

# Terminal Evaluation Terms of Reference

Template 1 - formatted for attachment to the [UNDP Procurement website](#)

## 1. INTRODUCTION

In accordance with UNDP and GEF M&E policies and procedures, all full- and medium-sized UNDP-supported GEF-financed projects are required to undergo a Terminal Evaluation (TE) at the end of the project. This Terms of Reference (ToR) sets out the expectations for the TE of the full-sized project titled *Developing and Implementing the National Framework on Access to and Benefit Sharing of Genetic Resources and Associated Traditional Knowledge* (PIMS #5310) implemented through the Foreign Environmental Cooperation Center (FECO) of the Ministry of Ecology and Environment. The project started on April 1, 2016, and is in its sixth year of implementation. The TE process must follow the guidance outlined in the document 'Guidance For Conducting Terminal Evaluations of UNDP-Supported, GEF-Financed Projects' ([http://web.undp.org/evaluation/guideline/documents/GEF/TE\\_GuidanceforUNDP-supportedGEF-financedProjects.pdf](http://web.undp.org/evaluation/guideline/documents/GEF/TE_GuidanceforUNDP-supportedGEF-financedProjects.pdf)).

## 2. PROJECT BACKGROUND AND CONTEXT`

China's rich biological heritage has a vast potential to be explored for new wealth creation and to enhance the development of the nation in line with national policies on biological diversity and biotechnology. However, China lacked a national regulatory framework on access and benefit-sharing (ABS). The project is designed to develop and implement China's framework on access to and benefit sharing (ABS) of genetic resources and associated traditional knowledge in accordance with provisions of the Convention on Biological Diversity (CBD) and the Nagoya Protocol (NP), with the goal of addressing identified weaknesses in institutional ABS implementation, ABS awareness and capacity to undertake and/or negotiate access for bioprospecting and other utilization of genetic resources (GR), all of which may operate as barriers to the country's accession to, and implementation of, the NP. With GEF support, the project has undertaken the following interventions at national and pilot sub-national levels: 1) Establishment of national regulatory and institutional framework on ABS; 2) ABS capacity building and awareness raising, and; 3) Pilot demonstrations on ABS.

Implemented by the Ministry of Ecology and Environment (MEE), Foreign Environmental Cooperation Center (FECO) of MEE has hosted the project management office. The project duration is six years (one year extension compared with PD), from April 1 2016 to March 31, 2022. The total budget is \$27,372,210, including \$4,436,210 of GEF contribution and \$22,936,000 counterpart fund (both in cash and in-kind) provided by the national government and provincial government of Hunan, Guangxi and Yunnan. During this project's implementation, China adopted the Nagoya protocol as a result. The project has been supporting the enhancement of implementing mechanisms and institutions required to establish and operationalize national legislative frameworks; establishing legislations and other measures in three pilot province; providing capacity building and raising awareness on ABS and the legislation, procedures and contracts developed on the piloting sites.

The outbreak of the Covid-19 pandemic has escalated into a global humanitarian and socio-economic crisis since 2020. As of 11 March 2020, the World Health Organization (WHO) declared COVID-19 a global pandemic as the new coronavirus rapidly spread to all regions of the world. In China, from 3 January 2020 to 6 May 2021, there have been 103,731 confirmed cases of COVID-19 with 4,858 deaths, reported to WHO. As of 2 May 2021, a total of 280,349,977 vaccine doses have been administered. China responded to the outbreak by implemented a series of strict restrictions to minimize contracting or spreading the virus. In the first and second quarters of 2020, there was a lockdown period. This had a negative impact on the project, resulting in delays to implementation for at least 2 months but with the lifting of restrictions implementation gradually picked up since June. To date, international travel is still limited. Entry restrictions vary depending on departure location. All travelers are strongly advised to check with a local (COVID) TE ToR for GEF-Financed Projects – Standard Template for UNDP Procurement Site – June 2020

Chinese embassy or consulate to confirm all testing and document verification requirements. All persons (including Chinese nationals) traveling from abroad must have proof of dual negative results for COVID-19 using both a nucleic acid test and a serological test for IgM antibodies. All persons (including Chinese nationals) must undergo a 14-day quarantine at a designated location upon arrival in Mainland China.

### **3. TE PURPOSE**

The overall objective of TE is to review the achievements made to deliver the specified objectives and outcomes of the project *titled Developing and Implementing the National Framework on Access to and Benefit Sharing of Genetic Resources and Associated Traditional Knowledge* (PIMS #5310) which is scheduled to end in March 2022. The TE will also establish the effectiveness, efficiency, relevance, performance and success of the project, including the sustainability of results and the project exit strategies. The TE will draw and analyze lessons learned through the project and best practices pertaining to the strategies employed, and implementation arrangements, which may be utilized to inform future programs.

To achieve the objectives of TE described above, the TE evaluator will review all relevant sources of information including documents prepared during the preparation phase (i.e. PIF, UNDP Initiation Plan, UNDP Environmental & Social Safeguard Policy, the Project Document, project reports including Annual Project Review/PIRs, project budget revisions, lesson learned reports, national strategic and legal documents, and any other materials that the consultant considers useful for this evidence-based review), and summarize assessment methodologies, results, and recommendations in a report. The TE report should promote accountability and transparency and assess the extent of project accomplishments.

Note: During the COVID pandemic lockdown in 2020, UNDP approved the request of twelve months no-cost project extension considering the impact to the project pace. The closing date of the project shifted from March 31, 2021, to March 31, 2022.

### **4. TE APPROACH & METHODOLOGY**

The TE report must provide evidence-based information that is credible, reliable and useful.

The TE team will review all relevant sources of information including documents prepared during the preparation phase (i.e. PIF, UNDP Initiation Plan, UNDP Social and Environmental Screening Procedure/SESP) the Project Document, project reports including annual PIRs, project budget revisions, lesson learned reports, national strategic and legal documents, and any other materials that the team considers useful for this evidence-based evaluation. The TE team will review the baseline and midterm GEF focal area Core Indicators/Tracking Tools submitted to the GEF at the CEO endorsement and midterm stages and the terminal Core Indicators/Tracking Tools that must be completed before the TE field mission begins.

