

TERMS OF REFERENCE

CAPACITY DEVELOPMENT FOR IMPROVED MANAGEMENT OF MULTILATERAL ENVIRONMENTAL AGREEMENTS FOR GLOBAL ENVIRONMENTAL BENEFITS

LOCAL CONSULTANT: REVIEW OF POLICY, LEGISLATION, INSTITUTIONS AND COORDINATION MECHANISMS

Duty Station:	Port of Spain, Trinidad and Tobago
Type of contract:	Individual Contract
Timeframe of Assignment:	120 days within the period November 2018 – March 2019
Language(s) Required:	English

1. Background

Cross-Cutting Capacity Development (CCCD) in the GEF context refers to the targeted support provided to countries to strengthen their capacities to meet their commitments under the Rio Conventions and other Multilateral Environment Agreements (MEAs). Capacity development comprises that set of capabilities needed to sustain and strengthen functional environmental management systems at the global level, recognizing that these systems must build upon national governance and management systems. In 2004, Trinidad and Tobago conducted a National Capacity Self-Assessment (NCSA) exercise in order to assess capacity issues, needs and priorities with respect to the country's implementation of the Convention on Biological Diversity (CBD), the United Nations Convention to Combat Desertification (UNCCD), and the United Nations Framework Convention on Climate Change (UNFCCC) (collectively known as the Rio Conventions) along with other aspects of environmental management. The NCSA results indicated that the country's implementation of the Rio Conventions was poor, particularly with regards to the current legislation and policy framework, institutional capacity and primary obligations. Appropriate communication between focal points and stakeholders was also ranked as poor, along with stakeholder awareness and involvement.

The Capacity Development for Improved Management of Multilateral Environmental Agreements for Global Environmental Benefits project that is being implemented by the Ministry of Planning

and Development (MPD) aims to strengthen the ability of the Government of the Republic Trinidad and Tobago (GoRTT) to create, leverage and maintain synergies for the national implementation of MEAs and strengthen integrated approaches to environmental management, including meeting MEAs' guidance and national reporting requirements to increase national and global environmental benefits. The first outcome, of this project will focus on assessing and structuring an improved consultative and decision-making process that effectively integrates global environmental objectives into the existing environmental management framework in Trinidad and Tobago. Under the second outcome, project resources will be used to support activities to better align projects funded by the Green Fund of Trinidad and Tobago (GFTT) with the implementation of MEAs obligations in Trinidad and Tobago; hence contributing to national environmental benefits and by extension to global environmental benefits.

2. Scope of Work

The consultancy will contribute to the fulfillment of the following project aims:

- To identify the institutions with mandates and responsibilities to implement and monitor implementation of MEAs and to assess and align said mandates with MEA implementation;
- To assess capacity, identify gaps, and make recommendations with respect to the Green Fund Executing Unit's (GFEU's) ability to review environmental projects aligned with MEAs obligations;
- To ensure that the national environmental legislation and policy framework is aligned with MEAs obligations;
- To make recommendations for an operational inter-sectoral coordination mechanism to oversee the implementation of MEAs.

The scope of this consultancy is to:

- Review the mandates of the main agencies that have responsibility for MEAs, building on the findings of NCSA and other assessments, to analyze areas where there are organizational overlaps, duplication and gaps in relation to implementing MEAs and monitoring their implementation.
- Review existing institutional arrangements, networks, and coordination mechanisms across government agencies and other relevant non-state actors for MEA implementation. Based on this review and building on any existing coordination mechanisms, make recommendations for an operational inter-sectoral coordination mechanism.
- Analyze legislation and policy documents relating to the Green Fund and identify opportunities for alignment of the GFTT with MEAs implementation. This will include analysing the capacity of the GFEU to review applications for environmental projects specifically with respect to alignment with MEAs obligations and making recommendations to address any deficiencies.

- Conduct an in-depth analysis of Trinidad and Tobago’s national environmental legislation and associated policies, programmes and plans – including those directing the GFTT – to determine their alignment with MEAs obligations.

