

Promoting Sustainable Investment in Agriculture and Food Systems: Working with Governments and Parliamentarians

Evaluation

Erum Hasan
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Executive Summary

The Promoting Sustainable Investment in Agriculture and Food Systems: Working with Governments and Parliamentarians project is demonstrably successful and effective in responding to developing countries' needs and requests related to agriculture investment. There is ample evidence of concrete steps toward law reform, new model contracts, development of tools and networks, legal tenets and advice related to sustainable development—all of which are corroborated by highly positive feedback from partner countries and peer organizations.

With a small team, the agriculture investment project has been able to produce results beyond its capacity in responding to specific needs expressed by partners. This has resulted in trust from and with countries, and respect from fellow international organizations that are working in the sector. This project has allowed IISD to carve out a highly relevant, niche role, producing sought-after, hands-on advisory services, both with governments and parliamentarians, in an effort to strengthen agricultural investment regulatory frameworks.

The International Institute for Sustainable Development's (IISD) impact is reflected in the fact that it is often invited to take part in follow-up activities that have stemmed from their initiatives, thereby multiplying their contributions to support legal changes. Their contributions to improvements in hard law and policy alter the very framework under which people and their activities are governed. While long-term impacts on food security remain to be seen, in three years the project has achieved the following impacts:

- Supporting governments in developing regulatory and legal frameworks on agricultural investments in countries where the judicial system and mechanisms are very weak, thereby altering the legal landscape.
- Creating legal and regulatory language that includes sustainable development principles, thereby adding consideration for communities and natural resources.
- Fostering greater confidence and know-how in agriculture investment to help government actors negotiate; empowering countries with knowledge and skills, so that they are not at the mercy of foreign investors but can negotiate with them on provisions protecting environmental resources and communities; and ensuring that contracts are mutually beneficial.
- Supporting the evolution and sophistication of investment needs.
- Influencing the agriculture investment agenda.

The key strengths identified have been that the project delivers demand-driven products, provides targeted and specific advice and services, is efficient in its service delivery, folds sustainable development principles into all its guidance, and is managed by dynamic and competent staff. By employing a learning-by-doing approach, partners have remarked that IISD provides actual capacity-building where they most need it. All partners have expressed interest in receiving more trainings.

Peer organizations have identified that IISD occupies a flexible political space that allows it to work in-country, at regional levels and in international forums. It is viewed as an active partner in these three realms and is able to upscale its national experience to larger spheres and vice-versa. It co-authors research and documents with fellow institutions and connects civil society organizations. Partners have noted that IISD has a clear vision of what it can and cannot do, and partners strategically with other organizations. It is viewed by the Southern countries interviewed as an organization that is sensitive to the challenges of the Global South and can lend its legal expertise to understanding and navigating the demand for agricultural investment and trade.

International United Nations organizations working in the same sphere have repeatedly noted that IISD brings competence and technical skills to the agriculture agenda. These peer organizations have identified one of IISD's impacts as influencing the food security agenda, particularly in bringing the costing of the eradication of hunger to the global discussion, while also bringing a historical perspective that has formed the current food security agenda.

Another success of this initiative is that the project has a programmatic approach, with a set of coherent activities and strategies designed to mutually reinforce one another. By structuring this initiative on a framework composed of five synergistic elements, IISD is able to operate beyond mere activities. Its project structure allows coordinated work with governments, parliamentarians and international processes, while also conducting research, which fosters an enabling environment for promoting sustainable agricultural investments. Core funding from the Swiss Agency for Development and Cooperation (SDC) to the global project has been key in the achievement of this framework.

In terms of financial management, IISD has been highly effective in leveraging funds for its activities. In fact, developing country partners have funded some aspects of the project, reflecting their buy-in and ownership and the perceived value of project activities. Donors have remarked that there has been transparency and satisfactory management of funds; however, they have exhibited concern that other large donors have not funded the project as a whole.

Most of the recommendations from this evaluation are on strengthening the project design structure for future phases and on increasing countries' abilities to monitor the results and impacts of improved laws/contracts emanating from IISD work. These include:

- Revise the logical framework to showcase high-level results and differentiate them from outputs; ensure consistency among numbering of outputs and indicators; highlight how products delivered under outputs are different from one another; add gender indicators.
- Conduct a new theory of change exercise noting intermediate interventions required to achieve food security. This should take into account achievements in this phase while identifying the next steps required to move toward the overall objective.
- Support either governments and/or civil society to carry out monitoring activities at the local level to assess impacts of contracts/laws and regulatory frameworks supported by IISD; include monitoring considerations in the capacity building trainings provided to countries; add a budget line dedicated to this exercise.
- Showcase the sustainability, replication and upscaling abilities of this project in future funding proposals.
- Consider reporting specifically against indicators in mid-year operational reports.

There are also some minor organizational recommendations to ensure ongoing effective delivery of the project. These emerge not so much from weaknesses identified in current implementation, but more as a precaution for future phases:

- Remain vigilant about heavy workload and consider increasing staff in the agriculture investment unit.
- Given the global spread of the staff, invest in corporate culture and team-building activities, especially when/if new staff is retained.
- Ensure that funding is provided to the project as a whole. While funds can be leveraged for activities, financial support should be provided to the entire (global) project to ensure continued success. Success is dependent upon the different activity streams that together form a coherent project.
- Clarify policy for cases where IISD is asked to represent competing interests.

- Clarify which human rights considerations would prevent IISD from working with certain country partners.
- Develop a civil society organization map to identify which civil society partners are being liaised with in which country.
- Facilitate interactions among donors to foster greater coordination in the sector.

Overall, the project receives the following ratings:

Results Achieved	Highly Satisfactory
Relevance	Highly Relevant
Effectiveness	Highly Effective
Financial Management	Highly Satisfactory
Sustainability	Highly Sustainable
Gender and Social Safeguards	Highly Satisfactory
Monitoring	Satisfactory

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Acronyms

AfDB	African Development Bank
ASEAN	Association of Southeast Asian Nations
AUC	African Union Commission
BMZ	Federal Ministry for Economic Cooperation and Development, Belgium
CCSI	Columbia Center on Sustainable Investment
CFS	Committee on World Food Security
CFS-RAI	Principles for Responsible Investment in Agriculture and Food Systems
CSO	civil society organization
DFID	Department for International Development U.K.
DRC	Democratic Republic of Congo
EAC	East African Community
EALA	East African Legislative Assembly
ECOWAS	Economic Community of West African States
FAO	Food and Agriculture Organization
FPOS	Foundation to Promote Open Society
IAWG	Inter-Agency Working Group on Responsible Agricultural Investment
IDRC	International Development Research Centre
IFAD	International Fund for Agriculture Development
IFPRI	International Food Policy Research Institute
IIED	International Institute for Environment and Development
IISD	International Institute for Sustainable Development
LAO PDR	Lao People's Democratic Republic
NGO	non-governmental organization
PAP	Pan-African Parliament
SDC	Swiss Agency for Development and Cooperation
SDG	Sustainable Development Goal
UNCTAD	United Nations Conference on Trade and Development
UNECA	United Nations Economic Commission for Africa

1 Introduction

This is an evaluation of the Promoting Sustainable Investment in Agriculture and Food Systems: Working with Governments and Parliamentarians project (referred to as the “workstream” at IISD, and henceforth the “agriculture investment project” or “the project” in this document). The project is funded primarily by the Swiss Agency for Development and Cooperation (SDC), with activity-based financial support from other partners including the Department for International Development U.K. (DFID), the Federal Ministry for Economic Cooperation and Development of Belgium (BMZ), the Gates Foundation, Open Society Foundation and the Rockefeller Brothers. A complete list of donors and co-funders is provided in Section VI.

The purpose of the evaluation is to identify and rate the impact, relevance, effectiveness, sustainability and financial management of the project. The evaluation assesses the extent to which project objectives were attained, documents the lessons learned, examines the changes that resulted from project implementation, captures partners’ feedback and experiences, and provides inputs to future phases of programming.

The evaluation is divided into the following sub-sections, all of which will receive a rating:

- Results achieved
- Relevance
- Effectiveness
- Financial Management
- Sustainability
- Monitoring
- Gender and Social Safeguards

The rating scale is as follows, and the final rating is justified in the different sections.

Table 1. Rating Scale

Results Achieved	Highly Satisfactory – Satisfactory – Moderately Satisfactory – Unsatisfactory
Relevance	Highly Relevant – Relevant – Moderately Relevant – Irrelevant
Effectiveness	Highly Effective – Effective – Moderately Effective – Ineffective
Financial Management	Highly Satisfactory – Satisfactory – Moderately Satisfactory – Unsatisfactory
Sustainability	Highly Sustainable – Sustainable – Moderately Sustainable – Unsustainable
Gender and Social Safeguards	Highly Satisfactory – Satisfactory – Moderately Satisfactory – Unsatisfactory
Monitoring	Highly Satisfactory – Satisfactory – Moderately Satisfactory – Unsatisfactory

The evaluation was conducted near the end of 2015–2018 project cycle. Document reviews and interviews with staff, project partners and donors were carried out to triangulate information. The evaluator participated in Foreign Investment Opportunities for Agriculture: A Workshop on How

to Attract High Quality and Sustainable Investment and the Role of Legal Frameworks. The evaluator has also shared findings with IISD for purposes of transparency and to ensure a participatory approach.

The evaluation was conducted by an independent consultant, Erum Hasan. She appreciates the time and access provided by IISD staff to sensitive documents and partners. Erum thanks the project partners for their availability to respond to questions and follow-up correspondence. A list of stakeholders consulted is provided in Annex 2.

It is worth noting that, due to the sensitive and legal nature of much of the evidence, some names of countries and/or specificities of legal documents have been omitted. The only challenge faced during the evaluation was the inability to interview numerous parliamentarians. While one of the areas of work is on Partnering with Parliamentarians to Improve Foreign Investment in Farmland and Water, the evaluator was able to interview only two parliamentarians despite several attempts being made. This was in part due to the Pan-African parliamentary election period. This deficiency was mitigated by triangulating information from reporting documents and through other stakeholders that have witnessed or experienced the parliamentary experience through positions in government, international organizations and as IISD staff.

2 The Project

The project was designed with a view to transforming investment in agriculture to strengthen food security and livelihoods while protecting land rights and natural resources, such as water. In order to achieve this, a programmatic framework was established to target different elements, which, when synergized, would have an impact on agricultural investment and food security issues.

The five elements of the framework are:

- **Country-specific advisory services and capacity building** – Under this element, IISD provides demand-based advice on issues related to agriculture and investments. This includes input on contracts, recommendations on domestic laws/policies, research on agriculture investment matters (e.g., contract farming, model contracts), trainings and legal advice before negotiations. The total funds received for this budget line is CHF 1,376,813, of which CHF 524,000 is funded by SDC.
- **Regional Seminars for Government Officials** – Under this component, IISD organizes regional seminars on agriculture and investment with regional secretariats (e.g., Association of Southeast Asian Nations [ASEAN], Common Market for Eastern and Southern Africa, East African Community [EAC], Economic Community of West African States) to respond to member states' requests. The regional workshops allow opportunities for knowledge sharing, comparing experiences and successes, South–South partnerships, networking and hands-on support from IISD practitioners for agriculture and investment questions. The total funds received for this budget line is CHF 896,435, of which CHF 612,000 is funded by SDC.
- **Annual Forum of Developing Country Investment Negotiators** – The umbrella unit of this project (Economic Law and Policy) organizes a highly successful annual forum for developing country investment negotiators, discussing issues related to investment law

and policy. The Agriculture Investment unit organizes an event with this forum to enhance knowledge and capacities on contracts, treaties and negotiation skills as they relate to agriculture and food systems. The total funds received for this budget line is CHF 905,497, of which CHF 300,000 is funded by SDC.

