



2018:21

Sida Decentralised Evaluation

Kimiko Hibri Pedersen  
John Lawrance  
Richard Moody

# Mid-Term Evaluation of “Regional Economic Integration through the Adoption of Competition and Consumer Policies in the Middle East and North Africa (COMPAL GLOBAL-MENA)”

Final Report

# Mid-Term Evaluation of “Regional Economic Integration through the Adoption of Competition and Consumer Policies in the Middle East and North Africa (COMPAL GLOBAL-MENA)”

**Final Report  
June 2018**

**Kimiko Hibri Pedersen  
John Lawrance  
Richard Moody**

**Authors:** Kimiko Hibri Pedersen, John Lawrance and Richard Moody

The views and interpretations expressed in this report are the authors' and do not necessarily reflect those of the Swedish International Development Cooperation Agency, Sida.

**Sida Decentralised Evaluation 2018:21**

Commissioned by Sida

**Copyright:** Sida and the authors

**Date of final report:** 2018-06-29

**Published** by Nordic Morning 2018

**Art. no.** Sida62170en

urn:nbn:se:sida-62170en

This publication can be downloaded from: <http://www.sida.se/publications>

SWEDISH INTERNATIONAL DEVELOPMENT COOPERATION AGENCY

Address: SE-105 25 Stockholm, Sweden. Office: Valhallavägen 199, Stockholm

Telephone: +46 (0)8-698 50 00. Telefax: +46 (0)8-20 88 64

E-mail: [info@sida.se](mailto:info@sida.se). Homepage: <http://www.sida.se>

# Table of contents

<b>Abbreviations and Acronyms .....</b>	<b>8</b>
<b>Preface.....</b>	<b>10</b>
<b>Executive Summary.....</b>	<b>11</b>
<b>1 Introduction.....</b>	<b>16</b>
1.1 Purpose and scope.....	16
1.2 Data collection methods .....	17
1.3 Limitations .....	18
<b>2 The UNCTAD-MENA Programme.....</b>	<b>20</b>
2.1 Background .....	20
2.2 The MENA programme.....	23
<b>3 Findings.....</b>	<b>26</b>
3.1 Relevance .....	26
3.2 Effectiveness .....	36
3.3 Efficiency .....	57
<b>4 Conclusions .....</b>	<b>63</b>
4.1 Relevance .....	63
4.2 Effectiveness .....	64
4.3 Efficiency.....	65
<b>5 Recommendations.....</b>	<b>66</b>
<b>Annex 1 – Terms of reference.....</b>	<b>69</b>
<b>Annex 2 – Inception report.....</b>	<b>77</b>
<b>Annex 3 – Constructed theory of change .....</b>	<b>116</b>
<b>Annex 4 – List of documents consulted .....</b>	<b>117</b>
<b>Annex 5 – List of people met .....</b>	<b>121</b>
<b>Annex 6 – Approach to the meta-analysis.....</b>	<b>125</b>
<b>Annex 7 – Summary of activities and outputs.....</b>	<b>127</b>
<b>Annex 8 – Summary of needs assessment in North Africa.....</b>	<b>130</b>
<b>Annex 9 – Linking outcomes and goal.....</b>	<b>131</b>
<b>Annex 10 – Sample results from the analysis of evaluation sheets.....</b>	<b>133</b>
<b>Annex 11 – Review of sample guidelines .....</b>	<b>136</b>
<b>Annex 12 – Constructed organisational chart.....</b>	<b>137</b>

# Abbreviations and Acronyms

CA	Consumer authorities
COMESA	Common Market for Eastern and Southern Africa
COMPAL	Competencia y Protección del Consumidor en America Latina
CPA	Consumer protection agencies
CSO	Civil society organisation
DSA	Daily subsistence allowance
E-commerce	Electronic commerce
ESCWA	Economic and Social Commission for West Asia
ET	Evaluation team
EU	European Union
GAFTA	Greater Arab Free Trade Area
ICN	International Competition Network
ICPEN	International Consumer Protection and Enforcement Network
ICT	Information and communication technology
IGE	International Group of Experts
LA	Latin America
LAS	League of Arab States
LFA	Logical framework approach
M&E	Monitoring and evaluation
MENA	Middle East and North Africa
MoET	Ministry of Economy and Trade
MoU	Memorandum of understanding
NA	Not available
OECD	Organisation for Economic Cooperation and Development
PAFTA	Pan Arab Free Trade Agreement
PM	Programme manager
Q1	First quarter of the year
Rapex	European rapid alert system
RBM	Result based management
REI	Regional economic integration
RPP	Research partnership platform
RTC	Regional training centre
RTW	Regional training workshop
SECO	Swiss Secretariat for Economic Affairs

## ABBREVIATIONS AND ACRONYMS

SEK	Swedish Kroner
SOE	State owned enterprises
TAIEX	Technical Assistance and Information Exchange Instrument of the European Commission
ToC	Theory of change
ToR	Terms of reference
ToT	Training of trainers
UK	United Kingdom
UN	United Nations
UNDP	United Nations Development Programme
UNICC	United Nations International Computing Centre
USD	United States Dollars
WB	World Bank
WTO	World Trade Organisation

# Preface

Sida provides support to the programme “Regional Economic Integration through the Adoption of Competition and Consumer Policies in the Middle East and North Africa” 2014-2018, implemented by the United Nations Conference on Trade and Development (UNCTAD). The Embassy of Sweden in Cairo and UNCTAD agreed to commission a midterm evaluation of the programme to take stock of progress and prepare the remaining period of implementation.

The evaluation was commissioned to NIRAS under a framework agreement with Sida, and conducted between April and June 2018 by a team composed of Kimiko Pedersen as team leader, John Lawrance as consumer protection expert and Richard Moody as trade law and competition policy expert. Research support and quality assurance were provided by Sofia Strive and Mats Alentun, respectively.

This report presents the findings, conclusions and recommendations of the mid-term evaluation.

# Executive Summary

The Embassy of Sweden in Cairo commissioned a midterm evaluation of the programme implemented by the United Nations Conference on Trade and Development (UNCTAD) entitled ‘Regional economic integration through the adoption of competition and consumer protection policies in the Middle East and North Africa (COMPAL GLOBAL-MENA)’ launched in December 2014 for a period of five years. In the programme document developed during the inception phase, the programme was meant ‘*to contribute to regional economic integration, anti-corruption, good governance, gender equality and the SDGs*’ through improved competition and consumer protection policies. With regional economic integration as its overarching goal, five outcomes, nine outputs and around eighty activities were planned for Lebanon, Jordan, Palestine, Egypt, Algeria, Tunisia, and Morocco. Yemen was not included as planned due to the worsening humanitarian situation.

This theory-based midterm evaluation is both summative and formative and covers the period January 2015 to March 2018. Its purpose is to shed light on the programme’s performance so far in view of providing recommendations on how to adjust implementation and discuss issues of concern for the future. In line with the Terms of Reference, the evaluation addresses relevance, effectiveness and efficiency. The evaluation team constructed a theory of change as a basis for understanding the programme, its envisaged pathway of change and for assessing results. It articulated the programme’s work according to the national, regional and international levels, a distinction that is not visible in the logical framework approach of the programme. Furthermore, the evaluation divided the target group into a primary target group, which includes government counterparts within competition and consumer protection, and a secondary target group comprising other key stakeholders (e.g judges, chambers of commerce, sector regulators and consumer protection associations).

Mixed data collection methods were used including a review of documentation available; semi-structured interviews with internal and external key stakeholders, including face to face and remote interviews, a quantitative analysis of secondary data available; and participation in and observation of one programme activity. Field visits were made to three countries namely Lebanon, Tunisia and Egypt in the period 1 to 17 May, 2018. The methodology allowed for data collection at the national, regional and international levels to capture all the dimensions of the programme activities.

## Key findings on relevance

- Competition and consumer protection are relevant topics for partner countries. The extent to which priorities expressed by the programme are aligned with national strategies is however not evident. There is an indication that no mechanisms were in place to ensure such an alignment. National strategies do not



have a regional dimension. Therefore, working at the regional level with these topics is not driven by national priorities or national commitments to regional action. Gender is also reported not to be a dimension of those national strategies.

- The extent to which the programme responded to the priorities of its target groups depends on their level of experience and competence. For the primary target group, the format and content of activities was not specialised, tailored and targeted enough to be relevant for their work priorities. For the secondary target group whose knowledge and experience with competition and consumer protection is less advanced, programme activities were seen as more relevant, but could be strengthened with a more targeted and systematic approach. An analysis on whether women have specific priorities was not undertaken.
- Programme design was ambitious. Its coherence is weakened by the absence of realistic assumptions about the linkages between activities, outputs, outcomes and objective, as well as about the relevance and feasibility of the wide scope and variety of the planned activities. This lessened the likelihood that planned activities are likely to contribute to the realisation of outputs and outcomes. Indicators were appropriate for monitoring progress on simple outputs, but no indicators were devised for outcomes. Gender-sensitive indicators were limited to one output.

#### Key findings on effectiveness

- The level of implementation of activities is around one third of the planned activities. The achievement of results was affected by the limited number of regional activities implemented so far, although national and international activities were implemented on time. A number of factors that affected timely implementation pertain primarily to the design of the programme and its approach. Key factors affecting the non-achievement of results include i) the wide scope and variety of the planned activities, ii) the lack of adequate analysis and considerations of the appropriateness and relevance of the proposed regional activities including the participation of those involved and affected in prioritising activities, iii) the absence of a targeted, tailored and systematic approach, which also led to the creation of many regional training centres, iv) limited human resources allocated to meet the programme's scope, and v) insufficient monitoring and oversight including quality assurance. The extent to which the programme is likely to achieve the intended outcomes is limited.
- Nevertheless, the results reported on the activities implemented indicate that the programme contributed to an improvement in the upcoming national legal frameworks; new knowledge and contacts, some of which were used to pursue change in own context and informal collaboration; and increased visibility of MENA countries in international fora including female participants and panelists.
- The monitoring of the programme did not comply with the intentions articulated in the programme document. Data was not regularly collected to generate indicators and annual reporting was not done against the logical framework until recently. The quality of the data is questioned partly because of potential double counting.
- The organisational setup of the programme is reported to function well. The evaluation team assesses that having one contact point in each country is not ideal from a project management perspective, but recognises the need to take account of the institutional landscape in the different countries. The evaluation team sees

that i) the absence of a joint agreement about roles, responsibilities and deliverables over the five-year period of the programme weakened understanding and commitment about what the programme's vision is and what the different responsibilities and deliverables are for the different partners, ii) the centralised programme management approach did not nurture transparent communication and a partnership approach, and iii) the human resources envisaged for the programme were not proportionate to the wide scope of activities.

### Key findings on efficiency

- The key costs of the programme relate to its regional cooperation component that was mainly driven by the creation of an information and communications web platform (not yet implemented), the total cost of a number of planned regional workshops, and consultants who complemented the limited number of programme staff.
- The programme has so far spent around one third of the Sida budget. This low level of spending went unnoticed for some time. Key efficiency issues comprise i) the lack of annual disbursements plans or targets to regularly monitoring under- or -overspending, ii) the fact that budget monitoring is not based on the activity-based budget, and iii) absence of linkages and coordination with other agencies/structures working on related issues.

### Grounding recommendation

UNCTAD and Sida are jointly faced with a regional programme that has not yet delivered most of its planned activities and is unlikely to do so in the coming year. Considering the objective of the midterm evaluation as stated in the terms of reference of informing “joint decisions on how on-going project implementation may be adjusted and improved, and provid[ing] the parties with input to upcoming discussions about the future of the programme”, and assuming the programme is continued and can be adjusted:

**Basis recommendation:** Sida and UNCTAD should discuss the findings of the midterm evaluation at their earliest convenience, their intentions with the programme in line with their own mandates, resources and limitations and draw a plan of action for the way forward.

Once the above is fulfilled, the following recommendations can then be considered:

### Specific recommendations to UNCTAD

#### *Recommendations for adjustments*

**Recommendation 1:** Using its core competence in providing technical assistance and based on national strategic frameworks, UNCTAD should assist partner countries undertake a participatory analysis to identify their national competition and consumer protection concerns and whether there are common problems and issues emanating from these concerns that can be collectively addressed at the regional level.

**Recommendation 2:** Contingent on the implementation of Recommendation 1, programme stakeholders should prioritise one common strategic issue for each of competition and consumer protection that can gather countries to work collectively towards solving it in the remaining life of the programme.

**Recommendation 3:** The programme should establish clarity and commitment about realistic deliverables, roles and responsibility in relation to prioritised common strategic issues to be addressed as the set objective.

**Recommendation 4:** The programme should identify the best and most sustainable means to achieve the objective and put in place a workplan, budget, and staffing and monitoring plans to ensure regular monitoring, including regular feedback.

**Recommendation 5:** The programme should ensure that counterpart representatives with relevant qualifications and professional pertinence are included and that they are involved from the start in the identification of priorities, planning, implementation and monitoring.

**Recommendation 6:** The programme should put in place a simple structure (e.g. task force) to ensure oversight of progress and accountability.

**Recommendation 7:** The programme should ensure the reliability of the monitoring data by eliminating any double counting or counting of irrelevant stakeholders

**Recommendation 8:** The programme should assess whether regional centres are the most relevant tool to strengthen regional capacities, and if so, how to provide technical assistance to ensure their development and sustainability.

**Recommendation 9:** The programme should explore whether there are possibilities for linking some activities and anchoring results achieved within a regional setting that is relevant to the identified priorities.

#### *Recommendations for points of discussion*

**Recommendation 10:** The programme should discuss with Sida the possibility of working at the national level in relation to the common regional strategic priorities identified, ensuring relevance and complementarity between the two levels.

#### **Specific recommendations to Sida**

##### *Recommendations for adjustments*

**Recommendation 1:** Sida should ensure closer oversight of the performance of the programme in its remaining life, including the quality of reporting.

**Recommendation 2:** Sida should not make further disbursements as the programme still has a large share of budget unspent.

*Recommendations for points of discussion*

**Recommendation 3:** Sida should discuss whether financial monitoring can be improved for the purpose of having better oversight of the programme's expenditures in its remaining life and be able to assess the need for a final disbursement.

# 1 Introduction

## 1.1 PURPOSE AND SCOPE

**Purpose and criteria.** The midterm evaluation was commissioned by the Embassy of Sweden in Cairo and is summative and formative in nature. According to the Terms of Reference (ToR, Annex 1), its purpose is to assess the progress of the programme and learn from what worked well and less well, while complementing existing reporting. Its objectives are to assess relevance, efficiency and effectiveness in view of providing recommendations on i) how to improve and adjust implementation and ii) key issues that need to be discussed concerning the future of the programme. The evaluation criteria were defined in the inception report (Annex 2) as follows:

- Relevance to national priorities, target group priorities and coherence of programme design.
- Effectiveness in progress towards results at output and outcomes levels. monitoring and evaluation (M&E) and the organisational setup.
- Efficiency in relation to economy and efficiency considerations.

These are unfolded into 15 evaluation questions, which will be presented in the relevant sections under findings.

The primary intended users of the evaluation include UNCTAD and Sida (Embassy in Cairo and Unit for Middle East and North Africa in Stockholm). The evaluation covers the period January 2015 to the first quarter of 2018 (Q1). It focused on three countries, namely Lebanon, Tunisia and Egypt in line with the ToR. The choice of countries for field visits reflected the diversity of the institutional landscape and the level of development in the region within competition and consumer protection.

**Approach and framework.** The evaluation is theory-based. The formulation of a theory of change (ToC) was not required in the programme formulation. Therefore, the programme had a logical framework approach (LFA) matrix in the programme document, but did not have a ToC. A draft ToC was constructed in section 3.2 of the inception report in consultation with UNCTAD. It helped understand, unfold and frame the programme in relation to its planned activities (e.g. organising regional training workshops), intentions (e.g. giving access to knowledge/skills/contacts via these workshops), ambition (e.g. participants using knowledge/skills/contacts gained) and aspiration (e.g. regional collaboration). The distinction between the national, regional and international levels is one that was made in the ToC and is not reflected in the LFA. The draft ToC was updated and refined in Annex 3. The LFA was used to contribute to the analysis of programme design. For reasons described under findings, the LFA was not used for the assessment of results achieved, but as a reference point for M&E. The ToC was used to assess results achieved at output and outcome levels.

## 1.2 DATA COLLECTION METHODS

The detailed methodology is presented in the inception report (Annex 2). In summary, the evaluation used mixed qualitative and quantitative methods and a multi-layered approach meaning the evaluation team (ET) collected data at the national, regional and international levels. Following a joint visit to Lebanon, the ET split to simultaneously cover field level national interviews and interviews with other key stakeholders in the region and Europe. In brief, the ET relied on the following data collection methods:

- Review of available documents, budget and monitoring data (Annex 4).
- Kick off meeting with the Embassy and inception meetings with UNCTAD
- Quantitative analysis of secondary data/evaluation sheets available
- A field visit to Lebanon (May 1-5), Tunisia (May 6-12) and Egypt (May 13-17)
- Primary data collection through semi-structured interviews with the primary and secondary target group including management, and other programme stakeholders (e.g. study visit hosts), focus group discussions with staff, and key informant interviews with external stakeholders, face to face and remotely (Annex 5)
- Observation and full participation in the first day of the Tunis regional workshop on competition in May 2018 and other ad hoc activities.
- Informal discussions with participants in the Tunis workshop
- Debriefing with the Embassy and UNCTAD

The selection of stakeholders was based on a rapid mapping done during the inception phase. The selection of the target group was based on an analysis of participants lists. Selection criteria included the type of stakeholder represented (e.g. consumer authorities (CA)/private sector), position held (management/staff), the type of activity (workshop/study visit) and level of exposure (frequency of participation/length of period of involvement). The intention was to meet with stakeholders that reflect the profile of the target group and to triangulate findings horizontally across the range of stakeholders and vertically within the same organisation.

The ET met with 83 persons in total (36% women), the majority of whom belonged to one target group (primary and secondary). As the ET had more days in Tunisia, it met with a wider variety of stakeholders. Participation in the workshop in Tunis and related activities allowed the ET to briefly discuss the programme with persons from Palestine, Algeria, Morocco and Jordan, and UNCTAD consultants (cf. Figures 1 and 2).

Figure 2 - Distribution of the number of target group stakeholders consulted by country

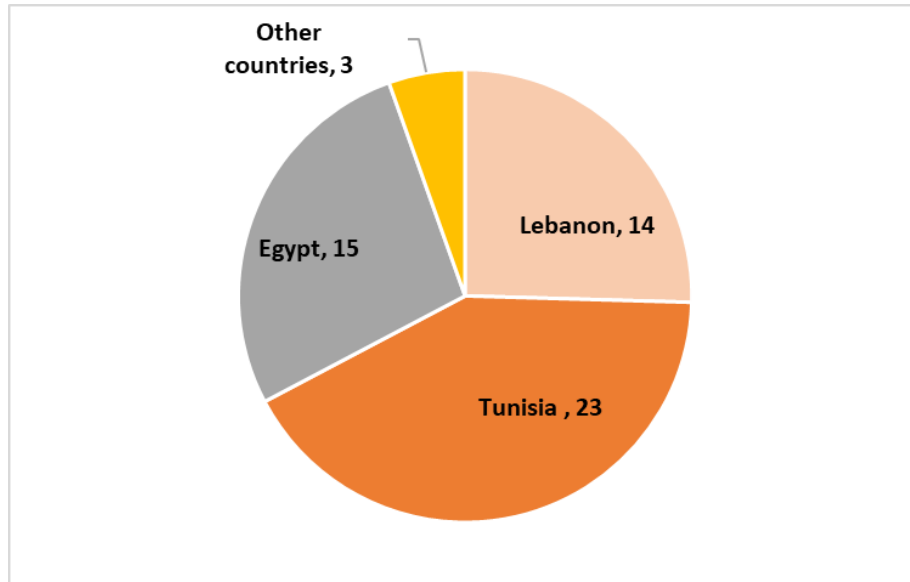
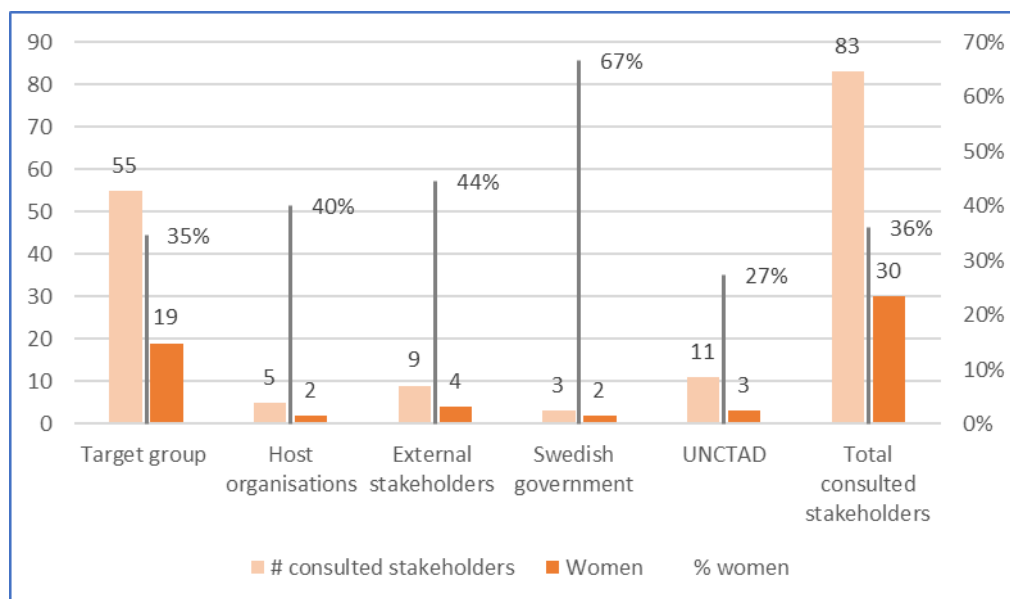


Figure 1 - Total number of stakeholders consulted by type of stakeholder



### 1.3 LIMITATIONS

The midterm evaluation encountered the following limitations:

- A key limitation was the absence of the programme manager (PM) who ran the programme since its inception in 2015 until July 2017, when she went on sick leave. This limited the team's understanding of programme design and revisions made in the inception phase and our ability to account for the PM's perspectives.

- The ET was unable to meet with the number and type of stakeholders initially planned. This has limited the extent to which the midterm evaluation was able to include the perspectives of a wider range of stakeholders.
- The lack of programme documentation meant that the ET may not have consulted all key programme documents. This may have affected some findings.
- The focus on three country visits and the general lack of documentation meant that the experiences of other countries are not strongly reflected in the report.
- Available participants lists are a mix of planned and actual participation. This means that findings from the lists are only indicative.
- Evaluation sheets made available did not use the same format and rating system. As a result they could not be collated. Moreover, many did not show the rating scales, therefore there was no benchmark to assess answers given. This reduced the relevance of the meta analysis to a quantitative analysis of evaluation sheets made available for specific workshops (Annexes 6 and 10).
- The fact that the budget formats do not include detailed budget lines for comparing budget versus actual disbursements has limited the usefulness of the cost analysis.
- Costs of key outputs were provided as an estimated cost for one sample per output rather than the actual cost of each of the agreed outputs. This has limited the extent to which the ET could provide information on actual spending on key outputs so far.

Nevertheless, the ET finds that the data collected at the national, regional and international levels across a variety of stakeholders forms a good basis for the assessment presented in this report.



## 2 The UNCTAD-MENA Programme

### 2.1 BACKGROUND

#### 2.1.1 Strategic framework

The programme was launched under the previous Swedish Strategy for Development Cooperation with the Middle East and North Africa (MENA), September 2010-December 2015 (hereinafter referred to as the previous Sida strategy). Swedish cooperation focused on three sectors, one of which was regional economic integration (REI). The objective of REI was to work towards *‘more regional trade and the development of regional markets’*. This was foreseen to be facilitated primarily through the development of and capacity development relating to *‘harmonised structures and regulatory frameworks in the trade sector focusing especially on international standardisation, including in the climate area, mutual approval of products, competition issues, consumer protection and trade in food’*. This included regional and sub-regional initiatives with a call to avoid multi-country initiatives. The strategy foresaw that initiatives would be implemented in accordance with the principles of aid effectiveness including cooperation with other donors. It also underlined the importance of working in line with its guiding principles including gender equality and the role of women in development.

The current ‘Regional Strategy for Sweden’s development cooperation in the Middle East and North Africa (MENA), 2016-2020’ (hereinafter referred to as the current strategy) is expected to contribute to *‘improved opportunities for regional economic development [...] through increased economic integration and improved opportunities for countries in the region to participate in free, sustainable and equitable regional trade’*. Activities are meant to provide regional value added and contribute to developing regional networks, sharing knowledge and experiences, creating more effective regional cooperation and collaboration. The strategy values initiatives gathering MENA countries to collaborate to achieve a collective goal linked to trade, economic integration, regional markets, and international and regional trade agreements particularly trade procedures and trade in services.

Unlike the previous strategy, the current strategy gives space for Sida to assess when country-specific initiatives are appropriate. However, like the previous strategy, the current strategy underlines the importance of seeking synergies including with the European Union (EU) development assistance and the United Nations (UN).

#### 2.1.2 UNCTAD as implementing partner

UNCTAD is the UN General Assembly body specialised in all matters linked to trade and development. Its core mandate is to assist developing countries and economies in

transition in their integration into the world economy. Its key functions are threefold, namely:

- to provide a forum for intergovernmental deliberations,
- to undertake research, policy analysis and data collection that feed into these deliberations, and
- to provide technical assistance to developing countries.<sup>1</sup>

The division of international trade in goods, services and commodities is one of the five divisions of UNCTAD.<sup>2</sup> It hosts the competition and consumer policies branch as the implementing partner of the programme. The branch implements competition and consumer policies programme whose aim is *‘to contribute to poverty reduction [...] by strengthening markets through improved competition and consumer protection’*.<sup>3</sup> This is done through:

- annual meetings of the international group of experts (IGE) on competition law and policy and recently established consumer protection law and policy,
- research on topics identified by IGE, and
- the delivery of technical assistance at national and regional levels through its model programme known as COMPAL inspired from the Latin America programme ‘Competencia y Protección del Consumidor en America Latina’ (COMPAL).

### 2.1.3 Regional context

Regional trade integration in the MENA region has been pursued for decades through numerous, and often overlapping, trade agreements. Nevertheless, the region remains one with the lowest intra-regional trade in the world.<sup>4</sup> According to the Economic and Social Commission for West Asia (ESCWA), some progress has been made at the sub-regional level with the Pan Arab Free Trade Agreement (PAFTA), also known as Greater Arab Free Trade Area (GAFTA). However non-tariff barriers to trade and trade integration remain a key issue as evidenced by low membership in the World Trade Organisation (WTO). In addition, there are structural factors that explain the low level of intra-regional, namely the lack of complementarity between economies, similarities of production and weak competitiveness.

The main trading partner of MENA countries is the EU, with whom many MENA countries have bilateral trade association agreements. Jordan, Egypt, Morocco and

---

<sup>1</sup> <http://unctad.org/en/Pages/DITC/CompetitionLaw/ccpb-Mandate.aspx>

<sup>2</sup> The other divisions include: Globalisation and development, investments and enterprises; technology and logistics, and least developed countries.  
([http://unctad.org/en/PublicationsLibrary/osgciomisc2017\\_en.pdf?user=17](http://unctad.org/en/PublicationsLibrary/osgciomisc2017_en.pdf?user=17))

<sup>3</sup> <http://unctad.org/en/Pages/DITC/CompetitionLaw/ccpb-Mandate.aspx>

<sup>4</sup> <http://bruegel.org/2017/12/promoting-intra-regional-trade-in-the-south-of-the-mediterranean/>

Tunisia are members of the Agadir agreement. The latter gives them the opportunity to benefit from regional cumulative rules. In the absence of regional value chains, this opportunity has not been fully utilised. Lebanon and Palestine are pending members.

The environment for regional integration has not been conducive for nurturing favourable conditions for trade and regional economic integration. The Arab experience with economic integration indicates a lack of political will, reluctance to integrate regional agreements into national strategies, a need for stakeholders to work in tandem towards regional goals and growing political tensions that are affecting economic relations among countries.<sup>5</sup> Consultations with trade experts revealed that the Arab Spring left political residues that are affecting economic aspirations in the region as seen by some countries reversing their commitments in GAFTA. Despite this outlook, intra-regional trade is still seen as a missed opportunity.<sup>6</sup>

#### 2.1.4 Programme context

The programme aspires to contribute to regional economic integration by strengthening competition and consumer protection policies and frameworks. According to UNCTAD, competition policy is ‘*one of the most important tools for fostering development and competitiveness*’,<sup>7</sup> allowing economies to function fairly and effectively. In terms of REI, there is however some debate among academics and practitioners about the role of competition in regional integration.<sup>8</sup>

Restrictive business practices may result in higher costs in the form of higher transaction, import and export costs, which are then transferred down the value chain to consumers. Working concurrently with consumer protection can therefore ensure that benefits from improved business and trade are transferred to end-users. There is synergy between consumer protection and competition policies, as consumers can be seen as the indirect beneficiary of competition policy.

The legal framework for competition and consumer protection in the MENA region is diverse. Some countries have had competition and consumer protection laws in place for years (e.g. Tunisia, Egypt), while others are still drafting (Lebanon and Palestine on competition) or recently adopted them (Jordan on consumer protection).

---

<sup>5</sup> ESCWA (2015): Assessing Arab Economic Integration: Towards the Arab Customs Union

<sup>6</sup> Hoekman, Bernard (2016): MEI policy paper 2016-1: Intra-regional trade: Potential catalyst for growth in the Middle East

<sup>7</sup> UNCTAD programme document 2014.

<sup>8</sup> Osborne, Carol (2015): The Role of the ASEAN Guidelines on Competition Policy in the Economic Integration of the ASEAN Countries”

The institutional landscape within competition and consumer protection includes varying architectures across the region. Some countries have institutionally independent authorities for competition and consumer protection (e.g. Egypt). Many countries have departments within a ministry as the national reference point for the subjects. In the three countries visited, the landscape is as follows:

- In Lebanon, the Ministry of Economy and Trade (MoET) has oversight for competition and consumer protection. There is a directorate for consumer protection and departments dealing with aspects of competition (e.g. anti-trust).
- In Tunisia, there is a dual system for competition and consumer protection. For competition, the directorate on competition and economic enquiries at MoET is responsible for market surveillance and investigations. The Competition Council, which is an independent structure under MoET, is responsible for case handling, some investigations and enforcement. For consumer protection, Tunisia has three relevant institutions including two units at MoET (Quality, economic research) and the institute for national consumption, which is independent but under MoET.
- In Egypt, there are two institutionally independent institutions, the Egyptian competition council and the consumer protection agency.

Many of the MENA countries have previously benefited from twinning arrangements with the EU and some are benefiting from the Technical Assistance and Information Exchange Instrument of the European Commission (TAIEX). However, the inception report (2015) notes that many still face challenges particularly in relation to the informal market, the autonomy of competition authorities and their ability to act independently, enforcement capacity, the need for modernisation of legal frameworks, and cooperation and coordination of functions within and outside the government.

## 2.2 THE MENA PROGRAMME

### 2.2.1 Background

The MENA programme was inspired by COMPAL Latin America (LA) implemented by UNCTAD. COMPAL LA worked to strengthen competition and consumer protection policies and frameworks and promote regional exchange of experience among countries under a regional cooperation component.

The MENA programme was approved in December 2014 with the signature of the agreement between Sida and UNCTAD. The total budget is SEK 46 million covering a period of five years. The inception phase took place in the first nine months of 2015 and produced a final programme document. The implementation of activities kicked off in March 2016. The programme covers eight countries but has effectively worked in seven due to the deteriorating humanitarian situation in Yemen. Partner countries include Lebanon, Jordan, Palestine, Egypt, Algeria, Tunisia and Morocco. Reference to partner or target countries in the report will mean these seven countries.