The TE team is expected to follow a participatory and consultative approach ensuring close engagement with the Project Team, government counterparts (the GEF Operational Focal Point), Implementing Partners, the UNDP Country Office(s), the Regional Technical Advisor, direct beneficiaries and other stakeholders.

Engagement of stakeholders is vital to a successful TE. Stakeholder involvement should include interviews with stakeholders who have project responsibilities, including but not limited to Ministry of Ecology and Environment, Ministry of Finance, Foreign Environmental Cooperation Center, Sub-national Governments; executing agencies, senior officials and task team/component leaders, key experts and consultants in the subject area, Project Board, project beneficiaries, academia, local government and CSOs, etc. Additionally, the national evaluator may be required to conduct field missions to Beijing, Hunan, Guangxi and Yunnan, including the following project sites in cities of Changsha and Xiangxi in Hunan Province, Nanning and Guilin in Guangxi Autonomous Region, Kunming and Xishuangbanna in Yunnan Province.

The specific design and methodology for the TE should emerge from consultations between the TE team and the above-mentioned parties regarding what is appropriate and feasible for meeting the TE purpose and objectives and answering the evaluation questions, given limitations of budget, time and data. The TE team must, however, use gender-responsive methodologies and tools and ensure that gender equality and women's empowerment, as well as other cross-cutting issues and SDGs are incorporated into the TE report.

The final methodological approach including interview schedule, field visits and data to be used in the evaluation must be clearly outlined in the TE Inception Report and be fully discussed and agreed between UNDP, stakeholders and the TE team.

The final report must describe the full TE approach taken and the rationale for the approach making explicit the underlying assumptions, challenges, strengths and weaknesses about the methods and approach of the evaluation.

Because of the COVID-19 pandemic, international travel to China has been limited while domestic travel has had special requirements too, for instance if a city/district reports confirmed cases then travel to and out of the city/district might be restricted.

Considering the travel limitation, the TE team should develop a methodology that takes this into account the conduct of the TE virtually and remotely, including the use of remote interview methods and extended desk reviews, data analysis, surveys and evaluation questionnaires. This should be detailed in the TE Inception Report and agreed with the Commissioning Unit. The international consultant will be home-based and provide guidance to the National Consultant, who will do the field visit to the sites (if the travel is permitted).

Since part of the TE is to be carried out virtually then consideration should be taken for stakeholder availability, ability or willingness to be interviewed remotely. These limitations must be reflected in the final TE report.

If a data collection/field mission is not possible then remote interviews may be undertaken through telephone or online (skype, zoom etc.). International consultant can work remotely with national evaluator support in the field if it is safe for them to operate and travel. No stakeholders, consultants or UNDP staff should be put in harm's way and safety is the key priority.

A short validation mission may be considered if it is confirmed to be safe for staff, consultants, stakeholders and if such a mission is possible within the TE schedule.

## **5. DETAILED SCOPE OF THE TE**

The TE will assess project performance against expectations set out in the project's Logical Framework/Results Framework (see ToR Annex A). The TE will assess results according to the criteria outlined in [the Guidance for TEs of UNDP-supported GEF-financed Projects](#). The Findings section of the TE report will cover the topics listed below.

A full outline of the TE report's content is provided in ToR Annex C.

The asterisk "(\*)" indicates criteria for which a rating is required.

### Findings

#### i. Project Design/Formulation

- National priorities and country driven-ness
- Theory of Change
- Gender equality and women's empowerment

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- Social and Environmental Safeguards
  - Analysis of Results Framework: project logic and strategy, indicators
  - Assumptions and Risks
  - Lessons from other relevant projects (e.g. same focal area) incorporated into project design
  - Planned stakeholder participation
  - Linkages between project and other interventions within the sector
  - Management arrangements
- ii. Project Implementation
- Adaptive management (changes to the project design and project outputs during implementation)
  - Actual stakeholder participation and partnership arrangements
  - Project Finance and Co-finance
  - Monitoring & Evaluation: design at entry (\*), implementation (\*), and overall assessment of M&E (\*)
  - Implementing Agency (UNDP) (\*) and Executing Agency (\*), overall project oversight/implementation and execution (\*)
  - Risk Management, including Social and Environmental Standards
- iii. Project Results
- Assess the achievement of outcomes against indicators by reporting on the level of progress for each objective and outcome indicator at the time of the TE and noting final achievements
  - Relevance (\*), Effectiveness (\*), Efficiency (\*) and overall project outcome (\*)
  - Sustainability: financial (\*), socio-political (\*), institutional framework and governance (\*), environmental (\*), overall likelihood of sustainability (\*)
  - Country ownership
  - Gender equality and women's empowerment
  - Cross-cutting issues (poverty alleviation, improved governance, climate change mitigation and adaptation, disaster prevention and recovery, human rights, capacity development, South-South cooperation, knowledge management, volunteerism, etc., as relevant)
  - GEF Additionality
  - Catalytic Role / Replication Effect
  - Progress to impact

#### Main Findings, Conclusions, Recommendations and Lessons Learned

- The TE team will include a summary of the main findings of the TE report. Findings should be presented as statements of fact that are based on analysis of the data.
- The section on conclusions will be written in light of the findings. Conclusions should be comprehensive and balanced statements that are well substantiated by evidence and logically connected to the TE findings. They should highlight the strengths, weaknesses and results of the project, respond to key evaluation questions and provide insights into the identification of and/or solutions to important problems or issues pertinent to project beneficiaries, UNDP and the GEF, including issues in relation to gender equality and women's empowerment.
- Recommendations should provide concrete, practical, feasible and targeted recommendations directed to the intended users of the evaluation about what actions to take and decisions to make. The recommendations should be specifically supported by the evidence and linked to the findings and conclusions around key questions addressed by the evaluation.