- **Partnering with Parliamentarians to Improve Foreign Investment in Farmland and Water** – This aspect serves to bolster support at the political level to increase parliamentarians' capacities to improve transparency and strengthen legal and policy frameworks for investment in agriculture, water, land and other natural resources. This line of work also supports networks, access to research and the functioning of regional parliamentary structures. The total funds leveraged for this budget line is CHF 666,797, of which CHF 425,000 is funded by SDC.
- **Targeted Research and Writing** – Under this element, IISD provides stakeholders with targeted research documents such as handbooks, policy briefs, blogs and research conferences. The documents developed under this are in line with the Principles for Responsible Investment in Agriculture endorsed by the Committee on World Food Security (CFS-RAI). The total funds received for this budget line is CHF 1,605,883, of which CHF 315,000 is funded by SDC.
- **Tracking and Influencing International Normative Processes on Investment, Agriculture, Land and Water** – Under this element, IISD takes part in international processes to influence the agriculture and investment agenda, and to learn from research and processes underway. Activities under this element seek to integrate IISD's activities with international priorities and perspectives, and to influence broader decision making. It is also a place where IISD can showcase its expertise, while coordinating with international partners to advance work. This area of work has attracted CHF 502,380, of which CHF 224,000 is funded by SDC.

Upon reviewing project documentation, it appears that the underpinning concept of the framework is that agricultural investment offers a strategic entry point by which to have an impact on the economic, social, livelihood, food security and environmental outcomes of a country. There is the recognition by IISD that investment flows are coming from international interests and companies, and the quality of investments are critical to influencing what type of development takes place in a country. The rationale is that, if investment can be in line with improved sustainable development principles, it can be used as a vehicle to spur sustainable development, thereby reducing people's level of poverty, enhancing their social development and ultimately reducing their food insecurity.

Investment is also used as an entry point because, as stated by interviewed project partners, countries *want* agriculture investment. This demand, according to IISD, must be matched with solid regulatory frameworks, capacitated governments that have a clear vision of the type of agricultural investment they want and recognize the need for sustainable development, an acknowledgement of community-level needs and impacts, and an analysis of which type of investment is optimal, among other factors to be considered. It is for this analytical support that many have turned to IISD's agriculture investment project (i.e., this project).

3 Project Results

In order to assess whether the project achieved its objectives, it is necessary to examine the logical framework designed on the onset. The evaluator provides a rating on the achievement of results based on the degree to which outcomes were met. Mild changes were made to the log frame during the implementation phase, but this was at the activity level and did not affect the broader outcomes of the project.

The results achieved are summarized in the table below, which is subsequently elaborated upon in a narrative section.

Table 2. Achievement of Outcomes and Outputs

Outcomes and Outputs	Indicator	Achievement	Notes
Outcome 1: Developing countries have improved capacities to negotiate and to participate in processes related to sustainable investment in agriculture and food systems	Concrete steps such as adoption of agricultural investment framework taken by developing countries to adopt and implement strategies/processes/frameworks related to sustainable investment in agriculture and food systems	Yes	There is demonstrable evidence that countries have received hands-on training and advice that they have applied during negotiations. There is demonstrable evidence that eight countries have revised legal texts as a result of specific inputs provided by IISD.
Output 1 & 2: Improved capacity of developing countries' negotiators involved in sustainable investment (incl. gender equality and the advancement of women) in agriculture and food systems	100 key developing country officials receive investment-related briefing/and or training in dedicated sessions	Yes	Approx. 650 officials were trained (Forum, Regional and Individual training courses). There is evidence that key developing officials have received country-specific, needs-based advice and training. Examples include: Vietnam, Mali, Tanzania
	Key developing officials receive country-specific, needs-based advice and training	Yes	
Outcome 2: Participation of African parliamentarians, at national and regional levels, leads to improved transparency and strengthened legal and policy frameworks related to sustainable investment in agriculture and food systems	National/regional parliaments in Africa take concrete steps, such as laws and regulations, to help improve the quality and quantity of agricultural investments and promote sustainable development	Yes	There is evidence that national/regional parliaments in Africa take concrete steps to help improve quality of agricultural investments. Evidence includes: model contract for East African Legislative Assembly (EALA), toolkit to include women's voices in consultations to be used by the Economic Community of West African States (ECOWAS), inputs into the Guiding Principles on Large-Scale Land Based Investments in Africa.
Output 3: Improved transparency and strengthened legal and policy frameworks of investment in agriculture and food systems in Africa	80 African parliamentarians participate in workshops on implementing sustainable investment in agriculture	Yes	There have been approximately 250 parliamentarians that have participated in workshops, according to IISD. There is evidence that parliamentarians have participated in workshops. Examples include: Sustainable Investment in Agriculture and Mining Workshop (2017), Promoting Sustainable Investments in Agriculture: Legal and Policy Options (2015)
	Four regional African parliaments reviewed existing legal and policy frameworks and explored options for implementing Principles for Responsible Investment in Agriculture and Food Systems (CFS-RAI), including through model laws on transparency and contracts	Yes	Work is underway with four of the African parliaments. Due to the differences in legislative powers and institutional abilities, work is at different stages.
Outcome 3: Increased uptake of sustainable development dimensions in key international processes relating to investment in agriculture and food systems.	Investment-related conferences, processes and guidance address and integrated sustainable development dimensions	Yes	IISD has brought sustainable development perspectives to various forums including CFS-RAI side events and the World Bank Conference on Land and Poverty, initiating a

			review of international dispute resolution mechanisms, Global Social Observatory.
Output 4: Incorporation of sustainable development dimensions in key international processes relating to investment in agriculture and food systems	International actors, including government officials, parliamentarians, representatives of intergovernmental organizations and civil society organizations, individually or collectively, advocate for increased consideration of sustainable development in relevant processes.	Yes	There is evidence of international actors advocating for increased consideration of sustainable development processes. Examples include: Pan-African Parliament (PAP) and examples in the row above.
	IISD commentaries, papers and briefs targeting negotiators in international processes	Yes	There is evidence for IISD commentaries, papers and briefs targeting negotiators. Examples include: <i>The IISD Guide to Negotiating Investment Contracts for Farmland and Water</i> , <i>Investment Contracts for Agriculture: Maximizing Gains and Minimizing Risks</i> ; <i>Gender and Responsible Large Scale Land-Based Investment in Agriculture in Africa: A Gender Guide on Meaningful Community Engagement</i> ; <i>Promoting Gender Equality in Foreign Agricultural Investments: Lessons from Voluntary Sustainability Standards</i> among others.
Output 5: Availability of adequate written and knowledge-sharing tools for government officials and parliamentarians from developing countries	IISD handbooks, policy briefs, legal advisory notes, domestic laws and model contracts	Yes	There is evidence of numerous policy briefs, legal advisory notes, model contracts and recommendations. Examples include advice provided to Burkina Faso, Ethiopia, Lao People's Democratic Republic (PDR), Tanzania, East African Community (EAC), Rwanda and the Democratic Republic of the Congo (DRC). Policy briefs include: <i>The Rise of Agriculture Growth Poles in Africa</i> ; <i>Equality in Agriculture: Investment in Agriculture</i> . Tools include: <i>The IISD Guide to Negotiating Investment Contracts for Farmland and Water</i> ; <i>Gender and Responsible Large-Scale Land-Based Investment in Agriculture in Africa: A Gender Guide on Meaningful Community Engagement</i> , and the model agreement on contract farming. It is worth noting that the phrasing "legal, advisory notes" actually was perceived by staff as research documents, blogs, conferences.
	IISD platforms for governments and parliaments to share country experiences	Yes	There is evidence for the creation of platforms for governments and parliaments to share information. Evidence includes online network for parliamentarians, WhatsApp groups for parliamentarians, a webinar on the East African Bill on Farming Cooperatives, regional meetings.

3.1 Results Achieved

Outcome 1: Developing countries have improved capacities to negotiate and to participate in processes related to sustainable investment in agriculture and food systems

There is strong evidence demonstrating that developing countries have improved capacities, both through documentary and anecdotal accounts from project partners.

In Burkina Faso, for instance, IISD supported the government in drafting their Agricultural Investment Code. IISD also supported the development of a convention intended to govern an agriculture growth zone to attract foreign investment in agriculture.¹ Throughout these two processes, IISD has been supporting the government in how to take sustainable development principles, transparency and employment recommendations into account. This is strong evidence of IISD supporting national initiatives that **evolve** from investment code to growth zone, with consideration of sustainable development principles.

Governments are always asked to begin discussions with their initial drafts.² Using this approach, IISD was able to apply its value added by flagging areas that could be strengthened and suggesting textual recommendations. The process of having countries develop their own first drafts and then adapting them through IISD support promotes both capacity development (in that the country obtains direct feedback on how its laws/policies can be strengthened through IISD advice and must implement it themselves) and **country ownership** (the country enters the discussion with its own needs and works on its own documents; advice sought is demand-driven). The process of adapting the investment code and convention also promotes **learning by doing**, as the country has to react to IISD recommendations, adapt text, identify how recommendations fit with their national objectives and implement changes within their own national context.

In the DRC, IISD has advised the Office of the Prime Minister and the Ministry of Agriculture on the 2011 Agriculture Law, a decree on community land rights and a law on public–private partnerships. The texts that the DRC has sought recommendations on have major implications. A decree on community land rights reflects an increasing appreciation for the role communities play in investments. Agriculture Law is a wide-ranging text with broad impacts. IISD’s input on these may lead to path-dependent changes. A representative from the DRC noted that the technical needs of the country are very high and that IISD has been providing recommendations and support in areas that have very low capacity. It was noted that the DRC requires further in-country trainings, but that, because of political conflict in the country, this has been difficult to achieve.³

It was also noted that, in addition to the legal recommendations provided, work with parliamentarians has further reinforced an improved understanding of agriculture investment in the DRC, thereby supporting this outcome.⁴ This demonstrates that IISD managed to integrate government and political capacity building through its complementary work with parliamentarians, despite there being political upheaval in the country.

In Ethiopia, IISD provided advice to the government on the development of a model contract for commercial land investment. Ethiopia approached IISD with their first draft of a model contract, after which IISD contributed three rounds of comments. After the first round, IISD led a training workshop for 31 staff members of the Ethiopian Agricultural Investment Land Administration’s Agency. This exercise was part of fostering the capacity in-country and using IISD as a technical resource by which to share ideas and obtain feedback. This process demonstrates the focus on

¹ IISD. *Mid-Year Operational Report: 01 January 2017-30 June 2017: Promoting Sustainable Investment in Agriculture and Food Systems: Working with Governments and Parliamentarians*. 2017

² Consultation with Carin Smaller; IISD, February 10, 2018. Documentary evidence: series of drafts and comments

³ Interview with Serge Sabi, February 12, 2018

⁴ Ibid.

creating capacity within the country. IISD advice is complemented by processes that allow countries to govern their own development. By having Ethiopian officials structure their own roadmaps, IISD could strategically feed into investment objectives with sustainable development principles. This again demonstrates country ownership and learning by doing, while promoting sustainable development.

