



TERMS OF REFERENCE FOR INDIVIDUAL CONTRACT

POST TITLE: Policy Specialist for the Biodiversity Finance Initiative
(Thai National)

AGENCY/PROJECT NAME: UNDP Thailand / The Biodiversity Finance Initiative

COUNTRY OF ASSIGNMENT: Thailand

1. PROJECT DESCRIPTION

Background

The Biodiversity Finance Initiative (BIOFIN) is a global platform managed by UNDP seeking to improve the management of biodiversity through an enhanced understanding and use of finance solutions.

Since 2014, BIOFIN has been supporting the Government of Thailand in articulating the financial resources it needs to maintain a healthy biodiversity portfolio in-country. In particular, BIOFIN has conducted 1) Policy and Institutional Review (PIR); 2) Biodiversity Expenditure Review (BER); 3) Financial Needs Assessment (FNA); and 4) Biodiversity Finance Plan. Based on insights gained from the results of the first three BIOFIN assessments, the Biodiversity Finance Plan has been designed to be an effective strategic planning tool, identifying a mix of ‘finance solutions’ that would help to expand and improve **Thailand’s investment in biodiversity** preservation in order to help bridge the **country’s funding gap**. Finance solutions aim to capture the breadth of options available, including the four results of biodiversity finance as outlined by BIOFIN: 1) Avoid future expenditures, 2) Deliver better, 3) Generate revenues, and 4) Realign expenditures. These outcomes are ways of thinking about solving biodiversity finance challenges with the full array of options – leading to the choice of options that are the most effective and efficient.

The Initiative aims to bring together a national coalition of partners anchored in strengthened cooperation across national line ministries (Finance, Planning and Environment). Increased engagement by the private sector and civil society through a broad-based awareness raising and capacity development process is also a priority issue.

2. SCOPE OF WORK

Objective of the Assignment & Scope of Work

During BIOFIN Phase II (2018-2022), BIOFIN national teams make a selection between the finance solutions and provide technical support for their implementation. The objective of this assignment of the Policy Specialist is to provide policy and legal support to BIOFIN Thailand to facilitate

implementation of prioritized finance solutions.

The Policy Specialist will provide guidance and expert advice on the following:

1. Relevant national and local policies; and
2. Preparation of relevant Memorandums of Agreements (MOAs) and similar instruments.

Under the supervision of the BIOFIN Project Manager in UNDP Thailand, the Policy Specialist will carry out the following tasks:

1. Prepare and review national and local policies in relation to prioritized finance solutions;
2. Prepare MOAs and similar instruments as applicable and necessary;
3. Provide support to the following activities:
 - a. Policy and institutional analysis, policy development, and advocacy in support of issuance of conservation license plates and utilization for biodiversity purposes;
 - b. Legal analysis of fiscal decentralization and powers of local governments with respect to budgeting for biodiversity ;
 - c. Drafting/Advocacy for Municipal Ordinance for collection of Environmental Management Charge and coordination with ministry of finance
 - d. Other policies related to establishing biodiversity planning and financing team in appropriate institution including capacity building as applicable;
 - e. Participate in relevant project meetings and workshops; and
 - f. Submit report/s as may be required by UNDP

3. EXPECTED OUTPUTS AND DELIVERABLES

Deliverables/ Outputs	Target Due Dates
Deliverable 1: Submission and acceptance of policy review of enabling regulation, law and policy issues and concerns for conservation license plate scheme	30 September 2019
Deliverable 2: Submit report on discussions with Department of Local Administration on developing policy guidelines for local biodiversity budgeting	30 October 2019
Deliverable 3: Support with drafting of Municipal Ordinance for collection of Environmental Management Charge in Surat Thani province	29 November 2019
Deliverable 4: Submission and acceptance of draft policy guidelines related to local budgeting for biodiversity	20 December 2019

Deliverable 5: Submission and acceptance of strategy paper on recommended reforms and implementation of the reforms in legal, regulatory and institutional framework for conservation license plate scheme	30 January 2020
Deliverable 6: Convene stakeholder meeting with Ministry of Transport, Ministry of Finance and Ministry of Natural Resources & Environment on launching conservation license plates	28 February 2020
Deliverable 7: Submission and acceptance of report on conclusions from policy dialogue on launching conservation license plates scheme	31 March 2020
Deliverable 8: Submission and acceptance of policy review on scaling up impact investment finance solution	30 April 2020
Deliverable 9: Performing an intermittent function on preparation of MOAs and similar partnership instruments	30 May 2020

4. INSTITUTIONAL ARRANGEMENTS

The Project Manager shall directly supervise the Policy Specialist and approve his/her output.

