



United Nations Environment Programme

**Terminal Evaluation of the UNEP Project  
(Interim) Secretariat services to the Framework Convention for  
the Protection of the Marine Environment of the Caspian Sea**

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## Project Identification Table

<b>UNEP PIMS ID:</b>	00270	<b>IMIS number:</b>	3A82
<b>Sub-programme</b>	(2010-2011 & 2012-2013) SP4 Environmental Governance	<b>Expected Accomplishment</b>	(2010-2011 & 2012-2013) EA-a and EA-c
<b>Managing Division</b>	UNEP Regional Support Office (RSO)	<b>Linkage with PoW Outputs</b>	2010/11-434 2012/13-313 2012/13-416 2012/13-434 2014/15-416
<b>Geographical Scope:</b>	Regional	<b>Region:</b>	Europe/ Eastern Europe, Caucasus Asia and Pacific/ Central Asia
<b>Participating countries:</b>	Azerbaijan, Islamic Republic (IR) of Iran, Kazakhstan, Russian Federation, Turkmenistan		
<b>Expected Start Date:</b>	January 2009	<b>UNEP approval date:</b>	18.09.2009
<b>Actual start date:</b>	January 2009	<b>Planned duration:</b>	60 months
<b>Intended completion date:</b>	December 2013	<b>Actual completion date:</b>	December 2014
<b>Planned project budget at approval</b>	\$2,168,900	<b>Secured budget:</b>	\$1,808,900
<b>UNEP contribution</b>	0\$	<b>Co-financing:</b>	0\$
<b>Mid-term review/eval. (planned date):</b>	N/A	<b>Terminal Evaluation (actual date):</b>	April 2014
<b>Mid-term review/eval. (actual date):</b>	N/A	<b>No. of revisions:</b>	16
<b>Date of last Steering Committee meeting:</b>	N/A	<b>Date of last Revision:</b>	December 2013

## Acronyms

AZ	Azerbaijan
CaspEco	Short name for full project name: “The Caspian Sea: Restoring Depleted Fisheries and Consolidation of a Permanent Regional Environmental Governance Framework”
FAO	Food and Agriculture Organization
GRID	Global Resource Information Database
GEF	Global Environment Facility
IMO	International Maritime Organization
IR-I	Islamic Republic of Iran
IWC	GEF Biennial International Waters Conference
IWRM	Integrated Water Resources Management
KMG	KazMunaiGaz (National Oil and Gas Company of Kazakhstan)
KZ	Kazakhstan
LBS	Land-based sources of pollution Protocol to the Tehran Convention
M&E	Monitoring and Evaluation
NFP	National Focal Point
NCAP	National Caspian Action Plan
NC	National Coordinator
NCLO	National Convention Liaison Officer
NPCO	National Project Coordination Officer
NSCAP	National Strategic Convention Action Plan
OECD-DAC	Organisation for Economic Co-operation and Development, Development Assistance Committee
OPS	Office of Project Services (UN)
OSPRI	Oil Spill Preparedness Regional Initiative
PA	Protected Area(s)
PIMS	Programme Information Management System
QA	Quality Assured
RF	Russian Federation
SAP	Strategic Action Programme
SCAP	Strategic Convention Action Programme
SEIS	Shared Environmental Information System (European Environment Agency)
SPACE	Special Protected Areas of the Caspian Ecosystem
TA	Technical Assistance
TC	Tehran Convention or “Framework Convention for the Protection of the Marine Environment of the Caspian Sea”
TCIS	Tehran Convention Interim Secretariat
TCPS	Tehran Convention Permanent Secretariat
TDA	Transboundary Diagnostic Analysis
TK	Turkmenistan
UEMP	Unified Ecosystem Monitoring Program
UNDAF	United Nations Development Assistance Framework
WB	World Bank

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## Table of Contents

Project Identification Table .....	1
Acronyms.....	2
Acknowledgements.....	3
Table of Contents .....	4
Table of Figures .....	5
Table of Tables .....	5
Executive Summary .....	6
<b>I. Introduction .....</b>	<b>19</b>
<b>II. The Evaluation .....</b>	<b>21</b>
<b>III. The Project .....</b>	<b>23</b>
A. Context .....	23
B. Objectives and components.....	25
C. Target areas/groups and partners.....	26
D. Milestones/key dates in project design and implementation.....	27
E. Implementation arrangements .....	28
F. Project financing.....	28
G. Changes in design during implementation.....	28
H. Reconstructed Theory of Change of the project .....	28
<b>IV. Evaluation Findings.....</b>	<b>31</b>
A. Strategic relevance – Highly Satisfactory .....	31
i. Realism of project objectives.....	31
ii. Sub-regional environmental issues and needs .....	31
iii. Consistency of project objectives and implementation strategies with UNEP mandate and policies .....	32
iv. Consistency of (Interim) Secretariat activities with COP decisions .....	32
B. Achievement of outputs – Highly Satisfactory .....	32
i. Output A – Servicing of the Tehran Convention .....	33
ii. Output B- Support for national and regional implementation .....	34
iii. Output C - Resource mobilisation.....	34
iv. Output D - Regional monitoring and information-sharing .....	35
v. Output E - Public Awareness and NGO engagement in the TC process.....	35
C. Effectiveness – Satisfactory .....	36
i. Evaluation of the achievement of direct outcomes as defined in the project’s reconstructed Theory of Change – Satisfactory .....	36
ii. Likelihood of impact using Review of Outcomes to Impact (ROtI) approach - Satisfactory .....	45
iii. Review of project logframe to assess achievement of the formal project overall objective, overall purpose, goals and component outcomes – Highly Satisfactory .....	56
D. Sustainability, catalytic role and replication – Highly Likely.....	57
i. Sustainability.....	57
ii. Catalytic role – Highly Likely .....	60
iii. Replicability of the project – Highly Likely .....	62
E. Efficiency – Highly Satisfactory.....	63
i. Cost-saving measures adopted by the project .....	63
ii. Time-saving measures adopted by the project .....	64

iii.	Impact of delays on project execution, cost and effectiveness .....	64
iv.	Efforts to build upon pre-existing initiatives, institutions, agreements and partnerships .....	64
F.	Factors affecting performance –Satisfactory .....	64
i.	Preparation and readiness – Highly Satisfactory .....	64
ii.	Project implementation and management – Highly Satisfactory .....	67
iii.	Stakeholder participation and public awareness – Moderately Satisfactory .....	70
iv.	Country ownership and driven-ness – Highly Satisfactory .....	71
v.	Financial planning and management - Satisfactory .....	72
vi.	Supervision, guidance and technical backstopping – Moderately Satisfactory .....	74
vii.	Monitoring and Evaluation – Moderately Unsatisfactory .....	75
G.	Complementarity with UNEP Strategies and Programmes - Satisfactory .....	76
i.	Alignment with the Bali Strategic Plan (BSP) .....	76
ii.	Gender .....	76
<b>V.</b>	<b>Conclusions, Lessons Learned and Recommendations .....</b>	<b>77</b>
	<b>ANNEXES.....</b>	<b>89</b>
A.	Evaluation TORs (too long to be added).....	89
B.	Project Logical Framework .....	102
C.	List of interviewees.....	104
D.	Bibliography.....	105
E.	Brief Bio of the consultant.....	107

#### Table of Figures

Figure 1 - Reconstructed Theory of Change .....	<b>23</b>
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#### Table of Tables

Table 1 - Project Rating Table .....	10
Table 2 – Impact Drivers and Assumptions for the Intermediate Results .....	45
Table 3 - Rating Scale for Outcomes and Progress towards Intermediate States .....	51
Table 4 – Assessment of Outcomes and progress towards Intermediate States and Impact .....	51
Table 5 ‘Overall likelihood of impact achievement’ on a six point scale. ....	53
Table 6 – Estimated Project Costs .....	72
Table 7 - Breakdown of Actual Expenditures .....	72
Table 8 - Overview of lessons learned and recommendations.....	78
Table 9 – Responses to the fundamental evaluation questions and specific considerations for the new Permanent Secretariat.....	83
Table 10 - TCIS Terminal Evaluation list of interviewees: .....	87

## Executive Summary

1. The terminal evaluation of the UNEP project “(Interim) Secretariat services to the Framework Convention for the Protection of the Marine Environment of the Caspian Sea”, is being undertaken towards the end of the project’s completion to assess project performance (in terms of relevance, effectiveness and efficiency). The evaluation will also determine outcomes and impacts (actual and potential) stemming from the project, including their sustainability. The evaluation is being conducted in accordance with UNEP’s Evaluation Policy, the UNEP Evaluation Manual and the Guidelines for GEF Agencies in Conducting Terminal Evaluations.

2. The current project under evaluation – “(Interim) Secretariat services to the Framework Convention for the Protection of the Marine Environment of the Caspian Sea” – involves the UNEP Regional Office for Europe (UNEP/ROE) acting as the (Interim) Secretariat of the Tehran Convention<sup>1</sup> and its ancillary Protocols. One of the key objectives of the project was to ensure the successful implementation of the Convention and its Protocols and to provide the necessary legal and policy advice and support for the development of new Protocols.

3. The Tehran Convention entered into force in 2006. It aims to protect the Caspian environment from all sources of pollution. It also provides measures for the preservation, restoration and protection of the marine environment of the Caspian Sea. The Tehran Convention is the first legally-binding agreement to be adopted by the littoral States.

4. The Tehran Convention has set the stage for trans-boundary cooperation and joint action, and continues to be one of the few regional agreements where the five Caspian states engage directly in discussion with each other.

5. This terminal evaluation has two primary purposes: (i) to provide evidence of results of the work of the (Interim) Secretariat to meet accountability requirements, and (ii) to promote learning, feedback and knowledge sharing through results and lessons learned among UNEP, governments and both international and national executing agencies. These learnings will equip UNEP in its ongoing work in the administration of other regional conventions including the Regional Seas Conventions. The evaluation approach included analysis of all project documentation and telephone interviews with representatives from the Caspian littoral States, Interim Secretariat, UNEP and the GEF. The evaluation was conducted from September to December, 2014. The evaluation identified lessons of operational relevance for the Permanent Secretariat that will be established in Baku, Azerbaijan.

6. Given the difficulties of the region and the modest resources available for the implementation of this project, the (Interim) Secretariat has performed an excellent role in assisting the Parties to operationalise the Tehran Convention. Many interviewees noted that without the Tehran Convention’s (Interim) Secretariat (TCIS), it is highly unlikely that the Tehran Convention process could have been sustained over the past years.

7. There are a number of important conclusions about the TCIS’s overall impact in the implementation of the Tehran Convention and its Protocols. These are briefly summarised accordingly.

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<sup>1</sup> The Framework Convention for the Protection of the Marine Environment of the Caspian Sea is also known as the “Tehran Convention”- named after the city where it was adopted in 2003

8. First, the TCIS succeeded in developing the institutional framework of the Tehran Convention. This effort is evidenced by the fact that despite multiple challenges and faced with minimal resources, the TCIS managed to successfully organise five COPs, three of which adopted Protocols and a decision to locate the Permanent Secretariat in the region. These COP outputs are an important expression of growing country ownership over the process and commitment to sustain the political momentum of the TC process.

9. Second, the TCIS's efforts in supporting national implementation structures were highly appreciated by the Caspian littoral States. The fact that the quality of the National Convention Action Plans (NCAPs) is uneven across the region is a function of the varying degree of political will as opposed to the efforts of the TCIS. Indeed, the countries confirmed that the TCIS provided them with the support that they needed to adapt the NCAPs. The key challenge will be to accelerate the mainstreaming of the NCAPs into the overall development planning process.

10. Third, the Tehran Convention's financial situation continues to be problematic. Parties have agreed to country contributions of 72,000 USD/per year. There has been a retreat of external donors due to political and economic factors and combined with the difficulties in mobilizing private sector financing, it is clear that Parties' contributions alone will enable only the most basic of services to be provided by the new Permanent Secretariat. Once again, these are factors entirely outside the control of the TCIS and once the new Permanent Secretariat is established in the region, it is expected that resource mobilisation will be easier.

11. Fourth, as regards the TCIS's efforts to promote public awareness, it should be emphasised that civil society engagement is in an early phase in the region. Despite the TCIS's best efforts and faced with limited financial resources, it is clear that the political and social context prevented the TCIS from achieving a higher level of effectiveness. That said, the TCIS succeeded in assisting the countries in integrating their Public Participation Strategies (NPPS) into their National Convention Action Plans. This is an important step forward, which hopefully will induce countries to increase public awareness and engagement efforts during national protocol ratification processes.

12. Fifth, the TCIS's efforts in monitoring and information-sharing were very successful. The Caspian Environment Information Centre, the State of Environment reports and the Biodiversity Atlas, in combination with the training of information officers, have created the enabling environment necessary for the systematic monitoring of the Caspian Sea region. Equipped with the state-of-the-art information, the Caspian countries will be able to make informed policy and legislative decisions to advance the cause of the Tehran Convention.

13. And finally, as reflected throughout this evaluation report, interviewees were unanimous in their praise for the project management team. Everyone has recognized the considerable efforts undertaken by a very small but devoted (Interim) Secretariat and the support provided by UNEP ROE. Few convention secretariats have been able to achieve so much with so few resources. The backdrop of complex political and social contexts and limited resources clearly highlights the impact that the TCIS has had during the life of this project.

14. The project rating table is included below in Table 1. The detailed assessment of each evaluation criterion is contained in Chapter 4. The overall project rating was Highly Satisfactory.

15. The following table provides a brief overview of the key lessons learned and the relevant recommendations.

## Overview of lessons learned and recommendations

Key area of analysis	Lessons learned	Recommendations
<b>Project design</b>	<ol style="list-style-type: none"> <li>1. The value of project logframes should not be under-estimated as a planning tool for governance/process projects.</li> <li>2. Measuring attribution is very complex and sometimes impossible in governance/process projects.</li> </ol>	<ol style="list-style-type: none"> <li>1. UNEP should prepare and/or update its guidance on logframes and Theory of Change tools to enable project teams to deepen their understanding about how their projects can generate real change.</li> <li>2. UNEP should devote more time in the planning process to create a rigorous logframe that incorporates a Theory of Change approach especially in projects which produce “less tangible, immediate results.”</li> <li>3. Different metrics are needed by/in/during to evaluate project success when the outcomes may not be measurable for years to come.</li> </ol>
<b>Strategic relevance</b>	<ol style="list-style-type: none"> <li>1. Trans-boundary diagnoses are extremely important tools for establishing the scientific basis of governance-regime building. They provide an objective basis upon which negotiating parties can agree on the topics to be addressed in the legal instruments. The participation of national experts helps to enhance the credibility and ownership of the results.</li> <li>2. Regional environmental governance processes can help forge dialogue amongst Parties, where political dynamics might otherwise make multi-lateral cooperation difficult.</li> </ol>	<ol style="list-style-type: none"> <li>1. Given the importance of grounding the TC regime in the best available science, it is important that the Permanent Secretariat mobilizes the resources needed to ensure and sustain the TC’s environmental monitoring activities.</li> <li>2. UNEP should continue to emphasize to political leaders the merits of regional collective action. UNEP should provide greater support to its regional offices that are responsible for administering convention secretariats.</li> </ol>
<b>Achievement of outputs and activities</b>	<ol style="list-style-type: none"> <li>1. The assessment of potential risks and identification of risk mitigation strategies should be integrated into project documents in order to plan accordingly. The influence of external factors in the achievement of outputs has to be considered more systematically at the project design phase.</li> <li>2. Risk mitigation strategies in project documents should also anticipate those factors that may be beyond the control of a project management team and which may potentially hinder project results.</li> </ol>	<ol style="list-style-type: none"> <li>1. UNEP EO should require the inclusion of SWOT analyses in terminal evaluations in conjunction with the reconstructed Theory of Change.</li> <li>2. UNEP EO should revise its ROTl framework to take into account the impact that assumptions play in the achievement of outcomes, intermediate results and ultimately impact. Scoring should be adapted accordingly.</li> </ol>
<b>Effectiveness</b>	<ol style="list-style-type: none"> <li>1. The success of environment convention secretariats is closely tied to their substantive credibility, authority and neutrality</li> <li>2. Regional environmental governance regimes are most effective when they are situated as close to the challenges and key actors as possible. This enables trust-building between the Secretariats and the Parties.</li> <li>3. Regional governance regimes require backstopping support from the Implementing Agency. However, at the</li> </ol>	<ol style="list-style-type: none"> <li>1. The TCPS must ensure that it maintains its neutrality and objectivity when it is established in the region and most especially when it rotates between host countries.</li> <li>2. UNEP should scale up its support to its regional offices, especially UNEP ROE, to ensure that it continues to support its member states effectively.</li> <li>3. UNEP must provide bridging support to the TCPS to ensure continuity and a sufficient level of resources in the re-</li> </ol>

Key area of analysis	Lessons learned	Recommendations
	<p>same time, delegated authority is essential to ensure their administrative efficiency.</p> <ol style="list-style-type: none"> <li>4. Mainstreaming environmental concerns into sectoral policies is difficult because environment ministries often rank low in the government cabinets. Compelling evidence must demonstrate the synergies between economic growth and environmental protection.</li> <li>5. The bulk of financing of regional environmental convention secretariats should come from the Parties themselves in order to stimulate country ownership. In a region such as the Caspian where countries are very wealthy, financing from the parties is even more important to demonstrate their commitment to the process.</li> <li>6. Strengthening civil society engagement in the Caspian process is challenging in new democracies. New ways of reaching out to NGOs is essential.</li> </ol>	<p>location to the region.</p> <ol style="list-style-type: none"> <li>4. The Parties should encourage their political leaders at the next Caspian Head of State Summit to continue to express their political support for the TC process and especially for the mainstreaming of NCAPs into economic development planning processes.</li> <li>5. Given the difficulties that Parties currently face in increasing their assessed contributions, the TCPS should place a high-priority on fundraising from the private sector in the region.</li> <li>6. The TCPS should mobilize a sufficient level of resources to improve their NGO engagement work. Increased efforts must be directed towards operationalizing Convention public participation commitments. This will help to bring the region closer to realizing Principle 10 of the Rio Declaration on Environment and Development<sup>2</sup></li> </ol>
<b>Sustainability and replication</b>	<ol style="list-style-type: none"> <li>1. It takes time to build country ownership in regional environmental governance regimes. Ownership grows with increased awareness and understanding of the tangible benefits of membership.</li> <li>2. The funding basis of environment convention secretariats must be secured if their long-term viability is to be ensured.</li> <li>3. Where oil revenues are the primary source of income for governments, it is still very challenging to convince state actors of the need to scale up environmental protection efforts to protect the natural resource base upon which their economic livelihoods are based.</li> <li>4. Convincing governments of the economic benefits of environmental protection is critical to the long-term success of most environmental conventions.</li> </ol>	<ol style="list-style-type: none"> <li>1. UNEP must scale up its efforts to convince governments of the tangible benefits of environment protection. It should leverage its resources and profile to convince governments to implement the TC.</li> <li>2. Because it is very difficult for the Caspian States to increase their contributions to the TC at this point, UNEP should convince the governments to increase the allocation of their domestic financial resources towards TC activities. This is very important to demonstrate the political will in order to re-engage the external donors.</li> </ol>
<b>Factors affecting performance</b>	<ol style="list-style-type: none"> <li>1. The factors that affect the performance of environment convention secretariats include high levels of efficiency (since resources are rarely abundant), deep knowledge of the region and a high level of credibility and legitimacy in the eyes of the parties. Public participation in is essential to</li> </ol>	<ol style="list-style-type: none"> <li>1. The TCPS should mobilise extra-budgetary resources to resume the public participation and engagement activities that were commenced under the CaspEco project.</li> </ol>

<sup>2</sup> The Caspian Convention does not require the parties to ratify the Aarhus Convention. However the credibility of the Parties commitment to public participation in the Caspian process is directly tied to their commitment to the Aarhus process.

<b>Key area of analysis</b>	<b>Lessons learned</b>	<b>Recommendations</b>
	the legitimacy of governance regimes.	

Table 1 below presents a summary assessment of the project's performance under the different evaluation criteria that were considered. Most criteria are rated on a six-point scale as follows: Highly Satisfactory (HS); Satisfactory (S); Moderately Satisfactory (MS); Moderately Unsatisfactory (MU); Unsatisfactory (U); Highly Unsatisfactory (HU). Sustainability and Impact Achievement are however rated from Highly Likely (HL) down to Highly Unlikely (HU).

**Table 1 - Summary of Project Performance Ratings**

Criterion	Evaluation Consultant (EC) Comments	EC Rating	EO Rating	EO Comments
<b>A. Strategic relevance</b>	<p>The project objectives were realistic considering the limited resources, the complex geo-politics of the region and the legal uncertainty of the Caspian Sea. UNEP ROE's significant prior experience in administering convention secretariats (i.e. Carpathian Convention) contributed to the realism of the objectives.</p> <p>The project clearly responded to sub-regional environmental issues and needs since the topics of the Protocols were defined in large part by the Transboundary Diagnostic Analysis on environmental issues completed during the first phase of the Caspian Environment Program.</p> <p>Equally relevant is the fact that the (Interim) Secretariat has always been able to conduct its work on the basis of a programme of work approved by the Conference of Parties, to which it is legally accountable.</p> <p>The project forms a coherent part of sub-programme 4 "Environmental Governance" of UNEP's Bi-annual Programme of Work for 2012-2013.</p>	HS	HS	EO concurs
<b>B. Achievement of outputs</b>	<p>The project team achieved a high level of success in the achievement of outputs. This is evidenced by the detailed delivery plan contained in the final Project Revision Document. This delivery plan notes the dates when each output was achieved.</p>	HS	S	<p>As represented in the reconstructed Theory of Change (ToC) analysis, indicates a highly successful performance by the project in undertaking its activities and producing Outputs A, B and D.</p> <p>Achievement of Output B was however constrained by limited resources, despite good efforts by TCIS to overcome the challenge, due to difficulties in obtaining GEF-funding in the region. Achievement of Output C was impacted by challenges in resource mobilisation, particularly from the private sector. Achievement of Output E, though very commendable under the political and social context of the region, was impacted by limitations in resources available to the TCIS to carry out</p>

Criterion	Evaluation Consultant (EC) Comments	EC Rating	EO Rating	EO Comments
				extensive public awareness and stakeholder engagement activities.
<b>C. Effectiveness: Attainment of project objectives and results</b>	<p>Against the backdrop of modest resources and complex geo-politics, the TCIS achieved a high level of success in the attainment of project objectives and results.</p> <p>The most relevant evidence consists of the fact that Parties have agreed to the following: adoption of three out of four ancillary Protocols; to the location of the Permanent Secretariat; and annual contributions to the new trust fund.</p>	S	<b>S</b>	<p>EO concurs.</p> <p>The report provides various pieces of evidence that demonstrate TCIS effectiveness in attaining the expected outcomes, goals and objectives. Based on the findings presented, the achievement of the intended Impact is also considered moderately likely, in spite of the various challenges reiterated and modest resources. Attainment of objectives and results is satisfactory, though not without shortcomings.</p>
1. Achievement of direct outcomes	<p>A number of important behavioural and institutional changes have been generated as a result of the project's successful outcomes, such as:</p> <p>The establishment of the institutional setting of the TC is evidenced by the adoption of three out of four Protocols and the decision to locate the Permanent Secretariat in the region on rotational basis.</p> <p>The importance of environmental protection is increasingly acknowledged at the highest political level as evidence by the September 2014 Caspian Heads of State Summit.</p> <p>Country ownership of the TC process is growing, as evidenced by the increasing rate of NCAPs implementation and Parties' agreement to make annual contributions to the new Trust Fund</p> <p>Public awareness is still low, although the TCIS recognizes how much needs to be done.</p> <p>States have recognized the importance of environmental monitoring and information sharing as evidenced in the establishment of the Caspian Environment Information Centre.</p>	S	<b>S</b>	EO concurs
2. Likelihood of impact	<p>The success and sustainability of project results and ability to catalyse change is highly contingent on the ability of the TCIS to contend with the impact drivers such as the following:</p> <ul style="list-style-type: none"> <li>▪ Parties' implementation capacity</li> <li>▪ Parties' willingness to engage civil</li> </ul>	L	<b>ML</b>	Evidence presented in the report suggests that at this stage it is impossible to assess whether or not the project-related changes are likely to contribute to the project impact "improved management, protection and sustainable use of the Caspian Sea" because such changes are

Criterion	Evaluation Consultant (EC) Comments	EC Rating	EO Rating	EO Comments
	<p>society</p> <ul style="list-style-type: none"> <li>▪ Availability of external funding to the Permanent Secretariat</li> <li>▪ Pace of protocol ratification in domestic governments</li> <li>▪ Parties' awareness of benefits of environmental protection</li> </ul> <p>It is important to be realistic when evaluating the outcomes to impact threat in the context of this project. At this stage it is virtually impossible to assess whether or not the project-related changes are likely to contribute to the project impact "improved management, protection and sustainable use of the Caspian Sea".</p> <p>Attribution will not be fully measurable for many years to come. During the life of the project, the focus has been on creating an enabling environment to promote implementation. Concrete change on the ground will only manifest once the Protocols are legally binding.</p> <p>The TCIS devoted efforts to laying the groundwork for the successful implementation of the TC and its Protocols. As noted above, it will probably take a generational change in order for the TC and its Protocols to be fully implemented.</p>			<p>unlikely to be measurable for many years to come, and attribution of such change to the work of this project will remain challenging.</p> <p>The focus has been on creating an enabling environment to promote implementation and concrete change on the ground will only manifest once the Protocols are legally binding, the Permanent Secretariat is established in the region, solid scientific evidence is available to guide policy development and implementation, and multi-lateral environmental negotiations in the region prove successful in steering the process forward.</p> <p>According to the ROTI methodology presented in the report, the project is considered moderately likely to achieve higher level impact.</p>
3. Achievement of project goal and planned objectives	The project was highly successful when measured against its initial log frame.	HS	<b>S</b>	The initial logframe is not clear with regard to the causal relationships between planned activities, outputs, and the intended outcomes and higher level results. Without such clear direction on how the project links elements of the project with the overarching goal and objectives – and coupled with resource limitations and geo-political complexities - they will invariably experience challenges in achieving planned objectives
<b>D. Sustainability and replication</b>	The TCIS has laid all the necessary the groundwork that will ensure the success of the Permanent Secretariat once it is established in Baku. It is important to emphasize that the level of ownership by the member states has grown significantly over the life of the project. Equally relevant is the support that the TCIS has provided to the countries to help them establish the National Implementation structures. The TCIS has also helped	HL	<b>ML</b>	All the dimensions of sustainability are deemed critical. Therefore, the overall rating for sustainability will be the lowest rating on the separate dimensions.

Criterion	Evaluation Consultant (EC) Comments	EC Rating	EO Rating	EO Comments
	to strengthen the voice of environment ministries.			
1. Financial	<p><b>The most significant financial risk that may jeopardize the full realisation of project results and progress towards impact necessary level of financing for the Permanent Secretariat.</b> The contributions from the Parties are far from adequate to properly run a secretariat.</p> <p>However, once the Permanent Secretariat is established in the region, it is hoped that it will have greater success in mobilising financial support from oil and gas companies operating in the Caspian.</p>	L	ML	The report indicates that the contributions from Parties are not sufficient to run the operations of the TC Secretariat at the required capacity - this will adversely affect the sustainability of project benefits. The reports further points to the reluctance by international donors to finance activities and consequent reliance on continued funding from the private sector – which presently presents additional challenges.
2. Socio-political	The level of ownership has grown considerably over the life of the project. At the same time, the geopolitics continue to be complex. Fortunately, Parties have agreed on the legal status of the Caspian Sea; however, external donor retreat has been problematic.	HL	L	The project has been successful in increasing the level of ownership of the project by main stakeholders and their work in this regard is very commendable. There however still remain threats to sustainability of project benefits due to external factors e.g. complexity of the geopolitics, civil society engagement, donor engagement, and issues revolving around the legal status of the Caspian Sea, among others.
3. Institutional framework	<p>The fact that Parties have now agreed to establish a Permanent Secretariat (11 years since the Tehran Convention was adopted in 2003) years is expected to greatly contribute to the long-term sustainability of the Tehran Convention process.</p> <p>Besides the feedback provided by the interviewees, including the NCLOs, another important source of evidence for the relative robustness of national institutional frameworks is reflected in the NCAP synthesis paper that is prepared for each biennial COP</p>	HL	L	<p>The establishment of a Permanent Secretariat is expected to greatly contribute to the long-term sustainability of the TC process and the national implementation structures that have been established in the Caspian littoral States,.</p> <p>One fundamental institutional challenge however, relates to the fact that most of the NCAPs are anchored within the environment ministries, which are relatively weak in government hierarchies</p>
4. Environmental	The oil and gas sector in the region will continue to grow, in large part because of growing energy demand in the world. As implementation of the Tehran Convention and its Protocols is increased in each of the five States, it is hoped that the environmental impacts of economic	L	L	EO concurs

Criterion	Evaluation Consultant (EC) Comments	EC Rating	EO Rating	EO Comments
	activity in the Caspian Sea will be mitigated effectively with a possible reversal of ecological decline trends.			
5. Catalytic role and replication	<p>Despite limited resources, the (Interim) Secretariat played an important role in helping to catalyse the following behavioural changes:</p> <ul style="list-style-type: none"> <li>▪ Parties have engaged in multilateral cooperation as a result of the TC process.</li> <li>▪ Parties succeeded in adopting three out of the four ancillary Protocols. The pace of adoption is very high relative to other multilateral environmental negotiations</li> <li>▪ All Caspian Heads of States have called for the ratification of the Protocols. This endorsement at the presidential level is very rare and signals the clear intention of the countries to elevate environmental priorities.</li> <li>▪ Parties have adopted their National Action Plans (NCAPs), an important source of evidence, of their willingness to implement the TC.</li> <li>▪ Parties have agreed to provide annual contributions to the new Trust Fund</li> <li>▪ Parties have agreed on the location of the Permanent Secretariat and its rotational basis</li> </ul> <p>Regarding replicability, it is important to emphasise that the TCIS has laid the groundwork for the Permanent Secretariat to continue working effectively.</p>	HS	HS	EO concurs
<b>E. Efficiency</b>	<p>The main cost-saving measure was the fact that the (Interim) Secretariat was run by UNEP ROE and that the (Interim) Secretariat was run on a so-called “shoe-string” budget.</p> <p>Another important element of the project’s efficiency is the fact that its programme of work replicated Outcome 2 of the third GEF-funded project in the region—the so-called CaspEco project.</p>	HS	<b>S</b>	Running a project on a “shoe-string budget” should ideally not be considered best-practice; subsequently this ought not to be considered a highly-satisfactory aspect of the project. The TCIS team’s efficiency and adaptive management under challenging circumstances is rightly acknowledged and commended. A lesson is to be drawn from this experience however, on the positive aspects demonstrated by the project in cost/resource efficiency.

Criterion	Evaluation Consultant (EC) Comments	EC Rating	EO Rating	EO Comments
<b>F. Factors affecting project performance</b>	The Project identified the correct set of stakeholders. The project did incorporate lessons from other relevant projects, especially the CaspEco project.	S	<b>S</b>	EO concurs
1. Preparation and readiness	The objectives contained in the original Project Document were clear, practical and feasible. They directly replicated the Component 2 of the CaspEco project, which was successfully implemented.	HS	<b>S</b>	The causality between planned activities, outputs and outcomes has been put to question in the ROTI and TOC assessment. Indicates that the project design had some shortcomings that would not necessarily attain a HS rating. Issues revolving around funding limitations are also mentioned as being among such shortcomings that have affected project preparation and readiness.
2. Project implementation and management	<p>The objectives were feasible because of UNEP ROE's experience with environmental governance and the administration of secretariats to multilateral environmental agreements.</p> <p>The project implementation mechanism consisted of a very sparsely-resourced (Interim) Secretariat that was run by UNEP ROE in Geneva.</p> <p>Many of the interviewees agreed that the (Interim) Secretariat could not have been controlled or managed centrally from Nairobi. Its success was due in large part to the decentralized management of a very politically-competent team that had considerable knowledge of the politics of the region and enjoyed the considerable trust and respect of the countries.</p>	HS	<b>HS</b>	EO concurs
3. Stakeholders participation and public awareness	<p>NCLOs have acknowledged the efforts of the TCIS in supporting the development and implementation of their National Public Participation Strategies and in integrating them into the National Convention Plans. However, the overall effectiveness of TCIS efforts has to be considered in the political and social context of each the Caspian littoral States.</p> <p>It should be stressed as well that most of the other interviewees confirmed that the TCIS' efforts to support public awareness and engagement efforts were seriously hampered by limited funding.</p>	MS	<b>MS</b>	EO concurs

Criterion	Evaluation Consultant (EC) Comments	EC Rating	EO Rating	EO Comments
4. Country ownership and driven-ness	Country ownership is growing and reflected by the implementation of the NCAPs, the agreement to rotate the new Permanent Secretariat, the pledge of annual contributions to the new Trust Fund; and the adoption of three of the four Protocols.	HS	<b>S</b>	Report brings to a light a significant increase in country ownership and driven-ness and commends the TCIS for achieving a great feat under challenging circumstances. The engagement of private sector in a significant way (particularly in sustainable financing) is however a key factor for the achievement of higher level impacts and this remains to be achieved.
5. Financial planning and management	At the time that the project was designed, the support provided by the GEF did enable sufficient and timely resources. When the CaspEco project was terminated, the lack of additional resources from the GEF and other external donors made it difficult for the TCIS to carry out some of its activities.	S	<b>S</b>	EO concurs
6. UNEP supervision and backstopping	Supervision was more than adequate with UNEP ROE as the first line of reporting and UNEP Headquarters as the second line of reporting. The main problem related to the lack of backstopping mechanisms.	MS	<b>MS</b>	EO concurs
7. Monitoring and evaluation	The project did not provide for a monitoring and evaluation system nor budget for its implementation. This resulted in a Terminal Evaluation being carried out with limited resources.	MU	<b>MU</b>	EO concurs
a. M&E Design	Arrangements for monitoring and evaluation were not elaborated in the project documents.	U	<b>U</b>	EO concurs
b. Budgeting and funding for M&E activities	The original budget did not provide a specific budget line for M&E activities.	U	<b>U</b>	EO concurs
c. M&E plan Implementation	The monitoring and evaluation system consisted primarily of the biennial COPs, to which the TCIS submitted regular progress reports. The TCIS also submitted every six months to UNEP.	S	<b>MS</b>	Lack of clear guidance through a formal M&E system (including roles and responsibilities, timelines, performance indicators, etc.) and the corresponding budgetary allocation, present significant obstacles to the implementation of project monitoring and evaluation for accountability and adaptive management
<b>G. Complementarity with UNEP strategies and programmes</b>	The project is aligned with the Bali Strategic Plan, however it did not consider gender issues.	S	<b>S</b>	EO concurs.

Criterion	Evaluation Consultant (EC) Comments	EC Rating	EO Rating	EO Comments
Overall project rating		HS	S	The EO acknowledges that the report provides detailed evidence and analyses for the assessments made under the various evaluation criteria. It is also acknowledges that the TCIS project has achieved a commendable and satisfactory performance even in spite of the several challenges and shortcomings as has been presented in the evaluation report.