The programme is managed by UNCTAD Geneva in collaboration with national focal points in country. Focal points are typically top management staff at the Competition Authorities (CAs) and Consumer Protection Authorities (CPAs) who are the national counterparts of the programme. The organisational setup is presented in section 3.2.6 including a constructed organogram in Annex 12.

### 2.2.2 Scope

The scope of the programme that was approved in the Sida/UNCTAD agreement of December 2014 was substantially changed during the inception phase. As a result, the overarching goal of the programme, its outcomes and outputs are noted differently in various documents. According to the final programme document, it is understood that the overarching goal of the programme is to contribute to the promotion of REI.<sup>9</sup> This is expected to take place through the achievement of five outcomes. The budget figures below are presented in United States Dollars (USD), the same currency as the budget in the approved programme document.

**Outcome 1:** Competition policies are effective, sustainable and recognised as tools for regional economic integration in the MENA region (USD1.626.000).

**Outcome 2:** Consumer rights are respected at national and regional level and consumer protection policies are effective, sustainable and recognised as a tool for regional economic integration in the MENA region (USD 1.471.000).

**Outcome 3:** Private sector support increased and compliance programmes adopted on competition and consumer protection laws and policies. Gender equality and the economic empowerment of women increased at regional level (USD 284.000).

**Outcome 4:** Competition neutrality principles applied. State owned enterprises (SOEs) and government departments increase their understanding and awareness of the importance of competition neutrality (USD 101.000)

**Outcome 5:** Regional cooperation on competition and consumer protection improved and strengthened. The final number of countries from the MENA region participating in the project increased. Stakeholders' capacities, awareness and commitment at the regional and national level enhanced (USD 3.108.000)

<sup>9</sup> In the inception report text, the goal is to 'contribute to regional economic integration, anti-corruption, good governance gender equality and the SDGs by strengthening markets via improved competition and consumer protection policies in the MENA region'. According to the LFA it is to '*facilitate regional trade and regional integration through competition and consumer protection policies*'. The initial programme document does not specify the goal, but refers to the programme title, namely to promote regional economic integration. In the inception report, it was specified that the evaluation will consider REI as the goal.

Outcome 1 deals with the competition policy, legal and institutional framework, and enforcement and advocacy through:

- Output 1.1 (USD 440.000): Competition policies, legislations and frameworks adopted and/or improved at national and regional level. Impact assessment of law and policy to sustain further normative and policy improvement.
- Output 1.2 (USD 1.186.000): Enhanced capacities of all stakeholders (e.g. competition authorities, sector and economy ministries, sectoral regulators, private sector, judiciary, academia, media) in dealing with competition law and policy issues according to their respective responsibilities and roles. Enhanced awareness of stakeholders and public in general.

Outcome 2 pertains to consumer protection policy, legal and institutional framework and enforcement, education and advocacy:

- Output 2.1 (USD 303.000): Consumer protection policies, legislations and frameworks adopted and/or improved at national and regional level.
- Output 2.2 (USD 1.168.000): Capacities of all stakeholders in dealing with consumer protection issues acquired and improved (e.g. authorities, ministries, sectoral regulators private sector, judiciary, academia, media, gender).

Outcome 3 addresses the private sector and its compliance including gender equality and has one planned output namely:

- Output 3.1 (USD 284.000): Representatives of the private sector increase their capacities and skills on competition and consumer protection policies and leniency programmes. Women's capacities on competition, consumer protection and trade increased and strengthened.

Outcome 4 deals with competition neutrality principles through one output:

- Output 4.1 (USD 101.000): Policy makers, legislators and senior management of SOEs built their capacities and skills on policy coherence between competition, consumer protection and other public policies.

Finally, Outcome 5 is about regional cooperation and has three outputs:

- Output 5.1 (USD 1.105.000): MENA stakeholders built capacities on the positive and multiplier effects of sharing information and best practices on competition and consumer protection policies.
- Output 5.2 (USD 1.298.000): Linkages and synergies between MENA countries stakeholders strengthened in a cost-effective, inclusive and transparent way.
- Output 5.3 (USD 705.000): MENA training programme on competition, consumer protection, good governance and gender are designed and rolled out in the region as tools to qualify and train competition and consumer protection stakeholders in member countries.

A summary of the programme's planned activities is presented for the national, regional and international levels in Annex 7.

# 3 Findings

## 3.1 RELEVANCE

Evaluation questions
<b>National priorities</b>
1. To what extent is the programme aligned to national policies and strategies including their regional and gender equality dimensions? And to what extent are these dimensions driven by national policies?
<b>Target group priorities</b>
2. To what extent did the programme adequately respond to the priorities of its target group?
3. How were the priorities of women addressed in the programme?
<b>Programme design</b>
4. To what extent are planned activities likely to contribute to the realisation of outputs and outcomes?
5. To what extent are indicators appropriate for monitoring progress on activities, outputs and outcomes (including gender-sensitive indicators)?
6. How were the perspectives of women considered in the design of the programme?

### 3.1.1 National priorities

The assessment of relevance to national priorities looks at the alignment with national policies, and the regional and gender dimensions of national policies and strategies.

#### *Alignment*

Consultations in the field confirmed that the topics of competition and consumer protection are relevant to partner countries, also for countries with draft laws in the making. National priorities are articulated in the strategies of authorities and agencies responsible for competition and consumer protection.

The stakeholders consulted corroborated the fact that they were asked about their priorities during the programme design phase (section 3.1.2) and that they submitted a list of priorities to UNCTAD. While asking for priorities suggests good practice on behalf of UNCTAD, it does not indicate the extent to which these expressed priorities were effectively aligned to national strategies. According to interviews in the field, consulted partner countries were not asked to look at their strategic plans to identify priorities for the programme. This indicates that expressed priorities could potentially be more of ‘wants’ than ‘priorities’. However, a stakeholder consulted for the



evaluation confirmed that any capacity building activity on the application of the law is a national priority.

#### *Regional dimension*

National priorities within competition and consumer protection are focused on national jurisdictions. In the absence of a regional structure and of a common vision for countries to work towards a regional goal, the stakeholders consulted confirmed that national strategies do not have a regional perspective or national commitment to actions at regional level. Many of the stakeholders consulted said that countries are generally preoccupied with their own national interests. One of those interests is the EU trade association agreements, which has a competition chapter and requires closer convergence of a range of MENA countries to EU requirements.

#### *Gender equality*

National strategies on competition and consumer protection do not address gender dimensions, but some focus on children and the elderly regardless of their sex. All of the stakeholders consulted including men and women agreed that gender equality is not relevant for competition and consumer protection issues. The topic is dealt with separately under the countries' work and strategies on promoting gender equality.

Assessment: Competition and consumer protection are relevant topics for partner countries, particularly in relation to the EU trade association agreements that include a competition chapter and are seen as part of national priorities. The ET does not have sufficient information to make an assessment on the extent to which expressed priorities were aligned to national policies and strategies. There is however indication that there were no mechanisms to ensure that they were aligned, even though countries were consulted about their national priorities. In terms of regionality, national strategies are focused on national markets and do not have a regional dimension to drive actions at regional level. Gender equality is addressed through national strategies separately from competition and/or consumer protection strategies. They are therefore not priorities for national competition and consumer protection.

### **3.1.2 Target group priorities**

The assessment of relevance of the programme to target group priorities includes the primary target group and secondary target group. The primary target group comprises CAs and CPAs in targeted countries. The secondary target group includes other relevant stakeholders such as judges, representatives of the private sector, sector regulators, and civil society organisations (CSO) working on consumer protection.

A pre-requisite for assessing relevance is knowledge about the programme. Furthermore, a key criteria for ownership is that stakeholders are involved in programme design and identification of priorities. The section below presents findings in relation to stakeholders' knowledge of the programme, participation in the identification and prioritisation of activities, the types of activities stakeholders participated in and the extent to which these activities responded to priorities.



*Relevance to primary target group*

**Knowledge of the programme.** The level of knowledge about the programme varied among consulted primary stakeholders. At the management level, consulted CAs and CPAs including focal points did not all have the same understanding of what the programme's overall objective is. The ET notes that none were familiar with all the components of the programme or had seen the inception report including the final programme document, LFA, workplan and overall budget. At staff level, technical staff working at CAs and CPAs did not know about the programme, its objectives or activities, expected outputs and outcomes. They were merely familiar with the activity(ies) they participated in.

**Identification of needs and priorities.** Consulted CAs and CPAs confirmed that management was consulted about priorities. Staff were not part of that exercise. Needs assessment missions lasting 2-3 days per country were undertaken during the inception phase to clarify needs and priorities in relation to competition and consumer protection laws and policies. The ET considers the exercise as a rapid needs assessment and underlines that it was undertaken after the initial programme document was approved in 2014. The ET did not have access to detailed needs assessments. As an example, the mission report from Egypt, Lebanon and Jordan identified the following needs:

- Institutional capacity building and staff training, which called for 'a robust national component [...] to provide avenues for convergence at the regional level' and an 'entirely demand driven approach [...] focused on each country's needs'. Country needs assessments were envisaged to take place jointly with the primary target group followed by action plans that countries develop with the assistance of UNCTAD in line with their strategic priorities.
- Limited knowledge about how to balance advocacy work and effective enforcement of rules

Priority needs identified in Tunisia, Morocco and Algeria are found in Annex 8.

**Prioritisation of final activities.** The final version of programme activities were presented in the inception workshop held in Agadir in 2015. With the exception of two persons, the stakeholders consulted did not experience the inception workshop as a platform for agreeing on priorities but rather as a presentation of final programme activities. They reported that prioritisation of activities took place by the PM and that they did not contribute to or have influence in the decision making process.

The ET notes that programme activities proposed in the final programme document did not include a capacity needs assessment and plan as an activity. Furthermore, the national component was reduced to a few activities in selected countries where law drafting was underway, shying away from the findings of the rapid needs assessment that called for the need to strengthen national institutional frameworks in a way that would facilitate potential convergence at the regional level.

**Participation in activities.** Key activities that the stakeholders consulted participated in include i) Regional Training workshops (RTWs) as the key activity, where best practice guidelines developed by the programme were introduced and stakeholders from various sectors were present, ii) study visits and iii) participation in IGE meetings. The main recurrent participants in activities are focal points who represent top management with the exception of Tunisia (section 3.2.1) and in some cases other management staff. Participation was limited to a quota of one person per organisation to target different types of stakeholders. In a dual system like Tunisia and other Maghreb countries, it meant that the competition council was prioritised. This limited the participation of other relevant primary stakeholders such as MoET including the focal point in Tunisia. The responsibility for the selection of participants is given to the individual countries' focal points, who are seen to be best placed to identify relevant candidates. Technical staff were nominated by management and primarily, but not only, attended RTWs. Their participation in the programme was limited to one or two activities (section 3.2.1). None of the stakeholders consulted knew whether and what selection criteria were used.

**Relevance to work priorities.** A range of the topics that the programme addressed were seen as relevant to the work priorities of CAs and CPAs, such as enforcement and investigative tools, e-commerce and misleading advertisements. The working group format, which was part of some RTWs was seen as a useful space for discussions, reflexions and proposal of actions. While a valued experience, the focus on the exchange of experiences and dissemination of best practices rather than technical capacity development was not seen as being relevant to work priorities. The questions of whom the programme is targeting and what the objective of the workshop is were raised. Findings reveal that RTWs did not adequately account for the following:

- The different levels of maturity of the various authorities and agencies in the region, including countries that have laws and structures and countries that do not yet have laws
- The varying levels of competence between experts from CAs and CPAs and other stakeholders present in the same workshops who have limited experience in competition and consumer protection (the secondary target group)
- An analysis of what priorities are relevant in their national and/or regional contexts particularly in the choice of topics for guidelines.
- Joint identification and prioritisation of issues of concern countries would like to address and solve.
- A logical sequence and progression of workshops with a clear target/vision and follow up. Some workshops dealt with similar topics.
- A more stable participation and commitment to ensure a more continuous and progressive development of capacities.

#### *Relevance to secondary target group*

**Knowledge of the programme.** The secondary target group was not well informed about the overall objective of the programme and its components. Apart from two

stakeholders, the stakeholders consulted did not show an understanding of what the programme is trying to achieve. All of the stakeholders consulted were involved in consumer protection activities and were only aware of activities they participated in.

**Identification of needs and priorities.** None of the stakeholders from the secondary target group were consulted about their priorities, apart from one consulted stakeholder who played a role in referring UNCTAD to the institution responsible for competition and consumer protection in country at the beginning of the programme. Apart from this person, all consulted stakeholder were invited or nominated to participate in the programme at a later stage.

**Prioritisation of final activities.** In line with the above, the secondary target group was not involved in the prioritisation of programme activities. Only one stakeholder consulted had attended the inception workshop in 2015.

**Participation in activities.** The main activity that secondary stakeholders consulted participated in is RTWs. A few had participated in study visits. All of the stakeholders consulted were invited to participate but none of them knew whether and what selection criteria were used.

**Relevance to work priorities.** Consumer protection in general was seen as a relevant topic for the work of the stakeholders consulted. Knowledge provided through the presentation of guidelines was seen as a good starting point for understanding best practice within consumer protection and the role of various actors. A consulted stakeholder had recently established a unit for consumer protection and deemed the workshop as highly relevant. The stakeholders consulted from the justice system saw the topic as relevant for establishing a basic understanding of issues given that it was not addressed in academic studies. However, programme activities did not target their specific needs as enforcers in a systematic and targeted manner. One consulted stakeholder who was involved in the programme since the beginning informed that priorities previously shared with UNCTAD were still not met.s

There were divergent views among the secondary target group about the relevance of topics addressed within consumer protection. More specifically E-commerce was mentioned as a topic of interest for a private sector representative. From a civil society perspective, E-commerce was seen as highly irrelevant. A more pressing issue pertained to building a culture and awareness on consumer rights in the region. In that sense, consulted CSOs did not deem that the programme touched upon ‘the real problem’ to draw a way forward based on an assessment of what is needed.

#### *Gender considerations*

The priorities of women was not seen as a relevant issue in relation to competition and consumer protection issues. Consulted male and female stakeholders were more focused on their work priorities as technical experts rather priorities based on their sex. The ET notes that gender considerations were not integrated into the needs

assessment to unravel whether there were specific gender related issues that the programme can address to meet the priorities of women within their work priorities.

Assessment: The ET appreciates the intention of the programme to bring stakeholders from different sectors together to exchange experiences and learning. Nevertheless, the ET acknowledges the difficulty of adequately responding to the priorities of a wide range of stakeholders with different backgrounds and competences in singular events such as RTWs. The ET assesses that the format and content of RTWs were more relevant to addressing the general needs of the secondary target group, whose level of experience and knowledge of competition and consumer protection issues is not as advanced as that of the primary target group.

The ET sees that relevance to the priorities of the primary target group was strongly weakened by i) the absence of an analysis that identify needs/problems/issues of concern at country and regional levels, ii) inclusion and participation in decision making, and iii) the lack of a more tailored, progressive and targeted approach to capacity development with questions raised about who the target group really is.

### 3.1.3 Programme design

This section assesses the coherence of programme design by looking at the programme document and LFA including indicators, budget and gender considerations. The programme document that is used in this midterm evaluation including this analysis is the one that was revised and approved during the inception phase in 2015. The version of the document that was initially submitted to Sida in 2014 will be referred to as the initial programme document.

#### *Link between activities, outputs, outcomes and objectives*

The ET will first address key considerations given to the overall programme design. This will help shed light on the rationale and context of the programme and form the basis for understanding relevance and coherence in the sections that follow.

**Overall rationale.** The MENA programme was inspired by the positive experience of COMPAL LA. It was also driven by UNCTAD's strategy to expand its regional focus through a scale up of COMPAL LA into COMPAL GLOBAL. COMPAL LA has been funded by the Swiss State Secretariat for Economic Affairs (SECO) since 2003. Its success defied questions raised about UNCTAD's performance in the Joint Inspection Unit report (2012) and was an opportunity for UNCTAD to re-position

itself.<sup>10</sup> The success of COMPAL LA was the basis for COMPAL to become UNCTAD's main technical assistance programme and flagship. The launch of COMPAL GLOBAL took place in a side event to the 13<sup>th</sup> International Competition Network (ICN) Annual Conference in April 2014.<sup>11</sup> At the conference, UNCTAD's intention 'to export' COMPAL to other regions including MENA was articulated and Sida's 'great interest' in financing COMPAL MENA was expressed. The extent to which the regional MENA programme emerged from an analysis of joint needs and priorities of MENA countries themselves is not documented or established anywhere.

**Strategic framework.** The strategic frameworks governing COMPAL LA and the MENA programme differed widely. According to SECO, COMPAL LA had three phases in the last 15 years. The first phase worked at the national level to build national structures and capacities. In the second phase, national work continued while a regional element was introduced. In its third and current final phase, COMPAL LA is focusing on ensuring a sustainable exit.

The strategic framework governing COMPAL LA was not motivated by a regional dimension compared to the MENA programme, which is driven by Sida's regional MENA strategy. The ambition was limited to a regional exchange of experiences, learning and potential cooperation. It did not seek regional economic integration as its goal as is the case for the MENA programme.

Furthermore, a key difference in the strategic framework of COMPAL LA and the MENA programme is that the former worked at the national level before expanding into the regional level. In the case of the MENA programme, the regional dimension was the starting point and the main angle for the design of the programme.

**Inclusion and participation.** The two external evaluations of COMPAL LA note that one of the main strengths of COMPAL LA was its bottom up approach. This installed a strong sense of local ownership, as countries identified, prioritised, developed and monitored their own action plans that were aligned to their strategic plans. UNCTAD provided tailored and demand-driven technical assistance at country level and had oversight of programme performance through national project management committee meetings.

---

<sup>10</sup> Lindhal, Claes, Sittenfeld, Pamela, & Westmark, Peter (2012): An evaluation of COMPAL Latin America.

<sup>11</sup> <http://unctad.org/en/pages/SGStatementDetails.aspx?OriginalVersionID=84>

The approach and organisational structure of COMPAL LA was transferred to the design of the initial programme. However, substantive national components including the development of national action plans and national committees were not included in the final programme document.<sup>12</sup> Priority in the inception phase was given to increasing focus on the regional dimension of the programme.

The ET acknowledges that increasing regional focus aligned the programme closer to Sida's previous strategy that advised against multi-country interventions. However the ET cannot see that this was based on a participatory analysis of common regional problems and issues that are relevant for partner countries. Findings indicate that countries were not included in the identification and prioritisation of joint issues of concern that are relevant to their strategic needs (see section 3.1.2).

**Programme context.** The context that drove COMPAL LA was very different from the context of the MENA region at the time of programme design. According to the two evaluations of COMPAL LA, the preconditions for the success of COMPAL LA lay in the fact that time was opportune to support countries in the field of competition and consumer protection. They were opening up to free trade agreements and political will was strong to drive the work of the programme. In the MENA region, the context during the design phase in 2014/2015 was characterised by increasing instability and insecurity in the aftermath of the Arab spring and growing humanitarian needs resulting from the Syrian displacement crisis which imposed substantial pressure on the social and economic outlook of the region and segmented it along political and sectarian lines. Furthermore, many countries already had trade agreements in place within the region (e.g. GAFTA, Agadir) and with the EU with varying levels of progress. The programme did not assess its potential contribution vis à vis these trade agreements during the design phase to strengthen its regional relevance.

**Institutional considerations.** The MENA programme is a regional programme that aspires to contribute to regional economic integration. However, there is no functioning regional structure that is driving regional economic integration and setting a common vision for targeted MENA countries. This represents a challenge for a regional programme working in a context where partner countries do not have regional priorities or national commitment to regional actions. The existing regional institutional space lies with LAS whose geographic scope is wider than the programme and includes Gulf countries, the Union of the Maghreb or the Agadir secretariat whose scope is more limited and would exclude some targeted countries.

---

<sup>12</sup> The global coordinator of COMPAL LA took part in the formulation of the initial programme document in 2014 and participated in the needs assessment in the Middle East during the inception phase in 2015. However, the expert was not involved in the formulation of the final programme document.



**Country selection.** Linked to the above, the ET wishes to underline that the programme document, in its final and initial versions, does not provide an analysis or justification for the selection and relevance of countries covered by the programme, apart from the fact that the selected countries were Sida priority countries. This question was raised by many of the stakeholders consulted across the categories of stakeholders consulted but remains unanswered.

**Overall goal.** The overarching goal is to promote regional economic integration. The ET finds that the programme goal was ambitious compared to its envisaged scope of work within competition and consumer protection policies and frameworks. Competition and consumer protection policies are important pillars in regional economic integration. However, it should not be assumed that they can be used as the primary driving force of a regional economic integration process. This was confirmed by the stakeholders consulted including the target group and trade experts.

**Expected outcomes.** The ET finds that the formulation of outcomes is not specific as it includes more than one sentence or concept at a time. Assumptions for the realisation of outcomes and the potential achievement of the goal of the programme are not articulated in the programme document. The table in Annex 9 reflects upon and challenges the link between programme outcomes and its goal. The ET recognises that the programme tried to address various dimensions and include relevant stakeholders. However, the combination of all five outcomes if realised could at best potentially contribute to regional cooperation on competition and consumer protection policies among countries. As noted above, the likelihood that this will happen is weakened by the absence of the pre-conditions for such collaboration in the MENA region when limited effort is invested to work towards that end. Furthermore, the ET notes that regional collaboration is not the same as regional integration. Therefore, even in the event that regional cooperation happens, it would not necessarily contribute to regional economic integration.

**Planned activities and expected outputs.** The programme intended to improve the policy, law and institutional frameworks of competition and consumer protection as well as strengthen enforcement and advocacy, business compliance, the application of competition neutrality, sharing of information and best practice, linkages and synergies and regional capacities. According to the inception report, around eighty activities were planned to achieve nine outputs (Annex 7).<sup>13</sup> The multitude of activities of different nature meant that efforts were spread rather than concentrated on fewer more meaningful activities. In few cases, for instance for competition neutrality principles to be applied, the planned activities and outputs were too few (one set of guidelines and one workshop for SOEs over a period of five years) to instigate any significant contribution to change in the landscape of the MENA region.

---

<sup>13</sup> These included a few preparatory activities, such as ICT needs assessments.

*Relevance of indicators*

The LFA presents the five outcomes and nine outputs of the programme. Indicators are devised for outputs. There are no indicators to monitor the progress of the programme towards the achievement of outcomes. One gender-sensitive indicator is devised for Outcome 3 to measure ‘*the number of women taking part in the activities and trained*’ for one specific output. However, the number of female participants in other activities or workshops is not integrated in the LFA.

Indicators include quantitative measures such as the number of persons trained, the number of hours of training, the number of new laws approved/draft laws prepared, the number of cases investigated. While this captures basic data for certain activities (e.g. workshops held), it does not reflect the quality of the work done. For instance the number of cases investigated does not adequately reflect the complexity of the case being dealt with or the success in prosecution. In addition, the ‘number of new laws/regulations approved’ does not indicate whether a large number is a positive or negative development. The ET acknowledges the difficulty of setting indicators for technical cooperation programmes. However, there are some indicators that are not directly relevant to the intended purpose. For instance, it is unclear how the number of articles or media citations is an appropriate indicator for an improved policy framework, although it may be relevant for advocacy and awareness raising work.

While the agreement with Sida required that ‘*the result framework should be further developed and include baselines and targets*’ in the inception phase, the final programme document does not include any targets to allow the programme to monitor its own delivery over time and adjust as needed.

The programme document assured that result based management (RBM) will be applied and that monitoring will be regular with systematic data collection on specific indicators including activity monitoring and results monitoring. Reporting was envisaged on a bi- annual basis in the programme document, although Sida’s requirement was for annual substantive reporting, a midterm report on gender and youth, and a final report. In line with the agreement with Sida, the programme document referred to an annex that describes a monitoring plan and template to be used. However, this annex is not included as part of the inception report.

*Perspectives of women*

The ET does not have sufficient information to assess how the perspectives of women were included in programme design. The programme document indicates that UNCTAD used some of the findings from the rapid needs assessments undertaken during the inception phase. Findings from these assessments do not suggest that the perspectives of women were considered in recommendations made on priority needs.

The programme document articulates its intention to include gender considerations by working with a gender specialist during implementation and addressing the economic empowerment of women at the regional level through a range of activities such as



studies, guidelines and workshops (Outcome 3). The ET did not see any analysis undertaken to assess the appropriateness of planned activities targeting women vis à vis their priorities. Furthermore, the ET fails to understand the programme's focus on the economic empowerment of women, when this competence lies with other agencies than the implementing agency.

Assessment: The extent to which planned activities are likely to contribution to the realisation of outputs and outcomes is seen as low. The strategic framework, pre-conditions and political will that drove COMPAL LA are not the same for the MENA programme. Assumptions were made in the design of the programme without being articulated and reflected upon in relation to what is possible in the context. This has greatly weakened the coherence of the programme. It is unclear how the inception report including the final programme document was approved by UNCTAD and Sida, when the scope of the programme was widened without sufficient analysis and did not fully meet the requirements of their agreement.

As for indicators, some were appropriate for monitoring simple outputs but did not take account of quality considerations. The programme does not have outcome indicators for it to assess its progress towards the achievement of outcomes. Gender sensitive indicators were limited to one indicator for one output and therefore not sufficiently adequate for monitoring purposes.

Based on available information, the ET assesses that the perspectives of women were not considered in programme design. Actions were planned to address gender considerations during implementation. However, the relevance of these actions can be questioned as they are not based on an analysis of what is needed to address women's priorities and on the core competences of the implementing agency.

## 3.2 EFFECTIVENESS

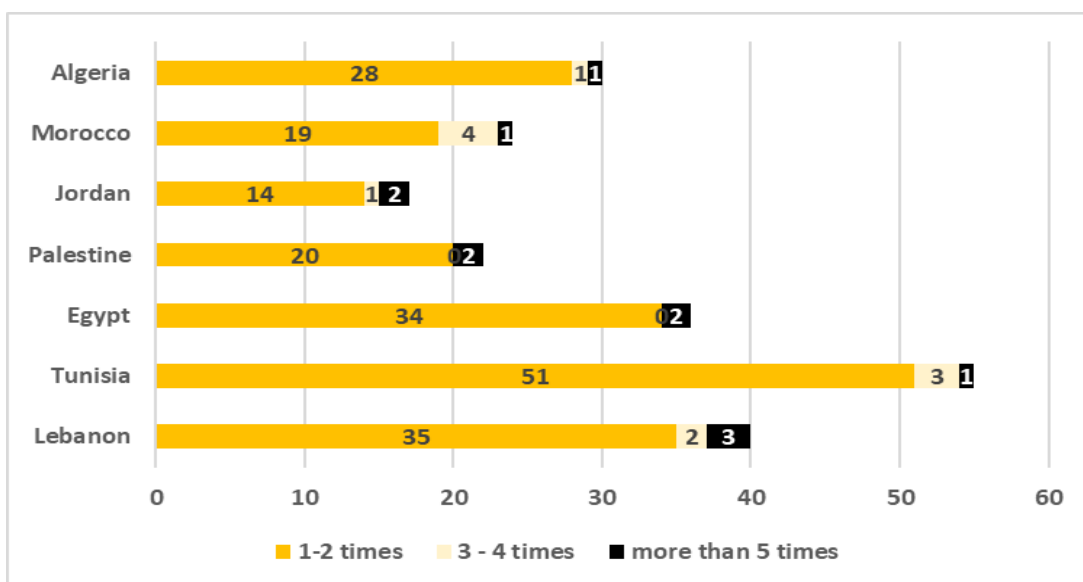
Evaluation questions	
<b>Results achieved</b>	
7.	To what extent did the programme attain planned outputs? Why? Why not?
8.	To what extent did the programme achieve or is likely to achieved intended outcomes? Why? Why not?
9.	How did results achieved affect women?
<b>Monitoring and evaluation</b>	
10.	How and how often is data collected and analysed to monitor the progress of the programme, including gender-specific results?
<b>Organisational setup</b>	
11.	To what extent did the organisational setup of the programme facilitate the achievement or non-achievement of outputs and outcomes?

### 3.2.1 Implemented activities

According to the inception report, the programme planned for some eighty activities during the lifetime of the programme. While some activities were implemented on time, there is substantial delay in the implementation of most planned activities. A count of planned activities in the workplan and information provided in annual reporting indicates that around 30% of activities were partially or fully implemented.

This section presents activities that were implemented during the course of the programme at the national, regional and international levels in line with the ToC. Resulting outputs and outcomes are discussed in sections 3.2.2 and 3.2.3. However, before presenting findings, an overview of participation in implemented activities is provided (cf. Figure 3). It confirms that all partner countries participated in regional and international activities.<sup>14</sup> However, it also shows a large difference in the level of participation. A few persons participated in most activities on behalf of their countries (more than five events). Participant lists indicate these were top management of CAs and CPAs. The large majority of other stakeholders did not have regular attendance and only participated in one or two events. This low frequency is partly justified by the quota set for one participant per organisation, which is often reserved to management and the lack of selection criteria of participants that would encourage management to propose relevant technical staff based on professional experience.

Figure 3 - Indicative frequency of participation in regional and international activities, 2015-2018 (Q1)



<sup>14</sup> There no sufficient information to include national activities.

*Activities at national level*

**Legal advice.** As part of UNCTAD's core mandate and competence, the programme assisted four countries in the review of national legal frameworks within competition and consumer protection (Outcomes 1 and 2) as follows:

- Review of draft laws on competition in Palestine and Lebanon (2016)
- Review of competition law in Algeria (2017)
- Review of draft law on consumer protection in Jordan (2017)

**National awareness raising seminars.** To build national commitment, the programme organised four national awareness raising seminars in countries where legal advice was provided as presented in Table 1.

*Table 1 – Location, theme, date and length of the national awareness raising seminars*

	Theme	Length	Date
Palestine	Competition	1- day	September 2016
Lebanon	Competition	Half day	October 2016
Algeria	Competition	1-day	May 2017
Jordan	Consumer protection	1-day	July 2017

The intention was to gather multiple key stakeholders such as members of government and parliament, judges, academics, the private sector, competition authorities/consumer protection agencies, civil society and media. The ET does not have the agendas of these seminars to provide insight into their content or the full lists of actual participants to indicate the number of participants present and the types of stakeholders represented. The ET notes that there are other agencies that also organised workshops on competition in the region (section 3.3.2 on coordination).

*Activities at regional level*

Planned regional activities include a wide range of activities the majority of which are not yet fully implemented. These comprise various country studies, guidelines, toolkits and manuals, comparative studies, diagnostic studies on strategic sectors, specialised regional training workshops, sector survey on gender, Training of Trainers (ToT), creation of a pool of regional experts and of a MENA academic forum, resource library, website development, regional competition/consumer protection days, online courses, academic degrees, information communication technology (ICT) platforms including various sub-platforms, regular participation in regional meetings and MENA twinning arrangements.

The section below presents key regional activities that were implemented.<sup>15</sup> It also takes rapid stock of the status of the ICT platform, which is not yet implemented

<sup>15</sup> Some communication activities were also done according to progress reports.

despite preparatory work put into it, but is one of the main regional instruments of the programme.

