of a more effective enforcement of the environmental legislation, and the way it contributes to act in accordance to compliance with MEAs.

3. Findings

3.1 Project Design and Formulation

3.1.1 Logic Framework Analysis (Project Logic/strategy, indicators)

<p>Development objective: <i>To develop the necessary capacities at the individual, institutional and systemic level to improve compliance with the main obligations and commitments of the Rio Conventions.</i></p>
<p>Specific objective: <i>To support effective application of environmental legislation at the national and local level, strengthening the capacities of the different judicial and administrative entities in charge of the application of legal instruments that contribute to the compliance and observance of MEAs with corresponding follow-up and monitoring.</i></p>
<p>GENERAL RATING:</p>
<p>Indicator 1: Appropriate and sustainable capacities in selected judicial and administrative structures at the central and local levels to comply with the national environmental legislation and thus improve compliance with the MEAs.</p> <p>Indicator 2: Permanently and sustainably established capacities for the required follow-up, monitoring and inter-sectorial coordination in MARENA and other central-level institutions involved in the effective fulfillment of the three selected treaties.</p> <p>Indicator 3: Capacity development monitoring scorecard ratings</p>

21. The Project was formulated in the year 2004 and its funding was approved by the GEF in the year 2008. Four years passed from its initial presentation until its funding was cleared.
22. Changes to the national environmental legislation occurred in the country in the time between the presentation of the Project and its approval due to the passing of the Nicaragua Penal Code, which absorbs in its contents the environmental crimes regulated by Law 559, the Environmental Criminal Law of Nicaragua. In this aspect, the implementation adapted to this change with the new instrument.
23. The intervention logic was applicable, though it can be considered that the Project consisted in a strong support to the permanent institutional processes of MARENA since the activities of the Project generally correspond to the work of the Ministry as the institution in charge of the monitoring and compliance of the commitments the country has in the environmental matter, as shown in Law 290 (Powers, functions and procedures of the Executive Branch).
24. The implementation strategy of the Project was adjusted to the institutionality of MARENA, as territorial delegations were involved through the mechanism the Ministry has in its daily institutional operation, which promotes the elaboration and sustainability of the actions developed during the life cycle of the Project.
25. Given that the objective of the Project was to “support the effective application of the environmental legislation...”, the indicators are appropriate, however, they can also be seen as indicators for the institutional performance of the Ministry in its daily responsibilities.

3.1.2 Assumptions and Risks

26. The Assumptions and Risks of the Project were adequately identified. It can be observed that these adjusted to the diagnoses made during the planning phase, and contributed to the definition of the results and products planned by the Project.

Interest and commitment of key institutions of the judicial system.
Availability of sufficient resources for the channeling, supply and corresponding resolution.
Support by local authorities and civil society organizations in the territory.
Continuity in the management and functions of the national environmental agency.
Willingness to support of the prioritized institutions.
Continuity and stability of qualified human resources in the prioritized institutions.
Stability and continuity of SINIA operations and activities.

27. The risks and assumptions that appear in bold are the only ones that are considered to have required further analysis and forethought during the formulation of the Project. The first one is the impact that the change of government would have in the country, which led to the replacement of officials in some levels of the public institutions of the Executive, changing the capacity baseline of the participating institutions and MARENA itself. The second one is the capacity of MARENA in regards to the maintenance of the SINIA.
28. The change in government led to the change of officials, which, in the case of MARENA, determined the basis on which the training and capacity building processes should be started. The skill levels at the start of the Project were lower than planned¹, which led to the training starting almost from scratch, thus affecting the leadership of MARENA in the capacity building process among the other institutions.
29. The Project regards the negotiations between MARENA and the World Bank to secure the structures of the SINIA as highly safe. These negotiations did not have a positive outcome, which can jeopardize the sustainability of the results of the Project in the monitoring area. Although MARENA has taken over the maintenance of the SINIA with Treasury resources (budget of the Republic) as a special effort to bring environmental information to the country, it is not enough.

3.1.3 Lessons from other relevant projects (e.g., same focal area) incorporated into project design

30. At the time the Project was being designed, no learned lessons were available for this important area, though the consultants from UNDP and GEF made suggestions based on their design experience from similar projects in other countries.

In the interviews it was stated that the knowledge and management level at the beginning of the Project, the knowledge of the Conventions and Environmental Legislation, was practically none.

3.1.4 Planned stakeholder participation

31. The way the Project was designed was institutional at its core and it took into consideration the participation of various stakeholders from central government institutions, the judicial branch, municipalities, and members of NGOs and the academic sector for its implementation. The support and participation of the municipalities are extremely important, as these are intimately related to the local issues in the matters of the management and application of the National Environmental Legislation.
32. The project must promote, support, form and train the various social sectors in the pilot territories where it is to take place, as the conservation of biodiversity and natural resources depends on the stability and the sustainability of the local and national institutions.
33. Therefore, the local judges, the delegates of the government institutions in the area, the small and medium farmer sectors, the cooperatives, the academic sectors and allied institutions, such as the Ministry of Foreign Affairs, MAGFOR, MIFIC, INAFOR, INTA, would be the direct beneficiaries of this Project.