## I. Introduction

15. The terminal evaluation of the UNEP project “(Interim) Secretariat services to the Framework Convention for the Protection of the Marine Environment of the Caspian Sea” (hereinafter referred to as the ‘Project’), is being undertaken towards the end of the project’s completion to assess project performance (in terms of relevance, effectiveness and efficiency). The evaluation will also determine outcomes and impacts (actual and potential) stemming from the project, including their sustainability. The evaluation is being conducted in accordance with UNEP’s Evaluation Policy<sup>3</sup>, the UNEP Evaluation Manual<sup>4</sup> and the Guidelines for GEF Agencies in Conducting Terminal Evaluations.<sup>5</sup>
16. The project involves the UNEP Regional Office for Europe (UNEP/ROE) acting as the (Interim) Secretariat of the Tehran Convention and its ancillary Protocols. One of the key objectives of the project was to ensure the successful implementation of the Convention and its Protocols and to provide the necessary legal and policy advice and support for the development of new Protocols.
17. This terminal evaluation has two primary purposes: (i) to provide evidence of results of the work of the (Interim) Secretariat to meet accountability requirements, and (ii) to promote learning, feedback and knowledge sharing through results and lessons learned among UNEP, governments, and both international and national executing agencies. These learnings will equip UNEP in its ongoing work in the administration of other regional conventions including the Regional Seas Conventions.
18. It is important to recall that the Tehran Convention itself grew out of the GEF-funded Caspian Environment Program (CEP), which was established in 1998. This was the first of a series of GEF projects in the region.
19. The CEP, funded by the GEF through UNDP, was agreed in 1995 and officially launched in 1998. The Tehran Convention was adopted in 2003, became the first legally binding regional agreement signed by all five Caspian littoral States (Republic of Azerbaijan, Islamic Republic of Iran, Republic of Kazakhstan, Russian Federation and Turkmenistan), laying down the general requirements and the institutional mechanism for environmental protection in the Caspian region.<sup>6</sup> Driven under the auspices of UNEP within the framework of the CEP and following a ratification process by all five governments of the Caspian littoral states, the Tehran Convention entered into force on 12th August 2006.
20. The GEF Secretariat approved a second phase of support to the CEP through a project titled “Towards a Convention and Action Program for the Protection of the Caspian Sea

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<sup>3</sup> Evaluation Policy, United Nations Environment Programme Evaluation Office (Nairobi) September 2009. Date of Access: 18 August 2014. <http://www.unep.org/eou/StandardsPolicyandPractices/UNEPEvaluationPolicy/tabid/3050/language/en-US/Default.aspx>

<sup>4</sup> Evaluation Manual, United Nations Environmental Programme Evaluation and Oversight Unit (Nairobi) March 2008. Date of Access: 18 August 2014. <http://www.unep.org/eou/StandardsPolicyandPractices/UNEPEvaluationManual/tabid/2314/language/en-US/Default.aspx>

<sup>5</sup> Guidelines for GEF Agencies in Conducting Terminal Evaluations, Global Environment Facility Evaluation Office (Washington) 2008. Date of Access: 19 August 2014. [http://www.thegef.org/gef/sites/thegef.org/files/documents/TE\\_guidelines7-31.pdf](http://www.thegef.org/gef/sites/thegef.org/files/documents/TE_guidelines7-31.pdf)

<sup>6</sup> Four ancillary Protocols to the Convention have been developed, covering the four priority areas of concern namely: 1) protocol for the conservation of biological diversity, 2) “Moscow protocol” on the protection of the Caspian Sea against pollution from land-based sources and activities, 3) “Aktau protocol” concerning regional preparedness, response and co-operation in combating oil pollution incidents, and 4) protocol on environmental impact assessment in a trans-boundary context. The first three of the Protocols have now been adopted, with the EIA Protocol planned for adoption at the next COP.

Environment” which was launched in mid-2004 and focused on the implementation of the CEP strategic action plan in the priority areas of ‘Biodiversity’, ‘Invasive Species’ and ‘Persistent Toxic Substances’, as well as the continuance of the Tehran Convention process. Within the framework of this GEF project, and further to the request of the Caspian governments, UNEP continued servicing the Convention process pending the Convention’s entry into force in 2006.

21. In early 2008 the GEF Secretariat approved a third UNDP GEF project, entitled “The Caspian Sea: Restoring Depleted Fisheries and Consolidation of a Permanent Regional Environmental Governance Framework” (CaspEco). This project included extensive support to the Tehran Convention process including its institutional set-up. It was furthermore based on facilitating an extension of the excellent ongoing cooperation between UNDP providing the Project Coordination Unit (PCU) of the project and UNEP acting as the interim Secretariat to the Convention. This project under evaluation builds directly on Component 2 of the CaspEco project.

## II. The Evaluation

17. In line with the UNEP Evaluation Policy<sup>7</sup> and the UNEP Evaluation Manual<sup>8</sup>, this Terminal Evaluation is undertaken to assess project performance (in terms of relevance, effectiveness and efficiency), and to determine outcomes and impacts (actual and potential) stemming from the project, including their sustainability.

18. The evaluation has two primary purposes: (i) to provide evidence of project results to meet accountability requirements, and (ii) to promote learning, feedback, and knowledge-sharing through results and lessons learned among UNEP, governments, international and national executing agencies. Therefore, the evaluation will identify lessons of operational relevance for future project formulation and implementation. It will also focus on the following fundamental questions, which have been reformulated from the Terms of Reference for this terminal evaluation (TOR):

- a. To what extent has the project enabled the TCIS to ensure the development and operationalization of the institutional and legislative framework of the Tehran Convention?
- b. How successful has the project been in strengthening regional and national-level coordination and implementation of the Convention Process? What are the key success factors that have enabled the TCIS in achieving its results?
- c. To what extent did the project succeed in securing sufficient funding for the Convention process, including from the Caspian Governments, the international community (e.g. GEF, UNEP) and the private sector?
- d. How successful has the project been in promoting awareness, improving public access to information on the status of the Caspian Sea environment, and promoting public participation in the Convention process?
- e. How successful has the project been in developing monitoring and information systems?
- f. How effectively and efficiently was the overall project planned and administrated? What was the performance of the lead UNEP division, other Divisions and UNEP administration in support of the project?

19. The findings of the evaluation will be based on the following:

- (a) A desk review of:
  - Relevant background documentation, inter alia UNEP Medium-term Strategy 2010-2013 and Programmes of Work, other relevant MEA policies, and publications on the activities of the Tehran Convention, including background information available online;
  - Project design documents and their revisions;
  - Work plans and budgets or equivalent,

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<sup>7</sup> Evaluation Policy, United Nations Environment Programme Evaluation Office (Nairobi) September 2009. Date of Access: 18 August 2014. <http://www.unep.org/eou/StandardsPolicyandPractices/UNEPEvaluationPolicy/tabid/3050/language/en-US/Default.aspx>

<sup>8</sup> Evaluation Manual, United Nations Environmental Programme Evaluation and Oversight Unit (Nairobi) March 2008. Date of Access: 18 August 2014. <http://www.unep.org/eou/StandardsPolicyandPractices/UNEPEvaluationManual/tabid/2314/language/en-US/Default.aspx>

- The logical framework and project financing;
- Project reports such as progress and financial reports from the TCIS, Parties, UNEP and implementing partners, meeting minutes as well as annual reviews and relevant correspondences;
- Relevant other evaluations, in particular the final evaluation of the UNDP-GEF CaspEco project; and
- Documentation related to project outputs, outcomes, and relevant materials published on the project web-site.

(b) Interviews with, but not limited to:<sup>9</sup>

- UNEP TCIS project management (Geneva);
- Fund Management Officer (Geneva);
- UNEP ROE and relevant UNEP divisions;
- Individual experts involved in the project;
- Party representatives/National Focal Points; and
- Representatives of other participating UN agencies, multilateral agencies, networks and strategic partnerships to the Convention, including (former) (UNDP) staff involved in the UNDP-GEF CaspEco project.

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<sup>9</sup> Face-to-face or through any other appropriate means of communication

### III. The Project

#### A. Context

20. The Tehran Convention aims at protecting the Caspian environment from all sources of pollution. It also provides measures for the preservation, restoration and protection of the marine environment of the Caspian Sea. The Tehran Convention is the first legally-binding agreement to be ratified by all five Caspian littoral States.

21. The Tehran Convention has set the stage for trans-boundary cooperation and joint action, and continues to be one of the few regional agreements where the five Caspian states engage directly in discussion with each other.

22. Since the project was launched in 2009, there have been several important developments that relate to the overall project context.

23. The first development relates to the evolving geo-politics in the Caspian region. Before the dissolution of the Soviet Union, strategic priorities and power were shared between the Soviet Union and Iran. With the dissolution of the Soviet Union, the power dynamics between the five Caspian littoral States has changed. This change has been largely influenced by the locus of oil and gas resources and the changing geography of pipeline infrastructure.

24. The second development relates to the legal status of the Caspian Sea. Since 1991, the Caspian littoral States have been unable to agree on the legal status of the Caspian Sea. This has exacerbated difficult relations between the States, which in turn has challenged multilateral cooperation efforts. The fact that the States managed to adopt the 2003 Tehran Convention is significant against this backdrop of legal uncertainty. At a recent Caspian Heads of State summit, leaders have agreed to a tentative arrangement whereby the sea will be divided into two types of maritime zones (sovereign and fishing rights up to 20 nautical miles, and beyond that, a "common use" zone). The significance of this decision is that Parties have asserted their intentions to uphold the security of the Sea.<sup>10</sup> By asserting their intention to protect their own collective security, Parties are signalling a new-found willingness to deepen regional cooperation. This has important significance for the future of the Tehran Convention regime.

25. The third development relates to the increased inter-state oil and gas exploration activities in the Caspian Region. This is particularly important considering that at COP-3 in Aktau, the five littoral states agreed on new commitments to strengthen regional responses to oil spills and to improve the way potential sources of pollution are monitored and managed across national borders.<sup>11</sup> The operationalisation of these commitments is even more important because Caspian Sea oil pipeline projects leading to the world markets have increased considerably in recent years.<sup>12</sup>

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<sup>10</sup> "Russia and Iran Lock NATO Out of Caspian Sea." The Diplomat. Accessed November 9, 2014. <http://thediplomat.com/2014/10/russia-and-iran-lock-nato-out-of-caspian-sea/>

<sup>11</sup> Efforts Strengthened to Protect the Caspian from Oil Spills, United Nations Environment Programme (Geneva) 15 August 2011. Date of Access: 20 August 2014. <http://www.tehranconvention.org/spip.php?article57>

<sup>12</sup> Planned and Ongoing Pipeline Projects for Caspian Oil and Gas. A Race between Europe and China?, 10th Pipeline Technology Conference (Hannover) 04-05 June 2011. Date of Access: 20 August 2014. <http://www.pipeline-conference.com/abstracts/planned-and-ongoing-pipeline-projects-caspian-oil-and-gas-race-between-europe-and-china>

26. The fourth development is related to the environmental decline in the Caspian Sea. According to the *2011 Caspian State of the Environment*, the oil and gas sector in the region will continue to grow, in large part because of growing energy demand by the EU, China and India. This means increased transportation of oil and gas through the use of tanker fleets and pipelines. Together with the exploration for new reserves and exploitation of discovered ones, these developments will continue to propel the regional economy. These developments will increase pressures on the environment of the Caspian Sea.<sup>13</sup>

27. Another environmental concern linked to and addressed in the Tehran Convention is the depletion of the Caspian Sea's sturgeon fish stocks. This has resulted not just from over-fishing but also from unsustainable agricultural practices, the construction of dams along spawning rivers and oil extraction activities.<sup>14</sup> The depletion of Caspian Sea sturgeon has negatively affected the social conditions of coastal communities whose livelihoods depend on the resource and has increased the prevalence of illegal fishing.<sup>15</sup>

28. The *Caspian State of the Environment Report 2011* also highlights notable environmental stress factors including climate change, sea level rise and desertification. These environmental factors, if not managed carefully, will make it very difficult for the Parties to the Convention and their new Permanent Secretariat to ensure that the objectives of the Tehran Convention are fully realized. The objective to protect the Caspian environment from all sources of pollution and the sustainable use of its resources will be particularly challenging to implement

29. The fifth development is the reluctance of the donor community to invest in environmental management activities in the Caspian region, which is considered affluent and politically tense. This is a complicating factor and a potential obstacle for full implementation of the Convention and its Protocols.

30. The sixth development relates to the evolving political commitment of the Caspian littoral States for the broader aims of the Tehran Convention. On the one hand, Caspian governments continue to place a relatively low priority on environmental concerns. On the other hand, at the September 2014 Caspian Heads of State Summit,<sup>16</sup> the five presidents expressed their concern "to complete the ratification of Protocols on oil spill response, on the protection of the Caspian Sea from pollution and on preserving biological diversity as soon as possible". This endorsement at the presidential level is rare and signals the clear intention of the countries to elevate environmental priorities.

31. One important source of evidence of their growing political commitment is the recent agreement at COP-5 to establish a Permanent Secretariat in Baku, Azerbaijan with its location to rotate among the Parties every four years in the alphabetical order of the Parties. Rotating secretariats are rare for the obvious reasons related to cost and efficiency losses. However, in this case, interviewees affirmed that the decision to rotate the Secretariat actually signals the Parties' desire to take full ownership of the Permanent Secretariat in order to ensure the continued operationalisation of the Tehran Convention.

32. It should also be noted that the willingness of Parties to attend the COPs once every two years and to dialogue among themselves was an important expression of support for the Tehran Convention process. The five Caspian littoral States have all been engaged in

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<sup>13</sup>: GRID-Arendal. "Caspian Sea - State of Environment Report." (2011). Accessed November 9, 2014. [http://www.tehranconvention.org/IMG/pdf/Caspian\\_SoE\\_Eng\\_fin.pdf](http://www.tehranconvention.org/IMG/pdf/Caspian_SoE_Eng_fin.pdf).

<sup>14</sup> Ibid.

<sup>15</sup> Ibid.

<sup>16</sup> "Caspian Summit Begins in Astrakhan." TASS. September 29, 2014. Accessed November 9, 2014. <http://itar-tass.com/en/russia/751817>.

contentious bilateral relationships so the fact that three Protocols have been adopted is an important expression of the political buy-in of the countries themselves.

33. The seventh development relates to the Tehran Convention's evolving environmental governance framework, which is now solidly grounded in law. As explained above, the overall aim of the project was to service the Tehran Convention including the development of four ancillary Protocols.<sup>17</sup> Despite the time it took to adopt the Protocols, the fact that the Caspian littoral states have agreed on the adoption of three of these Protocols is significant, considering the complex geo-politics that have played out in the region. Cooperation in the Caspian is now underpinned by a legally-binding framework. This is particularly important for the environment ministries of the Caspian littoral states in their efforts to advance the cause of synergising environmental protection with economic growth.

34. Also important for the evolving governance framework is the recent agreement for the new Tehran Convention Permanent Secretariat (TCPS). At COP-5 in May 2014, environment ministers agreed to establish the TCPS, under the administration of UNEP. As of 2015, the Secretariat will be administered from the Caspian Sea region following a rotation system of the Parties. Azerbaijan will be the first host country, with the Secretariat to be based in its capital, Baku, which will also host COP-6.<sup>18</sup>

## B. Objectives and components

35. As described in the project document, the primary aim of the project involves the UNEP Regional Office for Europe (UNEP/ROE) continuing to act as the (Interim) Secretariat of the Tehran Convention (TCIS) and its ancillary Protocols.

36. The project's outputs and outcomes are summarized below. These were taken directly from the Logical Framework (logframe), which did not link outcomes with outputs.

### 1. Project Outcome

Institutional setting of Tehran Convention (TC) fully operational;  
Coordination and synergy with other Caspian projects and activities including effective donor coordination and engagement;  
Littoral States implement SCAP (Strategic Convention Action Plan) at regional level and develop and implement NCAPs (National Convention Action Plans) at national/sub-national level;  
Enhanced stakeholders' engagement in the TC process and improved public access to information on the status of the Caspian Sea environment;  
Regional institutional arrangement further developed and strengthened to address transboundary environmental issues; regional cooperation mechanism promoted to strengthen or develop regional policies and laws for the management of transboundary ecosystems.

### 2. Project Outputs:

<sup>17</sup> Aktau Protocol concerning Regional Preparedness, Response and Co-operation in Combating Oil Pollution Incidents (adopted and signed at COP-3 in Aktau, Kazakhstan on August 12, 2011); Moscow Protocol on the Protection of the Caspian Sea against Pollution from Land based Sources and Activities (adopted at COP-4 in Moscow, December 12, 2012); Protocol on Environmental Impact Assessment in a Trans-Boundary Context (adopted at COP-4 in Moscow on December 12, 2012); and Ashgabat Protocol on the Conservation of Biological Diversity (adopted and signed at COP-5 in May 30, 2014).

<sup>18</sup> Tehran Convention COP5: a Milestone in Cooperation, United Nations Environment Programme (Geneva) 30 May 2014. Date of Access: 19 August 2014 [http://www.unep.org/roe/Portals/139/Press/Caspian\\_COP5\\_press\\_release\\_30May2014.pdf](http://www.unep.org/roe/Portals/139/Press/Caspian_COP5_press_release_30May2014.pdf)

<p>National and regional level coordination and institutional support to TC and Protocols;  Four Ancillary Protocols to the Tehran Convention adopted and signed;  Regional Action Plans developed, ratification and early implementation of the Protocols, development of new Protocols;  Decision on institutional arrangements of Tehran Convention Permanent Secretariat (TCPS) contributions to the Convention budget from Contracting Parties received</p>
<p>B) Convention executive structure, donor coordination and thematic partnerships established and in operation;  Organization and facilitation of COPs</p>
<p>C) Private sector partnerships and effective process established to identify and finance investment projects in the region;  Resource Mobilization</p>
<p>D) Updated knowledge-based and enforceable SCAP; National Convention Action Plans (NCAPs) including National Public Participation Strategies (NPPS) to mainstream the implementation of the Convention in the overall government planning submitted for government endorsement</p>
<p>E) Effective regional Monitoring and Enforcement (M&amp;E) framework established and implementation initiated</p>
<p>F) Creation of solid regional NGO partnerships engaged in the implementation of the TC and its Protocols</p>
<p>G) Data information sharing web-based CIC incorporating Caspian environment status data</p>

### C. Target areas/groups and partners

42. The main stakeholders of this project were the five littoral countries, particularly the national agencies in charge of environment for each. These were clearly identified in the project document and subsequent revisions. The National Convention Liaison Officers (NCLOs) were the primary entry points with whom the (Interim) Secretariat engaged. Indeed, the bulk of the TCIS's work translated into national implementation activities that were carried through the intervention of the NCLOs. During the annual COPs, the key stakeholders were the negotiation partners, in most cases, the Environment Ministers and senior-level officials of Ministries of Foreign Affairs. Another important set of stakeholders were the key NGOs in each of the Caspian littoral States. However the political and social context for NGO participation in the Caspian region is still under-developed. This factor, combined with limited resources, made it difficult for the (Interim) Secretariat in its public participation outreach efforts.

43. It is important to note that the primary aim of this project was to create and elaborate the framework for the successful implementation of the Tehran Convention and its ancillary Protocols and to promote the ownership of the Caspian littoral States. As such, from the early stages of project design and through the entire life of the project, activities were always focused on and responsive to the specific needs of the key project stakeholders (notably the national state actors).

#### **D. Milestones/key dates in project design and implementation**

44. The milestones listed below relate specifically to the project's expected outcomes, which are highlighted in the previous section.

##### **2009**

- May: Strategic Convention Action Plan updated and aligned with Tehran Convention
- June: National coordination and implementation structures established
- August: Caspian Day held in all five countries
- August: Regional stakeholder meeting held

##### **2010**

- August: Caspian Day held in all five countries
- August: Regional stakeholder meeting held
- September: NCLOs nominated
- December: Consultancy contracts issued to develop NCAPs in five countries

##### **2011**

- January: Meeting with oil and gas representatives to discuss potential investment projects
- March: Scoping meeting for development of unified integrated Caspian ecosystem monitoring; monitoring working group established
- August: Caspian Day held in all five countries
- August: Draft State of Environment Report presented at COP-3
- August: COP-3
- December: Resource mobilization strategy finalised

##### **2012**

- March: Meeting for the finalization of three draft Protocols and for finalization of regional monitoring system
- March: NCAP synthesis report presented at intergovernmental meeting
- July: regional negotiations on TCPS
- August: Caspian Day held in all five countries
- August: National Public Participation Strategies finalized in all five countries and officially launched
- October: National Focal Points appointed for CEIC and first training workshop convened
- December: COP-4

##### **2013**

- June: Agreement on monitoring instrument
- June: GEF/EU project proposals finalized
- August: Caspian Day held in all five countries
- November: MOU for new thematic partnership for TC
- December: Regional action plan drafted
- December: Support and partners for preparation of Biodiversity Atlas identified

##### **2014**

- April: PrepCom for COP-5
- May: Agreement reached on outstanding issues in the protocol texts

- May: COP-5 adopted biodiversity protocol and location of TCPS
- June: Regional Plan for Aktau Protocol implementation finalized
- June: Report on NCAP implementation received by all Caspian countries
- August: Caspian Day held in all five countries
- November: COP-6 PrepCom held in Baku

## **E. Implementation arrangements**

45. The project implementation mechanism consisted of a very sparsely-resourced (Interim) Secretariat that was run by UNEP ROE in Geneva. The (Interim) Secretariat consisted of a part-time head, a part-time legal officer and a part-time assistant. The original project document did not identify any other “project implementation mechanisms”. As described throughout this terminal evaluation, the TCIS was highly effective in delivering project milestones, outputs and outcomes. It took its political direction from the COP decisions and the Parties confirmed their appreciation for the extent to which the TCIS executed the decisions.

## **F. Project financing**

46. The Contracting Parties have agreed to contribute annual contributions (USD 72,000/year) to the new trust fund that will be administered by UNEP. However, the Parties’ contributions alone will enable only the most basic of services to be provided by the new Permanent Secretariat.

## **G. Changes in design during implementation**

47. The project has undergone 16 revisions mostly to: extend the duration of the project until 31 December 2014; increase the total cost of the project and align the budget with the actual project needs; amend the Budget Summary, Logical Framework and Delivery Plan; and reflect PoW Output 416 to which the project contributes.

## **H. Reconstructed Theory of Change of the project**

48. UNEP evaluations require a Theory of Change (TOC) analysis in order to identify the sequence of conditions and factors deemed necessary for project-specified outcomes to yield impact, and to assess the current status of and future prospects for results.

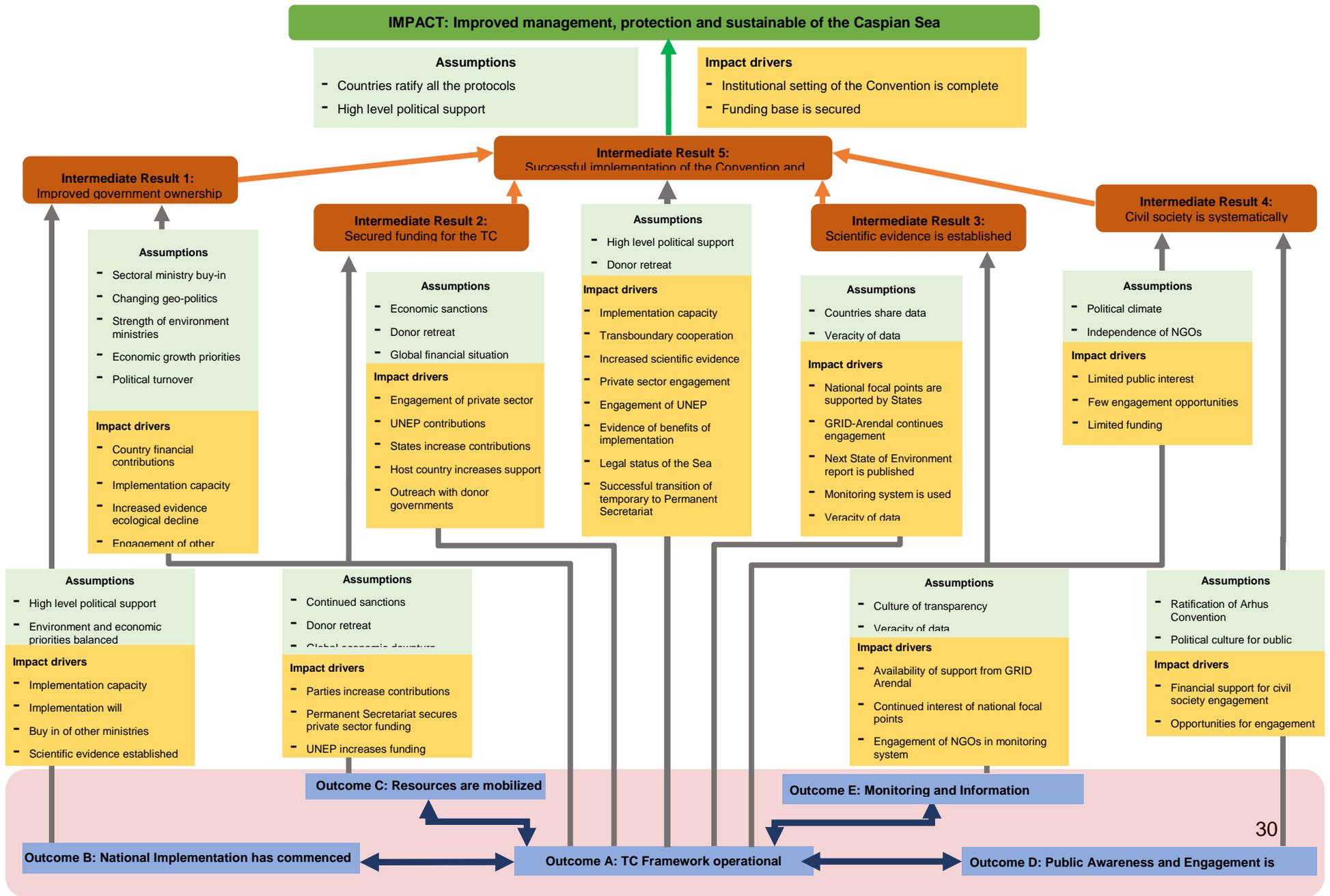
49. The original project document did not contain a logical framework, although this was included in subsequent project revisions. However the logical framework that was prepared in subsequent project revisions did not contain components *per se*. Nor did it link outcomes with outputs. Therefore, the evaluation team reconstructed the Theory of Change to respond to these shortcomings. It is contained Figure 1 of this evaluation report and provides an overview of the project components, outcomes and outputs.

50. The evaluator reconstructed the Theory of Change (TOC) of the project based on a review of the intentionality of the intervention described in the project documentation and refined through stakeholder interviews. The TOC depicts the causal pathways from project outputs, through outcomes, towards impact. It also depicts any intermediate changes required between project outcomes and impact, called “intermediate states”, and defines the external factors that influence change along the pathways, referred to as drivers (factors which the project has a certain level of control over) or assumptions (factors which the project has no control over).

51. It should be noted that the Theory of Change places the five outcomes and their corresponding outputs within a single box at the base of the TOC diagram. This box contains all the activities and their corresponding outputs and outcomes that have been undertaken during the life of the project. The intermediate results are predictions of the next steps that must be achieved, in order for the ultimate project impact to be fully realized. As the Evaluation Report will indicate, change on the ground will only be discernible years to come. During the life of the project, the focus has been on creating the enabling environment at the national and regional levels, which will help achieve environmental improvements in the Caspian Sea region.

52. The evaluation team has also identified the drivers and assumptions for each level of the project pathways as depicted in the Theory of Change in Figure 1 overleaf. The intermediate results are also identified. The impact drivers and assumptions for the Intermediate Results pathways are described in detail in Table 2 (see Section C ii)

*Figure 1 - Reconstructed Theory of Change*



## IV. Evaluation Findings

### A. Strategic relevance – Highly Satisfactory

#### i. Realism of project objectives

53. The overall rating for strategic relevance is **Highly Satisfactory**.

54. Since the first Meeting of the Conference of Parties (COP), in Baku, Republic of Azerbaijan, May 2007, UNEP has been requested to continue to facilitate the Convention process with an interim Secretariat until a Permanent Secretariat would be established. Through the Regional Office for Europe, UNEP has been administering the Secretariat *ad interim* as a separate project within the UNEP POW.

55. The original project document outlined the key objectives of this project: (i) ensuring the successful implementation of the Convention and its Protocols; (ii) providing the necessary advice and support for the development of new Protocols; and (iii) providing support to the Caspian littoral States in the implementation process.

56. In addressing these objectives, the UNEP ROE was responding to a very specific request by the Conference of the Parties to facilitate the Convention process.

57. Given the limited resources, the legal uncertainty of the Caspian Sea and the complex geo-politics of the region, the realism of the objectives is, *inter alia*, evidenced by the fact that the 3 out of the 5 Conference of the Parties organised and administered by the (Interim) Secretariat succeeded in each adopting a protocol to the Tehran Convention. This track record of such a high frequency of protocol adoptions is virtually unheard of in international environmental regimes.

58. Equally important is the fact that COP-5 adopted a decision to establish the permanent Secretariat in Baku. This is further evidence of the Parties' political commitment to the Tehran Convention and more specifically of the realism objectives outlined in the original project document.

#### ii. Sub-regional environmental issues and needs

59. The project clearly responded to sub-regional environmental issues and needs since the topics of the Protocols were defined in large part by the Transboundary Diagnostic Analysis on environmental issues. This analysis was completed during the first phase of the Caspian Environment Program.<sup>19</sup>

60. The Transboundary Diagnostic Analysis (TDA) was developed on the basis of inputs from the national experts of the Caspian countries and the (then) National Focal Points for the Caspian Environment Program. It should be noted, however, that whilst the topics of the four Protocols were in line with the findings of the Transboundary Diagnostic Analysis, the most critical problem identified by the TDA—unsustainable fisheries—has not been addressed in a legally-binding protocol. This issue is being addressed by the Parties in a separate process.

61. Equally relevant is the fact that the (Interim) Secretariat has conducted its activities on the basis of a programme of work, which was always approved by the

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<sup>19</sup> During this period, the Strategic Action Programme and National Caspian Action Plans were also developed.

Conference of Parties, to which the TCIS is legally accountable. The workplan and the Project Plan Revisions reflected the Secretariat's understanding of the Parties' priorities. This is why there was never any tension between the COP approved workplans and what appeared in the Project Plan revisions.

62. On the whole, Parties agree that the TCIS worked hard to ensure that the often-competing environmental priorities of each of the Caspian littoral States were adequately and fairly balanced in the implementation of the Convention and the drafting of the Protocols. Since the Tehran Convention was the first multilateral environmental agreement in the Caspian Sea region, the (Interim) Secretariat played a critical role in convening Parties to address common environmental problems of the Caspian Sea and in highlighting the importance of trans-boundary environmental management in addressing the most pressing of those problems.

### **iii. Consistency of project objectives and implementation strategies with UNEP mandate and policies**

63. The project forms a coherent part of Sub-programme 4 "Environmental Governance" of UNEP's Biennial Programme of Work for 2012-2013 and 2014-2015. The objective of this Sub-programme is to ensure that environmental governance at the country, regional and global levels, is strengthened to address agreed-environmental priorities.

64. Of particular relevance is paragraph C under the strategy for the Sub-programme, which calls for the support of, *inter-alia*, regional environmental governance processes and institutions, along with regional ministerial and other inter-governmental forums. The Tehran Convention is precisely the type of regional inter-governmental regime that is envisaged under this paragraph.

65. Whilst the project could be linked to results elsewhere in the POW, the project's results are only reported against the results framework of the EG Sub-programme:

- Expected accomplishment 4A states that "The United Nations system, respecting the mandate of each entity, progressively achieved synergies and demonstrates increasing coherence in international decision-making processes related to the environment, including those under multi-lateral environmental agreements."; and
- Expected accomplishment 4c states that "national development processes and United Nations common country programming processes increasingly mainstream environmental sustainability in the implementation of their work programmes."

### **iv. Consistency of (Interim) Secretariat activities with COP decisions**

66. The (Interim) Secretariat is directly responsible and accountable to the Conference of the Parties to the Tehran Convention. As such it is legally required to implement COP decisions. Indeed, no single country has complained of any instance whereby the TCIS did not abide by a COP decision. Quite the contrary, Parties were very appreciative of the work undertaken by the TCIS to ensure that their priorities were properly reflected in the work of the (Interim) Secretariat. Notwithstanding the divergent country interests, the Secretariat did an excellent job in responding to the needs of countries, whilst at the same time encouraging them to achieve the objectives of the Tehran Convention.

## **B. Achievement of outputs –Highly Satisfactory**

67. The overall rating for the achievement of outputs is Highly Satisfactory.

68. It should be noted however that in the project document and its subsequent revisions there is confusion regarding the outputs and outcomes. In some cases, outputs are used to describe activities that are better suited as outcomes (i.e. change in a state or behaviour). In any case, the reconstructed Theory of Change (see Figure 1) reconfigures the outputs and outcomes according with the definitions established by OECD-DAC.

69. It should also be noted that the final project revision document clustered activities around the different outputs in a manner that was equally confusing. The evaluation team has re-organised the outputs and relevant activities to reflect a more coherent overview of the project.

#### **i. Output A – Servicing of the Tehran Convention**

70. The key activities that were included under this output were all accomplished during the life of the project:

- Five COPs organized and held
- COP documentation prepared
- MOU for new thematic partnerships in support of the TC and its Protocols prepared
- Preparations for a decision on location for a Permanent Secretariat
- Text for four Protocols prepared (with three of them adopted by the Parties)
- Strategic Convention Action Plan updated and translated into National Convention Action Plans (NCAPs)
- A Monitoring Program, national reporting format, and system for information exchange developed

71. As described in Section C on Effectiveness, the TCIS succeeded in assisting the countries to sustain the political momentum of the TC process during the life of the project. The Caspian littoral States do not enjoy the best of relationships and against the odds and with minimal resources, the (Interim) Secretariat managed to successfully organise five COPs, which were often attended not just by Environment Ministers but by high-level Foreign Ministry officials as well.

72. It should also be noted that the COP-5 decision to agree on the location of the Permanent Secretariat signals the political engagement of the Parties to the TC process, especially since they agreed to a rotating Secretariat, because implicitly each country has agreed to assume the responsibilities of hosting the Secretariat. The host country agreement for the Secretariat arrangements is under advanced negotiations. Once it is finalized, it will be shared with the Contracting Parties.<sup>20</sup>

73. As regards the (Interim) Secretariat's work in servicing the negotiations on the Protocols that were adopted at the COPs, the Parties have expressed their appreciation for the Secretariat's efforts in this regard. Many of the interviewees acknowledged that without the TCIS's substantive contributions, there would most likely have been no Protocols adopted during the life of the project.