- The TE report should also include lessons that can be taken from the evaluation, including best and worst practices in addressing issues relating to relevance, performance and success that can provide knowledge gained from the particular circumstance (programmatic and evaluation methods used, partnerships, financial leveraging, etc.) that are applicable to other GEF and UNDP interventions. When possible, the TE team should include examples of good practices in project design and implementation.
- It is important for the conclusions, recommendations and lessons learned of the TE report to include results related to gender equality and empowerment of women.

The TE report will include an Evaluation Ratings Table, as shown below:

**ToR Table 2: Evaluation Ratings Table for  
Developing and Implementing the National Framework on Access to and Benefit Sharing of  
Genetic Resources and Associated Traditional Knowledge**

Monitoring & Evaluation (M&E)	Rating <sup>1</sup>
M&E design at entry	
M&E Plan Implementation	
Overall Quality of M&E	
Implementation & Execution	Rating
Quality of UNDP Implementation/Oversight	
Quality of Implementing Partner Execution	
Overall quality of Implementation/Execution	
Assessment of Outcomes	Rating
Relevance	
Effectiveness	
Efficiency	
Overall Project Outcome Rating	
Sustainability	Rating
Financial resources	
Socio-political/economic	
Institutional framework and governance	
Environmental	
Overall Likelihood of Sustainability	

<sup>1</sup> Outcomes, Effectiveness, Efficiency, M&E, I&E Execution, Relevance are rated on a 6-point rating scale: 6 = Highly Satisfactory (HS), 5 = Satisfactory (S), 4 = Moderately Satisfactory (MS), 3 = Moderately Unsatisfactory (MU), 2 = Unsatisfactory (U), 1 = Highly Unsatisfactory (HU). Sustainability is rated on a 4-point scale: 4 = Likely (L), 3 = Moderately Likely (ML), 2 = Moderately Unlikely (MU), 1 = Unlikely (U)

## 6. TIMEFRAME

The total duration of the TE will be approximately 31-day over a time period of 3-months starting on November 1, 2021. The tentative TE timeframe is as follows:

Timeframe	Activity
August 31, 2021	Application closes
September 30, 2021	Selection of TE team
November 1, 2021	Preparation period for TE team (handover of documentation)
November 10, 2021 (4 days)	Document review and preparation of TE Inception Report
November 17, 2021 (4 days)	Finalization and Validation of TE Inception Report; latest start of TE mission
November 30, 2021 (10 days)	TE mission: stakeholder meetings, interviews, field visits, etc.
December 10, 2021	Mission wrap-up meeting & presentation of initial findings; earliest end of TE mission
January 5, 2022 (10 days)	Preparation of draft TE report
January 19, 2022	Circulation of draft TE report for comments
January 26, 2022 (3 days)	Incorporation of comments on draft TE report into Audit Trail & finalization of TE report
January 31, 2022	Preparation and Issuance of Management Response
January 31, 2022	Expected date of full TE completion

Options for site visits should be provided in the TE Inception Report.

## 7. TE DELIVERABLES

#	Deliverable	Description	Timing	Responsibilities
1	TE Inception Report	TE team clarifies objectives, methodology and timing of the TE	No later than 2 weeks before the TE mission: (November 17 2021)	TE team submits Inception Report to Commissioning Unit and project management
2	Presentation	Initial Findings	End of TE mission: (December 10 2021)	TE team presents to Commissioning Unit and project management
3	Draft TE Report	Full draft report (using guidelines on report content in ToR Annex C) with annexes	Within 3 weeks of end of TE mission: (January 19 2022)	TE team submits to Commissioning Unit; reviewed by BPPS-GEF RTA, Project Coordinating Unit, GEF OFP
5	Final TE Report* + Audit Trail	Revised final report and TE Audit trail in which the TE team details how all received comments have (and have not) been addressed in the final TE report (See template in ToR Annex H)	Within 1 week of receiving comments on draft report: (January 31 2022)	TE team submits both documents to the Commissioning Unit

\*All final TE reports will be quality assessed by the UNDP Independent Evaluation Office (IEO). Details of the IEO's quality assessment of decentralized evaluations can be found in Section 6 of the UNDP Evaluation Guidelines.<sup>2</sup> The final TE report must be in English. If applicable, the Commissioning Unit may choose to arrange for a translation of the report into a language more widely shared by national stakeholders.

## 8. TE ARRANGEMENTS

The principal responsibility for managing the TE resides with the Commissioning Unit. The Commissioning Unit for this project's TE is the UNDP China. The Commissioning Unit will contract the evaluators and ensure the timely provision of per diems and travel arrangements within the country for the TE team. The Project Team will be responsible for liaising with the TE team to provide all relevant documents, set up stakeholder interviews, and arrange field visits. The Commissioning Unit and Project Team will facilitate and provide all the support that is required to implement remote/virtual TE in the event of travel restriction to the country.

## 9. TE TEAM COMPOSITION

A team of 3 consultants (1 international act as team leader, 1 national evaluator and 1 interpreter) will conduct the TE – one team leader with experience and exposure to projects and evaluations in other regions and one national consultant. The team leader will be responsible for the overall design, providing guidance to the national consultant and writing of the TE report. The national consultant will work with the Project Team in developing the TE itinerary and do the field visit to the sites, be responsible for collecting necessary information to provide to the evaluation team. The Interpreter will be responsible for interpreting the interviews.

The evaluator(s) cannot have participated in the project preparation, formulation and/or implementation (including the writing of the project document), must not have conducted this project's Mid-Term Review and should not have a conflict of interest with the project's related activities.

The selection of evaluators will be aimed at maximizing the overall "team" qualities in the following areas:

### 1. Qualifications for the Team Leader

#### Education

- At least a Master's degree in Biodiversity/Environmental Science/Environmental or other closely related field; (20%)
- Experience
- Familiarity with the Convention of Biological diversity and the Nagoya Protocol; Work experience in Biodiversity related management for at least 10 years; Experience in ABS related areas for at least 3 years; (20%)
- Relevant experience with results-based management and evaluation methodologies; (5%)
- Experience applying SMART indicators and reconstructing or validating baseline scenarios; (5%)
- Competence in adaptive management, as applied to CBD; (5%)
- Experience in evaluating projects, experiences in evaluating GEF-funded project will be an asset; (15%)
- Experience working in China; (5%)
- Demonstrated understanding of issues related to gender and biodiversity; experience in gender responsive evaluation and analysis;(5%)

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<sup>2</sup> Access at: <http://web.undp.org/evaluation/guideline/section-6.shtml>

- Excellent communication skills; (5%)
- Demonstrable analytical skills;(5%)
- Project evaluation/review experience within United Nations system will be considered an asset; project evaluation/review experience with UNDP as well the GEF (in addition to the UN system) would be highly preferable (5%)
- Experience with implementing evaluations remotely will be considered an asset.(5%)

#### Language

- Fluency in written and spoken English.

