

Terms of reference – INDIVIDUAL CONSULTANT PROCUREMENT NOTICE



Position: REDD+ Senior Specialist of Legal and Law Enforcement
(National, 1 post)

Closing date:

GENERAL INFORMATION

Title: REDD+ Senior Specialist of Legal and Law Enforcement (National, 1 post)

Project Name: PMU

Reports to: Coordinator of Legal and Law Enforcement of BP REDD+

Duty Station: Jakarta

Expected Places of Travel (if applicable): Pekanbaru, Palembang, Palangka Raya.

Duration of Assignment: February – May 2015

REQUIRED DOCUMENT FROM HIRING UNIT

X	TERMS OF REFERENCE
4	CONFIRMATION OF CATEGORY OF LOCAL CONSULTANT , please select : (1) Junior Consultant (2) Support Consultant (3) Support Specialist (4) Senior Specialist (5) Expert/ Advisor CATEGORY OF INTERNATIONAL CONSULTANT , please select : (6) Junior Specialist (7) Specialist (8) Senior Specialist
X	APPROVED e-requisition

REQUIRED DOCUMENTATION FROM CONSULTANT

X	CV
X	Copy of education certificate
X	Completed technical financial proposal
X	Completed technical proposal

Need for presence of IC consultant in office:

- ☐ partial
☐ intermittent (explain)

✓ full time/office based: Based on the nature of the consultant's works and deliverables, it is expected for the consultant to be present at the office on daily basis.

Provision of Support Services:

Office space:	Yes	<u>No</u>
Equipment (laptop etc):	Yes	<u>No</u>
Secretarial Services	Yes	<u>No</u>

If yes has been checked, indicate here who will be responsible for providing the support services:

Signature of the Budget Owner: Roy Rahendra

I. BACKGROUND

Context of the REDD+ initiative:

Indonesia is the third largest emitter of carbon dioxide (CO₂) and the world's largest emitter from agriculture, forestry and other land use. Over the past five years, Indonesia's annual deforestation rate has averaged around 1 million hectares, which contributes to an estimated 87 percent of Indonesia's annual emissions. In response to this situation, in 2009, President Susilo Bambang Yudhoyono, made a voluntary commitment to the world to reduce emissions as much as 26 percent under a business-as-usual scenario or up to 41 percent with international support by 2020.

According to the Second National Communication from Indonesia to the UNFCCC, Indonesia is expected to emit around 2.9 million metric tons (gigatons) by 2020 under the business-as-usual scenario. A commitment to reduce that amount by 26 percent would mean a reduction of 0.8 gigatons, while 41 percent would amount to a reduction of 1.2 gigatons. A reduction from an expected 2.9 to 1.7 gigatons by 2020 is a challenging commitment for a country aiming to maintain its 7 percent annual growth rate. Nevertheless, this commitment has been translated into a comprehensive National Action Plan known as RAN-GRK (PP 61/2011).

The National Action Plan for the Reduction of Green-house Gas Emissions (RAN-GRK) estimates that 87 percent of the emission-reduction target - approximately 1 gigaton - relates directly to the forestry and peat land sectors and, to address this, the government has adopted an incentive mechanism to improve management of the country's vast forest resources while supporting climate-change mitigation. This mechanism, known as REDD+ (Reducing Emissions from Deforestation and Forest Degradation), has five primary objectives: (a) reduction of deforestation; (b) reduction of forest degradation; (c) conservation of carbon stocks; (d) sustainable forest management; and (e) enhancing carbon stocks.

