

PROJECT TITLE
**Developing a National Framework on Access to and Benefit-Sharing of
Genetic Resources and Traditional Knowledge as a Strategy to Contribute
to the Conservation and Sustainable Use of biodiversity in Morocco**

[UNDP ID PIMS 4953 / GEF ID PMIS 5605]

Terminal Evaluation

(4 December 2019)

G.H. Mattravers Messana

Table of contents

Acronyms & abbreviations	iv
Executive summary	vii
Project Summary Table	vii
Project Description (brief)	vii
Evaluation Rating Table.....	viii
Summary of conclusions, recommendations and lessons.....	xi
1. Introduction.....	1
1.1 Purpose of the evaluation	1
1.2 Scope & Methodology.....	2
1.3 Main issues examined	4
2 . Project description and development context.....	5
2.1 Project start and duration.....	5
2.2 Problems that the project sought to address	6
2.3 Project objectives and baseline indicators.....	6
2.4 Main stakeholders.....	7
2.5 Expected results	8
3. Findings.....	9
3.1 Project design and formulation.....	9
3.1.1 Analysis of results framework and relevance	9
3.1.2 Assumptions and risks.....	12
3.1.3 Lessons from other relevant projects	13
3.1.4 Management and partnership arrangements	13
3.2. Project implementation	14
3.2.1 Implementing Partner execution (*).....	14
3.2.2 Partnership arrangements	15
3.2.3 Project finance.....	17
3.2.4 Adaptive management and M&E	18
3.2.5 UNDP Execution.....	19

3.3 Results	20
3.3.1 Attainment of outputs.....	20
3.3.2 Effectiveness: attainment of project outcomes and objectives	29
3.3.3 Relevance and country ownership	33
3.3.4 Efficiency	34
3.3.5 Sustainability	35
3.3.6 Impact	36
3.3.7 Mainstreaming.....	37
4. Conclusions, recommendations and lessons	38
4.1 Conclusions.....	38
4.2 Recommendations.....	40
4.3 Lessons	41
Annexes	43
Annex 1. Terms of reference	43
Annex 2. Project's results framework.....	49
Annex 3. List of documents reviewed	56
Annex 4. Evaluation Question Matrix.....	59
Annex 5. Mission schedule and list of persons interviewed.....	70
Annex 6. Responses to commentaries on provisional report.....	72
Annex 7. Evaluation Consultant Agreement Form	77

Acronyms & abbreviations

ABS	Access and Benefit Sharing (ABS)
ACCN	Programme Adaptation au Changement Climatique / Mise en Œuvre du Protocole de Nagoya (GIZ)
AIPRT	Aspects of Intellectual Property Rights affecting Trade
AL	Agricultural Label
APR	Annual Project Review (Examen annuel du projet)
AVIHII	Agronomic and Veterinary Institute Hassan II (Institut Agronomique et Vétérinaire Hassan II - IAVHII)
AWP	Annual Work Plan / Plan de travail annuel
BG	Bonn Guidelines on ABS
CBD	Convention on Biological Diversity
CCAN	GIZ project "Climate Change Adaptation and implementation of the Nagoya Protocol in Morocco"
CCD	United Nations Convention to Combat Desertification
CHM	Clearing House Mechanism (Centre d'échange d'informations sur la diversité biologique)
CITES	Convention on International Trade in Endangered Species of Wild Fauna and Flora (Convention sur le commerce international des espèces en danger de la faune et de la flore sauvages)
CMS	Convention on the Conservation of Migratory Species of Wild Animals (Convention sur la conservation des espèces migratrices d'animaux sauvages, dite convention de Bonn)
CO	Country Office (UNDP)
CoP / I,II, etc.	Conference of the Parties of the Convention on Biological Diversity and other international conventions / First, second, etc. ... COP meeting
CPGR	Commission on Plant Genetic Resources (Commission de la FAO sur les ressources génétiques végétales)
DETR	Directorate of Education, Training and Research (Direction de l'Enseignement, de la Formation et de la Recherche)
DSOQ	Distinctive signs of origin and quality
EIA	Environmental Impact Assessment
FAO	Food and Agriculture Organisation (Organisation des Nations Unies pour l'Alimentation et l'Agriculture)
GATT	General Agreement on Tariffs and Trade (Accord général sur le commerce et les tarifs douaniers)
GEF	Global Environment Facility (Fonds pour l'environnement mondial - FEM)
GI	Geographical Indication
GIZ	Deutsche Gesellschaft für Internationale Zusammenarbeit, GmbH (German Federal Enterprise for International Cooperation)
GPA	Global Plan of Action (Plan mondial d'action de la FAO)
GR	Genetic resources
GSS	General Secretariat of State
HCEFLCD	High Commission for Water and Forests and the Fight against Desertification (Haut Commissariat aux Eaux et Forêts et à la Lutte Contre la Désertification)

HCP	High Commission for Planning (Haut Commissariat au Plan)
ILC	Indigenous and local communities
IPR	Intellectual Property Rights
IR	International regime on ABS
IRD	Integrated rural development
IT PGRFA	International Treaty on Plant Genetic Resources for Food and Agriculture (Traité international sur les ressources phytogénétiques pour l'alimentation et l'agriculture - TIRPGAA)
IUCN	World Conservation Union (IUCN)
MAMF	Ministry of Agriculture and Marine Fisheries (Ministère de l'Agriculture et des Pêches Maritimes)
MAT	Mutually Agreed Terms
MEA	Multilateral Environmental Agreements
MEME	Ministry of Energy, Mining and Environment
MICPO	Moroccan Industrial and Commercial Property Office
MSA	Material Supply Agreement (Accord de fourniture de matériel)
MTA	Material Transfer Agreement (Accord de transfert de matériel – ATM)
NBC	National Biodiversity Committee
NBSAPs	National Biodiversity Strategies and Action Plans
NCA	National Competent Authority
NCSTR	National Centre for Scientific and Technical Research (Centre National de la Recherche Scientifique et Technique)
NCGR	National Commission of Genetic Resources
NGO	Non-governmental organization
NIAR	National Institute for Agricultural Research (Institut National de la Recherche Agronomique)
NIFR	National Institute for Fisheries Research (Institut National de la Recherche Halieutique)
NIHD	National Initiative for Human Development (Initiative Nationale pour le Développement Humain INDH)
NIM	National Implementation
NOFS	National Office for Food Safety (Office National de la Sécurité Sanitaire des Aliments - ONSSA)
NP	Nagoya Protocol
NPC	National Project Coordinator
OFL	Organic Farming Label
PGI	Protected Geographical Indication
PIC	Prior Informed Consent
PoWPA	Program of Work on Protected Areas
PSC - ABS	APA Project Steering Committee
QPR	Quarterly Progress Reports (Rapports d'avancement trimestriels)
RAMSAR	Convention on Wetlands of International Importance, especially as Convention Waterfowl Habitat (Convention sur les Zones Humides d'Importance Internationale)
RBM	Results Based Management

RDWF	Regional Directorate for Water and Forests (Direction Régionale des Eaux et Forêts)
SSSD	State Secretariat for Sustainable Development (former Ministry of Environment)
SWG	Special Working Group (in the CBD)
TBW	Total Budget and Work-plan (Budget total et plan de travail)
TK	Traditional Knowledge
TKIP	Traditional knowledge, innovations and practices
ToC	Theory of Change
ToR	Terms of Reference
TRIPs	Agreement on Trade-related Aspects of Intellectual Property Rights (ADPIC)
UNCED	United Nations Conference on Environment and Development (Rio Conference, 1992)
UNDP	United Nations Development Programme
UNEP	United Nations Environment Programme
UNFCCC	United Nations Framework Convention on Climate Change
WIPO	World Intellectual Property Organization
WTO	World Trade Organization

Executive summary

Project Summary Table

Project Title: Developing a national framework on access to and benefit-sharing of genetic resources and traditional knowledge as a strategy to contribute to the conservation and sustainable use of biodiversity in Morocco.

GEF Project ID:	5605		<i>at endorsement (Million US\$)</i>	<i>at completion (Million US\$)</i>
UNDP Project ID:	4953	GEF financing:	812,785	812,785
Country:	Morocco	UNDP (TRAC):	50,000	50,000
Region:	N. Africa	Government:	200,000	200,000
Focal Area:	Biodiversity	GIZ:	1,000,000	N/A
Operational Program:	N/A	CBD/UNEP		85,000
Executing Agency:	Department of Environment (MEME)	Total co-financing:	1,250,000	335,000
		Total Project Cost:	2,062,785	813,120
		Prodoc Signature:	11 March 2016	
Other Partners involved:	GIZ	(Operational) Closing Date:	Proposed: Mar 11, 2019	Actual: Dec 31, 2019

Project Description (brief)

1. Morocco possesses a rich biological heritage including a high level of genetic diversity, which makes it a particularly attractive country for bioprospecting, with a vast potential to explore for wealth creation and national development. Unfortunately, the general trend in the country is one of degradation and loss of biodiversity observable across all ecosystems. This places a great peril on Morocco's genetic resources, as many are scarce or vulnerable.

2. Article 15 of the Convention on Biological Diversity (CBD) seeks to define international law with regards to the relationship between suppliers and users of biological and genetic resources, through a system of Access and Benefit-sharing (ABS). This regime is an opportunity to considerably strengthen the objectives and measures for the protection and conservation of biodiversity and its sustainable use, by allowing the creation of new capital flows and additional resources. Various policies have been developed in order to regulate biodiversity-related sectors, but the absence of a national framework on ABS has left a wide range of opportunities untapped, namely benefit-sharing.

3. The development of a national ABS framework requires harmonizing current legal and regulatory instruments in the field of genetic and biological resources. This framework must comply and be compatible with the CBD and the Nagoya Protocol, it must consider other relevant international processes, and also be coupled with the necessary backing in order to strengthen national capacities in various fields, for an efficient implementation at national and local levels.

4. The MOR-ABS project aims to strengthen the protection and sustainable use of genetic resources and its associated traditional knowledge in Morocco, through the establishment of a national framework on Access and Benefit-sharing (ABS) compatible with the CBD and the Nagoya Protocol. In order to achieve this objective, the project is structured as two complementary components: (1) the development a national framework on ABS; and, (2) capacity building for the implementation of the national ABS framework.

Evaluation Rating Table

5. Summary table rating project performance:

Criteria	Rating	Comments
Monitoring and Evaluation: Highly Satisfactory (HS), Satisfactory (S) Moderately Satisfactory (MS), Moderately Unsatisfactory, (MU), Unsatisfactory (U), Highly Unsatisfactory (HU)		
Overall quality of M&E	Moderately Satisfactory (MS)	The project logic and outcome pathways should have been adjusted to changing circumstances during project implementation. A mid-term review of the project would have been useful even though such evaluations are not mandatory for GEF medium-sized projects.
M&E design at project start up	Satisfactory (S)	The project's M&E plan at entry foresaw the standard package of tools employed by UNDP-GEF to monitor results and track progress towards achieving project objectives.
M&E Plan Implementation	Moderately Satisfactory (MS)	Insufficient feedback from the M&E system, particularly in terms of risk assessment limited somewhat the adaptive management of the project.
IA & EA Execution: Highly Satisfactory (HS), Satisfactory (S) Moderately Satisfactory (MS), Moderately Unsatisfactory (MU), Unsatisfactory (U), Highly Unsatisfactory (HU)		
Overall Quality of Project Implementation / Execution	Moderately Satisfactory (MS)	Overall quality of implementation/execution could have been improved by focusing more on adaptive management and dealing more decisively with problematic issues affecting project outcomes, such as those associated with the lack of progress in the adoption of the new law on ABS (see above).
Implementing Agency Execution	Satisfactory (S)	The IA demonstrated a strong sense of ownership and played a crucial role in coordinating among biodiversity stakeholders in Morocco. The government's commitments in terms of co-financing were maintained.
Executing Agency Execution	Satisfactory (S)	UNDP provided timely support to the implementing agency and the project team, playing a decisive role in contracting technical assistance inputs, the quality assurance of outputs

Criteria	Rating	Comments
		and the management of the project's finances. Inputs could have been more effective with regards to M&E (see above).
Outcomes Highly Satisfactory (HS), Satisfactory (S) Moderately Satisfactory (MS), Moderately Unsatisfactory (MU), Unsatisfactory, (U), Highly Unsatisfactory (HU)		
Overall Quality of Project Outcomes	Moderately Satisfactory (MS)	Good progress was made in the design of a comprehensive legal and institutional framework on ABS and in enhancing the capacity of relevant government departments and selected stakeholders. However, the project objective was only partially attained because the national framework could not be implemented, due to the lack of ratification of the NP and of the failure to adopt the proposed ABS law and associated decrees. No ABS transactions were possible, thus limiting the involvement and capacity development of potential stakeholders who would have benefitted from such transactions.
Relevance: relevant (R) or not relevant (NR)	Relevant (R)	The project is highly relevant, for it aims at implementing the Nagoya Protocol of which Morocco is a signatory and was formally approved in 2013 through Law 13-12. The project is closely aligned with priorities identified in key national policy documents (NBSAP and NCESD) and with the CBD's three main objectives, especially objective 3 on ABS.
Effectiveness	Moderately Satisfactory (MS)	Under component 1, the project has made a tangible contribution to the design of a comprehensive legal and institutional framework on ABS, which is consistent with the CBD and the Nagoya Protocol. Under component 2, the capacity for ABS implementation was significantly enhanced as measured by UNDP's ABS Capacity Development Scorecard. However, the formal establishment of the proposed national ABS framework remains conditional on the ratification of the full complement of legal instruments so far developed with project support.
Efficiency	Satisfactory (S)	Overall, the delivery of project results was relatively efficient, with activities generally carried out in a timely manner and main outputs delivered, even though final outcomes were not necessarily achieved. Project finances were managed cost-effectively. Partnership arrangements and cross-sectoral coordination were efficiently mediated through the National Biodiversity Committee (NBC), tasked by government to assist in steering project implementation.
Sustainability: Likely (L); Moderately Likely (ML); Moderately Unlikely (MU); Unlikely (U).		
Overall likelihood of risks to Sustainability:	Moderately Likely (ML);	The government's strong sense of ownership and continued commitment to the biodiversity sector both concur in mitigating the risks on the sustainability of project achievements. Although final outcomes envisaged for the project were not fully achieved, if concerted action is pursued by key ABS stakeholders in Morocco, the processes set in motion with project support should bear fruit in the future.

Criteria	Rating	Comments
Socio-politic	Moderately Likely (ML)	According to the most likely scenario, the future ABS National Competent Authority, will operate through four sectoral committees, which in practice already exist, independently granting access to different biodiversity components according to the attributions of the ministries involved. Once the ABS law is passed, the National Competent Authority should easily become actionable by formally linking the four sectoral committees and the Department of Environment which would act as its Secretariat.
Financial resources	Likely (L)	The four sectoral committees and the Secretariat which will constitute the backbone of the National Competent Authority are all part of important ministerial departments. As such they are already adequately endowed with the necessary personnel and finances to manage the ABS portfolio.
Institutional framework and governance	Moderately Likely (ML)	The national ABS framework is in an advanced state of preparedness, with the draft ABS law submitted to the General Secretariat of State (GSS) since 2017. Although the proposed ABS law has not yet entered the parliamentary process, it should do so as soon as a consensus is reached by the main government departments concerned. Given that the subject matter is essentially technical, it is anticipated that the ensuing parliamentary process for the adoption of the law should be relatively smooth.
Environmental	Likely (L)	There are no ongoing activities that pose a significant environmental threat to the sustainability of project outcomes. No environmental risks have been identified in the project document or during project implementation.
Impact: Significant (S), Minimal (M), Negligible (N)		
Environmental Status Improvement	Negligible (N)	No measurable impact on the conservation status of genetic resources and associated traditional knowledge can be documented within the project's lifespan. However, according to the schematically reconstructed theory of change, there is a moderate likelihood that intended impacts may be achieved beyond the end of the project cycle, which should eventually produce a positive impact in terms of enhanced protection and improved conservation status of genetic resources and associated traditional knowledge in Morocco.
Environmental Stress Reduction	Negligible (N)	
Progress towards stress/status change	Negligible (N)	
Overall Project results	Moderately Satisfactory (MS)	

Summary of conclusions, recommendations and lessons

Conclusions

6. *Project design*. Project objectives and outcomes are closely aligned with sectoral strategy instruments, making the project's design and formulation highly relevant both in terms of national and international policy on ABS.

7. A schematic reconstruction of the project's theory of change features two main outcomes-impacts pathways, underpinned by a coherent underlying logic (see Fig.1, section 3.1.1). However, the centrality of the adoption of the new ABS law in the project's logic, exposed it to the possibility of not achieving several of its core outcomes.

8. The feasibility of the project within its 3-year timeframe is open to question and its objective is considered overambitious given the weak possibilities of influencing the scope and speed of the national legislative process.

9. *Project implementation*. The Environment Department of the MEME displayed a strong sense of ownership during project execution helping to give ABS issues a high profile on the national agenda among key biodiversity stakeholders in Morocco.

10. Project activities contributed to giving new impetus to the proposed institutionalization and restructuring of the National Biodiversity Committee (NBC). The package of legal texts produced by the project and the best scenarios for the establishment of a national competent authority were reviewed and endorsed by the NBC.

11. The scope of the partnership with GIZ, which was supposed to provide co-financing and mutually reinforcing actions, was curtailed by the timing of project cycles and the closure of the CCAN project.

12. UNDP played a robust role in ensuring the cost-effectiveness of the project. Overall co-financing delivered was lower than initially envisaged (about 23.9% of initial commitments), as a result of the closure of the CCAN project and in spite of an additional \$ 85,000 of co-financing being successfully leveraged from UNEP through the CBD Secretariat. Expenditure for the first two years was higher than planned. Coupled with the reduced inputs from co-financing, this meant that the third year had to be run on a relatively tight budget (\$ 117,385, about 14% of GEF funds).

13. The quality of project execution could have possibly been improved by focussing more on adaptive management and enhancing the feedback from M&E. More attention should have been paid to the assessment of risks, particularly on issues potentially affecting project outcomes and sustainability such as the ratification of legal instruments.

14. A more decisive opening towards civil society, could have helped in bringing the discourse about ABS to the wider public and would have been instrumental in strengthening the project's advocacy and lobbying efforts.

15. *Project results*. Good progress was made towards the development of a national framework on ABS which is consistent with the CBD and its Nagoya Protocol. This was achieved through the

design of a comprehensive set of legal and institutional tools and by enhancing the capacity of relevant government departments and selected stakeholders.

16. The project's results have been important on two levels. First, they have supported ongoing consultations between government departments on the adoption of the new ABS law. Second, by detailing the mechanisms underlying the proposed ABS regulatory framework, they have prepared the ground for its implementation, once the law is adopted.

17. On the other hand, the project objective was only partially attained because the national framework could not be implemented, due to the lack of ratification of the NP and of the failure to adopt the proposed ABS law and associated decrees. No ABS transactions were possible, limiting the scope for building capacity among potential stakeholders who would have benefitted from such transactions.

18. The lack of tangible progress in the ratification of the Nagoya Protocol and in ABS legislation entering the parliamentary process, appears to be due to changes in political priorities and does not signal a reversal of intended government policy.

19. No measurable impact on the conservation status of genetic resources and associated traditional knowledge can be documented within the project's lifespan. However, as schematically reconstructed in the project's theory of change, the outputs and outcomes delivered by the project go a long way in creating the conditions for the future achievement of desired intermediate states.

20. The outcomes of the project have contributed directly to UNDP's Strategic Plan (2018-2021) and UNDP's country program (2017-2021), and the proposed ABS legal framework supports the fair and equitable distribution of resources and equal rights, including between gender.

Recommendations

21. For implementation during the closing phase of the MOR-ABS project:

- reassess the current strategy to introduce ABS in the country, confronting the issues of how and when the process of ratification of the NP and of proposed legislation should progress;
- delegate the implementation of relevant components of the ABS framework to the four key sectors involved in ABS, anticipating on role of proposed NCA Specialized Committees;
- define and agree the coordinating role of the National Biodiversity Committee (NBC), to cover the period leading up to the formal establishment of the national competent authority;
- review communication strategy, ensuring implication of partner institutions and NGOs and that information is disseminated online beyond the national clearing house for the NP.

In addition, as part of the formulation of a future project for the development of ABS in Morocco:

- tangible progress in the ratification of NP and proposed ABS legislation to be negotiated as prerequisites for the endorsement of the future project;

- theory of change for new project should carefully assess critical assumptions associated with the (i) adoption of legislation and (ii) the establishment of national competent authority (NCA);
- open to a more substantive participation of civil society, by directly involving NGOs at national and local levels, to assist with advocacy, lobbying and development of ABS value chains;

Lessons

22. It may be premature to consider lessons from the project, given that some of its key achievements still need to be finalised and adopted. However, there are positive experiences that might be replicated and scaled-up:

- partnership with the CBD/UNEP which successfully contributed to strengthening regional cooperation, and capacity on ABS-related issues in francophone Africa;
- itinerant awareness-raising caravan on ABS based on an innovative mix of training, public dialogue, practical demonstrations could be further replicated and upscaled.

23. Lessons which may be applicable to other GEF and UNDP interventions:

- special attention during formulation, to avoid overambitious projects, particularly if i) outcomes rely on critical new legislation and ii) project partners have potentially differing agendas;
- monitoring of project killer assumptions and related risks during implementation and if such assumptions appear not to hold, initiate an independent mid-term review of the project;
- avoid initial peaks in expenditure that may leave the rest of the project cycle underbudgeted, as well as foreclosing options for project extensions due to lack of funding.

1. Introduction

1.1 Purpose of the evaluation

24. This terminal evaluation (TE) was initiated by UNDP-GEF, on completion of the project "Development of a national framework on access and benefit sharing of genetic resources and traditional knowledge as a strategy to help the conservation and sustainable use of biodiversity in Morocco " (MOR-ABS project).¹

25. The project was carried out by the State Secretariat for Sustainable Development (SSSD) (former Ministry of Environment) of the Kingdom of Morocco. The German Cooperation Agency (GIZ) has been a key partner, providing parallel financing and technical support through a complementary project.²

26. The objectives of the evaluation are to assess the achievement of the MOR-ABS project's targets and to learn lessons that can improve the sustainability of its outcomes and support the overall improvement of UNDP programs.

27. The final evaluation is conducted in accordance with the guidelines, rules and procedures established by UNDP and GEF, as outlined in the UNDP evaluation guidelines for GEF-funded projects.³

28. As an integral part of the project cycle, the evaluation analyzes the project's achievements against its original objectives. It considers the relevance, effectiveness, efficiency, impact and sustainability of the project, and aims to identify the factors that have facilitated or hindered the progress towards achieving its objectives.

29. The assessment also examines issues related to the project design, strategy, and efficient use of financial resources, the performance of technical assistance and the M&E system, as well as the level and quality of coordination with national institutions, civil society, UNDP and the other partners of the project.

¹ Developing a National Framework on Access to and Benefit-Sharing of Genetic Resources and Traditional Knowledge as a Strategy to Contribute to the Conservation and Sustainable Use of biodiversity in Morocco [UNDP Project ID PIMS 4953 / GEF Project ID PMIS 5605].

² Projet « Adaptation au Changement Climatique et Mise en œuvre du Protocole de Nagoya» [<https://www.giz.de/en/worldwide/27022.html>].

³ Guidance for conducting terminal evaluations of UNDP-supported, GEF-financed projects [<http://web.undp.org/evaluation/documents/guidance/GEF/UNDP-GEF-TE-Guide.pdf>].

30. Finally, the evaluation aims to produce a set of practical recommendations for key project stakeholders and lessons learned to help define future orientations.

31. This evaluation is guided by the ethical principles listed and subscribed in Annex 7.

1.2 Scope & Methodology

32. In general, UNDP-GEF M&E practices explore five criteria, which used together, are intended to provide policymakers with vital information for decisions about the projects and the programs concerned:⁴

- Relevance considers the level of coherence of the project or program with national priorities and the specific needs of project beneficiaries and partners. One of the important subcategories is that of appropriateness, which deals with cultural acceptance as well as the feasibility of the activities or method of delivery of a development initiative.
- Effectiveness is a measure of the extent to which the initiative's intended results (outputs or outcomes) have been achieved. Evaluating effectiveness in project evaluations involves an assessment of cause and effect, attributing observed changes to project activities and outputs.
- Efficiency measures how economically resources or inputs (such as funds, expertise and time) are converted to results. An initiative is efficient when it uses resources appropriately and economically to produce the desired outputs.
- Impact measures changes in human development and people's well-being that are brought about by development initiatives, directly or indirectly, intended or unintended, for example in terms of capacity development, awareness raising or improved national policies. The impact assessment should also discern whether the benefits to the beneficiaries can be directly attributed to project support and/or to other external inputs.
- Sustainability measures the extent to which benefits of initiatives continue after external development assistance has come to an end. Assessing sustainability involves evaluating the extent to which relevant social, economic, political, institutional and other conditions are present and, based on that assessment, making projections about the national capacity to maintain, manage and ensure the development results in the future.