**Development of guidelines.** The programme envisaged the development of a range of guidelines as tools to disseminate best practice on various specific issues related to competition and consumer protection. Within the timeframe of this midterm evaluation (until March 2018), three guidelines were published namely:

- Competition glossary
- Competition guidelines on leniency programmes
- Good governance guidelines on independence and transparency

Other guidelines that are concluded but not yet published include:<sup>16</sup>

- Guidelines on competitive neutrality
- Guidelines on consumer protection agency structure and agency effectiveness
- Guidelines on business engagement in consumer protection
- Guidelines on consumer associations
- Guidelines on E-commerce
- Guidelines on product safety

Although outside the timeframe of the midterm evaluation, the following guidelines were presented in the Tunis workshop in May 2018 but not yet published:

- Guidelines on competition agency structure and agency effectiveness
- Guidelines on business compliance

**Regional training workshops.** The programme held a series of regional workshops including RTWs. An overview is presented in Table 2. RTWs that were implemented during the timeframe of the midterm evaluation are highlighted in bold.

Table 2 - Overview of the regional training workshops

Event	Where	When	Why
1. Inception workshop	Agadir	July 2015	To present and validate the revised programme document
2. Kick-off workshop	Cairo	March 2016	To launch the implementation phase of the programme
<b>3. RTW on consumer protection</b>	<b>Beirut</b>	<b>October 2016</b>	<b>RTW on E-commerce and complaint handling including presentation of revised UN guidelines on consumer protection</b>
<b>4. Launch of RTC and first RTW on competition</b>	<b>Tunis</b>	<b>November 2016</b>	<b>To launch the RTC on competition; RTW on investigative tools</b>

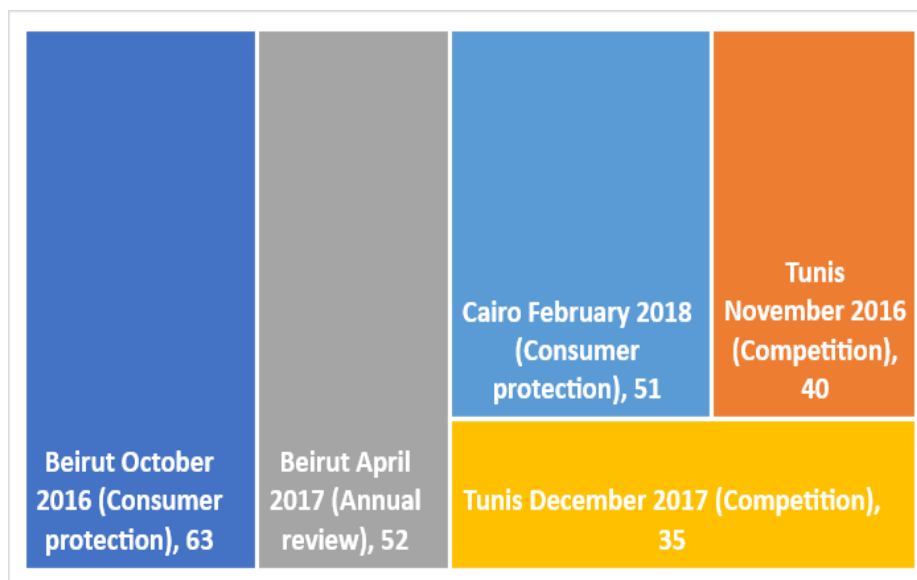
<sup>16</sup> The second and third guidelines are under publication in 2018 while the last three guidelines are under review.

Event	Where	When	Why
5. Launch of RTC and first annual review	Beirut	April 2017	To launch the RTC on consumer protection; Present activities implemented; Present ICT platform, group discussions; Future activities
6. RTW on competition	Tunis	December 2017	<b>RTW on competition enforcement including presentation of competition neutrality guidelines</b>
7. Launch of RTC and RTW on consumer protection	Cairo	February 2018	<b>To launch the RTC on consumer protection; RTW on consumer protection including presentation of guidelines (revised UN guidelines, consumer associations, business engagement, agency structure and effectiveness)</b>
8. RTW on competition	Tunis	May 2018	RTW on competition law and policy including presentation of guidelines on agency structure and effectiveness, guidelines on business compliance, guidelines on competition and public procurement

The programme organised four RTWs in the implementation period from 2016 to 2018 (Q1). These include two RTWs on competition and two on consumer protection. While a rate of two workshops per year was initially envisaged for each of the competition and consumer protection components, in practice one workshop per year was organised for each of the themes, partly due to the time consuming aspect of organising multi-stakeholder workshops and limited human resources assigned to the programme, which resulted in drawing on UNCTAD's own resources at no cost to the programme.

The number of workshop participant is shown in Figure 4.

*Figure 4 - Number of participants in regional workshops, 2016-2018 (Q1). Does not include the inception and launching workshops*



**Establishment of regional training centres.** The programme envisaged the creation of a RTC on competition and a RTC on consumer protection as a venue for holding regional training workshops in the spirit of positioning countries with specific expertise in the region. Support to their institutional and strategic capacity development was envisaged. However, no sustainability considerations were considered for instance in developing sustainability plans. The stakeholders consulted informed the ET that during the inception workshop, it was agreed that Tunisia would host a RTC on competition<sup>17</sup> and Egypt a RTC on consumer protection. The workplan for 2016 and 2017 (Q1) however indicates a partnership between Egypt, Morocco and Lebanon with regards to the consumer protection RTC. None of the consulted stakeholder was informed about decisions taken regarding the issue.

According to documentation and consultations in the field, the programme has four RTCs today as presented in Table 3.

<sup>17</sup> This is based on the recommendation of a peer review on competition carried out in 2007 and the cooperation agreement between UNCTAD and Tunisia in 2007 to establish the centre.

Table 3 - Regional training centres of the programme.

RTC theme	RTC location	Status
Competition	Tunisia	Cooperation framework between UNCTAD and Tunisia, 2007, RTC launched
	Egypt	MoU between UNCTAD and Egypt, RTC is not launched
Consumer protection	Lebanon	MoU between UNCTAD and Lebanon, 2016, RTC launched for training in Arabic and French
	Egypt	MoU between UNCTAD and Egypt, 2017, RTC launched for training in English

The Memoranda of Understanding (MoU) include a provision indicating there will be a letter of intent to be signed between Egypt and Tunisia regarding collaboration on competition issues and between Lebanon and Egypt regarding collaboration on consumer protection issues. Given that Tunisia was not consulted about the decision to create another centre in Egypt against initial plans, it has so far refused to sign the agreement.

According to the stakeholders consulted, the understanding was that countries contribute with a facility and its infrastructure (own contribution) and that UNCTAD finances training activities. A consulted stakeholder informed that countries were not fully aware that the programme would not reimburse the procurement of key infrastructure. In the case of Egypt, and following the establishment of the centre, UNCTAD was to provide a training curriculum and ToT to help launch activities. This verbal agreement is however not documented anywhere and has not yet taken place.

Findings from the field indicate that RTCs have become ‘an issue’ in the programme. There is a variety of factors that have led to discomfort among countries in relation to RTCs. First, there is a general lack of transparency regarding decisions taken. Second, and linked to the first point, countries are unclear about whether there were criteria for the selection of centres. Third, the language argument for spreading the centres in the region does not hold. This is so because interpreters are used in workshops and English speaking speakers are invited to workshops that are hosted in a French or Arab speaking centre. Fourth, spreading the centres across the region undermines the notion of having a singular point of reference in the region. Finally, concentrating workshops as the primary programme activity in selected countries undervalues the roles of other participating countries, and excludes them from active involvement.

**Participation in regional fora.** One of the programme’s activities is to support and strengthen the participation of MENA countries in the League of Arab State’s (LAS) technical committee meetings on competition and consumer protection (Output 5.1/Activities 5.1.6 and 5.2.1). The intention of reaching out to LAS also links to the regional focus of the programme of expanding the number of countries to other LAS members. UNCTAD reached out to LAS during the inception phase and facilitated

the participation of countries in meetings in 2016. The ET does not have a list of participants or information from the field to indicate the number and countries whose participation the programme supported. Since then, no further activities were pursued.

**ICT Platform.** The ICT platform is not yet implemented, but was one the core regional activities and potential footprint the programme intended to make. It included sub-platforms comprising a regional complaint handling system, a regional alert and early warning system similar to the European Rapid alert system (Rapex) for a wide variety of goods and services, a resource exchange database including country profiles for competition and consumer protection and an e-learning platform/virtual institute. The stakeholders consulted did not know what the status of progress on the platform was. According to documents reviewed, the platform was to be hosted at the United Nations International Computer Centre (UNICC) in Geneva. Consultations indicate that no discussion were undertaken to address sustainability considerations regarding who will take over the platform and maintain it after the programme ends.

Many stakeholders were interested in aspects of the alert system despite the preconditions for such a system being a common market and common external border. Some expressed the irrelevance of a regional complaint system to the current regional context. However, feedback was not taken onboard. Furthermore, the establishment of regional systems was seen to require that countries can contribute with needed data to input into the system, that the quality of data is reliable and systematised, and that countries have the resources and official commitment to integrate this function into their daily work flow. As a result, many of the stakeholders consulted viewed the necessity of strengthening and systematising national practices prior to or at least in tandem with the establishment of a regional system.

#### *Activities at international level*

Main international activities include study visits and participation in IGE meetings. A singular activity in the inception phase included participation in the Latin America annual conference on competition and consumer protection in Peru. The purpose was to get exposure to the Latin American experience with COMPAL. The ET does not have sufficient information about this visit which will not be addressed below.

**Study visits.** One of the instruments used in the programme to widen the exposure of MENA countries to international experiences is study visits. In the period 2016 to 2018 (Q1), four study visits were undertaken as shown in Table 4.



Table 4 - Overview of study visits, planned and actual. (\*) The number of participants is indicative, as it includes the planned visits.

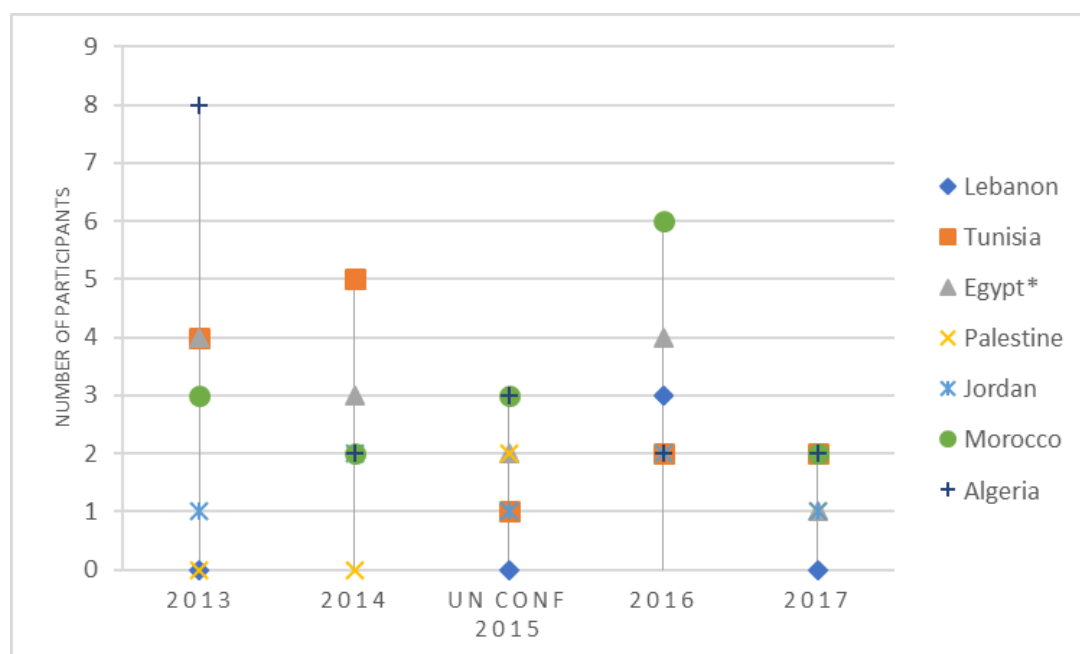
	Date	Number of participants*	Planned country participation	Actual participation
Austrian competition authorities	March 2016	7	Tunisia; Algeria Morocco; Egypt	NA
UK Consumer protection institutions	July 2016	14	Egypt; Jordan Palestine; Lebanon; Tunisia Morocco; Algeria	Egypt; Tunisia  4 participants
French competition authorities	October 2016	6	NA	NA
French competition authorities	July 2017	6	NA	NA
<b>Total</b>		<b>33*</b>		

The stakeholders consulted informed about some organisational challenges met during study visits. They reported that either they or others did not get their visas in time as insufficient time was allocated for that in the planning of the visits. In the UK for instance, the host organisation was informed there would be around twenty persons coming covering eight agencies. Only two agencies were represented including four participants. While useful, the stakeholders consulted saw that time allocated for the visits was short and logistically challenging. No support was provided to participants in terms of accommodation and information about proximity to the venue. This was particularly challenging for participants who had never been to London before. The fact that participants were lodged in different parts of town did not give them the chance to interact after working hours. UNCTAD has integrated this learning and currently provides full accommodation with partial daily subsistence allowance (DSA). From the hosting organisation's perspective, the experience of preparing a visit for many participants when only a few show up was not particularly valued.

**Participation in IGE Meetings.** The programme supported the participation of MENA countries in IGE meetings on competition and consumer protection since 2016 (cf. Figure 5 and Figure 6).<sup>18</sup> The purpose is to ensure the presence of MENA countries in international fora as a basis for networking. The level of participation of MENA countries in the IGE meeting on competition has been declining in the period 2013-2015. One of the stakeholders consulted informed the ET that their ministry had put a stop to all international travels unless they are funded given the dire economic situation in the country. The programme has ensured that all partner countries were able to attend IGE meetings as shown below. It also opened up the possibility for Palestine to be present.

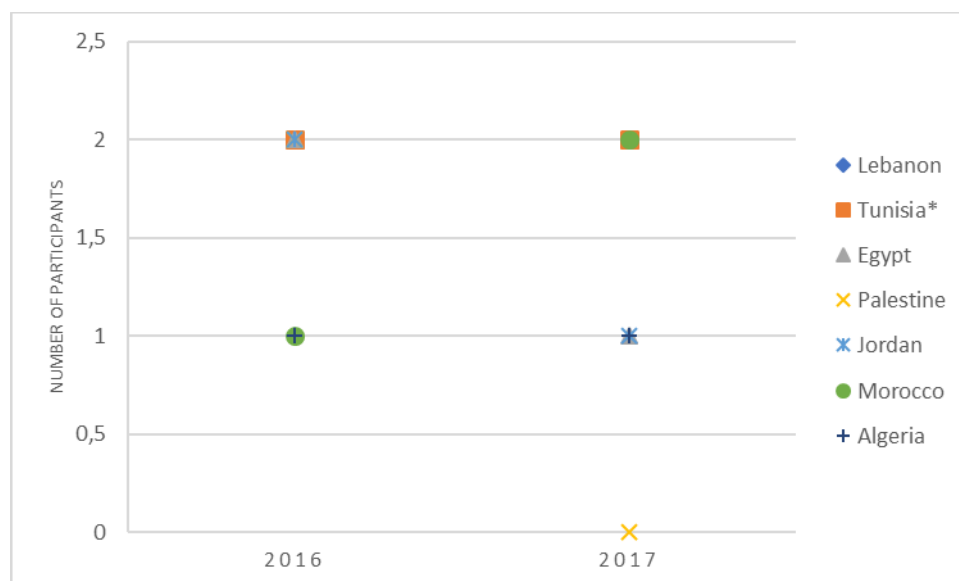
Figure 5 - Participation of MENA countries in IGE meetings on competition 2013-2017.

Source: UNCTAD participant lists. (\*) Two names were not included in the official IGE list for 2016.



<sup>18</sup> Programme documentation does not indicate that the programme supported the participation of MENA countries in the 7<sup>th</sup> UN Review Conference in 2015. However, the progress report of 2015 notes there was a study visit for Palestine to Geneva to attend the 7<sup>th</sup> UN Conference and hold a side meeting with UNCTAD, which explains why Palestine was present since 2015.

Figure 6 - Participation of MENA countries in IGE on consumer protection, 2016-2017. Source: UNCTAD participant lists. (\*) One name was not in the official IGE list for 2017.



The progress report for 2016-2017 indicates participation in UNCTAD's research partnership platform (RPP). The ET does not have documentation to confirm participation of MENA countries in these meetings. There is also reference to MENA country participation in the Euro Mediterranean Competition Forum in January 2016 in Malta, for which the ET does not have documentation.

Assessment: National and international activities were implemented as planned. Main delays pertain to regional activities whose scope and number was very large and not matched with the needed human resources to implement them. It is unclear how such substantial delays in the implementation of activities can go unnoticed. This links up to programme design and suggests gaps in the regularity of monitoring and lack of effective oversight including quality assurance. The ET notes that in the choice of some activities, sustainability considerations were not considered.

### 3.2.2 Results achieved at output level

This section presents results achieved at output level for the national, regional and international levels. In line with findings in section 3.1.3 on indicators and in the absence of sufficient and reliable data, outputs indicators will not be addressed below. However, outputs noted in the constructed ToC (Annex 3) will form the basis for the assessment of results achieved. At the output level, results pertain to access to new information, knowledge, technical know-how, contacts and networks. The assessment of how these were used or applied in practice will be addressed in section 3.2.3 on results achieved at outcome levels.

*Outputs from national activities*

**Legal advice and recommendations.** Legal advice provided is expected to result in recommendations for drafting or amending legal texts. The reviews of draft laws resulted in the provision of recommendations against international best practices. The stakeholders consulted in Lebanon, Palestine and Algeria appreciated UNCTAD's recommendations on their draft laws on competition (Lebanon, Palestine) and existing law on competition (Algeria).<sup>19</sup> Lebanon and Palestine informed that recommendations were concurrently provided by other parties (e.g. Organisation for Economic Cooperation and Development (OECD), World Bank (WB)), but that the combination of these recommendations complemented and supported each other, giving them a better overview of how to proceed with their revision.

**National awareness raising and attention.** The expected output of these seminars is to bring national attention to the importance of competition and consumer protection policies. The seminars may have been part of a bigger wave that triggered interest in competition issues. None of the stakeholders consulted in Lebanon made a link between the statement made by the Minister of Economy and Trade calling for the fast approval of the competition law a year after the seminar was held, and the programme's seminar. Similarly, an informal discussion with a Palestinian competition expert did not establish a link between the seminar held and the creation of the technical committee on competition<sup>20</sup> as noted in progress reports.

*Outputs from regional activities*

**Knowledge gained from guidelines.** The production of guidelines is meant to provide partner countries with new knowledge about best practice and technical know-how on specific topics linked to competition and consumer protection. Findings in the field indicate that guidelines mainly brought new knowledge to some participants with less specialised experience in the topics (e.g. CSOs). For more experienced experts, guidelines did not generate new knowledge.

**Experience sharing and learning from RTW.** RTW are held as a venue for MENA countries to exchange and share experiences in view of generating new knowledge about how the others work. All of the stakeholders consulted confirmed that RTWs allowed countries to share their experiences and learn about the legal and institutional frameworks of other countries and how they are dealing with specific issues such as E- complaints. Consulted host organisations and external stakeholders agreed that the programme provides a unique opportunity for sharing experiences within the MENA region. However, many of the stakeholders consulted in the field revealed that the 'real' learning comes from exposure to the experiences of international speakers.

---

<sup>19</sup> The ET did not have the chance to consult with the consumer protection directorate in Jordan and the competition expert present at the Tunis RTW did not know about the issue.

<sup>20</sup> The ET did not have the opportunity to raise the issue with Algeria and Jordan.

Nevertheless, as they did so, the ET observed that they compared their country experience with the experiences of other MENA countries showing a good degree of knowledge about other countries' frameworks.

**Contact gained from RTW.** Regional workshops are also an instrument to facilitate contact and dialogue among the primary target group, among other stakeholders coming from different sectors (the secondary target group) and with each others. Some of the primary stakeholders knew each other beforehand. However, they acknowledged that stronger familiarity was established through the workshops. The secondary target groups made some new contacts primarily with organisations working on common issues (e.g. CSOs, judges). Some new contacts were established across the different categories of stakeholders. For instance between a consumer protection authority and the academic sector (Lebanon), a judge and the academic sector (Lebanon/Egypt), a sector regulator, a consumer protection authority and an CSO (Tunisia). In Tunisia, interaction among the different national stakeholders was facilitated as they attended the Cairo RTW as a delegation.

**Knowledge gained from RTW.** The main expectation from RTWs is that they will develop the technical capacities and know-how of participants in relation to specific competition and consumer protection topics and build regional capacities and expertise. The analysis of evaluation sheets shows that feedback from participants after workshops was satisfactory. It also indicates that knowledge and capacities were gained and a better understanding was established (Annex 10). Consultations in the field however revealed other findings. For reasons mentioned under relevance (section 3.1.2), the format and content of RTW, particularly the dissemination of guidelines, was not sufficiently specialised, systematic and targeted to meet the expectations of the primary target group. Some consulted primary stakeholders saw a value in the presence of multi-stakeholders in RTWs. However, the question was raised regarding the objective of the RTWs, how to best achieve it, and whether specialised training workshops gathering specific target groups can substitute or complement its more generic format. For the secondary target group, whose level of experience on competition and consumer protection is not as advanced, new knowledge was gained (e.g. judges, CSOs, sector regulators). However, in both cases, the importance of continuity of participation, a more targeted and tailored approach and a progressive build up of capacity over time was underlined as important.

**Regional training centres.** A key element for contributing to the functioning of the centres is support to their institutional sustainability. To date, the centres do not have a mandate, strategy, annual workplans, sustainability, resource, financing and/or staffing plans. So far, one RTW was held per year in each of the three countries. This low frequency has not helped create visibility for the centres in a regional context. Both Tunisia and Egypt are considering giving the centres bylaws and organisational structures that would allow the mobilisation of future funding. Egypt has invested in a well equipped centre and has ambitions of providing national, regional and international training, given its previous experience hosting regional workshops in the

context of the Africa consumer protection network and its membership in the Common Market for Eastern and Southern Africa (COMESA).

**Twinning arrangements.** The progress report for 2016-2017 mentioned twinning arrangements between Egypt and Lebanon and Egypt and Tunisia. The ET notes that twinning arrangements are not realised outputs and merely refer to collaboration in relation to the RTC. While twinning arrangements among MENA countries were planned, none have taken place yet in the context of the programme.

#### *Outputs from international activities*

**Knowledge gained from study visits.** The intention of study visits is to give participants an opportunity to gain knowledge about the experience of more advanced countries. The stakeholders consulted had different experiences. On the one hand, consulted participants from the visit to France (2016) informed that the visits were in the form of a one-day workshop that did not include site visits. As a result, participants reported that no knowledge was gained and that a more on the job exposure to the competition authorities' work would have contributed to learning. On the other hand, the stakeholders consulted who had been involved in the study visit to the UK reported they gained new knowledge about how the legal and institutional frameworks work in the UK seen from the perspectives of various stakeholders.

**Visibility in IGE Meetings.** Presence in IGE meetings is expected to give the opportunity for participants from MENA to be visible in international fora.<sup>21</sup> The analysis of IGE lists shows that participation in IGE meetings contributed to providing visibility for MENA participants. Several MENA countries targeted by the programme became panelists in 2016 and 2017 compared to 2013 where no MENA country was part of the group of panelists. The overview presented in Table 5 shows that Egypt, Lebanon, Palestine and Morocco were panelists with three female panelists.

Table 5 - Overview of participation in IGE meetings in 2016 and 2017.

	IGE Competition			IGE Consumer protection		
	Country	# of panelists	Female panelists	Country	# of panelists	Female panelists
2016	-	-		Lebanon	1	1
2017	Egypt	1	1	Egypt	1	-
	Palestine	1	-	Morocco	1	1

**Assessment:** The level of realised outputs is limited given that the majority of planned activities were not implemented. Key realised outputs included the production of recommendations on legal texts at the national level and some exchange of

<sup>21</sup> The ET does not have information about networking opportunities that participants pursued.

experiences and contacts gained at the regional level. Regional training workshops contributed to new knowledge primarily for the secondary target group. However, they were not tailored and specialised enough to meet the needs of the primary target group despite efforts and resource time invested by UNCTAD. At the international level, learning experiences at study visits were different but generated new knowledge for some participants. This was primarily due to the content and format of the visit. Participation in IGE meetings provided increased visibility for MENA countries with Egypt, Lebanon, Palestine and Morocco becoming panelists in the last two years.

### 3.2.3 Results achieved at outcome level

This section presents findings on results achieved at outcome level namely in relation to how new knowledge and contacts gained at output level were used by participants. The ET assesses that the outcomes as they are formulated in the programme document are difficult to observe and measure, particularly in the absence of indicators. This section will therefore rely on outcomes noted in the constructed ToC.

It is to be underlined that outcomes described below are in relation to implemented activities and not all planned activities, the majority of which were not implemented.

#### *Outcomes from national activities*

**Legal advice and recommendations considered.** Recommendations provided by UNCTAD (along with WB and OECD) were taken into account in the revision of the draft law on competition in Lebanon. According to the stakeholders consulted, the draft law would have been revised regardless of the programme. However, recommendations help sharpen the revision and align it to international best practice. Examples of recommendations that were integrated include:

- The competition authority was given full independence (before it was partial)
- A wider representation of members represented of the board of the competition authority is sought, including representatives from the private sector and consumer protection associations
- 

An informal discussion with Palestinian competition experts informed that UNCTAD's recommendations were also considered in their draft law on competition.

**National awareness seminars.** The ET does not have information about outcomes achieved from these seminars.

#### *Outcomes from regional activities*

**Use of guidelines as a referential.** Apart from one example where guidelines on leniency programmes were used as one of many sources of inspiration, the stakeholders consulted reported that they did not use the guidelines as a reference point. The reasons for not doing so is because i) they considered them not to be context specific, ii) topics chosen were not relevant to their realities and iii) the final reference points is the legal framework in the country.



Based on this finding, the ET conducted a rapid desk review of the three published guidelines to assess their potential usability. The analysis presented in Annex 11 indicates that the published guidelines could have been more useful if based on regional problem analysis and as part of an ongoing country-specific analytical, advice and support process.

**Use of contacts gained for cooperation.** The ambition of instigating new contacts is that these contacts are used to explore cooperation. Very few of the stakeholders consulted reported that they made use of contacts gained but acknowledged the potential for it. Some example of established or re-established contacts include:

- Egypt is currently helping Lebanon in its application process to the International Consumer Protection and Enforcement Network (ICPEN)
- A Tunisian NGO is in the process of re-applying for membership with Consumers International as a result of contact re-established at a RTW
- Algeria approached Tunisia to explore options for learning from the Tunisian experience including a sectoral study on pharmaceuticals. The countries are not clear whether this can be done in the context of the programme.
- Tunisian and Moroccan consumer associations agreed to meet to exchange experiences on consumer protection following participation in a RTW.

**Use of information and knowledge gained.** As noted under findings on relevance and outputs at regional level, new knowledge was primarily gained at the level of secondary stakeholders. With the exception of Lebanon, where competition is a new topic, primary stakeholders did not gain or use new knowledge as a result of participation in RTWs. Examples of how information and knowledge gained were used include the following:

- Lebanon used knowledge gained about specific competition related topics in the revision of its draft law
- Jordan was inspired by Lebanon's experience with the consumer complaints App and applied the same idea in country.<sup>22</sup>
- Tunisia was inspired by the App used in Egypt and has implemented the same idea in country.
- Tunisia was inspired by the approach to awareness raising campaigns in Morocco and is in the process of planning for the implementation of a similar campaign.
- A judge who gained general knowledge about consumer protection intends to use this knowledge in a special session of a master course on commercial law.

**Provision of regional training and expertise.** The ambition was that RTCs would create a pool of regional experts within competition and consumer protection. Outside the scope of workshops organised and financed by the programme, the centres are not

---

<sup>22</sup> This is secondary information provided by Lebanon.



yet active as regional training service providers. However, facilities are being used for internal training in all three countries, although this was not their initial purpose.

#### *Outcomes from international activities*

**Application of knowledge from study visits.** The ambition of study visit is to inspire and instigate ideas for change in own work and/or local context. In the case of consulted participants in the study visit to France in 2016, no outcomes were realised. For participants in the study visit to the UK, knowledge gained was used in the drafting of the new consumer protection law in Egypt which now includes some consumer rights that were not in the previous law.

**Participation in IGE.** The ET does not have sufficient information about any outcomes resulting from participation in IGEs including any regional or international collaboration that ensued from networking opportunities and increased visibility.

Assessment: Linked to the low level of implementation of activities and realisation of outputs at regional level, the likelihood that expected outcomes will be achieved is low. However, some results at outcome level were achieved. These include the integration of recommendations on draft laws at national level, the use of a few contacts and some knowledge gained at regional and international levels.

### 3.2.4 Results for women

The programme document articulated its intention to address gender considerations during implementation. None of the stakeholders consulted made reference to a gender specialist attached to the programme. Most of gender-related planned activities are not yet realised apart from participation in workshops. Gender guidelines and the screening note were produced but not yet approved.

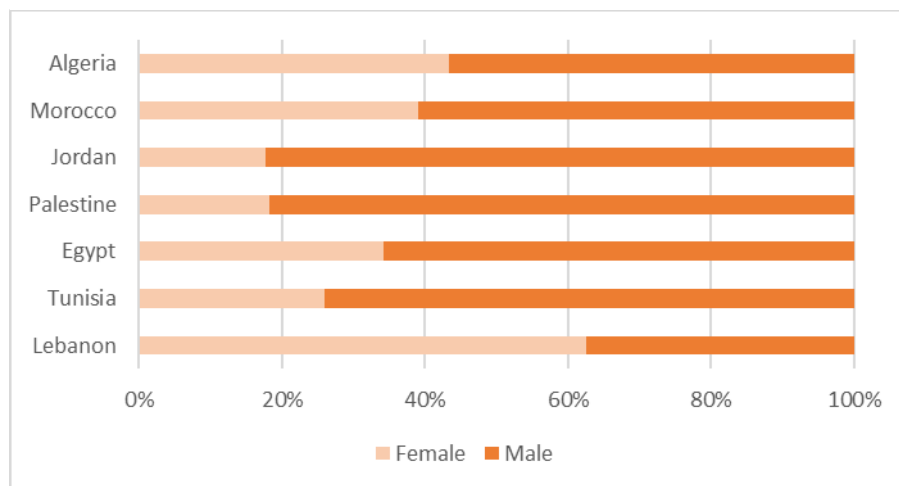
The participation of women was required through the criterion of having a ‘gender representative’ in delegations attending RTWs.<sup>23</sup> The ET is not informed of other criteria that called for equal or proportionate representation of men and women or other targeted actions. Many stakeholders expressed that they do not discriminate in the selection of participants based on their sex. Distinction is mainly made in terms of age in line with national strategies and work targeting children and the elderly.

According to participants lists made available, the participation of women in overall programme activities accounted to around one third of total participants with the exception of Lebanon where more than 60% of participants were women (cf. Figure 7).

---

<sup>23</sup> Consultations revealed a few female participants noted as gender focal points were not focal points.

Figure 7 - Indicative gender distribution of participants from partner countries, 2015-2018 (Q1). Source: Programme participant lists. NB: Based on indicative figures.



The host organisations consulted noted there was a fair gender balance in the study visits.

**Assessment:** The participation of women in programme activities accounted for around one third of total participation based on indicative figures from participants lists made available. However, participation in itself does not mean that results were achieved for those who participated. Apart from one criterion requiring the presence of a gender representative in RTWs, the range of activities planned (e.g. studies, screening note) were not action-oriented to drive the generation of results.

### 3.2.5 Monitoring and evaluation

M&E is assessed against collection of monitoring data, M&E and reporting practices. Financial monitoring and reporting will be addressed under efficiency.

#### *Data collection*

As noted in section 3.1.3, the programme document assured that activity monitoring and results monitoring will be undertaken during implementation including regular and systematic data collection on specific indicators.<sup>24</sup> According to UNCTAD, M&E is the responsibility of the PM. As programme activities were primarily centered around workshops and study visits and that a main indicator is the number of participants, the lists of participants represent a key data source for M&E.

