

## TERMS OF REFERENCE

<b>Title:</b>	National expert on the revision of regulations governing the implementation of forest protection measures in the areas of the state forest estate
<b>Name and number of the project:</b>	UNDP-GEF Project “Conservation and Sustainable Management of Key Globally Important Ecosystems for Multiple Benefits”, 00101043
<b>Type of contract:</b>	Individual contract
<b>Duty station:</b>	Home-based
<b>Contract duration:</b>	100 working days over a period of 8 months from the date of signing the contract (approximately May – December 2021)

### **DESCRIPTION OF THE PROJECT:**

#### **a) Information about the project**

Since 2018, a 5-year project of UNDP-GEF and the Government of the Republic of Kazakhstan “Conservation and Sustainable Management of Key Globally Important Ecosystems for Multiple Benefits” (hereinafter – the Project) has been implemented on the territory of the republic, aimed at the conservation and sustainable management of forest ecosystems in three regions of Kazakhstan with different types of landscapes. The project strategy is to holistically address the conservation and sustainable use of forest ecosystems in Kazakhstan, through management approaches including both protected areas and sustainable use of associated HCVF landscapes.

The project is structured in three components:

Component 1. Improved representation of globally important forest biodiversity and improved management of protected conservation-important forests.

Component 2. Better integration of forest PAs in wider landscape, including enabling environment for sustainable management of conservation-important ecosystems.

Component 3. International cooperation and knowledge management.

The problem of sustainable forest management is reflected in all project components mentioned above.

#### **b) Background and goal**

The spread of forest pests and diseases, which are expanding every year, poses a serious threat to the country's forest resources. The main foci of organisms harmful to the forest are located in the north, east and south-east of the country. The total affected area is 189.3 thous. ha (as of 2018). The largest affected areas were in 2013 and amounted to 363 thous. ha.

Forest management should be aimed to improve their environmental properties, and the emerging foci of pests and diseases of the forest have not only an adverse effect on flora and fauna, but also completely stop the effect of all soil protection, sanitary-hygienic and health functions of the forest, and its role in environmental protection is completely lost.

The existing forest protection norms and regulations in the republic are based on outdated concepts and approaches inherited from Soviet times. And today, with climate change and the development of a variety of approaches based on modern technology and research, the existing rules and regulations need to be reviewed and improved.

According to the project work plan for 2021, under Component 2, a national expert will be engaged for 8 months to carry out the revision of forest protection regulations.

### **Stakeholders:**

- Forestry and Wildlife Committee of the Ministry of Ecology, Geology and Natural Resources

of the Republic of Kazakhstan (hereinafter – the Committee) and its subordinate organizations;

- Regional Departments of Natural Resources and Environmental Management (hereinafter – the Department) and municipal public forestry institutions (hereinafter referred – MPis).

#### **SCOPE OF WORK:**

1. The expert conducts a study and analysis of the current regulatory legal acts regulating the implementation of forest protection measures in the areas of the state forest estate of the Republic of Kazakhstan (SFE RK):

- Forest, Water and Environmental Codes of the Republic of Kazakhstan;
- Order of the Minister of Agriculture of the Republic of Kazakhstan No. 18-02/1003 dated November 17, 2015 “On Approval of Sanitary Rules in Forests”;
- Order of the Minister of Ecology, Geology and Natural Resources of the Republic of Kazakhstan a.i. dated January 9, 2020 No. 5 “On Approval of the List of Especially Dangerous Pests and Forest Diseases, Except for Quarantine Species, and the Combating Rules”;
- Resolution of the Government of the Republic of Kazakhstan No. 1730 dated October 30, 2009 “On Approval of the Rules for the Protection of the Territory of the Republic of Kazakhstan from Quarantine Objects”;
- Order No. 18-02/596 of the Minister of Agriculture dated June 30, 2015 “On Approval of the Rules of Logging in the Areas of the State Forest Estate”;
- List of pesticides permitted for use on the territory of the Republic of Kazakhstan for 2013-2022.

2. Reviews international experience (at least 2 countries) on best practices in issues:

- peculiarities of the legal basis and norms of forest protection measures;
- modern methods of forest pathological monitoring;
- the use of innovative technologies in forest pest and disease forecasting methods;
- modern integrated systems for the protection of forests and forest nurseries from pests.

3. Processes (in the form of written requests and responses) the collection of proposals and recommendations from all stakeholders (the Committee and its subordinate organizations, Departments and MPis, research institutes, etc.) on the used norms and rules of forest protection measures, forest pathology monitoring, existing problems and issues. Works on submitting proposals with each stakeholder (by phone or using ZOOM, Teams online platforms);

4. Based on the results of the analysis, review of international experience and collection of stakeholder proposals, prepares and submits draft Recommendations (an explanatory note, a comparative table of amendments and additions with a detailed justification for each of them) on the revision and amendments to the regulations governing the implementation of forest protection measures in the SFE areas;

5. Conducts a presentation (online) of the developed Recommendations for the Committee and other stakeholders. Based on the results of the presentation, prepares the Minutes of the meeting;

6. Finalizes the Recommendations (if necessary) based on the proposals received and submits them for consideration to the Committee;

7. Prepares and submits to the Project the final version of the Recommendations on the revision and amendments to the regulations governing the implementation of forest protection measures in the SFE areas and a document (letter) confirming the agreement/approval by the Committee to make appropriate amendments to the acts under consideration.