33. UNDP evaluations must also assess the extent to which the project has addressed the issues of social and gender inclusion, equality and empowerment, and contributed to strengthening the application of these principles in the country.

34. Similarly, evaluations should also address the extent to which the project has advocated for the principle of equality and inclusive development and has contributed to empowering and addressing the needs of the disadvantaged and vulnerable sections of society.

⁴ Handbook on planning, monitoring and evaluating for development results. UNDP, 2009.

35. Finally, evaluations also address other cross-cutting issues, such as the degree to which UNDP has incorporated and fostered South-South cooperation and knowledge management.

36. The evaluation of the performance of the MOR-ABS project is based on the Strategic Results Framework (Annex 2), which provides performance and impact indicators, as well as baselines, end-of-project targets and related assumptions and means of verification.

37. In accordance with the terms of reference, ratings are provided according to the following set of performance criteria:

Table 1. Rating criteria

Ratings for Outcomes, Effectiveness, Efficiency, M&E, I&E Execution	Sustainability ratings:	Relevance ratings:
<p>6: Highly Satisfactory (HS): The project had no shortcomings in the achievement of its objectives in terms of relevance, effectiveness, or efficiency</p> <p>5: Satisfactory (S): There were only minor shortcomings</p> <p>4: Moderately Satisfactory (MS): there were moderate shortcomings</p> <p>3. Moderately Unsatisfactory (MU): the project had significant shortcomings</p> <p>2. Unsatisfactory (U): there were major shortcomings in the achievement of project objectives in terms of relevance, effectiveness, or efficiency</p> <p>1. Highly Unsatisfactory (HU): The project had severe shortcomings</p>	<p>4. Likely (L): negligible risks to sustainability</p> <p>3. Moderately Likely (ML): moderate risks</p> <p>2. Moderately Unlikely (MU): significant risks</p> <p>1. Unlikely (U): severe risks</p>	<p>2. Relevant (R)</p> <p>1. Not relevant (NR)</p> <p>Impact Ratings:</p> <p>3. Significant (S)</p> <p>2. Minimal (M)</p> <p>1. Negligible (N)</p>
<p><i>Additional ratings where relevant:</i> Not Applicable (N/A) Unable to Assess (U/A)</p>		

38. Key steps performed during the course of this evaluation:

Step 1 : Preliminary review of documentation. A literature review was conducted based on documents made available prior to the mission (Annex 3). The review contributed to the identification of key questions and indicators that guided the evaluation process.

Step 2 : Evaluation Question Matrix. The evaluation process was structured according to a matrix defining the set of questions, indicators, sources of information and key stakeholders to be interviewed (Annex 4).

Step 3 : Work plan and schedule. A draft inception report and tentative schedule was submitted prior to the mission to Morocco.⁵ The evaluative process and the mission program and schedule were finalized at the beginning of the mission.

⁵ MOR-ABS Terminal Evaluation. Inception Report. 15 October 2019.

Step 4 : Interviews and focus groups. Based on the work plan adopted, a series of interviews and focus group discussions were conducted with the main project stakeholders and beneficiaries (Annex 5). Prior to the mission a telephone interview was conducted with the Regional Technical Advisor (RTA) from the UNDP-GEF regional office.

Step 5 : Preliminary conclusions of the evaluation. At the end of the mission, a debriefing session was held with the participation of UNDP staff and the National Project Coordinator (NPC). The main findings and preliminary conclusions of the evaluation were presented, while comments and additional information were provided by UNDP and the NPC.

Step 6 : Detailed analysis and drafting of report. Available documentation and data were further analyzed and triangulated with the findings from the interviews and discussions held during the course of the mission. A first draft evaluation report was prepared and submitted on 28 November 2019.

Step 7 : Final report. The evaluation report was finalized and submitted on 4 December 2019, incorporating responses to the comments received (see Annex 6).

1.3 Main issues examined

39. The key questions examined as part of the evaluative process are summarized as follows (see Annex 4 for further details):

Project formulation

Question 1. Relevance: how does the project relate to the main objectives of the GEF focal area and environmental and development priorities at the local, regional and national levels?

Project implementation

Question 2. Has the project been implemented efficiently in accordance with national and international standards?

Question 3. What was the level of ownership by the various project stakeholders and has their participation been appropriate?

Question 4. Has the coordination with key partners been satisfactory and what role has UNDP played?

Question 5. Were financial planning and programming of activities efficient?

Question 6. Was the monitoring and evaluation system effective?

Question 7. Was the management of risk effective?

Project results

Question 8. To what extent has the project achieved its goal of enhancing the protection and sustainable use of genetic resources and related traditional knowledge through the implementation of a national framework on ABS, compatible with the CBD and its Nagoya Protocol?

Question 9. To what extent have the expected outcomes of the project been achieved, and contributed to improving the status of ecological resources?

Question 10. To what extent may financial, institutional, socio-economic or environmental constraints limit the sustainability of project results over the long term?

Question 11. Does the project integrate the 5 UNDP programmatic approaches: results-based management (RBM), Environment, Gender, Capacity Development and Human Rights?

2 . Project description and development context

2.1 Project start and duration

40. The official document of the MOR-ABS project [ID UNDP PIMS 4953 / GEF PMIS ID 5605], was signed by UNDP and the Government of the Kingdom of Morocco in March 2016, ⁶ following the approval of the CEO request by the GEF in May 2015. ⁷

41. The project was funded by a grant of \$ 812,786 from the GEF, \$ 50,000 from UNDP, \$ 200,000 from Government and \$ 1,000,000 parallel co-financing from the German Cooperation (GIZ) [Total Budget \$ 2,062,786] .

42. The duration of the project was set at 36 months. The inception workshop was held in November 2016, following the appointment of the National Project Director (NPD) by the State Secretariat for Sustainable Development (SSSD).

43. The few months delay in launching the project, essentially due to slowness in staff recruitment procedures, did not affect the project's closing date, wherefore the Terminal Evaluation (TE) report has been finalized by the originally scheduled date of December 2019.

⁶ The initial Project Identification Form (PIF) was submitted on 1 October 2013 and approved by the GEF on 19 November 2013.

⁷ Request for CEO approval project: Developing a national framework on access to and benefit-sharing of genetic resources and traditional knowledge as a strategy to contribute to the conservation and sustainable use of biodiversity in Morocco. GEF Project ID: 5605 GEF Agency Project ID: 4953. Submission Date: April 20, 2015.

2.2 Problems that the project sought to address

44. In December 2012, the Kingdom of Morocco signed the Nagoya Protocol (NP) on access to genetic resources and the fair and equitable sharing of benefits generated by their utilization. Soon after the NP was approved through Law no. 13-12, promulgated on 17 June 2013.

45. However, the process of ratification of the NP had not yet been successful, and despite the development of various policies, the country still did not have a framework comprehensively regulating the sustainable use, conservation and sharing of benefits derived from biodiversity.

46. The two key barriers facing the project were on the one hand the lack of a comprehensive legal and regulatory framework, and on the other the limited capacity, knowledge and awareness of concerned stakeholders.

47. Lack of a comprehensive legal and regulatory framework. A mosaic of sectorial laws touching on, or governing different aspects of ABS existed, but these did not sufficiently reflect the Nagoya Protocol. National laws do not yet cover prior informed consent (PIC) and mutually agreed terms (MAT) procedures. Authorities that could be involved in ABS were dispersed across sectors, and although there was a national focal point for ABS, competent national authorities were not yet in place. Traditional knowledge related to genetic resources had not been adequately assessed and it was difficult to identify the authorized representatives of local communities, as well as associated laws and customs. Measures for access and benefit sharing failed to distinguish between access for research or commercialization purposes, and it was difficult to guarantee benefit sharing, once genetic resources left Morocco.

48. Limited national capacity in ABS. Significant gaps in institutional, legal / regulatory, and scientific / technical capacity were identified. In particular, the analysis emphasized a series of problematic issues, including : (i) the lack of checkpoints and indicators for monitoring the implementation of ABS; (ii) the absence of an ABS model and insufficient capacity to negotiate ABS contracts among relevant authorities, representatives of local communities and other stakeholders; (iii) limited availability of competent actors, expertise and financial resources for the implementation of the NP; (iv) lack of measures targeting specific issues such reinforcing capacities of civil society, women empowerment and the management of cross-border situations.

49. Lack of knowledge and awareness among stakeholders. The lack of awareness amongst stakeholders and administrators in the public and private sectors regarding the question of access and benefit sharing was also identified as a serious obstacle to implementation. Taxonomic studies would have to be strengthened, as well as knowledge on the potential of genetic resources from marine and terrestrial environments.

2.3 Project objectives and baseline indicators

50. The project objective is to strengthen the conservation and sustainable use of genetic resources and associated traditional knowledge in Morocco by developing and implementing a

national framework on Access and Benefit Sharing (ABS) consistent with the CBD and its Nagoya Protocol.

51. End-of project targets and indicators are identified in the project's results framework (see Annex 2):

- Five new ABS value chains on record with government authorities or academia.
- Three to five expressions of interest to develop specific ABS agreements deposited with national ABS authorities, by users and/or providers of genetic resources.
- Formal benefit sharing structures (national/ local trust funds, community funds, mechanisms for the sharing of results of research, training and infrastructure/ equipment) are reflected in the ABS national framework and have been set up.
- Comprehensive national legal framework for ABS adopted and operational.
- A fully capacitated and mandated institutional framework for ABS in place.

2.4 Main stakeholders

The following key stakeholders and their main roles, were identified in the project document:

52. Environment Department of the Ministry of Energy, Mines, Water and Environment (MEMEE). National Executing Agency which will ensure the implementation of planned activities in the framework of the project, working with the participation of all other stakeholders.

53. The High Commissariat for Water and Forests and the Fight against Desertification (HCEFLCD). Facilitate the development of ABS mechanisms in national forests, continental waters and maritime dunes.

54. Ministry of the Interior. Facilitate the establishment of an ABS legal framework, guide the evaluation of traditional knowledge targeted by the ABS and the capacity reinforcement of local communities.

55. Ministry of Agriculture. Facilitate access to available data on agro-genetic resources (including fisheries and related traditional knowledge), and the establishment of a coherent ABS legal framework within the agricultural sector.

56. Ministry of Finance. Establishment of checkpoints through the customs administration to control the illegal trans-border trade of genetic materials/resources and create financial mechanisms to support ABS-affiliated governmental departments.

57. Ministry of High Education, Scientific Research and Training. Strategic orientation and coordination of technical and scientific research activities through the dedicated inter-ministerial committee operating within the Ministry.

58. German Agency for International Cooperation (GIZ) . Cofinancing and technical support of project activities and testing of best practices across two pilot regions (Sous Massa Draa and Tadla Azilal).

59. Universities and research institutions. Strengthening of research programs on taxonomic studies, genetic resources and the sustainable use of related biodiversity materials as well as dissemination of research results to reinforce national capacities on ABS.

60. Civil society organizations. Liaising with local populations and raising public awareness with regard to ABS economic opportunities and positive social impacts, as well as contributing to the design and implementation of a coherent legal ABS framework.

61. Private sector (users and / or providers of genetic resources). Involved in all steps of the project, contributing to awareness-raising within the private sector, identifying suitable genetic resources, resource providers and value chains.

62. Providers of genetic resources and associated traditional knowledge (local / rural communities, farmers, women's cooperatives, nomadic populations). Contribute to the assessment of ABS-related traditional knowledge, raise awareness and spread capacities within local communities.

2.5 Expected results

63. The project has been structured, according two main components/ outcomes, which aim to achieve a total of nine intermediate outcomes (see Strategic Results Framework, Annex 2).

64. Under Component 1 " Development of a National Framework on ABS consistent with the CBD and its Nagoya Protocol ", the project aims to achieve the following outcomes:

- [1.1] Comprehensive national law(s) on ABS in line with the Nagoya Protocol adopted by Morocco.
- [1.2a] Appropriate regulations and application instruments to implement the national ABS laws are adopted and in place.
- [1.2b] Institutional framework and ABS national authority established and operational, to facilitate the implementation of the national ABS law and regulations.
- [1.3] An effective benefit sharing mechanism established and ABS model agreement developed.
- [1.4a] A national inventory / database on Traditional Knowledge (TK) relating to genetic and biological resources is established and includes at least 300 entries.
- [1.4b] A system for protecting confidential and non-confidential Traditional Knowledge is established.

65. Under Component 2 " Building capacity for implementing the national ABS framework", the project aims to achieve the following outcomes:

- [2.1] Capacity of existing and/or newly established agencies competent and otherwise relevant for ABS implementation improved by at least 30%, as measured by UNDP's ABS Capacity Development Scorecard.
- [2.2] At least 50% of researchers, local communities, and relevant industry players targeted by the campaign are aware of and understand the national ABS law and regulations as well as the CBD and NP provisions related to ABS and TK (KAP evaluation).
- [2.3] National depositories/ databases established and regularly updated: for potential and actual ABS agreements and value chains; potential users and providers of genetic resources; and ex-situ collections of genetic and biochemical resources.

3. Findings

3.1 Project design and formulation

3.1.1 Analysis of results framework and relevance

66. The project's goal aims to enact one of the main operational objectives of Morocco's National Biodiversity Strategy and Action Plan (NBSAP 2011-2020), namely the adoption of the necessary legislative and institutional framework to implement the Nagoya Protocol (NP). By supporting the creation of new capital flows and additional resources for the conservation and sustainable use of biodiversity, the project is also closely aligned with the National Charter for the Environment and Sustainable Development (NCESD), adopted by Morocco in 2010. The signing of the NP by Morocco in 2012 and its subsequent formal approval in 2013 through Law 13-12, renders the design of the MOR-ABS highly relevant both in terms of national and international policy in this thematic area.

67. The identification and formulation of the MOR-ABS project was actively supported by a GIZ project then being implemented in Morocco: "Climate Change Adaptation and implementation of the Nagoya Protocol in Morocco" (CCAN). A total of \$46,000 were invested by GIZ in the elaboration and validation of the MOR-ABS project document, through the services of national and international consultants (see GIZ co-financing letter in prodoc). Through its dedicated component on ABS, it was agreed at the time that the CCAN project would provide critical co-financing and technical support to the MOR-ABS project, while leading several of the thematic streams and applying best practices in two pilot regions (Sous Massa Draa and Tadla Azilal).

68. The development of an ABS law for Morocco and its formal submission to the responsible authorities, were key aims of the CCAN project. The adoption and operationalisation of a comprehensive ABS legal framework was made central to the MOR-ABS project's results framework (Annex 2). The project was designed to pursue key aims assigned to the ACCN project, by further developing the required ABS legislative and regulatory framework, while enhancing the capacity of key actors to be involved in its implementation. In this respect, the formulation of the MOR-ABS project, probably contributed to the exit strategy of the ACCN project, given that GIZ subsequently downscaled its ABS intervention in Morocco.

69. An explicit theory of change is not provided in the MOR-ABS project document. Nevertheless, it was schematically reconstructed by extrapolating from the outputs, outcomes and intended long-term impacts contained in the project's results framework and through consultations with the project stakeholders (Fig. 1).

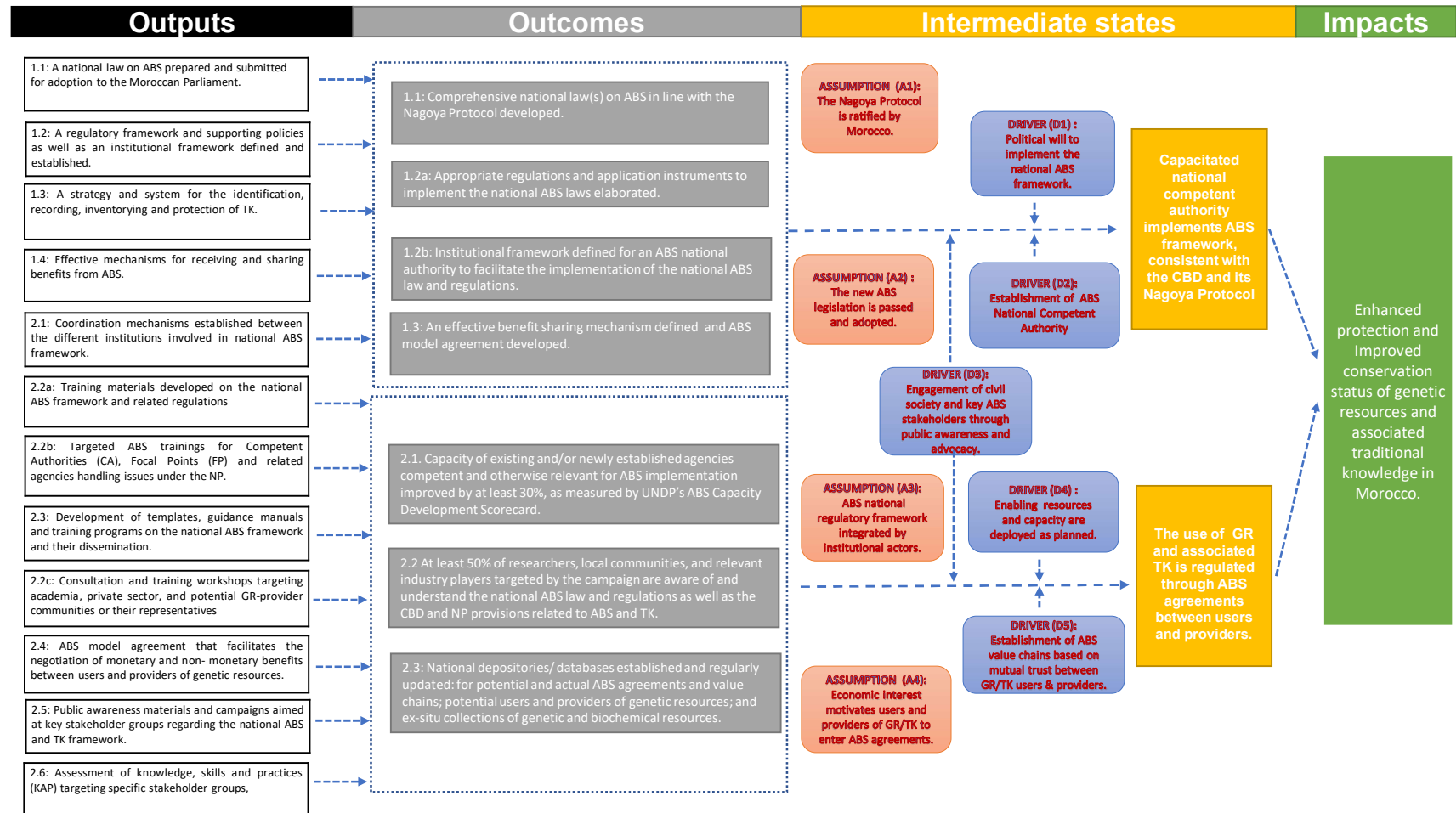
70. The project features two main causal pathways underpinned by a coherent underlying logic. It is supposed that the final outcomes of the two pathways will jointly be instrumental in achieving the project's objective, ultimately generating a positive impact on the conservation and sustainable use of genetic resources and associated traditional knowledge in Morocco.

71. The first pathway should lead from an initial state with no ABS law and an incomplete institutional framework to an intermediate state featuring the adoption of a comprehensive national ABS framework, consistent with the Nagoya Protocol. This pathway progresses through a set of four outputs and four intermediate outcomes. The key assumptions are largely associated with the ratification of the Nagoya Protocol (A1) and the passing and adoption of the new ABS legislation (A2). Key drivers include the political will to implement the national ABS framework (D1) and the establishment of an ABS National Competent Authority (D2).

72. The second pathway should produce change starting from an initial state which features weakly capacitated institutions and stakeholders, operating in the absence of specific mechanisms and tools dedicated to ABS. It is supposed that a series of eight outputs leading to three intermediate outcomes should bring about change. The intermediate state features ABS stakeholders fully capacitated to implement the national ABS framework with the use of GR/TK resources being regulated through ABS agreements between users and providers. The main assumptions are that the national ABS regulatory framework is effectively integrated by institutional actors (A3) and that economic interest motivates users and providers of GR/TK to enter into ABS agreements (A4). The main drivers are the deployment of a comprehensive training and capacity development package targeting ABS stakeholders (D4) and the establishment of ABS value chains based on mutual trust between GR/TK users and providers (D5).

73. A further important driver influencing both the outcomes-impacts pathways, is associated with the engagement of civil society and key ABS stakeholders through public awareness and advocacy (D3).

Figure 1. Schematic reconstruction of the theory of change for the MOR-ABS project.⁸



⁸ Based on key elements in project's results framework (see MOR-ABS Prodoc).

74. The planned intermediate and final outcomes set out during project formulation generally comply with the SMART criteria set out for the evaluation of UNDP-GEF projects.⁹ They are specific, although not necessarily expressed in terms of change language, and have measurable indicators. The outcomes are potentially achievable although the significance of key assumptions may have been insufficiently assessed (see section 3.1.2). They are relevant for they contribute to a number of priorities set out in the national sectoral policy and development framework (see above). Finally, the outcomes are time-bound, and it was supposed they would be progressively achieved during the project cycle.

3.1.2 Assumptions and risks

75. An examination of the assumptions and risks underpinning the MOR-ABS project opens to question the overall feasibility of the project within its 3-year timeframe. Although the project components are clearly defined and theoretically practicable, the achievement of the objective relies on the crucial assumption that the new law on ABS is passed and adopted. Failing to meet this critical milestone would jeopardize the possibility of achieving several of the project's core outcomes which are based on the implementation and enforcement of the ABS policy and regulatory framework to be introduced by the new law.

76. In the opinion of this evaluation, the potential impact of this assumption was not sufficiently appraised during project formulation, nor adequately reflected in the assessment of risks. Potential difficulties in the adoption of the ABS law and its legislative implementation are identified in the project document as risks. However, this did not seem to affect the architecture of the project, which remained uniquely centred on the passing of the proposed ABS legislation. This critical assumption, which could potentially turn into a critical risk, was liable to expose the project to an insurmountable barrier, that like an adverse externality, might preclude it from ever achieving its overall objective.

77. Experience shows that the legislative process can be extremely long. Although there may be exceptions, the passing of new laws usually takes several years. For example, it took Morocco over a decade to pass the Law 22-07 on Protected Areas. According to the formulation of the MOR-ABS project, once the new law is in place, the enacting of the ABS institutional and regulatory framework would ensue. These are also lengthy processes which further limit the feasibility of the project, for they would need to be implemented after approval of the ABS law, during what is left of the 36-month duration allotted to the project cycle.

78. The passing of legislation is clearly crucial for the implementation in Morocco of an ABS framework compatible with the Nagoya Protocol. However, a better articulated and more robust assessment of the project's assumptions and risks could have led to the identification of alternative or complementary pathways and drivers to facilitate the process. For example, pathways involving more directly civil society and the private sector could perhaps have been further explored. Such alternatives if built into the project's design, could have improved its feasibility and ultimately the likelihood of achieving its overall objective.

⁹ SMART outcomes / results should be Specific, Measurable, Achievable, Relevant and Time-bound. Source: *Guidance for conducting terminal evaluations of UNDP-supported, GEF-financed projects*. UNDP Evaluation Office, 2012.

3.1.3 Lessons from other relevant projects

79. The incorporation of lessons from other projects was not made explicit in the project document. However, it should be noted that ABS was at the time innovative in the national context, and the project was meant to provide the first steps towards more collaborative governance of natural resources and new revenue generation for biodiversity management. As a new emerging and highly complex field, no ABS agreements had been completed and no lessons were yet available from relevant projects in Morocco.

80. The project document referred to the possibility of cross-learning during implementation with the new global UNDP-GEF project “Strengthening human resources, legal frameworks and institutional capacities to implement the Nagoya Protocol” (GEF ID 5731). This would rely on increased capacity on ABS in the UNDP-GEF team and strengthened cooperation with GIZ, which was already a partner in the collaborative endeavour to implement ABS in Morocco.

