
Terminal Evaluation of the UNEP Project **“Strengthening Institutional Capacity of Countries in Environmental Law through Training, Sharing Expertise and Legal Guidance Materials (SICCEL)”**







Evaluation Office of UNEP

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Project Title: Strengthening Institutional Capacity of Countries in Environmental Law through Training, Sharing Expertise and Legal Guidance Materials (SICCEL)

Project Id: 422.2

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About the Evaluation

Report Language(s): English

Evaluation Type: Evaluation

Brief Description: This report is an evaluation of a UNEP project titled "Strengthening Institutional Capacity of Countries in Environmental law through Training, Sharing Expertise and Legal Guidance Materials". The project began in 2014 with an intended completion date of 2015 and an actual completion date of December 2018. Operating in countries in Africa and Asia, the project has supported numerous partners to develop the legal and institutional capacity of developing countries and countries with economies in transition in environmental law through the use of training, technical assistance, sharing expertise and legal guidance materials. UNEP collaborated with United Nations country teams, China ASEAN Environmental Protection Service, University of Eastern Finland and other external partners.

The evaluation has two primary purposes: (i) to provide evidence of results to meet accountability requirements, and (ii) to promote learning, feedback, and knowledge sharing that could be applied as the project moves towards its completion.

Key words: institutional capacity, environmental law, governance, technical assistance, legal advisory services, multilateral environmental agreements.

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List of Acronyms and Abbreviations

<u>Acronym</u>	<u>Definition</u>
ASEAN	Association of South East Asian Nations
ASSELLAU	African Environmental Lawyers of African Universities
DELIC	Division of Environmental Law and Conventions
DEPI	Division of Policy Implementation
DEWA	Division of Early Warning and Assessment
DCPI	Division of Communication and Public Information
EAb	Expected Accomplishment b
EROL	Environmental Rule of Law
GEF	Global Environmental Facility
HRE	Human Rights and the Environment
IMDIS	Integrated Monitoring and Documentation Information System
IMIS	Integrated Management Information System
LAC	Latin America and the Caribbean
MEAs	Multilateral Environmental Agreements
Parlatino	Latin America Parliament
PIMS	Programme Implementation Monitoring System
POW	Programme of Work
PRC	Project Review Committee
ROA	Regional Office for Africa
ROAP	Regional Office for Asia and the Pacific
ROE	Regional Office for Europe
ROLAC	Regional Office for Latin America and the Caribbean
ROWA	Regional Office of West Asia
SADC	Southern African Development Community
SIDA	Swedish International Development Agency
SMART	Specific, Measurable, Attainable, Realistic/Relevant, Timely
UNDAF	United Nations Development Assistance Framework
UNDP	United Nations Development Programme
UNEP	United Nations Environment Programme
UNHRC	United Nations Human Rights Council
UNITAR	United Nations Institute for Training and Research

PIMS ID	01680				
Project Title	Strengthening Institutional Capacity of Countries in Environmental Law through Training, Sharing Expertise and Legal Guidance Materials				
Division managing project	Law Division (formerly DELC)				
Type/Location	Global, Regional and National level technical assistance will benefit the following countries: Democratic Republic of Congo, Tanzania, Seychelles, Vietnam, Myanmar, Cambodia, Lao PDR, Georgia, Armenia, Bolivia, Panama, Ecuador, and Cuba. Additional countries might be identified, and provided assistance upon request, assuming resources are available. Countries from all regions will also benefit from their involvement in the global and regional level activities. National level technical assistance will benefit the following countries: Democratic Republic of Congo, Tanzania, Seychelles, Vietnam, Myanmar, Cambodia, Lao PDR, Georgia, Armenia, Bolivia, Panama, Ecuador, and Cuba. Additional countries might be identified, and assistance provided upon request, provided resources are available. Countries from all regions will also benefit from their involvement in the global and regional level activities.				
List Countries	Africa, Europe, Asia, Pacific, Latin America, Caribbean				
Programme of Work	2014-2015				
Sub-programme	Environmental Governance				
Expected Accomplishment	EAb: The capacity of countries to develop and enforce laws and strengthen institutions to achieve internationally agreed environmental objectives and goals, and to comply with related obligations is enhanced (POW 2014-2015).				
Most relevant PoW Output to which Project primarily contributes	Legal and technical assistance provided to support initiatives by countries to implement monitor and achieve compliance with and enforcement of international environmental obligations, including those set out in multilateral environmental agreements (output ii), POW 2014-2015).				
Date of UNEP clearance of concept or relevant Programme Framework	The Current Environmental Governance Sub-Programme Framework Document				
Other Divisions/Regional Offices involved	ROA (out-posted legal officer implements project)	ROAP (out-posted legal officer implements project)	ROLAC (out-posted legal officer implements project)	ROE (out-posted legal officer implements project activities in respective region)	ROWA (Activity will be initiated from the headquarters)

	activities in respective region)	activities in respective region)	activities in respective region)		
Name of External Executing Partners	Government and related regional institutions	UN Country teams	China ASEAN Centre of Environmental Co-operation	University of Eastern Finland (UEF), Joensuu Campus	

Project Identification Table

UN Environment PIMS ID:	01680	Project code	422.2 and 423.3
Implementing Partners	Regional Offices, UN Country teams, China ASEAN, University of Eastern Finland		
Sub-programme:	Environmental governance.	Expected Accomplishment(s):	The capacity of countries to develop and enforce laws and strengthen institutions to achieve internationally agreed environmental objectives and goals and comply with related obligations is enhanced
UN Environment approval date:	27 Jan 2014	Programme of Work Output(s):	Legal and technical assistance provided to support initiatives by countries to implement monitor and achieve compliance with and enforcement of international environmental obligations, including those set out in multilateral environmental agreements
Expected start date:	15 Jan 2014	Actual start date:	28 Jan 2014
Planned completion date:	31 Dec 2015	Actual completion date:	31 Dec 2018
Planned project budget at approval:	\$ 2,891,677	Actual total expenditures reported as of 31/12//2018:	\$3,529,175.98
No. of revisions:	2	Date of last revision:	07/04/2017
Mid-term Review/ Evaluation (planned date):	End of 2014	Mid-term Review/ Evaluation (actual date):	
Coverage - Country(ies):	Cambodia, China, Lao PDR, Vietnam, Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan, Uzbekistan, Cote	Coverage - Region(s):	Africa, Asia-Pacific, Central Asia, Latin America and Caribbean.

	D'Ivoire, Dakar, Egypt, Seychelles, Sierra Leone, South Sudan, Zimbabwe, and other countries at their requests.		
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I. EXECUTIVE SUMMARY

A. Project Overview

1. The project was designed by UNEP to enhance the legal and institutional capacity of developing countries and countries with economies in transition in environmental law through training, technical assistance, best practice exchange and legal guidance materials. UNEP collaborated with a wide range of external partners, as described in more detail below.
2. The project was initially designed as a two-year project, which started in early 2014 and was due to be completed at the end of 2015. The project was extended by project revision twice, first until the end of 2017 and then until the end of 2018.
3. The project consisted of three levels of intervention, which correspond to the three outputs of the project:

Output 1	Knowledge and skills set in environmental law imparted at global platforms for government officials on environmental law and policy as well as MEA diplomacy and a set of legal guidance materials accessible online.
Output 2	Knowledge and skills set in environmental law imparted at regional and inter-regional levels for government officials and related stakeholders together vested with a set of best practices on enforcement.
Output 3	Technical assistance, legal advisory services and training provided to countries to strengthen national environmental legislation and related institutions.

4. The project was implemented in Africa, Asia Pacific, and Latin America and the Caribbean, working at global, regional and national scales of governance. The total secured funding was USD 3,833,276 and the total spent was USD 3,529,175.98. This left a surplus of USD 304,101. The activities that were initially envisaged for the project did change as the project was revised several times to include activities of the subsequent programme of work (POW), notably the POW 2014-2015, POW 2016-2017 and the POW 2018.

B. Evaluation Overview

5. This terminal evaluation was conducted between January and December 2019. Its primary purpose was to:
 - Provide evidence of results to meet accountability requirements.
 - Promote learning, feedback, and knowledge sharing through results and lessons learned among UNEP, governments, international and national executing agencies.
 - Highlight to past, present and future project managers, beneficiaries and external stakeholders the strengths and shortcomings of the project to promote learning and improvement.
 - The evaluation assessed the performance of the project against the standard UNEP evaluation criteria including project relevance, effectiveness, efficiency, and sustainability.
6. The evaluation approach included:

- Desk review of the key project documents including but not limited to; project document and revision documents, all progress reports and documentation entered in UNEP's Project Information Management System, Reports by the University of Eastern Finland assessing the Multilateral Environmental Agreements Course
- Interviews with all members of the project management team
- Distribution of survey and analysis of responses from selected project beneficiaries.
- Regular consultations with UNEP's Evaluation Office Director
- Preparation of summary of findings

C. Summary of Findings

7. The key findings of the evaluation are summarised below in accordance with the central questions that were raised with members of the project management team.

How did the project strengthen the institutional capacity of developing countries and countries with economies in transition in environmental law and institutions?

8. Overall, the project was largely successful in imparting relevant knowledge of environmental law to global, regional and sub-regional platforms. Government officials, magistrates, prosecutors, legislators and other environmental enforcement officials received knowledge that they judged to be useful and relevant. Anecdotal evidence has revealed to a varying degree, that participants are increasingly using the knowledge and resources acquired to develop, implement and enforce environmental law.

9. It should be emphasised however that the concrete effects are not easy to measure or verify in terms of tracking the application of the knowledge that has been imparted through the three levels of activities. There was concern about the insufficiency of the indicators, the lack of robust monitoring mechanisms and the difficulty in assessing the overall impact of the project because of the inherent challenge of attributing concrete environmental law developments at the country level with the project's capacity strengthening activities.

How did the project's MEA Training Course equip the capacity of countries to develop, enforce and implement environmental law?

10. Under the ambit of the UNEP-University of Eastern Finland MEA training courses, over 500 participants from 130 countries have been trained over the past 15 years. The MEAs courses are generally highly valued by participants in the annual course assessments. In 2018, the course received an overall participant assessment grade of 4.6 out of 5. It is important to emphasise that the course has not tracked the ways in which the participants have acquired and used the skills gained in the course. The course organisers acknowledge that this is an important performance measure that should be tracked in the future. Therefore, it is impossible to draw definitive conclusions about the overall effect of the course.¹

11. However, there is anecdotal evidence of alumni using the knowledge learned from these courses. Both UNEP and University of Eastern Finland officials have noted that they often meet course alumni who are participating and/or leading their government delegations in MEA negotiations. Alumni have often relayed how valuable they felt the course had been in equipping them with the knowledge and tools to more effectively represent their country's interests in international environmental negotiations. Alumni have also emphasised the value of the course in creating unique opportunities for networking.

¹In response to this evaluation finding, the project manager expressed the view that *"The results-based focus was envisaged from the design of the project. In the course of implementing the project UNEP managed to convince the partner to change the composition of course participants to more of Government officials rather than a mix of researchers and academicians because UNEP wanted to track results with a group of participants who are more likely to apply the knowledge and skills set received. This was all done because the project was intending to deliver on results. This was accomplished and has enabled UNEP to track the impact of the course when interacting with participants in international environmental processes. The feedback received has informed the improvements in subsequent courses."*

12. Moving forward, it is essential that UNEP and the University of Eastern Finland develop a more rigorous results monitoring approach to track outcomes more systematically. Performance targets should be selected to identify how knowledge and skills are applied. These could address the many different ways in which participants would actually apply knowledge: from sharing knowledge with their colleagues back in their environment ministries, which is expected as they have to report on the course when they return.; assuming greater responsibilities in the preparation of MEA negotiations; leadership in MEA working group negotiations ; or indeed leadership in the development of new environmental laws and in the strengthening of environmental institutions.

How did the knowledge and skills imparted in the regional, sub-regional and inter-regional training programmes equip countries to develop, implement and enforce environmental law?

13. The regional and sub-regional events were generally effective in raising awareness and providing opportunities for the exchange of experience. These events had an added benefit insofar that requests for technical assistance often flowed directly from these regional processes.

14. It is important to highlight that UNEP did not budget for the resources to systematically track the follow-up in terms of the different ways in which the enforcement officials have applied the knowledge that was acquired during the regional meetings. Further research and assessment would be required to ascertain the uptake at the national level.² Systematic tracking of results of regional and sub -regional initiatives was done through online surveys where participants registered at the course to evaluate the course and were monitored six months later to get feedback on how the course had impacted on their work.

15. The project was approved to strengthen institutions beyond an individual participant who attends global, regional, inter-regional and even national related events. There is also anecdotal evidence of the positive effects of the key regional activities. The greening judiciary activities have been the most successful because they integrated environmental law curriculum in Judicial Training Institutes. In certain cases, the judicial forums have changed the behaviour of judges in terms of understanding the importance of environmental law and learning from experiences of other jurisdictions, and their need for training in this topic in order to adjudicate more effectively.³ In this project period, the Second Forum on Greening the Judiciary in Africa was particularly successful in terms of the high-level participation of key judicial actors, such as chief justices, the presidents of national and regional courts, judicial training institutes demonstrates. Their participation reflected the growing interest and importance that the judiciaries are increasingly placing on environmental law adjudication challenges. It also reflects the important

² According to the project manager “The issue of ascertaining the uptake at the national level was addressed at the stage of design with the Project approval Committee this group’s interpretation of strengthening institutions was to have national uptake in terms of guidance documents or tools developed to ensure that the knowledge and skills set imparted impact the institution the participants came from. The approval of concepts at the Divisional level was therefore to design train the trainers courses, integrating curriculum in national training institutions, preparing best practices and pilot to ensure national uptake beyond individual participants. The regional and interregional courses were therefore followed by national uptake programmes a good example is Malawi and Nigeria. Malawi adopted 5 guidelines for enhancing implementation and enforcement the enforcement officials were engaged to validate the documents which are being used in the country. For Nigeria the revision of the EIA legislation was a direct result of the inter-regional meeting Nigeria participated in.” The evaluation notes that evidence to support these observations was lacking and it remains unclear which of the initiatives mentioned were a part of the project under evaluation.

³ According to the Project Manager “UNEP has interacted with the judiciary since 2000 to regularly bring to their attention emerging issues to enable them to improve on their work. The work with the judiciary should be seen as an ongoing engagement. The knowledge is retained including through manuals and compendiums of summaries of judgement. Even after sensitization programs with the judiciary and/or prosecutors, as the judges and magistrates say repeatedly, the only way they can use this knowledge is when the cases are brought before them with environmental issues which they can adjudicate upon. They cannot go out in stretching arguments. Most environmental cases are not presented as environmental cases but they may address environmental issues in the course of adjudicating cases. The participation of judges and increase or lack of judgements should therefore be examined in this light.”

convening power of UNEP with the judiciary, in large part due to its longstanding history of working with these actors. Important evidence consists of a few high-profile cases that are influencing the evolving body of environmental jurisprudence. Some of these important environmental cases are described below.

16. Most recently, the Indian Supreme Court revised the federal environmental impact assessment criteria from sustainable development to a new standard, namely the environmental rule of law. The environmental rule of law now becomes the basis for evaluating environmental approval for large infrastructure projects. The Supreme Court referred directly to UNEP's First Environmental Rule of Law Report as the primary source from which the Justices D Y Chandrachud and Hemant Gupta applied the principle of the environmental rule of law in its ruling.

17. The landmark Dutch Urgenda climate case led to an order that the Dutch Government significantly reduce its carbon emissions. Since this case, there has been a significant increase in lawsuits challenging inaction on climate change, in Europe, North America.

18. The South African Government has lost the country's first climate change lawsuit after the high court ruled against its plans for a coal-fired power station, the latest in a rising tide of international climate litigation.⁴

19. As regards the Greening Police and Criminal Prosecutorial Forum, the launch of the training programme on environmental crime education was particularly important because it responded to the needs to improve administration of criminal justice throughout Africa. Environmental crime is part of the administration of criminal justice.⁵ Inadequate knowledge and poor skills in the administration of environmental criminal justice has made the enforcement of and compliance with environmental laws in Africa a growing challenge. This in turn, has undermined the sustainable management of environmental resources. However, in some countries such as Tanzania, knowledge and skills set on administration of justice has significantly improved. Issues of corruption which are beyond the scope of the project may be the ones derailing any positive outcomes.

20. To this end, the Forum highlighted the vital role that police have in the administration of criminal justice on environmental matters through detecting crimes, inspecting, investigating violations, supporting compliance enforcement, protecting businesses, and tourist and community policing. Despite the value of having highlighted the specific knowledge and resources needed by the police and prosecutors, the project did not allocate any resources for the monitoring of outcomes, notably the use, application and uptake of the knowledge and resources. When interviewed, members of the project team confirmed that there were no efforts to track outcomes to determine if police and prosecutors are using the new knowledge to improve the way they detect, inspect and investigate environmental crime.⁶

⁴ Carrington, D. (2018). Can climate litigation save the world? *The Guardian*. Available at: <https://www.theguardian.com/environment/2018/mar/20/can-climate-litigation-save-the-world>

⁵ The development of nationally customized investigators' and prosecutors' manuals in Tanzania developed by another UNEP project, for example, complete with 'train the trainers' programmes, ensured that the standard operating procedures are retained to guide prosecutors and investigators, impacting on police and prosecutors beyond the group which was trained. They are available in several countries in Africa.

⁶ The project manager asserts that "the launching of the greening of Judges or prosecutors and investigators had a series of activities funded by the project that were geared at ensuring that the greening of the Judiciary or that of prosecutors and investigators takes place. For example for the Judiciary there was a high level meeting of integrating environmental law into judicial training institutions in Johannesburg to galvanize high level buy in. A network was established that met several times to follow up on the outcomes of the meeting. At one particular point 12 countries reported that they have integrated environmental law in the judiciary training institutions as a direct result of the UNEP intervention. The greening of prosecutors and investigators was also followed by national activities including plans to ensure uptake at the national level. Selected countries were supported by a UNEP consultant to develop the curriculum which was integrated in their training institutions. The existence of annual training programs in the national training institutions that were assisted is evidence of national uptake which strengthens institutions beyond the prosecutors who attended. This is one of the effective ways of retaining knowledge and it is very sustainable." Further evidence is required and clarity is needed as to whether the work described was part of the project under evaluation. Moreover, evidence is needed regarding the work undertaken by the aforementioned 12 countries. Such information was lacking in project records and monitoring information.

21. The monitoring of intended impacts will then have to go one step further and assess whether the training can be attributed to a higher rate of reporting of environmental crimes. Further investigation is essential to understand how prosecutors have benefitted from the training. Performance indicators could logically include the number of successful cases brought forward by environmental prosecutors.

22. Despite a lower level of uptake by the police, the Forum's Plan of Action will in time support prosecutors and police with the skills to investigate and report more effectively on environmental crime. There is ample interest among countries to integrate environmental law courses in police and prosecutorial education. Uganda provides an interesting example of uptake. Following on from the Forum, the Office of the Director of Public Prosecution initiated the process of developing a national prosecution policy. Within this policy is a proposal to set up an academy for prosecutors. The academy will, among other things, impart skills in handling environment crime to trainee prosecutors.⁷

23. As regards the Africa-Asia Inter-Regional Expert Review Meeting on Compilation of Good Practices on Enforcement of Environmental Law, once again there is only anecdotal evidence of the overall effectiveness of this process. The enforcement good practices that were generated in the expert meeting are increasingly being used at country level and UNEP is actively using them to impart knowledge to enforcement officials on the various options that can be used to enforce environmental laws.

24. One of the most important values of the inter-regional meeting on enforcement was its role in facilitating the exchange of insights between enforcement officers in different countries. The fora had needs assessment segments in the agenda where countries expressed assistance in strengthening enforcement and there were countries such as Malawi, Nigeria, and Vietnam which were piloted and they did as a result develop national specific guides which were rolled out to their national experts. It was regarded as particularly useful in how it articulated criminal, civil, and administrative enforcement in the sharing of knowledge and generating best practices. The second inter-regional meeting was successful in how it provided opportunities for participants to generate good practices on innovative joint enforcement action, on legal aspects of calculation and compensation of environmental damage, and on measuring enforcement actions. According to the project manager, the expert meeting was based on the fact countries from Asia and Africa have for years been enforcing national environmental laws and as a result gained experience which they can share and learn from each other under the framework of South-South Cooperation.

25. The result of sharing experience was to generate a set of good practices that were documented and circulated online to reach out to a bigger audience. The feedback received from countries who participated in the inter-regional meeting and those who read the documented good practices was that they found this publication useful. The expert meeting created many opportunities for enforcement officers to learn from each other on how to tackle the principal challenges that they face in strengthening national enforcement mechanisms. This meeting was also significant because it helped member states to understand what environmental infractions should be criminalized and which should be dealt with under civil or administrative enforcement procedures.

26. Because outcome monitoring was never factored into design or resource allocation, it is imperative that more efforts should be allocated to tracking country uptake of the knowledge and skills that are imparted in the regional training programmes. Online surveys and analysis were done by communication specialists in the Division. According to the project manager, outcome monitoring was done with five countries that went on to develop country specific guidebooks that are still guiding their countries after

⁷ According to the project manager, "This is the kind of uptake which was envisaged by the project it is an uptake which embeds a curriculum in a national training institute it is effective and sustainable in reaching out to many police beyond UNEP initiatives that is why it was preferred as a procedure for engaging the judges, magistrates, prosecutors and the police. The national uptake and how it was delivered is something that the Division has achieved in sustaining its programs with countries." The evaluation notes that where such uptake processes are envisaged, they should be made explicit in project designs a provided with funded activities to help support and upscale such uptake and be well monitored to ensure evidence of uptake is available.

this event. Evidence is requested from the project team on this point. One idea would be to replicate an approach used by the Asia Development Bank (ADB). The ADB requires participants who participate in capacity building training workshops to sign an undertaking to report back to the ADB at set intervals within one year of the training. The reporting highlights concrete activities that have been undertaken by workshop participants to demonstrate uptake of the knowledge and skills that have been imparted in the workshops. According to the Project Manager, UNEP experience in undertaking a survey customized for a workshop after six months by colleagues from the Division's communication department was effective as a significant number of participants responded on how they have since applied the knowledge and skills set received to enhance their capacity.

How did the technical assistance and legal advisory services provided under the project equip countries to strengthen national environmental legislation and key institutions?

27. In terms of the overall effects, it is the direct technical assistance that has been most effective in terms of equipping countries with the knowledge and tools to develop, strengthen and improve implementation of environmental law.

28. Over the years, UNEP's technical assistance has been focused on the actual drafting of legislation. For most countries, their capacity to develop new laws has been enhanced. This was affirmed at all the regional consultations with Montevideo focal points. The challenge now lies in implementation and to this end, UNEP is shifting its support to ensure that countries are equipped with the knowledge, skills and resources to implement and enforce environmental legislation.

29. The strengthening of national institutions and laws has happened in many ways. The technical assistance that UNEP delivers supports countries in identifying their change priorities. It also empowers countries to articulate clear milestones in their environmental law and policy-making processes. Moreover, UNEP has systematically encouraged environment ministries to consult with other ministries and this, in turn, has contributed to overall institutional strengthening and 'joined up' policy making. It has also avoided duplication in law-making when dealing with the same environmental resources.

30. Overall, the technical assistance was delivered in a piecemeal approach based on country demand and the availability of funding resources. UNEP officials have confirmed the need to develop a more strategic approach to countries based on systematic needs assessment. There is currently no system put in place to monitor the effects after the technical assistance has been provided. This is an important gap that could be remedied with systematic results-based management and monitoring to assess the effectiveness of the technical assistance in the longer term. Monitoring any effects after the technical assistance is provided is important though it relies on the beneficiary country's processes to process their laws. Most countries' processes in finalising bills to be enacted to laws are very slow, some even taking 2 - 4 years to enact some laws.

D. Summary of Conclusions

31. The project's main strengths and weaknesses are summarised in the three tables below that correspond to the three outputs of the project:

32. Overall, the rating for the project titled "Strengthening Institutional Capacity of Countries in Environmental Law through Training, Technical Assistance, Sharing Expertise and Legal Guidance Materials" as 'Moderately Satisfactory', in accordance with the evaluation ratings table, which heavily weighs effectiveness and sustainability.

33. It should be emphasized that the quality of all the training and legal assistance activities was recognized. However, the low evaluation rating results from the lack of monitoring and reporting affecting the likelihood of immediate outcome and intended impact. It should also be added that this does not, in

any way, reflect project management team performance. It is a function of the fact that, at project design, results-based monitoring was not emphasised in the project design and planning. However, it could also be argued that a results focus could easily have been built in had the project team had sought/ responded to critical input/review to their project design at the time. Several key points are emphasised accordingly.

34. In the original project document of 2014, there were no provisions for monitoring of results beyond the output level. This may reflect that, at that time, there was insufficient emphasis on results-based monitoring in UNEP project development and approval processes. UNEP is working on a monitoring policy guide which will soon be rolled out. The implication for the current evaluation is that the lack of outcome level monitoring has made it rather difficult to find solid empirical evidence of the effectiveness at outcome level (which requires evidence of actual application of knowledge transmitted). The lack of outcome-level monitoring was a design flaw, which might have been addressed through adaptive project management.

35. There is persuasive anecdotal evidence of outcomes in each of the outputs. For example with Output 1 (i.e. joint UNEP-University of Eastern Finland annual MEA training courses), the University of Eastern Finland, evaluates the course each year through written evaluations by the participants. These are collated into an evaluation report that summarises the strengths and areas of improvement for the course. Whilst this is an important component of monitoring, what is lacking is post-course monitoring to track how participants are using the knowledge and skills imparted. This could be easily done at low cost by sending out a survey six months after the course. This survey was sent randomly to participants in some training programs under the project. For the MEA course in particular the previous practice of selecting participants from different institutions which was changed at the intervention of the Division for the purpose of easing follow up and better results for the project with those who would benefit from the program would not have benefited from a six months evaluation without changing the composition of participants

36. Additionally, the evidence of outcome for Output 3 (i.e. technical assistance and legal advisory services) is reflected in the many cases where UNEP's technical assistance directly contributed to the drafting and ultimately the adoption of environmental law or institutional reform.

37. The evidentiary issues are more prominent with Output 2 (i.e. regional and sub-regional meetings). There are several important processes for which there is a growing body of anecdotal evidence, i.e. Greening the Judiciary Maputo meeting, the Entebbe meeting on prosecutorial and police education, the Montevideo regional consultations, and the Asia-Africa meeting on enforcement. However, despite the important outputs that flowed from these meetings (i.e. environmental law training for the judiciary, new training institutes, increased exchange of best practice, increased demand for training), there has been no formal tracking of how these "outputs" actually have been used/applied by the intended beneficiaries. This is why the evaluation score is lower in the Effectiveness category.

38. According to the project manager, the tracking of how these outputs have been used is reflected in the feedback received from the judges, prosecutors and police, who have benefitted from environmental law curricula and manuals that have been embedded in national training institutes. This feedback was not provided to the evaluation team therefore we cannot ascertain its veracity. However, until environmental law-related cases are brought before courts, it will be difficult to track the use of project outputs. We appreciate that notwithstanding UNEP's success in sensitising judges and prosecutors on environmental law issues over the years, including integrating environmental law in national judicial or police training institutes, judges, prosecutors and police, it takes time before these enforcement actors start to elevate and respond to environmental issues in their respective spheres.

39. UNEP also tracks environmental law related jurisprudence and documents them for wide dissemination. It is important to note that whilst the cases may have increased, this is not always a direct

result of UNEP's capacity building programmes. Outcomes and impacts in the area of law development sometimes only manifest after the project has ended.

40. The significant efforts made by the Law Division in the design and implementation of all of the project activities is recognized. Indeed, looking beyond this individual project, the Law Division can be credited with important developments that have unfolded in recent years. Without the work of the Division, important overall achievements could not have otherwise been possible, such as the strengthening of environmental law both domestically and internationally, the strengthening of environmental institutions, the deepened engagement of stakeholders in environmental law processes, the recognition at the highest political level (i.e. the UNEA), of the imperative to strengthen environmental law, and more specifically, with regard to the very clear increase in engagement by the judiciary, attorneys general.

41. Indeed, the growing body of UNEA resolutions and decisions are important evidence of the increasing political will to strengthen environmental law. The fact that the Montevideo V programme was adopted unanimously at UNEA-4 (and that the recognition of Montevideo V was included in UNGA resolution 72/277), is yet another expression of the political support for UNEP's work.

42. Despite these important developments, the evaluation approach heavily weights the demonstration of evidence-based outcomes, evidence that this project did not generate, because it did not invest resources needed to monitor outcome level results.⁸

⁸ Against this backdrop, it is important to note that whilst outcome monitoring was not prioritized in 2014, the Law Division asserts that it has recently completely overhauled its approach to monitoring under the new Montevideo V programme. The engagement of the Montevideo focal points will be an integral part to the Division's future monitoring efforts, with focal points expected to provide regular reporting to the Law Division on the implementation of environmental law activities at the domestic level. The Law Division has acknowledged the need to develop robust baselines against which progress can be systematically monitored in the coming years. It reports it is in the process of developing new quantitative and qualitative indicators against which progress with future environmental law activities can be systematically assessed.

Table 1: Output 1 - MEA Training Courses

Strengths	Weaknesses
Recognised value of the quality of the training materials and the calibre of expert instructors.	The course was not designed to track how participants are using the knowledge acquired following the course completion. Course organisers recognise the importance of monitoring uptake and use. It is acknowledged that the composition of the courses should only include government and NGO representatives whose work can benefit from the programme.
Renewed funding on a three-year basis, which has enabled longer-term planning.	Monitoring of intervention effects along causal pathways beyond the immediate outcome is complex. It will require finely tuned indicators to track the substantive improvement in MEA implementation.
Anecdotal evidence suggests that participants are increasingly using the knowledge and resources in MEA negotiation preparation and engagement.	Small number of places for the approximately 300 applicants who apply each year.
Consistently positive feedback from participants.	
Annual adaptation of course to reflect feedback from previous year.	
Important networking opportunities for course participants.	
University of Eastern Finland recognised as a valued project partner.	
Rigorous selection process that ensures a high calibre of participants.	

Table 2: Output 2 - Regional, sub-regional and inter-regional processes

Strengths	Weaknesses
Targeting of activities to specific actors.	Lack of results-based monitoring. This is particularly important to track the application of knowledge by judges of the environmental law training in their own adjudication. It is equally relevant for tracking how countries are using enforcement best practices.
Cooperation with project partners helped to elevate the profile of the meetings, attract the right participants and ensure that the substantive knowledge was relevant.	Resource constraints meant that there was a proportionally low number of activities executed in Latin America and the Caribbean region.
High quality of training.	Uptake with police has been limited. Ethiopia and Kenya are the only countries where environmental law is being integrated into police training.