On 26 May 2010 the Governments of Indonesia and Norway signed a Letter of Intent (LoI) to establish a REDD+ Partnership. The first phase of this REDD+ Partnership (Phase 1) was to establish an agency with the capacity to implement and manage REDD+ projects initially in the pilot province Central Kalimantan and progressively in other priority provinces across Indonesia. A Task Force (*Satuan Tugas*, Satgas) was established to support this initial phase and, as of June 2013 at the end of the Task Force's mandate, the following progress was achieved:

- Drafting of an integrated Presidential Regulation regarding the establishment of a REDD+ Agency and governance of REDD+ in Indonesia;
- Finalisation of a REDD+ National Strategy (Stranas) and development of Provincial Strategies and Action Plans (PSAPs) for the eleven priority provinces;
- Agreement on, and legal basis for, the structure and operations of a REDD+ Financial Instrument (FREDDI); its implementation awaits the establishment of the REDD+ Agency and the subsequent release of funding for Phase 2 of the LoI;
- A methodology for the structure and Standard Operating Procedures (SOPs) of the MRV technical unit; while international standards and an international/national REDD+ registry remain in development, the unit is ready for mobilisation following the establishment of the REDD+ Agency;
- Legal review of regulatory requirements related to REDD+ implementation in particular land tenure, forest and peat-land governance, forest monitoring and law enforcement, consolidation of land concessions, and a Moratorium on all new concessions for conversion of peat and natural forest in Indonesia; and
- Successful implementation of a wide range of projects by the REDD+ Task Force in the pilot province Central Kalimantan with a focus on developing an operational capacity and an

enabling environment for REDD+ projects.

These achievements have prepared a basic foundation for a future REDD+ national programme that aims to address the emission-reduction target for the forestry and peat-land sectors and the national long-term goals associated with sustainable economic development and poverty reduction.

Context of this ToR:

One of the strategies used by REDD+ Agency to implement REDD+ in Indonesia is to encourage the process of law enforcement in the forestry sector with multi-door approach. A multi-door approach is an approach that implements various laws and regulations in investigating crimes in the field of forestry. In connection with this, REDD+ Agency should have a team which focuses on law enforcement with multi-door approach.

This team should work to accelerate some priority cases happening in some provinces such as Aceh, Riau, South Sumatera and Central Kalimantan. These cases consist of the cases transferred by the Task Force of Judicial Mafia Eradication, the cases obtained from the report of the law enforcement, and the complaints from general public to REDD+ Agency.

Meanwhile, another important issue which REDD+ Agency focuses on is land-based conflict resolution. It is quite evident that the problems related to land-based conflict are related to the weak legislation, low capacity of the related institutions and lack of coordinating among ministries/institutions and local governments involved in the conflict resolution.

REDD+ Agency had established the team of conflict resolution and the team has been working intensively in five national parks, namely Kerinci Seblat, Tesso Nilo, Sebangau, Kutai and Kayan Mentarang National Parks.

There is correlation between conflict resolution issue and law enforcement issue. For sure, REDD+ Agency is mandated to work on both issues. In addition, some cases in land-based conflicts require the involvement law enforcement approach. It is in this context that REDD+ Agency needs to hire Senior Specialist of Legal and Law Enforcement. This position will be responsible to work on the aspect of law enforcement with multi-door approach and at the same time will support REDD+ Agency in general, including supporting the conflict resolution team. **Objectives of Assignment:**

- Developing coordination on handling the crime related to environment in certain provinces such as Riau, Central Kalimantan and South Sumatera;
- Developing coordination with law enforcement institutions at national level in order to support the accomplishment of the crime cases related to environment in Riau, Central Kalimantan and South Sumatera.
- Supporting conflict resolution team in resolving the conflict in five national parks.

The candidate is expected to travel to some locations in the areas of Riau, South Sumatera, and Central Kalimantan.

The details of travel are explained as follows:

- Pekanbaru (Riau): one time for 4 days
- Palangka Raya (Central Kalimantan): one time for 4 days
- Palembang (South Sumatera): one time for 4 days

II. SCOPE OF WORK, RESPONSIBILITIES AND DESCRIPTION OF THE PROPOSED ANALYTICAL WORK
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Scope of work:

- To coordinate with law enforcement institutions in Riau, Jambi, Central Kalimantan, South Sumatera regarding the support on the accomplishment of environment-related crimes;
- To develop coordination with law enforcement institutions at national level in order to support the accomplishment of crime cases related to environment in Riau, Central Kalimantan and South Sumatera.
- To support conflict resolution team of REDD+ Agency in resolving land-based conflicts in five national parks in Indonesia. The support is in the form of building capacity of key stakeholders in the provinces and providing advice for conflict resolution team.

