

**Terms of References**

**Country: Jordan**

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| **Assignment Title:** | **Consultant to** **conduct a Situational Analysis on Jordanian and foreign-based enterprises within the Bioprospecting/Biotrade Sector** |
| **Starting Date:** | February 1st 2019 – 30 May 2019 |
| **Duration:** | 25 working days over the period of 4 Months |
| **Location:** | Jordan – Amman- UNDP |
| **Project:** | Strengthening human resources, legal frameworks and institutional capacities to implement the Nagoya Protocol |

**1. Background**

**1.1 Introduction:**

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, among others.

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 capacities to implement the Nagoya Protocol. The project seeks to achieve this through its 4 components namely:

Component 1: Strengthening the legal, policy and institutional capacity to develop national ABS frameworks;

Component 2: Building trust between users and providers of genetic resources to facilitate the identification of bio-discovery efforts;

Component 3: Strengthening the capacity of indigenous and local communities to contribute to the implementation of the Nagoya Protocol; and

Component 4: Implementing a Community of Practice and South-South Cooperation Framework on ABS.

In accordance with the core obligations of the Nagoya Protocol, the implementation of the key elements of a functional ABS system in Jordan should unleash a wide range of monetary and non-monetary benefits for providers and users of genetic resources. Most of these benefits should be reinvested in the conservation and sustainable use of biological diversity in the above countries. This will contribute to fulfilling the three objectives of the CBD.

As per the approved Multi-year Annual Work Plan for 2018-19 for Jordan, the project will proceed with the recruitment of a consultant to undertake a situational analysis on Jordanian enterprises within the Bioprospecting/ Biotrade Sector, implementing Access and Benefit- Sharing (ABS) in order to understand how the sector apply ABS in their business model(s). In this undertaking it also important to determine lessons learned and recommend best practices/ model(s) adopted by such businesses to achieve the objectives of the Nagoya Protocol on ABS and with the view to developing a national ABS strategy to engage with the private sector to initiate ABS compliant research and biodiscovery partnerships.

**1.2 Jordanian Context**

Due to Jordan’s varied terrain, it is host to diverse ecosystems, which are divided into four major groups: desert, scarp and highland, subtropical, and freshwater. The diversity of Jordan’s flora and fauna are indicative of their many origins. At the intersection of three continents, Jordan encapsulates four biogeographical regions: the Mediterranean, Irano-Turanian, Saharo-Arabian, and Sudanian penetration; however, the country also has many endemic species. Of its 2,500-recorded species of vascular plants, representing about 1% of world flora, 100 are endemic. Medicinal plants are particularly important in Jordan, with a total of 485 species with curative or preventive health values. There are a total of 78 mammal species, and 425 bird species; Jordan’s avifauna is especially rich because of its geographical location by the Great Rift Valley, lying en route for migratory north palearctic waterfowl. The Gulf of Aqaba hosts more than 1,000 species of fish, 250 species of coral, in addition to sponges, snails, crabs, and sea turtles. Twenty (20%) percent of the mollusks and echinodermata are endemic. Jordan also hosts 102 species of herpetofauna, the majority of which are reptiles. Although invertebrates are estimated to form more than 70% of Jordan’s total number of faunal species, the exact number is still unknown.

Threats to biodiversity include intensive agricultural practices, use of agrochemicals, over-grazing, excessive hunting, unplanned development, urbanization, and pollution. These have led to the destruction of natural habitats and ecosystems, afflicting large mammal populations the most, as well as plant diversity due to species being isolated, and thus losing their genetic diversity and facing a higher risk of extinction.

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For more information see also: <https://abs-sustainabledevelopment.net/country/jordan/>