#### **EXPECTED RESULTS AND PAYMENT:**

#	Results	Estimated duration of tasks	Completion date	Amount of payments	Coordination and approval
1.	Result 1: Interim report including: - analysis of the current regulations governing the implementation of forest protection measures in the areas of the State Forest estate of the Republic of Kazakhstan; - review of international experience on best practices in forest protection; Draft Recommendations (an explanatory note, a comparative table of amendments and additions with a detailed justification for each of them) on the revision and amendments to the regulations governing the implementation of forest protection measures in the areas of the State Forest Estate of the Republic of Kazakhstan;	70 days	18 weeks from the signing of the contract (but no later than September 15, 2021)	60%	Project Manager
2.	Result 2: The final version of the Recommendations on the revision and amendments to the regulations governing the implementation of forest protection measures at the sites of the State Forest Estate of the Republic of Kazakhstan and a document confirming the agreement/approval of the Committee.	30 days	28 weeks from the signing of the contract (but no later than December 15, 2021)	40 %	Project Manager
	<b>Total:</b>	100 days		100%	

**INSTITUTIONAL MECHANISM (ACCOUNTABILITY AND INTERACTION):**

✓ In the course of work, the expert reports to the project manager and the expert on sustainable forest management. All actions related to the implementation of this work must be agreed with these persons;

✓ Reports and materials of the completed work should be submitted in accordance with the deadlines specified in the section "Expected results" to the UNDP Project (to the name of the Project Manager) for comment and approval. The presented results are agreed in accordance with the expected results specified in these terms of reference within 5 working days (via e-mail);

✓ Reports and materials must be submitted in electronic format, in Russian. Font used: Times New Roman, size: 12;

✓ The expert shall ensure timely and rational planning, execution of activities and achievement of results in accordance with these terms of reference;

✓ The expert may not distribute, transfer materials, reports prepared under these terms of reference without the permission of UNDP;

✓ In case of poor quality of the work of the expert engaged, UNDP reserves the right to terminate the contract unilaterally. Therefore, the work must be done in a quality and timely manner, as required by the contract;

The UNDP project reserves the right to make changes to the Terms of Reference for no more than 20% of the volume, which does not affect the general nature of the work and the cost of services under the Contract.

**DURATION OF WORK:**

The total duration of work is 100 working days over eight (8) months from the date of signing the contract. The estimated date of signing the contract is May 2021. The expected date of full completion of the work is December 2021.

**DUTY STATION:**

Distance work is expected (according to the number of specified working days in the ToR). The consultant is doing work at his/her current location.

**QUALIFICATION REQUIREMENTS FOR AN INDIVIDUAL CONTRACTOR:**

- Higher education in forestry, agriculture, ecology or a similar field. Having a degree will be an advantage.
- At least 5 years of work experience in research institutes and/or organizations (private/public) of environmental and nature conservation orientation, confirmed by the development of regulatory and methodological documents in the subject area.
- Experience in conducting silvicultural and forest pathological researches, forest-protection measures.
- Experience in conducting analytical reviews and preparing analytical reports and presentations.
- Excellent knowledge of the Russian language is required, good knowledge of the Kazakh and English languages is desirable.

**PROVISION OF PRICE (FINANCIAL) OFFER AND TERMS OF PAYMENT:**

The type of contract provided for this type of work/services is a lump sum contract in KZT, which includes all costs of performing the work/services (in this case, the daily fee for professional services). Payment will be made in installments upon satisfactory completion of the expected results specified in the "Scope of work" of this ToR and upon approval of the results by the UNDP Biodiversity Project Manager.

**RECOMMENDATIONS FOR SUBMISSION OF AN APPLICATION (OFFER):**

The following documents are to be provided:


- Duly accomplished **Letter of Confirmation of Interest and Availability** using the template provided by UNDP;
- **Personal CV or P11**, indicating all past experience from similar projects, as well as the contact details (email and telephone number) of the Candidate, copies of Diploma(s);
- **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.

**Criteria for Selection of the Best Offer**

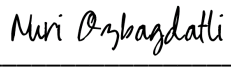
Combined Scoring method – where the qualifications and methodology will be weighted a max. of 70%, and combined with the price offer which will be weighted a max of 30%.

**APPROVED BY**

Talgat Kerteshev  
Project Manager

 19-Apr-2021  
signature date

Nuri Ozbagdatli  
Portfolio Manager

 19-Apr-2021  
signature date