In Lao PDR, IISD has assisted the government in developing a model land concession agreement. IISD also supported the training of 45 government officials on how to understand, negotiate and implement this new agreement.⁵ This demonstrates results in that, in addition to providing legal recommendations, IISD trained representatives from across government (four different ministries and six provinces) in the application of the laws; this marks the relevance of IISD's work to different stakeholders. This is where IISD demonstrates its focus on application. The law is only as effective as its application, and training practitioners is a core part of ensuring sustainability and impact.

In Mali, IISD supported processes for the development of the Loi Fonciere Agricole, the first law enacted to deal with agricultural land. One of the IISD staff members was involved with this process prior to being hired, and IISD demonstrated strategic decisionmaking in hiring staff that is engaged and has connections to local communities and government stakeholders. Through this staff member, IISD was part of the process of analyzing legal and policy frameworks, including stakeholder analyses, and collecting feedback from marginalized communities. In this process, IISD was able to support initiatives dealing with socioeconomic and legal considerations, thereby strengthening the law development process by including the voices of marginalized stakeholders. The anticipated impact of the law itself is to:

- Strengthen customary rights
- Improve governance
- Strengthen the rights of women
- Simplify processes for rural communities to understand the law and their rights under it

In Rwanda, IISD consulted on a specific contract that the country engaged in with a private company. This allowed IISD to give feedback on recommendations for the contract, resulting in greater social protections for the stakeholders and communities involved.⁶ Similarly, in Tanzania, IISD prepared legal advice for a contract negotiation between the country and a private company wanting to lease 22,000 hectares of land. Given the size of the land and potential impacts on the natural resources and communities who occupy the lands, the advice provided sought to enhance protections and strengthen the capacity of the country to protect itself in the face of private contracts.

The work in Vietnam reflects IISD's perseverance in areas where all recommendations have not been accepted. For instance, IISD has advised Vietnam on a new decree for foreign direct investment, which led to improvements in limiting investor incentives and tax breaks, ensuring investors' access to land is in line with national laws. However, IISD recognizes that the decree lacks sufficient focus on sustainability. The organization followed up with two national visits.

⁵ IISD. *Mid-Year Operational Report: 01 January 2016-30 June 2016: Promoting Sustainable Investment in Agriculture and Food Systems: Working with Governments and Parliamentarians*. 2016

⁶ Work in Rwanda is projected to continue and deepen, as a new IISD staff person is located in-country.

One particular capacity-development tool designed by IISD and used by several partners is *The IISD Guide to Negotiating Investment Contracts for Farmland and Water*. As noted during a consultation with the United Nations Conference on Trade and Development (UNCTAD), while they were in consultation with one IISD partner country, the country partner took out the model contract during discussions and used it as a resource.⁷ This demonstrates the impacts of the tool, which is utilized in other contexts and applied by partners to ensure that they are prepared in consultations and negotiations.

The tool also includes socioeconomic considerations (see Part 1 of the tool), which demonstrates that, in addition to providing specific legal advice, IISD seeks to improve capacities of countries to incorporate sustainable development goals and initiatives by themselves. This approach aims to generate legal agreements that are more considerate of social/sustainable development principles than they would have been in the business-as-usual scenario. This has been further proven by the confidential legal drafts that were reviewed during the evaluation. The evaluator was able to compare former drafts brought by countries and the final drafts that included recommendations from IISD. While the incorporation of the final drafts included IISD recommendations at varying levels, it was obvious that all documents had been improved with sustainable development considerations. This support can mitigate potential future social, political and economic risks, while increasing government practitioners' knowledge on the value of sustainable development principles.

In partnership with Oxfam, International Land Coalition and the PANAP, IISD also developed the *Gender Tool on Meaningful Community Engagement on Large Scale Land-Based Investment in Africa*. This tool is the first of its kind to engage women in the context of land investments and is designed to guide the process to include women's voices. This tool has been recognized and championed in parliamentary forums (ECOWAS, PANAP) and once again demonstrates IISD's commitment to improving processes that can be managed by country partners on their own.

The research leveraged by IISD is also used as a capacity-building tool for countries. For instance, in *Foreign Investment Opportunities for Agriculture: A Workshop on How to Attract High Quality and Sustainable Investment and the Role of Legal Frameworks*, IISD provided synthesized research on the role of contract farming and of incentives in attracting agriculture investments, initiating discussion, debates and a space for government representatives to question research and present individual findings. In this same workshop, IISD encouraged role-playing exercises where countries would act like investors, civil society or governments in the negotiation of a sample contract. These exercises demonstrate IISD's intent to foster independence in the matters of negotiating agriculture investments and in developing their own skills in navigating investments.

One of the greatest impacts of IISD is the very evolution of its work. When it is asked to collaborate on a paper, and then a contract, and then an agricultural zone and a law, the impacts of its results turn into more significant processes, yielding cumulative impacts. By affecting hard law, IISD changes the very principles under which investment occurs. While the long-term impacts of these laws remain to be seen, in three years IISD demonstrated evidence of transforming law and policies and strengthening country capacities.

⁷ Consultation with William Speller, UNCTAD on April 18, 2018

The evidence provided above demonstrates that results have been achieved with regard to Outcome 1. The main **results** of Outcome 1 have been:

- New contracts, legal advice and supporting governments to take concrete steps toward laws and legal frameworks.
- Methodological tools and workshops geared toward training government officials to negotiate contracts that attract agriculture investments that support national sustainable development goals.
- South–South partnerships and forums where countries can share expertise and lessons learned.
- Dissemination of research relevant to the law-making/contract-making process.

The observed immediate-term **impacts** of this capacity-building are:

- Creating a legal and regulatory language that includes sustainable development principles.
- Forging social, economic and environmental protections into legal agreements, changing the baseline upon which contract negotiations take place.
- Empowering countries with knowledge and skills, so that they are not just at the mercy of foreign investors, but can negotiate with provisions that seek to protect environmental resources and communities and ensure that contracts are mutually beneficial, resulting in more confidence.
- The evolution and sophistication of investment needs (e.g., going from a contract, to a law, to establishing growth zones).

Outcome 2: Participation of African parliamentarians, at national and regional levels, leads to improved transparency and strengthened legal and policy frameworks related to sustainable investment in agriculture and food systems

The advisory services under Outcome 1 have been complemented by activities geared toward African parliamentarians in Outcome 2.⁸ It appears that the rationale of this project line is the following: 1) targeting political officials can advance progress on the adoption of laws and policies that take sustainable investment considerations into account (reinforcing the advisory work) in their own countries; 2) working with parliamentarians in regional blocs can support states that have weak legal systems and increase regional impact; and 3) supporting parliamentarians in regional secretariats can reinforce these institutions.

The parliamentary work appears to have a great deal of variation to suit the needs of the regional institutions. The regional parliaments have different structures, legislative powers and organizational capacities. For instance, the EALA has legislative powers while the others do not. ECOWAS has requested adapting the agricultural investment support to integrate gender considerations, which IISD has delivered.⁹

IISD has achieved several **results** under Outcome 2, including:

⁸ Consultation with Carin Smaller, IISD; Consultation with Serge Sabi, Government of the DRC.

⁹ Consultation with Francine Picard, IISD, May 10, 2018

- ***Development of tools and methodologies that are adopted by regional parliaments*** – IISD developed a model contract for farmland investments in collaboration with the EALA, to be adopted by the EAC. This model contract is a non-binding instrument that provides guidance in responsible investments to support EAC states in advancing sustainable development.
- ***Capacity-building*** – Conducting capacity-building and training workshops (e.g., Rural Women’s Forum, training session Platform of Farmers Organizations of Central Africa).
- ***Improved communication and exchange of data*** – Hosting webinars; establishing an online platform for parliamentarians; publishing key documents by parliamentarians in *Perspectives* to share views in agricultural transformation; creating new Whatsapp groups among parliamentarians to share topics related to agriculture and land. It is worth noting that the digital platform is the first of its kind for the PAP, connecting parliamentarians to one another.
- ***New South–South linkages and partnerships*** – Supporting partnerships between parliamentarians and farmers organizations, as well as between countries.

One of the challenges in evaluating parliamentary activities is that there are likely “invisible” impacts that go untracked. For instance, parliamentarians are exposed to IISD workshops and trainings in the regional parliaments and take this information back to their countries to influence laws and policies. The extent to which this happens is unknown. IISD has reported four parliamentarians expressing this,¹⁰ and the evaluator has heard this from the DRC and Ethiopia. It is likely that many others have influenced national politics due to IISD content, and it would be useful to track to what extent this occurs. One way of measuring this is to follow up after meetings and trainings (two months or so after) to track which particular elements of IISD trainings have been integrated into national advice or recommendations. This could be done in survey form. *Possible indicator to assess this: number of national policy recommendations developed as a result of IISD trainings and guidance.*

It is also unclear to what extent IISD is influencing the strengthening of regional secretariats, which is a positive by-product of this work. For instance, IISD has introduced communication tools, which for the first time have connected parliamentarians. Moreover, by presenting agriculture and investment matters, some regional parliaments have been able to adapt this work in other areas (e.g., climate change, gender). These initiatives are supporting the regional parliaments, and it would be worth noting the degree to which IISD is contributing to the development of these secretariats, beyond its project activities. The institutional impact that IISD is having is useful to donors and to itself and can serve as lessons learned for other parliaments and organizations.

IISD’s impacts on both secretariats and on national laws through parliamentarians will be difficult to assess. A creative monitoring mechanism should be established in the next phase of programming to document these benefits. This could perhaps involve an annual self-reporting process whereby parliamentarians document how they applied IISD trainings/products and what impact this has had in their country (direct and indirect).

¹⁰ Ibid.

The documented **immediate impacts** of **Outcome 2** are:

- A regional approach to sustainable agriculture investment has commenced in East Africa. IISD has provided groundbreaking support to initiate the adoption of the first frameworks on this.

Outcome 3: Increased uptake of sustainable development dimensions in key international processes relating to investment in agriculture and food systems.

According to international organization partners interviewed, IISD plays a key role in international processes relating to investment in agriculture and food systems. Peer organizations recognize that IISD brings a technical expertise and competence that is needed in this domain. During consultations, it was noted that IISD's client-centred approach allows it to delve into areas that UN organizations, for instance, cannot. IISD can intervene in private negotiations between state and non-state actors and on proprietary issues. It can bring experience from these very national circumstances to international forums.

Peer organizations recognize that IISD has the flexibility to present innovative ideas or critique concepts, as it is not composed of member states. This flexibility allows it to move quicker, present new research and challenge the status quo on food security thinking. This approach, as noted by those interviewed, is always backed up with data and expertise and is presented in a congenial way, which makes IISD a trusted partner. This was further noted by the evaluator at the Foreign Investment Opportunities for Agriculture: A Workshop on How to Attract High Quality and Sustainable Investment and the Role of Legal Frameworks, where IISD fostered debate and discussion on investor incentives. One institution noted that, because of IISD's technical expertise, it has greater access to governments and can affect policy change through its seemingly technical approach.

