XD-ABS 691-A

Final Draft:

MID-TERM COOPERATIVE EVALUATION:

ENVIRONMENTAL LAW INSTITUTE ACTIVITIES UNDER THE GLOBAL CLIMATE CHANGE PROGRAM IN BRAZIL

Grant No. 512-0784-G-00-1046-00

September 1994

MANAGEMENT
SYSTEMS
INTERNATIONAL

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A.I.D. EVALUATION SUMMARY - PART I

PD-ABS-691 9

1. BEFORE FILLING OUT THIS FORM, READ THE ATTACHED INSTRUCTIONS.
2. USE LETTER QUALITY TYPE, NOT DOT MATRIX TYPE.

IDENTIFICATION DATA

A. Reporting A.I.D. Unit:
Mission or AID/W Office AID/BRAZIL
(ES#)

B. Was Evaluation Scheduled in Current FY Annual Evaluation Plan?
Yes ☒ Slipped ☐ Ad Hoc ☐
Evaluation Plan Submission Date: FY 94 Q 3rd

C. Evaluation Timing
Interim ☒ Final ☐
Ex Post ☐ Other ☐

D. Activity or Activities Evaluated (List the following information for project(s) or program(s) evaluated; if not applicable, list title and date of the evaluation report.)

Project No.	Project / Program	First PROAG or Equivalent (FY)	Most Recent PACD (Mo/Yr)	Planned LOP Cost (000)	Amount Obligated to Date (000)
598-0784 GRANT N. 512-G-00-1046	Grant to Environmental Law Institute (an element of AID/Brazil Global Climate Change Program)	91	09/96	US$606,451	US$606,451

ACTIONS

E. Action Decisions Approved By Mission or AID/W Office Director — Action(s) Required	Name of Officer Responsible for Action	Date Action to be Completed
. ELI should finish draft of Extractive Reserves study and organize a workshop for its dissemination.	Susan Bass	Nov. 1994

APPROVALS

F. Date of Mission Or AID/W Office Review Of Evaluation: (Month) September (Day) 8 (Year) 1994

G. Approvals of Evaluation Summary And Action Decisions:

	Project/Program Officer	Representative of Borrower/Grantee	Evaluation Officer	Mission or AID/W Office Director
Name (Typed)	Adriana Moreira	Susan Bass	Ricardo Falcão	Edward Kadunc
Signature	[signature]	[signature]	[signature]	[signature]
Date	10/6/94	9/28/94	10/13/94	10/13/94

ABSTRACT

H. Evaluation Abstract (Do not exceed the space provided)

The Environmental Law Institute (ELI) activities under the Global Climate Change Program in Brazil are divided in three areas: 1) Institutionalization of Extractive Reserves, 2) Environmental Assessment Training Program, and 3) Additional Training and other legal outreach activities. These activities complement well ELI's overall mission to advance environmental protection by improving law, management and policy. The Institute's strengths in policy analysis and training programs for environmental professional were a key factor in identifying its project within the GCC Program, and represent the comparative advantage and technical expertise that ELI is to bring to the Brazilian Program.

This collaborative evaluation was meant to review progress and provide recomendations on how project implementation could be improved over the remaining life of the project. The major findings and conclusions are:

. The collaborative model for developing Brazilian capacity appears appropriate. Similarly, ELI has gained considerable expertise in the idiosyncracies, historical context and outstanding issues of Brazilian environmental law and policy. This expertise needs to be taken advantage of to a greater extent than has been the case so far. Perhaps the most effective way for this to happen is for ELI to strengthen its contacts with Brazilian GCC grantees in specific research, training, or outreach activities.

. The collaboration on EIA training has gone particularly well, with important results in increased awareness and understanding of the assessment process.

. Since the extractive reserve study has not yet been distributed, it is too early to tell what the outcome will be in terms of supporting the institutionalization and strengthening of the reserve system. Although the quality and rigor of the study are known to be high, the success of the effort will depend on how well the report is disseminated and incorporated into the ongoing policy debate and legislative revision underway in Brazil.

COSTS

I. Evaluation Costs

1. Evaluation Team Name	Affiliation	Contract Number OR TDY Person Days	Contract Cost OR TDY Cost (U.S. $)	Source of Funds
Daniel Gustafson	MCI			LAC DR/E
Susan Bass	ELI	5		PROJECT
Lawrence Pratt	ELI	5		PROJECT
Adriana Moreira	USAID/BRAZIL	5		PROJECT

2. Mission/Office Professional Staff Person-Days (Estimate) 10 persons day

3. Borrower/Grantee Professional Staff Person-Days (Estimate) 5 persons day

SUMMARY

J. Summary of Evaluation Findings - Conclusions and Recommendations (Try not to exceed the three (3) pages provided
Address the following Items:
Purpose of evaluation and methodology used
Purpose of activity(ies) evaluated
Findings and conclusions (relate to questions
Principal recommendations
Lessons learned

Mission or Office	Date This Summary Prepared:	Title And Date Of Full Evaluation Report:
AID/BRAZIL	September 1994	MID-TERM COOPERATIVE EVALUATION OF ELI ACTIVITIES UNDER GCC/BRAZIL

EXECUTIVE SUMMARY

The mid-term evaluation of the Environmental Law Institute (ELI) component of the Global Climate Change (GCC) program in Brazil was carried out in Washington, DC April 19-22 and in Brazil May 16-24, 1994. The evaluation was conducted as a cooperative process involving a staff person from USAID, two ELI staff members and an external consultant. The conclusions and recommendations of the evaluation team are summarized below.

Institutionalization of the Extractive Reserve System

The objective of this component is to identify and develop options and recommendations for improving the implementation of the extractive reserve system in Brazil. There is great interest in the study and a consensus that it is valuable to have an outside research entity like ELI direct and contribute to the study of extractive reserves. The study represents the only systematic review of the status and policy options for future development of extractive reserves. The study represents the only systematic review of the status and policy options for future development of extractive reserves. It contains information that will be useful to a variety of groups, from policy makers to extractive reserve community organizations.

The collaboration between ELI Washington researchers and Brazilian counterparts in developing the study has provided benefits to both parties, although the difficulties of integrating the various pieces and arriving at a common understanding and equivalent vocabulary were underestimated, contributing to delays in its completion.

The policy debate in Brazil on the purpose and operation of the reserves is a very dynamic process, situated within the wider debate on land legislation and conservation units of varying types, of which extractive reserves are one. It is important to get the analysis into the ongoing policy debate as quickly and effectively as possible.

Since the final draft of the study has not yet been distributed, it is too early to tell what the outcome will be in terms of supporting the institutionalization of the reserve system. The success of the effort will depend on how well the report is disseminated and incorporated into the ongoing policy debate and legislative revision underway in Brazil. The dissemination workshops will be very important for deciding how to proceed, in addition to providing validation of the findings and recommendations.