The programme collected lists of participants. However, based on the lists made available, the ET notes that a distinction between planned and actual lists of participants was not sought. This means that the quality of data from programme lists

<sup>24</sup> The list of these specific indicators is not documented anywhere.

is not reliable, as it does not show who actually participated in activities. The lack of data reliability applies to the distribution of participants in the lists across the categories of stakeholders they represent and for male/female participation.

Data in the lists of participants distinguished between male and female participants. However, it counted male and female representatives that were not primary and secondary stakeholders namely programme staff and consultants. Furthermore, the number of participants from each workshop was added to generate the final number of programme participants. This did not account for potential double counting of participants present in more than one workshop.

#### *Monitoring and evaluation practices*

The ET views the absence of targets for monitoring own delivery over time as requested by the Sida agreement was not compensated for more regular monitoring and oversight.

Programme documentation made available shows that the programme used evaluation sheets to assess its workshops. However, as it was not possible to talk to the previous PM, it is unclear how the monitoring of the progress of programme took place otherwise. According to stakeholders consulted in the field, there was no follow up on activities. Once a workshop is concluded then another activities is presented without follow up on what was done or discussed previously. Furthermore, the programme approach lacked vision as basis for monitoring where it was heading. The only venue made available for reviewing progress was the annual review in 2017. However, it did not provide space to do a ‘proper review’. Furthermore, feedback when provided during implementation was generally not taken onboard.

#### *Reporting*

Available documentation indicates that progress reports were submitted on an annual basis.<sup>25</sup> The reporting format showed implemented activities, delivered outputs in the form of guidelines and reports produced, and an assessment of effects, impacts and results. While acceptable in its format, reporting did not take place against the programme’s LFA, making it difficult to make an assessment of the progress of particular outputs and outcomes over time. A more substantive report was submitted in 2018 to cover the periods 2016 and 2017 in line with the agreement with Sida on annual substantive reporting. UNCTAD informed the ET that reporting on indicators is only done at the end of a technical cooperation programme according to its standard procedures. The guidelines for result based management for UNCTAD technical cooperation (2016) mention that ‘*the measurement of indicators should be frequent enough to meet reporting requirements*’. As mentioned by a consulted

---

<sup>25</sup> There is no documentation indicating the midterm report on gender and youth was submitted.

stakeholder, the process of integration RBM in the UN system has been slow. The intention is there, but guidelines are still in the process of being fully rolled out.

The ET wishes to underline that reporting on effects, impacts and results in technical annual reports was made without accounting for contribution and attribution (e.g. law in Jordan adopted as a result of one workshop). Annual reports also make reference to outputs that were not realised according to evaluation findings, such partnerships with host organisations, collaboration established with LAS and twinning arrangements.

Assessment: Monitoring was not anchored in a monitoring plan. Data collection was not regular and reporting was not done against the programme's LFA and indicators as intended. This made it difficult to track the progress of the programme overtime. Furthermore, the quality of data collected requires improvement particularly in relation to double counting potential and distinction between target group and programme staff, and actual and planned participants.

### 3.2.6 Organisational setup

The organisational structure of the programme is not described in the programme document. The ET attempted to construct one in Annex 12 as described below.

**Agreements.** The relationship between UNCTAD and partner countries in relation to the programme was not governed by a signed agreement for the five years of implementation. There is no reference document that clearly states the roles, responsibilities and deliverables expected from UNCTAD and partner institutions and how the collaboration will be governed.

**In-country focal points.** The programme document envisaged the appointment of one focal point per country as the national field-based counterpart of UNCTAD which is based in Geneva. In practice, some countries have two focal points when competition and consumer protection are not hosted in the same institution. This is not ideal from a project management perspective. However it shows understanding of the local institutional landscape. The constructed organisational chart in Annex 12 shows that half the countries have two focal points. The list of focal points indicates that some of them are directorates within the same ministry. This does not resonate with the arguments provided for justifying the number of focal points. Nevertheless, the stakeholders consulted found that the organisational setup works well and is the way technical cooperation works with UNCTAD.

Focal points are appointed by the country representative missions in Geneva and communicate with UNCTAD through these missions. UNCTAD also keeps missions up to date about activities. Focal points are voluntary positions and considered as the country's own contribution, along with other staff that support them. The programme document specifies the responsibilities of focal points. Consulted focal point were aware that their role is to provide logistical and organisational support in for instance

identifying national speakers and collecting quotations for hotels. They admitted that their involvement in the programme is time consuming given their positions, and underlined the importance of implementing activities that are relevant to national strategic priorities as a return on time spent. It is however not sure whether they are willing to take upon more responsibilities with regard to the programme.

**Staffing plan.** The initial programme document had envisaged the recruitment of two programme staff (a PM and an assistant), reliance on focal points and consultants who work for specialised organisations or were previously UNCTAD staff. The ET finds that the level of staffing is not proportionate to the time and effort required to implement the eighty planned activities. The use of consultants was regular but mainly related to the production of guidelines. According to consultations in the field and the programme document, responsibilities were centralised at the PM level from planning to implementation to monitoring and reporting. Tasks were not delegated to ensure efforts were shared to implement activities. The stakeholders consulted unanimously confirmed that the programme had a centralised programme management approach with little sharing of information and accountability toward partner countries.

**Working with ‘partners’.** The programme intended to cooperate with a list of potential partners including the Swedish Konsumentverket, Swedish Konkurrensverket, Austrian Competition Authority, Consumers International, MENA Universities, and other non beneficiary MENA Countries of LAS. However, during the 9-month of inception period and during implementation, no partnerships were established with any of the mentioned organisations, although they were referred to as strategic partners in annual reporting. Consultations with international ‘partners’ revealed that they did not see themselves as partners, and their role was limited to hosting study visits and providing individual consultants to for instance deliver a workshop or develop guidelines. Consulted study visit hosts were generally unaware of the objective of the programme. They reported that were engaged to deliver a specific task but had not contribute to an assessment of whether the task was needed.

Assessment: The absence of a signed agreement between UNCTAD and countries in the context of the programme meant that roles, responsibilities and deliverables were not clearly articulated and committed to from the onset. The ET finds that the extent to which this organisational setup has affected implementation is primarily linked to an inadequate staffing plan, the non-susbtantive role of focal points, the centralised approach that did not open up for information sharing and a partnership approach.

## 3.3 EFFICIENCY

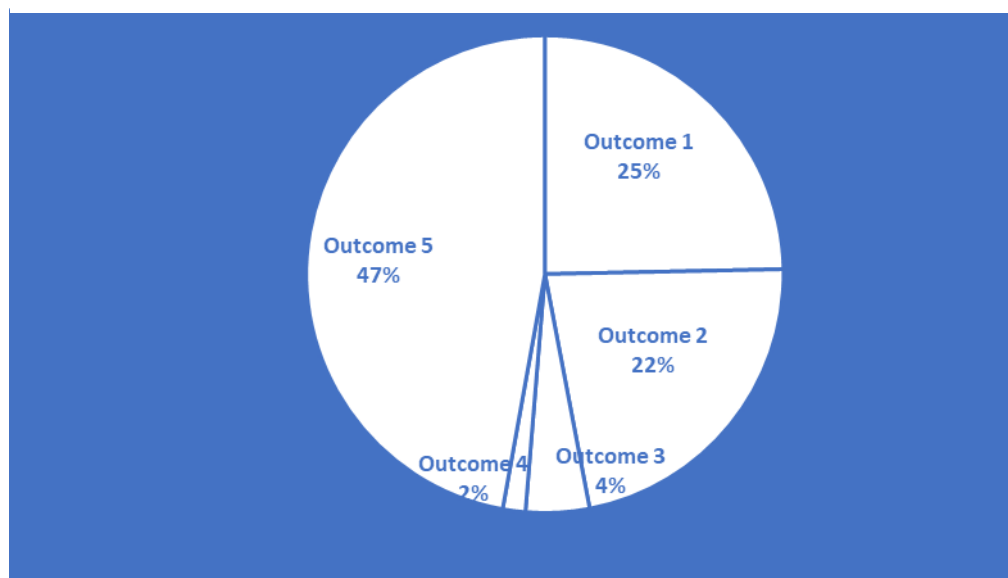
Evaluation questions
<b>Economy consideration</b>
12. What are the key cost drivers of the programme?
<b>Efficiency considerations</b>
13. How does the delivery of outputs compare with disbursements?
14. What are the costs of key outputs?
15. How does the programme seek efficiency considerations?

### 3.3.1 Economy considerations

Economy considerations intend to address the key cost drivers of the programme. As noted in the inception report, the budget format used in the UN system is not detailed enough to allow for an in-depth look at budget lines. This section will therefore present the overall planned budget and examine costs based on the activity based budget in the inception report.

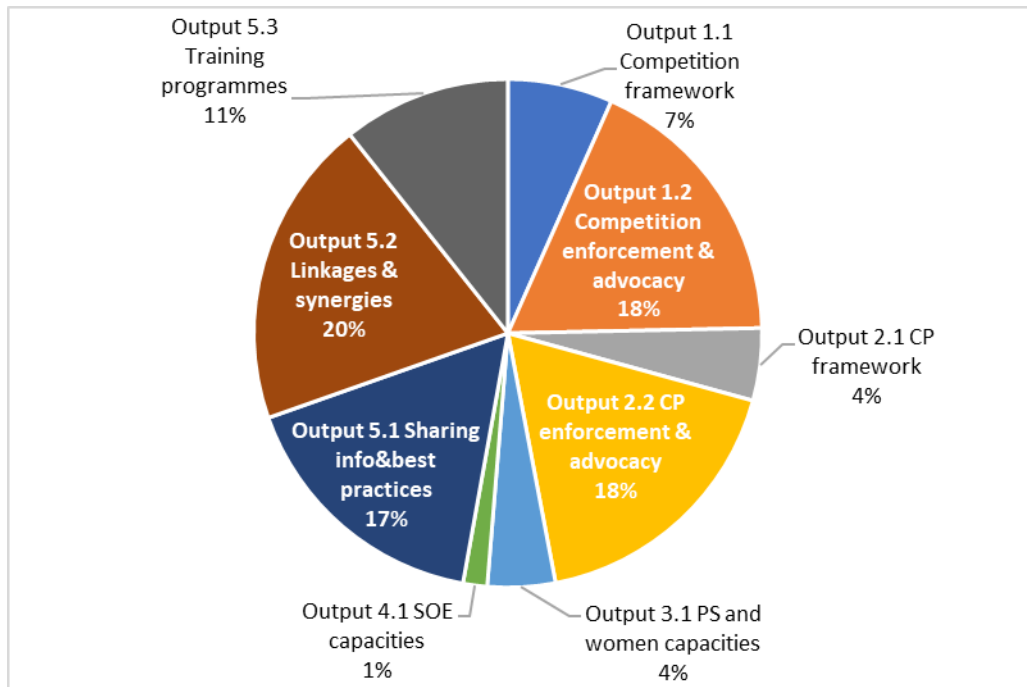
The budget breakdown by outcomes indicates that the mostly costly outcome is regional cooperation (Outcome 5), accounting for almost half the programme budget (cf. Figure 8).

Figure 8 - Budget distribution by planned cost per outcome (including overheads). Source: Inception report, 2015.



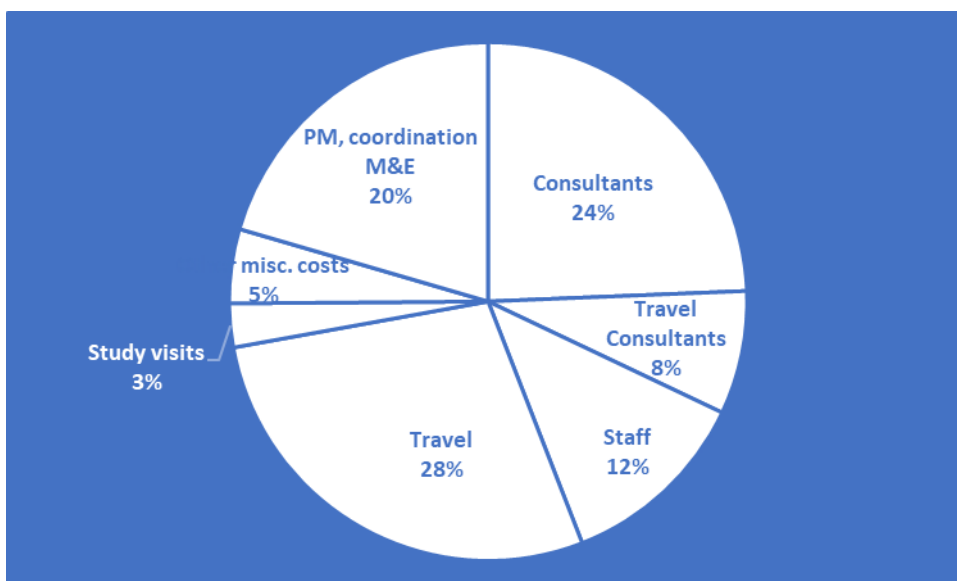
Looking more closely at the largest budget lines, linkages and synergies (Output 5.2) represents around 20% of the total planned budget (cf. Figure 9). The main activity driving the cost of this output is the ICT Web platform which make up 44% of the output cost. It is interesting to note that the regional early warning system only accounts for 7% of the cost of this output.

Figure 9 - Budget distribution by planned cost per output (including overheads). Source: Inception report, 2015.



Enforcement and advocacy related activities for competition and consumer protection (Outputs 1.2 and 2.2) are the second largest budget lines (around 18% each). The main cost driving this work are RTW at a planned rate of two per year over the life of the programme for each of the outputs, i.e. a total of 12 workshops in 2016, 2017 and 2018. These account for 37% and 39% of the respective outputs costs.

Figure 10 - Budget distribution by type of planned expenditure (including overheads). Source: Inception report, 2015.



Information sharing and best practice (Output 5.1) represents around 17% of the total planned budget. The main cost that is driving this output is USD 500.000 allocated for the launching and closing ceremonies, and annual conferences.

In terms of types of expenditures, the travel budget accounted for 36% of the planned budget (cf. Figure 10). This includes the travel budget for consultants. The planned use of consultants account for 24% of the total planned budget and is the second highest planned expenditures.

Assessment: The main costs of the programme is its regional component (Outcome 5) which accounts for around half of the budget and is driven by the output on linkages and synergies that include the ICT platform. Other key costs are RTWs as twelve workshops were planned for the life of the programme. The high reliance on the use of consultants can be justified by the limited number of programme staff allocated to the programme and the envisaged number of workshops and guidelines to be produced.

### 3.3.2 Efficiency considerations

Efficiency considerations will look at disbursements, the key cost of outputs to the extent data was made available and considerations given to driving efficiency.

#### *Disbursements*

The ToR indicate that a total of SEK 35 million were disbursed in two tranches in December 2014 and December 2016. This represents 66% of the total approved Sida budget. It is equivalent to around USD 4.4 million according to the programme's finance records.<sup>26</sup> Of the disbursements received by UNCTAD, 44% were spend in the period January 2015 to April 2018. Notwithstanding exchange rate gains/losses, compared to the final approved budget in the inception report, this means that 29% of the total Swedish contribution was spent by the end of first quarter of 2018, which resonates with the level of implementation of around one third of planned activities.

#### *Costs of key outputs*

In dialogue with UNCTAD, key outputs were defined and selected for the efficiency analysis. These include guidelines, RTW, study visits and participation in IGE meetings. Based on figures from the planned activity-based budget of the inception report, the planned cost of key outputs are given in Table 6.

---

<sup>26</sup> The budget in the UN system does not show the overall approved Sida budget. The approved budget in the system is equal to the actual disbursement received by UNCTAD.



Table 6 - Overview of costs planned for key programme outputs. Source: Inception report, 2015.

Planned costs per key outputs	USD
Cost per guideline	20.000
Cost per regional training workshop <sup>27</sup>	Approx.. 60.000
Cost per study visit <sup>28</sup>	N/A
IGE <sup>29</sup>	N/A

The ET notes that the budgeting of some activities was not done systematically. For instance, the total planned cost for a legal review on competition for three countries had the same budget as a legal review on consumer protection for one country.

The generation of actual costs per key outputs was discussed with UNCTAD Finance during the evaluation process primarily in the inception phase. Finance calculated a sample of actual cost for selected outputs as presented in :

Table 7 - Costs of selected programme outputs as estimated by UNCTAD Finance. (^) These costs are indicative as they do not include admin time spent to organise the activities by those involved including UNCTAD and others. The calculation was done by the ET..

	Total cost of output (USD)	Number of participants	Calculated cost per participant (USD)*
Estimated cost of one workshop	106.448	49	2.172
Estimated cost of one IGE participation	33.180	14	2.370
Estimate cost of one study visit	19.962	9	2.218

The average cost per beneficiary is around SEK 20.000 (approx. USD 2.200), but this figure is to be treated with care as it does not reflect a monetisation of time spent and other costs. Moreover, there is no benchmark to assess whether this cost is reasonable.

#### *Efficiency considerations*

The ET has taken note of the following considerations that the programme has made in terms of promoting efficiency such as planning multiple country missions per region and optimising costs already incurred to undertake additional activities including side events. Tickets are purchased well ahead of time (21 days) according to UN rules which ensures they are reasonably priced. However, this also means that relevant participants may be excluded from participation if they cannot meet this rule.

Time efficiency is generally challenged by some administrative limitations within the UN system. The programme cannot engage in an annual or framework agreement

<sup>27</sup> Two planned workshops per year for three years according to the work plan (2016-2018).

<sup>28</sup> Total budget for study visits is available (USD 80.000). However since it is unclear how many visits were planned and for how many persons, it is not possible to planned average cost per study visit.

<sup>29</sup> Ibid. Total budget for IGE participation is USD 110.000 including travel

with for instance a hotel in Tunisia, knowing that it plans to hold workshops there in the coming year. For each activities undertaken, time is spent by UNCTAD and focal points in collecting new quotations and going through a procurement process.

In terms of budget monitoring, UNCTAD has a warning system in place for PMs when there is under or overspending. This warning is sent on a bi-weekly basis. While this is good practice, it is unclear how the underspending on the programme has gone unnoticed for so long time. The ET finds that the absence of annual disbursement plans and/or expenditures targets has weakened financial oversight. Given that the budget used for monitoring the programme is not activity-based, it is also not possible to monitor the progress of disbursements on given activities, outputs and outcomes. This means that one is unable to see whether a given output or outcome is under or overspending, and whether action is needed. This is not programme specific but is tied up to the UN finance system.

A key efficiency consideration is the extent to which the programme is aware of what others are doing and engages in activities that complement rather than duplicate others' activities. Coordination is highlighted as an important factor in Sida's strategy and in UNCTAD's own RBM guidelines. Consultations in the field indicate that there are other agencies working primarily on competition. Consulted UN agencies and other relevant stakeholders did not know about the programme although they work with similar goals and topics. The ET was informed that a range of workshops on competition were organised by UNDP and LAS, ESCWA and the Agadir secretariat. The latter was held just around the same time as the RTW on competition in Tunis targeting the same participants. Consultations indicate that the EU mainly works bilaterally in connection to the trade association agreements and twinning programmes but have a few regional activities, such as the organised workshop on competition in relation to the Agadir agreement. UNDP is currently implementing a programme entitled 'Strengthening Arab economic integration for sustainable development' which includes a competition component. It aims at re-activating the competition committee under LAS. The ET was informed that draft guidelines on competition were produced under the programme based on UNCTAD's early work. Furthermore, LAS's workplan for 2018 indicates there is a planned workshop on E-commerce and an observatory for consumer protection is in the making to be hosted in Tunisia. There are also efforts to expand the alert system used in GCC to other LAS countries. In terms of unrealised potential, there are programmes training judges (e.g. EU) where the addition of a competition and consumer protection dimension could have been explored. According to consulted host institutions, the programme did not fully utilise its linkages with them to be informed and take account of other programmes in the region.

Assessment: The low level of spending of the programme is aligned to findings regarding the low level of implementation of activities and delivery of outputs. This indicates that the programme has not been timely in converting inputs into outputs. Some efficiency considerations were taken primarily in terms of organisation of joint

events and optimisation of cost incurred (e.g. side meetings). Nevertheless, the absence of linkages and coordination with other actors is a missed opportunity. In terms of other efficiency-oriented practices, budget monitoring does not include annual disbursement plans or targets to ensure oversight over timely disbursement and delivery of outputs. Since budget monitoring does not take place based on the activity based budget, this greatly undermines the programme's ability to be informed and take action should there be under or overspending on particular activities, outputs or outcomes.

# 4 Conclusions

## 4.1 RELEVANCE

**Relevance to country priorities.** Competition and consumer protection are relevant topics for partner countries, particularly in relation to the EU trade association agreements that include a competition chapter. National stakeholders were consulted about their priorities but were not asked to match them against national strategic priorities. The extent to which expressed priorities were aligned to national policies and strategies is therefore not evident. National strategies within competition and consumer protection do not have a regional dimension or national commitments for regional actions to drive the regional agenda of the programme. Gender is not considered a priority that is addressed in these strategies.

**Relevance to priorities of the target group.** The extent to which the programme adequately responded to the priorities of its target group differed for the primary and secondary target groups. The format and content of RTWs, which was the main activity attended, were more relevant to needs of the latter. Their level of experience and knowledge of competition and consumer protection issues is not as advanced as that of the primary target group.

Relevance to the priorities of the primary target group was limited by i) the absence of an analysis to identify needs/problems/issues of concern at country and regional levels that are of interest to primary target group, ii) limited inclusion and participation in decision making about their priorities and planning, and iii) the lack of a more tailored, progressive and targeted approach to capacity development that requires clearer selection criteria and more regular attendance. No analysis was undertaken to assess whether women have specific priorities or needs, and how these can be adequately addressed.

**Programme design.** There is no evidence indicating that the programme emerged from an analysis of the needs and priorities of MENA countries based on an understanding of the context and its institutional landscape. While inspired by COMPAL LA, the strategic framework, pre-conditions and political will that drove COMPAL LA were not the same for the MENA programme. Programme coherence was greatly weakened by assumptions that were made, but not explicitly articulated about the link between activities, outputs, outcomes and overall objective. In terms of indicators, the programme has output indicators but no outcome indicators. While some output indicators are appropriate for monitoring quantitative outputs, they do not take into account quality considerations. There is no indication that the

perspectives of women were considered in programme design. Gender sensitive indicators included one quantitative indicator for one output and were not considered across the programme. The relevance of activities planned to address gender considerations during implementation is questioned as they are not based on an analysis of what women's priorities are and how they should be addressed.

## 4.2 EFFECTIVENESS

**Results achieved.** The level of achievement of outputs and outcomes has been strongly affected by the limited number of activities implemented and the relevance of activities to target group priorities. While national and international activities were implemented as planned, the majority of regional activities are experiencing important delays. Around one third of the planned activities have been partly or fully implemented to date.

Key factors affecting the realisation of activities, outputs and outcomes include i) an overly ambitious, but weak programme design, ii) lack of analysis about the relevance and feasibility of some activities, iii) an excessively large and varied scope of activities that is not matched by the needed human resources, iv) an approach that was not targeted to work towards a common vision, but rather preoccupied with the multitude of activities, v) an insufficient assessment of the appropriateness of the type of activities needed for achieving outputs and outcomes, and vi) insufficient monitoring and oversight, including quality assurance.

Key results that have been achieved included the production of recommendations on legal texts that were integrated into draft laws at the national level, as well as some new knowledge and contacts gained at the regional and international levels, with few examples of them having been used to pursue change in local context and informal cooperation. A key output is that participation in IGE meetings increased the visibility of MENA countries, with representatives from Egypt, Lebanon, Palestine and Morocco becoming panelists, including female panelists. An issue that remains to be addressed is the status and number of RTCs. The participation of women in programme activities accounted for around one third of total participation. Apart from increased visibility, there is no evidence of how this participation led to actual results that benefited women.

**M&E.** Monitoring data was not collected regularly to generate indicators and track the progress of the programme. The quality of available monitoring data requires improvements, particularly in relation to double counting, distinction between target group and programme staff, and actual and planned participants. Reporting was done on an annual basis. However, until recently the content of the reports did not provide an overview of progress against the LFA.

**Organisational setup.** The extent to which the organisational setup has affected implementation is primarily linked to i) an inadequate staffing plan with a limited

human resources allocated to the programme, ii) a centralised programme management approach that did not facilitate the sharing of information and a partnerships approach where tasks could be shared, and iii) the absence of a signed agreement between UNCTAD and countries where roles, responsibilities, commitment and deliverables are clearly articulated from the start.

### 4.3 EFFICIENCY

**Economy and key costs.** The main costs of the programme is its regional component, which is driven by the output on linkages and synergies. The latter includes the ICT platform. The high number of planned RTWs made that budget line one of the key costs of the programme. While consultant costs are an important cost item, reliance on the use of consultants can be justified by the limited number of programme staff allocated to the programme.

**Efficiency considerations.** The low level of spending of the programme of around one third of the total Sida budget confirms the low conversion rate of inputs into outputs in a timely manner. Some measures to improve efficiency were undertaken. However, the absence of annual disbursement plans and targets weakened oversight of timely disbursements and delivery of outputs. The programme's ability to take action in cases of under or overspending on particular activities, outputs or outcomes is undermined by the fact that budget monitoring does not take place on the basis of the activity-based budget.

## 5 Recommendations

The midterm evaluation revealed that there is a combination of many factors that have affected the current state of implementation of the programme. These can be boiled down to three key elements. First, the overly ambitious and weak design of the programme. Second, the non-participatory and centralised approach to project management. Third, insufficient oversight including quality assurance.

UNCTAD and Sida are jointly faced with a regional programme that has not yet delivered most of its planned regional activities and is unlikely to do so in the remaining life of the programme. Considering the objective of the midterm evaluation as stated in the ToR of informing “joint decisions on how on-going project implementation may be adjusted and improved, and provid[ing] the parties with input to upcoming discussions about the future of the programme”, and assuming that the programme may be adjusted and improved, the following specific recommendations are proposed to adapt the programme scope to strategic activities dealing with key national concerns and priorities that require regional collaborative action. The proposed recommendations should be considered in relation to the limitations and opportunities in the programme’s context and of what can be achieved within the available timeframe and resources.

### Grounding recommendation

**Basis recommendation:** Sida and UNCTAD should discuss the findings of the midterm evaluation at their earliest convenience, their intentions with the programme in line with their own mandates, resources and limitations and draw a plan of action for the way forward.

Following this discussion, the below recommendations can be considered:

### Specific recommendations to UNCTAD

#### *Recommendations for adjustments*

**Recommendation 1:** Using its core competence in providing technical assistance and based on national strategic frameworks, UNCTAD should assist partner countries undertake a participatory analysis to identify their national competition and consumer protection concerns and whether there are common problems and issues emanating from these concerns that can be collectively addressed at the regional level..

**Recommendation 2:** Contingent on the implementation of Recommendation 1, programme stakeholders should prioritise one common strategic issue for each of

competition and consumer protection that can gather countries to work collectively towards solving it in the remaining life of the programme.

**Recommendation 3:** The programme should establish clarity and commitment about realistic deliverables, roles and responsibility in relation to prioritised common strategic issues to be addressed as the set objective.

**Recommendation 4:** The programme should identify the best and most sustainable means to achieve the objective and put in place a workplan, budget, staffing and monitoring plans to ensure regular monitoring, including regular feedback.

**Recommendation 5:** The programme should ensure that counterpart representatives with relevant qualifications and professional pertinence are included and that they are involved from the start in the identification of priorities, planning, implementation and monitoring.

**Recommendation 6:** The programme should put in place a simple structure (e.g. task force) to ensure oversight of progress and accountability.

**Recommendation 7:** The programme should ensure the reliability of the monitoring data by eliminating any double counting or counting of irrelevant stakeholders

**Recommendation 8:** The programme should assess whether regional centres are the most relevant tool to strengthen regional capacities, and if so, how to provide technical assistance to ensure their development and sustainability.

**Recommendation 9:** The programme should explore whether there are possibilities for linking some activities and anchoring results achieved within a regional setting that is relevant to the identified priorities.

#### *Recommendations for points of discussion*

**Recommendation 10:** The programme should discuss with Sida the possibility of working at the national level in relation to the common regional strategic priorities identified, ensuring relevance and complementarity between the two levels.

#### **Specific recommendations to Sida**

##### *Recommendations for adjustments*

**Recommendation 1:** Sida should ensure closer oversight of the performance of the programme in its remaining life, including the quality of reporting.

**Recommendation 2:** Sida should not make further disbursements as the programme still has a large share of budget unspent.



### *Recommendations for points of discussion*

**Recommendation 3:** Sida should discuss whether financial monitoring can be improved for the purpose of having better oversight of the programme's expenditures in its remaining life and be able to assess the need for a final disbursement.

# Annex 1 – Terms of Reference

## Terms of Reference for the Mid-Term Evaluation of *“Regional Economic Integration through the Adoption of Competition and Consumer Policies in the Middle East and North Africa (COMPAL GLOBAL-MENA)”*

Date: February 19<sup>th</sup> 2018

### 1. Evaluation object and scope

The evaluation object is the programme “Regional Economic Integration through the Adoption of Competition and Consumer Policies in the Middle East and North Africa” 2014-2018 as implemented by UNCTAD (United Nations Conference on Trade and Development) in Geneva. The program was initiated during the previous Regional Development strategy for the MENA-region 2010-2015.

UNCTAD’s core mandate is to enhance developing and transition economies integration into the world economy, and to promote sustainable and poverty alleviating economic growth. Trade is considered an important engine for growth, but there are numerous challenges that limit the opportunities and benefits for developing countries in this integration process.

A strong and transparent competition policy can help countries profit from entrepreneurship, trade and investments. Its rationale is based on the observation of market failures and the importance of creating a system that is based on a fair and level playing field for economic actors while also limiting government intrusion and monopolies. It is particularly important for SME:s that are usually disadvantaged through weak competition policies.

By restricting business practices, there are likely to be higher transaction costs as well as increased costs for both imports and exports. These restrictions are usually more common and severe in developing countries than developed countries. The increased costs are transferred to both the economic operator and the consumers. This has additional negative effects on poor.

Therefore consumer protection can be important to ensure that the benefits of improved business and trading environments transfers to those who are the end beneficiaries apart from the traders and business owners. Furthermore, consumer protection is necessary to ensure that dangerous products are not circulated and that there is adequate and relevant information readily available in order for consumers to make choices based on needs.

With Swiss development funding, UNCTAD has been implementing a regional programme on competition and consumer protection law and policy in Latin America for 15 years (since 2003). The name COMPAL comes from “Competencia y Protección al Consumidor para América Latina”.

Sida therefore agreed with UNCTAD to expand the business model to the MENA-region by developing a regional network for cooperation and exchanges of good practices. The focus of the programme is on:

- Technical assistance for competition and consumer protection policies and regulations
- Creation of an enabling environment for private sector
- Competition Neutrality
- Expanded Regional Focus
- Follow-up and impact assessment of activities.

Furthermore, gender, governance and anti-corruption are cross-cutting issues that should be explicitly integrated into the programme.

The targeted countries for the programme are: Algeria, Egypt, Jordan, Lebanon, Morocco, Palestine, Tunisia and Yemen.

A mapping exercise was conducted over the status of competition and consumer protection laws and agencies in the region prior to the programme start. Anti-competitive practices as business practices that damage consumers were identified in all the programmes target countries and UNCTAD has recognized that there are tools to mitigate and remove a number of these practices through a regional approach. It was also concluded that all countries could improve the competition culture and enhance consumer protection through more effective competition policies as well as consumer protection legislation.