MEAs included in this project are:

- Convention on Biological Diversity (CBD);
 - Cartagena Protocol on Biological Safety;
- Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES);
- Ramsar Convention;
- United Nations Framework Convention on Climate Change (UNFCCC);
 - Kyoto Protocol;
 - Paris Agreement;
- United Nations Convention to Combat Desertification (UNCCD);
- Cartagena Convention;
 - Protocol Concerning Specially Protected Areas and Wildlife (SPAW Protocol) in the Wider Caribbean Region;
 - Protocol Concerning Pollution from Land-Based Sources and Activities;
- Basel Convention;
- Rotterdam Convention;
- Stockholm Convention;
- Vienna Convention for the Protection of the Ozone Layer;
 - Montreal Protocol and accompanying amendments.

The Project Consultant has the following principal responsibilities, as well as other related tasks that the Project Team may identify as necessary for the success of the Project in attaining its objectives:

National Policy and Legislation Review

- i. Review relevant policies, legislation, programmes, action plans, strategies, projects and frameworks with the purpose of analyzing their alignment with MEAs’ obligations;
- ii. Review existing coordination mechanisms and the extent of integration within existing plans and programmes;

- iii. Identify policy and legislative gaps with respect to alignment with MEAs and their obligations; and
- iv. Based on the identified gaps, propose appropriate recommendations to better align national legislation and policy with MEAs obligations. Recommendations may be formulated through consultation with relevant stakeholders, as appropriate.

Institutional Review

- Conduct an inventory of government institutions and agencies that are focal points for, have personnel assigned to, or are otherwise involved in, the implementation of the MEAs addressed by the project. Note that institutions of particular interest are: Ministry of Planning and Development, Environmental Management Authority, Ministry of Agriculture, Land and Fisheries, Ministry of CARICOM and Foreign Affairs, Ministry of Finance, the Green Fund Executing Unit (GFEU) and Tobago House of Assembly (THA);
- Review and assess the institutions' mandates, strategic objectives, institutional arrangements, existing and future programmes, environmental information systems and data/information sharing mechanisms as they align with the implementation of MEAs, including their ability to interface and work in partnership with other government agencies, institutions and other key stakeholders on MEAs;
- Conduct a capacity assessment of the GFEU with respect to its ability to effectively review project applications in terms of alignment with the implementation of MEAs, including but not limited to, institutional strategy, processes, human resource management, information, and communication;
- Identify gaps, overlaps and duplication in effort among these institutions and propose strategies that may represent best practices to address gaps and overlaps, and in the case of the GFEU, make recommendations to improve efficiency, including where relevant those related to data and information sharing. These recommendations should include identifying opportunities for alignment of the GFTT with MEAs implementation and clearly assigning roles and responsibilities for implementing MEAs obligations to key institutions.

MEAs Coordination Mechanism Review

- Review existing national coordination mechanisms, with a view to identifying gaps and constraints among stakeholders active in implementation of MEAs, such as the Ministerial Committee of Climate Change (MCCC), the MEA/Climate Change Focal Points network, the inter-ministerial committee guiding the implementation of the Integrated Coastal Zone Management (ICZM) Policy Framework and Action Plan, other national and regional committees, and other institutional coordination mechanisms, including Civil Society Organizations' (CSOs') coordination mechanisms such as Council of Presidents of the Environment (COPE);

- Undertake a desktop review of appropriate and relevant coordination frameworks/mechanisms for MEAs in other countries in order to identify best practices, and make recommendations as appropriate; and
- Based on the outcomes of the above, conduct a detailed analysis of the options available and develop a strategy (short, medium and long-term) premised on the most optimal coordination structure identified within the national context so as to strengthen the existing mechanisms and/or establish new mechanisms to ensure coordinated implementation of MEAs. Any proposed coordination mechanism should include a consideration of the need for regular data collection and a shared information and data platform for MEA reporting and implementation as well as the creation of synergy between national MEA focal points and the institutions involved with management of environmental information.