74. As explained further in the effectiveness section (see Section C), at the recent Caspian Heads of State Summit (September 29, 2014), the five presidents expressed

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<sup>20</sup> The recruitment of the P5 level Executive Secretary is in process. As well, the Terms of Reference of the Trust Fund for the Administration of the Convention will be forwarded to UNEP. The Trust Fund will replace the UNEP project pertaining to the Secretariat services to the Tehran Convention by the Trust Fund arrangement.

their concern “to complete the ratification of Protocols on oil spill response, on the protection of the Caspian Sea from pollution and on preserving biological diversity as soon as possible.” This endorsement at the presidential level signals the clear intention of the countries to elevate environmental priorities.<sup>21</sup>

## **ii. Output B- Support for national and regional implementation**

75. The following activities that were included under this output were all accomplished during the life of the project:

- National coordination and implementation plans and structures for the implementation of the TC and its Protocols
- Financial support by the Caspian littoral States for TC administration generated
- Advisory services to the national protocol ratification process
- NCAP synthesis report
- National Public Participation Strategy (NPPS) synthesis report
- Regional Plan for Aktau Protocol implementation near completion
- Priority agenda for Moscow Protocol developed
- National Convention Liaison Officers appointed
- State of the Environment (SOE) report published

76. National Action Plans (NCAPs) have been finalized and approved in all countries except Kazakhstan, where the approval process is close to completion. The NCAPs contain implementation measures for the Tehran Convention and its Protocols. Countries have also integrated the TC Public Participation Strategies into the NCAPs.

77. It is important to highlight that the NCAPs were adapted from the Caspian Action Plans (CAPs), which in turn were developed under the auspices of the Caspian Environment Program. The Strategic Convention Action Program (SCAP) provides a long-term road-map that provides policy guidance and framework for the NCAPs.

78. According to the interviewees, the (Interim) Secretariat was “instrumental in assisting countries in adapting their original Caspian Action Plans into NCAPs.” This included Secretariat efforts to encourage interaction and cooperation between the various stakeholders. The Secretariat also played an important role supporting countries in their protocol ratification process. Countries also praise the TCIS for the overall quality of legal and administrative support.

79. This support was made possible with GEF funding under the auspices of the CaspEco project. At present, GEF funding for the region is difficult to obtain. As a result, the TCIS’s limited resources have constrained it from providing the necessary support to the countries to help strengthen national coordination and implementation. All of the interviewees cited lack of resources as a major constraint to the work of the Secretariat.

## **iii. Output C - Resource mobilisation**

80. The following activities that were included under this output were all accomplished during the life of the project:

- Country contributions finalised
- Meetings with representatives from oil and gas industry

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<sup>21</sup>“Caspian Summit Begins in Astrakhan.” TASS. September 29, 2014. Accessed November 9, 2014. <http://itar-tass.com/en/russia/751817>.

- Potential investment projects identified and discussed
- Resource mobilisation strategy identified
- New project proposals prepared for GEF, EU and other donors
- Agreement reached in principle on collaboration with BP for next phase of CEIC

81. Parties have requested UNEP to carry out the administration of the new Permanent Secretariat. For that purpose, UNEP will establish a Trust Fund with mutually agreed terms of reference and budget subject to the decisions of the COP.

82. However, the financial situation continues to be problematic, as noted in Section F on Financing.

83. Given the present difficulties in mobilizing resources from the international community, in particular the GEF and the EU, financing from the private sector becomes even more important. To date, only USD 150,000 has been mobilized from BP. However, once the TCPS is established in the region, it will be better positioned strategically to mobilize financing from the private sector, notably international and national oil and gas companies.

#### **iv. Output D - Regional monitoring and information-sharing**

84. The following activities that were included under this output were all successfully accomplished during the life of the project:

- Scoping meeting for the development of a unified Caspian ecosystem monitoring system
- Monitoring Working Group established
- Priority areas and monitoring indicators defined
- Proposals for regional monitoring and evaluation framework developed
- Environmental Monitoring Program adopted
- Standard reporting format operationalized
- Draft State of Environment report presented at COP-3
- Caspian Environmental Information Centre (CEIC) established, National Focal Points appointed for CEIC and first training workshop convened.

85. In response and at the request of the Interim Secretariat of the Tehran Convention, UNEP/GRID-Arendal – in close cooperation and consultation with the designated Environmental Information Officers (EIOs) of the five Caspian littoral states – established the Caspian Environmental Information Centre (CEIC).<sup>22</sup> The objective of the CEIC is to make reliable and high-quality data available to decision-makers and the general public. The CEIC also serves as the basis for the State of the Environment reporting that is required under the Convention. The CEIC is based on a network of collaborating institutions in Caspian littoral states, in particular Government sections, monitoring stations, the private sector and NGOs, all coordinated through the EIOs.

#### **v. Output E - Public Awareness and NGO engagement in the TC process**

The following activities that were included under this output were all accomplished during the life of the project:

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<sup>22</sup> This was in direct support of Article 19.5 of the Tehran Convention that calls for the establishment of a centralized database and information management system.

- ‘Caspian Day’ in five Caspian countries organised
- Regional stakeholders meeting convened
- National Public Participation Strategies adapted and integrated into NCAPs
- National Public Participation Strategy synthesis paper submitted to COP-4
- Virtual NGO network established
- Information material prepared

16. The Trans-boundary Diagnostic Analysis referred to in the section on ‘Effectiveness’ (see Section (IV).(C).(ii).(b)) identifies “undeveloped civil society & inadequate awareness” and “inadequate and insufficient information” as common regional root causes of the degradation of the Caspian environment. The (Interim) Secretariat’s public participation activities build on the public awareness and stakeholder involvement activities that were developed under the auspices of the Caspian Environment Program. It should be emphasized that the TCIS’s achievements must be assessed in the context of the larger political and social context of the region. Civil society engagement in environmental policies and activities is not well developed and requires further encouragement.

17. Another key point is that the first stage of public participation activities carried out under the GEF CaspEco project were financed by the GEF. Since then, there have been limited resources available to the (Interim) Secretariat to carry out public awareness and stakeholder engagement activities. That said, there are a few positive examples of the achievement of the afore-noted outputs such as: increased media attention to Caspian environmental issues; strengthened cooperation between coastal actors; increased country ownership and public engagement in Caspian Day activities. However, according to environmental activists in the region, if the Convention is to have legitimacy, the Protocol ratification process must include enhanced public awareness and engagement efforts.<sup>23</sup>

### C. Effectiveness – Satisfactory

18. The overall rating for the effectiveness criterion is Satisfactory.

19. The assessment of effectiveness is sub-divided into three categories:

1. Evaluation of the achievement of direct outcomes as defined in the project’s reconstructed Theory of Change;
2. Assessment of the likelihood of impact of project activities (using a Review of Outcomes to Impact (ROtI) approach);
3. Evaluation of the achievement of the formal project overall objective, purpose, goals and component outcomes.

#### i. Evaluation of the achievement of direct outcomes as defined in the project’s reconstructed Theory of Change – Satisfactory

20. The Evaluation Team reformulated the project outcomes accordingly:

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<sup>23</sup> Watters, Kate, and Michelle Kinman. "The Framework Convention for the Protection of the Marine Environment of the Caspian Sea: Omitting the Public Makes for a Weaker Document." June 1, 2012. Accessed October 7, 2014. [http://crudeaccountability.org/wp-content/uploads/2012/06/crude\\_convention\\_analysis\\_en.pdf](http://crudeaccountability.org/wp-content/uploads/2012/06/crude_convention_analysis_en.pdf).

- Outcome A: The institutional setting of the Tehran Convention is fully operational
- Outcome B: Caspian littoral States have commenced their national implementation efforts
- Outcome C: Resources have been mobilized for the work of the Tehran Convention
- Outcome D: Public awareness is increased
- Outcome E: Environmental monitoring and Information systems are under construction

21. The project's delivery and achievement of outputs and activities that contributed to each of these outcomes is discussed in Section B ('Achievement of Outputs'). This section describes overall effectiveness at outcome level as defined in the reconstructed Theory of Change.

**a. Outcome A – The institutional setting of the Tehran Convention is fully operational**

22. Given the difficulties of the region and the modest resources available to the (Interim) Secretariat, it has performed an excellent role in assisting the Parties to operationalise the institutional setting of the Tehran Convention. Some interviewees noted that without the TCIS, it is highly unlikely that the Tehran Convention process could have been sustained, especially considering the divergent views of the Parties and the complex geo-politics that could have affected the process.

23. There are several examples of solid evidence of TCIS' effectiveness with this first outcome.

**Protocol texts drafted and adopted**

24. First, the (Interim) Secretariat was a key driving force in assisting the Parties in the drafting and adoption of the Tehran Convention's Protocols. Against the odds, three of the four Protocols have now been adopted.<sup>24</sup> This successful track record with protocol adoption is unheard of in MEA circles and is evidence of the political will of the Parties to ensure the successful implementation of the TC.<sup>25</sup>

25. The TCIS promoted and coordinated systematic consultations between and amongst the Parties on the draft texts, thereby facilitating the negotiations. During the protocol negotiations, the TCIS assisted the countries to find solutions by stimulating and feeding dialogue and by helping to broker consensus between the countries. As one interviewee stated "it is obvious that without the effective work and assistance from the TCIS, there would have been no Protocols."

26. One concrete example is the Biodiversity Protocol (adopted at COP-5, June 2014, Ashkhabad, Turkmenistan), which sets an important precedent for addressing the territorial dimensions of the Caspian Sea. For years, the legal status has remained undefined because Parties refused to discuss the issue. The Biodiversity Protocol

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<sup>24</sup> At COP-V, the Caspian littoral states agreed to give priority to the development of Protocols on: (i) Regional Preparedness, Response and Co-operation in Combating Oil Pollution Accidents (adopted at COP3 in Aktau, Kazakhstan on 12 August 2011); (ii) Protection of the Caspian Sea Against Pollution from Land Based Sources and Activities, (adopted at COP 4 in Moscow, Russia on 12 December 2012); (iii) Conservation of Biological Diversity, (adopted at COP5 in Ashgabat, Turkmenistan on 30 May 2014), and (iv) Environmental Impact Assessment in a Trans-boundary Context (adoption expected at COP6 in Baku, Azerbaijan in 2015).

<sup>25</sup> The TCIS is now developing a draft protocol text on environmental monitoring and data sharing. It will be a unique instrument because of the absence of legally binding information sharing protocols in other basins. The primary reason is the difficulty in convincing countries to share information and to agree on standardized reporting.

negotiations succeeded in catalyzing Parties to discuss and reach agreement on how to address the sensitive issue of protected areas.

27. Political support at the highest level has been endorsed as explained in Evaluation Findings section (IV).(B).(i).(Output A).

28. Recently, on November 24-27, 2014, the Contracting Parties met to discuss preparations for the forthcoming sixth Conference of the Parties that will be held in Baku. At this meeting, the TCIS reported on the state of play of the Protocols. First, it is expected that Kazakhstan will soon ratify the ACTA Protocol on oil spills. Second, the ratification process for the Moscow Protocol on land-based sources of pollution is close to conclusion in Kazakhstan, the Russian Federation and Turkmenistan. Third, Azerbaijan, Kazakhstan and the Russian Federation have been encouraged to sign the Ashkhabad Protocol on biodiversity. Fourth, the PrepCom decided to postpone the discussion on Turkmenistan's proposal on Annex 1 of the Biodiversity Protocol.

29. Against this backdrop, the evaluation team suggests that the new Permanent Secretariat should direct its efforts towards ensuring the implementation of the Protocols, once they are ratified and in force. However, successful implementation will require capacity building and the removal of barriers that might impede implementation. It is unlikely that there will be major problems with protocol compliance considering that these were the Protocols that the countries had requested. The difficult part of the process will be ratification. It is a political process that takes considerable time in each country. The Protocols do not enter into force until they have been ratified in each of the five Caspian littoral States. This could mean a gap of several years until the legal commitments contained in the Protocols become fully operational and binding.

#### **Agreement on permanent Secretariat**

30. A second and important source of evidence is the recent agreement at COP-5 to establish a Permanent Secretariat in Baku, with its location to rotate among the Parties every four years in the alphabetical order of the Parties. The TCIS played an important role in supporting this negotiation process.

31. Rotating secretariats are rare for the obvious reasons related to cost and efficiency losses. But in this case, it signals the Parties' desire to take full ownership of the Permanent Secretariat to ensure the continued operationalization of the Tehran Convention, because most convention secretariats do not rotate and are permanently situated in one host country.

32. Azerbaijan will be the first host country, and the Secretariat will be based in the capital, Baku, where COP-6 will also take place. Furthermore, Parties requested UNEP to carry out the administration of the Secretariat and for that purpose, to establish a trust fund with mutually agreed terms of reference and budget subject to the decisions of the Tehran Convention COP.

33. It is important that the Permanent Secretariat builds on the TCIS' work and ensures that the institutional memory is sustained throughout the transition. At the same time, linkages with UNEP and the technical divisions should be maintained. It is equally important that the new Permanent Secretariat should not be politicized as it moves from one host country to another. Host countries may have particular priorities that they will want to promote and which may not necessarily be congruent with the collective objectives of the Caspian states. Under UNEP ROE, the TCIS has maintained a very neutral profile, which has been critical to the buy-in of Parties. Safeguards will be needed to ensure that the independence of the new Permanent Secretariat is duly maintained. In

this regard, the selection of the Permanent Secretariat's Executive Secretary will be especially important.

### **Willingness of Parties to engage in dialogue**

34. A third source of evidence is the willingness of the Parties to be convened at the highest political level (i.e. during the biennial COPs that were organized by the TCIS). Regional dialogue and cooperation has been difficult if not impossible, for the past years because of the complex geo-political context.

35. Several NCLOs affirmed that the fact that the (Interim) Secretariat was hosted by UNEP ROE made an important difference in this regard. UNEP ROE was systematically engaged in the process and their neutrality added important value, especially in enabling the TCIS to convene the Parties. The TCIS successfully leveraged the convening power of UNEP in a region where Parties are not automatically prepared to engage with each other. One interviewee said that "if UNEP ROE had not been in a position to support the (Interim) Secretariat, Parties would not have come to the table." Through the long process of forging agreement on technical issues, with the help of the TCIS, Parties have succeeded in building a policy and legislative framework for the Caspian Sea.

36. The willingness of Parties to come to the negotiation table was an important expression of the faith and confidence that the Parties have had in the (Interim) Secretariat. In turn, without the political support of the Parties, the TCIS could not have operationalised the institutional setting of the Tehran Convention. The fact that three Protocols have been adopted in recent years is an important expression of the political buy-in of the countries themselves.

### **Strong regional presence**

37. A strong regional presence has been essential to the success of the operationalisation of the TC regime. The TCIS could not have been run successfully from UNEP headquarters in Nairobi. It would have been too far geographically from the "front lines" and therefore unable to maintain close interaction with the countries, which proved essential to building the good will and mutual trust that was essential to the protocol negotiation process.

38. By contrast, UNEP ROE was particularly well-positioned to take the lead in running the TCIS because of its understanding of the region's highly sensitive issues, the political context and, of course, its prior relationship with the state and non-state actors on the ground. Throughout the life of this project, UNEP ROE has been on the proverbial "front-lines" and this proximity has enabled it to be more responsive to the needs of governments. Regional environmental governance regimes are best run from within (or at least close to) the region itself. This is why it is especially important to strengthen UNEP's regional presence with the authority and financial means necessary to ensure successful implementation of the Convention and its Protocols.

## **b. Outcome B – Caspian littoral States have been supported in the national implementation efforts**

### **The role of the (Interim) Secretariat**

39. The primary role of the TCIS under this outcome was to assist countries in adapting their original Caspian Action Plans into National Convention Action Plans (NCAPs) and updating them regularly. The NCAPs contain implementation measures for the Tehran Convention and its Protocols. Countries have also integrated the TC National Public Participation Strategies into the NCAPs.

40. The TCIS worked closely with the National Convention Liaison Officers (NCLOs) in the preparation of the NCAPs through dedicated workshops and sessions at COP meetings. The thematic concerns of the four Protocols have been integrated within the NCAPs and as soon as new issues present themselves, the intention is that they, too, will be integrated within the NCAPs. The TCIS has also supported national coordination meetings in order to engage as many key stakeholders (beyond the Environment Ministries) as possible, at the highest possible level. The TCIS also monitored the implementation of the NCAPs through the national reporting processes.<sup>26</sup> The (Interim) Secretariat has also regularly reported on implementation of the NCAPs through the publication of its NCAP Synthesis Report, which is presented to the biennial COPs.

### **NCAP implementation challenges faced by the TCIS**

41. As explained in the NCAP Synthesis Report<sup>27</sup>, there have been several common challenges with the NCAPs, notably: (i) the lack of participatory mechanisms; (ii) limited ownership on the part of other government bodies beyond environment ministries; (iii) lack of implementation capacity, including coordination, reporting, monitoring and evaluation; and (iv) lack of sufficient financial support.

42. Over recent years, it has become apparent that the quality of the NCAPs has not been uniform across the five Caspian littoral States.<sup>28</sup> Despite the best efforts of the TCIS to support the national convention liaison officers (NCLOs) in adapting and promoting the NCAPs, some states have produced sub-optimal NCAPs. However, it is important to stress that in these cases, the poor quality of the NCAPs is more a function of the lack of political importance placed on them by the Caspian littoral States themselves. The big challenge for the TC Permanent Secretariat will be to help States mainstream the NCAPs into their overall economic development planning processes.

### **Evidence of TCIS success with the NCAPs**

43. Many of the interviewees agreed that the very fact that these NCAPs exist and are 'alive' is itself an important indicator of the success of the TCIS with this outcome. States confirmed that the TCIS was always responsive to their concerns and provided them with the support that they needed to adapt the NCAPs, despite the TCIS's limited human resources. As one interviewee stated "there is no regional seas convention that has achieved so much, with so little human resources".

44. Another source of evidence of the TCIS success with the NCAPs is the extent to which they have helped to raise environmental awareness among other sectoral ministries. It is important to emphasize that the NCAPs have not yet achieved major changes on the ground. It will take considerably more time before qualitative changes can be measured, in large part because the Protocols themselves have not yet entered into force. However, interviewees stressed the positive role that the NCAPs have played in

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<sup>26</sup> COP-2 (Tehran 2008) called for the revision and aligning of the existing National Caspian Action Plans developed under the Caspian Environment Program (CEP) with the objectives and requirements of the Strategic Convention Action Plan and the Protocols of the Tehran Convention. These would then form the National Convention Action Plans (NCAPs).

<sup>27</sup> "National Convention Action Plan Synthesis Report" COP4 December 2012. Accessed November 10, 2014. [http://tehranconvention.org/IMG/doc/INF.4\\_NCAP\\_Synthesis\\_Report\\_eng.doc](http://tehranconvention.org/IMG/doc/INF.4_NCAP_Synthesis_Report_eng.doc)

<sup>28</sup> "National Convention Action Plan Synthesis Report" COP4 December 2012. Accessed November 10, 2014. [http://tehranconvention.org/IMG/doc/INF.4\\_NCAP\\_Synthesis\\_Report\\_eng.doc](http://tehranconvention.org/IMG/doc/INF.4_NCAP_Synthesis_Report_eng.doc)

strengthening the voice of environment ministries vis-à-vis other key ministries such as foreign affairs, trade, transport, energy and fisheries.

### **c. Outcome C - Financing has been mobilized for the Tehran Convention process**

#### **The current financial situation**

45. Since COP-1 held in Baku, Azerbaijan in May 2007, the Contracting Parties have agreed on the arrangements to support the budget of the Tehran Convention on the basis of annual contributions from Parties.

46. Furthermore, Parties have requested UNEP to carry out the administration of the new Permanent Secretariat. For that purpose, UNEP will establish a trust fund with mutually agreed terms of reference and budget subject to the decisions of the COP as explained in the Project Evaluation Findings section (IV).(F).(v). (Financial planning and management).

47. At COP-4, Parties did agree to consider the possibility of increasing their national contributions to the Tehran Convention budget. However, given the difficulties of domestic budget approval, it is unlikely that there will be country contribution increases for some time. This is especially problematic considering the additional cost increases that will result from the move of the (Interim) Secretariat to Baku and the subsequent rotation of the new Secretariat every four years.

#### **Evidence of the TCIS' efforts in mobilizing financing**

48. According to the (Interim) Secretariat's Progress Report to COP-5, the (Interim) Secretariat (with the assistance of its counterparts in the countries, UNEP, UNDP, GRID Arendal) has achieved the following fundraising results:<sup>29</sup>

- Continuous exchanges with I.R. of Iran may have opened a possible avenue for I.R. of Iran to transfer and pay its contributions of 2010 through 2014. The exchanges have been successful and Iran is completing the payment of its arrears;
- NCLOs are expected to have initiated the internal debate and procedures in their countries for possible staff secondments to the Convention Secretariat;
- The UNDP-GEF PIF submission, endorsed by the Caspian states, is pending further review and consideration after the GEF replenishment this year. It has now become clear that due to the political situation, a continuation of GEF support will not materialize in the near future;
- Discussions with the EU-EC concerning future EU support to the Tehran Convention process as part of a wider UNEP-EU cooperation in the field of assessment and information exchange, are ongoing;
- A proposal for continuing support to the operation of the Caspian Environment Information Centre (CEIC) has been approved in principle by BP. The grant from BP is expected to materialize next year;
- A project proposal on support for the Environmental Monitoring Program (EMP) and Tehran Convention related governance, prepared by TCIS and by

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<sup>29</sup> TCIS Implementation Of The Framework Convention For The Protection Of The Marine Environment Of The Caspian Sea (Tehran Convention) Report (February 15th, 2014)

GRID- Arendal, is under consideration at the Norwegian Ministry of Foreign Affairs; and

- A project proposal on “governance in the Caspian Sea region” prepared by TCIS and the University of Geneva, was submitted to, but rejected by the Swiss Network for International Studies (SNIS) in Geneva.

49. At the COP-6 PrepCom the Secretariat presented a strategy paper for attracting and engaging the private sector, in particular the oil, gas and transport industry.

### **The challenges faced by the (Interim) Secretariat**

50. At COP-4 in Moscow (10-12 December 2012), it became evident that the Parties would not be in the position to raise their contributions to the 2014 budget of the Convention. This is due in part to the lengthy and complicated authorization process at the domestic level. Most of the interviewees agreed that the individual country contributions (i.e. USD 72,000/per country/per year) are far too low compared to the ambitions of the Convention and the resources available to the Caspian littoral States. Some cautioned that the precedent of low contributions has now been set, which means that it may be more difficult to convince Parties to increase their contributions once the Permanent Secretariat has been established.

51. The TCIS fundraising efforts noted above have taken time to generate results. This means that the mobilization of financing from the private sector becomes even more important. However, to date, the only support received from BP has been for the Caspian Environment Information Centre. However, once the Permanent Secretariat is established in the region, it will be better positioned strategically to mobilise financing from the private sector, notably international and national oil and gas companies.

### **d. Outcome D- Public awareness has been increased**

#### **The state of play regarding public awareness and engagement**

52. At COP-3 in Aktau, Kazakhstan, 12 August 2012, the Contracting Parties adopted the *Strategy for Civil Society Engagement in the Caspian Sea Marine Environment or Public Participation Strategy (PPS)*.<sup>30</sup> This followed a regional consultative process that began under the auspices of the Caspian Environment Program. Following COP-3, the Caspian littoral States held national stakeholder consultations on the National Public Participation Strategies (NPPSs).<sup>31</sup> The Caspian countries used the occasion of Caspian Day - held annually on 12 August - to publically launch the strategies in 2012.<sup>32</sup>

53. The (Interim) Secretariat has assisted the countries in integrating the NPPs into their NCAPs.

#### **Evidence of the TCIS' effectiveness in increasing public awareness and civil society engagement**

54. All of the five NCLOs have acknowledged the efforts of the TCIS in supporting the development and implementation of their National Public Participation Strategies and in adapting them into the NCAPs. The TCIS provided extensive assistance and support to

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<sup>30</sup> The PPS was finalized with the assistance of the CaspEco project and discussed and agreed upon at the meeting of the Senior Officials on Procedural and Institutional Issues, Geneva, 25-29 May 2010.

<sup>31</sup> The main purpose of the NPPS is to define the countries' main priorities on how to enhance stakeholder engagement in the implementation of the Tehran Convention and its Protocols. They also outline necessary national (institutional) mechanisms for enhanced civil society engagement.

<sup>32</sup> Three of the five Caspian states (Azerbaijan, Kazakhstan and Turkmenistan) are also Party to the UNECE Aarhus Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters; this puts additional compliance burdens on these countries. As signatories to the Aarhus convention, these three countries are obliged to include public participation in the development of key environmental decision-making documents, not merely to provide access to information.

various public related activities and initiatives stipulated in the TC and COP decisions, including those related to the annual Caspian Day events.

55. The (Interim) Secretariat's overall effectiveness with this outcome has to be considered in the political and social context of each country. Their support was clearly appreciated by the NCLOs. However, it is far too early to definitively assess the effectiveness of these efforts in concretely increasing public awareness and engagement in the Tehran Convention process. It is hoped that as the National Public Participation Strategies become increasingly integrated into NCAPs, the importance of public participation will increase among decision-makers. The next round of national reports that will be prepared by the countries (in advance of COP-6) will provide importance evidence of the extent to which NPPS have been duly incorporated into the NCAPs.

56. It should also be stressed that most of the other interviewees confirmed that the TCIS' efforts to support public awareness and engagement efforts were seriously hampered by limited funding. As noted above, the TCIS's initial efforts (i.e. stakeholder meetings, development of regional NGO networks, and capacity building) were supported by the GEF under the auspices of the CaspEco project. However, once that project was terminated, the (Interim) Secretariat's public awareness and engagement activities could not be continued at the same level during the CaspEco project.

57. Additionally, it should be noted all five countries celebrate Caspian Day annually, on 12 August. Interviewees' opinions regarding the usefulness of Caspian Day in elevating public awareness has been mixed.

### **The challenges**

58. The culture of civil society engagement on environmental issues in the Caspian littoral countries is in an early phase of development in the region. The political and social context was a key factor that affected the ability of the (Interim) Secretariat to achieve a higher level of effectiveness with this outcome. As noted in the footnote above, three of the five Caspian states have ratified the Aarhus Convention (Russia and Iran have not yet ratified the Aarhus Convention). To a certain extent, ratification of Aarhus has influenced their public participation approaches and the relative success that the (Interim) Secretariat has had in each country; parties to the Aarhus Convention are legally bound to ensure access to information, participation and legal redress.

59. There are many other fundamental challenges that affected the (Interim) Secretariat's efforts to support the Caspian littoral States in developing their public participation efforts. Indeed, the (Interim) Secretariat has itself acknowledged that public participation is a complicated process in the region. Among the many challenges, "public participation may be hampered by low prioritization, unreliable environmental information, lack of capacity and funding to organize participation, lack of adequate representation of the larger public by NGOs, other public organizations and citizen groups, resistance to the concept of participation by some interest groups, political and administrative barriers to greater participation and attention to other short-term priorities dictated by economic conditions. In addition, there may be a lack of incentives, especially of economic ones, to change people's behaviour at all levels."<sup>33</sup>

60. The (Interim) Secretariat is the first to acknowledge that they would have liked to have achieved more in terms of this outcome. Lack of funding was a serious constraint that impeded the Secretariat's outreach efforts. Despite best efforts on the part of the

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<sup>33</sup> "National Convention Action Plan Synthesis Report" COP4 December 2012. Accessed November 10, 2014. [http://tehranconvention.org/IMG/doc/INF.4\\_NCAP\\_Synthesis\\_Report\\_eng.doc](http://tehranconvention.org/IMG/doc/INF.4_NCAP_Synthesis_Report_eng.doc)

TCIS, NGOs did not register to participate in the COPs and few participated in the national stakeholder meetings, which were organised by the Secretariat.

61. In addition to the political and social context within which the Secretariat had to work, the lack of financing upon completion of the CaspEco project seriously hampered the Secretariat's public participation efforts. It has become evident that new ways of reaching out to NGOs and the general public are needed. Perhaps the adoption of the EIA Protocol and the Monitoring and Information Exchange Protocol will provide greater impetus in this regard.

#### **e. Outcome E - Environmental monitoring and information systems have been established**

##### **State of play of environmental monitoring and information systems**

62. As of COP-5 (June 2014), the (Interim) Secretariat had achieved the following with regard to monitoring and information-sharing:

- Development of an operational Caspian Environment Information Centre as the central hub and database for national reporting. Training and support provided to Information Officers;
- Development of the *Environmental Monitoring Program* (EMP) with its implementation entrusted to the revitalized Working Group on Monitoring;
- *Unified Reporting Format* adopted and utilized by the Contracting Parties to report on the implementation of the Tehran Convention and its Protocols; and
- Publication of *Caspian State of Environment Report 2010* published with the assistance of country nominated experts; Circulation of first draft of Caspian Sea SoE report.

63. At the November 6 PrepCom, the Secretariat presented the project for the second phase of the CEIC. BP is expected to provide support for the first half of 2015. The PrepCom was reminded that national reporting on the implementation of the Convention and its Protocols is to be undertaken in three year intervals. Moreover, the TCIS and GRID Arendal will initiate the preparation for the next State of Environment Report of the Caspian region. The TCIS was requested to coordinate the preparation and negotiation process of a first draft of a legal instrument on data and information sharing that will provide a framework for the TC's environmental monitoring programme. It will also provide provisions regarding public access to information, regulate national reporting, and include a set of water quality objectives and standards.

#### **Challenges**

64. The culture of information-sharing is in its early phases in the Caspian Sea region. Countries continue to be reticent to share data and information, however there are signs that this is changing, especially with the request of the countries for a protocol on information-sharing and monitoring.

65. In certain sectors, data is not comparable across the region. Problems related to insufficiency and accuracy will hopefully be redressed with the establishment of the new Caspian Environment Information Centre (CEIC).

#### **Evidence of effectiveness**

66. If the effectiveness of the (Interim) Secretariat is measured in terms of servicing the Parties in creating the tools for monitoring and information exchange, then it can be

asserted that the (Interim) Secretariat has succeeded. The TCIS helped the Parties to establish the Caspian Environment Information Centre (CEIC) together with a network of trained national focal points. It is expected that this toolbox will be completed with the future adoption of the monitoring protocol (currently being drafted).

67. Coordinated by the Secretariat, Grid-ARENDAL has been able to train and empower the key actors and to create the enabling environment necessary for the systematic monitoring of the health of the Caspian Sea region.

68. Equipped with the state-of-the-art information, the Caspian countries will then be able to make informed policy and legislative decisions to advance the cause of the Tehran Convention. Ultimately, the governments themselves are the change agents on the ground—not the (Interim) Secretariat. However, the latter has provided the support and advice needed to enable the governments to start exercising their change agency responsibilities.

## **ii. Likelihood of impact using Review of Outcomes to Impact (ROtI) approach – Satisfactory**

69. The ROtI approach is used to assess the likelihood of impact by building upon the concepts of Theory of Change (see Section III H.). The assessment of the likelihood of impact involves the examination of the following three elements:

- a. The extent to which the project has, to date, contributed to changes in behaviour as a result of project outcomes;
- b. The extent to which the project is likely to contribute to changes in behaviour in the future; and
- c. The likelihood of all the aforementioned changes contributing to even greater and more significant changes.

### **a. The extent to which the project has to date contributed to changes in behaviour as a result of project outcomes**

70. The behavioural changes that are described in this section are framed in terms of the project's five intermediate results, which are essential pre-conditions for the achievement of project impact (notably, improved management, protection and sustainable use of the Caspian Sea). It is important to recall that the overarching objective of this project was to ensure the successful implementation of the Convention and its Protocols and to provide the necessary legal and policy advice and support for the development of new Protocols.

71. As explained below, it is far too early at this stage to determine the extent to which the project has successfully ensured the implementation of the Convention and its Protocols for the simple reason that none of the Protocols have entered into force, and therefore, countries are not yet subject to any legally binding commitments. Whilst they are progressing with the development of their national implementation structures, until each country ratifies all of the Protocols, it will be difficult to ascertain any concrete evidence of implementation.

72. A number of important behavioural changes have been generated as a result of the project's successful outcomes. These are described in the context of the five intermediate results that are highlighted in the Theory of Change:

- Intermediate Result 1 - Improved government ownership
- Intermediate Result 2 - Secured funding for the Tehran Convention process
- Intermediate Result 3 - Scientific evidence is established
- Intermediate Result 4 - Civil society is systematically involved
- Intermediate Result 5 - Successful implementation of the Convention and its Protocols

### Intermediate Result 1 - Improved government ownership

73. Many of the interviewees agreed that the fact that the NCAPs exist and are 'alive' is itself an important indicator of the success of the TCIS in its efforts to promote country ownership. It is important to emphasize that the NCAPs have not yet achieved major changes on the ground. It will take considerably more time before qualitative changes can be measured, in large part because the Protocols themselves have not yet entered into force. However, interviewees stressed the positive role that the NCAPs have played in strengthening the voice of environment ministries *vis-à-vis* other key ministries such as foreign affairs, trade, transport, energy and fisheries. Another key point to stress is that the challenge faced by the TCIS in strengthening ownership was complicated, in part, by the difficulty of knowing who and where to engage. The optimal point of engagement varied considerably from country to country and the TCIS did the best that it could to build the confidence of the relevant state actors. The big challenge for the Permanent Secretariat will be to help States to mainstream the NCAPs into their overall economic development planning processes.

74. As explained throughout this report, perhaps the most important evidence of country ownership is the adoption of the three Protocols and the agreement on the location of the Permanent Secretariat as well as the Parties' commitments to provide annual contributions to the Secretariat trust fund. Once again, interviewees agreed that, without the efforts of the TCIS, governments would never have managed to forge agreement on their own, either with the Protocols or the location of the Permanent Secretariat. It is hoped that the Secretariat's move to the region will help to catalyze an even greater sense of ownership, particularly with the decision to rotate the Secretariat every four years between the countries.

75. Given the limited resources, the legal uncertainty of the Caspian Sea and the complex geo-politics of the region, the level of ownership of the Caspian countries towards the implementation of the TC process is evidenced by the fact that the 3 out of the 5 COPs organised and administered by the (Interim) Secretariat succeeded in adopting a protocol to the Tehran Convention. This track record is virtually unheard of in international environmental negotiations. It is even more significant considering the tense relations between the Caspian littoral States. Indeed, the very fact that the Secretariat has succeeded in stimulating interaction between the Parties, who have not been willing to otherwise engage in dialogue, is important evidence of the (Interim) Secretariat's capacity to mobilise country commitment.

### Intermediate Result 2 - Secured funding for the Tehran Convention process

76. The majority of project activities were financed with the support of the GEF during the life of the CaspEco project. However, once that project was completed in 2011, the lack of funding has undermined the ability of the (Interim) Secretariat to carry out some of the work that it had originally outlined in the project document revisions.