## **2. Qualifications for the National Consultant**

#### Education

- At least a Master's degree in Biodiversity/Environmental Science/Environmental or other closely related field; (20%)

#### Experience

- Familiarity with the Convention of Biological diversity and the Nagoya Protocol; Work experience in Biodiversity related management for at least **8 years**; Experience in ABS related areas for at least **3 years**; (20%)
- Relevant experience with results-based management evaluation methodologies; (10%)
- Experience applying SMART indicators and reconstructing or validating baseline scenarios; (10%)
- Competence in adaptive management, as applied to **CBD**; (5%)
- Experience in evaluating projects, experiences in evaluating GEF-funded project will be an asset; (15%)
- Excellent communication skills; (5%)
- Demonstrable analytical skills;(5%)
- Project evaluation/review experience within United Nations system will be considered an asset; project evaluation/review experience with UNDP as well the GEF (in addition to the UN system) would be highly preferable (5%)
- Experience with implementing evaluations remotely will be considered an asset.(5%)

#### Language

- Fluency in written and spoken English and Chinese.

## **3. Qualifications for the Interpreter (National)**

#### Education

- University degree in English language, translation and/or related fields;

#### Experience

- Experience with consecutive translation with English and Chinese, preferably in the area of sustainable development and environment, especially biodiversity/genetic resources/ABS, for at least 5 years;



- Ability to work effectively in a team, with good relationship management skills;
- Ability to maintain high standards despite pressing deadlines
- Excellent communication (both oral and written) skills;
- Previous work experience in GEF project preferable
- A bachelor degree in English language is an asset;
- Good command of Chinese language required.

#### Language

- Fluency in written and spoken English and Chinese.

## **10. EVALUATOR ETHICS**

The TE team will be held to the highest ethical standards and is required to sign a code of conduct upon acceptance of the assignment. This evaluation will be conducted in accordance with the principles outlined in the UNEG 'Ethical Guidelines for Evaluation'. The evaluator must safeguard the rights and confidentiality of information providers, interviewees and stakeholders through measures to ensure compliance with legal and other relevant codes governing collection of data and reporting on data. The evaluator must also ensure security of collected information before and after the evaluation and protocols to ensure anonymity and confidentiality of sources of information where that is expected. The information knowledge and data gathered in the evaluation process must also be solely used for the evaluation and not for other uses without the express authorization of UNDP and partners.

## **11. PAYMENT SCHEDULE**

### **For Team Leader and National Consultant:**

- 20% payment upon satisfactory delivery of the final TE Inception Report and approval by the Commissioning Unit
- 40% payment upon satisfactory delivery of the draft TE report to the Commissioning Unit
- 40% payment upon satisfactory delivery of the final TE report and approval by the Commissioning Unit and RTA (via signatures on the TE Report Clearance Form) and delivery of completed TE Audit Trail

Criteria for issuing the final payment of 40%:

- The final TE report includes all requirements outlined in the TE TOR and is in accordance with the TE guidance.
- The final TE report is clearly written, logically organized, and is specific for this project (i.e. text has not been cut & pasted from other TE reports).
- The Audit Trail includes responses to and justification for each comment listed.

In line with the UNDP's financial regulations, when determined by the Commissioning Unit and/or the consultant that a deliverable or service cannot be satisfactorily completed due to the impact of COVID-19 and limitations to the TE, that deliverable or service will not be paid.

Due to the current COVID-19 situation and its implications, a partial payment may be considered if the consultant invested time towards the deliverable but was unable to complete to circumstances beyond his/her control.

#### For interpreter:

- A total interpretation fee will be paid based on actual working days after all interviews with stakeholders are completed.

## 12. APPLICATION PROCESS<sup>3</sup>

Recommended Presentation of Proposal:

- a) **Letter of Confirmation of Interest and Availability** using the [template](#)<sup>4</sup> provided by UNDP;
- b) **CV**;
- c) Brief description **of approach to work/technical proposal** of why the individual considers him/herself as the most suitable for the assignment, and a proposed methodology on how they will approach and complete the assignment; (max 1 page)
- d) **Financial Proposal** that indicates the all-inclusive fixed total contract price and all other travel related costs (such as flight ticket, per diem, etc), supported by a breakdown of costs, as per template attached to the [Letter of Confirmation of Interest template](#). If an applicant is employed by an organization/company/institution, and he/she expects his/her employer to charge a management fee in the process of releasing him/her to UNDP under Reimbursable Loan Agreement (RLA), the applicant must indicate at this point, and ensure that all such costs are duly incorporated in the financial proposal submitted to UNDP.

Applicants are requested to apply online (<http://jobs.undp.org>, etc.) by (August 31, 2021). Incomplete applications will be excluded from further consideration.

**Criteria for Evaluation of Proposal:** Only those applications which are responsive and compliant will be evaluated. Offers will be evaluated according to the Combined Scoring method – where the educational background and experience on similar assignments will be weighted at 70% and the price proposal will weigh as 30% of the total scoring. The applicant receiving the Highest Combined Score that has also accepted UNDP’s General Terms and Conditions will be awarded the contract.

