



TERM OF REFERENCE (ToR)

GENERAL INFORMATION

Project Title:	"Advancing health and environmental sustainability through action on pollution"
Location	Addis Ababa, Ethiopia
Type of contract	Individual contractor/Local
Title of the assignment	Legal environmental assessment technical expert (legal expert)
Type of contract	National consultant
Languages required:	English and Amharic
Contract period	15 June – 15 September 2022 (60 working days)

I. BACKGROUND / PROJECT DESCRIPTION

UNDP, in partnership with European Commission supported legal environment assessments (LEAs) that enable countries to strengthen national legal frameworks through participatory and multi-stakeholder processes. This will promote evidence-based approaches grounded in human rights in line with the recommendations. The LEA methodology is to support strengthened legal and regulatory frameworks for pollution. Non-communicable diseases (NCDs), including stroke, heart disease, diabetes, lung cancer and pulmonary diseases, are also a key development challenge and exposure to pollution is a major cause of NCD morbidity and mortality.

UNDP, funded by the European Commission/Environment Directorate-General, has initiated a three-year project (October 2020-September 2023) to support the governments of India, Mongolia and Ethiopia to address pollution as a key environmental determinant of NCDs, and as part of broader efforts to respond to environmental degradation and the changing climate. The project pursues action in four areas:

- 1) Developing and piloting a methodology to calculate the NCD-related health costs of inaction on air pollution as well as the return on investment in selected cost-effective and nationally-prioritised interventions (investment case), focusing initially on air pollution and including co-benefits such as those related to climate change mitigation, to inform planning and budgeting purposes;
- 2) Enhancing governance structures and coordination mechanisms across environment, health and other relevant ministries (transport, energy, planning, agriculture, etc.) to enable joint analysis of main sources of air pollution as well as joint planning and financing for prioritised national actions engaging civil society and private sector partners, as relevant;
- 3) Advancing effective laws, policies, standards and regulations through conducting a legal environment assessment in pilot countries, that is expected to lead to strengthened parliamentary and civil society action on air pollution to mitigate its impacts on the environment and health, and building capacities for oversight and enforcement where gaps are in implementation, and ensuring greater transparency in decision-making and budgeting; and,
- 4) Facilitating the scale-up of action on air pollution and health in other countries through high-profile and broad dissemination of the methods, approaches as well as lessons learnt from the pilots.

Legal environment assessments (LEAs) have become a key UNDP signature service offering to support rights-based response to health challenges in countries. An LEA is a review or mapping of the legal, regulatory and policy framework in a country and an analysis of the extent to which it supports or hinders national and local responses to the given topic. The LEA enables stakeholders in a country to build a comprehensive picture of the strengths and areas for improvement in its legal and regulatory environment which includes analysis of laws, policies and legal practices. LEAs also assess the level of compliance with regional and international human rights and health commitments by identifying and examining all important legal and human rights issues affecting the political response in a country. LEAs often include recommendations and follow up action plan for reforms or other measures needed to promote desirable developments and support rights-based responses.

UNDP Ethiopian CO is seeking a highly experienced individual to conduct LEA for health and environment in Ethiopia. The consultant will develop an overall methodology for health and environment LEA to support rights-based responses to pollution and its consequences to health, drawing from the work of the Global Commission on HIV and the Law and the experience of UNDP HIV and Tuberculosis (TB) legal environment assessments.

The consultant will work with UNDP country office, HQ and stake holders (Ministry of Health, Environmental Protection Authority (EPA), government legal institutions, WHO etc).

II. SCOPE OF THE WORK

- A review of all existing public health, environment, pollution and NCD related laws, policies, standards and regulations, and analyze their strengths and weaknesses
- Identify key gaps and challenges in current related environment and health laws and policies
- Develop recommendations for law and policy reform, strengthened implementation and enforcement of the health and environment related legal framework and measures to improve environmental pollution and its impact on NCDs
- Organize and participate in a 3-day inception meeting with relevant key stakeholders, and present the findings of the final LEA report, and collect feedbacks from stakeholders

To provide with operational and other support functions that are related to the LEA development whenever needed or requested by EPA and UNDP

