

2019

Project Implementation Review (PIR)

**Malaysia ABS**

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# Basic Data

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| **Project Information** | |
| UNDP PIMS ID | 5191 |
| GEF ID | 5593 |
| Title | Developing and Implementing a National Acess and Benefit Sharing Framework |
| Country(ies) | Malaysia, Malaysia |
| UNDP-GEF Technical Team | Ecosystems and Biodiversity |
| Project Implementing Partner | Government |
| Joint Agencies | *(not set or not applicable)* |
| Project Type | Medium Size |

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| **Project Description** |
| Malaysia has a rich variety of tropical forests, wetlands and marine ecosystems, representing several Global 200 Ecoregions, and is recognized as one of 17 mega-diverse countries in the world. Malaysia’s diverse indigenous peoples have developed and used over the years extensive traditional knowledge associated with biological resources. Yet Malaysia’s natural resources face challenges from a wide range of pressures that threaten its biodiversity and ecological stability, including the loss of genetic resources and associated traditional knowledge. These biological resources offer huge potential for the development of the national biotechnology industry and to provide sustainable benefits to the country including its indigenous and local communities that still depend on them.  The long term solution that this project will pursue is to enable the potential of Malaysia’s rich biodiversity and biological resources to generate economic and social benefits to the nation and key stakeholders including indigenous and local communities, in the form of business, employment, technology transfer and capacity building opportunities, through the discovery and development of new products such as pharmaceuticals, nutraceuticals, agro-chemicals, etc. These new opportunities will strengthen economic arguments and motivation for the conservation and sustainable use of the biological resources – Malaysia’s globally significant tropical forests, wetlands and coral reefs - that contain the genetic material and help prevent the loss of associated traditional knowledge due to the loss of biodiversity.  The following barriers constrain this long term solution: (1) absence of an operational national regulatory and institutional framework for access and benefit sharing (ABS); (2) limited administrative and technical capacities for ABS implementation; and (3) lack of experience in developing and implementing ABS agreements.  The Project’s Goal isto contribute to the conservation and sustainable use of globally significant biodiversity in Malaysia.The Project Objective is: to strengthen the conservation and sustainable use of biological and genetic resources in Malaysia through developing the national framework for the implementation of Access and Benefit Sharing under CBD.  While the baseline activities are substantial, the aforementioned barriers inhibit the realization of CBD’s global objective of ensuring ABS and contribution from use of biological resources for biodiversity conservation and for meeting the Aichi targets. This Project aims to remove these barriers and achieve the project objective through the implementation of three inter-connected components. Component 1 addresses the need for a national regulatory and institutional framework on ABS, including a financial mechanism to reinvest funds from ABS agreements back into biodiversity conservation. The operationalization of this framework will be supported by the strengthening of national institutional and stakeholder capacity in Component 2, including measures for the documentation and protection of traditional knowledge; and through demonstration of pilot ABS agreements, Prior Informed Consent (PIC) processes and a PIC/community protocol regarding ABS of indigenous and local communities’ traditional knowledge in Component 3, which will provide experience and lessons learned to inform refinement of the framework and implementation processes. The three components will result in the following project outcomes:  Outcome 1: An operational national regulatory and institutional framework on ABS.  Outcome 2: Strengthened national institutional and stakeholder capacity for implementation of the national ABS framework.  Outcome 3: Best practice ABS processes (three) are demonstrated recognizing the principles of PIC and Mutually Agreed Terms (MAT) including the fair and equitable sharing of benefits.  The GEF funding will secure global environmental benefits through enhanced national contribution towards the achievement of the three objectives of the CBD (especially Objective 3 on ABS) and of the goals of its Strategic Plan. Specifically, the project will contribute towards reduced rates of biodiversity loss in Malaysia through: increasing awareness of the existence, use and option values of biological resources among key audiences; enabling greater economic benefits to the government and other stakeholders from genetic resources through the biotechnology industry, thereby providing incentives for biodiversity conservation; providing communities that are holders of genetic resources and associated traditional knowledge with livelihood options that result in economic benefits, thereby reducing pressures for unsustainable use and conversion of ecosystems; contributing to national development strategies and economic growth, reducing poverty and poverty-associated threats to ecosystem integrity; and contributing towards the maintenance of global ecosystem services, including avoided greenhouse gas emissions resulting from forest conversion. |

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| **Project Contacts** | |
| UNDP-GEF Regional Technical Adviser | Mr. Gabriel Jaramillo (gabriel.jaramillo@undp.org) |
| Programme Associate | Ms. Pakamon Pinprayoon (pakamon.pinprayoon@undp.org) |
| Project Manager | Mr. Chin Keong Gan (chin.keong.gan@undp.org) |
| CO Focal Point | Ms. Pek Chuan Gan (pek.chuan.gan@undp.org)  Mr. Asfaazam Kasbani (asfaazam.kasbani@undp.org) |
| GEF Operational Focal Point | Mr. Nagulendran Kangayatkarasu (nagu@mestecc.gov.my) |
| Project Implementing Partner | Mr. Khairul Naim Adham (khairulnaim@kats.gov.my) |
| Other Partners | abc@email.com |

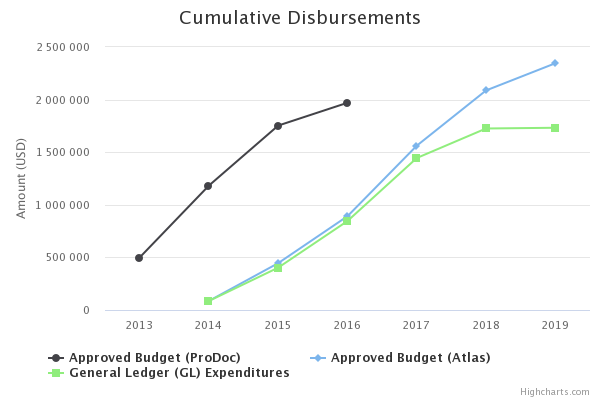
# Overall Ratings

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| Overall DO Rating | Satisfactory |
| Overall IP Rating | Moderately Satisfactory |
| Overall Risk Rating | Low |