Establishment of the Africa Judicial training network on environmental law, which has created environmental law curricula for the judiciary.	
Emerging capacity of prosecutors in Africa to handle environmental crimes more effectively.	
High level participation among the judiciary, especially Chief Justices and Presidents on national and regional courts.	
Creation of new platforms for the exchange of best practices between enforcement officials.	
Increased integration of environmental law into judicial training, as well as police and prosecutor education programs.	
Increased exchange of good practices on enforcement and compensation of environmental damage.	

Table 3: Output 3 - Technical assistance and legal advisory and tailored training

Strengths	Weaknesses
Broad array of technical assistance and legal advisory support provided to many countries in Asia and Africa.	Funding constraints meant that there was inconsistent distribution across regions, with very little activity in Latin America.
Concrete evidence of new legislation or strengthening of existing laws resulting from technical assistance.	Technical assistance was delivered on a demand-basis, this resulted in a piecemeal approach that was dependent on demand and the availability of earmarked funds.
The role of UNEP approach is to support environmental law-making by using country experts who can work with government officials to review existing national legislation so as to identify gaps, to draft the proposed legislation, and to subject the proposed draft to consultations and input from within the government and with all relevant stakeholders before the draft law is processed as a bill in parliament.	Lack of results-based monitoring beyond output level. There is no system to monitor the effects (outcome and impact) after the technical assistance has been provided.
High levels of participation and high-quality engagement noted in tailored training.	Low uptake of environmental law training by police forces in Africa.
Technical assistance focused on engaging national experts and building endogenous capacity.	
Targeting of tailor-made training has ensured that the training is responsive to the specific needs of the target groups.	

The training platforms have enabled many opportunities for the exchange of knowledge between key stakeholders.	
There is anecdotal evidence that many of the training programs have helped to raise overall environmental awareness on the part of the judiciary in Africa and Asia.	
The creation and strengthening of judicial training institutes has been one of the most important results of this project.	

E. Summary of Recommendations

43. The main recommendations, summarised below, are elaborated in more detail in Section B. Recommendations.

- The Law Division should continue to enter strategic partnerships with regional and sub regional entities that can help in the delivery of training and technical assistance.
- The Law Division should include results-based monitoring more systematically. They should structure, implement and enforce a results-based monitoring approach that focuses on outcomes and qualitative impact, measured contemporaneously and at appropriate intervals after completion.
- The Law Division should increase the quality and ambition of performance indicators.
- The Law Division should continue to design and deliver technical assistance and legal advisory services in cooperation with national and international experts to ensure that these processes to ensure that these processes continue to be country driven
- The Law Division should continue to scale-up its efforts to mobilise more earmarked funds which will help to ensure reliable funding and enable UNEP to engage in long-term project planning.
- The Law Division should provide more support to governance coordinators in each of the regional offices to enhance their capacity for results-based monitoring.
- The Law Division should strengthen project monitoring approaches to ensure systematic progress review and effective adaptive management.

I. INTRODUCTION

44. The project was entitled “Strengthening Institutional Capacity of Countries in Environmental Law Through Training, Sharing Expertise and Legal Guidance Materials”. It aimed to strengthen the institutional capacity of developing countries and countries with economies in transition in environmental law and institutions through training, technical assistance, sharing expertise and legal guidance materials. In particular, the project enabled UNEP to conduct and support training programmes at the global and regional level; support inter-regional forums for sharing expertise and developing guidance materials; and allowed UNEP to respond to the self-identified needs of countries to provide technical assistance, advisory services and training at the national level.

45. This project related to the following Expected Accomplishment in the UNEP Programme of Work: *EA(b) (POW 2014-2015) The capacity of countries to develop and enforce laws and strengthen institutions to achieve internationally agreed environmental objectives and goals, and to comply with related obligations is enhanced.*

46. Under this project, UNEP initiated and provided substantive support to environmental law related initiatives at three levels:

- Output 1 - Global training programmes, including the Annual UNEP/University of Eastern Finland (UEF) UNEP Course on Multilateral Environmental Agreements
- Output 2 - Regional including Inter-Regional Initiatives and Partner Training Programmes
- Output 3 - Technical Assistance and Legal Advisory Services, as per national requests, to assist the Development and Implementation of National Environmental Law and related Institutions initiatives.

47. The start date was 28 January 2014, with an expected term of two years. The project was extended in 2017 due to the receipt of an earmarked contribution of approximately USD 2 million from the Japanese Government for the Asia-Africa enforcement meeting and South-South Cooperation. The Norwegian and Swedish Governments also provided support for key activities, enabling the extension to the 31st December 2018.

Table 4: Project Background table - Information source Project Information Management System (PIMS)

Project ID	01680
Project Manager	Sylvia Bankobeza
Project Identification	422.2
Type of Project	PRC approved project
Sub programmes:	2014/15- Environmental Governance 2016/17- Environmental Governance 2018/19- Environmental Governance
Managing division:	Law
Other divisions:	Africa, Asia & Pacific, Europe, Latin America, West Asia
Mode of Execution	External
Planned Duration	60 Months
Expected Start Date	15 Jan 2014
Expected Completion Date	31 Dec 2018
Actual Start Date	28 Jan 2014

Actual Completion Date	31/12/2018
PRC Approved Budget	3,342,410 \$ US
Total secured funding	3,833,276 \$ US
Total programmed budget spent to date	3,529,175.98 \$ US
Surplus	304,101 \$ US

48. The terminal evaluation of the UNEP Project was undertaken after the project's completion to assess project performance in terms of relevance, effectiveness and efficiency. The evaluation aimed to determine outcomes and impacts (actual and potential) stemming from the project. The evaluation was conducted in accordance with UNEP's Evaluation Policy and guidelines.

49. The findings are intended to inform and orient the next phase of the project, providing impartial guidance, recommendations and critique where appropriate. The target audience for this evaluation is UNEP officials, implementing partners, government officials and key stakeholders, key project beneficiaries such as the judiciary, prosecutors and the police.

50. Furthermore, as an important component of Montevideo IV the findings from this evaluation will contribute to the implementation of Montevideo V which will commence in 2020. Lessons drawn from the evaluation will also contribute to the new Law Division project "Addressing Environmental Challenges Through the Law", especially the challenges related to results-based management and country ownership.

II. EVALUATION METHODS

A. Evaluation Approach

51. The evaluation has been conducted by an independent consultant under the overarching responsibility and management of the UNEP Evaluation Office. Throughout this evaluation process and in the compilation of the Final Evaluation Report efforts have been made to represent the views of both mainstream and more marginalised groups. Data were collected with respect to ethics and human rights issues. All pictures were taken and other information gathered after prior informed consent from people, all discussions remained anonymous and all information was collected according to the UN Standards of Conduct. The findings of the evaluation have been derived from the following:

- A desk review of project documents and others including, but not limited to:
 - a. Relevant background documentation
 - b. Project design documents and project revision documents
 - c. Project logical framework
 - d. (Annual) work plans and budgets or equivalent
 - e. Project financing documents
 - f. Project reports
 - g. All other relevant documentation on PIMS.

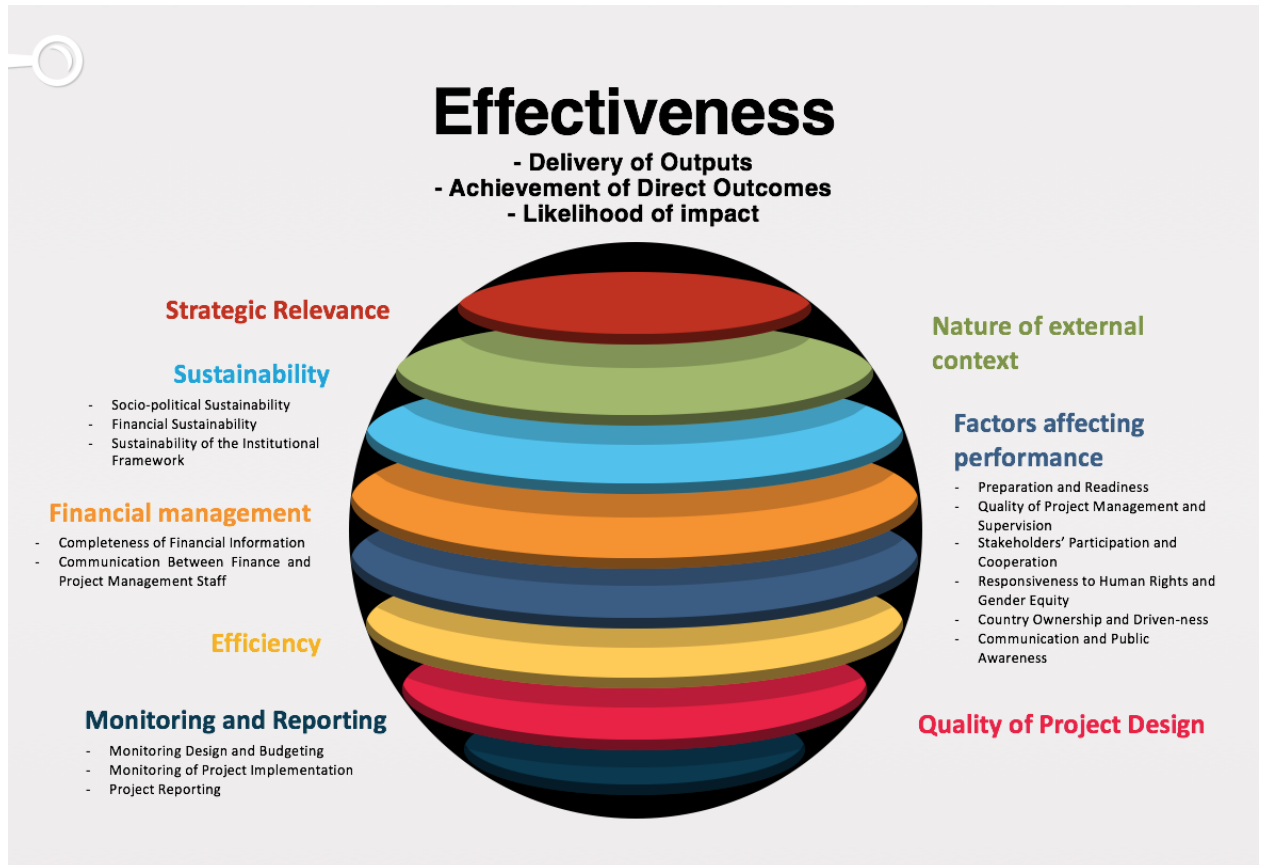
52. The evaluation consultant conducted phone and written interviews with thirteen stakeholders involved in the project, including members of the UNEP Law Division, members of the project team, and several representatives from UNEP Regional Offices. A list of interviewees may be found in Annex 1. In addition to interviews, a written survey was sent to 120 project beneficiaries, including member states and other stakeholders. A 10% response rate was achieved. The evaluation focused on the following questions:

- How did the project strengthen the institutional capacity of developing countries and countries with economies in transition in environmental law and institutions?
- What is the evidence that environmental law and institutions have been strengthened as a result of the project?
- How did the project's Global Training programme equip the capacity of countries to develop, enforce and implement environmental law?
- How did countries apply the knowledge and skills in developing, enforcing and implementing environmental law?
- How did the knowledge and skills imparted in the regional, sub-regional and inter-regional Training Programmes equip countries to develop and implement environmental law, in particular to improve enforcement? And how did countries apply the knowledge and skills?
- How did the technical assistance, legal advisory services provided under the project equip countries to strengthen national environmental legislation and key institutions? What is the evidence of how countries have actually applied the technical assistance and legal advisory services?

- How did the regional and country-based initiatives build the capacity of countries to develop, implement and enforce environmental law? What is the evidence that countries have improved the development, implementation and enforcement of environmental law?

53. The following evaluation criteria were assessed and the Evaluation Framework Matrix table was employed to rank each criterion.

Figure 1: Overview of evaluation criteria



B. Evaluation Limitations

54. The following limitations constrained the evaluation:

- Length of time since project execution decreased detail of responses.
- Selection bias in the conducting of interviews based on availability and participation.

Low sample size of interview participants due to low response rate limited the potential for finding concrete evidence of impact. Potential explanations include the following:

- Time between project execution and conduction of evaluation (Staff turnover and change of responsibilities affect the accessibility of respondents).
 - Geographical dispersion of requested interviewees impacts communication.
 - Little/no incentive to participate.
 - Possible conflict/prioritisation of commitments by respondents.
 - All of the interviewees were members of the UNEP project team. Whilst remaining objective in their feedback, there is potential for positive bias.
- Limited availability of sufficiently detailed progress reports prevented full and equal analysis of all activities.
 - The project's financial dependence on certain funders meant that activities were not delivered in all regions. The evaluation's focus on activities and results mirrors this geographic asymmetry.

55. Because of the varied pathways by which the project could yield an effect, a wide range of performance indicators would have been needed to accurately capture the project's outcomes and impacts. Since these did not exist, the evaluation had largely to rely on anecdotal evidence. This also meant that analysis of the links between causes and intended outcomes and impact are supported to some extent but not proven, potentially limiting the depth of conclusions.

III. THE PROJECT

Section III includes the following:

A context overview, Objectives, Stakeholders, Project implementation structure and partners, Changes in design during implementation, Financing.

A. Context Overview

56. The overarching context is characterised by several important issues:

A.1 Evolving laws and institutions

57. Environmental laws and institutions have evolved considerably in the last 25 years. In the 1980s and 1990s there was a mushrooming of new institutions, especially in the form of environment ministries. The current trend is reflected in a new generation of institutions that are cross-sectoral in nature. This has also been the case with the development of legislation. In the beginning the focus was on framework laws, followed by sectoral laws and now laws that address inter-linkages more systematically. Now there is a focus on developing a new generation of framework environmental laws and implementation of relatively recent MEAs.

A.2 The importance of changing mind-sets

58. Against this backdrop, UNEP is at a stage where it is assessing how to ensure that its capacity building work reflects these trends. Part of these changes entail a new approach to UNEP's capacity building work with developing countries.

59. In the past, UNEP may have been more direct with countries on how they need to strengthen or develop their environmental laws. UNEP recognizes however that it is important that countries take ownership of their legislative reform processes and identify their own priorities. The mandate to provide technical assistance to countries in UNEP is always being provided upon request. The fact that, for the past forty years, countries have had varied experiences on the application of environmental laws and institutions provides opportunities for countries to share experiences and to generate sets of good practices. Opportunities availed by technology for virtual meetings such as webinars, e-learning and developing multimedia interactive tools can be explored to deliver environmental law information to various stakeholders in a more user friendly and cost-effective way. E-learning tools have been used to prepare participants for the MEA course and model laws and tool kits are already being used to guide countries in developing laws.

A.3 Judicial engagement

60. The success that UNEP has had with the judicial training programmes that were developed under the ambit of this training program reflect decades of work that it has undertaken with the judiciary to raise awareness on environmental law issues. UNEP is beginning to see the extent to which its capacity building efforts are bearing fruits, for example the growing number of judgements that are addressing environmental crime and doing so by drawing on the Rio principles. These are increasingly underpinning judicial decisions and this development is an important reflection on UNEP's steadfast engagement with the judiciary. The improvement in the handling of environmental cases, and cases with an environmental dimension, by the Judiciary has been particularly noticeable in the last 10 years. The establishment of regional judicial networks around the world and the growth in specialised environmental courts and

tribunals are equally important reflections of the progress seen that can, in part, be attributed to UNEP's commitment. However, the fact remains that most cases are not presented as environmental cases. Some environmental issues become manifest in the course of adjudicating cases. Therefore, an increase in the number of judgements is an important gauge; however, it is not the only expression of results, as environmental issues will also present themselves during the adjudication process.

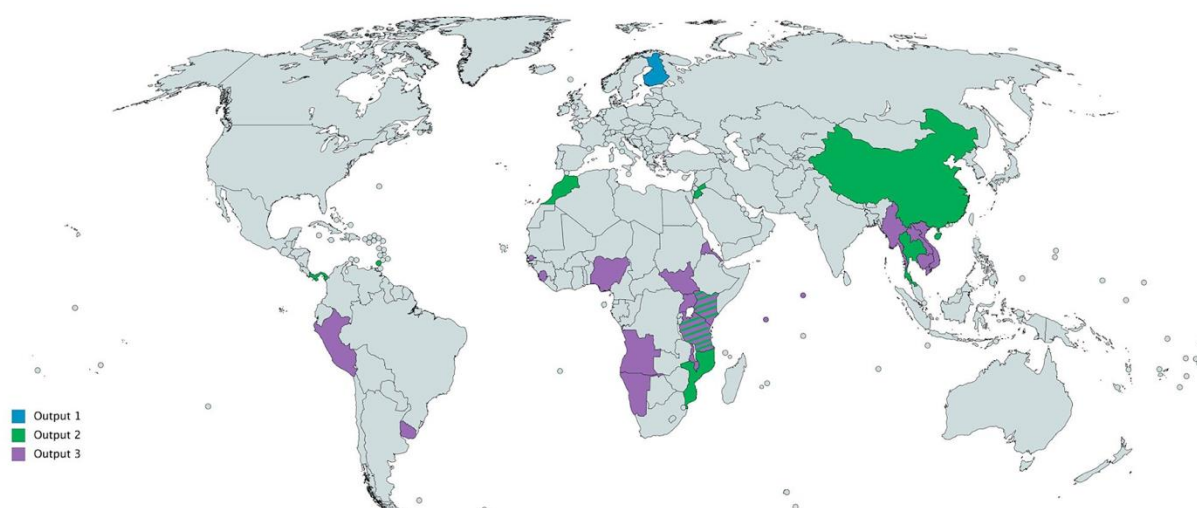
A.4 The growth of environmental constitutionalism

61. UNEP's law-making work is important in the growth of national constitutions that embed environmental human rights. Hence, opening new opportunities for citizens to assert their environmental rights within the court system and thereby necessitating the increased edification of judges with regard to the evolving body of environmental jurisprudence.

A.5 Geographical context of project

62. The following map provides a representation of the geographical scope of activities under this project.

Figure 2: Geographical delivery of activities under its three outputs



A.6 Relevant contextual factors for project coordination

63. Socio-economic and political factors have influenced the projects planning and implementation. The following provide an overview of factors to be considered (See Section H. Socio-political Sustainability.):

- Earmarked funds from certain Governments meant that project activities were steered towards certain regions.
- UNEP Headquarters in Nairobi provides a likely explanation for strengths in project outcomes in central and Eastern Africa, and Kenya's leading initiatives in environmental law.
- Changeover of political leaders and parties creates a dynamic and unpredictable environment for project coordinators to negotiate with and implement project plans.
- Economic gains from unsustainable natural resource consumption provide countries with a quantitatively appealing argument against the development of new legislation regarding resource protection.

- Governmental ownership of courts and legal systems mean corruption can constrain efforts to strengthen institutional capacity, especially activities under Output 3 involving police and prosecutors which systemically rely on state-level cooperation.

B. Objectives and Components

64. The fundamental project objective was to strengthen the legal and institutional capacity of developing countries and countries with economies in transition in the development and implementation of MEAs, through the enhancing of knowledge and skills of government officials and related stakeholders. This objective is in line with the environmental governance expected accomplishment (b) for both 2014-2015.

65. The project consisted of three levels of intervention, which corresponded to the three outputs of the project:

B.1 Output 1

66. Knowledge and skills set in environmental law imparted at global platforms for government officials on environmental law and policy as well as MEA diplomacy and a set of legal guidance materials made available online.

67. The first activity for this output was the Global Training Programme, which was offered in its last year concurrently with the second activity under this output, notably the annual training course on MEAs and diplomacy, which has been offered jointly by UNEP and the University of Eastern Finland for the past 15 years. This project evaluation covers the UNEP/UEF annual courses in the period 2014 to 2018.

68. The third key activity was the preparation of legal guidance materials, which included the following three publications:

- *Training Manual on Environmental Law and Policy (Second Edition)*
- *Regional Focused Environmental Law and MEAs Compendia*
- *Environmental Law Drafters' Handbook*

B.2 Output 2

69. Knowledge and skills set in environmental law imparted at regional and inter-regional levels for government officials and related stakeholders together with a set of best practices on enforcement.

70. There were many symposia convened over the project life. For the purposes of this evaluation, the three following flagship activities were examined in detail.

- Regional Symposium for Greening the Judiciary in Africa, Maputo August 2018
- First regional forum on environmental crime prosecutor and police training programme, Entebbe Uganda January 2018
- Africa-Asia interregional meeting on enforcement, Beijing May 2017

B.3 Output 3

71. Technical assistance, legal advisory services and training provided to countries to strengthen national environmental legislation and related institutions.

72. The first activity under Output 3 involved the preparation of model legislation in areas of climate change and lead in paint. The second activity was that UNEP responded to requests for technical assistance and legal advisory services to developing countries.

73. The third activity, also in responding to national requests, helped to strengthen institutional capacity for the development, enforcement and implementation of environmental law through national training initiatives. These activities were predominantly carried out in Africa and Southeast Asia, less so in Latin America (due to funding constraints).

C. Stakeholders

74. The Evaluation Office of UNEP identifies stakeholders broadly as all those who are affected by, or who could affect (positively or negatively) the project's results. Stakeholders interest/influence, roles/responsibility and contributions/benefits are all key agents in the running of the project. For this evaluation project partners and beneficiaries will be acknowledged separately, under the bracket of stakeholders.

Table 5: Partners and beneficiaries

Project Partners	Project beneficiaries
China ASEAN Centre of Environmental Co-operation	Government officials- compliance and enforcement officials
University of Eastern Finland (UEF), Joensuu Campus	Government officials- negotiators, Researchers, Academicians, NGOs,
Donor agencies	Government officials, MEA negotiators
National and regional training institutions	Government officials, judges, magistrates, prosecutors, investigators, academicians

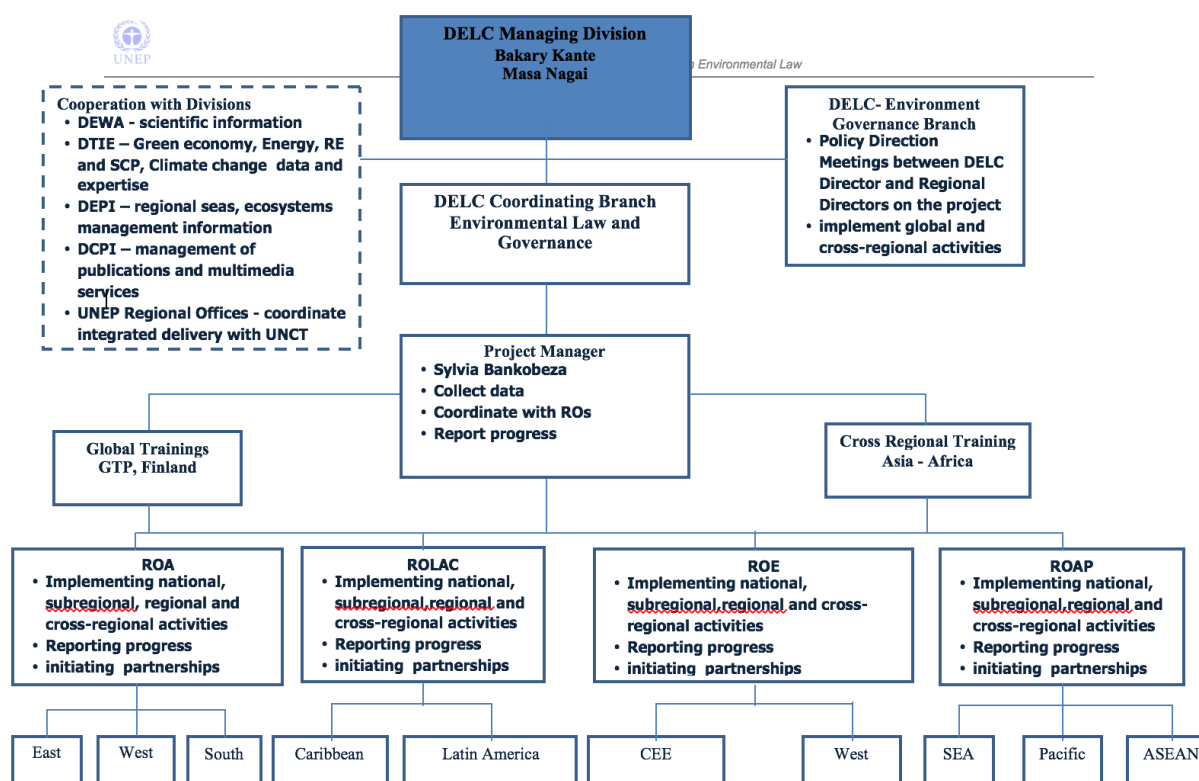
75. Gender and underrepresented groups were not specifically targeted in the framework of this project. The strengthening of institutional capacity was focused on Ministries of Environment, Environmental Protection Agencies, judicial networks and courts, Police Academies. Faculty of Law of Universities. Links between these areas are tenuous.

D. Project Implementation Structure and Partners

76. The activities under this project were undertaken by UNEP staff, including legal officers who are based at UNEP headquarters and in the regional offices. A UNEP legal officer in the Law Division and legal officers from UNEP regional offices in their respective regions (ROA, ROAP, ROE, ROLAC) managed and coordinated this project within UNEP. The Project Manager was based in the Law Division and was supervised by the Deputy Director.

77. All activities were undertaken in collaboration with the relevant partners at the national, sub-regional and regional levels. Overall project management including day-to-day oversight was undertaken by the Law Division at the headquarters, but the regional work plans and activities were managed by the legal officers from their regional offices. Project quality assurance through the monitoring of progress and reporting was the responsibility of the Project Manager.

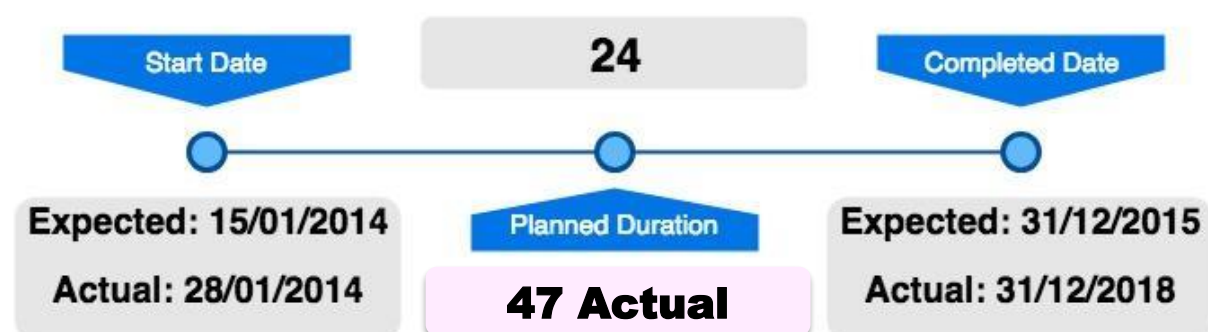
Figure 3: Implementation structure as specified in the original project document at approval



E. Changes in Design During Implementation

78. The following diagram portrays the expected and actual duration of the project.

Figure 4: Project Implementation timeframe



79. The project was reported as losing momentum in 2015. Projects were halted due to unreliable financial flows. In 2016 it was extended in length and scope following a significant mobilization of Japanese funds which had already been targeted for South-South cooperation. New activities were designed and implemented and previously halted activities were rebooted. An additional output 4 was annexed with a new focus to establish regional centres for excellence.

F. Project Financing

80. The project was implemented in Africa, Asia Pacific, and Latin America and the Caribbean, working at global, regional and national scales of governance. The total secured funding was USD 3,833,276 and

the total spent was USD 3,529,175.98. This left a surplus of USD 304,101. The activities that were initially envisaged for the project did change as the project was revised several times to include activities of the subsequent programme of work (POW), notably the POW 2014-2015, POW 2016-2017 and the POW 2018-2019.

81. Additional resources in the amount of USD 2 million were mobilised from the Japanese Government to cover the Asia-Africa south-south cooperation. This gave this project a boost, instead of relying on the limited resources available from the Environment Fund. Norway and SIDA also agreed to fund activities for various legal stakeholders with predictable resources. This was the reason given for the second project extension to the end of 2018. Efforts were made to fundraise by preparing a short project proposal to share with potential donors. However, these did not bear fruit. Since some donors had committed long-term funding through formal partnership agreements, the project team was not expected to approach those donors. Any funds that were allocated to the project came through an organisational-wide call for proposals (example; the China funds) or the Law Division allocations. Funds from various donors were therefore received through the divisional allocations.

82. It should be noted that there were some activities that related to the project, which were organised by partners with whom UNEP officials were engaged. These activities were not funded by project resources. However, staff did provide substantive input as resource persons, or desk input.⁹

Table 6: Budget Summary -table sourced from Internal Project Document

TYPE OF FUNDING	SOURCE OF FUNDING	Year	Year	Year	US\$ Total
CASH BUDGET	Environment Fund activity budget				
	Regular Budget activity budget				
	Extra-budgetary Funding (posts + non-post costs)				
	Donor funding secured				274,000
	China Fund				25,000
	Norwegian Fund				50,000
	SIDA 6 th tranche				
	Programme Support Costs				263,236
	Subtotal secured XB funding				375,000
	Unsecured XB funding				2,046,677

⁹ According to the project manager "there are several environmental law initiatives at the national, regional or even global level which relate to the project but were partially or fully funded by partners. The main funding of the MEA Course in output 1 for example was from the Government of Finland, UNEP would only provide a contribution of US\$425,000 and pay for UNEP resource persons, A number of activities which took place in Latin America were organized by partners our contribution was only travel costs for our staff. Kenya, Saudi Arabia and Sudan also funded national training initiatives that UNEP sent resource persons to. All these were considered as part of the project." The Evaluation Office notes that such contributions should have been recorded in project revisions as co-finance, otherwise the full delineation of the project remains somewhat informal.