77. With a projected expenditure over 2013 of approximately USD 350,000 and including savings from earlier years, an amount of approximately USD 500,000 was available for 2014. This is just barely enough to cover the core costs of the Secretariat and its operation (up to USD 300,000), the NCLOs and Caspian Day (up to USD 85,000), COP-5, its PrepCom and other meetings/consultations (up to USD 70,000), ongoing consultancies and evaluation (up to USD 20,000), and USD 20,000 for other support costs.<sup>34</sup>

78. The most significant financial risk that may jeopardize the full realisation of this intermediate result is the difficulty in mobilising the necessary level of financing from other sources (beyond the agreed country contributions), which are absolutely essential for the TCPS to carry out the work necessary to ensure the successful implementation of the Convention and its Protocols. The contributions from the Parties are far from adequate to properly run a secretariat and with the EU and the GEF unwilling to finance activities in the region, the most likely source of additional – bridging - financing will be UNEP and the private sector. To date, however, the (Interim) Secretariat has had limited success in mobilising resources from both UNEP and the private sector. However, once the Permanent Secretariat is established in the region, it is hoped that it will have greater success in mobilising support from oil and gas companies operating in the Caspian region. In the meantime it is recommended that UNEP provides the necessary bridging support, in cash and in kind, in line with its catalytic role, mandate and practice of providing such support to (sub) regional processes and conventions in the past.

#### **Intermediate Result 3 - Scientific evidence is established**

79. This intermediate result has not been yet fully achieved. However progress has been made on several fronts. The Caspian Environmental Information Centre (CEIC) has been established and national focal points have been appointed and trained. A network of nationally authorized organizations (one for each littoral country) responsible for Caspian Sea monitoring has been established, as well. The TCIS has commenced the drafting of the Compliance Monitoring Protocol, which will be presented to COP-6.

#### **Intermediate Result 4 - Civil society is systematically involved**

80. This intermediate result has not been achieved. However, the (Interim) Secretariat's overall effectiveness has to be considered in the political and social context of each the Caspian littoral States.

81. It should be stressed as well that most of the other interviewees confirmed that the TCIS' efforts to support public awareness and engagement efforts were seriously hampered by limited funding. The (Interim) Secretariat's initial efforts (i.e. stakeholder meetings, development of regional NGO networks, and capacity building) were supported by the GEF under the auspices of the CaspEco project. However, once that project was terminated, the TCIS's public awareness and engagement activities could not be continued at the same level as during the CaspEco project.

82. Whilst the Caspian Days have been popular in the region, there is much more that could be done to ensure greater levels of public participation in this annual event. In this regard, the Permanent Secretariat should be equipped with resources to support NGOs in each of the five Caspian littoral States to develop public information campaigns to help citizens as well as parliamentarians and public officials to understand the potential value

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<sup>34</sup> TCIS Implementation Of The Framework Convention For The Protection Of The Marine Environment Of The Caspian Sea (Tehran Convention) Report (February 15th, 2014)

of the Convention and its Protocols. This will potentially help to accelerate the ratification process. As well, the Caspian Environmental Information Centre is an important platform around which NGO dialogue can be strengthened.

#### **Intermediate Result 5 - Successful implementation of the Convention and its Protocols**

83. UNEP ROE has done an excellent job in administering the (Interim) Secretariat, as evidenced by the Parties' unanimous praise. However, the fact that the Secretariat has existed in an interim capacity has perhaps restricted the scope of what it could possibly achieve, notwithstanding the important support it received from ROE and earlier on, from the GEF and GRID-Arendal. The extent to which implementation will be achieved depends on several factors, such as the availability of resources, the robustness of national implementation efforts, the choice of the Permanent Secretariat's new Executive Secretary, the continued commitment of the Parties and the extent to which UNEP will be willing to support the Caspian Sea process.

84. Another factor that is relevant to the successful implementation of the TC relates to the national implementation structures that have been established in the Caspian littoral States. Besides the feedback provided by the interviewees, including the NCLOs, another important source of evidence for the relative robustness of national institutional frameworks is reflected in the NCAP synthesis paper that has been prepared for the COP.<sup>35</sup> The NCAPs vary in quality from one country to another. Nonetheless, there is evidence that some governments are beginning to pay more attention to the importance of the NCAPs. However, the fundamental institutional challenge relates to the fact that most of the NCAPs are anchored within the environment ministries, which are still rather weak in the overall government hierarchies.

85. Whilst the (Interim) Secretariat has certainly helped to strengthen the voice of the environment ministries in convincing other sectoral ministries about the importance of the Tehran Convention, there is still a perception of the incompatibility of economic growth and environmental protection. Other factors that will help to strengthen the robustness of the national implementation structures include: increased financing, enhanced inter-ministerial coordination, sharing of institutional best practices between the States, greater engagement of the key sectoral ministries especially the Foreign Affairs ministries, and of course, continued support from the TCPS to enhance the implementation capacities of national governments.

#### **b. The extent to which the project is likely to contribute to further significant changes in behaviour in the future**

86. The aforementioned intermediate results/states are dependent not only on the success of the outcomes, but also on the impact drivers and assumptions. These impact drivers and assumptions may or may not affect the extent to which the project is likely to contribute to future changes in behaviour and achievement of the project's strategic objective of successful implementation of the Tehran Convention and its Protocols.

87. The evaluation team identified the following impact drivers and assumptions for each of the Intermediate Results:

#### **Table 2 - Impact Drivers and Assumptions for the Intermediate Results**

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<sup>35</sup> "National Convention Action Plan Synthesis Report" COP4 December 2012. Accessed November 10, 2014. [http://tehranconvention.org/IMG/doc/INF.4\\_NCAP\\_Synthesis\\_Report\\_eng.doc](http://tehranconvention.org/IMG/doc/INF.4_NCAP_Synthesis_Report_eng.doc).

	<b>Intermediate Result 1</b> <i>Government ownership</i>	<b>Intermediate Result 2</b> <i>Secured funding</i>	<b>Intermediate Result 3</b> <i>Scientific evidence</i>	<b>Intermediate Result 4</b> <i>Civil society</i>	<b>Intermediate Result 5</b> <i>Successful implementation</i>
<b>Impact Drivers</b>	<p>Capacity for NCAP implementation</p> <p>Awareness of potential benefits that can be generated from national implementation</p> <p>Awareness of potential benefits of mainstreaming NCAPs</p>	<p>Parties willingness and capacity to increase assessed contributions</p> <p>Secretariat efforts to engage private sector</p> <p>Secretariat efforts to re-engage external donors</p> <p>Availability of UNEP contributions</p>	<p>Continued involvement of GRID Arendal</p> <p>Engagement of countries in operationalising the Caspian Environmental Information Centre</p> <p>Capacity for trend monitoring and forecasting</p> <p>Adoption of protocol on monitoring and EIA</p> <p>Reliability and veracity of data</p>	<p>Capacity and willingness of NGOs to engage</p> <p>Capacity and willingness of governments to engage civil society</p> <p>Implementation of Aarhus Convention commitments</p> <p>Availability of financing for NGO engagement</p>	<p>National implementation capacity</p> <p>Pace of protocol ratification</p> <p>Availability of funding for protocol ratification process</p> <p>Robustness of legal framework at the national level</p>
<b>Assumptions</b>	<p>Limited power and profile of environment ministries</p> <p>Limited engagement of other ministries</p> <p>Continued presidential support for process</p> <p>Legal status of the Caspian Sea</p>	<p>Availability of private sector investment</p> <p>Economic sanctions</p> <p>External donor retreat</p> <p>Global financial situation</p>	<p>Willingness of Parties to share data</p> <p>Reliability and veracity of data</p>	<p>Undeveloped public participation/lack of transparency</p> <p>Position of governments regarding importance of engaging civil society</p> <p>Ability and willingness of civil society to engage in the process</p> <p>Limited engagement opportunities</p> <p>Early stage democracies</p> <p>Limited funding from external donors for civil society</p>	<p>Increased environmental pressures on the Caspian Sea</p> <p>Willingness of Parties to continue to engage in multilateral cooperation</p> <p>Oil and gas development pressures</p> <p>Changing geo-politics</p> <p>Parties' understand that environmental protection and economic growth can be synergized</p>

**Intermediate Result 1**  
**Government ownership**

**Impact Drivers**

- Capacity for NCAP implementation
- Awareness of potential benefits that can be generated from national implementation
- Awareness of potential benefits of mainstreaming NCAPs

**Assumptions**

- Limited power and profile of environment ministries
- Limited engagement of other ministries
- Continued presidential support for process
- Legal status of the Caspian Sea

88. As regards the impact drivers for Intermediate Result 1, this is indeed one of the key activities of the (Interim) Secretariat. It is evident that capacity for NCAP implementation is slowly improving, as confirmed by the feedback from the NCLOs. The NCLOs themselves understand the benefits of national implementation, due in part from the assistance and support provided by the (Interim) Secretariat. The challenge is to convince other government ministries of these benefits. Work in that direction has already been undertaken with the support of the EU and UNDP GEF CaspEco project. However, there is clearly much more work to be done by the future Permanent Secretariat. This is also the case with the perceived benefits of NCAP mainstreaming, which will only be achieved until a compelling economic case can be made for mainstreaming. Hopefully the TCPS will be able to advance in this regard.

89. As regards the assumptions for Intermediate Result 1, the limited power and profile of environment ministries within the overall government hierarchies of the countries continues to be problematic. Ironically, it is as much a problem in most industrialised states whose environment ministries have existed as far back as 1972. That said, raising the profile and power of environment ministries will take a generational shift and depends on the evolution of the political culture within each of the Caspian littoral States. Against this backdrop, there has been a very positive development, notably the recent presidential decree and earlier decrees issued by the Caspian Heads of States at their Summits. They have called for *inter alia* accelerated ratification of the Tehran Convention Protocols. This will provide a much-needed boost, not only to the protocol ratification process, but as well to the overall political power of the environment ministries in the Caspian countries. And finally, the continued uncertainty regarding the legal status of the Caspian Sea has been problematic for the division of environmental responsibilities. However, governments are advancing on settling this matter.

## Intermediate Result 2

### Secured funding

#### Impact Drivers

- Parties willingness and capacity to increase assessed contributions
- Secretariat efforts to engage private sector
- Secretariat efforts to re-engage external donors
- Availability of UNEP contributions

#### Assumptions

- Availability of private sector investment
- Economic sanctions
- External donor retreat
- Global financial situation

90. As regards the impact drivers for Intermediate Result 2, it is clear that for now, Parties are unwilling nor able to increase their assessed contributions. This is in part due to a complex approval process at the domestic level. At the same time, with increasing oil wealth, the Parties must be convinced that the bulk of the financing responsibility will have to be mobilised from their domestic budgets. The TCIS has had limited success in engaging private sector financing, but once the Permanent Secretariat is established in the region, it is expected that their chances of success will improve. As regards efforts to re-engage external donors, this ties directly to the donor retreat that is noted as an assumption. There is a certain element of control that the Secretariat does have to convince external donors of the critical importance of their continued engagement until assessed contributions can be duly increased. There is also the need for UNEP to increase its catalytic support and funding for the TC process in order for the Convention Process to yield optimal results.

91. As regards the assumptions for Intermediate Result 2, the actual availability of private sector investment and support will still take some time to materialize, as opposed to the willingness of the private sector which is noted as an impact driver above. Now that the Convention Secretariat will operate from Baku, efforts towards mobilizing such support can be stepped up. Hopefully these efforts will yield greater success.

## Intermediate Result 3

### Scientific evidence

#### Impact Drivers

- Continued involvement of GRID Arendal
- Country willingness to operationalize the Caspian Environmental Information Centre
- Capacity for trend monitoring and forecasting
- Adoption of protocol on monitoring
- Reliability and veracity of data

#### Assumptions

- Willingness of Parties to share data
- Reliability and veracity of data

92. Scientific evidence of the Caspian Sea ecological decline has not yet been firmly established. It is important to emphasize that the baseline for the predecessor of this project (CaspEco) was established by the Trans-boundary Diagnostic Analysis (TDA). The TDA was an important starting point because it identified the emerging science, and on the basis of that science, the problems to be addressed. These problems were then selected by the Parties as the basis for the Convention Protocols and the NCAPs. At this particular point in time, it is clear that the scientific basis still contains many gaps. This is precisely why the Caspian Environment Information Centre (CEIC) was established to ensure the systematic monitoring and reporting. Combined with a newly trained network of information officers, the project is well on its way to solidifying the scientific evidence, which is and will be critical in influencing the decisions that the governments will take regarding implementation.

#### **Intermediate Result 4**

##### ***Civil society is systematically engaged***

###### **Impact Drivers**

- Capacity and willingness of NGOs to engage
- Availability of financing for NGO engagement
- Capacity and willingness of governments to engage civil society
- Implementation of Aarhus Convention commitments
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###### **Assumptions**

- Undeveloped public participation/lack of transparency
- Position of governments regarding importance of engaging civil society
- Ability and willingness of civil society to engage in the process
- Limited engagement opportunities
- Early stage democracies
- Limited funding from external donors for civil society

93. As regards the impact drivers for Intermediate Result 4, the capacity and willingness of NGOs to engage in the TC process is directly influenced by the political context, availability of financing and willingness of governments to open decision-making processes to public participation. The culture of public participation and civil society engagement in the protection of the marine environment of the Caspian Sea is still embryonic. The TCIS has been seriously hampered in its work due to limited financial resources.

94. As regards the assumptions for Intermediate Result 4, they are intertwined with the impact drivers. It is anticipated that with regard to the protection of the Caspian Sea environment, civil society engagement in decision-making will gradually increase as a consequence of the introduction of systematic information-sharing mechanisms such as the CEIC.

## **Intermediate Result 5**

### **Successful implementation of TC**

#### **Impact Drivers**

- National implementation capacity
- Pace of protocol ratification
- Availability of funding for protocol ratification process
- Robustness of legal framework at the national level

#### **Assumptions**

- Increased environmental pressures on the Caspian Sea
- Willingness of Parties to continue to engage in multilateral cooperation
- Oil and gas development pressures
- Changing geo-politics
- Parties' acknowledgement that environmental protection and economic growth can be synergized

95. Of all the impact drivers for Intermediate Result 5, national implementation capacity is one of the most significant. It will influence the pace of protocol ratification, which in turn will determine when the Protocols actually enter into force and become legally binding on the Caspian littoral States. National implementation capacity is also influenced by the robustness of the legal framework at the national level and the depth of political will. Within the context of the project the TCIS has and, will presumably continue to provide capacity-building support for national implementation capacity. The Permanent Secretariat will succeed in mobilising political will if it can help to equip the Parties with the compelling arguments and instruments for environmental protection.

96. As regards the assumptions for Intermediate Result 5, the risk for further ecological decline of the Caspian Sea is significant. This is due to increased economic activities such as oil and gas exploration and exploitation, unsustainable fishing and agriculture practices and unmanaged waste. These are precisely the activities that the Tehran Convention was designed to address, since they are the primary stressors for the ecological integrity of the Caspian Sea. It may be expected that the entry into force and implementation of the Protocols to the Convention will assist the Parties to significantly reduce these risks. The Secretariat will also have to continue to mobilise resources and promote the necessary capacity-building for a regionally coordinated and harmonized environmental management regime.

#### **c. The likelihood of all the aforementioned changes contributing to even greater and more significant changes**

97. It is important to be realistic when evaluating the outcomes to impact threat in the context of this project. At this stage it is virtually impossible to assess whether or not the project-related changes are likely to contribute to the project impact "improved management, protection and sustainable use of the Caspian Sea." Such changes are unlikely to be measurable for many years to come, and attribution of such change to the work of this project will remain challenging. During the life of the project, the focus has been on creating an enabling environment to promote implementation. Concrete change on the ground will only manifest once the Protocols are legally binding.

98. The TCIS devoted efforts to laying the groundwork for the successful implementation of the TC and its Protocols. As noted above, it will probably take a generational change in order for the TC and its Protocols to be fully implemented. There

are several factors that must be overcome or surmounted in order for this ultimate impact to be achieved in due course.

99. First, the Permanent Secretariat must be established in the region. Parties have finally agreed to the location of the Secretariat, but they must be willing to equip it with the resources it needs. The current level of country contributions is not sufficient, therefore the success of the Permanent Secretariat in mobilising the necessary level of resources is the first most important factor towards the ultimate success of reaching the project goals.

100. Second, ratification of the Protocols is absolutely essential for the ultimate realization of Project impact. The Parties must each ratify each of the Protocols in order for them to enter into force. Once they do, they will generate legally-binding commitment for the Parties. It is at this point that we will begin to see concrete policy and legislative reform at the national level, which will, in turn, lead to concrete changes in behaviour and practice.

101. A third factor that will determine the ultimate success in realising the impact relates to science; the TCIS has succeeded in the development of a monitoring and reporting system that is ably supported by a network of trained focal points. The speed at which it can generate solid scientific evidence will be critical in convincing governments to implement stronger measures to protect the Caspian Sea. This is important because of the rapid pace of gas and oil exploitation, which will at the same time contribute to both rapid economic growth and increase environmental pressures.

102. The fourth factor is the geo-politics. Multi-lateral cooperation is new for this region. The region has a complex history and the Parties' past relations have prolonged negotiations of the Protocols. However, against that backdrop it is important to compare the success that the Parties have had in adopting three Protocols when measured against the typically slow pace of multi-lateral environmental negotiations.

103. Given the last three Caspian Heads of State Summits, which have called for accelerated implementation of the TC, it is hopeful that the Parties are beginning to understand the importance and the benefits of collective trans-boundary management of their shared resources.

104. The ROTI method requires ratings to be determined for the outcomes achieved by the project and the progress made towards the 'intermediate states' at the time of the evaluation.<sup>36</sup> The assessment of the project's progress towards achieving its intended impact is presented in the ROTI (Table 4) and the rating system is presented in Table 3 below.

**Table 3 - Rating Scale for Outcomes and Progress towards Intermediate States**

<b>Outcome Rating</b>	<b>Rating on progress toward Intermediate States</b>
D: The project's intended outcomes were not delivered	D: No measures taken to move towards intermediate states.
C: The project's intended outcomes were delivered, but were not designed to feed into a continuing process after project funding	C: The measures designed to move towards intermediate states have started, but have not produced results.
B: The project's intended outcomes were delivered, and were designed to feed into a continuing process, but with no	B: The measures designed to move towards intermediate states have started and have produced results, which give

<sup>36</sup> Projects that are a part of a long-term process need not at all be "penalized" for not achieving impacts in the lifetime of the project: the system recognizes projects' forward thinking to eventual impacts, even if those impacts are eventually achieved by other partners and stakeholders, albeit with achievements based on present day, present project building blocks.

Outcome Rating	Rating on progress toward Intermediate States
prior allocation of responsibilities after project funding	no indication that they can progress towards the intended long term impact.
A: The project's intended outcomes were delivered, and were designed to feed into a continuing process, with specific allocation of responsibilities after project funding.	A: The measures designed to move towards intermediate states have started and have produced results, which clearly indicate that they can progress towards the intended long term impact.

**Table 4 – Assessment of Outcomes and progress towards Intermediate States and Impact**

Results rating of project entitled:		“(Interim) Secretariat services to the Framework Convention for the Protection of the Marine Environment of the Caspian Sea”					
Outputs	Outcomes	Rating (D – A)	Intermediate states	Rating (D – A)	Impact (GEBs)	Rating (+)	Overall
1. <ul style="list-style-type: none"> <li>• 4 COPs held</li> <li>• 4 Protocols drafted</li> <li>• 3 Protocols adopted</li> <li>• Permanent Secretariat location agreed</li> <li>• Institutional setting established</li> </ul>	1. TC Framework operational	<b>B</b>	1. Improved government ownership	<b>C</b>	1. Improved management, protection and the sustainable use of the Caspian Sea		<b>BC</b>
2. <ul style="list-style-type: none"> <li>• NCAPs adopted</li> <li>• NCLOs appointed</li> <li>• Ratification process commenced</li> <li>• Regional Action Plans drafted</li> </ul>	2. National Implementation commenced		2. Secured funding for the TC process				
3. <ul style="list-style-type: none"> <li>• Country contributions finalized</li> <li>• Resource Mobilization strategies prepared</li> <li>• Funding proposals submitted</li> <li>• Meetings with oil and gas industry</li> </ul>	3. Resources mobilized		3. Scientific Evidence established				
4. <ul style="list-style-type: none"> <li>• Caspian Day activities</li> <li>• Public Awareness Campaign</li> <li>• Regional stakeholder meetings and new NGO partnerships</li> <li>• Virtual NGO network.</li> <li>• National Public Participation Strategies finalized</li> </ul>	4. Public awareness and Engagement increased		4. Civil Society systematically involved				
5. <ul style="list-style-type: none"> <li>• Regional Monitoring system completed</li> <li>• Standard reporting format operationalized</li> <li>• National Focal Points appointed</li> <li>• State of Environment Report prepared</li> </ul>	5. Monitoring and Information systems established		5. Successful implementation of the TC and Protocols				

	<b>Rating justification:</b> Not all the outcomes were fully achieved, however this was due to factors completely beyond the control of the Secretariat. The <b>B</b> rating was given because the Secretariat achieved so much with so little. In addition the TCIS has worked very hard to achieve both implicit and explicit forward linkages between the outcomes and the intermediates states and impacts.	<b>Rating justification:</b> The TCIS has earned a <b>C rating</b> . It has worked systematically to overcome the impact drivers, which otherwise would have made it impossible to achieve the five intermediate results. It is far too early at this stage to determine the extent to which the TCIS's efforts have contributed to the successful implementation of the TC (because none of the Protocols has entered into force).	<b>Rating justification:</b> The aggregated rating is <b>BC</b> . It is too early to ascertain whether the project impact has been achieved. Impact can only be ascertained once the TC and Protocols fully enter into force. Only then will governments be faced with legally binding commitments. The commitments will require policy and legislative changes. And only then will we see concrete changes in the environmental health of the Caspian Sea. The project is working hard to ensure its activities will be replicated by the Permanent Secretariat. The achievement of global environmental benefits, while still elusive, stand a high chance of being achieved if the Permanent Secretariat succeeds in building on the excellent groundwork established by the TCIS. The signs on the ground are indeed very encouraging that the project will reach its intended impact. However this depends entirely on the likelihood of the TC and its Protocols entering into force and the full compliance by Parties. With a project of this nature, there are too many unknown risks and assumptions at this stage.
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105. According to the used methodology, the rating obtained is translated onto the usual six point rating scale used in all UNEP project evaluations, as shown in Table 5 below. The Project, with an aggregated rating of BC as described in the table above, can therefore be considered “Moderately Likely” to achieve the expected impact.

**Table 5 ‘Overall likelihood of impact achievement’ on a six point scale.**

Highly Likely	Likely	Moderately Likely	Moderately Unlikely	Unlikely	Highly Unlikely
AA AB BA CA BB+ CB+ DA+ DB+	BB CB DA DB AC+ BC+	AC BC CC+ DC+	CC DC AD+ BD+	AD BD CD+ DD+	CD DD

### iii. Review of project logframe to assess achievement of the formal project overall objective, overall purpose, goals and component outcomes – Highly Satisfactory

106. The project was successful when measured against its logframe (contained in Terms of Reference - Annex A). The evidence for this is provided in the delivery plan

contained in the final revision document.<sup>37</sup> The delivery plan indicates that all of the outputs were completed. The logframe had one important shortcoming; it did not link outcomes to outputs. This however did not alter the fundamental intervention logic of the project which as noted in the ROTI table was sound and successful.

#### **D. Sustainability, catalytic role and replication – Highly Likely**

107. The overall rating for sustainability, catalytic role and replication is Highly Likely.

##### **i. Sustainability**

###### **a. Financial sustainability –Likely**

108. The most significant financial risk that may jeopardize the full realisation of project results and progress towards impact is access to the necessary level of financing for the Permanent Secretariat. The contributions from the Parties are far from adequate to properly run a secretariat. With the reluctance of international donors to finance activities in the region, the most likely source of additional financing will be the private sector. To date, however, the (Interim) Secretariat has had limited success in mobilising resources from the private sector. BP is one of the few private sector investors that is concretely supporting the Caspian Environmental Information Centre. However, once the Permanent Secretariat is established in the region, it is hoped that it will have greater success in mobilising support from oil and gas companies operating in the Caspian.

109. The bulk of project activities were financed with the support of the GEF during the life of three consecutive UNDP-GEF projects. However, once the last project—CaspEco—was terminated in 2011, the lack of GEF funding has undermined the ability of the (Interim) Secretariat to carry out the work that it had originally outlined in the project document revisions. Whilst the Contracting Parties have agreed to contribute annual contributions (USD 72,000/year) to the new trust fund that will be administered by UNEP, it is clear that Parties' contributions alone will enable only the most basic of services to be provided by the new Permanent Secretariat.

110. As previously mentioned (see section C. ii) an amount of approximately USD 500,000 was available for 2014—barely enough to cover the core costs of the Secretariat and its operation (up to USD 300,000), the NCLOs and Caspian Day (up to USD 85,000), COP-5, its PrepCom and other meetings/consultations (up to USD 70,000), ongoing consultancies and evaluation (up to USD 20,000) and USD 20,000 for other support costs.<sup>38</sup>

111. The shift from the (Interim) Secretariat in Geneva to the Permanent Secretariat in Baku is characterized by a precarious financial situation. Bridging support from UNEP will be essential to ensure the mobilization of necessary additional resources for the implementation of the Convention and its Protocols. The establishment of a functioning secretariat in the region—one which is able to mobilize the necessary additional resources for the implementation of the Convention and its Protocols—will need bridging support from UNEP. Regrettably, such support, which was made available during earlier stages of the project (in the form of staff and a one-time financial contribution), had been

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<sup>37</sup> TCIS Implementation Of The Framework Convention For The Protection Of The Marine Environment Of The Caspian Sea (Tehran Convention) Report (February 15th, 2014)

<sup>38</sup> TCIS Implementation Of The Framework Convention For The Protection Of The Marine Environment Of The Caspian Sea (Tehran Convention) Report (February 15th, 2014)

drastically reduced in the time of the UNDP-GEF CaspEco project. In response to instructions by UNEP HQ to all regions to economize, the UNEP ROE leadership decided to withdraw support to the (Interim) Secretariat in order to generate cost savings. What might have been justified at that time has now created significant difficulties for the TCIS. It would be consistent with the basic mandate and policy of UNEP to renew its support for the Convention Secretariat until the Permanent Secretariat is fully established in Baku. To this end, UNEP must ensure the sufficient level of resources necessary to enable the (Interim) Secretariat to service the countries in their efforts to progress with implementation of the Convention and its Protocols.

## **b. Socio-political sustainability –Highly Likely**

112. There are several socio-political factors that have affected the achievement of the (Interim) Secretariat's work and ultimate project results and progress towards impact:

113. First, it is important to emphasize that the level of ownership by the main stakeholders (i.e. the Caspian littoral States) has grown over the life of the project. The environment ministries still rank relatively low in the region's government hierarchies. However, all NCLOs have confirmed that the Tehran Convention process and indeed the efforts of the (Interim) Secretariat has helped to strengthen the voice of environment ministers in the face of competing economic interests represented by other ministers responsible for key economic sectoral areas, such as fisheries, agriculture, trade and oil and gas production. Evidence of this emerging shift is reflected in the outcome of the recent Caspian Head of State Summit in September 2014. Additional evidence of the increased level of ownership by the countries is the fact that they have finally agreed to the establishment of a Permanent Secretariat.

114. Second, the complexity of the geo-politics has been a very significant factor during the life of the project. The Tehran Convention itself is a product of the Caspian Environment Program, which was established during a very different chapter in the geo-politics of the region. Before the dissolution of the Soviet Union, strategic priorities and power were shared between the Soviet Union and Iran. As noted in the project context section, with the dissolution of the Soviet Union, the power balance has changed, in large part influenced by the locus of oil and gas resources and the changing geography of pipeline infrastructure.

115. A third relevant factor is the still undecided legal status of the Caspian Sea. This not only affects the further development of oil and gas resources, it also complicates the distribution of responsibilities for the trans-boundary management of the Caspian Sea, which in turn has affected the ability of the (Interim) Secretariat to forge deeper multilateral cooperation between the Caspian littoral States and to implement the decisions of the COP.<sup>39</sup> However, whilst no agreement has yet been reached on the legal status of the Caspian Sea, Caspian Heads of State agreed at the Astrakhan summit in September 2014 to complete negotiations on the legal status.<sup>40</sup>

116. A fourth factor relates to the fact that the culture of civil society engagement in the Caspian littoral countries is still in its early phases. The States have formally acknowledged the importance of public participation by virtue of having integrated their

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<sup>39</sup> Regional Attempts at Environmental Protection in the Caspian Sea Basin, The Triple Helix Online (Washington) 6 April 2014. Date of Access: 19 August 2014. <http://triplehelixblog.com/2014/04/regional-attempts-at-environmental-protection-in-the-caspian-sea-basin/>

<sup>40</sup> Astrakhan summit produced a tentative agreement that embraces the division of the sea into two types of maritime zones: Each country will have a sovereign zone extending up to 15 nautical miles from the coast, and another granting fishing rights extending up to 25 miles. Anything beyond that limit remains in the littoral countries' common use and will be developed jointly by the five states altogether. That leaves Russia with substantial leverage over the region at a time when Moscow is seeking to reassert control over the flow of Caspian oil and gas toward Europe.

National Public Participation Strategies into their National Convention Action Plans. However, the reality on the ground is that public engagement is not yet substantively impacting the environmental decisions taken by the States. It will take time until the real impacts of public participation can be discerned.

117. The fifth factor relates to decreased donor engagement in the region. Catalysed in part by the political sanctions imposed on Iran and Russia, it has been observed that donors have also chosen to retreat because of the rapid economic growth within the Caspian littoral states. The high pace of economic growth no longer justifies their continued engagement in the region. The withdrawal of donor support is premature in a region where concern for the environment is still under-developed. The fact that environment ministries continue to rank low in the hierarchies of national governments affects the way that the littoral states are allocating their resources. This, in turn, is also affecting the decisions of the donor community. Against this backdrop, the importance of strengthening the only multilateral environmental regime in the region has become even more critical, not to mention challenging, for the (Interim) Secretariat.

### **c. Institutional framework – Highly Likely**

118. There are two dimensions to the durability of the institutional arrangements that are essential to the overall sustainability of the project and its results. The first institutional dimension relates to the actual Secretariat. The fact that Parties have now finally agreed to establish a Permanent Secretariat is expected to greatly contribute to the long-term sustainability of the TC process. Whilst UNEP ROE has done an excellent job in administering the (Interim) Secretariat, as evidenced by the Parties' unanimous praise, the fact that the Secretariat has existed in an interim capacity has perhaps restricted the scope of what it could possibly achieve, notwithstanding the important support it received from ROE and earlier on, from the GEF and GRID-Arendal. The robustness of the Permanent Secretariat will depend on several factors, such as the availability of resources, the choice of the Permanent Secretariat's new Executive Secretariat, the continued commitment of the Parties and the extent to which UNEP will be willing to continue to support the Caspian Sea process.

119. The second institutional dimension that is relevant to the sustainability of the Tehran Convention relates to the national implementation structures that have been established in the Caspian littoral States. Besides the feedback provided by the interviewees, including the NCLOs, another important source of evidence for the relative robustness of national institutional frameworks is reflected in the NCAP synthesis paper that is prepared for each biennial COP.<sup>41</sup> The NCAPs vary in quality from one country to another. Nonetheless, governments are increasingly aware of the importance of the NCAPs. However, the fundamental institutional challenge relates to the fact that most of the NCAPs are anchored within the environment ministries, which are relatively weak in government hierarchies, as noted above.

120. Whilst the (Interim) Secretariat has certainly helped to strengthen the voice of the environment ministries in convincing other sectoral ministries about the importance of the Tehran Convention, many interviewees confirmed that there is still a perception of the incompatibility of economic growth and environmental protection.

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<sup>41</sup> "National Convention Action Plan Synthesis Report" COP4 December 2012. Accessed November 10, 2014. [http://tehranconvention.org/IMG/doc/INF.4\\_NCAP\\_Synthesis\\_Report\\_eng.doc](http://tehranconvention.org/IMG/doc/INF.4_NCAP_Synthesis_Report_eng.doc)

#### **d. Environmental sustainability - Likely**

121. According to the *2011 Caspian State of the Environment*, the oil and gas sector in the region will continue to grow, in large part because of growing energy demand in the world. This means increased transportation of oil and gas through the use of tanker fleets and pipelines. Together with the exploration for new reserves and exploitation of discovered ones, these developments will continue to propel the regional economy. However, these developments will also increase pressures on the environment of the Caspian Sea, which is already degraded in certain parts. This asymmetry adds complexity to the existing geo-political dynamic and raises questions about distribution of responsibilities for environmental protection.<sup>42</sup>

122. Another environmental factor that is relevant for the future success of the Tehran Convention is the depletion of the Caspian Sea's sturgeon fish stocks. This has resulted not just from over-fishing but as well from unsustainable agriculture practices, the construction of dams along spawning rivers and oil extraction activities.<sup>43</sup> The depletion of Caspian Sea sturgeon has negatively affected the social conditions of coastal communities whose livelihoods depend on the resource and has increased the prevalence of illegal fishing.<sup>44</sup>

123. The *Caspian State of the Environment Report 2011* also highlights other notable environmental stress factors such as climate change, sea level rise and desertification. All these environmental factors, if not managed carefully, will make it very difficult for the new Permanent Secretariat to ensure that the objectives of the Tehran Convention (notably the protection of the Caspian environment from all sources of pollution and the sustainable use of its resources) are fully realised.

124. As project results (i.e. increased government ownership, enhanced public awareness, increased mobilization of financial resources and improved monitoring and information) are scaled-up under the ambit of the new Permanent Secretariat, it is unlikely that negative environmental impacts from the project will occur. Indeed, it is hoped that precisely the reverse will manifest. As implementation of the Tehran Convention and its Protocols is increased in each of the five States, the environmental impacts of economic activity in the Caspian Sea will be hopefully mitigated effectively with a possible reversal of ecological decline trends.

#### **ii. Catalytic role – Highly Satisfactory**

##### **a. The role of the project in catalysing behavioural changes**

125. As described throughout this entire evaluation report, despite limited resources, the (Interim) Secretariat played an important role in helping to catalyse initial behavioural changes, which are described below.

126. First, the (Interim) Secretariat has helped to bring Parties to the table in a region where regional dialogue and cooperation has been difficult due to the complex geo-political context. The fact that the (Interim) Secretariat was hosted by UNEP ROE made an important difference in this regard. UNEP ROE was systematically engaged in the process. Its role and contribution to the dialogue and negotiations between the Parties contributed and added value to the process, especially its efforts helping the Parties reach

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<sup>42</sup> GRID-Arendal. "Caspian Sea - State of Environment Report." (2011). Accessed November 9, 2014. [http://www.tehranconvention.org/IMG/pdf/Caspian\\_SoE\\_Eng\\_fin.pdf](http://www.tehranconvention.org/IMG/pdf/Caspian_SoE_Eng_fin.pdf).

<sup>43</sup> Ibid.

<sup>44</sup> Ibid.

consensus. One interviewee said that “if UNEP ROE had not been in a position to host and act as the (Interim) Secretariat, Parties would not have come to the table.”