3.1.4 Management and partnership arrangements

81. Standard management arrangements for UNDP nationally implemented (NIM) projects were foreseen in the project document (Fig.2). The capacities of the executing institution and of the key counterparts identified were adequate in terms of funding, staff, and facilities and it was reasonable to expect required management arrangements to be in place at project entry.

82. The project’s national executing agency was the Environment Department of the Ministry of Energy, Mines, Water and Environment, later reorganized as the Ministry of Energy, Mining and Environment (MEME). A senior official from the Environment Department was to be appointed as the National Project Director (NPD), responsible for the State’s oversight guidance of the project’s implementation, in accordance with UNDP-NIM guidelines.

83. The Project Steering Committee (PSC), bringing together all key stakeholders and chaired by a senior MEME official other than the NPD, would serve as the project’s decision-making body and be responsible for monitoring of the project’s activities.

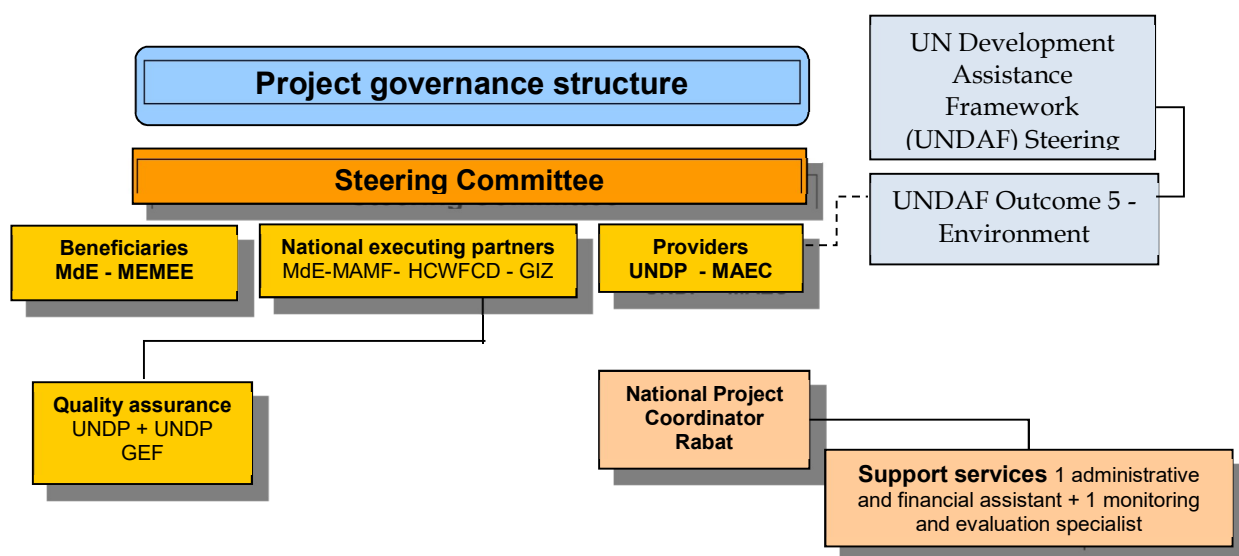
84. The duties of the GEF executing Agency would be fulfilled by UNDP, with day-to-day operational management through its Rabat office, and the UNDP/GEF Regional Technical Advisor acting as program manager to provide strategic direction and control.

85. A Project Management Unit (PMU), placed in Rabat under the responsibility of the NPD would manage the implementation of all project activities. A national project coordinator, recruited according to UNDP rules, would head the PMU with support from an administrative assistant and a team of external consultants.

86. The partnership arrangements, preliminarily identified in the stakeholder involvement plan (see section 2.4), were to be validated as part of start-up activities through a consultative process aiming to secure the project’s institutional anchoring. Whereas with GIZ, the main roles and responsibilities were negotiated and more clearly defined prior to project approval. As a key partner, GIZ would provide co-financing and mutually reinforcing actions, particularly targeting the first component of the MOR-ABS project. It would introduce best practices in two pilot regions and

test the rules of implementation for transitional ABS contracts and agreements, pending the ratification of a national regime on ABS (see section 3.1.1).

Figure 2. Management arrangements foreseen in the MOR-ABS project document.



3.2. Project implementation

3.2.1 Implementing Partner execution (*)

87. **Project Management Unit (PMU).** The PMU was established within the Environment Department of the MEME, headed by a senior official, appointed as the National Project Director (NPD). The national focal points for the CBD and ABS, also permanent MEME staff, were assigned to the PMU, further enhancing its integration into the ministry. This testifies to the ministry's strong sense of ownership and to the priority accorded to the MOR- ABS project. A national project coordinator and an administrative assistant were recruited according to UNDP rules.

88. **Project Steering Committee (PSC).** The PSC, bringing together all key stakeholders and chaired by a senior MEME official, met at regular intervals during the project cycle. PSC meetings were often held in conjunction with the meetings of the National Biodiversity Committee (NBC), given that project stakeholders were generally also NBC members. These meetings were relatively frequent with nine NBC meetings taking place over the period October 2017 – June 2019.

89. **National Biodiversity Committee (NBC).** Helping to catalyse the role of the NBC has been of great strategic value for the project, by giving ABS issues a high profile on the national agenda among key biodiversity stakeholders in Morocco. All key project outputs were presented and

reviewed by the NBC. In a crucial meeting held on 26 June 2019, the legal decrees drafted by the project were examined, and the best scenarios for the establishment of an ABS competent authority were discussed and endorsed.¹⁰

90. Stakeholder participation and interaction through the NBC involved a wide range of groups and entities targeted by the project. This active participation process, which was appreciated by the evaluator in discussions with several NBC/CP members, is likely to be very important for the future of ABS in the country, as the institutional and regulatory framework are formalised and adopted.

91. Project activities also contributed to giving new impetus to the proposed institutionalization and restructuring of the NBC, while mainstreaming ABS among its core functions. As a result, once it receives government endorsement, the NBC should feature three sub-committees, with one dedicated to the implementation of the Cartagena and Nagoya protocols (see Fig. 3).¹¹

3.2.2 Partnership arrangements

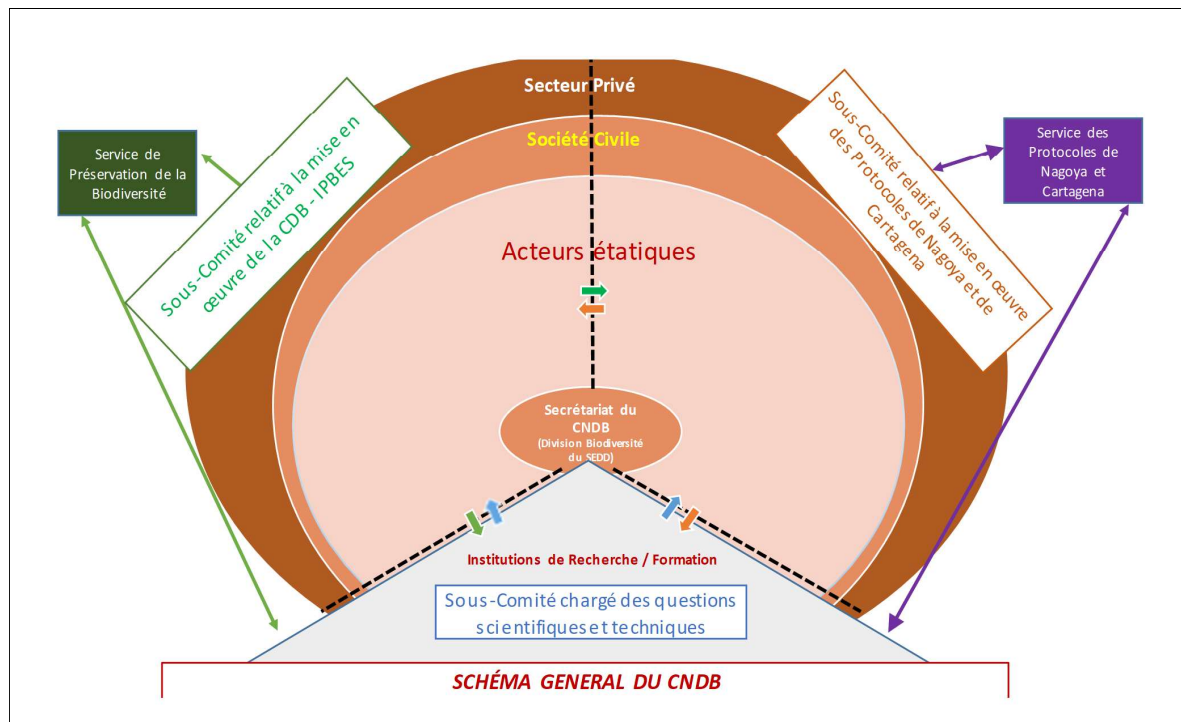
92. The active role of the NBC was also instrumental in driving the partnership arrangements established for the implementation of the project. The development of the proposed ABS framework (component 1) was collaboratively pursued with the High Commissariat for Water and Forests and the Fight against Desertification (HCEFLCD) to ensure its effective application in national forests, continental waters and maritime dunes. Similarly, the Ministry of Agriculture, played an equivalent role in optimising the application of ABS mechanisms and tools forged by the project to the fisheries and agricultural sectors. The Ministry of High Education, Scientific Research and Training was instrumental in coordinating inputs by universities and research institutions involved in taxonomic studies, genetic resources and the sustainable use of related biodiversity materials.

93. Capacity development and public awareness campaigns (component 2) involved further partnerships with representatives from local populations, civil society organizations, and selected users and providers of genetic resources, facilitated by the Ministry of the Interior. However, the overall involvement of these players was more modest than originally anticipated, given that the implementation of the national ABS framework remains pending until its formal adoption. Similarly, the partnership envisaged with the Ministry of Finance for the establishment of checkpoints to control the illegal trans-border trade of genetic resources remains pending until the adoption of the national ABS framework.

¹⁰ Compte Rendu, Réunion du Comité National de la Diversité Biologique pour l'examen des textes d'application du Projet de loi APA. Secrétariat d'Etat chargé du Développement Durable (SEDD). 26 juin 2019.

¹¹ Dynamisation et organisation du Comité National pour la Diversité Biologique : Missions, structure et fonctionnement du CNDB. Secrétariat d'Etat chargé du Développement Durable (SEDD). Juillet 2017.

Figure 3. Proposed restructuring of the National Biodiversity Committee (NBC), featuring a sub-committee dedicated to the Nagoya and Cartagena protocols.¹²



94. The scope of the partnership with GIZ, which was scheduled to provide co-financing and mutually reinforcing actions through the CCAN project, was curtailed by the timing of the respective project cycles. The CCAN project started in 2013 and closed in 2017. During the relatively short period of overlap some difficulties were recorded in coordinating activities between the two projects. The MOR-ABS project team was not consulted or invited to attend the various workshops presenting the ABS law being drafted with support from the CCAN project. A fact which was highlighted as regrettable in the 2017 annual review of the project.¹³ Nevertheless, the MOR-ABS project was subsequently able to benefit from the previous work undertaken by the CCAN project on the drafting of the new ABS law. No reports or lessons from the initial experimentation with ABS schemes conducted by the CCAN project in two pilot regions were made available.

95. A successful partnership was set up with the CBD/UNEP to support capacity building activities aiming to strengthen regional cooperation between the Parties to the Convention. Through this initiative the project was selected as Bio-Bridge Initiative recipient by the CBD. This enabled Morocco to lead nine other French-speaking African countries in creating a network of ABS legal experts.

¹² Ibid.

¹³ Revue annuelle du projet APA. PNUD-Maroc, 2017.

3.2.3 Project finance

96. Project cost and funding data including annual expenditures are presented for GEF funds (Table 1) and for co-financing (Table 2).

97. Almost all GEF funds have been spent by September 2019 (90.7%), with no significant variances between project components (Table 1). Expenditure for the first two years was higher than planned (Fig. 4). This may have been a response to delays experienced in the mobilisation of government co-financing and the lack of anticipated GIZ parallel funds (Table 2). Coupled with the reduced inputs from co-financing (see below), this meant that the third year had to be run on a relatively tight budget.

Table 1. GEF funds, yearly budget and expenditure for different components of MOR-ABS project (US \$).

	Year 1 (2017)		Year 2 (2018)		Year 3 (2019)		TOTAL		
	Budget	Expend.	Budget	Expend.	Budget	Expend.	Budget	Expend.	(%)
Component 1	79,881	62,047	79,881	125,851	119,881	29,071	279,643	216,969	77.59
Component 2	149,751	277,950	159,751	184,916	149,751	11,360	459,253	474,227	103.26
Project Management	31,630	32,972	21,130	11,664	21,130	1,362	73,890	45,998	62.25
TOTAL	261,262	372,969	260,762	322,431	290,762	41,793	812,786	737,193	90.70

Note 1. Year 1 includes \$ 43,390 of project expenditures incurred in year 2016.

Note 2. Expenditure for Year 3 is calculated up to the month of September 2019.

98. Additional co-financing of \$ 85,000, not envisaged in the project document, was successfully leveraged from UNEP through the CBD Secretariat to fund capacity building activities.

99. Overall, the cost-effectiveness of the project is considered adequate. Even though the anticipated outcomes have not all been achieved, the planned project activities and outputs have largely been completed. A large proportion of project expenditure was due to the contracting of external consultants, with cost levels in line with benchmarks employed under UNDP procedures. Co-funding which was still available during the project cycle was secured, and further co-funding was effectively leveraged from new sources.

100. Financial audits and spot checks were carried out during the project and although the documentation was not examined during this evaluation, no significant observations were reported, nor departures from due diligence in the management of project funds.

Figure 4. GEF funds, total yearly budget and expenditure for MOR-ABS project.

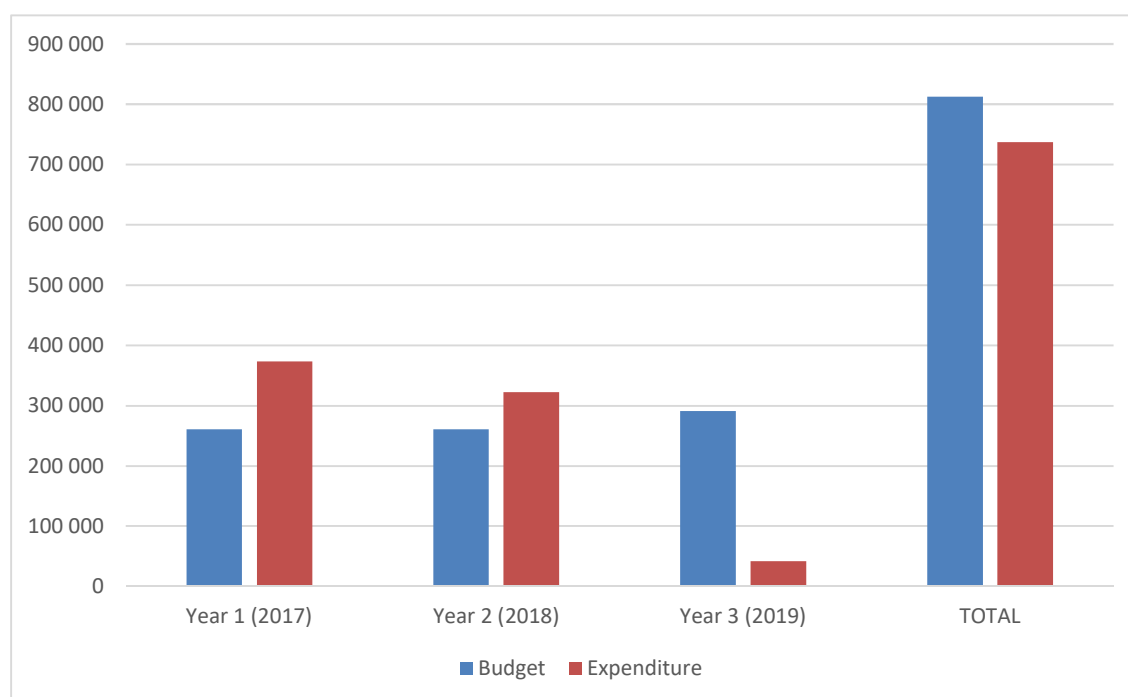


Table 2. Co-financing of MOR-ABS project, yearly budget and expenditure (US \$).

	Year 1 (2017)		Year 2 (2018)		Year 3 (2019)		TOTAL		
	Budget	Expend.	Budget	Expend.	Budget	Expend.	Budget	Expend.	(%)
GIZ	417,140	N/A	375,750	closed	207,110	closed	1,000,000	N/A	-
UNDP	20,000	6,883	15,000	32,082	15,000	7,558	50,000	46,523	93.0
GOVERNMENT	77,400	50,000	80,000	48,326	42,600	101,674	200,000	200,000	100.0
UNEP (CBD)	0		85,000	84,054	0	946	85,000	85,000	100.0
Total CO-FINANCING	514,540	56,883	555,750	164,462	264,710	110,178	1,335,000	331,523	24.8

3.2.4 Adaptive management and M&E

101. The adaptive management of the project has been somewhat limited by insufficient feedback from the M&E system, particularly in terms of risk assessment and management. At inception, a critical examination of the assumptions and risks underpinning the project could have led to an attempt at restructuring project outcomes. The original outcomes, which rely on the passing and adoption of the new law on ABS, were arguably overambitious for a three-year, medium-sized, project (see also section 3.1.2). Later during the project cycle, feedback from the M&E system could have helped to identify critical risks affecting the project. By placing them at the centre of

the dialogue among project partners and stakeholders, management responses identifying new drivers and pathways towards the project objective could have possibly been elaborated.

102. The project's M&E plan at entry foresaw the standard package of tools employed by UNDP-GEF to monitor results and track progress towards achieving project objectives. The key elements of the M&E plan include tracking of indicators in the results framework through a mid-term review in June and an annual one in November each year, quarterly reports tracking project progress and the Annual Project Review/Project Implementation Reports (APR/PIR) submitted to the GEF. An independent terminal evaluation was prescribed but not a midterm evaluation, which is not mandatory for medium-sized GEF projects.

103. Following the inception workshop conducted in November 2016, the brief inception report highlights the objectives of the project and its main components but does not review the project's results framework and the proposed M&E plan.¹⁴ A review of the performance indicators, targets, and crucially of the risks and assumptions underlying the project, could have possibly assisted in steering the project more effectively towards its expected outcomes.

104. A critical risk related to the change of government structure after the 2016 elections which led to the disappearance of the Ministry of Environment, was identified in the first APR/PIR submitted in June 2017. Over the subsequent reporting period the risk was well managed and in the second and final APR/PIR submitted in June 2018, no critical risks were reported. No APR/PIR was required in 2019, given that the project is closing before the end of the year.

105. Further risk management efforts have centred on the four risks identified in the project document. The ratings for these risks have not changed since project inception with three of the risks rated as low and one as medium.¹⁵ Management responses in the project's risk matrix are still essentially those proposed in the project document. This evaluation considers that two of these risks should have arguably been considered critical since 2018. The length of the review of the proposed ABS law (risk 4), and difficulties in the adoption of the national ABS regulatory framework (risk 2), have negatively impacted the project, precluding the possibility of achieving key expected outcomes before the end of the project cycle.

3.2.5 UNDP Execution

106. The country office was directly involved in the contracting of external consultants using UNDP procedures. It ensured the effective management of project finances, through close The UNDP country office played an active role during project implementation, with timely support to the implementing agency and the project team. It played a decisive role in establishing the partnership with GIZ and in coordinating with government, particularly during the sensitive period after the 2016 elections which led to the progressive restructuring of the Ministry of Environment.

107. The country office was directly involved in the contracting of external consultants using UNDP procedures. It ensured the effective management of project finances, through close monitoring of

¹⁴ Compte rendu, atelier de démarrage du projet APA-Nagoya. 17 Novembre 2016. Ministère délégué chargé de l'Environnement, auprès du Ministère des Mines, de l'Eau et de l'Environnement.

¹⁵ Revue annuelles/ mi-annuelles du projet. MOR-ABS project. 2016 – 2019.

project expenditure and through financial audits and spot checks. It also played a robust role in the mobilisation of available co-financing and the leveraging and management of new co-financing from UNEP/CDB. The leveraging of this new co-financing was facilitated by the Implementation Agency (MEME) through coordination with CBD during COP13 and subsequent regional meetings. UNDP played an active role in the management of the funds received and in the financial reporting.

108. The quality of execution of this project could have possibly been improved by focussing more on adaptive management, particularly enhancing the feedback from M&E and risk assessment. This may have allowed to pick up at an earlier stage the delays in the adoption of the ABS law, as issues which have become problems affecting project outcomes and sustainability (see section 3.2.4).

109. In general, this evaluation has noted that a degree of autoreferentiality seems to characterize the dialogue on ABS in Morocco. Following the successful outreach and communication campaigns early on during project implementation, the dialogue seems to have largely retreated between closed doors, mainly involving practitioners, experts and decision makers.

110. The project narrative appears to have concentrated on business as usual, whereas the problems with the ratification of legal instruments would have benefitted from being highlighted. A more decisive opening towards civil society, by triangulating with potential providers of genetic resources and traditional knowledge, would probably also have helped in bringing the discourse about ABS to the wider public, strengthening project advocacy and lobbying efforts.

3.3 Results

3.3.1 Attainment of outputs

Outputs for Outcome 1: Developing a national framework on ABS consistent with the CBD and its Nagoya Protocol.

Output 1.1: *A national law on ABS prepared and submitted for adoption to the Moroccan Parliament that addresses intellectual property rights (IPR), is in line with the CBD, the Nagoya Protocol (NP) and related international instruments and is adapted to national circumstances following stakeholder consultation and participation.*

111. The proposed law on ABS was developed by the GIZ-supported CCAN project and formally submitted to the General Secretariat of State (GSS) on the 4th of October 2016.¹⁶ The law comprises 31 articles subdivided into 8 chapters, covering all key elements of a national ABS framework which would be compliant with the Nagoya Protocol. It was published as draft law N.76/16 on the GSS website (<http://www.sgg.gov.ma/Legislation/ListeAvant-projets.aspx>) for

¹⁶ Royaume du Maroc. Ministère délégué auprès du Ministère de l'énergie, des mines de l'eau et de l'environnement, chargé de l'environnement : « *projet de loi sur l'accès aux ressources génétiques et le partage juste et équitable des avantages découlant* DE leur utilisation ». Projet du département de l'Environnement – proposition de révision 18 juillet 2016 – complétée 25/28 août 2016.

public consultation. The draft law is also available on the CDB/ABS clearing house (<https://absch.cbd.int/countries/ma>).

112. Since its formal submission to the GSS, the proposed law has been the object of protracted consultations with concerned government departments. The MOR-ABS project has consistently facilitated these ongoing consultations by working closely with the legal staff of the MEME Environmental department and by providing technical support through the elaboration of a comprehensive technical review of the proposed law ¹⁷ and an assessment clarifying its potential impact on the regulatory framework to be enacted. ¹⁸

113. The draft law was submitted to the GSS three years ago, but to date it has not entered the parliamentary process. However, the project's team and several partners are relatively positive that this will eventually happen.

Output 1.2: A regulatory framework and supporting policies as well as an institutional framework (including national competent authorities and supporting measures) defined and established, enabling implementation of the national ABS law, providing legal certainty, clarity and transparency for commercial and research purposes.

114. Several tools have been produced over the project cycle, to ensure that appropriate regulations and application instruments to implement the national ABS law are in place. This work has been important on two levels. First, it has supported ongoing consultations between government departments on the adoption of the new ABS law (see output 1.1). Second, by detailing the mechanisms underlying the proposed ABS regulatory framework, it has prepared the ground for its implementation, once the law is adopted.

115. *Competent National authority.* The proposed establishment of the National Commission of Genetic Resources (NCGR), as the competent authority to oversee ABS in Morocco, has been detailed in a draft decree. ¹⁹ The NCGR, to be presided by the Department of Environment, will include 17 members from concerned institutions, 2 from civil society and local populations, and 2 experts (total 21 members). It will operate through four Specialized Committees, covering agriculture, maritime resources, continental water and forests, and micro-organisms. Each Sectoral Committee will advise the National Commission on access to for access to genetic resources (GR) and associated traditional knowledge (TK) under its remit and assess the conformity of access request and of the terms of proposed contracts between suppliers and users.