# Development Progress

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| **Description** | | | | | | |
| **Objective**  **To strengthen the conservation and sustainable use of biological and genetic resources in Malaysia through developing the national framework for the implementation of Access and Benefit Sharing under CBD** | | | | | | |
| **Description of Indicator** | **Baseline Level** | **Midterm target level** | **End of project target level** | **Level at 30 June 2018** | **Cumulative progress since project start** |
| National ABS law, regulations and institutional framework in place which will enable Malaysia to accede to the Nagoya Protocol | No national law, regulations or operational institutional framework; state legislation on ABS only exists for Sabah and Sarawak | *(not set or not applicable)* | National law and implementing regulations on ABS come into force by end of project and are applied by national and state Competent Authorities. | The Malaysian Access to Biological Resources and Benefit Sharing Act 2017 [ACT 795] was adopted by the Parliament on 15 August 2017 and then published in the Gazette on 17 October 2017.    The Act consists of 10 parts (63 sections) and 2 schedules that cover key provisions on the requirement for permit to access biological resources, benefit sharing agreement, prior informed consent (PIC), mutually agreed terms (MAT), measures for monitoring and tracking, user measures, payment into fund and transitional provisions.  The final draft of the Access and Benefit Sharing Regulations is currently being reviewed by the Attorney General’s Chamber (AGC).  The enforcement of the Act and its regulation will take effect once the draft regulation is approved by the Attorney General’s Chamber followed by the Minister, and its implementation mechanism is in place. | The Malaysian Access to Biological Resources and Benefit Sharing Act 2017 [ACT 795] was adopted by the Parliament on 15 August 2017 and then published in the Gazette on 17 October 2017.  The ABS Regulations has completed the drafting process pending approval from Attorney General's Chamber (AGC) approval and endorsement.  The enforcement of the Act and its regulation will take effect once the draft regulation is approved by the Attorney General’s Chamber. |
| Financial and funding mechanism(s) for the management of ABS monetary benefits | No mechanism exists | *(not set or not applicable)* | Financial and funding mechanism(s) established and operational for the reinvestment of proceeds from ABS agreements into conservation | The final report on financial and funding mechanism(s) for Access and Benefit Sharing proceeds has been completed in October 2017 and approved by the National Steering Committee for Access to Biological Resources and Benefit Sharing on 12 March 2018.    Summary of the recommendations are as follows:    • In the initial stage, for a period of 5 years between 2018 and 2023, the proceeds from the mutually agreed terms on ABS are channelled into existing National Conservation Trust Fund (NCTF) (established in 2014) for effective management due to the uncertainty in the quantum of the proceeds that could be generated in immediate near future.    • Beyond 2023, depending on the development of bio-prospecting and generation of Access and Benefit Sharing proceeds, decision can be made to establish individual trust fund at the State level.    • The eligibility of Access and Benefit Sharing fund in all circumstances in the above recommendation should be made to only clearly identified stakeholders of the Access and Benefit Sharing framework and priority should be given to indigenous and local people. This is to ensure ownership and provide incentive for the protection of traditional knowledge and biological resources.    • The decision-making process for disbursement of the funds should include representative from Indigenous and Local Communities or Non-Governmental Organisations for informed decision-making.    • The capacity to manage the funds at the federal and state level needs to be assessed and a full time management team needs to be created to manage and administer the Access to Biological Resources and Benefit Sharing fund.    • Monitoring and evaluation of the fund is important to ensure its efficiency and effectiveness to meet its objective in line with the Access to Biological Resources and Benefit Sharing Act 2017 and Regulations. | The final report on financial and funding mechanism(s) for Access and Benefit Sharing proceeds has been completed in October 2017 and approved by the National Steering Committee on 12 March 2018.    Summary of the recommendations are as follows:    • In the initial stage, for a period of 5 years between 2018 and 2023, the proceeds from the mutually agreed terms on ABS are channelled into existing National Conservation Trust Fund (NCTF) (established in 2014) for effective management due to the uncertainty in the quantum of the proceeds that could be generated in immediate near future.    • Beyond 2023, depending on the development of bio-prospecting and generation of Access and Benefit Sharing proceeds, decision can be made to establish individual trust fund at the State level.    • The eligibility of Access and Benefit Sharing fund in all circumstances in the above recommendation should be made to only clearly identified stakeholders of the Access and Benefit Sharing framework and priority should be given to indigenous and local people. This is to ensure ownership and provide incentive for the protection of traditional knowledge and biological resources.    • The decision-making process for disbursement of the funds should include representative from Indigenous and Local Communities or Non-Governmental Organisations for informed decision-making.    • The capacity to manage the funds at the federal and state level needs to be assessed and a full time management team needs to be created to manage and administer the Access to Biological Resources and Benefit Sharing fund.    • Monitoring and evaluation of the fund is important to ensure its efficiency and effectiveness to meet its objective in line with the Access to Biological Resources and Benefit Sharing Act 2017 and Regulations. |
| **The progress of the objective can be described as:** | | **Achieved** | | | | |
| **Outcome 1**  **An operational national regulatory and institutional framework on ABS** | | | | | | |
| **Description of Indicator** | **Baseline Level** | **Midterm target level** | **End of project target level** | **Level at 30 June 2018** | **Cumulative progress since project start** |
| National law and implementing regulations on ABS come into force | No national law; state legislation on ABS only exists for Sabah and Sarawak | *(not set or not applicable)* | National law and implementing regulations on ABS come into force by year 2 | The Malaysian Access to Biological Resources and Benefit Sharing Act 2017 (Act 795) was adopted by the Parliament on 15 August 2017 and then published in the Gazette on 17 October 2017.    The Act 795 consists of 10 parts (63 sections) and two schedules that covered key provisions on the requirements for permit to access biological resources, benefit sharing agreement, prior informed consent (PIC), mutually agreed terms (MAT), measures for monitoring and tracking, user measures, payment into fund and transitional provisions.    The draft ABS regulation is currently being reviewed by the Attorney General’s Chamber (AGC).    The enforcement of the Act and its regulation will take effect once the draft regulation is approved by the Attorney General’s Chamber followed by the new Minister, and its implementation mechanism is in place. | The Malaysian Access to Biological Resources and Benefit Sharing Act 2017 (Act 795) was adopted by the Parliament on 15 August 2017 and then published in the Gazette on 17 October 2017.    The Act 795 consists of 10 parts (63 sections) and two schedules that covered key provisions on the requirements for permit to access biological resources, benefit sharing agreement, prior informed consent (PIC), mutually agreed terms (MAT), measures for monitoring and tracking, user measures, payment into fund and transitional provisions.    The ABS regulation final draft has been completed pending approval from Attorney General’s Chamber (AGC).    The enforcement of the Act and its regulation will take effect once the draft regulation is approved by the Attorney General’s Chamber. |
| National and State Competent Authorities identified and operational for full implementation of national law and regulations on ABS | No national competent authority; state competent authorities only exist for Sabah and Sarawak[1].    [1] Sabah Biodiversity Centre; and Sarawak Biodiversity Centre and Sarawak Forestry Corporation. | *(not set or not applicable)* | National and State Competent Authorities identified for all (13) States and operational for full implementation of national law and regulations on ABS by end of project | 13 Competent Authorities (CA) representing all States in Malaysia have been identified:  1. Johor – Johor Economic Planning Unit (EPU)  2. Melaka – Melaka Economic Planning Unit (EPU)  3. Pahang – Pahang Economic Planning Unit (EPU)  4. Selangor – Selangor Economic Planning Unit (EPU)  5. Perak – Perak Economic Planning Unit (EPU)  6. Kedah – Kedah Economic Planning Unit (EPU)  7. Perlis – Perlis Economic Planning Unit (EPU)  8. Kelantan – Kelantan Economic Planning Unit (EPU)  9. Terengganu – Terengganu Economic Planning Unit (EPU)  10. Negeri Sembilan - Negeri Sembilan State Forestry Department  11. Sabah - Sabah Biodiversity Council  12. Sarawak – Sarawak Ministry of Urban Development and Natural Resources  13. Federal Territories (Kuala Lumpur, Labuan, Putrajaya) - Ministry of Federal Territories.    The agencies appointed as official checkpoints are:  1. Intellectual Property Corporation of Malaysia (MyIPO)  2. Ministry of Science, Technology and Innovation (MOSTI)  3. Clinical Research Centre (CRC) Ministry of Health  4. Ministry of Higher Education (MoHE)  5. National Pharmaceutical Regulatory Agency (NPRA),  6. Universiti Putra Malaysia (UPM)  7. Universiti Teknologi Malaysia (UTM)  8. Universiti Sains Malaysia (USM)  9. Universiti Malaya (UM)  10. Universiti Kebangsaan Malaysia (UKM).    The capacity building and training activities for these competent authorities and checkpoints are still not yet started, pending for the passing of the new ABS regulation. | 13 Competent Authorities (CA) representing all States in Malaysia have been designated:  1. Johor – Johor Economic Planning Unit (EPU)  2. Melaka – Melaka Economic Planning Unit (EPU)  3. Pahang – Pahang Economic Planning Unit (EPU)  4. Selangor – Selangor Economic Planning Unit (EPU)  5. Perak – Perak Economic Planning Unit (EPU)  6. Kedah – Kedah Economic Planning Unit (EPU)  7. Perlis – Perlis Economic Planning Unit (EPU)  8. Kelantan – Kelantan Economic Planning Unit (EPU)  9. Terengganu – Terengganu Economic Planning Unit (EPU)  10. Negeri Sembilan - Negeri Sembilan State Forestry Department  11. Sabah - Sabah Biodiversity Council  12. Sarawak – Sarawak Ministry of Urban Development and Natural Resources  13. Federal Territories (Kuala Lumpur, Labuan, Putrajaya) - Ministry of Federal Territories.    The agencies appointed as official checkpoints are:  1. Intellectual Property Corporation of Malaysia (MyIPO)  2. Ministry of Science, Technology and Innovation (MOSTI)  3. Clinical Research Centre (CRC) Ministry of Health  4. Ministry of Higher Education (MoHE)  5. National Pharmaceutical Regulatory Agency (NPRA),  6. Universiti Putra Malaysia (UPM)  7. Universiti Teknologi Malaysia (UTM)  8. Universiti Sains Malaysia (USM)  9. Universiti Malaya (UM)  10. Universiti Kebangsaan Malaysia (UKM). |