The Policy Specialist is expected to liaise/interact/collaborate/meet with the national and global (as necessary) BIOFIN project team members, Government of Thailand and UNDP.

As needed, the Project Management Associate of BIOFIN shall provide administrative assistance to her/him in order for her/him to accomplish all requirements.

The BIOFIN Thailand technical team members include other project consultants, as well as, relevant technical staff shall provide comment on the outputs of the consultant.

5. DURATION OF ASSIGNMENT, DUTY STATION AND EXPECTED PLACES OF TRAVEL

Duration: The expected duration of work is from September 2nd, 2019 to May 30, 2020, with maximum 240 days

Duty Station: Home-based, with travel to be undertaken during the contract

6. DEGREE OF EXPERTISE AND QUALIFICATIONS

Academic Qualifications:

- Master's degree in law or public administration or related fields

Experience:

- At least **7 years' experience** as a senior legal and policy and institutional researcher/analyst.
- Work experiences with Parliament, Cabinet, Ministry of Justice, the Council of the State and other related authorities
- Familiar and up-to-date with national and local programs, projects and initiatives, on policy advocacy and legislation, and related areas
- Experience in dealing with international and national experts and institutions
- Experienced in legislative and judicial process in Thailand
- Well rounded in general management, marketing, and innovation is a plus.
- Experienced in business development and strategic planning
- Possess a strong business and management acumen

Language:

- Excellent command of English and Thai, both spoken and written

Corporate competencies:

- Preferably with knowledge of UN agencies, Royal Thai Government and its line agencies, and some level of familiarity with its operations

Functional and technical competencies:

- Analyzing, formulating strategies and concepts
- Relating and networking
- Persuading and influencing
- Applying technical expertise

7. CRITERIA FOR SELECTION OF THE BEST OFFER

Individual consultants will be evaluated based on the following methodology

Cumulative analysis: The award of the contract shall 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 set of weighted technical criteria (70%). and financial criteria (30%). Financial score shall be computed as a ratio of the proposal being evaluated and the lowest priced proposal received by UNDP for the assignment.

Criteria for technical selection:

Criteria	Percentage
Relevance of Education or Degree	20%
Profound knowledge of legal and regulations in Thailand and well-equipped with expertise on national and local programs, projects and initiatives, on policy advocacy and legislation and related areas in business sector	40%
Work experiences with Parliament, Cabinet, Ministry of Justice, the Council of the State and other related authorities	40%

TOTAL	100%
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Only candidates obtaining a minimum of 70% of the total technical points would be considered for the Financial Evaluation.

8. CONSULTANT PRESENCE REQUIRED ON DUTY STATION/ UNDP PREMISES

NONE

PARTIAL

INTERMITTENT

FULL TIME

9. PAYMENT TERMS

Consultant must send a financial proposal based on Lump Sum Amount.

The total amount quoted shall be all-inclusive and include all costs components required to perform the deliverables identified in the TOR, including professional fee, travel costs, living allowance (if any work is to be done outside the IC's duty station) and any other applicable cost to be incurred by the IC in completing the assignment.

The contract price will be fixed output-based price regardless of extension of the herein specified duration. Payments will be done upon completion of the deliverables/outputs and as per below percentages:

Deliverable 1: Submission and acceptance of policy review of enabling regulation, law and policy issues and concerns for conservation license plate scheme: : **15% of total contract amount**

Deliverable 2: Submit report on discussions with Department of Local Administration on developing policy guidelines for local biodiversity budgeting: **10% of total contract amount**

Deliverable 3: Support with drafting of Municipal Ordinance for collection of Environmental Management Charge: **10% of total contract amount**

Deliverable 4: Submission and acceptance of draft policy guidelines related to local budgeting for biodiversity: **10% of total contract amount**

Deliverable 5: Submission and acceptance of strategy paper on recommended reforms and implementation of the reforms in legal, regulatory and institutional framework for conservation license plate scheme : **15% of total contract amount**

Deliverable 6: Convene stakeholder meeting with Ministry of Transport, Ministry of Finance and Ministry of Natural Resources & Environment on launching conservation license plates: **10% of total contract amount**

Deliverable 7: Submission and acceptance of report on conclusions from policy dialogue on launching conservation license plates scheme: **10% of total contract amount**