Recommendations:

Finish the final draft of the study and distribute both Portuguese and English versions as soon as possible.

Follow a multi-stage approach to its dissemination, starting with a workshop to validate the findings and recommendations. Activities in the second stage should include one or more workshops for key Brazilian government and non-governmental organizations as well as donor representatives. The third stage of this process should target dissemination and discussion of the issues to the extractive reserve communities. Separate material should be developed for all three dissemination stages.

ELI should strengthen its contact and interaction with Brazilian NGOs to follow up with analysis of specific implementation issues and options. Candidates for this type of activity are the Institute for Amazonian and Environmental Studies (IEA) and World Wildlife Fund(WWF) work in extractive reserves.

Environmental Impact Assessment Training

The objective of this component is to increase Brazilian institutional capacity to conduct environmental impact assessments and promote a broader understanding by government and civil society of the EIA process. The ELI training component has gone well and the activities have been carried out as envisioned in the project documents. The training has contributed to increased public participation in EIA hearings and to better understanding of the importance of environmental assessment by key players within and outside of government.

The hoped for multiplier effect has taken place and the quality and utility of the most recent course in Acre was praised in participant evaluations. In addition to the efficiency aspects of using national trainers to multiply the course offerings, the participation of Brazilian trainers is important to trainees because they provide role models, have a common knowledge base and stimulate the exchange of information. This has increased the utility and impact of the training.

The evolving development of U.S. and Brazilian-origin material and expertise and has gone well and the Brazilian trainers have taken the lead in revising and updating the material.

The mix of participants from various governmental and non-governmental organizations favored the interchange of ideas and experience. It is anticipated that this strengthened technical core and increased communication between these governmental and civil society entities will facilitate checks and balances of the system and limit abuse or neglect of existing legislation.

The training courses have established long-term relationships with a number of individuals in a number of federal, state, and non-governmental entities. These contacts should facilitate building or strengthening institutional partnerships over the next phase of ELI collaboration.

Recommendations:

Continue to develop the training program incorporating additional areas and target groups. Some modifications are recommended, including: i) changing the Portuguese name of the EPA-development course, ii) adding a fifth day to the standard course to present the concrete experience of a Brazilian EIA case study, iii) examining options and necessary modifications for presenting a more compact version of the EIA process course that could be given by one of the Brazilian U.S.-trained trainers in collaboration with one or more of the trainees from the subsequent Brazilian training, and iv) preparing a proposal for conducting a base-line study of relatively simple indicators of expanding use and impact of the environmental assessment process in the Region.

Legal Outreach Activities

This component of the project is designed to support the goals of the GCC program and the activities of other GCC grantees through additional opportunities for training and legal outreach.

ELI has established excellent contacts with individuals from a variety of Brazilian governmental and non-governmental institutions that have facilitated planning and carrying out raining and collaboration outside of the EIA courses.

ELI has provided an important opportunity to gain practical experience for Brazilian visiting scholars, who have gone on to careers where they are in a good position to influence Brazilian environmental policy.

Some opportunities for productive collaboration with Brazilian grantees have been missed, and more could be done to tap ELI expertise and increase the synergy of grantee activities, particularly in the policy area. Increased demand for ELI expertise may be brought by greater interaction and closer contact between ELI and Brazilian GCC grantees.

Recommendations:

Incorporate a panel discussion session at the next GCC coordination meeting to exchange ideas on priority policy and legal issues and identify areas where greater collaboration would be beneficial.

Strengthen the interaction between ELI and Brazilian grantees on specific legal and policy issues through such things as collaboration with WWF and IEA in Amapá.

Identify additional in-country sources of legal expertise that may serve as ELI counterparts.

Operational Issues

Good relationships have been established between ELI and a number of key individuals and their organizations. However, a greater ELI interaction with Brazilians grantees would be beneficial for carrying out the next stages of the training, research, and legal outreach activities.

It is unrealistic to assume that ELI can find a single Brazilian counterpart to provide in-country assistance that ELI is not in a position to provide. The large number of institutional contacts that it has established should be seen as a positive development. It would be wise at this time for ELI to strengthen its active collaboration with other Brazilian organizations working on or with an interest in similar and policy issues.

Roles and responsibilities of GCC grantees are most clearly defined for activities within each logical framework of the Program, less so for other collaborative opportunities. This loose arrangement has definite benefits but makes taking advantage of unforeseen opportunities for collaboration more difficult. There is consensus that the current coordination model is appropriate. This coordination may be strengthened by:

Establishing greater ELI interaction with Brazilian collaborators and counterpart institutions;

Promoting the participation of Brazilian grantees in upcoming ELI training courses;

Using the GCC coordination meeting to identify policy issues of significance to GCC priorities; and

Having the USAID program officers play a more proactive role in in-country coordination among grantees, and in monitoring and facilitating such interaction.

There are no significant management problems regarding ELI planning, reporting, or AID financial accounting requirements. Similarly, the level and type of management oversight provided by USAID is thought to be appropriate by all concerned.

ATTACHMENTS

K. Attachments (List attachments submitted with this Evaluation summary: always attach copy of full evaluation report, even if one was submitted earlier; attach studies, surveys, etc., from "on-going" evaluation, if relevant to the evaluation report.)

Evaluation Report

COMMENTS

L. Comments By Mission, AID/W Office and Borrower/Grantee On Full Report

From the perspective of ELI, the evaluation process was very constructive in helping us to identify not only past problems in project implementation, but also future opportunities. The evaluation was especially useful in helping us identify and describe our comparative strengths and those of our partners, as well as how those strengths address the needs and interests of our constituents. The thoughtful interviews and analysis conducted by both Adriana Moriera and Dan Gustafson throughout the process were responsible for making the evaluation a success.

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A Scope of Work
B List of Persons Contacted

ACRONYMS USED

CNS	Conselho Nacional dos Seringuieros
EIA	Environmental Impact Assessment
ELI	Environmental Law Institute
EPA	Environmental Protection Agency
FVA	Fundação Vitória Amazônica
GCC	Global Climate Change Program of AID
IBAMA	Instituto Brasileiro do Meio Ambiente e dos Recursos Naturais Renováveis
IBAMA/CNPT	Centro Nacional das Populações Tradicionais
IBDPA	Instituto Brasileiro de Direito e Política Ambiental
IEA	Instituto de Estudos Amazônicos e Ambientais
INCRA	Instituto Nacional de Colonização e Reforma Agrária
NGO	Non-governmental organization
PESACRE	Grupo de Pesquisa e Extensão em Sistemas Agroflorestais do Acre
SECTAM	Secretaria de Estado de Ciência, Tecnologia e Meio Ambiente do Estado do Pará
SUDAM	Superintendência do Desenvolvimento da Amazônia
USAID	U.S. Agency for International Development
WWF	World Wildlife Fund

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I. INTRODUCTION

A. USAID Global Climate Change Program

In 1990 the U.S. Congress authorized the U.S. Agency for International Development (USAID) to implement a program to address important global climate change issues in "key" countries, including Brazil. In response to the Congressional mandate, and to the Brazilian Government's interest in addressing the issues, USAID launched a Global Climate Change Program (GCC) in Brazil. The primary goal of the program is to reduce Brazil's contribution to global emissions of greenhouse gases by abating deforestation in Brazil's Amazonian states. Toward this end, the GCC is promoting the development of ecologically and economically sustainable policies and activities to manage forest resources in the Amazonian states.