There is a historical component to IISD's influence in the global processes, as noted by its contribution to the CFS-RAI in 2014. While this predates the implementation of this project, this input reflects the agenda to which this project responds. In particular, IISD's input proposed deepening the understanding of sustainable development, widening the scope of what should be considered under agricultural practice, widening the scope of free and prior informed consent to more marginalized communities, specifying the role of impact assessments, promoting the role of regional organizations in assisting states to implement the CFS-RAI, reinforcing the importance of domestic legal frameworks and including the private sector in adhering to principles.¹¹ As noted by the Food and Agriculture Organization (FAO), IISD has historical knowledge that they are able to apply to current global processes. Both UNCTAD and FAO noted that IISD is well-respected partner due to their high-quality technical expertise. UNCTAD further noted that IISD is influencing the food security agenda by bringing the costing of food security to global forums and creating momentum on this topic.

It was noted that IISD forges complementary relationships with non-state actors to advance holistic approaches to combating food insecurity. UNCTAD, for instance, collaborates with IISD by

¹¹ IISD Input to the CFS-RAI E-Consultation (2014) is available online at:
https://www.iisd.org/sites/default/files/publications/iisd_cfs_rai_consultation_0.pdf

bringing an economic analysis, which IISD complements with legal approaches. With the United Nations Development Programme (UNDP), there is evidence of a joint workshop; with the FAO, IISD has co-developed advisory services for ASEAN. With Oxfam, IISD has developed a gender training tool to ensure that women's voices are included in investment considerations; Oxfam can push this tool through its advocacy arm. IISD has also partnered with the International Food Policy Research Institute (IFPRI) to promote information on the cost of ending hunger; IFPRI does the economic modelling while IISD analyzes the data.¹²

In addition, there is evidence of IISD contributing sustainable development principles in the following forums (please note that this not a complete list but is reflective of some of the larger initiatives):

- Contributions to developing a **new investment-related dispute settlement mechanism**. In 2014, IISD initiated a process to envision investment-related dispute settlement mechanisms at the international level. This resulted in a consensus among experts about the need to establish mechanisms that address people who are negatively affected or harmed by investment operations, recognizing the current lack of access to justice under international and domestic law, while foreign investors have access to international dispute settlement under treaties and contracts. Building on the results of the 2014 meeting and recent developments in international practice regarding investment-related dispute settlement, IISD held a follow up consultation in May 2016. This demonstrates IISD's leadership in bringing sustainable development principles into the agriculture investment agenda.¹³
- IISD presented three significant papers at the annual **World Bank conference on land and poverty issues**. This conference is one of the leading forums for sharing of research, and practice on land governance.¹⁴ The papers included: *Promoting Gender Equality in Foreign Agricultural Investments: Lessons from Voluntary Sustainability Standards*; *Farmland Investments and Water: The Legal Regimes at Stake*; and *Financing for Agriculture: How to Boost Opportunities in Developing Countries*.
- IISD and IFPRI launched the "Ending Hunger: What would it cost?" research in parallel with the **43rd Committee on World Food Security (CFS) meeting**. There has also been ongoing participation at CFS events on how to strengthen domestic laws and investment contracts.
- IISD partners with the **Inter-Agency Working Group on Responsible Agricultural Investment** in partnership with FAO, International Fund for Agriculture Development (IFAD), UNCTAD and the World Bank. These organizations are key players in setting the international food security agenda and IISD's active participation among these peers assists in shaping this agenda.
- In addition to informing the government-sponsored global processes, IISD also engages in civil society forums. IISD presented tools to the **International Land Coalition**.
- IISD hosted regional seminars for government officials from ECOWAS and ASEAN on how to attract responsible and sustainable investment

¹² Consultation with Gates Foundation on April 18, 2018.

¹³ IISD. *Developing a New Accountability and Dispute Settlement Mechanism on Investment*. Available online at: <http://www.iisd.org/project/investment-related-dispute-settlement-expert-meetings>

¹⁴ World Bank. Land and Poverty Conference 2016: Scaling up Responsible Land Governance. Available online at: <http://www.worldbank.org/en/events/2015/07/20/land-and-poverty-conference-2016-scaling-up-responsible-land-governance>

Participation in international forums also allow IISD to obtain visibility, leverage funding and build new relations. For instance, during the launch of the joint IISD-IFPRI Ending Hunger What Does It Cost? forum, it is documented that the Minister of Livestock and Fisheries of Mali approached the IISD team and requested support for legal and policy reforms. This evolved into more long-term work in which IISD played a crucial role in contributing to new laws and contracts.

Based on the aforementioned examples alone, it is apparent that IISD achieved **results** under **Outcome 3**. These can be summarized as:

- Established expertise and leadership in addressing issues related to sustainable agriculture investment; viewed as a go-to partner on these issues
- Strong international partnerships and synergies with other international organizations

The **immediate impacts** of **Outcome 3** that have been observed and corroborated by partners:

- Widening the scope of the food security agenda through a costing exercise
- Bringing the legal perspective to the agriculture investment and food security agenda

Based on the evidence of results achieved under each outcome, **the project is deemed highly satisfactory**. It has demonstrated high-level results in a short project duration. Clients and project partners have expressed high levels of satisfaction and wish to continue collaborations with IISD.

Recommendation:

Identify ways in which indirect positive impacts of the project can be measured, such as to what degree IISD is influencing national politics through work with parliamentarians and to what degree IISD is contributing to strengthening regional parliamentary institutions.

3.2 Logical Framework Examined

While anticipated results were achieved during implementation, it is worth noting that there are weaknesses in the logical framework. By correcting these, IISD can develop a stronger results chain in the future iteration of this project.

Currently, some of the output statements are phrased as outcomes. When looking at Outputs 1, 2 and 3 for instance, they appear to be higher-level achievements. By listing them as outputs, the log frame misses out on capturing these as outcomes, thereby diluting their impact. “Improved transparency and strengthened legal and policy frameworks of investment in agriculture and food systems in Africa” is a major outcome of the project, not an output. By phrasing it as a mere output, this achievement is being put at a lower scale of results. Policy change over the course of

a three-year project is a high-level result and should be represented as such to clearly identify high-level results anticipated and achieved.

While it is clear from the evaluation that the project achieved its results, the logical results framework needs to better capture the evolution from outputs to outcomes, with clearly differentiated phrasing between outcomes and outputs, in order to better showcase IISD's results. It is thus recommended that the outputs be rephrased to capture immediate results, while outcomes reflect higher level achievements. It would be useful to describe outcomes as *resulting in behavioural or policy change*, and outputs as *products delivered*. Some of the output indicators would be better suited as outputs.

There are also minor inconsistencies in the way the logical framework is structured. For instance, Outputs 1 and 2 are the same but are presented as two different outputs because they have two different indicators. Meanwhile Outputs 3, 4 and 5 also have two indicators each, but are not separated into multiple outputs. It is recommended that the same output should not be repeated as multiple outputs. Instead, consider numbering the indicators for clarity.

For an outsider examining the log frame, it is not clear how products under Output 5 and Output 2 will differ: for example, how are legal advisory notes and policy briefs differentiated from "country-specific, needs-based advice"? While this might be clear internally within the organization, the logical framework does not make this apparent.

It is also recommended that, for the next phase of the project, a new theory of change exercise is undertaken. The priority in this phase should be to identify intermediate steps to achieving impacts. In the current phase, there has been a great deal of momentum and achievements with countries, particularly with 8–10 of them, in altering their laws and contracts. A clear path should be marked as to how these changes are intended to bring greater food security. This can be challenging, as much of IISD's services are demand-driven and will depend on the type of demands a country has; however, it is essential that the organization itself has a clear plan on how to achieve long-term impacts. The theory of change should attempt to identify how changes in laws/regulations will decrease food insecurity.

One way of doing this could be by increasing monitoring activities in the following phase of the project. For instance, if IISD has supported country X with contracts pertaining to the mango value chain, there could be monitoring activities to identify how many more people are employed in the industry or the percentage of people whose revenues changed, etc. It will be for IISD to identify what its intermediate priorities are—whether, for example, it focuses on people with resilient livelihoods, stronger, more competitive industries or the number of natural resources protected—but the link between strong, regulatory frameworks and a decrease in food security should be captured by the theory of change and corresponding monitoring interventions. Given IISD's size and area of expertise, it is recommended that IISD partners with local or regional organizations to conduct this type of field monitoring. Another option is that, when countries receive legal advice from IISD, there is an agreement for governments to conduct and report on-the-ground livelihood/food security impacts.

A suggested way of doing this is by training governments on how to monitor for results, as part of the capacity-building services that are provided. This would empower countries to assess the results of their new contracts/laws and frameworks. IISD could support governments to identify key indicators, how to determine pilot sites and beneficiary groups, and, most importantly, what to measure. This type of data collection will support governments in determining which interventions have been beneficial, and why or why not. It will also support countries to build stronger baseline information and feedback to IISD so that the organization is aware of its aggregate impact. It is noted that different countries will have different monitoring tools and variables, but the aggregate information will support IISD to have a snapshot of how its work is affecting communities on the ground.

Based on this, IISD should establish a monitoring plan that identifies:

- What are on-the-ground livelihood impacts of the legal advice and capacity building in the medium term? How are these contributing to the broader goals of decreasing hunger?
- What are the indicators and factors that can help measure intermediate impacts?
- Which partners can support field monitoring activities?
- What is the cost associated with field monitoring?
- What type of capacity-building activities can enable countries to carry out their own monitoring activities?

The questions of on-the-ground monitoring are raised because the project is designed to lead to a decrease in hunger. In order to assess the intermediate impacts on food security, the next phase of the project should include some increased funding for on-the-ground monitoring. The scope of this will depend on what activities IISD chooses to carry out for monitoring purposes. It may be difficult to fundraise for this, but it is essential if IISD wants a record on how it is indeed decreasing hunger.

Recommendations:

- Change phrasing of outputs and outcomes to distinguish results achieved. Outputs should reflect products delivered; outcomes should reflect higher-level results.
- Clarify language in logical framework so that it is clear how products delivered under different outputs are distinctive.
- Ensure consistency in numbering of outputs.
- Conduct a theory of change exercise identifying intermediate steps necessary to achieve the overall goal of decreasing hunger.
- Identify suitable monitoring activities, appropriate partners and necessary budget to carry out monitoring activities to assess field-level impacts of changes in laws, contracts etc. Document how changes in hard law are trickling down to the local level. It is recommended that an additional monitoring budget line be added to the next funding proposal to support governments in monitoring their impact on livelihoods.

4 Relevance

The relevance of the project is determined by assessing the following:

- Relevance in global processes (CFS-RAI, Sustainable Development Goals [SDGs])
- Relevance to countries and national-level stakeholders
- Relevance in the sector

4.1 Global Processes

In terms of global processes, the project is in line with and responsive to the CFS-RAI principles. The model contract developed by IISD, as well as the *Guide to Negotiating Investment Contracts for Farmland and Water*, contain all the elements espoused in the CFS-RAI.

