

Terms of Reference

National or International consultant: National

Description of the assignment (Title of consultancy): Procurement of services of an Environmental Economics Expert to calculate the quarrying sector's dues to the national treasury in Lebanon

Project Title: 3-Pronged Approach to Building Lebanon Forward – Environment Component (SSGR)

Period of assignment/services: 4 months (35 working-days).

1. Background

Based on Decree 6569/2020 related to the volumetric surveying of quarries in Lebanon by the Lebanese Armed Forces (LAF) - and more particularly the articles related to securing the sector's past dues to the national treasury, as: volumetric fees; cost of environmental degradation; cost of rehabilitation; punitive claims (for delays and/or infringing the law by working without a permit or not abiding by the permit conditions), and following progress achieved by the LAF in undertaking this survey, UNDP has been approached by the Ministry of Environment (MoE) to support in calculating the sector's dues at the quarry level.

2. Scope of work, responsibilities and description of the proposed methodology

The purpose of the consultancy is to support the MoE in calculating the quarrying sector's past dues to the national treasury based on decree 6569/2020. Under the overall guidance of the UNDP SSGR Project Manager and in close coordination with the Ministry of Environment, the Consultant will assume the lead responsibility of preparing the following:

1. Get familiarized and extensively analyse the survey results from the Lebanese Armed Forces (LAF) (maps, volumes and owners).
2. Develop a methodology for assessing the **cost of environmental degradation (COED)** at the quarry level and estimate the COED for each site.
3. Calculate the **cost of** implementing the most appropriate **rehabilitation** technique for each site. The rehabilitation techniques should be discussed with the UNDP team (from several projects) and the Ministry of Environment.
4. Calculate the **fees due to the Ministry of Finance (MoF)**, including VAT, by:
 - 4.1 Estimating the theoretical dues based on unit cost and volume
 - 4.2 Comparing with the dues already paid to the MoF for each site.
5. Calculate the **dues to the respective Municipalities**, by:
 - 5.1 Estimating the theoretical dues based on unit cost and volume
 - 5.2 Comparing with the dues already paid to the respective municipalities for each site.
6. Determine the **penalty/ punitive claim** due for each site considering all the below parameters (as well as others if determined based on existing legislation):
 - a. **working without a permit** (as a function of the number of years of operating without a permit) – based on relevant data from MoE and Ministry of Interior and Municipalities (MoIM);
 - b. **working with an illegitimate permit** (ie an administrative authorization not issued by the competent authority) - also a function of the years of operating with an illegitimate permit;
 - c. delay (yr-based) in paying the COED;
 - d. delay (yr-based) in rehabilitation;

- e. delay (yr-based) in paying the dues to MoF;
 - f. delay (yr-based) in paying the dues to the municipalities;
 - g. violating environmental conditions set in the permit; etc.
7. Based on the above, calculate the total dues for each site.
 8. Review the draft template legal warning (previously prepared) to the site owner/ operator and provide comments if any.
 9. Provide recommendations on the following:
 - a. the most suitable entity to send the warning on behalf of the Government of Lebanon
 - b. the fund which the dues should be transferred to while considering operational capacity and legal maturity of each option (e.g.: link to the National Environment Fund foreseen under law 444/2002 after issuing its bylaws on a private or public-private basis; Lebanon Green Investment Facility; others).
 10. Summarize the above methodology in a concise report, with a summary table of the results related to all sites, and detailed data for each site as annexes (one sheet for each site).

The UNDP and MoE teams will provide the consultant with all available data and will also be available to provide guidance and directions to support in the development of the outputs as needed.

3. Expected Outputs and deliverables

The Consultant will be expected to provide technical support on the activities mentioned above. 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.

The consultant is expected to submit an inception report, 2 progress reports and a final report.

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 and graphics should also be handed out to the project management team.

4. Institutional arrangements

The Consultant shall report to UNDP on the tasks mentioned in section 2 and coordinate closely with UNDP and the MoE.

5. Duration of work

35 working-days spread over a period of 4 months.

6. Duty station

The assignment requires deskwork, research, meetings, as well as coordination with the different related entities. The consultant is requested to perform his duties mainly from home but may need to attend meetings in Beirut.

7. Requirements for experience and qualifications

The consultant must present the following qualifications:

I. Academic Qualifications:

- University degree in Economics.
- Master 's degree in Environmental Economics is an asset

II. Years of experience:

Minimum 15 years of relevant professional experience in environmental economics

III. Technical experience:

- Experience of the Lebanese public sector and/or national public legislative context.
- Previous work experience with the UN.
- Experience in the field of environmental policy.
- Proficiency in English and Arabic