¹⁷ Accompagnement pour l'élaboration d'un cadre juridique national sur l'accès et le partage des avantages découlant de l'utilisation des ressources génétiques et des connaissances traditionnelles. *Etude analytique du projet de loi APA* (Livable 1.2). Par Larbi Sbai.

¹⁸ *Etude d'impact réglementaire* sur le projet de loi APA conformément aux dispositions du décret n° 2.17.585 relatif à l'étude d'impact devant accompagner certains projets de loi (Livable 3.1). Larbi Sbaï, Janvier 2017.

¹⁹ *Désignation et opérationnalisation d'une autorité nationale compétente* (Livable 2.1). Larbi Sbaï. Projet MOR-APA. Juillet 2019.

116. *Access request.* A decree has been drafted to regulate the request for access to genetic resources (GR),²⁰ while another decree is dedicated to regulating the identification, ownership and access to associated Traditional Knowledge (TK).²¹ The parties to the access contract are the National Genetic Resources Commission, the local population concerned and the entity requesting access. The access contract must consider the rights and interests of the providers of GR/ TK, based on the provisions of the national legislation and in accordance with the relevant contracts. Once the contract has been accepted and signed, a resolution is issued to this effect and will be published, together with an extract of the contract, in the Official Bulletin or in a national newspaper, thereby confirming access.

117. *Standard contract.* A standard contract has been drafted with the purpose of formalizing ABS agreements regulating the use of genetic resources and / or associated traditional knowledge.²² It consists of 12 articles covering all aspects of the transaction including the prior consent by the supplier of GR/ TK and the terms and conditions for sharing monetary and non-monetary benefits.

118. *Checkpoints.* A further decree has been drafted for the formal establishment of checkpoints.²³ The bodies designated as checkpoints include the NCGR, the administrations responsible for customs, intellectual property, phytosanitary and veterinary permits as well as research institutions involved with GR/TK. Each checkpoint is entitled to collect and receive information in a pre-established format by the parties to the proposed contract. In order to ensure compliance with applicable rules, each checkpoint shall have the power to take any appropriate measure to monitor the use of GR/TK and increase the transparency in their use.

Output 1.3: A strategy and system for the identification, recording, inventorying and protection of TK, including PIC, MAT and Community Protocols.

119. The project has developed guideline procedures for the inventory of traditional knowledge (TK) related to the use of genetic resources and identified a series of measures for the protection and enhancement of TK.²⁴ In order to develop a comprehensive national TK database, the following main measures were recommended: (i) legislative measures to ensure that potential TK users obtain prior informed consent (PIC), in accordance with national circumstances and regulations; (ii) institutional measures at central level, with the establishment of a department specializing in TK, associated with the National Competent Authority; (iii) capacity building measures to ensure that local people are able to maintain and document their traditional

²⁰ *Procédure d'Accès aux Ressources Génétiques au Maroc* (Livable 2.4). Larbi Sbaï. Projet MOR-APA. Juillet 2019.

²¹ *Identification, Détermination d'Appartenance et Accès aux Connaissances Traditionnelles Associées* (Livable 2.2). Larbi Sbaï. Juillet 2019.

²² *Contrat-type* (Livable 2.4). Larbi Sbaï. Projet MOR-APA. Juillet 2019.

²³ *Désignation et mise en place de Points de Contrôle* (Livable 2.3). Larbi Sbaï, Projet MOR-APA. Juillet 2019.

²⁴ *Étude sur les mesures de protection et de valorisation des connaissances traditionnelles* liées à l'utilisation des ressources génétiques et élaboration de procédures de recensement et d'inventaire desdites connaissances traditionnelles au Maroc. Redouan El Ouaf. Janvier 2018.

knowledge; (iv) technical consultations and exchanges of lessons with countries featuring advanced ABS frameworks such as Brazil, India and South Africa.

120. A first pilot inventory of TK associated with the use of genetic resources, was carried out by the project in the regions of the Oriental and of Souss Massa.²⁵ To date, the pilot database contains 218 records for the Oriental and 281 records for the Souss Massa region. However, the pilot database suffers from various limitations, as highlighted in the report on the pilot inventories. The records are extracted from previously published scientific research, which so far have focused almost exclusively on the therapeutic properties and uses of plants. Other instances of TK identified during the field inventories could not be included, since the prior informed consent of TK holders was not obtained. This was largely due to difficulties caused by the absence of appropriate legislation on ABS. Moreover, the records of TK identified have not been validated by a third party, an essential prerequisite for the scientific validation of the data collected. Information cannot be shared until utilization as part of an ABS transaction with an authorized user is granted.

Output 1.4: *Effective mechanisms (e.g. through endowment, sinking or revolving funds) for receiving and sharing benefits from ABS agreements for the conservation of biodiversity and the sustainable use of its components.*

121. Following guidelines from a preliminary feasibility study undertaken by the project,²⁶ an assessment of the economic potential associated with genetic resources in Morocco was conducted through the services of PricewaterhouseCoopers Advisory SAS. According to this economic evaluation, once the Nagoya Protocol is fully implemented, Morocco could have a long-term potential of US \$ 37 to 149 million per year (MAD 370 million - MAD 1,460 million / year).²⁷

122. The results of the assessment were extensively used by the project to highlight the economic potential of ABS among government authorities and the wider public. A total of 20 genetic resources were identified as having high ABS value-chain potential. Based on the potential return from global ABS agreements, the economic evaluation focused on three of the most promising sectors, for the potential establishment of ABS contracts in Morocco.

123. *Argan.* The global argan oil market is expected to continue its rapid growth, with an estimated value of \$ 310 million in 2016 to \$ 620 million in 2030. However, Morocco captures only a small part of this value. The price for a litre of pure argan in Morocco is about \$ 20, but on the European or American market the price is about \$ 300 to \$ 400. ABS agreements offer the opportunity to capture a larger share of the argan value chain, potentially stimulating Morocco's economy by a cumulative \$ 28 million between 2020 and 2030. Agreements leading to payment of royalties on cosmetic and health products could further boost the economy by an estimated \$ 23 million during the same period. For example, the multinational Oréal/BASF has reportedly already entered an ABS agreement with Moroccan cooperatives for the supply of argan products, which also includes the establishment of a social fund and the development of common patents.

²⁵ *Recensement pilote des connaissances traditionnelles* associées à l'utilisation des ressources génétiques. Rapport de synthèse. Redouan El Ouafi, Ahmed Birouk & Fatima Miyal. Janvier 2018.

²⁶ Rapport de préfiguration : *étude économique sur l'APA* et la valorisation des ressources génétiques au Maroc. MOR-ABS Project.

²⁷ Valorisation des ressources génétiques du Maroc : *étude sur le potentiel économique des ressources génétiques marocaines*. Rapport Technique. PricewaterhouseCoopers Advisory SAS. Décembre 2017.

124. *Rosemary*. Although rosemary is not endemic to Morocco, the country is the world's fourth largest exporter of essential rosemary oil. The global market for rosemary extracts is expected to expand from \$ 630 million in 2016 to \$ 1.2 billion in 2030. Monetary benefits that could flow from potential ABS agreements for rosemary extract could provide an estimated \$ 600.000 for producers between 2020 and 2030. Royalties on cosmetic and health products could potentially boost the Moroccan economy by a further \$ 6.7 million. These agreements could also include a broader package of benefits, which have not been quantified, such as support for wild rosemary conservation, education, training and technology transfer.

125. *Marine bioprospection*. Morocco is already successfully exploiting the red algae (*Gelidium algae*) to produce agar, a derivative which has a range of commercial uses in pharmacology, cosmetics and the food industry. The global agar market was estimated at \$247 million for 2017. Future ABS agreements could cover the systematic search for bioactive molecules and compounds from marine sources in order to develop commercially attractive products for pharmaceutical applications, biotech, cosmetics and other uses. Monetary payments associated with ABS agreements for bioprospecting tend to be modest unless a viable commercial use is found. However, the lifetime royalties on a successful pharmaceutical product can reach an estimated \$54 million.

Outputs for Outcome 2: Building capacity for implementing the national ABS framework

Output 2.1: *Coordination mechanisms established between the different in-country institutions involved in the implementation of the national ABS framework.*

126. Coordination between in-country institutions will ultimately be ensured through the establishment of the national competent authority to oversee ABS in Morocco. To this effect, the project has supported the drafting of a specific decree for the establishment of the National Commission of Genetic Resources (NCGR).²⁸ The draft decree details the structure and mandate of the NCGR which will be presided by the Department of Environment, include a total of 21 members and operate through four Specialized Committees (see output 1.2).

127. In the period leading up to the formal establishment of the national competent authority, the main coordination mechanism between in-country institutions relies on the National Biodiversity Committee (NBC), which brings together all key stakeholders involved in ABS in Morocco. NBC meetings were relatively frequent during the project cycle, with nine taking place over the period October 2017 – June 2019. Key instruments of the proposed national ABS framework have been consistently reviewed by the NBC, including all legal decrees drafted and the best scenarios for the establishment of the national competent authority.²⁹

²⁸ *Désignation et opérationnalisation d'une autorité nationale compétente* (Livrable 2.1). Larbi Sbaï. Projet MOR-APA. Juillet 2019.

²⁹ Compte Rendu, Réunion du Comité National de la Diversité Biologique pour l'examen des textes d'application du Projet de loi APA. Secrétariat d'Etat chargé du Développement Durable (SEDD). 26 juin 2019.

128. Catalysing the role of the NBC has driven the partnership arrangements established by the project, while mainstreaming ABS among its core functions. This has also given new impetus to the proposed institutionalization and restructuring of the NBC, which should ultimately feature a sub-committee dedicated to the implementation of the Cartagena and Nagoya protocols (see section 3.2.2).³⁰

Output 2.2a: *Training materials developed on the national ABS framework and related regulations.*

129. The project has developed an introductory kit to ABS, targeting the various audiences involved in training and information activities (see outputs 2.2b and 2.2c). The kit is constituted by a series of six booklets, edited in French and Arabic on the following topics: (i) overview of the concept of ABS; (ii) mechanisms for the implementation of ABS in Morocco; (iii) the utilization of genetic resources; (iv) traditional knowledge associated with the use of genetic resources; (v) case study on building capacity in the context of the Nagoya protocol; (iv) case study on improving the economic value of genetic resources.

Output 2.2b: *Targeted trainings for Competent Authorities (CA), Focal Points (FP) and related agencies (100 staff) on processing ABS access applications, negotiating ABS agreements, projects, handling issues under the Nagoya Protocol, etc.*

130. A series of information and training workshops was conducted during the project cycle, spanning from COP side events to specialised training sessions on various technical aspects of ABS. Collectively these events have certainly contributed to strengthening capacity and furthering the ABS agenda in Morocco. However, it is difficult to measure their impact because evaluations were generally not conducted at the end of the various sessions and a foreseen knowledge, skills and practices (KAP) assessment has not yet been undertaken (see output 2.6).

131. Key events organised:

- *Project launch and awareness raising event on the implementation of the Nagoya protocol in Morocco.* Jointly organized with the CBD, held on 17/11/2016 in Marrakech during the COP22/ UNFCCC side event: "Promoting ecosystem-based approaches to achieve the Paris Agreement, the Sustainable Development Goals, and the Strategic Plan for Biodiversity 2011-2020".
- *Outreach event on the progress in the implementation of the Nagoya Protocol in Morocco.* Presented by the Secretary General of the Department of Environment/ MEME, held on 05/12/2016 in Cancun, Mexico at the COP13/CBD, during the UNDP side-event entitled "Contribution of the Nagoya Protocol to the Sustainable Development Goals".
- *Workshop on the strategy for sensitization and training in ABS,* targeting stakeholders of the Nagoya Protocol in Morocco, held on 24/02/2017 in Rabat, Morocco.

³⁰ Dynamisation et organisation du Comité National pour la Diversité Biologique : Missions, structure et fonctionnement du CNDB. Secrétariat d'Etat chargé du Développement Durable (SEDD). Juillet 2017.

- *National workshop entitled "Biodiversity: implementation mechanisms in Morocco - Post COP 13",* including the guidelines for the creation of an ABS unit within the National Committee on Biodiversity (NCB). Organized jointly with GIZ on the 04-05/07/2017 in Rabat, Morocco.
- *International workshop for ABS legal experts from Francophone Africa.* The workshop, which aimed at the creation of a network of French-speaking African Legal Experts, was part of a support program aiming to strengthen scientific and technical cooperation between the Parties to the Convention for the Protection of Human Rights. Organised in collaboration with the Bio-Bridge project (BBI), and the International Development Law Organization (IDLO). Held on 10-11/05/2018 in Rabat, Morocco.³¹
- *Workshop for National ABS Legal Experts on the Implementation of the Nagoya Protocol.* Held on 7/06/2018 in Rabat. Morocco.³²
- *Workshop on the role of scientific research for ABS and the implementation of the Nagoya Protocol.* Held on 21/06/2018, in Rabat. Morocco.³³
- *Regional capacity development workshop on traditional knowledge and associated genetic resources.* The aim of the workshop, targeting participants from 15 African countries, was to promote the development national action plans on traditional knowledge, especially those related to the Nagoya Protocol and article 8 (j) of the CBD. Held on 8-12/10/2018 in Marrakech, Morocco.

Output 2.2c: Consultation and training workshops for at least 200 representatives from amongst other key stakeholder groups – academia, private sector, and potential GR-provider communities or their representatives.

132. An itinerant training and awareness-raising caravan on ABS was conducted by the project, targeting representatives from the local populations directly implicated in the management of genetic resources, as well as representatives from civil society, local authorities and research institutions. The caravan was preceded by a series of site visits with the aim of involving relevant cooperatives in the various regions covered by the initiative.³⁴

133. The ABS caravan was based on an innovative mix of training, public dialogue, practical demonstrations and communication. Ten workshops/events were organized across eight regions of Morocco, during 2017 – 2018. A total of 326 participants attended, with 35% being women.

³¹ Rapport de l'*atelier d'experts juristes africains francophones en APA* les 10 et 11 mai 2018. PNUD, projet Bio-Bridge (BBI). International Development Law Organisation (IDLO).

³² Compte rendu de l'atelier de *dialogue et d'échange entre juristes nationaux* sur la mise en œuvre du Protocole de Nagoya : Jeudi 7 Juin 2018.

³³ Compte rendu de l'atelier de dialogue et d'échange sous le thème « *Quel rôle pour les chercheurs nationaux dans les mécanismes de l'APA et la mise en œuvre du Protocole de Nagoya ?* » 21/06/18.

³⁴ Compte rendu de la *visite de la coopérative Tighanimine Filahia* (Agadir). 13 Juillet 2017.
Compte rendu de la *visite du laboratoire Marrakech Date Palm Project*. 17 Juillet 2017.
Compte rendu de la *visite de la coopérative Chark à Oujda*. 8 Février 2018.

According to the assessments carried out at the end of each session, the vast majority of participants were either satisfied or highly satisfied with all the main aspects of the initiative.³⁵

134. The ABS caravan received extensive media coverage through traditional and web-based media. The official UNDP and CBD web pages and social media channels such as Facebook and Twitter, were regularly updated, following in real time the various stages of the ABS caravan as it proceeded across the country. The experience with the ABS caravan in Morocco was selected to be showcased as good practice by the CBD at the COP14, held in Sharm El-Sheikh, Egypt on 17-29/11/2018.³⁶

Output 2.3: Development of templates, guidance manuals and training programs on the national ABS framework (ABS procedures for users and providers of genetic resources, PIC protocols, ABS agreement negotiation strategies, ABS-related IP, customary law, bio-prospecting and research procedures, etc.); and dissemination to relevant governmental and non-governmental organizations, research institutions and local communities including through dedicated trainings.

135. A best practice guide produced by the project aims to facilitate equitable sharing in the framework of ABS and intellectual property law in Morocco. Although the guide has been finalised, it has not yet been published and distributed, for its applicability remains conditional on the adoption of the legislative and regulatory framework governing ABS in Morocco (see outputs 1.1 and 1.2).

136. The guide comprehensively covers all stages in the process of negotiating the access and use of genetic resource and related traditional knowledge. It advises on how to defend the interests of stakeholders in negotiating access and sharing agreements which comply with the Nagoya Protocol.³⁷

137. It covers national procedures for obtaining patents, including the preparation of a preliminary search report, opinions on patentability and the establishment of a definitive research report. Guidelines for the negotiation of access to GR/ TK cover supplier-user relations including PIC and MAT issues, non-disclosure and license agreements, as well as a range of other elements which would optimize the establishment of ABS contracts.

Output 2.4: ABS model agreement that facilitates the negotiation of monetary (i.e. upfront payments and royalties) and non- monetary (i.e. training/research opportunities) benefits between users and providers of genetic resources.

138. A standard contract has been drafted with the purpose of formalizing ABS agreements regulating the use of genetic resources and / or associated traditional knowledge. The contract

³⁵ *Rapports de la Caravane APA* (i) Sud ; (ii) Nord. Ateliers de formation et de sensibilisation à l'APA. Projet MOR-APA, 2017 – 2018.

³⁶ Etude de cas sur le renforcement de capacite au Maroc dans le cadre du Protocole de Nagoya: *la caravane APA*. Secrétariat d'Etat chargé du Développement Durable (SEDD). Royaume du Maroc.

³⁷ Droit de Propriété Intellectuelle (DPI) liée à l'utilisation des ressources génétiques: *guide de bonnes pratiques pour le partage équitable dans le cadre de l'APA* au Maroc. S. Bounou & A. Elouahabi. 2018.

covers, PIC and MAT issues as well as the terms and conditions for sharing monetary and non-monetary benefits.³⁸

139. The standard ABS contract is one of a series of legal tools produced over the project cycle, to ensure that appropriate regulations and instruments to implement the national ABS law are in place (see output 1.2).

140. The applicability of the ABS contract, similarly to the other legal tools produced by the project, remains largely conditional on the adoption of the legislative and regulatory framework governing ABS in Morocco (see outputs 1.1 and 1.2).

Output 2.5: *Public awareness materials and campaigns aimed at key stakeholder groups regarding the national ABS and TK framework.*

141. The communication strategy and action plan developed by the project identifies six strategic axes: (i) the definition of ABS national policies, (ii) the ratification of the Nagoya protocol, (iii) the establishment of ABS regulations, (iv) the establishment of institutional mechanisms, (v) the promotion of traditional knowledge, and (vi) the promotion of the economic potential of genetic resources.³⁹

142. On this basis, a series of information and communication tools, were prepared for use by the project and the institutions involved in the implementation of the Nagoya Protocol in Morocco. The tools were extensively used during the ABS training and awareness-raising caravan on ABS (output 2.2b) as well as in all other capacity building initiatives and public meetings, both nationally and internationally (output 2.2a).⁴⁰

143. The main tools realised include:

- *Visual identity.* The format for various types of banners and for PowerPoint presentations, ensuring a cohesive and user-friendly visual identity for internal and external communication, particularly for use at public meetings and events.
- *Brochure.* A leaflet presenting the Nagoya protocol and the main objectives and mechanisms underlying ABS, edited in English, French and Arabic.
- *Information booklets.* An introductory kit on ABS, constituted by a series of six booklets, edited in French, English and Arabic (for list of topics, see output 2.2a).
- *Promotional videos.* A short informative video capsule (3 min.) and a longer version (10 min.) on the implementation of the Nagoya Protocol in Morocco, for TV and web distribution.

³⁸ *Contrat-type* (Livrable 2.4). Larbi Sbaï. Projet MOR-APA. Juillet 2019.

³⁹ *Stratégie de communication, plan de communication et synthèse pour décideurs* (Livrable 1). Nuances Market Communication. Juillet, 2018.

⁴⁰ *Rapport de communication du projet APA Nagoya* : résultats, impact et perspectives. Nuances Market Communication. Décembre, 2018.

144. The project has not established a website, having opted for using the online platform of the national clearing house for the Nagoya Protocol (<http://ma.chm-cbd.net/protocole-nagoya>). However, to date the clearing house only contains limited content and is unlikely to have played an active role in the dissemination of relevant information on ABS and the Nagoya Protocol. This is a drawback in the project's communication strategy which needs to be urgently rectified. The preparations currently underway for the online publication of documents and training guides on ABS, should help disseminate project results and information on the NP beyond the end of the project cycle.

Output 2.6: Assessment of knowledge, skills and practices (KAP) targeting specific stakeholder groups

145. The knowledge, skills and practices (KAP) assessment, foreseen in the project document has so far not been undertaken.

3.3.2 Effectiveness: attainment of project outcomes and objectives

Outcome 1: Developing a national framework on ABS consistent with the CBD and its Nagoya Protocol.

146. Under this component, the project has made a tangible contribution to the design of a comprehensive legal and institutional framework on ABS, which is consistent with the CBD and the Nagoya Protocol. However, the establishment of a fully capacitated and mandated institutional framework remains conditional on the ratification of the NP and the passing of the full complement of legal instruments so far developed with project support.

147. The project's results framework contains six indicators for this outcome (Annex 2). The end-of-project target was achieved with some shortcomings for one indicator. Targets were partially achieved for three of the indicators. Targets were not achieved for the remaining two indicators, although significant progress was recorded (see Table 3). The progress in the implementation of project outputs for this outcome is summarised and discussed above (see outputs 1.1 – 1.4).

148. Based on the findings of this evaluation, the overall rating for the project's effectiveness towards the achievement of Outcome 1 lies between MU and MS, with Moderately Satisfactory (MS) the chosen rating.

Table 3. Achievement of end-of project targets for indicators under Outcome 1: Developing a national framework on ABS consistent with the CBD and its Nagoya Protocol.

<i>Indicators & targets</i>	<i>Progress at project completion</i>
<p><u>Indicator (7).</u> Existence of a comprehensive national law on ABS to meet the obligations set out in the Nagoya Protocol.</p> <p><u>Target.</u> Comprehensive national law(s) on ABS in line with the Nagoya Protocol adopted by Morocco (outcome 1.1).</p>	<p><i>Significant progress but target not achieved.</i> Proposed ABS law object submitted to General Secretariat of State (GSS) is the object of consultation involving government departments, but the law has not entered the parliamentary process and has not been adopted (see output 1.1).</p>

Indicators & targets	Progress at project completion
<p><u>Indicator (8).</u> Existence and approval of appropriate regulations and application instruments for ABS/NP.</p> <p><u>Target.</u> Appropriate regulations and application instruments to implement the national ABS laws are adopted and in place (outcome 1.2a).</p>	<p><i>Target partially achieved.</i> A full complement of application decrees for the proposed ABS law and other tools developed but the draft instruments have not been formally adopted nor are they in place (output 1.2).</p>
<p><u>Indicator (9).</u> Existence of institutional framework and competent national ABS authority (and related relevant institutions and agencies), with clear definition of mandates, roles and responsibilities.</p> <p><u>Target.</u> Institutional framework and ABS national authority established and operational, to facilitate the implementation of the national ABS law and regulations (outcome 1.2b).</p>	<p><i>Significant progress but target not achieved.</i> The Department of Environment (MEME) provisionally plays the role of national ABS authority. The proposed creation of the National Commission of Genetic Resources (NCGR), as the competent authority to oversee ABS in Morocco, has been detailed in a draft decree but like other draft legal instruments has not been formally adopted.</p>
<p><u>Indicator (10).</u> Existence of effective benefit sharing mechanism and model ABS agreement.</p> <p><u>Target.</u> An effective benefit sharing mechanism established and ABS model agreement developed (outcome 1.3).</p>	<p><i>Target partially achieved.</i> Model agreements and appropriate mechanisms regulating access to GR and associated TK have been developed and integrated into the country's ABS proposed regulatory framework.</p>
<p><u>Indicator (11).</u> Existence of mechanisms for the identification, recording and documenting of traditional knowledge relating to genetic and biological resources.</p> <p><u>Target.</u> A national inventory / database on traditional knowledge relating to genetic and biological resources is established and includes at least 300 entries (outcome 1.4a).</p>	<p><i>Target achieved, with some shortcomings.</i> A pilot TK database has been established and contains a total 499 records, restricted to the Oriental and the Souss Massa regions. However, the pilot database suffers from various limitations, as highlighted in the report on the pilot inventories (see output 1.4).</p>
<p><u>Indicator (12).</u> Existence of mechanisms for the protection of traditional knowledge relating to genetic and biological resources</p> <p><u>Target.</u> A system for protecting confidential and non-confidential Traditional Knowledge (TK) is established (outcome 1.4b).</p>	<p><i>Target partially achieved.</i> Proposed ABS mechanisms and legal instruments have been designed to protect confidential and non-confidential information pertaining to TK but are yet to be formally adopted and implemented.</p>

Outcome 2: Building capacity for implementing the national ABS framework

149. Under this component of the project, the capacity for implementing the national ABS framework appears to have been enhanced. The capacity for ABS implementation of relevant

institutions improved by 58%, as measured by UNDP's ABS Capacity Development Scorecard. This goes well beyond the targeted 30% increase set at the onset of the project. On the other hand, achievements under this component are mitigated by the fact that ABS transactions were not undertaken. As a result, the capacity of stakeholder groups that might have benefited from such transactions is unlikely to have been greatly enhanced. The foreseen knowledge, skills and practices (KAP) assessment has not so far been carried out. A national ABS database and a national Clearing-House Mechanism have been established but only contain limited content.