3.1.5 Replication approach

34. Capacity building for the implementation and enforcement of the national environmental legislation will create the conditions that allow the learned lessons to serve as a model to be replicated in other departments with similar organizations and administrative and legal structures.
35. The dissemination of information and experiences of this Project will be a valuable tool for the spreading of knowledge of the situation before and after the implementation of the Project. This will encourage the other areas of the country to take part in a joint effort to build the capacity to implement the national legislation, as well as its compliance with international environmental treaties.

3.1.6 UNDP comparative advantage

36. UNDP has been the leading implementing agency with funds from FMAM in Nicaragua, as well as being the main driving force behind the compliance with the Rio Conventions. At the time of the formulation of the Project, experience on the mobilization of funds for the implementation of the Convention on Biological Diversity, the Framework Convention on Climate Change and the Convention to Combat Desertification and Drought was already available.
37. The formulation of the Project was carried out in accordance to the United Nations Development Assistance Framework (UNDAF) for Nicaragua at the time (2002-2006). This document outlines the goals, main objectives and cooperation strategies for the assistance of the UN for 5 years. The Project was fully compliant with the UNDP Cooperation Framework for Nicaragua, which determined the conservation of the environment and the sustainable use of natural resources as its specific objectives. The Project directly supported the following objectives that UNDAF had at the time:
 - Strengthen institutional capacities for the integration of environmental and sustainability approaches at the various levels of the decision making process.
 - Encourage constructive dialogue between decision makers and the civil society in order to include sustainability criteria in development policies.
 - Strengthen local capacities for environmental management.

38. The Project also contributed to the following UNDP service lines:
“Implementation of replicable local poverty initiatives, linked to a change in policies” and
“Improvement of sustainable livelihood for low income citizens”.
39. The Project also fully complied with the Millennium Objectives, especially with ODM 7 on Environmental Sustainability as it points to the alignment of environmental issues to local and national policies.

3.1.7 Linkages between Project and other interventions within the sector

40. Through the strengthening of the national capacity, especially on the biodiversity, climate change and combat against drought issues, the Medium-Sized Project (MSP) provided support to the work of the Government of Nicaragua in:
 - Land: The Government, together with the UNDP, promote the Sustainable Land Management in Nicaragua through the development of a program to approach related issues in degraded areas of the country that are vulnerable to drought. This project has as its objective to contribute to the increase of the integrity, stability, functions and services of the ecosystems through the promotion and alignment of policies and practices of sustainable land management with a cross sectoral approach, which also contributes to the generation of income and economic welfare of the people. The Project aims towards the strengthening of governance arrangements, financial solutions and the knowledge base to consolidate sustainable land management practices that are widely adopted in the rural areas of the dry lands of Nicaragua.
 - Biodiversity: the Government and the UNDP, with funds from FMAM, promote the conservation and sustainable use of the biodiversity of Nicaragua through the strengthening of the National Protected Area System, providing support in finding feasible funding mechanisms that allow the areas to be self sustainable, as well as promoting alliances with various sectors of society for the cooperative management of the protected areas.
 - Climate Change: in order to increase the access to sustainable energy services, and to reduce the emission of greenhouse gases in Nicaragua, the UNDP and the Government are implementing a Project to develop small hydroelectric plants. COSUDE, Norway and the UNDP provide the funding for this project. Likewise, the Government, with funding provided by the Adaptation Fund, is working through the UNDP in the implementation of adaptation measures to climate change that reduce the risk of drought and floods in the high area of Basin 60.

3.1.8 Management arrangements

41. The Government of Nicaragua implemented the Project under the UNDP National Execution (NEX) method. As the executing agency, the Ministry of the Environment and Natural Resources (MARENA) was in charge of directing the Project, achieving the immediate objectives and the planned products, making effective and efficient use of the allocated resources in compliance with the Project Document.
42. UNDP took part in the direction and guidance of the Project to contribute to the maximization of the reach, impact and quality of its products. Also, as the implementing agency of the GEF, it was also responsible for the management of the resources in compliance with the

immediate objectives of the Project Document, as well as for the enforcement of its own guiding principles of transparency, competitiveness, efficiency and economy.

43. MARENA prepared Annual Work Plans that showed the activities of the Project, as well as the results that must be reached through its implementation. The Plan indicated the implementation periods of each activity and the parties in charge of carrying them out.
44. The office of the Project was established with a National Project Director (NPD), a Technical Coordinator (TC), a Technical Assistant and an Administrative Assistant.
45. The Project Document indicated the establishment of a Coordination Committee that would act as the operational entity for the implementation of the Project and the take strategic decisions: the approval of an operational plan for the Project and its financial budget. It would be formed by the executing agency (MARENA) at the technical level, through the focal points of the three international conventions (the United Nations Framework Convention on Climate Change, the Convention on Biological Diversity and the United Nations Convention to Combat Desertification), the Project Coordinator, UNDP-Nicaragua, a representative of the universities involved, a representative from the private sector involved, a representative from the civil society and a representative from the indigenous sector. This Coordination Committee should have been created in the Inception Workshop, but no evidence of this was found in the records and no records of the meetings the Committee should have organized are available.
46. The Evaluator is aware of the creation of an institutional committee formed by MARENA for the implementation of the Project, which functioned with the participation of the Territorial Delegations.