## 13. TOR ANNEXES

- ToR Annex A: Project Logical/Results Framework
- ToR Annex B: Project Information Package to be reviewed by TE team
- ToR Annex C: Content of the TE report
- ToR Annex D: Evaluation Criteria Matrix template
- ToR Annex E: UNEG Code of Conduct for Evaluators
- ToR Annex F: TE Rating Scales
- ToR Annex G: TE Report Clearance Form
- ToR Annex H: TE Audit Trail

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<sup>3</sup> Engagement of evaluators should be done in line with guidelines for hiring consultants in the POPP  
<https://popp.undp.org/SitePages/POPPRoot.aspx>

<sup>4</sup><https://intranet.undp.org/unit/bom/psa/Support%20documents%20on%20IC%20Guidelines/Template%20for%20Confirmation%20of%20Interest%20and%20Submission%20of%20Financial%20Proposal.docx>

(COVID) TE ToR for GEF-Financed Projects – Standard Template for UNDP Procurement Site – June 2020

## ToR Annex A: Project Logical/Results Framework

Objective/ Outcome	Indicator	Baseline	End of Project target	Source of Information	Risks and assumptions
<b>Objective:</b> To develop and implement China's national framework on access to and benefit sharing (ABS) of genetic resources and associated traditional knowledge in accordance with provisions of the Convention on Biological Diversity (CBD) and the Nagoya Protocol (NP)	Accession to the Nagoya Protocol	China has not acceded to the Protocol	Accession to the Nagoya Protocol	Official gazette	There has been no specific decision on ABS in the State Council and People's Congress. Controversy or lengthy procedures for consultation in these forums might delay or prevent accession.
	Status of adoption and/or implementation of the National ABS Framework at national level	No framework, in place. Some individual laws identify specific types of GR in ways that could be coordinated with, or integrated into, a national ABS framework.	National ABS regulatory framework in compliance with the Nagoya Protocol established and operational at a national level, according to national constitutional and administrative circumstance, enhancement of implementing mechanisms and institutions authorized under such legislation, appointing and properly training and authorizing personnel to those institutions and mechanisms and whatever other actions or processes are legally required to establish and operationalize national legislative frameworks in China.	Official government reports	Political discussion at the level of the State Committee and People's Congress may involve controversy, delaying or preventing establishment or operability
	Status of adoption and/or implementation of the National ABS Framework at sub-national levels	No framework in place and no pilots implemented to date.	National ABS regulatory framework implementing legislations or other measures established and operational in three pilot province/regions and, as appropriate, sub-provincial jurisdictions participating in the pilots, and guidance provided to other provinces and regions regarding establishment and	Official government reports  Project reports	Sub-national bodies cannot adopt and or implement legislation implementing the national framework if the national framework does not yet exist

Objective/ Outcome	Indicator	Baseline	End of Project target	Source of Information	Risks and assumptions
			implementation of frameworks to implement the national framework		
	Biodiversity conserved by the pilots Incentives for biodiversity conservation	Limited areas / efforts devoted to conservation of target species	100% of dendrobe habitat conserved within PA system in pilot area. <i>(The revision was approved by the PSC as suggested in the mid-term review).</i>  Protected areas established covering 2,000 ha in areas where species (over 1,000 of which are threatened) used in Dai traditional medicine are concentrated	Official Government reports	
<b>Component 1.</b> Establishment of the National Regulatory and Institutional Framework on ABS 1.1: State Council of China is provided with information needed to formally approve accession to the Nagoya Protocol 1.2: National ABS framework—including,	Elements (policy, legislation, guidance) of a national framework	No elements necessary for creation of a primary ABS Framework in place, although, as noted above, some legal provisions addressing GR or ATK exist in other legislation.	Contribute to the national framework instruments (policy, legislation, guidance, as and if determined to be needed) coordinating with existing legal provisions addressing GR and ATK.	Official government reports	As above
	Incentive programs and codes of conduct for major commercial sectors	No such documents (formal or informal) in place for any sector.	Programs providing incentives for user participation in ABS and codes of conduct for ABS compliance, collaboratively developed with and implemented through at least three major commercial sectors (e.g. from among the following: forests, marine,	Sectoral agency and organisation publications (codes of conduct, etc)	Commercial and sectoral organizations may lack incentives to create and adopt ABS codes of conduct

Objective/ Outcome	Indicator	Baseline	End of Project target	Source of Information	Risks and assumptions
<p>if and as appropriate, NP compliant PIC and community protocols, model contracts, codes of conduct and certificates of compliance/origin on ABS—developed with stakeholder participation and in compliance with Nagoya Protocol</p> <p>1.3: ABS framework implementation plans formulated and operational, including:</p> <p>(i) plan for access to and benefit sharing of genetic resources and derivatives for commercial purposes;</p> <p>(ii) plan for access to genetic resources, traditional knowledge associated with genetic resources, and derivatives used for commercial purposes including application of PIC and community protocol, and benefit-sharing with regard to their utilization; and</p> <p>(iii) plan for</p>			agriculture, traditional medicine, cosmetics, pharmaceuticals, etc.) and associations. prepared with the participation of sectoral stakeholders.		
	Guidance for adoption of relevant sub-national legislation	No guidance instruments have been developed	Templates and guidance for the adoption of relevant legislation, and/or guidance at provincial/ regional and lower levels of government approved	Project reporting and supported publications	Depends on the prior adoption of the national framework.
	Instruments and mechanisms necessary to formally establish elements of the national framework	No such instruments or mechanisms (formal or informal) in place. Databases including information potentially relevant exist but are not coordinated	Instruments necessary to formally establish all elements of the national framework (e.g. PIC and MAT procedures, certificates of compliance (as appropriate), national ABS clearinghouse and other monitoring and oversight mechanisms) are adopted and relevant systems, mechanisms and databases are developed and/or coordinated.	Official government reports	Depends on the prior adoption of the national framework.  Databases and compendiums of ATK (and possibly also of key genetic information) may operate as focus points for biopiracy.
	Guidance documents re. elements of the national framework	No such instruments (formal or informal) in place.	Guidance documents on elements of the national framework, i.e. PIC and MAT, ABS contracts and their negotiation, completion and use of certificates of compliance (as appropriate), and access to the ABS Clearing-House, are adopted and widely available	Project reporting and supported publications	