The program portfolio currently comprises project-level activities in two areas:

-- Applied research on, and practical demonstrations of ecologically and economically sustainable forest management and conservation practices. The GCC is funding several activities initiated by the communities living in forested areas to produce fruits and other marketable non-wood products through harvesting existing trees on their forest lots and demonstrate to other communities the economic viability and ecological benefits of these forest management practices as alternatives to traditional slash-and-burn agricultural practices.

-- Human resources training and institution-strengthening to enable Brazilians to work with U.S. expertise on topics pertinent to improving their research, planning and management skills. They include scientific research on Amazonian ecology, natural resource economics, forest and park management and planning and evaluation of GCC-sponsored activities.

Annual grants have been approved for the projects developed by some of the most prominent US based NGO's. These institutions work in partnership with Brazilian governmental and non-governmental institutions in order to achieve the goals mentioned above.

B. The ELI Program within the Global Climate Change Initiative

1. Origins of ELI Involvement

In the spring of 1991 ELI initiated discussions th the LAC Bureau of USAID concerning potential collaborative activities. Ambassador M hel, AID LAC Bureau Chief, was particularly interested in bringing ELI's expertise to the Gl l Climate Change Program (GCC) in the legal and policy area, and its cross-cutting work i areas of democratization, social justice, decentralization, and environmental managemen he subsequent meetings with the USAID Representative in Brasilia at the time, Howard H , confirmed the need for this type of policy work. ELI submitted an unsolicited propos the GCC Program to conduct a comprehensive analysis of legal and economic policie Brazil that acted as incentives or disincentives to deforestation in the Amazon.

Subsequent to the submission of this proposal, ELI staff conferred with representatives of two organizations already active in the GCC Program (WWF and the University of Florida) to identify and focus on the particular policy and training work needed to support the on-the-ground activities of the GCC program. These discussions indicated two priority areas for ELI support: the institutionalization of the extractive reserve system and the development and delivery of environmental training courses, particularly in the area of environmental impact assessment (EIA). In response to the concerns of USAID Brasilia and this input from GCC collaborators, ELI modified its proposal to carry out activities in these areas.

2. ELI's Proposed Activities

Within the modified proposal that led to the current grant documents, ELI proposed to carry out GCC activities within the three following areas:

a) Institutionalization of Extractive Reserves

For this component, ELI proposed to identify and analyze legal and policy issues of concern to the implementation of the extractive reserves, under local, state, national, and indigenous law in Brazil and to identify options and recommendations in these areas for promoting and improving the establishment and administration of the reserves. To carry out these activities, ELI proposed to work with environmental lawyers in Brazil, GCC grantees involved in the extractive reserves and other organizations in Brazil involved in the creation and administration of the reserves, such as the Institute of Amazonian and Environmental Studies (IEA) and the National Rubber Tappers Council (CNS).

b) Environmental Assessment Training Program

For this component, ELI proposed to provide legal and technical support for the effective preparation and presentation of training courses on environmental impact assessment for local government official and representatives of non-governmental organizations. The objective of this activity was to provide the legal education and tools necessary to enhance implementation of the environmental assessment process in Brazil. ELI's support in this area was to include background legal research and analysis on the EA process in Brazil, course material preparation and delivery and follow-up analysis. ELI proposed to work with environmental lawyers in Brazil and other GCC grantees in the preparation and delivery of these courses.

c) Additional Training and Other Legal Outreach Activities

To support the goals of the GCC program and the activities of other GCC grantees, ELI proposed to identify, in consultation with other grantees, additional opportunities for training and legal outreach, and to assist in the development and delivery of courses and other technical activities to address these needs.

3. ELI's Mission and the GCC Program in Brazil

ELI's activities in the GCC program complement well ELI's overall mission. The mission of the Institute is to advance environmental protection by improving law, management and policy. To carry out its mission, ELI researches pressing problems, educates professionals and citizens about the nature of these issues, and convenes all sectors in forging effective solutions.

ELI has been carrying out this mission domestically and internationally for over twenty years. The Institute's strengths in policy analysis and training programs for environmental professionals were a key factor in identifying its projects within the Global Climate Change program, and represent the comparative advantage and technical expertise that ELI is to bring to the Brazilian program.

The experience of participating in the GCC program has also strengthened ELI's domestic work and activities in other regions of the world. Valuable information about the creation and application of new legal tools and mechanisms for environmental protection in Brazil has been collected and disseminated by ELI staff involved in all components of the Institute's activities for the GCC program. The Institute's research and training programs are designed to reinforce each other, bringing the results of the research into the training, and using the training activities to gather information and improve the utility of the research undertaken. This aspect is clearly present in the ELI's objectives for the Brazilian GCC work.

4. Budget and Expenditures

To date, USAID has committed $606,451 for ELI's activities for the GCC program in Brazil. ELI has committed to provide an additional $205,011 in matching support, including in-kind contributions. As of April 30, 1994, ELI has expended $323,242 of USAID funds and has contributed $119,334 in matching support, including an in-kind contribution of $18,688.

5. Evaluating the Impact of ELI Involvement

Before turning to the analysis of the activities carried out to date, it is important to highlight the goals and methods of operation of the USAID GCC program and how the ELI work contributes to this process. As mentioned above, an important feature of the USAID program is its emphasis on working with groups outside of the government, while at the same time supporting environmental policy change within the purview of federal, state, and local governments. Applying the expertise of U.S.-based institutions to support progress in both these spheres and contribute to the resolution of complex and politically charged Brazilian problems is an inevitably daunting challenge. The operational philosophy of the ELI component illustrates how this is to be accomplished, and provides the measure by which the impact of ELI's work should ultimately be judged.

ELI's training program is designed to present an overview of the EIA process to a wide array of government and non-governmental participants. anticipated that increased awareness and legal and technical understanding of the process will promote greater public participation in environmental assessment throughout the Amazon tion, and strengthen democratic

participation in policy decisions. Effective implementation of the more progressive aspects of Brazilian environmental law requires a better understanding by a variety of players--both within and outside of government--of what the law contains, how it may be applied, and how and when the public may be involved. The more people become aware of and involved in the EIA process, the more likely it will be to avoid the arbitrary application or disregard of existing legislation and legal process. In this sense, ELI's activities should be judged by their contribution to increased public participation and the institutional strengthening of governmental and civil society entities through human resource development.