When examining the confidential legal documents where IISD has provided advice, there is evidence of IISD encouraging recommendations that relate directly to the following CFS-RAI principles:

- Principle 3: Foster Gender Equality and Women's Empowerment
- Principle 5: Respect Tenure of Land, Fisheries and Forests and Access to Water
- Principle 6: Conserve and Sustainably Manage Natural Resources, Increase Resilience and Reduce Disaster Risks
- Principle 9: Incorporate Inclusive and Transparent Governance Structures, Processes and Grievance Mechanisms
- Principle 10: Assess and Address Impacts and Promote Accountability

The project is also responsive to the SDGs. There is evidence of IISD's work responding to the following goals:

- SDG 1: No Poverty – The project contributes to this SDG by focusing on agricultural investment, which is intended to enhance people's livelihoods and reduce their levels of poverty. While this is a long-term impact, it is part of the strategy of strengthening the legal structures on promoting sustainable and beneficial agriculture investment.
- SDG 2: Zero Hunger – The crux of this project is to reduce food insecurity. The rationale of the project is that, by investing sustainably in agriculture, people's incomes will increase, value chains will proliferate and food insecurity will decrease. Given that many of the contracts and laws have been put in place during this project cycle, the impacts on food security are yet to be observed. However, these are the planned impacts of the project to be monitored in the future phase of this project.
- SDG 8: Decent Employment and Economic Growth – The countries supported by IISD all view investment as a driver to increasing their economic revenue, which is why this is a crucial area for them. By focusing on contracts and laws that promote investments, IISD is supporting this goal.
- SDG 17: Partnership for the Goals – IISD, under this project, has demonstrated its commitment to partnership to achieve project aims. It has partnered with international organizations, civil society entities, foundations, donors, academics and country governments

The project is thus **highly relevant to global processes**.

4.2 Country Relevance

There is both documentary and anecdotal evidence that the project is highly relevant to country needs. All those interviewed have expressed the need and value of IISD initiatives. They have highlighted that IISD fills a niche that no one else does. The secretary-general of EAC remarked that, even if there are partners or other organizations providing advice, they do not provide the high-level technical expertise that IISD delivers.

The relevance of IISD can be highlighted by the growing demands on the organization. All consulted desire IISD to provide even more services, widen their area of service delivery and increase in-country presence. The successes in the area of capacity building indicate that people wish to receive more technical trainings.

The legal documents reviewed also highlight the relevance of this project. The laws and contracts on which IISD has provided advice have transformed how countries will negotiate. Without this (“free”) legal expertise, many communities and industries would be left under-protected.

Perhaps the greatest manifestation of the relevance of this project is that it is demand-driven. Countries come to IISD for support, and this number is increasing. At the workshop attended by the evaluator, it was apparent that an increasing number of countries were demanding meetings following the workshop to seek IISD support. These countries include Madagascar and Malawi. There is also a momentum in Africa to establish agricultural growth zones, and IISD is increasingly contacted in this regard.

Countries view the technical support, the research and capacity-building experience as **highly relevant** to their socioeconomic development.

4.3 Relevance in the Sector

As mentioned previously, IISD occupies a unique role in the sector. It manages to play a considerable role in global processes and as an advisor to national processes. According to organizational peers, this is because it provides a unique blend of services and can provide technical advice, leverage research and work collaboratively with international partners with great competence. Because it is not a membership-based organization, it is not beholden to the same political pressures and has the freedom to challenge and present innovative information.

One of the peers is the FAO, whose work in the area has been two-fold. On the one hand, they have supported the Committee on World Food Security to develop the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Forests and Fisheries and the CFS-RAI. On the other, they have been a part of an inter-agency working group (with FAO, IFAD, UNCTAD and World Bank) doing research on investment in agriculture in countries and regions, referred to as the Inter-Agency Working Group on the Principles for Responsible Agricultural Investment (IAWG on PRAI). While FAO can provide support to countries, they cannot provide tailored legal advice on proprietary issues, due to their membership structure and focus on the public good.

The World Bank and UNCTAD have recently launched the Responsible Agricultural Investment Knowledge into Action Note series, which seeks to bring tools and guidance to governments,

investors, communities and civil society.¹⁵ The World Bank also has projects that target agriculture investments and market development (e.g., Cameroon's Agricultural Investment and Market Development Project¹⁶). IISD collaborates with both of these organizations to bring the practical client experience to more theoretical forums. Again, due to the structures of the World Bank and UNCTAD, their roles are considerably different and more broadly policy-oriented.

IISD also collaborates with the Land Policy Initiative, which is made up of the African Union Commission (AUC), the African Development Bank (AfDB) and United Nations Economic Commission for Africa. This entity allows IISD to keep abreast of the "land grab" dynamic and present legal perspectives to agriculture investment.

The Columbia Centre on Sustainable Investment (CCSI) also provides legal recommendations, guides to negotiators and trainings on sustainable investments. It is working on operationalizing financial resources for communities with regards to legal matters. It is unclear what type of legal advice or clients they have, as none of the project partners mentioned them.

The International Institute for Environment and Development (IIED) also provides legal services on issues related to land and investments. It is noted that the organization supports legal empowerment practitioners to develop materials and approaches to strengthen national capacity to rights claims and to strengthen local rights within natural resource investments. Like IISD, it develops tools, webinars and training programs; discusses the quality of investments with its beneficiaries; and comments on the role of treaty tribunals in protecting local rights. IIED has received financial support from one of IISD's donors—the International Development Research Centre (IDRC) for its initiatives in Cameroon.¹⁷

CCSI's and IIED's roles do not threaten IISD's position in the sector. Due to the confidential nature of legal agreements, it is difficult to discern who the clients are and what the quality of advice provided is. IISD works collaboratively with these institutions in various circumstances, and there is enough demand for all of these organizations to have a large roster of clients. In the case of IISD, the demands of their expertise appear to be increasing. There are also follow-up and evolving activities with the clients that they have already provided advice too. Given the capacity of IISD, it would be difficult for it to provide services to all developing countries. Sharing the legal load may be beneficial. However, it is worth noting that, while these organizations do not compete with each other in terms of output, they do have to compete for limited donor funds.

IISD's relevance is recognized by partner countries and organizations, which view it as technically vital to engage with on agriculture investment. This is in part due to IISD's historical legitimacy at the heart of this agenda, but also due to the personalities in the agriculture investment team, who

¹⁵ UNCTAD. Investment Policy Hub: UNCTAD Launches Responsible Investment Knowledge into Action Series. 2018. Available online at: <http://investmentpolicyhub.unctad.org/News/Hub/Home/1581>

¹⁶ World Bank. *Restructuring Paper on a Proposed Project Restructuring of the Agriculture Investment and Market Development Project 2014-2019*. Available online at: <http://documents.worldbank.org/curated/en/817971517772013695/pdf/IL-FRESDATA-EXT-P143417-02-04-2018-1517771998184.pdf>

¹⁷ IIED. What we do, what we've learned. Online at: <https://www.iied.org/legal-empowerment-what-we-do-what-weve-learned>

have been identified as “passionate,” “charismatic,” “dedicated,” “highly competent” and “hard-working.” This personal connection solidifies IISD’s role in the sector.

IIED or CCSI was not referred to by partner countries. What is clear is that partners interviewed view IISD as central to the food security and investment agenda, and that its role is unique, regardless of other organizations or law firms seeking clients.

The only other institution mentioned by country partners was GIZ by Ethiopia, who is funding the Support to Responsible Agricultural Investment (S2RAI) Ethiopia Project. However, Ethiopia expressed that they will continue to solicit IISD for advice, as their advice is specific to whatever their need is at the time.

Overall, the project is deemed **highly relevant to the sector** based on research contributed and feedback from organizational partners.

There are no recommendations on how to increase relevance.

5 Effectiveness

This section is concentrated on three main questions. As we have already determined that the project has delivered results, what are the factors that made project delivery effective? What elements were impediments to effective project delivery? What aspects can be improved for future effectiveness?

The factors identified for effectiveness have all been gleaned from partner interviews:

- **Flexibility** – The IISD agriculture project has been identified as flexible by most interviewed, and this means different things to different people. For some, it means that it is easy to consult with IISD and request support. Many countries have initiated rapport over email. They see this as a strength because it avoids long, formal processes, signatures and approvals that can delay work. Others have identified flexibility in that IISD can provide succinct legal advice but can also host conferences and give training sessions, thereby providing a breadth of support. Flexibility is also reflected in the fact that IISD operates on different levels of the framework it has designed: it can work with parliamentarians, while providing legal support to countries, while tracking international research and processes. International organizations have viewed IISD as an actor that can move fluidly between the global and national contexts that is not limited by its organizational structure. Finally, a non-governmental organization (NGO) interviewed noted that, while IISD works primarily with governments, it is flexible enough to partner with civil society organizations (CSOs).
- **Efficiency** – Clients of IISD noted that the organization responds rapidly to their requests. This is particularly the case when countries are entering negotiations and require support. It is also described as being efficient in sharing research and linking partners.
- **Partnerships** – IISD has established strong relationships with countries, international organizations and civil society. Part of this success appears to be attributed to their client-centred approach. The countries that they work with are not identified as “beneficiaries,”

thereby avoiding a paternalistic bias. Relationships are founded on the exchange of information rather than an exchange of funds. Oxfam noted that IISD is “very generous with the political space they occupy,” and they are willing to share data, research and contacts with partners, which is why IISD is also regarded favourably with NGOs despite its close relations to government. IISD has also noted that they are strategic with their partnerships—they work in areas where they have comparative advantage and partner with institutions to do the things they do not. For instance, IISD is not an advocacy organization, but its research and knowledge can be leveraged to carry out those activities by other organizations. Partners also noted that IISD has access to high-level partners, which gives it more influence.

- **Approach** – There are several elements to IISD’s approach, which appears to render it particularly effective. First, the work is solidly based on legal expertise and research. This gives technical grounding to IISD’s initiatives that are recognized by organizational peers and country partners. Second, IISD promotes a learning-by-doing approach. When countries approach IISD for legal support, they must produce an initial draft of whichever document they want amended. This ensures that they are fully engaged in the process and are aware of the amendments and recommendations proposed. This also ensures that there is ownership by the country of the law or contract that is being adjusted. Third, IISD provides demand-driven services. This means that, by design, the products are relevant and designed to meet the needs of partners. Fourth, the institution works across different levels, governments, parliamentarians and global forums to supplement their services and create coherence between national, regional and global processes. Fifth, there is a programmatic approach which means that activities are not one-offs and results build on one another for effective project delivery. Effectiveness is also achieved by leveraging expertise across the organization as needed.
- **Funding** – All of IISD’s initiatives are made possible through reliable and consistent funding. In particular, SDC’s direct funding to the programmatic approach allows IISD to maintain its flexibility and deliver on different aspects of programming in a coordinated way. While additional activity-based funding has been very useful to accomplish certain activities, the direct support to the overall programme has allowed IISD to carry out mutually reinforcing activities at different levels, most notably government, parliamentary and global.
- **Cost-Effectiveness** – The project was able to leverage funds for its activities, thereby increasing its resources for activities. For instance, regional secretariats began funding travel and some logistical costs, thereby reducing the financial load on IISD.
- **Staff** – IISD has been able to retain highly competent and charismatic staff that maintain very positive relations with partners but are also able to challenge them. This congenial and sophisticated approach has resulted in effective communication with partners.

