

## TERMS OF REFERENCE

**to provide services for the development of legislation and pilot projects on forest carbon**

<b>Position:</b>	National expert in the field of forestry
<b>Project:</b>	Biodiversity Finance Initiative (BIOFIN), 00113227, 00108641 "Conservation and sustainable management of key globally significant ecosystems for multiple benefits", 00101043
<b>Contract type:</b>	Individual contract
<b>Duration:</b>	230 days within 14 months from the date of signing the contract, estimated July 2021 – September 2022
<b>Duty station:</b>	Home-based

### A. PROJECT DESCRIPTION:

#### a) Brief Description of Projects, Purpose of Projects and Project Baseline Data:

The 2nd phase of the project **"Biodiversity Financing Initiative - BIOFIN" (hereinafter - BIOFIN)** is implemented by UNDP with financial support from the Government of Germany and the Government of Switzerland. Phase-2 of BIOFIN in Kazakhstan is aimed at testing six financial solutions: (1) subsidizing game breeding, (2) creating tax incentives for the development of ecotourism, (3) increasing the capacity of protected areas to improve financing, (4) biodiversity offsets, (5) offsetting carbon emissions within the framework of the domestic emissions trading system (ETS) and (6) attracting foreign investment for the implementation of projects for the absorption of greenhouse gases by forest ecosystems.

The introduction of new financial solutions will be based on changing existing and preparing new legal norms, testing, studying the experience of other countries, approaches, increasing the capacity of industry experts, extensive information about the problems and opportunities for financing biodiversity.

**The project of the Government of the RK-GEF-UNDP "Conservation and sustainable management of key globally significant ecosystems for obtaining various benefits" (hereinafter - the UNDP Forest Management Project)** has been implemented in Kazakhstan since 2018. The project strategy is to comprehensively address the issues of conservation and sustainable use of forest ecosystems in Kazakhstan by improving management approaches both within the PA system and on adjacent landscapes with the aim of sustainable use of HCVF.

UNDP biodiversity projects aim to promote gender equality and the empowerment of women, as relevant and feasible as possible in project implementation.

#### b) Service Required Context

The development of forest carbon initiatives is most relevant for Kazakhstan in connection with the country's ratification of the Paris Climate Agreement and commitments to reduce greenhouse gas emissions by 15% by 2030. Achieving this indicator requires the country to

introduce both new green technologies in industrial production and revise the approach to managing ecosystems that are reservoirs of carbon sequestered.

The Paris Agreement calls on the Parties to take action to protect and improve the quality of sinks and reservoirs of greenhouse gases, including forests. According to an estimate carried out by UNDP in 2016, the total carbon stock in the forests of Kazakhstan is 718.3 million tons of CO<sub>2</sub>-eq. The living phytomass of woody and shrubby vegetation contains 554.0 million tons of CO<sub>2</sub>-eq. The potential for carbon sequestration by forests in Kazakhstan is quite large - the total annual absorption can reach 13.5 million tons of CO<sub>2</sub> eq. and more. Therefore, effective management of existing forests and the creation of new forests makes it possible to stop not only the accumulation of anthropogenic carbon dioxide but also to reduce its current content in the air.

#### c) Relevance and purpose of the required services

In 2018, BIOFIN actively began implementing financial solutions aimed at introducing a mechanism for offsetting greenhouse gas emissions from forests. In 2020, for these purposes, a number of regulatory legal acts were developed, such as "Methodological recommendations for calculating emissions, reductions in emissions and absorption of greenhouse gases", "Rules for the implementation of carbon offsets", "Rules for validation and verification", and "Rules on implementation of environmental (green) investments ", which were taken by the Ministry of Ecology, Geology and Natural Resources of the Republic of Kazakhstan (MEGNR) for further work and approval. The basis for the development of these documents was the new Environmental Code, signed in January this year.

The new Environmental Code has expanded the scope of carbon projects, but forest carbon projects, in contrast to carbon projects in other areas, have specific features related to the implementation period, monitoring issues, etc., which should also be covered by forest legislation. Also, the Forest Code of the Republic of Kazakhstan currently does not include forest carbon issues as a mechanism for attracting investments in the forest sector. This is not a barrier to the implementation of carbon initiatives in the forestry sector, but achieving the completeness of forestry legislation for the implementation of carbon projects can create an incentive for the growth of the forestry sector.