Similarly, there are a number of important policy issues that remain insufficiently analyzed and unresolved. The analysis of these problems by a qualified, objective outside organization with experience in analogous situations can provide an important technical input into this process. In this sense, ELI's analytical work on the legal and policy issues relating to extractive reserves will be valuable to the extent that it stimulates and informs policy analysis and debate by Brazilian jurists, legislators, and the public.

II. EVALUATION METHODOLOGY

The present mid-term evaluation of ELI's activities within the GCC program was carried out as a cooperative process involving staff from USAID and ELI and an external consultant. It was divided into two parts, the first in Washington where ELI staff members and other collaborating grantees were interviewed, and the second in Brazil. The core evaluation team was made up of Adriana Gonçalves Moreira of USAID, Susan Bass and Lawrence Pratt of ELI, and the external consultant, Daniel Gustafson representing Management Systems International (MSI). The evaluation was designed to take stock of the progress realized to date, review the continued relevance and method of operation of the project, and provide recommendations regarding mid-course corrections or other changes necessary to enhance ELI's contribution over the remaining life of the project, as indicated in the attached scope of work. The participation of ELI staff directly involved in the project and the USAID program officer provided an opportunity for in-depth discussion of the history, strengths and constraints of the work and contributed to a realistic assessment of what may be improved or modified. The present report contains the outcome of these discussions and represents the consensus of the team members.

The team first met at ELI's office in Washington on April 19, 1994 where Ms. Gonçalves Moreira reviewed the objectives of the evaluation and the team went over the proposed scope of work and made tentative plans for carrying out the work. ELI has previously presented copies of all relevant project documents and ELI reports to the external consultant. Over the next three days, ELI staff members who had contributed to the project, representatives from EPA, the Forest Service, and World Wildlife Fund were interviewed.

The second part of the evaluation took place in Brazil from May 16-24. The first two days were spent in Brasilia where the team was briefed by the USAID Representative, John Pielemeier, met with Antonio Benjamin, a public prosecutor in the State of São Paulo and organizer of several of the initial training courses, and had meetings with representatives from IBAMA (Instituto Brasileiro do Meio Ambiente e dos Recursos Naturais Renováveis) and IEA (Instituto de Estudos Amazônicos e Ambientais). The team then traveled to Belém and Manaus to interview individuals who had participated as trainers and trainees in the EIA courses, technical counterparts in the extractive reserve study, other GCC grantees, and others with a past or possible future interest in collaborating with ELI. A list of persons contacted in Brazil is included as Annex B. The team met again in Brasilia on Monday May 23 and presented a draft report to USAID. Comments received on the draft report were incorporated into the present final report.

III. TECHNICAL COMPONENTS

A. Institutionalization of the Extractive Reserve System

Background:

1. Objectives

The objective of this project component is to identify and develop options and recommendations for improving the implementation of the extractive reserve system in Brazil. To accomplish this objective, ELI proposed to analyze the legal and policy framework for the extractive reserves and the actual implementation to date of the system in certain representative areas. To conduct this work, ELI proposed to assemble a team of U.S. and Brazilian lawyers who would work in partnership with: other GCC grantees; federal, state, and local officials responsible for administering the reserves; and other nongovernmental organizations working with the reserves, such as IEA and CNS. By working in partnership with these various stakeholders in the reserve, ELI sought to develop a cadre of experts in the status and problems of the reserves. These experts would then be in a position to influence and improve the management of the reserves through a variety of follow-up activities that would be identified, designed, and implemented with technical assistance from ELI.

2. Project Staffing

The first step in the project was the identification of the ELI project team. From ELI, the team included Senior Attorney Jay Pendergrass, a U.S. lawyer, and staff attorney Alberto Ninio, a Brazilian lawyer working as a Visiting Scholar and later as a Staff Attorney. From Brazil, the project team included Roberto dos Santos Vieira, a Brazilian environmental lawyer and former President of the University of Amazonas, and Manoel Eduardo Alves e Gomes, a lawyer formerly with IEA who had been instrumental in drafting the extractive reserve decree. Senior ELI attorney Suellen Keiner and Nadia Jones, another Visiting Scholar from Brazil, later joined the team. ELI Inter-American Program Director Susan Bass was in charge of managing the project.

3. Activities

Various project team members were assigned the drafting of sections of the report. In addition, it was agreed a small group would visit selected reserves and interview key public and private sector representatives in Brasilia and in the areas of the reserves. The site visits and interviews to date have included:

- Interview with IEA representatives in Brasilia, 12/91;
- Interview with IEA representatives in Curitiba, 2/92;
- Acre field trip, coordinated through the University of Florida and PESACRE, 2/92, including interviews with the State Secretaries of Planning and Science, Technology and Environment, the Director of FUNTEC, representatives of CNS

and its president Julio Barbosa, the State Superintendent of IBAMA and IBAMA's representative to CNPT, and a visit to Chico Mendes Extractive Reserve;

- Interview with IBAMA Advisors to the Coordinator General at National Center for Traditional Populations;

- Interview with Cultural Survival representative, Recife, 2/92;

- Visit to the Quilombo do Frechal Extractive Reserve in Maranhão, 9/92, where interviews were undertaken with IBAMA officials, the State Adjunct Secretary of Environment and Tourism, community leaders, and representatives of the special prosecutor's office;

- Interviews with the IBAMA General Counsel's Office in Brasilia, 9/92;

- Amapá field trip, 1/93 - 2/93, including visits to the Rio Cajuri Extractive Reserve and the Extractive Reserve Settlement of Maracá I in Amapá, and interview with CNPT officials, community leaders, IBAMA representatives, and CNS officials;

- Rondônia Field Trip, 2/93, that included interviews with IBAMA, SEDAM, and INCRA officials, IEA representatives, and the Secretariat of PLANAFORA.

In addition, ELI presented a seminar in Washington in June 1993 on the extractive reserve system. The seminar was entitled "Conserving Brazil's Amazon Rainforest: The Extractive Reserve System." Speakers included ELI attorneys John Pendergrass and Alberto Ninio, IEA policy analyst Fernando Allegretti, and Environmental Defense Fund anthropologist Steven Schwartzman.

4. Project on Mechanisms to Secure Economic Benefits for the Local Community from Native Genetic Resources

During ELI's visit to CNS headquarters in Acre in February 1992, CNS President Julio Barbosa suggested that the ELI team research legal strategies for local populations to employ in order to secure economic benefits from the genetic resources in the region. The need for this additional income was confirmed by subsequent interviews with GCC grantees and visits to the reserves. The ELI research project will identify strategies ıder U.S., Brazilian, European, and international law for securing these benefits. The study w include case studies from different countries where some of these strategies have been em yed. ELI plans to follow up the research paper with roundtables and training programs in zil to disseminate this information.

