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TERMS OF REFERENCE FOR INDIVIDUAL CONTRACT

GENERAL INFORMATION

Service Description:	Consultancy Service for the development of regulations for implementing Conservation Agreements in Liberia
Title of Post:	Legal Expert
Project Title:	00104630 Reducing Deforestation from Commodity Production
Duty Station:	Home-based and Monrovia, Liberia
Type of the Contract:	Individual Consultant
Estimated Duration of Assignment:	36 days over 5 months
Expected Start Date:	May, 2020
Languages required:	English

1) GENERAL BACKGROUND

The UNDP-GEF project Support to Reduced Deforestation Commodity Production (referred to as “Production project” below, is a child project under the UNDP-GEF 6 Integrated Approach Pilot (IAP) program (rebranded as the Good Growth Partnership or GGP). The IAP program was launched in 2017 and is advancing an integrated supply chain approach to tackle the underlying root causes of deforestation from agriculture commodities, specifically palm oil in Liberia and Indonesia, soy in Brazil and beef in Paraguay. The GGP approach consists of linked projects covering production demand, transactions and knowledge management and learning.

Efforts in Liberia are mainly focusing on the production side with the goal of taking deforestation out of the palm oil commodity supply chain. The Production project works on ensuring that an enabling environment is in place to support sustainable production, through policy development, land use planning and development of farmers support systems, as well as through the establishment of multi-stakeholder dialogue platforms. National-level activities are executed by UNDP Liberia while landscape level activities are executed by Conservation International Liberia.

In Liberia, the project focuses on palm oil production in Northwest Liberia (Grand Cape Mount, Bomi, Gbarpolu and Bong counties). At the national level, the project is supporting the development of legislative, regulatory and enforcement frameworks to support, guide and promote sustainable oil palm development in Liberia, specifically in production landscapes to promote habitat conservation and management as well as supporting community livelihood development. This is supported by conservation activities and assessments, capacity building of relevant stakeholders to enhance conservation actions and to effectively monitor conservation and better inform decision makers. The project has identified conflicting legislations and regulations in the GGP

landscape that ignore or even incentivize accelerated deforestation and forest loss, the lack of land use planning, inadequate zoning and enforcement of designated land use in the production landscape as well as loss of forest ecosystems as barriers to be addressed. Additionally, the expansion of production has often outpaced clear analysis and careful planning and a lack of environmental and social protections pose significant environmental, development and business risks that are not addressed in order to bring about positive change. By identifying and implementing sustainable agricultural practices in the project's target landscape the project will transform systemic barriers into opportunities for reform. One way to achieve this, is the use of Conservation Agreements which have been piloted in several landscapes in Liberia with impressive results.

In the GGP landscape, one Conservation Agreement has been implemented by Conservation International (CI) as an approach to help and support the conservation of biodiversity while also improving the quality of life for local communities. Conservation Agreements are a form of direct incentives for conservation, in which conservation investors provide a negotiated benefit package in return for conservation actions by communities. Conservation Agreements link conservation funders (governments, bilateral and multilateral agencies, private sector, foundations, individuals, etc.) to resource owners whose decisions influence conservation outcomes. Rigorous monitoring is central to the approach to verify compliance with agreement terms, and to track both biological and socioeconomic impacts. Conservation International has been working with local communities to achieve the conservation of High Carbon Stock areas and High Conservation Value Forests (HCVFs) through commitment of these local communities to protect their lands including keeping forests standing by not logging them and in exchange for receiving benefits such as health facilities, and alternative livelihoods.

It is envisaged that Conservation Agreements can channel financial resources to empower rural communities to manage natural resources while improving wellbeing. By combining a Rights Based Approach with direct incentives for conservation, Conservation Agreements will advance the Government of Liberia's Pro-Poor Agenda for Prosperity and Development through supporting rural development, poverty reduction, and stewardship and sustainability of natural resources. If some internal mechanisms are being developed as part of the Conservation Agreements to ensure the sustainability of alternative livelihoods activities supported by the Conservation Agreement, the area of forest protected would benefit from legal recognition to strengthen conservation efforts of the project and ensure their sustainability after the end of the project.

To this end, UNDP in Liberia, together with other international organizations – specifically Conservation International– who is taking an important role in leading the implementation of the GGP Production project and coordinating related efforts, is therefore seeking the services of a qualified Legal Expert to develop regulations to legalize the Conservation Agreements in Liberia.

Under the guidance and direct supervision of the GGP Liberia Project Manager and in close cooperation with Conservation International, the Legal Expert will support and lead the development of regulations and/or legal instruments that lead to the legalization of the Conservation Agreement to be used nationally, as a tool to facilitate land use planning, conservation and community benefits in production landscapes.

2) OBJECTIVES OF THE ASSIGNMENT:

The overall purpose of the assignment is to support the development of regulations and/or legal instruments to guide the implementation of Conservation Agreements within production landscapes as a means of promoting sustainable oil palm development.

Specifically, the Legal Expert will support the work of the GGP and will work in close coordination with UNDP, the Ministry of Agriculture (MoA), the Ministry of Justice, the National Oil Palm Platform of Liberia (NOPPOL) and its Steering Committee and CI, and will take responsibility for:

- Performing a desk review of best practices of identifying international best practices in Conservation Agreements within production landscapes and their possible legal frameworks
- Conducting an analysis of existing legislative and policy linkages and gaps in relation to Conservation Agreements and develop recommendations for Liberia at the national and sub-national levels

- Leading the development of regulations/legal instruments and frameworks to guide the implementation of Conservation Agreements within production landscapes.

