TERMS OF REFERENCE
FOR INDIVIDUAL CONTRACT

GENERAL INFORMATION

Service Description: Consultancy Service for the development of regulations for implementing land use planning in oil palm landscapes 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: 28 days over 3 months

Expected Start Date: April 1, 2021

Languages required: English

1) GENERAL BACKGROUND

The UNDP-GEF project Support to Reduced Deforestation Commodity Production (referred to as the “Production project”), 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, knowledge management and learning.

Efforts in Liberia mainly focus 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, Gharpolu 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. This poses 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 GGP will transform systemic barriers into opportunities for reform. One way to achieve this, is applying land use planning using a landscape approach as a method for holistically managing various land uses and stakeholder needs within a specific region. By implementing a landscape or integrated approach simultaneously, multiple objectives are addressed by seeking synergies and minimizing tradeoffs. (CI, 2019). Because production landscapes are multifunctional and provide different goods and services to different stakeholders; managing ecosystems and socio-economic issues at the landscape level support the integration of social, economic and environmental objectives. The landscape approach, when implemented, integrates different sectors and interests in a knowledge-intensive and long-term process that requires understanding land management practices and how these practices interact with other processes.

Human decisions play a crucial role in driving land use (GLP, 2005), but the complexity of the coupled human-environmental land system is widely acknowledged, therefore changes in land use strategies are increasingly presented as strategic instruments. Enhancing the sustainability of palm oil production expansion may be achieved by incorporating strategies for improving the impact of palm oil production growth on land use change as well as its greenhouse gas emissions, and most prominently, the use of degraded land and better management.

Implementing measures that reduce land use change, especially deforestation and degradation of land resulting from other direct causes and underlying drivers, will require better planning and governance of land use, which entails, among other things, more appropriate demarcation of forest land and protection of land that still has forest cover, improved monitoring of land use,

In the absence of a comprehensive land use plan or policy framework in Liberia, there is a distinct need to ensure that appropriate policy, governance, and financing instruments are available for utilization within production landscapes to incentivize the transition to sustainable practices.

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 promote sustainable land use in production landscapes in Liberia.

Under the guidance and direct supervision of the Inclusive Sustainable Growth Team Leader and in close cooperation with Conservation International, the Legal Expert will support and lead the development of regulations and/or legal instruments for land use in production landscapes, to be used nationally, as a tool to facilitate land use planning, conservation and community benefits.

2) OBJECTIVES OF THE ASSIGNMENT:

The overall purpose of the assignment is to support the development of regulations and/or legal instruments to improve land use planning and management within oil palm 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 Liberia Land Authority, 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 land use and land management in production landscapes, identifying international best practices and their possible legal frameworks
- Conducting an analysis of existing legislative and policy linkages to identify gaps in land use regulations in production landscapes in Liberia
- Developing recommendations for Liberia
- Leading the development of regulations/legal instruments and frameworks to guide the implementation of land use and land management within production landscapes.
3) **SCOPE OF WORK:**

The Legal Expert will work closely with the UNDP GGP, LLA, MoA, CI, Ministry of Justice and relevant project stakeholders on the analysis of existing legislative gaps and linkages with existing legislations relating to land use and management in production landscapes. S/he will identify and review related 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 Land use planning and management in production landscapes with regional and national land use planning framework to ensure conformity, coherence, alignment and integration with existing policy and institutional frameworks.

**Deliverables and Key end results:**

<table>
<thead>
<tr>
<th>No.</th>
<th>Deliverables</th>
<th>Duration (approximate)</th>
<th>Review and Approvals required</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Milestone 1 Upon submission of the following:</td>
<td>10 days</td>
<td>YES</td>
</tr>
<tr>
<td></td>
<td>1. Analysis of existing legislative gaps and linkages in relation to land use planning and management in production landscapes and develop recommendations</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>2. Identification of international best practices in land use planning and management in production landscapes</td>
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<td>2</td>
<td>Milestone 2 Upon submission of the following:</td>
<td>12 days</td>
<td>YES</td>
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<tr>
<td></td>
<td>1. Drafting of legislations/legal instruments related to land use planning and management in production landscapes</td>
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<td></td>
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<tr>
<td>3</td>
<td>Milestone 3 Upon Submission of the following:</td>
<td>6 days</td>
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<tr>
<td></td>
<td>1. Final report of regulations and legal frameworks to guide land use planning and management in production landscapes, including recommendations</td>
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4) **DURATION OF ASSIGNMENT, ORGANIZATION OF WORK, INDICATIVE SCHEDULE AND DUTY STATION**

- This assignment will be for a period of three (3) months. At the beginning of service, the Consultant will prepare a detailed workplan and timetable for delivery of the above activities.
- Up to 28 days starting 29 April 2021 with a completion date at 30 June 2021.
- Estimated lead time for UNDP or Project Implementing Partners to review outputs, give comments, certify approval/acceptance of outputs: 15 days after submission of outputs.

5) **FINAL PRODUCTS**

- Analysis document of existing legislative gaps linkages with existing legislations and recommendations for development of land use planning and management framework in production landscapes.
- Document identifying international best practices in land use planning and management in production landscapes with recommendations on how these best practices can be applied in the context of Liberia

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22-Mar-2021
• Review report of target of legislations/legal instruments in order to develop a legal framework for land use planning and management in production landscapes in Liberia.
• Draft regulations/legal instrument for land use planning and management in production landscapes in Liberia including consultation with relevant government and other stakeholders
• Final report of regulations and legal frameworks to guide land use planning and management in oil palm production landscapes including details of the stakeholder engagement process as well as procedural steps to make the legislative framework legal.

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 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 and land use
• Expertise in a broad range of land use, agriculture, 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 Proposers/ consultancy fees will be paid the lump sum contract amount upon certification of the completed tasks satisfactorily, as per the following payment schedule:
<table>
<thead>
<tr>
<th>No.</th>
<th>Deliverables or Documents to be Delivered</th>
<th>Timeline</th>
<th>Payment</th>
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</thead>
</table>
| 1   | Analysis document of existing legislative gaps and linkages in relation land use planning and management in production landscapes  
Document identifying international best practices in land use planning and management in production landscapes with recommendations on how these best practices can be applied in the context of Liberia | April 2021 | 15%     |
| 2   | Draft legislations/legal instrument in relation to land use planning and management in production landscapes.  
Review report of consultations on target legislations in order to develop frameworks for land use planning and management in production landscapes in Liberia | May 2021   | 65%     |
| 4   | Regulations drafted on land use planning and management in production landscapes  
Final report of regulations and legal frameworks to guide the implementation of land use planning and management in production landscapes, including recommendations | June, 2021 | 20%     |

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

This TOR is approved by:

Signature:  
Violet Baffour

Name and Designation:  
Deputy Resident Representative (Programmes)

Date of Signing:  
22-Mar-2021

Vorsla Farzartny

22-Mar-2021