| Institutional framework for sui generis systems for protection of traditional knowledge and customary uses of biological resources developed under the auspices of SaBC and used to inform national framework development | No institutional framework for sui generis systems for protection of traditional knowledge and customary uses of biological resources exist for Malaysia | *(not set or not applicable)* | Supportive institutional framework for sui generis systems for protecting traditional knowledge, innovations and practices and customary uses of biological resources developed forSabah State and used to inform national framework development. | Melangkap Community Protocol is completed and will be published in July 2018. This protocol is written by the community themselves with guidance from the Bio-Community Initiative (BCI) as facilitator. The community protocol consists of 7 chapters which covers the documentation of history and traditional knowledge of the villages, the Prior Informed Consent (PIC) and Mutually Agreed Terms (MAT) procedures to access the resources and traditional knowledge of the community.    Long Pasia/Mio Community Protocol is in the final draft and will be published in July 2018.    These protocols along with previous study conducted by The Centre of Excellence for Biodiversity Law (CEBLAW) & Ministry of Natural Resources and Environment on community protocols for communities involves in Sarawak and Peninsular Malaysia (Perak and Pahang) will be used as a reference/lessons learnt in developing the standard community protocol template that highlighting the minimum standard and procedures. | Two community protocols has been produced during the project implementation. Melangkap Community Protocol (both Engliah and Malay version) has been completed and published by Sabah Biodiversity Centre. The protocol is written by the community themselves with the guidance from the Bio-Community Initiative (BCI) as project facilitator. The community protocol consists of 7 chapters which covers the documentation of history and traditional knowledge of the villages, the Prior Informed Consent (PIC) and Mutually Agreed Terms (MAT) procedures to access the resources and traditional knowledge of the community.    First completed draft of the Long Pasia/Mio Community Protocol (Malay version) has been completed in July 2018.    These protocols alongside with the previous studies and lesson learned by The Centre of Excellence for Biodiversity Law (CEBLAW), Ministry of Natural Resources and Environment, FRIM, SBC has been used as the reference in developing the standard community protocol template in the ABS regulation. |
| Financial and funding mechanism(s) established at federal and state levels to receive and reinvest proceeds from ABS agreements towards the conservation of biological diversity and sustainable use of its components | No formal governmental financial mechanism exists for reinvesting proceeds from ABS agreements towards the conservation of biological diversity and sustainable use of its components | *(not set or not applicable)* | Financial and funding mechanism(s) established at federal and state levels by end of Year 3 to receive and reinvest proceeds from ABS agreements towards the conservation of biological diversity and sustainable use of its components | The final report on financial and funding mechanism(s) for Access and Benefit Sharing (ABS) proceeds has been completed in October 2017 and approved by the National Steering committee on 12th March 2018.  The summary of the recommendations are as follows:    • In the initial stage, for a period of 5 years, between 2018 and 2023, the ABS proceeds from the ABS agreements are channelled into the National Conservation Trust Fund (NCTF) for effective management due to the uncertainty in the quantum of the proceeds that could be generated in immediate near future.    • Beyond, 2023, based on the development of bio-prospecting and generation of ABS proceeds, decision can be made to form the funds at the State level.    • The eligibility of the ABS fund in all circumstances in the above recommendation should be made to only clearly identified stakeholders of the ABS framework and priority should be given to Indigenous and Local Communities. This is to ensure the ownership and incentive for the protection of Traditional Knowledge and the biological resources.    • The decision-making process for disbursement of the funds should include representative from Indigenous and Local Communities or Non-Governmental Organisations for inclusive decision making.    • The capacity to manage the fund at the federal and state level needs to be assessed and a fulltime management need to be created to manage and administer the ABS fund.    • Monitoring and evaluation of the fund is important to ensure its efficiency and effectiveness to meet the objective.    Ministry of Natural Resources and Environment will have a meeting with Competent Authorities/State Economic Units to discuss on the interim setup. | The final report on financial and funding mechanism(s) for Access and Benefit Sharing (ABS) proceeds has been completed in October 2017 and approved by the National Steering committee on 12th March 2018.  The summary of the recommendations are as follows:    • In the initial stage, for a period of 5 years, between 2018 and 2023, the ABS proceeds from the ABS agreements are channelled into the National Conservation Trust Fund (NCTF) for effective management due to the uncertainty in the quantum of the proceeds that could be generated in immediate near future.    • Beyond, 2023, based on the development of bio-prospecting and generation of ABS proceeds, decision can be made to form the funds at the State level.    • The eligibility of the ABS fund in all circumstances in the above recommendation should be made to only clearly identified stakeholders of the ABS framework and priority should be given to Indigenous and Local Communities. This is to ensure the ownership and incentive for the protection of Traditional Knowledge and the biological resources.    • The decision-making process for disbursement of the funds should include representative from Indigenous and Local Communities or Non-Governmental Organisations for inclusive decision making.    • The capacity to manage the fund at the federal and state level needs to be assessed and a fulltime management need to be created to manage and administer the ABS fund.    • Monitoring and evaluation of the fund is important to ensure its efficiency and effectiveness to meet the objective.    Ministry of Natural Resources and Environment will have to discuss further with Competent Authorities/State Economic Units to discuss on the interim setup before the enforcement of National ABS Act. |
| **The progress of the objective can be described as:** | | **Achieved** | | | | |
| **Outcome 2**  **Strengthened national institutional and stakeholder capacity for implementation of the national ABS framework** | | | | | | |
| **Description of Indicator** | **Baseline Level** | **Midterm target level** | **End of project target level** | **Level at 30 June 2018** | **Cumulative progress since project start** |
| Improved capacities of national and state competent authorities for ABS implementation as shown byan increase of at least 30% in thedraft ABS Capacity Development Scorecard | ABS Capacity Scorecard baselines :    NRE: 33%  Sabah: 35%  Sarawak: 31%  Other states: 0%  Other agencies:0% | *(not set or not applicable)* | ABS Capacity Scorecard targets:    NRE: 75%  Sabah: 75%  Sarawak: 75%  Other states: 30%  Other agencies: 30% | The final capacity scorecard evaluation will be conducted in the fourth quarter of 2018 after the capacity building training session, which is currently pending due to delay in the approval of the regulation on the Access to and Benefit-Sharing of Biological Resources.    The project team will carry out the training sessions on the ABS law and regulation in August to November 2018. | KATS (NRE): 51.28%    Sabah/SaBC: 77.27%    Sarawak/SBC: 68.33%    FRIM: 42.86% |
| Number of NCA, state and related agencies trained on ABS and bioprospecting related subjects to facilitate implementation of the national ABS framework. [1] | No staff have been trained | *(not set or not applicable)* | 100 staff from the NCA, 13 state CAs and related agencies (see footnote) are trained | The capacity building training sessions with Competent Authorities (CAs) and public research institutes and researchers is anticipated to be conducted from August 2018 onward due to pending approval on the draft ABS regulation.    The Access and Benefit Sharing (ABS) users’ guide, guidelines on National Competent Authority and Competent Authorities roles and responsibilities as well as ABS training modules have been prepared to ensure better implementation of Act 795.    The project team will carry out 3 sessions of training courses on ABS law and regulations in August to November 2018, which targets at least 100 individuals from the competent authorities, researchers, and other agencies. | The capacity workshop conducted:  1. 21 Mar 2016 - ABS Capacity Building Workshop for Competent Authority and Enforcement Officer: 43 Participants (23 Male; 20 Female).    2. 9-10 Aug 2018 - ABS Capacity Building Workshop for Competent Authority and Enforcement Officer: 46 Participants (24 Male; 22 Female)    3. 12 October 2018: ABS Capacity Building Workshop For Researches, NGOs, and other Stakeholder : 51 Participants (21 Male; 30 Female) |
| Percentage of the population of researchers, local communities, and relevant industry targeted by the campaign is aware of the national law and CBD and NP provisions related to ABS and traditional knowledge (TK) among stakeholders including researchers, public, ILCs and industries[2] | 0 | *(not set or not applicable)* | 0.8 | The second phase of the Knowledge, attitude, and practices (KAP) second phase study has been completed and the final report was submitted in November 2017. A total of 1149 respondents participated in the Phase 2 of the study from March to October 2017 (550 institutional stakeholders, and 599 Indigenous and Local Communities).    The findings of the study are as follows:  • The results of Phase 2 did not differ much from Phase 1, but a few significant differences were noted.    • Overall, the knowledge on regulations related to Access and Benefit Sharing among institutional stakeholders were good. Knowledge on access to genetic resources and benefit sharing arising from their utilization among institutional stakeholders was high.    • Most of the stakeholders were very positive in their attitude towards Access and Benefit Sharing. Practices related to Access and Benefit Sharing among institutional stakeholders were low, less than one third has policies or code of conduct for access and benefit sharing of biological resources and traditional knowledge. Nevertheless, most of them expressed desires to learn more about Access and Benefit Sharing and other related information.    • Knowledge on regulations related to Access and Benefit Sharing remain low among the Indigenous and Local Communities. Compared to phase 1, there was a small increase in the percentage of Indigenous and Local Communities who had heard either one of the Convention of Biological Diversity, Nagoya Protocol and Malaysian Access and Benefit Sharing Bill. A majority of the Indigenous and Local Communities appeared to understand the principles of the Access and Benefit Sharing. Most Indigenous and Local Communities were positive in terms of their attitude towards Access and Benefit Sharing. Access and Benefit Sharing practices among Indigenous and Local Communities were low, and if any form of procedure or process existed, they were mostly informal. Among the Indigenous and Local Communities, there was no clear procedure about access to traditional knowledge or the fair and equitable sharing of benefits by non-members of the communities.    • There was no formal procedure in place although a few communities had some form of informal procedures or protocol.    • In general, all institutional stakeholders' attitude towards Access and Benefit Sharing were highly positive. However, the Indigenous and Local Communities were concerned whether the implementation of the Access to Biological Resources and Benefit Sharing law in Malaysia could restrict their use of resources in performing their traditional and customary practices. | The second phase of the Knowledge, attitude, and practices (KAP) second phase study has been completed and the final report was submitted in November 2017. A total of 1149 respondents participated in the Phase 2 of the study from March to October 2017 (550 institutional stakeholders, and 599 Indigenous and Local Communities).    The findings of the study are as follows:  • The results of Phase 2 did not differ much from Phase 1, but a few significant differences were noted.    • Overall, the knowledge on regulations related to Access and Benefit Sharing among institutional stakeholders were good. Knowledge on access to genetic resources and benefit sharing arising from their utilization among institutional stakeholders was high.    • Most of the stakeholders were very positive in their attitude towards Access and Benefit Sharing. Practices related to Access and Benefit Sharing among institutional stakeholders were low, less than one third has policies or code of conduct for access and benefit sharing of biological resources and traditional knowledge. Nevertheless, most of them expressed desires to learn more about Access and Benefit Sharing and other related information.    • Knowledge on regulations related to Access and Benefit Sharing remain low among the Indigenous and Local Communities. Compared to phase 1, there was a small increase in the percentage of Indigenous and Local Communities who had heard either one of the Convention of Biological Diversity, Nagoya Protocol and Malaysian Access and Benefit Sharing Bill. A majority of the Indigenous and Local Communities appeared to understand the principles of the Access and Benefit Sharing. Most Indigenous and Local Communities were positive in terms of their attitude towards Access and Benefit Sharing. Access and Benefit Sharing practices among Indigenous and Local Communities were low, and if any form of procedure or process existed, they were mostly informal. Among the Indigenous and Local Communities, there was no clear procedure about access to traditional knowledge or the fair and equitable sharing of benefits by non-members of the communities.    • There was no formal procedure in place although a few communities had some form of informal procedures or protocol.    • In general, all institutional stakeholders' attitude towards Access and Benefit Sharing were highly positive. However, the Indigenous and Local Communities were concerned whether the implementation of the Access to Biological Resources and Benefit Sharing law in Malaysia could restrict their use of resources in performing their traditional and customary practices. |
| **The progress of the objective can be described as:** | | **On track** | | | | |
| **Outcome 3**  **Best practice ABS processes (three) are demonstrated recognizing the principles of biodiversity conservation, Prior Informed Consent (PIC) and Mutually Agreed Terms (MAT) including the fair and equitable sharing of benefits.** | | | | | | |
| **Description of Indicator** | **Baseline Level** | **Midterm target level** | **End of project target level** | **Level at 30 June 2018** | **Cumulative progress since project start** |
| Number of ABS pilot agreements negotiated for initial commercialization of prototypes with fair and equitable benefit sharing provisions | No ABS agreements in Malaysia that fully comply with CBD requirements | *(not set or not applicable)* | At least 2 ABS pilot agreements negotiated for initial commercialization of prototypes with fair and equitable benefit sharing provisions | The Forest Research Institute Malaysia (FRIM) is finalizing the benefit sharing agreement with the Orang Asli Semai Community in Perak and the Orang Asli Kensiu Community in Kedah.  Forest Research Institute Malaysia has developed an herbal medicinal product prototype based on the traditional knowledge of the Semai community which named as “Pengloy Semai” in 2017.    Forest Research Institute Malaysia is also in the process of developing an herbal product prototype based on the traditional knowledge of the Kensiu community with code name KLL092. The following milestones have been achieved:    1. Plant extracts and essential oils added to the FRIM library for extract and essential oils.    2. Bioactivity and phytochemical profiles of the plant species used by Kensiu and Kintak communities documented.    3. Traditional claims from species used by Kensiu and Kintak communities validated scientifically.    4. Extraction protocol of species name KLL 092 from the Orang Asli Kensiu established.    5. Active ingredient / standardize extract (lab scale) of KLL 092 used in treating diabetic prepared.    6. Prototype (capsule) in larger production scale of standardized extract was prepared and sent to Herbal Technology Centre for capsule formulation.    7. Quality control of the standardized extract completed (Microbial Load and Heavy metal analysis).    8. Gamma irradiation of the standardized extract completed.    9. Capsule formulation is on-going.    10. Discussion with the Kensiu Community on the prototype name was held on 27 March 2018.    11. Prototype (capsule) efficacy testing will start after the formulation of capsule is prepared.    12. The prototype will be launched on 3 July 2018 during the Traditional Knowledge Seminar 2018.    Forest Research Institute Malaysia is also in the final process of negotiating 2 ABS agreements with both the Semai and Kensiu communities for initial commercialization of 2 prototypes while ensuring fair and equitable sharing of benefits. | Sarawak Biodiversity Council successfully signed a benefit sharing agreement with 5 communities involved in the Litsara pilot project on Mar 2019.    Forest Research Institute Malaysia is also in the final process of negotiating 2 ABS agreements with both the Semai and Kensiu communities for initial commercialization of 2 prototypes. |
| Number of PIC processes[1] with ILCs implemented in accordance with the planned PIC/community protocol    [1] These would be the processes leading up to the signing of ABS pilot agreements above. | Some developmental work in Sabah and Sarawak on PIC processes | *(not set or not applicable)* | At least 3 PIC processes with ILCs implemented in accordance with the planned PIC/community protocol | The standard Prior Informed Consent (PIC) template has been developed based on the experiences drawn from the pilot demonstration project conducted by the Forest Research Institute Malaysia (FRIM), Sarawak Biodiversity Centre (SBC) and Sabah Biodiversity Centre (SaBC). It will be included in the ABS regulation and user guide. | Both SBC and FRIM conducted full PIC practices during the engagement with the communities.  The standard Prior Informed Consent (PIC) template has been developed based on the experiences drawn from the pilot demonstration project conducted by the Forest Research Institute Malaysia (FRIM), Sarawak Biodiversity Centre (SBC) and Sabah Biodiversity Centre (SaBC). It is included in the ABS regulation and user guide. |
| Number of best practice pilot ABS agreements and PIC processes disseminated at regional level | Malaysia participates in UNEP-GEF ASEAN ABS project, but has limited experience to contribute to date | *(not set or not applicable)* | Best practice pilot ABS agreements and PIC processes presented at international workshop for ASEAN countries in Year 4, published in workshop proceedings and made available through NRE website | The public engagement website for ABS has been developed (initial phase): www.abs.mybis.gov.my.  The online permit application system will be developed in the later stage after the regulation and mechanisms are finalized. | A website www.abs.mybis.gov.my. dedicated for Malaysia ABS has been set up under the existing platform of Malaysia Biological Information System (MyBIS). The webpage is serving as ABS clearing house mechanism (ABS CHM) to enable better public engagement. The online permit application system is being developed to assist the permit application process after the law enforcement. |
| Number of ABS agreements arising from the pilot projects that specify conservation measures to ensure the security of the concerned biological resources | No ABS agreements in Malaysia that fully comply with CBD requirements or include specified conservation measures for related biological resources | *(not set or not applicable)* | At least 2 ABS pilot agreements negotiated that, when necessary, include in situ and/or ex situ conservation measures to ensure the security of the concerned biological resources | Besides the existing 5 villages, Sarawak Biodiversity Centre (SBC) has expanded the Litsara project to 2 more villages – Bukit Sadok and Bakelalan which involve more community groups of Iban and Lun Bawang.    Sarawak Biodiversity Centre is drafting the Access and Benefit Sharing agreement with the 7 communities participated in the project.  Based on a series of capacity building provided by Sarawak Biodiversity Centre, communities have achieved the followings:    1. Continue to practice sustainable harvesting via Good Wild Craft Practices (GWCP) to ensure the population of Litsea cubeba is maintained and prevent over-harvesting.    2. Propagated the Litsea cubeba plants to ensure continuous contract farming (8,157 plants).    3. Distillation of the essential oil at respective villages (49,061 ml for fruit oil and 14,624 ml for leaf oil) till March 2018.    4. Communities are empowered to produce the Litsea cubeba essential oil in a sustainable manner.    5. Total of 5 community shed has been constructed with 4 sets of the hydro-distillation equipment provided in each shed. | Sarawak Biodiversity Council successfully signed a benefit sharing agreement with 5 communities involved in the Litsara pilot project on Mar 2019.  Total 7 communities around Sarawak have been participated in the Litsara project. They were benefited from the capacity building activity in how to sustainably harvest the forest product and produce the essential oil by using modern equipment. they also manage to generate extra income form the selling of essential oil. Now with the benefit sharing agreement signed, the community involved managed to receive loyalty from the commercialisation of the Litsara Product by SBC. |
| At least 80% of the population of ILCs participating in the pilot projects are aware of the existence, use and option values of the biological resources under their stewardship. | 0 | *(not set or not applicable)* | 0.8 | Through participation in a series of workshops and capacity building activities organized by the Forest Research Institute Malaysia (FRIM), Sarawak Biodiversity Centre (SBC), and Sabah Biodiversity Centre (SaBC), the communities have achieved the following:    1. All communities involved are aware of the importance of fair and equitable sharing of benefits.    2. Communities are empowered with the knowledge in sustainable harvesting and the skills in essential oil distillation technique.    3. Traditional Knowledge of the community involved has been documented.    4. Groups of community researches have been trained in the ABS concept which enable them to produce the community protocol by their own.    5. The strong knowledge capacity of the community enables them to safe guard their Traditional Knowledge and associated biological resources from being illegally exploited.    Feedback and comments obtained from communities on ABS framework and mechanism via field documentation have been used in developing ABS guidelines, regulation and model ABS agreement. | The general awareness on ABS among the stakeholders has increased during the implementation of ABS Project in Malaysia since 2014. The government sectors are now more aware of ABS concept through participation in a series of workshops and promotional activity organized by the Ministry.    In community level, through the pilot projects carried out by Forest Research Institute Malaysia (FRIM), Sarawak Biodiversity Centre (SBC), and Sabah Biodiversity Centre (SaBC), the communities have achieved the following:    1. All communities involved are aware of the importance of fair and equitable sharing of benefits.    2. Communities are empowered with the knowledge in sustainable harvesting and the skills in essential oil distillation technique.    3. Traditional Knowledge of the community involved has been documented.    4. Groups of community researches have been trained in the ABS concept which enable them to produce the community protocol by their own.    5. The strong knowledge capacity of the community enables them to safe guard their Traditional Knowledge and associated biological resources from being illegally exploited.    Feedback and comments obtained from communities on ABS framework and mechanism via field documentation have been used in developing ABS guidelines, regulation and model ABS agreement. |
| **The progress of the objective can be described as:** | | **Achieved** | | | | |