150. The project's results framework contains three indicators for this outcome (Annex 2). The end-of-project target was achieved for one indicator, partially achieved for another indicator and could not be evaluated for lack of data for the third indicator (see Table 4). The progress in the implementation of project outputs for this outcome are summarised and discussed above (see outputs 2.1 – 2.6).

151. Based on the findings of this evaluation, the overall rating for the project's effectiveness towards the achievement of Outcome 2 is considered Moderately Satisfactory.

Table 4. Achievement of end-of project targets for indicators under Outcome 2: Building capacity for implementing the national ABS framework.

Indicators & targets	Progress at project completion
<p><u>Indicator (13).</u> UNDP Capacity Development Scorecard to show understanding in relevant agencies and by other stakeholders about the provisions and core obligations under the Nagoya Protocol and about its implementation.</p> <p><u>Target.</u> Capacity of existing and/or newly established agencies competent and otherwise relevant for ABS implementation improved by at least 30%, as measured by UNDP's ABS Capacity Development Scorecard (outcome 2.1).</p>	<p><i>Target achieved.</i> The ABS Capacity Development Scorecard was updated in November 2019. Total score of 40 is 53% higher than baseline score of 26.</p>
<p><u>Indicator (14).</u> Assessment of knowledge, skills and practices (KAP) targeting specific stakeholder groups who might use or benefit from ABS transactions (researchers, local authorities and other industry stakeholders, representatives of local communities).</p> <p><u>Target.</u> At least 50% of researchers, local communities, and relevant industry players targeted by the campaign are aware of and understand the national ABS law and regulations as well as the CBD and NP provisions related to ABS and TK (KAP evaluation) (outcome 2.2).</p>	<p><i>Progress cannot be evaluated.</i> The KAP assessment, foreseen in the project document has not so far been undertaken.</p>

Indicators & targets	Progress at project completion
<p><u>Indicator (15).</u> Existence and quality of national depositories/ databases on: potential and actual ABS agreements and value chains; potential users and providers of genetic resources; ex-situ collections of genetic and biochemical resources.</p> <p><u>Target.</u> National depositories/ databases established and regularly updated for: (i) potential and actual ABS agreements and value chains; (ii) potential users and providers of genetic resources; and (iii) ex-situ collections of genetic and biochemical resources (outcome 2.3).</p>	<p><i>Target partially achieved.</i> The following lists and databases have been established: (i) 9 potential ABS agreements covering 5 different resources; (ii) 16 potential users of genetic resources (11 international entities + 5 national institutions) and 18 potential providers (cooperatives); (iii) 1 ex-situ collection of genetic and biochemical resources</p> <p>A national Clearing-House Mechanism has been established (http://ma.chm-cbd.net/protocole-nagoya) but to date contains limited content.</p>

Attainment of project objective

Project objective: *To strengthen the conservation and sustainable use of genetic resources and associated traditional knowledge in Morocco by developing and implementing a national framework on Access and Benefit Sharing (ABS) consistent with the CBD and its Nagoya Protocol.*

152. Good progress was made towards the development of a national framework on Access and Benefit Sharing (ABS), which is consistent with the CBD and its Nagoya Protocol (NP). This has been achieved through the design of a comprehensive legal and institutional framework on ABS and by enhancing the capacity of relevant government departments and selected stakeholders. The score of the GEF Tracking Tool, which has increased from a baseline of 9 at the beginning of the project to a cumulative score of 25 at the end of the project cycle, demonstrates a significant growth in Morocco's overall capacity to implement of the NP.

153. However, the project objective was only partially attained because the national framework could not be implemented, due to the lack of ratification of the NP and of the failure to adopt the proposed ABS law and associated decrees. No ABS transactions were possible, thus limiting the involvement and capacity development of potential stakeholders who would have benefitted from such transactions.

154. The project's results framework contains six indicators at the level of the objective. Three of them are UNDP output sub-indicators, which will not be considered here, for they are subsumed by other indicators in the project's results framework (Annex 2). For the remaining three indicators, the end-of-project targets were only partially achieved (see Table 5).

155. Based on the findings of this evaluation, the overall rating of the project's effectiveness towards the attainment of its objective lies between MU and MS, with Moderately Satisfactory the chosen rating.

Table 5. Achievement of end-of project targets for indicators at level of Objective.

Indicators & targets	Progress at project completion
<p><u>Project objective:</u> <i>To strengthen the conservation and sustainable use of genetic resources and associated traditional knowledge in Morocco by developing and implementing a national framework on Access and Benefit Sharing (ABS) consistent with the CBD and its Nagoya Protocol.</i></p>	
<p><u>Indicator (1).</u> Number of new ABS value chains on record with government authorities and academia.</p> <p><u>Target.</u> 5 new ABS value chains on record with government authorities or academia.</p>	<p><i>Target partially achieved.</i> A study on the economic valuation of genetic resources has identified 20 genetic resources as having high ABS value-chain potential. The most promising are associated with argan and rosemary, while marine bioprospection is proposed as a potential tool for the identification of further value chains.</p>
<p><u>Indicator (2).</u> Number of valid expressions of interest by 1) users and 2) providers (communities, associations, businesses) of genetic resources to develop ABS agreements in Morocco.</p> <p><u>Target.</u> 3-5 expressions of interest to develop specific ABS agreements have been deposited with national ABS authorities, by users and/or, providers of genetic resources</p>	<p><i>Target partially achieved.</i> A total of 9 potential ABS requests have been recorded covering 5 different resources, although no valid expressions of interest to develop ABS agreements have so far been deposited with present ABS authorities in Morocco.</p>
<p><u>Indicator (3).</u> Mechanisms for sharing monetary and non-monetary advantages generated through ABS agreements and mechanisms for 1) biodiversity conservation and sustainable use, 2) local communities.</p> <p><u>Target.</u> Formal benefit sharing structures (national/ local trust funds, community funds, mechanisms for the sharing of results of research, training and infrastructure/ equipment) are reflected in the ABS national framework and have been set up.</p>	<p><i>Target partially achieved.</i> Benefit sharing tools and mechanisms have been integrated into proposed national regulatory and institutional framework, but their implementation is conditional on the formal adoption of the framework.</p>

3.3.3 Relevance and country ownership

156. The project is highly relevant (R), for Morocco is on a trajectory to establish a national ABS framework with the aim of implementing the Nagoya Protocol. This is closely aligned with priorities identified in the two key sectoral policy documents, namely the National Biodiversity Strategy and Action Plan (NBSAP 2011-2020) and the National Charter for the Environment and Sustainable Development (NCESD). In addition, Morocco is a signatory of the Nagoya Protocol, which was formally approved in 2013 through Law 13-12, although it remains to be ratified (section 3.1.1).

157. Internationally, the project is aligned with the CBD's three main objectives, especially objective 3 on ABS, and other goals in the Strategic Plan for 2011-2020, including several Aichi objectives.

158. The CBD and the ABS national focal points were formally assigned to the project's management unit, demonstrating the government's strong sense of ownership and securing the full integration of project objectives and government policy. The financial commitments of the government have been maintained, with 50 % of the total contribution of \$200,000 made available to the project by mid-2018, while the remaining 50% was in-kind (section 3.2.3).

159. The fact that the ABS legislation has yet to enter the parliamentary process and that the Nagoya Protocol has not been ratified, have frustrated the projects' ability to achieve some of the key objectives it was assigned. However, from this evaluation it appears that the lack of tangible progress in the legislative process was due to changes in political priorities and does not signal a reversal of intended government policy on ABS. Indeed, the government's continued commitment to the biodiversity sector has been confirmed. as Morocco will be hosting the next Plenary of the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES 8) as well as having signalled its willingness to organize a forthcoming COP of the CBD (post-2022).

3.3.4 Efficiency

160. Overall, efficiency in the delivery of project results is considered satisfactory (S). Progress reports were produced on schedule and responded to reporting requirements. Activities were generally carried out in a timely manner and outputs were largely delivered, even though final outcomes were not necessarily achieved (sections 3.3.1 and 3.3.2) and adaptive management may have been limited by insufficient feedback from the M&E system (see section 3.2.4).

161. Project finances were efficiently managed through close monitoring of project expenditure, financial audits and spot checks. The project utilized local capacity in implementation by contracting mostly national consultants. Cost levels were in line with benchmarks employed under UNDP procedures. The project responded efficiently to the reduction in co-financing due to the closure of the GIZ-supported CCAN project, by effectively mobilizing government co-funding and leveraging further co- financing from new sources (see section 3.2.3).

162. Partnership arrangements were successfully adapted following the closure of the GIZ-supported CCAN project, which had originally been identified as the key project partner. Recognizing that ABS involves a wide range of ministries and other institutions, the National Biodiversity Committee (NBC) was tasked by government to assist in steering project implementation and drive the partnership between government departments (see section 3.2.2).

163. The NBC met frequently during the project cycle, driving ABS issues to the forefront of the national agenda and ensuring cross-sectoral coordination among key biodiversity stakeholders in Morocco. All the main project outputs were presented and reviewed by the NBC, including the package of legal texts detailing the proposed ABS regulatory and institutional framework for the country and the best scenarios for the establishment of a national competent authority (see section 3.2.1).

164. A successful partnership was also set up with the CBD/UNEP to support capacity building activities aiming to strengthen regional cooperation on ABS-related issues, in collaboration with the Bio-Bridge project (BBI), and the International Development Law Organization (IDLO) (see section 3.2.2).

3.3.5 Sustainability

165. The likelihood of sustainability of outcomes at project termination is rated as Moderately Likely (ML). Although final outcomes envisaged for the project were not fully achieved, if concerted action is pursued by key ABS stakeholders in Morocco, the processes set in motion with project support should bear fruit in the future.

166. Following guidelines for the evaluation of GEF projects, the four areas of risk potentially impeding sustainability are briefly discussed below:

167. *Institutional framework & governance.* The rating for this component of sustainability is Moderately Likely (ML). The government's strong sense of ownership and continued commitment to the biodiversity sector both concur in mitigating the risks on the sustainability of project achievements (see section 3.3.3). The project has worked on a comprehensive package of tools which collectively ensure that appropriate regulations and application instruments are in place to implement the proposed ABS law. The national framework is therefore in an advanced state of preparedness for implementation once the law is adopted. Although the proposed ABS law has not yet entered the parliamentary process, the project team and several key partners are relatively positive that this will happen as soon as a consensus is reached by the main government departments concerned. Given that the subject matter is essentially technical, it is anticipated that the parliamentary process for the ABS law should be relatively smooth once the concerned government departments grant their green light.

168. *Socio-political sustainability.* The rating for this component is Moderately Likely (ML). The ABS agenda is presently being driven to a large extent by the National Committee for Biodiversity (NCB), which has been implicated in all aspects associated with the implementation of the Nagoya Protocol. The NCB membership includes the main government departments dealing with biodiversity issues as well as several prominent NGOs. According to the most likely scenario endorsed by the NCB, the future ABS National Competent Authority, will operate through four sectoral committees, responsible for (i) forestry and natural land ecosystems, (ii) marine ecosystems, (iii) agricultural resources and (iv) micro-organisms. In practice these committees already exist, independently granting access to different biodiversity components according to the attributions of the ministries involved. Once the ABS law is passed, the National Competent Authority should easily become actionable by formally linking the four sectoral committees embedded within the ministries. The Department of Environment already designated as the Focal Point for the CBD and for ABS would act as its Secretariat.

169. Financial sustainability. The rating for this component is Likely (L). The four sectorial committees and the Secretariat which will constitute the backbone of the National Competent Authority are all part of important ministerial departments. As such they are already adequately endowed with the necessary personnel and finances to manage the ABS portfolio as well as being publicly accountable and subject to strict audit procedures according to Moroccan legislation. Additional financial resources may also be generated in the future as the ABS framework is implemented and mechanisms such as endowment, sinking or revolving funds are put in place for receiving and sharing benefits from ABS agreements.

170. Environmental sustainability. The rating for this component is Likely (L). There are no ongoing activities that pose a significant environmental threat to the sustainability of project outcomes. No environmental risks have been identified in the project document or during project implementation.

171. Catalytic role. It may be premature to consider the catalytic role of the project, given that some of the project's key achievements still need to be finalised and adopted. However, there are good experiences that might be replicated and scaled-up. The partnership with the CBD/UNEP successfully contributed to strengthening regional cooperation knowledge transfer and capacity on ABS-related issues (see section 3.2.2). Possibilities for its extension could usefully be examined by relevant future initiatives targeting francophone Africa. An itinerant awareness-raising caravan on ABS was successfully conducted by the project, based on an innovative mix of training, public dialogue, practical demonstrations and communication (see output 2.2c). The experience was showcased as good practice by the CBD at the COP14 and could be further replicated and upscaled elsewhere in Morocco and in the region.

3.3.6 Impact

172. No measurable impact on the conservation status of genetic resources and associated traditional knowledge can be documented within the project's lifespan, so the rating for this component is Negligible (N). However, there is a moderate likelihood (ML) that intended impacts may be achieved beyond the end of the project cycle. Some important outputs were produced, and the outcomes delivered feed into a continuing process of change, contributing towards the achievement of the project's overall objective and associated global environmental benefits.

173. As schematically reconstructed above (section 3.1.1), the project's theory of change (ToC) features two main outcomes-impacts pathways. These should be instrumental in ultimately achieving a positive impact in terms of enhanced protection and improved conservation status of genetic resources and associated traditional knowledge in Morocco (see Fig. 1, section 3.1.1).

174. *Intermediate states*. Collectively, the outputs and outcomes delivered by the project go a long way in creating the regulatory and institutional conditions for the future achievement of the two desired intermediate states:

(i) A capacitated national competent authority implements an ABS framework which is consistent with the CBD and its Nagoya Protocol (NP). The GEF Tracking Tool demonstrates a significant growth in Morocco's overall capacity to implement of the NP. The score has increased from a baseline of 9 at the beginning of the project to a cumulative score of 25 at the end of the project cycle. The positive impact was recorded for all main components of the tracking tool. The capacity

to ratify and implement basic measures improved from a score of 3 to a score of 9, while the capacity to administer the measures of the NP increased from 0 to 4. The score for research capabilities adding value to genetic resources improved slightly from 4 to 5, while the score for the ABS tools available for local populations was raised from 0 to 5.

(ii) The use of GR and associated TK is regulated through ABS agreements between users and providers. The capacity for ABS implementation of relevant institutions improved by 58%, as measured by UNDP's ABS Capacity Development Scorecard. This goes well beyond the targeted 30% increase set at the onset of the project (see section 3.3.2). The most significant improvement, was recorded in terms of the capacity to monitor, evaluate, report and learn (component 5 of the scorecard). The 10-fold increase in score from 5.5% to 50%, reflects the positive impact of mainstreaming ABS within the Department of Environment (MEME) and the significant achievements in reviewing, expanding and improving, the regulatory and institutional tools underpinning the proposed national ABS framework. There was no variation in the capacity to conceptualize policies, legislation, strategies and programs (component 1), with the score maintained at 67%. The capacity to implement policies, legislation, etc. (component 2), increased from 37% to 63%, although the magnitude of this improvement may partly be the result of inhomogeneous computation.⁴¹ There was little variation in the capacity to engage and build consensus among stakeholders (component 3) with the score increasing from 50% to 58% and no change was recorded in the capacity to mobilize information and knowledge (50%).

175. *Assumptions.* Regarding the assumptions in the reconstructed ToC, the ratification of the Nagoya Protocol (A1) and the passing of the new ABS legislation (A2) are project killer assumptions if unfounded. To date, they are still considered to be likely to hold, with the formal enactment of the ABS framework probably occurring sometime after project closure. The integration of the national regulatory framework by the various institutional actors (A3) should also hold, although the clarification of their respective prerogatives may be the object of protracted negotiations, following the adoption of the ABS legislation. The assumption that economic interest motivates users and providers of GR/TK to enter ABS agreements (A4) is also considered to be likely to hold in the medium to long term as viable ABS value chains are identified and developed.

176. *Drivers.* Once the legislative barriers are removed, several drivers identified in the reconstructed ToC, should collectively facilitate the operationalisation of the adopted national ABS framework. These are likely to include : a strengthened political will (D1), the establishment of an ABS National Competent Authority (D2), the engagement of civil society and key ABS stakeholders through public awareness and advocacy (D3), the deployment of further resources for capacity development of ABS stakeholders (D4) and the establishment of ABS value chains based on mutual trust between GR/TK users and providers (D5).

3.3.7 Mainstreaming

177. The outcomes of the project have contributed directly to UNDP's Strategic Plan (2018-2021) and UNDP's country program (2017-2021), by supporting the equitable access to natural resources and ecosystem services. The development of the national ABS framework, which was

⁴¹ For component 2 of the ABS scorecard "Capacity to implement policies, legislation, strategies and programs", the recorded baseline value of 37% (10/27) would correspond to 55% (10/18) if the calculation is adjusted for the N/A data points.

the main focus of the project (see sections 3.3.1 & 3.3.2), contributes to the establishment of new partnership mechanisms for sustainable management solutions (UNDP IIRF Sub-indicator 1.3.1.A.1.1), associated legal tools (UNDP IIRF Sub-indicator 2.5.1.A.1.1) and institutional framework (UNDP IIRF Sub-indicator 2.5.1.C.1.1).

178. The project impact on local populations has so far been intangible but may materialise in the future through the introduction of the ABS policy framework which should improve local resource allocation and distribution. The itinerant awareness-raising caravans on ABS conducted by the project (see output 2.2c), have elevated ABS issues to the forefront of concerns in some rural communities, especially among cooperatives and locally elected officials. A mix of training, public dialogue, practical demonstrations and communication, have generated a measure of public support for ABS in areas targeted by the initiative, with local NGOs and cooperatives starting to lobby for a faster implementation of the Nagoya Protocol.

179. Gender issues were not explicitly considered in project design. However, the establishment of a national ABS framework implies greater consideration of gender aspects. The proposed ABS legal framework supported by the project is based on the fair and equitable distribution of resources and equal rights, including between gender, as required by the Nagoya Protocol (Article 5 and Article 21). Most cooperatives in local communities dealing with genetic resources, are composed mainly of women. The sharing of benefits from genetic resources and associated traditional knowledge should thus help create new sources of employment and income generating opportunities for women in these regions. Awareness-raising and training activities supported by the project, which featured high levels of women participation, have reinforced the role of women in the relevant fora and their influence in decision-making on ABS.

4. Conclusions, recommendations and lessons

4.1 Conclusions

180. *Project design.* Project objectives and outcomes are closely aligned with sectoral strategy instruments, making the project's design and formulation highly relevant both in terms of national and international policy on ABS. The project was designed with GIZ financial and technical support. It pursues aims previously assigned to the GIZ-supported CCAN project, ensuring continuity with its activity streams and contributing to its exit strategy (see section 3.1.1).

181. A schematic reconstruction of the project's theory of change features two main outcomes-impacts pathways, underpinned by a coherent underlying logic (see Fig.1, section 3.1.1). However, the centrality of the adoption of the new ABS law in the project's logic, exposed it to the possibility of not achieving several of its core outcomes, in the absence of the timely passing of relevant legislation.

182. The implications of this project killer assumption were not sufficiently appraised during project formulation nor adequately reflected in the assessment of risks. The feasibility of the project within

its 3-year timeframe is open to question and its objective is considered overambitious given the weak possibilities of influencing the scope and speed of the national legislative process.

183. Project implementation. The Environment Department of the MEME displayed a strong sense of ownership during project execution by embedding the national focal points for the CBD and ABS in the project management unit and helping to give ABS issues a high profile on the national agenda among key biodiversity stakeholders in Morocco. Project activities contributed to giving new impetus to the proposed institutionalization and restructuring of the National Biodiversity Committee (NBC), which once endorsed by government, will feature a sub-committee dedicated to the implementation of the Cartagena and Nagoya protocols.

184. Stakeholder participation and interaction through the NBC involved a wide range of groups and entities targeted by the project. The partnership arrangements piloted through the NBC, are likely to be important in driving the future implementation of ABS schemes as the institutional and regulatory framework are formalised and adopted in the country. The package of legal texts produced by the project and the best scenarios for the establishment of a national competent authority were reviewed and endorsed by the NBC.

185. The scope of the partnership with GIZ, which was supposed to provide co-financing and mutually reinforcing actions, was curtailed by the timing of project cycles and the closure of the CCAN project. The project responded efficiently to the reduction in co-funding by effectively mobilizing government co-financing and leveraging further co-financing from new sources. Nevertheless, overall financial resources available for the intervention were limited.

186. UNDP played a robust role in ensuring the cost-effectiveness of the project, through close monitoring of expenditure, financial audits and spot checks. Almost all GEF funds have been spent by September 2019. Expenditure for the first two years was higher than planned. Coupled with the reduced inputs from co-financing, this meant that the third year had to be run on a relatively tight budget.

187. The quality of project execution could have possibly been improved by focussing more on adaptive management and enhancing the feedback from M&E. More attention should have been paid to the assessment of risks, particularly on issues potentially affecting project outcomes and sustainability such as the ratification of legal instruments.

188. A more decisive opening towards civil society, by triangulating with potential providers of genetic resources and traditional knowledge, would possibly have helped in bringing the discourse about ABS to the wider public. In turn, this may have been instrumental in strengthening the project's advocacy and lobbying efforts.

189. Project results. Good progress was made towards the development of a national framework on ABS which is consistent with the CBD and its Nagoya Protocol. This was achieved through the design of a comprehensive set of legal and institutional tools and by enhancing the capacity of relevant government departments and selected stakeholders.

190. The project's results have been important on two levels. First, they have supported ongoing consultations between government departments on the adoption of the new ABS law. Second, by detailing the mechanisms underlying the proposed ABS regulatory framework, they have prepared the ground for its implementation, once the law is adopted.

191. On the other hand, the project objective was only partially attained because the national framework could not be implemented, due to the lack of ratification of the NP and of the failure to adopt the proposed ABS law and associated decrees. No ABS transactions were possible, limiting the scope for building capacity among potential stakeholders who would have benefitted from such transactions.

192. The lack of tangible progress in the ratification of the Nagoya Protocol and in ABS legislation entering the parliamentary process, appears to be due to changes in political priorities and does not signal a reversal of intended government policy. Indeed, if concerted action is pursued by key ABS stakeholders in Morocco, the processes set in motion with project support should eventually bear fruit.

193. No measurable impact on the conservation status of genetic resources and associated traditional knowledge can be documented within the project's lifespan. However, as schematically reconstructed in the project's theory of change, the outputs and outcomes delivered by the project go a long way in creating the conditions for the future achievement of desired intermediate states. The GEF Tracking Tool demonstrates a significant growth in Morocco's overall capacity to implement the NP and the capacity of relevant institutions improved by 58%, as measured by UNDP's ABS Capacity Development Scorecard.

194. This reflects the positive impact of the project in mainstreaming ABS within the Department of Environment (MEME) and the significant achievements in reviewing, expanding and improving, the regulatory and institutional tools underpinning the proposed national ABS framework. Once the legislative barriers are removed, Morocco will be poised for the effective implementation of the Nagoya Protocol, with drivers identified in the reconstructed ToC, collectively facilitating the operationalisation of the national ABS framework.

195. The outcomes of the project have contributed directly to UNDP's Strategic Plan (2018-2021) and UNDP's country program (2017-2021), particularly by contributing to mainstreaming the equitable access to natural resources and ecosystem services. Gender issues were not explicitly considered in project design. However, the proposed ABS legal framework supported by the project is based on the fair and equitable distribution of resources and equal rights, including between gender, as required by the Nagoya Protocol (Article 5 and Article 21).