**1.2.1 Legal and Institutional Context**

Jordan is a Party to the Nagoya Protocol since its entry into force (ratification) on October 12, 2014. Jordan has adopted its National Biodiversity Strategy and Action Plan 2015-2020 (NBSAP) (April 2015). The strategy clearly summarizes the legal framework of biodiversity protection and the existing plans to strengthen it. Biodiversity is addressed in Jordan through three main legal frameworks. The first is the Environment Protection Law (Number 52, 2006), which is managed and developed by the Ministry of Environment, with two bylaws, the Bylaw on Protected Areas and National Parks (Number 29, 2005), and the Bylaw on Environmental Impact Assessment (Number 37, 2005). According to the NBSAP, the Ministry is currently working on amending its general law, including the development and adoption of several bylaws, specifically on protected areas, genetic resources and biodiversity, and species conservation. The second main legal framework for biodiversity is represented by the application of the Agriculture Law of the Ministry of Agriculture (Number 44 of the year 2002), “which includes a series of articles addressing the sustainable use of natural resources, including genetic diversity and the protection of wildlife species inside and outside their natural habitats.” The third legal framework is represented by the special setup associated with the Aqaba Economic Zone Authority (ASEZA) and its sub-national mandate over environmental protection and management (special law Number 32 for the year 2000). The NBSAP 2015-2020 “calls for the initiation of a strategic dialogue between ASEZA and the Ministry of Environment on the national alignment of ASEZA’s environmental legislations and the facilitation of knowledge exchange, reciprocal support and collaboration.” The NBSAP contains a specific target for the implementation of the Nagoya Protocol (target 24), with three key performance indicators: a) national awareness about the Nagoya Protocol is raised; b) pilot initiatives on the implementation of the Nagoya Protocol are implemented; and c) national regulations for the enforcement of the Nagoya Protocol are developed and legally adopted. In addition, the NBSAP contains a specific target for TK (target 29), although in a broader sense than the Nagoya Protocol, which covers TK of biodiversity in general. This target contains the following three key performance indicators: a) a national assessment of TK undertaken, and a country report published; b) research protocol for biodiversity TK documentation developed and adopted nationally, and c) national action plans for biodiversity TK adopted. The Nature Protection Directorate of the Ministry of Environment is the designated institution where the Nagoya Protocol on ABS focal point is hosted.

**1.2.2 Baseline investments**

Existing and planned investments for programs and baseline activities for the 2015-2018 period are estimated to be around $1,130,000 USD. There are three basic investments that constitute the project’s baseline in Jordan. The first is the project on the Sustainable Use of Ecosystem Services in Jordan funded by the German Federal Ministry for Economic Cooperation and Development (BMZ) Energy and Climate Fund (EKF-ESS) with a total budget of $300,000 USD and coordinated by the Ministry of Environment. This investment will allow building the institutional and technical capacities to develop and enforce national biodiversity policies and strategies and to inform and influence policy-level decision-makers regarding the investments with potential impacts on natural resources so that ecosystems and their services are adequately and continuously taken into full account. The second set of projects relates to the creation of a national platform for plant genetic resources information and knowledge sharing and exchange for research and development for target groups and stakeholders in Jordan. This project is led by the National Center for Agriculture Research and Extension Center (NCARE) with an estimated budget of $500,000 USD from different multilateral cooperation agencies. The third set of projects is led by the Royal Botanic Garden and focuses on the collection and preservation of seeds of all the native plant species of Jordan and the development of the “Wild Socioeconomic Plant Conservation Strategy for Jordan.” This set of projects is funded by the Agence Française de Développement and Multilateral Cooperation in the amount of $330,000 USD.

* 1. **Objectives of the assignment**

The consultant’s primary objectives are to:

1. Conduct and develop a report on a Situational Analysis on Jordanian and/or foreign-based enterprises within the Bioprospecting/Biotrade Sector, implementing Access and Benefit- Sharing (ABS), in order to understand how the sector(s) apply ABS in their business models. One of the ABS value chain pilots should focus on and explore business opportunities that might arise form fauna genetic reproduction.
2. Draft a national ABS strategy to support and proactively engage with the private sector and to initiate ABS compliant research and biodiscovery partnerships.

The objectives of the assignment are as follows:

* To determine an enterprise spectrum, at a sector level, of relevant enterprises which are actively participating in the bioprospecting/ biotrade sector in Jordan;
* To determine scope and extent of business activities related to biodiversity;
* To determine ABS products and applications in biodiversity-based businesses; and
* To identify and recommend best practices on the implementation of ABS in biodiversity-based businesses.
* To draft a national ABS strategy and proactively engage with the private sector and to initiate ABS compliant research and biodiscovery partnerships.