# Implementation Progress



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| Cumulative GL delivery against total approved amount (in prodoc): | 87.93% |
| Cumulative GL delivery against expected delivery as of this year: | 87.93% |
| Cumulative disbursement as of 30 June (note: amount to be updated in late August): | 1,732,277 |

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| **Key Financing Amounts** | |
| PPG Amount | *(not set or not applicable)* |
| GEF Grant Amount | 1,970,000 |
| Co-financing | 5,833,000 |

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| **Key Project Dates** | |
| PIF Approval Date | *(not set or not applicable)* |
| CEO Endorsement Date | Oct 22, 2013 |
| Project Document Signature Date (project start date): | Jan 7, 2014 |
| Date of Inception Workshop | Nov 21, 2014 |
| Expected Date of Mid-term Review | *(not set or not applicable)* |
| Actual Date of Mid-term Review | *(not set or not applicable)* |
| Expected Date of Terminal Evaluation | Jan 6, 2019 |
| Original Planned Closing Date | Jan 6, 2018 |
| Revised Planned Closing Date | Jan 6, 2019 |

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| **Dates of Project Steering Committee/Board Meetings during reporting period (30 June 2018 to 1 July 2019)** |
| 2018-12-20 |

# Critical Risk Management

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| Current Types of Critical Risks | Critical risk management measures undertaken this reporting period |

# Adjustments

**Comments on delays in key project milestones**

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| **Project Manager: please provide comments on delays this reporting period in achieving any of the following key project milestones: inception workshop, mid-term review, terminal evaluation and/or project closure. If there are no delays please indicate not applicable.** |
| The project is operationally closed on 6 Jan 2019. Terminal Evaluation is on going and it is conducted by two evaluators - Mr. Richard Sobey (Lead-international) and Mr. Bernard Tai Khiun Mien (national). The team has completed the field visit mission from 16 June 2019 - 4 July 2019. The terminal evaluation report is expected to be completed in two months time.  The terminal evaluation which supposed to be conducted in mid-2018 has been delayed due to the change of government structures resulted from the Malaysian general election result in May 2018. Furthermore, the new government decided to divide the existing Ministry of Natural Resources and Environment (NRE) of Malaysia into two new ministries namely the Ministry of Water, Land and Resources (KATS) and the Ministry of Energy, Science, Technology, Environment & Climate Change (MESTECC). Besides the changes in the institutional structure, most of the personnel in charge in the implementing partner has also reshuffled. These factors affected the decision making process and the delivery of the planned activities of the project especially the preparation for project closure. |

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| **Country Office: please provide comments on delays this reporting period in achieving any of the following key project milestones: inception workshop, mid-term review, terminal evaluation and/or project closure. If there are no delays please indicate not applicable.** |
| The main delay in the implementation of Terminal Evaluation is due to the change in government in mid-2018. As a newly formed government and further the division of two ministries, the project was not able to secure appointments with implementing agencies within the duration and had to be postponed till mid of 2019. |

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| **UNDP-GEF Technical Adviser: please provide comments on delays this reporting period in achieving any of the following key project milestones: inception workshop, mid-term review, terminal evaluation and/or project closure. If there are no delays please indicate not applicable.** |
| considerable delays due to a change in government (the MoNRE ministry was re-structured into MWLNR). This in turn caused a delay in approval of the ABS regulations following on from the ABS Act, it also affected the National Competent Authority (NCA), Competent Authorities (CAs) and checkpoints’ ability to fully understand or enact procedures. This justified a 12-month extension in 2017.  The project is operationally closed as of 6 January of 2019. A Terminal Evaluation (TE) was conducted from 17 June to 3 July 2019, the finalization of the report is delayed due to the change in implementing partner resulting from the newly elected Malaysian government. The final Project Board meeting is scheduled for September 2019, which will finalize the TE report. |