4.2 Recommendations

The following recommendations are put forward for implementation during the closing phase of the MOR-ABS project and in view of the proposed formulation of a future project pursuing the development of the ABS framework in Morocco.

For implementation during the closing phase of the MOR-ABS project:

196. Reassess the current strategy to introduce ABS in the country, confronting the issues of how and when the process of ratification of the NP and the adoption of proposed legislation should progress. This could take the form of a stocktaking exercise involving key players in the national ABS framework being developed. A departure from the "business as usual" narrative presently characterising the discourse on ABS in Morocco should be attempted. The aim would be to rethink

the strategy, including the possibility of reshaping proposed legal tools if necessary. In the event, cross-sectoral models which aim at integrating ABS relevant measures in concerned sectoral legislation without the need to develop a stand-alone ABS law could also be considered.⁴²

197. The possibility should be examined of delegating the implementation of relevant components of the ABS framework to the four key sectors covering agriculture, maritime resources, continental water and forests, and micro-organisms; this would anticipate on the four Specialized Committees, which are envisaged under the national competent authority, while catalysing the much needed active cooperation among institutions concerned.

198. The exact role of the National Biodiversity Committee (NBC) should be defined and agreed as the main coordination mechanism between in-country institutions in the period leading up to the formal establishment of the national competent authority.

199. The communication strategy on ABS should be reviewed and updated, ensuring that partner institutions and civil society organisations play an active role, and that information on ABS in Morocco is widely disseminated, well beyond the online platform of the national clearing house for the Nagoya Protocol (<http://ma.chm-cbd.net/protocole-nagoya>).

In addition, as part of the formulation of a future project for the development of ABS in Morocco:

200. Tangible progress in the ratification of the Nagoya Protocol and proposed ABS legislation should be negotiated as prerequisites for the endorsement of the future project, particularly if the substantive reshaping of the legal tools already proposed were not to be called upon.

201. A theory of change for the new project should be developed from scratch, identifying robust pathways which carefully assess critical assumptions, risks and drivers, particularly those associated with (i) the adoption of required legislation and (ii) the effective establishment and operation of the national competent authority for ABS.

202. The future project should be opened to a more substantive participation of civil society, by directly involving credible NGOs that could play (i) an apex role at national level in advocacy, lobbying and bringing the discourse about ABS to the general public, and (ii) a catalysing role at local level, through the mobilisation of local NGOs and cooperatives to support the development of ABS value chains.

4.3 Lessons

203. It may be premature to consider lessons from the project, given that some of its key achievements still need to be finalised and adopted. However, there are positive experiences that might be replicated and scaled-up.

⁴² ABS Implementation Options: Policy and administrative options for implementing the Nagoya Protocol on Access and Benefit Sharing (ABS). ABS Capacity Development Initiative. Discussion paper. September 2019.

204. A successful partnership with the CBD/UNEP contributed to strengthening regional cooperation, knowledge transfer and capacity on ABS-related issues. Possibilities for its extension could usefully be examined by relevant future initiatives targeting francophone Africa (see output 2.2.b).

205. An itinerant awareness-raising caravan on ABS was successfully conducted by the project, based on an innovative mix of training, public dialogue, practical demonstrations and communication. The experience was showcased as good practice by the CBD at the COP14 and could be further replicated and upscaled elsewhere in Morocco and in the region (see output 2.2.c).

206. Lessons can also be taken from this evaluation, that may be applicable to other GEF and UNDP interventions.

207. During the project formulation phase, special attention should be paid to the dangers of developing an overambitious project, particularly if the achievement of project outcomes relies on the passing of critical new legislation. Scrutiny should be heightened if project partners with potentially differing agendas are also directly involved in the project formulation process (see section 3.1.1).

208. Special attention should also be paid during implementation to the monitoring of project killer assumptions and related risks, such as those associated with adoption of critical legislation (see above). If such assumptions appear not to be holding, it may be strategic to initiate an independent mid-term review to help adjust the project logic and outcome pathways, even though such evaluations are not mandatory for GEF medium-sized projects (see sections 3.1.1 and 3.6.6).

209. Project expenditure should be balanced against the overall requirements of the full project cycle. Pressure on financial delivery often builds up during a project's start-up phase, particularly if delays have been experienced during inception and disbursement rates are initially weak. A common response is a peak in expenditure as soon as issues obstructing the inception phase are solved. In the case of the MOR-ABS project, about 14% of GEF funds (\$ 117,385) were available for the last year of the project, with a concomitant reduction in co-funding (see section 3.2.3). A one-year extension would have assisted the project in completing its cycle, as the legislative process to pass the new ABS law plays out. However, this option was foreclosed by the lack of available funds.

117,385
6.924095924

Annexes

Annex 1. Terms of reference

Introduction

Conformément aux politiques et procédures de suivi et d'évaluation du PNUD et du FEM, tous les projets de moyenne ou grande envergure soutenus par le PNUD et financés par le FEM doivent faire l'objet d'une évaluation finale à la fin de la mise en œuvre.

Ces termes de référence (TDR) énoncent les attentes d'une évaluation finale (TE) du projet «Elaboration d'un cadre national sur l'accès et le partage des avantages des ressources génétiques et des connaissances traditionnels en tant que stratégie pour contribuer à la conservation et l'utilisation durable de la biodiversité au Maroc », mis en œuvre par le Secrétariat d'Etat chargé du Développement Durable du Maroc.

Les éléments essentiels du projet à évaluer sont les suivants :

TABLEAU DE RÉSUMÉ DU PROJET

Titre du projet :	Élaboration d'un cadre national sur l'accès et le partage des avantages des ressources génétiques et des connaissances traditionnelles			
ID de projet du FEM :	5605		<u>à l'approbation (en millions USD)</u>	<u>à l'achèvement (en millions USD)</u>
ID de projet du PNUD :	4953	Financement du FEM :	US\$ 812 785	
Pays :	MAROC	Financement de l'agence d'exécution/agence de réalisation :	US\$ 50 000	
Région :	Afrique	Gouvernement :	US\$ 200 000	
Domaine focal :	Biobiosphère	Autre (GIZ) :	US\$ 1 000 000	
Objectifs FA, (OP/SP) :		Cofinancement total :	USD\$ 1 250 000	
Agent d'exécution :	PNUD	Coût total du projet :	USD\$ 2 062 785	
Autres partenaires		Signature du DP (Date de début du projet) :	mars 2016	

participant au projet :	Secrétariat d'état chargé du Développement Durable (SEDD) et GIZ	Date de clôture (opérationnelle) : Décembre 2019	Proposé : Décembre 2019	Réel :
-------------------------	--	--	-------------------------	--------

Informations générales sur le projet

Disposant d'un patrimoine biologique riche et génétiquement très diversifié, le Maroc, et conformément à la Charte nationale pour l'environnement et le développement durable, la stratégie nationale sur la diversité biologique (en cours de révision) et la stratégie nationale de la recherche scientifique, est un pays attrayant pour les bio-prospections, avec un énorme potentiel exploratoire pour la création de nouvelles richesses et favoriser le développement de la nation. Malheureusement, la tendance générale dans le pays est à la dégradation et à la perte de la biodiversité, qui est observable dans tous les écosystèmes mettant en péril les ressources génétiques du Maroc et les rendant ainsi rares et/ou vulnérables.

La Convention sur la Diversité Biologique (CDB), dans son article 15, définit le droit international sur la relation entre les fournisseurs et les utilisateurs des ressources biologiques et génétiques, à travers un régime d'accès et de partage des avantages (APA). Ce régime représente une occasion pour renforcer considérablement les objectifs et les mesures de conservation de la biodiversité et de son utilisation durable, en permettant la création de nouveaux flux de capitaux et de ressources additionnelles.

Cependant, le Maroc ne disposait d'aucun cadre qui régit globalement la conservation, l'utilisation durable et le partage des avantages issus spécifiquement de la biodiversité. Diverses politiques ont été développées pour réglementer les secteurs touchant à la biodiversité, mais l'absence d'un cadre d'APA national a laissé inexploitée une gamme importante d'opportunités tel que le partage des avantages. Un régime d'APA efficace doit donc être développé, en étroite consultation avec les parties prenantes, afin de faciliter l'accès aux ressources génétiques et de permettre le partage équitable des revenus découlant de leur utilisation durable au profit de la biodiversité et des fournisseurs de ces ressources. Le développement d'un tel cadre exige l'harmonisation des instruments juridiques et réglementaires en vigueur dans le domaine des ressources génétiques et biologiques. Il doit répondre à, et être compatible avec, la CDB et son Protocole de Nagoya, prendre en compte d'autres processus internationaux qui sont pertinents, et doit également être couplé avec le soutien nécessaire pour renforcer les capacités nationales dans divers domaines, en vue d'une mise en œuvre efficiente aux niveaux national et local.

Ce projet a pour objectif de renforcer la protection et l'utilisation durable des ressources génétiques et des connaissances traditionnelles qui leurs sont associées au Maroc, à travers la mise en place d'un cadre national sur l'accès et le partage des avantages (APA) compatible avec la CDB et son Protocole de Nagoya. Afin d'atteindre cet objectif, le projet travaillera sur deux composantes complémentaires : (1) le développement d'un cadre national sur l'APA ; et, (2) le renforcement des capacités pour la mise en œuvre du cadre d'APA national.

Objectifs de l'évaluation finale

L'évaluation finale sera menée conformément aux directives, règles et procédures établies par le PNUD et le FEM comme l'indique les directives d'évaluation du PNUD pour les projets financés par le FEM.

Les objectifs de l'évaluation consistent à apprécier la réalisation des objectifs du projet et à tirer des enseignements qui peuvent améliorer la durabilité des avantages de ce projet et favoriser l'amélioration globale des programmes du PNUD. L'évaluation finale devra conclure avec des recommandations pour des activités de suivi.

Le processus d'évaluation finale devra suivre les directives figurant dans le document *Directives pour la conduite des évaluations finales des projets appuyés par le PNUD et financés par le FEM* <http://web.undp.org/evaluation/documents/guidance/GEF/UNDP-GEF-TE-Guide.pdf> ou sa version en français.

Approche et méthodologie

Une approche et une méthode globales⁴³ pour la réalisation des évaluations finales de projets soutenus par le PNUD et financés par le FEM se sont développées au fil du temps. L'évaluateur (trice) doit articuler les efforts d'évaluation notamment autour des critères de **pertinence, d'efficacité, d'efficience, de durabilité et d'impact**, comme défini et expliqué dans les directives du PNUD pour la réalisation des évaluations finales des projets soutenus par le PNUD et financés par le FEM. Une série de questions couvrant chacun de ces critères ont été rédigées et sont incluses dans ces termes de référence (l'Annexe H). L'évaluateur (trice) doit modifier, remplir et soumettre ce tableau dans le cadre d'un rapport initial d'évaluation et le joindre au rapport final en annexe.

L'évaluation doit fournir des informations factuelles crédibles, fiables et utiles. L'évaluateur (trice) doit adopter une approche participative et consultative garantissant une collaboration étroite avec les homologues du gouvernement, en particulier avec le point focal opérationnel du FEM, le bureau pays du PNUD au Maroc et le Conseiller Technique Régional du PNUD-FEM, l'équipe chargée du projet et les principales parties prenantes. L'évaluateur (trice) devrait effectuer une mission aux principaux sites d'intervention du programme, et tenir des entretiens qui auront lieu - au minimum - avec l'équipe du Département de la Biodiversité, des changements climatiques et de l'économie verte, au Secrétariat d'Etat au Développement Durable (SEDD) du Maroc, ainsi qu'avec l'équipe du Programme du PNUD Maroc et le Conseiller Technique Régional PNUD-FEM ; une liste plus élargie des groupes cibles pour les entretiens et l'évaluation est fournie dans l'annexe E des présents termes de référence.

L'évaluateur (trice) passera en revue toutes les sources pertinentes d'information, telles que le descriptif de projet, les rapports de projet, notamment le PIR/APR et les autres rapports, les révisions budgétaires du projet, les rapports sur l'état d'avancement/revues annuelles, les outils de suivi du domaine focal du FEM, les dossiers du projet, les documents stratégiques et juridiques nationaux et tous les autres documents que l'évaluateur (trice) juge utiles pour cette évaluation

⁴³ Pour de plus amples informations sur les méthodes, lire le chapitre 7 du [Guide de la planification, du suivi et de l'évaluation axés sur les résultats de développement](#), à la page 163

fondée sur les faits. Une liste des documents que l'équipe chargée du projet fournira aux fins d'examen est jointe à l'annexe A des présents termes de référence.

Portée détaillée et critères de l'évaluation finale

Une évaluation de la performance du projet, basée sur les attentes énoncées dans le cadre logique/cadre de résultats du projet (voir Annexe I) qui offre des indicateurs de performance et d'impact dans le cadre de la mise en œuvre du projet ainsi que les moyens de vérification correspondants, sera réalisée.

L'évaluation portera au moins sur les critères de pertinence, efficacité, efficience, durabilité et impact. Des notations doivent être fournies par rapport aux critères de performance suivants. Le tableau rempli doit être joint au résumé exécutif d'évaluation. Les échelles de notation obligatoires sont inclus dans l'annexe B.

Critère	Notation	Commentaires
Suivi et évaluation - Très satisfaisant (HS), Satisfaisant (S), Moyennement satisfaisant (MS), Moyennement Insatisfaisant (MU), Insatisfaisant (U), Très insatisfaisant (HU)		
Conception du suivi et de l'évaluation lors du montage du projet		
Mise en œuvre du plan de suivi et d'évaluation		
Qualité globale du suivi et de l'évaluation		
Agence d'exécution/agence de réalisation - Très satisfaisant (HS), Satisfaisant (S), Moyennement satisfaisant (MS), Moyennement Insatisfaisant (MU), Insatisfaisant (U), Très insatisfaisant (HU)		
Qualité de la mise en œuvre par le PNUD		
Qualité de l'exécution du Ministère Délégué chargé de l'Environnement		
Qualité globale de la mise en œuvre et de l'exécution		
Résultats – Très satisfaisant (HS), Satisfaisant (S), Moyennement satisfaisant (MS), Moyennement Insatisfaisant (MU), Insatisfaisant (U), Très insatisfaisant (HU)		
Qualité globale des résultats du projet		
Pertinence		
Efficacité		

Efficienne		
Qualité globale des résultats du projet		
Durabilité – Probable (L), Moyennement probable (ML), Moyennement improbable (MU), Improbable (U)		
Ressources financières :		
Socio-économique :		
Cadre institutionnel et gouvernance :		
Environnementale :		
Probabilité globale de la durabilité :		
Impact – 3 Significatif (S), Modéré (M), Négligeable (N)		
Amélioration du statut environnemental		
Réduction du stress sur l'environnement		
Progress envers le changement du stress/statut		

Financement/cofinancement du projet

L'évaluation portera sur les principaux aspects financiers du projet, notamment la part de cofinancement prévue et réalisée. Les données sur les coûts et le financement du projet seront nécessaires, y compris les dépenses annuelles.

Les écarts entre les dépenses prévues et réelles devront être évalués et expliqués. Les résultats des audits financiers récents disponibles doivent être pris en compte. L'évaluateur (trice) bénéficiera de l'appui du bureau pays (BP) du PNUD et de l'équipe de projet dans leur quête de données financières pour compléter le tableau de cofinancement ci-dessous, qui sera inclus dans le rapport d'évaluation finale.

Cofinancement (type/source)	GIZ (USD)		Gouvernement/ SEDD (USD)		PNUD (USD)		Total
	Prévu	Réel	Prévu	Réel	Prévu	Réel	
Subventions							
Prêts/concessions							
Soutien en nature							
Autre							
Total							

Intégration

Les projets financés par le PNUD et soutenus par le FEM sont des éléments clés du programme de pays du PNUD, ainsi que des programmes régionaux et mondiaux. L'évaluation portera sur la mesure dans laquelle le projet a été intégré avec succès dans les priorités du PNUD, y compris l'atténuation de la pauvreté, l'amélioration de la gouvernance, la prévention et la résilience aux catastrophes naturelles ainsi que l'approche Genre.

La mission doit évaluer la prise en compte des thèmes transversaux y compris l'approche droit humains, égalité genre, environnement, développement de capacités et gestion axée sur les résultats dans la planification et la mise en œuvre du projet objet de l'évaluation ainsi que l'intégration en amont d'une stratégie de sortie du projet

L'évaluateur (trice) proposera aussi les moyens de capitalisation sur les connaissances, les enseignements et les bonnes pratiques développées au titre du projet APA NAGOYA.

Impact

L'évaluateur (trice) appréciera dans quelle mesure le projet atteint des impacts ou progresse vers la réalisation de ceux-ci. Parmi les principales conclusions de l'évaluation doit figurer ce qui suit : le projet a-t-il démontré : a) des progrès vérifiables et mesurables dans l'état de l'écologie, b) des réductions vérifiables de stress sur les systèmes écologiques, ou c) des progrès notables vers la réduction d'impacts.⁴⁴

⁴⁴ Un outil utile pour mesurer les progrès par rapport aux impacts est la méthode ROTI (Review of Outcomes to Impacts) mise au point par le Bureau de l'évaluation du FEM : [ROTI Handbook 2009](#)

Annex 2. Project's results framework

Objective / Outcomes / Components	Indicator	Baseline	End of Project Target	Sources of information	Assumptions
OBJECTIVE - To strengthen the conservation and sustainable use of genetic resources and associated traditional knowledge in Morocco by developing and implementing a national framework on Access and Benefit Sharing (ABS) consistent with the CBD and its Nagoya Protocol	(1) Number of new ABS value chains on record with government authorities and academia	None with government, to be defined for academia	5 new ABS value chains on record with government authorities or academia	Government ABS records, new national and international research papers on ABS; national reports on implementation of the Nagoya Protocol	There exist a climate of mutual trust between users and providers of genetic resources which is conducive to the establishment of effective value chains There exist sustained political will and economic interests on the part of providers and users of genetic resources
	(2) Number of valid expressions of interest by 1) users and 2) providers (communities, associations, businesses) of genetic resources to develop ABS agreements in Morocco	Low to moderate level of interest and no expressions of interest on record	3-5 expressions of interest to develop specific ABS agreements have been deposited with national ABS authorities, by users and/or , providers of genetic resources	Government ABS records, records of universities and research centres, information submitted to the national ABS CHM; national reports on implementation of the Nagoya Protocol	Sufficient economic interest by users in relation to the country's genetic resources and their associated potential for eventually developing ABS agreements and value chains; sufficient interest by providers of TK and GR to grow and/or collect or otherwise provide materials with GR and related TK
	(3) Mechanisms for sharing monetary and	None	Formal benefit sharing structures (national/ local	Government ABS records, records	There is sufficient political will and sustained interest

Objective / Outcomes / Components	Indicator	Baseline	End of Project Target	Sources of information	Assumptions
	non monetary advantages generated through ABS agreements and mechanisms for 1) biodiversity conservation and sustainable use, 2) local communities		trust funds, community funds, mechanisms for the sharing of results of research, training and infrastructure/ equipment) are reflected in the ABS national framework and have been set up	of universities and research centres, information submitted to the national ABS CHM; national reports on implementation of the Nagoya Protocol	and ability of potential users and providers to enter into agreements that can in turn generate monetary or/ and non-monetary benefits.
	(4) UNDP IIRF Sub-indicator 1.3.1.A.1.1: Number of new partnership mechanisms with funding for sustainable management solutions of natural resources, ecosystem services, chemicals and waste at national and/or sub-national level	No ABS-related mechanism in place		Government records information submitted to the national ABS CHM; project reports; national reports on implementation of the Nagoya Protocol	
	(5) UNDP IIRF Sub-indicator 2.5.1.A.1.1: Extent to which legal frameworks are in place for conservation, sustainable use, and/or access and benefit sharing of natural resources, biodiversity and ecosystems	No national legal framework for ABS in place	Comprehensive national legal framework for ABS adopted and operational	Draft Law and application decrees; Proposed Law submitted to the General Secretariat of the Government (GSG); Law published in the Official Bulletin	

Objective / Outcomes / Components	Indicator	Baseline	End of Project Target	Sources of information	Assumptions
	(6) UNDP IRRF Sub-indicator 2.5.1.C.1.1: Extent to which institutional frameworks are in place for conservation, sustainable use, and/or access and benefit sharing of natural resources, biodiversity and ecosystems	Incomplete institutional framework for ABS in place ' a provisional ABS authority and ABS focal point exist, but not fully capacitated and mandated	Fully capacitated and mandated institutional framework for ABS in place	Government records / official bulletins; information submitted to the national ABS CHM; project reports; national reports on implementation of the Nagoya Protocol	
COMPONENT (OUTCOME) 1: Developing a national framework on ABS consistent with the CBD and its Nagoya Protocol	OUTPUTS under COMPONENT 1: Output 1.1: A national law on ABS prepared and submitted for adoption to the Moroccan Parliament that addresses intellectual property rights (IPR), is in line with the CBD, the Nagoya Protocol (NP) and related international instruments, and is adapted to national circumstances following stakeholder consultation and participation. Output 1.2: A regulatory framework and supporting policies as well as an institutional framework (including national competent authorities and supporting measures) defined and established, enabling implementation of the national ABS law, providing legal certainty, clarity and transparency for commercial and research purposes. Output 1.3: A strategy and system for the identification, recording, inventorying and protection of TK, including PIC, MAT and Community Protocols. Output 1.4: Effective mechanisms (e.g. through endowment, sinking or revolving funds) for receiving and sharing benefits from ABS agreements for the conservation of biodiversity and the sustainable use of its components.				
	(7) Existence of a comprehensive national law on ABS to meet the obligations set out in the Nagoya Protocol	None (no ABS law in place)	Outcome 1.1: Comprehensive national law(s) on ABS in line with the Nagoya Protocol adopted by Morocco	Draft Law and application decrees; Proposed Law submitted to the General Secretariat of the Government (GSG); Law published in the	The GoM stands ready to enhance its commitment for the implementation of the NP

Objective / Outcomes / Components	Indicator	Baseline	End of Project Target	Sources of information	Assumptions
				Official Bulletin	
	(8) Existence and approval of appropriate regulations and application instruments for ABS/NP	No ABS regulations or application instruments in place	Outcome 1.2a: Appropriate regulations and application instruments to implement the national ABS laws are adopted and in place	Government records / official bulletins; information submitted to the national ABS CHM	There is sufficient political will and institutional/regulatory capacity to adopt an effective regulatory framework
	(9) Existence of institutional framework and competent national ABS authority (and related relevant institutions and agencies), with clear definition of mandates, roles and responsibilities.	While some relevant institutions are in place, there is no fully capacitated competent national ABS authority as required by the Nagoya Protocol	Outcome 1.2b: Institutional framework and ABS national authority established and operational, to facilitate the implementation of the national ABS law and regulations	Government records / official bulletins; information submitted to the national ABS CHM; project reports; national reports on implementation of the Nagoya Protocol	There is sufficient political will to have institutional arrangements and structures to effectively implement the NP
	(10) Existence of effective benefit sharing mechanism and model ABS agreement	No such mechanism	Outcome 1.3: An effective benefit sharing mechanism established and ABS model agreement developed	Government records information submitted to the national ABS CHM; project reports; national reports on implementation of the Nagoya Protocol	
	(11) Existence of mechanisms for the	TK relating to genetic and	Outcome 1.4a: A national inventory / database on	Government records;	There is sufficient political will on the part of the

Objective / Outcomes / Components	Indicator	Baseline	End of Project Target	Sources of information	Assumptions
	identification, recording and documenting of traditional knowledge relating to genetic and biological resources	biological resources is not inventoried and documented	traditional knowledge relating to genetic and biological resources is established and includes at least 300 entries	information submitted to the national ABS CHM; project reports; national reports on implementation of the Nagoya Protocol	government to encourage the development of community protocols Will and capacity of indigenous and local communities to provide information on their traditional knowledge so as to allow for its inventory/ assessment, and to put in place adequate community level procedures and protocols
	(12) Existence of mechanisms for the protection of traditional knowledge relating to genetic and biological resources	TK relating to genetic and biological resources is not protected	Outcome 1.4b: A system for protecting confidential and non-confidential Traditional Knowledge (TK) is established	Government records; information submitted to the national ABS CHM; project reports; national reports on implementation of the Nagoya Protocol	Political willingness and feasibility
COMPONENT (OUTCOME) 2: Building capacity for implementing the national ABS framework	OUTPUTS under COMPONENT 2: Output 2.1: Coordination mechanisms established between the different in-country institutions involved in the implementation of the national ABS framework. Output 2.2a: Training materials developed on the national ABS framework and related regulations Output 2.2b: Targeted trainings for Competent Authorities (CA), Focal Points (FP) and related agencies (100 staff) on processing ABS access applications, negotiating ABS agreements, facilitating access to genetic resources, compliance monitoring, monitoring bio-prospecting projects, handling issues under the Nagoya Protocol, etc. Output 2.2c: Consultation and training workshops for at least 200 representatives from amongst other key stakeholder				