	TOTAL PROJECT CASH BUDGET (=EF or RB activity budget + Secured and unsecured XB funding)				2,421,677
IN-KIND CONTRIBUTION	Environment Fund post costs		235,000	235,500	470,000
	Regular Budget post costs				
	TOTAL UNEP IN-KIND CONTRIBUTION		235,500	235,500	470,000
TOTAL UNEP MANAGED PROJECT BUDGET (=PROJECT CASH BUDGET + UNEP IN-KIND CONTRIBUTION)					2,891,677
CO FINANCING CASH CONTRIBUTION					
CO FINANCING BASED ON PARTNERS IN-KIND CONTRIBUTION					

IV. EVALUATION FINDINGS

83. All evaluation criteria are rated on a six-point scale. Sections A-I below, provide a detailed narrative that explains the justification for the rating. The evaluation ratings for each criterion are based on the UNEP Evaluation Criterion Ratings Table (revised on 22.01.19). This ratings table is provided in Annex 2 of this evaluation report. The evaluation criteria are grouped in the following categories:

Table 7: Evaluation Criteria Rating for Report

Evaluation Criteria	Rating
Strategic Relevance	Highly Satisfactory
Quality of Project Design	Moderately Satisfactory
Nature of External Context	Favourable
Effectiveness	Moderately Satisfactory
Delivery of outputs	Satisfactory
Achievement of direct outcomes	Moderately Satisfactory
Likelihood of impact	Moderately Unlikely
Financial Management	Moderately Satisfactory
Completeness of project financial information	Moderately Satisfactory
Communication between finance and project management staff	Satisfactory
Efficiency	Satisfactory
Monitoring and Reporting	Moderately Unsatisfactory
Monitoring design and budgeting	Unsatisfactory
Monitoring of Project Implementation	Satisfactory
Project Reporting	Moderately Unsatisfactory
Sustainability	Moderately Likely
Socio-political sustainability	Moderately Likely
Financial sustainability	Likely
Institutional sustainability	Likely
Factors Affecting Performance	Satisfactory
Preparation and readiness	Moderately Satisfactory
Quality of project management and supervision	Satisfactory
Stakeholder participation and cooperation	Satisfactory
Responsiveness to human rights and gender equity	Moderately Satisfactory
Country ownership and driven-ness	Highly Satisfactory
Communication and public awareness	Satisfactory
Overall	Moderately Satisfactory

A. Strategic Relevance

84. Overall, the strategic relevance was rated 'Highly Satisfactory'.

A.1 Alignment to medium-term strategy and Programme of Work

85. The project document notes the relevant Sub-programme (Sub-programme 4 - Environmental Governance). This sub-programme assists governments to improve environmental decision-making and to apply national and international environmental law. This project document describes the relevant expected accomplishment (from POW 2014-2015) as "The capacity of countries to develop and enforce laws and strengthen institutions to achieve internationally agreed environmental objectives and goals, and to comply with related obligations is enhanced."

86. Through its multiple activities, the project strengthened the capacity of countries to improve environmental law and institutions in the following ways:

- The overriding objective was to strengthen the institutional capacity of countries through the transfer of knowledge of the development, adoption, and enforcement of environmental law, and enhanced the capacity to respect agreed environmental objectives and obligations.
- The first output, Global Trainings and Legal Guidance Materials, has imparted important environmental law resources and training materials to government officials with the aim to enhance their capacity to develop and strengthen environmental law and share best practices of environmental law, which will in turn assist the beneficiary countries to implement their international obligations.
- The second output, Regional and cross-regional trainings, has strengthened the institutional capacity of countries by equipping the government officials, judicial officials and other enforcement officers with the knowledge and resources to improve the implementation of environmental law.
- The third output: Technical Assistance and Legal Advisory Services has provided concrete support to countries to develop new environmental law, reform existing laws and improve environmental institutions.
- Overall, the project contributes to improved governance arrangements and most especially the environmental rule of law.
- The project directly contributed to the primary aim of the fourth Montevideo programme on environmental law, notably to strengthen the capacity of countries to develop, implement and enforce environmental law. The project also reinforced the work undertaken under the ambit of other UNEP projects such as the Environmental Rule of Law and Progressive development of International Environmental Law.

A.2 Alignment to UNEP strategic priorities

87. This project relates to the UNEP mandate for capacity building and environmental law. This mandate lies at the core of UNEP's *raison d'être*; it is also reflected in the Montevideo Programme which has provided environmental law capacity building for the past 40 years. This project was developed under the ambit of Montevideo IV.

A.3 Relevance to regional, sub-regional and national issues and needs

88. The fundamental objective of the project was to impart environmental law knowledge to developing countries and economies in transition that expressed the need for more resources and training. The relevance of the project was reflected in the following ways:

89. The MEA training course (Output 1) was updated and modified each in response to the evaluations provided by course participants. It also chose its main themes on the basis of topical issues and important MEA negotiations taking place. Participants are also chosen in part with respect to their engagement with the MEA's that are highlighted in a given year. This ensures that the course material is highly relevant to the participants' needs.

90. The activities in Output 2 such as the Greening the Judiciary Forum, the Entebbe meeting "Greening the Police and Criminal Prosecutorial Education in Africa", and the Asia-Africa meeting of enforcement experts, were designed specifically to target the specific needs of the different categories of enforcement officials. Another indication of relevance is the fact that stakeholders have requested follow-up meetings. Additionally, according to the project manager, the requirements of selected countries were addressed in customised enforcement guides. However, the evaluation team was not provided with evidence of these guides and cannot provide an evaluative judgement on their efficacy.

91. Another important set of activities under this output were the regional consultations that were conducted with Montevideo national focal points in 2018. These meetings provided important knowledge regarding evolving environmental law trends in the region. They also provided opportunities for the national focal points to provide input to the assessment of Montevideo IV. The success of these meetings is in part reflected in the very high turn-out of national focal points at the global meeting of Montevideo that was convened by the Law Division in Geneva in September 2019. The fact that member states unanimously adopted the new Montevideo V programme at the fourth UNEA being yet another indication of how important the regional Montevideo meetings were in generating interest and support for the programme.

92. As regards Output 3, all technical assistance and training initiatives were demand-driven having been requested by the countries themselves. Indeed, UNEPs approach to technical assistance is driven by country needs. And endeavours to build capacity by scaling up existing in-country expertise.

A.4 Complementarity with existing interventions

93. This project was developed under the ambit of the Montevideo Programme IV; it directly relates to that programme. The Montevideo Programme IV's primary aim is to strengthen the capacity of countries to develop, implement and enforce environmental laws. The project relates directly to other projects that were developed under the ambit of Montevideo IV: *Environmental Rule of Law* and the *Progressive Development of International Environmental Law*.

B. Quality of Project Design

94. The overall rating given for the quality of the project design was 'Moderately Satisfactory'. As with many projects approved during this period, there was a lack of investment in monitoring beyond the output level. Even though the Law Division responded to all the requirements of the Project Review Committee (PRC), it should be emphasised that the PRC approves projects that meet minimum quality requirements. This does not mean that all approved projects are designed to the highest standard possible. Similarly, there is seldom any compliance mechanism to ensure suggestions made during the PRC process are incorporated into the final project document after the PRC.

95. As regards this project, according to the Project Manager, the "PRC was insisting on national uptake of initiatives that would ensure impact beyond individuals to justify any strengthening of institutions. At the national level the output of draft laws were accepted because sometimes the process of getting a bill through Parliament takes time and outcomes on such initiatives also can be realized over time."

96. In the inception phase of the evaluation, the Project Design Quality Matrix was prepared. The project design was assessed as follows: ¹⁰

Table 8: Evaluation Breakdown for Report by the Project Design Quality Matrix

Relevance	Highly Satisfactory
Intended results and causality	Moderately Satisfactory
Efficiency	Satisfactory
Sustainability/replication and catalytic effect	Moderately Satisfactory
Risk identification and social safeguards	Moderately Unsatisfactory
Governance and supervision arrangements	Satisfactory
Management, execution and partnership arrangements	Moderately Satisfactory
Financial planning and budgeting	Moderately Satisfactory
Monitoring	Moderately Unsatisfactory
Evaluation	Satisfactory

C. Nature of the External Context

97. Overall, the nature of the external context for project implementation was regarded as Favourable.

98. The external context (considering the prevalence of conflict and natural disasters) had no distinguishable impact on the implementation or outcome. Relevance to the political context and its occasional minor effects on project operations are explored in the section on socio-political factors.

D. Effectiveness

99. Overall, the rating for the project 'Moderately Satisfactory', in accordance with the evaluation ratings table, which heavily weights effectiveness and sustainability. The overall rating for Effectiveness (which represents 45% of the total weighting) was 'Moderately Satisfactory'.

100. It should be emphasized that the high quality of all the training and legal assistance activities is recognized. However, the lower evaluation rating results from the lack of evidence that could have been provided by better monitoring and reporting of the intervention's effects. A lack of evidence has affected the ratings for likelihood of immediate outcome and intended impact. It is a function of the fact that, at project design, results-based monitoring was not sufficiently emphasised or budgeted in the project design and planning. The evaluation approach that is now used for all UNEP evaluations heavily weights the demonstration of evidence-based outcomes, which this project did not generate, because it did not invest resources needed to monitor outcome level results.

101. In evaluating the effectiveness of the project, three criteria are addressed and evaluated to produce an aggregate rating for the project:

¹⁰ According to the project manager "This phase must be considered in context, as 2013-2014 was a time where all activities within UNEP were being projectized. UNEP developed so many projects but they would only be approved if they have seed funds of 200,\$000 or 25% of the cost of the project. There were many concepts that could not reach this threshold." The Evaluation Office asserts that there is considerable documentation to show that projectization began much earlier in time for the 2010-2011 PoW, however project design quality across UNEP was uneven.

- The *delivery of outputs* were assessed by examination of the activities that were executed and whether (according to the reconstructed Theory of Change below) the project was able to deal with the drivers and assumptions that controlled the progression from activity to output.
- The *achievement of outcomes* were assessed on the basis of the actual uptake of the knowledge, skills and resources that were generated through the outputs. The evaluation also considers (based on the reconstructed Theory of Change) whether the project succeeded in supporting the impact drivers and monitoring assumptions that controlled the progression from outputs to outcomes.
- The *likelihood of impact* was assessed on the basis of the ability of the project to progress from intermediate states and onwards to the actual desired impact. Once again, using the reconstructed Theory of Change as the analytical framework, the evaluation considers how the project supported the drivers and monitored assumptions that controlled the progression from intermediate states to intended impact

102. The detailed analysis was based on the pathways associated with each of the project's three outputs.

D.1 Analysis of Output 1

“Knowledge and skills related to environmental law imparted at global platforms.”

Inside this section on the analysis of Output 1

Analysis and narrative of the reconstructed Theory of Change for Output 1

Introduction

Description of activities in the reconstructed Theory of Change for Output 1

Overview of the drivers and assumptions that control the progression from activity to output under Output 1

Description of the output for Output 1

Overview of the drivers and assumptions that control the progression from output to outcome

Overview of the outcomes in the reconstructed theory of change

Description of the Intermediate state

Overview of the drivers and assumptions that control the progression from outcome to intermediate state

Description of the intended impact

Overview of the drivers and assumptions that control the progression from intermediate state to intended impact

Analysis of the effectiveness of Output 1

Achievement of project outputs

Achievement of direct outcomes

Achievement of intermediate state

Achievement of impact

Recommendations for monitoring outcomes and impact

D.1.1 Analysis and Narrative of the Reconstructed Theory of Change for Output 1

Introduction

103. Reconstructed theories of change for each of the three outputs were developed. This enabled a finer level of granularity in understanding and representing the essential causal links between the activities and intended effects.

104. Most importantly, the reconstructed theories of change articulated the outcomes in correct evaluation terminology, namely the “changes from the use of the project output by key stakeholders”. This is a very distinct difference between the original Theory of Change and the reconstructed theory of change, namely that in the latter, outcomes are captured in terms of very concrete changes in capacity and behaviour at the individual and institutional level.

105. The reconstructed theories of change for Output 1, Output 2 and Output 3 are represented below in Figure 5, 8 and 6, respectively. Each table is accompanied by a detailed narrative.

106. It should be stated at the outset that the first step undertaken in reconstructing the Theory of Change was to identify the project’s intended impact. In the original Theory of Change, the project impact/outcome was incorrectly framed in output language: “the capacity of countries to develop and enforce laws and to strengthen institutions to achieve environmental goals is strengthened”.

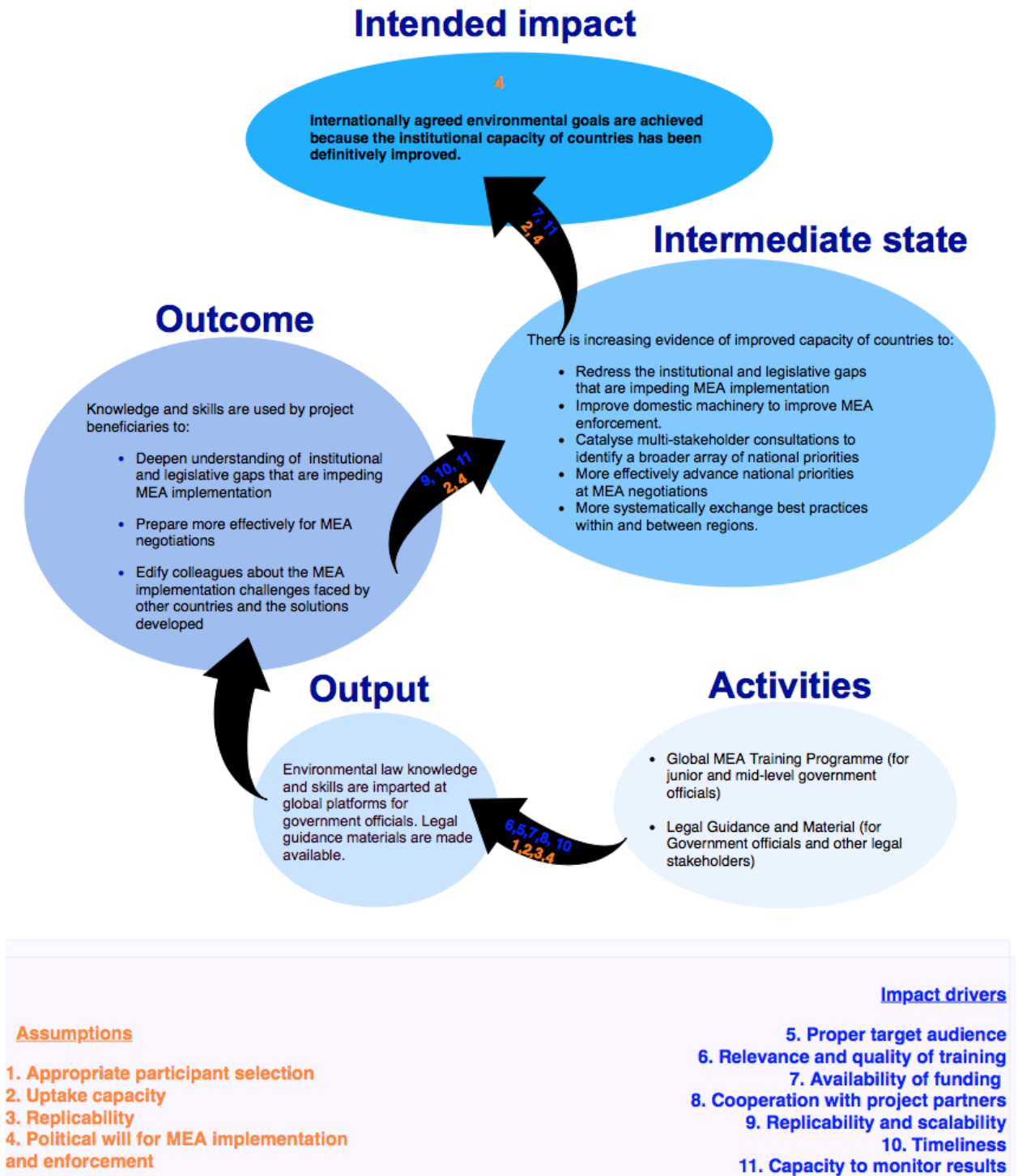
107. The mere improvement in capacity is only one step towards the achievement of a real outcome, which involves change in agency, uptake of new knowledge and a change in behaviour. This means that the newly strengthened capacity has to be put into action and that this action must lead to an improved state, and then onwards towards the larger impact. According to the project manager, “the uptake of national guides by national training institutions contributed to gaining new knowledge and change in behaviour for entire national institutions such as the ministries of environment in drafting legislation and in enforcement”. However, the evaluation team was not provided with verifiable evidence of this uptake. Another important point regarding the achievement of outcome is the increase on the part of the judiciary in their understanding of environmental law through the curricula that was embedded in national judicial training institutes. However, the evaluation team was not provided with evidence of the new curricula.

108. In the reconstructed theory of change, the intended impact is framed in more ambitious goals, namely: “internationally environmental goals are fulfilled as a result of strengthened institutional capacity.” This impact statement was used for each of the individual theories of change presented below.

Figure 5: Reconstructed Theory of Change for Output 1 - Global MEA Training

Reconstructed Theory of Change

Output 1 - Global MEA Training



Description of activities in the reconstructed Theory of Change for Output 1

109. The first activity for this output was the annual training course on MEAs and diplomacy which has been offered jointly by UNEP and the University of Eastern Finland for the past 15 years. This project evaluation covers the UNEP/UEF annual courses in the period 2014 to 2018.

110. The second key activity was the preparation of legal guidance materials, which included the following three publications:

- *Training Manual on Environmental Law and Policy (Second Edition)*
- *Regional Focused Environmental Law and MEAs Compendia*
- *Environmental Law Drafters' Handbook*

Overview of the drivers and assumptions (under the reconstructed theory of change) that control the progression from activity to output under Output 1

111. Output 1 was described in the project document as: “Knowledge and skills set in environmental law imparted at global platforms for government officials on environmental law and policy as well as MEAs and Diplomacy, along with a set of legal guidance materials”.

112. The progression from activity to output under Output 1 depends on several important drivers, i.e. external conditions necessary for project results to lead to next-level results, over which the project has a certain level of control. In the case of Output 1, these include the following drivers that have affected the progression from activity to output:

- *Relevant target audience:* In many cases, it is the national governments who will select junior and mid-level officials to training programmes. However, this factor is also a driver insofar as UNEP and the University of Eastern Finland are the ones who have the final say in the selection of applicants. It is important that the participants are the ones who are engaged in MEA preparations back in national capitals and who will be representing their governments in international environmental negotiations. The UNEP/UEF training is specifically designed to improve the capacity of participants to engage more effectively in MEA negotiations. Therefore, if officials are chosen who do not necessarily plan to engage in MEAs, the effectiveness and usefulness of the course will be reduced. Indeed, knowledge cannot be successfully imparted if the beneficiaries of the training have no use for the knowledge (if indeed they are the correct participants). UNEP has ensured that the right target group, namely negotiators, are selected.
- *Relevance and quality of training:* The training material and quality of experts is absolutely critical to the achievement of the output. Knowledge and resources cannot be imparted if the training material is sub-optimal and if the lecturers are not leading experts in their fields
- *Availability of funding:* Funding is of course critical to ensure the high quality of the training material and to enable the participation of world-renowned experts. It is also essential for the participation of individuals from developing countries who may not afford tuition fees.
- *Cooperation with project partners:* UNEP's limited resources mean that cooperation with project partners is becoming increasingly important. In this case, the collaboration with the University of Eastern Finland has been an important success factor at the output level. In terms of the activity to output phase, without their participation, it would be impossible for UNEP to deliver the course annually at the same level of quality that is made possible by UEF's cooperation.

113. The progression from activity to output under Output 1 also depends on several important external conditions that are necessary for project results, over which the project has no control. In the case of Output 1, these include the following assumptions that have affected the progression from activity to output:

- *The selection of the right participants by national governments:* Whilst this factor was referred to as a driver, it can also be considered as an assumption insofar that governments will often request that their selected officials be considered as participants. In these cases, UNEP would not necessarily have the choice to refuse participation. Once again, if the selected participants are not the most relevant, it is less likely that knowledge will successfully be imparted and then used.
- *The uptake capacity of the participants:* This relates to the first assumption. If participants do not have the ability to absorb the knowledge and skills, then it is self-evident that knowledge will not have been imparted successfully. On the other hand, it is important that UNEP and UEF develop a range of teaching methodologies to ensure that participants can uptake the knowledge imparted. The preparation of Review publications by UNEP and UEF on the annual course complements the transmission of knowledge in the course and reaches a wider audience through the “hits” that are recorded in the website. However, it should be emphasised that “website hits” are a measure of the reach of disseminated material. They are a poor measure of use or of “changes in knowledge or understanding”.

Description of the output for Output 1

114. According to UNEP, outputs are gains in knowledge, abilities and awareness of individuals or within institutions. Outputs are also the availability of new products and services that result from activity completion. The Project Document accurately defined the output as environmental law knowledge and skills are imparted at global platforms for government officials.

Overview of the drivers and assumptions (under the reconstructed theory of change) that control the progression from output to outcome under Output 1

115. The following drivers need to be in place for the progression from output to outcome to be achieved:

- *Relevance and quality of training:* The quality of the training material and quality of experts is critical to equip participant X with the capacity to apply the knowledge back in national capital by addressing MEA implementation gaps, preparing more effectively for MEA negotiations and applying MEA best practices from other countries.
- *The uptake capacity of the participants:* This is of course essential to ensure that participant X is capable and willing to apply the knowledge acquired in order to address MEA implementation challenges back home and as well, to prepare for future MEA negotiations.

116. The main assumption that is relevant in this phase is the interest of participant X’s colleagues in the new knowledge and skills that participant X is bringing back home and the willingness to apply that knowledge in their own sphere of competence. A national government delegation’s preparation for an MEA negotiation is almost always a collective process and even if participant X comes from a very small country, there is a high likelihood that participant X will be preparing for the next relevant MEA negotiation with other colleagues, let alone the more senior officials who are described in the intermediate state.

117. The improvements in the reconstructed theory of change should be seen in the context of UNEP gaining more experience in projects. Evaluation is part of the learning process for UNEP. Project ratings are not used in any individual performance appraisal but should be used to inform and improve future work.

Overview of the outcomes in the reconstructed theory of change

118. The original Theory of Change defines the outcome as “institutional capacity and competencies of Government officials and other legal stakeholders in environmental law strengthened”. The problem with this outcome statement is that it makes an enormous causal leap from the output to outcome. Indeed, there are many steps that precede the strengthening of institutional capacity. Properly defined, the outcome is the use, either uptake, adoption or application of the product or service that was provided for the intended beneficiaries. Therefore, the reconstructed Theory of Change identifies the different ways that the MEA training beneficiary (‘X’) might use the knowledge imparted at the MEA training course:

119. The new knowledge could be applied by beneficiary X to deepen understanding of the obstacles that are impeding MEA implementation in their own country. This could catalyse an informal process to assess MEA implementation constraints, which would be taken up at higher levels in the relevant ministry.

120. New knowledge about MEA processes could be used by beneficiary X to prepare more effectively for MEA negotiations. Since each year’s course theme focuses on an important negotiation, this means that participants will usually have a stronger background in that thematic area. So, if the theme was access and benefit sharing, beneficiary X would apply their deeper understanding of the process, political dynamics and substantive issues in their own preparation for the next ABS negotiation. Ultimately, better preparation for MEA negotiations will help to improve the engagement and impact of beneficiary X in the ABS negotiations. This will hopefully mean that beneficiary X will be more effective at advancing its national priorities in a way that may not have been possible before.

121. Beneficiary X will also use the knowledge gained to edify other colleagues on the MEA implementation challenges faced by other countries and the innovative approaches to overcoming the challenges. This knowledge will be used to help beneficiary X’s own government to address MEA implementation challenges in line with leading cutting-edge approaches.

Description of the Intermediate state in the reconstructed theory of change

122. The intermediate state for the MEA training course is ultimately a significantly improved institutional capacity of countries to identify and redress MEA implementation barriers and thereby improve implementation and enforcement machinery. Another important intermediate state is the improved capacity of countries to advance their own national priorities more decisively at MEA negotiations. Wherever MEA negotiations reflect national priorities, there is a higher likelihood that MEAs will be implemented back in national capitals.

Overview of the drivers and assumptions that control the progression from outcome to intermediate state under Output 1

123. One of the key drivers that must be in place in order for the progression from outcome to intermediate state to be achieved is the actual capacity of beneficiary X to be able to convince her superiors of the credibility and legitimacy of her new insights about MEA implementation, which have resulted from the knowledge she acquired at the MEA course. Beneficiary X’s capacity is ultimately a direct result of the training that beneficiary X underwent and of the knowledge and skills that were imparted at the MEA training.

124. The main assumption that will have to be addressed is the willingness of senior officials to accept the credibility and legitimacy of the new knowledge that beneficiary X has applied in the initial process of identifying MEA implementation barriers. Of course, the uptake capacity of beneficiary X’s senior colleagues is also critical. They need to be able to use the knowledge and skills that have been adopted at outcome level in order to make significant improvements in their country’s national MEA implementation efforts.

Description of the intended impact

125. Under the reconstructed Theory of Change, the intended impact is defined the intended impact as the positive and negative long-lasting effects resulting from UNEP's intervention, directly or indirectly, intended or unintended. Impacts must relate to UNEP's mandate. In the case of Output 1, the impact has been reframed more ambitiously with the emphasis on the achievement of internally agreed environmental goals resulting from countries' increased institutional capacity. The improved institutional capacity that is described as the intermediate state is of course the pre-essential condition for the achievement of environmental goals. And whilst improved capacity is going to vary from country to country, it has to relate back to the countries' capacity before the MEA training course in order to have a baseline upon which improvement can be measured.

Overview of the drivers and assumptions that control the progression from intermediate state to intended impact under Output 1

126. The main driver which must be in place for the intended impact to be realised is a willingness of senior government officials to acknowledge MEA implementation gaps and to take concrete steps to redress them. This may include adopting implementing legislation, developing new regulatory frameworks, mobilising other sectoral ministries and key stakeholders. This factor can also be a driver and an assumption. As a driver, it is a factor that UNEP can influence through the technical assistance and legal advisory services that it provides countries (under Output 3).

127. One of the most important assumptions is of course the political will of countries to advance environmental protection objectives alongside other domestic policy goals such as economic growth, competitiveness, job creation, poverty eradication. From this perspective, it can be argued that the assumption of political will is sometimes 'influenceable' by UNEP (and can be treated as a 'driver') insofar as UNEP regularly conducts bilateral diplomacy with political leaders and Environment Ministry officials. Moreover, the UNEP Assembly is an important platform that has in many cases influenced national governments to advance important internationally agreed environmental goals back home.

D.1.2 Analysis of Effectiveness of Output 1

Achievement of outputs

About Output 1

128. The goal of Output 1 was to impart knowledge and skills at the global level through MEA courses and legal guidance materials. This output was delivered through three different activities.

129. The first activity was the tenth global training programme on environmental law and policy, which is a recurrent activity that is organised every two years to equip junior and mid-level cadre officials with knowledge and skills in environmental law and institutions at the international and national levels in to enable them to comply with their international obligations. The GTP program also provided a platform for developing countries to identify areas in their countries for which UNEP could assist in providing technical assistance.

130. The second activity was the MEA courses, which has been offered jointly with the University of Eastern Finland over the last 15 years. However, the period under consideration in this evaluation was from 2014 to 2018.

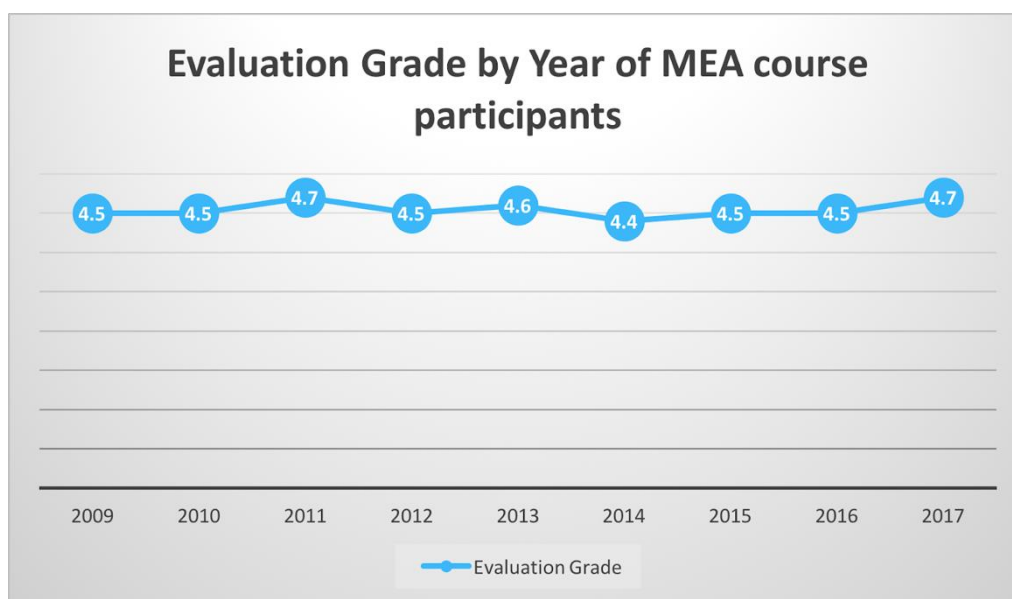
131. The third activity provided under Output 1 was legal guidance materials that addressed the development and implementation of environmental law at the global, regional and national levels.

About the MEA course

132. The UEF-UNEP Course on Multilateral Environmental Agreements is a high-profile two-week Course on MEAs, international environmental law-making and diplomacy. It is organised annually in cooperation with the University of Eastern Finland and United Nations Environment Programme, with a changing course venue and theme each year.

133. Under the ambit of the UNEP-University of Eastern Finland MEA training courses, over 500 participants from 130 countries have been trained over the past 15 years. The MEAs courses are generally highly valued by participants in the annual course participant assessments. In 2018, the course received an overall assessment grade of 4.6 out of 5.

Figure 6: End of Training 'Evaluation' Grade as assessed by each year of MEA course participants



134. The aim of the MEA course is to equip current and future negotiators of multilateral environmental agreements with the knowledge, skills and resources necessary to improve overall performance and engagement in international negotiations. The course also serves as a forum for fostering cooperation between developed and developing country negotiators; and for taking stock of recent developments in the negotiation and implementation of multilateral environmental agreements and diplomatic practices in this field.

135. Past course themes have included: Waters (2004), Forests (2005), Biodiversity (2006), Chemicals (2007), Oceans (2008), Environmental Governance (2009), Climate Change (2010), Synergies among the biodiversity-related conventions (2011), Ocean Governance (2012), Natural Resources (2013), Environmental Security (2014), Climate Change (2015), Effectiveness of Multilateral Environmental Agreements (2016), Trade and Environment (2017) and the Environment and Human Rights in 2018.

Course financing

136. UNEP and the University of Eastern Finland have provided financial and in-kind support in organizing the courses. In addition, the Ministry of Foreign Affairs of Finland and the Ministry of the Environment of Finland have made significant financial contributions to the courses by financing some of the participants, by providing resource persons and by arranging some of the course events.

137. One of the most important expressions of the effectiveness of the course is the continued funding provided by the government of Finland. At the ten-year mark, there was a major evaluation by the Finnish

Government resulting in a continued commitment to fund the course. This year, the Government of Finland, for the first time, provided a three-year grant for the course. This is strong evidence of their enthusiasm and support for the course. The three-year funding will provide predictable and reliable resources that will enable the course organizers to do more long-term planning.

Value of the University of Eastern Finland as course partner

138. The University of Eastern Finland has been a valued partner. It has assumed responsibility for the overall administration of the course and many University faculties teach throughout the two-week course. The University has also played a strategically important role in acquiring funding from the Finnish Ministry of Foreign Affairs. UNEP would not be able to run this course without the partnership. Furthermore, the fact that it has endured for many years is testament to the overall strength and resilience of the partnership between UNEP and the University of Eastern Finland.