127. Parties in the region trust UNEP’s authority and this is reflected in their continued participation and cooperative dialogue in the annual COPs. The fact that Parties have now agreed on a Permanent Secretariat and that the COPs have managed to adopt 3 Protocols in recent years is an important source of evidence of the catalytic role of the (Interim) Secretariat in changing behaviour and securing greater political support for the TC process.

128. Second, the role of the (Interim) Secretariat in promoting, servicing and supporting the implementation of the Convention’s program of work, in particular the development of the Protocols has been highly praised by the Parties. They have openly acknowledged that without the Secretariat’s substantive contributions, there would most likely have been no Protocols adopted during the lifetime of the project.

129. Third, at the September 2014 Caspian Head of State Summit, the five Presidents expressed their concern to “to complete the ratification of Protocols on oil spill response, on the protection of the Caspian Sea from pollution and on preserving biological diversity as soon as possible.” This endorsement at the presidential level is very rare and signals the clear intention of the countries to elevate environmental priorities.

130. Fourth, National Action Plans (NCAPs) have been finalized and approved in all countries, except in Kazakhstan, where the approval process is close to conclusion. The NCAPs contain implementation measures for the Tehran Convention and its Protocols. Countries have also integrated the TC Public Participation Strategies into the NCAPs. According to the interviewees, the (Interim) Secretariat was instrumental in assisting countries to adapt their original Caspian Action Plans into NCAPs. This included Secretariat efforts to encourage interaction and cooperation between the various stakeholders. The Secretariat also played an important role in supporting countries in their protocol ratification process. Countries also praise the TCIS for the overall quality of legal and administrative support.

131. This support was made possible with GEF funding under the auspices of the UNDP GEF projects, including the most recent CaspEco project. However, since GEF funding is no longer available, limited resources have constrained the (Interim) Secretariat from providing the necessary support to the countries to help strengthen national coordination and implementation. All of the interviewees cited lack of resources as a major constraint to the work of the Secretariat.

132. Fifth, the (Interim) Secretariat’s public participation activities build on the public awareness and stakeholder involvement activities that were developed under the auspices of the Caspian Environment Program. As explained in the Effectiveness section, the TCIS’s achievements must be assessed in the context of the larger political and social context of the region. The engagement of civil society in the protection of the marine environment of the Caspian Sea is still embryonic in most of the Caspian littoral states.<sup>45</sup>

#### **b. Role of the project to catalyse institutional and policy change**

133. The first notable way the project has catalysed institutional change is in the latest COP decision to establish a Permanent Secretariat in Baku.

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<sup>45</sup> Goyet, Sylvie. "Public Participation Workplan of the Caspian Environment Programme - Final Report." September 3, 2002. Accessed December 5, 2014. <http://iwlearn.net/iw-projects/596/reports/caspian-environment-programme-public-participation-workplan-of-the-caspian-environment-programme-final-report.doc>.

134. The second example of how the project catalysed institutional change is reflected in the national implementation structures that have been established by the Parties. It is important to emphasise that the NCAPs may not yet have resulted in the necessary changes on the ground. Indeed, it will take considerably more time before qualitative changes of NCAP implementation can be measured, in large part because the Protocols themselves have not yet entered into force. However, interviewees stressed the positive role that the NCAPs have played in strengthening the voice of environment ministries *vis-à-vis* other key ministries such as foreign affairs, trade, transport, energy and fisheries.

135. In terms of how the project has catalysed policy changes, it should first be emphasised that the (Interim) Secretariat was instrumental in the drafting of the four ancillary Protocols (3 of which have now been adopted by the COP). These Protocols form the basis of the policy framework of the Tehran Convention and once they enter into force, they will establish legally binding commitments for the Parties. At the national level, the TCIS assisted countries in adapting their original Caspian Action Plans into National Convention Action Plans (NCAPs) and updating them regularly. The TCIS worked closely with the National Convention Liaison Officers (NCLOs) in the preparation of the NCAPs through dedicated workshops and sessions at COP meetings. The latest versions of NCAPs were prepared as planning documents for environmental protection activities in the Caspian Sea, as well as “for mutual awareness and harmonisation of activities in solving environmental problems of the Caspian Sea”.<sup>46</sup>

### **c. Role of the project to create opportunities for individuals or institutions to catalyse change**

136. Bar none, each interviewee stressed the leadership role played by Frits Schlingemann (former director of UNEP ROE and external consultant to the Interim Secretariat) in all aspects of the development of the Tehran Convention regime (especially the drafting of the four ancillary Protocols and now the fifth one on monitoring). The state and non-state actors agreed that without him, it is clear that the process would not have evolved as far as it has.

137. Interviewees also agreed that the support provided by the (Interim) Secretariat to national governments has been critical in helping to strengthen the voice of environmental ministries *vis-à-vis* the sectoral ministries and in advancing the imperative of environmental protection of the Caspian Sea.

### **iii. Replicability– Highly Satisfactory**

138. The assessment of the replicability of the TCIS is based on the approach used to promote replication of its activities. This involves an assessment of the extent to which actual replication has already occurred or is likely to occur in the near future.

139. First, it is important to emphasise that the TCIS had been established as an interim Secretariat. Until the Parties could agree on the location of the Permanent Secretariat, all of the activities undertaken by the TCIS were designed to ensure that the institutional setting of the Tehran Convention was firmly rooted and that the necessary support was provided to the Parties in terms of development of their national implementation structures. These two elements have been essential for the viability of the Tehran Convention process. However, they could not have been achieved with an interim secretariat run anywhere else but within UNEP ROE. UNEP ROE was particularly well-

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<sup>46</sup> COP-2 (Tehran 2008) called for the revision and aligning of the existing National Caspian Action Plans developed under the Caspian Environment Program (CEP) with the objectives and requirements of the Strategic Caspian Action Plan and the Protocols of the Tehran Convention. These would then form the National Convention Action Plans (NCAPs).

positioned to take the lead in running the TCIS because of its understanding of the region's highly sensitive issues, the political context and of course, its prior relationship with the state and non-state actors on the ground.

140. Throughout the life of this project, UNEP ROE has been on the proverbial "front-lines" and this proximity has enabled it to be more responsive to the needs of governments. This is a factor that will clearly assist the transfer of responsibility from the (Interim) Secretariat to the Permanent Secretariat when it is established in Baku. The political sensitivity to the region as displayed by UNEP ROE and indeed the (Interim) Secretariat is an example of the approach used to ensure that the Permanent Secretariat would be well positioned to carry on with the core activities.

141. Had the TCIS been run centrally out of Nairobi, many interviewees agreed that the (Interim) Secretariat could not have achieved the same level of success of the Geneva-based TCIS. This in turn, would have made it much more difficult for the Permanent Secretariat to pick up where the (Interim) Secretariat left off.

142. Of course it will be important that the Permanent Secretariat is equipped to build on the TCIS' work and that efforts are made to sustain the institutional memory throughout the transition. At the same time, linkages with UNEP and the technical divisions should be maintained. It is equally important that the new Permanent Secretariat should not be politicized as it moves from one host country to another. Under UNEP ROE, the TCIS has maintained a very neutral profile, which has been critical to the buy-in of Parties. Safeguards will be needed to ensure that the independence of the new Permanent Secretariat is duly maintained. In this regard, the selection of the Permanent Secretariat's executive secretary will be especially important.

## **E. Efficiency – Highly Satisfactory**

143. The overall rating for the Efficiency section is Highly Satisfactory.

### **i. Cost-saving measures adopted by the project**

144. There were several cost-saving measures that ensured the project's successful conclusion. The main cost-saving measure was the fact that the (Interim) Secretariat was run by UNEP ROE in close cooperation with the Programme Coordinating Unit (PCU) of the UNDP-GEF CASPECO Project, the World Bank, FAO, IMO, ECE ESPO and UNEP GPA. The engagement of all of these actors helped enormously because of their level of skill and experience in the implementation of environmental governance regimes. Many of the interviewees confirmed this point.

145. The TCIS was run on a very tight budget. As one government representative stated "the (Interim) Secretariat could not have possibly saved any more costs than they did." For example, there were minimal resources for the hiring of Secretariat staff. The Secretariat was basically run with one full-time staff member and a small number of external consultants. The project management was first undertaken by the ROE Director, and later by one of his staff. Up until 2009, UNEP provided for the funding of one Secretariat staff member. However when UNEP ROE had to economise, that support was discontinued. The (Interim) Secretariat also clustered meetings to save on travel costs.

146. Recently the Parties agreed to a proposal by the (Interim) Secretariat to stop subsidizing government representatives for their travel and hotel costs for Convention meetings. Other cost-saving measures included enlisting UNEP expertise in both administrative and substantive matters. However, there was some degree of frustration on

the part of the (Interim) Secretariat with the limited attention, support and flexibility shown by UNEP Headquarters.

## **ii. Time-saving measures adopted by the project**

147. An important time-saving measure proposed by the (Interim) Secretariat and agreed upon by the Parties was to refrain from producing and discussing meeting reports. Instead, meeting results were integrated into the proposals for subsequent meetings. Another time-saving measure consisted of the systematic efforts undertaken by the (Interim) Secretariat to consult with the Parties in advance of a protocol negotiation session. This allowed for the preparation of documents and protocol negotiating texts, which were grounded in a considerable degree of agreement between the Parties. This reduced negotiation time.

## **iii. Impact of delays on project execution, cost and effectiveness**

148. The project was extended three times to ensure completion of project activities. The negotiation of the four ancillary Protocols took far more time than originally anticipated due to reasons beyond the control of the (Interim) Secretariat, notably due to emerging political obstacles for reaching consensus. The actual delays only occurred when the countries could not come to agreement on the text of the Protocols, which meant postponing decisions to the next COP. Delays with protocol adoption meant delays with the development of regional and national implementation measures.

## **iv. Efforts to build upon pre-existing initiatives, institutions, agreements and partnerships**

149. It is important to emphasize that the Tehran Convention is an important output of the UNDP-GEF International Waters projects, in support of the Caspian Environment Programme (CEP).

150. The programme of work of the (Interim) Secretariat replicated Component 2 of the third UNDP-GEF project entitled “The Caspian Sea: Restoring Depleted Fisheries and Consolidation of a Permanent Regional Environmental Governance Framework” otherwise known as CaspEco). It was the intention of this third UNDP-GEF project to transfer all the CEP activities under the ambit of the Tehran Convention. This is precisely why Component 2 of that project focused on, *inter alia*, the institutional set-up of the Tehran Convention. This component formed the basis of the TCIS work programme.

151. As one Caspian littoral State representative stated, “during the period of time during which the two projects overlapped, it was sometimes difficult to distinguish between the (Interim) Secretariat and the Caspian Environment Program.” This was however perceived in a positive light, since it enabled the UNEP ROE-hosted (Interim) Secretariat to build efficiently on the previous work undertaken by the CaspEco project.

## **F. Factors affecting performance –Satisfactory**

152. The overall rating for Factors affecting performance is Satisfactory.

### **i. Preparation and readiness –Highly Satisfactory**

#### **a. Identification of project stakeholders**

153. The main stakeholders of this project were the five littoral countries, in particular the national agencies in charge of environment. These were clearly identified in the

project document and subsequent revisions. The National Convention Liaison Officers (NCLOs) were the primary entry points with whom the (Interim) Secretariat engaged. Indeed, the bulk of the (Interim) Secretariat's work translated into national implementation activities that were carried through the intervention of the NCLOs. During the annual COPs, the key stakeholders were the negotiation partners, in most cases, the Environment Ministers and senior-level officials of Ministries of Foreign Affairs.

154. Another important set of stakeholders were the key NGOs in each of the Caspian littoral States.

155. It is important to note that the primary aim of this project was to create and elaborate the framework for the successful implementation of the Tehran Convention and its ancillary Protocols and to promote the ownership of the Caspian littoral States. As such, from the early stages of project design through to the entire life of the project, activities were always focused on the specific needs of the key project stakeholders (notably the national state actors).

#### **b. Clarity, practicality, feasibility of the project's objectives and components within its timeframe**

156. The aforementioned objectives were clear, practical and feasible. They directly replicated the Component 2 of the CaspEco project, which was successfully implemented. With the Parties having agreed to UNEP ROE running the (Interim) Secretariat at the start of this project, it made sense to carry on with the same objective. Indeed these objectives logically framed the key activities undertaken by the TCIS, notably the drafting of the Protocols and support to the governments for their national implementation structures.

157. The objectives were feasible because of UNEP ROE's experience with environmental governance and the administration of secretariats and multilateral environmental agreements (i.e. the Carpathian Convention, which is run out of UNEP's Vienna Office). The objectives were also practical because of the expertise that UNEP ROE was able to draw from within UNEP. Another important source of evidence for the feasibility of the project's objectives is the progress reports prepared by the (Interim) Secretariat, which confirmed that all of the project activities have been fully implemented. The project was extended three times. But this was due to factors beyond the control of the (Interim) Secretariat and related specifically to the delays in protocol negotiation process, which were due to political factors.

#### **c. Consideration of the capacities of the implementing agency properly considered when the project was designed**

158. As noted in the preceding paragraph, the capacities of UNEP ROE were fully considered when the project was designed. They had a combination of practical experience with the running of convention secretariats, combined with political acumen, authority and respect, which the Parties recognized and appreciated from the start of the project. All of the NCLOs who provided feedback were unanimous in their praise for UNEP ROE in their steadfast efforts against the backdrop of a complex political context and limited resources.

#### **d. Clarity and realism of the project document to enable effective and efficient implementation**

159. The first project document was clear and realistic (even though subsequent revisions provided more detail in terms of the logical framework and indicators and

evidentiary sources).<sup>47</sup> The evidence of the project document's potential to enable effective and efficient implementation is provided in considerable detail in the section on Effectiveness. As well, the Project Document Supplement from December 2013 highlights the project's main milestones, which indicate that indeed the project's outcomes and outputs were successfully fulfilled, thus confirming the realism of the project document.

160. At the time of project design, the project team was confident that the activities would enable effective and efficient implementation. It should be added that the original project document built on the UNDP GEF projects logic, which itself was subject to a rigorous GEF approval, and then an evaluation process later on. The project document for the TCIS project built upon a previous project that fully met the GEF criteria for effectiveness.

161. The final project extension provided for the continuation of (Interim) Secretariat services to the Tehran Convention process, until the Parties were able to decide on the Permanent Secretariat arrangements and the establishment of the trust fund for the convention Secretariat.

#### **e. Identification of the partnership arrangements and the roles and responsibilities prior to project implementation**

162. The project document does provide for an institutional framework. The (Interim) Secretariat is run by UNEP ROE, under the overall coordination UNEP Division of Environmental Law and Conventions (DELIC)/ Division of Environmental Policy Implementation (DEPI) with projected out-posted units in Caspian countries. The Project Document explains that the (Interim) Secretariat consists of a part-time head, a part-time legal officer, and a part-time assistant, all of whom are UNEP staff members. Out-posted, locally recruited part-time officers dealt with the Protocols and other priority areas of regional cooperation, subject to the guidance and decisions of the COP. This arrangement was intended to continue until the Parties agreed to arrangements for a Permanent Secretariat. The (Interim) Secretariat also collaborated closely with, and received support from, the CaspEco Project.

#### **f. Adequacy of project management arrangements in place**

163. The (Interim) Secretariat has been run by UNEP ROE until the Parties were able to agree on arrangements for the Permanent Secretariat. As reflected throughout this entire evaluation report, the interviewees were unanimous in their praise for the project management team. Everyone has recognized the considerable efforts undertaken by a very small but devoted Secretariat and the support provided by UNEP ROE. Once again, the backdrop of complex political and social contexts and limited resources highlight even more importantly how much the (Interim) Secretariat was able to achieve with so little. One interviewee stated that "few convention secretariats have been able to achieve so much with so little resources." It should also be highlighted that the adequacy of the project management arrangements have to be measured against the reality that the (Interim) Secretariat was slightly hindered by the fact that it could not take long-term decisions so as not to pre-empt the future decisions of the Permanent Secretariat.

164. One of the key lessons from the CaspEco terminal evaluation that is directly relevant in terms of the adequacy of the management of the Project is the fact that

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<sup>47</sup> The first Project Document covered the period from January 2009 to December 2011, the most relevant project revisions included: (i) the Project Revision document dated December 2011 extended the project to December 2012; (ii) Project Revision dated December 2012 extended the project to December 2013, (iii) the Project document signed on December 2013 extended the duration until December 2014

“delays caused by governmental turnover, political instability, commercial factors, etc. are inevitable. These delays are beyond the control of the Project and the people steering the implementation. That is why the flow of funding should follow milestones, not activities. If the people involved with implementation are obliged to produce something under artificial timelines that do not represent the reality on the ground, then the result will be a focus on outputs rather than outcomes.”<sup>48</sup>

**g. Incorporation of lessons from other relevant projects in the project design**

165. The programme of work of the (Interim) Secretariat replicated Component 2 of the third UNDP/GEF project entitled “The Caspian Sea: Restoring Depleted Fisheries and Consolidation of a Permanent Regional Environmental Governance Framework” otherwise known as CaspEco). It was the intention of this third UNDP/GEF project to transfer all the CEP activities under the ambit of the Tehran Convention. This is precisely why Component 2 of that project focused on, *inter alia*, the institutional set-up of the Tehran Convention, an activity that was subsequently completed by the (Interim) Secretariat during the life of this current project.

**ii. Project implementation and management – Highly Satisfactory**

**a. The extent to which the *project implementation mechanisms* outlined in the project document have been followed and delivered results**

166. The project implementation mechanism consisted of a very sparsely-resourced (Interim) Secretariat that was run by UNEP ROE in Geneva. The TCIS in Geneva consisted of a part-time Head, a part-time legal officer and a part-time assistant. The original project document did not identify any other “project implementation mechanisms.” As described throughout this terminal evaluation, the (Interim) Secretariat was highly effective in delivering project milestones, outputs and outcomes (see Effectiveness Chapter for further details). It took its political direction from the COP decisions and the Parties confirmed their appreciation for the extent to which the (Interim) Secretariat executed the decisions.

167. Where specific outcomes could not be fully achieved (i.e. public participation and engagement), this was due to donor retreat and political factors (i.e. delays by the Parties in the protocol negotiations and in their decision to finally agree on the location of the Permanent Secretariat). The progress reports prepared by the (Interim) Secretariat indicate that the majority of milestones, outputs and outcomes were duly achieved.

**b. Pertinent adaptations made to the approaches originally proposed**

168. The actual completion date was extended to December 2014, and this five-year period appears to have been sufficient to enable the (Interim) Secretariat to achieve its objectives of ensuring the adoption and implementation of the three of the four Protocols and the provision of advice and support for the development of new Protocols (i.e. monitoring and EIA).

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<sup>48</sup> Lenoci, James. “UNDP/GEF: The Caspian Sea: Restoring Depleted Fisheries and Consolidation of a Permanent Regional Environmental Governance Framework “CaspEco” “April, 2012. Accessed December 5, 2014. [http://www.thegef.org/gef/sites/thegef.org/files/gef\\_prj\\_docs/GEFProjectDocuments/M&E/TE/FY2012/UNDP/G003620/3620\\_4058\\_Azerbaijan...\\_IW\\_TE.pdf](http://www.thegef.org/gef/sites/thegef.org/files/gef_prj_docs/GEFProjectDocuments/M&E/TE/FY2012/UNDP/G003620/3620_4058_Azerbaijan..._IW_TE.pdf).

### **c. The effectiveness, efficiency and flexibility of project management**

169. All of the NCLOs indicated in their feedback that the primary success factors that contributed to the (Interim) Secretariat's performance was the steadfast drive and dedication of Frits Schlingemann. Interviewees repeatedly stressed that the structure of the Project implementation mechanism (i.e. the Interim Secretariat) was not sufficient for the required tasks since it was so small and under-resourced. However, the continued efforts by Dr. Schlingemann to continue to make TCIS work despite all of these odds, was reflected by the effectiveness and efficiency of the (Interim) Secretariat.

170. Another success factor is the fact that the (Interim) Secretariat was anchored within UNEP ROE. Throughout the life of the Project, the (Interim) Secretariat enjoyed an excellent working relationship with UNEP ROE, again described throughout this terminal evaluation. Both current and previous UNEP ROE directors have been very supportive of the (Interim) Secretariat's work.

171. Ironically, the geographic distance from the Nairobi UNEP machinery enabled the (Interim) Secretariat to respond quickly to the constantly changing needs of the countries in the region. Many of the interviewees agreed that the (Interim) Secretariat could not have been controlled or managed centrally from Nairobi. Its success was largely due to the decentralized management of a very politically-competent team that had considerable knowledge of the politics of the region and which enjoyed the considerable trust and respect of the countries. That said, perhaps there could have been better linkages with other UNEP projects and guidelines. The TCIS did not receive as much support from Nairobi-based technical experts who often did not have the time to respond to their requests for advice.

172. One additional point about efficiency is the relatively high cost of running the (Interim) Secretariat out of Geneva, which was considered at the time of project design. The fact that Parties took longer than expected to agree on the location of the Permanent Secretariat meant that the (Interim) Secretariat had to extend its presence in Geneva at a considerable cost. Once the Permanent Secretariat is established within the region in Baku, running costs will be lower. However, the Parties' decision to rotate the Secretariat every four years between each of the Caspian littoral States will present considerable cost and administrative challenges.

### **d. The extent to which project management responded to UNEP supervision recommendations**

173. All of the UNEP officials who were interviewed confirmed that the project management team always responded to both the UNEP ROE recommendations and the COP decisions, which provided political guidance to the (Interim) Secretariat.

### **e. Administrative, operational, technical, institutional and/or political problems and constraints that influenced the effective implementation of the project**

174. The key constraints are summarized below:

- Limited resources constrained the (Interim) Secretariat in terms of delivery of some of its outcomes notably related to public participation. Of course one of the contributing factors to the difficulties encountered by the (Interim) Secretariat was the incipient state of public participation and indeed public private participation in the Caspian littoral States.

- The procedure-heavy bureaucracy of UNEP was also problematic, often delaying the disbursement of project funds, which in turn, occasionally frustrated country efforts on the ground.
- There were times when the (Interim) Secretariat would have benefitted from more support from Nairobi-based technical experts, however they were often unavailable to provide the support requested.
- The (Interim) Secretariat was also hindered by the fact that as an interim arrangement, it could not take long-term decisions, which may have been perceived to pre-empt the future decisions of the Permanent Secretariat.
- The (Interim) Secretariat had to execute its work in a region that has not been characterised by multilateral cooperation. The fact that the (Interim) Secretariat was successful in convening the countries to the COPs each year is an important testament to its effectiveness against the region's history of predominantly bilateral relationships.
- Delays caused by governmental turnover and political instability were beyond the control of the (Interim) Secretariat.
- The region's political culture is not geared towards partnerships between governments and the private sector in support of regional action.

#### **f. Observations for the Permanent Secretariat**

175. The Permanent Secretariat will need to increase its fundraising efforts with the private sector. Once the Permanent Secretariat is established in the region, it will be better positioned strategically to mobilize financing from the private sector, notably international and national oil and gas companies. In the meantime, bridging support from UNEP should be considered, especially given UNEP's catalytic role, mandate and earlier practice.

176. If the Convention is to have sustained legitimacy, the Tehran Convention Protocol implementation process will need to include enhanced public awareness and engagement efforts. Considering the retreat of international donors from the region, the Permanent Secretariat will have to explore new sources of financing and new ways of engaging the interest of civil society, whose level of involvement in the Tehran Convention process has been sub-optimal.

177. The concept and practice of the Secretariat extending its reach by engaging NCLOs has been successful and should be continued.

178. The choice of the new Executive Secretary will be important for the future success of the Permanent Secretariat. It will be important to appoint someone with a sufficiently high political profile in order to sustain the effectiveness of the (Interim) Secretariat in securing the buy-in of the countries. At the same time, the Permanent Secretariat needs someone who is experienced in dealing with UNEP's complex bureaucracy and who can help anchor the Tehran Convention in whatever may be the most effective setting within.

179. Changing the region's political culture is, of course, beyond the scope of the Permanent Secretariat. However, if it can continue to demonstrate the concrete added value of multilateral cooperation and the efficiency gains of collaborative approaches in

the basin, this will help considerably to convince political leaders of the importance of strengthening dialogue.

180. Similarly, in a region that is not necessarily experienced in formal public private partnerships in support of regional processes and collaboration, the Permanent Secretariat should accelerate its efforts with potential private sector partners. Once again, the Permanent Secretariat will need to make an even more compelling case for potential benefits of partnership.

181. There is still considerable work ahead for the new Permanent Secretariat in assisting the States with their NCAPs. As noted above, NCAP progress has been slow and uneven across the region. Therefore, the new Permanent Secretariat should assist the NCLOs in identifying the institutional arrangements needed to accelerate the implementation of the NCAPs and making the case *vis-à-vis* other ministries regarding the importance of the NCAPs.

182. The Permanent Secretariat should ensure that GEO-6 pays more attention to the environmental challenges of the Caspian Sea. This could help to elevate awareness and renewed interest in the international donor community.

183. Cooperation with the Regional Seas Programme and other relevant UNEP sections should be a high priority of the Permanent Secretariat.

184. There is a need for higher-level political support within UNEP for the Caspian region. From a diplomatic perspective, it is certainly a complex region. However, the Tehran Convention process has been an important success story. It has forged multilateral cooperation in a region that has been characterized by complex geo-politics and very little regional-level dialogue. At the same time, the Caspian littoral States are increasing their attention and support for international environmental cooperation.

### **iii. Stakeholder participation and public awareness – Moderately Satisfactory**

#### **a. The approaches used to engage stakeholders**

185. The (Interim) Secretariat's public participation activities built on the public awareness and stakeholder involvement activities that were developed under the auspices of the Caspian Environment Program. During the life of this project, the TCIS supported the Caspian littoral states in engaging non-state actors through the following activities:

- Organisation of Caspian Day in five Caspian countries
- Convening regional stakeholders meeting
- Assisting in the adaptation and integration of National Public Participation Strategies into the NCAPs
- Preparation of synthesis paper on National Public Participation Strategies
- Establishing linkages with the Espoo and Aarhus Conventions

#### **b. Effectiveness of TCIS public awareness activities**

186. All of the five NCLOs have acknowledged the efforts of the TCIS in supporting the development and implementation of their National Public Participation Strategies and in integrating them into the National Convention Plans. However, the overall effectiveness of

TCIS efforts has to be considered in the political and social contexts of each the Caspian littoral States.

187. It should be stressed as well that most of the other interviewees confirmed that the TCIS' efforts to support public awareness and engagement efforts were seriously hampered by limited funding. The (Interim) Secretariat's initial efforts (i.e. stakeholder meetings, development of regional NGO networks, capacity building) were supported by the GEF under the auspices of the UNDP GEF CaspEco project. However, once that project was terminated, the (Interim) Secretariat's public awareness and engagement activities could not be continued at the same level as during the CaspEco project.

188. At this point, it is far too early to definitely assess the effectiveness of these efforts in concretely increasing public awareness and engagement in the Tehran Convention process. The next round of national reports that will be prepared by the countries (in advance of COP-6) will provide importance evidence of the extent to which NPPs have been duly incorporated into the NCAPs.

189. It will be critical for the Permanent Secretariat to be equipped with the necessary resources to support the Caspian countries in strengthening the legal and institutional arrangements for public participation, enhancing access to environmental information and reinvigorating both national and regional NGO networks with the necessary resources. Whilst these priorities are addressed in the NPPs, increased effort must be directed towards operationalising these commitments. This will help to bring the region closer to realising Principle 10 of the Rio Declaration on Environment and Development (i.e. the importance of public involvement in sustainable development).<sup>49</sup>

190. Whilst the Caspian Days have been popular in the region, there is much more that could be done to ensure greater levels of public participation in the Caspian Days. In this regard, the Permanent Secretariat should be equipped with resources to support NGOs in each of the five Caspian littoral States to develop public information campaigns. These campaigns will help citizens as well as parliamentarians and public officials to understand the potential value of the Convention and its Protocols, which in turn can potentially help to accelerate the ratification process. As well, the Caspian Environmental Information Centre is an important platform around which NGO dialogue can be strengthened.

#### **iv. Country ownership and driven-ness –Highly Satisfactory**

##### **a. The level of country ownership**

191. The feedback from the NCLOs was very positive on this point. They praised the TCIS for the high quality of their assistance provided to enable country ownership. One primary source of evidence of country ownership is reflected in the varying degrees of NCAP implementation. The quality varies from country to country but a common challenge is the limited ownership on the part of other government bodies beyond environment ministries. Despite efforts by the NCLOs to promote and ultimately mainstream them, where the NCAPs have been sub-optimal, this is more a function of the political context within the countries themselves, as opposed to the efforts of the TCIS.

192. Many of the interviewees agreed that the fact alone that these NCAPs exist and are alive is itself an important indicator of the success of the TCIS in its efforts to promote country ownership. It is important to emphasize that the NCAPs have not yet achieved the

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<sup>49</sup> TCIS "National Convention Action Plan Synthesis Report" COP4 December 2012. Accessed November 10, 2014. [http://tehranconvention.org/IMG/doc/INF.4\\_NCAP\\_Synthesis\\_Report\\_eng.doc](http://tehranconvention.org/IMG/doc/INF.4_NCAP_Synthesis_Report_eng.doc)

necessary changes on the ground. It will take considerably more time before qualitative changes can be measured, in large part because the Protocols themselves have not yet entered into force. However, interviewees stressed the positive role that the NCAPs have played in strengthening the voice of environment ministries *vis-à-vis* other key ministries such as foreign affairs, trade, transport, energy and fisheries. Another key point to stress is that the challenge faced by the TCIS in strengthening ownership was complicated in part by the difficulty of knowing who and where to engage. The optimal point of engagement varied considerably from country to country and the TCIS did the best it could in building the confidence of the relevant state actors. The big challenge for the Permanent Secretariat will be to help States to mainstream the NCAPs into their overall economic development planning processes.

193. Overall, interviewees agreed that the TCIS' support and advice, especially in the negotiations of the Protocols was extremely important in bringing the countries to consensus. As explained throughout this report, perhaps the most important evidence of country ownership is the adoption of the three Protocols and the agreement on the location of the Permanent Secretariat as well as the Parties' commitments to provide annual contributions to the Secretariat trust fund. Once again, interviewees agreed, that but for the efforts of the TCIS, governments would never have managed to forge agreement on their own, either with the Protocols or the location of the Permanent Secretariat. It is hoped that the Secretariat's move to the region will help to catalyse an even greater sense of ownership, particularly with the decision to rotate the Secretariat every four years between the countries.

#### **b. The level of commitment within the Caspian countries towards the implementation of the Tehran Convention process**

194. The level of commitment within the Caspian countries towards the implementation of the Tehran Convention process is evidenced by the fact that the 3 out of the 5 COPs organised and administered by the (Interim) Secretariat succeeded in each adopting a protocol to the Tehran Convention. This track record of protocol adoption is virtually unheard of in international environmental negotiations. It is even more significant considering the sometimes tense relations between the Caspian littoral States. Indeed, the very fact that the Secretariat has succeeded in stimulating interaction between Parties, who have not automatically been willing to otherwise engage in dialogue, is important evidence of the (Interim) Secretariat's capacity to mobilise country commitment.

195. Equally important is the fact that COP-5 adopted a decision to establish the Permanent Secretariat in Baku. This is further evidence of the Parties' political commitment to the Tehran Convention. The presidential decree was issued at the September 2014 Heads of State Summit referred to previously.

### **v. Financial planning and management - Satisfactory**

#### **a. The financial situation**

196. The planned project budget at approval in 2009 was USD 2,168,900. The original project budget consisted of support from UNEP ROE (USD 180,000 in-kind) UNEP DOE (USD 25,000), GEF Convention related budget (USD 1,775,000 to be provided through a UNDP/UNOPS – UNEP interagency agreement) and country contributions (USD 1,080,000).

197. At the time that the project was designed, the support provided by the GEF did enable sufficient and timely resources. However, as noted below, when the CaspEco

project was terminated, the lack of additional resources from the GEF and other external donors made it difficult for the TCIS to carry out some of its activities.

198. The bulk of original Convention activities were financed with the support of the GEF during the life of the last of the three consecutive UNDP-GEF projects (i.e. CaspEco). However once CaspEco - was terminated in 2012 (however the interagency agreement with the TCIS ended in 2011), the lack of additional funding from the GEF and other external donors, hindered the ability of the (Interim) Secretariat to carry out some of the activities that it had originally outlined in the 2012 project logframe.

199. Whilst the Contracting Parties have agreed to contribute annual contributions (USD 72,000/year) to the new trust fund that will be administered by UNEP. Parties' contributions alone will enable only the most basic of services to be provided by the new Permanent Secretariat.

200. With a projected expenditure over 2013 of approximately USD 350,000 and taking into account the reserve, an amount of approximately USD 500,000 was available for 2014. This is just barely enough to cover the core costs of the Secretariat and its operation (up to USD 300,000), the NCLOs and Caspian Day (up to USD 85,000), COP-5, its PrepCom and other meetings/consultations (up to USD 70,000), ongoing consultancies and evaluation (up to USD 20,000) and USD 20,000 for other support costs.<sup>50</sup>

201. These calculations were based on the assumption and expectation that all countries would pay their contributions, including Iran's arrears, and that starting in 2014 the contribution level would be raised in cash or in-kind (through staff support) from USD 72,000 to USD 200,000 per country. It was furthermore hoped that in 2013 at least one of the external fundraising efforts would bear fruit. However this was not the case.<sup>51</sup>

**Table 6 - Estimated Project Costs**

<b>Budget</b>	<b>Amount</b>
A: Previously approved planned budget (from the last revision)	<b>1,736,930 USD</b>
B: Previously Secured budget (from IMIS)	<b>1,736,930 USD</b>
Previously received earmarked contribution (not yet placed in IMIS)	<b>71,970 USD</b>
Total secured budget	<b>1,808,900 USD</b>
C: Total change of budget [sum of (i)+(ii)]	<b>287,970 USD</b>
i) Secured budget: 60% of Annual pledged National Contributions to the Tehran Convention, placement of received earmarked contribution in 2014	<b>287,970 USD</b>
ii) Unsecured budget:	<b>0 USD</b>
D: New total budget (A+C)	<b>2,024,900 USD</b>
E: Revised planned budget (if different from A)	<b>2,168,900 USD</b>

Source: TCIS

<sup>50</sup> TCIS Implementation Of The Framework Convention For The Protection Of The Marine Environment Of The Caspian Sea (Tehran Convention) Report (February 15th, 2014)

<sup>51</sup> Together with the UNEP contribution (US \$ 55,000) and a somewhat higher remainder of the EU grant (US \$ 77,000) than presented in document TC/COP4/9 and as already reported on in the TCIS Note on the Financial Situation and Perspectives of 22 October 2013, the financial resources available for 2013-2014 amounted to US \$ 853,560, well over US \$ 700,000 short of the projected amount needed for a full implementation of the POW 2013-2014.