The end result of forest carbon initiatives is to improve the quality of forests, increase the area of forests and enhance their storage potential. These objectives are achieved by improving the practice of afforestation/reforestation, as well as institutional and legislative changes in forest management. Therefore, within the framework of the UNDP forest management project, it is planned to prepare amendments to regulate the development of the carbon market and access to international markets in the context of forest carbon initiatives.

Based on this, the **purpose** of the work is to prepare legislative proposals for forestry legislation for the implementation of forest carbon projects with the participation of transnational enterprises operating in the country and to demonstrate a financial solution on the example of 1 pilot project.

#### d) Stakeholders

The Committee for Forestry and Wildlife of the Ministry of Ecology, Geology and Natural Resources of the Republic of Kazakhstan (hereinafter - CFW), which carries out strategic, regulatory, implementation and control functions in the field of forestry, protection, reproduction and use of wildlife and protected areas. Organization website: <https://www.gov.kz/memleket/entities/forest/about?lang=ru>

The Ministry of Ecology, Geology and Natural Resources of the Republic of Kazakhstan (hereinafter - MEGNR), which is in charge of the formation and implementation of state policy, coordination of management processes in the areas of environmental protection, development of the "green economy", forestry, protection, reproduction and use of wildlife and protected areas, waste management, protection, control and supervision over the rational use of natural resources, state geological study of the subsoil, reproduction of the mineral resource base, use and protection of water resources, water supply, wastewater disposal. Organization website: <https://www.gov.kz/memleket/entities/ecogeo/about?lang=ru>

- e) Specifics of the work required (e.g., security risks associated with operating in specific communities, specific cultures and practices unique to stakeholders, etc.)

The planned work is analytical, provides for interaction with government agencies and other organizations, but does not carry risks for the safety of a potential work performer.

## **B. SCOPE OF WORK**

### **a) Objectives of the National Forestry Expert**

#### **Objective 1. Piloting forest carbon projects**

- Conducting consultations with a wide audience of experts and preparing concept ideas for at least 5 (five) forest carbon projects for implementation by local or transnational companies operating in Kazakhstan on the basis of studying BIOFIN materials, collecting information by region. The condition for the selection of proposals is the possibility of implementation within the framework of the national emissions trading system (ETS);
- Discussion of concept ideas for at least 5 forest carbon projects with CFW, MEGNR and Zhasyl Damu JSC, selection of one idea for a forest carbon project for further testing within the framework of BIOFIN implementation;
- Taking into account the comments of all stakeholders, preparation of a concept, project documentation for one forest carbon project, including the estimated amount of CO<sub>2</sub> absorption, a project monitoring plan, a logical framework for the project, taking into account the specifics of the forest industry;
- Expert support for project approval in accordance with the legislation of the Republic of Kazakhstan;
- Expert support for further piloting of the project.

**Objective 2. Providing expert support in terms of the specifics of the forest industry in the development by experts (international and national) of BIOFIN training modules on the development, implementation, assessment and monitoring of forest carbon projects, preparation of calculations of carbon sequestration by forests and CO<sub>2</sub> absorption**

- Preparation of information, reference and other materials on the specifics of forests in Kazakhstan, afforestation and other issues for training modules;
- Participation in training activities of the project as a forestry expert.