Participant feedback

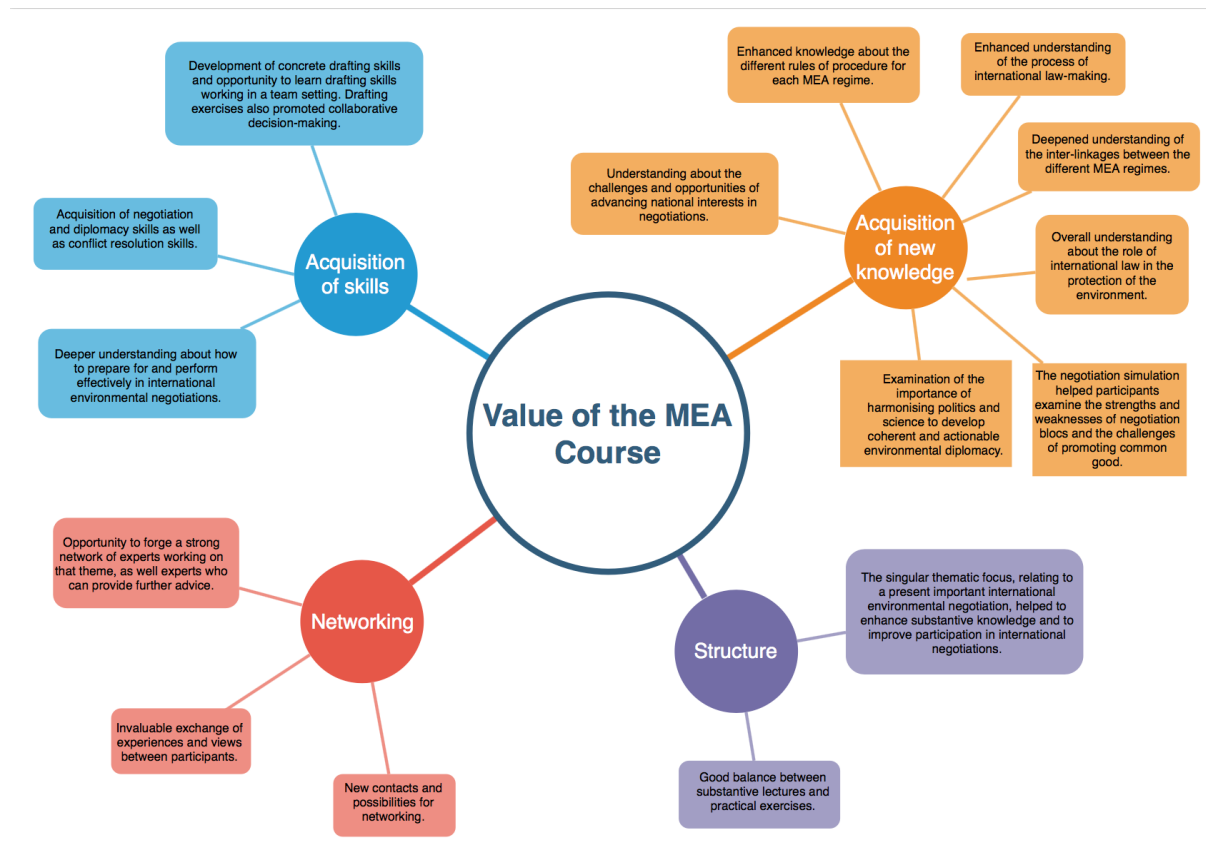
139. Each year, the University of Eastern Finland produces an 'evaluation report' (or assessment) that consists of the feedback given by participants at the end of each MEA course. The specific feedback for the project period (2014-2018) has been synthesised above.

140. As evidenced by participant feedback, the MEA course has been regarded by participants as successful in meeting their expectations, although this does not explicitly measure the effectiveness of the course in imparting relevant knowledge of international environmental law. Assessment reports produced each year by the University of Eastern Finland, however, do provide anecdotal evidence of knowledge acquisition (table 9) and confirm the continuing satisfaction of participants with course content, methodology and networking opportunities.

141. According to the interviews with the Law Division and with officials from the University of Eastern Finland, anecdotal evidence has revealed that participants are increasingly using the knowledge and resources acquired at the MEA courses in their actual work representing their government delegations at MEA negotiations. Law division officials often meet course alumni at UNEP negotiations. It is there that Law Division officials have been able to discuss the benefits of the course with alumni who have systematically confirmed the usefulness of the course in facilitating their participation at MEA negotiations.

142. Notwithstanding the above, the concrete impacts are not easily measured. It should be emphasised at the outset that UNEP and University of Eastern Finland do not currently track participants' use and uptake of the knowledge imparted. The concrete effects are not easy to measure since this would require tracking the uptake of the knowledge that has been imparted through the three levels of activities. This is not something that the course does but both UNEP and the University of Eastern Finland recognize the importance of outcome monitoring and they have interacted with alumni before and even used some alumni to contribute articles in the annual review publications and to serve as resource persons in subsequent courses.

Figure 7: Summarized and defined value of the MEA course according to feedback



Specific feedback from participants regarding the value of the course

143. The following reflections of the value of the course (and hence the delivery of the output) have been drawn from five years of evaluation reports that have been prepared by the University of Eastern Finland.¹¹

¹¹ Manninen 2014; Jerkku and Manninen 2015; Jerkku 2016; Pekkarinen 2017; Pekkarinen 2018

Table 9: Reflections of the value of the MEA course

- | | |
|---|--|
| <ul style="list-style-type: none"> ▪ The specific focus on one theme, which relates to an important international environmental negotiation in the given year, has helped to enhance substantive knowledge and to improve participation in international negotiations. ▪ Opportunity to forge a strong network of experts working on that theme, as well experts who can provide further advice. ▪ New contacts and possibilities for networking. ▪ Invaluable exchange of experiences and views between participants. ▪ Good balance between substantive lectures and practical exercises. ▪ Deepened understanding of the inter-linkages between the different MEA regimes. ▪ Enhanced understanding of the process of international law-making. ▪ Enhanced knowledge about the different rules of procedure for each MEA regime. ▪ Acquisition of new knowledge that can assist in improving impact in future negotiations. ▪ Acquisition of negotiation and diplomacy skills as well as conflict resolution skills. | <ul style="list-style-type: none"> ▪ New knowledge on MEAs and international environmental law-making processes. ▪ Development of concrete drafting skills and opportunity to learn drafting skills working in a team setting. Drafting exercises also promoted collaborative decision-making. ▪ Participation in the negotiation simulation helped participants to see the power and weakness of the negotiation blocs and the challenges of promoting the common good. ▪ Deeper understanding about how to prepare for and perform effectively in international environmental negotiations. ▪ Understanding about the challenges and opportunities of advancing national interests in negotiations. ▪ New knowledge in respect of legal language and abilities in maintaining relationships with opponents during negotiations. ▪ New understanding and appreciation for other countries' stalling tactics. ▪ Overall understanding about the role of international law in the protection of the environment. ▪ Deeper appreciation of the importance of harmonizing the political nature of environmental diplomacy with the need to ensure science-based decision |
|---|--|

Influence of drivers and assumptions (activity to output)

144. The progression from activity to output under Output 1 depends on several important drivers. These have been described in detail in the section on the reconstructed Theory of Change and are briefly summarised here.

Relevant target audience

145. Over 300 individuals apply each year for approximately 35 spots. Since UNEP and the University of Eastern Finland are the ones to choose the participants, this means that they can be highly selective. Selection criteria are rigorous and as a result, the participants who are chosen are highly motivated to edify themselves and to apply the knowledge and skills in their own work back in national capitals. They are also chosen in part on the basis of their own role in MEA preparations and negotiations. This ensures that the knowledge that is imparted is indeed highly relevant to the professional roles of the participants.

Relevance and quality of training

146. Each year the course focuses on a specific theme that is being addressed in a high-profile MEA negotiation. Lecturers are chosen for their expertise in the area in question, course materials are highly substantive and the negotiation simulation that always caps the two weeks, is a pedagogic tool, which is highly valued by the participants, as reflected in the formal course evaluations.

Availability of funding

147. Stable funding from the Finnish Ministry for Foreign Affairs ensures the continued high quality of the training material and the participation of world-renowned experts. It is also essential for the participation of individuals from developing countries who may not afford tuition fees.

Cooperation with project partners

148. UNEP's limited resources mean that cooperation with project partners is becoming increasingly important. In this case, the collaboration with the University of Eastern Finland has been an important success factor. With regard to the activity to output phase, without their participation, it would be impossible for UNEP to deliver the course annually at the same level of quality that is made possible by UEF's cooperation.

149. In terms of the assumptions that may have affected the progression from activity to output, the most important factor is the uptake capacity of the participants. From the formal course evaluation/assessment surveys, it is clear that participants have valued the quality of the training material and that many of them have in fact absorbed the knowledge and skills that were imparted. A related impact driver that can influence the uptake capacity is by varying/improving the teaching methods and approaches that are used throughout the course.

Achievement of direct outcomes under Output 1

150. The expected outcomes that were framed in the reconstructed Theory of Change include a variety of ways in which the knowledge and skills could be directly applied by the participants back in national capitals. Of course, these will vary from country to country. However, it is reasonable to assume that the key direct outcomes of an MEA training course would include application of the knowledge to: improve MEA preparation before the negotiation; engage more effectively in MEA negotiations; and apply knowledge acquired in identifying MEA implementation barriers and solutions for overcoming them back in one's home country.

151. It is important to emphasise that the course had not been designed to track the extent that project outputs have actually contributed towards the direct outcomes. There was no mechanism in place to assess how, if at all, the participants have acquired and used the skills gained in the course, but such follow-up should be built into future project designs. This limitation made it impossible to draw empirically grounded conclusions about the direct outcomes and the overall impact of the course.

152. However, there is anecdotal evidence of alumni using the knowledge learned from these courses. Both UNEP and University of Eastern Finland officials have noted that they often meet course alumni who are participating and/or leading their government delegations in MEA negotiations. Alumni have often relayed how valuable they felt the course had been in equipping them with the knowledge and tools to more effectively represent their country's interests in international environmental negotiations. Alumni have also emphasised the value of the course in creating unique opportunities for networking. In many cases, alumni continue to maintain contact with their cohort members and draw on the many opportunities for peer-to-peer learning.

153. The course organisers and members of the project team have also confirmed that each year they are contacted by governmental officials who convey the value of the course in equipping them to participate more effectively in international environmental negotiations. Moreover, in one particular year, the Government of Afghanistan independently funded the participation of three officials because of their past experience of the value of the course.

154. Both UNEP and the University of Eastern Finland recognise the importance of maintaining contact with the course alumni and tracking their own progress and the application of the knowledge acquired in the course.

Influence of drivers and assumptions (output to outcome)

155. The following drivers have been drawn from the reconstructed Theory of Change above and are relevant for the progression from output to outcome.

Relevance and quality of training

156. The feedback from the course evaluations cite a high level of appreciation for the quality of the training material and calibre of experts. As explained above, these drivers are essential to ensure that participants are equipped with the capacity to apply the knowledge that was acquired during the training and use it back home to address MEA implementation gaps, prepare more effectively for MEA negotiations and apply MEA best practices from other countries.

The uptake capacity of the participants

157. Because of the rigorous selection process, for the most part there appears to be a high uptake capacity of the participants. Most of them are junior government officials who are already engaged in MEA processes.

158. The main assumption that is relevant in this phase is the interest of the course participants' colleagues back in national capitals in the new knowledge and skills that the participants are bringing back home and the willingness to apply that knowledge in their own sphere of competence. A national government delegation's preparation for an MEA negotiation is almost always a collective process and even if the participant comes from a very small country, there is a high likelihood that participant X will be preparing for the next relevant MEA negotiation with other colleagues, let alone the more senior officials who are described in the intermediate state.

Achievement of intermediate state as defined in the reconstructed Theory of Change under Output 1

159. In the reconstructed theory of change, the evaluation identified the meta-level improvement in MEA implementation, which would have hopefully flowed from the achievement of the outcomes. Considering that the focus of the MEA training course was on MEA implementation and negotiations, the intermediate state focused on the concrete improvement in MEA implementation at the national level. This would include action taken by Environment Ministries to redress the institutional and legislative gaps that are impeding MEA implementation. It would also include the improvement in domestic enforcement machinery. As regards engagement in MEA negotiations, the intermediate state could also include significant improvement in the ability of countries to advance their national priorities and for those priorities to be more systematically reflected in the actual outcome of MEA negotiations. And finally, the increased exchange of best practice in MEA implementation would also happen more frequently and this would expand the knowledge base of Environment Ministries and help to scale up MEA implementation efforts.

Influence of drivers and assumptions (outcome to intermediate state)

160. The following drivers and assumptions are relevant for the progression from outcome to intermediate state. In terms of drivers, the influencing capacity of the MEA course participants is very important. This is a driver because ultimately UNEP could be providing ongoing support to course alumni, perhaps in the form of a dedicated platform where alumni could exchange MEA implementation challenges and innovative solutions, rather like a “MEA implementation hotline” where UNEP legal officers could provide on-line advisory services and where other course alumni could provide their own feedback.

161. The most important driver at this phase is the willingness of senior officials to accept the credibility and legitimacy of the recommendations that will have been generated by the course alumni during the outcome phase, notably where the first change in agency actually occurs.

162. Currently, the project does not track effects beyond output level. Whilst, this was not incorporated in the project design, it is clear that if UNEP is to demonstrate the ultimate success of the MEA training course to future funders and indeed potential participants, it is important to demonstrate a larger-scale and longer-term effect. Doing this will require the development of detailed causal pathways with qualitative and quantitative performance indicators along with a solid baseline to track the improvement in MEA implementation. This will help to provide evidence of causality and attribution to the MEA training course.

Achievement of intended impact as defined in the reconstructed Theory of Change under Output 1

163. Once countries in each region start to significantly improve MEA implementation domestically (assuming that attribution to the MEA training course is real / possible) this will presumably lead to increased achievement of internationally agreed environmental goals.

164. Using biodiversity as an example of the intervention logic, let us assume that the theme of the MEA course would be biodiversity with a specific focus on implementation of the Strategic Plan for Biodiversity 2011-2020 and the Aichi Biodiversity Targets.

165. It would be important to monitor how course participants have used the knowledge acquired about the Aichi Targets. The uptake or application of the course knowledge would represent the desired outcome. For example, upon returning home, the course participants would presumably use that information to assess implementation challenges in their own country regarding their countries’ National Biodiversity Strategies and Action Plan. Course alumni would be equipped with implementation best

practices from around the world and this information would enable them to present evidence that would convince their superiors that there is scope for improvement.

166. At the intermediate state level, senior level Environment Ministry officials would have taken the findings generated from course alumni and have either launched a formal process to either develop a national biodiversity strategy plan (if none existed) or to substantively improve an existing strategy plan. With a more robust strategy in place, the national government would be better positioned to start meeting the 20 global targets (known as the Aichi targets) under the Strategic Plan for Biodiversity 2011-2020.

167. Ultimately, with an increased number of countries successfully implementing the Aichi targets, within time, this would hopefully lead to the reversal of biodiversity decline and the increased resilience of biodiversity and ecosystem services, which are essential to climate change mitigation. And improvement in meeting the Aichi targets would have double dividends since this would directly improve the implementation of the environmental dimension of the 2030 Agenda for Sustainable Development, especially SDG on biodiversity.

168. In this case, indicators would be needed to track countries that have undertaken legal or policy measures to improve their national biodiversity strategies. Milestones could include the following:

- Initiation of the review of existing national biodiversity strategies
- Finalisation of new legal instruments to either establish new strategies or to strengthen existing ones
- Identification of biodiversity priorities to be mainstreamed in existing economic policy.

Recommendations for monitoring outcomes and impact

169. Moving forward, it is essential that UNEP and the University of Eastern Finland develop a more rigorous results-based monitoring approach to track outcomes more systematically. The fundamental challenge is to establish causal links between the MEA course and actual improvement/strengthening of countries' capacity to develop, implement and enforce environmental law.

170. A rigorous results-based monitoring approach to track outcomes and higher result levels related to intermediate states and intended impacts should include the following steps:

- Identifying roles and responsibilities for assessing performance results.
- Developing performance targets to identify how knowledge and skills are being applied. These could address all the different ways in which participants would actually apply knowledge: from sharing knowledge with their colleagues back in their environment ministries; assuming more responsibilities in the preparation of MEA negotiations; participation in MEA negotiations; leadership in MEA working group negotiations; or indeed leadership in the development of new environmental laws and in the strengthening of environmental institutions.
- Baseline data on indicators should be established with pre-course knowledge assessment processes.
- Monitoring for results will need to include reliable data collection methods. In this case surveys could be sent after six months, and thereafter one year to collect data on how knowledge and skills are being used with any evidence of lack of use feeding back into appropriate adaptive management responses.
- Once outcome results have been monitored on a systematic basis, it would be interesting to explore how best to monitor intended impacts. In the case of the MEA course, this would mean understanding how the capacity of countries to develop and enforce laws and

strengthen institutions has been strengthened. This could be measured in terms of; actual policy and legislative reform processes, strengthening of enforcement machinery, increased implementation of MEAs, improved engagement and participation of countries in MEA negotiations.

D.2 Analysis of Output 2

“Knowledge and skills related to environmental law imparted at regional, inter-regional and sub-regional levels.”

Inside this section on the analysis of Output 2

Analysis and narrative of the reconstructed Theory of Change for Output 2

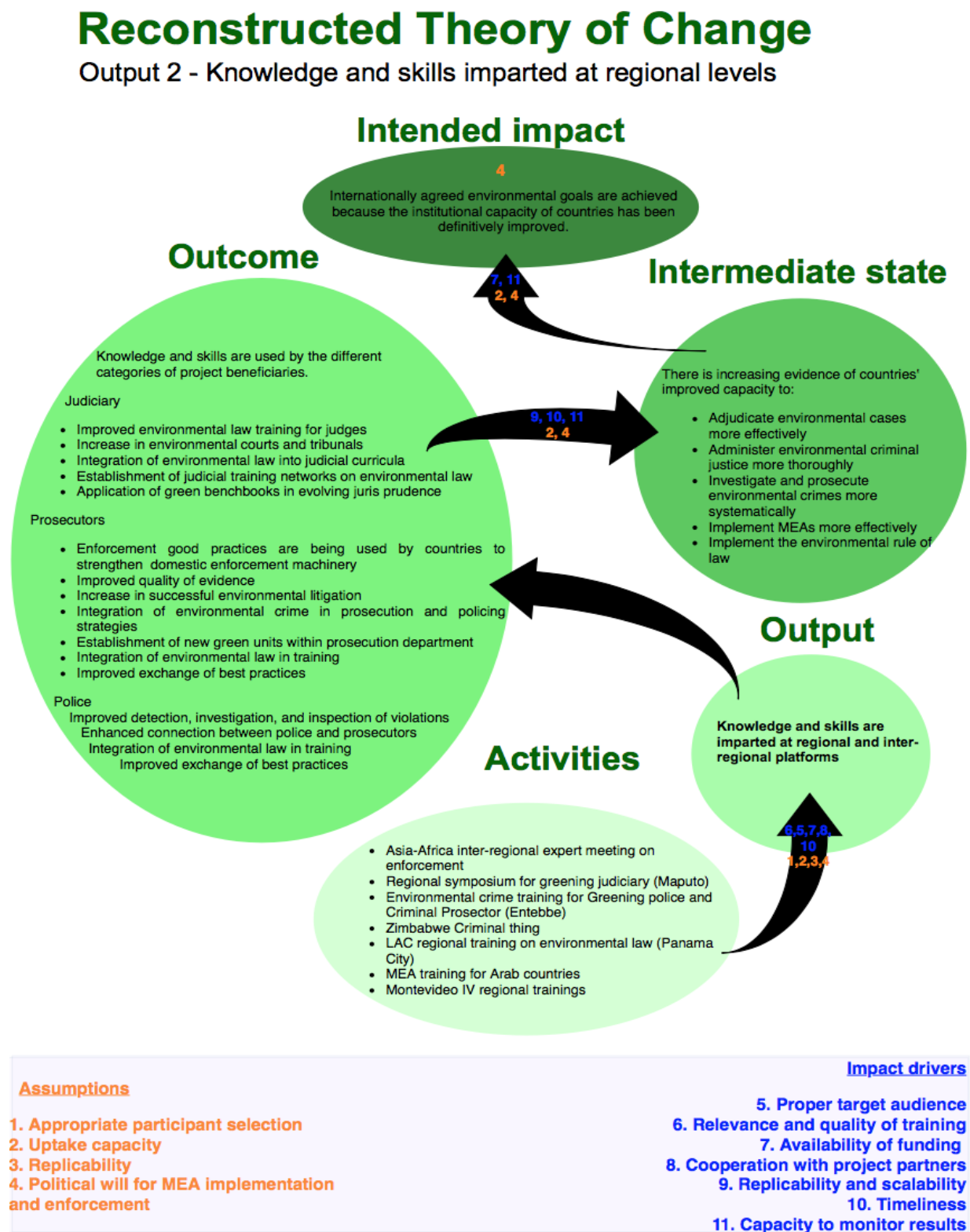
- Description of activities in the reconstructed Theory of Change for Output 2
- Overview of the drivers and assumptions that control the progression from activity to output
- Description of the output for Output 2
- Overview of the drivers and assumptions that control the progression from output to outcome
- Overview of the outcomes in the reconstructed theory of change
- Description of the Intermediate state
- Overview of the drivers and assumptions that control the progression from outcome to intermediate state
- Description of the intended impact
- Overview of the drivers and assumptions that control the progression from intermediate state to intended impact

Analysis of the effectiveness of Output 2

- Achievement of project outputs
- Achievement of direct outcomes
- Achievement of intermediate state
- Achievement of impact
- Recommendations for monitoring outcomes and impact

Analysis and narrative of the reconstructed Theory of Change for output 2

Figure 8: Reconstructed Theory of Change for Output 2 - Environmental law knowledge imparted at regional, inter-regional and sub-regional levels



Description of activities in the reconstructed Theory of Change for Output 2

171. The goal of Output 2 was to impart knowledge and skills in environmental law at regional and inter-regional levels. The main flagship activities included the following:

- Regional Symposium for Greening the Judiciary in Africa, Maputo August 2018
- First regional forum on environmental crime prosecutor and police training programme, Entebbe Uganda January 2018
- Africa-Asia interregional meeting on enforcement, Beijing May 2017
- The four regional consultations with Montevideo IV national focal points, 2018

172. The main value of the meetings was the specific targeting of different categories of environmental law officials. This helped to ensure the relevance of the meetings to the specific needs of judges, prosecutors, police and other enforcement officials.

173. For example, the *Regional Forum for Greening the Judiciary*, organised by UNEP and several partners convene judges from 37 African countries. The Forum launched the African Judicial Training Network in Environmental Law, along with training curricula, and practical resources such as green bench books for judges and magistrates.

174. Additionally, the first *Regional Forum on Greening Police and Prosecutorial Education in Africa*. The Forum convened directors and senior officials of public prosecution and police, as well as heads of training institutions and programmes in Africa, with contributions from the Africa Prosecutors Association, United Nations Office on Drugs and Crime, and Interpol. The objective of the training was to support the mainstreaming course elements on environmental crimes in the training curricula of police and prosecutors in order to enhance their capacity to investigate and prosecute cases.

175. Moreover, at the *second Africa-Asia inter-regional meeting on enforcement*, enforcement officials focused discussions on joint enforcement action, measuring the effectiveness of enforcement action and the calculation of environmental damages and compensation, with an outline of draft guidelines for the calculation of compensation and environmental damages agreed between the participants. The meeting generated the publication of the second volume of the publication “Enforcement of Environmental Law: Good Practices from Africa, Central Asia, ASEAN Countries and China”.

176. And finally, the four regional consultations with Montevideo IV national focal points provided opportunities to deepen understanding of regional environmental challenges and trends in the development of environmental law. These meetings were the first time that national focal points had met and the exchange of best practices proved especially valuable.

Overview of the drivers and assumptions (under the reconstructed Theory of Change) that control the progression from activity to output

177. The most important driver for this pathway was the relevance of the target audience, which was clearly established for each of these three flagship meetings. For example, the high-level participation of chief justices, presidents of national and regional courts, and judicial training institutes in the *Second Regional Forum for Greening the Judiciary* was an important success factor. It reflected their trust and appreciation for the work that UNEP has done with the judiciary over the years. And equally, it reflected the growing interest and importance that the judiciaries are increasingly placing on environmental law adjudication. At the First Regional Forum on Greening the Police and Prosecutorial Education, the target audience was also highly relevant insofar as the meeting convened directors and senior officials from public prosecutors’ offices as well as police forces, along with the heads of national training associations.

178. The second important driver is the relevance and quality of training. As one example, there is anecdotal evidence that the curriculum, training manual and the judicial training network have been used

throughout the continent. And as regards the Asia-Africa expert meeting on enforcement, participants had the benefit of the first volume on enforcement that had been generated from the first expert meeting.

179. And finally, cooperation with project partners was key in all three of the flagship meetings. High-level partners helped to elevate the profile of the meetings, attract the right participants and ensure concrete results that were relevant and useful for the meeting participants. For example, in the case of the Greening Judiciary Forum, UNEP partnered with the Supreme Court of Mozambique, Ministry of Justice, Constitutional and Religious Affairs through the Centro de Formação Jurídica e Judiciária-CFJJ/Mozambican Judicial Training Centre with support of the Swiss Development Cooperation (SDC), Austrian Development Agency (ADA), International Commission of Jurists (ICJ), United Nations Drugs and Crimes (UNODC), International Fund for Animal Welfare, Institut de la Francophonie pour le Développement Durable (IFDD), Global Judicial Institute on the Environment and South African Judicial Education Institute (SAJEI)).

180. As regards the Africa-Asia Inter-Regional Expert Review Meeting, UNEP collaborated with the China University of Political Science and Law, the China Association of Southeast Asian Nations (ASEAN) Environmental Cooperation Centre and the UNEP China Office.

181. The progression from activity to output under Output 2 also depends on several important external conditions that are necessary for project results, over which the project has no control. The most important of these assumptions is of course the uptake capacity of the participants. In the case of the Greening Judiciary process, with chief justices and senior magistrates in attendance, one can presume that at such a high level indeed the uptake capacity would be strong. By contrast, whilst uptake capacity on the part of prosecutors in the Asia-Africa expert meeting was obvious, this was not necessarily the case with the police, many of whom did not demonstrate any inclination to apply knowledge and resources acquired.

Overview of the outcomes in the reconstructed theory of change

182. As with the outcomes described for the reconstructed Theory of Change for Output 2, the evaluation has identified additional outcomes that would have to be achieved in order for original project outcome specified in the project document to be achieved, notably “institutional capacity and competencies of Government officials and other legal stakeholders in environmental law strengthened”. Drilling down to the desired outcomes for each of the category of meeting participants helped to identify the possible concrete steps that would have had to be in place before improved institutional capacity could be evidenced.

183. In all three cases of judiciary, prosecutors and police, the evaluation has endeavoured to identify possible ways in the reconstructed theory of change, that they would use and apply the knowledge and resources imparted at the flagship meetings. As a brief example, judges would apply their new knowledge in the adjudication of environmental cases. Prosecutors would apply new skills in gathering evidence and the police would apply new skills in the detection and investigation of environmental crimes. With these three categories of enforcement officers duly empowered, as further described in the intermediate state, this would hopefully lead to a significant increase in successful environmental litigation, which in turn will improve the likelihood of internationally agreed environmental goals being realised.

Overview of the drivers and assumptions (under the reconstructed Theory of Change) that control the progression from output to outcome under Output 2

184. The following drivers need to be in place in order for the progression from output to outcome to be achieved:

- *Relevance and quality of training:* The training material and quality of experts is critical for the participating enforcement officers to apply knowledge and skills in their respective spheres back in national capitals.
- *The uptake capacity of the participants:* This driver is equally relevant in this pathway as it was for the activity to output phase.

185. The main assumption that is relevant in this phase is the interest of the enforcement officials' colleagues back in national capitals with regard to the new knowledge in question. For example, one of the results of the Greening Judiciary Forum was the new training curriculum and manuals on environmental law for judges and magistrates. This result is technically an "output", whereby the outcome would entail the subsequent use/uptake of the training curriculum and manual. Whilst the project does not provide for outcome level monitoring, tracking the use of the knowledge resources is essential in order to draw any definitive conclusions about effectiveness.

Description of the intermediate state in the reconstructed theory of change

186. The type of evidence that would be essential in order to demonstrate increasing institutional capacity has been identified. In the case of the judiciary, there would need to be a demonstrable increase in the quantity and quality of environmental cases. In the case of environmental prosecutors, evidence of improved conviction rates would be important. And in the case of the police, evidence of the increase in the number of investigations and inspections of environmental violations would be important.

Overview of the drivers and assumptions that control the progression from outcome to intermediate state under Output 2

187. One of the key drivers that must be in place in order for the progression from outcome to intermediate state to be achieved is the actual capacity for the original forum/workshop participants (whether they are chief justices or lower level police officers) to transpose the achieved outcomes into concrete improvements on a meta-level scale such as a marked improvement in the administration of criminal justice in the area of environmental crime.

188. Take the example of a chief justice who would have participated in the Greening Judiciary Forum, they would hopefully return home and apply new knowledge in environmental case rulings. This would represent a successful outcome, whereby a successful intermediate state would be a clear trend in the overall improvement of environmental rulings in their country. This would mean a strengthened role for the judiciary in shaping the development of environmental law but also in playing its natural oversight role to ensure enforcement of environmental law principles (in environmental civil or criminal cases).

189. The willingness of senior officials to accept new knowledge that has been applied in the outcome phase will depend on its perceived credibility and legitimacy. In the case of the chief justice, this would mean recognition by other justices of the legitimacy and validity of his/her rulings and indeed the upholding of these rulings in other environmental law cases.

Description of the Intended Impact

190. Under the reconstructed Theory of Change, as described for Output 2, the intended impact has been reframed more ambitiously with the emphasis on the achievement of internally agreed environmental goals resulting from countries' increased institutional capacity. Continuing with the example of the judiciary, if indeed as a result of the Greening Judiciary Forum a chief justice returns home and starts to apply the new environmental law knowledge into his/her rulings (outcome), and then other justices start to apply the evolving environmental jurisprudence, this will lead to increased enforcement of environmental law (intermediate state). The increased institutional capacity of the judiciary will in turn contribute to the intended impact of the realisation of internationally agreed environmental goals.

191. The improved institutional capacity of the judiciary, which is described as the intermediate state is of course one of the many pre-essential conditions for the achievement of environmental goals.

Overview of the drivers and assumptions that control the progression from intermediate state to intended impact under Output 2

192. The main driver that must be in place in order for the intended impact to be realised is the continued capacity of the key environmental enforcement officials to ensure the improvement in the administration of justice. This is a driver because UNEP could provide continuing training and resources to ensure the ongoing improvement in the capacity of these key actors.

193. One of the most important assumptions is of course the independence of the judiciary and other enforcement officials from the executive branch of government. Independence is critical to ensure that the judiciary can play its oversight role and hold the government accountable when it does not comply with national environmental law. Another important assumption relates to the rules of standing. If they are very restrictive, it will be difficult for citizen lawsuits to be advanced. The role of the judiciary in crystallising environmental law and upholding new precedent obviously depends on a critical mass of environmental cases being brought to court.