The target groups for the intervention are policy makers, enforcement agencies, private sector and other relevant stakeholders - consumer organizations, academia, the judiciary.

The initial stage of the programme was through an inception phase and the final report from November 2015 is annexed to this Terms of Reference. This report identified and updated the needs and priorities of the key beneficiaries as well as clarified roles and responsibilities as well as practical aspects of RBM and gender mainstreaming. It also includes a more detailed needs assessment of the targeted countries.

The overall development goal (impact) is to increase regional trade and integration through competition and consumer protection policies. While there is not a clearly defined narrative theory of change, there is an ambitious log frame with no less than five outcome goals with numerous output goals under these. These goals were finalized during the inception phase and are:

1. *Competition Policies are effective, sustainable and recognized as tools for regional economic integration in the MENA region*
  -
2. *Consumer Rights are respected at national and regional level and Consumer Protection policies are effective, sustainable and recognized as tools for regional economic integration in the MENA region*
  -
3. *Private sector support increased, and compliance programmes adopted on competition and consumer protection laws and policies. Gender equality and the economic empowerment of women increased at the regional level.*
  -
4. *Regional Strategy on competition neutrality frameworks is adopted by governments*
  -

5. *All MENA countries are members of the UNCTAD MENA program, and contribute with the positive and multiplier effects of best practices, capacity building, policy advice and information sharing on Competition and Consumer Protection policies at the regional level.*

The total agreed amount for the programme is 46 000 000 SEK. Sida disbursed 15 500 000 in December 2014, 5 500 000 in December 2015 and 15 000 000 in December 2016. The planned disbursement for 2017 was withheld as UNCTAD had substantial cash at hand.

Through dialogue, Sida has agreed with UNCTAD that Sida will conduct a Midterm-evaluation of UNCTAD MENA Programme. The evaluation shall cover the programme period from December 2014 to March 15th 2018. The geographical scope of the evaluation are all relevant countries, but with specific focus on Egypt, Lebanon and Tunisia.

For further information, the programme proposal and inception reports are attached in Annex D.

The scope of the evaluation and the intervention logic or theory of change of the programme shall be further elaborated on the basis of the logical framework in the programme proposal by the evaluator in the inception report.

## 2. Evaluation rationale

The evaluation is undertaken at this point in time to provide Sida, represented by the Swedish Embassy in Cairo as well as the Unit for Middle East and North Africa at Sida HQ in Stockholm, and UNCTAD with information on the mid-term achievements of the programme, and to jointly reflect on these in the light of prioritization on the ways forward for the programme.

There is a need to complement the existing results reporting with an evaluation to learn more about achieved outputs, outcomes and possible impacts that have been achieved through programme activities, as well as about local ownership, long-term sustainability and countries' inclusion and commitment in the program implementation process. There is a need to reflect on how to promote gender equality through a trade perspective within the programme, as well as the capacity and commitment of the National Focal Points in the selected countries within the scope of the evaluation.

## 3. Evaluation purpose: Intended use and intended users

The purpose or intended use of the evaluation is to help Sida and UNCTAD to assess progress of “Regional Economic Integration through the Adoption of Competition and Consumer Policies in the Middle East and North Africa” to learn from what works well and less well.

The evaluation will be used to inform joint decisions on how on-going project implementation may be adjusted and improved, and provide the parties with input to upcoming discussions about the future of the programme.

The primary intended users of the evaluation are:

- the project management team and staff at UNCTAD
- the Swedish Embassy in Cairo, Egypt and Sida's unit for Middle East and North Africa

The evaluation is to be designed, conducted and reported to meet the needs of the intended users and tenderers shall elaborate in the tender how this will be ensured during the evaluation process.

During the inception phase, the evaluator and the users will agree on who will be responsible for keeping the various stakeholders informed about the evaluation.

## 4. Evaluation criteria and questions

The objectives of this evaluation are to:

- evaluate the relevance, efficiency and effectiveness of the implementation of the programme “Regional Economic Integration through the Adoption of Competition and Consumer Policies in the Middle East and North Africa” and formulate recommendation of how to *improve and adjust implementation* during the current agreement phase, and
- evaluate the relevance, efficiency and effectiveness of the implementation of the programme “Regional Economic Integration through the Adoption of Competition and Consumer Policies in the Middle East and North Africa” and formulate recommendation as an *input to upcoming discussions* concerning the future of the programme.

The evaluation questions are:

### Relevance

- To which extent has the project conformed to the needs and priorities of the beneficiaries?
- Investigation of the relevance of programme objectives to the national developments, objectives and priorities, areas of interest and the needs of beneficiaries in the proposed countries Egypt, Palestine and Tunisia.
- Review of the programme concept and design with respect to clarity of the addressed problems by the programme and soundness of the approaches adopted by the programme to solve these problems.

### Efficiency

- Can the costs for the project be justified by its outputs and achievements in the evaluation period?
- Assessment of the performance of the programme in terms of timeliness, quality, quantity and cost efficiency of the activities undertaken including programme procurement: experts and equipment, training programs, reports etc

### Effectiveness

- To which extent have the project contributed to intended outcomes? If so, why? If not, why not?
- Assessment of the programme progress towards attaining its objectives and outcomes and recommend measures which can improve the programme.
- Review of the logical framework matrix and the indicators to assess their appropriateness for monitoring the programme performance and to what extent they are being used by the programme management.

- To what extent have gender components been integrated into the programme implementation.
- Review of the appropriateness and clarity of the roles and responsibilities of stakeholders and the level of coordination between them.

#### Gender mainstreaming

- Has the project had any positive or negative effects on gender equality? Could gender mainstreaming have been improved in planning, implementation or follow up?

Questions are expected to be developed in the tender by the tenderer and further developed during the inception phase of the evaluation.

## 5. Evaluation approach and methods for data collection and analysis

It is expected that the evaluation will draw on existing secondary sources (programme documents, quality reports, annual programme reports, programme implementation reports, technical and financial reports, promotional material) as well as generate primary data from key stakeholder groups such as target beneficiaries and government officials (at national and regional levels).

It is expected that the evaluator describes and justifies an appropriate evaluation approach/methodology and methods for data collection in the tender. The evaluation design, methodology and methods for data collection and analysis are expected to be fully presented in the inception report. A clear distinction is to be made between evaluation approach/methodology and methods.

Sida's approach to evaluation is utilization-focused which means the evaluator should facilitate the entire evaluation process with careful consideration of how everything that is done will affect the use of the evaluation. It is therefore expected that the evaluators, in their tender, present i) how intended users and stakeholders are to participate in and contribute to the evaluation process and ii) methodology and methods for data collection that create space for reflection, discussion and learning between the intended users of the evaluation and among key stakeholders.

Evaluators should take into consideration appropriate measures for collecting data in cases where sensitive or confidential issues are addressed, and avoid presenting information that may be harmful to some stakeholder groups.

## 6. Organisation of evaluation management

This evaluation is commissioned by Sida's MENA-unit and the Swedish Embassy in Cairo. The intended user(s) is/are the commissioners as well as the programme management team and staff at UNCTAD in Geneva.

## 7. Evaluation quality

All Sida's evaluations shall conform to OECD/DAC's Quality Standards for Development Evaluation<sup>30</sup>. The evaluators shall use the Sida OECD/DAC Glossary of Key Terms in Evaluation<sup>31</sup>. The evaluators shall specify how quality assurance will be handled by them during the evaluation process.

## 8. Time schedule and deliverables

It is expected that a time and work plan is presented in the tender and further detailed in the inception report. The evaluation shall be carried out during the period April 2018 - June 2018. The timing of any field visits, surveys and interviews need to be settled by the evaluator in dialogue with the main stakeholders during the inception phase. Field visits are expected to Beirut, Cairo and Tunis. It is also envisaged that the evaluators meet with the UNCTAD team in Geneva prior to these field visits.

The table below lists key deliverables for the evaluation process. Please note that the below time line give an indication of Sida's tentative planning of the evaluation process and that tenderers are expected to propose their own time plan in the tender.

- **Virtual upstart meeting: April 2<sup>nd</sup> 2018**
- **Draft inception report: April 16<sup>th</sup> 2018** – It should be no longer than 15 pages including annexes.
- **Comments from Sida and UNCTAD: April 23<sup>rd</sup> 2018**
- **Inception report: April 30<sup>th</sup> at the latest.**
- **Draft final report: May 30<sup>th</sup> 2018** – A meeting between the stakeholders and consultants will be held in May for joint discussions on the recommendations
- **Comments from Sida and UNCTAD: June 15<sup>th</sup> 2018**
- **Final report: No later than June 29<sup>th</sup> 2018.**

**The inception report** will form the basis for the continued evaluation process and shall be approved by Sida as donor and commissioner of the evaluation, and UNCTAD as executing agency of the program before the evaluation proceeds to implementation. The inception report should be written in English and cover evaluability issues and interpretations of evaluation questions, present the evaluation approach/methodology, methods for data collection and analysis as well as the full evaluation design. A clear distinction between the evaluation approach/methodology and methods for data collection shall be made. A specific time and work plan, including number of hours/working days for each team member, for the remainder of the evaluation should be presented. The time plan shall allow space for reflection and learning between the intended users of the evaluation.

**The final report** shall be written in English and be professionally proof read. The final report should have clear structure and follow the report format in the Sida Decentralised Evaluation Report Template for decentralised evaluations (see Annex C). The executive summary should be maximum 3 pages. The evaluation approach/methodology and methods for data collection used shall be clearly described and explained in detail and a clear distinction between the two shall be made. All limitations to the methodology and methods shall be made explicit and the

<sup>30</sup> DAC Quality Standards for development Evaluation, OECD, 2010.

<sup>31</sup> Glossary of Key Terms in Evaluation and Results Based Management, Sida in cooperation with OECD/DAC, 2014.

consequences of these limitations discussed. Findings shall flow logically from the data, showing a clear line of evidence to support the conclusions. Conclusions should be substantiated by findings and analysis. Recommendations and lessons learned should flow logically from conclusions. Recommendations should be specific, directed to relevant stakeholders and categorised as a short-term, medium-term and long-term. The report should be no more than 35 pages excluding annexes (including Terms of Reference and Inception Report). The evaluator shall adhere to the Sida OECD/DAC Glossary of Key Terms in Evaluation<sup>32</sup>.

UNCTAD should be given an opportunity to review the report and provide comments prior to approval by Sida. The evaluator shall, upon approval of the final report by Sida and UNCTAD, insert the report into the Sida Decentralised Evaluation Report for decentralised evaluations and submit it to Citrus (in pdf-format) for publication and release in the Sida publication data base. The order is placed by sending the approved report to [sida@citrus.com](mailto:sida@citrus.com), always with a copy to the Sida Programme Officer as well as Sida's Chief Evaluator's Team ([evaluation@sida.se](mailto:evaluation@sida.se)). Write "Sida decentralised evaluations" in the email subject field and include the name of the consulting company as well as the full evaluation title in the email. For invoicing purposes, the evaluator needs to include the invoice reference "ZZ610601S," type of allocation "sakanslag" and type of order "digital publicering/publikationsdatabas.

## 9. Resources

The contact person representing Sida at the Swedish Embassy in Cairo is Peter Cederblad, Programme manager. The contact person should be consulted if any problems arise during the evaluation process.

The evaluator will be required to arrange the logistics for interviews, meetings, and visits including any necessary security arrangements.

## 10. Annexes

### Annex A: List of key documentation

#### **Electronic resources:**

Regional strategi för Mellanöstern och Nordafrika 2016-2020

Methodological materials at Sida: <http://www.sida.se/English/partners/resources-for-all-partners/methodological-materials/>

Sida Evaluation Manual – Looking Back, Moving Forward, 2<sup>nd</sup> revised edition, 2007  
<http://www.sida.se/English/how-we-work/evaluations1/>

More information on UNCTAD's mandate and work can be found here:

<http://unctad.org/en/Pages/Home.aspx>

---

<sup>32</sup> Glossary of Key Terms in Evaluation and Results Based Management, Sida in cooperation with OECD/DAC, 2014



Sweden's Policy for Global Development (Politik för Global Utveckling, PGU) as a central tool for the implementation of Agenda 2030:

<http://www.regeringen.se/contentassets/c233ad3e58d4434cb8188903ae4b9ed1/politiken-for-global-utveckling-i-genomforandet-av-agenda-2030-skr.-201516182.pdf>

## Annex B: Data sheet on the evaluation object

Information on the evaluation object (i.e. project or programme)	
Title of the evaluation object	UNCTAD – COMPAL, 2014-2018
ID no. in PLANIt	52030195
Dox no./Archive case no.	14/000885
Activity period (if applicable)	20141203-20181231
Agreed budget (if applicable)	46 000 000 SEK
Main sector	Market development
Name and type of implementing organisation	UNCTAD
Aid type	Project type support
Swedish strategy	MENA Strategy 2016-2020

Information on the evaluation assignment	
Commissioning unit/Swedish Embassy	MENA/HUMASIEN
Contact person at Swedish Embassy	Peter Cederblad
Timing of evaluation (mid-term, end-of-programme, ex-post or other)	Mid-term evaluation
ID no. in PLANIt (if other than above).	12218

## Annex C : Project/Programme document

1. COMPAL – Regional Economic Integration through the adoption of competition and consumer policies in the Middle East and North Africa. *Project proposal* including log frames and budget
  - [Program Document UNCTAD-COMPAL-MENA.pdf](#)
2. Strategy for development cooperation with the Middle East and North Africa 2010-2015
  - [Regional strategy 2010-2015 English \(November 2010\).pdf](#)
3. Inception Report for programme (Nov 30 2015) Program Document UNCTAD-COMPAL-MENA.pdf
  - [UNCTAD MENA Programme - Inception Report - Last Version.pdf](#)

## Annex 2 – Inception report



**Mid-Term Evaluation of “Regional Economic Integration through  
the Adoption of Competition and Consumer Policies in the  
Middle East and North Africa (COMPAL GLOBAL-MENA)”**

**INCEPTION REPORT**

**Final, 27 April 2018**

Kimiko Pedersen

John Lawrance

Richard Moody

NIRAS Sweden AB

## Table of contents

Table of contents.....	79
Acronyms.....	80
Executive Summary .....	81
<b>1. Assessment of the scope of the evaluation .....</b>	<b>82</b>
1.1 Purpose and objectives.....	82
1.2 Evaluation criteria.....	82
1.3 Programme scope.....	84
<b>2. Relevance and evaluability of evaluation questions .....</b>	<b>87</b>
2.1 Initial evaluation questions .....	87
2.2 Revised evaluation questions.....	88
<b>3. Proposed approach and methodology .....</b>	<b>90</b>
3.1 Approach.....	90
3.2 Proposed theory of change .....	90
3.3 Data collection methods.....	93
3.3.1 Review of documents and data .....	93
3.3.2 Quantitative analysis of secondary data.....	93
3.3.3 Primary data collection .....	93
3.3.4 Stakeholders to be consulted .....	94
3.4 Division of tasks in the team.....	96
3.5 Tentative field visit plan.....	96
3.6 Limitations .....	96
<b>4. Other issues and recommendations .....</b>	<b>98</b>
<b>Annex 1 – Evaluation Matrix.....</b>	<b>99</b>
<b>Annex 2 – Documents reviewed and requested .....</b>	<b>106</b>
<b>Annex 3 – Interview guides.....</b>	<b>110</b>
<b>Annex 4 – Points for discussion with UNCTAD .....</b>	<b>114</b>
<b>Annex 5 – Final Work Plan.....</b>	<b>115</b>

## Acronyms

UNCTAD	United Nations Conference on Trade and Development
MENA	Middle East and North Africa
OECD/DAC	Organisation for Economic Cooperation and Development/Development Assistance Committee
Sida	Swedish International Development Assistance
ToR	Terms of Reference
ET	Evaluation Team
M&E	Monitoring and Evaluation
LFA	Logical Framework Approach
UN	United Nations
HR	Human resources
LAS	League of Arab States
FTA	Free Trade Agreement
IGE	Inter-governmental Group of Experts
ToC	Theory of Change
PM	Project Manager
UNDP	United Nations Development Programme
SSI	Semi-Structured Interviews
II	Individual Interview
KII	Key Informant Interview
FGD	Focus Group Discussion
EU	European Union
IFC	International Finance Corporation
ESCWA	Economic and Social Commission for West Asia
HRBA	Human Rights-Based Approach
SOE	State Owned Enterprises
TL	Team Leader

## Executive Summary

The Embassy of Sweden in Cairo commissioned a midterm evaluation of the UNCTAD MENA Programme 2014-2018 focusing on three of the five OECD/DAC evaluation criteria namely relevance, effectiveness and efficiency. This inception report articulates the approach, methodology and methods to be adopted during the midterm evaluation process. It is the result of a preliminary desk review of documentation made available so far and meetings held with the Embassy of Sweden in Cairo on April 11, 2018 and Sida in Stockholm on April 16, 2018 in addition to a series of inception meetings with the Competition and Consumer Policies Branch, Division of International Trade in Goods and Services and the Finance Branch of UNCTAD in Geneva on April 17 and 18, 2018.

The inception report reflects on and defines the scope of the evaluation. It starts by looking at the evaluation purpose and objectives, criteria and programme scope in terms of timeline, geographic coverage, target group, cross cutting issues and overall objective. A key challenge in the inception phase was the definition of the scope of the target group.

The report then presents an assessment of the evaluability of the evaluation questions starting with a snapshot of the evaluation questions presented in the Terms of Reference (ToR). The report proposes a set of revised evaluation questions based on its understanding of the scope of the evaluation. These were slightly updated from the proposed evaluation questions in the technical proposal based on findings during the inception phase.

In its third chapter, the inception report presents the evaluation approach and methodology. In line with the ToR, a draft theory of change is proposed based on discussions with UNCTAD. It will guide the work of this theory-based formative evaluation. Data collection methods will include a mixed method and multi-layered approach. This comprises a desk review of documents, primary data collection using qualitative methods including observation during participation in the regional training workshop in Tunis, and a quantitative analysis of secondary data. The data collection process will be multi-layered in the sense that data will be collected at the national, regional and international levels simultaneously. This will include key internal and external stakeholders at all levels, for instance the Competition Authorities and the Consumer Protection Agencies, and ministries (national), the League of Arab States (regional) and European countries hosting study visits (international). External stakeholders will include key informants such as donor agencies, experts, and other programmes doing similar work. The proposed data collection tools are tailored to the different types of stakeholders to be consulted.

The field visit plan will be finalised in the week following the submission of this report in collaboration with the national focal points in the three countries selected for field visits namely Egypt, Lebanon and Tunisia. Furthermore, a follow up meeting with UNCTAD is envisaged to take place prior to field visits to finalise the discussions initiated during the inception meetings.

# 1. Assessment of the scope of the evaluation

## 1.1 PURPOSE AND OBJECTIVES

The purpose of the evaluation is seen to be partly summative but primarily formative. According to the Terms of Reference (ToR, Annex 6), the purpose of the evaluation is to ‘assess progress [...] [of the Programme and] to learn from what works well and less well’ shedding light on the progress made and results achieved so far while complementing existing reporting. More specifically, the objectives of the evaluation are to evaluate the relevance, efficiency and effectiveness of the Programme and provide recommendations on:

1. How to improve/adjust implementation; and
2. Key issues that need to be discussed concerning the future of the programme.

The start-up meeting with the Embassy of Sweden in Cairo (hereafter referred to as the Embassy) as the commissioning body of the midterm evaluation clarified the rationale for the assignment and confirmed the purpose and objectives of the evaluation. Similarly, inception meetings held in Geneva with UNCTAD concurred with the need to take stock of progress and identify needed adjustments and the way forward.

## 1.2 EVALUATION CRITERIA

According to the objectives of the midterm evaluation, the three OECD/DAC evaluation criteria of relevance, efficiency and effectiveness will be the focus of the assessment. While sustainability is not mentioned, the issue of local ownership, inclusion/participation and commitment are noted in the ToR. Therefore, the midterm evaluation will integrate these sustainability considerations into the inquiry about relevance and effectiveness including programme design. Inception meetings with the expert staff at the Competition and Consumer Policies Branch, UNCTAD Division of International Trade in Goods and Services (hereinafter ‘the Branch’) and with its management technical and financial teams revealed that the programme budget is developed and fully managed by UNCTAD in Geneva in line with United Nations (UN) financial rules and procedures and that counterparts and focal points in country do not have or manage any share of the programme’s budget. Therefore, inquiring about the extent to which programme countries were included in the budget design process and have control over their own budget and expenditures will not be prioritised in this evaluation.

Based on our reading of the evaluation criteria and questions presented in the ToR (see section 2.1), our suggestions in the technical proposal and the start-up meeting with the Embassy, we foresee the scope of the three evaluation criteria to be as follows:

**For relevance**, key issues will relate to three aspects:

- Relevance to national and regional priorities in the three selected countries
- Relevance to the priorities of the target group<sup>1</sup> in the three selected countries
- Programme design (coherence of programme logic including relevance of indicators)

While the ToR focus on national ownership and priorities, the way the evaluation team (ET) came to understand the programme during the inception phase underlines the importance of also addressing the

---

<sup>1</sup> See section 1.3/Target group.

regional relevance of the programme for individual countries. Therefore, we have added this dimension under the first bullet point.

**For effectiveness**, we will look at the following elements:

- Results achieved at national and regional levels with focus on the three selected countries. This will include results at output and outcome levels.
- Monitoring and evaluation (M&E) setup and practices. Based on a first reading of documents and inception meetings with UNCTAD, a preliminary finding is that the logical framework approach (LFA) indicators have not been systematically used as a reference point for monitoring and reporting. Reporting against outputs and outcomes started in 2018. The UNCTAD meeting with the head of the Branch and expert team informed that according to UN practices, reporting on indicators is done at the end of a technical cooperation programme (substantive reporting) rather than annually unless otherwise agreed. The agreement between Sida and UNCTAD does not specify annual reporting against LFA indicators. This means that the relevance of indicators over the life of the programme is not revisited during implementation and considerations for their reformulation not applicable. We will therefore look into how the programme actually monitors its performance and what tools it uses to evaluate its key activities and outputs, for instance evaluation sheets.
- Organisational setup of the programme with a clarification of roles and responsibilities of key stakeholders involved in programme implementation.

**For efficiency**, the midterm evaluation will do the following:

- A key cost driver analysis using the UN system budget chapters
- A comparison of the annual budget against disbursements and output delivery
- An extraction of the cost of selected key outputs that are main cost drivers, such as regional training workshops, participation in international meetings, guidelines and study visits.<sup>2</sup>
- Considerations given to cost-saving measures and efficiency (e.g. cost minimisation on travels, coordination with other programmes)

A meeting with the finance department at UNCTAD helped assess the feasibility of applying value for money indicators suggested in the proposal. Key issues emerged that explain the choice of the above-mentioned methods. First, the budgets format of the inception report (revised programme document) and the budget format used in the UN system do not show unit costs. Therefore, a unit cost analysis will not be undertaken. Second, financial data show that procurement of equipment and assets under the programme was limited. One of the major costs is personnel cost. Unit cost of salaries and fees for consultants are regulated by UN HR rules according to specific scales, hence it is not relevant to prioritise a unit cost analysis of personnel costs. Third, the budget format presented in the inception report is activity-based. This in theory should facilitate the extraction of output costs and compare planned and actual costs or costs over time. However, since the programme's budget is monitored based on the budget chapters used in the UN system, it is not possible to see what the planned and actual budget and expenditures are in the activity-based budget format. An alternative that is under discussion with finance is to extract costs linked to selected key outputs such as regional training workshops. These costs are currently merged with other expenses under the budget chapter 'travel'. The extraction of

---

<sup>2</sup> This is currently under discussion with the France Branch and not conclusive.



such costs will provide a better understanding of how much the programme has spent on regional workshops and study visits for instance. This is currently unclear.

### 1.3 PROGRAMME SCOPE

**Timeframe.** According to the ToR, we understand that the programme period being evaluated extends from December 2014 to March 15, 2018. According to the signed agreement between Sida and UNCTAD, the programme period is 2014-2018. However, in the agreement text (Article 11) and in the inception report workplan, the programme extends over the period 2015-2019. The start-up meeting with the Embassy informed that the programme period is 2014-2018. Since no activities or disbursements were undertaken in December 2014 according to technical and financial reporting, the timeframe of the midterm evaluation will be as follows:

- For relevance and effectiveness, we will cover activities for the period from January 2015 to March 2018 as information is available for activities undertaken until the first quarter of 2018.
- For efficiency, the period covered will extend from January 2015 to December 2017, a period for which consolidated financial data is available.

**Geographic scope.** The ToR mention that the geographic scope of the evaluation covers ‘all relevant countries, but with specific focus on Egypt, Lebanon and Tunisia.’ The choice of the three countries is seen to be relevant for capturing the diversity in the region. The start-up meeting with the Embassy confirmed that the geographic scope for data collection will cover the three countries. It was agreed that the assessment of other programme countries will be based on a desk review of available documentation. During the inception phase, the ET undertook a quick mapping of key results achieved based on documentation available. There are indications that some results were achieved in Jordan, Palestine and Algeria.<sup>3</sup> Moreover, Morocco has been actively participating in many events including two study visits and a range of workshops and is the only country that has requested and is benefiting from a voluntary peer review under the programme. Should time allow, remote interviews with focal points in these countries will be undertaken. The worsening humanitarian situation in Yemen meant that the country was not strongly involved in the programme and will therefore not be included in the evaluation.

**Target group and other key stakeholders.** In line with our comment in the proposal about the scope of the target group, we have dedicated time during the inception phase to understand who the target group is. An inception meeting with the head of the Branch responsible for the coordination of technical cooperation (in both the fields of competition and consumer protection) at UNCTAD, currently the acting PM, was held to undertake a rapid stakeholder mapping. The purpose was to i) understand who are the target group of the programme and other relevant stakeholders and ii) prioritise ‘who’ to include in the evaluation process. The desk review of documentation and consultations with UNCTAD revealed that the target group includes a wide variety of organisations and structures from government, private and civil society in targeted countries. Despite attempts to scope the target group during the inception phase, we find that it is still broad. We understand however that primary stakeholders are authorities and agencies dealing with competition and consumer protection policies. The envisaged analysis of the list of participants which will kick off in the week following submission of this report will

---

<sup>3</sup> In Jordan, the consumer protection law was adopted. In Palestine, a technical committee on competition law was established. In Algeria, the competition law was audited.

provide a typology of participants/organisations/sectors and reveal who was actually targeted to benefit from the programme. Based on this analysis, we will be able to understand and further define the scope of the target group and finalise criteria for the selection of key stakeholders to be consulted in close dialogue with national focal points as suggested by UNCTAD (see section 3.3.4).

So far, our analysis of the programme is that it draws on primary and secondary target groups in addition to other key stakeholders at the national, regional and international levels. We have classified the target group and other key stakeholders in line with these three levels. We will use the terminology of internal and external stakeholders. The former includes the target group.

At the national level, internal stakeholders that are directly involved in the implementation of the programme include i) national focal points/coordinators who were appointed by the governments of the partner countries through diplomatic missions in Geneva and are formally responsible for facilitating activities (e.g. mobilising participants) and ii) key partners/counterparts, namely heads of competition and consumer protection authorities who provide technical input (e.g. presentations in workshops). In some cases, these two categories overlap. Other internal stakeholders in country that are involved in programme activities as participants targeted to benefit from programme activities include:

- Government and state institutions such as ministries, sector regulators and the judiciary, as well as focal points and counterparts. These however can differ from country to country.
- Non-governmental actors including civil society organisations namely consumer associations, academia and private sector organisations. These actors are involved in all countries.

UNDP is the administrative and financial arm of UNCTAD in the programme countries in relation to administrative and support functions, for instance the disbursement of local expenses approved by UNCTAD for workshop and accommodation facilities. It is however not directly involved in implementation and is considered as an external stakeholder.

At the regional level, there is no regional structure in the MENA region acting as a regional partner that is working to promote regional economic integration and convergence and which the programme can officially engage with. The ET considers that such a regional structure would form a basis for mobilising the political will and drive of individual countries to work towards regional objectives (see chapter 4), and that these two aspects might suffer in the absence of such regional counterpart. One relevant regional actor that UNCTAD liaised with in 2015 during the inception phase of the programme include the League of Arab States (LAS). The programme facilitated the participation of some countries in two LAS meetings in 2016. Document review and consultations during the inception phase suggest that existing free trade agreements (FTA) in the region such as the Agadir agreement could be a relevant regional stakeholder, particularly with the recent membership of Lebanon and Palestine. Another one is the Greater Arab free trade areas (Gafat) despite its wider scope. These are seen as external stakeholders that could potentially be relevant for the programme if competition and consumer protection are formally covered by their frameworks.

At the international level, competition and consumer protection agencies and authorities from Austria, France and the UK participated in the programme as hosting agencies for study visits. While these can be considered as external stakeholders, given that they were involved in the implementation of programme activities, they will be considered as internal stakeholders for the purpose of this evaluation. Other external structures that the programme had an interface with include the UNCTAD annual inter-governmental group of experts (IGE) meetings on competition and consumer protection in Geneva. According to UNCTAD, the programme supported the participation of representatives from all MENA countries.

**Cross-cutting issues.** In line with the focus of the ToR on gender considerations in the programme, the start-up meeting confirmed that gender is the priority cross cutting issue to be investigated. This means that governance and anti-corruption will not be part of the scope of this evaluation. The principles of the human rights-based approach (HRBA) are addressed in relation to the inclusion and participation of those affected by the programme in programme design.

**Overall objective.** The inception report including the revised programme document and LFA state that the objective of the Programme is ‘to contribute to regional economic integration, anti-corruption, good governance, gender equality and the SDGs by strengthening markets through improved competition and consumer protection policies in the MENA region’. As noted in the preceding paragraph, governance and anti-corruption will not be addressed. The SDGs are not referred to in the ToR and will therefore not be touched upon. The evaluation understands that the overarching objective of the Programme is to contribute to regional economic integration through improved competition and consumer policies in the MENA region. It is from this regional angle that the evaluation will address the Programme (see chapter 4).

## 2. Relevance and evaluability of evaluation questions

### 2.1 INITIAL EVALUATION QUESTIONS

The ToR provide a set of 11 evaluation questions that clearly capture the intention of the evaluation and the three evaluation criteria. The evaluation questions listed in the ToR are the following:

#### Relevance

1. To which extent has the project conformed to the needs and priorities of the beneficiaries?
2. Investigation of the relevance of Programme objectives to the national development objectives and priorities, areas of interest and the needs of beneficiaries in the proposed countries, Egypt, *Palestine*<sup>4</sup> and Tunisia.
3. Review of the Programme concept and design with respect to clarity of the addressed problems by the Programme and soundness of the approaches adopted by the Programme to solve these problems.

#### Effectiveness

4. To which extent has the Programme contributed to intended outcomes? If so, why? If not, why not?
5. Assessment of the Programme progress towards attaining its objectives and outcomes and recommend measure which can improve the Programme.
6. Review of the logical framework matrix and the indicators to assess their appropriateness for monitoring the Programme performance and to what extent they are being used by the Programme management.
7. To what extent have gender components been integrated into the Programme implementation?
8. Review of the appropriateness and clarify the roles and responsibilities of stakeholders and the level of coordination between them.

#### Efficiency

9. Can the costs for the project be justified by its outputs and achievements in the evaluation period?
10. Assessment of the performance of the Programme in terms of timeliness, quality, quantity and cost efficiency of the activities undertaken including Programme procurement: experts and equipment, training Programmes, reports etc

#### Gender mainstreaming

11. Has the project had any positive or negative effects on gender equality? Could gender mainstreaming have been improved in planning, implementation and follow up?

---

<sup>4</sup> Palestine is mentioned in the ToR. We have changed it to Lebanon given that the ToR refer to country cases in Egypt, Lebanon and Tunisia.