III. REQUIREMENTS FOR EXPERIENCE AND QUALIFICATIONS**I. Academic Qualifications:**

- Bachelor degree in Law, Social Science or other related subjects.

II. Years of experience:

- At least 6 years of working experience, some of which are in the issues of advocacy, coordination with law enforcement institutions, and supporting conflict resolution activities;
- Ability to produce (bilingual) written material, targeting a wide-range of stakeholders.
- Demonstrated ability to understand the differences and similarities of a wide range of social groups.
- Sound experience in managing programs and building national and international networking.

IV. Language Requirement

- Fluent in written and spoken English and Bahasa Indonesia.

IV. Competencies:**Corporate Competencies:**

Demonstrates integrity by modelling the organization's values and ethical standards;
Promotes the vision, mission, and strategic goals of the organization;
Displays cultural, gender, religion, race, nationality and age sensitivity and adaptability; and
Treats all people fairly without favouritism.

Functional Competencies:

Knowledge Management and Learning:

- Promotes knowledge management in the organization and a learning environment in the office through leadership and personal example; and
- Actively works towards continuing personal learning and development in one or more practice Areas, acts on learning plan and applies newly acquired skills;
- Development and Operational Effectiveness;
- Ability to conceptualise issues and analyse data;
- Ability to coordinate the work of others;
- Ability to implement new systems (business side), and affect staff behavioural/attitudinal change;

- Good knowledge of Results Management Guide and Toolkit; and
- Ability to demonstrate good knowledge on Climate Change and/or REDD+ issues.
- Management and Leadership;
- Builds strong relationships with clients, focuses on impact and result for the client and responds positively to feedback;
- Consistently approaches work with energy and a positive, constructive attitude;
- Demonstrates openness to change and ability to manage complexities;
- Leads teams effectively and shows mentoring as well as conflict resolution skills; and
- Demonstrates strong oral and written communication skills.

Other Requirements:

- In addition to the scope and output stated above, the incumbent will be required to undertake other *ad hoc* tasks that may arise during the contract period. These tasks should not impede on the incumbent's ability to meet contractual obligations/deliverables.
- All materials and other intellectual property produced while working under contract including, but not limited to, documents, presentations, white papers, photographs and other media, will remain the property of the REDD+ Taskforce and are required to be submitted to WG Coordinator for archiving.
- This assignment will require extensive communications with stakeholders from different locations and in different circumstances and, with this in mind, it may be necessary to accommodate some irregular working hours.

III. EXPECTED RESULTS

- Report on the coordination with Ministry of Environment and Forestry regarding the settlement of cases on environmental crime at national level.
- Report on the coordination with *Kejaksaan Tinggi* of Riau regarding case settlement on environmental crime in Riau.
- Report on the coordination with Police Department in Central Kalimantan and South Sumatera regarding the settlement of cases on environmental crime in the provinces.

No	Deliverables	Working day	Due Date
1	Report on the coordination with <i>Kejaksaan Tinggi</i> of Riau regarding case settlement on environmental crime in Riau; Report on the update of the coordination with Ministry of Environment and Forestry regarding the settlement of cases on environmental crime at national level.	21 w/d	March 2015

2	<p>Report on the coordination with Police Department in South Sumatera regarding the settlement of cases on environmental crime in the province;</p> <p>Report on the update of the coordination with Ministry of Environment and Forestry regarding the settlement of cases on environmental crime at national level.</p>	21.25 w/d	April 2015
3	<p>Report on the coordination with Police Department in Central Kalimantan regarding the settlement of cases on environmental crime in the province;</p> <p>Report on the update of the coordination with Ministry of Environment and Forestry regarding the settlement of cases on environmental crime at national level.</p>	23 w/d	May 2015