The aforementioned factors highlight what makes project delivery highly effective. While impediments were not identified as such, these factors may affect effectiveness in the future:

- **Capacity** – The agriculture investment team has a heavy workload and delivers, but with a small staff. While it is a high-energy team, the institution needs to be watchful that the workload is manageable given the increasing interest from more countries for advisory services. It will be necessary for the team to grow accordingly. The unit does leverage

expertise from other sections of the organization, but to maintain personalized support it may need more staff in the future.

- **Staff distribution** – The agriculture investment team is currently located in four different countries. While this flexible work arrangement allows the institution to choose “the best and the brightest,” the institution will have to ensure that there is good institutional cohesion, particularly when new staff join the team. It is taken into account that the staff members in Rwanda and Mali respond to the need expressed by African partners for greater on-the-ground presence; however, this geographic spread will have to be combined with strong institutional culture to ensure long-term cohesion and alignment.
- **Competing Interests** – As IISD works with more countries, there is the risk that it will be faced with having to represent competing interests of two different countries. IISD has faced this in the past and managed to provide two sets of legal experts and maintain confidentiality.¹⁸ This arrangement has worked for those countries, but it is a factor that needs to be considered to ensure ongoing effectiveness and trust.

Overall, the project is **rated highly effective**.

Recommendations:

- Stay attuned to staff’s workload and consider hiring new staff
- Invest continually in staff culture given the spread of staff offices. Conduct team-building activities with new staff, especially if they are working remotely.
- Clarify policy on possible future circumstances where IISD is asked to represent competing parties

6 Financial Management

A number of donors support this project. SDC is a reliable donor that provided support to this initiative and has done so to the global project, funding 41 per cent of the total project. There are also funds that go to Investment work, which is the umbrella unit to the agriculture and investment work—this is funded by major partners such as DFID and IDRC. The table below provides a list of donors along with the amounts they have contributed to activities.

Table 3. Funding summary, January 1, 2015 – March 31, 2018

7F-07811.02.01 Promoting Sustainable Investment in Agriculture and Food Systems
Working with Governments and Parliamentarians
Contract no. 81030642
Swiss Agency for Development and Cooperation (SDC)

Investment Annual Forums

	<u>Source FX¹⁹</u>	<u>Term</u>	<u>CHF Equivalent</u>
SDC		1 Jan 15 - 31 Dec 18	300,000
DFID	GBP 105,000	1 Jul 15 - 31 Dec 16	154,753

¹⁸ Consultation with Carin Smaller, IISD, February 10, 2018

¹⁹

South Centre	USD	32,000	1 Jan 15 - 31 Dec 15	30,800
South Centre	USD	34,979	1 Jan 16 - 31 Dec 16	34,979
South Centre	USD	34,979	1 Jan 17 - 28 Feb 18	34,979
Commonwealth Secretariat	GBP	7,902	1 Jan 15 - 31 Dec 15	11,672
Commonwealth Secretariat	CHF	2,608	1 Jan 16 - 31 Dec 16	2,608
Commonwealth Secretariat	GBP	20,000	1 Dec 17- 31 Mar 18	25,961
IDRC	CAD	50,000	01 Jul 16 - 30 Jun 17	37,716
IDRC	CAD	50,000	01 Jul 17 - 30 Jun 18	36,925
FPOS ²⁰	USD	23,409	01 Sep 17 - 01 Feb 18	22,434
FPOS	USD	40,000	29 Sep 17 - 29 Aug 19	38,334
AECOM ²¹ - 11 Forum	GBP	70,000	01 Sep 17 - 28 Feb 18	87,168
AECOM - 12 Forum	GBP	70,000	01 Sep 17 - 31 Dec 18	87,168

Agricultural Parliamentarians Projects

	<u>Source FX</u>	<u>Term</u>	
SDC		1 Jan 15 - 31 Dec 18	425,000
Oxfam	EUR 91,175	1 Sep 14 - 31 May 16	97,593
Le Gret	EUR 4,800	1 Sep 14 - 31 Dec 15	5,175
Various donors (not flow through IISD)	EUR 129,755	11 Mar 15 - 1 Dec 17	139,029

Agricultural Investment Research

	<u>Source FX</u>	<u>Term</u>	
SDC		1 Jan 15 - 31 Dec 18	315,000
New Venture Fund	USD 279,958	15 Dec 15 - 30 Sep 17	287,401
IDRC	CAD 100,000	1 Jul 16 - 30 Jun 17	74,248
Food & Agri Org of the UN	USD 37,000	16 Aug 16 - 16 Aug 17	36,224
Oxfam Hong Kong	USD 33,319	1 Jun 15 - 31 Mar 16	35,891
IFPRI	USD 40,000	1 Jun 17 - 31 Oct 17	39,997
Gates Foundation	USD 240,000	02 Nov 17 - 31 Mar 17	232,583
New Venture Fund #2	USD 100,000	1 Jan-31 Dec 18	99,992
IFPRI/BMZ/Gates	USD 500,000	1 Jan-31 Dec 18	484,547

Investment Program Advisory Services

	<u>Source FX</u>	<u>Term</u>	
SDC		1 Jan 15 - 31 Dec 18	524,000
DFID	GBP 202,500	1 Jul 15 - 31 Dec 16	274,677
RBF ²² - 2016	USD 100,000	31 Jul 2013 - 30 Sep 2015	93,440
RBF - 2017	USD 65,000	1 May 2016 - 30 Apr 2017	65,000
RBF - 2018	USD 65,000	1 Jun 2017 - 30 May 2018	65,000
IDRC	CAD 50,000	01 Jul 2016 - 30 Jun 2017	37,127
IDRC	CAD 50,000	01 Jul 2017 - 30 Jun 2018	37,127
Government of Namibia	USD 110,284	01 June 2016 - 31 Dec 2017	110,284
FPOS	USD 45,000	29 Sep 17 - 29 Aug 19	43,126
FPOS	USD 41,597	01 Sep 17 - 01 Feb 18	39,864
AECOM - Rapid Response	GBP 70,000	01 Sep 17 - 31 Dec 18	87,168

²⁰ Foundation to Promote Open Society

²¹ AECOM

²² Rockefeller Brothers Foundation

Investment Program Regional Seminars

SDC		1 Jan 15 - 31 Dec 18	612,000
DFID	GBP 150,000	1 Jul 15 - 31 Dec 16	194,308
FPOS	USD 44,044	01 Sep 17 - 01 Feb 18	42,210
FPOS	USD 50,000	29 Sep 17 - 29 Aug 19	47,917

Investment Program Tracking Processes

SDC		1 Jan 15 - 31 Dec 18	224,000
DFID	GBP 90,000	1 Jul 15 - 31 Dec 16	133,105
RBF - 2017	USD 35,000	1 May 16 - 30 Apr 17	34,992
RBF - 2018	USD 35,000	1 Jun 17 - 30 May 18	34,157
FPOS	USD 29,435	01 Sep 17 - 01 Feb 18	28,209
FPOS	USD 50,000	29 Sep 17 - 29 Aug 19	47,917

Total Funding **5,953,803**

SDC contribution **2,450,000**

41%

Upon examining the funding made available and interviews with IISD staff and donors, the following is apparent:

- IISD has been successful in leveraging new funds from diverse sources. It receives support from developing country partners, foundations and UN organizations.
- While IISD can attract activity-based funding, the global framework of the project will be at risk if reliable funding is not provided directly to the project at large. Activity-by-activity funding would compromise IISD's ability to deliver the breadth of results that it has during this project cycle. Given that the programmatic nature of the activities allows IISD to create an enabling environment for its legal advice, it is strongly recommended that direct, global funding be provided for the next phase.
- IISD has a smooth accounting and project management process: funding received is processed efficiently, and donors interviewed noted satisfaction with financial management and reporting.
- IISD would have to increase its revenue if the number of clients increases.
- The "Tracking and Influencing" budget line is the most challenging to fundraise for. However, activities under this line allow IISD to remain aware of the current research and momentum of global processes. The work under this line is essential to advise countries and create an enabling environment where sustainable development principles are promoted.
- Donors expressed concern about two aspects: (1) why bigger donors are not contributing substantially to the project as a whole and (2) IISD should facilitate a conversation among donors.
- One parliamentarian noted that IISD does not have sufficient funds to pay per diems, but the evaluation does not recommend that IISD change this.

In terms of financial management, the project did not exhibit any irregularities. As project partners are not funded, this minimizes risks. Funds are applied directly to activities. A project extension was requested and accorded to meet the financial needs of the project. In it, the SDC was asked to provide the following:

- CHF 130,000 for Country-Specific Advisory Services and Capacity-Building, to increase the number of countries to advise
- CHF 25,000 for Targeted Research and Writing, for dissemination of research
- CHF 45,000 for Tracking and Influencing International Normative Processes, to increase involvement in international processes to 7–9 events

It is recommended that an additional monitoring budget line be added to the next funding proposal to help governments monitor the impact of laws, contracts and regulatory frameworks on livelihoods.

Overall the **financial management of this project is highly satisfactory** with no causes of concern. However, it is necessary that funding is made available for the following phase to maintain and build on results achieved.

Recommendation:

- Funding for the global project should continue. Donors are encouraged to fund the project as a whole and allow IISD to allocate funds among activities.
- An additional monitoring budgetary line should be added to support countries to monitor for results and assess IISD's impact on livelihoods.

7 Sustainability

The sustainability of the project will be assessed according to the following key questions:

- Does the project present a strategy/approach to sustaining outcomes/benefits?
- Does the project foresee sufficient activities to promote government and stakeholder awareness, commitment and incentives to execute, enforce and pursue the plans and agreements agreed upon under the project?
- If funding is required to sustain project outcomes and benefits, does the project propose adequate measures/mechanisms to secure this funding?
- Does the project foresee adequate measures to promote replication and upscaling/does the project have a clear strategy to promote replication and upscaling?
- What are the factors most likely to negatively impact the sustainability of the project?

Does the project present a strategy/approach to sustaining outcomes/benefits?

An explicit sustainability strategy is not provided in the proposal; however, the work is inherently focused on improving structures that have path-dependent consequences. For instance, a contract will, by its nature, be either upheld or unmet, but will yield consequences through its formulation. Improving laws have far reaching consequences and are designed to promote activities that are sustained through legal means. These changes are also supported by rigorous trainings and work with regional secretariats and parliamentarians to reinforce the enabling environment and to ensure the sustainability of changes produced by laws and policies.

While all of these aspects are a core part of this project, they should be stated in the future project proposal. The sustainability of IISD interventions may also be attractive to donors.

Does the project foresee sufficient activities to promote government and stakeholder awareness and incentives to execute, enforce and pursue the advancements made under the project?

Because the project is demand-driven, IISD does not have the same pressures to foster adherence to project activities that other projects may face. The project, by design, engages countries to participate in issues that are relevant to them and their future investment activities. This contributes to the long-term sustainability of the project. Moreover, the project produces tools and research that can be utilized long after project duration.

If funding is required to sustain project outcomes and benefits, does the project propose adequate measures/mechanisms to secure this funding?