3.2 Project implementation

3.2.1 Adaptive management

47. The Project had an adequate management of the changes and adaptation of the activities to the institutional situation in MARENA, especially in the areas related to national priorities in the matter of training and capacity building. To optimize the efforts of the Project in the territories of importance, the training plan, for instance, was integrated to the National Plan of the Ministry.

3.2.2 Partnerships arrangements

48. Institutional coordination mechanisms were established for the implementation of the Project at the local and central levels with municipal, judicial and administrative authorities that, by the functions defined in their legal frameworks, have jurisdiction in the areas related to the compliance of Environmental Legislation and Multilateral Environmental Agreements (MEAs). In the particular case of the Judiciary Branch, an inter institutional cooperation agreement was signed between the Supreme Court, the National Inter Institutional Criminal Justice System Commission, the Judicial School and the Ministry of the Environment and Natural Resources.

3.2.3 Financial planning

49. The funding of the Project was used as planned, the disbursements were made in a timely manner, and MARENA allocated the compensation in species as it was planned. Results 2 and 4 incurred higher amounts than estimated in the Project Document and, at the time of this Evaluation, the Project in general has used 98% of the funds.

Results				Total Project Budget
	2009	2010	2011	
Result 1: The administrative and judicial system, effectively enforce environmental legislation				
Prodoc Budget	44,027.00	59,527.00	47,127.00	150,681.00
AWP Budget	47,700.00	59,148.91	27,464.31	134,313.22
Delivered Budget	29,413.78	50,642.75	12,781.37	92,837.90
Delivery Rate	62%	86%	47%	62%
Result 2: Organizational development and inter-institutional strengthening				
Prodoc Budget	38,708.00	49,300.00	46,900.00	134,908.00
AWP Budget	36,800.00	119,150.00	49,000.00	204,950.00
Delivered Budget	20,900.12	121,588.93	62,971.62	205,460.67
Delivery Rate	57%	102%	129%	152%
Result 3: MARENA has acquired the technical and methodological capacities to monitor MEAs.				
Prodoc Budget	38,800.00	47,111.00	35,900.00	121,811.00
AWP Budget	20,300.00	18,301.09	3,281.52	41,882.61
Delivered Budget		10,224.64	358.31	10,582.95
Delivery Rate	0%	56%	11%	9%
Result 4: Project management				
Prodoc Budget	15,000.00	27,600.00	15,000.00	57,600.00
AWP Budget	51,350.00	36,700.00	62,076.00	150,126.00
Delivered Budget	37,221.11	46,956.85	64,899.99	149,077.95
Delivery Rate	72%	128%	105%	259%
Gran Total				
Prodoc Budget	136,535.00	183,538.00	144,927.00	465,000.00
AWP Budget	156,150.00	233,300.00	141,821.83	531,271.83
Delivered Budget	87,535.01	229,413.17	141,011.29	457,959.47
Delivery Rate	56.1%	98.3%	99.4%	98%

50. The Project worked in a synergic effort with other cooperation agencies for some of the its activities that were extended during its implementation, as was the case with the German technical cooperation where GIZ, through the MASRENACE Project, assisted in the training of the Ecological Battalion of the Army, and as with the USAID CAFTA Project, which provided US\$ 20,000 for the national environmental training process in the territories.

Project cofinancing table:

Financing (Type/source)	UNDP		Government		Other Sources		Total	
	American dollars		American dollars		American dollars		American dollars	
	Planned	Real	Planned	Real	Planned	Real	Planned	Real
Grants	30,000	30,000					30,000	30,000
Loans/Concessions	-	-	-	-	-	-		-
In-kind support			103,700	103,700			103,700	103,700
Other						20,000		20,000
Totals	30,000	30,000	103,700	103,700		20,000	133,700	153,700

3.2.4 Monitoring and evaluation: design and implementation

51. The monitoring and evaluation of the Project was carried out in accordance to the established procedures by the UNDP and the GEF. The logical framework matrix provided the indicators for performance and for the impact during the implementation of the Project, as well as the defined means for verification.
52. An important aspect to be mentioned in this report is the strict defined format for the preparation of periodical (quarterly) reports in accordance to the FMAM and UNDP guidelines. This format presents limitations in its design (the quarterly report must not exceed 150 words) and reduces the possibility of including more information in the quarterly period that would ensure appropriate monitoring in the areas of time management, recommendations, and quality control of the results, especially for the program official. The Progress Implementation Report (PIR) that is delivered annually by the Executing Agency has a more complete, but very complex, format. This type of format does not allow the program official to have enough elements for the effective monitoring of a project, despite its medium size.
53. No Medium Term Evaluation was made, as a review and a comparative analysis of the capacity building indicators, established in the Project Document, could not be made in this final evaluation.