Deliverable 8: Submission and acceptance of policy review on scaling up impact investment finance solution : **10% of total contract amount**

Deliverable 9: Performing an intermittent function on preparation of MOAs and similar partnership instruments: **10% of total contract amount**

In general, UNDP shall not accept travel costs exceeding those of an economy class ticket. Should the Specialist wish to travel on a higher class he/she should do so using their own resources. In the event of unforeseeable travel not anticipated in this TOR, payment of travel costs including tickets, lodging and terminal expenses should be agreed upon, between the respective business unit and the Specialist, prior to travel and will be reimbursed. Travel costs shall be reimbursed at actual but not exceeding the quotation from UNDP approved travel agent. The provided living allowance will not be exceeding UNDP Living Allowance rates.

10. REQUIRED DOCUMENTS

Interested individual consultants must submit the following documents/information to demonstrate their qualifications. Please group them into one (1) single PDF document as the application only allows to upload maximum one document:

- a) Duly accomplished **Letter of Confirmation of Interest and Availability** using the template provided by UNDP;
- b) **Personal CV**, 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) **Brief description (max. 2 pages)** of why the individual considers him/herself as the most suitable for the assignment, and a brief methodology, if applicable, on how they will approach and complete the assignment;
- d) **Financial Proposal** that indicates the all-inclusive fixed total contract price, supported by a breakdown of costs, as per template provided. If an Offeror is employed by an organization/company/institution, and he/she expects his/her employer to charge a management fee in the process of releasing him/her to UNDP under Reimbursable Loan Agreement (RLA), the Offeror must indicate at this point, and ensure that all such costs are duly incorporated in the financial proposal submitted to UNDP.

Incomplete proposals may not be considered. The shortlisted candidates may be contacted and the successful candidate will be notified.

11. ANNEXES TO THE TOR

Executive summary of Thailand's Biodiversity Finance Plan

The Finance Plan for Biodiversity sets out action that would help to expand and improve Thailand's investment in biodiversity in order to achieve national biodiversity targets.

The Plan calls for an integrated national approach that acknowledges the real value of maintaining biodiversity, including the economic benefits of using biodiversity resources sustainably.

Thailand is one of the most biodiverse countries in Southeast Asia, and derives large benefits from the ecosystems, landscapes and habitats that support its unique biodiversity. Thailand's biodiversity resources play a significant role in supporting local livelihoods and vital economic sectors such as tourism and agriculture depend on the sustainable management of the country's

natural capital.

Without concerted efforts to initiate large-scale domestic biodiversity finance, with effective participation of stakeholders from public, private and civil society sectors, Thailand will not be able to maintain the stream of benefits flowing from its biodiversity resources.

The government has the biggest role in financing and improving the sustainable management of biodiversity at home. In particular, three key government agencies account for over 80% of **biodiversity spending from the government's budget allocation; these are**, the Department for National Parks, Wildlife and Plants (DNP), the Royal Forest Department (RFD) and the Department for Marine and Coastal Resources (DMCR). These agencies will continue to show leadership on conservation, land use around protected areas and marine ecosystem health. Under the guidance of the Office of the National Economic and Social Development Board (NESDB), the Ministry of Natural Resources and Environment (MONRE), and working alongside the Office of Natural Resources and Environmental Policy and Planning (ONEP), they will build awareness of biodiversity financing amongst policymakers, lead on the implementation of the National Biodiversity Strategy and Action Plan (NBSAP) (2015-2021), and innovate to increase resource efficiency to provide benefits to both our environment and economy.

In the current situation and where the public sector is concerned, biodiversity financing in Thailand is characterized by a situation of underfunding, and oftentimes uncoordinated approaches of the concerned public agencies. Limited government budget and funding availability combined with costly conservation targets imposes significant financial constraints for conservation actors.

While funding shortages are critical, more money does not *in itself* translate to better biodiversity outcomes. Therefore, solutions need to address inefficiencies in implementation, institutional overlaps, and anticipating and avoiding future costs.

Since local government in Thailand plays a very important role in biodiversity management, a key aspect of the Plan will look to develop their contribution at the local level. Central, provincial and local government will therefore work in unison on areas where common frameworks around budgeting will lead to stronger realignments for biodiversity. Put together, these actions will help to close the large national biodiversity financing gap that has been identified thanks to the BIOFIN¹ process in Thailand.