The project has been very successful at leveraging funds for its activities. The number of countries it advises and the services it provides are completely contingent upon the level of funding leveraged. One element that contributes to project sustainability is that partners, such as parliamentarians and secretariats, have begun funding aspects of the project. This demonstrates their ownership and an institutional willingness to absorb certain costs to continue their participation. Additional funding is required for new clients and new services. One of IISD's strategies is to partner with other organizations on different elements of the framework. For instance, the Gates Foundation is supporting the costing of eradication of hunger work.

Does the project foresee adequate measures to promote replication and upscaling/does the project have a clear strategy to promote replication and upscaling?

The relevant point on replication here is whether the project has the measures in place to replicate successes. Some of IISD's achievements in this area are confidential and cannot be shared. However, IISD is able to replicate its knowledge through its research, its workshops and its methodological tools. Through its bilateral experiences, it is able to craft products that address countries' needs (e.g., model contracts, trainings on contract farming). Local experiences are upscaled in global forums, and research gleaned from international forums is shared and down-scaled at the country-level. While this is evident upon reviewing project results, it would be useful for the future project proposal to showcase IISD's strategy to replicate and upscale its successes and knowledge. This would be useful to attract donors.

What are the factors most likely to negatively affect the sustainability of the project?

While most of the project outputs have a life of their own once issued, there are two main factors that can have an impact on the sustainability of this project in the medium to long term. The first is a lack of a funding, and the second is significant political changes.

If funding ceased, for many countries, their progress toward a strong legal system protecting agriculture investment and, over time, promoting food security, would stop right where it is. While countries are at different levels of development, they are on the trajectory for improved laws and regulations. Partners interviewed stressed the need for more training for basic things like how to interview key community members, how to phrase legal clauses and how to distinguish between a good and bad investor. The support that IISD provides allows them access to a full range of services, from the most basic to the more sophisticated. The lack of funding would dampen the progress achieved and limit development in this area. Further, the lack of funding would also prevent IISD from shaping the global agenda and bringing the technical expertise that organizational partners view as a critical voice on agriculture investment.

Political sustainability is something that the project cannot really control. Efforts are taken to collaborate with parliamentarians and elected officials, but political forces in individual countries are outside of the project's control. What the project does demonstrate is that it works with government officials with the anticipation that that capacity stays with the public service. As for whether laws are rescinded with new governments, that is out of the project's control.

Overall, the project is rated as **highly sustainable**.

Recommendation:

While sustainability, upscaling and replication are built into the project, this should be articulated clearly in future funding proposals to showcase programming strengths and potentially attract donors.

8 Gender and Social Safeguards

This section will focus on how gender is integrated into project activities and whether sufficient social safeguards are in place to protect local and marginalized communities.

In terms of gender, there is demonstrable evidence that IISD has sought to actively incorporate gender considerations in their project initiatives. Some examples include:

- The development of a toolkit, *Gender and Responsible Large Scale Land Based Investment in Agriculture in Africa: A Gender Guide on Meaningful Community Engagement*. The purpose of this toolkit is to improve decision making for land investments in Africa while ensuring that women's voices are included. The creation of this toolkit responds to a need expressed by one of the country partners: that while governments are aware that they should carry out consultations with women, they do not know how.
- IISD published a paper on *Promoting Gender Equality in Foreign Agricultural Investments: Lessons from Voluntary Sustainability Standards*. The research examines the lessons learned from the impact of voluntary sustainability standards to help improve gender equality, and how these lessons can work to ensure that agriculture investments address the needs of women.
- IISD published a *How to Improve Gender Equality in Agriculture* policy brief.
- IISD supported the PAP with an online platform that hosted a webinar on how rural women can play a role in achieving the SDGs.
- IISD has also conducted research on contract farming and how this can be an opportunity to benefit women from investment opportunities.

The agriculture investment unit is composed of women who demonstrate gender considerations in their work. Gender-based recommendations are provided on contracts and draft laws. The short-term impact of this work appears to be that it brings a gender focus to live contracts and agreements and makes it a part of investment. The long-term impact of how effective these tools are in incorporating women's considerations in investments is unclear at this point. It is recommended that the next phase of programming monitors some of the community-level impacts on women residing in regions where IISD-advised investments have taken place.

Social safeguards are built into IISD programming. As demonstrated by *The IISD Guide to Negotiating Investment Contracts for Farmland and Water*, IISD advocates that partners take into account:

- Land tenure systems, taking into account land rights, particularly between landowners and land users, expropriation laws, customary law.
- Water resource management, including the rights and responsibilities of different actors.
- Community engagement, particularly taking community interests into account and conducting community consultations. The document also notes that many communities may not be equipped to engage in consultation processes; nonetheless, the investor, government and civil society should ensure that they have the capacity to engage, and understand the investment and defend their interests. The document highlights who should be consulted and the need for enforceable community-based agreements. The document also states that a community consultation plan should be presented by the investor to the government for review.
- Users of ecosystem services and how they will be affected by the investment.

- Food security impacts: considerations should include whether the investor will restrict access to land, shifting cultivators, or whether new pests or crops will affect current crops.

These considerations demonstrate IISD's commitment to including safeguards for communities and marginalized peoples. These are further reinforced by the legal provisions recommended by IISD on particular contracts and laws.

However, document review and consultations did not reveal how and what role IISD would play if community conflict emerged in one of the countries where IISD has provided advice. IISD, of course, advises governments and advocates recommendations that seek to protect against such outcomes, and its role is limited to government support in such cases. However it would be useful to identify what role IISD would play, if any, in the aftermath of an investment turned wrong. Further, it is unclear what human rights considerations prevent IISD from working with certain countries and not with others. It would be useful for the organization to clarify whether there are certain human rights considerations that would prevent IISD support.

Also, while this project is intended to work primarily with governments, it may be useful for IISD to develop a document mapping which CSOs they engage with per country. CSOs are essential to highlighting any social and environmental considerations that IISD should be aware of, and a map will reveal level the of engagement with the sector in each country.

Overall, the project is **highly satisfactory** in how it incorporates gender and social safeguards.

Recommendation:

- Clarify human rights considerations that prevent IISD from working with certain countries.
- Identify/map CSOs that IISD is liaising with in different countries.

9 Monitoring

Currently, IISD carries out several monitoring activities:

- Mid-year operational reports
- Narrative reports for different donors
- Quarterly funders' updates
- Verification of the extent to which advice is incorporated in the final versions of contracts/laws/framework
- Participant evaluations following meetings

Upon reviewing the operational reports, it is noted that they vary in quality and are fairly general. It would be useful to provide more detail for tracking purposes, specifically against

indicators in the logical framework. There are also some inconsistencies; some reports provide details on how many participants were in a given training session while others do not. The level of detail should be consistent.

Given IISD's role in developing the gender tool, it would be useful to have some monitoring data on its application and results from its application by partner countries. This would highlight potential challenges or adaptations necessary for the usage of the tool. It may also be useful to add gender indicators in the next phase of the project to showcase achievements.

In the next phase of programming, it is recommended that IISD monitor impacts on people's livelihoods at the local level. Given that the overarching objective is food security, IISD will have to determine how it will assess for this in future phases. Sample sites could perhaps be selected in partner countries; levels of employment, livelihood and food security could be identified at the baseline and compared to a few years later after the implementation of laws and contracts. It is understood that this project does not have the human resource capacity to necessarily conduct this fieldwork; the project should then consider partners to carry out this work or consider field analysis in Rwanda and/or Mali where IISD staff is located.

Overall the **monitoring** of the project is **satisfactory**.

Recommendations:

- Ensure consistency among mid-year operational reports
- Include reporting per indicator in mid-year reports
- Assess impacts of gender tool and inclusion of women in pilot sites
- Add gender indicators to the log frame

10 Conclusions and Lessons Learned

In evaluating the Promoting Sustainable Investment in Agriculture and Food Systems: Working with Governments and Parliamentarians project, it is apparent that the project has been effective, relevant and sustainable and has achieved considerable results in its short project duration. Feedback from partners has been overwhelmingly positive, and there is ample evidence that the project delivered the products it sought to. This project has allowed IISD to carve out a highly relevant, niche role, producing sought-after, hands-on advisory services, both with governments and parliamentarians, in an effort to strengthen agricultural investment regulatory frameworks. It has been recognized as demonstrating leadership in the agriculture investment agenda.

The project's priorities are driven by demands from developing countries, the global agenda and private sector interest in investing in agriculture. These appear to be well thought out and relevant and have been designed according to IISD's technical expertise.

The programmatic nature of the project helps to create an enabling environment for improved laws on investment in agriculture. By working at national, regional and international levels, the organization mutually reinforces its activities.

IISD's interventions have increased countries' capacities through a learning-by-doing approach. There is clear evidence of ongoing interest for IISD's training workshops and guidance. The evaluation strongly recommends a future phase of this project.

Several lessons can be drawn from the success of this project, which include:

- Lesson 1: A small team can accomplish substantial results through strategic interventions, a demand-driven-project, a programmatic approach and reliable funding.
- Lesson 2: Effective partnerships at various levels are necessary to synergize interventions. Occupying a strategic, niche space, allows IISD to be an asset to countries and to international organizations that have their own limitations.
- Lesson 3: Consistent funding that allows the organization to manage which activity to channel funds into has yielded positive results, efficiency and flexibility.
- Lesson 4: Sustainable development principles can be included in investment contracts, so long as countries are capacitated and privy to the benefits that this may yield.
- Lesson 5: Monitoring activities on the ground can help assess the impacts of laws on livelihoods and food security in future phases of the project, and support countries in determining the impacts of their legal and policy decision-making

Annex 1. Terms of Reference

TORs for Evaluator

1. Review written materials relating to the structure, purpose and organization of the project Promoting Sustainable Investment in Agriculture and Food Systems: Working with Governments and Parliamentarians (“agricultural investment project”) with a view to understanding:
 - a. How well the workstream is identified, its mission and goals
 - b. How it fits into the wider work in this field, the direction the field is taking and the strategic opportunities to influence the direction it takes
 - c. How well it has been able to occupy and establish a position in this chosen niche, and how secure that occupation is
 - d. How it relates to the other key players in the field
2. Assess the impact of the project to ascertain the extent to which it has achieved its objectives and strategies as stated in the log frame.
3. Examine the management arrangements within the agricultural Investment project to ascertain:
 - a. How well priorities are set and followed
 - b. How well IISD’s leadership and identity are defended
 - c. How effective are provisions for monitoring and evaluation of the workstream activities
4. Examine how the agricultural investment project structure fits within and compares to other programs and initiatives within IISD.
5. Interview a range of team members as well as partner organizations/governments to ascertain:
 - a. How they see the role of IISD’s agricultural investment project
 - b. How applicable did they find the advice/training provided to their needs and that of their country
 - c. How likely they are to use the information and advice provided in their work
 - d. How they would categorize their relationship to IISD
 - e. Whether IISD is emerging as a leader in the field in their region
6. Attend a workshop conducted by IISD.