Analysis of effectiveness of Output 2

Achievement of Output 2

194. For the purposes of economy, the section on effectiveness of Output 2 will focus on the following four high profile regional/inter-regional events, recognizing of course that there were many other regional, sub-regional and inter-regional events that were organised during the project period. The description of these three events is contained in the previous section on the reconstructed Theory of Change. This introductory section highlights the achievement of the outputs in relation to these three flagship events.

Second Regional Symposium for Greening the Judiciary

195. The Symposium generated several important outputs:

- The launch of the Africa Judicial Training Network on Environmental Law. The network will provide opportunities for exchanging information, create partnerships for collaboration, strengthen capacity, and provide research and analysis on environmental adjudication, court practices, and environmental rule of law.
- Training Curriculum and Manuals Judicial Education Programme for Judges and Magistrates and other relevant officials in Africa. The training curriculum is intended to guide judiciary training institutions in the development of environmental law training programmes. This in turn will equip judges and magistrates with knowledge, resources and skills to resolve environmental disputes. It also aims to develop a pool of judicial educators who can ensure the continuous training of judges and magistrates.
- Green bench books on environmental cases and adjudication that covers best practices in Africa; the symposium also served as a platform for the heads of judiciaries to discuss the emerging trends on adjudication of environmental cases; to consider how to deepen cooperation, advancement of human rights and the rule of law; and how to more effectively promote sustainable judicial education.

- The final report of the Forum¹² contained excerpts from the speeches that were given by judges and magistrates, many of whom commended UNEP for establishing this platform, which currently does not exist in Africa. Several of the participating judges openly affirmed the immense value of such a unique opportunity to exchange knowledge and experience on environmental law matters. Brazilian Judge Antonio Benjamin stated that “It is critical to develop and enhance the capacity of judges, courts, and tribunals across the world to exercise their role in environmental matters through the effective implementation, compliance, and enforcement of the law”¹³
- UNEP has been working with the judiciary over the past forty years. Indeed, its longstanding track record underpins its unique convening power with the judiciary. UNEP’s work with the judiciary over the years and indeed most recently with the Second Regional Symposium for Greening the Judiciary is reflected increasingly by the recent growth in environmental jurisprudence. This reflects the increased grasp of environmental law by the judges. Some of these important environmental cases include the following:
- Most recently, the Indian Supreme Court revised the federal environmental impact assessment criteria from sustainable development to a new standard, namely the environmental rule of law. The environmental rule of law now becomes the basis for evaluating environmental approval for large infrastructure projects. The Supreme Court referred directly to UNEP’s First Environmental Rule of Law Report as the primary source from which the Justices D Y Chandrachud and Hemant Gupta applied the principle of the environmental rule of law in its ruling.
- The landmark Dutch Urgenda climate case led to an order that the Dutch Government significantly reduce its carbon emissions. Since this case, there has been a significant increase in lawsuits challenging inaction on climate change, in Europe, North America.
- The South African government has lost the country’s first climate change lawsuit after the high court ruled against its plans for a coal-fired power station, the latest in a rising tide of international climate litigation.¹⁴

First Regional Forum on Greening the Police and Criminal Prosecutorial Education

196. The objective of the training was to support countries to mainstream environmental crime in the training curricula of police and prosecutors to enhance their capacity to investigate and prosecute cases. Other training objectives included creating a pool of national trainers, improving intra and international coordination among agencies, and strengthening the environmental law program of the Africa Prosecutors Association.

197. The meeting generated the *Entebbe Plan of Action on Integrating Environmental Crime Management into the Curricula of Police and Prosecutor Education Programmes in Africa*. The Plan of Action includes the following initiatives:

- Integration of environmental crime management in prosecution and policing strategies, programmes and plans
- Creation of a common framework of environmental crime management education
- Training needs assessments
- Exchange of best practices

¹² Final Outcome of The 2nd Regional Symposium On Greening The Judiciaries In Africa “A Move to Sustainable Capacity Building” 01-3 August 2018 Maputo, The Republic Of Mozambique 2018

¹³ Greening the Judiciaries in Africa: The Second Regional Symposium, 2019

¹⁴

- Creation of green units within prosecution and policy services

Second Africa-Asia Inter-Regional Meeting on Enforcement

198. The second expert meeting convened key enforcement actors to share their experiences, success and lessons in environmental law enforcement. Specific discussions focused on joint enforcement action, measuring the effectiveness of enforcement action and the calculation of environmental damages and compensation, with an outline of draft guidelines for the calculation of compensation and environmental damages agreed between the participants. The fact that there was sufficient interest to organise a second meeting in follow-up to the 2015 expert meeting demonstrates the continuing interest of Asian and African enforcement officials in sharing enforcement best practices and the value that they perceive in the work that UNEP has done along with its partners in producing the second volume of enforcement best practices.

199. The meeting also generated the second volume of good practices report, which address the top priorities highlighted by countries:

- Innovative joint enforcement action
- Legal aspects of calculation and compensation of environmental damage
- Measuring enforcement actions with the intention of providing other countries with different perspectives and options that can be used to strengthen environmental enforcement systems.

Influence of drivers and assumptions (activity to output)

200. The progression from activity to output under Output 2 depends on similar drivers that were described for Output 1. These are described very briefly.

201. The most important driver for this pathway was the relevance of the target audience, which was clearly established for each of these three flagship meetings. For example, the high-level participation of chief justices, presidents of national and regional courts, and judicial training institutes in the Second Regional Forum for Greening the Judiciary was an important success factor. It reflected their trust and appreciation for the work that UNEP has done with the judiciary over the years. And equally, it reflected the growing interest and importance that the judiciaries are increasingly placing on environmental law adjudication. At the First Regional Forum on Greening the Police and Prosecutorial Education, the target audience was also highly relevant insofar as the meeting convened directors and senior officials from public prosecutors' offices as well as police forces, along with the heads of national training associations.

202. The second important driver is the relevance and quality of training. As one example, there is anecdotal evidence that the curriculum, training manual and the judicial training network have been used throughout the continent. And as regards the Asia-Africa expert meeting on enforcement, participants had the benefit of the first volume on enforcement that had been generated from the first expert meeting

203. And finally, cooperation with project partners was a critical success factor in all three of the flagship meetings. High-level partners helped to elevate the profile of the meetings, attract the right participants and ensure concrete results that were relevant and useful for the meeting participants. For example, in the case of the Greening Judiciary Forum, UNEP partnered with the Supreme Court of Mozambique, Ministry of Justice, Constitutional and Religious Affairs through the Centro de Formação Jurídica e Judiciária-CFJJ/Mozambican Judicial Training Centre with support of the Swiss Development Cooperation (SDC), Austrian Development Agency (ADA), International Commission of Jurists (ICJ), United Nations Drugs and Crimes (UNODC), International Fund for Animal Welfare, Institut de la Francophonie pour le Développement Durable (IFDD), Global Judicial Institute on the Environment and South African Judicial Education Institute (SAJEI).

204. As regards the Africa-Asia Inter-Regional Expert Review Meeting, UNEP collaborated with the China University of Political Science and Law, the China Association of Southeast Asian Nations (ASEAN) Environmental Cooperation Centre and the UNEP China Office.

205. The progression from activity to output under Output 2 also depends on several important external conditions that are necessary for project results, over which the project has no control. The most important of these assumptions is of course the uptake of the participants. In the case of the Greening Judiciary process, with chief justices and senior magistrates in attendance, one can presume that with participation at such a high level that indeed the uptake capacity would be strong. By contrast, whilst uptake capacity on the part of prosecutors in the Asia-Africa expert meeting was obvious, this was not necessarily the case with the police, many of whom did not demonstrate any inclination to apply knowledge and resources acquired.

Achievement of direct outcomes under Output 2

206. As with the outcomes described for the reconstructed Theory of Change for Output 1, several immediate outcomes were identified which would have to be achieved in order for the original outcome in the project document to be operationalised, notably “institutional capacity and competencies of Government officials and other legal stakeholders in environmental law strengthened”. Drilling down to the desired outcomes for each of the category of meeting participants helped to identify the possible concrete steps that would have to be firmly in place before improved institutional capacity could be evidenced.

207. In all three cases of judiciary, prosecutors and police, possible ways that they would use and apply the knowledge and resources imparted at the flagship meetings were identified in the reconstructed Theory of Change. As a brief example, judges would apply their new knowledge in the adjudication of environmental cases. Prosecutors would apply new skills in gathering evidence and the police would apply new skills in the detection and investigation of environmental crimes. With these three categories of enforcement officers duly empowered, as further described in the intermediate state, this would hopefully contribute to a significant increase in successful environmental litigation, which in turn would improve the overall enforcement of environmental law and subsequently the achievement of internationally agreed environmental goals.

208. The key point that must be highlighted in assessing the achievement of outcomes is that there is some anecdotal evidence that the knowledge and skills promoted at the various regional processes have been used by the beneficiaries. However, there is no empirical evidence available because of the lack of tracking mechanisms to monitor the uptake of the knowledge that has been disseminated. Some anecdotal evidence regarding the flagship events was found.

Second Regional Symposium for Greening the Judiciary

210. UNEP’s mandate for this activity never included monitoring uptake of the knowledge and skills imparted and the tracking of the different ways in which the judiciary have applied the knowledge that was acquired during the Symposium. Rigorous results-based monitoring would have been essential to understand:

- The effectiveness of the Africa Judicial Training Network
- The value of the Training Curriculum and Environmental Law Manuals for judges in their adjudication of environmental issues
- How evolving jurisprudence is reflecting the best practices in environmental adjudication
- The success of countries in developing new judicial education programmes
- The impact of the Judicial Education Programme in terms of evolving jurisprudence.

211. Notwithstanding the lack of performance indicators, there is some anecdotal evidence of the achievement of outcomes. The regional curriculum, training manual and the network have been used across the continent. UNEP's regional office for Africa is informally monitoring the uptake of environmental law knowledge by judges in selected countries, including Ghana, Kenya, Malawi, Mauritius, Mozambique, Rwanda, Nigeria, South Africa, Tanzania, Uganda and Zimbabwe. In these cases, the national focal points have confirmed that there is a direct connection between the UNEP activities and the increased level of integration of environmental law into Judicial training.

212. As well, the Forum also resulted in country-specific commitments. For example, the Government of Mozambique committed to develop and integrate environmental law into its judicial training programmes. As well, the Government of Kenya agreed to host the African Judicial Network on Environmental Law. This is further evidence of impact on key countries such as Kenya, who was the first African country to develop a specialised Green Court, which has the status of a supreme court.

213. And finally, the fact that participants agreed on a third regional Symposium on Greening the Judiciaries in Africa (to be held in 2020) is also evidence of the impact of the second symposium in raising awareness among the judicial actors regarding the need for continued judicial training on environmental law.

First Regional Forum on Greening the Police and Criminal Prosecutorial Education

214. Once again, it is important to highlight that UNEP did not invest the resources to systematically track the follow-up in terms of the different ways in which the enforcement officers have applied the knowledge that was acquired during the Forum. Further effort will be required to ascertain the impact of the Forum in terms of its key outcomes. For example, it will be useful to understand:

- The results from the integration of environmental crime management in prosecution and policy strategies.
- The impacts of the common framework of environmental crime management education, specifically how has the training improved the ability of police and prosecutors to address environmental crime enforcement challenges.
- The impact that the exchange of best practices has had in the improvement of capacity of enforcement officers.
- The success of the new green units within prosecution and police services.

215. It is important to reiterate that there is no empirical evidence readily available about how the Forum has resulted in the integration of environmental law in training programmes for police and enforcement officers. However, the expectation is that because of the new training programmes, the capacity of the police and prosecutors in Africa to handle environmental crimes rapidly and competently will be enhanced.

216. In terms of uptake, progress with the police has been very limited. Ethiopia is the only country where environmental laws are being embedded into police training. As regards uptake by prosecutors, UNEP's Regional Office for Africa has confirmed that there is initial evidence of impact in Malawi, Ghana, Sierra Leone, and Kenya. According to the project manager, the initial evidence is the actual uptake of guides/new knowledge within national institutions that are used for reference and inducting their staff. However, the evaluation team would need evidence of this claim.

217. The Office of the Director of Public Prosecutions in Uganda provided further insights about the impact of *Greening the Police and Criminal Prosecutorial Education in Africa* meeting.

The Entebbe meeting was important in the following ways:

- Raising awareness among participating countries including Uganda on the importance of investing human and material resources in educating and empowering law enforcement and law enforcement training institutions to address environmental crime in their jurisdictions.
- Assisting member countries to come up with tailor made and customized curricula in their training institutions for law enforcement on matters of environment crime. Indeed, during the meeting in Entebbe, presentations were made by experts on curriculum development which were very well received by the participants.
- Enabling participating countries to understand that challenges of inadequate attention to environment crime education were cross cutting and required partnership and cooperation between affected countries and technical assistance providers. This created solidarity and a sense of community among participating countries as they saw themselves and each other as partners challenged to develop common strategies to tackle a common problem.

218. As regards the uptake of countries who have integrated environmental crime in their curricula for prosecutors and police, there is no immediate evidence of other countries who have included environmental crime in their curriculum for police and prosecutors.

219. In the case of Uganda, the Office of the Director of Public Prosecution has initiated the process of developing a national prosecution policy. Within this policy is a proposal to set up an academy for prosecutors. The academy will, among other things, impart skills in handling of environment crime to trainee prosecutors.

220. In addition, Uganda has developed the Kampala Action Plan which was initiated in response to the Entebbe meeting. It is designed to sensitize prosecutors and police on how to deal with environment crime. It has also set up a specialized court to deal with environmental crime among others. In the next financial year 2019/2020, Uganda plans to facilitate the setting up of green desks at major police stations and in regional prosecutors' offices country-wide to pay special attention to environment cases. Currently, there are no efforts to track outcomes to determine if police and prosecutors are using the new knowledge to improve the way they detect, inspect and investigate environmental crime.

221. It should be emphasised that the monitoring of intended impacts for all these activities will have to go one step further and assess whether higher rates of reporting of environmental crimes have credible causal relationships to training interventions. Further investigation is essential to understand how prosecutors and police who are investigators of environmental related matters have benefitted from the training. Performance indicators could logically include the number of successful cases brought forward by environmental prosecutors.

Second Africa-Asia Inter-Regional Meeting on Enforcement

222. UNEP did not allocate any funding to track how countries were actually using the enforcement best practices. Nevertheless, there is some anecdotal evidence, according to UNEP's Regional Office for Africa, that the good practices have been used to support enforcement efforts in Nigeria, Malawi, Tanzania, South Africa, Sierra Leone and Zimbabwe, amongst others. UNEP has used the good practices to impart knowledge to enforcement officials on the various options that can be used to enforce environmental laws. For example, in Malawi, the good practices were used to develop a 'train the trainers' enforcement manual. In Vietnam, a handbook on environmental liabilities under environmental and other laws in Vietnam was developed. And in Nigeria, a new enforcement policy was developed based on the good practices.

223. As well, according to Law Division officials, the expert meeting played an important role in facilitating the exchange of insights between enforcement officers in different countries. It was regarded as being particularly influential in terms of how it connected police to prosecutors in the sharing of knowledge. During the expert meeting, there were many opportunities for enforcement officers to learn

from each other on how to tackle the principal challenges that they face in strengthening national enforcement mechanisms. In many cases countries with more mature enforcement regimes can be important reference points for other countries, which are facing challenges in battling environmental crime.

Regional consultations with Montevideo national focal points

224. Another important set of regional meetings consisted of the consultations with Montevideo Focal Points that were convened in Nairobi (4-6 June), Panama (22-24 June 2018), Amman (9-10 July 2018) and Bangkok (24-26 July 2018).

225. The objective of these four meetings was to provide a platform for Montevideo Focal Points in each of the regions to: exchange knowledge on region-specific environmental law developments and challenges; to contribute to the overall assessment of Montevideo IV; and to identify priorities and proposals for Montevideo V. The evaluator was one of the facilitators of the regional meetings and to avoid conflict of interest not judgements on the overall impact of these meetings is given. However, since focal points did provide feedback on the merit of the meetings (in the form of written evaluations), these perspectives are summarised below. It is important to emphasise that they are not the views of the evaluator.

226. Each of the regional meetings highlighted important institutional capacity challenges that are directly relevant to the overall objectives of the project under evaluation. These include the following:

- Although most developing countries have developed a broad base of environmental law, implementation is still underdeveloped. There is a need to equip countries with support for environmental policy makers, enforcement officers, the judiciary, as well as civil society. The challenge is to improve the enforceability of environmental law regulations and to generally improve compliance regimes, especially administrative capacity for enforcement.
- There is also the need to provide for the exchange of best practices on model laws and regulatory frameworks. Capacity building is needed for data collection and monitoring, surveillance, and enforcement.
- Existing efforts to train judges and prosecutors and other enforcement officers have helped to contribute to improved enforcement of environmental law. That said, countries also concurred that the longer-term sustainability of these training programmes had to be improved. Efforts are needed to institutionalize training within universities, national training institutes, executive education training programmes, programmes within Environment Ministries and within law schools.
- Regarding harmonization and synergies, systems are needed to ensure the regular review and updating of laws. Improving the coherence of internal procedures at each step in the environmental law-making stages is essential for increased efficiency. There is a need for inter-sectoral/inter-ministerial coordination to improve harmonization of the development of environmental law and policy.
- Support is needed for the development of environmental damage compensation schemes. This needs to be complemented by support for the assessment of environmental damage, awareness about environmental rights, as well as environmental impact assessment regulations and environmental audit processes.
- Institutional authorities in most countries need to be strengthened, and where they have not already been established, the creation of national environmental agencies is critical.
- At the same time, whilst public interest litigation is developing in many countries, there is an ongoing need for support in the development of dispute settlement systems, especially in the

context of trans-boundary environmental disputes. There is a broad-based need for more training in alternative dispute resolution techniques. Best practice guidelines are also needed.

227. The Law Division surveyed participant response at each of the four regional consultations. Key insights regarding the utility of these meetings include the following:

West Asia

228. All participants confirmed that they appreciated the speakers, moderators, and presentations. They all found it useful for reference, with 37.5% of the group believing that the meeting was very useful, and the remaining 62.5% believing it to be useful.

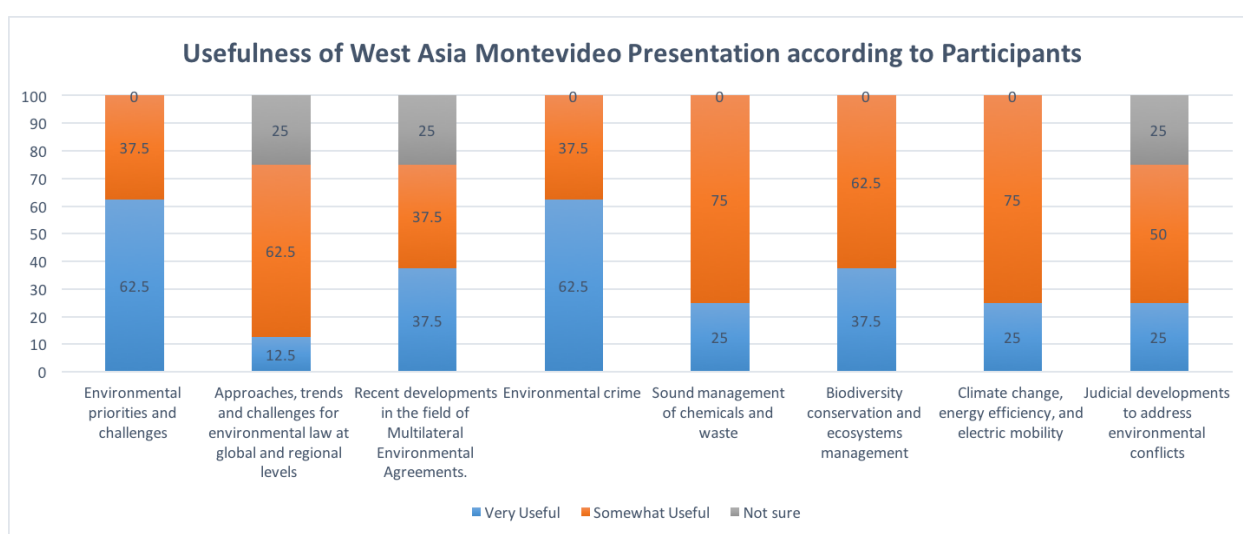
229. The most useful aspect of the presentations were the Sustainable Development Goals and the Regional Landscape, and the Montevideo Programme Assessment and Priorities. The new roles for future programmes, and displacement, conflict and environment/building resilient communities work had mixed reviews.

230. In terms of knowledge obtained, the participants, on average, confirmed that they had all acquired new knowledge of Montevideo programme assessment and priorities. They agreed that they will be to apply the new knowledge in their areas of work. They also confirmed that they had acquired new knowledge of identifying possible new priorities in programme implementation which they will be able to apply it in their areas of work. However, there were mixed reviews on the new knowledge related to issues of displacement, conflict and the environment/building communities and their ability to apply this knowledge in their areas of work.

231. In the future, there have been requests for an increase in the assessment or calculation of the value of environmental damage, and/or assessment after conflict. It seems that such impact assessment, is the most sought-after piece of knowledge according to the responses given to these presentations.

232. In terms of the quality of the meeting, all participants that completed the survey rated the meeting as either good or excellent, (43% vs 57%). 71% of the participants indicated that they would likely to attend future meetings like this one.

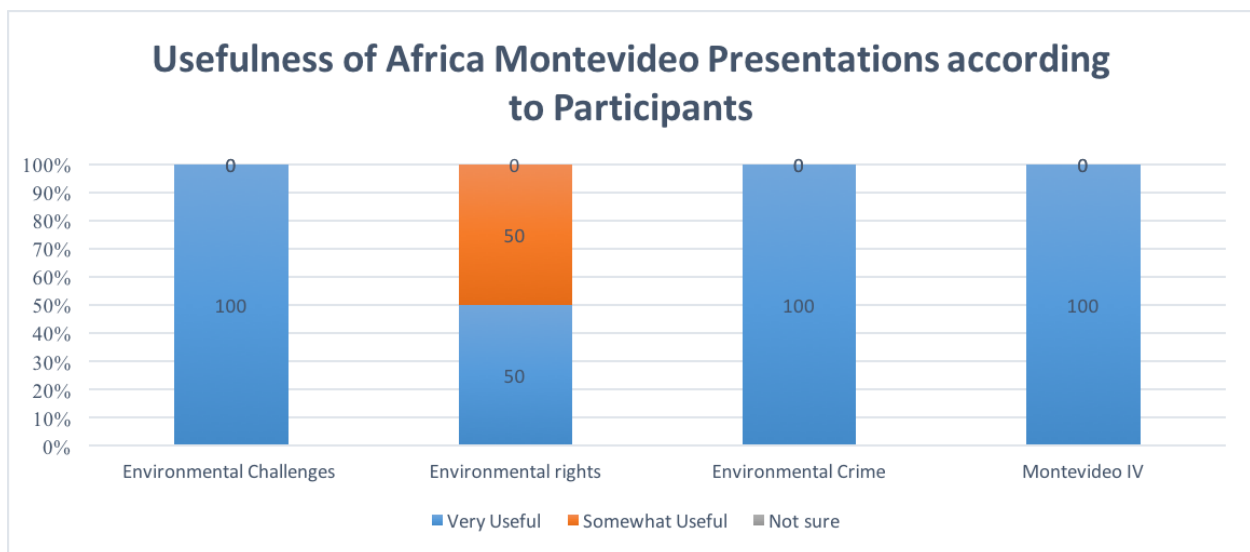
Figure 9: Usefulness of West Asia Montevideo Presentation according to Participants



Africa

233. All the participants found the practical exercises that were conducted during the meeting to be useful in enhancing their understanding of rights-based approaches and environmental crime, specifically commenting on the effectiveness of practical exercises and discussions. In terms of the presentations, all the participants approved of the presentations and moderators. There were a mix of interests, with all of the participants finding the information about environmental challenges, environmental crimes and Montevideo IV to be very useful but the information about environmental rights left mixed reviews with 50% of the group finding it very useful, and 50% of the group only finding it somewhat useful.

Figure 10: Usefulness of Africa Montevideo Presentation according to Participants



234. While Montevideo IV was thoroughly appreciated, there were minor critiques of the lack of visibility of the programme, and further 'nationalization' or tailoring of the programme for their specific countries/regions was requested. 25% of the group rated the meeting as excellent, while 75% rated it as good.

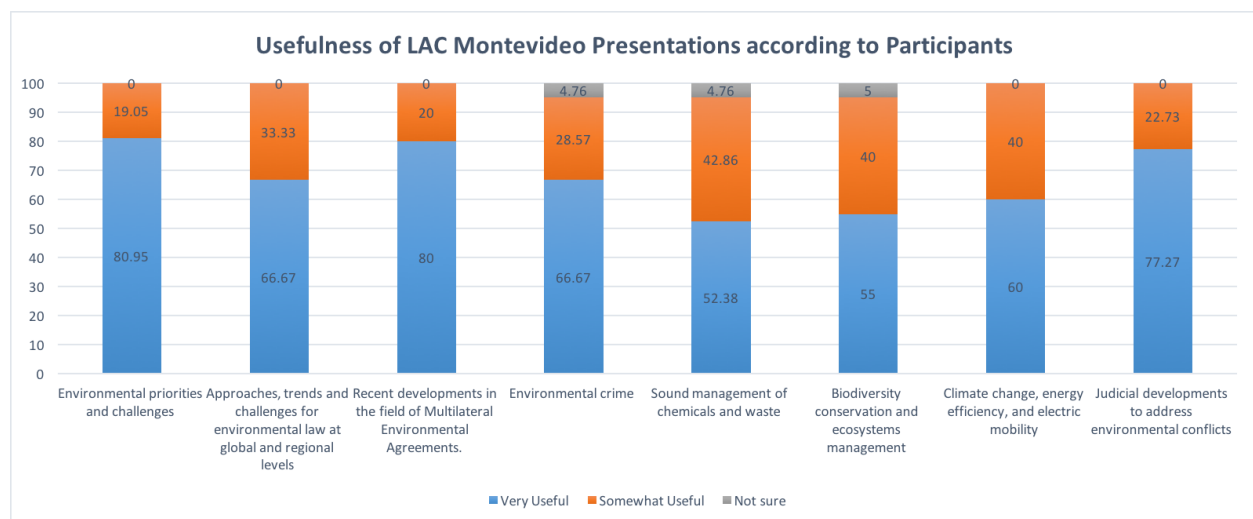
LAC

235. The LAC participants all appreciated fully the presentations, sessions, and moderators. 68% of the group strongly agreed that the presentations were reference-level material, while all the rest (32%).

236. The most useful aspects evaluated were the environmental priorities and challenges, and the recent developments in the field of MEAs, with over 80% of the participants finding it very useful.

Knowledge on different approaches to global environmental law and environmental crime were highly valued by the participants. Overall, the meeting was very well appreciated, with 25% of the participants finding it excellent, and 75% finding it good.

Figure 11: Usefulness of LAC Montevideo Presentation according to Participants



Influence of drivers and assumptions (output to outcome)

237. The following drivers need to be in place for the progression from output to outcome to be achieved:

- *Relevance and quality of training:* The training material and quality of experts is absolutely critical in order for the participating enforcement officers to apply knowledge and skills in their respective spheres back in national capitals.
- *The uptake capacity of the participants:* This driver is equally relevant in this pathway as it was for the activity to output phase

238. The main assumption that is relevant in this phase is the interest of the enforcement officials' colleagues back in national capitals regarding the new knowledge in question. For example, one of the results of Greening Judiciary Forum was the new training curriculum and manuals on environmental law

for judges and magistrates. This result is technically an “output”, whereby the outcome would entail the subsequent use/uptake of the training curriculum and manual. Whilst the project does not provide for outcome level monitoring, tracking the use of the knowledge resources is essential to draw any definitive conclusions about effectiveness.

Achievement of intermediate state as defined in the reconstructed Theory of Change under Output 2

239. The type of evidence that would be essential to demonstrate that institutional capacity was increasing was identified. In the case of the judiciary, there would need to be a demonstrable increase in the quantity and quality of environmental cases or cases with a clear environmental dimension. In the case of environmental prosecutors, evidence of improved conviction rates involving previously trained participants would be important. And in the case of the police, evidence of the increase in the number of investigations and inspections of environmental violations would be important.

Overview of the drivers and assumptions that control the progression from outcome to intermediate state under Output 2

240. One of the key drivers that must be in place in order for the progression from outcome to intermediate state to be achieved is the actual capacity for the original forum/workshop participants (whether they are chief justices or lower level police officers) to transpose the achieved outcomes into concrete improvements on a meta-level scale such as a marked improvement in the administration of criminal justice in the area of environmental crime.

241. Take the example of a chief justice who would have participated in the Greening Judiciary Forum, they would hopefully return home and apply new knowledge in environmental case rulings. This would represent a successful outcome, whereby a successful intermediate state would be a clear trend in the overall improvement of environmental rulings in their country (e.g. starts to apply the newly gained environmental law knowledge into his/her rulings). This would mean a strengthened role for the judiciary in shaping the development of environmental law but also in playing its natural oversight role to ensure enforcement of environmental law principles. in environmental civil or criminal cases).

242. The main assumption that will have to be addressed is the willingness of senior officials to accept the credibility and legitimacy of the new knowledge that have been applied in the outcome phase. In the case of the chief justice, this would mean recognition by other justices of the legitimacy and validity of his/her rulings and indeed the upholding of these rulings in other environmental law cases.

Description of the intended impact under the reconstructed Theory of Change as described for Output 2

243. The impact has been reframed more ambitiously with the emphasis on the achievement of internally agreed environmental goals resulting from countries’ increased institutional capacity. Continuing with the example of the judiciary, if indeed as a result of the Greening Judiciary Forum, a chief justice returns home and starts to apply the new environmental law knowledge into his/her rulings (outcome), and then other justices start to apply the evolving environmental jurisprudence, this will lead to increased enforcement of environmental law (intermediate state). The increased institutional capacity of the judiciary will in turn contribute to the intended impact of the realisation of internationally agreed environmental goals UNEP engagement with the judiciary has been ongoing from the year 2000. Therefore, attributing the changes made only in the project period may not be as straight forward unless the change is based on recent developments and on an emerging issue. That said, the context of ongoing efforts with the judiciary is of course relevant. However, the lesson for the future is to define the results framework with an appropriate level of ambition for the project outcome statement.

244. The improved institutional capacity of the judiciary, which is described as the intermediate state is of course one of the many pre-essential conditions for the achievement of environmental goals.

Overview of the drivers and assumptions that control the progression from intermediate state to intended impact under Output 2

245. The main driver that needs to be in place for the intended outcomes and impact to be realised is the continued capacity of the key environmental enforcement officials to ensure the improvement in the administration of justice. This is a driver because UNEP could provide continuing training and resources to ensure the ongoing improvement in the capacity of these key actors.