## 2.2 REVISED EVALUATION QUESTIONS

The NIRAS implementation proposal provided comments and suggestions for the revision of the evaluation questions. These will be summarised and updated below. It is worth noting that gender considerations are integrated as part of the evaluation questions on relevance and effectiveness. A more detailed overview of the evaluation questions and how they will be addressed is presented in the evaluation matrix in Annex 1. The evaluation questions are also unfolded into more detailed questions in the interview guides in Annex 3.

### Relevance

In agreement with the Embassy about revisions made in the proposal, the assessment of relevance will be broken down into three categories namely relevance to national and regional priorities, to the priorities of the target group and coherence of programme design.

Relevance to country priorities	1. To what extent is the Programme aligned to national policies and strategies including their regional and gender equality dimensions? And to what extent are these dimensions driven by national policies?
Relevance to the priorities of the target group	2. To what extent did the Programme adequately respond to the priorities of its target groups? <sup>5</sup> 3. How were the priorities of women addressed in the programme?
Programme design	4. To what extent are planned activities likely to contribute to the realisation of outputs and outcomes? 5. To what extent are indicators appropriate for monitoring progress on activities, outputs and outcomes (including gender-sensitive indicators)? 6. How were the perspectives of women considered in the design of the Programme?

### Effectiveness

In line with the suggestions made in the proposal, the evaluation questions on effectiveness were streamlined and re-categorised to look into three aspects namely results achieved, monitoring and evaluation, and the organisational setup of the programme. As noted above, indicators have not been used for annual monitoring purposes. The desk review shows that apart from one indicator on the number of women taking part in activities and training (Output 3.1), there are no gender-specific indicators. Therefore, the question on M&E was reformulated to encompass this dimension.

---

<sup>5</sup> See section 1.3 on the definition of the target group. Furthermore, the extent to which the programme included its target group in programme design and identification of priorities/activities is addressed as a sub-question in the interview guide (Annex 3).

Results achieved (at national and regional levels)	<p>7. To what extent did the Programme attain planned outputs? Why? Why not?</p> <p>8. To what extent did the Programme achieve or is likely to achieve intended outcomes? Why? Why not?</p> <p>9. How did results achieved affect women?</p>
M&E	10. How and how often is data collected and analysed to monitor the progress of the programme, including gender-specific results?
Organisational setup	11. To what extent did the organisational setup of the Programme facilitate the achievement or non-achievement of outputs and outcomes?

### Efficiency

The main update on the revised evaluation questions presented in the proposal pertain to efficiency. As noted above, an analysis of what is feasible to extract from the existing budget format resulted in the prioritisation of the following questions, looking into two value for money criteria, namely economy and efficiency and primarily comparing costs annually/over time.

Economy considerations	12. What are the key cost drivers of the programme?
Efficiency considerations	<p>13. How does the delivery of outputs compare with disbursements?</p> <p>14. <i>What are the costs of key outputs?</i><sup>6</sup></p> <p>15. How does the programme seek efficiency considerations?</p>

---

<sup>6</sup> As noted previously, whether this can be extracted is still to be confirmed.

## 3. Proposed approach and methodology

### 3.1 APPROACH

In line with the ToR, the evaluation will primarily be formative and driven by a learning-oriented approach. The ET intends to apply a participatory, gender-sensitive, transparent and utilisation-focused approach. First, the evaluation intends to seek and include the views and experience of a variety of key stakeholders at the national, regional and international levels including the perspectives of women where relevant. Second, the evaluation has included intended users namely the Embassy, Sida in Stockholm and UNCTAD during the inception phase and will maintain a close dialogue with the Embassy and UNCTAD throughout the evaluation process. A debriefing is envisaged at the end of the field visits to share preliminary findings and collect feedback from intended users, which will be followed by comments on the draft evaluation report. Finally, the ET will inform consulted stakeholders about the evaluation purpose and methodology and notify them once the final evaluation report is published on the Sida webpage.

In terms of data collection, the evaluation will use mixed methods and a multi-layered approach. To make the best use of time and resources, the ET will simultaneously collect data at national, regional and international levels (see section 3.4) and use qualitative methods and quantitative analysis of secondary data (section 3.3).

The evaluation will rely on a theory-based approach for framing its assessment and understanding how envisaged activities are foreseen to lead to outputs, outcomes and impacts, grounding the result framework of the Programme. In section 3.2 below, a draft Theory of Change (ToC) was developed based on the revised programme document and discussions with UNCTAD in Geneva.

### 3.2 PROPOSED THEORY OF CHANGE

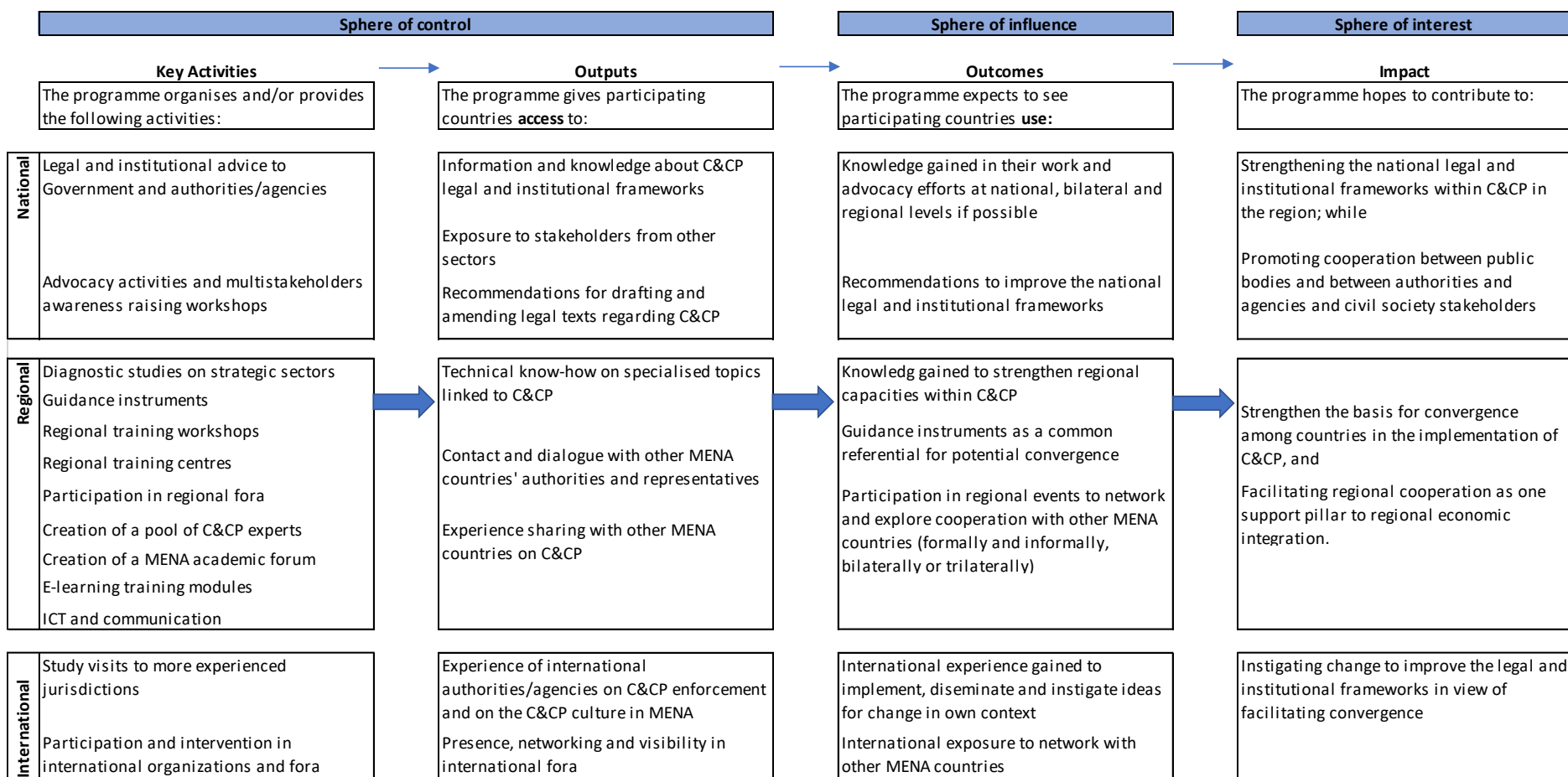
The formulation of a ToC was not envisaged in the agreement between Sida and UNCTAD. Accordingly, and as noted in the ToR, the programme does not have a ToC. During the inception meetings with UNCTAD and follow-up communication, the following draft ToC and result chain were constructed to capture the main story behind the pathways of change the programme envisages within the mandate of UNCTAD. The ToC accounts for planned activities in the revised programme document, even though many of them were not realised. While capacity building in broad terms is a national activity that UNCTAD undertakes as part of its mandate, it was not envisaged to take place at the national level of the programme. It is therefore not included in the ToC as part of the activities envisaged at national level, but as an activity taking place at regional level through regional training workshops. Furthermore, the ToC does not include ad-hoc tailor-made technical assistance and voluntary peer review mechanisms, which are the two approaches of capacity building support that UNCTAD provides to member states. It should be noted however that an activity that was not foreseen (and therefore not included in the ToC) but that emerged later is the request for a voluntary peer review made by Morocco at the end of 2016. The exercise was collaborative and, in this case, involved Lebanon and was included as part of the Programme. It is worth noting that the design of the programme experienced some changes, also in approach, during the inception phase, and most staff included in the discussion were familiar with the initial programme document and design and were not involved in implementation until recently due to the sick leave of the programme manager (PM).

The assumptions behind the ToCs were not fully developed due to time constraints. However, political will, ownership and commitment were seen as cornerstones for the success of the programme, both at

the national and regional levels. Reflections on the ToC has guided the development of data collection tools as can be seen in the annexed interview guides (Annex 3).



## Proposed draft ToC and result chain for UNCTAD MENA programme



### 3.3 DATA COLLECTION METHODS

#### 3.3.1 Review of documents and data

The Embassy has been timely in the dispatch of key documentations at hand. A list of key documents was shared and discussed with UNCTAD during the inception meetings, including lists of participants, contact points and budget data. The list of documents reviewed and requested can be found in Annex 2. It is expected that the collection, review and analysis of key documentation will continue during the field visit as part of the data collection process. Inception meetings with UNCTAD confirmed that there is a gap in the archiving of documents and that requested documents may not be fully accessible within the timeframe of the evaluation as the PM is currently on sick leave.

#### 3.3.2 Quantitative analysis of secondary data

During the start-up meeting with the Embassy, the option of a survey was discussed. It was agreed that the risks linked to a survey outweighed foreseen benefits in the time available for the evaluation (e.g. low rate of response, timely mobilisation of correct emails of hundreds of participants). Therefore, the evaluation will not undertake a survey. However, it will do a quantitative analysis of the following:

- A profile analysis of participants
- A meta-analysis of evaluation sheets
- Budget analysis

The profile analysis of participants is meant to shed light on the type of persons, organisations and countries that participated in programme's activities particularly regional training workshops, study visits, and regional and international meetings. It will also indicate the frequency at which the same persons/organisations/countries have participated in programme activities and the level of participation of women. As we intend to launch this analysis before the start of the field visits, it will give the ET a preliminary indication of the different levels of experience of participants with the programme and contribute to understanding who the target group is and the selection of stakeholders to be consulted.

The meta-analysis of evaluation sheets, which the ET received shortly before submission of this report, will provide insight into participants' feedback on the training workshops and shed light on the relevance of workshops to participants and the effectiveness of monitoring practices employed.

As noted under efficiency and following the inception meeting with finance at UNCTAD, the budget analysis will shed light on what the key costs of the programme are, the level of disbursements and possibly the cost of selected key outputs.

#### 3.3.3 Primary data collection

Primary data collection with UNCTAD has taken place during the inception phase and will not be included in the description below. The points covered during meetings with UNCTAD are enclosed in Annex 5. An interview guide for UNCTAD is therefore not enclosed. A follow up meeting is planned in the coming week to finalise discussions on effectiveness including organisational structure and results. An additional point for discussion would be to validate our understanding of efficiency considerations. Preliminary findings indicate that UNCTAD takes account of such considerations (e.g. joint visits to the Middle East, side events, use of UNDP in country for specific tasks).

Primary data collection in the field will rely on qualitative data collection methods tailored to the specific groups of internal and external stakeholders. Draft interview guides are enclosed in Annex 3. The key methods that will be adopted include:

- Semi-structured interviews (SSI) including in-depth individual and group interviews, and key informant interviews (KII).
- Participation and observation

Semi-structured interviews will be carried out as individual interviews (II) or focus group discussions (FGD);<sup>7</sup> face to face at national level and remote interviews (RI) at the regional and international levels. IIs will target implementing partners and focal points in the field, as well as other organisations that were involved in implementing activities (e.g. Austrian competition authority). KII will be undertaken with external stakeholders who are versed on the issues of regional trade, competition and consumer policy in the region as well as other agencies working in similar sectors. These will be a mix of face to face interviews in the field and remote interviews. FGD will target workshop and meeting participants. If this proves to be the most suitable modality, a participant profile sheet will be produced prior to starting the meeting to get an overview of who was included and what types of organisations/sectors were part of the evaluation.

Participation and observation will take place during the regional training workshop in Tunis that coincides with the field visit in the country. This brief immersion into the workshop will be a chance to experience the programme at first hand, talk to participants and get a more rounded understanding of content, processes and dynamics at that type of event.

### **3.3.4 Stakeholders to be consulted**

Documents reviewed so far and the rapid stakeholder mapping undertaken with UNCTAD has allowed the ET to map key internal and external stakeholders at the national, regional and international levels. The primary and secondary target group constitute part of internal stakeholders. The ET intends to meet with a variety of stakeholders as presented in the table below. The table also indicates the type of data collection tool that will be used.

The approach for the selection of key stakeholders to be consulted is purposive targeting those directly involved in programme implementation, including focal points and partners/counterparts at national level. More specific criteria for the selection of those benefiting from the programme, namely participants will include diversity of representation from various sectors (government and non-government), countries and level of experience with the programme. For external stakeholders, key criteria include knowledge of the areas of work of the programme or work in areas that are similar to the programme. Should time allow, the ET will meet with external stakeholders who did not participate in the programme, such as representatives from the private sector and civil society. Due to time constraints, the ET will not be able to consult with consumers, businesses and SOEs at large.

---

<sup>7</sup> UNCTAD recommended that the choice of FGDs be discussed with focal points. Therefore, this proposed method is only indicative at this stage. The alternative would be purposive sampling to undertake II.

	Stakeholders to meet			
	Internal	Method	External	Method
<b>National level</b>	Focal points/national coordinators <sup>8</sup>	II	EU delegation	KII
	Partners/Competition and consumer protection authorities/Regional training centres	II	World Bank/IFC representation	KII
	Participants in national and regional workshops/ civil society, private sector, sector regulators, judiciary/gender focal points	FGD per category <sup>9</sup>	Experts on trade, competition or consumer protection	KII
	Participants in study visits	II and/or RI	UNDP	KII
	Participants in regional/international fora	II and/or RI	Government, private sector, civil society representatives that did not participate in the programme	KII
<b>Regional level</b>			ESCWA	KII
			League of Arab States	KII/RI
			Agadir FTA	KII/RI
<b>International level</b>	Austrian competition authority	II/RI	OECD	KII/RI
	Consumers International	II/RI	Consultants involved in drafting guidelines and other experts	KII/RI
	UK Citizen advice	II/RI	Swiss agency for development cooperation	KII
	UK Trading standards	II/RI		
	UK Competition and market authority	II/RI		
	UK Financial conduct authority	II/RI		
	UK Financial Ombudsman	II/RI		

<sup>8</sup> If time allows, these will include Morocco, Palestine, Jordan and Algeria.

<sup>9</sup> Alternatively, II if FGDs are not deemed suitable by focal points.

### 3.4 DIVISION OF TASKS IN THE TEAM

The team leader (TL) of the midterm evaluation will have responsibility for method development, data collection, analysis and report writing in close collaboration with the team. The division of labour among team members is as follows:

- The TL will be responsible for organising and implementing the evaluation in line with the methodology, schedule and proposed budget. The TL has already participated in a start-up meeting with the Embassy of Sweden in Cairo, a briefing meeting with Sida in Stockholm and inception meetings with UNCTAD in Geneva. She will lead and coordinate the desk review of documentation, method development including the design of interview guides, the drafting and finalisation of the inception and evaluation reports. She will be the lead on data collection in the three selected countries (national level), data analysis, consolidation of data collected at national, regional and international levels, debriefing and reporting writing.
- The expert in consumer protection policy and regulation will support the TL in the implementation of the evaluation including sharing responsibility for data collection, analysis and reporting at the regional and international levels. He will provide input to methodology development, including interview guides, the inception report, desk review of documentation with focus on consumer protection issues, data analysis and recommendations. The expert will participate in the first field visit. The team will then split to ensure that data is simultaneously collected at the national, regional and international levels. His contribution to report writing will primarily relate to context and background.
- The legal expert in trade and competition policy will support the evaluation team on issues relating to trade law, competition policy and regulations. The expert will contribute to the desk review of documentation particularly those with a legal element, provide input to methodology development including interview guides and the inception report. He will be primarily responsible for providing technical support and backstopping to the team, also in relation to the final report including recommendations.

The team will be supported by a junior assistant to help with quantitative data analysis. The role of the assistant would be to undertake analysis, compilation and reporting in close collaboration with the TL.

### 3.5 TENTATIVE FIELD VISIT PLAN

Due to time constraints in the inception phase, including a delay in start-up and a trip to Geneva, a tentative field visit plan was discussed but not developed together with UNCTAD. The latter suggested that the organisation of the field visit plan take place with national coordinators in the three countries. The ET will contact these focal points and provide guidance as to who the ET intends to meet with as per section 3.3.4.

It was agreed that UNCTAD will inform regional and international stakeholders about the evaluation to launch the start of remote meetings with these actors.

### 3.6 LIMITATIONS

The following limitations are foreseen:

- A key limitation is the absence of the PM who ran the programme since its inception in 2015 until July 2017. The PM has been on sick leave since August 2017 and has not been accessible since.

This has limited our understanding of programme design and revisions made in the inception phase. We expect that this will greatly limit the ET's assessment of the programme, its achievements and challenges seen from UNCTAD's perspective.

- In the absence of the PM, not all programme documentation is accessible. This implies that the ET cannot rely entirely on the desk review of documents with regard to the assessment of countries that are not included in field visits. As noted above, should time be available, these focal points will be included through remote interviews.
- Access to high-level stakeholders at national and regional levels was foreseen as a challenge in the proposal submitted to Sida. Following discussion with the Embassy and UNCTAD, the Embassy agreed to facilitate access to regional bodies such as the LAS. We envisage that national focal points/coordinators will facilitate access to country level government officials (e.g. ministries, judiciary). However, since the ET has not yet had contact with national coordinators, we still foresee this as a potential limitation for meeting key stakeholders and including their experience with the programme.
- If the participant lists do not include the requested details, this will limit the quality of the analysis and thus the quality of the assessment made in relation to that. It will also affect the ability of the team to independently select of key stakeholders to be consult and minimise potential selection bias on behalf of the programme
- The fact that the budget formats do not include detailed budget lines for comparing budget versus actual disbursements may limit the relevance of this comparative analysis. Furthermore, it is still an ongoing discussion whether costs of key outputs such as study visits can be extracted from available data. This will limit the extent to which the evaluation can comprehensively address evaluation questions on efficiency as intended.

## 4. Other issues and recommendations

A key issue emerged during the inception phase that we wish to highlight. The regional dimension of the programme is understood to lie in the fact that the programme works with different countries in the MENA region and is striving to facilitate regional cooperation among MENA countries within competition and consumer protection.

While not a driver for regional trade integration, competition and consumer protection are an important pillar within a regional trade setup. The main instruments used in the programme to promote regional cooperation include regional training workshops held at regional training centres that were established under the programme, the production of guidelines that can be used across the region as a means to encourage coherence and the regional ICT Platform for knowledge sharing and e-training. As noted under section 1.3, the MENA region does not have regional structure working towards regional integration. We understand the challenge of working at the regional level without the presence of a regional structure as the main driver for regional economic integration and political will to engage in regional cooperation at the individual country level. We find it is important to address the regional context of the programme given that it is a programme seeking to promote regional integration. We have therefore integrated the relevance of the regional dimension of the programme into the national inquiry on relevance and effectiveness.

## Annex 1 – Evaluation Matrix

Questions raised in ToRs <sup>10</sup>	Indicators to be used in Evaluation	Methods	Sources	Availability and Reliability of Data /comments
<b>Relevance</b>				
EQ1. To what extent is the programme aligned to national policies and strategies including their regional and gender equality dimensions? And to what extent are these dimensions driven by national policies?	<p>Reference in national polities/strategies to the types of priorities addressed by the programme</p> <p>Reference in national policies/strategies to regional cooperation and/or trade and integration</p> <p>Evidence of consideration given in national plans to regional priorities and priorities within other MENA states</p> <p>Targets set in annual competition and consumer protection annual planning documents relating to the types of priorities addressed by the programme.</p> <p>Evidence of monitoring of competition and consumer protection targets at a national level and adjustment of policies and strategies as needed</p> <p>Evidence of national commitment to the programme</p>	<p>Document review</p> <p>II</p> <p>KII</p>	<p>National development plans</p> <p>National strategies on competition and consumer protection, gender equality, private sector development and trade</p> <p>National focal points</p> <p>National counterparts</p> <p>Government authorities, donors and experts</p> <p>Other documentation on regional integration in MENA</p>	Assessed as available and reliable

<sup>10</sup> The evaluation matrix includes the revised evaluation questions presented in Chapter 2.



EQ2. To what extent did the programme adequately respond to the priorities its target groups?	<p>Reported responsiveness to needs/priorities by:</p> <ul style="list-style-type: none"> <li>- national focal points</li> <li>- national counterparts</li> <li>- participants</li> </ul> <p>Evidence of inclusion and participation in programme design and identification of activities</p> <p>Evidence of influence on the choice of programme activities</p> <p>Perception of partners and focal points on their influence on budget design</p> <p>Evidence of national commitment to the programme</p>	FGD II	<p>Participants in programme activities at national, regional and international levels</p> <p>National focal points</p> <p>National counterpart</p>	Assessed as available and reliable
EQ3. How were the priorities of women addressed in the programme?	<p>Evidence of specific action taken to address the needs of women as current and potential businesses and as consumers</p> <p>Examples of the programme addressing women's priorities</p> <p>Evidence of awareness amongst women of actions taken to address their needs as current and potential businesses and as consumers</p>	Document review II FGD	<p>Programme document and LFA</p> <p>Progress reports</p> <p>Participants in programme activities at national and regional levels</p> <p>National focal points</p> <p>National counterpart</p>	Due to gaps in the archiving of documentation, not all documents will be accessible and available. Information from interviews however are assessed to be reliable.
EQ4. To what extent are planned activities likely to contribute to the realisation of outputs and outcomes?	<p>Linkages and logic between inputs, activities, results and outcomes</p> <p>Validity of assumptions made</p> <p>Level of engagement of national focal points and partners</p>	Document review II KKI	<p>Programme document and LFA</p> <p>Constructed ToC</p> <p>National focal points</p>	Assessed as available and reliable.

	Evidence of political will and ownership		National partners Government authorities, donors, experts	
EQ5. To what extent are indicators appropriate for monitoring progress on activities, outputs and outcomes including gender sensitive-indicators?	Relevance of proposed indicators against the content and quality of proposed activities, outputs and outcomes. Number and relevance of gender sensitive indicators	Document review and analysis	Programme document and LFA	Assessed as available and reliable.
EQ6. How were the perspectives of women considered in the design of the programme?	Evidence of consultations with women from government, private and civil society sectors in the design phase Evidence in programme document of how these perspectives are integrated	Document review II FGD KKI	Programme related documents or annexes National focal points National partners National gender focal points	It will be difficult to get access to documents due to challenges mentioned above. Available information is however assessed as reliable.
<b>Effectiveness</b>				
EQ7. To what extent did the programme attain planned outputs? Why? Why not?	Mapping of key activities undertaken Mapping of key outputs achieved Number of achieved outputs out of total outputs Number of participants in key outputs Mapping of challenges faced	Document review Qualitative analysis of the programme's planned outputs II FGD	Programme document and LFA Workplans Progress reports List of participants Participants National focal points National counterpart	Assessed as available and reliable.
EQ8. To what extent did the programme achieve or is	Reported increased awareness and	Document review	Programme document and LFA	Assessed as available and reliable.

likely to achieve intended outcomes? Why? Why not?	<p>knowledge about competition and competition policy legal and institutional framework</p> <p>Reported use of knowledge and tools accessed through the programme in daily work and advocacy</p> <p>Reported change in the legal and institutional framework of competition and consumer protection policies</p> <p>Reported improvement of competition neutrality principles being applied.</p> <p>Improved recognition of competition policies as a tool for regional economic integration in the MENA region</p> <p>Improved recognition of consumer protection as tools for regional economic integration in the MENA region</p> <p>Evidence of reported improvement in awareness of consumer rights amongst consumers at national and regional levels</p> <p>Improved awareness of consumer protection obligations amongst the business community</p> <p>Reported integration of programme activities in organisations' strategic plans</p> <p>Reported improvement in cooperation between government, private sector and civil society</p> <p>Reported new cooperation established with other MENA countries (formal,</p>	<p>II</p> <p>FGD</p> <p>KII</p>	<p>Workplans</p> <p>Progress reports</p> <p>Participants</p> <p>National focal points</p> <p>National counterpart</p> <p>Government authorities, donors, experts</p>	
--	---	---------------------------------	--	--

	informal) MoUs signed Other reported results stemming from regional cooperation			
EQ9. How did results achieved affect women?	Number of women participating in the programme Accounts of women benefiting from the programme	Document review and analysis II FGD	Progress reports List of participants Participants National focal points National counterpart	Assessed as available and reliable.
EQ10. How and how often is data collected and analysed to monitor the progress of the programme including gender specific results?	Number and frequency of monitoring reports Relevance of the content of monitoring reports Number of reported gender specific activities or results achieved	Document review II	UN Project management and M&E guidelines Agreement between Sida and UNCTAD Programme document M&E Plan Progress reports List of participants Evaluation sheets National focal points National counterparts	Assessed as available and reliable.
EQ11. To what extent did the organisational setup of the programme facilitate the achievement or non-achievement of outputs and outcomes?	Organisational chart of the programme HR Plan at UNCTAD Mapping of the organisational structure, lines of communication, reporting and decision making	Desk review II	Programme document ToR of staff and consultants UNCTAD National focal points National counterparts	Assessed as available and reliable.

	Mapping of roles and responsibilities Reported weaknesses and strengths of the organisational setup		Other partners	
<b>Efficiency</b>				
EQ12. What are the key cost drivers of the programme?	Mapping the largest budget lines, planned and actual, per year  % of budget lines of total budget, total and per year	Desk review and analysis	Programme budget and disbursements	The UN budget format is not detailed enough to be identify the budget lines that are driving costs. Therefore, the analysis will be limited to budget chapters. The latter is assessed to be available and reliable.
EQ13. How does the delivery of outputs compare with disbursements?	% of overall budget consumed in total and per year  % consumed budget by budget chapter in total and per year  Timely delivery of outputs	Desk review and analysis	Programme budget  Annual financial statements  Workplan  EQ7	Assessed as available and reliable.
<i>EQ14. What are the costs of key outputs?</i>	<i>Mapping of key outputs</i> <i>Mapping of key expenses linked to those outputs</i>	<i>Desk review and analysis</i>	<i>Special financial reports</i> <i>EQ7</i>	<i>Under discussion with finance at UNCTAD. If available, then reliable.</i>
EQ 15. How does the programme seek efficiency considerations?	Evidence of cost minimisation for largest budget lines including administration costs such as:  - combined travel - side events/multiple services - subcontracting - utilisation of existing facilities and structures  Evidence of a comprehensive approach	Follow up meeting  KII	UNCTAD  Donors	Assessed as available and reliable.

	<p>to the planning of competition and consumer protection services taking into account other donor funded programmes together with nationally driven priorities</p> <p>Evidence of coordination efforts with other actors</p>			
--	---	--	--	--

## Annex 2 – Documents reviewed and requested

### 3.1 List of documents reviewed

#### Sida related

1. Sida (2014): Agreement between Sweden and United Nations Conference on Trade and Development (IUNCTAD) on support to COMPAL Global for the MENA region
2. General of Sweden (2014): Beredning av insats, slutgiltig
3. Government Offices of Sweden (2010): Strategy for development cooperation with the Middle East and North Africa September 2010-December 2015
4. Government Offices of Sweden (2012): Regional strategy for Sweden's development cooperation with the Middle East and North Africa (MENA) 2016-2020
5. Sida (2015): Evaluation of the Swedish cooperation in the MENA region 2010-2015

#### Programme related:

6. UNCTAD (2014): Programme document 'Regional economic integration through the adoption of competition and consumer policies in the Middle East and North Africa (MENA), COMPAL Global-MENA region, 2014-2019'
7. UNCTAD (2015): Inception report for 'Regional economic integration through the adoption of competition and consumer policies in the Middle East and North Africa, 2014-2019'
8. UNCTAD (undated): Progress performance report 2015
9. UNCTAD (undated): Progress performance report 2016
10. UNCTAD (undated): Brief overall assessment of the UNCTAD MENA programme's execution (2016-2017)
11. UNCTAD (2018): Programme progress report 2016-2017
12. UNCTAD (undated): Workplan January 2015 to March 2017
13. UNCTAD (): Draft UNCTAD MENA 2018 activities timeline and budget
14. UNCTAD (): Programme activities planned for 2018
15. UNCTAD (2015): Statement of account 2014
16. UNCTAD (2016): Statement of account 2015
17. UNCTAD (2017): Statement of account 2016
18. UNCTAD (2015): First phase needs assessment for Jordan, a COMPAL MENA beneficiary country
19. UNCTAD (undated): Mission report Jordan, Egypt and Lebanon, March 2015
20. Juan Luis Crucelegui (undated) : Rapport sur les missions réalisées au Maroc, Tunisie et Algérie, du 10 au 18 juin 2015, dans le cadre de la mise en œuvre du programme MENA sur le développement de Politiques de Concurrence et de Protection des Consommateurs, égalité de genre et anti-corruption visant à l'intégration régionale économique
21. No author (undated): MENA Programme, First annual review
22. UNCTAD (undated): Mission report Tunisia November 2016
23. No author (undated): Rapport de mission Programme UNCTAD MENA, Visite d'études à l'autorité autrichienne de la concurrence – BWB- Vienne 15-18 mars 2016
24. Conseil de la Concurrence Republique Algerienne (undated) : Rapport de mission Vienne (Autriche) 15-17 Mars 2016
25. Ouadi Madih (2016): Rapport mission d'étude UK

26. Fatiha Akharif (undated) : Compte-rendu de mission : Voyage d'étude au Royaume Uni organisé par l'UNCTAD dans le cadre du Projet « Intégration économique régionale à travers l'adoption de politiques de la concurrence et de protection des consommateurs dans la région MENA »
27. UNCTAD (undated): Mission report IT analysis fact finding mission to consumer protection and competition authorities in Algeria, February 2017
28. UNCTAD (undated): Mission report IT analysis fact finding mission to consumer protection and competition authorities in Tunisia, February 2017
29. UNCTAD (undated): Mission report IT analysis fact finding mission to consumer protection and competition authorities in Morocco, February 2017
30. UNCTAD (undated): Mission report IT analysis fact finding mission to consumer protection and competition authorities in Egypt, March 2017
31. UNCTAD (undated): Mission report fact finding mission for the preparation of the Morocco peer review on consumer protection report, November-December 2017
32. Robin Simpson (2017): Mission report Amman, July 2017
33. UNCTAD (2017): Mission report, Regional training workshop on competition law enforcement, December 2017
34. UNCTAD (undated): Mission report, UNCTAD MENA Programme launching of the consumer protection regional training centre, Beirut, April 2017
35. UNCTAD (undated): Mission report, UNCTAD MENA Programme, Regional training workshop on consumer protection policy, Cairo, February 2018
36. UNCTAD (undated): Background note: COMPAL GLOBAL: support to MENA countries, Wednesday 23rd April 2014 - 13:45-14:30 Palmeraie Golf Palace, Marrakesh, Morocco, Side-event at the 14th ICN Annual Conference
37. unctad.org (2015): Round Table on Review and Perspective of Capacity-building and Technical Assistance on Competition and Consumer Protection Law and Policy

#### UNCTAD related

38. [http://unctad.org/en/Pages/TC/TC\\_Mandates.aspx](http://unctad.org/en/Pages/TC/TC_Mandates.aspx)

#### Context related

39. World Bank (2012): Middle East and North Africa, Working Paper Series No. 55: Assessing MENA's trade agreements
40. ESCWA (2016): The Strength of Competition Policy and Regulation in the Arab Region – Application of OECD Indicators to selected Arab Countries in 2015
41. Global economic prospects (2018): Middle East and North Africa Analysis
42. Hoekman, Bernard (2016): Middle East Institute Policy Paper 2016-1, Regional Cooperation Series: Intra regional trade, potential catalyst for growth in the Middle East
43. Fardoust, Shahrokh (2016): Middle East Institute Policy Paper 2016-5, Regional Cooperation Series: Economic integration in the Middle East, prospects for development and stability
44. Bruegel (2017): Promoting intra-regional trade in the South of the Mediterranean
45. World Bank (2011): Middle East and North Africa, Working Paper series 53, the trade performance of the Middle East and North Africa
46. No author (undated): Agadir agreement, setting up a free trade area between the Arab Mediterranean countries



47. UNCTAD (2015): Trade and development board 62th session, Speaker Mehmet Iris, UNESCWA: Advancing Arab economic integration for achieving SDGs: the particular role of trade reform
48. UNCTAD (2015): 7<sup>th</sup> United Nations Conference to review all aspects of the set of the multilaterally agreed equitable principles and rules for the control of restrictive business practices

#### Sector related

49. Osborne, Carol (2015): The role of the ASEAN Guidelines on competition policy in the economic integration of the ASEAN countries, The future of competition law and policy in ASEAN countries: issues and challenges
50. New York University School of Law, NYU Centre for law, economics and organization (2012): Competition, development and regional integration: In search of a competition law fit for developing countries
51. Angwengi, Vincent (2013): Competition law and regional integration: The common market for Eastern and Southern Africa (COMESA)
52. Hammer, Peter (undated): Competition law in Cambodia
53. Stewart, Taimoon (undated): The role of competition policy in regional integration: The case of the Caribbean Community
54. UNCTAD (2017): Trade and gender toolbox: How will the economic partnership agreement between the European Union and the Eastern African community affect Kenyan women?