**Objective 3. Preparation of amendments to the legislation in the field of forests in the context of the development and implementation of forest carbon projects**

- Review of the current (after the approval of the new Environmental Code of the Republic of Kazakhstan) legal framework in the field of ETS for the implementation of forest carbon projects, assessment of opportunities and/or barriers in forest legislation for the implementation of forest carbon projects;

- Preparation of proposals for regulatory legal acts (RLA) in the field of forests in order to strengthen legal opportunities for the implementation of forest carbon projects, including attracting targeted investments from local and transnational companies operating in Kazakhstan in the forest sector through forest carbon initiatives;
- If necessary, preparation of proposals for the Plan of legislative work of the Government of the Republic of Kazakhstan for 2022;
- Expert support for the approval of proposals in the regulatory legal acts.

b) Necessary activities

In the process, National Forestry Expert:

- collects information from official sources, prepares analytical, technical reports on the subject of the terms of reference;
  - interacts with specialists from CFW, MEGNR, Zhasyl Damu JSC, etc.;
  - initiates, organizes working meetings, online and/or offline meetings, prepares agendas and minutes of meetings;
  - participates in seminars, meetings, educational trainings on the subject of the terms of reference, organized by UNDP projects in the field of biodiversity;
  - in the course of collecting information and preparing documents, as required, prepares draft letters, requests to government agencies and other organizations;
  - independently provides translation of the materials into English;
  - studies and uses the reporting materials of UNDP projects on the implementation of financial solutions aimed at introducing a mechanism for offsetting greenhouse gas emissions from forests.
- c) Literature, data, information to be provided to the national expert in the field of the forestry sector:
- reports of previous experts hired within the framework of UNDP biodiversity projects to promote a mechanism for offsetting greenhouse gas emissions from forests, the development of various forms of afforestation, etc.;
  - and other materials produced in the framework of UNDP biodiversity projects related to forests.

d) Copyright:

Upon termination of the contract with the national expert in the field of forestry, UNDP receives all direct and related copyrights to the materials prepared under this Terms of Reference. The use of materials prepared within the framework of this ToR in the framework of other works/contracts must be agreed upon with UNDP.

### C. EXPECTED RESULTS

Expected results	Duration and estimated completion date	Necessary agreement and approval	Payment
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<p><b>Result 1.</b> Amendments to the legislation in the field of forestry have been prepared in the context of the development and implementation of forest carbon projects</p> <p><b>Result submission form:</b></p> <ol style="list-style-type: none"> <li>1) Analytical report on the current (after the approval of the new Environmental Code of the Republic of Kazakhstan) legal framework in the field of ETS for the implementation of forest carbon projects, assessment of opportunities and/or barriers in forest legislation for the implementation of forest carbon projects;</li> <li>2) Comparative table of proposals in the RLA in the field of forests, aimed at strengthening legal opportunities for the implementation of forest carbon projects. Proposals for regulatory legal acts for inclusion in the Plan of legislative work of the Government of the Republic of Kazakhstan for 2022 (in terms of forests).</li> </ol>	<p>No later than September 30, 2021</p>	<p>UNDP Biodiversity Project Manager</p>	<p>40%</p>
<p><b>Result 2.</b> A concept and design documentation for one forest carbon project have been prepared, including the estimated amount of CO<sub>2</sub> absorption, a project monitoring plan, a logical framework for the project, taking into account the specifics of the forest industry.</p> <p><b>Result submission form:</b></p> <ol style="list-style-type: none"> <li>1) A short report on the work done, including the program, minutes, agendas and lists of participants in the meetings to discuss the concepts and the selection of the forest carbon project.</li> <li>2) Concept, project document, monitoring plan for one forest carbon project, relevant for implementation in the conditions of the Kazakhstan ETS.</li> </ol>	<p>No later than October 29, 2021</p>	<p>UNDP Biodiversity Project Manager</p>	<p>40%</p>

<p><b>Result 3.</b> Expert support was provided to international and national experts in the development of training modules on the development, implementation, assessment and monitoring of forest carbon projects, preparation of calculations of carbon sequestration by forests and CO2 absorption in terms of the specifics of the forest industry.</p> <p><b>Result submission form:</b></p> <p>1) Report on the work done, including prepared information, reference and other materials on the specifics of forests in Kazakhstan, afforestation and other issues for training modules.</p>	No later than November 26, 2021	UNDP Biodiversity Project Manager	10%
<p><b>Result 4.</b> Provided expert support for the process of coordination, approval with stakeholders of all documents prepared by the expert.</p> <p><b>Result submission form:</b></p> <p>1) Final report on the work done, including official protocols and/or decisions and/or letters of approval, approved by RLA and/or other official documents demonstrating agreement and/or approval of documents prepared by an expert with concerned parties.</p>	No later than September 30, 2022	UNDP Biodiversity Project Manager	10%
<b>Total:</b>			100%