Objective/ Outcome	Indicator	Baseline	End of Project target	Source of Information	Risks and assumptions
academic/non-commercial research protocol 1.4: Establish national-level institutional arrangements for ABS 1.5: Proposals and guidelines for financial mechanisms related to benefit sharing, etc.					
<b>Component 2.</b> ABS capacity building and awareness-raising 2.1: Enhanced capacity and awareness of implementation of China's ABS regime at the national and provincial levels. 2.2: Training materials and programme for ABS. 2.3: A platform to enable the sharing of technology and knowledge resources with Chinese stakeholders, including	National-level institutional capacity for ABS implementation	No existing experience or training materials related to ABS and associated transactions	Case studies and training material on the basis of the pilot/demos and the legislation, procedures and contracts developed and incorporated into staff training programs	Project reporting and supported publications	MEP staff operate in a policy and regulatory environment (developed under component 1) that gives them adequate opportunity and authority to engage productively in ABS framework development and oversight
		MEP: 39 out of 69 (57%) on UNDP ABS Capacity Development Scorecard	MEP: 53 out of 69 (77%) on UNDP ABS Capacity Development Scorecard	UNDP ABS Capacity Development Scorecard	
		Very few staff within implicated national-level agencies have more than a basic awareness of ABS	A sufficient number of personnel (to be determined during the inception phase) of national-level agencies involved with ABS implementation are able to perform ABS-related functions successfully ( <u>Note:</u> Number of proposed staff will be reviewed during project implementation)	Project documentation	

Objective/ Outcome	Indicator	Baseline	End of Project target	Source of Information	Risks and assumptions
through the ABS Clearing-House 2.4: Systems and guidelines for sharing information and knowledge related to ABS among ministries	Provincial-level institutional capacity for ABS implementation in Yunnan Province, Guangxi Autonomous Region and Hunan Province	Yunnan Province: 16 out of 69 (23%) on UNDP ABS Capacity Development Scorecard	At least 36 out of 69 (52%) on UNDP ABS Capacity Development Scorecard	UNDP ABS Capacity Development Scorecard	Pilot province staff operate in a policy and regulatory environment (developed under component 1) that gives them adequate opportunity to engage productively in ABS framework development and oversight
		Guangxi Autonomous Region: 11 out of 69 (16%) on UNDP ABS Capacity Development Scorecard	At least 27 out of 69 (39%) on UNDP ABS Capacity Development Scorecard	UNDP ABS Capacity Development Scorecard	
		Hunan Province: 11 out of 69 (16%) on UNDP ABS Capacity Development Scorecard	At least 27 out of 69 (39%) on UNDP ABS Capacity Development Scorecard	UNDP ABS Capacity Development Scorecard	
<b>Component 3.</b> Pilot demonstrations on ABS 3.1: Enhanced understanding of genetic resources and associated traditional knowledge, related ABS opportunities and associated barriers in Hunan and Yunnan Provinces and Guangxi Autonomous Region	Availability and accessibility of ABS information	Scattered and partial information exists but is not easily obtained and used	Existence of systems to institutionally store and update information about GRs and ATK in one region, one province and four autonomous prefectures. They should be organised into data sets that are generally and easily accessible to all potential providers and/or users and or involved agencies / officials.	Project reporting and supported publications	Biopiracy risks increase as specific data (ATK, genetic code, etc) is transferred and committed to writing. Although inexperienced, the providers and government officials involve will need to take steps to protect against this risk in every negotiation.
	3.2: Create the legal foundation for institutional arrangements and procedures that will	Quantity and nature of ABS agreements in China	Some informal oral agreements exist related to benefit sharing	At least six ABS agreements in compliance with NP in place and operational	Project documentation and, as appropriate, any permits, certificates or

Objective/ Outcome	Indicator	Baseline	End of Project target	Source of Information	Risks and assumptions
govern ABS in the pilot areas  3.3: ABS agreements negotiated and implemented across Hunan and Yunnan Provinces and Guangxi Autonomous Region, including examples from cosmetics, medicine, healthcare and others) in the pilot-demonstration jurisdictions  3.4: Lessons and experiences in implementing local ABS regimes are documented and disseminated for replication, based on the project's replication plan				other documents filed under pilot/demo legislation	in demonstration negotiations.
		No experience with PIC, MAT and ABS contracts.	Among the above six agreements, at least four will include PIC and MAT with local communities	Project documentation and, as appropriate, any permits, certificates or other documents filed under pilot/demo legislation	As above.  Biopiracy risks increase as specific data (ATK, genetic code, etc) is transferred and committed to writing. Although inexperienced, the providers and government officials involve will need to take steps to protect against this risk in every negotiation.
		Key bio-industries lack any ABS experience or examples	Among the above 6 agreements, one or more in each of the following areas: medicine and medicinal practices and food and beverage products.  <u>Note</u> : some agreements may cover more than one area	Project documentation and, as appropriate, any permits, certificates or other documents filed under pilot/demo legislation	Users (commercial organisations and academic institutions and others) might face obstacles that prevent or curtail their participation in demonstration negotiations.



Objective/ Outcome	Indicator	Baseline	End of Project target	Source of Information	Risks and assumptions
	Authorities with ABS implementation experience	None	At least one autonomous region, one province and four autonomous prefectures have practical experience regulating ABS agreements	Project documentation	
	Local communities benefit from GR and ATK utilization	No local communities are currently benefiting through ABS agreements	At least four of the users (companies) involved in ABS agreements have begun sharing benefits with providers (communities)	Project documentation and, as appropriate, any permits, certificates or other documents filed under pilot/demo legislation	
	Availability of best practice information on ABS implementation in China	No best practice information available in Chinese language	Best practice guidance on ABS processes <sup>5</sup> at national, state and local levels adopted on the basis of experience developed through the pilot/demos and their operation.	Project reporting and supported publications	

<sup>5</sup>PIC, MAT, negotiation of ABS contracts, certificates (as appropriate), monitoring, compliance