## **Table 7 - Breakdown of Actual Expenditures<sup>52</sup>**

*The Secretariat is completing the budget template; to be included in the final draft.*

### **b. Financial planning and management**

202. It should be first emphasised that the financial planning and management was always subject to the approval of the COP. The information provided by the TCIS to the COP consisted of comprehensive overviews of the budget and expenditures. The full detailed financial reports were also submitted to UNEP, whose financial reports are audited each year. Periodically, UNEP ROE is subject to auditing; since the TCIS is administered by ROE, in those years where ROE is audited, the TCIS reports would be audited as well.

203. Additionally, the financial planning and management was also governed by provisions of the interagency agreement between UNEP and UNOPS (UNOPS was the executing agency for the CaspEco project). The interagency agreement provided resources for staffing and travel for the TCIS. These resources were included in the TCIS budget.

### **c. Recruitment of goods and services**

204. Under this project there was no purchase of goods. Recruitment of staff was problematic since it took 1.5 years for the finalisation of the one full-time Secretariat staff member. At the start of the project, the TCIS staff had been more integrated within UNEP ROE. However, in recent years UNEP ROE had been mandated by Headquarters to reduce costs; this led to a reduction of TCIS' operating costs.

### **d. Co-financing**

205. As noted above, co-financing was provided by the GEF, UNEP DEPI, UNEP ROE, the EU and BP. The EU provided a grant in the amount of EUR 250,000 for the financing of the COPs, NGO engagement and NCAP development. BP provided a grant of USD 150,000 for the establishment of the Caspian Environment Information Centre. The TCIS has also mobilised a grant of USD 70,000 from the ENVSEC Initiative.

## **vi. Supervision, guidance and technical backstopping – Moderately Satisfactory**

### **a. The adequacy of project supervision plans, inputs and processes**

206. The first direct line of supervision was exercised by UNEP ROE, which provided day-to-day supervision. The second line of supervision was led by UNEP Headquarters. If ever there were key issues to be addressed, the UNEP ROE Director would intervene and provide the necessary guidance and, if needed, then report to UNEP Headquarters in Nairobi. However this was never the case, except for the three project revisions (which were approved by UNEP ROE Director).

207. There was however a problem in terms of the *de facto* lack of delegated authority for the TCIS. This meant that certain administrative matters (such as the recruitment of the one permanent staff member) took considerably longer to resolve. Also, the

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<sup>52</sup> TCIS Implementation Of The Framework Convention For The Protection Of The Marine Environment Of The Caspian Sea (Tehran Convention) Report (February 15th, 2014)

relationship with UNEP's Regional Seas Programme was sub-optimal, with minimal technical support having been provided by the latter.

#### **b. The adequacy of project reporting**

208. Project reporting was carried out on a regular basis, with progress reports being submitted to the biennial COPs. They were also provided to UNEP Headquarters for review, although comments were never received by the latter.

#### **c. Backstopping mechanisms**

209. There were no backstopping mechanisms in practice. During the first phase of the project, the supervision was undertaken by UNEP's Division for Regional Cooperation (DRC). When the DRC was discontinued, the supervision was transferred to DELC and later to DEPI. DEPI did not provide any supervision on substantive matters. The backstopping and supervision situation was influenced by the changing configuration of the Regional Offices and the position within UNEP.

### **vii. Monitoring and Evaluation – Moderately Unsatisfactory**

#### **a. Monitoring and evaluation design - Unsatisfactory**

210. In general it should be noted that the project did not provide for a robust M&E system or budget for its implementation. Nevertheless, Project Revision Documents of 2012-2013 provide detailed project milestones, as well as a delivery plan that is helpful to foster management towards outcomes and higher-level objectives. The performance indicators are well-designed and include baseline information in relation to the key performance indicators.

211. The project logical framework contained in the first revision document did not link outcomes to outputs. It was not used as the primary planning and monitoring instrument since the TCIS was first and foremost responsive to the evolving needs of the Parties to whom it was legally responsible.

212. The project logframe contained indicators for each of the outputs. They were measurable, attainable and realistic, although they were not time-bound. Baseline information was clearly presented.

213. Arrangements for monitoring and evaluation were not elaborated in the project documents.

#### **b. Budgeting and funding for M&E activities – Unsatisfactory**

214. The budget did not provide for Monitoring and Evaluation Activities.

#### **c. Monitoring and evaluation plan Implementation – Satisfactory**

215. The monitoring and evaluation system consisted primarily of the biennial COPs, to which the TCIS submitted regular progress reports. The Programme of Work (POW), which was adopted by the Parties at each biennial COP, provided the formal basis for TCIS activities. Based on their work under the POW, the TCIS submitted progress reports every six months to UNEP and these were supposed to be regularly uploaded by UNEP into the Programme Information Management System (PIMS). The progress reports submitted to COPs were always shared with UNEP HQ. However, comments from Nairobi were never provided to the TCIS. The TCIS also prepared intermediate progress reports, which were submitted to the COP PrepComs. These reports were discussed at the PrepCom and then later updated for formal submission to the COP.

216. The project logframe that was contained in the first project revision document outlined the overarching contours of the project and provided a tool to help the TCIS keep track of key milestones. However, it was always the Parties who, first and foremost, determined which activities were to be prioritised by the TCIS based on what their real needs were. It should also be noted that the logframe was designed as an indicative guide to help track results and progress. As such, it represented the TCIS' perspective of what needed to be done. With each COP during the life of the project, the TCIS gained a deeper understanding of the needs and considerations of the Parties, as well as the practical limitations of what it could and could not possibly achieve. There were numerous delays that were due to factors completely beyond the control of the TCIS (for example, the political difficulties encountered in protocol negotiations, which greatly slowed the pace of negotiations).

## **G. Complementarity with UNEP Strategies and Programmes - Satisfactory**

217. The overall rating for the Complementarity with UNEP Strategies and Programmes section is Satisfactory.

### **i. Alignment with the Bali Strategic Plan (BSP)**

218. The Bali Strategic Plan for Technology Support and Capacity-building represents a significant evolution in the role and mandate of UNEP, requiring the organisation to become increasingly responsive to country needs. Of the ten objectives in the Plan, the TCIS project contributes to the following:

- a) To strengthen the capacity of governments of developing countries and countries in transition (especially as regards the compliance with international environmental agreements, the achievement of environmental goals, targets and objectives and in the establishment of infrastructure for environmental management). Outcome B (National Implementation Structures) of the TCIS project directly relates to this objective.
- b) To enable collaboration with all relevant stakeholders and provide a basis for a comprehensive approach to developing partnerships. Outcomes D (Public Awareness) and E (Monitoring and Information systems) contribute directly to this objective.
- c) To emphasise the identification and dissemination of best practices and the fostering of entrepreneurship and partnerships. Outcome B (National Implementation), C (Resource Mobilization) and D (Public Awareness) directly contributes to this objective.

### **ii. Gender**

219. Project design, implementation and monitoring have not directly taken into consideration gender inequalities, specific vulnerabilities of women and children to environmental degradation or disasters nor the role of women in mitigating or adapting to environmental changes.

220. At this point in the life of the TCIS project, it is difficult to ascertain any "lasting differential impacts on gender equality and the relationship between women and the environment."

## V. Conclusions, Lessons Learned and Recommendations

### A. CONCLUSIONS

#### Achievements

221. The current project under evaluation – “(Interim) Secretariat services to the Framework Convention for the Protection of the Marine Environment of the Caspian Sea” – involves the UNEP Regional Office for Europe (UNEP/ROE) acting as the (Interim) Secretariat of the Tehran Convention<sup>53</sup> and its ancillary Protocols. One of the key objectives of the project was to ensure the successful implementation of the Convention and its Protocols and to provide the necessary legal and policy advice and support for the development of new Protocols.

222. Against the backdrop of modest resources and complex geo-politics, the Tehran Convention (Interim) Secretariat (TCIS) performed an excellent role in assisting the Parties to operationalise the institutional setting of the Tehran Convention.

223. Many interviewees noted that without the TCIS, it is highly unlikely that the Tehran Convention process could have been sustained over the past years. The recent Caspian Head of State Summit (September 2014) has given a strong impetus to environment ministries through the presidential decree calling for the acceleration of the ratification of the TC ancillary Protocols.

224. As regards the strategic relevance of the project, it clearly responded to sub-regional environmental issues and needs since the topics of the Tehran Convention Protocols were defined in large part by the Transboundary Diagnostic Analysis on environmental issues that was completed during the first phase of the Caspian Environment Program.

225. Regarding the achievement of outcomes, the project was successful in catalysing several key behavioural, policy and institutional changes. These include:

- Parties’ willingness to complete the institutional setting of the Tehran Convention, as witnessed by the adoption of three out of four Protocols and agreement to commence negotiations on the monitoring protocol;
- Elevation of environmental priorities and strengthening of environment ministries relative to economic sectoral ministries, as evidenced by the September 2014 Caspian Head of State Summit, which called for ratification of all the Protocols;
- Increase in country ownership of the TC process as evidenced by the increasing rate of NCAPs implementation and Parties’ agreement to make annual contributions to the new Trust Fund and indeed to rotate the Permanent Secretariat; and
- Recognition of the importance of environmental monitoring and information sharing, as evidenced in the establishment of the Caspian Environment Information Centre.

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<sup>53</sup> The Framework Convention for the Protection of the Marine Environment of the Caspian Sea is also known as the “Tehran Convention”- named after the city where it was adopted in 2003

226. There is a moderately likely chance that the project will achieve its intended impact (notably the sustainable use, management and protection of the Caspian Sea). It is important to emphasise that at this stage it is virtually impossible to assess whether or not the project-related changes are likely to contribute to the project impact “improved management, protection and sustainable use of the Caspian Sea”. These changes will only be manifest once the Tehran Convention’s Protocols enter into force and countries have had the opportunity to start genuine implementation “on the ground.”

227. It is equally important to highlight that the potential success in achieving intended results, is partly contingent on the capacity of the new Permanent Secretariat to overcome some of the key impact drivers:

- Parties’ implementation capacity
- Parties’ willingness to engage civil society
- Availability of external funding to the Permanent Secretariat
- Pace of protocol ratification in domestic governments
- Parties’ awareness of benefits of environmental protection

### **Shortcomings**

228. It is important to note that the shortcomings in the project relate to factors that were completely outside the control of the TCIS. For example, the continuing financial difficulties experienced by the TCIS are due to external factors. These factors included a low level of country contributions and donor retreat, and particularly the termination of the CaspEco project, which left the TCIS with a considerably smaller budget for activities. It is hoped that once the new Permanent Secretariat is established in the region, resource mobilisation will be easier, especially *vis-à-vis* the private sector.

229. Another shortcoming in the project, which was outside the control of the TCIS relates to its public outreach efforts. The TCIS was hampered by limited financial resources and a very new culture of public participation in the region. That said, the TCIS did succeed in assisting the countries in integrating their Public Participation Strategies (NPPS) into their National Convention Action Plans. This is an important step forward, which hopefully will induce countries to increase public awareness and engagement efforts during the national protocol ratification processes. It has become very clear that if the Convention is to have sustained legitimacy, the Tehran Convention Protocol implementation process must include enhanced public awareness and engagement efforts.

### **Overall assessment**

230. Multi-lateral cooperation is a very new process for the region. However, the TCIS succeeded in convincing the countries of the importance of trans-boundary management approaches to address the Caspian’s’ environmental challenges. This was reflected in the countries’ active participation in all five COPs, which the TCIS has convened since 2006.

231. The TCIS worked hard to maintain objectivity and neutrality. This was particularly reflected in its efforts to reflect the wide array of views in the draft negotiation texts, which served as the basis for political negotiations by the Parties themselves.

232. The continuous presence and engagement of the TCIS in the region enhanced its credibility and legitimacy in the eyes of the Caspian littoral States. Interviewees agreed that the fact that the TCIS was administered by UNEP ROE contributed substantially to its success in this regard.

233. The TCIS success in bringing the Parties to the table, had a catalytic role in stimulating dialogue, which otherwise would not have been possible. In this regard, the TCIS has laid important groundwork for the new Permanent Secretariat to build on its success in operationalising the institutional setting of the TC.

## B. Lessons learned and recommendations

*Table 8 - Overview of lessons learned and recommendations*

Key area of analysis	Context	Lessons learned	Recommendations
Project design	<p>The original project document did not contain a logical framework. The logframe that was prepared in the subsequent revisions did not contain components, nor did it link outcome with outputs. This made it slightly more difficult to understand causal pathways.</p> <p>Attribution will not be fully measurable for many years to come. During the life of the project, the focus has been on creating an enabling environment to promote implementation. Concrete change on the ground will only manifest once the Protocols are legally binding.</p>	<p>The value of project logframes should not be under-estimated as a planning tool for governance/process projects.</p> <p>Measuring attribution is very complex and sometimes impossible in governance/process projects.</p>	<p>UNEP should prepare and/or update its guidance on logframes and Theory of Change tools to enable project teams to deepen their understanding about how their projects can generate real change.</p> <p>UNEP should devote more time in the planning process to create a rigorous logframe that incorporates a Theory of Change approach especially in projects which produce “less tangible, immediate results.”</p> <p>Different metrics are needed to evaluate project success when the outcomes may not be measurable for years to come.</p>
Strategic relevance	<p>The work of the Secretariat was always driven, first and foremost, by the needs of the Caspian littoral States. It was the countries that chose the topics of the Protocols, based on the Trans-boundary Diagnostic Analysis (completed during the first phase of the Caspian Environment Program).</p> <p>Multi-lateral cooperation was new to the region and the (Interim) Secretariat demonstrated the importance of trans-boundary management approaches to address the Caspian’s environmental challenges, which individual States could not address on their own.</p>	<p>Trans-boundary diagnoses are extremely important tools for establishing the scientific basis of governance-regime building. They provide an objective basis upon which negotiating parties can agree on the topics to be addressed in the legal instruments. The participation of national experts helps to enhance the credibility and ownership of the results.</p> <p>Regional environmental governance processes can help forge dialogue amongst Parties, where political dynamics might otherwise make multi-lateral cooperation difficult.</p>	<p>Given the importance of grounding the TC regime in the best available science, it is important that the Permanent Secretariat mobilizes the resources needed to ensure and sustain the TC’s environmental monitoring activities.</p> <p>UNEP should continue to emphasize to political leaders the merits of regional collective action. UNEP should provide greater support to its regional offices that are responsible for administering convention secretariats.</p>
Achievement of outputs and activities	<p>The project design document did not identify potential risks, nor did it include a risk mitigation strategy. This would have assisted the TCIS in</p>	<p>The assessment of potential risks and identification of risk mitigation strategies should be integrated into project</p>	<p>UNEP EO should require the inclusion of SWOT analyses in terminal evaluations in conjunction with the reconstructed</p>

Key area of analysis	Context	Lessons learned	Recommendations
	<p>dealing more effectively with the external factors, which frustrated certain project results.</p> <p>The (Interim) Secretariat encountered particular difficulties in terms of resource mobilization and NGO engagement activities. Their efforts were hampered by external factors, which were beyond their control.</p>	<p>documents in order to plan accordingly. The influence of external factors in the achievement of outputs has to be considered more systematically at the project design phase.</p> <p>Risk mitigation strategies in project documents should also anticipate those factors that may be beyond the control of a project management team and which may potentially hinder project results.</p>	<p>Theory of Change.</p> <p>UNEP EO should revise its ROtl framework to take into account the impact that assumptions play in the achievement of outcomes, intermediate results and ultimately impact. Scoring should be adapted accordingly.</p>
Effectiveness	<p>The TCIS played a vital role in operationalizing the institutional setting of the TC. Their success is very closely tied to their strong regional presence, which enabled them to establish trust-based relationships with the parties. The Secretariat's results were particularly significant considering the very limited resources and complex geopolitics in which it operated. The TCIS successfully leveraged the convening power of UNEP in a region where Parties are not automatically prepared to engage with each other.</p> <p>A strong regional presence has been essential to the success of the operationalization of the TC regime. The TCIS could not have been run successfully from UNEP headquarters in Nairobi. It would have been too far geographically from the "front lines" and therefore unable to maintain close interaction with the countries, which proved essential to building the good will and mutual trust that was essential to the protocol negotiation process.</p> <p>By contrast, UNEP ROE was particularly well positioned to take the lead in running the TCIS because of its understanding of the region's highly sensitive issues, the political context and, of course, its prior relationship with the state and non-state actors on the ground. Throughout the life of this project, UNEP ROE has been on the proverbial "front-</p>	<p>The success of environment convention secretariats is closely tied to their substantive credibility, authority and neutrality</p> <p>Regional environmental governance regimes are most effective when they are situated as close to the challenges and key actors as possible. This enables trust-building between the Secretariats and the Parties.</p> <p>Regional governance regimes require backstopping support from the Implementing Agency. However, at the same time, delegated authority is essential to ensure their administrative efficiency.</p> <p>Mainstreaming environmental concerns into sectoral policies is difficult because environment ministries often rank low in the government cabinets. Compelling evidence must demonstrate the synergies between economic growth and environmental protection.</p> <p>The bulk of financing of regional environmental convention secretariats should come from the Parties themselves in order to stimulate country ownership. In a region such as the Caspian where countries are very wealthy, financing from the parties is even more important to</p>	<p>The TCPS must ensure that it maintains its neutrality and objectivity when it is established in the region and most especially when it rotates between host countries.</p> <p>UNEP should scale up its support to its regional offices, especially UNEP ROE, to ensure that it continues to support its member states effectively.</p> <p>UNEP must provide bridging support to the TCPS to ensure continuity and a sufficient level of resources in the re-location to the region.</p> <p>The Parties should encourage their political leaders at the next Caspian Head of State Summit to continue to express their political support for the TC process and especially for the mainstreaming of NCAPs into economic development planning processes.</p> <p>Given the difficulties that Parties currently face in increasing their assessed contributions, the TCPS should place a high-priority on fundraising from the private sector in the region.</p> <p>The TCPS should mobilize a sufficient level of resources to improve their NGO engagement work. In addition, it will be critical for the Permanent Secretariat to be equipped with the necessary resources to support the Caspian</p>

Key area of analysis	Context	Lessons learned	Recommendations
	<p>lines” and this proximity has enabled it to be more responsive to the needs of governments. Regional environmental governance regimes are best run from within (or at least close to) the region itself. This is why it is especially important to strengthen UNEP’s regional presence with the authority and financial means necessary to ensure successful implementation of the Convention and its Protocols.</p> <p>The big challenge now is to help States to mainstream the NCAPs into their overall economic development planning processes. The NCAP process and the Caspian Head of State Summits have nevertheless helped to strengthen the voice of environment ministries.</p> <p>The TCIS has had difficulties in mobilizing financial resources. Because of donor retreat, Parties’ contributions will enable only the most basic services to be provided by the new Permanent Secretariat.</p> <p>The TCIS’s effectiveness in increasing civil society engagement must be considered against the political and social backdrop of the region. Limited financial resources also affected the TCIS’s civil society outreach efforts.</p>	<p>demonstrate their commitment to the process.</p> <p>Strengthening civil society engagement in the Caspian process is challenging in new democracies. New ways of reaching out to NGOs is essential.</p>	<p>countries in strengthening the legal and institutional arrangements for public participation, enhancing access to environmental information and reinvigorating national and regional NGO networks with the necessary resources. Whilst these priorities are addressed in the NPPS, increased effort must be directed towards operationalizing these commitments. This will help to bring the region closer to realizing Principle 10 of the Rio Declaration on Environment and Development (i.e. the importance of public involvement in sustainable development). As well, those countries that have not yet ratified the Aarhus Convention must be encouraged to do so.<sup>54</sup></p>
Sustainability and replication	<p>The level of ownership by the main stakeholders (i.e. the Caspian littoral States) has grown over the life of the project.</p> <p>Parties must understand that the TC is at a “page-turning milestone” because of the Parties’ own decision to locate the Permanent Secretariat in the region. However for the TC process to survive and ultimately thrive, the Caspian</p>	<p>It takes time to build country ownership in regional environmental governance regimes. Ownership grows with increased awareness and understanding of the tangible benefits of membership.</p> <p>The funding basis of environment convention secretariats must be secured if their long-term</p>	<p>UNEP must scale up its efforts to convince governments of the tangible benefits of environment protection. It should leverage its resources and profile to convince governments to implement the TC.</p> <p>Because it is very difficult for the Caspian States to increase their contributions to the TC at this point,</p>

<sup>54</sup> The Caspian Convention does not require the parties to ratify the Aarhus Convention. However the credibility of the Parties commitment to public participation in the Caspian process is directly tied to their commitment to the Aarhus process.

Key area of analysis	Context	Lessons learned	Recommendations
	<p>littoral States will have to assume greater ownership, which implies significantly increasing their financial contributions.</p> <p>Now that they have adopted the three Protocols, which for the time being, complete the first phase of the legislative framework of the TC, their credibility will be undermined if they do not match necessary resources to enable the new Permanent Secretariat to perform the functions mandated by the Parties.</p> <p>The reality on the ground is that the Caspian littoral States are relatively young states that continue to elevate the importance of economic growth over environmental protection. And this is reflected in their domestic budget allocations.</p> <p>Increased oil and gas exploration and exploitation will continue to propel the regional economy. However these developments will also increase pressures on the environment of the Caspian Sea.</p>	<p>viability is to be ensured.</p> <p>Where oil revenues are the primary source of income for governments, it is still very challenging to convince state actors of the need to scale up environmental protection efforts to protect the natural resource base upon which their economic livelihoods are based.</p> <p>Convincing governments of the economic benefits of environmental protection is critical to the long-term success of most environmental conventions.</p>	<p>UNEP should convince the governments to increase the allocation of their domestic financial resources towards TC activities. This is very important to demonstrate the political will in order to reengage the external donors.</p>
Factors affecting performance	<p>Throughout the life of this project, UNEP ROE has had an excellent working relationship with the Parties. This has enabled it to be more responsive to their needs. This is a factor that will clearly assist the transfer of responsibility from the (Interim) to the TCPS when it is established in Baku.</p> <p>The TCIS success was due in large part to the decentralized management of a very politically competent team that had considerable regional knowledge, trust and respect of the countries.</p> <p>The TCIS management was highly efficient due to the fact that it incorporated a range of cost and time-saving measures and build on previous initiatives, notably the CaspEco project.</p> <p>The procedure-heavy bureaucracy of UNEP was sometimes problematic when it delayed the disbursement of</p>	<p>The factors that affect the performance of environment convention secretariats include high levels of efficiency (since resources are rarely abundant), deep knowledge of the region and a high level of credibility and legitimacy in the eyes of the parties.</p> <p>Public participation in environmental governance regimes is essential to the transparency, accountability and legitimacy of environmental governance regimes.</p>	<p>The TCPS should mobilise extra-budgetary resources to resume the public participation and engagement activities that were commenced under the CaspEco project.</p>

Key area of analysis	Context	Lessons learned	Recommendations
	<p>project funds. These delays frustrated country efforts on the ground. However, the (Interim) Secretariat would have benefitted from more support from Nairobi.</p> <p>If the Convention is to have sustained legitimacy, the Tehran Convention Protocol implementation process will need to include enhanced public awareness and engagement efforts.</p>		

**Table 9 – Responses to the fundamental evaluation questions and specific considerations for the new Permanent Secretariat**

*This table provides an overview of the six fundamental evaluation questions, which were first highlighted in the evaluation terms of reference and then later reframed by the evaluation team.*

Evaluation questions	To what extent has the project enabled the TCIS to ensure the development and operationalisation of the <i>institutional and legislative framework</i> of the Tehran Convention?	How successful has the project been in strengthening regional and national-level coordination and implementation of the Convention Process?	To what extent did the project succeed in securing sufficient funding for the Convention process?	How successful has the project been in promoting awareness, access to information and public participation?	How successful has the project been in developing monitoring and information-sharing?	How effectively and efficiently was the overall project planned and administrated?
<p><b>Key observations</b></p>	<ul style="list-style-type: none"> <li>▪ Given the difficulties of the region and the modest resources available to the (Interim) Secretariat, it has performed an excellent role in assisting the Parties to operationalise the institutional setting of the Tehran Convention.</li> <li>▪ The key elements of the framework that the TCIS secured include the Protocols, the monitoring system, the decision to locate the Permanent Secretariat in the region and agreement for the Trust Fund for the new secretariat.</li> <li>▪ In addition to the existing four Protocols, the new Permanent Secretariat will have the responsibility for drafting the monitoring and information exchange protocol. Parties have now agreed on the substantive elements. The Secretariat's first draft will serve as the basis for the negotiation process, which will commence in 2015.</li> <li>▪ The Permanent Secretariat will also have to complete the composition and structure of the Secretariat. This will have to be done through staff secondments to be financed by the host countries themselves.</li> </ul>	<ul style="list-style-type: none"> <li>▪ The TCIS played an important role in supporting countries in developing and implementing NCAPs.</li> <li>▪ The NCAPS have helped elevate the voice of environment ministries.</li> <li>▪ However, NCAP progress has been slow and uneven across the region.</li> <li>▪ There is still work for the new TCPS to ensure that the NCAP bring about a qualitative change on the ground.</li> <li>▪ Now that States are required to submit to a unified reporting process every three years, the TCPS will be better positioned to understand what the NCAP implementation and mainstreaming</li> </ul>	<ul style="list-style-type: none"> <li>▪ Given the present difficulties in mobilizing resources from the international community, in particular the GEF and the EU, financing from the private sector becomes even more important.</li> <li>▪ At the COP-6 PrepCom in Baku in November 2014, the Secretariat produced a synthesis paper on the oil and gas sector in each of the five countries. The paper was well received and the countries requested the Secretariat to finalise the paper based on feedback from the NCLOs. The paper will then be used as a basis for discussions with the private sector in Aktau on Caspian Day next year.</li> </ul>	<ul style="list-style-type: none"> <li>▪ The culture of civil society engagement is in an early phase of development in the region.</li> <li>▪ The TCIS' efforts to support public awareness and engagement efforts were seriously hampered by limited funding.</li> <li>▪ The (Interim) Secretariat's initial efforts (i.e. stakeholder meetings, development of regional NGO networks, capacity building) were supported by the GEF under the auspices of the CaspEco project.</li> <li>▪ However, once that project was terminated, the TCIS's public awareness and engagement activities could not be</li> </ul>	<ul style="list-style-type: none"> <li>▪ The TCIS helped the Parties to establish the Caspian Environment Information Centre (CEIC) together with a network of trained national focal points.</li> <li>▪ This toolbox will be completed with the future adoption of the monitoring protocol.</li> <li>▪ The TCPS will be responsible for launching and managing the negotiations on monitoring and information sharing.</li> </ul>	<ul style="list-style-type: none"> <li>▪ UNEP ROE provided valued strategic, operational, and administrative support to the TCIS.</li> <li>▪ The backdrop of complex political and social contexts and limited resources highlight even more importantly how much the (Interim) Secretariat was able to achieve with so little.</li> </ul>

Evaluation questions	To what extent has the project enabled the TCIS to ensure the development and operationalisation of the <i>institutional and legislative framework</i> of the Tehran Convention?	How successful has the project been in strengthening regional and national-level coordination and implementation of the Convention Process?	To what extent did the project succeed in securing sufficient funding for the Convention process?	How successful has the project been in promoting awareness, access to information and public participation?	How successful has the project been in developing monitoring and information-sharing?	How effectively and efficiently was the overall project planned and administrated?
	<ul style="list-style-type: none"> <li>▪ Regarding the financial and administrative implications of the rotating secretariat, it is important to highlight that no P staff from Geneva will relocate to Baku. This will obviate moving and relocation costs.</li> <li>▪ All general staff will be locally hired by the host countries. General staff support for the TCIS was provided for by UNEP ROE. This means that no contracts will have to be terminated in advance of the move.</li> <li>▪ Each of the host countries will be expected to cover the costs of rotation from the previous host city. The Parties have agreed to a list of costs that will be assumed by each host country. This will ensure that all costs related to the relocation will be borne by the parties themselves. However this does mean that staff will have to be trained each time the Permanent Secretariat relocates.</li> </ul>	<p>challenges are and how best to support countries.</p>		<p>continued at the same level during the CaspEco project.</p>		
<b>Considerations for the Permanent Secretariat</b>	<ul style="list-style-type: none"> <li>▪ The first priority for the new Permanent Secretariat should be to ensure that all the four Protocols are signed. Countries cannot proceed to ratify the instruments until all parties have signed them.</li> <li>▪ Once the Protocols are signed by the Parties, the new Secretariat should provide ratification support. This will vary from country depending on what level of</li> </ul>	<ul style="list-style-type: none"> <li>▪ The TCPS should organise workshops in the region to convene state actors to share experience on NCAP mainstreaming. This is the value-added contribution that the TCPS can bring to the NCAP process.</li> </ul>	<ul style="list-style-type: none"> <li>▪ The Permanent Secretariat must use the opportunity of the Aktau meeting in 2015 (where the Aktau oil spill Protocol will formally enter into force). Oil and gas companies will be invited to attend and this will provide the TCPS with an</li> </ul>	<ul style="list-style-type: none"> <li>▪ The TCPS will have to explore new opportunities and avenues for engaging public participation. The first step should involve creation of a special platform within the new Caspian Environment Information Centre for NGO exchange.</li> </ul>	<ul style="list-style-type: none"> <li>▪ The TCPS will have to provide a solid negotiation text for parties. As it has in the past, it will have to consult with the countries to ensure that concerns are addressed in the negotiation text.</li> </ul>	<ul style="list-style-type: none"> <li>▪ The success of the TCPS depends many of the factors that contributed to the success of the TCIS, such as backstopping support from UNEP.</li> <li>▪ As the secretariat transitions to its new base in Baku, it will need bridging</li> </ul>

Evaluation questions	To what extent has the project enabled the TCIS to ensure the development and operationalisation of the <i>institutional and legislative framework</i> of the Tehran Convention?	How successful has the project been in strengthening regional and national-level coordination and implementation of the Convention Process?	To what extent did the project succeed in securing sufficient funding for the Convention process?	How successful has the project been in promoting awareness, access to information and public participation?	How successful has the project been in developing monitoring and information-sharing?	How effectively and efficiently was the overall project planned and administrated?
	<p>governance ratification actually takes place. It will also be important for the TCPS to use the ratification process to stimulate engagement with and encourage greater participation from civil society.</p> <ul style="list-style-type: none"> <li>▪ The Protocols will enter into force once all parties ratify them. Once they become legally binding, the Secretariat should mobilise extra-budgetary resources to provide support services to the countries to assist them with their implementation efforts. The TCPS should engage systematically with the countries in order to pre-empt non-compliance challenges and to provide support accordingly.</li> <li>▪ Once the Protocols enter into force, it is essential for the Permanent Secretariat to scale up fundraising efforts. Since parties will not be in a position to increase their assessed contributions, new and additional funding will have to be obtained from the private sector- especially the oil, gas and shipping sectors. The TCPS must take full advantage of its new location in the region to expand fundraising efforts within the region.</li> <li>▪ As regards the monitoring and information exchange protocol, the TCPS must build on the TCIS success with protocol drafting. This means extensive consultations with the parties well in advance of the</li> </ul>	<ul style="list-style-type: none"> <li>▪ On a deeper systemic level, the TCPS must continue to work with environment ministries to help them mobilise political support for NCAPs from other sectoral ministries.</li> <li>▪ This will also require efforts by UNEP to engage its leadership to convince the political leadership of the Caspian littoral States regarding the importance of the Tehran Convention.</li> </ul>	<p>unprecedented opportunity to conclude possible long-term sponsorship agreements.</p> <ul style="list-style-type: none"> <li>▪ With the potential easing of political sanctions on Iran, the TCPS will have to renew discussions with internal donors such as the GEF, where there is a funding proposal pending.</li> <li>▪ As regards the EU, the TCPS will have to re-engage. However, success with the EU will require a greater demonstration of support for the Caspian within UNEP itself.</li> <li>▪ Relationships with donor governments will also have to be revitalised, especially with Norway, with whom proposals have been developed.</li> <li>▪ Once the TCPS is established in Baku, it will have to direct</li> </ul>	<ul style="list-style-type: none"> <li>▪ The TCPS should also help revitalise the NGO networks that were created under the auspices of the Caspian Environment Programme, but which have been dormant in recent years.</li> <li>▪ The TCPS should help activate these networks and create opportunities for them to meet and exchange views before the COPs and PrepComs.</li> <li>▪ If the TCPS succeeds in including access to information language in the future monitoring protocol, then it should take full advantage of the opportunities to support the countries that haven't yet ratified the Aarhus Convention, to do so. This will help to strengthen the legal framework for public participation.</li> </ul>		<p>support from UNEP.</p> <ul style="list-style-type: none"> <li>▪ At the same time, the TCPS will need flexibility and delegated authority from UNEP to ensure that it can take action where and when needed without having to seek time-consuming approval from UNEP headquarters</li> </ul>

Evaluation questions	To what extent has the project enabled the TCIS to ensure the development and operationalisation of the <i>institutional and legislative framework</i> of the Tehran Convention?	How successful has the project been in strengthening regional and national-level coordination and implementation of the Convention Process?	To what extent did the project succeed in securing sufficient funding for the Convention process?	How successful has the project been in promoting awareness, access to information and public participation?	How successful has the project been in developing monitoring and information-sharing?	How effectively and efficiently was the overall project planned and administrated?
	<p>negotiations to ensure that the divergence of views is accurately reflected in the draft text.</p>		<p>efforts towards securing secondments from the countries themselves. The host country will have to provide general staff, but experts will have to be seconded through all the countries because country contributions of 72,000 per year will not be sufficient to cover technical experts.</p> <ul style="list-style-type: none"> <li>▪ The decision to rotate the secretariat will have significant cost implications, therefore the TCPS will have to ensure that host countries provide the necessary support to ensure the smooth transition between host countries.</li> </ul>	<ul style="list-style-type: none"> <li>▪ The TCPS should mobilise funds to host another NGO meeting building on the St Petersburg meeting (XXX) to bring NGOs together to discuss how best they would like to engage in the TC process</li> </ul>		
<p><b>Specific suggestions for overcoming the related impact drivers and assumptions (see Theory of Change)</b></p>	<ul style="list-style-type: none"> <li>▪ The most pressing impact driver that the TCPS must address is the pace of protocol ratification. It should assist the countries to ratify the Protocols as quickly as possible because once the Protocols are ratified, they enter into force. Only at that point will the Tehran Convention regime have any legal weight.</li> </ul>	<ul style="list-style-type: none"> <li>▪ One of the key impact drivers to be addressed is the capacity and political will for NCAP implementation. Once again, the TCPS must demonstrate best practices and provide</li> </ul>	<ul style="list-style-type: none"> <li>▪ The most pressing impact driver is the availability of private sector financing. Since the parties are unable to increase their assessed contributions for now, the TCPS must revitalise its</li> </ul>	<ul style="list-style-type: none"> <li>▪ The TCPS cannot influence the fundamental political culture that underpins the extent of civil society engagement. However, it can create new opportunities for civil</li> </ul>	<ul style="list-style-type: none"> <li>▪ The TCPS cannot influence the overall culture of information sharing, however the negotiations for the monitoring protocol will certainly help to catalyse a change the current culture.</li> </ul>	<ul style="list-style-type: none"> <li>▪ The extent to which UNEP can provide technical and financial support to the TCPS will certainly affect its ultimate effectiveness.</li> <li>▪ The TCPS must</li> </ul>

Evaluation questions	To what extent has the project enabled the TCIS to ensure the development and operationalisation of the <i>institutional and legislative framework</i> of the Tehran Convention?	How successful has the project been in strengthening regional and national-level coordination and implementation of the Convention Process?	To what extent did the project succeed in securing sufficient funding for the Convention process?	How successful has the project been in promoting awareness, access to information and public participation?	How successful has the project been in developing monitoring and information-sharing?	How effectively and efficiently was the overall project planned and administrated?
	<ul style="list-style-type: none"> <li>▪ Equally important is the role that the TCPS should play in helping parties to understand the synergies between economic growth and protection of the Caspian Sea. The TCPS could commission a study on the economic benefits of protection and sustainable use of the Caspian—a mini TEEB report that will present compelling arguments in language to which finance ministries will relate.</li> </ul>	<p>the necessary technical support to countries.</p> <ul style="list-style-type: none"> <li>▪ At the same time, the TCPS must provide compelling arguments that the environment ministries can present to those sectoral ministries who are least supportive of the NCAP mainstreaming process.</li> <li>▪ Whilst the TCPS will have little influence over the finance, energy, fisheries ministries, it can at least deepen its engagement with its constituency— notably the environment ministries to ensure that they are equipped to advance the cause of NCAP implementation.</li> </ul>	<p>fundraising efforts with the private sector.</p> <ul style="list-style-type: none"> <li>▪ As mentioned above, the Aktau meeting presents a strategically important opportunity for the TCPS to mobilise potential resources from the oil and gas sectors.</li> <li>▪ The TCPS cannot control the donor retreat that has resulted from political events. However it can work to maintain open communication with external donors such as the GEF to ensure that when sanctions are lifted, it will be strategically positioned to re-launch fundraising efforts.</li> </ul>	<p>society to engage, for example through the Caspian Environment Information Centre.</p>	<ul style="list-style-type: none"> <li>▪ The TCPS must demonstrate to countries that the robustness of the TC regime depends in large part on the quality of environmental information upon which it is developed.</li> </ul>	<p>convince UNEP that bridging support is needed during the transition period and that it needs delegated authority to prevent administrative delays.</p>

## VI. ANNEXES

### A. Evaluation TORs

**Terminal Evaluation of the United Nations Environment Programme (UNEP) project  
“(Interim) Secretariat services to the Framework Convention for the Protection of the Marine Environment of the  
Caspian Sea” (Project CP/50230901)**

#### I. PROJECT BACKGROUND AND OVERVIEW

##### 1. Project General Information<sup>55</sup>

**Table 1. Project summary**

<b>UNEP PIMS ID:</b>	00270	<b>IMIS number:</b>	3A82
<b>Sub-programme</b>	(2010-2011 & 2012-2013) SP4 Environmental Governance	<b>Expected Accomplishment</b>	(2010-2011 & 2012-2013) EA-a and EA-c
<b>Managing Division</b>	UNEP Regional Support Office (RSO) <sup>56</sup>	<b>Linkage with PoW Outputs</b>	2010/11-434 2012/13-313 2012/13-416 2012/13-434 2014/15-416
<b>Geographical Scope:</b>	Regional	<b>Region:</b>	Europe/ Eastern Europe, Caucasus Asia and Pacific/ Central Asia
<b>Participating countries:</b>	Azerbaijan, Islamic Republic (IR) of Iran, Kazakhstan, Russian Federation, Turkmenistan		
<b>Expected Start Date:</b>	January 2009	<b>UNEP approval date:</b>	18.09.2009 <sup>57</sup>
<b>Actual start date:</b>	January 2009	<b>Planned duration:</b>	60 months
<b>Intended completion date:</b>	December 2013	<b>Actual completion date:</b>	December 2014
<b>Planned project budget at approval</b>	\$2,168,900	<b>Secured budget:</b>	\$1,808,900
<b>UNEP contribution</b>	0 \$	<b>Co-financing:</b>	0\$
<b>Mid-term review/eval. (planned date):</b>	N/A	<b>Terminal Evaluation (actual date):</b>	April 2014
<b>Mid-term review/eval. (actual date):</b>	N/A	<b>No. of revisions:</b>	16
<b>Date of last Steering Committee meeting:</b>	N/A	<b>Date of last Revision:</b>	December 2013

##### 2. Project Background

1. The Caspian Sea is the largest inland closed water body in the world. Nearly twenty-seven meters below the level of the world oceans, the Caspian differs from most other large inland water bodies in its meridian orientation and great 1,200 km length. The result is a large north-south climatic differentiation, from extreme continental climate in the North, to a sub-tropical climate in the South. Straddling the line between Europe and Asia, the Caspian's transboundary waters are shared by five littoral States: Azerbaijan, Kazakhstan, I.R. Iran, Russian Federation and Turkmenistan.