5. Project Progress

Preliminary drafts of the Extractive Reserve ɪ and the Mechanisms to Secure Economic Benefits from Genetic Resources have bee vered to USAID. Drafts for peer review are expected to be sent out this summer. planning and design of follow-up

dissemination activities has begun in consultation with USAID officials, other GCC grantees, and public and private stakeholders in the reserves in Brazil.

Findings:

1. The evaluation team found considerable interest in the study by all groups contacted. There is consensus that it is valuable to have an outside research entity like ELI direct and contribute to the study of extractive reserves.

2. Progress on the extractive reserve report has been slower than expected. Planned to be completed by June 1993 and it is now expected to be ready by the end of July 1994. It would have been better to have had the study earlier, particularly to fit into WWF activities. However, the study remains relevant, especially given the ongoing discussion on revising conservation units in general in Brazil.

3. This delay can be attributed to the difficulty of integrating reports by various authors, the complexity of the land title system in Brazil that influences the extractive reserve legislation, and the difficulty of translating legal concepts from Brazilian law into English.

4. The study is designed as a single document containing a review of the history and legal underpinnings of the extractive reserves and a discussion of outstanding legal issues and related policy options. As such, it covers a great deal of material, parts of which will be of particular interest to a variety of audiences, both in the United States and Brazil. It was not designed as a segmented product, targeting specific interest groups.

5. The study is written for a general audience and does not assume any previous knowledge of extractive reserves in Brazil. It does, however, assume a high educational level.

6. There is consensus on who the initial target audience should be to validate the information and recommendations (IBAMA/Office of the General Counsel, WWF-US, WWF-Brazil, IEA, and IBAMA/CNPT).

7. The document concentrates on the unique characteristics, history, constraints, and legal and policy options of Brazilian extractive reserves, and less on the comparative analysis of this situation with other countries' experience or analogous common property resource issues. These issues are possible areas for future research by ELI.

Conclusions:

1. The ELI study represents the only systematic review of the present state and policy options for future development of extractive reserves, and will fill an important function when completed. The study will also have important implications for its relevance to issues of environmental conservation and development in reserved areas with an existing population.

2. The collaboration between ELI Washington researchers and Brazilian counterparts in developing the study has provided benefits to both parties, although the difficulties of integrating the various pieces and arriving at a common understanding and equivalent vocabulary were underestimated.

3. The characteristics of the study, with its broad overview of the situation and academic content, constrain its operational application to concrete implementation issues of specific extractive reserves. It contains information that should be useful to a variety of groups, from policy makers to extractive reserve community organizations, but to do so the information will need to be tailored to the specific audience.

4. The study represents a portrait of the context and present situation of the extractive reserves. The policy debate in Brazil, however, on the purpose and operation of the reserves is a very dynamic process, situated within the wider debate on land legislation and conservation units of varying types, of which extractive reserves are one. Consequently, the study will never represent the "final word" on extractive reserves and it is important to get the analysis into the ongoing policy debate as quickly and effectively as possible.

5. The dissemination workshop(s) will be very important for deciding how to proceed with dissemination and feedback, in addition to providing validation of the findings and recommendations.

6. It is too early to judge whether or not the study will achieve its objectives of contributing to the institutionalization of extractive reserves.

Recommendations:

1. Finish the final draft of the study and distribute both Portuguese and English versions as soon as possible.

2. Follow a multi-stage approach to its dissemination, starting with a workshop to validate the findings and recommendations in which the authors, IBAMA/Office of the General Counsel, IEA, WWF, and IBAMA/CNPT should participate. Activities in the second stage should organize one or more workshops for these organizations as well as donor representatives, INCRA, Brazilian legislative staff, and relevant NGO and other civil society entities. The third stage of this process should target dissemination and discussion of the issues to the extractive reserve communities. Separate material should be developed for all three dissemination stages.

3. ELI should strengthen its contact and interactic with Brazilian NGOs to follow up with analysis of specific implementation issues an otions. A candidate for this type of activity is the IEA and WWF work in extractive rves.

B. Environmental Impact Assessment Training

Background:

The goal of this technical component is to increase Brazilian institutional capacity to evaluate environmental impact assessments and promote a broader understanding by government and civil society of the EIA process. ELI, along with its partners in the U.S. (WWF, EPA, and the USDA Forest Service), are working to achieve this goal by coordinating deliveries of EIA training programs, and by training Brazilian environmental professionals to teach EIA courses.

Programs conducted to date:

- "Environmental Impact Assessment and Enforcement Training Course" -- São Paulo, September 14 to 18, 1992. Presented in conjunction with an enforcement and compliance training program, this course brought together public prosecutors, judges and attorneys from NGOs from São Paulo, Rio Grande do Sul, Minas Gerais, Paraná, Rio de Janeiro, and Santa Catarina. The course was co-sponsored by the Ministério Público do Estado de São Paulo and other state and national organizations. Eighty-two applications were received for 30 available training slots.

- "Environmental Impact Assessment and Enforcement Training Course" -- Belém, Pará, September 21 to 25, 1992. Similar to the São Paulo course described above, this five day course brought together technical staff from the environmental secretaries offices of seven Amazonian states. Participants included both legal and scientific staff who are working on enforcement and EIA issues. Sixty-seven applications were received for the 30 available slots in the course.

- Train the Trainers Program for "Principles of Environmental Impact Assessment." Eastern U.S., August 17 to September 3, 1993. Along with its training partners, ELI focused this program on building capacity within Brazil to teach basic EIA principles to state and local officials who review EIAs and direct EIA processes, and to NGOs. Participants included lawyers, scientists, and planners from all parts of Brazil.

- Principles of Environmental Impact Assessment" -- Rio Branco, Acre, May 2-6, 1994. This course was the debut of faculty trained in the October 1993 "Train the Trainers" course. The Acre course focused on participants from the Western Amazon. The final group of 25 participants represented state and local government and NGOs. Seventy-six applications were received, as were an additional 25 to 30 late requests and solicitations.

Other Training

ELI has coordinated numerous training events that are not directly related to EIA activities. These include:

- "Tools for Meeting the Challenge of Global Climate Change" -- Washington, DC, July 1992. ELI directed the first week of this three week program for Brazilian environmental

lawyers from the federal government, state governments and from NGOs. The focus of this workshop was to present the scientific and legal basis for biomass protection, and to examine policy tools and methods for controlling pollution and natural resource extraction.

- "Workshop on Comparative Environmental Law" -- Manaus, Amazonas, September 27 - 30, 1993. Conducted in conjunction with the Law School of the Federal University of Amazonas, this program hosted 50 participants from the Law School (and some recent graduates) for an intensive workshop comparing and contrasting U.S. and Brazilian legal mechanisms for protecting the environment.

- "Seminar on Comparing Brazilian and U.S. Environmental Law" -- Manaus, Amazonas, September 29-30, 1993. This course was conducted for public prosecutors and members of the private bar in the State of Amazonas. It touched on many of the same issues as the workshop for the law school, but was focused on issues of importance to the prosecutors, such as enforcement and compliance monitoring.