Workshop

Develop and deliver a workshop to present the findings of the assessments to stakeholders with a view to validating results with key stakeholders, and refining the recommendations, as necessary.

Expected Outputs and Deliverables

The Project Consultant is responsible for the following specific deliverables:

1. A project implementation brief, outlining his/her proposed approach for undertaking the assignment, including a timeline for meeting deliverables. This brief should be submitted to the Project Manager not later than one week after recruitment.
2. A project report documenting, methodology used, reviews undertaken, constraints encountered, consultations/meetings with institutions and people, results of the analyses and accompanying recommendations as follows:
 - i. The findings of the policy and legislation review including:
 - a. Policy and legislative gaps with respect to alignment with MEAs and their obligations;
 - b. Based on the identified gaps, appropriate recommendations to better align national legislation and policy with MEAs obligations.
 - ii. The findings of the institutional assessment including:
 - a. The institutional arrangements for implementing MEAs identifying strengths and capacity gaps;
 - b. Identification of priority areas for capacity strengthening in the key institutions and recommendations for improved strategic framework, management structures and reporting relationships;

- c. Strategies to address gaps and overlaps, including where relevant those related to data and information sharing;
 - d. Based on the gap analysis, recommendations for functional roles and responsibilities of the appropriate institution and key personnel in charge of implementing MEAs; and
 - e. Capacity development strategy and action plan detailing priority areas for capacity strengthening of the GFEU to review environmental projects aligned with MEAs obligations, and recommendations for more efficient operation of the GFEU.
- iii. A national-level strategy for inter-sectoral stakeholder coordination, including but not limited to:
 - a. Rationale for suggested mechanism(s);
 - b. Functional/operational modalities for coordination and structure;
 - c. A monitoring framework to determine the effectiveness of the strategy, and
 - d. Any human resources, institutional arrangements and other resources needed for its implementation.
 - iv. Annexes to the report should contain: a list of institutions (and individuals within these institutions) consulted, along with their contact information; the profiled institutions' mandates and policies relating to the issues addressed by the project; and other relevant information.
3. Workshop to present findings of the review and assessments to key stakeholders;
 4. Workshop report.

4. Qualifications and Experience

The successful Project Consultant will need to meet the following criteria:

- A Bachelor of Laws (LLB) degree and practising certificate OR A higher degree from an accredited institution in a relevant field such as law, policy analysis, environment, economics, or social sciences. Qualifications related to institutional and organizational development would be an asset;
- At least seven (7) years demonstrated work experience relating to public policy analysis, legislative and institutional analysis, organizational analysis, or other related fields;
- Working knowledge of multilateral environmental agreements;
- Fluency in English (oral and written);
- Excellent communication, analysis and writing skills, and an ability to work as a member of a team;

- Awareness of Trinidad and Tobago's policies, laws and programmes would be an asset.

5. Reporting Requirements

This Project is being executed by a Project Team based at the MPD with the oversight of a Project Board comprised of representatives of key organizations across both public and private sectors. The Project Consultant will report directly to the Project Team. In addition, he/she is expected to meet as necessary with the Project Team and Project Board. At the end of the contracted time period, the Project Consultant shall submit all project outputs to the Project Team, which will be assessed for validity, quality of analysis and completeness of required information, and should be in the desired format identified by the client. Once approved by the Project Board, all outputs become the property of the MPD to utilise and disseminate as deemed necessary.

6. Terms of Payment

20% on submission and acceptance of the project implementation brief by the Project Team.

20% on submission and acceptance of the national policy and legislation review by the Project Team and Project Board.

20% on submission and acceptance of the institutional and coordination mechanism review by the Project Team and Project Board.

20% on submission and final acceptance of the combined consultancy report by the Project Team and Project Board.

20% on submission and final acceptance of the workshop report by the Project Team and Project Board.