Our goals

By adopting this Plan we will achieve:

1. Increased investment in biodiversity conservation and promotion of its sustainable use in order to achieve national biodiversity targets.
2. Increased participation of the private sector and civil society in biodiversity conservation and management in the country.

In addition, we will reduce existing needs for biodiversity finance by:

3. Improving government biodiversity budget allocation and cost- effectiveness.
4. Moving from a sector-based approach to a results-based budgeting approach.

¹ The Biodiversity Finance Initiative (BIOFIN)

Our targets

Current funding levels for biodiversity conservation in Thailand are insufficient and the country will need at least 31.977 Billion Baht over the next three years to adequately restore ecosystems and biodiversity resources, which is double the current expenditure levels for each year. In other words, for every Baht spent on biodiversity-related measures, *Thailand needs twice as much*.

This Plan is a living blueprint for meeting Thailand's biodiversity finance needs, including around the country's current National Biodiversity Strategy and Action Plan (NBSAP) (2015-2021) under the Convention on Biological Diversity (CBD).² Meeting finance needs will require a complementary mix of financing solutions, adapted to each context, made up of financial strategies, policy changes, and other mechanisms. In order to bridge the finance gap, solutions can achieve their desired impact through:

- **Generating new revenues** targeted towards biodiversity;
 - **Realigning existing expenditure** to reduce negative impacts and improve outcomes;
 - **Avoiding future expenditures** through strategic investment and policy;
 - **Delivering better** conservation through improved effectiveness, efficiency and synergies.
- (UNDP, 2016)

Our shared responsibility

Thailand will take action on a number of fronts, looking to join up strategies and develop policies in a way that maximises financial return on investment, increase the diversity of financial instruments in order to be more resilient, and integrate biodiversity outcomes and sustainable development.

It is an ambitious project, made even more so by our use of a 'blended finance' approach to financing biodiversity. While public funding from the government is a very important source of finance, in addition to public finance, it is important to leverage other potential sources of private finance that are available in Thailand from green minded firms, investors and the general public. The Plan will therefore seek to align market opportunities with key biodiversity targets and policies.

As recommended by the BIOFIN National Steering Committee, making the vision of sustainable financing for biodiversity a reality requires strong foundations: good governance, transparency and accountability; a robust delivery framework, and the committed effort of all stakeholders.

Thailand has a strong commitment to sustainable development with its Sufficiency Economy Philosophy. The Plan is in line with important government strategies and provides linkages to key national agendas– the 20-year National Strategy, the current 12th National Economic and Social Development Plan (NESDP) (2017-2021), and **Thailand 4.0**. **As mentioned, the country's current NBSAP (2015-2021)** has been developed in line with the CBD Strategic Plan for Biodiversity 2011-2020 and the Aichi Biodiversity Targets. At its core, this Plan directly contributes to Aichi Biodiversity Target 20 on the mobilization of financial resources, which in turn supports the other 19 Targets, to facilitate the delivery of the NBSAP.

² In Thailand, the NBSAP is incorporated in the 'Master Plan for Integrated Biodiversity Management' (2015-2021)

Although the Plan is government-led, everyone in society can play their part. Her Royal Highness Princess Maha Chakri Sirindhorn, at the inauguration of BIOFIN Day in 2017, issued a call that conserving and restoring biodiversity is not solely the responsibility of the public sector. Therefore, **building on the 'business case' for biodiversity, it is time for the private sector, alongside producers and consumers alike, to take responsibility and invest, to prolong the life of Thailand's unique biodiversity and conserve its ecosystems.**

Putting the Plan into practice

The Plan looks forward to delivering a prioritised **set of 'finance solutions'** – seizing this opportunity as the Royal Government of Thailand embarks on its 20-year National Strategy to explore a wide range of financing options, including the introduction of innovative market-based mechanisms for resource mobilization.

In the following examples we set out a number of innovative finance solutions that capture and monetise more of the benefits from biodiversity in order to generate revenue streams or cost savings.

