



## Terms of Reference

### **National Consultant to Review and Propose Potential Grievance Redress Mechanisms for REDD+ Implementation**

<b>Project Title:</b>	REDD+ Readiness project – Forest carbon Partnership Facility
<b>Type of Contract:</b>	Individual Contract
<b>Duration:</b>	30 days over 5 months from October 2016 – February 2017
<b>Location:</b>	Port Moresby
<b>Application Deadline:</b>	September 14, 2016

***Please note that UNDP is not in the position to accept incomplete applications - please make sure that your application contains all details as specified below in this notice.***

#### **1. PROJECT DESCRIPTION**

Papua New Guinea (PNG) has one of the most significant areas of largely-intact tropical forest in the world, although these forests appear to be facing acute and imminent threats. The Papua New Guinea Forest Authority (PNGFA) estimates that approximately 80% of the total area of the country is covered by natural forests, of which 60% are considered intact forests.

Approximately 10 per cent of global GHG emissions are caused by land-use change and, in particular, the destruction of tropical forests. Slowing deforestation and forest degradation is a likely cost effective way of reducing carbon emissions compared to other mitigation strategies, such as curbing emissions from power stations. Since 2005, PNG has been at the forefront of intergovernmental negotiations under the United Nations Framework Convention on Climate Change (UNFCCC) to develop an international mechanism to compensate developing countries for reducing emissions from deforestation and forest degradation (REDD+). To be eligible to receive results-based finance for REDD+ results-based actions under the UNFCCC, PNG will have to develop the following elements:

- A National Strategy or Action Plan;
- A national forest reference emission level and/or forest reference level;
- A robust and transparent national forest monitoring system for the monitoring and reporting of the REDD + activities;

- A system for providing information on how the safeguards on local community and forest biodiversity are being addressed and respected throughout the implementation of the REDD+ activities while respecting sovereignty.

The Government of Papua New Guinea (GoPNG) is receiving international support from a number of bilateral and multilateral sources to prepare the country for implementing REDD+ under the UNFCCC, including through readiness support from the World Bank's Forest Carbon Partnership Facility (FCPF). A major component of the FCPF project is to support the development of PNG's National REDD+ Strategy.

## 2. SCOPE OF WORK

The objective of this assignment is to scope GRM for implementation of PNG's National REDD+ Strategy.

The consultant will work under the leadership of CCDA and the supervision of the FCPF team, and in close collaboration with government counterparts, private sector stakeholders and NGOs.

The national consultant will work closely with the CCDA REDD+ team and the FCPF Project Management Unit (PMU) and UNDP regional and global technical advisors based in Bangkok to support the work planning, methodological approach, consultations and drafting of text. The consultant will also work closely with other national and international consultants working on assignments related to the National REDD+ Strategy to ensure complementarity and cohesion between consultancies.

The national consultant will work in close coordination and consultation with the government, UNDP and FCPF staff and the UNDP regional stakeholder engagement specialist. Key elements of the assignment will include:

### **1) Review existing trends and patterns of grievances in land-use and related sectors, and existing formal and informal mechanisms to address these grievances**

- a) Identify and analyze historical and current types of grievances, disputes, complaints or equivalent in the forest and land-use sector. Differentiate types based on national, provincial and local levels;
- b) Review and assess current legal and regulatory frameworks for grievances, disputes, complaints or equivalent (formal mechanisms), specifically in the land-use sector, and broadly in other related sectors.
- c) Evaluate how effectively these frameworks are operationalized against the steps of a proposed GRM recommended in the Guidance Note<sup>1</sup>;
- d) Identify, review and assess informal mechanisms for grievances, disputes, complaints or equivalent in these sectors, where available; and

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<sup>1</sup> FCPF/UN-REDD Programme Guidance Note for REDD+ Countries: Establishing and Strengthening Grievance Redress Mechanisms June 2015.

- e) Identify and evaluate current capacities in the government, civil society, landowners to use formal grievance mechanisms.

**2) Identify potential grievances, disputes, complaints or equivalent that may arise during REDD+ implementation**

- a) Identify potential grievances, disputes, complaints or equivalent that may arise from the implementation of potential policies and measures (PaMs) and the overall implementation of the National REDD+ Strategy; and  
 b) Assess adequacy and effectiveness of current formal and informal grievance mechanisms to address and resolve anticipated grievances, disputes, complaints or equivalent at national, provincial and local levels.

**3) Recommend ways to establish or strengthen grievance mechanisms for REDD+ implementation**

- a) Propose specific interventions that could be related to:
- Legal and regulatory frameworks for grievances, disputes, complaints or equivalent in the land-use or other related sectors; and
  - Operational framework for the legal and regulatory frameworks.
- b) Identify other functional and technical capacities required for leading government agencies such as CCDA and PNGFA, as well as other relevant agencies.