III. EXPECTED OUTPUTS AND DELIVERABLES

No.	Deliverables / Outputs	Estimated Duration to Complete	Review and Approvals Required
1	Inception report , including detailed work plan, scope of LEA and timeframe to carry out the assignment.	Eleven (10) Working days	EPA, UNDP and EU Country offices and HQs
2	Progress report 1: <ul style="list-style-type: none"> • Desk review of existing literatures, laws and regulations First draft of legal environment assessment tool on health and environment related legal and policy framework	Fifteen (15) Working days	EPA, UNDP and EU Country offices and HQs
3	Progress report 2 <ul style="list-style-type: none"> • Identify key gaps and challenges in current related environment and health laws and policies • Review of best international practices • Conduct consultative meetings and workshops; Support project collaboration with the EPA and MoH 	Eighteen (20) Working days	EPA, UNDP and EU Country offices and HQs
4	Final Report: <ul style="list-style-type: none"> • Provide assessment on exiting national policies and regulatory framework and recommendations for improvement and closing the existing gaps; • Consultative meetings and dissemination workshops organization with relevant key stakeholders to disseminate the LEA tool and report results, and collect feedbacks Completed final report with the key findings of the research work.	Twelve (15) Working days	EPA, UNDP and EU Country offices and HQs

IV. INSTITUTIONAL ARRANGEMENT / REPORTING RELATIONSHIPS

- The Consultant will report to the Environmental Protection Authority (EPA) and the UNDP Country office and HQ
- The consultant will report progress status on weekly bases
- The consultant will be in touch with the HQ team by email and videoconference application (e.g. Zoom).
- The consultant will be responsible to develop tools, conduct assessment, compile findings and provide recommendations

V. LOGISTICS AND ADMINISTRATIVE SUPPORT TO PROSPECT IC

- The consultant will need to have his/her own computer/laptop with the Microsoft Office package (MS Word, PowerPoint and Excel).
- As required the consultant will be in the office of Environmental Protection Authority (EPA)
- No travel is envisaged to deliver this work. If the need arises, travel will be arranged according to the UNDP travel policy for consultants.

VI. DURATION OF THE WORK

The consultancy will work for a period of 3 months immediately after Signing the Contract (15 June– 15 September 2022).

VII. QUALIFICATIONS OF THE SUCCESSFUL INDIVIDUAL CONTRACTOR (IC)

a. Educational Qualifications:

- MSc Environmental Law, Economics with legal related experience, International Development or related fields required.

b. Experience

- Minimum of 07 years of relevant experience in the field of law, environment, and public health related to legal environmental. Prior experience supporting health, environment and/or human rights work within UNDP or another UN entity is an asset.
- Proven experience in undertaking global/regional/national legal framework and policy research, analysis and developing guidance documents for governments or related institutes (supported by sample documents/reports). Experience in the legal dimensions of non-communicable diseases is an advantage.
- Solid track record of providing strategic coordination with government, development partners, NGO and private sector to address relevant issue (supported by relevant documents).
- Ability to produce well-written reports, demonstrating analytical and communication skills. At least an assignment demonstrating analytic and report writing skills to be submitted with the application.

c. Language requirements

- Fluency in English and Amharic languages is required.

d. Competencies:

- Excellent organizational skills;
- Strong analytical, writing and communication skills;
- Ability to prepare publications, reports and presentations. Must be able to present technical findings to stakeholders and professional audience through appropriate presentation styles;
- Ability to manage and work with a multidisciplinary team;
- Strong motivation and ability to work and deliver under short deadlines;
- Focuses on results and responds positively to critical feedback;
- Able to work independently with little or no supervision

e. Core Competencies:

- Demonstrates integrity by modelling the UN's values and ethical standards
- Promotes the vision, mission, and strategic goals of UNDP;
- Displays cultural, gender, religion, race, nationality and age sensitivity and adaptability
- Treats all people fairly without favoritism;
- Fulfils all obligations to gender sensitivity and zero tolerance for sexual harassment.