**2. Tasks and Responsibilities**

The selected IC will work under the responsibility of the UNDP Jordan country office/ head of Environment, Climate change and DRR Pillar. Under the direct guidance of the ABS Project Officer, in close coordination with the Green Economy & Environmental Governance Programme Specialist at UNDP and the assigned ABS Regional Project Specialist. In addition, the incumbent is expected to work in full coordination with the Project Advisory Committee (PAC), and the project’s partners institutions.

The consultant will adhere to national procedures for development and adoption of studies to inform the legislative process.

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

**Phase I:** Conduct interviews/ consultations with enterprises, which have to be identified in order to determine the following factors, *inter alia*:

* *Enterprise characteristics*:
* Profile of type of enterprises- within the sector (e.g. entrepreneurs or social entrepreneurs; SMME or larger business),
* Description of form of business ownership adopted,
* Description of funding model adopted, and
* Markets Analysis (national and international),
* *Business Operations related to Biodiversity:* 
  + - Delineate the Scope of the Business Operations (including which genetic or biological resources are utilised in the process, as well as the associated Traditional Knowledge),
    - Map out the level at which the Business Operations are situated within the bioprospecting/ biotrade value chain, and
    - Map out the value chain (s) within the business operations.
* *Application of the Access and Benefit-Sharing (ABS):*
* Define or identify and possible approaches that can be adopted to implement ABS requirements in the business operational model (e.g. Corporate Social Responsibility, etc.);
* Identify possible financial models applied by the business to implement ABS,
* Define the possible ratio of financial benefits dedicated towards the implementation of ABS.
* Asses the socio and/or economic impacts from the approaches adopted to implement ABS; mainstream gender into ABS value chains by considering gender-responsive ABS schemes to enable the effective participation of women in the design, negotiation, distribution and use of benefits; and apply gender analysis as an analytical tool in ABS value chains by 1) Mapping-out gender roles 2) Identifying social determinants 3) Noticing the interlinkages 4) Designing gender-smart ABS Value chains.
* Identify lessons learned, by business, on implementation of ABS.

**Phase II:** Analyse data on various approaches applied by business(es) on implementation of ABS, in relation to the achievement of ABS objectives and provide recommendations on best practices, within various business(es) on the implementation of ABS.

**Phase III:** Conduct two (2) workshops with stakeholders to present the findings and inputs in the Draft Situational Analysis, following these stakeholder consultations. The consultant shall submit the draft Situational Analysis Report to the Project Manager for 3 reviews, and incorporate amendments as required by the Project Manager to the final Situational Analysis Report prior to the final submission to UNDP.

**Phase IV**: Base on the previous activities, draft a national ABS strategy to proactively engage with the private sector and initiate ABS compliant research and biodiscovery partnerships.

**2.1 Duration:**

The consultant is expected to work 25 working days over a 4-months period.

The consultant is expected to provide bi-weekly progress reports (soft copy) and to conduct meetings with the Project Manager on a schedule to be mutually agreed (at least, one inception meeting before the project commences, one check-in meeting and one close out meeting).

* 1. **Deliverables:**

• Deliverable 1 by ***February 10 2019*** (expected date) - A concise methodology to undertake the study and develop a national ABS strategy to proactively engage with the private sector and initiate ABS compliant research and biodiscovery partnerships. The methodology shall consider, *inter alia*, the identification of high value GR/aTK, the selection of priority ABS value chains and gender mainstreaming aspects (work input: app. 3 working days; payment 10% of total amount);

• Deliverable 2 by ***February 28 2019*** (expected date) – A Report on the activities undertaken under Phases I and II (see above). The report must include a preliminary draft of the situational analysis and socio-economic analysis of selected ABS value chains (work input: app. 10 working days; payment 40% of total amount);

• Deliverable 3 by ***March 17 2019*** (expected date) – Following the two (2) stakeholders workshops conducted under Phase III, the consultant will introduce new inputs and revise the Draft Situational Analysis, including the recommend best practices on the implementation of ABS in biodiversity-based businesses. The consultant shall submit the final draft of situational Analysis Report to the Project Manager for 2 reviews, and incorporate amendments as required by the Project Manager to the final Situational Analysis Report prior to the final submission to UNDP. (work input: app. 5 working days; payment 20% of total amount);

• Deliverable 4 by ***April 17 2019*** (expected date) – Strategy for promoting or initiating research and biodiscovery partnerships and engaging the private sector in ABS complaint value chains (work input: app. 4 working days; payment 20% of total amount);