3.2.5 UNDP and Executing Agency execution, coordination and operational issues

54. The Implementing Agency, through the program official, monitored the implementation of the Project in accordance to the Project Document procedures. A close tie was established between the Implementing Agency and the Executing Agency since the approval of the funds by the GEF.
55. The Government of Nicaragua is the executor of the Project through MARENA, the institution in charge of directing the Project and complying with the programmed objectives and results. This institution adopted the necessary administrative and institutional measures to ensure the execution of the Project, the use of the resources and the inter-institutional coordination with various institutions for its implementation.
56. From its inception, the Project has been executed by MARENA using the norms and procedures specified in the laws of the Republic of Nicaragua, with the Harmonized Approach to Cash Transfers (HACT), responding to the commitments with the donors and the international cooperation in the Paris Declaration, however, MARENA had the option to request additional support from the UNDP to make direct payments.

3.3 Project results

3.3.1 Overall results (attainment of objectives)

57. The logical framework matrix from the Project Document has been used in determining the key aspects for the evaluation of results. An assessment is made by product and the rating is made by outcome.

<u>Outcome 1:</u> <i>The administrative and judicial system, as well as other observance institutions at central and local levels, effectively enforces environmental legislation related to MEA, with emphasis on the recently passed Special Law on Crimes against the Environment and Natural Resources.</i>
Indicator 1: <i>Number of agencies and officials of the central-level administrative and judicial system trained in the application of national legislation relevant for MEA compliance.</i>
Indicator 2: <i>Number of municipal staff from the pilot areas trained in the application of the national legislation relevant to MEAs.</i>
Goal: <i>In Project pilot areas, administrative and legal authorities related to the enforcement of Rio Convention MEAs, are completely empowered and trained to ensure its fulfillment through efficient enforcement of National Environmental Legislation and Crimes Against Nature and Environment.</i>
OVERALL RATING: (S) SATISFACTORY, SCORE: 5

Product 1.1 Definition and precise delimitation of the pilot territory of the Project, including the definition of the goal groups, and the necessary and pertinent institutional arrangements with the local stakeholders. The adjustment of priority criteria and the final selection of the pilot territory in accordance to the current conditions. Preparation of a list of goal groups and the definition of the training strategies. Signing of coordination agreements with the local authorities.

58. Project made a mapping of the stakeholders with the objective of identifying the key judicial and administrative institutions in the enforcement of environmental laws. The work approach and identification of goal groups in the territory was done taking notice of the MARENA geographic division of attention, though the political-administrative division of the country is the municipality and the judicial branch displays its administrative structure, at the municipal level in first instance (local judges), and as a superior instance, at the department level, the district judges and the courts of appeal.
59. Of the pilot territories that were defined by the Project Document, when beginning the implementation, the Project gave to two departments: Rivas (10 municipalities) and Estelí (6 municipalities).
60. With the support of the Project, MARENA determined the substantive directorates² that would participate as beneficiaries of the Project, taking into account Law 290 and its regulation, and the Ministry Resolution that establishes the Directorate-General for Climate Change.
61. Coordination and the necessary inter-institutional arrangements were carried out with the Judicial Branch to ensure the appropriate implementation of the Project, through the Collaboration Agreement that takes into account important commitments for MARENA and the Judicial Branch. This Agreement includes the Judicial School into a broader, continuous

Directorate of Planning (location of the Project Coordination), Directorate of Natural Heritage, Directorate of Climate Change, Directorate of Protected Areas, Directorate of Finance and Administration.

training and capacity building process for the justice administrators in the areas of national environmental legislation.

62. No formal agreements or conventions were signed with the municipalities, however, collaboration and active participation with MARENA was observed from the Mayor Offices through the Municipal Environmental Units.³

Product 1.2 The local and municipal juridical entities of the two pilot territories of the Project that are to be suitably trained and empowered to effectively enforce the environmental legislation related with the three MEAs observed by the Project: Court of Appeal magistrates, district and local judges, the Prosecutor's Office, regional attorneys, customs officers and other key officers, technical inspectors from MARENA, INAFOR, Municipal Environmental Units, etc.

63. The Project considered the design of a Training Strategy for its goal group. The Evaluator reviewed the internal strategy that defined the Project and observes that it did not define the approach to be used for the training and capacity building areas in the pilot territories. This instrument should have been the technical reference from which the Project would attend to the various stakeholders and institutions, previously identifying their functions, jurisdiction and attributes in order to lead the efforts more effectively towards the existent needs, as well as considering the type and level of training and capacity building contents required by the goal groups.
64. The absence of a pedagogical scheme in the training to introduce the environmental issues to the tasks of the other institutions of the Executive, linked to the compliance of the Environmental Law and the MEAs, led to difference of opinion in the pilot territories over the responsibilities of each institution in the environmental administrative matters. Despite these differences, the workshops were a good coordination and synergy exercise at the territorial level. In some cases the situation was not as favorable, as some institutions lost the interest to continue to participate in the efforts of the Project, as was the case with INAFOR.
65. The training of the goal groups was diverse and scattered, with little academic planning, as the key issues and indicators of the MEAs and the environmental legislation that are given priority in these territories were not defined. For instance, the Department of Estelí, with the exception of its departmental capital, is located in a high drought frequency zone; therefore, its territory is located in the most vulnerable zone⁴. In this regard, the Project had little strategic development on the training contents and priority to the environmental-geographic-territorial issue of its pilot areas.
66. The training subjects are framed in areas of territorial or national environmental regulation. A total of 92 workshops were carried out with the participation of 5,526 people. In the revised reports, although it can be seen that the training took place, no monitoring process was made that allowed to further assess the training reach and levels of the two key participation groups: administrative entities and judicial entities, in order to accurately assess the dynamic and frequency of the training.