### **3.2 List of documents requested**

#### UNCTAD programme specific:

1. List of national partners and focal points per country
2. Signed agreements between UNCTAD and national partners in targeted countries
3. List of regional and international partners and contact points
4. Signed agreements between UNCTAD and regional/international partners
5. List of other stakeholders that the programme collaborates with in country and at regional level (names, institutions, contact details and type of collaboration)
6. Agreements and mandates of regional training centres
7. Lists of persons who signed up for the below programme activities
8. Lists of participants who attended the activities showing the person's title, male/female, organisation and country:
  - a. inception workshop
  - b. regional workshops
  - c. national workshops/seminars
  - d. other workshops or events
  - e. study visits to Austria, UK and France
  - f. participation in regional/international meetings (e.g. LAS, ICN, IGE)
9. Evaluation sheets from workshops sorted by workshop and year
10. Signed twinning agreements that the programme facilitated
11. Monitoring and evaluation framework and plan
12. M&E data available on LFA indicators
13. Gender mainstreaming plan
14. Any gender studies undertaken
15. Minutes of meetings (e.g. project direction committee, meetings with Sida, LAS)

#### Programme admin and finance:

16. Final approved budget (detailed and summary; total and by year; by country)
17. List of budget codes if relevant
18. Documentation of any budget adjustments

19. Annual disbursements against detailed budget and targets (for programme and by country)
20. Annual financial reports (preferably audited)
21. Procurement plan for the programme
22. Extract from procurement tracker of goods and services bought per year for the programme (showing unit costs, date of request, date of delivery if possible)

#### Programme organisation

23. Organisational chart of the programme
24. Human resource plan/List of persons attached to the programme, partly or fully funded (global, regional and national levels)
25. ToR of attached personnel

#### Context related documents

26. National strategic plans regarding competition and consumer protection (focus: Lebanon, Tunisia, Egypt)
27. National gender and PSD strategies (focus: Lebanon, Tunisia, Egypt)
28. Action plans developed by all targeted countries under the programme
29. Specific country assessments or studies

#### Others

30. Is there an evaluation of COMPAL Latin America from 2014 or 2015 before the start in MENA?

## **Annex 3 – Interview Guides**

### **A. Draft interview guide for focal points and partners (national)**

#### **Background**

1. How did you hear about the programme?
2. Why did you want to be included in the programme?
3. What were the criteria for participating in the programme?
4. What other initiatives do you know of that work on the same issues?

#### **Relevance**

5. To what extent did you contribute to the design and identification of programme activities?
6. What would you say the programme is trying to address and achieve?
7. Is the regional focus of the programme relevant to your country?
8. What are your key regional priorities in competition and consumer protection policy?
9. What are your gender priorities in competition and consumer protection policy?
10. How do you think the programme helped address these priorities? Examples.
11. Have any of the programme activities been integrated into your strategic plans? Examples

#### **Effectiveness (Results and M&E)**

12. In summary, what would you say are the key activities of the programme?
13. What activities did you participate in?
14. How did you (as a man/woman) benefit from these activities? Examples.
15. How did your organisation benefit from these activities? Examples.
16. How does UNCTAD know that you benefited from these activities?
17. To what extent did your participation in activities change the way you work? Examples.
18. What would you say are the key results the programme achieved? How and why did that happen?
19. Would you say that the programme contributed to improving cooperation among government, private sector and civil society on issues of competition and consumer protection? How? Examples.
20. What kind of cooperation resulted from your participation in programme activities? (national/regional, formal/informal). Give examples.
21. What came out of such regional cooperation?

#### **Organisational setup**

22. How is the programme organised in your country and who is involved?
23. Are roles and responsibilities clearly described in the MoU, understood and applied?
24. Is your role voluntary or an addition to your job?
25. How often are you in contact with UNCTAD, with whom and what about?
26. What are the strengths/weaknesses of the setup?
27. How can it be improved?

## **B. Draft interview guide for other partners (International)**

### **Background**

1. How did you hear about the programme?
2. Why did you want to be included in the programme?
3. What other similar initiatives are you engaged in in the region?

### **Relevance**

4. What do you think the programme is trying to address and achieve?
5. How is the regional focus of the programme relevance to the MENA context?
6. How do you think the programme is helping MENA countries address their priorities considering the challenging context of the region?
7. What are the regional organisational needs that need to be addressed to ensure sustainability?

### **Effectiveness**

8. What activities did you participate in/organise?
9. To your knowledge, how are these activities different from other programmes in the region?
10. What is typically the profile of programme participants that you worked with?
11. How do you think participants benefited from these activities? Give examples.
12. What would you say are the key results the programme achieved? Why/why not? Give examples.
13. What kind of cooperation resulted from your participation in the programme? Give examples.
14. Did you hear of participating organisations who initiated cooperation (formal/informal) following participation in activities your organised? Give examples.

### **Organisational setup**

15. What is the scope of your collaboration with UNCTAD?
16. Is your collaboration with UNCTAD formalised in a MoU? Why/why not?
17. How often are you in contact with UNCTAD and what about? with MENA counterparts?
18. What would you say are the strengths and weaknesses of your collaboration?
19. How can that be improved?

## **C. Draft interview guide for programme participants (National)**

### **Background**

1. How did you hear about the programme?
2. Why did you want to be included in the programme?
3. What were the criteria for participating in the programme?
4. What other similar initiatives did you participate in?

### **Relevance**

5. To what extent did you contribute to the design and identification of programme activities?
6. What would you say the programme is trying to address and achieve?
7. How is the regional focus of the programme relevant to you?
8. How has the programme helped you address your country priorities?
9. How has the programme helped address your organisation's priorities (and strategic plan)?
10. Has any of the programme activities been incorporated into your organisation's strategic plans?
11. To what extent do you think the perspectives of women are considered in the programme?

### **Effectiveness**

12. What are the main activities you participated in?
13. To what extent have these activities been tailored to your specific needs?
14. How often do these activities take place?
15. How does UNCTAD know that you benefited from these activities?
16. What would you say are the strengths and weaknesses of programme activities?
17. How can this be improved?
18. How did you (as a man/woman) benefit from these activities? Give examples.
19. How did your organisation benefit from these activities? Give examples.
20. To what extent did your participation in activities change the way you do your work (e.g. knowledge and guidelines used)? Give examples.
21. What would you say are the key results the programme achieved?
22. Would you say that the programme contributed to improving cooperation among government, private sector and civil society on issues of competition and consumer protection? How?
23. What kind of cooperation resulted from your participation in programme activities? (regional, formal/informal). Give examples.
24. How did you benefit from such regional cooperation?

### **Conclusive remarks**

25. What would you say are the three key strengths of the programme?
26. The three main weaknesses?
27. Any questions you have to UNCTAD or Sida?

## **D. Draft interview guide for external stakeholders**

### **Background**

1. In what way are you familiar with the UNCTAD MENA programme?
2. Do you know of other similar initiatives in the region?
3. What work are you engaged in in relation to regional trade, competition and/or consumer protection? Globally and in the region?

### **Relevance**

4. Why do you think a programme like the UNCTAD programme is relevant to the MENA region?
5. What problem is trying to address?
28. Do you view effectiveness of competition policies and application of competition Neutrality principles as a tool for regional economic integration in the MENA region? Why/why not?
6. To what extent do you think that promoting regional cooperation on competition/consumer protection will help promote regional trade? Why/why not?
7. How do you think the perspectives of women can be considered in the programme?

### **Effectiveness**

8. Are you aware of any results that the programme contributed to in terms of improving the legal and institutional framework for competition policy and consumer protection in MENA countries? Give examples.
9. Are you aware of any results that the programme contributed to in terms of promoting regional cooperation? Give examples.
10. Other results?

## Annex 4 – Points for discussion with UNCTAD

**Geneva: April 17 and 18, 2018**

### 1. Planning of field visits and remote interviews

	Meeting days	Remarks
Lebanon	Wednesday May 2, 3, 4 (and Saturday May 5 if possible)	
Tunisia	Monday May 7 to 11	Including some participation in the regional workshop
Egypt	Sunday May 13 to 15	Debriefing with Embassy of Sweden on May 16

- Can UNCTAD help us with organising the meetings?
  - Does UNCTAD have deals with car rental companies for local transport?
  - Can UNCTAD help us with booking hotels at preferential rates in the three countries? (PM Goncalo is the contact point)
  - Is it a good idea for UNCTAD to send an introductory email to regional stakeholders before we contact them for remote interviews
- ### 2. Collection of key documentation and data
- List sent to UNCTAD
  - Important to get participant lists
  - Discuss budget design to assess what can be extracted to assess efficiency
  - Important to get annual disbursements against detailed budget
  - Get insight into procurement practices and data
  - In line with point 5 below, discuss whether we can extract what activities cost for each output as a minimum.
- ### 3. Mapping key stakeholders at national and regional levels
- Identify partners and non-partners and their roles/involvement in the programme
  - Prioritise who to meet
- ### 4. Understanding the organisational structure of the programme
- Who is attached to the programme? (including technical and admin staff)
  - Who is partly and fully funded?
  - What is their roles and responsibilities vis a vis the programme (planned, actual)
- ### 5. Understanding the programme's logic based on which the programme will be evaluated
- What are the key activities of the programme?
  - What kind of TA does the programme provide?
  - How does UNCTAD see the link between activities and how they contribute to the realisation of outputs and outcomes?
- ### 6. Understanding the programme's main results achieved so far (national, regional) and challenges faced from UNCTAD's perspective including unintended results
- What worked well? Why?
  - What did not work well and why?
- ### 7. How does UNCTAD intend to use the findings from the evaluation?

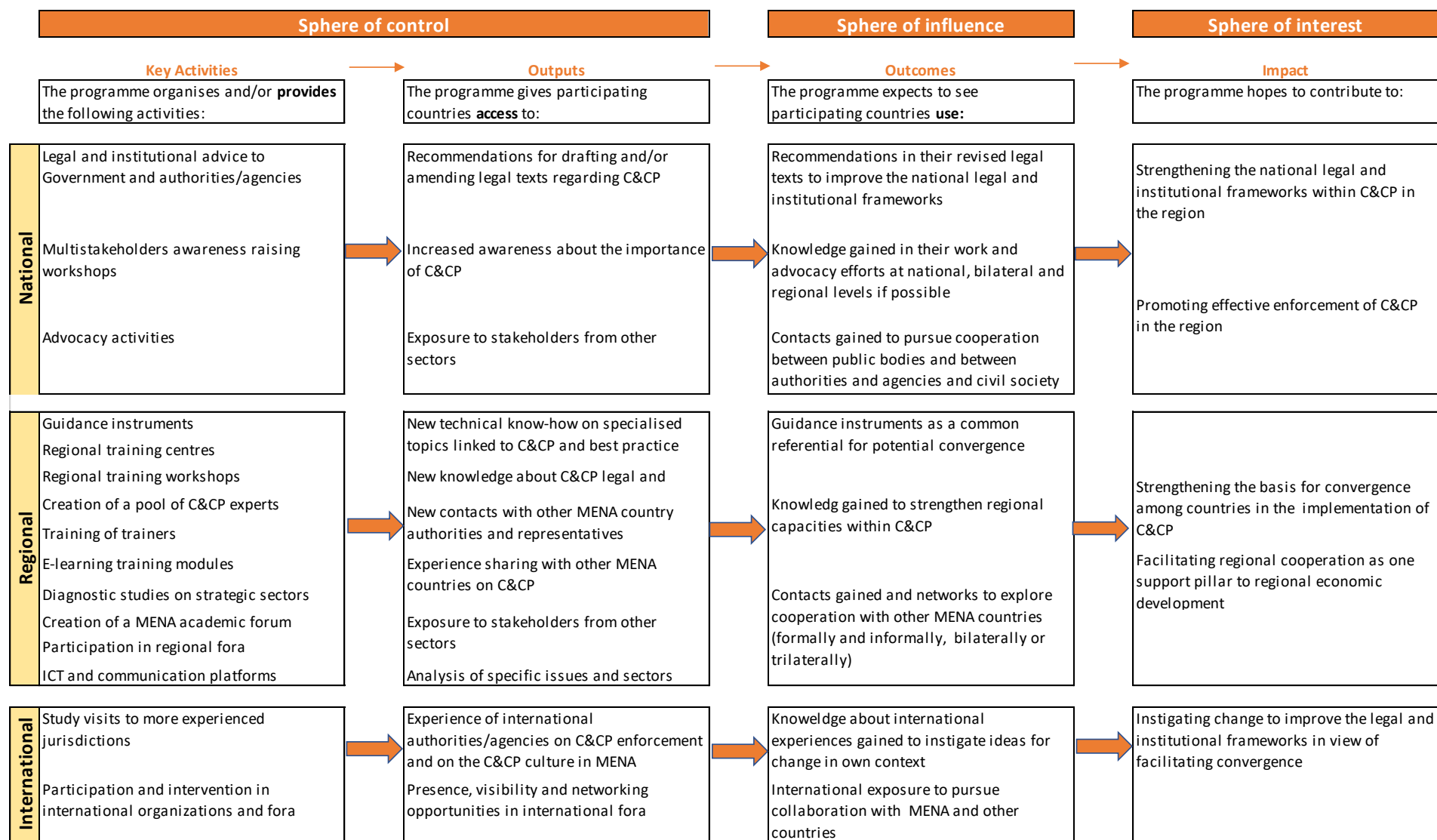
## Annex 5 – Final Work Plan

	2018					April				May				June					
	KP	JL	RM	JEA	QA	w 14	w 15	w 16	w 17	w 18	w 19	w 20	w 21	w 22	w 23	w 24	w 25	w 26	
Inception Phase																			
Start-up meeting(s) with Sida (Stockholm and Cairo) (11 April)	0.5																		
Documents review/preliminary analysis of budget and M&E data	4	3	1.5																
Methods development inclusive quan/qual data collection tools	2.5	1.5	1																
Inception meetings with UNCTAD Geneva	2																		
Drafting inception report	2	0.5	0.5		1														
Submission of draft inception report (23 April)																			
Comments/no-objection sent by Stakeholders (25 April)																			
Submission of final inception report if needed (27 April)	1																		
Data Collection Phase																			
Launch of quantitative meta analysis	2			8															
Field visit to Lebanon (inclusive one travel day) (1-5 May)	4	5																	
Field visit to Tunisia (6-11 May) including workshop participation	5																		
Field visit to Egypt (inclusive one travel day) (12-17 May)	4																		
Debriefing session (16 May)	1																		
Remote meetings (skype /telephone)	2	4																	
Additional documents review	3	2	1																
Data Analysis and Reporting Phase																			
Data analysis and consolidation (quant/qual)	4	2																	
Report writing	4	1	0.5																
Submission of Draft Report (30 May)					1														
Feedback from stakeholders on draft report (15 June)																			
Finalization of the report	1	1	0.5		1														
Submission of Final Report (29 June)																			
Total days	42	20	5	8	3														

Initials: KP: Kimi Pedersen; JL: John Lawrence; RM: Richard Moody; JEA: Junior evaluation assistant; QA: Quality assurance advisor



# Annex 3 – Constructed theory of change



# Annex 4 – List of documents consulted

## Sida related

1. Sida (2014): Agreement between Sweden and United Nations Conference on Trade and Development (UNCTAD) on support to COMPAL Global for the MENA region
2. General of Sweden (2014): Beredning av insats, slutgiltig
3. Government Offices of Sweden (2010): Strategy for development cooperation with the Middle East and North Africa September 2010-December 2015
4. Government Offices of Sweden (2012): Regional strategy for Sweden's development cooperation with the Middle East and North Africa (MENA) 2016-2020
5. Sida (2015): Evaluation of the Swedish cooperation in the MENA region 2010-2015

## Programme related:

6. UNCTAD (2014): Programme document 'Regional economic integration through the adoption of competition and consumer policies in the Middle East and North Africa (MENA), COMPAL Global-MENA region, 2014-2019'
7. UNCTAD (2015): Inception report for 'Regional economic integration through the adoption of competition and consumer policies in the Middle East and North Africa, 2014-2019'
8. UNCTAD (undated): Progress performance report 2015
9. UNCTAD (undated): Progress performance report 2016
10. UNCTAD (undated): Brief overall assessment of the UNCTAD MENA programme's execution (2016-2017)
11. UNCTAD (January 2018): Programme progress report 2016-2017
12. UNCTAD (undated): Workplan January 2015 to March 2017
13. UNCTAD (January 2018): Draft UNCTAD MENA 2018 activities timeline and budget
14. UNCTAD (2018): Programme activities planned for 2018
15. UNCTAD (2015): Statement of account 2014
16. UNCTAD (2016): Statement of account 2015
17. UNCTAD (2017): Statement of account 2016
18. UNCTAD (2018): Statement of account 2017
19. UNCTAD (2015): First phase needs assessment for Jordan, a COMPAL MENA beneficiary country
20. UNCTAD (undated): Mission report Jordan, Egypt and Lebanon, March 2015

21. Juan Luis Crucelegui (undated) : Rapport sur les missions réalisées au Maroc, Tunisie et Algérie, du 10 au 18 juin 2015, dans le cadre de la mise en œuvre du programme MENA sur le développement de Politiques de Concurrence et de Protection des Consommateurs, égalité de genre et anticorruption visant à l'intégration régionale économique
22. No author (undated): MENA Programme, First annual review
23. UNCTAD (undated): Mission report Tunisia November 2016
24. No author (undated): Rapport de mission Programme UNCTAD MENA, Visite d'études à l'autorité autrichienne de la concurrence – BWB- Vienne 15-18 mars 2016
25. Conseil de la Concurrence Republique Algerienne (undated) : Rapport de mission Vienne (Autriche) 15-17 Mars 2016
26. Ouadi Madih (2016): Rapport mission d'étude UK
27. Fatiha Akharif (undated) : Compte-rendu de mission : Voyage d'étude au Royaume Uni organisé par l'UNCTAD dans le cadre du Projet « Intégration économique régionale à travers l'adoption de politiques de la concurrence et de protection des consommateurs dans la région MENA »
28. UNCTAD (undated): Mission report IT analysis fact finding mission to consumer protection and competition authorities in Algeria, February 2017
29. UNCTAD (undated): Mission report IT analysis fact finding mission to consumer protection and competition authorities in Tunisia, February 2017
30. UNCTAD (undated): Mission report IT analysis fact finding mission to consumer protection and competition authorities in Morocco, February 2017
31. UNCTAD (undated): Mission report IT analysis fact finding mission to consumer protection and competition authorities in Egypt, March 2017
32. UNCTAD (unclear): Mission report fact finding mission for the preparation of the Morocco peer review on consumer protection report, November-December 2017
33. Robin Simpson (2017): Mission report Amman, July 2017
34. UNCTAD (2017): Mission report, Regional training workshop on competition law enforcement, December 2017
35. UNCTAD (undated): Mission report, UNCTAD MENA Programme launching of the consumer protection regional training centre, Beirut, April 2017
36. UNCTAD (undated): Mission report, UNCTAD MENA Programme, Regional training workshop on consumer protection policy, Cairo, February 2018
37. UNCTAD (undated): Background note: COMPAL GLOBAL: support to MENA countries, Wednesday 23rd April 2014 - 13:45-14:30 Palmeraie Golf Palace, Marrakesh, Morocco, Side-event at the 14th ICN Annual Conference
38. unctad.org (2015): Round Table on Review and Perspective of Capacity-building and Technical Assistance on Competition and Consumer Protection Law and Policy
39. <http://unctad.org/en/pages/SGStatementDetails.aspx?OriginalVersionID=84>
40. Lists of participants 7<sup>th</sup> UNCTAD conference and IGE meetings, regional workshops, UK study visit,
41. Workshop evaluation sheets

42. List of national focal points and partners April 2018
43. MENA programme statistics
44. Memorandum of understanding between the government of the Arab republic of Egypt and UNCTAD in the field of competition (2016)
45. Memorandum of understanding between the government of the Arab republic of Egypt and UNCTAD in the field of consumer protection (2016)
46. Memorandum of understanding between the government of Lebanon and UNCTAD in the field of consumer protection (2017)
47. Accord cadre de cooperation dans le domaine du droit et de la politique de la concurrence entre le CNUCED et le gouvernement de la republique Tunisienne (2007)
48. Final budget and annual disbursement as at April 2018
49. Estimate cost for workshops, study visits and IGE meetings
50. UMOJA classes and object codes
51. Terms of reference of consultants
52. List of consultancy contracts and contract values
53. Regional training workshops agendas
54. Besoins de la Tunisie en assistance technique
55. Power point presentation Regional training centre on consumer protection in Egypt
56. Extrait document du plan 2016-2020 sur la concurrence et la protection du consommateur, Tunisie
57. Résumé orientation plan 2016-2010 sur la concurrence et la protection du consommateur, Tunisie
58. Strategy and workplan of the consumer protection directorate 2015-2017, Lebanon
59. Strategy and workplan of the consumer protection directorate 2018-2020, Lebanon
60. Competition guidelines: Leniency programmes
61. Good governance guidelines: Independence and transparency
62. Competition glossary
63. Power point present on the ICT platform

#### UNCTAD related

64. [http://unctad.org/en/Pages/TC/TC\\_Mandates.aspx](http://unctad.org/en/Pages/TC/TC_Mandates.aspx)
65. UNCTAD (2016): Guidelines for result based management for UNCTAD technical cooperation
66. Joint Inspection Unit (2012): Review of management and administration in UNCTAD
67. Carron, Blaise (2008): External technical evaluation ‘Strengthening institutions and capacities in the area of competition and consumer protection in Latin America COMPAL’
68. Lindhal, Claes, Sittenfeld, Pamela, & Westmark, Peter (2012): An evaluation of COMPAL Latin America.

Context and sector related

69. World Bank (2012): Middle East and North Africa, Working Paper Series No. 55: Assessing MENA's trade agreements
70. ESCWA (2016): The Strength of Competition Policy and Regulation in the Arab Region – Application of OECD Indicators to selected Arab Countries in 2015
71. ESCWA (2015): Assessing Arab economic integration: Towards the Arab customs union
72. Global economic prospects (2018): Middle East and North Africa Analysis
73. Hoekman, Bernard (2016): Middle East Institute Policy Paper 2016-1, Regional Cooperation Series: Intra regional trade, potential catalyst for growth in the Middle East
74. Fardoust, Shahrokh (2016): Middle East Institute Policy Paper 2016-5, Regional Cooperation Series: Economic integration in the Middle East, prospects for development and stability
75. Bruegel (2017): Promoting intra-regional trade in the South of the Mediterranean
76. World Bank (2011): Middle East and North Africa, Working Paper series 53, the trade performance of the Middle East and North Africa
77. No author (undated): Agadir agreement, setting up a free trade area between the Arab Mediterranean countries
78. UNCTAD (2015): Trade and development board 62th session, Speaker Mehmet Iris, UNESCWA: Advancing Arab economic integration for achieving SDGs: the particular role of trade reform
79. UNCTAD (2015): 7<sup>th</sup> United Nations Conference to review all aspects of the set of the multilaterally agreed equitable principles and rules for the control of restrictive business practices
80. League of Arab States (2018): Work plan for planned activities
81. Osborne, Carol (2015): The role of the ASEAN Guidelines on competition policy in the economic integration of the ASEAN countries, The future of competition law and policy in ASEAN countries: issues and challenges
82. New York University School of Law, NYU Centre for law, economics and organization (2012): Competition, development and regional integration: In search of a competition law fit for developing countries
83. Angwengi, Vincent (2013): Competition law and regional integration: The common market for Eastern and Southern Africa (COMESA)
84. Hammer, Peter (undated): Competition law in Cambodia
85. Stewart, Taimoon (undated): The role of competition policy in regional integration: The case of the Caribbean Community
86. Munich Intellectual Property Law Center (MIPLC) Master Thesis (2012/13) Competition Law and Regional Integration: The Common Market for Eastern and Southern Africa (COMESA) Vincent N. Angwenyi MIPLC Class of 2013
87. UNCTAD (2017): Trade and gender toolbox: How will the economic partnership agreement between the European Union and the Eastern African community affect Kenyan women?

# Annex 5 – List of people met

	Name	Organisation	Title
UNCTAD	Teresa Moreira	UNCTAD/Division of international trade in goods, services and commodities (DITC)	Head of Competition and Consumer Branch
	Pierre Horna	UNCTAD/DITC/Competition and consumer branch	Legal affairs officer
	Ebru Gökçe Dessemond	UNCTAD/DITC/Competition and consumer branch	Legal officer
	Juan Luis Crucelegui	UNCTAD/DITC/Competition and consumer branch	Chief, Capacity building and advisory services section
	Yves Kenfack	UNCTAD/DITC/Competition and consumer branch	Programme coordinator capacity building on competition and consumer policies for central Africa
	Arnau I. Villa	UNCTAD/DITC/Competition and consumer branch	Associate legal officer, COMPAL programme
	Maria Bovey	UNCTAD/DITC/Competition and consumer branch	
	Zaw Myint	UNCTAD/Finance branch/Ressource management service	Programme management officer
	Hassan Qaqaya	Melbourne Law School (former head of competition and consumer branch UNCTAD)	Senior Fellow/Global competition and consumer law programme
	Philippe Brusick	UNCTAD/Division of international trade in goods, services and commodities (DITC)	Special advisor
	Ahmed Hesham	UNCTAD	consultant
	Name	Organisation	Title
Sida	Peter Cederblad	Embassy of Sweden in Cairo	Counsellor
	Margareta Davidson	Sida Stockholm	
	Cecilia Ekholm	Swedish Ministry of Foreign Affairs	Head of section/Sustainable Trade

	Name	Organisation	Title
Target group Lebanon	Alia Abbas	Ministry of Economy and Trade (MoET)	General Director
	Tarek Younes	MoET	Consumer protection Director/Head of anti-fraud office
	Moussa Krayem	MoET	Head of anti-trust and control prices department
	Marlene Nehme	MoET	Head of legal department
	Siham Daher	MoET	Expert in Agriculture
	Violette Abi Abboud	MoET	Market surveillance officer/trademark examiner
	Manal Swaid	MoET	Legal researcher
	Carole Khairallah	MoET	Insepector
	Imad Jabbour	MoET	Insepector
	Ali Bitar	MoET	IT expert
	Mohamad Ali El Cheikh	MoET/UNDP	Trade expert
	Mohammad Abou Haidar	MoET/UNDP	Consumer protection coordinator
	Naji Mouzzanar	Chamber of Commerce Industry and Agriculture	Board member/Chairman of the committee for trade agreements
	Habib Mezher	Ministry of Justice	President of court of appeal/complaints
Target group Tunisia	Mohamed Ben Fraj	MoET	Senior advisor
	Ridha Ben Mahmoud	Competition Council	President
	Nefla Ben Achour	Competition Council	Case handler
	Sobhi Shabbani	Competition Council	Case handler
	Habib Essid	Competition Council	Case handler
	Moncef Ben Jemaa	Chamber of Commerce and industry	Vice-president
	Dalenda Mhamdi Mekki	Chamber of Commerce and industry	Director office of the president, communications and international relations
	Lallehem Sadok	MoET	Former director quality & consumer protection
	AdbelKader Timoumi	MoET	Director of economic investigations
	Leila Fethi	MoET	Sub-director and inspector/economic affairs
	Dhiab Ghammi	MoET	Sub-director/competition and economic research
	Lamia Jadoui	Instance Nationale Telecoms (INTT)	Head, consumer protection unit
	Marzougui Hamed	INTT	Principal manager
	Reguez Wejdi	INTT	Head of unit
	Myriam Hizi	INTT	Head of unit
	Adbelkarim Benali	INTT	Director
	Jamel Trabelsi	INTT	Central Director

	Karima Hammami	MoT	Director of competition
	Farid Ouelhazi	MoT	Deputy director competition
	Slim Saadallah	Consumer protection organisation (ODC)	President
	Thouraya Tabessi	ODC	Vice-president
	Najla Aouinti	ODC	Head of communication and publication
	Tarek Ben Jazia	National Institute of consumption (INC)	Director general
Target group Egypt	Atef Yacoub	Consumer protection authority	President
	Ahmed Samir	Consumer protection authority	Executive director
	Eman Alhadary	Consumer protection authority	Manager international relations department
	Khaled El Kafafy	Consumer protection authority	IT Manager
	Ibrahim Eissameddin	Consumer protection authority	Manager Misleading advertisements and desceptive marketing activities
	Aziza Saadoun	Basala developmetn association	
	Essame Ghoneim		President
	Salwa Shoukri	Consumer protection association Heliopolis	President
	Amir Nabil Gamil	ECA	President
	Mohamad Moamen	Economic court	Judge
	Dina Ashraf	Egyptian competition authority	Communication executive
	Sherif Aboualam	Egyptian competition authority	Senior economist
	Sherin Taha	Egyptian competition authority	Senior economist
	Fouad Nashat	Egyptian competition authority	Economic researcher
	Moustafa Saber	Egyptian competition authority	Legal researcher
Others	Mai Siam	Egyptian competition authority	Legal researcher
	El Hassan Bousselmame	Ministry of general affairs and governance, Morocco	Director of pricing, competition and investment promotion
	Jamil Zayed	Ministry of industry and trade, Jordan	Director competition directorate
	Youcef Benleghrib	Ministry of industry and trade Algeria	Deputy director

Host organisations	Name	Organisation	Title
	Natalie Harsdorf	Austrian Competition Authority	Head of Legal
	Robin Simpson	Consumers International	Senior Policy Adviser
	Tony Penny	UK Competition and Markets Authority	Assistant Director, Policy and International
	Cecilia Parker Aranha	UK Competition and Markets Authority	Project Director
	Paul Miloseski-Reid	Principal Trading Standards Officer	UK Trading Standards



External stakeholders	Name	Organisation	Title
	Cecilia Ekholm	Swedish Ministry of Foreign Affairs	Head of section/Sustainable Trade
	Kheireddine Ramoul	UNCTAD/DITC/Trade negotiations and commercial diplomacy branch	Economic affairs officer
	Peter Huber	State secretariat for economic affairs /SECO	Programme manager
	Saida Hachicha	MoT Tunisia	Director general economic and trade cooperation
	Lars Flocke Larsen	EU Delegation Tunisia	Cooperation officer, Private sector and economic integration
	Adel Alghaberi	ESCWA	First economic affairs officer
	Farah Choucair	UNDP Lebanon	Project manager Arab development portal
	Rima Younes El-Khatib	Working Group UNDP/Sida on trade and SDGs in the Arab region	Chairperson
	Iman Abdel Kader	League of Arab States	Trade Policy Expert
	Quang Anh Le	UNDP	Chief Technical Adviser

# Annex 6 – Approach to the meta-analysis

## Purpose

The midterm evaluation focused on three countries and was faced with time constraints with an average of 3-4 days in country. This limited time available for consultations with stakeholders. Therefore, the purpose of the meta-analysis of evaluation sheets is to make use of available secondary data provided by participants in view of shedding light on the experience and feedback of a wider sample of participants in the programme as well as triangulate findings.

