

## **Annex -1-**

### **Terms of Reference (TOR)**

**Project Name:** Institutional Strengthening to the Ministry of Environment (ISMoE) - 00040894

**Subject:** Legal Consultant for the Institutional Strengthening to the Ministry of Environment Project

**Type of Contract:** Long Term Agreement (LTA)

#### **1. Background**

##### **The Project:**

The Institutional Strengthening to the Ministry of Environment (ISMoE) project was established in 2010 with the ultimate goal of setting-up an enabling environment for sustainable environmental development at the national level. The specific objectives of the Project are to:

- 1- provide the needed support to the Ministry of Environment (MoE) to identify and assess technical needs at the national level for capacity development in environmental sustainability ; and
- 2- assist in the planning and programming for sustainable environmental development.

By promoting the development of environmental action plans and strengthening technical units within key line ministries, the project outputs contributed directly to the outcome 5.1 of the UNDP Country Programme for 2010 – 2014 (and which was extended into 2015). It also contributed to achieving a portion of the UNDAF outcome 5 on improving accessibility and management of natural resources.

During the past six years since its initiation, the project has published a number of strategies, masterplans and studies diagnosing the various environmental issues and proposing way forward in the sector. The ISMoE project has also assisted the MoE in designing its work program and mobilizing resources for implementation, along with achieving a major breakthrough in the environmental legislation field.

To pursue ongoing activities, UNDP is seeking the services of a legal expert on a long-term output-based service consultancy.

## 2. Scope of Work, Responsibilities and Description of the Proposed Analytical Work

The Consultant shall perform all the services/work as necessary to fulfill the objectives of the consultancy contract.

More particularly, the Consultant will carry out the following tasks:

1. Provide expert opinion on legal matters, including administrative law, environmental law, international law, etc.
2. International literature review on legislation covering specific environmental sectors (such as environmental fiscal reforms, environmental assessment, environmental liability, waste, etc.) with particular focus on the European Union policies
3. Conduct studies related to legal issues such as the rules and regulations covering specific sectors, jurisprudence related to specific cases, etc.
4. Review legislation prepared by the Ministry of Environment and the United Nations Development Programme and provide recommendations prior to their official submittal
5. Revise and comment on draft legislation proposed by other stakeholders such as ministries
6. Assist in drafting laws, decrees and ministerial decisions, and related background documentation
7. Support the formulation of environmental inspection and enforcement procedures, including consultation with stakeholders
8. Advise on environmental compliance and enforcement from a legal perspective, including prosecution and suggest innovative approaches to strengthen compliance
9. Participate to workshops and conferences related to environmental law issues, deliver presentations as needed and provide training or capacity building services as required to UNDP project personnel or Ministry staff on specific legal topics
10. Assist the IS MoE project and/or UNDP in any other legal issue related to the sector

## 3. Qualifications Required

The consultant must present the following qualifications:

Education	Degree in law
Experience	<ul style="list-style-type: none"> <li>• Minimum 15 years of relevant professional experience</li> <li>• Knowledge of the Lebanese public sector</li> <li>• Knowledge of UNDP is an asset</li> <li>• Experience in the field of environmental policy is an asset</li> </ul>
Competencies	<ul style="list-style-type: none"> <li>• Proficiency in Arabic, English and French.</li> <li>• Demonstrable analytical skills and report-writing skills;</li> <li>• Excellent, proven management and communication skills;</li> </ul>

#### **4. Duration of Contract**

The contract will be valid on a retainer basis until the end of December 2016, with a maximum of 75 man-days.

#### **5. Deliverables Requirements**

- 48hrs to 72hrs for urgent opinions
- Provision period of other required services will be defined upon each UNDP's request
- The workload might however be distributed unequally over time with more and less intense periods of work
- The Consultant is expected to consider that he/she will perform the needed work in his/her own premises, using his/her own property and technology (including travel), and hold direct responsibility for the quality of delivered outputs.

#### **6. Payment Terms**

Payment will be made against each deliverable - 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

UNDP does not warrant that any quantity of Services will be purchased during the term of this Agreement. The agreement may be renewed, at the sole option of the UNDP, on the same terms and conditions, for Two (2) additional periods of One (1) year each, by means of a written notification of such renewal by the UNDP to the Consultant and upon an Annual Performance Appraisal of the services provided.