Findings:

The principle findings of the evaluation team may be summarized as follows:

1. There is a great deal of demand for training courses of the type presented; considerably more demand than the U.S. grantees by themselves could handle.

2. The sequence of training activities appears to have gone well and has strengthened awareness of the importance of the topic and enhanced the multiplier effect of the training. This was brought about by i) identifying key partners to assess training needs and assist in developing courses, ii) starting with several high visibility activities for high level participants (e.g., the São Paulo and Belém courses), and ii) providing training for Brazilian trainers in the United States who have and will continue to carry out training in Brazil.

3. Good evaluations were provided by participants in all training activities, both in terms of content and the participatory training methodology.

4. There was some misunderstanding over the purpose of the EPA-developed course by participants, as some expected that the training would focus on specific tools and techniques for conducting EIAs, rather than on the overall EIA process. This indicates a strong demand for a course on specific tools for E' \, in addition to the one on the EIA process.

5. There is qualitative or anecdotal evidence of t npact of the courses, and there was a strong consensus among those interviewed that utcome of the training was positive and visible. On the other hand, there has bee systematic follow-up of impact in terms of how (or if) participants as a group ma e of the training, nor is there base-

line data for comparison of quantitative impact indicators that could be used (e.g., the number of public EIA hearings held).

6. All those interviewed provided a positive view of the collaboration among grantees in training activities, enhanced by the formation of a training working group in Washington. The situation has evolved to where ELI has taken the lead in the working group.

7. Training materials have continued to be developed, starting with initial Portuguese translations of existing U.S. course material, through the refinement and incorporation of specific Brazilian legislation on EIA, more appropriate Brazilian terminology and local experience. This is an ongoing process and it is recognized that more needs to be done in this area.

Conclusions:

1. The ELI training component has gone well, the activities have been carried out as envisioned in the project documents. The training has contributed to increased public participation in EIA hearings and to a broader and deeper understanding of the importance of environmental assessment by key players within and outside of government.

2. The hoped for multiplier effect has taken place and the quality and utility of the most recent course in Acre (the first by the Brazilian trainers) was judged highly in participant evaluations.

3. In addition to the efficiency aspects of using national trainers to multiply the course offerings, the participation of Brazilian trainers is important to trainees because they provide role models, have a common knowledge base and stimulate the exchange of information. This has increased the utility and impact of the training.

4. The evolving mixture of U.S. and Brazilian-origin material and expertise has gone reasonably well and the Brazilian trainers have taken the lead in revising and updating the material.

5. There has been impact of the courses in increased awareness by government and non-governmental players of the role and importance of impact assessments, which has been instrumental in promoting greater public participation in several EIA processes, most notably in Belem.

6. In addition to the importance of these outcomes in improving environmental assessment and compliance, the courses contributed indirectly to strengthening of democratic institutions. The mix of participants from various governmental and non-governmental organizations favored the interchange of ideas and experience. It is anticipated that this strengthened technical core and increased communication between these governmental and civil society entities will facilitate checks and balances of the system and limit abuse or neglect of existing legislation.

7. The approach of having had some training events take place outside of the Amazon, and of opening participation in other events to individuals from other regions appears to have been a good tactic for increasing the visibility and prestige of the training events, as well as focusing the attention and expertise of non-Amazonian environmental professionals on this important region.

8. The training courses have established long-term relationships with a number of individuals in a number of federal, state, and non-governmental entities. These contacts should facilitate building or strengthening institutional partnerships over the next phase of ELI collaboration.

9. The EIA training working group appears to be functioning well and provides a good model for replication in other areas of ELI/GCC collaboration such as policy studies and legal outreach.

Recommendations:

In general terms, there are two major recommendations:

1. Continue to develop the training program incorporating additional areas and target groups.

2. Use the preparation and delivery of the courses as a means to strengthen collaborative institutional linkages between ELI and Brazilian GCC grantees.

Specific recommendations regarding the training program may be summarized as follows:

- Change the Portuguese name of the present course from "Principios de Avaliação de Impacto Ambiental" to "Processo de Avaliação de Impacto Ambiental" in order to avoid confusion about course content.

- Add a fifth day to the standard course (that was given in Acre) to present the concrete experience of a Brazilian EIA case. A good candidate for this component would be the RCQ mine EIA process in Pará.

- The working group should begin preparation of a follow-up course on technical aspects of environmental assessment tools and techniques.

- The working group should examine optic s and necessary modifications for presenting a more compact version of the process course that could be given by one of the Brazilian U.S.-trained train. n collaboration with one or more of the trainees from the subsequent Brazilia: inings.

- ELI should follow up on the proposed ac ies for revising the Brazilian version of the course material and make cert hat the next version is ready for reproduction for the next course.

- ELI should coordinate with other members of the working group to confirm what permission is necessary for Brazilians to reproduce the training materials.

- The working group should consider preparing a proposal for conducting a base-line study of relatively simple indicators of expanding use and impact of the environmental assessment process in the Region.

C. Legal Outreach Activities

Background:

This component of the project is designed to support the goals of the GCC program and the activities of other GCC grantees, through the identification by ELI in consultation with other grantees of additional opportunities for training and legal outreach, and to assist in the development and delivery of courses and other technical activities to address these needs.

Activities include:

- Participation in the National Conference of Public Prosecutors in Sergipe in December 1991, providing training on strategies for enforcing environmental law;

- Presentations in May 1992 for public prosecutors and judges on Natural Resource Damages in São Paulo.

- Participation in the National Environmental Legislation Conference for Public Prosecutors in Bahia in May 1994, providing training on U.S. Forest law; and

- Presentations in U.S. universities and other public fora on Brazilian environmental law and the extractive reserve system.

In addition, ELI has hosted a Visiting Scholars Program for Brazilians. Participants to date include:

Sonia Cristina Ramos da Rocha, a lawyer working for academic credit at ELI while attending the American University's Masters Program on International Legal Studies. Ms. Rocha is currently assisting ELI with the research on Brazilian extractive reserves.

Nadia Dias Jones, an environmental lawyer, who came to ELI after completing her Masters degree in international environmental law. Ms. Jones helped prepare the seminar on Brazilian/US comparative law delivered last September in Manaus. Ms. Jones is currently assisting ELI with the proposal for a pilot program to train Brazilian judges on environmental laws. She has also conducted independent research on the International Tropical Timber Organization (ITTO) and its efforts to prevent deforestation.

Luiz Carlos Ros Filho, a visiting scholar at the Institute during the summer of 1992. Mr. Ros is an economist who was studying at SUNY. He conducted research for his Masters thesis at ELI on economic instruments for pollution control. Mr. Ros was particularly interested in examining the suitability of these instruments for developing countries. During the summer, Mr. Ros was able to conduct his research using sources at ELI and other local institutions and government agencies. He incorporated the results of his research into a working paper and is continuing his research in Brazil, where he is employed by the Institute for Amazon Studies.