Training workshops

The national environmental legislation determines the establishment of EMUs as the instances in charge of environmental regulations at the municipal level.

Country Study on the Desertification in Nicaragua, MARENA 1999.

Year	Workshops	Participants
2009	17	1221
2010	45	2622
2011	30	1683
Total	92	5526

67. The institution that benefited the most from the training was the Army (Military Units and Ecological Battalion), followed by environmental advocates, scholars and farmers. The goal group of the judiciary system was formed by 14 judges and 33 judicial facilitators⁵.
68. In regards to the capacity building of local governments, Legal Technical Assistance to the Territorial Delegations of Rivas and Estelí (pilot departments) was provided for a period of 2 years (2010 and 2011), in a close tie with the mayor's offices of the municipalities in the pilot departments. The result of this support were the strengthening of the Environmental Impact Assessment System as well as the administrative procedures for the breach of legislation in the case of MARENA, and, in the case of the Mayor's Offices, the technical and legal support in the design, formalization and implementation of municipal environmental regulation instruments of high impact in the municipalities.
69. Support was provided in the preparation and approval process of 9 municipal ordinances in the territories of importance to the Project.

MUNICIPAL ORDINANCES PREPARED WITH THE ASSISTANCE OF THE PROJECT		
Ordinance Type	Municipality	Procedure
Regulations of Organization and Operation of the Commission of the Inter-municipal Sub basin Rio Gil González	Buenos Aires Potosí Belén	Approved
Control of noise generating Activities in the city of Estelí. Regulation in the urban area.	Estelí	Approved
Declaration of the urban micro basin of the Estelí river as a municipal protected area in the municipality of Estelí.	Estelí	Approved
Regulation of irrigation, agricultural and hydric resources protection activities in the Municipality of Condega.	Condega	In the process of approval
Regulation and protection of the environment and the natural resources in the municipality of Estelí.	Estelí	In the process of approval
Internal regulation of the Provisional Committee of the Basin of Rio Coco (Estelí, Madriz and Nueva Segovia).Basin conservation.	Departments: Estelí Madriz Nueva Segovia	In the process of approval
Declaration of municipal protected areas and of areas	Belén	Approved

Figure created in the Law of the Judicial Branch. The facilitators are honest citizens with good reputation that take the role of mediators in their communities, mainly in rural communities. They answer to the local judges and are volunteers. The main objective of their work is to reduce the number of cases that reach the local courts.

of regulation, control and protection of the forest resource.		
Fines for environmental damage. Fines are applied to 32 activities, conducts or omissions that cause, directly or indirectly, damages or affect the environment, the natural resources, the natural species and the ecosystems. Proposals made to 10 municipalities of Rivas and 6 municipalities of Estelí that are in the process of revision and approval.	San Jorge	Approved
Protection of the Biological Diversity and declaration of GM-free territory.	Belén	Approved

70. The ordinances being promoted for approval or in the process of approval answer to the perceived needs or the temporary requirements of the municipal governments, or to the institutional needs of MARENA.

Product 1.4 A management and financial plan for permanent training and capacity building has been developed and the responsibilities have been distributed appropriately.

71. The management and financial plan for training and capacity building was not developed, however, capacity building initiatives did take place and were directed to the following institutions: MARENA: Legal Assistance to the Territorial Delegations (Pilot Departments), National Army: Military Unit Training Plan and Formation of the Ecological Battalion, Civil Society: Organization of the Environmental Advocate Network, and Judiciary Branch: Graduate course in Environmental Law.

72. As a special effort of sustainability and inter-institutional coordination, the Local Technical Committees were established for the monitoring and follow of the enforcement of the environmental legislation. These are formed by the Local Criminal Court, delegates of the sectoral institutions, the Environmental attorney, the Environmental Prosecutor, the municipal vice-mayors, the national police and other entities that are involved in the administration of environmental justice. They were set up at the municipal level through organization actions in the Departments of Rivas, Granada and Estelí.

Product 1.5 Motivational and capacity building activities for key stakeholders at the central and national levels have been carried out and institutionalized with a special emphasis in the following interested parties: Police and judicial assistance authorities, environmental law implementing staff such as inspectors and technicians in the territorial delegations of MARENA and INAFOR, the *Prosecutor's Office*, environmental attorneys, legal consultants to the governmental agencies related to the enforcement of environmental legislation.

73. The Project carried out numerous and diverse motivational activities in a continuous awareness process towards environmental issues, national legislation and MEAs through radio programs, national celebrations on the *World Water Day*, and *the Year of Biodiversity*, as well as related material that promotes taking care of mother Earth and the natural resources; the *International Day of Environmental Education*; the *World Wetlands Day* and the *International Day for Biological Diversity*.