- **User charges** are a simple way to secure revenues from users of biodiversity and ecosystem services. Nature-based tourism sites such as the island of Koh Tao offer huge potential for revenue generation (approximately 50million BHT per year) from imposing charges amidst the environmental challenges which need to be addressed urgently. The ability to earmark revenues from charges for specific conservation activities should serve to provide the necessary groundwork for increasing both the current level and coverage of charges across Marine National Parks (MNPs), potentially generating an extra **140 million BHT per year. This solution is in line with the DNP's aim to have national parks** across the country generate more revenue from tourism in the face of insufficient government budget.
- **Environmental trust funds** provide a mechanism for administering funding which allows for increased transparency, accountability and participation. Ample evidence suggests that if people are to be persuaded to participate in new charge schemes – such as that being proposed for Koh Tao– they must be assured that the money they give will be directly re-invested in on-the-ground conservation activities. In the long term, the trust fund model can effectively bring together various donors and streams of funding in line with conservation needs and priorities. Lessons learned will be shared with other island tourism destinations in Thailand - both marine protected areas and non-protected areas- who will benefit from the experience of delivering better conservation through improved effectiveness, efficiency and synergies.
- **Conservation license plates** are special license plates that are sold at a higher price to car owners. The extra income is channeled to wildlife conservation. This is an implementable finance solution by the Thai Government given that the Department of Land Transport has experience in the administration of special license plates as well as the collection of **fees, notably around the sales of 'lucky' license plates in Thailand. The outcome of this** finance solution is to give products which are already sold and which generate public revenues **a tiger "brand", and to earmark a portion of the revenues for tiger conservation** in the Western Forest Complex (WEFCOM). A rough estimate of the potential revenue from sales of conservation license plates in Thailand is approximately 92 million Baht per year (2.79 million USD). This is based on the assumption that 92,134 cars, or 1% of registered vehicles in Bangkok, would purchase the conservation license plate and that the additional cost would be 1,000 Baht/plate.

Impact investors in Thailand work closely with the **Stock Exchange of Thailand's social** impact investment platform which connects companies, investors and social enterprises. Currently, there are 62 listed companies taking part in the platform. In the two years since the platform's inception, these companies have invested 64 million BHT into social enterprises in Thailand with over 90 deals being made. However, the platform does not yet explicitly target investments for financially viable biodiversity projects. To attract financing for biodiversity impact, this finance solution will seek to simulate financial returns for sustainable stocks so that individual investors can see for themselves that these stocks can generate good returns. This short-term measure would pave the way for the long-term goal of having individuals invest in sustainable biodiversity-related stocks.

- **'The Lion's Share'** is a global UNDP initiative which asks advertisers to contribute a percentage of their media spend to fund wildlife conservation each time they feature an animal in their advert. The objective of this finance solution is to bring on board **companies in Thailand to join The Lion's Share. In Thailand, many major companies** feature images of animals for their brands and logos, from companies in the food and beverage sector to airlines and many more. Based on estimates that Thailand spends as much as \$700 million annually on TV advertising featuring animals, the finance solution could potentially generate \$3.5 million per year for wildlife conservation.
- Promoting **investment in green infrastructure** including urban green space means that the multifaceted benefits to society, the environment and biodiversity are realised. Specifically, this finance solution aims to earmark a percentage of the revenue from the upcoming Land and Building Tax (2019) for funding urban green spaces in Bangkok. The result of this finance solution is to improve the financing status at the district level, supporting the implementation of the Master Plan of Bangkok Green Area under the Bangkok Metropolitan Administration (BMA).
- **Biodiversity offsets** can potentially create economic incentives for compliance to Command-and-Control measures by providing options for investors to comply and link the demand for conservation (biodiversity offsets) with the supply of conservation services in specific ecological hotspots through intermediaries such as Mitigation banks and Biobanks. Without these three complementary mechanisms, any negative external impacts on natural resources base, ecosystems and habitats are borne by the public sector. Introducing these mechanisms could potentially reduce public expenditures to address these externalities and at the same time create demand for investments in protection and restoration of ecological hotspots.
- **Nutrient trading** refers to an arrangement which rewards improved wastewater treatment, benefitting the life and health of biodiversity which is contingent upon the **improvement of the quality of Thailand's rivers. The key player alongside Local** Government at the national and local level is the Pollution Control Department (PCD). Under its 20 Year Strategic Plan, the PCD is trying to revitalize the principle of on-site treatments, collection of wastewater fees and the use of economic instruments.
- **Ecosystem service bonds** are linked to self-sustained cash-flow generating initiatives from ecosystem related services. The ecosystem services bond will be issued by the Ministry of Finance with an innovative scheme that offers repayment to ecosystem services providers under the sustainable family forests initiative.

12. APPROVAL

This TOR is approved by :

Signature: _____

Name and Designation: Saengroj Srisawaskraisorn, IGSD Team Leader, UNDP Thailand

Date of Signing: _____