246. One of the most important assumptions is of course the independence of the judiciary and other enforcement officials from the executive branch of government. Independence is critical to ensure that the judiciary can play its oversight role and hold the government accountable when it does not comply with national environmental law. Another important assumption relates to the rules of standing. If they are very restrictive, it will be difficult for citizen lawsuits to be advanced. The role of the judiciary in crystallising environmental law and upholding new precedent obviously depends on a critical mass of environmental cases being brought to court.

Overarching observations for Output 2

The lack of empirical evidence

247. There is ample anecdotal evidence that the knowledge and skills disseminated at the various regional processes have equipped key stakeholders. However, there is no empirical evidence available because of the lack of tracking mechanisms to monitor the uptake of the knowledge that has been disseminated.

Monitoring improvement in management of environmental crime

248. Further tracking is required to determine how environmental crimes have been dealt more effectively as a result of the training programmes under this project. Specifically, monitoring will need to track improvement in the detection of crime, the inspection and investigation of violations, and the creation of specialised police units to deal with the administration of criminal justice on environmental matters.

249. In many cases, enforcement is, of course, critical but the prevention of environmental crime may be more effectively achieved through other measures that promote voluntary compliance and administrative sanctions. Therefore, it will be essential to create performance indicators to track improvement in the prevention of environmental crime.

Monitoring improvements in the management of trans-boundary crime

250. Further investigation is essential to assess how the investigation and prosecution of trans-boundary environmental crime has been improved as a result of the project's training activities. Metrics are needed to assess how capacity has been increased to redress the consequences of environmental degradation extending beyond national borders, and the vital role of cooperation between the police and prosecutorial authorities in the quality of investigation and prosecution.

Replicating the Asia Development Bank's approach to long-term uptake monitoring

251. Because outcome monitoring was not factored into design or resource allocation, it is imperative that more efforts should be allocated to tracking country uptake of the knowledge and skills that are imparted in the regional training programmes. One idea would be to replicate an approach used by the

Asia Development Bank (ADB). The ADB requires participants who participate in capacity building training workshops to sign an undertaking to report back to the ADB at set intervals within one year of the training. The reporting highlights concrete activities that have been undertaken by workshop participants to demonstrate uptake of the knowledge and skills that have been imparted in the workshops. The Law Division has since confirmed that this approach is indeed now being undertaken by the communication officials of the Law Division.

Additional financial and human resource support to the Regional Offices

252. If UNEP intends to improve its results-based monitoring, it will be necessary to budget for the additional financial and human resources required to support such work through the Regional Offices. The one governance coordinator in each of the Regional Offices is simply incapable of tracking country-level results. Therefore, greater support from the Law Division at the UNEP headquarters is needed, especially moving forward with the ambitious Environmental Law Challenges project. If more resources are dedicated to results-based monitoring this will have a positive spill-over effect in UNEP's resource mobilisation efforts, especially since donors are expecting a higher level of results-based monitoring.

Increasing quality of performance indicators

253. Additionally, in the future, indicators need to be more ambitious especially in going beyond the typical activity or output level measures that are often used. All actors at the different levels should be mobilized including other organizations well in advance. More specific and clearer indicators of the success of the project would be beneficial for the evolution of the project and for access to funding.

The importance of embedding training in existing training institutions

254. Due to limited resources and recognition of the enhanced efficacy of reaching target audiences, UNEP has been increasingly delivering training on environmental law to the Judiciaries, police and prosecutors through existing training institutions. Direct training is diminishing, notably in Africa where the regional office observed that its impact was limited through this delivery channel. This reinforces the importance of building and sustaining strategic relationships with institutional partners who may be more strategically positioned to deliver better training on the ground, and also to monitor the uptake of the training by key participants. For example, with the MEA Training Course, it is in fact the University of Eastern Finland that has taken the lead on conducting surveys with the participants after each annual course.

D.3 Analysis of Output 3

“Technical Assistance and Tailor-Made Trainings.”

Inside this section on the analysis of Output 3

Narrative/analysis of the reconstructed Theory of Change for Output 3

Abbreviated narrative for the reconstructed Theory of Change

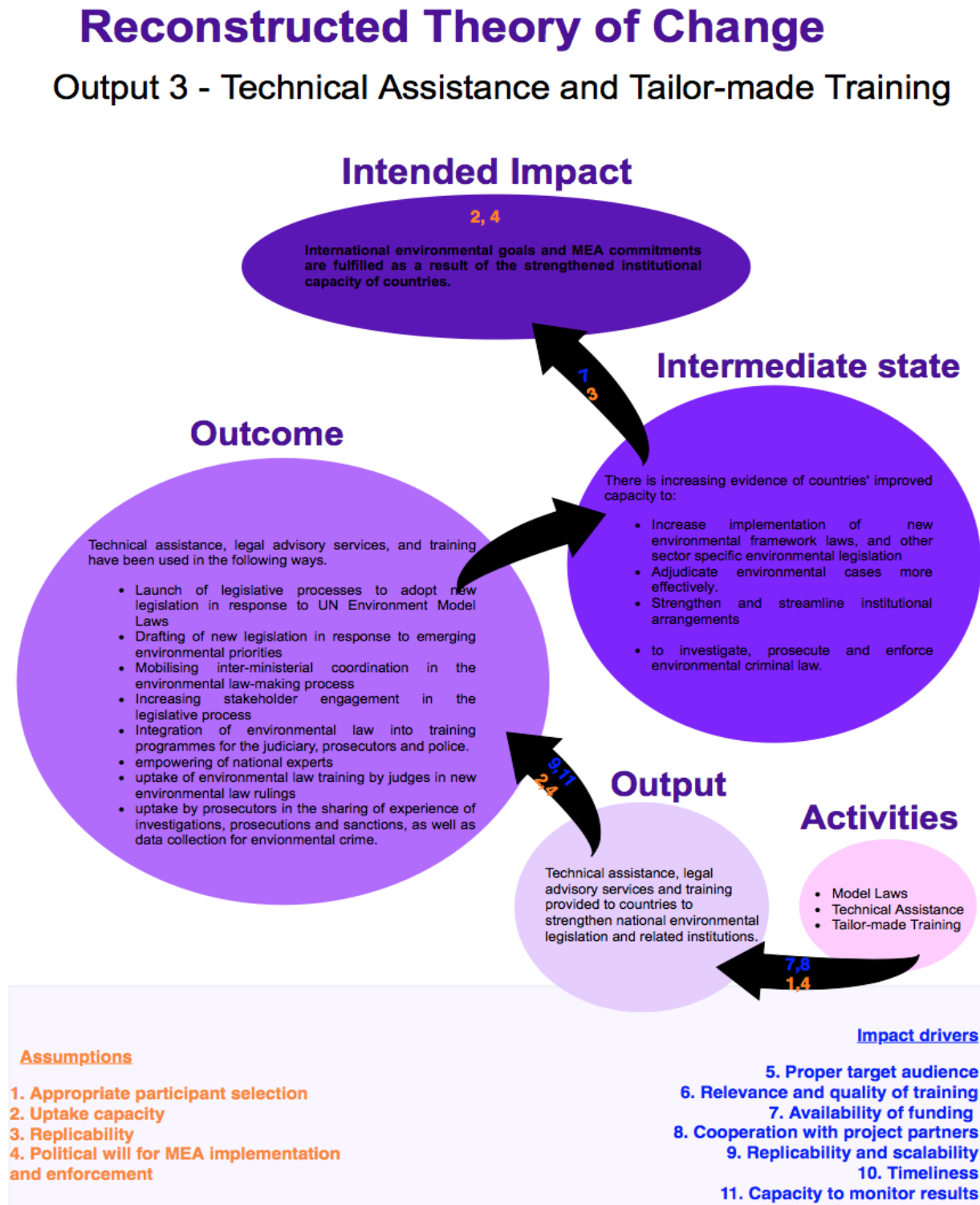
Analysis of the effectiveness of Output 3

- Achievement of project outputs
- Achievement of direct outcomes
- Achievement of intermediate state
- Achievement of impact

Areas for improvement

Narrative and analysis of reconstructed theory of change for Output 3

Figure 12: Reconstructed Theory of Change for Output 3: Technical assistance and tailor-made trainings



Introduction

255. The reconstructed Theory of Change for Output 3 follows the same logic as the Theory of Change that was presented for Output 2 since both outputs involve the delivery of training. In order to avoid repetition, the narrative for the reconstructed Theory of Change for Output 3 is presented in abbreviated form below.

Overview of the drivers and assumptions

256. The drivers and assumptions for each pathway are similar in scope. For example, at each phase the most important driver is the relevance and quality of the technical assistance and training. Since the request for technical assistance and tailor-made training comes from the countries themselves, the relevance of the target audience is not an issue. The quality and relevance of the support that is provided is hopefully ensured by the fact that UNEP's approach to technical assistance is to always work with national experts.

257. As regards external assumptions that affect the overall delivery of technical assistance and training, the most important factors are the uptake capacity of the actual government officials and the expertise of the third-party experts with whom UNEP collaborates. Equally important is the political will to strengthen environmental law and institutions and in some cases, this may be a factor that UNEP can influence through higher-level bilateral diplomacy. In other cases, it may not be possible for UNEP to influence political will.

Overview of the outcomes

258. As with the outcomes described for the reconstructed Theory of Change for Output 2, several immediate outcomes, which would have to be achieved in order for original outcome in the project document to be achieved were identified.

259. In the case of the technical assistance, the key outcome would be the application of the knowledge and expertise that would have been delivered through the assistance. In most cases, outcomes could take the form of officials (who had received the technical assistance or training) launching processes to consult with other ministries to mobilise support for new legislation or for that matter, engaging with stakeholders to broaden the basis of substantive input for the design of new laws. And of course, it would necessarily take the form of those officials liaising with parliamentarians in order to launch formal legislative processes to develop new law.

260. Several outcomes that would be relevant to the tailor-made trainings were identified:

- Integration of environmental law into training. Programmes for the judiciary, prosecutors and police.
- Uptake of environmental law training by judges in new environmental law rulings.
- Uptake by prosecutors in the sharing of experience of investigations, prosecutions and sanctions, as well as data collection for environmental crime.

Description of the intermediate state

261. If the above-described outcomes are achieved, this would lead to an intermediate state with evidence of countries' improved institutional capacity to:

- Increase implementation of new environmental laws, and other sector specific environmental legislation.

- Adjudicate environmental cases more effectively.
- Strengthen and streamline institutional arrangements to investigate, prosecute and enforce environmental law.

262. The key driver that would control the achievement of the intermediate state is the quality of technical assistance and/or training provided by UNEP. The uptake capacity of high-level officials, notably judges, attorneys general, environment ministers could be 'influenceable' by UNEP. However, the overall political climate to promote environmental protection objectives is an external assumption that would be rather more difficult for UNEP to influence.

Description of the intended impact

263. Following this logic, improved capacity on the part of countries to implement, adjudicate and enforce environmental laws enable countries to realise internationally agreed environmental goals.

Analysis of effectiveness of Output 3

Achievement of outputs for Output 3

Description of activities

264. The goal of Output 3 was to provide technical assistance, legal advisory services and national training programs to support the implementation of national environmental law and strengthen relevant institutions.

265. The first activity involved the preparation of model legislation in areas of climate change and lead in paint. The second activity was that UNEP responded to request for technical assistance and legal advisory services to developing countries.

266. The third activity, also in responding to national requests, helped to strengthen institutional capacity for the development, enforcement and implementation of environmental law through national training initiatives. These activities were predominantly carried out in Africa and Southeast Asia, less so in Latin America (due to funding constraints and the fact that the South South Cooperation component had a focus on Asia and Africa).

267. The UNEPs approach to provide technical assistance is to always work with national experts. This approach helps to build endogenous capacity. UNEP officials and local experts develop a work plan, which identifies priorities for legislative and institutional reform. This process forms the basis of national consultations, which identify further priorities. The findings are then transmitted to relevant government officials who activate the law-making or legislative reform processes. After years of providing technical assistance in this way, UNEP officials believe that this approach has helped to build institutional domestic capacity.

268. The following table highlight the full scope of technical assistance and legal advisory services that was provided by UNEP during the project period. Interviews will be carried out with key countries to ascertain the effectiveness and impact of the support provided by UNEP. This table identifies the specific outputs that were generated. This information was drawn from PIMS reports as well as reports provided by UNEP regional offices.

Table 10: Technical assistance and legal advisory services

Region	Date	Activity
Africa	2016	Namibia assisted to strengthen enforcement and compliance. South Sudan finalised national environmental law bill (the law has not yet been processed to a bill). Tanzania, Angola and Somalia were supported under the framework of UNEP/CITES National Legislation Project. Somalia, Angola and Tanzania supported to strengthen Convention on International Trade in Endangered Species (CITES) implementing legislation. Angola, Tanzania, Zanzibar advised on legislation to implement the Access and Benefit Sharing (ABS) Protocol. Nigeria's National Environmental Enforcement Policy was agreed by the National Environmental Standards and Enforcement Agency of Nigeria.
	2017	Nigeria assisted in the drafting of its Environmental Impact Assessment law. In Malawi, the draft Investigation and Prosecution report, the training manual of environmental law and the draft Sentencing Guidelines for Environmental Offences (which received a letter of appreciation from the Director of Environmental Affairs), were completed. Kenya created the Judicial Training Modules on Environmental Law. The Seychelles were assisted in the enforcement of environmental law.
	2018	Gambia and Eritrea received assistance to draft laws for the implementation of Convention on International Trade in Endangered Species (CITES).
Asia	2016	Vietnam was assisted in strengthening legislation and development of the Decree on Approval of Environment Management System and Hazardous Waste management decree/circular. Cambodia, Lao Peoples Democratic Republic and Vietnam received assistance on pollution control directives. Uruguay, Cambodia, Myanmar, Lao PDR and Vietnam were supported in the implementation of the Access and Benefit Sharing (ABS) Protocol.
	2017	Cambodia was assisted with the drafting of its Environmental Code. Peru was supported in the drafting of its Biological Diversity Law. Maldives assisted with continuing climate change legislation support. Vietnam advised on the publication of The Handbook of Environmental Liabilities under Environmental and Other Laws.

269. The following table highlights the tailor-made trainings that were organised by UNEP in collaboration with partners. The trainings were nationally focused and directed to judges, prosecutors, police and other enforcement officials.

Table 11: Tailor made trainings

Region	Date	Activity
Africa	2016	In Kenya, the Judicial Colloquium on Wildlife Crime was organized by the UN Office on Drugs and Crime and technically supported by UNEP. Seychelles was supported in the delivery of a national judicial training programme. Sudan supported in the delivery of a negotiator training programme. Sierra Leone was supported in the delivery of a parliamentary training programme. Tanzania received support for investigators and the police in prosecuting environmental cases and held the Mombasa National Training Programmes with One UN.
	2017	In Sudan a national training programme was tailor-made for negotiators. In Nigeria a training was tailor-made for government officials to review their Environmental Impact Assessment (EIA). In Kenya UNEP supported an induction workshop for members of the National Environment Tribunal of Kenya. The Judiciary Training Institutes of African countries developed environmental training modules and delivered national training programmes for judicial officials in environmental law in eleven countries in Africa.
	2018	Malawi delivered 5 trainings for various stakeholders including judges, magistrates, prosecutors, investigating officers. Uganda hosted the “Regional Meeting on Integrating Environmental Law” enabling its police institutions to integrate environmental law in its training programmes. Sierra Leone hosted a national environmental law training programme. Kenya held the Regional Meeting of UNEP Montevideo Focal Points for Africa.
Asia	2016	China received support for the first and second meetings of the Task Force on Rule of Law. UNEP collaborated with the China Council for International Cooperation on Environment and Development (CCICED) to review environmental law research. India held the International Conference on Green Courts and Tribunals.
	2017	UNEP and the Supreme People’s Court of China entered into a memorandum of understanding to develop judicial trainings.
	2018	The UNEP Regional Office for Asia Pacific convened a workshop on UNEA resolutions on marine litter. The workshop focused on the development of draft ASEAN standards on packaging design, labelling, recovery and recycling. The UNEP Regional Office for Asia Pacific convened a workshop on Defending People’s Environmental Rights in Asia Pacific.

		The UNEP Regional Office for Asia Pacific held the Regional Meeting of UNEP Montevideo Focal Points in Asia Pacific. Bhutan held a National Training Programme on compliance and enforcement with environmental laws, as well as a targeted study tour to build capacity of trainers. China hosted a national training programme for judges and prosecutors. Pakistan hosted the Asia Pacific Judicial Colloquium on Climate Change: Using Constitutions to Advance Environmental Rights and Achieve Climate Justice. This meeting resulted in the Lahore High Court creating Pakistan's first ever environmental law bar association. Myanmar hosted a judicial training programme. The UN Regional Office for West Asia convened the Regional Meeting of UNEP Montevideo Focal Points for West Asia" The UNEP Regional Office for Asia Pacific convened the second forum on Environmental Rule of Law and the Belt and Road Initiative: Strengthening Legal Frameworks and Cooperation in ASEAN and China. Bhutan partnered with UNEP, UNDP and the Asian Development Bank to host a judicial training programme.
Latin America	2016	The Institute of Law for a Green Planet in Brazil convened the 21st Brazilian Congress on Environmental Law. Uruguay, Antigua and Barbuda received support to strengthen national training initiatives
	2017	Peru convened a National Seminar on Access to Justice.
	2018	Panama convened the Regional Meeting of UNEP Montevideo Focal Points for Latin America and the Caribbean.

Influence of drivers and assumptions (activity to output)

270. The most important driver is the relevance and quality of the technical assistance and training. Since the request for technical assistance and tailor-made training comes from the countries themselves, the relevance of the target audience is not an issue. Nor is the quality and relevance of the support that is provided because the UNEP approach to providing technical assistance is to always work with national experts. This approach helps to build endogenous capacity. UNEP officials and local experts develop a work plan, which identifies priorities for legislative and institutional reform. This process forms the basis of national consultations, which identify further priorities. The findings are then transmitted to relevant government officials who activate the law making or legislative reform processes. After years of providing technical assistance in this way, UNEP officials are convinced that this approach has helped to build domestic capacity.

271. As regards external assumptions that affect the overall delivery of technical assistance and training, the most important factors are the uptake capacity of the actual government officials and the expertise of the third-party experts with whom UNEP collaborates. Equally important is the political will to strengthen environmental law and institutions and in some cases, this may be a factor that UNEP can influence through higher-level bilateral diplomacy. In other cases, it may not be possible for UNEP to influence political will. This means that even if the technical assistance does lead to the adoption of an

environmental law, the lack of political will would potentially undermine the actual implementation and enforcement of that law.

Achievement of direct outcomes under Output 3

272. As with the outcomes described for the reconstructed Theory of Change for Output 2, several immediate outcomes, which would need to be achieved in order for the original outcome in the project document to be achieved, were identified.

Model laws on climate change and lead in paint

273. The online Law and Climate Change Toolkit, developed by the UN Climate Change Secretariat, UNEP and the Commonwealth Secretariat was only launched in July 2018, so it is premature to track actual uptake of the toolkit. The immediate outcome would take the form of efforts by national governments to either implement new climate legislation or improve existing climate laws.

274. UNEP, in cooperation with World Health Organization, United States Environment Protection Agency and other partners, developed a model law and guidance in order to assist countries in establishing and implementing regulation on lead paint. According to the 2018 Update on the Global Status of Legal Limits on Lead in Paint ¹⁵, as of September 2018, 71 countries have put in place legally binding controls to limit the production, import and sale of lead paints. Attribution to the Model Law is complex because lead paint has been banned in high income countries for several decades, long before the model law was developed. That said, the key outcome that will have to be monitored is indeed the extent to which developing countries are now going to take action to put in place legally binding controls. As of August 2018, only six countries in Africa had laws in place or about to be enacted. Therefore, tracking the development of new lead paint legislation will be especially important in Africa.

Technical assistance

275. In the case of the technical assistance, the immediate outcome would be the application of the knowledge and expertise that would have been delivered through the assistance. In most cases, outcomes would take the form of officials consulting with other ministries or engaging with stakeholders, or indeed the launching of legislative processes to develop new law.

276. As evidenced by Table 09 and Table 10, several countries (primarily in Asia and Africa due to the availability of funding) have received technical assistance and legal advisory support and the evidence of success primarily take the form of new legislation or the launch of legislative processes.

277. UNEP officials maintain that the delivery of technical assistance has supported countries in tailoring their national environmental legislation more specifically to their country-specific concerns.

278. Over the years, UNEP's technical assistance has been focused on supporting the process of the actual drafting of legislation and providing input on the quality of the draft law that is being developed. For most countries, the capacity to develop new laws has been clearly established. This was affirmed at all the regional consultations with Montevideo focal points during the evaluation of Montevideo IV. The challenge now lies in implementation and to this end, UNEP is shifting its support to ensure that countries are equipped with the knowledge, skills and resources to implement and enforce environmental legislation. UNEP's technical assistance approach is also shifting towards the partnering with national experts rather than just operating directly through UNEP experts. According to UNEP officials, not only is this form of technical assistance building endogenous capacity. It is also helping to connect the right people together and demonstrating to countries that there is much to be gained by adopting best practices through assistance and guidance material prepared by UNEP.

¹⁵ "Update On the Global Status Of Legal Limits On Lead In Paint September 2018" 2019

279. There is some concrete evidence of the uptake of the knowledge in the form of new legislation or the strengthening of existing laws:

- Somalia, Angola and Tanzania have strengthened national legislation to implement the Convention on International Trade in Endangered Species (CITES).
- Nigeria was supported in the drafting of its Environmental Impact Assessment law.
- Uruguay, Cambodia, Myanmar, Lao PDR and Vietnam were supported in the drafting of national legislation to implement the Access and Benefit Sharing (ABS) Protocol.
- Cambodia was assisted with the drafting of its Environmental Code.
- Peru was supported in the drafting of its Biological Diversity Law.

Tailor-made trainings

280. In the case of tailor-made trainings, there is less empirical evidence regarding the use and application of the knowledge transmitted because, as with Outputs 1 and 2, outcome results require a level of monitoring that was not incorporated into the design of this project. Several outcomes that would be relevant to the tailor-made trainings were identified:

- Integration of environmental law into training programmes for the judiciary, prosecutors and police.
- Uptake of environmental law training by judges in new environmental law rulings.
- Uptake by prosecutors in the sharing of experience of investigations, prosecutions and sanctions, as well as data collection for environmental crime.

281. There is anecdotal evidence that training programmes has helped to raise overall environmental awareness among the judiciary in Africa and Asia. The mere fact that judges are calling for this training reflects a growing desire to acquire and apply environmental law knowledge. In some cases, the judicial training programmes have been convened at the highest level with chief justices and this has also served as an important reflection of the growing interest in environmental law.

282. The tailor-made trainings are also beginning to facilitate new opportunities for the exchange of knowledge between key stakeholders. In some cases, these processes have brought together actors, such as judges and prosecutors, who would not otherwise have had the opportunity to interact.

283. There has also been equally positive uptake by the prosecutors in the trainings that have been organised in Asia and Africa. The real test, of course, is the extent to which prosecutors are better able to advance their cases in national courts. One example of successful uptake is the 2018 training programme for Bhutanese enforcement officials. They first participated in a training programme that was held in Bangkok, Thailand. However, on their return home, the participants applied the knowledge that they had acquired and developed a training programme for 50 enforcement officers.

284. Similarly, the Beijing 2018 Judicial Summit was characterised by the high level of participation of Chief Justices. According to UNEP officials, this high-level engagement has been critical for further catalysing the interest and engagement in environmental law among the judiciary in China. The meeting generated a declaration that affirmed the important role of the Judiciary in advancing environmental law. Considering that the declaration was signed by a significant number of Judges, it is important evidence of the value of the summit in raising judicial awareness.

285. The Myanmar “Greening the Judiciaries” summit succeeded in strengthening the environmental law capacity for 180 judges. It also reinforced the importance of working through national judicial training institutes, in this case these bodies made commitments to incorporate environmental law issues raised during the conference into their own course curricula.

286. The training for the High court of Bhutan and its Green Bench enhanced the technical capacity of 40 judges from across Bhutan. It also generated concrete recommendations for improving the High Court's rules of procedure.

Influence of drivers and assumptions (output to outcome)

287. The drivers and assumptions that are relevant for pathway from output to outcome are basically the same as for Output 2. One of the key drivers is of course the quality of the training material and quality of experts. This factor is critical in order to equip participants with the best possible knowledge and skills for them to apply in their respective spheres back in national capitals.

288. Another important driver is the uptake capacity of the participants. This driver is equally relevant in this pathway as it was for the activity to output phase.

289. The main assumption that is relevant in this phase is the interest of the enforcement officials' colleagues back in national capitals regarding the new knowledge in question. For example, one of the tailor-made trainings was the Judicial Colloquium on Wildlife Crime held in Kenya in 2016. The training is technically an "output", whereby the outcome would entail the subsequent use/uptake by judges of the knowledge disseminated in new judicial rulings on environmental crime. This is relatively easy to track but was not monitored under the ambit of this project.

Achievement of intermediate state

290. If indeed the outcomes as described above are fully realised, this could lead to an intermediate state that would be characterised by:

- Increased implementation of new environmental laws, and other sector specific environmental legislation
- More frequent and effective adjudication of environmental cases, leading to a robust body of environmental jurisprudence.
- Strengthening and streamlining of institutional arrangements to investigate, prosecute and enforce environmental law.

291. Most countries are years away from the achievement of these intermediate states. However, UNEP is on the right track by drilling down its efforts to specific categories of enforcement actors, from judges, prosecutors to police and inspection authorities.

292. Services for strengthening capacities of national institutions (e.g. for government officials, judges, prosecutors, police) to implement and/or enforce legal frameworks that address priority environmental issues as well as other relevant legal stakeholders engaged in environmental litigation, including for the protection of environmental rights (e.g. legal practitioners).

Description of the intended impact

293. Following this logic, improved capacity on the part of countries to implement, adjudicate and enforce environmental laws enable countries to realise internationally agreed environmental goals. Of course, like in most environmental law and governance projects that are implemented by the Law Division, the issue of attribution is always problematic. Without the use of robust performance metrics, it is currently very difficult to link UNEP work in building institutional capacity with the actual intended impact of improved realisation of environmental goals

Overarching observations/ areas for improvement for Output 3

Technical assistance and legal advisory services

294. Overall, the technical assistance was delivered on a piecemeal approach based on the availability of funding resources and based on country demand. UNEP officials have confirmed the need to develop a more strategic approach to countries based on systematic needs assessment.

295. There is currently no system put in place to monitor the impact after the technical assistance has been provided. This is an important gap that could be remedied with systematic results-based management and monitoring to assess the impact of the technical assistance in the longer term.

296. There is still much work to do to improve the uptake of the training for police, especially in Africa where the demand and interest continues to be low.

297. Considering the continuing limited resources for technical assistance, UNEP could enter into more strategic partnerships with regional and sub regional entities that can help in the delivery of technical assistance and legal advisory services. There are a number of other institutions working towards similar goals but efforts remain disjointed.

298. Delivery needs to be improved in the Caribbean countries and Latin America and region-specific funding needs to be mobilised.

299. Technical assistance has been heavily reliant on earmarked funds. This has resulted in technical assistance being delivered more regularly in certain regions over others. UNEP should make efforts to mobilise funding to deliver technical assistance in all regions. It should be noted that there are specific reasons why this output focused primarily on East African countries. Firstly, the thematic focus tended to be on CITES and the countries who tend to be most at risk of non-compliance are African countries. Secondly, the funding for the project was designated by donors to go to African countries rather than Latin American or Asian ones. Lastly, with the head office being in Nairobi, UNEP tends to be more responsive to needs of the continent on which it operates. This is an important area ripe for improvement. Whilst UNEP has a clear mandate from member states to enhance its work through the regional offices. In practice, this is not always the case as reflected in the low level of funding that is shared between Headquarters and the Regional Offices.

Tailor made trainings

300. UNEP should investigate how best to engage the police in training programmes on environmental law in Africa, where interest has been limited.

301. In the 1980s and 1990s there was a growth of environmentally focused institutions and environmental tribunals and courts. Currently there is a shift towards the development of institutions with rather more integrated mandates. Against this backdrop, it is important that UNEP adjust its training to support countries in ensuring whole-of government approaches to environmental law and policy making.

302. In order to train enforcement actors in the LAC region, UNEP originally entered a partnership with the Organisation for American States (OAS). The LAC regional office has been constrained in the delivery of tailor-made training because of limited resources. Therefore, resource mobilisation should consider this current reality.

303. UNEP needs to be more strategic in the future in the design and execution of tailor-made training. At the same time, flexibility is important to respond to country demands since environmental challenges are rapidly changing. Even though ad hoc interventions are important and part of the value added that countries perceive in UNEP, in order to achieve desired results, strategic approaches should be developed in full cooperation with the legal officers of each of the UNEP regional offices and together with national focal points.

304. In conclusion, the ratings and justification for each effectiveness criterion are summarised accordingly:

Table 12: Summary of ratings

Criteria	Rating	Justification
Delivery of outputs	Satisfactory	The delivery of outputs was successfully executed for all components of the project. Output 1 consisted of the MEA Training Courses, which have been organised annually for the last 15 years. Participant feedback has indicated a high level of satisfaction. Output 2 consisted of the high-profile regional and inter-regional events. These were very successful in terms of attracting high-level actors and creating platforms for the exchange of knowledge, which would otherwise have not been possible. Output 3 involved the provision of technical assistance and legal advisory services to several countries to assist in the drafting of new legislation, country-specific institutional development. Many countries have been supported over the course of the project's life.
Achievement of outcomes	Moderately Satisfactory	With regard to the MEA courses, there is anecdotal evidence to support the fact that participants are using the knowledge to prepare for and participate in MEA negotiations. However, it is important to emphasise that course has not been designed to track the extent that project outputs have contributed towards the direct outcomes. There is no mechanism in place to assess how, if at all, the participants have acquired and used the skills gained in the course. Therefore, it is impossible to draw empirically grounded conclusions about the direct outcomes and the overall impact of the course. Regarding the high-profile colloquia, there is ample anecdotal evidence that the knowledge and skills disseminated have equipped key stakeholders such as judges and prosecutors and police. (The high-level colloquia were important to galvanize support of the judiciary and prosecutors at the highest level because this is where decisions are made. The follow up activities of establishing a regional network a national action plan for prosecutors and integrating curriculum in public institutions were means of tracking progress on the resolutions made at the highest level. Integrating the curriculum in national institutions achieved the strengthening institutions aspect of the project.) However, there is

		no empirical evidence available because of the lack of tracking mechanisms to monitor the uptake of the knowledge that has been disseminated. Regarding UNEP's technical assistance and legal advisory services, there is concrete evidence of the uptake of the support in the form of new legislation and in the improvement of national training programmes for judges and other enforcement officers.
Likelihood of Impact	Moderately Unlikely	Regarding the MEA courses, it is equally impossible to accurately attribute the contribution of the MEA courses to the meta-level improvement in MEA implementation, which would have hopefully flowed from the achievement of the outcomes onwards to the intended impact. The same is true with regard to the high-profile colloquia. Whilst judges and prosecutors have praised these processes for the imparting of valuable knowledge, UNEP has not tracked uptake, therefore it is impossible to attribute these colloquia to the achievement of the intended impact. With regard to the contribution of UNEP's technical assistance towards the intended impact, it is important to emphasise that it will take years before the attribution of UNEP's country-driven work to the overall impact can be truly understood and properly measured. Without the use of robust performance metrics, it is currently very difficult to link UNEP work in building institutional capacity with the intended impact of improved realisation of environmental goals.
Overall Effectiveness	Moderately Satisfactory	It should be emphasized that the high quality of all the courses, colloquia, and training and legal assistance activities is fully recognized. However, the low overall evaluation rating results from the lack of monitoring and reporting affecting the likelihood of immediate outcome and intended impact. It should also be added that this does not, in any way, reflect project management team performance. It is a function of the fact that, at project design, results-based monitoring was not emphasised in the project design and planning.