#### D. INSTITUTIONAL SET-UP

##### a) Responsibility and accountability

The national forestry expert is responsible for:

- timely and rational planning, execution of activities and achievement of expected results in accordance with this Terms of Reference;
- reliability and legality of the information provided;

The national expert in the field of the forestry sector has no right to distribute, transfer data, materials, reports collected/prepared within the framework of this Terms of Reference without the permission of UNDP;

The national expert in the field of the forestry sector reports to the UNDP biodiversity project manager, BIOFIN expert on financial instruments. All actions related to the performance of this work must be agreed with the specified persons;

The national expert in the field of the forestry sector provides consultations for the project team during the entire period of the contract through workshops, online meetings, conferences.

b) Reporting requirements

The reports must be submitted in accordance with the deadlines specified in the "Expected Results" section of this Terms of Reference;

Reports and materials must be submitted to UNDP for approval in an electronic version in Russian. After agreeing on the Russian version of the report, a short version of the report in English must be provided.

Requirements for the format of reports and materials: file extension - doc or docx, font - Times New Roman, size - 14, margins - right (1.5 cm), top, bottom (2 cm), left (3 cm), single line interline spacing, the indentation of the first (red) line - 1 cm.

c) Interaction and collaboration

The national expert in the field of the forestry sector works closely with the responsible experts of CFW, MEGNR, Zhasyl Damu JSC and other organizations, interaction with which is required during the collection of materials, approval of the documents being developed;

The national forestry expert needs to interact with all government agencies and other organizations that depend on the performance of the work through formal requests.

d) Logistics support

The national expert in the field of the forestry sector carries out the work at his place of residence and/or location, using personal computers, equipment and communications. UNDP does not provide office space, office supplies and equipment.

The work of the national expert in the field of the forestry sector is individual and the hiring of support personnel is not provided for in this term of reference.

## **E. DURATION OF WORK**

- a) The total duration of work: 230 working days within a period not exceeding 14 months from the date of signing the contract.
- b) Expected start and full completion date July 2021 - September 2022.
- c) Terms of consideration of expert reports by UNDP.

The presented results are reviewed by the BIOFIN project team, agreed in accordance with the expected results specified in this Terms of Reference within 5 working days after the submission of materials by e-mail;

## **F. DUTY STATION**

Distance (remote) work is assumed at the location/residence of the expert. Travel and business trips are not assumed.

## **G. REQUIRED SKILLS AND WORK EXPERIENCE**

- a) Area of specialization and knowledge
  - Forestry and forest management, environmental law.

- b) Minimum acceptable level of education and training
  - Higher education in natural and social sciences.
- c) Minimum years of work experience
  - At least 5 years of experience in forestry sector organizations.
  - At least 3 years of experience in the development of RLA.
- d) Special professional skills
  - Knowledge of national legislation in the field of forestry and ecology;
  - Knowledge of the procedures for the development and approval of legal acts according to the regulations of the Government of Kazakhstan;
  - Knowledge in the development of forest carbon projects;
  - Experience in preparing analytical reports.
- e) Excellent knowledge and command of the Russian language, knowledge of English is an advantage.

#### **H. QUOTATION AND PAYMENT**

The type of contract provided for this type of work/service is a contract with a fixed price (for the total amount) in tenge, which includes all costs for the performance of work/services (in this case, fees and any other direct/indirect costs).

The financial proposal of the candidate must include all costs associated with the implementation of these works/services, namely the cost of the fee and any other costs provided for in this technical assignment.

Payment will be made in 4 tranches after satisfactory performance of the expected results (see the section "Expected results and payment terms"), this Terms of Reference and approval of the results by the UNDP Biodiversity Project Manager.

The quotation is submitted only in TENGE.

#### **AGREED**



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Talgat Kerteshev  
Project manager  
Date: 14-Jun-2021



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Nuri Ozbagdatli  
Portfolio Manager  
Date: 14-Jun-2021