

## **Terms of Reference**

**National or International consultants:** National

**Description of the assignment (Title of consultancy):** Procurement for the services of a Legal Expert

**Project Title:** Land Degradation Neutrality for Mountain Landscapes in Lebanon (LDN)

**Period of assignment/services:** Up to 100 working days spread out over a period of 24 months

### **1. Background**

The project seeks land degradation neutrality (LDN) in mountain lands by rehabilitating degraded land and preventing further degradation. It will do this initially at the pilot scale to gain the necessary skills and know-how as well as confidence before it can be up scaled and replicated post-project comprehensively. The pilot areas will be the mountain ranges in the Cazas of Jbeil and Akkar. The project duration is five years.

Rehabilitation practices will be tested for technical effectiveness, cost-effectiveness and benefits in the agriculture, the mountain pastures and forestry sectors, the quarrying sector, and the eco-tourism and outdoor recreation sectors. Prevention will be achieved through comprehensive land use planning and the monitoring for compliance with set conditions and their enforcement.

There will be clarification of roles and enhancement of capacities particularly at local government level. The institutional and regulatory context will be reviewed, updated, and strengthened so as to prevent new degradation of forests, rangelands and agricultural lands.

Ultimately, the key to achieving LDN is in making the most effective land use planning decisions and in implementing and upscaling these together with appropriate restoration measures – which is reflected in the three Outcomes of the project which are:

1. Outcome 1: Degraded mountain land in selected mountain districts of northern Lebanon identified, rehabilitated, and restored.
2. Outcome 2: Mountain lands managed sustainably to prevent degradation.
3. Outcome 3: Project monitoring and evaluation, communication, knowledge management and financial mechanisms for the dissemination and replication of the results of the project with the aim of achieving land degradation neutrality.

It is in this context that the LDN project is seeking the services of a legal expert to support the project in the analysis of the existing land use planning and natural resources management legislation, institutional structures and procedures, and in supporting the improvement of land use planning and to ensure the integration of environmental considerations and sustainable land management principles into the national process.

### **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.

In particular, the Consultant is expected to carry out, but not limited to, the below tasks:

1. Review, analyze and update if needed, the identified gaps which may be hindering the effective implementation of the land use planning process so as to avoid insensitive infrastructure development, conversion of productive lands, poor range and farmland management practices, and encroachment on natural ecosystems especially forests (Gaps identified under the UNDP/SLMQ project, and will be shared with the consultant)
2. Review, analyze and update when necessary the needed clarifications of current planning, permitting and licensing procedures and provide recommendations on removing any regulatory barriers (clarifications prepared under the UNDP/SLMQ project, and will be shared with the consultant).
3. Assess appropriate policy and monetary incentives and disincentives, and recommendations on improving the management of the bond/guarantee system in the case of quarries, and considering levies and royalties, fines and penalties as a control mechanism.
4. Identify the respective roles and responsibilities for compliance monitoring, enforcement and prosecution as necessary.
5. Provide a training concept for the various levels of the legal/judicial system tackling urban planning legislation, tourism, quarrying and natural resources management, in particular based on identified gaps and bottlenecks encountered in legal and administrative practices (rulings, administrative procedures, etc).
6. Draft training materials in line with the approved concept (training sessions and lesson plans, seminar presentations, roundtable, etc. depending on audience) and deliver them as needed (minimum of 6 sessions).
7. Support the Project Team as needed in the drafting of updates of legal texts mostly in the form of decisions and decrees related to natural resources management, quarrying, urban planning and tourism.
8. Provide legal advice and analysis on land use planning process, conversion of productive lands, poor range and farmland management practices, and encroachment on natural ecosystems especially forests, environmental protection and related matters based on the needs of the project

### **3. Expected Outputs and deliverables**

The consultant is expected to submit one report for each assigned task.

The following deliverables requirements will apply to this agreement:

- Provision period of other required services will be defined in coordination with the project team.
- Deliverables and related man-days will be agreed upon in writing with the Project Manager prior to the initiation of each task.

All deliverables should be handed out in two hard copies as well as one soft copy (Word format and Excel format for tables) and a PDF format for web publishing. If relevant, copies of high-resolution maps, research material and graphics should also be handed out to the project management team.

### **4. Payment Terms**

Payment will be made against each deliverable/output (or a package of deliverables/outputs) on pre-agreed workday basis – an Individual Consultant 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, in addition to the PO raised for each assignment (s).

The UNDP shall effect payments to the Consultant after acceptance by the Project Team of the deliverables submitted by the Consultant, and submission of a certificate of payments including the time-sheets. The payment currency of the Contract is **USD**.

## **5. Institutional arrangements**

The Consultant will work under the direct supervision of the Project Manager. During the fulfillment of the tasks under this agreement, the Consultant will ensure regular communication with the project team and will ensure a timely delivery of the expected outputs and will regularly inform the project team of the progress as well as any obstacles that might occur.

## **6. Duration of work**

The contract will be on a long-term agreement basis with an expected duration of **24 months** from date of contract signature with up to **100 working days**.

## **7. Duty station**

The assignment requires deskwork, research, meetings, fieldwork as well as coordination between the different related entities. 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, and hold direct responsibility for the quality of delivered outputs.

## **8. Requirements for experience and qualifications**

### I. Academic Qualifications:

- Bachelor Law degree.
- Master's degree in public law, public administration, political science, or related field.

### II. Years of experience:

- Minimum 15 years of relevant professional experience.

### III. Technical experience:

- Proven experience in the field of environmental law and urban planning law in Lebanon;
- Proven knowledge of the related policies, legal and regulatory frameworks;
- Proven experience working with the public sector;
- Proven experience in legal drafting (drafting of regulations, legislations, etc);
- Proven experience in assessing legal regulatory frameworks and procedures;
- Experience working with multilateral organizations and the UN system preferred;
- Knowledge of regional and international best practices is an asset.

#### IIV. Competencies:

- Proficiency in English and Arabic languages. French is an asset;
- Demonstrable analytical skills and report writing skills;
- Excellent proven organizational and communication skills.

#### **9. Scope of Price Proposal and Schedule of Payments**

Payment will be made against each requested and completed task and upon submission of certificate of payment based on work-days, Individual Consultant time sheet, and deliverables. Submitted documents shall be approved by the Project Manager. Reimbursements will be in an all-inclusive lump sum amount (based on work-day).