# Ratings and Overall Assessments

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| **Role** | **2019 Development Objective Progress Rating** | **2019 Implementation Progress Rating** |
| **Project Manager/Coordinator** | Satisfactory | *- IP Rating provided by UNDP-GEF Technical Adviser and UNDP Country Office only -* |
| Overall Assessment | Overall, the project has been successfully implemented with major target achieved. Many lesson learned from the 5 years project implementation. The project team has gone through many challenges in introducing the ABS concept in the country which considered a new subject for the south-east Asian region as whole. The engagement with stakeholders both in governmental sectors and the community level was surprisingly time consuming. This caused the project period extension in year 2017. The project team also faced some unforeseen circumstances such as the first changing of Malaysian government after 60 years of rules, which delay some of the project timeline along the way. Thanks to the effective project management team and the strong commitment by the government of Malaysia, the ABS project managed to complete after one year of extension. As the result, Malaysia government officially accessed as the party of Nagoya Protocol on 5 Nov 2018. For the way forward, the Malaysian government will need to establish a very strong central ABS team to better coordinate the ABS activity in its 14 states and built the institutional capacity in every agency. Therefore the assistance from GEF in the future for enabling activities is very crucial for the country to ensure the success and sustainability of ABS in Malaysia. | |
| **Role** | **2019 Development Objective Progress Rating** | **2019 Implementation Progress Rating** |
| **UNDP Country Office Programme Officer** | Satisfactory | Moderately Satisfactory |
| Overall Assessment | The project is rated satisfactory for its progress in development objective and implementation of outputs and activities. The passing of the new cutting-edge law on Access to Biological Resources and Benefit Sharing (ABS) Act 2018 on 15 August 2018 by the Malaysian Parliament was a key success and major output from the project. As a result, it led to the official accession of Malaysia government as the party of Nagoya Protocol. Within the reporting period, other achievements include the signing of benefit sharing agreement with communities in Sarawak where the communities benefited in enhancing their livelihood and capacity development through the various workshops conducted.  However, almost a year had passed and yet the new law on ABS had not been approved by the Attorney General’s office by which is fully out of the project’s control.    The project underwent Terminal Evaluation from 17 June to 3 July 2019 which was delayed due to unavailability of implementing partners during the proposed period. The preliminary findings of the project include reporting of achievement with regards to many of its objectives. However, one of the major concerns raised was the sustainability of the project once it ended. The final report assessing the project achievements and lessons learned will be consolidated and presented to the Project Board at the final project workshop/seminar expected in August/September 2019.    Overall, the project has been managed considerably efficient with cumulative expenditure recorded at approximately 88% of the total budget. | |
| **Role** | **2019 Development Objective Progress Rating** | **2019 Implementation Progress Rating** |
| **GEF Operational Focal point** | *(not set or not applicable)* | *- IP Rating provided by UNDP-GEF Technical Adviser and UNDP Country Office only -* |
| Overall Assessment | *(not set or not applicable)* | |
| **Role** | **2019 Development Objective Progress Rating** | **2019 Implementation Progress Rating** |
| **Project Implementing Partner** | *(not set or not applicable)* | *- IP Rating provided by UNDP-GEF Technical Adviser and UNDP Country Office only -* |
| Overall Assessment | *(not set or not applicable)* | |
| **Role** | **2019 Development Objective Progress Rating** | **2019 Implementation Progress Rating** |
| **Other Partners** | *(not set or not applicable)* | *- IP Rating provided by UNDP-GEF Technical Adviser and UNDP Country Office only -* |
| Overall Assessment | *(not set or not applicable)* | |
| **Role** | **2019 Development Objective Progress Rating** | **2019 Implementation Progress Rating** |
| **UNDP-GEF Technical Adviser** | Satisfactory | Moderately Satisfactory |
| Overall Assessment | This is the fifth and final PIR for the project ‘Developing and Implementing A National Access and Benefit Sharing Framework in Malaysia’. The project aims to strengthen the conservation and sustainable use of biological and genetic resources in Malaysia through developing the national framework for the implementation of Access and Benefit Sharing under CBD through the implementation of three inter-connected components. Component 1 addresses the need for a national regulatory and institutional framework on ABS, including a financial mechanism to reinvest funds from ABS agreements back into biodiversity conservation. The operationalization of this framework is supported by the strengthening of national institutional and stakeholder capacity in Component 2, including measures for the documentation and protection of traditional knowledge; and through demonstration of pilot ABS agreements, Prior Informed Consent (PIC) processes and a PIC/community protocol regarding ABS of indigenous and local communities’ traditional knowledge in Component 3, which provides experience and lessons learned to inform refinement of the framework and implementation processes.    The project was implemented for five years from January 2014 until January 2019. Over the five years of implementation, the project made progress towards the achievement of the project objective despite considerable delays due to a change in government (the MoNRE ministry was re-structured into MWLNR). This in turn caused a delay in approval of the ABS regulations following on from the ABS Act, it also affected the National Competent Authority (NCA), Competent Authorities (CAs) and checkpoints’ ability to fully understand or enact procedures. This justified a 12-month extension in 2017. In 2018, the financial deliver of the project was 53% and in 2019 financial delivery was only 3%. The project became operationally closed in 6 January of 2019. As of June 30, the cumulative final financial delivery of the project is at approximately 88% of the total grant amount.    The project conduced an environmental and social screening in 2013. The screening indicated that the project is considered as a category 3 and 3a risk. However, during the implementation period no environmental or social risks were reported by the project team.    The project primarily used UNDP and local government websites for knowledge management and communicating impacts. The project could have gained more coverage by expanding the knowledge management platform to a variety of modern media technologies.    On gender advancement and achieving equality, the project team reported disaggregate gender data on capacity building. The reported data indicate that there was approximately 50% women participation. The project also acknowledges that the project would not have been successful without the participation of women. The project created employment opportunities for women with the implementing partners or as a part of the project team or by enhancing skills of women in the local communities by proving trainings.    The project closely worked with ethnic communities in the project locations. In total, the project worked with 7 communities in the Litsara project location. Similarly, project worked with the Long Pasai and Melangkap communities to develop community specific ABS protocols. In addition, the project also collaborated with UNDP Small Grants Programme, BC Initiative, Natural Justice and Sabah Biodiversity Centre during implementation of the project activities.    Considering the above, for this last PIR, the Implementation Progress rating is Moderately Satisfactory (MS).    A Terminal Evaluation (TE) was conducted from 17 June to 3 July 2019, the finalization of the report is delayed due to the change in implementing partner resulting from the newly elected Malaysian government. The final Project Board meeting is scheduled for September 2019, which will finalize the TE and validate the corresponding management responses. Some of the preliminary conclusions of the TE are shared below.    -ABS is now largely embedded within a legal and institutional framework. A number of pieces of legislation have been passed, primarily ABS Act 795 with the national regulations expected to be approved by end of 2019. The project also produced user guidelines with further information on PIC, MAT, and ABS. For Sabah and Sarawak, Access Parties (commercial or non-commercial researchers), now apply on-line for permits, with the various permissions including now ABS required integrated into single systems.  -TK work started in Sabah and Sarawak in 2006-7 and by FRIM on the peninsular in 2010, and has been developing since. It was given a boost after Malaysia joined the NP and also due in part to the UNDP projects ABS I and II. However, the younger generation are not involved in TK or ABS and need to be engaged. TK is being lost at a village level.  -There were clear differences in approaches by the three implementing partners (FRIM, SaBC, SBC). FRIM’s approach to ABS was on the cautious or steady side in seeking PIC on a number of occasions. SaBC established themselves primarily as an administrative body. In the field they put most effort into making community protocols, which had a focus on community rights and management of biological resources and the methods for working with researchers (PIC and TK documentation). SBC focused much more on moving towards an end product with an ABS agreed to underpin it. SBC have already developed products for market. They have been able to achieve this having a small dynamic international standard research facility (with a modern bio-assaying laboratory, plant material storage unit and database).  -For FRIM on the peninsular, prior to project, they were only screening plants, whereas now they concurrently screen for associated TK. They have been able to further TK documentation, develop two prototypes for two communities, and develop two ABS agreements. In Sabah, their Biodiversity Enactment passing into law (2018) was their key project outcome. Two community protocols were developed by SaBC in Sabah. In Sarawak, SBC were able to put distillation equipment on-site at the village level, and to move to product development, thus securing a higher forest income for five communities. SBC has ABS agreements with five villages and has demonstrated a product value-chain with benefit to these ILCs.  -The project has achieved many if not most of its objectives, and in some cases had gone beyond them. The volume of work that went into the project in comparison to the level of (GEF) project funding was high. The three national IPs – FRIM, SaBC and SBC have all achieved an extremely high level of national ownership of the project. There is an increased awareness with regard to ABS.    In terms of the progress towards the DO during the reporting period, under Outcome 1, the progress reported include: adoption of the Access to Biological Resources and Benefit Sharing Act; the national and the state authorities for ABS implementation designated; a report on the establishment of a financial and funding mechanism for ABS is approved; however, the target reported on the supportive institutional framework for a sui generis systems for Sabah State cannot be fully considered as the end-of-project target. Although the project team has reported the Outcome 1 as ‘achieved’, the project team should clearly describe contribution of the finalized two community protocols in achieving the end-of-project target of developing a sui generis system for Sabah State.    Outcome 2 focuses on strengthening capacity of the national institutions and the stakeholder on ABS framework implementation. The project team reported that the analysis of the capacity development scores indicate that the end-of-project targets for Sabah and Forest Research Institute Malaysia (FIRM) are achieved, while the score for Sarawak is only 7 points under the target, and the score for the Ministry of Natural Resources and Environment (NRE) needs a significant improvement. The project organized several capacity developments works for the national and the state employees responsible for implementing the ABS framework. A total of 140 (68 male and 72 female) national and state employees attended the workshops. This is well above the set target for the indicator. In addition, the project successfully raised awareness on the ABS and traditional knowledge among the stakeholders.    Under Outcome 3, with an aim to demonstrate PICs, MATs, biodiversity conservation and fair and equitable ABS, the project team implemented several activities. The achievements reported by the project manager include: 5 ABS agreements finalized and 2 are currently under negotiation; two PIC implementation process practiced and a PIC template was developed; although the team did not present at the ASEAN workshop, the team developed a ABS website that provides a comprehensive information on ABS in Malaysia; 5 community ABS agreements with in-situ and ex-situ conservation management practices were signed; and a series of workshops were organized to raise awareness among the relevant stakeholders. Due to these achievements and concurring with the project manager’s assessment, I assess that the outcome is ‘achieved’    Considering the progress made towards the development objectives of the project, the project is granted a DO rating of (S) Satisfactory.    Recommendations  a) TE report to be finalized and shared with key stakeholders and BRH by Sep 2019;  b) Management responses to the TE recommendations to be prepared with a main focus on sustaining project’s results [through government and partners];  c) CO and PMU to ensure that project achievements, good practices and lessons learned are systematized for future programming. | |