Task #	Task	Time
1	Review of documentation	16 hours
2	Initial discussion with Flavia and Carin, introduction to the workstream, to the documentation and to the interviewees	8 hours

1 bis	Review of the documentation	8 hours
2	Meet with Carin and other team members as needed in Nairobi 10 Feb 2018	4 hours
3	Participate in the EAC-COMESA workshop Feb 11–13, 2018	24 hours
4	Interviews of staff, associates, and consultants (8 persons X 3 hours – includes coordination time)	24 hours
5	Interviews with external and funding partners (5 persons x 3 hours – includes coordination time)	15 hours
6	Sifting and structuring notes and interpretation	10 hours
7	Initial debrief with Flavia and Carin	4 hours
8	Follow up interviews/consultation of documents	8 hours
9	Draft report	30 hours
10	Presentation of draft report to IISD	4 hours
11	Finalization of Report	16 hours
	TOTAL	171 hours

Annex 2- List of Stakeholders Consulted

- Ammad Bahalim – Global Policy and Advocacy, Bill and Melinda Gates Foundation
- Hon. Christophe Bazivamo – Deputy Secretary General, East African Community
- Nathalie Bernasconi-Osterwalder – Group Director, Economic and Law Policy IISD
- Sarah Brewin – Advisor on Agriculture and Investment, IISD
- Martin Dietrich Brauch – Associate International Law Advisor, IISD
- Thomas Heimgartner – Programme Manager, SDC
- Thierry Kalonji – Director, Investment Promotion and Private Sector Development, COMESA
- Pham Quang Minh – Assistant Director, Food, Agriculture and Forestry Division, ASEAN Secretariat
- Bezuallem Mogessie – Land Administration Director, Government of Ethiopia
- Hon. Chris Opoka-Okumu – Member of Parliament of Uganda and the EALA
- Francine Picard – Parliamentary Affairs Advisor, IISD
- Michael Riggs – Capacity Development Officer, FAO
- Serge Sabi – Focal Point for Agriculture in Africa, Ministry of Agriculture, Democratic Republic of Congo
- Carin Smaller – Advisor on Agriculture and Investment, IISD
- William Speller – Economist, UNCTAD
- Eileen Wakesho – Women’s Lands Rights Advisor, Oxfam

Annex 3- Sources

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Annex 4. Draft Evaluation Framework

Promoting Sustainable Investment in Agriculture and Food Systems: Working with Governments and Parliamentarians (Agricultural Investment Project)

Draft Evaluation Framework

Erum Hasan

March 2018

Key Questions	Source of Verification	Notes
RELEVANCE		
How does AG's work fit into the wider work in this field, the direction the field is taking?	Staff Interviews Partner Interviews Desk review of other Players in the Field	Review who other players are in this realm of work; see how their work is differentiated
What is the value added of IISD in this area? How is the programming unique?	Partner Interviews	
Who are the other players in this field? How secure is IISD's role in this area?	Desk Review of other Players Partner Interviews	Review who other players are in this realm of work; see how their work is differentiated
Why have countries selected IISD as project partner in the area of agriculture investment?	Partner Interviews	
How is IISD contributing to the agricultural investment sector and food security agenda?	Partner Interviews Multilateral Partner Interviews Articles Produced by the Agricultural Investment Team	
How relevant is this program's work to country needs and broader agricultural reform within partner countries?	Partner Interviews Correspondence (requests) Country Policies/Laws that have been reformed Any internal documents that highlight country needs/gap analysis in the agricultural sector	See if there is any correspondence that can be accessed highlighting country requests/needs
How relevant is this work to broader international objectives in the agriculture/trade sector and to the SDG goals?	International agreements on agriculture and trade (FAO, UNCTAD, OECD)	

Is IISD's relevance increasing or decreasing in this sector? What are the factors influencing this? Is IISD emerging as a leader in this field?	Staff Interviews Partner Interviews	
EFFECTIVENESS AND IMPACT		
What have been the key outputs of this program?	New policies, legal texts, contracts, training materials Staff Interviews Partner Interviews Narrative Reports Mid-Year Operational Reports	Obtain final program report
What are measurable impacts of the program?	Partner Interviews Narrative Reports Final Report	
How have countries' laws, regulatory frameworks and/or contracts concretely altered through program engagement?	Partner Interviews Final Program Report	
What are some unexpected consequences/spillover impacts of this work and how does this influence future programming?	Staff Interviews	
What specific technical supports have government and parliamentarians received through program implementation?	Partner Interviews Staff Interviews Narrative Reports Final Report	
How have program outcomes impacted the food security portfolio in countries?	Partner Interviews	
How have governments and parliamentarians incorporated IISD support? What type of capacity has been required to achieve this?	Partner Interviews Staff Interviews Narrative Reports Final Report	
To what extent does the program enhance partners' national-level capacities?	Partner Interviews	
What specific benefits has the program yielded for governments and parliamentarians?	Partner Interviews Final Reports	
How likely are countries and parliamentarians to apply the knowledge, skills, capacities, technical advice, trainings acquired through programming? What elements of	Partner Interviews	

programming were most useful? Which were least beneficial?		
What different classes of beneficiaries have been impacted by programming beyond government (e.g. local communities? CSOs? Particular agricultural production groups? Women?)		
Program Design & Delivery		
To what extent did the program meet projected goals?	Staff Interviews Final Report	
How applicable were program activities to country needs?	Partner Interviews Staff Interviews	
Were any activities reformulated during implementation? If so, why?	Extension Proposal Staff Interviews Mid-year operational reports Narrative Reports	
Is there a clear rationale as to how outputs and outcomes will lead to broader impacts on food insecurity? How clear is the theory of change?	Funding Proposal Staff Interviews	
How were program risks managed? What were some of these risks?	Staff Interviews Mid-year Operational Reports Narrative Reports	
What areas need to be adapted/alterd/strengthened in future programming?	Staff Interviews Partner Interviews	
Is there evidence of adaptive management and flexibility in programming outputs?	Mid-year Operational Reports Narrative Reports Staff Interviews	
Do project partners feel that programming responds to their needs?	Partner Interviews	
How cost-effective is programming?	Staff Interviews Financial Reports	
STAKEHOLDERS AND PARTNERSHIPS		
How are partners selected?	Staff Interviews	Obtain any documents including methodology or stakeholder analysis
What is the nature of partnerships?	Staff Interviews Partner Interviews	Obtain copy of MOUs or

	MOUs and Agreements	Partnership Agreements
Is there a good representation of civil society? How does the Ag program ensure this?	Staff Interviews Partner Interviews List of Civil Society Partners	Obtain List of Civil Society Partners
Is there a financial relationship with partners?	MOU/Partnership Agreements Staff Interviews Partner Interviews	
Does the Ag program promote South–South partnerships?	Staff Interviews Partner Interviews Workshop documentation/facilitation	
What steps does the program take to include vulnerable/underrepresented stakeholders?	Staff Interviews	
How are any potential conflicts among/between partners managed?	Staff Interviews MOUs Partnership Agreements	Identify whether there are any existing mechanisms for this
How responsive is the Ag program to partner needs? How applicable are trainings and products?	Partner Interviews	
How can partnerships be strengthened?	Partner Interviews Staff Interviews	
Are there evolutions in partnership relationships? Why? How does this influence future programming?	Partner Interviews Staff Interviews MOU/Agreements Evidence of Programming Changes	
GENDER BALANCE AND HUMAN RIGHTS CONSIDERATIONS		
To what extent does the program take gender considerations into account?	Gender Methodology Gender Components in Outputs (model contracts, legal frameworks, policy recommendations, gender training manuals) Partner Interviews Staff Interviews Any correspondence that promotes gender inclusion	Obtain Gender Methodology Gender Components in Outputs (model contracts, legal frameworks, policy recommendations)

	Programming that focuses on gender	
How is gender concretely included in key deliverables and outputs?	Model contracts, legal frameworks, policy recommendations, gender training manuals	
How are gender considerations promoted with partners?	Partner Interviews Capacity-building training workshop agenda	Obtain past agenda, training materials to see how gender has been promoted with partners
To what extent are gender-specific risks included in programming?	Staff Interviews	
Is there evidence of programming considering environmental, social and economic risks?	Model contracts, legal frameworks, policy recommendations, gender training manuals	
How does the program include a human rights approach?	Code of Ethics	Obtain IISD Code of Ethics
What are some of the human rights issues that have or can come up in programming?	Staff Interviews	
Are there any conflict of interest issues that have arisen, how have these been managed?	Staff Interviews	
SUSTAINABILITY AND REPLICATION		
How sustainable are the results of the program?	Staff Interviews Partner Interviews Final Narrative Report	
To what extent is the continuation of project results and the eventual impact of the program dependent on financial resources? (national and international)	Staff interviews Partner Interviews	
To what extent do program results face financial risks?	Staff Interviews Partner Interviews Final Narrative Report	
Do socio-political risks pose a risk to program results?	Staff Interviews Partner Interviews	
FINANCIAL MANAGEMENT AND EFFICIENCY		

Who are the main funders for the program?	Funding agreements	Obtain copies of funding agreements
Were funders' funding requirements met? Were there any financial concerns?	Funding agreements	
Were financial reports clear and transparent?	Funder Interviews Financial Reports	Obtain financial reports
Were there any outstanding costs?	Staff Interviews	
Were there any cost extensions? If so, why?	Extension Proposal	
How were budgets revised during program extension?	Extension Proposal Financial Report	
Have financial needs changed for future programming?	Staff Interviews	
Is the level of financial support provided by IISD appropriate to the ambitions and logic of the program and to the ambitions and logic of IISD as an institution seeking to stimulate transformative change?	Staff Interviews	
How integrated is the program within IISD's overall budgeting?	Staff Interviews	
COMMUNICATION AND PUBLIC AWARENESS		
What are the key Ag-related communication products that the program produces?	Review bulletins, reports, news releases, creation of what's app group, usage of social media	Obtain list of all Ag-related communication products
Does the program effectively communicate to governments and parliamentarians? Are products suited to their needs? How are these needs identified?	Staff Interviews	
What communication challenges/strengths exist?	Staff Interviews	
Has the target audience for Ag-related communication products been appropriately identified?	Staff Interviews	
SUPERVISION, MONITORING AND EVALUATION		

What type of monitoring mechanisms are in place? Are there any gaps or planned improvements/changes?	Staff Interviews	
How are assignments designed and monitored?	Staff Interviews	
How judicious is the use of consultants?	Staff Interviews	
What type of accompaniment is provided in the long term?	Staff Interviews Partner Interviews	
ORGANIZATIONAL		
How does the Ag program contribute to broader IISD objectives?	IISD Strategic Planning Documents Funding Proposal Staff Interviews	Obtain IISD strategic planning documents
Is the level of management support provided by IISD appropriate to the ambitions and logic of the program and to the ambitions and logic of IISD as an institution seeking to stimulate transformative change?	Staff Interviews	
What are the Ag team's key objectives? Are these well understood across the organization? Did the programming outcomes support Ag's strategic objectives?	Logical Framework Funding Proposal Staff Interviews	Are there any other internal documents to be reviewed? Internal theory of change?
How does the organization at large supplement/support this work?	Staff Interviews Evidence of collaborations	
What is the structure of the Ag team? What is the management structure? What are the reporting channels like?	Org Chart	Obtain org chart
Are there any human resource issues?	Staff Interviews	
What are the conflict resolution mechanisms in place for the Ag team?	Staff Interviews	Obtain HR policies if any relevant
What are some of the long-term capacity needs within the program team?	Staff Interviews	
What challenges did the Ag team face and how were these managed?	Staff Interviews Changes in programming as demonstrated by program activities	