2. The isolation of the Caspian basin for over two million years and its climatic and salinity gradients has created a unique ecological system with more than 400 species endemic to the Caspian Sea. Biodiversity includes the variety of living organisms at genetic, species, and higher levels of taxonomy, as well as the variety of habitats and ecosystems and the processes that occur in them. A high level of endemism and a unique combination of ecological processes and systems characterizes the Caspian's aquatic biological diversity. There are 115 species of fish, of which some are anadromous - migrating from the Caspian up the rivers to spawn. The Caspian sturgeon and the rare fresh water seal are among the most famous species indigenous to the Caspian. In fact, more than 90 % of the world resources of sturgeon originate from the Caspian Sea. The vast

<sup>55</sup> Source: PIMS and Project Document (dated 24.9.2008), and Project Document Supplement 19.12.2013

<sup>56</sup> Formerly Division for Regional Cooperation (DRC)

<sup>57</sup> Date of project concept clearance

river system and extensive wetlands attract millions of migrating birds and are the habitat of diverse flora and fauna. The Caspian basin is also rich in commercially developable hydrocarbon deposits.

3. Today, Caspian biota is threatened by over-exploitation, habitat destruction and pollution. The need for joint protection and management of the Caspian environment and its resources has been an ongoing issue for the Caspian littoral states. Particularly, since the collapse of the Soviet Union in 1991, the five littoral States have shown increased interest in joint cooperation for the protection of the Caspian.

4. While a number of non-binding regional agreements were reached in the 1990s, they did not bring about the desired results. In 1998, the Caspian Environment Program (CEP) was established as a regional umbrella program with the aim of halting the deterioration of environmental conditions of the Caspian Sea and promoting sustainable development in the area for the long-term benefit of the Caspian population. The CEP, funded by the littoral states, the European Union and the international community through the GEF, was agreed in 1995 and officially launched in 1998. Since its establishment, the CEP has addressed multiple environmental issues by developing an effective coordinated management structure, Strategic and National Action Plans, and various transnational measures to fight the imminent dangers towards the Caspian environment.

5. The Framework Convention for the Protection of the Marine Environment of the Caspian Sea, also known as the "Tehran Convention" named after the city where it was adopted in 2003, became the first legally binding regional agreement signed by all five Caspian littoral States (Republic of Azerbaijan, Islamic Republic of Iran, Republic of Kazakhstan, Russian Federation and Turkmenistan), laying down the general requirements and the institutional mechanism for environmental protection in the Caspian region. Driven under the auspices of UNEP within the framework of the CEP and following a ratification process by all five governments of the Caspian littoral states, the Tehran Convention entered into force on 12th August 2006. The Convention includes provisions on sustainable and rational use of the living resources of the Caspian Sea, as well as provisions on environmental impact assessment and environmental monitoring, research and development. Further to the general obligations of the Tehran Convention, the littoral States are required to take all appropriate measures to achieve these objectives individually or jointly and to cooperate with international organizations to that end.

6. Four ancillary Protocols to the Convention have been developed, covering the four priority areas of concern namely: 1) protocol for the conservation of biological diversity, 2) "Moscow protocol" on the protection of the Caspian Sea against pollution from land-based sources and activities, 3) "Aktau protocol" concerning regional preparedness, response and co-operation in combating oil pollution incidents, and 4) protocol on environmental impact assessment in a trans-boundary context.

7. The GEF Secretariat approved a second phase support to the CEP through a project titled "Towards a Convention and Action Program for the Protection of the Caspian Sea Environment" which was launched in mid-2004 and focused on the implementation of the CEP strategic action plan in the priority areas of 'Biodiversity', 'Invasive Species' and 'Persistent Toxic Substances', as well as the continuance of the Tehran Convention process. Within the framework of this GEF project, and further to the request of the Caspian governments, UNEP continued servicing the Convention process pending the Convention's entry into force in 2006.

8. Early 2008 the GEF Secretariat approved a third UNDP GEF project, entitled "The Caspian Sea: Restoring Depleted Fisheries and Consolidation of a Permanent Regional Environmental Governance Framework"(CaspEco). This project included extensive support to the Tehran Convention process including its institutional set up. It was furthermore based on facilitating an extension of the excellent ongoing cooperation between UNDP providing the Project Coordination Unit (PCU) of the project and UNEP acting as the interim Secretariat to the Convention.

9. The current project under evaluation - "(Interim) Secretariat services to the Framework Convention for the Protection of the Marine Environment of the Caspian Sea" - involves the UNEP Regional Office for Europe (UNEP/ROE) continuing to act as the interim Secretariat of the Tehran Convention and its ancillary Protocols. With the ratification and entering into force of these Protocols to the Convention, one of the objectives of this project is to ensure their successful implementation in the Caspian region and provide legal and policy advice and coordinating support for the development of new Protocols in other specified priority areas. The successful implementation of the project with the overall objective of securing a sustainable Tehran Convention process, which is fully owned by the Caspian littoral countries, requires continuous close cooperation between and with the governments of the Caspian littoral states serviced by a well-functioning Tehran Convention interim Secretariat.

### 3. Project Rationale<sup>58</sup>

10. Biodiversity is intimately linked to ecosystem function. Healthy, resilient ecosystems – those that contain natural assemblages of organisms, habitats, interactions and processes – can sustain appropriate levels of exploitation. Disrupted ecosystems can collapse. The Caspian Sea's ecosystem resilience has been diminished over time due to the cumulative effects of human development.

11. Concern over the loss of biodiversity and ecosystem resilience in the Caspian Sea, and the dramatic declines of important Caspian Sea's commercial fisheries in the past three decades is widespread in the region and internationally. More efficient fishing methods combined with over-fishing and extensive poaching, dam constructions, introduction of invasive species, as well as increased pollution are relevant factors contributing to the regression. The decline of the Caspian fisheries also directly affects the livelihoods and food security of the local people, as well as having significant broader socio-economic impacts due to the extremely high value placed on these bio-resources, particularly sturgeon caviar.

12. These declines among the Caspian's bio-resources, starting decades ago and increasing in recent years, appear to be persistent. They raise the very real possibility that the resilience of the Caspian ecosystem has frayed and that the ecosystem itself is approaching a threshold that if crossed, could result in an undesirable and irreversible regime shift resulting in the permanent degradation of the bio-resources of the Caspian Sea.

13. The increasing number of oil and gas producing industries as well as hydrocarbon productions and exports also constitute serious environmental threats. Years of intensive oil production and refining at industrial sites has polluted ground water, led to widespread oil-mingled soil and the discharge of toxic drilling mud into the Caspian Sea. Moreover, the large rivers polluted with industrial wastes, heavy metals and sewage flowing into the Caspian Sea, contribute to the impairment of the habitat of so many species.

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<sup>58</sup> Original project document: "Best practice of sub-regional cooperation: Partnership for the support of the Carpathian Convention"

14. The signing of the Caspian Framework Convention allowed the Caspian governments to signal their readiness to sign up to concrete environmental actions, encouraging the international community to provide further financial and technical assistance to the region. Being the first regional legally binding instrument signed by all five Caspian littoral states, the Tehran Convention serves as an overarching framework laying down the general requirements and the institutional mechanism for environmental protection in the Caspian region. The Convention also includes provisions on environmental impact assessment, as well as general obligations on environmental monitoring, research and development.

15. The first meeting of the Conference of the Parties (COP I) to the Tehran Convention in 2007 requested UNEP to carry out the functions of the Convention Secretariat *ad interim* to support the COP in the implementation of the Tehran Convention in organizational, administrative and technical matters, until a permanent Convention Secretariat is put in place. This request was reconfirmed by the second, third and fourth Meeting of the COP in 2008, 2011 and 2012, respectively. Since then, the Tehran Convention interim Secretariat (TCIS) has been located within UNEP's Regional Office for Europe in Geneva, Switzerland.<sup>59</sup>

#### 4. Project objectives and components

16. The Tehran Convention aims at protecting the Caspian environment from all sources of pollution and also targets the preservation, restoration and protection of the marine environment of the Caspian Sea. It is based on a number of internationally acknowledged environmental principles including the precautionary principle, the polluter pays principle and the principle of access to information. The two major areas of concern are (i) prevention, reduction and control of pollution, and (ii) protection, preservation and restoration of the marine environment.

17. According to the text of the Convention, the work and activities of the interim Secretariat will, during the duration of the project, include:

- a. to arrange for and service meetings of the Conference of the Parties and its subsidiary bodies;
- b. to prepare and transmit to the Contracting Parties notifications, reports and other information received;
- c. to consider enquiries by and information from the Contracting Parties and to consult with them on matters relating to the implementation of this Convention and its protocols;
- d. to prepare and transmit reports on matters relating to the implementation of this Convention and its protocols;
- e. to establish, maintain the database of and disseminate national laws of the Contracting Parties and international laws relevant to the protection of the Caspian Sea;
- f. to arrange, upon request by any Contracting Party, for the provision of technical assistance and advice for the effective implementation of the Convention and its protocols; and
- g. to carry out functions as may be established under the protocols to this Convention, co-operate, as appropriate, with relevant regional and international organisations and programmes; and perform such other functions as may be determined by the Conference of the Parties.

18. Other more specific responsibilities and activities of the TCIS include:

- a. Servicing the finalization and preparation of action plans for each of the four protocols;
- b. Engaging stakeholders, such as FAO, World Bank, ESPOO Secretariat (Convention on Environmental Impact Assessment in a Transboundary Context ), UNEP Global Programme for Action (UNEP-GPA), International Maritime Organisation (IMO), in joint programming for the implementation of the protocols of the Tehran Convention;
- c. Servicing joint programming and/or the preparation of new Protocols, including the follow-up to the scoping paper on fisheries;
- d. Supporting the preparation of National Strategic Convention Action Programs (NSCAPs);
- e. Creating and supervising the work and activities of issue-specific Secretariat units in the Caspian countries, and servicing the discussions and negotiations for the location of the Permanent Convention Secretariat;
- f. Assisting in phasing out the CEP and integrating relevant activities (e.g. research and fight against invasive species) and institutional arrangements (Steering Committee; National Focal Points; Scientific Regional Advisory Groups) in the Convention process;
- g. Streamlining collaboration with UNDP by making the work and activities of the UNDP-GEF Programme Coordinating Unit (PCU) fully consistent with and complementary to that of the interim Secretariat of the Convention and vice versa;
- h. Promoting awareness raising and public participation in the Convention process;
- i. Securing sufficient funding of the Convention process, including from the Caspian governments and the private sector; and
- j. Together with the UNDP PCU servicing the inter relation and exchanges between the Caspian Sea region and other marine environments, including UNEP's Marine and Coastal areas Environment Programme

**Table 2. Project Logical Framework**

1. Project Outcome	Indicators	Means of Verification
Institutional setting of Tehran Convention (TC) fully operational;	Governments nominate National Convention Liaison Officers (NCLOs),	NCLOs appointed Number of inter-sectoral policy

<sup>59</sup> At the fifth Conference of the Parties, a decision of the five Caspian littoral States regarding the location of the Tehran Convention permanent Secretariat (TCPS) in the Caspian region is expected.

<p>Coordination and synergy with other Caspian projects and activities including effective donor coordination and engagement;</p> <p>Littoral States implement SCAP (Strategic Convention Action Plan) at regional level and develop <u>and implement</u> NCAPs (National Convention Action Plans) at national/sub-national level;</p> <p>Enhanced stakeholders' engagement in the TC process and improved public access to information on the status of the Caspian Sea environment</p> <p>Regional institutional arrangement further developed and strengthened to address transboundary environmental issues; regional cooperation mechanism promoted to strengthen or develop regional policies and laws for the management of transboundary ecosystems.</p>	<p>Governments:</p> <ul style="list-style-type: none"> <li>• further engage in Protocol negotiations and financially</li> <li>• contribute to the Convention process;</li> </ul> <p>Number of Protocols being <u>adopted, ratified and</u> implemented;</p> <p>Convention Secretariats, UN agencies and international organizations involved in the development of Protocols, intergovernmental meetings and in implementation workshops; targeted number of agencies/bodies involved:5; SCAP and NCAPs implementation workshops held;</p> <p>NGOs increasingly participate in TC activities (target 60%) and expanded network and collaboration with NGOs; report on state of the environment (SoE report) published online and printed in hard copies</p> <p>Caspian Information Center (CEIC) established</p>	<p>dialogues convened;</p> <p>Ministerial statements; partnership agreements;</p> <p>Legal instruments/Draft Protocols; COP (Conference of the Parties) decisions;</p> <p>Reports and Meeting records; SCAP and NCAP documents;</p> <p>NGO participation in regional meetings/ at the COP documented (numbers and organisations);</p> <p>SoE Report; concept proposal for CEIC.</p> <p>Ministerial statement of the COP includes the request to coordinate and ensure full operation of the CEIC, ToRs of CEIC accepted and welcomed</p>
<p><b>2. Project Outputs:</b></p>	<p><b>Indicators</b></p>	<p><b>Means of Verification</b></p>
<p>National and regional level coordination and institutional support to TC and Protocols;</p> <p>Four Ancillary Protocols to the Tehran Convention adopted and signed,</p> <p>Regional Action Plans developed, ratification and early implementation of the Protocols, development of new Protocols;</p> <p>Decision on institutional arrangements of Tehran Convention Permanent Secretariat (TCPS);</p> <p>contributions to the Convention budget from Contracting Parties received</p>	<p>Number of draft Protocols ready for approval/adoption by COP4; Target 3</p> <p>Number of draft Regional Action Plans Target 3,</p> <p>Consensus on location of permanent Secretariat among Caspian countries; Target date end 2012</p> <p>Financial contributions included in the budget cycle of the Caspian countries; Target 4 countries per year</p>	<p>Draft Protocols, Protocol ratification notifications from Depositary, Regional Action Plan for Protocols, contracts for NCLOs, COP documentation and decisions, deposit record; Meeting reports</p>
<p>B) Convention executive structure, donor coordination and thematic partnerships established and in operation;</p> <p>Organization and facilitation of COPs</p>	<p>Number of partnerships increased, Target 4 partnerships established; executive structure decided upon; Invitation letters, press releases issued, Preparatory Meetings held,</p> <p>Conference documents prepared to a high standard. Target 100%</p>	<p>Minutes of meetings, partnership agreements;</p> <p>Adopted documents by COP, COP decisions and statements.</p> <p>Press releases</p>
<p>C) Private sector partnerships and effective process established to identify and finance investment projects in the region; Resource Mobilization</p>	<p>Enhanced communication with private sector, Target 1 informal private sector agreement</p> <p>Project proposal for cooperation with the EU submitted, proposals for GEF projects drafted; Target 3 new project proposals in total</p>	<p>(Informal) agreements for collaboration;</p> <p>Correspondence with donors, project papers,</p> <p>Finalized project documents for submission to GEF/EU</p>
<p>D) Updated knowledge-based and enforceable SCAP; National Convention Action Plans (NCAPs) including National Public Participation Strategies (NPPS) to mainstream the implementation of the Convention in the overall government planning submitted for government endorsement</p>	<p>SCAP developed, NCAPs endorsed by Governments, increased cooperation among implementing agencies and capacity building measures in the region</p>	<p>SCAP and NCAP documents</p> <p>Notifications of endorsement, Statements and Decisions of COP4, Workshop</p>
<p>E) Effective regional Monitoring and Enforcement (M&amp;E) framework established and implementation initiated</p>	<p>Working Group (WG) established, development of monitoring indicators, unified reporting form adopted; Monitoring and reporting format agreed upon</p>	<p>WG reports, draft scoping paper identifying monitoring and capacity needs and monitoring indicators, reporting format; Reporting and monitoring format developed</p>
<p>F) Creation of solid regional NGO</p>	<p>Percentage of targeted NGO's (one per</p>	<p>NGO representation at COP; NPPS</p>

partnerships engaged in the implementation of the TC and its protocols	country) participating in COP meetings. Target 60% attendance, National Public Participation Strategies developed, target 5	Executive summaries
G) Data information sharing web-based CIC incorporating Caspian environment status data	CIC concept proposal prepared, information available on the state of the environment of the Caspian Sea region, set the ground for preparation of Caspian Biodiversity Atlas; Caspian Information Center (CIC) established	Contract for CIC development, SoE report; meeting minutes indicating support and partners for development of Biodiversity Atlas; CIC containing SOE related information operational

Sources: PIMS, Project Document Supplement Dec. 2013

## 5. Executing Arrangements

19. The establishment of a Conference of the Parties (COP) and a Secretariat of the Convention is stipulated in Part VI of the Tehran Convention. As mentioned above, the first COP meeting in 2007 requested UNEP to carry out the functions of the Convention Secretariat *ad interim* until a Convention permanent Secretariat has been put in place. The project, a UNEP-run Tehran Convention interim Secretariat (TCIS) performs the functions outlined in Article 23.4 of the Convention and the decisions of the COP.

20. The COP governs the implementation of the Convention and of the protocols after their adoption, signature and ratification. The COP is serviced by the (interim) Secretariat, provided by UNEP ROE in Geneva under the overall coordination of UNEP RSO, until the Parties agree on permanent arrangements.

21. The TCIS in Geneva consists of a mix of UNEP staff and consultants. The TCIS supports the COP and the implementation of the Tehran Convention in organizational, administrative and technical matters. Amongst others, it assists the littoral states in the preparation and servicing of COPs and regional expert meetings on, *inter alia*, ancillary protocols, monitoring and information sharing and the preparation of National Convention Action Plans. The TCIS contributes to the coordination with donors and promotes regional negotiations for the possible location and related institutional arrangements of the permanent Secretariat<sup>60</sup>.

## 6. Project Cost and Financing

22. COP I to IV requested UNEP to continue to service the Convention process until a permanent Secretariat is in place, and prepare/implement a Program of Work (POW) and budget for the implementation of the Convention including the operation of its interim Secretariat. The Caspian States pledged to contribute to the Convention budget. Additional financial support to the Tehran Convention process and the TCIS was provided by the Global Environment Facility (GEF), the European Union and UNEP.

23. While the budget covers the cost of central operations of the TCIS, various project activities are co-financed by external partners.

24. The project has undergone 16 revisions mostly to: extend the duration of the project until 31 December 2014; increase the total cost of the project and align the budget with the actual project needs; amend the Budget Summary, Logical Framework and Delivery Plan; and reflect PoW Output 416 to which the project contributes. The total revised budget is USD 2,168,900 with national country contributions of USD 1,504,338, UNEP-UNOPS contribution of USD 439,566 and programme support funding of USD 80,996. Table 3 below presents a summary of financing for the project according to the latest project document revisions, whereas Table 4 shows the changes to the previously approved project duration.

**Table 3. Estimate Project Cost**

Budget	Amount
A: Previously approved planned budget (from the last revision)	1,736,930 USD,
B: Previously Secured budget (from IMIS)	1,736,930 USD
Previously received earmarked contribution (not yet placed in IMIS)	71,970 USD
Total secured budget	1,808,900 USD
C: Total change of budget [sum of (i)+(ii)]	287,970 USD
i) Secured budget: 60% of Annual pledged National Contributions to the Tehran Convention, placement of received earmarked contribution in 2014	287,970 USD
ii) Unsecured budget:	0 USD
D: New total budget (A+C)	2,024,900 USD
E: Revised planned budget (if different from A)	2,168,900 USD

Source: TCIS

**Table 4. Proposed changes to previously approved duration**

<b>Previously approved dates and duration:</b>	Starting date: (01/2009)	Completion date: (12/2013)	Total duration in Months: (60)
<b>Proposed completion date and duration</b>		Proposed completion date, if changed (12/2014)	Proposed total duration in Months: (72)

Source: TCIS

<sup>60</sup> <http://www.tehranconvention.org/spip.php?article6>

## 7. Implementation Issues<sup>61</sup>

The predominant implementation issues experienced by the project have mostly included: insufficient funding, delayed funding (e.g. delayed disbursements or allotments), political developments within and between the countries involved (e.g. political, socio-economic, natural disasters), capacity issues within the recipient country/ organizations/ institutions etc., ownership and/or capacity issues among the implementing partners, and delays arising from UNEP administrative processes (e.g. legal, HR, procurement). According to a memo by the DED (02.05.2012), issues regarding project finances also have to do with cash flow problems caused by the fact that not all countries pay their contributions early in the year.

## II. TERMS OF REFERENCE FOR THE EVALUATION

### 1. Objective and Scope of the Evaluation

25. In line with the UNEP Evaluation Policy<sup>62</sup> and the UNEP Evaluation Manual<sup>63</sup>, the Terminal Evaluation of the project "(Interim) Secretariat services to the Framework Convention for the Protection of the Marine Environment of the Caspian Sea" is undertaken to assess project performance (in terms of relevance, effectiveness and efficiency), and determine outcomes and impacts (actual and potential) stemming from the project, including their sustainability.

26. 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 through results and lessons learned among UNEP, governments, international and national executing agencies. Therefore, the evaluation will identify lessons of operational relevance for future project formulation and implementation. It will focus on the following sets of **key questions**, based on the project's intended outcome and results, which may be expanded by the consultants as deemed appropriate:

- a. To what extent has the project been relevant in supporting UNEP's servicing of the Tehran Convention (i.e. the work and activities of the TCIS)
- b. How successful has the project been in strengthening governments engagement in and ownership of the Convention process,
- c. How effective has the project been in supporting Caspian littoral states in their implementation of the SCAP (Strategic Convention Action Plan) and NCAPs (National Convention Action Plans)
- d. To what extent did the project succeed in securing sufficient funding for the Convention process, including from the Caspian Governments, the international community (e.g. GEF, UNEP) and the private sector?
- e. How successful was the project in promoting cooperation and involvement of the international community and the private sector in the Convention process. To what extent did the project succeed in mobilizing cooperation with and support from within UNEP. Did the project facilitate exchanges between the Caspian Sea region and other marine environments, including UNEP's Marine and Coastal areas Environment Programme?
- f. How successful has the project been in promoting awareness, improving public access to information on the status of the Caspian Sea environment, and promoting public participation in the Convention process?
- g. How effectively and efficiently was the overall project planned and administrated? What was the performance of the lead UNEP division, other Divisions and UNEP administration in support of c.q. involved in the project?

### 2. Overall Approach and Methods

27. This evaluation will be conducted by an independent consultant under the overall responsibility and management of the UNEP Evaluation Office (Nairobi), in consultation with UNEP ROE, RSO and the TCIS in Geneva, Switzerland.

28. It will be undertaken using a participatory approach whereby key stakeholders are kept informed and consulted throughout the evaluation process. The consultant will liaise with the UNEP Evaluation Office (EO), the UNEP TCIS office, UNEP ROE and/or UNEP RSO on any logistic and methodological issues to properly conduct the evaluation as independently as possible. Both quantitative and qualitative evaluation methods will be used to determine project achievements against the expected outputs, outcomes and impacts.

29. The findings of the evaluation will be based on the following:

(a) A **desk review** of:

- Relevant background documentation, inter alia UNEP Medium-term Strategy 2010-2013 and Programmes of Work, other relevant MEA policies, publications on the activities of the Tehran Convention, including background information available online;
- Project design documents and their revisions;
- (annual) work plans and budgets or equivalent,
- the logical framework and project financing,
- Project reports such as progress and financial reports from the TCIS, Parties, UNEP and implementing partners, meeting minutes as well as annual reviews and relevant correspondences; and
- Relevant other evaluations, in particular the final evaluation of the UNDP-GEF CaspEco project
- Documentation related to project outputs, outcomes, and relevant materials published on the project web-site.

<sup>61</sup> Implementation issues and management actions drawn from PIMS

<sup>62</sup> <http://www.unep.org/eou/StandardsPolicyandPractices/UNEPEvaluationPolicy/tabid/3050/language/en-US/Default.aspx>

<sup>63</sup> <http://www.unep.org/eou/StandardsPolicyandPractices/UNEPEvaluationManual/tabid/2314/language/en-US/Default.aspx>

(b) **Interviews**<sup>64</sup> with, but not limited to:

- UNEP TCIS project management (Geneva);
- Fund Management Officer (Geneva);
- UNEP ROE and relevant UNEP divisions;
- Individual experts involved in the project;
- Party representatives/ National Focal Points; and
- Representatives of other participating UN agencies, multilateral agencies, networks and strategic partnerships to the Convention, including (former) (UNDP) staff involved in the UNDP-GEF CaspEco project

### 3. Key Evaluation principles

30. Evaluation findings and judgements should be based on **sound evidence and analysis**, clearly documented in the evaluation report. Information will be triangulated (i.e. verified from different sources) to the extent possible, and when verification was not possible, the single source will be mentioned. Analysis leading to evaluative judgements should always be clearly spelled out.

31. The evaluation will assess the project with respect to **a minimum set of evaluation criteria** grouped in six categories: (1) Strategic Relevance; (2) Attainment of objectives and planned result, which comprises the assessment of outputs achieved, effectiveness and likelihood of impact; (3) Sustainability and replication; (4) Efficiency; (5) Factors and processes affecting project performance, including preparation and readiness, implementation and management, stakeholder participation and public awareness, country ownership and driven-ness, financial planning and management, UNEP supervision and backstopping, and project monitoring and evaluation; and (6) Complementarity with the UNEP strategies and programmes. The evaluation consultant can propose other evaluation criteria as deemed appropriate.

32. **Ratings.** All evaluation criteria will be rated on a six-point scale. However, complementarity of the project with the UNEP strategies and programmes, including other relevant partners' strategies and programmes is not rated. Annex 2 provides guidance on how the different criteria should be rated and how ratings should be aggregated for the different evaluation categories.

33. In attempting to attribute any outcomes and impacts to the project, the evaluators should consider the difference between "*what has happened with*" and "*what would have happened without*" the project. This implies that there should be consideration of the baseline conditions and trends in relation to the intended project outcomes and impacts. This also means that there should be plausible evidence to attribute such outcomes and impacts to the actions of the project. Sometimes, adequate information on baseline conditions and trends is lacking. In such cases this should be clearly highlighted by the evaluator, along with any simplifying assumptions that were taken to enable the evaluator to make informed judgements about project performance.

34. Although this is a terminal evaluation, a follow-up project in some form may be developed and particular attention should be given to learning from the experience. The scope of this evaluation will consider project activities from project inception up to the time of this evaluation; lessons/recommendations can be assimilated into the follow-on phase through adaptive management or through formal Project Document revisions.

35. The "*Why?*" question should be at front of the consultant's mind all through the evaluation exercise. This means that the consultant needs to go beyond the assessment of "*what*" the project performance was, and make a serious effort to provide a deeper understanding of "*why*" the performance was as it was, i.e. of processes affecting attainment of project results (criteria under category F – see below). This should provide the basis for the lessons that can be drawn from the project. In fact, the usefulness of the evaluation will be determined to a large extent by the capacity of the consultant to explain "*why things happened*" as they happened and are likely to evolve in this or that direction - which goes well beyond the mere review of "*where things stand*" at the time of evaluation.

#### 4. Evaluation criteria

##### A. Strategic relevance

36. The evaluation will assess, in retrospect, whether the project's objectives and implementation strategies were consistent with the UNEP mandates and policies at the time of design and implementation as well as the guidance by and decisions of the Contracting Parties to the Tehran Convention;

37. UNEP MTS 2010-2013 specifies desired results in six thematic focal areas or Sub-programmes. These desired results are termed Expected Accomplishments. The evaluation should comment on whether the project makes a tangible contribution to the Expected Accomplishments specified in the UNEP MTS, in particular to the Environmental Governance Sub-programme under which it has been located. The magnitude and extent of any contributions and the causal linkages should be fully described.

38. The evaluation will also assess whether the project objectives were realistic, given the time and budget allocated to the project, the baseline situation and the institutional context in which the project was to operate.

##### B. Achievement of Outputs

39. The evaluation will assess the project's success in producing the programmed activities and outputs as presented in Table 2 above, both in quantity and quality, as well as their usefulness and timeliness.

40. Briefly explain the reasons behind the success (or failure) of the project in achieving its different outputs and meeting expected quality standards, cross-referencing as needed to more detailed explanations provided under Section F (which covers the processes affecting attainment of project results).

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<sup>64</sup> Face-to-face or through any other appropriate means of communication

### C. Effectiveness: Attainment of Objectives and Planned Results

41. The evaluation will assess the extent to which the project's objectives were effectively achieved or are expected to be achieved.

42. The evaluation will reconstruct the Theory of Change (ToC) of the project based on a review of project documentation and stakeholder interviews.<sup>65</sup> The ToC of a project depicts the causal pathways from project outputs (goods and services delivered by the project) over outcomes (changes resulting from the use made by key stakeholders of project outputs) towards impact (changes in environmental benefits and living conditions). The ToC will also depict any intermediate changes required between project outcomes and impact, called "intermediate states". The ToC further defines the external factors that influence change along the pathways, whether one result can lead to the next. These external factors are either drivers (when the project has a certain level of control) or assumptions (when the project has no control).

43. The assessment of effectiveness will be structured in three sub-sections:

- (a) Evaluation of the **achievement of outcomes as defined in the reconstructed ToC**. These are the first-level outcomes expected to be achieved as an immediate result of project outputs. For this project, the main question will be to what extent the project has been successful in providing Secretariat support to the Caspian littoral states by performing the functions outlined in Article 23.4 of the Tehran Convention as well as the decisions of the COP, and ensuring that the experiences gained can be replicated in similar and related sub-regional transboundary challenges in Western Asia
- (b) Assessment of the **likelihood of impact** using a Review of Outcomes to Impacts (ROtI) approach as summarized in Annex 6 of the TORs. The evaluation will appreciate to what extent the project has to date contributed, and is likely in the future to further contribute, to improved cooperation and partnership by the relevant stakeholders towards the achievement of the objectives of the Tehran Convention as a result of the projects outcomes, and the likelihood of those changes in turn leading to positive changes in the benefits derived from improved environment and human living conditions.
- (c) Evaluation of the **achievement of the formal overall objectives, purpose, goals and component outcomes**, using the project's own results statements as presented in the Project Document (including revisions). This sub-section will refer back where applicable to the preceding sub-sections (a) and (b) to avoid repetition in the report. To measure achievement, the evaluation will use as much as appropriate the indicators for achievement proposed in the Logical Framework (Logframe) of the project, adding other relevant indicators as appropriate. Briefly explain what factors affected the project's success in achieving its objectives, cross-referencing as needed to more detailed explanations provided under Section F.