3) SCOPE OF WORK:

The Legal Expert will work closely with the UNDP GGP, MoA, CI, Ministry of Justice and relevant project stakeholders on the analysis of existing legislative gaps and linkages with existing legislations relating to Conservation Agreements and conservation, and the identification and review target of legislations in order to develop frameworks to guide the implementation. S/he will also work closely with the Land Use and Planning Experts to link the work on Conservation Agreements with the land use planning framework to create integrated policy and institutional frameworks.

Deliverables and Key end results:

Milestone	Target Date
Milestone 1 Upon submission of the following: <ol style="list-style-type: none"> 1. Analysis of existing legislative gaps and linkages in relation to Conservation Agreements and develop recommendations 2. Identification of international best practices in Conservation Agreements within production landscapes 	June 15, 2020 June 25, 2020
Milestone 2 Upon submission of the following: <ol style="list-style-type: none"> 1. Drafting of legislations/legal instruments related to the development and implementation of Conservation Agreements within production landscapes. 	July 31, 2020
Milestone 3 Upon Submission of the following: <ol style="list-style-type: none"> 1. Final report of regulations and legal frameworks to guide the implementation of Conservation Agreements within production landscapes 	September 30 ,2020

4) DURATION OF ASSIGNMENT, ORGANIZATION OF WORK, INDICATIVE SCHEDULE AND DUTY STATION

- This assignment will be for a period of five (5) months. At the beginning of service, the Consultant will prepare a detailed workplan and timetable for delivery of the above activities.
- Up to 40 days starting 1 June 2020 with a completion date in 30 October 2020.
- Estimated lead time for UNDP or Project Implementing Partners to review outputs, give comments, certify approval/acceptance of outputs: 30 days after submission of outputs.

5) FINAL PRODUCTS

- Analysis document of existing legislative gaps linkages with existing legislations and recommendations for development of Conservation Agreements legislation framework.
- Document identifying international best practices in Conservation Agreements within production landscapes with recommendations on how these best practices can be applied in the context of Liberia
- Review report of target of legislations/legal instruments in order to develop a legal framework for Conservation Agreements in Liberia.
- Draft regulations/legal instrument for Conservation Agreements in Liberia including consultation with relevant government and other stakeholders

No.	Deliverables	Duration (approximate)	Review and Approvals required
1	<p>Milestone 1</p> <p>Upon submission of the following:</p> <ol style="list-style-type: none"> 1. Analysis of existing legislative gaps and linkages in relation to Conservation Agreements and develop recommendations 2. Identification of international best practices in Conservation Agreements within production landscapes 	20 days	YES
<u>2</u>	<p>Milestone 2</p> <p>Upon submission of the following:</p> <ol style="list-style-type: none"> 1. Drafting of legislations/legal instrument in relation to development and implementation of Conservation Agreements within production landscapes. 	12 days	YES
4	<p>Milestone 3</p> <p>Upon Submission of the following:</p> <ol style="list-style-type: none"> 1. Final report of regulations and legal frameworks to guide the implementation of Conservation Agreements within production landscapes 	4 days	YES

6) PROVISION OF MONITORING AND PROGRESS CONTROLS

The Legal Expert will report to the GGP Liberia Project Manager at UNDP and the Technical Director, CI Liberia.

Institutional Arrangements:

- The contractor will report to the supervisors based on the table below indicating the expected outputs and their timelines.

Prospective Service Provider will indicate the cost of services for each deliverable in US dollars when applying for this consultancy. The Proposer will be paid only after the approving authority confirms the successful completion of each deliverable as stipulated hereunder. In accordance with UNDP rules, the lump sum contract amount to be offered should consider the professional fee inclusive of travel, living allowances, communications, taxes, out of pocket expenses, and other ancillary costs.

7) EXPERTISE AND QUALIFICATIONS

Education profile:

- Liberian national

The candidate should meet the following minimum requirements:

- At least a Bachelor's degree in law, environment and Natural Resources Management or other related legal or environmental field

Required Skills and Experience:

- Minimum 3 years' experience working in public relations, communications with media, technology and in person; and or advocacy with a multilateral or international organization, the private sector or governmental bodies.
- Minimum 5 years' experience working on environmental related issues and legislations relating to environmental conservation
- Expertise in a broad range of climate changes issues in developing countries, including adaptation, mitigation, biodiversity conservation, institutional capacity development
- Experience working and coordination with government officials
- Has an excellent a collaborative work style.
- Strong communication and presentation skills
- Is fluent in English (oral, written, reading)
- Experience with UN or other international organizations is beneficial.

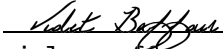
8) PAYMENT MILESTONES AND AUTHORITY

A winning Proposer/ consultancy fees will be paid the lump sum contract amount upon certification of the completed tasks satisfactorily, as per the following payment schedule:

No.	Deliverables or Documents to be Delivered	Timeline	Payment
1	Analysis document of existing legislative gaps and linkages in relation to conservation agreements	May 2020	20%
2	Document identifying international best practices in conservation within production landscape with recommendations on how these best practices can be applied in the context of Liberia	June 2020	15%
3	Review report of target legislations in order to develop frameworks for Conservation Areas in Liberia	July 2020	25%
4	Regulations drafted on Conservation Agreements	September, 2020	40%

Applicants are required to submit completed and signed UNDP Personal History Form ([insert link](#))

This TOR is approved by: [Violet Baffour]

Signature 
Name and Designation Violet Baffour Deputy Resident Representative (Programmes)
Date of Signing 05-May-2020