• Deliverable 5 by ***May 26 2019*** (expected date) – A final Report of the strategic advisory services provided to the national ABS project team and the nationally designated ABS FP and CNA, which shall include the following annexes:

1. 2 branded soft copies and 1 hard copy of Situational Analysis professionally prepared in word and pdf format (branding must be aligned with the UNDP-GEF Global ABS Project Requirements);
2. A PowerPoint presentation of the final version of the Situational Analysis;
3. The revised final draft of the national ABS strategy to engage with the private sector to initiate ABS compliant research and biodiscovery partnerships;
4. a PowerPoint presentation of the final version of the biodiscovery partnership strategy.

(work input: app. 3 working days; payment 10% of total amount);

**2.3 Travel:**

If needed, the country team will indicate the number of missions to be conducted and the duration for each mission inn accordance with its national needs. Mission related costs will be paid separately as per UNDP rules and regulations. An indicative planning shall be developed at the induction session following the hiring of the consultant.

**3. Competencies**

* Ability to provide domestic guidance on implementation of the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization (ABS);
* Knowledge of international and domestic environmental issues, environmental law and policy concept and principles and the ability to apply to strategic and/or practical situations;
* Knowledge of how the business environment functions/Entrepreneurship/Social Entrepreneurship;
* Knowledge of cooperative governance principles and policies and ability to apply strategic and/or practical approaches;
* Ability to work with multiple stakeholders across a wide range of disciplines.
* Ability to apply development theory to the specific country context to identify creative, practical approaches to overcome challenging situations.
* Seeks and applies knowledge, information, and best practices from within and outside of UNDP.
* Maintains relationships with clients, focuses on impact and result for the client and responds positively to feedback;

**4. Qualifications**

**4.1 Academic Qualifications/Education**

* Minimum Master’s degree in environmental/business/intellectual property law or policy, biotechnology, biochemistry, environmental finance or any other related field.

**4.2 Experience**

* At least 5 years of experience in working with key industry sectors using GR/aTK;
* Experience in valuing genetic resources and providing strategic advisory services for initiating ABS compliant partnerships;
* Experience in gender mainstreaming;
* Experience in designing institutional arrangements and establishing effective intergovernmental coordination for the implementation of complementary legislative frameworks;
* A good understanding of the business environment;
* A good understanding of the main challenges facing the implementation of the Nagoya Protocol and ABS regimes in the Arab States;
* Experience in facilitation to lead national discussions involving key experts and stakeholders, particularly from the private sector and from relevant national institutions;
* Excellent reporting skills;
* Experience in planning, management, and coordination of multi-national, bi-national or regional projects is an asset;
* Previous work experience in Jordan or in other Arab countries on issues related to Access to Genetic Resources and Benefit-Sharing is a plus;
* Working experience in an international organization or knowledge of UN policies, procedures and practices is an asset.

**4.3 Language skills**

Excellent writing, editing and oral communication skills in English or Arabic is required. A very good working knowledge of the other languages is a plus.

1. **Evaluation of Applicants**

Individual consultants will be evaluated based on a cumulative analysis **taking into consideration the combination of the applicants’ qualifications and financial proposal.**

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.

Technical Criteria - 70% of total evaluation – max. 70 points:

* Criteria A - (relevant education background) – max points: 20
* Criteria B – (Experience and methodology)- max points: 30
* Criteria C – (Working experience in an international organization or knowledge of UN policies, procedures and practices) – max. points: 20

Financial Criteria - 30% of total evaluation – max. 30 points

1. **Application procedures**

Qualified candidates are requested to apply online via this website. The application should contain:

* **Cover letter** explaining why you are the most suitable candidate for the advertised position and a **brief methodological note on how the work will be undertaken** *“describing how they propose to undertake the situational analysis, making reference to the phases that have been indicated above,”*.
* **Financial Proposal\*** - specifying a total lump sum amount for the tasks specified in this announcement. The financial proposal shall include a breakdown of this lump sum amount (number of anticipated working days and any other possible costs). *\*Please note that the* ***financial proposal is all-inclusive*** *and shall take into account various expenses incurred by the consultant/contractor during the contract period*