# Gender

**Progress in Advancing Gender Equality and Women's Empowerment**

This information is used in the UNDP-GEF Annual Performance Report, UNDP-GEF Annual Gender Report, reporting to the UNDP Gender Steering and Implementation Committee and for other internal and external communications and learning.  The Project Manager and/or Project Gender Officer should complete this section with support from the UNDP Country Office.

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| **Gender Analysis and Action Plan:** *not available* |
| **Please review the project's Gender Analysis and Action Plan. If the document is not attached or an updated Gender Analysis and/or Gender Action Plan is available please upload the document below or send to the Regional Programme Associate to upload in PIMS+. Please note that all projects approved since 1 July 2014 are required to carry out a gender analysis and all projects approved since 1 July 2018 are required to have a gender analysis and action plan.** |
| *(not set or not applicable)* |

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| **Please indicate in which results areas the project is contributing to gender equality (you may select more than one results area, or select not applicable):** |
| Contributing to closing gender gaps in access to and control over resources: Yes |
| Improving the participation and decision-making of women in natural resource governance: Yes |
| Targeting socio-economic benefits and services for women: No |
| Not applicable: No |

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| **Atlas Gender Marker Rating** |
| **GEN2:** gender equality as significant objective |

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| **Please describe any experiences or linkages (direct or indirect) between project activities and gender-based violence (GBV). This information is for UNDP use only and will not be shared with GEF Secretariat.** |
| There is no experience between project activities and GBV. |

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| **Please specify results achieved this reporting period that focus on increasing gender equality and the empowerment of women.**    **Please explain how the results reported addressed the different needs of men or women, changed norms, values, and power structures, and/or contributed to transforming or challenging gender inequalities and discrimination.** |
| In all the pilot demonstration project under ABS, the participation of women are strongly encouraged and in-fact, women are actively participated in every engagement in the community level.  For the community protocol both in Melangkap and Long Pasia/Mio of Sabah state, women community researchers are in-charge of writing and compiling information of the traditional knowledge contributing to their community protocols. They also actively participated in the community mapping exercises using modern GPS equipment. They are empowered with the knowledge in document writing, using the GPS and computer, and the legal knowledge related to ABS such as the PIC and MAT requirements.  In Sarawak Litsara Project, women are actively participated in every workshops and training. They managed to master the skill of essential oil distillation whilst earning extra income from selling the essential oil to Sarawak Biodiversity Centre.  In the pilot project conducted by Forest Research Institute of Malaysia (FRIM), women from both Kensiu and Semai are involved in the traditional knowledge documentation. They also being empowered on the proper processing skill to produce the traditional medicinal plant specimen for the herbarium.  Throughput the years of engagement in community level, the community are empowered with some techical skills (such as report writing, plant identification and propagation technique, essential oil distillation skills, plant specimen collection and curation, and the most importantly is the increase in negotiation power with outsiders who access thier resources and associated traditional knowledge. Some talented women participants were even offered permanent job by the implementing partners and become subject expert. For example, Ms Fauziah from Melangkap Village is now a staff of the NGO Bio-Community Initiative (BCi) who in-charge of community protocol projects in Sabah; and Ms. Amy from Semai Community is now an assistant officer of the Forest Research Institute Malaysia (FRIM) who is the officer in-charge of indigenous people traditional knowledge documentation and the curator of the herbarium of FRIM. |

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| **Please describe how work to advance gender equality and women's empowerment enhanced the project's environmental and/or resilience outcomes.** |
| The ABS project would not be successful without the participation of women. Majority of the project team are women and the leadership posts in Ministry, SBC, FRIM and SaBC are being held by women. In community level, there is equal participation by both gender while women are the major contributor especially in traditional knowledge documentation and report writing work. |

# Social and Environmental Standards

**Social and Environmental Standards (Safeguards)**

The Project Manager and/or the project’s Safeguards Officer should complete this section of the PIR with support from the UNDP Country Office. The UNDP-GEF RTA should review to ensure it is complete and accurate.