Objective / Outcomes / Components	Indicator	Baseline	End of Project Target	Sources of information	Assumptions
	<p>groups – academia, private sector, and potential GR-provider communities or their representatives</p> <p>Output 2.3: Development of templates, guidance manuals and training programs on the national ABS framework (ABS procedures for users and providers of genetic resources, PIC protocols, ABS agreement negotiation strategies, ABS-related IP, customary law, bio-prospecting and research procedures, etc.); and dissemination to relevant governmental and non-governmental organizations, research institutions and local communities including through dedicated trainings.</p> <p>Output 2.4: ABS model agreement that facilitates the negotiation of monetary (i.e. upfront payments and royalties) and non-monetary (i.e. training/research opportunities) benefits between users and providers of genetic resources.</p> <p>Output 2.5: Public awareness materials and campaigns aimed at key stakeholder groups regarding the national ABS and TK framework.</p> <p>Output 2.6: Assessment of knowledge, skills and practices (KAP) targeting specific stakeholder groups</p>				
	(13) UNDP Capacity Development Scorecard to show understanding in relevant agencies and by other stakeholders about the provisions and core obligations under the Nagoya Protocol and about its implementation	UNDP Capacity Development Scorecard baseline: 26	Outcome 2.1. Capacity of existing and/or newly established agencies competent and otherwise relevant for ABS implementation improved by at least 30%, as measured by UNDP's ABS Capacity Development Scorecard.	Project reports; UNDP Capacity Development Scorecard	<p>Stakeholders have a sustained interest in ABS and in advancing the implementation of the Nagoya Protocol.</p> <p>Improved understanding and capacity in relation to ABS will lead to adoption of actions to support the effective implementation of the Nagoya Protocol in Morocco</p>
	(14) Assessment of knowledge, skills and practices (KAP) targeting specific stakeholder groups who might use or benefit from ABS transactions (researchers, local authorities and other industry stakeholders,	None	Outcome 2.2 At least 50% of researchers, local communities, and relevant industry players targeted by the campaign are aware of and understand the national ABS law and regulations as well as the CBD and NP provisions related to ABS and TK (KAP evaluation).	CAP/CPA	Stakeholders are willing to complete the CAP/CPA

Objective / Outcomes / Components	Indicator	Baseline	End of Project Target	Sources of information	Assumptions
	representatives of local communities)				
	(15) Existence and quality of national depositories/ databases on: potential and actual ABS agreements and value chains; potential users and providers of genetic resources; ex-situ collections of genetic and biochemical resources	No such national depositories/ databases	Outcome 2.3: National depositories/ databases established and regularly updated: for potential and actual ABS agreements and value chains; potential users and providers of genetic resources; and ex-situ collections of genetic and biochemical resources	Government records; information submitted to the national ABS CHM; project reports; national reports on implementation of the Nagoya Protocol	Resources and capacity are deployed as planned

Annex 3. List of documents reviewed

Project documentation

Project document/ PIF/ CEO request. Developing a National Framework on Access to and Benefit-Sharing of Genetic Resources and Traditional Knowledge as a Strategy to Contribute to the Conservation and Sustainable Use of biodiversity in Morocco [UNDP Project ID PIMS 4953 / GEF Project ID PMIS 5605].

Compte rendu, atelier de démarrage du projet APA-Nagoya. 17 Novembre 2016. Ministère délégué chargé de l'Environnement, auprès du Ministère des Mines, de l'Eau et de l'Environnement.

Revue annuelles/ mi-annuelles du projet. MOR-ABS project. 2016 – 2019.

Project Tracking tool and ABS National Capacity Development Scorecard (2016 and 2019).

Output 1.1

Accompagnement pour l'élaboration d'un cadre juridique national sur l'accès et le partage des avantages découlant de l'utilisation des ressources génétiques et des connaissances traditionnelles. Etude analytique du projet de loi APA (Livable 1.2). Par Larbi Sbaï.

Etude d'impact réglementaire sur le projet de loi APA conformément aux dispositions du décret n° 2.17.585 relatif à l'étude d'impact devant accompagner certains projets de loi (Livable 3.1). Larbi Sbaï. Janvier 2017.

Output 1.2

Accompagnement pour l'élaboration d'un cadre juridique national sur l'accès et le partage des avantages découlant de l'utilisation des ressources génétiques et des connaissances traditionnelles :

Désignation et opérationnalisation d'une autorité nationale compétente (Livable 2.1). Larbi Sbaï. Juillet 2019.

Procédure d'Accès aux Ressources Génétiques au Maroc (Livable 2.4). Larbi Sbaï. Juillet 2019.

Identification, Détermination d'Appartenance et Accès aux Connaissances Traditionnelles Associées (Livable 2.2). Par Larbi Sbaï. Juillet 2019.

Contrat-type (Livable 2.4). Larbi Sbaï. Juillet 2019.

Désignation et mise en place de Points de Contrôle (Livable 2.3). Larbi Sbaï. Juillet 2019.

Output 1.3

Recensement pilote des connaissances traditionnelles associées à l'utilisation des ressources génétiques. Rapport de synthèse. Redouan El Ouafi, Ahmed Birouk & Fatima Miyal. Janvier 2018.

Étude sur les mesures de protection et de valorisation des connaissances traditionnelles liées à l'utilisation des ressources génétiques et élaboration de procédures de recensement et d'inventaire desdites connaissances traditionnelles au Maroc. Redouan El Ouaf. Janvier, 2018.

Output 1.4

Rapport de préfiguration : étude économique sur l'APA et la valorisation des ressources génétiques au Maroc. MOR-ABS Project.

Valorisation des ressources génétiques du Maroc: étude sur le potentiel économique des ressources génétiques marocaines. Rapport Technique. PricewaterhouseCoopers Advisory SAS. Décembre 2017.

Output 2.1

Compte Rendu, Réunion du Comité National de la Diversité Biologique pour l'examen des textes d'application du Projet de loi APA. Secrétariat d'Etat chargé du Développement Durable (SEDD). 26 juin 2019.

Dynamisation et organisation du Comité National pour la Diversité Biologique : Missions, structure et fonctionnement du CNDB. Secrétariat d'Etat chargé du Développement Durable (SEDD). Juillet 2017.

Output 2.2

Rapport de l'atelier d'experts juristes africains francophones en APA les 10 et 11 mai 2018. PNUD, projet Bio-Bridge (BBI). International Development Law Organisation (IDLO).

Compte rendu de l'atelier de dialogue et d'échange entre juristes nationaux sur la mise en oeuvre du Protocole de Nagoya : Jeudi 7 Juin 2018.

Compte rendu de l'atelier de dialogue et d'échange sous le thème « Quel rôle pour les chercheurs nationaux dans les mécanismes de l'APA et la mise en oeuvre du Protocole de Nagoya ? » 21 Juin 2018.

Compte rendu de l'atelier régional africain de renforcement des capacités sur les connaissances traditionnelles liées aux ressources génétiques. Date : 08 au 12 octobre 2018.

Rapports de la Caravane APA (i) Sud ; (ii) Nord. Ateliers de formation et de sensibilisation à l'APA. Projet MOR-APA, 2017 – 2018.

Etude de cas sur le renforcement de capacité au Maroc dans le cadre du Protocole de Nagoya: la caravane APA. Secrétariat d'Etat chargé du Développement Durable (SEDD). Royaume du Maroc.

Output 2.3

Droit de Propriété Intellectuelle (DPI) liée à l'utilisation des ressources génétiques : guide de bonnes pratiques pour le partage équitable dans le cadre de l'APA au Maroc. S. Bounou & A. Elouahabi. 2018.

Output 2.4

(See output 1.2)

Output 2.5

Stratégie de communication, plan de communication et synthèse pour décideurs (Livrable 1). Nuances Market Communication. Juillet, 2018.

Rapport de communication du projet APA Nagoya : résultats, impact et perspectives. Nuances Market Communication. Décembre, 2018.

Rapports de la Caravane APA : (i) Sud ; (ii) Nord. Ateliers de formation et de sensibilisation à l'APA. Date : Juillet - Septembre 2017.

Compte rendu de la visite de la coopérative Tighanimine Filahia (Agadir). 13 Juillet 2017.

Compte rendu de la visite de la coopérative Chark à Oujda. 8 Février 2018.

Compte rendu de la visite du laboratoire Marrakech Date Palm Project. 17 Juillet 2017.

Output 2.6

N/A

Annex 4. Evaluation Question Matrix

Question et sous-questions Évaluatives	Indicateurs	Méthode de Collecte/ Sources d'information	Principaux interlocuteurs
CONCEPTION ET FORMULATION DU PROJET			
Question 1. Pertinence : Comment le projet se rapporte-t-il aux principaux objectifs du domaine focal du FEM et aux priorités en matière d'environnement et de développement au niveau local, régional et national ?	1.1. Appréciation sur la qualité du document de projet et sur le processus de conception et de formulation adopté.	<u>Revue documentaire</u> : <i>Document de projet</i> <u>Entretiens</u> <u>Groupes de discussion</u>	<ul style="list-style-type: none"> ▪ MEMEE ▪ HCEFLCD ▪ Ministères concernés par le projet ▪ GIZ ▪ Organisations de la société civile ▪ Universités et instituts de recherche ▪ Utilisateurs et fournisseurs de RG et CT
<ul style="list-style-type: none"> • L'architecture du projet développée lors de sa formulation a-t-elle été satisfaisante et la stratégie de mise en œuvre élaborée, ainsi que les activités programmées, sont-elles pertinentes vis-à-vis des produits, des résultats attendus et de l'atteinte des objectifs du projet ? • L'objectif était approprié, viable et a répondu aux cadres contextuel, institutionnel, juridique et réglementaire du projet ? • Les interventions proposées par le projet ont tenu compte des principales barrières qui entravent la mise en œuvre d'un cadre national sur l'accès et le partage des avantages (APA) compatible avec la CDB et son Protocole de Nagoya ? 	1.2. Perception des partenaires et des bénéficiaires vis-à-vis leur implication dans le processus de conception du projet.		
	1.3. L'objectif du projet, les résultats attendus et les produits tels que définis dans la cadre logique.	<u>Revue documentaire</u> : <i>Document de projet</i> <i>Cadre logique</i> <i>Rapports d'activités</i> <i>Rapport de démarrage</i>	
	1.4. Niveau de cohérence entre la stratégie, les approches utilisées, et les objectifs du projet.	<u>Entretiens</u>	
	1.5. Niveau de cohérence entre les objectifs, les résultats attendus et les produits définis.		
	1.6. Les objectifs des plans et des stratégies nationales en matière de conservation et	<u>Revue documentaire</u> : <i>Stratégies nationales de protection de la biodiversité</i>	

Question et sous-questions Évaluatives	Indicateurs	Méthode de Collecte/ Sources d'information	Principaux interlocuteurs
<ul style="list-style-type: none">• La conception du projet a-t-elle été participative/consultative et quel a été le niveau d'appropriation du processus de conception par les différents partenaires du projet ?• Les objectifs et les résultats attendus du projet sont-ils cohérents avec les besoins et les priorités exprimés par les bénéficiaires ?• Les produits et effets définis dans le document de projet représentent-ils la meilleure stratégie pour l'atteinte des objectifs du projet?• Le montage et la définition d'arrangements institutionnels du projet ont-ils été suffisamment clairs et efficaces pour prendre en compte les parties prenantes actives dans le domaine de la protection et l'utilisation durable des ressources génétiques et des connaissances traditionnelles qui leurs sont associées au Maroc ?	utilisation durable de la biodiversité au Maroc.	<u>Entretiens</u>	
	1.7. Les besoins exprimés par les bénéficiaires du projet et leur évolution depuis le démarrage du projet.	<u>Entretiens</u> <u>Groupes de discussion</u>	<ul style="list-style-type: none">▪ Utilisateurs et fournisseurs de RG et CT
	1.8. Montage et définition des arrangements institutionnels tels que présentés dans le document de projet.	<u>Revue documentaire</u> : <i>Document de projet</i> <i>Cadre logique</i> <i>Rapports d'activités</i> <i>Rapport de démarrage</i> <i>Stratégies nationales de protection de la biodiversité</i>	<ul style="list-style-type: none">▪ MEMEE▪ DNP + équipe projet▪ Bureau Pays du PNUD▪ Membres Comité de pilotage▪ GIZ
	1.9. Perception des partenaires et des bénéficiaires sur la clarté et l'efficacité des arrangements institutionnels.		
	1.10. Les évolutions des contextes politique, socioéconomique, et écologique qui se sont produites au Maroc depuis la conception du projet.		<ul style="list-style-type: none">▪ MEMEE▪ Organisations de la société civile▪ Universités et instituts de recherche▪ Utilisateurs et fournisseurs de RG et CT
MISE EN ŒUVRE DU PROJET			
Question 2. <u>Efficience</u> : Le projet a-t-il été mis en œuvre de façon efficiente,	2.1. Nature et qualité des mécanismes de gestion du projet en place.	<u>Entretiens</u> <u>Groupes de discussion</u>	<ul style="list-style-type: none">▪ MEMEE▪ Membres Comité de pilotage

Question et sous-questions Évaluatives	Indicateurs	Méthode de Collecte/ Sources d'information	Principaux interlocuteurs
conformément aux normes et standards nationaux et internationaux ?	2.2. Appréciation de la transparence et de l'efficacité de la gestion du projet par ses principales parties prenantes.		<ul style="list-style-type: none"> ▪ HCEFLCD ▪ Ministères concernés par le projet ▪ GIZ ▪ Organisations de la société civile ▪ Universités et instituts de recherche Utilisateurs et fournisseurs de RG et CT
<ul style="list-style-type: none"> • Les mécanismes, modalités et moyens de gestion adaptive étaient-ils performants ? • La définition des rôles des organes de consultation et des organes de gestion était-elle suffisamment claire ? • Le comité de pilotage joue-t-il son rôle et apporte-t-il une direction et un soutien suffisant au projet ? • Quels sont les moyens logistiques et humains mis en œuvre au niveau de l'unité de gestion du projet et quelles sont les procédures de recrutement mises en œuvre ? • Quelle est l'appréciation de la qualité des mécanismes de coordination mis en place ? • Les modalités et procédures de gestion administrative, comptable et financière posent-elles des défis ? 	2.3. Rôles définis et effectifs des différents organes de consultation et des organes de gestion.	<u>Revue documentaire</u> : <i>Documents de projet</i> <i>Rapports d'activités</i> <i>Rapports du CP</i> <i>Rapports thématiques</i> <i>APR/ PIRs</i>	
	2.4. Ressources humaines déployées au niveau de l'Unité de gestion du projet.		
	2.5. Les rôles définis et effectifs du personnel.	<u>Entretiens</u>	
	2.6. Moyens logistiques mis en œuvre.		
	2.7. Perception de la communication interne au niveau de l'équipe du projet.	<u>Entretiens</u>	<ul style="list-style-type: none"> ▪ MEMEE ▪ DNP + équipe projet ▪ Bureau Pays du PNUD ▪ CT régional PNUD/FEM
Question 3. Les différentes parties prenantes se sont-elles appropriées le projet et ses interventions, et leur niveau de participation est-il adéquat ?	3.1. Positionnement du projet dans le paysage institutionnel du Maroc.	<u>Entretiens</u> <u>Groupes de discussion</u>	<ul style="list-style-type: none"> ▪ MEMEE ▪ HCEFLCD ▪ Ministères concernés par le projet ▪ GIZ
• Quel est le taux d'appropriation du projet par les bénéficiaires ?	3.2. Degré de communication entre les parties prenantes.	<u>Revue documentaire</u> : Outils de communication	

Question et sous-questions Évaluatives	Indicateurs	Méthode de Collecte/ Sources d'information	Principaux interlocuteurs
<ul style="list-style-type: none"> Quel est le niveau de diffusion de l'information et de communication entre les partenaires du projet ? Quel est le niveau d'implication des partenaires dans le cadre de la gestion adaptative du projet, la planification et la mise en œuvre des activités ? Quel est le niveau de participation des bénéficiaires à la gestion du projet et à la prise de décision ? 	3.3. Exemples d'outils de communication et de diffusion de l'information mis en place.	<i>Rapports d'activités</i> <i>PIRs/APRs</i> <u>Entretiens</u>	<ul style="list-style-type: none"> Organisations de la société civile Universités et instituts de recherche Utilisateurs et fournisseurs de RG et CT
	3.4. Niveau d'appropriation par les bénéficiaires des activités du projet.	<u>Entretiens</u> <u>Groupes de discussion</u>	
	3.5. Perception des partenaires vis-à-vis de leur implication dans le processus décisionnel et de gestion.		
Question 4. La coordination avec les principaux partenaires a été satisfaisante et quel rôle a joué le PNUD ?	4.1. Appréciation sur la qualité de la coordination et des synergies avec les principaux partenaires du projet.	<u>Revue documentaire</u> : <i>Rapports d'activités</i> <i>Rapports du CP</i>	<ul style="list-style-type: none"> MEMEE HCEFLCD Ministères concernés par le projet Membres du comité de pilotage GIZ
<ul style="list-style-type: none"> Quel est le niveau de collaboration avec les principaux partenaires du projet ? L'assistance opérationnelle du PNUD répond-elle aux besoins ? L'assistance intangible du PNUD (consultation politique et dialogue, plaidoyer et coordination) répond-elle aux besoins ? 	4.2. Appréciation sur la plus-value de la collaboration avec les principaux partenaires techniques et financiers.	<i>Rapports thématiques</i> <i>APR/ PIRs</i> <i>PV de réunions</i>	
	4.3. Assistance opérationnelle et technique fournie par le PNUD et leur perception.	<u>Entretiens</u>	
	4.4. Nombre et exemples de liens entre le projet et d'autres interventions dans le secteur.		
Question 5. La planification financière et la programmation des activités sont-elles efficaces ?	5.1. Appréciation sur la qualité, la pertinence et l'utilisation des Plans de travail Annuels.	<u>Revue documentaire</u> : <i>Plan pluriannuel de travail</i> <i>Plans de travail annuels</i> <i>Rapports annuels</i>	<ul style="list-style-type: none"> MEMEE DNP + équipe projet Bureau Pays du PNUD CT régional PNUD/FEM GIZ
<ul style="list-style-type: none"> Comment les Plans de travail Annuels ont été formulés et utilisés ? 	5.2. Niveau de décaissement effectif vs. Planifié.		

Question et sous-questions Évaluatives	Indicateurs	Méthode de Collecte/ Sources d'information	Principaux interlocuteurs
<ul style="list-style-type: none"> • Quelle a été la disponibilité du budget par rapport aux activités inscrites dans le cadre logique ? • Le suivi-budgétaire a été efficace et quels sont les taux de réalisation ? • Quel est le ratio frais de fonctionnement et coûts des activités/produits ? • Les fonds ont-ils été mis à disposition dans les délais requis ? • Les cofinancements ont-ils été effectivement mobilisés ? • Au regard des activités mises en œuvre depuis le démarrage du projet et des défis identifiés, le calendrier de mise en œuvre était réaliste ? 	5.3. Niveau de décaissement vs. niveau de mise en œuvre des activités.	<i>Rapports de S&E</i> <i>Rapports financiers</i> <i>Rapports d'activités</i> <i>APR/PIRs</i> <i>Audits</i> <u>Entretiens</u>	
	5.4. Appréciation sur la qualité du suivi-budgétaire réalisé.		
	5.5. Frais de fonctionnement.		
	5.6. Délais moyens de mise à disposition des fonds.		
	5.7. Niveau de mobilisation des cofinancements.		
	5.8. Niveau de mise en œuvre des activités par rapport au calendrier initial.		
Question 6. Le système de suivi-évaluation est-il efficient ?	6.1. Appréciation sur les procédures et les outils de S&E et de rapportage	<u>Revue documentaire</u> <i>Document de projet</i> <i>Plans de travail annuels</i> <i>Rapports d'activités</i> <i>APR/ PIRs</i> <i>Rapport de S&E</i> <i>Rapports thématiques</i> <i>Tracking tools</i> <u>Entretiens</u>	<ul style="list-style-type: none"> ▪ MEMEE ▪ Membres Comité de pilotage ▪ GIZ ▪ DNP + équipe projet ▪ Bureau Pays du PNUD ▪ CT régional PNUD/FEM
<ul style="list-style-type: none"> • Le système de S&E est-il en accord avec les exigences du PNUD-FEM ? • Le cadre logique répond-il aux exigences du PNUD – FEM et son contenu et son utilisation sont-elles pertinentes ? • Les indicateurs définis dans le cadre logique sont-ils SMART ? 	6.2. Adéquation entre le cadre logique et les exigences du PNUD-FEM.		
	6.3. Rôles du PNUD et des autres partenaires en termes de SE.		
	6.4. Niveau de cohérence du système de S&E avec le cadre		

Question et sous-questions Évaluatives	Indicateurs	Méthode de Collecte/ Sources d'information	Principaux interlocuteurs
<ul style="list-style-type: none"> Les données de base et de suivi sont-elles disponibles ? Les outils de suivi et de rapportage mis en place fournissent-ils l'information nécessaire ? Associent-ils les partenaires clés ? 	logique et avec les exigences du FEM en la matière.		
	6.5. Appréciation sur les indicateurs (SMART ?)/		
	6.6. Appréciation sur les données de base et de suivi disponibles.		
Question 7. La gestion des risques est-elle efficiente ?	7. 1. Risques identifiés et niveau de notation de ces risques	<u>Revue documentaire :</u> <i>Documents de projet PIRs/APRs</i> <i>Système de gestion des risques</i> <u>Entretiens</u> <u>Groupes de discussion</u>	<ul style="list-style-type: none"> MEMEE Membres Comité de pilotage GIZ DNP + équipe projet Bureau Pays du PNUD CT régional PNUD/FEM
<ul style="list-style-type: none"> Les risques identifiés dans le document de projet et les APR/PIR sont-ils les risques les plus importants et ont-ils été suivis et/ou évalués? Les mesures d'atténuation proposées et la réponse de gestion aux risques sont-elles appropriées? Le système de gestion des risques PNUD-FEM est-il adéquatement mis en œuvre ? 	7.2. Mesures d'atténuation proposées et réponses de gestion		
	7.3. Appréciation sur le système de gestion des risques du PNUD/FEM et sur sa mise en œuvre par le projet.		
RESULTATS DU PROJET			
Question 8. Réalisation des objectifs. A quel degré le projet a réalisé son objectif de renforcer la protection et l'utilisation durable des ressources génétiques et des connaissances traditionnelles y associées, par la mise	8.1. Niveau de réalisation des résultats globaux sur la base des indicateurs du cadre logique.	<u>Revue documentaire</u> <i>Rapports d'activités</i> <i>Rapport de S&E</i> <i>Rapports thématiques</i>	<ul style="list-style-type: none"> MEMEE HCEFLCD Ministères concernés par le projet