74. Design and production of 5,000 pocket manuals that contain the legal procedures for the inspection and retention of flora and fauna in the Army of Nicaragua control checkpoints, achieving synergy with the MASRENACE project (GIZ). These manuals are distributed to members of the Army of Nicaragua and environmental advocate guides.
75. The revision and design of The Environmental Education Guide: Families, Schools and Healthy Communities were carried out. Five awareness and dissemination events were conducted at the community level on the regulations of Environmental Management Plans in the Protected Areas of Estelí (pilot Department).
76. The Environmental Manual was made containing the Environmental Crimes laid down in the Nicaragua Criminal Law for its use and management by the authorities, as a way to promote a more effective dissemination of its contents for the prevention of the actions defined as Environmental Crime

<p><u>Outcome 2:</u> <i>Organizational development and inter-institutional strengthening on environmental mainstreaming in line with the MEAs and EAs, in an institutionally sustainable manner.</i></p>
<p><i>Indicator 1:</i> <i>Synergic work units for focal points of the MEAs targeted by the project are organized and operating in MARENA.</i></p>
<p><i>Indicator 2:</i> <i>Strengthening of links between key institutions.</i></p>
<p><i>Indicator 3:</i> <i>Level of knowledge and comprehension of MEAs on behalf of decision-makers of key institutions.</i></p>
<p><i>Goals:</i> <i>Three teams of MEAs focal points have the necessary resources and capacities to fulfill their functions.</i> <i>Institutional management has been consolidated, through the human, material and capacity strengthening of institutional structures in charge of follow up and efficient accomplishment of the mandates and commitments arising from Rio Convention MEAs.</i> <i>Decision makers of prioritized institutions have better levels of knowledge and awareness to MEAs</i></p>
<p>OVERALL RATING: (S) SATISFACTORY, SCORE: 5</p>

Product 2.1 Proposal for the structure and operation of MEA focal points.

77. Project promoted the elaboration of the Ministerial Resolution: *Operation Mechanism of the Administrative and Technical Structure, to ensure the effective compliance of the various International Environmental Treaties.* This Mechanism determines the establishment and responsibilities of a MEU Liaison Unit in MARENA, the responsibilities and duties of the Focal Points, the intra and inter-institutional coordination and collaboration mechanisms, and the cooperation and collaboration mechanisms with the Ministry of Foreign Affairs. As of this report, this resolution has not yet been approved.
78. With the establishment of the MEU Liaison Unit of MARENA, the MEU information node was institutionally integrated to the SINIA, which contains all the necessary information to publicize the progress in the compliance of these Agreements on the part of Nicaragua. This Unit is part of the Directorate General of Planning of the Ministry

Product 2.2 Capacities and equipment of the EA focal points in MARENA.

79. Project had good coordination with the substantive areas of MARENA in its objective of improving their capacity as MEU focal points.
80. In the particular case of Climate Change, MARENA established a substantive Directorate with the rank of Directorate General (the highest rank in the institutional structure), which indicates the priority the issue is being given.
81. The Conventions of Desertification and Drought and Biological Diversity are implemented by the substantive areas of the Directorate General of Natural Heritage and Protected Areas (this being a specific Directorate of Natural Heritage), and the fact that they lack the financial resources, staff and means to carry out their tasks is evident.
82. This indicates that the climate change issue has been addressed with greater force and support at the politic, governmental and legislative levels.

Product 2.3 Capacity building in the Ministry of Foreign Affairs in order to achieve the objective of this Project.

83. During the life cycle of the Project, work was made for the capacity building in the Ministry of Foreign Affairs. Also, permanent communication and operative coordination mechanisms were defined through the MARENA Liaison Unit. These have a Work Plan to develop information exchange and inter-institutional collaboration procedures.

Product 2.4 Implementation of institutional arrangements with other cooperation agencies and agents in order to establish sustainable mechanisms for the funding of the capacities needed by the Project.

84. Project generated institutional arrangements for MARENA with other institutions and powers of the State (Judiciary), but little effort is shown in the establishment of funding mechanisms (through budget or the negotiation of external resources), in order to provide sustainability to the institutional progress that has been achieved by the Project, and to improve the leadership capacity of MARENA as the environmental lead agency in the country.
85. It can be concluded that the efforts of the Project to improve the institutional capacity of MARENA and the institutions that have responsibilities in the enforcement of the MEUs and the environmental legislation are evident, however, there is still work to be done so that sufficient financial support can be given to meet these commitments at the country level.

Product 2.5 Increase of politic-environmental awareness as a key factor for the sustainable development and the fight against poverty in the two territories of importance to the Project.

86. Project contributed to improve the awareness of the environmental issues, but mainly at the territorial and local levels. There is still low politic awareness at the national and decision making levels to translate and internalize the environmental concepts as key factors for the sustainable development and the fight against poverty.