E. Financial Management

305. The overall rating of the Financial Management is 'Satisfactory.'

E.1 Completeness of Financial Information (Satisfactory)

Adequacy of financial resources

306. The project was implemented in Africa, Asia Pacific, and Latin America and the Caribbean, working at global, regional and national scales of governance. Total secured funding was USD 3,833,276. The total amount spent was USD 3,529,175.98. This left a surplus of USD 304,101.

307. To ensure adequate implementation, the project was revised twice to include activities for the 2016-2017 and 2018-2019 Programme of Work. Additional resources in the amount of USD 2 million were mobilised from the Japanese Government to cover the Asia-Africa south-south cooperation. This gave the project a boost freeing it from the limitations of the low level of resources available from the Environment Fund. In addition, Norway and SIDA also agreed to fund activities for various legal stakeholders with predictable resources. This was the reason for the second project extension to the end of 2018. It should also be emphasised that in between the infusion of extra-budgetary resources, during the periods when the project was struggling with inadequate resources, the team decided not to undertake additional fundraising. Efforts were made to fundraise by preparing a short project proposal to share with potential donors but they did not bear fruit. Since some donors had committed long-term with partnership agreements, the Law Division was not expected to approach such donors for interest. Any funds which were allocated to the project came through an organizational wide call for proposals (Example China funds) or the Law Division allocations. Funds from various donors were therefore allocated to all projects through the Divisional allocations

308. Administrative processes that may have influenced the project included the transition to UMOJA from IMIS. This caused some delay in engaging consultants.

Availability of co-financing

309. The country co-financing at the global level is the Government of Finland (Ministry of Foreign Affairs). They have provided the bulk of the funding for the Annual UNEP/ University of Eastern Finland MEA courses, which were partly funded by the project. At the national level, examples of co-financing there were negotiations training in Saudi Arabia, Sudan, Kenya where countries funded activities and UNEP just covered the cost of travel.

310. Other resources that were mobilised since project inception include funding from the Governments of Japan, China, Norway, Sweden, the Environment Fund in varying proportions. These contributions enabled the provision of institutional strengthening activities that would not otherwise have been possible. This substantive work will continue under the ambit of the Environmental Challenges project, for which the Law Division is currently fundraising.

311. In terms of the financial risks that may jeopardize the overall progress of the project, since the Law Division has formally completed the project, it will not be doing any further fundraising for this project. However, all the Law Division's capacity building activities will be rolled into its new project called Environmental Law Challenges. The progress towards impact now depends on the country beneficiaries and their own ability to mobilise resources to ensure that the technical assistance that was provided by the Law Division is implemented and operationalized. Progress towards impact also depends on the Law Division's continued work on institutional capacity building that will unfold under the Montevideo V program.

Breakdown of final action costs and co-financing

Table 13: Financial Table 2

Funding by source (Life of project)	Planned funding	Secured funding	Expended
All figures as USD			
Funds from the Environment Fund	545,597		
Funds from the Regular Budget			
Extra-budgetary funding (listed per donor):			
Japan	2,039,802	2,039,802	1,720,032.95
Norway	410,369	410,369	353,470.22
Sweden	264,654	264,654	235,352.88
China	624,000	624,000	632,838.23
Other	26,000	26,000	
Counterpart	468,451	468,451	587,481.70
Unsecured	781,000		
Sub-total: Project Funding	5,159,873	3,833,276	3,529,175.98
Co-financing¹⁶ (Cash and in-kind contributions)	Planned contributions	Secured contributions	Verified contributions
All figures as USD			
Co-financing cash contribution (listed by source):			
Sub-total: co-financing contributions			
Co-financing in-kind contribution (listed by source):			
UNEP			
Environment Fund	1,269,128	559,611	
Regular Budget	NIL	615,707	
The subtotal for the cofinancing refers to the calculation of staff time that is invested into the project for implementation.			
Sub-total: in kind contributions			
Staffing (Total throughout the project)	Planned posts	Filled posts	-
All figures as Full Time Equivalents			
Environment Fund staff-post costs	5	1	
Regular Budget staff-post costs	N/A	4	
Extra-budgetary funding for staff-posts (listed per donor)	N/A	N/A	

¹⁶ Co-financing is understood as funding from a donor to a partner which is not received into UN Environment accounts, but is used by a UN Environment partner or collaborating centre to deliver the results in a UN Environment – approved project.

Financial management

Table 14: Financial management

Financial management components:		Rating	Evidence/ Comments
1. Completeness of project financial information¹⁷:			
Provision of key documents to the evaluator (based on the responses to A-G below)		MS	
A.	Co-financing and Project Cost's tables at design (by budget lines)	Yes, No OR n/a	PIMS access granted
B.	Revisions to the budget	Yes	PIMS access granted
C.	All relevant project legal agreements (e.g. SSFA, PCA, ICA)	Yes	PIMS access granted
D.	Proof of fund transfers	Yes	PIMS access granted
E.	Proof of co-financing (cash and in-kind)	Yes, No OR n/a	Yes
F.	A summary report on the project's expenditures during the life of the project (by budget lines, project components and/or annual level)	Yes,	[basic]
G.	Copies of any completed audits and management responses (<i>where applicable</i>)	N/A	N/A
H.	Any other financial information that was required for this project (list):	Yes, No	
Any gaps in terms of financial information that could be indicative of shortcomings in the project's compliance ¹⁸ with the UNEP or donor rules		No	No
Project Manager, Task Manager and Fund Management Officer responsiveness to financial requests during the evaluation process		S	
2. Communication between finance and project management staff		S	
Project Manager and/or Task Manager's level of awareness of the project's financial status.		S	
Fund Management Officer's knowledge of project progress/status when disbursements are done.		MS	
Level of addressing and resolving financial management issues among Fund Management Officer and Project Manager/Task Manager.		MS	
Contact/communication between by Fund Management Officer, Project Manager/Task Manager during the preparation of financial and progress reports.		S	
Overall rating: Moderately Satisfactory			

¹⁷ See also document 'Criterion Rating Description' for reference

¹⁸ Compliance with financial systems is not assessed specifically in the evaluation. Nevertheless, if the evaluation identifies gaps in the financial data, or raises other concerns of a compliance nature, a recommendation should be given to cover the topic in an upcoming audit, or similar financial oversight exercise.

312. The overall rating for financial management is ‘Moderately Satisfactory’. There are several reasons:

- Resources from the Environment Fund were highly unpredictable and inadequate and this further undermined the ability of the project team to plan and implement activities.
- Lack of funds required two project revisions, which themselves are highly labour and time-consuming.
- The transition to UMOJA delayed the hiring of consultants.
- Efforts were also made to forge partnerships in the field to enable staff to organise some of the project activities with the benefit of cost sharing with partners. When projectization of all UNEP activities was effected in 2009-2010, many projects that were approved by the Project Review Committee, were subject to the condition for approval of having at least 25% of the project cost or USD 200,000. This was to avoid the situation where the Law Division would have project designs with no secured funds whatsoever. The issue of financial challenges at the beginning of project implementation was not unique to this project. It is important to highlight that the “teething problems” involved in giving ongoing activities a “project home” would have been more understandable in 2010 or 2011. However, by 2014 this should no longer have been a problem.

E.2 Communication Between Finance and Project Management Staff

313. The project officials communicated regularly with the finance officers regarding issues of funding availability because they obviously needed funds to initiate activities to implement the programme of work.

F. Efficiency

314. The overall project Efficiency is rated as ‘Satisfactory.’

F.1 Time efficiency

315. The project was initially a two-year project initiated in 2014 and due for completion by end of 2015. The project was extended by project revision until end of 2017. Until the contribution from the Japanese Government, project activities struggled because of unreliable resources. This meant a delay in the execution of certain activities. This delay was due to the difficulty of mobilizing financial resources and it could not have been avoided by the project management. Despite these challenges, the project did deliver most of the activities that were originally planned in the project document. However, time efficiencies were affected by funding shortfalls, which required activities to stop or indeed proceed at a slower pace.

F.2 Cost effectiveness

316. Midway through the project, the law division received approximately USD 2 million from the Japanese government. This money was earmarked for south-south cooperation, in particular for the Asia African enforcement meeting.

317. This gave this project a boost, liberating it from the constraints of the limited resources available from the Environment Fund, Norway, and Sida. This created an opportunity for the project to fund activities for various legal stakeholders with predictable resources. This infusion of resources necessitated the extension of the project to the end of 2018.

318. The sharing of tasks and human resources to partner organizations proved to be a cost-saving measure. The project partnered with NGOs and other key institution to benefit from their pre-existing human and monetary resources. Partnerships were established in each of the outputs, for example:

- Output 1 - University of Eastern Finland
- Output 2 - in the case of the Greening Judiciary Forum, UNEP partnered with the Supreme Court of Mozambique, Ministry of Justice, Constitutional and Religious Affairs through the Centro de Formação Jurídica e Judiciária-CFJJ/Mozambican Judicial Training Centre with support of the Swiss Development Cooperation (SDC), Austrian Development Agency (ADA), International Commission of Jurists (ICJ), United Nations Drugs and Crimes (UNODC), International Fund for Animal Welfare, Institut de la Francophonie pour le Développement Durable (IFDD), Global Judicial Institute on the Environment and South African Judicial Education Institute (SAJEI).
- Output 3 - Partnerships were established with each country where technical assistance and/or tailor-made trainings were provided. The model law partnerships were particularly noteworthy. For example, the Global Alliance to Eliminate Lead Paint was formed by UNEP and the World Health Organisation and guided by an advisory group chaired by the United States Environmental Protection Agency. The model law on climate change was developed through a partnership between UNEP, the UN Climate Change Secretariat and the Commonwealth Secretariat.

319. Financially, strong collaborations were established between the China ASEAN Fund, Norwegian funds and The University of Eastern Finland. Strengthening these strategic partnerships allowed the project's budget to expand and its horizons to extend.

320. The project was designed to fulfil the needs of countries at the sub-regional, regional and global levels and produce widely accessible resource material. As a result, a wider audience of stakeholders was impacted by the project than if a country-to-country approach would have been taken. All resources were published electronically, maximising access and minimising hard copy sharing.

F.3 Reducing UNEP's environmental impact

321. As the environmental factors have a limited impact on the project, their potential impact was not evaluated and regrettably almost no evidence was found regarding the carbon footprint of the project. Nor were there any significant measures made to reduce it. It is predicted that the most encumbering factor for carbon neutrality is aviation fuel carbon emissions. Being a globally focussed initiative, activities under all outputs involved movement of people, occasionally on mass. Further efforts to reduce these emissions would greatly increase the validity of UNEPs work to strengthen environmental legislation under Sustainable Development Goal 13 on Climate Change.

322. The project document addresses potential risks related to indigenous peoples, gender and environmental safeguards but these were not included in the risk log. The risk for those parties were evaluated as negligible. These considerations did not appear to be addressed in the execution of activities.

G. Monitoring and Reporting

323. The overall rating for Monitoring and Reporting is 'Moderately Unsatisfactory.'

G.1 Monitoring Design and Budgeting

324. The overall rating for Monitoring Design and Budgeting is 'Unsatisfactory.'

325. At the project launch a monitoring plan existed, which included the following:

- Clear roles and responsibilities between members of the project team
- Regular meetings
- SMART and quantitative indicators (number of activities, participants) in the logical framework relevant for the output phase.

- Milestones have been described for each output, along with baselines and targets.
- Time frame for the monitoring activities and details of funds allocated.

326. However, the monitoring plan has a noticeable gap - it did not include indicators to capture higher level results such as outcomes, intermediate states or impact. The monitoring plan was operational for output levels but omitted a framework to track results and progress towards the larger project objectives, namely the enhanced institutional capacity. This, in turn, has undermined the monitoring of project implementation.

G.2 Monitoring of Project Implementation

327. The overall rating for Monitoring of Project Implementation is 'Moderately Unsatisfactory.'

328. The project team and management supervision oversaw the execution of the project activities. The milestones that were met provide evidence of success of delivery. The problem, however, is that the monitoring plan did not include any indicators that could have enabled the tracking of progress towards higher level results.

G.3 Project Reporting

329. The overall rating for Project Reporting is 'Moderately Unsatisfactory.'

330. Documentation of project progress was fragmented and has frequent gaps. The PIMS reporting was inconsistent between outputs and did not disaggregate gender and vulnerable/marginalised groups. There was considerable inconsistency between report progress in PIMS and available evidence collected using other means.

H. Sustainability

331. The overall rating for the Sustainability of outcomes is 'Likely.'

332. The project's primary aim is to strengthen the institutional capacity of countries' law-making and institution building in the field of environmental law. The approach taken in all three of the project outputs has been to empower project beneficiaries with the knowledge, skills and resources to develop their own capacity to develop environmental law, strengthen existing legislation and/or strengthen existing institutions. A clear example of this approach has been the empowering of national training institutions with knowledge and resources to enable them to integrate environmental law into their training curricula whether for judges, prosecutors, or police.

333. The project produced a wealth of resource material in all three of the project outputs. Moreover, working through national training institutions is helping to ensure the continuation of the dissemination of important knowledge and resources. Additionally, the meetings and events, training programs, all provided opportunities for participants to develop new networks through which good practices on implementation and enforcement could be shared in an ongoing basis.

H.1 Socio-political Sustainability

334. The overall rating for Socio-political sustainability is 'Moderately Likely' with a high dependency 75-99%.'

335. While there is a rather strong ownership and interest among stakeholders to sustain the project outcomes, the ownership change and regular turnover of officials ultimately creates delays that impede implementation. Furthermore, the independence of the judiciary is essential to ensure the improved adjudication of environmental cases. This is a factor that pertains directly to the political will in each country regarding the division of powers. The participation of key officials in the project events is reason

for defining the moderate success of the project, the lack of monitoring and reporting hinders the capacity of the project to sustain results.

336. The Project risk log does identify a small handful of risks, but it could have been more comprehensive in scope. In reconstructing the theory of change a number of drivers and assumptions related to socio-political factors that had relevance for the achievement of the project outcomes were identified. These included:

- Political will of senior level officials to integrate the new knowledge and resources, for example the strengthening of enforcement mechanisms in accordance with best practices that were exchanged in the Asia Africa expert meeting.
- Regular turnover of officials in environment ministries which tends to undermine institutional memory and create delays.
- The independence of the judiciary within the wider political context of each country effects the ability of judges to integrate their environmental law knowledge and likelihood of their rulings to be respected and upheld by subsequent branches of Government.

H.2 Financial Sustainability

337. The rating for financial sustainability is ‘Likely.’

338. The continuity of project results and their impact will be ensured through the continuation of project activities, which will be executed under the new Montevideo V. The Law Division is now in the process of fundraising for Montevideo V and all efforts are being made to ensure sufficient resources for the implementation and monitoring of new project activities.

H.3 Institutional Sustainability

339. The overall rating for institutional sustainability is ‘Likely.’

340. The project’s contribution to institutional change lies at its core. Strengthening institutions involves equipping relevant stakeholders with appropriate knowledge on the good practices of environmental law which the project provided effectively.

341. The institutions that were targeted in this project were the judiciary, environment ministry officials including environmental prosecutors, as well as police forces and other enforcement authorities. Capacity of relevant individuals has been enhanced and they are seen to exercise increased influence in support of the direct outcomes.

342. The strengthening of the judiciary is one of the most important results of this project. Through the Greening the Judiciary Forum and all the other judicial trainings events organised under Output 3, judges are increasingly empowered with environmental law knowledge that will enable them to adjudicate more effectively on environmental crimes.

343. The planned activities were designed for the participants to take ownership of the knowledge acquired through the production of resource material relevant to their specific regional and national contexts. Training of trainers was another important dimension of the project that has been noted to increase ownership and enable results to be sustained.

344. There are a number of important examples that illustrate how Member States have taken ownership of training processes. For example, the Beijing 2018 Judicial Summit was characterised by the high level of participation of Chief Justices. This high-level engagement was critical catalysing a deeper interest and engagement in environmental law among the judiciary in China. In another example, the Myanmar “Greening the Judiciaries” summit succeeded in strengthening the environmental law capacity for 180 judges. It also reinforced the importance of working through national judicial training institutes, in this case these bodies made commitments to incorporate environmental law issues raised during the

conference into their own course curricula. And finally, the training for the High court of Bhutan and its Green Bench enhanced the technical capacity of 40 judges from across Bhutan. It also generated concrete recommendations for improving the High Court's rules of procedure.

345. The strengthening of institutions was assured when the beneficiary countries integrated curricula in their institutions or developed national guidance materials for various legal professions in the form of manuals, standing operating procedures, and other guiding tools. This also ensured the sustainability of UNEP programmes in that the capacity was retained beyond the individual participants who attended the global, regional or national initiatives organized under the project for various stakeholders. The creation and strengthening of judicial training institutes has been one of the most important results of this project.

I. Factors Affecting Performance

I.1 Preparation and Readiness

346. The overall rating for Preparation and Readiness is 'Moderately Satisfactory.'

347. The explanation below stems from feedback from the project manager:

- The initial 24-month timeframe for the project was realistic in light of the broad array of activities. The project was due for completion by the end of 2015. Prospects to extend the program of activities into 2016/2017 were made possible by the infusion of the \$2million grant from the Japanese Government. This project was created to implement environmental law activities based on the prevailing Programme of Work, the Medium Term Strategy and Montevideo Programme IV
- According to the Project Manager, there was no comprehensive inception meeting convened before the first disbursement. There was no need for one because the funding of the project was gradually being provided and any activities that took place were implemented according to the approval of the resources provided). This was related to the limited financial resources that were available from the Environment Fund. However, once the project team received the first disbursement of China funds at the beginning of the project, the project team convened several virtual meetings with the partner - the China ASEAN Environmental Co-operation Center to organize the First Inter-regional Africa Asia Meeting in Beijing.
- As regards the annual costed workplan, at the unit or implementation level, a detailed annual costed workplan was, according to respondents, always developed (however, documentary evidence was not provided to the evaluation team). Implementation was always subject to the availability of resources.
- As regards procurement plans, this was never developed because the project management team worked with project partners to implement most of the activities and such a plan was not required.
- There was no project Steering Committee. According to the Project Manager, the communication was regular and Law Division staff were engaged in organizing most events and serving as resource persons. It should be emphasised that projects are more than a disbursement tool. They are a results delivery modality with defined accountability arrangements. This means that records of meetings and formal communications should be kept by Project Managers and stored on PIMS.
- According to the Project Manager, consultations between the project team were undertaken regularly. The Law Division Director was involved as necessary when it came to making decisions regarding the allocation of resources or where decisions were needed to deviate from the agreed workplan. Wherever that was the case, project team meetings were convened to identify steps for adaptive management, although no evidence of this is available.
- ESE safeguard assessments were not carried out..

- The capacity of all the project partners was subject to a due diligence procedure and UNEP's partnership portal was used for this purpose.
- According to the Project Manager, the relevant legal agreements were signed with partners in a timely manner and posted in PIMS. The legal instruments that are processed after the closure of the project are not yet posted.
- Stakeholder analysis was undertaken through the review of concept papers describing their activities.
- Staffing mobilisation was undertaken in a timely manner.
- New governance arrangements were not necessary because existing governance arrangements that were provided for in other environmental law projects were deemed sufficient.
- Some measures were taken to implement PRC recommendations. The project team did alert the PRC about the delays in mobilizing the first tranche of the instalment of the China funds. This problem has since been resolved and the disbursement process has improved in terms of efficiency. Indeed, the period between project approval and the first disbursement was quite fast in light of the urgent need to access donor funds.

I.2 Quality of Project Management and Supervision

348. The overall rating for Quality of Project Management and Supervision is 'Satisfactory.'

349. The Project Manager was very flexible in the overall management of the project in order to adapt to changing situations, such as lack of funding. Implementation at headquarters could have been more systematic to ensure that results were consistent across the regions. Despite the clear implementation structure identified in the Project document, it appears that Division meetings that were fulfilling the role of a 'Steering Committee' did not occur regularly, if at all and the supervision of activities in the Latin America and Caribbean region was poor. Another important point was the sparseness of progress reporting and completeness of documentation on PIMS at the time of evaluation.

350. Nonetheless, the project team members worked hard in their own regions to ensure the delivery of project activities.

I.3 Stakeholders' Participation and Cooperation

351. The overall rating for Stakeholders' Participation and Cooperation is 'Satisfactory.'

352. The project team maintained strong communication links with stakeholders and efforts were made to promote stakeholder ownership. The project activities could not have been executed without the full engagement of the project partners for each of the three main outputs. UNEP has consistently endeavoured to partner with organisations in-country for several reasons:

- Substantive expertise that may be lacking within UNEP
- Convening power in-country
- Resource availability

353. For example, the MEA training course is dependent on the University of Eastern Finland who not only host the event but provide experts and are responsible for facilitating the financial contribution of the Finnish Ministry of Foreign Affairs. This is equally the case with Output 2, whereby collaboration with key partners was essential for the delivery and execution. For example, the Regional Symposium for Greening the Judiciary in Africa relied heavily on the partnership with the Supreme Court of Mozambique, the Ministry of Justice and the Mozambican Judicial training centre.

354. Linkages to poverty alleviation or impact on economic livelihoods have not been considered and addressed.

I.4 Responsiveness to Human Rights and Gender Equity

355. The overall rating for Responsiveness to Human Rights and Gender Equity is 'Moderately Satisfactory.'

356. Gender equality is mentioned in the context, log-frame and budget and the project document committed the project team to including gender and human rights considerations throughout the design and development of training material and technical assistance. However, there is no clear evidence of this commitment having been executed.

I.5 Country Ownership and Driven-ness

357. The overall rating for Country Ownership and Driven-ness is 'Highly Satisfactory.'

358. Country ownership and driven-ness is particularly significant for outputs 2 and 3, for example in the delivery of technical assistance. UNEP always ask countries to identify national experts with whom they wish to collaborate, it is these experts together with country officials who will review existing institutional arrangements and identify gaps to be addressed. UNEP's work involves empowering countries to develop the responses necessary. However, the countries will always be in the driver's seat being the ones identifying the issues to be addressed.

359. The emphasis of this project on training the trainers and building the capacity of national training institutions has contributed to increasing the ownership of the activities. This could help to ensure that project results will be sustained and continue to be country driven.

I.6 Communication and Public Awareness

360. The overall rating of the communication and public awareness of the project is 'Satisfactory.'

361. There was a high level of communication of learning and experience sharing between project partners and other stakeholders. Indeed, the very essence of all of the outputs was to raise awareness about the importance and opportunities for strengthening the institutional capacity of countries.

362. For example, regarding Output 1, notably the UNEP/University of Eastern Finland MEA course, the course participants provide written feedback, which is then collated by the University and shared with UNEP. Each year, course design is adjusted in accordance with the feedback that has been provided.

363. With regard to Output 2, each of the regional symposia that were evaluated have generated final reports that summarise the main conclusions and messages. These are usually posted on the relevant websites and/or distributed directly to the participants. As well, the meetings also generated important outputs that have served as a basis for deepening interaction between the stakeholders.

364. For example, the Greening Judiciary Forum launched the African Judicial Network of Environmental Education, and this platform has provided a new forum in which judges can exchange knowledge and best practices. In the case of the four regional consultations with Montevideo focal points, the very purpose of these meetings was to create new regional platforms where countries can exchange knowledge and experience on a regular basis. Indeed, the enthusiasm of the Montevideo focal points was reiterated at the global meeting of Montevideo focal points in Geneva in September 2018, and this enthusiasm enabled the further reinforcing of the network of focal points within the ambit of Montevideo V.

365. With regard to Output 3, the model laws on climate change and on lead in paint also played an important role in generating the exchange of learning between project partners and beneficiaries. The Global Alliance to Eliminate Lead in Paint convenes formally twice a year but also meets regularly in the margins of other relevant intergovernmental meetings. These meetings provide opportunities for countries to exchange learnings in terms of their efforts to introduce legally binding limits. Additionally, the technical assistance provided under Output 3 has also helped to raise public awareness. In the cases

where UNEP provides support to a country to develop a new environmental law, the Law Division will help identify key stakeholders that should be engaged in the public consultation process.

366. Without the Law Division's support, it is entirely possible that the countries may not have been able to reach out to key stakeholders. In any case, the public consultation processes that have been generated through the technical assistance have helped to raise public awareness of important national environmental law challenges.

V. CONCLUSIONS AND

Inside the Conclusions, Lessons Learned and Recommendations Section:

A. Conclusions

- A.1. Overarching observations
- A.2. Ratings table
- Strengths and weaknesses for each of the three outputs

B. Lessons learned

- Summary overview of relationships between lessons learned and recommendations
- Detailed explanation of lessons learned

C. Recommendations

- Detailed explanation of recommendations

A. Conclusions

A.1 Overarching observations

367. In conclusion, the project titled “Strengthening Institutional Capacity of Countries in Environmental law through Training, Sharing Expertise and Legal Guidance Materials” (initiated on 28 January 2014 and completed on 31 December 2018) successfully met its output milestones.

368. The project was largely successful in imparting relevant knowledge of environmental law to global, regional and sub-regional platforms. Government officials, magistrate, prosecutors, legislators and other environmental enforcement officials received knowledge that they judged to be useful and relevant. Anecdotal evidence has revealed to a varying degree, that participants are increasingly using the knowledge and resources acquired to develop, implement and enforce environmental law.

369. In terms of MEA implementation, the joint UNEP and University of Eastern Finland annual training courses, course evaluations confirm that the programmes have equipped government officials with the knowledge and tools to more effectively represent their country’s interests in international environmental negotiations. Alumni have also emphasised the value of the course in creating unique opportunities for networking.

370. There is also anecdotal evidence that many of the judicial training programs have helped to raise overall environmental awareness on the part of the judiciary in Africa and Asia. The fact that judges are calling for environmental training reflects a growing desire to acquire and apply environmental law and knowledge. This growing interest on the part of the judiciary reflects decades of work undertaken by UNEP to green the judiciary.

371. The strengthening of institutions was assured when the beneficiary countries integrated curricula in their institutions or developed national guidance materials for various legal professions in the form of manuals, standing operating procedures, and other guiding tools. This also ensured the sustainability of UNEP programmes in that the capacity was retained beyond the individual participants who attended the

global, regional or national initiatives organized under the project for various stakeholders. The creation and strengthening of judicial training institutes has been one of the most important results of this project.

372. UNEP's approach to technical assistance has also helped to build endogenous capacity because of their focus on working with national experts to identify key priorities, relevant stakeholders and government officials. After years of providing technical assistance in this way UNEP maintains that there has been an overall increase in environmental law-making and institution building.

373. Concrete impacts are not easy to measure for tracking the uptake of the knowledge that has been imparted through the three levels of activities. The problem stems from the lack of qualitative performance indicators, the lack of robust monitoring mechanisms and the difficulty in assessing the overall impact of the project because of the inherent challenge of attributing concrete environmental law developments at the country level with the actual project activities.

374. Despite the lack of outcome-based monitoring, the delivery of technical assistance has generated a number of concrete outcomes in the form of knowledge being used to either develop new laws or strengthen existing ones. There is ample evidence on the ground to support this. In the case of training more generally, there is less empirical evidence regarding the use and application of knowledge because outcome results required a level of monitoring that was never envisaged under the ambit of this project.

375. On average, from the online survey conducted with member beneficiaries, the average rating of the activities of the project was 8.2/10, with most of the requests asking for an increase in the time allocated for events, thoroughly appreciating the development and access to material for prosecuting environmental crimes, examining best practices, and making movements to encourage discussion and development on environmental law and prosecution practices in the country.¹⁹

376. Using the UNEP criterion ratings table, the evaluation team concluded the following:

Table 15: Full Evaluation Criteria Rating Matrix

Evaluation Criteria	Rating
Strategic Relevance	Highly Satisfactory
Quality of Project Design	Moderately Satisfactory
Nature of External Context	Favourable
Effectiveness	Moderately Satisfactory
Delivery of outputs	Satisfactory
Achievement of direct outcomes	Moderately Satisfactory
Likelihood of impact	Moderately Unlikely
Financial Management	Moderately Satisfactory
Completeness of project financial information	Moderately Satisfactory
Communication between finance and project management staff	Satisfactory
Efficiency	Satisfactory
Monitoring and Reporting	Moderately Unsatisfactory
Monitoring design and budgeting	Unsatisfactory
Monitoring of Project Implementation	Satisfactory
Project Reporting	Moderately Unsatisfactory
Sustainability	Moderately Likely

¹⁹ Survey for the Evaluation of UN Environment Institution Building Capacities – CD by Johannah Bernstein

Socio-political sustainability	Moderately Likely
Financial sustainability	Likely
Institutional sustainability	Likely
Factors Affecting Performance	Satisfactory
Preparation and readiness	Moderately Satisfactory
Quality of project management and supervision	Satisfactory
Stakeholder participation and cooperation	Satisfactory
Responsiveness to human rights and gender equity	Moderately Satisfactory
Country ownership and driven-ness	Highly Satisfactory
Communication and public awareness	Satisfactory
Overall	Moderately Satisfactory

A.2 Strengths and weaknesses

377. The key strengths and weaknesses for each of the three outputs are summarised in the following three tables.

Table 16: Output 1 - MEA Training Courses

Strengths	Weaknesses
Recognised value of the quality of the training materials and the calibre of expert instructors.	The course was not designed to track how participants are using the knowledge acquired following the course completion. Course organisers recognise the importance of monitoring uptake.
Renewed funding on a three-year basis, which has enabled longer-term planning.	Intermediate state monitoring is more complex than the monitoring of immediate outcomes. It will require finely tuned indicators to track the substantive improvement in MEA implementation.
Anecdotal evidence suggests that participants are increasingly using the knowledge and resources in MEA negotiation preparation and engagement.	Small number of places for the approximately 300 applicants who apply each year
Consistently positive feedback from participants	
Annual adaptation of course to reflect feedback from previous year.	
Important networking opportunities for course participants	
University of Eastern Finland recognised as a valued project partner	
Rigorous selection process that ensures a high calibre of participants	

Table 17: Output 2 - Regional, sub-regional and inter-regional processes

Strengths	Weaknesses
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Targeting of activities to specific actors	Lack of results-based monitoring. This is particularly important to track the application of knowledge by judges of the environmental law training in their own adjudication. It is equally relevant for tracking how countries are using enforcement best practices.
Cooperation with project partners helped to elevate the profile of the meetings, attract the right participants and ensure that the substantive knowledge was relevant.	Resource constraints meant that there was proportionally low number of activities executed in Latin America and the Caribbean region.
High quality of training	Uptake with police has been limited. Ethiopia and Kenya are the only countries where environmental law is being integrated into police training.
Establishment of the Africa Judicial training network on environmental law, which has created environmental law curricula for judiciary.	
Emerging capacity of prosecutors in Africa to handle environmental crimes more effectively.	
High level participation among the judiciary, especially Chief Justices and Presidents on national and regional courts.	
Creation of new platforms for the exchange of best practices between enforcement officials.	
Increased integration of environmental law into judicial training, as well as police and prosecutor education programs.	
Increased exchange of good practices on enforcement and compensation of environmental damage.	