Question et sous-questions Évaluatives	Indicateurs	Méthode de Collecte/ Sources d'information	Principaux interlocuteurs
en œuvre d'un cadre national sur l'accès et le partage des avantages (APA) compatible avec la CDB et son Protocole de Nagoya.		<i>Tracking tools</i> <u>Entretiens</u>	<ul style="list-style-type: none"> ▪ GIZ ▪ Organisations de la société civile ▪ Universités et instituts de recherche Utilisateurs et fournisseurs de RG et CT
<ul style="list-style-type: none"> • Quels sont les résultats globaux en matière de développement • Quel est le niveau de contribution de ces résultats aux attentes du projet, sur la base des indicateurs définis dans le cadre logique ? • Est-ce que les résultats du projet sont en cohérence avec le Plan Cadre d'Assistance au Développement des Nations Unies au Maroc (UNDAF) 2012-2016 et 2017-2021 et le Plan Stratégique du PNUD ? Est ce qu'il est pertinent par rapport aux besoins du pays ? 	8.2. Nouvelles chaînes de valeurs APA capturées par les autorités gouvernementale et le secteur académique.	<u>Revue documentaire</u> : <i>Registres APA du gouvernement</i> <i>Papiers de recherche nationaux et internationaux en matière d'APA.</i> <i>Rapports nationaux sur la mise en œuvre du Protocole de Nagoya.</i>	<ul style="list-style-type: none"> ▪ DNP + équipe projet ▪ Bureau Pays du PNUD CT régional PNUD/FEM
	8.3. Expressions d'intérêts valides par les usagers des ressources génétiques pour développer des accords APA.		
	8.4. La génération de contrats et de mécanismes APA pour le partage des avantages monétaires et non monétaires.		
	8.5. Nouveaux mécanismes de partenariat finançant les solutions de gestion durable des ressources naturelles, services écosystémiques, déchets et produits chimiques aux niveaux national et/ou local (sous indicateur 1.3.1.A.1.1 du cadre intégré des ressources et des résultats).	<u>Revue documentaire</u> : <i>Les registres APA du gouvernement/centres de recherches universitaires.</i> <i>Texte de loi et les décrets d'application.</i> <i>Bulletin officiel.</i> <i>Registres du Gouvernement.</i> <i>Rapports du projet.</i>	
	8.6. Adoption et opérationnalisation d'un cadre légal complet sur l'APA (indicateur 2.5.1.A.1.1 du cadre		

Question et sous-questions Évaluatives	Indicateurs	Méthode de Collecte/ Sources d'information	Principaux interlocuteurs
	intégré des ressources et des résultats).	<i>Rapport national sur la mise en œuvre du Protocole de Nagoya.</i>	
	8.7. Mise en place d' un cadre institutionnel avec des entités renforcées et mandatées est en place (indicateur 2.5.1.C.1.1 du cadre intégré des ressources et des résultats)	<u>Entretiens</u>	
Question 9. Dans quelle mesure les résultats escomptés du projet ont-ils été atteints (efficacité) et ont contribué à réduire la pression sur l'environnement, ou à l'amélioration de l'état écologique (impact)?	9.1. Niveau de réalisation des résultats et produits pour les deux composantes du projet , suivant les indicateurs du cadre logique,	<u>Revue documentaire :</u> <i>Cadre logique</i> <i>Indicateurs de suivi</i> <i>Rapports d'activités</i> <i>Rapports thématiques</i> <i>Plans de travail annuels</i> <i>APR/PIRs</i> <i>Synthèse des produits réalisés</i> <i>Rapports thématiques</i>	<ul style="list-style-type: none"> MEMEE HCEFLCD Ministères concernés par le projet GIZ Organisations de la société civile Universités et instituts de recherche Utilisateurs et fournisseurs de RG et CT DNP + équipe projet Bureau Pays du PNUD CT régional PNUD/FEM
<ul style="list-style-type: none"> Quel est le niveau de réalisation de l'ensemble des résultats et produits attendus ? Quel est le rapport coût/efficacité associé au niveau de réalisation des résultats attendus ? Quelle est la qualité du travail réalisé par l'assistance technique fournie? Le projet a atteint les impacts pressentis, notamment en matière de : <ul style="list-style-type: none"> (i) mise en place d'un cadre national sur l'APA en ligne avec la CDB et son Protocole de Nagoya (composante 1) ; 	9.2. Niveau de contribution des produits réalisés aux résultats attendus, sur la base des indicateurs de résultats. 9.3. Rapport coût/efficacité associé au niveau de réalisation des résultats attendus 9.4. Appréciation sur l'atteinte des impacts pressentis 9.5. Facteurs pouvant influencer sur l'atteinte des impacts. 9.6. Appréciation de la qualité du travail réalisé par l'assistance technique.	<u>Entrevues</u> <u>Groupes de discussion</u>	

Question et sous-questions Évaluatives	Indicateurs	Méthode de Collecte/ Sources d'information	Principaux interlocuteurs
(ii) renforcement des capacités pour sa mise en œuvre (composante 2) ?	9.7. Appréciation sur la contribution du projet à la mise en place et le renforcement d'un cadre national sur l'APA au Maroc.		
Question 10. <u>Durabilité</u> : Dans quelle mesure existe-t-il des risques financiers, institutionnels, socio-économiques ou environnementaux au maintien des résultats du projet à long terme ?	10.1. Facteurs environnementaux, socio-économiques ou institutionnels qui risquent de remettre en cause la durabilité des bénéfices générés par le projet.	<u>Revue documentaire :</u> <i>Les registres APA du gouvernement/centres de recherches universitaires.</i> <i>Texte de loi et les décrets d'application.</i> <i>Bulletin officiel.</i> <i>Registres du Gouvernement.</i> <i>Rapports du projet.</i> <i>Rapport national sur la mise en œuvre du Protocole de Nagoya</i> <i>Outils de communication</i> <u>Entrevues</u> <u>Groupes de discussion</u>	<ul style="list-style-type: none"> MEMEE HCEFLCD Ministères concernés par le projet GIZ Organisations de la société civile Universités et instituts de recherche Utilisateurs et fournisseurs de RG et CT DNP + équipe projet Bureau Pays du PNUD CT régional PNUD/FEM
<ul style="list-style-type: none"> Le projet a mis en place les conditions nécessaires au Maroc pour assurer un cadre national permanent sur l'APA, en ligne avec la CDB et son Protocole de Nagoya? Quels sont les facteurs de durabilité environnementale, socio-économique et institutionnelle des bénéfices générés par le projet ? Quelle est la probabilité de durabilité, de réplication et de diffusion des résultats après la mise en œuvre du projet ? Comment les acquis du projet pourraient être capitalisés et valorisés dans le cadre de la coopération Sud-Sud, notamment dans des pays avec un contexte similaire au Maroc ? 	10.2. Appréciation des outils juridiques – loi et instruments réglementaires – soutenant la constitution d'un cadre national sur l'APA.		
	10.3. Appréciation du cadre institutionnel et de l'opérationnalité de l'autorité compétente mise en place dans le cadre de l'APA.		
	10.4. Exemples de développement des compétences du secteur public et de la société civile qui peuvent contribuer à la durabilité des résultats du projet.		
	10.5. Perception des partenaires et bénéficiaires vis-à-vis de l'approche de reproduction et de collaboration suivie.		

Question et sous-questions Évaluatives	Indicateurs	Méthode de Collecte/ Sources d'information	Principaux interlocuteurs
	10.6. Connaissances et bonnes pratiques produites dans le cadre du projet.		
Question 11. <u>Approches programmatiques du PNUD</u> : Est-ce que le projet intègre les 5 approches programmatiques du PNUD : GAR, Environnement, Genre, Développement de capacités et droits humains ?	11.1. Appréciation du document de projet par rapport aux données sur les groupes exclus ou les moins avantagés, différenciant par genre, ethnicité, richesse et toute autre différence pertinente.	<u>Revue documentaire</u> <i>Document de projet</i> <i>Plans de travail annuels</i> <i>Rapports d'activités</i> <i>APR/ PIRs</i> <i>Rapport de S&E</i>	
<ul style="list-style-type: none"> • Est-ce que le projet a identifié les problèmes affectant les groupes marginalisés ainsi que les droits de divers groupes ? • Est-ce qu'une analyse du contexte genre et des besoins en matière de genre a été réalisée ? • Si une évaluation sociale ou une évaluation genre a eu lieu, quels en étaient les résultats ? Comment ceci a été reflété dans la redéfinition des activités du projet ou l'introduction de nouvelles activités répondant aux recommandations ? • Y'a-t-il une représentation équitable des femmes et des hommes au sein de l'équipe du projet ? Sinon, y 'a-t-il au moins une masse critique du genre sous-représenté (à savoir 30%) ? ou un expert genre ? • Le projet aurait-il contribué à une « Success Story » reflétant le 	11.2. Appréciation de la sensibilité au genre et aux autres critères de discrimination de groupes marginalisés, en matière des objectifs, résultats et indicateurs de performance du projet, ainsi que des plans de suivi évaluation du projet.	<i>Rapports thématiques</i> <i>Tracking tools</i> <i>Rapports thématiques</i> <i>Manuels de bonne pratiques</i> <i>Outils de communication</i>	
	11.3. Ressources humaines et financières mobilisés pour l'atteintes d'objectifs spécifiques-et-sensibles au genre et les autres critères de discrimination identifiés.	<u>Entretiens</u>	
	11.4. Représentation des femmes et des hommes au sein de l'équipe du projet,		
	11.5. Appréciation de la documentation du projet, y compris les manuels de bonnes pratiques et des outils de communication, par rapport aux droits et aux problèmes affectant		

Question et sous-questions Évaluatives	Indicateurs	Méthode de Collecte/ Sources d'information	Principaux interlocuteurs
changement introduit dans les vies des femmes et des hommes et/ou de groupes sociaux marginalisés ?	les groupes marginalisés identifiés dans le cadre du projet.		

Annex 5. Mission schedule and list of persons interviewed

Date	Name	Position	Institution
21/10	Travel to Rabat, Morocco.		
22/10	Mohammed Ali Benryane	National Project Coordinator	UNDP
	Hafssa Boughaba	Administrative and financial project assistant	UNDP
	Mohammed Mehdi	ABS Focal Point, Head of Biosecurity and ABS	Department of Environment (MEME)
	Mostafa Madbouhi	CBD Focal Point, Head of Biodiversity Division	Department of Environment (MEME)
	Amal Nadim	Programme Manager, Environment and Climate Change	UNDP Morocco
23/10	Salim Bounou	Consultant – Intellectual Property Rights expert	Vitalys Consulting
	Larbi Sbai	Member of the project Steering Committee and project consultant	Ministry of Agriculture – Fisheries department

Date	Name	Position	Institution
	Ahmed Birouk	Member of the project Steering Committee and project consultant	Ministry of Higher Education – Research Department
	Martine Therer	Deputy Resident Representative	UNDP Morocco
	Yassir Benabdallaoui	Resident Representative Assistant - Programmes	UNDP Morocco
24/10	Brahim Haddane	Member of the project Steering Committee	Foundation Mohammed VI for Environment
	Michael Gajo	Head of Environment and Climate	GIZ Morocco
	Yasmina El Bahloul	Member of the project Steering Committee	Ministry of Agriculture – Agriculture department
25/10	End of mission and departure from Rabat, Morocco.		

Note. A skype interview was conducted on 17/10/2019 with Yves de Soye, Regional Technical Advisor UNDP-GEF

Annex 6. Responses to commentaries on provisional report

Executive summary

Comment 1 (§5, M&E plan implementation). Concernant, le système de SE et l'analyse des risques : le projet dispose d'un système effectif et opérationnel de S&E qui est actualisé au moins 2 fois par an à l'occasion des revues mi-annuelles et annuelles. Les risques sont également discutés lors des réunions du Comité de pilotage et renseignés sur Atlas.

Les risques liés à l'adoption du cadre réglementaire ont toujours été identifiés et suivis de très près comme l'atteste les présentations ppt. Le projet a fait tout le nécessaire et le texte est aujourd'hui dans un circuit normal par lequel passe toutes les lois au Maroc.

Response. See below, response to comment 15 of the main report. Rating upgraded to MS.

Comment 2 (§5, IA & EA execution). With regards to the ratification of the NP issue, the IA is responsible for supporting the ratification process and raise awareness of its importance at the high level with other departments. I believe the execution of the project, although being impacted by the lack of ratification, had very little to do with the issue, and operating as if the ratification was already a given. It is proposed that "Overall Quality of Project Implementation / Execution" is rated "Satisfactory" and perhaps "Implementing Agency Execution" is rated "Moderately Satisfactory".

Response. Regarding the ratification issue, see below the response to comment 16 of main report. Ratings for EA and IA upgraded but the overall quality of implementation/ execution confirmed as MS. This is aligned with the Implementation Progress Rating given by the Project Manager/Coordinator as well as the UNDP CO in the latest available PIR for the project. The rating by the UNDP-GEF Technical Adviser was MU.

Comment 3 (§5, EA execution). Au vu des explications fournies plus haut ce rating doit être revu

Response. Rating upgraded to S. See also above, response to Comment 2.

Comment 4 (§5, Effectiveness). La ratification du PN est hors du scope du projet. et ne conditionne pas l'adoption du cadre réglementaire ce sont deux processus qui peuvent être menés séparément et un ne remplace pas l'autre

Response. Sentence revised as follows: However, the formal establishment of the proposed national ABS framework remains conditional on the ratification of the full complement of legal instruments so far developed with project support.

Comment 5 (§5 Institutional framework and governance) Le projet de loi est au SGG (Secrétariat Général du Gouvernement).

Response. Sentence revised and mention of General Secretariat of State (GSS) included.

Comment 6 (§12). C-à-d? au contraire le projet a pu mobiliser un financement additionnelle de 80 000 USD non prévu initialement dans le Prodoc.

Response. The paragraph has been revised as follows: UNDP played a robust role in ensuring the cost-effectiveness of the project. Overall co-financing delivered was lower than initially envisaged (about 23.9% of initial commitments), as a result of the closure of the CCAN project and in spite of an additional \$ 85,000 of co-financing being successfully leveraged from UNEP through the CBD Secretariat. Expenditure for the first two years was higher than planned. Coupled with the reduced inputs from co-financing, this meant that the third year had to be run on a relatively tight budget (\$ 117,385, about 14% of GEF funds).

Comment 7 (§13). : le projet dispose d'un système effectif et opérationnel de S&E qui est actualisé au moins 2 fois par an à l'occasion des revues mi-annuelles et annuelles. Les risques sont également discutés lors des réunions du Comité de pilotage et renseignés sur Atlas. Les risques liés à l'adoption du cadre réglementaire ont toujours été identifiés et suivis de très près comme l'atteste les présentations ppt. Le projet a fait tout le nécessaire et le texte est aujourd'hui dans un circuit normal par lequel passe toutes les lois au Maroc.

Response. See below, response to comment 15 of the main report.

Comment 8 (§21). If we are to consider only three main conclusions, it would be those highlighted in yellow, below.

Response. See below, response to comment 26 of the main report.

Comment 9 (§21). Legal measures for the ABS law are already being adapted based on SGG feedback and to be submitted to the SGG soon – recommendation to be removed

Response. See below, response to comment 26 of the main report.

Main report

Comment 10 (§94). Only the draft ABS law was shared by the GIZ project. The UNDP-GEF project has not received results regarding ABS experimental schemes in the two pilot regions, including pilot ABS contracts, who were verbally confirmed but not verified through reports or documentation.

Response. Sentence revised as follows: No reports or lessons from the initial experimentation with ABS schemes conducted by the CCAN project in two pilot regions were made available.

Comment 11 (§95). More specifically, the project was selected as Bio-Bridge Initiative recipient by the CBD, and initiated the project where Morocco led 9 other French-speaking African countries in creating the network of ABS legal experts.

Response. Sentence revised as follows: Through this initiative the project was selected as Bio-Bridge Initiative recipient by the CBD. This enabled Morocco to lead nine other French-speaking African countries in creating a network of ABS legal experts.

Comment 12 (§97). Ces chiffres ne concordant pas avec les CDRS. Selon les CDRS : Dépenses 2016 : 29 357,5 USD (GEF), Dépenses 2017 : 372 969,4 USD (GEF), Dépenses 2018 : 322430,74 USD (GEF)

Response. The table revised, graph and text adjusted.

Comment 13 (§106). Ce département n' a jamais disparu. Il a changé d'appellation et devenu Secrétariat d'état chargé du Développement Durable qui est redevenu Département de l'environnement depuis octobre 2019.

Response. Sentence revised as follows: It played a decisive role in establishing the partnership with GIZ and in coordinating with government, particularly during the sensitive period after the 2016 elections which led to the progressive restructuring of the Ministry of Environment.

Comment 14 (§107). The leveraging of this new co-financing was facilitated by the Implementation Agency (MEME) through coordination with CBD during COP13 and subsequent regional meetings. UNDP played an active role in the management of the received funds and in the financial reporting.

Response. The sentence was added to the paragraph.

Comment 15 (§108). Comme expliqué préalablement, le système de suivi est évaluation est opérationnelle toutes les revues annuelles et mi-annuelles organisées depuis 2017 ont permis d'identifier le risque de retard dans l'adoption de la loi et des mesures ont été prises telles que l'implication du SGG dans les différentes réunions du comité national et les réunions du COPIL, le travail étroit avec la Direction de la réglementation et du Contrôle. Une fois le projet de loi a été soumis au SGG, il suit son cours normal comme toutes les loi Marocaine.

Response. The opinion of this evaluation is that the M&E system would have been more effective if it had flagged as critical the risks associated with the ratification of legal instruments potentially affecting project outcomes and ultimately the achievement of the project objective (see § 75,76,77,78). The ratings for the four risks in the prodoc have not changed since project inception with three of the risks rated as low and one as medium. This evaluation considers that two of these risks should have arguably been considered critical since 2018. The length of the review of the proposed ABS law (risk 4), and difficulties in the adoption of the national ABS regulatory framework (risk 2), have negatively impacted the project, precluding the possibility of achieving key expected outcomes before the end of the project cycle (see § 105).

Comment 16 (§109). La ratification est hors du périmètre du projet

Response. It is difficult to imagine how an ABS framework which is NP compliant can be achieved by Morocco in the absence of the ratification of the NP. Nevertheless, the sentence has been revised as follows : This may have allowed to pick up at an earlier stage the delays in the adoption of the ABS law, as issues which have become problems affecting project outcomes and sustainability.

Comment 17 (§111). It was only published towards the end of 2017 by the SGG,for public consultation.

Response. Paragraph amended as follows: It was published as draft law N.76/16 on the GSS website (<http://www.sgg.gov.ma/Legislation/ListeAvant-projets.aspx>) for public consultation. The draft law is also available on the CDB/ABS clearing house (<https://absch.cbd.int/countries/ma>).

Comment 18 a+b (§113). (a) It is unclear what step can be taken after a draft law has been received by the GSS. Ministries have very little influence on the GSS overall, once a draft law has been submitted. (b) Surtout que une fois soumis au SGG, le projet prend son cours normal. Il n'y a pas de blocage particulier pour intervenir

Response. Paragraph revised as follows: The draft law was submitted to the GSS three years ago, but to date it has not entered the parliamentary process. However, the project's team and several partners are relatively positive that this will eventually happen.

Comment 19 (§120). Sharing and verification by third parties (other than the owners and source of the TK) would be contrary to the valorization and protection of said TK. That information cannot be shared and is to remain confidential until utilization as part of an ABS transaction with an authorized user is granted. Therefore, there cannot be "scientific validation" of the TK collected, but the lists of GR to which the TK was associated come mainly from scientific institutions, and were supervised by a member of the NCB.

Response. The current limitations of the pilot inventories are discussed in the report produced by the project: Étude sur les mesures de protection et de valorisation des connaissances traditionnelles liées à l'utilisation des ressources génétiques et élaboration de procédures de recensement et d'inventaire desdites connaissances traditionnelles au Maroc. Redouan El Ouaf. Janvier 2018. The following sentence has been added to help clarify the issue as requested: Information cannot be shared until utilization as part of an ABS transaction with an authorized user is granted.

Comment 20 (§143). Also available in English

Response. English added.

Comment 21 (§144). Key documents and training guides on ABS have been redesigned at the project's end (November 2019) specifically for online publication on the biodiversity CHM and the MEME official website, as well as other partner institutions. Therefore, the platform will play an active role in disseminating useful ABS and NP information.

Response. Paragraph revised as follows: The project has not established a website, having opted for using the online platform of the national clearing house for the Nagoya Protocol (<http://ma.chm-cbd.net/protocole-nagoya>). However, to date the clearing house only contains limited content and is unlikely to have played an active role in the dissemination of relevant information on ABS and the Nagoya Protocol. This is a drawback in the project's communication strategy which needs to be urgently rectified. The preparations currently underway for the online publication of documents and training guides on ABS, should help disseminate project results and information on the NP beyond the end of the project cycle.

Comment 22 (Table 3, Ind.11). See comments on output 1.4 The database developed, compared the indicator and target set, seems complete and adequate. Proposed rating: "Satisfactory".

Response. All ratings at indicator level have been removed, for they may be unhelpful and are not obligatory.

Comment 23 (Table 3, Ind. 11). Definition of “is established” in the target description is akin to “Formally adopted and implemented” ? The collection system is no part of any ABS decree and can be considered as already operational since “field-tested” in the two pilot regions to collect TK information. Proposed rating: “Satisfactory”.

Response. See response to Comment 22.

Comment 24 (Table 5, Ind. 1). More than 5 value-chain on genetic resources have been recorded with government authorities. “MU” rating should be clarified Proposed rating: “Satisfactory”.

Response. See response to Comment 22.

Comment 25 (Table 5, Ind, 2). The ABS requests have been recorded and deposited directly to the ABS focal point (not other departments or resource provider) clearly indicated the intent of abiding by ABS procedures, as stated by the Nagoya Protocol, and establishing ABS agreements for accessing and using the GR. Proposed rating: “Satisfactory”.

Response. See response to Comment 22.

Comment 26 (section 4.2). La majorité des recommandations proposes portent sur le futur projet mais cela poserait problème si le futur projet ne se concrétise pas. A mon avis les recommandations doivent portés d’abord sur ce projet puisqu’il y a des Réponses Managériales à établir et à suivre sur ERC. Prière de proposer au maximum 3 recommandations pour le projet actuel

Response. Recommendations revised and re-sequenced as requested.

Annex 7. Evaluation Consultant Agreement Form

L'évaluateur (trice) / les évaluateurs (trices) :

1. Doit (doivent) présenter des informations complètes et équitables dans son (leur) évaluation des forces et des faiblesses afin que les décisions ou les mesures prises soient bien fondées;
2. Doit (doivent) divulguer l'ensemble des conclusions d'évaluation, ainsi que les informations sur les limites et les mettre à disposition de tous ceux concernés par l'évaluation et qui sont légalement habilités à recevoir les résultats ;
3. Doit (doivent) protéger l'anonymat et la confidentialité à laquelle ont droit les personnes qui leur communiquent des informations, Accorder un délai suffisant, réduire au maximum les pertes de temps et respecter le droit des personnes à la vie privée, Respecter le droit des personnes à fournir des renseignements en toute confidentialité et s'assurer que les informations dites sensibles ne permettent pas de remonter jusqu'à leur source. Les évaluateurs n'ont pas à évaluer les individus et doivent maintenir un équilibre entre l'évaluation des fonctions de gestion et ce principe général.
4. Découvrent parfois des éléments de preuve faisant état d'actes répréhensibles pendant qu'ils mènent des évaluations. Ces cas doivent être signalés de manière confidentielle aux autorités compétentes chargées d'enquêter sur la question. Ils doivent consulter d'autres entités compétentes en matière de supervision lorsqu'il y a le moindre doute à savoir s'il y a lieu de signaler des questions, et comment le faire.
5. Doivent être attentifs aux croyances, aux et coutumes et faire preuve d'intégrité et d'honnêteté dans leurs relations avec toutes les parties prenantes. Conformément à la Déclaration universelle des droits de l'homme, les évaluateurs doivent être attentifs aux problèmes de discrimination ainsi que de disparité entre les sexes, et s'en préoccuper. Les évaluateurs doivent éviter tout ce qui pourrait offenser la dignité ou le respect de soi-même des personnes avec lesquelles ils entrent en contact durant une évaluation. Sachant qu'une évaluation peut avoir des répercussions négatives sur les intérêts de certaines parties prenantes, les évaluateurs doivent réaliser l'évaluation et en faire connaître l'objet et les résultats d'une façon qui respecte absolument la dignité et le sentiment de respect de soi-même des parties prenantes.
6. Sont responsables de leur performance et de ce qui en découle. Les évaluateurs doivent savoir présenter par écrit ou oralement, de manière claire, précise et honnête, l'évaluation, les limites de celle-ci, les constatations et les recommandations.
7. Doivent respecter des procédures comptables reconnues et faire preuve de prudence dans l'utilisation des ressources de l'évaluation.

Formulaire d'acceptation du consultant en évaluation⁴⁵
--

Engagement à respecter le Code de conduite des évaluateurs du système des Nations Unies
--

Nom du consultant : _____

Je confirme avoir reçu et compris le Code de conduite des évaluateurs des Nations Unies et je m'engage à le respecter.

Date : _____

Signature : _____

⁴⁵ www.unevaluation.org/unegcodeofconduct