

**UNITED NATIONS DEVELOPMENT PROGRAMME**  
**Terms of Reference for the recruitment of a National Consultant for the documentation and reporting of the ABS activities to serve as a case study for Seychelles and Global ABS**

**TITLE:** National Consultant (SC)  
**SECTOR:** Environment  
**LOCATION:** Seychelles  
**DUTY STATION:** UNDP Seychelles Country Office  
**DURATION:** 30 person-days spread over 10 months

**STARTING DATE:** July/August 2018

**A. Project Title: Strengthening human resources, legal frameworks and institutional capacities to implement the Nagoya Protocol**

**B. Project Description**

**Context and Objectives of Project**

The Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization (ABS), an agreement under the Convention on Biological Diversity, was adopted on 29 October 2010 in Nagoya (Japan) and entered into force on 12 October 2014, it provides a transparent legal framework for the effective implementation of the 3rd objective of the Convention on Biological Diversity (CBD). The Protocol applies to genetic resources that are covered by the CBD and to the benefits arising from their utilization, it also covers traditional knowledge (TK) associated with genetic resources held by indigenous and local communities. Contracting parties to the Nagoya Protocol need to fulfil core obligations to take measures in relation to access to genetic resources, benefit-sharing and compliance.

Article 8(j) of the CBD states “Each contracting Party shall, as far as possible and as appropriate: Subject to national legislation, respect, preserve and maintain knowledge, innovations and practices of indigenous and local communities embodying traditional lifestyles relevant for the conservation and sustainable use of biological diversity and promote their wider application with the approval and involvement of the holders of such knowledge, innovations and practices and encourage the equitable sharing of the benefits arising from the utilization of such knowledge innovations and practices”.

The UNDP-GEF Project “Strengthening human resources, legal frameworks, and institutional capacities to implement the Nagoya Protocol” (Global ABS Project) is a 3-year project that specifically aims at assisting 24 countries in the development and strengthening of their national ABS frameworks, human resources, and administrative capabilities to implement the Nagoya Protocol. Component 1, Output 1.1.2 of the project seeks to support the institutional framework for sui generis systems for protecting TK, innovations and practices and customary uses of biological and genetic resources.

## **Seychelles**

The Republic of Seychelles is a Party to the Nagoya Protocol since its entry into force (ratification) on October 12, 2014. Seychelles does not have a comprehensive legislative/regulatory ABS framework in place.

Seychelles developed a draft bill in 2005 on access and benefit-sharing entitled “Genetic resources bill.” The objective of the bill was to set the perimeters for the development of all aspects of a full-fledged legislation and supporting legislation on ABS in the Seychelles. The process for the development of the draft bill is documented in a publication title ‘Commentary on the development of the Republic of Seychelles Access to Genetic Resources and Benefit Sharing. However, the bill was never adopted. The Republic of Seychelles received a GEF-enabling activity grant to develop its NBSAP in 1997, establishing among its major goals ensuring access to and the judicious control of genetic resources. A new NBSAP or NBSAP 2.0 was published in 2014, which considers a comprehensive review of biodiversity-related legislation including the promulgation of ABS regulations (Project 25). Similarly, the ABS is considered a priority under the Sustainable Development Strategy of Seychelles.

The Seychelles Bureau of Standards (SBS), through its parent the Ministry of Industries and International Business, has a facilitator role as a hub where all the stakeholders and research partners can bring their documents and or seek additional information. Other line ministries such as the Ministry of Environment, Energy and Climate Change (MEECC), the Ministry of Fisheries and Agriculture and now the National Institute of Science Technology and Innovation (NISTI) have more of the decision-making roles.

The Department of the Environment of the Ministry of Environment, Energy and Climate Change is the designated institution where the Nagoya Protocol on ABS focal point is hosted.

### Reference documents

- Patents Act
- Copyright Act, 2014 (Act No. 5 of 2014)
- Environment Protection Act
- National Parks and Nature Conservancy Act
- NBSAP
- SSDS
- Genetic Resources Bill
- Commentary on the development of the Republic of Seychelles Access to Genetic Resources and Benefit Sharing

## **C. Scope of work**

**Seychelles**, will proceed with the recruitment of a national consultant for the documentation and reporting of the ABS activities to serve as a case study for Seychelles and Global ABS.