### D. Sustainability and replication

44. **Sustainability** is understood as the probability of continued long-term project-derived results and impacts after the external project funding and assistance ends. The evaluation will identify and assess the key conditions or factors that are likely to undermine or contribute to the persistence of benefits. Some of these factors might be direct results of the project while others will include contextual circumstances or developments that are not under control of the project but that may condition sustainability of benefits. The evaluation should ascertain to what extent follow-up work has been initiated and how project results will be sustained and enhanced over time. The reconstructed ToC will assist in the evaluation of sustainability, as the drivers and assumptions required to achieve higher-level results are often similar to the factors affecting sustainability of these changes.

45. Four aspects of sustainability will be addressed:

- (a) *Socio-political sustainability*. Are there any social or political factors that may influence positively or negatively the sustenance of project results and progress towards impacts? Is the level of ownership by the main stakeholders sufficient to allow for the project results to be sustained? Are there sufficient government and stakeholder awareness, interests, commitment and incentives to execute, enforce and pursue the programmes, plans, agreements, monitoring systems etc. prepared and agreed upon under the project?
- (b) *Financial resources*. To what extent are the continuation of project results and the eventual impact of the project dependent on financial resources? What is the likelihood that adequate financial resources<sup>66</sup> will be or will become available to implement the programmes, plans, agreements, monitoring systems etc. prepared and agreed upon under the project? Are there any financial risks that may jeopardize sustenance of project results and onward progress towards impact? How financially sustainable are the regional activity centres?
- (c) *Institutional framework*. To what extent is the sustenance of the results and onward progress towards impact dependent on issues relating to institutional frameworks and governance? How robust are the institutional achievements such as governance structures and processes, policies, sub-regional agreements, legal and accountability frameworks etc. required to sustaining project results and to lead those to impact on human behaviour and environmental resources?
- (d) *Environmental sustainability*. Are there any environmental factors, positive or negative, that can influence the future flow of project benefits? Are there any project outputs or higher level results that are likely to affect the environment, which, in turn, might affect sustainability of project benefits? Are there any foreseeable negative environmental impacts that may occur as the project results are being up-scaled?

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<sup>65</sup> It is appreciated that at the time of the project design the Theory of Change methodology as described in these TOR was not used. This notwithstanding, the project did have an intentionality or project logic that can be interpreted to be its TOC. The consultant will reconstruct this to see the causal linkages between the expected project outcomes and Impact, and to establish how "far along" the impact pathway the project will have progressed at the time of the terminal evaluation.

<sup>66</sup> Those resources can be from multiple sources, such as the public and private sectors, income generating activities, other development projects etc.

46. **Catalytic role and replication.** The *catalytic role* of UNEP interventions is embodied in its approach of supporting the creation of an enabling environment and of investing in pilot activities which are innovative and showing how new approaches can work. UNEP also aims to support activities that upscale new approaches to a national, regional or global level, with a view to achieve sustainable global environmental benefits. The evaluation will assess the catalytic role played by this project, namely to what extent the project has:

- (a) *catalyzed behavioural changes* in terms of use and application by the relevant stakeholders of: i) secretariat services provided to Parties, ii) the regional policy instruments developed, iii) the focal point mechanisms established, and iv) the technical capacity developed through training/technical assistance, at a national and sub-regional level;
- (b) provided *incentives* (social, economic, market based, competencies etc.) to contribute to catalyzing changes in stakeholder behaviour;
- (c) contributed to *institutional changes*, for instance institutional uptake of the Protocols of the Convention and the National Strategic Convention Action Programs;
- (d) contributed to *policy changes* (on paper and in implementation of policies and protocols);
- (e) contributed to sustained follow-on financing (*catalytic financing*) from Governments, private sector donors, etc.; and
- (f) created opportunities for particular individuals or institutions ("*champions*") to catalyze change (without which the project would not have achieved all of its results).

47. *Replication*, in the context of UNEP projects, is defined as lessons and experiences coming out of the project that are replicated (experiences are repeated and lessons applied in different geographic areas) or scaled up (experiences are repeated and lessons applied in the same geographic area but on a much larger scale and funded by other sources). The evaluation will assess the approach adopted by the project to promote replication effects and appreciate to what extent actual replication has already occurred or is likely to occur in the near future. What are the factors that may influence replication and scaling up of project experiences and lessons?

#### **E. Efficiency**

48. The evaluation will assess the cost-effectiveness and timeliness of project execution. It will describe any cost- or time-saving measures put in place in attempting to bring the project as far as possible in achieving its results within its programmed budget and (extended) time. It will also analyse how delays have affected project execution, costs and effectiveness. Wherever possible, costs and time over results ratios of the project will be compared with that of other similar interventions.

49. The evaluation will give special attention to efforts by the project team to make use of/build upon pre-existing institutions, agreements and partnerships, data sources, synergies and complementarities with other related initiatives, programmes and projects etc. to increase project efficiency.

#### **F. Factors and processes affecting project performance**

50. **Preparation and readiness.** This criterion focusses on the quality of project design and preparation. Were project stakeholders<sup>67</sup> adequately identified? Were the project's objectives and components clear, practicable and feasible within its timeframe? Were the capacities of the implementing agency properly considered when the project was designed? Was the project document clear and realistic to enable effective and efficient implementation? Were the partnership arrangements properly identified and the roles and responsibilities negotiated prior to project implementation? Were counterpart resources (funding, staff, and facilities) and enabling legislation assured? Were adequate project management arrangements in place? Were lessons from other relevant projects properly incorporated in the project design? What factors influenced the quality-at-entry of the project design, choice of partners, allocation of financial resources etc.?

51. **Project implementation and management.** This includes an analysis of implementation approaches used by the project, its management framework, the project's adaptation to changing conditions (adaptive management), the performance of the implementation arrangements and partnerships, relevance of changes in project design, and overall performance of project management. The evaluation will:

- (a) Ascertain to what extent the project implementation mechanisms outlined in the project document have been followed and were effective in delivering project milestones, outputs and outcomes. Were pertinent adaptations made to the approaches originally proposed?
- (b) Evaluate the effectiveness and efficiency of project management and how well the management was able to adapt to changes during the life of the project.
- (c) Assess the role and performance of the national focal points established and the project execution arrangements at all levels.
- (d) Assess the extent to which project management responded to direction and guidance provided by the Steering Committee or its equivalent and UNEP supervision recommendations.
- (e) Identify administrative, operational, technical, institutional and/or political problems and constraints that influenced the effective implementation of the project, and how the project partners tried to overcome these problems. How did the relationship between the project management team and the collaborating partners and focal points develop?

52. **Stakeholder participation and public awareness.** The term stakeholder should be considered in the broadest sense, encompassing project partners, government institutions, private interest groups, local communities etc. The TOC analysis should assist the evaluators in identifying the key stakeholders and their respective roles, capabilities and motivations in each step of the causal pathway from activities to achievement of outputs and outcomes to impact. The assessment will look at three

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<sup>67</sup> Stakeholders are the individuals, groups, institutions, or other bodies that have an interest or stake in the outcome of the project. The term also applies to those potentially adversely affected by the project.

related and often overlapping processes: (1) information dissemination to and between stakeholders, (2) consultation with and between stakeholders, and (3) active engagement of stakeholders in project decision making and activities. The evaluation will specifically assess:

- (a) the approach(es) used to identify and engage stakeholders (within and outside UNEP) in project design and implementation. What were the strengths and weaknesses of these approaches with respect to the project's objectives and the stakeholders' motivations and capacities? What was the achieved degree and effectiveness of collaboration and interactions between the various project partners and stakeholders during design and implementation of the project?
- (b) the degree and effectiveness of any public awareness activities that were undertaken during the course of implementation of the project; or that are built into the assessment methods so that public awareness can be raised at the time the assessments will be conducted;
- (c) how the results of the project (e.g. secretariat support, documents, meetings, partnerships, intergovernmental agreements, regional policy instruments, etc.) promote participation of stakeholders, including users, in decision making.

53. **Country ownership and driven-ness.** This is the relevance of the project to national development and environmental agendas, recipient country commitment, and regional and international agreements. The evaluation will assess:

- (a) the level of country ownership. Specifically, the evaluator should assess whether the project was effective in providing and communicating information that catalysed action to improve decisions relating to the conservation and sustainable management of the marine environment among the Caspian littoral states ;
- (b) the level of commitment within the Caspian countries towards the implementation of the Tehran Convention, its protocols, and other related international treaties, MoUs or COP decisions; and
- (c) how well the support services by the UNEP TCIS stimulated country ownership of the convention and related partnership activities.

54. **Financial planning and management.** Evaluation of financial planning requires assessment of the quality and effectiveness of financial planning and control of financial resources throughout the project's lifetime. The assessment will look at actual project costs by activities compared to budget (variances), financial management (including disbursement issues), and co-financing. The evaluation will, to the extent possible:

- (a) Verify the application of proper standards (clarity, transparency, audit etc.) and timeliness of financial planning, management and reporting to ensure that sufficient and timely financial resources were available to the project and its partners;
- (b) Appreciate other administrative processes such as recruitment of staff, procurement of goods and services (including consultants), preparation and negotiation of cooperation agreements etc. to the extent that these might have influenced project performance;
- (c) Present to what extent co-financing has materialized as expected at project approval. Report country co-financing to the project overall, and to support project activities at the national level in particular. The evaluation will seek to provide a breakdown of final actual costs and co-financing for the different project components (see project cost and financing tables in Annex 3).
- (d) Describe the resources the project has leveraged<sup>68</sup> since inception and indicate how these resources are contributing to the project's ultimate objective.
- (e) Analyse the effects on project performance of any irregularities in procurement, use of financial resources and human resource management, and the measures taken by UNEP to prevent such irregularities in the future. Appreciate whether the measures taken were adequate.

55. **Supervision, guidance and technical backstopping.** The purpose of supervision is to verify the quality and timeliness of project execution in terms of finances, administration and achievement of outputs, in order to identify and recommend ways to deal with problems which arise during project execution. Such problems may be related to project management but may also involve technical/institutional substantive issues in which UNEP has a major contribution to make. The evaluators should assess the effectiveness of supervision, administrative, financial and technical support provided by UNEP including:

- (a) The adequacy of project supervision plans, inputs and processes;
- (b) The realism and candour of project reporting and the emphasis given to outcome monitoring (results-based project management);
- (c) How well did the guidance and backstopping mechanisms work? What were the strengths in guidance and backstopping and what were the limiting factors?

56. **Monitoring and evaluation.** The evaluation will include an assessment of the quality, application and effectiveness of project monitoring and evaluation plans and tools, including an assessment of risk management based on the assumptions and risks identified in the project document. The evaluation will appreciate how information generated by the M&E system during project implementation was used to adapt and improve project execution, achievement of outcomes and ensuring sustainability. M&E is assessed on three levels:

- (a) *M&E Design.* The evaluators should use the following questions to help assess the M&E design aspects:

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<sup>68</sup> Leveraged resources are additional resources—beyond those committed to the project itself at the time of approval—that are mobilized later as a direct result of the project. Leveraged resources can be financial or in-kind and they may be from other donors, NGO's, foundations, governments, communities or the private sector.

- Did the project have a sound M&E plan to monitor results and track progress towards achieving project objectives?
- How well was the project logical framework (original and possible updates) designed as a planning and monitoring instrument?
- SMART<sup>69</sup>-ness of indicators: Are there specific indicators in the logframe for each of the project objectives? Are the indicators measurable, attainable (realistic) and relevant to the objectives? Are the indicators time-bound?
- Adequacy of baseline information: To what extent has baseline information on performance indicators been collected and presented in a clear manner? Was the methodology for the baseline data collection explicit and reliable? For instance, was there adequate baseline information on pre-existing accessible information on environmental status and trends in the region? Was there sufficient information about the capacity of Member states and collaborating partners etc. to determine their administrative and technical support needs?
- Arrangements for monitoring: Have the responsibilities for M&E activities been clearly defined? Were the data sources and data collection instruments appropriate? Was the time frame for various M&E activities specified? Was the frequency of various monitoring activities specified and adequate? To what extent were project users involved in monitoring?
- Arrangements for evaluation: Have specific targets been specified for project outputs? Has the desired level of achievement been specified for all indicators of objectives and outcomes? Were there adequate provisions in the legal instruments binding project partners to fully collaborate in evaluations?
- Budgeting and funding for M&E activities: Determine whether support for M&E was budgeted adequately and was funded in a timely fashion during implementation.

(b) *M&E Plan Implementation. The evaluation will verify that:*

- the M&E system was operational and facilitated timely tracking of results and progress towards projects objectives throughout the project implementation period;
- Half-yearly Progress & Financial Reports were complete and accurate;
- the information provided by the M&E system was used during the project to improve project performance and to adapt to changing needs;
- the M&E system had in place proper training, instruments and resources for parties responsible for M&E.

#### **G. Complementarity with UNEP policies and strategies**

57. **Alignment with the Bali Strategic Plan (BSP)**<sup>70</sup>. The linkage between the project's outcomes and achievements to the objectives of the UNEP BSP should be briefly discussed (as applicable).

58. **Gender.** Ascertain to what extent project design, implementation and monitoring have taken into consideration: (i) possible gender inequalities in access to and the control over natural resources; (ii) specific vulnerabilities of women and children to environmental degradation or disasters; and (iii) the role of women in mitigating or adapting to environmental changes and engaging in environmental protection and rehabilitation. Appreciate whether the intervention is likely to have any lasting differential impacts on gender equality and the relationship between women and the environment. To what extent do unresolved gender inequalities affect sustainability of project benefits?

59. **South-South Cooperation.** This is regarded as the exchange of resources, technology, and knowledge between developing countries. How did the project promote and benefit from the exchange of resources, technology, and knowledge between developing countries and countries with economies in transition? Briefly describe any aspects of the project that could be considered as examples of South-South Cooperation.

#### **5. The Consultant**

60. For this evaluation, the Consultant should have extensive experience in the evaluation of projects and programmes, and experience in project management related to environmental governance and biodiversity conservation and sustainable use. They should also have experience in working with Western Asia/Eastern European countries, in the general area of sustainable development, and more specifically in conservation of marine and coastal biodiversity. Candidates should have a sound knowledge of the Framework Convention for the Protection of the Marine Environment of the Caspian Sea (Tehran Convention), or other biodiversity-related MEAs at national, regional and international level.

61. The candidate should have at least ten years of work experience and practical knowledge in the environmental field. A university degree in science, environment, or relevant discipline is required, in addition to professional skills in project management. Good interpersonal and communication skills are required to be able to convey information in a concise and understandable way. Candidates should also have an analytical mind, be organized and structured and have excellent oral and written communications skills. The Consultant will coordinate data collection and analysis, and the preparation of the main report for the evaluation. S/He will ensure that all evaluation criteria and questions are adequately covered. Fluency in oral and written English is required.

62. By undersigning the service contract with UNEP/JUNON, the Consultant certifies that s/he has not been associated with the design and implementation of the project in any way which may jeopardize their independence and impartiality towards project achievements and performance. In addition, they will not have any future interests (within six months after completion of the contract) with the project's executing or implementing units.

<sup>69</sup> SMART stands for: Specific, Measurable, Achievable, Relevant and Time-bound.

<sup>70</sup> <http://www.unep.org/GC/GC23/documents/GC23-6-add-1.pdf>

## 6. Evaluation Deliverables and Review Procedures

63. The Consultant will, after an initial briefing<sup>71</sup> with the UNEP Evaluation Office and the UNEP Task Manager, conduct an initial desk review work and prepare and submit an **inception report** to the UNEP Evaluation Office, containing a thorough review of the project context, project design quality, a draft reconstructed Theory of Change of the project, the evaluation framework and a tentative evaluation schedule (see Annex 1(a) of TORs for Inception Report outline).

64. The review of project design quality will cover the following aspects (see Annex 7 for the detailed project design assessment matrix):

- Strategic relevance of the project
- Preparation and readiness;
- Financial planning;
- M&E design;
- Complementarity with UNEP strategies and programmes; and
- Sustainability considerations and measures planned to promote replication and up-scaling.

65. The inception report will also present the draft, desk-based reconstructed Theory of Change of the project. It is vital to reconstruct the ToC *before* most of the data collection (review of reports, in-depth interviews, surveys etc.) is done, because the ToC will define which direct outcomes, drivers and assumptions of the project need to be assessed and measured – based on which indicators – to allow adequate data collection for the evaluation of project effectiveness, likelihood of impact and sustainability.

66. The evaluation framework will present in further detail the evaluation questions under each criterion with their respective indicators and data sources. The evaluation framework should summarize the information available from project documentation against each of the main evaluation parameters. Any gaps in information should be identified and methods for additional data collection, verification and analysis should be specified.

67. The inception report will also present a tentative schedule for the overall evaluation process including, the conduct of an online survey, a tentative list of people/institutions to be interviewed, and a draft programme for a visit to the ISCC.

68. The inception report will be submitted for review and approval by the Evaluation Office before the implementation phase of the assignment.

69. **The main evaluation report** should be brief (no longer than 40 pages – excluding the executive summary and annexes), precise, and written in plain English. The report will follow the annotated Table of Contents outlined in Annex 1. It must explain the purpose of the evaluation, exactly what was evaluated and the methods used (with their limitations). The report will present evidence-based and balanced findings, consequent conclusions, lessons and recommendations, which will be cross-referenced to each other. The report should be presented in a way that makes the information accessible and comprehensible. Any dissident views in response to evaluation findings will be appended in footnote or annex as appropriate. To avoid repetitions in the report, the author will use numbered paragraphs and make cross-references where possible.

70. **Review of the draft evaluation report.** The Consultant will submit what shall be referred to as a **zero draft report** to the UNEP EO and revise this draft following the comments and suggestions made by the EO. Once a draft of adequate quality has been accepted, the EO will share this as a **first draft report** with the Head of UNEP TCIS, who will alert the EO in case the report contains any factual errors. The TCIS Head will then forward the first draft report to the other project stakeholders, in particular the Parties, ROE, UNEP/RSO, National Focal Points, and strategic partners, for their review and comments. Stakeholders may provide feedback on any errors of fact and may highlight the significance of such errors in any conclusions. Comments would be expected within two weeks after the draft report has been shared. Any comments or responses to the draft report will be sent to the UNEP EO for collation. The EO will provide the comments to the Consultant for consideration in preparing the **final draft report**.

71. The Consultant will submit the final draft report no later than 2 weeks after reception of stakeholder comments. The Consultant will prepare a **response to comments**, listing those comments not / only partially accepted that could therefore not or only partially be accommodated into the final report. The Consultant will explain why those comments have not or only partially been accepted, providing evidence/justification as required. This response to comments will be shared by the EO with the interested stakeholders to ensure full transparency.

72. **Submission of the final Terminal Evaluation report.** The final report shall be submitted by email to the Evaluation Office. The Evaluation Office will finalize the report and share it with the interested Divisions and Sub-programme Coordinators in UNEP. The final evaluation report will be published on the UNEP Evaluation Office web-site<sup>72</sup>

73. As per usual practice, the UNEP EO will prepare a **quality assessment** of the zero draft and final draft reports, which is a tool for providing structured feedback to evaluation consultants. The quality of the report will be assessed and rated against the criteria specified in Annex 4.

74. The UNEP Evaluation Office will assess the ratings in the final evaluation report based on a careful review of the evidence collated by the Consultant and the internal consistency of the report. Where there are differences of opinion between the evaluator and UNEP Evaluation Office on project ratings, both viewpoints will be clearly presented in the final report. The UNEP Evaluation Office ratings will be considered the final ratings for the project.

## 7. Logistical arrangements

75. This Terminal Evaluation will be undertaken by an independent evaluation consultant contracted by the UNEP Evaluation Office. The consultant will work under the overall responsibility of the UNEP Evaluation Office and will consult with the EO on any procedural and methodological matters related to the evaluation. It is, however, the consultants' individual

<sup>71</sup> This briefing will take place via telephone, Skype or face-to-face - as will be found practical.

<sup>72</sup> [www.unep.org/eou](http://www.unep.org/eou).

responsibility to arrange for their travel, visa, obtain documentary evidence, plan meetings with stakeholders, organize online surveys, and any other logistical matters related to the assignment. The UNEP TCIS will, where possible, provide logistical support (introductions, meetings, etc.) allowing the consultant to conduct the evaluation as efficiently and independently as possible.

#### 8. Schedule of the evaluation

76. Table 6 below presents the **tentative** schedule for the evaluation.

**Table 6. Tentative schedule**

Milestone	Estimated date of completion
Consultants identified and contractual process initiated	7 April 2014
Consultant contracts signed	30 April 2014
Inception Report	10 May 2014
Consultation with UNEP TCIS in Geneva	May 2014
Zero Draft Report submitted to EO by consultant	6 June 2014
First Draft Report submitted to EO by consultant	16 June 2014
First Draft Report shared with TCIS Head for onward circulation and review	20 June 2014
Submission of review comments to consultant	15 July 2014
Final Draft Report submitted to EO by consultant	30 July 2014
End of Assignment	31 Jan 2015*

\*This will allow the Evaluation Office to complete the evaluation exercise not as a short-term exercise, but rather an ongoing process, to allow for the results and recommendations of the evaluation to take into account the next PoW (2015-2016) and reflect the crucial decisions that will emanate from the COP 5 scheduled in May 28-30, 2014.

#### 9. Contractual arrangements

77. The Consultant will be hired under an individual Special Service Agreement (SSA) under a “fees only” contract.

78. **Fee only:** The contract stipulates consultant fees only. The fee is payable under the individual SSA of the evaluator and is **not inclusive** of travel, accommodation and incidental expenses. The scope of this evaluation is limited by the resources available; it is therefore going to be undertaken as a primarily desk-based exercise with no field travel involved.

79. The payment schedule for the Consultant will be linked to the acceptance by the Evaluation Office of the key evaluation deliverables:

- Final inception report: 20 percent of agreed total fee
- First draft main evaluation report: 70 percent of agreed total fee
- Final main evaluation report: 10 percent of agreed total fee

80. In case the Consultant is not able to provide the deliverables in accordance with these TORs, and in line with the expected quality standards by the UNEP Evaluation Office, payment may be withheld at the discretion of the Head of the Evaluation Office until the Consultant has improved the deliverables to meet UNEP’s quality standards.

If the Consultant fails to submit a satisfactory final product to UNEP in a timely manner, i.e. before the end date of their contract, the Evaluation Office reserves the right to employ additional human resources to finalize the report, and to reduce the Consultant’s fees by an amount equal to the additional costs borne by the Evaluation Office to bring the report up to standard.

## B. Project Logical Framework

1. Project Outcome	Indicators	Means of Verification
<p>Institutional setting of Tehran Convention (TC) fully operational;            Coordination and synergy with other Caspian projects and activities including effective donor coordination and engagement;            Littoral States implement SCAP (Strategic Convention Action Plan) at regional level and develop <u>and implement</u> NCAPs (National Convention Action Plans) at national/sub-national level;            Enhanced stakeholders' engagement in the TC process and improved public access to information on the status of the Caspian Sea environment;            Regional institutional arrangement further developed and strengthened to address transboundary environmental issues; regional cooperation mechanism promoted to strengthen or develop regional policies and laws for the management of transboundary ecosystems.</p>	<p>Governments nominate National Convention Liaison Officers (NCLOs), Governments:</p> <ul style="list-style-type: none"> <li>further engage in Protocol negotiations and financially</li> <li>contribute to the Convention process;</li> </ul> <p>Number of Protocols being <u>adopted, ratified and</u> implemented;            Convention Secretariats, UN agencies and international organizations involved in the development of Protocols, intergovernmental meetings and in implementation workshops; targeted number of agencies/bodies involved;            SCAP and NCAPs implementation workshops held;            NGOs increasingly participate in TC activities (target 60%) and expanded network and collaboration with NGOs;            Report on state of the environment (SoE report) published online and printed in hard copies;            Caspian Information Centre (CEIC) established.</p>	<p>NCLOs appointed            Number of inter-sectoral policy dialogues convened;            Ministerial statements; partnership agreements;            Legal instruments/Draft Protocols; COP (Conference of the Parties) decisions;            Reports and Meeting records; SCAP and NCAP documents;            NGO participation in regional meetings/ at the COP documented (numbers and organisations);            SoE Report; concept proposal for CEIC;            Ministerial statement of the COP includes the request to coordinate and ensure full operation of the CEIC, ToRs of CEIC accepted and welcomed.</p>
2. Project Outputs:	Indicators	Means of Verification
<p>National and regional level coordination and institutional support to TC and Protocols;            Four Ancillary Protocols to the Tehran Convention adopted and signed;            Regional Action Plans developed, ratification and early implementation of the Protocols, development of new Protocols;            Decision on institutional arrangements of Tehran Convention Permanent Secretariat (TCPS);            contributions to the Convention budget from Contracting Parties received.</p>	<p>Number of draft Protocols ready for approval/adoption by COP-4; Target 3            Number of draft Regional Action Plans Target 3,            Consensus on location of Permanent Secretariat among Caspian countries; Target date end 2012            Financial contributions included in the budget cycle of the Caspian countries; Target 4 countries per year</p>	<p>Draft Protocols, Protocol ratification notifications from Depositary, Regional Action Plan for Protocols, contracts for NCLOs, COP documentation and decisions, deposit record; Meeting reports</p>
<p>B) Convention executive structure, donor coordination and thematic partnerships established and in operation;            Organization and facilitation of COPs</p>	<p>Number of partnerships increased, Target 4 partnerships established; executive structure decided upon; Invitation letters, press releases issued, Preparatory Meetings held;            Conference documents prepared to a high standard. Target 100%</p>	<p>Minutes of meetings, partnership agreements;            Adopted documents by COP, COP decisions and statements.            Press releases</p>
<p>C) Private sector partnerships and effective process established to identify and finance investment projects in the region; Resource Mobilization</p>	<p>Enhanced communication with private sector, Target 1 informal private sector agreement;            Project proposal for cooperation with the EU submitted, proposals for GEF projects drafted; Target 3 new project proposals in total</p>	<p>(Informal) agreements for collaboration;            Correspondence with donors, project papers;            Finalized project documents for submission to GEF/EU</p>
<p>D) Updated knowledge-based and enforceable SCAP; National Convention Action Plans (NCAPs) including National Public Participation Strategies (NPPS) to mainstream the implementation of the Convention in the overall government planning submitted for government endorsement</p>	<p>SCAP developed, NCAPs endorsed by Governments, increased cooperation among implementing agencies and capacity building measures in the region</p>	<p>SCAP and NCAP documents            Notifications of endorsement, Statements and Decisions of COP-4, Workshop</p>

E) Effective regional Monitoring and Enforcement (M&E) framework established and implementation initiated	Working Group (WG) established, development of monitoring indicators, unified reporting form adopted; Monitoring and reporting format agreed upon	WG reports, draft scoping paper identifying monitoring and capacity needs and monitoring indicators, reporting format; Reporting and monitoring format developed
F) Creation of solid regional NGO partnerships engaged in the implementation of the TC and its Protocols	Percentage of targeted NGO's (one per country) participating in COP meetings. Target 60% attendance, National Public Participation Strategies developed, target 5	NGO representation at COP; NPPS Executive summaries
G) Data information sharing web-based CIC incorporating Caspian environment status data	CIC concept proposal prepared, information available on the state of the environment of the Caspian Sea region, set the ground for preparation of Caspian Biodiversity Atlas; Caspian Information Centre (CIC) established	Contract for CIC development, SoE report; meeting minutes indicating support and partners for development of Biodiversity Atlas; CIC containing SOE related information operational

Sources: PIMS, Project Document Supplement Dec. 2013

## C. List of interviewees

Table 10 - TCIS Terminal Evaluation list of interviewees:

UNEP Staff		
Mahir Aliyev	Caspian Secretariat	<a href="mailto:mahir.aliyev@unep.org">mahir.aliyev@unep.org</a>
Nina Schneider	Caspian Secretariat	<a href="mailto:nina.schneider@unep.org">nina.schneider@unep.org</a>
Frits Schlingemann	Consultant to the Secretariat	<a href="mailto:frits.schlingemann@unep.org">frits.schlingemann@unep.org</a>
Daniel Nixdorf	Caspian Secretariat	<a href="mailto:daniel.nixdorf@unep.org">daniel.nixdorf@unep.org</a>
Jan Dusik	UNEP ROE	<a href="mailto:jan.dusik@unep.org">jan.dusik@unep.org</a>
Michael Evteev	UNEP ROE	<a href="mailto:Michael.Evteev@unep.org">Michael.Evteev@unep.org</a>
Barbara Ruis	UNEP DELC	Barbara.ruis@unep.ch
Elizabeth Mrema	UNEP DELC	<a href="mailto:Elizabeth.mrema@unep.org">Elizabeth.mrema@unep.org</a>
Christophe Bouvier	UNEP Nairobi	<a href="mailto:christophe.bouvier@unep.org">christophe.bouvier@unep.org</a>
Jochem Zoetelief	Manager of UNEP and TIM	<a href="mailto:Jochem.zoetelief@unep.org">Jochem.zoetelief@unep.org</a>
Other UN Related Staff		
Andrew Hudson	UNDP GEF - International Waters	<a href="mailto:andrew.hudson@undp.org">andrew.hudson@undp.org</a>
Valentin Yemelin	GRID Arendal	<a href="mailto:valentin.yemelin@grida.no">valentin.yemelin@grida.no</a>
National Focal Points		
Tatiana Butylina	Russian Federation Center for International Projects	<a href="mailto:okpd@eco-cip.ru">okpd@eco-cip.ru</a>
Natalia Tretiakova	Russian Federation Ministry of Natural Resources and Environment	<a href="mailto:nataliat@mnr.gov.ru">nataliat@mnr.gov.ru</a>
Rasim Sattarzade	Azerbaijan	<a href="mailto:rsattarzade@azdata.net">rsattarzade@azdata.net</a>
Serik Akhmetov	Kazakhstan	<a href="mailto:serik.akhmetov@wic.kz">serik.akhmetov@wic.kz</a>
Gozel Orazdurdyeva	Turkmenistan	<a href="mailto:gozelcep@gmail.com">gozelcep@gmail.com</a>
Batyr Ballyyev	Turkmenistan	<a href="mailto:bbmnpt@yandex.ru">bbmnpt@yandex.ru</a>
Farnaz Shoaie	Iran	<a href="mailto:farnazshoaie@gmail.com">farnazshoaie@gmail.com</a>
International consultants		
Hamidreza Ghaffarzadeh	Iran	<a href="mailto:hamid.ghaffarzadeh@gmail.com">hamid.ghaffarzadeh@gmail.com</a>
Oleg Guchgeldiyev	Turkmenistan	<a href="mailto:o.guchgeldiyev@gmail.com">o.guchgeldiyev@gmail.com</a>
Private Sector		
Peter Taylor	OSPRI	<a href="mailto:ospri.manager@ipieca.org">ospri.manager@ipieca.org</a>

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## **E. Brief Bio of the Consultant**

### **Johannah Bernstein- International Environmental Lawyer**

Johannah Bernstein's entire professional life has been devoted to the cause of multilateral environmental diplomacy and advocacy. She is an Oxford-educated international environmental lawyer (combined with a B.A. in Human Ecology) and has over 20 years of professional experience advising UN organisations, national governments, the private sector and international non-governmental organisations on a wide spectrum of global sustainability challenges. Johannah has an exceptional command of the United Nations system, combined with her unique knowledge of global sustainability issues and the political dynamics of multilateral environmental diplomacy processes.

Her work started first as director of the Canadian coalition of NGOs involved in the 1992 Earth Summit. From 1992 to 1999, Johannah developed advocacy campaigns for prominent international NGOs for most of the global summits of the 1990s and the United Nations negotiations on climate change, biodiversity, and desertification, environmental justice, human development, global governance reform and the Millennium Development Goals.

### **EU policy work**

Since 1999, Johannah has been running her own international environmental law practice from Brussels, Montreal and Geneva. During her ten years in Brussels, Johannah provided environmental law and policy advice to the European Commission (facilitating stakeholder consultations on the EU Sustainable Development Strategy, the External Dimensions Strategy, EU preparations for the World Summit for Sustainable Development), Members of the European Parliament (advising on issues related to corporate social responsibility, greening EU foreign policy, personal emissions trading,); European environmental NGOs (WWF-EPO, Friends of the Earth EU, Institute for Environmental Security, GLOBE EU); as well as supporting the governments of Sweden, Denmark, Finland and The Netherlands in promoting their environmental priorities during their respective EU Presidencies.

### **Policy advice to international organisations**

In the last three years, Johannah has re-focused her work on international sustainability policy issues with many of the Geneva-based United Nations agencies and international organisations, such as the United Nations Environment Programme (assisting in design and facilitation of the World Mountain Forum, preparation of sustainable mountain development strategy; production of videos on mountain ecosystem conservation; leading team-building retreats for UNEP's Regional Office for Europe; leading staff retreat on Delivering as One programme); the United Nations Economic Commission for Europe (participation in four-person first ever external evaluation; legal advice for pre-negotiations on sustainable housing convention; participation as governance expert in Environmental Performance Review mission to Bosnia and Herzegovina, and analysis of member state governance innovations); the Organisation for Security and Cooperation in Europe (drafting the first ever environmental security strategy); the United Nations Institute for Training and Research (development of e-learning courses on green diplomacy and on environmental governance); the World Conservation Union (capacity building and support for IUCN policy review); the MAVA Foundation (strategic analysis of reform of the EU Common Agricultural Policy); the International Institute for Sustainable Development (facilitation of high-level roundtable on UNEP reform, analysis of environmental security challenges in the Democratic Republic of Congo); the Swiss Development Cooperation Agency (production of videos on sustainable mountain development); the Stockholm Environment Institute (drafting manifesto signed by 22 Nobel Laureates at the third Nobel Symposium convened by the Stockholm Environment Institute).

### **Private sector work**

In addition to Johannah's policy work, she is working increasingly with the private sector, providing strategic advice to start-up and growth-stage clean tech, renewable energy and agro-forestry companies.

### **University teaching, negotiation training and facilitation**

In addition, since 1992, Johannah has been a visiting lecturer on international law, global governance and environmental diplomacy at several universities in Europe and North America, including Columbia University (Biosphere 2 Earth Semester), the University of California at Santa Barbara (Bren School of Environmental Management), Duke University, McGill University, University of Geneva (Masters in International Affairs), the Graduate Institute of International and Development Studies, University of Kent (Brussels School of International Studies), and Joensuu University (Finland). Johannah has also developed and led UN environmental negotiation training programmes around the world for UNEP, UNITAR, WWF, LEAD International, the Organisation for Security and Cooperation in Europe, IUCN, the Heinrich Boell Foundation and Environment Canada. She has trained over 300 environmental negotiators in the past twenty years.

As well, over the past years, Johannah has chaired and facilitated numerous conferences, expert dialogues and roundtables on a wide range of global sustainability issues for organisations such as UNEP, IUCN, the Tällberg Foundation, European Commission, WWF EU, International Institute for Sustainable Development, the Worldwatch Institute, Dutch Foreign Ministry, Swedish Environment Ministry, Danish Foreign Ministry, the Stockholm Environment Institute, the Organisation for Security and Cooperation in Europe (OSCE) and the Verbier Green Pioneering Summit.

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