## ToR Annex B: Project Information Package to be reviewed by TE team

#	Item (electronic versions preferred if available)
1	Project Identification Form (PIF)
2	UNDP Initiation Plan
3	Final UNDP-GEF Project Document with all annexes
4	CEO Endorsement Request
5	UNDP Social and Environmental Screening Procedure (SESP) and associated management plans (if any)
6	Inception Workshop Report
7	Mid-Term Review report and management response to MTR recommendations
8	All Project Implementation Reports (PIRs)
9	Progress reports (quarterly, semi-annual or annual, with associated workplans and financial reports)
10	Oversight mission reports
11	Minutes of Project Board Meetings and of other meetings (i.e. Project Appraisal Committee meetings)
12	GEF Tracking Tools (from CEO Endorsement, midterm and terminal stages)
13	GEF/LDCF/SCCF Core Indicators (from PIF, CEO Endorsement, midterm and terminal stages); for GEF-6 and GEF-7 projects only
14	Financial data, including actual expenditures by project outcome, including management costs, and including documentation of any significant budget revisions
15	Co-financing data with expected and actual contributions broken down by type of co-financing, source, and whether the contribution is considered as investment mobilized or recurring expenditures
16	Audit reports
17	Electronic copies of project outputs (booklets, manuals, technical reports, articles, etc.)
18	Sample of project communications materials
19	Summary list of formal meetings, workshops, etc. held, with date, location, topic, and number of participants
20	Any relevant socio-economic monitoring data, such as average incomes / employment levels of stakeholders in the target area, change in revenue related to project activities
21	List of contracts and procurement items over ~US\$5,000 (i.e. organizations or companies contracted for project outputs, etc., except in cases of confidential information)
22	List of related projects/initiatives contributing to project objectives approved/started after GEF project approval (i.e. any leveraged or “catalytic” results)
23	Data on relevant project website activity – e.g. number of unique visitors per month, number of page views, etc. over relevant time period, if available
24	UNDP Country Programme Document (CPD)
25	List/map of project sites, highlighting suggested visits
26	List and contact details for project staff, key project stakeholders, including Project Board members, RTA, Project Team members, and other partners to be consulted
27	Project deliverables that provide documentary evidence of achievement towards project outcomes
	<i>Add documents, as required</i>

## ToR Annex C: Content of the TE report

- i. Title page
  - Title of UNDP-supported GEF-financed project
  - UNDP PIMS ID and GEF ID
  - TE timeframe and date of final TE report
  - Region and countries included in the project
  - GEF Focal Area/Strategic Program
  - Executing Agency, Implementing partner and other project partners
  - TE Team members
- ii. Acknowledgements
- iii. Table of Contents
- iv. Acronyms and Abbreviations
1. Executive Summary (3-4 pages)
  - Project Information Table
  - Project Description (brief)
  - Evaluation Ratings Table
  - Concise summary of findings, conclusions and lessons learned
  - Recommendations summary table
2. Introduction (2-3 pages)
  - Purpose and objective of the TE
  - Scope
  - Methodology
  - Data Collection & Analysis
  - Ethics
  - Limitations to the evaluation
  - Structure of the TE report
3. Project Description (3-5 pages)
  - Project start and duration, including milestones
  - Development context: environmental, socio-economic, institutional, and policy factors relevant to the project objective and scope
  - Problems that the project sought to address: threats and barriers targeted
  - Immediate and development objectives of the project
  - Expected results
  - Main stakeholders: summary list
  - Theory of Change
4. Findings  
(in addition to a descriptive assessment, all criteria marked with (\*) must be given a rating<sup>6</sup>)
  - 4.1 Project Design/Formulation
    - Analysis of Results Framework: project logic and strategy, indicators
    - Assumptions and Risks
    - Lessons from other relevant projects (e.g. same focal area) incorporated into project design
    - Planned stakeholder participation
    - Linkages between project and other interventions within the sector
  - 4.1 Project Implementation
    - Adaptive management (changes to the project design and project outputs during implementation)

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<sup>6</sup> See ToR Annex F for rating scales.

- Actual stakeholder participation and partnership arrangements
  - Project Finance and Co-finance
  - Monitoring & Evaluation: design at entry (\*), implementation (\*), and overall assessment of M&E (\*)
  - UNDP implementation/oversight (\*) and Implementing Partner execution (\*), overall project implementation/execution (\*), coordination, and operational issues
- 4.2 Project Results
- Progress towards objective and expected outcomes (\*)
  - Relevance (\*)
  - Effectiveness (\*)
  - Efficiency (\*)
  - Overall Outcome (\*)
  - Country ownership
  - Gender
  - Other Cross-cutting Issues
  - Social and Environmental Standards
  - Sustainability: financial (\*), socio-economic (\*), institutional framework and governance (\*), environmental (\*), and overall likelihood (\*)
  - Country Ownership
  - Gender equality and women’s empowerment
  - Cross-cutting Issues
  - GEF Additionality
  - Catalytic Role / Replication Effect
  - Progress to Impact
5. Main Findings, Conclusions, Recommendations & Lessons
- Main Findings
  - Conclusions
  - Recommendations
  - Lessons Learned
6. Annexes
- TE ToR (excluding ToR annexes)
  - TE Mission itinerary
  - List of persons interviewed
  - List of documents reviewed
  - Summary of field visits
  - Evaluation Question Matrix (evaluation criteria with key questions, indicators, sources of data, and methodology)
  - Questionnaire used and summary of results
  - Co-financing tables (if not include in body of report)
  - TE Rating scales
  - Signed Evaluation Consultant Agreement form
  - Signed UNEG Code of Conduct form
  - Signed TE Report Clearance form
  - *Annexed in a separate file*: TE Audit Trail
  - *Annexed in a separate file*: relevant terminal GEF/LDCF/SCCF Core Indicators or Tracking Tools, as applicable
  - *Annexed in a separate file*: GEF Co-financing template (categorizing co-financing amounts by source as ‘investment mobilized’ or ‘recurrent expenditure’)