Outcome 3:

MARENA has acquired the technical and methodological capacities to monitor the impact of a more effective enforcement of the environmental legislation and the way it contributes to act in

<i>compliance with MEAs.</i>
Indicator 1: <i>Monitoring mechanism for MEAs incorporated in SINIA and publicly available.</i>
Indicator 2: <i>Methodological instrument with indicators to evaluate effectiveness of compliance with environmental legislation related to MEAs worked out and tested in corresponding test period</i>
Goal: A series of feasible and sufficient indicators for monitoring the accomplishment of MEAs integrated in SINIA New indicators have been developed to monitor effectiveness of enforcement of MEAs relevant environmental legislation
OVERALL RATING: MODERATELY SATISFACTORY (MS), SCORE: 4

Product 3.1 Design of the monitoring methodology, including the inter-institutional building of synergic or multi-purpose indicators (to be used by various MEAs); pilot phase for the compliance of monitoring procedures performed.

87. The Project determined a conceptual framework for the building of monitoring indicators of the MEUs (Biological Diversity, Climate Change, and Desertification and Drought). A total of 30 indicators were defined, from which 5 are of general application to all the MEUs (1-State, 4-Response), 5 compliance indicators for the Convention on Biological Diversity (5 Response), 7 compliance indicators for the Convention on Climate Change (1-State, 6-Response), and 13 compliance indicators for the Convention to Combat Desertification and Drought (2-State, 11-Response). This procedure was developed jointly with the SINIA.
88. The Conceptual Framework defined the indicator methodological sheets, which determine the Name of the Indicator, its Definition, Justification and Importance, calculation methodology, methodological description, its limitations, coverage, data source and data availability.
89. The number of indicators designed is considerable, which poses a great challenge to MARENA, which has funding difficulties to carry out its tasks, mainly because they require high leadership capacity and coordination with other State institutions that generate much of the information required for its monitoring. Given the condition and priorities of the Ministry in the last few years, its sustainability is deemed unlikely.

Product 3.2 Establishment of an online information node for the monitoring of MEA compliance in the National Environmental Information System of MARENA.

90. An information node has been established to monitor MEA compliance in the MARENA web site. This node will have information provided by the Liaison Unit created with support of the Project.

Product 3.3 Design and implementation of a methodology and of indicators through a first impact assessment or monitoring exercise of the reinforced enforcement of the national environmental legislation in support of the MEAs.

91. Project supported the process of building 26 indicators of Compliance with the Environmental Legislation of Nicaragua, which contribute to the institutional monitoring of the enforcement of the environmental legislation from local, department and national levels. This process was carried out jointly with the SINIA, which will also be in charge of the monitoring.
92. Methodological sheets were made for each Indicator for the Compliance with the Environmental Legislation and its monitoring. This process had the participation of more than

200 officials, administrative and judiciary stakeholders, 70 officials of municipal governments and environmental units, 94 representatives of the Citizen Power Councils, 23 representatives of the Municipal delegations of the national Police and Army, and 5 officials of the Prosecutor's Office and the Attorney General's Office, all of which are key players in the monitoring and enforcement of the environmental legislation. This process can be considered to be very valuable, as it involved much synergy and coordination at the territorial level.

93. The initiative of the Project developed capacities of the MARENA Territorial Delegations in Rivas and Estelí. These delegations will have the responsibility of ensuring the supply of the information system.
94. At the end of the Project, information submitted by the Delegations has been processed at the pilot level, which shows an improvement in the monitoring of the effective enforcement of the environmental legislation for MARENA.

Product 3.4 Preparation and release of the first national report on the compliance with the EAs, as input to the National Report on the State of the Environment, which is released annually by MARENA.

95. The Project did not achieve the conclusion of this product. In a detailed visit to the MARENA website, it can be seen that the last official report on the State of the Environment (GEO-NICARAGUA Report), ended in 2007. Currently, a Draft Report for consultation to 2009 available.

Relevance, Effectiveness & Efficiency

96. Nicaragua, as a subscriber to multiple multilateral agreements, has been developing diverse programs and initiatives that contribute to the integration of sustainable development principles in the national legal framework. The responsibilities, duties and jurisdiction of the various ministries and entities of the Executive Branch have been clearly defined in the national planning instruments and the national laws. These actions promote the institutionalization of the international commitments, which, in accordance to the Nicaraguan judicial system, are converted into mandatory laws.
97. MARENA is the authority in charge of ensuring the compliance of the national environmental regulations and its international commitments, as well as taking the lead in their implementation and enforcement
98. The Project has had a great impact in the ownership of these commitments on the part of MARENA. Also, with its support, the institution has been strengthened in the enforcement of the national environmental legislation through the involvement of all the public institutions that have responsibility in the enforcement of MEAs and the national environmental laws.
99. However, there is still much to do to improve the inter-institutional coordination of MARENA, MAGFOR, INAFOR, INTA, IDR, and other institutions of the State at the central level. On the other hand, with the municipalities, a historic process of alliances with MARENA in the matters of local environmental regulation can be observed.

Mainstreaming

100. The integration of the products and processes supported and promoted by the Project into the institutional processes of MARENA has been highly satisfactory.