The national consultant, alongside guidance from the relevant consultants, NFP and the NPC will be present for all ABS organized workshops/ Technical Working Group Meetings and Steering Committee meetings to document vital pathways the project is encountering in finalizing and approval of the ABS Policy and legal frameworks. In addition, the consultant will attend key meetings with agencies such as the Attorney General’s office and document the processes being undertaken to draft the legal Framework for ABS in Seychelles. The consultant will be responsible for drafting key workshop reports as well as documenting and materials and documentations arising from such meetings and workshop. This will be in the form of reporting/ documentation, minute taking of workshops/ meetings to gain value and

collecting qualitative data, lessons learned experiences. The consultant will also work with videographer/media personnel in documenting this as a video or short video clips. All of this will culminate in a case study both in Country Report format and the video.

## Key Responsibilities

The consultant will be responsible for the provision of the following services:

- a) Attending relevant workshops and meetings to gain information, include prepare detailed reports for relevant and agreed meetings/workshops.
- b) Advise on media format suitable to the product(s) that will be used in Seychelles and for Global ABS to showcase the former.
- c) Interview people and document partnerships where necessary to add depth to the report and subsequent media.
- d) Prepare materials and a Final Case Study Report and Video using all the reports and relevant materials throughout on ABS Legal process in Seychelles.

## Deliverables:

<b>Deliverables</b>	<b>Schedule/timing</b>	<b>% Fees</b>	<b>Review and Approvals required</b>
Deliverable 1a - 1d – Attend meetings/workshop regarding the ABS Bill and produce Reports of Technical Working Group Meetings (TWG) including photos in the form of a workshop report  <b>4 workshop reports</b>	Mid November 2018, and third week January 2019	5% for each report (Total 20%)	UNDP Country Office ABS National Focal Point (ABS NFP) MEECC
Deliverable 2 – attend project trainings, workshops on contracts, valorization/ value chains, monitoring etc that is part of the ABS policy and legal frameworks – each training/workshop attended a workshop report to be submitted  <b>4 workshop reports</b>	April 2019	20 %	UNDP Country Office ABS National Focal Point (ABS NFP) MEECC

<p>Deliverable 3 – Lead in the</p> <ul style="list-style-type: none"> <li>• preparation of materials such as report and smaller booklet(s) and</li> <li>• script, as well as c.</li> <li>• filming video if this is the media format agreed upon alongside with media consultant or self to document stakeholders' views on the process and progress of the ABS Policy and Legal Frameworks using reports from meetings and workshops attended.</li> </ul>	1 <sup>st</sup> week April 2019	25%	UNDP Country Office ABS National Focal Point (ABS NFP) MEECC
Deliverable 4 – Edit, proof read and review of materials and video that can be distributed to the relevant stakeholders and Global ABS materials.	3 <sup>rd</sup> week April 2019	20 %	UNDP Country Office ABS National Focal Point (ABS NFP) MEECC
D5- Materials approved and printed/uploaded and distributed to stakeholders and Global ABS	3 <sup>rd</sup> week May 2019	15 %	UNDP Country Office ABS National Focal Point (ABS NFP) MEECC
<b>Total</b>		<b>100 %</b>	

## **D. Institutional Arrangement**

The Consultant shall work under the supervision of the Programme Manager UNDP Country Office, National Project Coordinator and the ABS Focal Point and shall report to them for the fulfillment of his/her duties. The Consultant is expected to liaise, interact and meet with government, UNDP, relevant ministries and the Legal Instruments and TK Inventory consultants and all stakeholders involved with the project. The identified ministries and stakeholders are as follows:

- The Seychelles Bureau of Standards (SBS), through its parent ministry, the Ministry of Industries and International Business
- The Ministry of Environment, Energy and Climate Change (MEECC)
- The Ministry of Fisheries and Agriculture
- Ministry of Youth, Sports and Culture – Research Unit and National Heritage Research Section
- National Institute of Science Technology and Innovation (NISTI) - decision-making roles.
- Attorney General's Office
- Seychelles Heritage Foundation
- Blue Economy
- University of Seychelles- BERI
- National Biosecurity Agency
- CEPS
- Seychelles Island Foundation
- Marine Conservation Society of Seychelles
- Nature Seychelles
- PCA
- ICS

## **E. Duration**

The contract will start in August 2018 and will end (expected) May 2019. The total working days estimated are 30 days

## **F. Duty Station**

Home based

## **G. Qualifications of the Successful Individual Contractor**

### **H. Education**

#### Qualifications

- Minimum Bachelor's degree in environment or another related field.

#### Language skills:

- Excellent writing, editing, and oral communication skills in English, Creole and French

#### **Competencies:**

- Knowledge of environmental issues, concepts and principles and the ability to apply to strategic and/or practical situations;

- Ability to work with multiple stakeholders across a wide range of disciplines.
- Demonstrates practical knowledge of inter-disciplinary development issues;
- Seeks and applies knowledge, information, and best practices
- Maintains relationships with stakeholders, focuses on impact and result for the project and responds positively to feedback;
- Consistently approaches work with energy and a positive, constructive attitude;
- Proven networking, team-building, organizational and communication skills.
- Demonstrates openness to change and ability to manage complexities;
- Demonstrates strong oral and written communication skills;
- Remains calm, in control and good humored even under pressure.

#### Experience:

- Minimum 3 years of experience in report writing
- Experience in environment or related field
- Experience in facilitation and speaking to stakeholders and making them comfortable especially handy when it comes to interviewing/ video format;
- Excellent reporting skills

### **I. Scope of Price Proposal and Schedule of Payments**

The financial offer should be quoted as a lump sum amount, all-inclusive (professional fee, insurance). Fees will not include duty related travel outside of Seychelles which will be borne by the project or from the Global Budget.

The contract price is fixed regardless of changes in the cost components. Payments will be effected based on deliverables as per section D above.

### **J. Recommended Presentation of Offer**

The following documents are requested:

- a) Duly completed **Letter of Confirmation of Interest and Availability** using the template provided by UNDP;
- b) **Personal CV or P11**, indicating all past experience from similar projects, as well as the contact details (email and telephone number) of the Candidate and at least three (3) professional references;
- c) **Financial Proposal** that indicates the all-inclusive fixed total contract price, supported by a breakdown of costs, as per template provided by UNDP.

### **K. Criteria for Selection of the Best Offer**

Individual consultants will be evaluated based on the following methodology:

#### Cumulative analysis

When using this weighted scoring method, the award of the contract should be made to the individual consultant whose offer has been evaluated and determined as:

a) Responsive/compliant/acceptable, and

b) Having received the highest score out of a pre-determined set of weighted technical and financial criteria specific to the solicitation.

Evaluation criteria:

Minimum BSc in social sciences or environmental field or other related academic backgrounds ,	Ability to communicate, facilitate and lead discussions with stakeholders, members of relevant local communities, associations and key national institutions	Understanding of the socio-economic context of the Seychelles	-Excellent writing, editing, and oral communication skills in English, Creole and French to be able to lead relevant discussions	Total
20 marks	30 marks	25	25 marks	100

Candidates scoring 70 or above will be short-listed.

The financial offers will be evaluated giving the lowest price proposal 30 marks and marking the other more expensive proposals reverse proportionally to the cheapest offer.



The final scoring of short-listed candidates will take into account the technical Evaluation and the financial score:

Criteria	Weight	Max. Point
• Technical score	70%	70
• Financial score	30%	30

The candidate ranking highest shall be selected.

### **Annexes to the TOR**

The approved Prodoc is available for download if requested, from the NPC.

### **M. Approval**

**This TOR is approved by:**

Signature

  
Roland Alcindor  
Programme Manager -UNDP

Name and Designation      Roland Alcindor, Programme Manager

Date of signing                      \_\_\_\_\_02/08/18\_\_\_\_\_