VIII. CRITERIA FOR SELECTING THE BEST OFFER

Upon the advertisement of the Procurement Notice, qualified Individual Consultant is expected to submit both the Technical and Financial Proposals. Accordingly; Individual Consultants will be evaluated based on Cumulative Analysis as per the following scenario:

- Responsive/compliant/acceptable, and
- Having received the highest score out of a pre-determined set of weighted technical and financial criteria specific to the solicitation. In this regard, the respective weight of the proposals are:
 - a. Technical Criteria weight is **70%**
 - b. Financial Criteria weight is **30%**

Criteria		Weight	Max. point
Technical Score		70%	100
Technical criteria 1: Educational background			20
Advanced university degree (Master's degree or higher) in the field of law, human rights, health, and other closely related fields.			[20]
Technical criteria 2: Relevant experience			40
Minimum of 10 years of relevant experience in the field of law, environmental management, and/or public health.			[20]
Proven experience in undertaking global/regional/national legal framework and policy research and developing guidance documents for governments or related institutes (sample documents).			[10]
Ability to produce well-written reports, demonstrating analytical and communication skills. At least an assignment demonstrating analytic and report writing skills to be submitted with the application.			[10]
Technical criteria 3 - Proposed methodology and approach			40
Proposed detailed methodology and approach to complete the task			[40]
Financial Score		30%	100
Total Score	Technical Score * 70% + Financial Score * 30%		

IX. PAYMENT MILESTONES AND AUTHORITY

Price Proposal and Schedule of Payments

All proposals must be expressed in a **lump sum amount**.

The total amount quoted shall be all-inclusive and include all costs components required to perform the deliverables identified in the TOR, including professional fee, travel costs, office space and equipment, living allowance (if any work is to be done outside the IC's duty station) and any other applicable cost to be incurred by the IC in completing the assignment. The contract price will fixed output-based price regardless of extension of the herein specified duration. Payments will be done upon completion of the deliverables/outputs and as per below percentages:

- Deliverable 1 [inception report]: 20% of total contract amount
- Deliverable 2 [progress report 1]: 20% of total contract amount
- Deliverable 3 [progress report 2]: 30% of total contract amount
- Deliverable 4 [final report]: 30% of total contract amount

In general, UNDP shall not accept travel costs exceeding those of an economy class ticket. Should the IC wish to travel on a higher class he/she should do so using their own resources

In the event of unforeseeable travel not anticipated in this TOR, payment of travel costs including tickets, lodging and terminal expenses should be agreed upon, between the respective business unit and the Individual Consultant, prior to travel and will be reimbursed.

X. RECOMMENDED PRESENTATION OF TECHNICAL PROPOSAL

For purposes of generating quotations whose contents are uniformly presented and to facilitate their comparative review, a prospect Individual Contractor (IC) is given a proposed **Table of Contents**. Therefore, prospective Consultant Proposal Submission must have at least the preferred contents which are outlined in the IC Proposal Submission Form incorporated hereto.

TECHNICAL PROPOSAL COVER PAGES

Cover Page

Cover Letter

SECTION I. TECHNICAL PROPOSAL SUBMISSION FORM

- 1.1 Letter of Motivation
- 1.2 Proposed Methodology
- 1.3 Past Experience in Similar Consultancy and/or Projects
- 1.4 Implementation Timelines
- 1.5 List of Personal Referees
- 1.6 Bank Reference
- 1.7 Academic Credentials
- 1.8 Sample reports and supporting documents

SECTION II. ANNEXES

Annex a. Duly Signed Offeror's Letter to UNDP Confirming Interest and Availability (use the template hereto) – use separate pdf file

Annex b. Duly Signed Personal CV's/P11 (use the template hereto) – use separate pdf file

Annex c. Financial Proposal–BREAKDOWN OF COSTS Template (use the template hereto) use separate pdf file

XI. CONFIDENTIALITY AND PROPRIETARY INTERESTS

The Individual Consultant shall not either during the term or after termination of the assignment, disclose any proprietary or confidential information related to the consultancy service without prior written consent. Proprietary interests on all materials and documents prepared by the consultants under the assignment shall become and remain properties of UNDP.

XII. HOW TO APPLY

Interested consultant with required qualification and experience must submit their applications **through:** <https://etendering.partneragencies.org> UNDP/ETH10/Event ID: **ETH3587**