## ToR Annex D: Evaluation Criteria Matrix template

Evaluative Criteria Questions	Indicators	Sources	Methodology
<b>Relevance: How does the project relate to the main objectives of the GEF Focal area, and to the environment and development priorities a the local, regional and national level?</b>			
<i>(include evaluative questions)</i>	<i>(i.e. relationships established, level of coherence between project design and implementation approach, specific activities conducted, quality of risk mitigation strategies, etc.)</i>	<i>(i.e. project documentation, national policies or strategies, websites, project staff, project partners, data collected throughout the TE mission, etc.)</i>	<i>(i.e. document analysis, data analysis, interviews with project staff, interviews with stakeholders, etc.)</i>
<b>Effectiveness: To what extent have the expected outcomes and objectives of the project been achieved?</b>			
<b>Efficiency: Was the project implemented efficiently, in line with international and national norms and standards?</b>			
<b>Sustainability: To what extent are there financial, institutional, socio-political, and/or environmental risks to sustaining long-term project results?</b>			
<b>Gender equality and women’s empowerment: How did the project contribute to gender equality and women’s empowerment?</b>			
<b>Impact: Are there indications that the project has contributed to, or enabled progress toward reduced environmental stress and/or improved ecological status?</b>			
<i>(Expand the table to include questions for all criteria being assessed: Monitoring &amp; Evaluation, UNDP oversight/implementation, Implementing Partner Execution, cross-cutting issues, etc.)</i>			

## ToR Annex E: UNEG Code of Conduct for Evaluators

Independence entails the ability to evaluate without undue influence or pressure by any party (including the hiring unit) and providing evaluators with free access to information on the evaluation subject. Independence provides legitimacy to and ensures an objective perspective on evaluations. An independent evaluation reduces the potential for conflicts of interest which might arise with self-reported ratings by those involved in the management of the project being evaluated. Independence is one of ten general principles for evaluations (together with internationally agreed principles, goals and targets: utility, credibility, impartiality, ethics, transparency, human rights and gender equality, national evaluation capacities, and professionalism).

### Evaluators/Consultants:

1. Must present information that is complete and fair in its assessment of strengths and weaknesses so that decisions or actions taken are well founded.
2. Must disclose the full set of evaluation findings along with information on their limitations and have this accessible to all affected by the evaluation with expressed legal rights to receive results.
3. Should protect the anonymity and confidentiality of individual informants. They should provide maximum notice, minimize demands on time, and respect people's right not to engage. Evaluators must respect people's right to provide information in confidence, and must ensure that sensitive information cannot be traced to its source. Evaluators are not expected to evaluate individuals, and must balance an evaluation of management functions with this general principle.
4. Sometimes uncover evidence of wrongdoing while conducting evaluations. Such cases must be reported discreetly to the appropriate investigative body. Evaluators should consult with other relevant oversight entities when there is any doubt about if and how issues should be reported.
5. Should be sensitive to beliefs, manners and customs and act with integrity and honesty in their relations with all stakeholders. In line with the UN Universal Declaration of Human Rights, evaluators must be sensitive to and address issues of discrimination and gender equality. They should avoid offending the dignity and self-respect of those persons with whom they come in contact in the course of the evaluation. Knowing that evaluation might negatively affect the interests of some stakeholders, evaluators should conduct the evaluation and communicate its purpose and results in a way that clearly respects the stakeholders' dignity and self-worth.
6. Are responsible for their performance and their product(s). They are responsible for the clear, accurate and fair written and/or oral presentation of study imitations, findings and recommendations.
7. Should reflect sound accounting procedures and be prudent in using the resources of the evaluation.
8. Must ensure that independence of judgement is maintained, and that evaluation findings and recommendations are independently presented.
9. Must confirm that they have not been involved in designing, executing or advising on the project being evaluated and did not carry out the project's Mid-Term Review.

### Evaluation Consultant Agreement Form

Agreement to abide by the Code of Conduct for Evaluation in the UN System:

Name of Evaluator: \_\_\_\_\_

Name of Consultancy Organization (where relevant): \_\_\_\_\_

I confirm that I have received and understood and will abide by the United Nations Code of Conduct for Evaluation.

Signed at \_\_\_\_\_ (Place) on \_\_\_\_\_ (Date)

Signature: \_\_\_\_\_

## ToR Annex F: TE Rating Scales

Ratings for Outcomes, Effectiveness, Efficiency, M&E, Implementation/Oversight, Execution, Relevance	Sustainability ratings:
<p>6 = Highly Satisfactory (HS): exceeds expectations and/or no shortcomings</p> <p>5 = Satisfactory (S): meets expectations and/or no or minor shortcomings</p> <p>4 = Moderately Satisfactory (MS): more or less meets expectations and/or some shortcomings</p> <p>3 = Moderately Unsatisfactory (MU): somewhat below expectations and/or significant shortcomings</p> <p>2 = Unsatisfactory (U): substantially below expectations and/or major shortcomings</p> <p>1 = Highly Unsatisfactory (HU): severe shortcomings</p> <p>Unable to Assess (U/A): available information does not allow an assessment</p>	<p>4 = Likely (L): negligible risks to sustainability</p> <p>3 = Moderately Likely (ML): moderate risks to sustainability</p> <p>2 = Moderately Unlikely (MU): significant risks to sustainability</p> <p>1 = Unlikely (U): severe risks to sustainability</p> <p>Unable to Assess (U/A): Unable to assess the expected incidence and magnitude of risks to sustainability</p>

## ToR Annex G: TE Report Clearance Form

**Terminal Evaluation Report for *(Project Title & UNDP PIMS ID)* Reviewed and Cleared By:**

**Commissioning Unit (M&E Focal Point)**

Name: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

\_\_\_\_\_

**Regional Technical Advisor (Nature, Climate and Energy)**

Name: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

\_\_\_\_\_

## ToR Annex H: TE Audit Trail

To the comments received on *(date)* from the Terminal Evaluation of Developing and Implementing the National Framework on Access to and Benefit Sharing of Genetic Resources and Associated Traditional Knowledge (PIMS #5310).

The following comments were provided to the draft TE report; they are referenced by institution/organization (do not include the commentator's name) and track change comment number ("#" column):

Institution/ Organization	#	Para No./ comment location	Comment/Feedback on the draft TE report	TE team response and actions taken