## Launching the analysis

The ET requested evaluation sheets linked to key activities undertaken and was provided with a sample of available documentation. Given that the PM is on sick leave, UNCTAD invested a good deal of effort finding the evaluation sheets to share with the ET. Available evaluation sheets that UNCTAD was able to mobilise covered the launching workshop, three regional training workshops (Tunisia, Egypt, Lebanon), one study visit (Austria), and a national awareness raising seminar in Beirut. These were sent as scanned copy as hard copies were the only available versions. From the ET's side, this required manual data entry.

## Status

The table below depicts the status of the evaluation sheets at hand and gives an indication of data availability and response rates.

	Status	Remarks	Respondents	Total Participants	Response rate
<b>1. Regional training workshops</b>					
Launching workshop in Cairo March 2016	Available	No scales.	15	Not available	Not available
Beirut workshop on E-commerce in Oct 2016	Available	No scales.	6	62	10%
Tunis workshop on investigative tools in Nov 2016	Not available	-	Not available	Not available	Not available
Tunis competition enforcement in Dec 2017	Available	Scale 1-5	25	35	71%

Cairo competition policy in February 2018	Available	Scale 1-5	45	52	87%
---	-----------	-----------	----	----	-----

	Status	Remarks	Respondents	Total Participants	Response rate
<b>2. Study visits</b>					
Austria in March 2016	Available	No scales	1	Not available	Not available
UK in July 2016	Not available	-		Not available	Not available
France in October 2016	Not available	No scales	4	Not available	Not available
France July 2017	Not available	-	Not available	Not available	Not available

	Status	Remarks	Respondents	Total Participants	Response rate
National awareness raising seminar Lebanon October 2016	Available	No scales	2	Not available	Not available

### Limitations

As depicted above, the ET faced a range of limitations for the analysis of evaluation sheets. These include the following:

- The evaluation sheets were not available for all key activities and were incomplete in some instances.
- The evaluation sheets did not all use the same templates systematically and therefore answers cannot be compiled for the same type of activity.
- Some evaluation sheets only showed the answers given and did not show the scales used. Therefore, it is difficult to assess the answers given vis à vis the options offered to participants.
- Not all questions were answered. The percentages provided in the analysis rely on the number of responses out of total responses received (and not the total number of participants). Therefore, some responses may be skewed to a smaller number of responding participants and must not be generalised.

### Approach

In light of the above, we have focused on the evaluations feedback where the response rates were available and were the highest, namely the Tunis workshop on competition enforcement in December 2017 (71% response rate) and the Cairo workshop on consumer protection (87%). Where possible, we have also included feedback from other available evaluation sheets.

## Annex 7 – Summary of activities and outputs

	Subject	Outputs	Number of activities	Scope of activities
Outcome 1	Competition policy, legal and institutional framework	Output 1.1	9	<p><b>National activities:</b> Adoption/review of legal framework (Lebanon, Palestine, Algeria), awareness raising seminars</p> <p><b>Regional activities:</b> Country and comparative studies, regional workshops, development of guidelines and toolkits on competition impact assessments</p> <p><b>International activities:</b> None.</p>
	Competition enforcement and advocacy	Output 1.2	12	<p><b>National activities:</b> None</p> <p><b>Regional activities:</b> Establishment of a regional training centre (RTC) on competition law, design of manuals and guidelines, regional training for specific stakeholders, regional training workshops, a train the trainers (ToT) programme, the organisation of a regional competition day, development of communication material and websites and a resource centre.</p> <p><b>International activities:</b> None.</p>
Outcome 2	Consumer protection policy, legal and institutional framework	Output 2.1	6	<p><b>National activities:</b> Adoption/review of legal framework, awareness raising seminar (Jordan)</p> <p><b>Regional activities:</b> Country and comparative studies, regional workshops, development of guidelines and sector survey including gender perspective</p> <p><b>International activities:</b> None.</p>
	Consumer protection enforcement and advocacy	Output 2.2	13	<p><b>National activities:</b> Advocacy workshops</p> <p><b>Regional activities:</b> Establishment of a RTC on consumer protection, design of guidelines and toolkits, regional training including sector regulators, a ToT programme, promotion of consumer culture,</p>

## ANNEX 7 – SUMMARY OF ACTIVITIES AND OUTPUTS

	Subject	Outputs	Number of activities	Scope of activities
				development of communication material and guidelines, the development of regional online courses in three languages. <i>International activities:</i> None.
Outcome 3	Private sector capacity and skills; Women capacities	Output 3.1	7	<i>National activities:</i> Advocacy workshops and awareness raising <i>Regional activities:</i> Design of regional guidelines including gender screening tool and online course on gender and trade in three languages, diagnostic study on women's access to economic activities, capacity building programme on gender and competition. <i>International activities:</i> None.
Outcome 4	SOE capacity and skills on competition neutrality	Output 4.1	2	<i>National activities:</i> None <i>Regional activities:</i> Development of guidelines and a regional workshop for SOEs and government <i>International activities:</i> None.
Outcome 5	Sharing information and best practices	Output 5.1	7	<i>National activities:</i> None <i>Regional activities:</i> Development of guidelines based on UNCTAD's established guidelines and tools, creation of a pool of experts, launching and closing ceremonies and annual conference, design of glossary guide, participation of MENA countries in regional events. <i>International activities:</i> Participation in regional and international events/meetings, study visits to advanced countries, internships of MENA university students in competition and consumer protection authorities in advanced countries.
	Linkages and synergies	Output 5.2	12	<i>National activities:</i> None <i>Regional activities:</i> Participation of MENA countries in League of Arab States (LAS) technical committee meetings, IT needs assessments in MENA, development of ITC Web platform, competition and consumer protection exchange data bases, MENA early warning system, expansion to new MENA countries, regional MENA forums including participation of developed countries and regional organisations, monthly webinars

## ANNEX 7 – SUMMARY OF ACTIVITIES AND OUTPUTS

	Subject	Outputs	Number of activities	Scope of activities
				and annual meetings, MENA twinning arrangements, awareness raising seminar on ITC platform, MENA academic forum for different stakeholders. <b>International activities:</b> Support bilateral cooperation agreement with advanced authorities.
	Regional capacities and training	Output 5.3	8	<b>National activities:</b> None <b>Regional activities:</b> Regional training programmes in three languages to be institutionalised within RTCs, E-learning training platform, design competition and consumer protection award, guidelines, design Master/PhD competition and consumer protection programme. <b>International activities:</b> None.

## Annex 8 – Summary of needs assessment in North Africa

The mission report from Tunisia, Morocco and Algeria provided a long list of needs that countries expressed. It underlined the importance of taking the local context into account and of tailoring activities to the different types of stakeholders while maintaining a targeted approach towards achieving the same objective across the region. Based on its findings, the needs assessment mission recommended the prioritisation of the following:

- Specialised training (authorities, civil servants and judges)
- Guidelines that helps authorities promote competition and consumer protection
- Activities promoting competition in the public and private sectors
- Training of trainers (ToT)
- Strengthen the legal and institutional framework includignn regulated sectors
- Sectoral studies on economic sectors that could potentially promote convergence among countries
- Activate the RTC in Tunis
- Develop and use the RTC to hold training sessions for targeted stakeholders (public servants, judges, academics)
- Use communication tools and social media to widen the impact to a larger public
- Focus activities on targeted countries in the first half of the programme

# Annex 9 – Linking outcomes and goals

Programme outcomes		Unfolding outcomes		Challenging assumptions
<b>Outcome 1:</b> Competition policies are effective, sustainable and recognised as tools for regional economic integration in the MENA region	→	Competition policies are effective	?	Effective competition policies are a necessary and important component of REI but do not drive REI
	→	Competition policies are sustainable		How is a competition policy sustainable? How does sustainability of the policy ensure REI?
	→	Competition policies are recognised as a tool for REI in MENA		The recognition of a policy as tool for REI does not automatically lead to REI
<b>Outcome 2:</b> Consumer rights are respected at national and regional level and consumer protection policies are effective, sustainable and recognised as a tool for regional economic integration in the MENA region	→	Consumer rights are respected at national and regional level	?	The respect of consumer rights is an outcome of effective policies. But they do not lead to REI
	→	Consumer protection policies are effective		Effective consumer protection policies are a necessary component of REI but do not drive REI
	→	Consumer protection policies are sustainable		How is a consumer protection policy sustainable? How does sustainability of the policy ensure REI?
	→	Consumer protection policies are effective, sustainable and recognised as a tool for regional economic integration in the MENA region		The recognition of a policy as tool for REI does not automatically lead to REI



Programme outcomes		Unfolding outcomes		Challenging assumptions
<b>Outcome 3:</b> Private sector support increased and compliance programmes adopted on competition and consumer protection laws and policies. Gender equality and the economic empowerment of women increased at regional level	→	Private sector support increased		Support to the private sector does not necessarily lead to REI
	→	Compliance programmes adopted on competition and consumer protection laws and policies.	?	Compliance of the private sector to competition and consumer protection policies does not necessarily lead to REI
	→	Gender equality and the economic empowerment of women increased at regional level		Improvement in the economic empowerment of women does not necessarily lead to REI
<b>Outcome 4:</b> Competition neutrality principles applied. SOEs and government departments increase their understanding and awareness of the importance of competition neutrality	→	Competition neutrality principles applied		The application of competition neutrality principles does not necessarily lead to REI
	→	SOEs and government departments increase their understanding and awareness of the importance of competition neutrality	?	An increase in understanding and awareness does not necessarily lead to action that further leads to REI
<b>Outcome 5:</b> Regional cooperation on competition and consumer protection improved and strengthened. The final number of countries from the MENA region participating in the project increased. Stakeholders' capacities, awareness and commitment at the regional and national level enhanced	→	Regional cooperation on competition and consumer protection improved and strengthened		Regional cooperation is a step towards closer convergence but does not necessarily mean REI
	→	The final number of countries from the MENA region participating in the project increased	?	Why would an increase in number of countries participating in the programme lead to REI?
	→	Stakeholders' capacities, awareness and commitment at the regional and national level enhanced		How would enhanced awareness, commitment and capacities lead to action that works towards REI?

## Annex 10 – Sample results from the analysis of evaluation sheets

Figure 11 - Overall satisfaction with the RTW Tunis 2017, results from the evaluation sheets

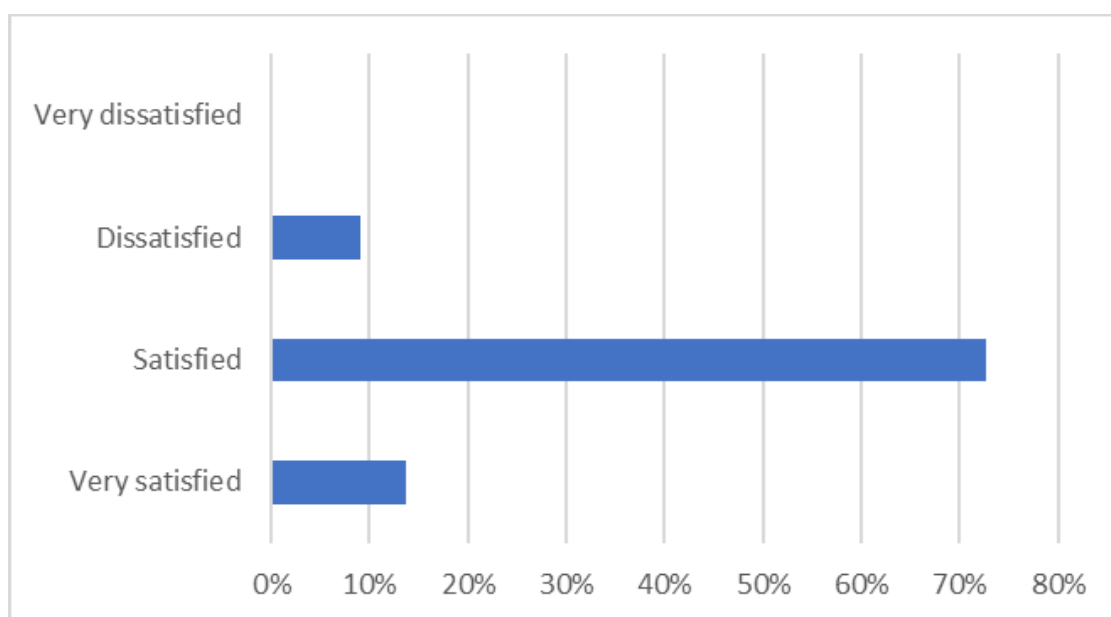


Figure 12 - Degree of agreement with statements regarding the outcomes of the the RTW Tunis 2017, results from the evaluation sheets

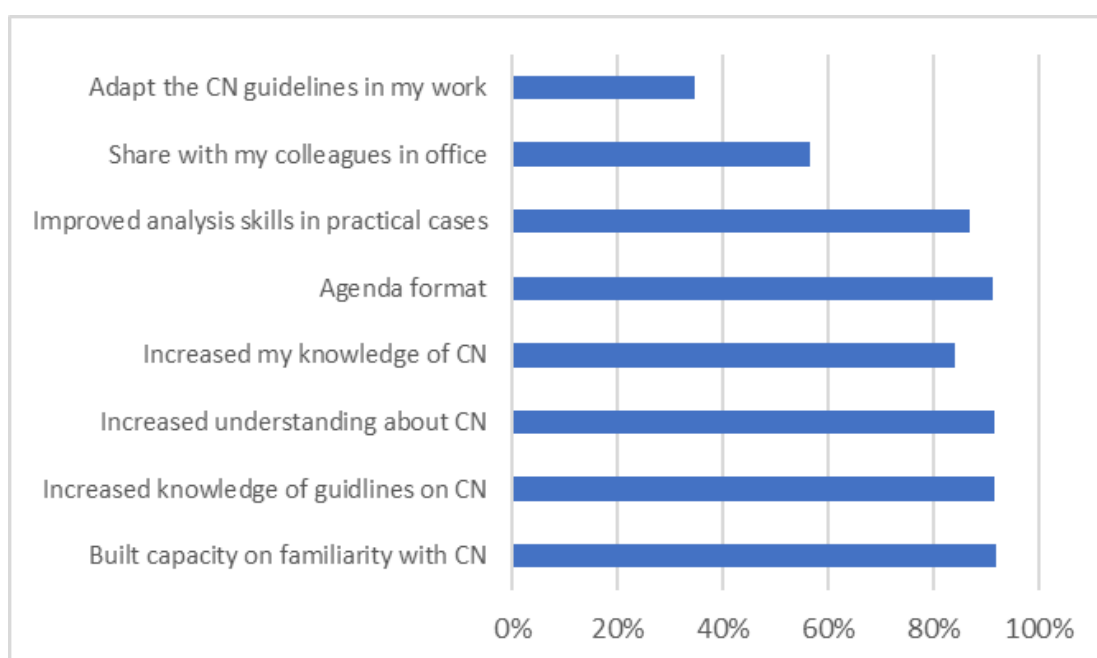


Figure 14 - Experience and knowledge gained from RTW Tunis 2017, results from the evaluation sheets (from 1-min to 4-max)

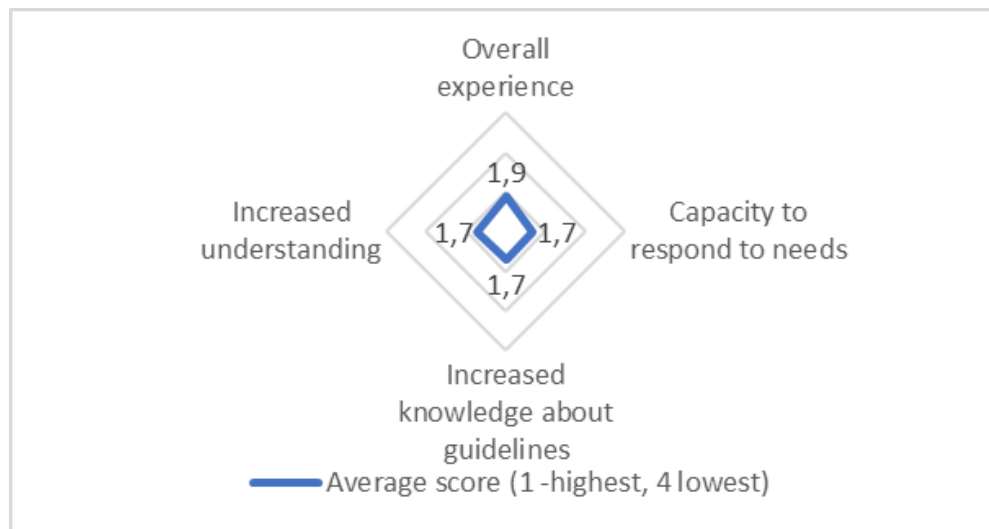


Figure 13 - Overall level of satisfaction with aspects of the RTW Cairo 2018, results from evaluation sheets

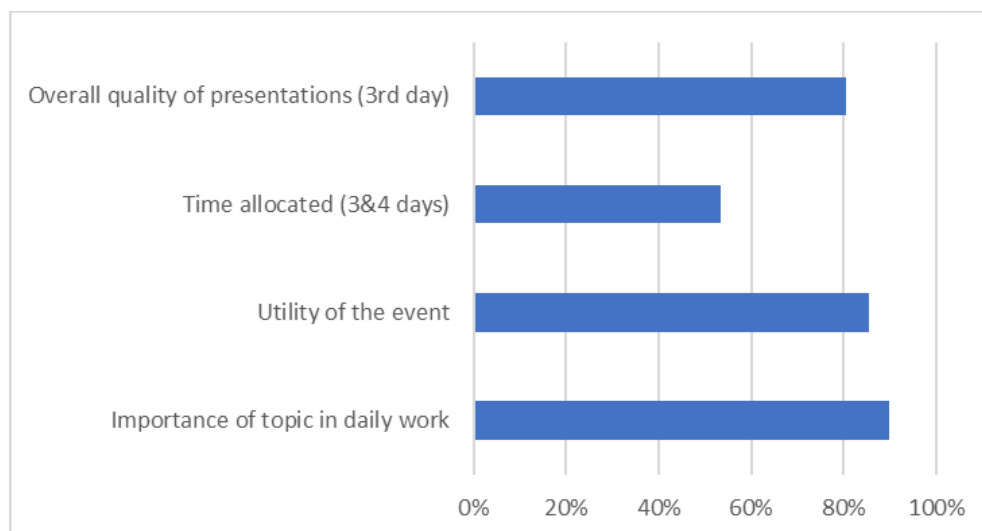


Figure 15 - Experience and knowledge gained from RTW Cairo 2018 (from 1-min to 5-max), results from the evaluation sheets

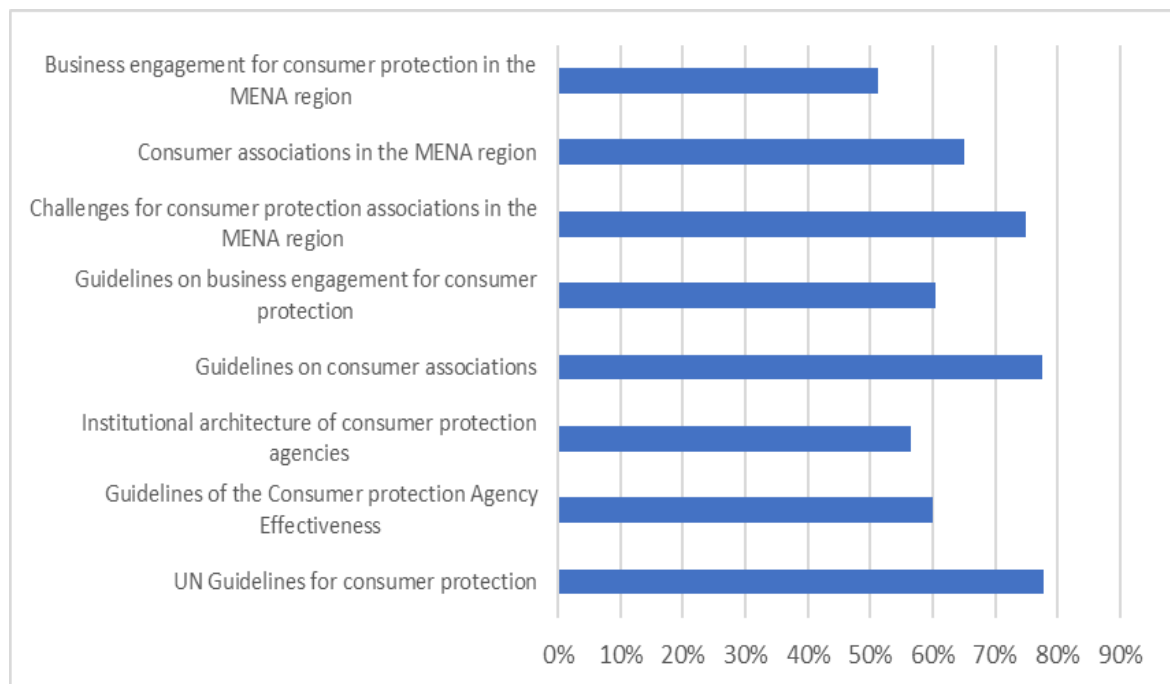
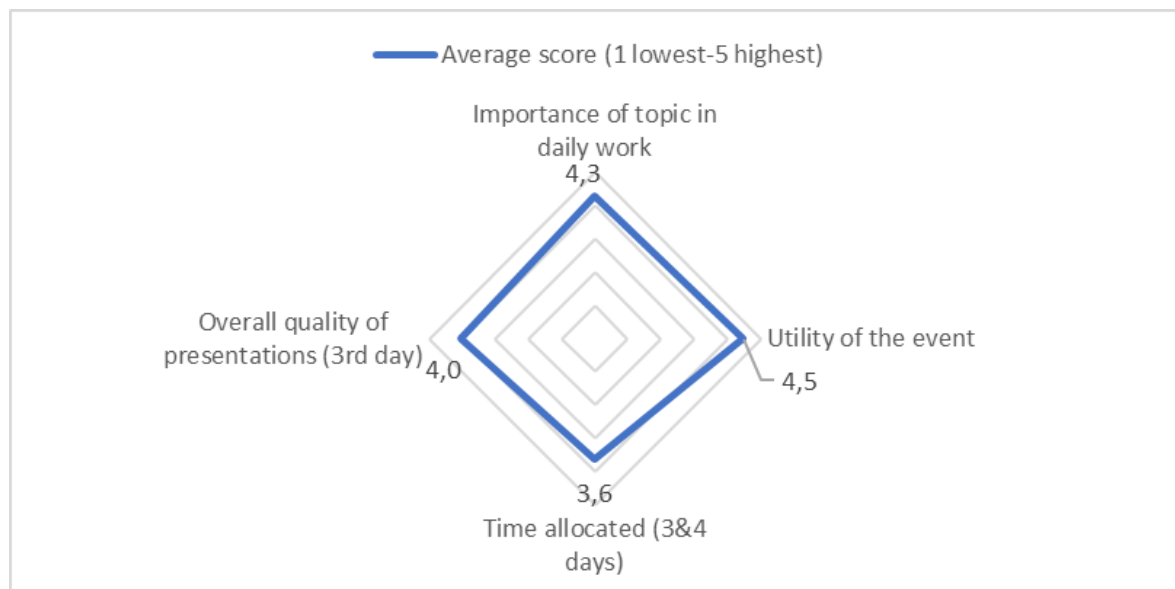


Figure 16 - Average scores given to different aspects of the RTW Cairo 2018, results from the evaluation sheets



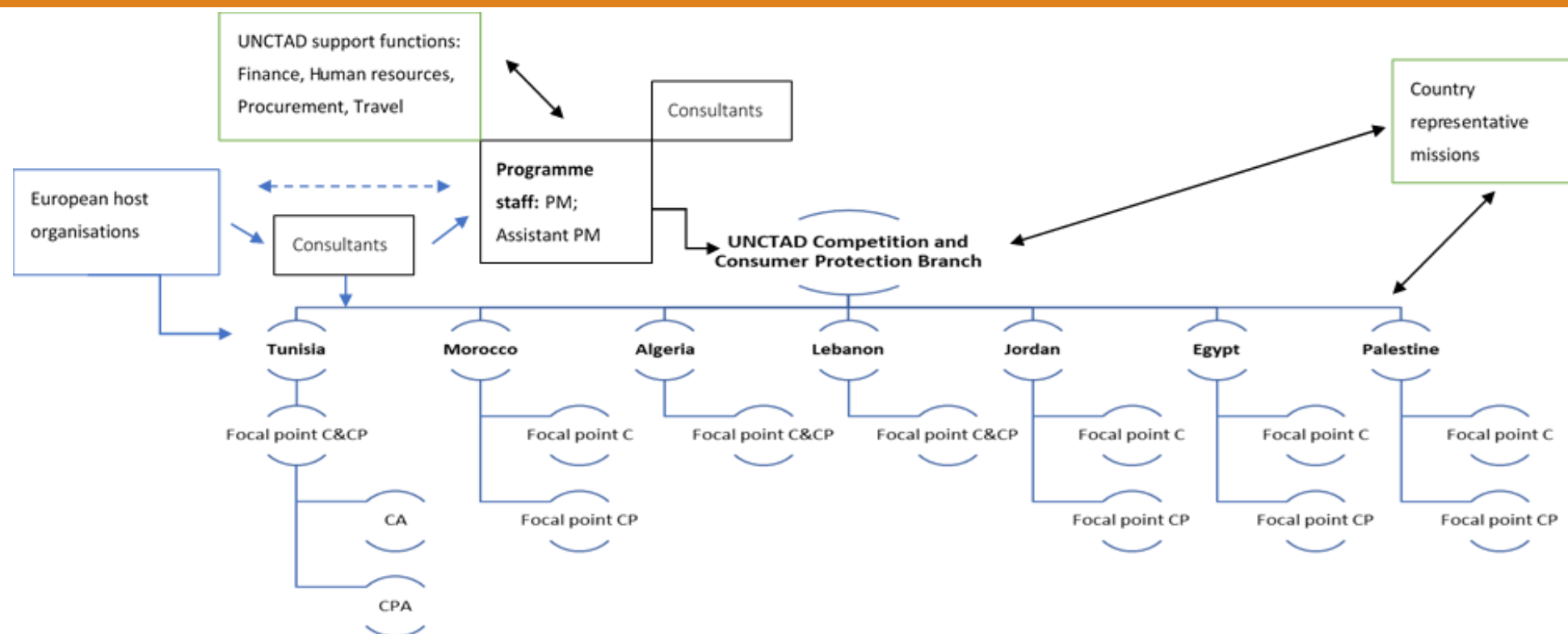
# Annex 11 – Review of sample guidelines

<b>Competition glossary</b>
The glossary provides some country specific but more often regionally generic references for individual terms and concepts in current national legislation and makes some analysis on the extent to which the national provisions use the terminology and concepts.. Its scope is wider than a glossary, which makes it potentially much more useful than a glossary, however, it does not go into enough country details to have value as a country-specific legal analysis. Therefore, the compromise on national details and analysis means that it is neither a glossary nor a legislative analysis.
<b>Competition guidelines on leniency programmes</b>
Competition guidelines on leniency programmes deal with why and who leniency programmes should be introduced for and possible problems of implementation, which is potentially useful for MENA countries. The chapter dealing with the “Need for convergence of leniency programmes in MENA Project Countries” however does not illustrate how leniency programmes will contribute to overall objective of the programme namely economic integration but rather why a lack of consistency might undermine national provisions. While there are several references to the MENA countries in the first two chapters, the majority of the document is generic with references to practice in developed countries. As a result, the document is seen to be moderately useful as part of an ongoing advice and support process and as a reference document, but it is not specific to the region and therefore of limited potential use.
<b>Good governance guidelines on independence and transparency</b>
Good governance guidelines on independence and transparency has a misleading title as it exclusively deals with the “Independence and accountability of competition authorities” which is the title of the UNCTAD document <sup>33</sup> on which the substantive text is very closely based. The value is added by the MENA country analysis for each chapter but it is often limited to whether a provision is included or not rather than any qualitative analysis. There is a chapter on conclusions which summarises the description of the current state of affairs. There is however no section on recommendations either at the regional or national level which would give it value as a guidance document.

---

<sup>33</sup> Note on “Independence and Accountability of Competition Authorities”, Document TD/B/COM.2/CLP/67 of 14 May 2008.

## Annex 12 – Constructed organisational chart



CA: Competition authority; CPA: Consumer protection agency; C&CP: competition and consumer protection policies; PM: programme manager



## Mid-Term Evaluation of “Regional Economic Integration through the Adoption of Competition and Consumer Policies in the Middle East and North Africa (COMPAL GLOBAL-MENA)”

This report is a mid-term evaluation of the five-year programme ‘Regional economic integration through the adoption of competition and consumer protection policies in the Middle East and North Africa (COMPAL GLOBAL-MENA)’ implemented by UNCTAD since December 2014. The evaluation concludes that the programme has shaped national legal frameworks and increased visibility of MENA countries in international fora including for women. However, most planned results were not achieved. Key reasons include an ambitious and weak programme design, the absence of a targeted and inclusive approach, and insufficient oversight. Recommendations unfold the need to prioritise issues of relevance to target countries and readjust implementation and monitoring modalities to enable realistic delivery in the remaining period.

SWEDISH INTERNATIONAL DEVELOPMENT COOPERATION AGENCY

Address: SE-105 25 Stockholm, Sweden. Office: Valhallavägen 199, Stockholm

Telephone: +46 (0)8-698 50 00. Telefax: +46 (0)8-20 88 64

E-mail: [info@sida.se](mailto:info@sida.se). Homepage: <http://www.sida.se>