Sustainability

101. Results 1 and 2 of the Project have a high degree of sustainability. This is not the case for Result 3, which corresponds to the monitoring of the compliance with the MEAs. As detailed in number 87, the determined indicators require high levels of coordination, financial resources and greater institutional capacity in the rest of institutions that take part in their compliance.
102. As to national and institutional priorities, the political will in the matter of environmental regulation has been inclined to the Convention on Climate Change rather than the Conventions on Biological Diversity and to Combat Desertification.

Catalytic Role & Impact

103. The Project sparked a greater interest in the pilot territories, on the importance of the implementation of the environmental law, with an emphasis in the importance of the administrative procedures in the enforcement of the law. As some interviewees stated, the way an administrative process begins is key for the effective and efficient enforcement of the legislation.
104. A positive impact generated by the Project is the promotion of better coordination of the institutions involved in the environmental regulation in these territories. The training workshops led to joint discussion on the responsibilities of each institution.

4. Conclusions, recommendations and lessons

105. The evaluation of the Project is presented in accordance to the rating scale, defined in the terms of reference:

EVALUATION RATING SCALES

COMPONENT/CRITERIA	Particular evaluation	Rating
PROJECT DESIGN / FORMULATION		MS (4)
Project design	Satisfactory	
Planned stakeholder participation	Moderately Satisfactory	
Monitoreo y Evaluación	Moderately Satisfactory	
IMPLEMENTACIÓN DEL PROYECTO		
Monitoring and Evaluation	Moderately Satisfactory	
UNDP and Executing Agency execution coordination, and operational issues	Moderately Satisfactory	
Project Results		S (5)
Overall results (attainment of objectives)	Satisfactory	
EVALUACION CRITERIA		
Relevance	Highly Satisfactory (6)	
Efectiveness	Satisfactory (5)	
Efficiency	Satisfactory (5)	
Relevance	Relevant (R)	
Sustainability	3	
GLOBAL RATING		SATISFACTORY

CONCLUSIONS

106. Partial conclusions have been reached during the development of the evaluation report. A summary of these conclusions is presented below:
107. The relevance and pertinence of this Project was recognized by the various participating entities and institutions at the local and central level.
108. The choice of the pilot territories was appropriate, as these departments met the criteria established since the design of the Project.
109. The design did not consider a process with enough participation of all the stakeholders, mainly the stakeholders of the central government and those at the national level. This situation could have occurred because of the characteristics of the Project (institutional strengthening, capacity building, training and monitoring), processes that correspond to the operation and duties of MARENA as the national entity of environmental regulation.
110. The Project is coherent in its results; it considered the key strengthening processes that were determined in the various diagnoses carried out during the design phase.
111. Some risks and assumptions were not properly evaluated on the impact they would have towards the achievement of the expected results. The most relevant were the change of government (new officials in most institutions of the central government), and the assurance of the sustainability of SINIA (an entity of MARENA that will be in charge of providing follow up to the monitoring indicators build by the Project). This situation presented a modification of the capacity baseline created during the planning phase, and directly affected the sustainability of one of the results (Result 3).
112. Given that between the formulation of the Project and its actual start there is a period of 4 years, it is recommended to consider an update of the capacity baseline, with the purpose of knowing the changes in the institutions that the Project will be working with.
113. The Project did an appropriate management of the changes that occurred in the time between its presentation and its approval. The Criminal Code was approved and absorbed into Law 559, of Environmental Crimes.
114. All of the activities of the Project were adopted institutionally by MARENA. Therefore, it can be concluded that its institutional capacity was strengthened and would allow the replication of the results in other territories.
115. The monitoring and follow up mechanisms complied with what was established in the Project Document , however, the formats defined by the GEF for the implementing agency are so strict that they hinder the effective contribution to the quality control of the results.
116. The Project Committee was not established, its implementation being the responsibility of MARENA. An institutional committee was established for the execution of the Project.
117. As there was no Medium Term Evaluation, the opportunity to provide input to important issues was lost, one of these being the quality control of the products of the Project.
118. The contribution of the Project to the strengthening process of the institutions in charge of ensuring the compliance of the environmental laws and the MEAs is clear. However, the process of influencing the increase of the political will at the central levels is definitely more complicated.

Recommendations

119. Improve the contents of the Training Plan for future territories, structuring them in a basic logic that allows gradually advancing in a more secure way, addressing the knowledge and ownership levels of the officials that are being trained.

120. Implement different training programs in accordance to the jurisdiction of the institutions of the central government, municipal governments and judicial authorities.
121. Harness the results of the Project in order to acquire greater funding that allows the improvement of the compliance with the Convention on Biological Diversity and with the Convention to Combat Desertification.
122. Work faster in the acquirement of financial resources to support the SINIA, which has the institutional responsibility of monitoring the MEA compliance indicators and the enforcement of the national legislation.
123. Continue to prepare National Reports on the State of the Environment, and include in these information related to the compliance of the Rio Conventions.
124. Resume the establishment of Project Coordination Committees for future GEF Projects, as this is a commitment made when the Project Document was signed.

Lessons

125. The projects that are still medium sized must constitute the Project Committee, with the goal of having its efforts support the governability and democracy processes of the environmental regulation of the countries. The participation of the various stakeholders that are involved in the objectives of the Project improves its prioritization and execution aspects.