Alberto Ninio, an environmental lawyer who first came to ELI as a visiting scholar in 1991, became a full-time staff attorney with the Institute. Mr. Ninio served as a key member of the joint U.S. and Brazilian faculty for the ELI Enforcement and Environmental Impact Assessment workshop presented in São Paulo and Belém and conducted on-site research on implementation of the extractive reserve system. Because of his unique expertise on U.S. and Brazilian environmental law, Mr. Ninio spoke frequently to various groups in the United and States and abroad.

Findings:

1. ELI has established excellent contacts with individuals from a variety of Brazilian governmental and non-governmental institutions that have facilitated discussions and planning for training and collaboration outside of the EIA courses.

2. ELI visiting scholars have gone on to careers where they are in a good position to influence Brazilian environmental policy (e.g., Luiz Carlos Ros Filho at IEA and Alberto Ninio who is now at the World Bank).

3. Some opportunities for productive collaboration with Brazilian grantees have been missed. An example is the work that the Woods Hole group in Belém undertook relating to the environmental assessment and public hearings in Rio Capim, which could have benefited from ELI contact or orientation.

Conclusions:

1. More could be done to tap ELI expertise and increase the synergy of grantee activities, particularly in the policy area.

2. Although some opportunities for collaboration were missed, it is difficult to see how a different coordination or control mechanism relating to overall GCC management could have ensured a different outcome in the Rio Capim case. It appears that the best option for increasing the demand for ELI expertise is greater interaction and closer contact between ELI and Brazilian GCC grantees.

Recommendations:

1. Incorporate a panel discussion session at the next GCC coordination meeting to exchange ideas on priority policy and legal issues and identify areas where greater collaboration would be beneficial.

2. Strengthen the interaction between ELI and Brazilian grantees on specific legal and policy issues through such things as collaboration with WWF and IEA in Amapá.

3. Identify additional in-country sources of legal expertise that may serve as ELI counterparts.

IV. OPERATIONAL ISSUES

A number of the findings, conclusions, and recommendations identified above relate to several overarching operational issues. These may be separated into three areas: i) the relationship between ELI and Brazilian partner organizations, and the sustainability of activities initiated by the program; ii) the coordination between ELI and other U.S.-based GCC grantees; and iii) management issues between ELI and USAID. The conclusions and recommendations in each of these interrelated areas may be summarized as follows:

A. Increase Interaction between ELI and Brazilian Collaborators and Counterparts

1. Good relationships have been established between ELI and a number of key individuals and their organizations. However, as mentioned above, a greater ELI interaction with Brazilian grantees would be beneficial for carrying out the next stages of the training, research, and legal outreach activities.

2. The panel, suggested above for the next GCC coordination meeting, on upcoming policy issues should provide the basis for identifying opportunities for increased collaboration between ELI and GCC grantees.

3. It is unrealistic to assume that ELI can find a single Brazilian counterpart to provide in-country assistance that ELI is not is a position to provide for various reasons. The large number of institutional contacts that it has established should be seen as a very positive development. The contact with the IBDPA has been fruitful, but the organization represents a network of professional interested in environmental law issues, all of whom have other full time professional responsibilities. It would be wise at this time for ELI to strengthen its active collaboration with other Brazilian organizations working on or with an interest in similar legal and policy issues.

B. Strengthen Existing Coordination Mechanisms to Target Policy Analysis and Legal Outreach Collaboration

1. Roles and responsibilities are most clearly defined for activities within each logical framework (particularly for joint training activities), less so for other collaborative opportunities. This loose arrangement has definite benefits but makes taking advantage of unforeseen opportunities for collaboration more difficult.

2. There is consensus that the current coordination odel with no management entity or overall coordinating body is appropriate. Interacti nd information sharing is promoted at the annual planning meeting, and in-country c ination and information distribution to U.S. grantees regarding developments in Bra t covered in each other's quarterly reports is assigned to the USAID program offic

3. This coordination may be strengthened by:

a. Establishing greater ELI interaction with Brazilian collaborators and counterpart institutions;

b. Promoting the participation of Brazilian grantees in upcoming ELI training courses;

c. Using the GCC coordination meeting to identify policy issues of significance to GCC priorities; and

d. Having the USAID program officers play a more proactive role in in-country coordination among grantees, and in monitoring and facilitating such interaction.

C. No Significant ELI or USAID Project Management Problems

1. There are no significant management problems regarding ELI planning, reporting, or AID financial accounting requirements. Similarly, the level and type of management oversight provided by USAID is thought to be appropriate by all concerned.

2. The amount of unexpended USAID funds is high, but given the activities recently completed or scheduled over the current budget period, at a minimum all funds currently allocated will be spent.

3. The departure of Alberto Ninio interrupted the continuity of ELI activities. On the other hand, the longer-term benefits to the development of EIA and other types of training and policy activities should not be overlooked of having Mr. Ninio in the World Bank, applying the expertise and understanding he acquired through the ELI component. In addition, Mr. Ninio's departure opened the way for another Visiting Scholar from Brazil, Nadia Jones, to gain practical experience working with ELI. ELI is particularly interested in supporting the professional development of women from the region.

V. SUMMARY OF LESSONS AND RECOMMENDATIONS

In concluding the analysis of ELI's work to date, it is useful to return to the questions and measures of success identified at the beginning of this report. For the ELI GCC component to be successful it must ultimately accomplish three things:

i) Create effective Brazilian-U.S. partnerships that build capacity and expertise for resolving Brazilian environmental problems;

ii) Contribute to increased institutional capacity and participation of governmental bodies and the civil society in environmental management, in particular in the environmental impact assessment process; and

iii) Stimulate and inform environmental policy analysis by Brazilian jurists, legislators, and other public and private stakeholders.

In this regard the findings, conclusions, and recommendations presented above may be summarized as follows:

1. The collaborative model for developing Brazilian capacity appears appropriate. Similarly, ELI has gained considerable expertise in the idiosyncracies, historical context, and outstanding issues of Brazilian environmental law and policy. This expertise needs to be taken advantage of to a greater extent than has been the case so far. Perhaps the most effective way for this to happen is for ELI to strengthen its contacts with Brazilian GCC grantees in specific research, training, or outreach activities.

2. The collaboration on EIA training has gone particularly well, with important results in increased awareness and understanding of the assessment process.

3. Since the extractive reserve study has not yet been distributed, it is too early to tell what the outcome will be in terms of supporting the institutionalization and strengthening of the reserve system. Although the quality and rigor of the study are known to be high, the success of the effort will depend on how well the report is disseminated and incorporated into the ongoing policy debate and legislative revision underway in Brazil.

