

Terms of Reference

National or International consultant: National

Description of the assignment (Title of consultancy): Procurement of services of a Legal Consultant for the Integrated Solid Waste Management System

Project Title: Strategic Support to the Ministry of Environment – ID 00116271

Period of assignment/services: 10 months with a maximum of 50 working-days.

1. Background

Based on Law 80 of October 2018, the Ministry of Environment is currently preparing the strategy and structures needed to implement an integrated solid waste management system in Lebanon. To date, the country has been relying on either emergency plans created post-crisis and on outdated legislation or fragmented ones. Legislation tackling Solid Waste Management (SWM) have been indirectly addressing the issue and roles and responsibilities of national partners.

The law aims at establishing the framework regulating SWM in Lebanon, for both non-hazardous and hazardous waste. The main principles it introduces include:

1. Set environmental principles related to SWM;
2. Set priority in reduction of waste generation and disposal;
3. Promote source separation and recycling as well as waste treatment and energy recovery, prior to disposal;
4. Address cost recovery issues;
5. Re-define the institutional framework for solid waste management

In specific and according to article 10 of the law, the MoE is responsible to develop the National Strategy on ISWM which will be adopted by the CoM. Moreover, the ISWM law has requested in article 13 the establishment of a National Solid Waste Management Authority and the development of several applicable decrees and decisions. This Authority is set to be as a new structure involved in SWM having financial and administrative independence which will govern the development of the projects that will ensure the implementation of National Strategy.

2. Scope of work, responsibilities and description of the proposed methodology

The purpose of the consultancy is to support the MoE in the development of the legal decrees, decrees and other texts to meet the requirements of the ISWM law (80/2018).

Key Tasks and Responsibilities

Under the overall guidance of the UNDP Solid Waste Advisor, the UNDP team at the Ministry of Environment (MoE), and in full consultation with the national focal point at the Ministry, the Consultant will assume the lead responsibility of preparing the outputs mentioned herewith as a minimum:

1. Provide expert opinion on legal matters related to solid waste management, including administrative law, environmental law, international law, etc.
2. International literature review on legislation covering Solid Waste sector with particular focus on the European Union policies
3. Revise elaborate and comment on draft legislation proposed by MoE
4. Assist in drafting laws, application decrees and ministerial decisions for solid waste management, including but not limited to decrees such as:
 - National Solid Waste Management Authority (its system and scope of work)
 - Ministerial Decisions:
 - Local Solid Waste Management Programs
 - Coordination Committee ToRs:
 - Collection and Sweeping for Municipalities
5. Establish and support the MoE in the development of the legal aspect of the National Solid Waste Management Authority System, and its scope of work.
6. Advise on environmental compliance and enforcement from a legal perspective, including prosecution and suggest innovative approaches to strengthen compliance
7. Assist the ISWM MoE project and/or UNDP in any other legal issues related to the sector

Methodology

The methodology of work shall consist of desk review of relevant legal document, project documentation, national and international reports, scientific publications and other resource tools in addition to direct consultations with key local stakeholders and data providers. The UNDP and MoE teams will provide the consultant with all the technical reports that are available and will also be available to provide guidance and directions to support in the development of the outputs as needed.

3. Expected Outputs and deliverables

The Consultant will be expected to provide technical support on the activities mentioned above, on a need basis. During the fulfillment of the tasks under this agreement, the Consultant will ensure regular communication with the project team and will ensure a timely delivery of the expected outputs and will regularly inform the project team of the progress as well as any obstacles that might occur.

The consultant is expected to submit one report for each assigned task.

The following deliverables requirements will apply to this agreement:

- Provision period of other required services will be defined in coordination with the project team.

- Deliverables are agreed upon with the Project Manager based on the defined tasks.

All deliverables should be handed out in two hard copies as well as one soft copy (Word format and Excel format for tables) and a PDF format for web publishing. If relevant, copies of high-resolution maps and graphics should also be handed out to the project management team.

4. Institutional arrangements

The Consultant shall report to UNDP on the tasks mentioned in section 2 and coordinate closely with UNDP and the MoE.

5. Duration of work

- The contract will be valid on an LTA basis until the end of April 2020, with a maximum of 50 man-days.
- The workload might be distributed unequally over time with more and less intense periods of work.
- 48hrs to 72hrs for urgent opinions; provision period of other required services will be defined upon the Project's demand.

6. Duty station

The assignment requires deskwork, research, meetings, as well as coordination between the different related entities. The consultant is requested to perform his duties mainly from home but may need to attend meetings in Beirut at the Ministry of Environment or the UNDP Country Office.

7. Requirements for experience and qualifications

The consultant must present the following qualifications:

I. Academic Qualifications:

- University degree in Law.
- Master 's degree in Environmental Law is an asset

II. Years of experience:

Minimum 15 years of relevant professional experience.

III. Technical experience:

- Experience of the Lebanese public sector and/or national public legislative context.
- Knowledge of the UN is an asset.
- Experience in the field of environmental policy is an asset.

IIV. Competencies:

- Proficiency in the English and Arabic language.
- Demonstrable analytical skills, such as an extensive list of publications, etc.
- Excellent interpersonal and communication skills as well as ability to establish and maintain good relationship with stakeholders.

8. Scope of price proposal and schedule of payments

Payment will be made against each deliverable/output (or a package of deliverables/outputs) on pre-agreed workday basis - an IC Time Sheet must be submitted by the Consultant, and duly approved by the Project Manager; this shall serve as the basis for the payment of fees, in addition to the PO raised for each assignment (s).

The UNDP shall effect payments to the Consultant after acceptance by UNDP of the deliverables submitted by the Consultant, and submission of a certificate of payments including the time-sheets. The payment currency of the Contract is USD.