Table 18: Output 3 - Technical assistance and legal advisory and tailored training

Strengths	Weaknesses
Broad array of technical assistance and legal advisory support provided to many countries in Asia and Africa.	Funding constraints meant that there was inconsistent distribution across regions, with very little activity in Latin America.
Concrete evidence of new legislation or strengthening of existing laws resulting from technical assistance.	Technical assistance was delivered on a demand-basis, this resulted in a piecemeal approach that was dependent on demand and the availability of earmarked funds.
The role of UNEP approach is to support environmental law-making by using country experts who can work with government officials to review existing national legislation so as to identify gaps, to draft the proposed legislation, and to subject the proposed draft to consultations and input from within the government and with all relevant stakeholders before the draft law is processed as a bill in parliament.	Lack of results-based monitoring past output level. There is no system to monitor the impact after the technical assistance has been provided.

High levels of participation and high quality engagement noted in tailored training.	Low uptake of environmental law training on behalf of police forces in Africa
Technical assistance focused on engaging national experts and building endogenous capacity.	
Targeting of tailor-made training has ensured that the training is responsive to the specific needs of the target groups.	
The training platforms have enabled many opportunities for the exchange of knowledge between key stakeholders.	
There is anecdotal evidence that many of the training programs have helped to raise overall environmental awareness on the part of the judiciary in Africa and Asia.	
The creation and strengthening of judicial training institutes has been one of the most important results of this project.	

B. Lessons Learned and Recommendations

B.1 Summary overview of relationship between findings and recommendations

Table 19: Summary findings and recommendations

Number	Findings	Recommendations
1	Whilst there was flexibility in the design and delivery of project activities, the lack of strategic focus was an impediment to the overall effectiveness of the project.	The Law Division should develop a longer-term strategic focus in its training and technical assistance work.
2	Strategic partnerships have improved the quality of the deliverables through the involvement of in country experts that UNEP may not otherwise have access to. These partnerships are important in the organisation of events and in the convening power.	The Law Division should enter into more strategic partnerships with regional and sub regional entities that can help in the delivery of training and technical assistance.
3	Without adequate results-based monitoring, the achievements of project outcomes and impact cannot be assessed and analysed.	The Law Division should include results-based monitoring more systematically. They should structure, implement and enforce a results-based monitoring approach that focuses on outcomes and qualitative impact, measured contemporaneously and at appropriate intervals after completion.
4	The existence of performance indicators beyond activity and outputs	The Law Division should increase the quality and ambition of performance indicators.

	is critical for management for results and for the evaluation process to understand and assess outcomes and intended long-term effects	
5	Stable, predictable, adequate financing is essential to the impact, replicability and sustainability of project activities.	The Law Division should continue to scale-up its efforts to mobilise more earmarked funds which will ensure predictable, reliable funding and enable UNEP to engage in more long-term project planning.
6	The improvement in results-based monitoring depends in large part on the enhancement of capacity within UNEP's regional offices.	The Law Division should provide more support to governance coordinators in each of the regional offices to enhance their capacity for results-based monitoring.
7	Robust implementation structures are critical to the achievement of impact	The Law Division should strengthen project implementation structures

C. Recommendations

C.1 Detailed explanation of recommendations

Recommendation #1:	The Law Division should develop a longer-term strategic focus in its training and technical assistance work based on a systematic needs assessment.
Context/comment:	The Law Division needs to develop a more strategic focus based on systematic needs assessments in the design and execution of its training activities. Whilst it is important for UNEP to be flexible in responding to country demands, a broader strategic vision should be developed with UNEP regional offices. This vision needs to address the factors that are essential in the strengthening of environmental law.
Priority:	Opportunity for improvement
Responsibility:	Law Division

Recommendation #2:	The Law Division should foster strategic partnerships with regional and sub regional entities that can help in the delivery of training and technical assistance.
Context/comment:	To keep technical assistance and legal advisory services to a high quality as well as sensitive to country needs, The Law Division should increase the number and quality of partnerships it has with national Governing bodies and experts in environmental law. Additionally, new strategic partners that may be interested in becoming donors should be identified. Using the collaboration with the University of Eastern Finland as an example, there are significant benefits for both partners which should be showcased to potential future partners. Furthermore, as UNEP prioritise the delivery of activities in Latin America and the Caribbean Recommendation 5 opportunities arise for new partnerships in the region. Key partnerships should be maintained to ensure financial security and a high standard of project delivery are outlined in Section C. Stakeholders. Potential partners with whom to instigate relations include new Governing bodies and national officials as the geographical scope diversifies.
Priority:	Opportunity for improvement
Responsibility:	Law Division

Recommendation #3:	The Law Division should develop results-based monitoring more systematically.
Context/comment:	The Law Division should develop a results-based monitoring approach that focuses on outcomes and qualitative impact, measured contemporaneously and at appropriate intervals after completion. The evaluation team explored an approach used by the Asia Development Bank for proposal to the UNEP. This approach would

	require participants who participate in capacity building training workshops to sign an undertaking to report back to UNEP at set intervals within one year of the training. They would be obliged to provide examples and evidence of how the knowledge and/or skills acquired through project activities was used/not used, explain challenges faced and give feedback on any mechanisms that could have supported them better in fulfilling the project to the outcome level most effectively. Outcome level monitoring could focus on the following: • The extent to which environmental law has been integrated into training programs for the judiciary, prosecutors and police. • Uptake of environmental law training by judges in new and improving jurisprudence. • Uptake of environmental law training by prosecutors and increase in the number of investigations, successful prosecutions and data collection. • Uptake of enforcement best practices and the concrete steps taken to improve the enforcement of environmental crime legislation. • Intermediate state monitoring could focus on the following: • Increased implementation of existing environmental laws • Improvement of environmental trends • Increased adjudication of environmental cases
Priority:	Critical
Responsibility:	Law Division

Recommendation #4:	The Law Division should increase the quality and ambition of performance indicators.
Context/comment:	A rigorous results-based monitoring approach requires finely tuned quantitative and qualitative performance targets to identify how knowledge and skills are being applied. These could address all of the ways training participants apply knowledge gained. In the context of the MEA training course, performance indicators should track how knowledge is shared, how participants are assuming more responsibility in the preparation of MEA negotiations, in the participation at actual negotiations. Monitoring for results will need to include robust data collection methods. For example, surveys should be disseminated before the training to establish baseline data. Surveys should then be sent 6 months and 1 year thereafter to identify specific examples of use of application of the knowledge acquired. On this point, the project manager noted post evaluation that online surveys are now being undertaken within the Division. Performance indicators should encompass all impacts, potential and realised, for the project. They should explore, at output level, the uptake

	of knowledge imparted at regional, sub-regional and national platforms. ny downstream effects resulting should be noted .
Priority:	<i>Critical recommendation</i>
Responsibility:	Law Division

Recommendation #5:	The Law Division should continue to scale-up its efforts to mobilise more earmarked funds which will ensure predictable, reliable funding and enable UNEP to engage in more long-term project planning.
Context/comment:	In light of the constant difficulties that UNEP faces with the financing of its activities through the Environment Fund, the Law Division should continue to accelerate and expand the scope of earmarked funds. Earmarked funds are more predictable and reliable, thereby facilitating long term project planning. Another channel for increasing resources is for UNEP to continue to broaden its base of project partners. This is important for leveraging its own resources and for expanding the scope of delivery and ensuring the highest possible quality of deliverables.
Priority:	<i>Important recommendation</i>
Responsibility:	Law Division

Recommendation #6:	The Law Division should engage governance coordinators in each of the regional offices in project design and management
Context/comment:	One of the most reliable ways to improve implementation of UNEP projects is to ensure the existence of project steering committees, which unite the project management team together with regional Environmental Governance Sub-programme coordinators. Where UNEP has put in place the project steering committee's implementation, progress can be monitored more accurately. It also means that adaptive management measures can be taken if and when implementation is off track. External strategic guidance can also be enhanced through the input of external actors, for example the Montevideo V focal points and the project's external partners.
Priority:	<i>Critical recommendation</i>
Responsibility:	Law Division

Table 20: Recommended Improvements for each product/action tracked by current performance indicators

Product/action tracked by current performance indicators	Recommended Improvements All performance indicators to be tracked biannually
Number of police, prosecutors and judges trained	How many cases have they successfully managed/ struggled to use acquired knowledge and skills in, since activity? In what field of work have they been working in? How did they feel they used the knowledge/skills acquired positively/negatively?
Laws passed	What impact does this law have on other beneficiaries (e.g. businesses, members of civil society, the environment, marginalised/vulnerable groups, gender equity) How tightly has this law been enforced? What more could be done to further ensure its enforcement/development?
Training manual produced	What is its intended and actual target audience? Has it been published/shared accordingly? Is there evidence of uptake among the beneficiaries that can be linked with the resource?

Annexes

Annex I. List of Interviewees

Elizabeth Mrema - Director, UNEP Law Division
Arnold Kreilhuber - Deputy Director and Senior lawyer, Law Division
Cristina Zucca - Coordinator, Environmental Governance Sub-Programme
Sylvia Bankobeza - UNEP Project Manager
Masa Nagai - First project manager supervisor
Maria Manguiat - Head, National Environmental Law Unit
Robert Wabunoha - UNEP Regional Office for Africa
Wanhua Yang - UNEP Regional Office for Asia Pacific
Andrea Brusco - UNEP Regional Office for Latin America and the Caribbean
Andrew Raine - Head, International Law Unit
Fatma Twahar- UNEP Fund Management Officer
Seita Romppanen - Senior lecturer, University of Eastern Finland
Michael Wamasebu, Office of the Director of Public Prosecution, Uganda

Annex II. Interview Survey

Evaluation of UN Environment Institutional Capacity Building Activities

* Required

1. 1. What is your name and title? *

2. 2. Which of the UN Environment technical assistance, legal advisory services, or training activities have you participated in? Please see Appendix A (<https://bit.ly/2lblyMf>) *

3. 3. How helpful were the activities in which you participated? *

Mark only one oval.

	1	2	3	4	5	6	7	8	9	10	
Not very helpful	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	Extremely helpful

4. 4. What were the strengths of the specific activity in which you participated? *

5. 5. What were the shortcomings of the specific activity in which you participated? *

6. 6. How did these activities equip you, the participant, to develop and/or strengthen environmental laws and institutions in your country? *

7. 7. Since engaging in these activities, has your country adopted new environmental legislation and/or strengthened law or institutions? If so, please comment. *

Check all that apply:

- ☐ Yes
- ☐ No
- ☐ Other: _____

8. 8. Please provide examples of how you used the knowledge and skills imparted in the UN Environment activities to develop and/or strengthen law and institutions? *

9. 9. What were the challenges that you faced in strengthening and/or developing environmental laws and institutions? *

10. 10. What further support do you need from UN Environment in the development and enforcement of environmental law? *

11. 11. How can UN Environment's capacity building work be improved? *

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All documents uploaded onto PIMS were consulted and used to varying degrees by the evaluation team:

Document Name as written on PIMS	Date Uploaded to PIMS
<i>"Report of the Caribbean workshop for drafting legal formulations to address adaptation and low-emission carbon resilient development strategy requirements St. George's, Grenada, 2-4 March 2014"</i>	2019-04-02 15:11:12
<i>"Africa-Asia expert meeting on enforcement of environmental law, inter-regional technical co-operation under the framework of South South co-operation Jin Tai Hotel, Beijing China 19-23 May 2014"</i>	2019-04-02 15:09:34
<i>"The Law on Environmental Protection"</i>	2019-04-02 15:00:01
<i>"Mauritius National Legal Review to identify gaps for Sustainable Development Legislation"</i>	2019-04-02 14:55:45
<i>"Comisión de pueblos andinos, amazónicos y afroperuanos ambiente y ecología cambio climático: avances y perspectivas"</i>	2019-04-02 14:53:43
<i>"Regional forum for the police and prosecutors in environment crime "greening police and prosecutors education programmes in Africa 22nd - 24th January 2018, Entebbe, Uganda."</i>	2019-04-02 14:45:22
<i>"UNEP contribution to the University of Eastern Finland for MEA Course 2018"</i>	2019-03-01 10:36:16
<i>"UNEP contribution to the University of Eastern Finland for MEA Course 2017"</i>	2019-03-01 10:35:32
<i>"Support organization of the Regional Symposium for Greening the Judiciary"</i>	2019-03-01 10:28:53

<i>"Support Judicial Programs in Ghana SSFA amendment"</i>	2019-03-01 10:24:29
<i>"Sierra Leone Support to Judiciary Police and Prosecutors Training Programme"</i>	2019-03-01 10:20:49
<i>"Support Judiciary Program Malawi"</i>	2019-03-01 10:16:47
<i>"Letter on results from Malawi"</i>	2019-02-20 15:31:42
<i>"UN to UN Agency-UNDP Cambodia SSFA"</i>	2019-02-20 15:25:17
<i>"IUCN Academy SSFA"</i>	2019-02-20 15:20:41
<i>"UN to UN Agency Contribution Agreement - IOM/UNEP"</i>	2019-02-20 15:17:57
<i>"Institute of Global Environmental Strategies SSFA"</i>	2019-02-20 15:14:32
<i>"Gross National Happiness Commission SSFA"</i>	2019-02-20 15:10:38
<i>"Earth Rights International SSFA"</i>	2019-02-20 15:07:19
<i>"China University of Political Science and Law"</i>	2019-02-20 15:05:31
<i>"Client Earth SSFA"</i>	2019-02-20 15:01:12
<i>"Environmental crime manual for Kenya Prosecutors"</i>	2019-01-23 10:57:30
<i>"Evaluation of the TOT of ASSELAU"</i>	2018-11-23 11:46:37
<i>"ASSELAU TOT- Environmental law and gaps through Life Maps"</i>	2018-11-23 11:45:06
<i>"Train the Trainers lecturers in Africa Report"</i>	2018-11-23 11:43:15
<i>"Maputo Declaration on Greening Judiciaries in Africa"</i>	2018-11-23 11:37:38

<i>"Training Manual on Environmental Law for Judges and Magistrates in Africa"</i>	2018-11-23 11:36:00
<i>"The Africa judicial training network on environmental law"</i>	2018-11-23 11:33:49
<i>"Second Regional Symposium on Greening the Judiciaries in Africa"</i>	2018-11-23 11:32:15
<i>"Greening the Judiciary in Africa"</i>	2018-11-23 11:28:18
<i>"Needs assessment for Prosecutors (State Counsels and Sierra Leone Police)"</i>	2018-11-23 11:25:38
<i>"Report of Judiciary Environmental Law Initiatives"</i>	2018-11-23 11:22:39
<i>"video of UNEP Asia awards on tackling environmental crime"</i>	2018-11-23 11:01:02
<i>"ASSELAU Report"</i>	2018-11-21 11:12:41
<i>"Earth Rights International Report"</i>	2018-11-21 11:11:17
<i>"Evaluation Report of the 2018 MEA Course"</i>	2018-11-20 15:35:16
<i>"Substantive report on capacity building programme for Malawi for Judges and other Law Enforcement Officials"</i>	2018-11-20 15:20:57
<i>"Report of Training of Forensic Experts"</i>	2018-11-20 15:18:48
<i>"Report on Regional Training of Magistrates in Environmental Law"</i>	2018-11-20 15:17:27
<i>"Curriculum for training investigators and prosecutors"</i>	2018-11-20 15:15:39
<i>"Africa Judges and Magistrates Symposium"</i>	2018-11-19 15:20:04
<i>"Reports for integrating environmental law in national training courses"</i>	2018-11-19 15:14:19
<i>"Energy Explanatory text"</i>	2018-11-19 14:52:40

<i>"Entebbe Action Plan for Prosecutors and investigators"</i>	2018-07-15 00:19:08
<i>"National capacity building activities for Malawi"</i>	2018-07-15 00:09:00
<i>"SSFA with Kenya for national capacity building activities for Kenya"</i>	2018-07-15 00:04:43
<i>"SSFA with Ghana"</i>	2018-07-15 00:02:52
<i>"Report of the Montevideo Focal Points for Africa"</i>	2018-07-14 23:34:16
<i>"Consultant report for curriculum development"</i>	2018-07-09 15:47:55
<i>"Entebbe Action Plan"</i>	2018-07-09 15:42:05
<i>"Entebbe Police and Prosecutors Forum"</i>	2018-07-09 15:39:33
<i>"Report on the symposium on 'the effectiveness and judicial education of environmental law in francophone Africa' "</i>	2018-07-09 15:37:32
<i>"Report of the French speaking Africa programme on effectiveness of environmental law and integrating environmental curriculum in prosecutors and police training programs"</i>	2018-07-05 11:57:47
<i>"Integrating environmental crime management into curricula of Police and Prosecutor Education programmes in Africa"</i>	2018-07-05 11:54:15
<i>"Agenda Regional Parliamentary Meeting held in Kampala"</i>	2017-12-08 09:27:09
<i>"Environmental Impact Assessment Bill 2017"</i>	2017-12-01 11:53:24
<i>"The Handbook on Legal Liabilities arising under Environmental Laws and Other Laws in Vietnam"</i>	2017-12-01 11:51:58
<i>"Training Manual for Judges"</i>	2017-12-01 11:49:17
<i>"Report on an enforcement workshop in Seychelles"</i>	2017-12-01 11:48:23
<i>"Appreciating the work of the organization for supporting Malawi"</i>	2017-12-01 11:47:32

<i>"Training Manual for Judges"</i>	2017-12-01 11:46:29
<i>"Guide on investigation and prosecution"</i>	2017-12-01 11:45:17
<i>"National Sentencing Guide Malawi"</i>	2017-12-01 11:44:21
<i>"Proposal with a Centre of Excellence in Asia"</i>	2017-12-01 10:59:41
<i>"Proposal for a Centre of Excellence at Wuhan University, China"</i>	2017-12-01 10:55:12
<i>"Implementation Plan with the China Centre of Excellence"</i>	2017-12-01 10:50:52
<i>"Nigeria EIA bill 2017"</i>	2017-11-30 14:29:19
<i>"Enforcement of Environmental Law Good Practices from Africa and Asia (Volume II)"</i>	2017-11-30 13:40:20
<i>"List of participants 2017 MEA Course"</i>	2017-11-30 13:17:26
<i>"Agenda UEF/UNEP Joint Annual Course on MEAS"</i>	2017-11-30 13:13:37
<i>"Strengthening Institutional Capacity of Countries in Environmental Law through Training, Technical Assistance, Sharing Expertise and Legal Guidance Materials_PRC report_3012014"</i>	2017-10-11 10:20:13
<i>"Strengthening Institutional Capacity of Countries in Environmental Law through Training, Technical Assistance, Sharing Expertise and Legal Guidance Materials_approved prodoc_28012014"</i>	2017-10-11 10:14:48
<i>"Strengthening Institutional Capacity of Countries in Environmental Law through Training, Technical Assistance, Sharing Expertise and Legal Guidance Materials - Final Word document"</i>	2017-09-28 08:35:01
<i>"Revised Draft Environmental Enforcement Guidelines 2017 of Nigeria"</i>	2017-06-26 12:46:06
<i>"Workshop report on training of magistrates from Malawi"</i>	2016-12-06 16:02:04
<i>"Joint UNEP UEF MEA Course Agenda 2016"</i>	2016-12-06 10:07:21

<i>"Kenya Judicial training Kisumu"</i>	2016-12-06 09:53:52
<i>"Joint UNEP UEF MEA Course Participants 2016"</i>	2016-12-06 09:51:27
<i>"Tanzania - prosecution and investigations guidelines"</i>	2016-12-05 16:34:56
<i>"Sierra Leone - report of Parliamentarians on MEAs"</i>	2016-12-05 16:30:19
<i>"Malawi - Draft sentencing guidelines"</i>	2016-12-05 16:28:33
<i>"Malawi - Guidelines for Investigation and Prosecution"</i>	2016-12-05 16:27:22
<i>"Kenya - Judicial Training manual"</i>	2016-12-05 16:25:18
<i>"Nigeria Draft EIA Law under review"</i>	2016-12-05 16:05:10
<i>"Agenda Malindi judiciary workshop"</i>	2016-12-05 11:33:48
<i>"Report Rabat Morocco Meeting"</i>	2016-12-05 09:40:12
<i>"Additional activity for the project"</i>	2016-05-09 10:30:00
<i>"The capacity of (developing) countries is enhanced to develop and enforce (environmental) laws and strengthen institutions to achieve internationally agreed environmental objectives and goals, and to comply with related obligations"</i>	2016-05-09 10:30:00
<i>"Knowledge and skills set in environmental law imparted at Regional and Inter-regional levels for Government officials and related stakeholders together vested with a set of best practices on enforcement."</i>	2016-05-09 10:30:00
<i>"Technical assistance, legal advisory services and training provided to countries to strengthen National Environmental Legislation and related Institutions"</i>	2016-05-09 10:30:00

<i>“Knowledge and skills set in environmental law imparted at global platforms for government officials on environmental law and policy as well as MEAs and Diplomacy and a set of legal guidance materials made available online”</i>	2016-05-09 10:30:00
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Annex IV. Summary Responses to Interview Survey

1. What is your name and title?	2. Which of the UN Environment technical assistance, legal advisory services, or training activities have you participated in? Please see Appendix A (https://bit.ly/2hlyMfM)	3. How helpful were the activities in which you participated?	4. What were the strengths of the specific activity in which you participated?	5. What were the shortcomings of the specific activity in which you participated?	6. How did these activities equip you, the participants, to develop and/or strengthen environmental laws and institutions in your country?	7. Since engaging in these activities, has your country adopted new environmental legislation and/or strengthened law or institutions? If so, please comment.	8. Please provide examples of how you used the knowledge and skills imparted by the UN Environment activities to develop and/or strengthen law and institutions?	9. What were the challenges that you faced in strengthening and/or developing environmental laws and institutions?	10. What further support do you need from UN Environment in the development and enforcement of environmental law?	11. How can UN Environment's capacity building work be improved?
Redacted	Redacted		How environmental protection tools will be imparted to prosecutors and police as law enforcers	Most of the law enforcers are not aware of environmental crimes	I learn on issues contributing to environmental crimes and as a trainer in training me fellow police officer on environmental crimes	Yes	In my institution the environmental crimes is part of the topic in one of the subject call cross cutting issues	Little knowledge on environmental crimes or issues and law	Continue supporting the training eg. TOT for officers so that they will be ambassador in their respective institution	I don't think so but time can be revised
Redacted	Redacted		the legal framework of natural resources and consequences of bad resource management	There was no baseline regarding the use of natural resources done by the UNODC. Such a study could help me to have an overview of the global situation. I know very well my home country situation but nothing about what happens elsewhere in the world.	The best practice and experience of other participant countries give me some ideas of what to improve in my own country.	We do have very good environmental legislation and I am not the person who change it because the State use to promote the good management of the environment.	I got better skills on how to train our staff on environmental law, the experience of other African countries is highlighted in my expies now.	The fact that I am in charge of so many area and therefore I do not have enough time for increasing everything about environmental law	I need to attend more international training where the own experience of is exchange and helpful for me.	To engage in activities regarding environmental law in each country with the help of UN representative my country.
Redacted	Redacted		1. Development of a framework manual of environmental law in Africa 2. Training of trainers	Time was not enough for the training of trainers session	I went back with new methodology of teaching environmental law. I was also a good opportunity for me to update my course of environmental law and to give contributions in different local and sub-regional universities.	No, but there is actually a project on a new environmental legislation which is being discussed. And I have even attended the discussions but before the symposium.	I am a lecturer. I teach courses related to Environment protection and I really updated all my courses. I am also preparing my Ph. D project on climate change law.	The collaboration of the public services. Environmental law is something almost new in some countries.	We need more trainings of trainers (ToT)	UN Environment's capacity building is already made. But you need to focus more your trainings on the least developed countries.
Redacted	Redacted		We were made aware on how cities operates and how to deal with 10 environmental crimes	Most countries have not developed laws to deal with environmental crimes and wildlife	We are now in a better position to can prosecute what previously we did not take it to be an environment crimes	Yes	We have advised the government to come up with laws to deal with environmental crimes and measures to combat it	Lack of adequate resources in the form of enlisting prosecutors on how to prosecute this offences	Study materials	By conducting seminars which will teach both the prosecutors and police officers on how to deal with such crimes
Redacted	Redacted		The strengths were in the technical advice I could provide and in guiding the process of initiating activities and bringing them to a logical conclusion.	In REDACTED for example I am in a lot of effort in drafting the framework environmental law with the country but unfortunately when the Minister moved the process stalled it is still pending. There are always limits on how far UN Environment can ensure the law goes through parliament and other internal processes if the government is not involved.	Every technical assistance activity is unique and does equip and provide lessons for countries to develop and strengthen environmental law and institutions in the country. The fact that the process is endogenous in that it engages local experts retains the capacity for future activities in the country.	I am working for the UN	N/A	My responsibility is up to developing a draft text I have very little control on what goes on to adoption of the law it can take years or may not happen depending on many things including change of personnel, schedules of parliament or change of priorities.	N/A	N/A
Redacted	Redacted		Relevant aspects concerned the presentation of indicators to assess the degree of effectiveness of environmental law through the study of 4 practical cases	This activity allowed me to approach the study of environmental law in Africa from a more concrete and practical angle	This activity allowed me, back in my country, REDACTED, to transmit the ideas related to the indicators of effectiveness, to my Masters students in environmental law	Tunisia has created a constitutional body for sustainable development and the right of future generations at the level of the Constitution of 27 January 2014. It is in the process of constitution	We have established a "legal clinic" activity within our faculty	The institutional environment is receptive to environmental issues in Tunisia	Broader dissemination of information in French and Arabic	More links with educational authorities
Redacted	Redacted		Interaction between participants; learning from counterparts from other countries; looking at uniform manner in which we can educate each other; how to introduce environmental crime programmes into training curriculum; learning techniques of developing curriculum on environmental crimes education.	As a member of our recently established environmental crimes unit I assisted me to understand the concepts regarding environmental crimes, how to approach cases of this nature, how to liaise with counterparts in other countries, how to guide police in the investigations of such crimes.	Yes, the establishment of our environmental crimes unit in our organization comprising of prosecutors specifically dealing with environmental crimes at each station in the country.	By recommending the inclusion of the introductory training programme; by assisting junior prosecutors and police investigators in dealing with environmental crime cases.	The ineffective enforcement of current legislation/laws, lack of knowledge when it comes to environmental crime from law enforcement agencies; lack of manpower; funds and expertise.	Funding to hold workshops and training on the investigation and prosecution of environmental crimes; transference of knowledge and skills in the effective investigation and prosecution of all environmental crimes; funding for the establishment of a laboratory for the exclusive usage of environmental crime cases.		Increase the number of training to all corners of the country; touring of Zambia, Kwangab, Kunene and Otjozondjupa Regions to see what is happening in those areas; funding of the handbook on environmental crime for it to not only be available to prosecutors but to all law enforcement agencies, i.e. police, MET officials and conservancy officers.
Redacted	Redacted		practical cases discussed during the 8 workshop	the time was too short (two days only), we did not get enough time to discuss in deep all raised issues	To increase my personal knowledge on the topic because we do not have some aspects in my country (elephant, panthers,...)	No, we have already a specific law promulgated in 2018 aiming to protect the fauna.	I use them especially when I am training junior staff through elementary skills notions	I have to increase more knowledge because it is quite new for me.	If I can get a specialized course about the topic, it would be great and helpful.	To put together on a regular basis during meeting or conference, key persons in charge of the protection of the environment especially on how to prosecute this kind of criminals and therefore learning each from other (best practices)
Redacted	Redacted		9 The knowledge of the facilitators	none	The legal environment raise awareness on what to do, especially that as an organization/country we are yet to develop policy/legislation/procedures to deal with these issues	Yes	I have influenced the formulation of police officers training environment	The lack of understanding of the impact of environmental crimes in Kambian by many of our law enforcement officials.	Training manuals for both facilitators and learners	UN should source the most qualified personnel to develop training manuals for specific countries especially in the Southern African Region.
Redacted	Redacted		knowledge acquired on how pollution has increasingly becoming a crime	lack of adequate legislation among many nations to enforce these breaches to protect the universe	No		We have since become aware about environmental crimes and so require to train our police officers on environmental crime and risk awareness	we are still face with numerous challenges, we need to build materials, train our instructors and then kick off and then include these aspects into the training curriculum of the Zambian police training		By involving many stakeholders especially among developing nations, enforcement of environmental crimes in a number of these nations is still very low
Redacted	Redacted		Our participation in this symposium has enabled the strategic development of environmental issues in the judicial field and has resulted in a firm commitment to the future African Network of Magistrates on the greening of proceedings by the adoption of the Maputo Action Plan on the Greening of Judicial Proceedings. The symposium was a platform for discussions and exchange of experiences between trainers and heads of judicial institutions, particularly with regard to the implementation of judicial manual in environmental law in Africa as regards development of training curriculum.	Lack of time to better understand the Maputo Action Plan and to better discuss the training curriculum for future magistrates and judges	Thanks to this symposium, we took the initiative to adopt an action plan for integrating environmental law courses into the training curriculum for future magistrates and judges	Yes	The implementation of the action plan for the integration of environmental law in courses required the approval of the Scientific Council as well as financial means	As part of the implementation of the ENMG action plan, the development of a Malagasy judicial manual in environmental law through the adaptation of the judicial manual in environmental law in Africa is one of our priorities. Despite the support of the IFOD in this regard, we still need funding for the development, vulgarisation and editing of the manual. According to the capacity building needs of judges involved in the implementation of environmental law, we need your financial support for the organization of continuing training for judges regarding the challenges to the implementation of environmental laws in Madagascar especially concerning various sectoral issues such as forestry, agricultural, land and mineral resources.		By working in close collaboration with the training institutes while promoting the analysis of the capacity building needs of the actors involved in the implementation of environmental laws.