ANNEX A

ENVIRONMENTAL LAW INSTITUTE BRAZIL PROJECT EVALUATION

SCOPE OF WORK

1. Activity to be evaluated

The evaluation will focus on the activities of the Environmental Law Institute (ELI) Project under the USAID Global Climate Change (GCC) Program in Brazil, Grant No. 512-0784-G-001046. Authorized and obligated on November 8, 1991, with project assistance completion date (PACD) of June 30, 1995, and with US$ 606,451,00 of funds obligated to date.

2. Purpose of the evaluation

The evaluation of ELI activities, under GCC funding, is intended to be a collaborative participatory process involving ELI staff, field personnel responsible for project implementation, AID/Brazil project officers and a external specialist, as members of the evaluation panel. This evaluation will be conducted as a component activity of the overall AID GCC Program performance evaluation. The ELI actions should be evaluated in the context of their contribution to the AID/Brazil strategic objective of environmentally and socio-economically sustainable alternatives to deforestation adopted beyond targeted areas in the Brazilian Amazon (Figure 1 - USAID/Brazil strategic objective tree).

The overall objectives of the evaluation can be summarized as follows:

1) Assess the continuing validity and relevance of project components, and suggest such modifications as may be required to increase the likelihood that the efforts will achieve their objectives in a sustainable manner.

2) Assess the effects of external and unanticipated actions and/or events on project effort.

3) Review and analyze progress to date in execution of ELI activities as specified in existing grant documents.

4) Evaluate whether performance to date is consistent with expectations and if changes are needed to sustain the positive effects of these efforts.

The evaluation will also focus on the recently developed logical frameworks in order to refine the existing preliminary drafts (Figure 2 - Draft of ELI project logical framework)

3. Background

In 1991 the Environmental Law Institute proposed to assist in developing environmental policy in Brazil by providing technical assistance in support of the ongoing activities of the GCC program. Initial discussions with other GCC grantees indicated the need for support in

the following key areas: institutionalization of extractive reserves and assistance in developing and delivering environmental training courses.

In the area of institutionalization of extractive reserves, ELI proposed to identify and analyze legal and policy issues, and provide options and recommendations to promote the establishment and administration of the reserves under Brazilian national, state, local and other indigenous laws in concert with some Brazilian organizations, such as, Instituto de Estudos Amazônicos (IEA) and Conselho Nacional dos Seringueiros (CNS).

In the training area, ELI proposed to provide legal and technical support necessary to the effective preparation and presentation of training courses for local government and non-government officials. The objective was to provide the legal education and tools necessary to enhance government implementation of the environmental assessment process. The support encompassed legal research and analysis, course material preparation and delivery, and follow-up analysis.

ELI was also to identify, in consultation with other GCC grantees, additional legal and policy issues associated with ongoing activities and other outreach initiatives.

4. Statement of Work

The evaluation team will analyze the project performance in four areas:

1. Institutionalization of Extractive Reserves.
2. Environmental assessment training program.
3. Additional training and legal outreach initiatives.
4. Program administration and collaboration with other GCC grantees.

The following are some key questions to be answered by the evaluation team.

- Is the project achieving satisfactory progress toward its stated objectives? What are the positive and negative effects resulting from the project?

- Are the effects of the project likely to become sustainable, will they continue after the end of the project? Should ELI establish a full-time presence in Brazil? Should ELI strive to strengthen the capacity of a sister institution (NGO) in Brazil?

- How is the technical assistance and training being utilized? What are the specific results in this area?

- How is the interaction of ELI and local implementers of extractive reserves (CNPT/IBAMA, IEA, CNS)?

- How useful was ELI contribution to the actual legalization of extractive reserves?

- What are the results of the partnerships established in Brazil? How can ELI become more relevant within the context of the GCC objectives?

- How is ELI providing information on environmental law and policy related to resource management to NGOs and governmental institutions and individuals in Brazil?

- Is the project cost-effective? Are there alternative approaches to accomplish the same objectives at lower costs?

- How is the collaboration of ELI with other CGG grantees and AID?

The evaluation report has to provide empirical answers to these questions, conclusions (interpretations and judgments) that are based on the findings, and recommendations based on an assessment of the results of the evaluation exercise. The report, also, has to provide the "lessons learned" that might emerge from the analysis.

5. Methods and procedures

This evaluation is timed as a mid-term evaluation, intending to provide guidance in how project implementation could be improved over the remaining life of the project.

The evaluation will be conducted through field visits and interviews with all ELI counterparts in Brazil. The evaluation team will have a preparatory meeting in Brasília to review the available documentation and discuss procedures and organization. Activity areas, respective site visits, and participating institutions are outlined below:

1. Institutionalization of Extractive Reserves.

   - Interviews with extractive reserves implementors, IBAMA/CNPT, IEA, CNS, WWF.

2. Environmental assessment training program.

   - Interviews with EIA course participants and co-sponsors (EPA, Forest Service, WWF).

3. Additional training and legal outreach initiatives.

   - Interviews with ELI partner in Brazil, Brazilian Environmental Law and Policy Institute (IBPA), and other institutions involved in environmental law training courses.

4. Program administration and collaboration with other GCC grantees.

   - Interviews with AID and ELI staff and other GCC participants.

6. Evaluation team composition

The core evaluation team will be composed of ELI Project Brazil coordinators, AID/Brazil Environmental Advisor, and a consultant (external evaluator). Portuguese fluency is highly desirable for all members of the team.

The team will be led by the external evaluator, who will be responsible for compiling and synthesizing individual sections of the final evaluation report. The entire team will participate in interviewing, debriefing, review of drafts, and final discussion of the findings, conclusions and recommendations, so that the final product will be a consensus piece.

7. Reporting requirements

The evaluation team and particularly the team leader will be responsible for the preparation and submission of the draft and final reports in the following format:

1. Table of Contents
2. Executive Summary
3. Body of the report including evaluation findings, recommendations, and conclusions, methodology and scope of work
4. Appendixes

The evaluators will submit a draft report on or before June 30, 1994. The final report including comments and suggestions made by USAID/Brazil and ELI will be submitted by July 30, 1994. The team will also submit a completed "AID Evaluation Summary", Form No. 1330-50

ANNEX B PERSONS CONTACTED

Marco Antonio Amaro	PESACRE
Cristina Andrews	USDA Forest Service
Francisco Ubiracy de Araújo	IBAMA
Garo Batmanian	World Wildlife Fund (WWF)
Antonio Benjamin	Public Prosecutor, State of Sao Paulo
John Butler	WWF
Carmeryl Hill-Macon	Environmental Protection Agency (EPA)
Suellen Keiner	ELI
Francisco Sérgio Leão	Secretaria de Estado de Ciência, Tecnologia e Meio Ambiente do Estado do Pará (SECTAM)
Paul Little	IEA
José Roque Nunes Marques	Attorney General's Office, State of Amazonas
Marli Mattos	Woods Hole Research Center, Belém
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