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| **1) Have any new social and/or environmental risks been identified during project implementation?** |
| No |

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| **If any new social and/or environmental risks have been identified during project implementation please describe the new risk(s) and the response to it.** |
| No new social or environmental risks identified during project implementation phase |

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| **2) Have any existing social and/or environmental risks been escalated during the reporting period? For example, when a low risk increased to moderate, or a moderate risk increased to high.** |
| No |

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| **If any existing social and/or environmental risks have been escalated during implementation please describe the change(s) and the response to it.** |
| No new social or environmental risks escalated during project implementation phase |

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| **SESP:** [5191\_Annex 4\_Environment and Social Screening Summary.docx](https://undpgefpims.org/attachments/5191/213903/1717968/1724777/5191_Annex%204_Environment%20and%20Social%20Screening%20Summary.docx)  **Environmental and Social Management Plan/Framework:** *not available* |
| **For reference, please find below the project's safeguards screening (Social and Environmental Screening Procedure (SESP) or the old ESSP tool); management plans (if any); and its SESP categorization above. Please note that the SESP categorization might have been corrected during a centralized review.** |
| *(not set or not applicable)* |

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| **3) Have any required social and environmental assessments and/or management plans been prepared in the reporting period? For example, an updated Stakeholder Engagement Plan, Environmental and Social Impact Assessment (ESIA) or Indigenous Peoples Plan.** |
| No |

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| **If yes, please upload the document(s) above. If no, please explain when the required documents will be prepared.** |
| The social and environmental assessments was not required within the project document |

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| **4) Has the project received complaints related to social and/or environmental impacts (actual or potential )?** |
| No |

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| **If yes, please describe the complaint(s) or grievance(s) in detail including the status, significance, who was involved and what action was taken.** |
| The project did not receive any complaints related to social and/or environmental impacts. |

# Communicating Impact

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| **Tell us the story of the project focusing on how the project has helped to improve people’s lives.**  **(This text will be used for UNDP corporate communications, the UNDP-GEF website, and/or other internal and external knowledge and learning efforts.)** |
| The LITSARA Story - from Traditional Knowledge to Innovation    The serenity of the highlands of Sarawak has an enigmatic hold on those who set foot on its soil. From the cool mountain climate of the Lawas and Bario highlands in the North, to the remoteness of the Padawan range in the south, these areas are blessed with breath-taking views, peaceful remoteness and rich soil that leaves one with a feeling of calm and content.    Amidst these gentle hills and rolling valleys, we find the Kelabit villages of Pa’Ukat and Pa’Lungan in the Kelabit Highlands, Long Kerebangan and Long Telingan which are homes to the Lun Bawangs in Lawas and the Bidayuh community of Kampung Kiding in the Padawan Range. These are five villages that share a common resource, the Litsea cubeba tree which each community has long utilized for its culinary and healing properties. Through its Traditional Knowledge (TK) Documentation Programme and UNDP/GEF ABS pilot programme, The Sarawak Biodiversity Centre (SBC) has partners with indigenous communities to study and develop innovative products from this exciting plant species.    Known to the Bidayuh as “Pahkak” and to the Kelabits and Orang Ulu as “Tenum”, the tree produces a scintillating scented essential oil that invigorates, rejuvenates and inspires. Laboratory tests have found that the essential oil derived from the Litsea trees in Sarawak differs from the same species which is found in China and other parts of the region. The essential oil show anti-microbial, anti-inflammatory properties, and is able to repel insects which making it suitable as an active ingredient in personal care products. This potential multipurpose oil derived from the fruits and leaves of the Litsea tree has led to Intellectual Property certifications - Geographical Identification (GI) for the tree (Sarawak Litsea) and Trademark for essential oil (LitSara®).    LitSara® project demonstrates the good spirit of ABS which utilises the acquisition of Prior Informed Consent (PIC) from participating communities, who themselves, are actively involved in the project which including the in-situ conservation of the Litsea cubeba plant’s natural habitat by the sustainable harvesting using Good Wild Craft Practice. The project ensuring that the valuable traditional knowledge is recognised and benefits, both in monetary and non-monetary way, are appropriately shared.    The project creating a value chain from utilization of traditional knowledge associated with biological resources to the development of products for healthcare, personal care and cosmeceutical industries. The sharing of benefits with local indigenous communities allows them to improve their livelihood and at the same time preserve their traditional knowledge while promoting the sustainable use of the biological resources. |

**Knowledge Management, Project Links and Social Media**

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| --- |
| **Please describe knowledge activities / products as outlined in knowledge management approved at CEO Endorsement /Approval.**    **Please also include: project's website, project page on the UNDP website, blogs, photos stories (e.g. Exposure), Facebook, Twitter, Flickr, YouTube, as well as hyperlinks to any media coverage of the project, for example, stories written by an outside source. Please upload any supporting files, including photos, videos, stories, and other documents using the 'file lirbary' button in the top right of the PIR.** |
| www.kats.gov.my  www.mybis.gov.my | abs.mybis.gov.my  www.my.undp.org  www.sbc.org.my | www.litsara.com |

# Partnerships

**Partnerships & Stakeholder Engagment**

Please select yes or no whether the project is working with any of the following partners. Please also provide an update on stakeholder engagement. This information is used by the GEF and UNDP for reporting and is therefore very important!  All sections must be completed by the Project Manager and reviewed by the CO and RTA.

|  |
| --- |
| **Does the project work with any Civil Society Organisations and/or NGOs?** |
| Yes |

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| --- |
| **Does the project work with any Indigenous Peoples?** |
| Yes |

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| --- |
| **Does the project work with the Private Sector?** |
| No |

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| **Does the project work with the GEF Small Grants Programme?** |
| Yes |

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| --- |
| **Does the project work with UN Volunteers?** |
| No |

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| --- |
| **Did the project support South-South Cooperation and/or Triangular Cooperation efforts in the reporting year?** |
| No |

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| --- |
| **Request for MSP Approval:** [5191 Malaysia ABS CEO DOC\_ 26 08 2013\_FINAL.doc](https://undpgefpims.org/attachments/5191/213903/1683754/1684035/5191%20Malaysia%20ABS%20CEO%20DOC_%2026%2008%202013_FINAL.doc) |
| **Provide an update on progress, challenges and outcomes related to stakeholder engagement based on the description of the Stakeholder Engagement Plan as documented at CEO endorsement/approval (see document below). If any surveys have been conducted please upload all survey documents to the PIR file library.** |
| In output 1.4, besides the Long Pasia Community Protocol, the Sabah Biodiversity Centre added the Melangkap Protocol as one of the additional output.  In output 3.3, Sarawak Biodiversity has added two community to the project - Lun Bawang community from Bakelalan, and Iban Community from Bukit Sadok - which make up total 7 communities participated in the Litsara Project. |

# Annex - Ratings Definitions

**Development Objective Progress Ratings Definitions**

(HS) Highly Satisfactory: Project is on track to exceed its end-of-project targets, and is likely to achieve transformational change by project closure. The project can be presented as 'outstanding practice'.

(S) Satisfactory: Project is on track to fully achieve its end-of-project targets by project closure. The project can be presented as 'good practice'.

(MS) Moderately Satisfactory: Project is on track to achieve its end-of-project targets by project closure with minor shortcomings only.

(MU) Moderately Unsatisfactory: Project is off track and is expected to partially achieve its end-of-project targets by project closure with significant shortcomings. Project results might be fully achieved by project closure if adaptive management is undertaken immediately.

(U) Unsatisfactory: Project is off track and is not expected to achieve its end-of-project targets by project closure. Project results might be partially achieved by project closure if major adaptive management is undertaken immediately.

(HU) Highly Unsatisfactory: Project is off track and is not expected to achieve its end-of-project targets without major restructuring.

**Implementation Progress Ratings Definitions**

(HS) Highly Satisfactory: Implementation is exceeding expectations. Cumulative financial delivery, timing of key implementation milestones, and risk management are fully on track. The project is managed extremely efficiently and effectively. The implementation of the project can be presented as 'outstanding practice'.

(S) Satisfactory: Implementation is proceeding as planned. Cumulative financial delivery, timing of key implementation milestones, and risk management are on track. The project is managed efficiently and effectively. The implementation of the project can be presented as 'good practice'.

(MS) Moderately Satisfactory: Implementation is proceeding as planned with minor deviations. Cumulative financial delivery and management of risks are mostly on track, with minor delays. The project is managed well.

(MU) Moderately Unsatisfactory: Implementation is not proceeding as planned and faces significant implementation issues. Implementation progress could be improved if adaptive management is undertaken immediately. Cumulative financial delivery, timing of key implementation milestones, and/or management of critical risks are significantly off track. The project is not fully or well supported.

(U) Unsatisfactory: Implementation is not proceeding as planned and faces major implementation issues and restructuring may be necessary. Cumulative financial delivery, timing of key implementation milestones, and/or management of critical risks are off track with major issues and/or concerns. The project is not fully or well supported.

(HU) Highly Unsatisfactory: Implementation is seriously under performing and major restructuring is required. Cumulative financial delivery, timing of key implementation milestones (e.g. start of activities), and management of critical risks are severely off track with severe issues and/or concerns. The project is not effectively or efficiently supported.