**3. EXPECTED OUTPUTS/DELIVERABLES**

The national consultant will deliver the following outputs:

<b>Deliverables/ Outputs</b>	<b>Estimated Duration to Complete</b>	<b>Target Due Dates</b>	<b>Certifying/ Authorizing officer</b>
<ul style="list-style-type: none"> <li>• A detailed work plan (inception report) shortly after inception mission describing specific methodologies, work flow, structure of deliverables, output delivery timeline, consultation plans, inputs required from national experts and stakeholders, and any other items, as appropriate;</li> </ul>	5 days (home-based)	10 November 2016	FCPF CTA
<ul style="list-style-type: none"> <li>• Validation workshop on the scoping of GRM for REDD+ implementation and a workshop report that includes a response matrix of feedback received and</li> </ul>	5 days (home-based)	30 November 2016	FCPF CTA

addressed or not addressed;			
• Scoping report of GRM for REDD+ implementation; and	10 days (Home-based)	10 December 2016	FCPF CTA
• A short policy brief summarizing key findings and recommendations.	5 days home-based)	15 January 2016	FCPF CTA
• Final Report on Potential Grievance Redress Mechanisms for REDD+ Implementation in PNG	5 days home-based)	20 January 2017	FCPF CTA

#### **4. INSTITUTIONAL ARRANGEMENTS**

The work will be undertaken over a four-month period from October 2016. Following stakeholder consultations, the consultant will support a validation workshop organized by CCDA prior to finalizing the report.

The FCPF project management unit (PMU) will provide support to the consultant with regard to logistics when in PNG, including introductions to key stakeholders and organization and financing of workshops. Travel outside of Port Moresby, if required, will be covered by UNDP. The consultant will be responsible for her/his own transport within Port Moresby.

#### **5. DURATION OF THE ASSIGNMENT**

The duration of the assignment is 30 days over four months from October 2016 to January 2017. In accordance with expected outputs and deliverables, the National Consultant submits reports to FCPF REDD+ Project Chief Technical Advisor for review outputs, comments, certify approval/acceptance of works afterwards. In case of any delays to achieve the expected outputs, the National Consultant should notify the FCPF REDD+ Chief Technical Advisor in advance to take necessary steps.

#### **6. DUTY STATION**

The duty station for this assignment is Port Moresby, Papua New Guinea

#### **7. DEGREE OF EXPERTISE AND QUALIFICATIONS**

##### **Education**

- Post-graduate degree (LLM or MA) in law with a focus on natural resources or closely related field.

##### **Work experience**

- A minimum of 10 years progressive experience in law related to natural resource management or a related field;

- Strong understanding of REDD+ under the UNFCCC, including application of REDD+ concepts and implementation in developing country contexts;
- Experience with REDD+ development and implementation in PNG, or the Pacific region;
- Strong inter-personal skills, in particular, demonstrated team leadership qualities and excellent oral communication skills.
- Experience of PNG is a requirement.

#### **Language requirements**

- Fluency in written and spoken English.

### **8. SCOPE OF PRICE PROPOSAL AND SCHEDULE OF PAYMENTS**

In accordance with UNDP IC guidelines, the proposal must include “Lump Sum Amount” approach which is closely linked to deliverables. It must be **“all-inclusive”** and shall take into account various expenses incurred by the consultant during the contract period (e.g. fee, health insurance, vaccination, office costs and any other relevant expenses related to the performance of services).

All envisaged **travel costs** must be included in the financial proposal. If duty travels are expected, UNDP will provide the Consultant with the UN’s Daily Subsistence Allowance (DSA) rates prevailing at the time of sourcing, for the duty station and all other cities indicated in the TOR as part of duty travel destinations. This will give the Consultant an indication of the cost of living in a duty station/destination, to aid their determination of the appropriate fees and financial proposal amount, but it does not imply that Offerors are entitled to DSA payment<sup>2</sup>.

The **initial payment** shall include the actual cost of the IC’s travel to arrive at the designated Duty Station. Such cases therefore imply that the completion of the journey can be considered as one of the deliverables payable upon arrival.

Payments will be made only upon confirmation of UNDP on delivering on the contract obligations in a satisfactory manner.

National Consultant is responsible for ensuring they have vaccinations/inoculations when travelling to certain countries, as designated by the UN Medical Director. Consultants are also required to comply with the UN security directives set forth under [dss.un.org](http://dss.un.org)

### **9. APPLICATION PROCEDURES**

Qualified candidates are requested to apply by September 14, 2016 by sending their application packages to [registry.pg@undp.org](mailto:registry.pg@undp.org) with the subject line “FCPF REDD+ National Consultant on the Grievance Redress Mechanisms in PNG”.

The application should contain:

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<sup>2</sup> *Individuals on IC are not UN staff are therefore not entitled to DSAs. All living allowances required to perform the demands of the TOR must be incorporated in the financial proposal, whether the fees are expressed as daily fees or lump sum amount.*

- **Cover letter** explaining why you are the most suitable candidate for the advertised position and a **brief methodology** on how you will approach and conduct the work (if applicable). Please paste the letter into the "Resume and Motivation" section of the electronic application.
- **Filled P11 form** including past experience in similar projects and contact details of referees, please upload the P11 instead of your CV.
- **Financial Proposal\*** - specifying a total lump sum amount for the tasks specified in this announcement. The financial proposal shall include a breakdown of this lump sum amount (number of anticipated working days – in home office and on mission, travel – international and local, per diems and any other possible costs). For more details, please see Section 8. "Scope of Price Proposal and Schedule of Payments".

**Note: Incomplete applications will not be considered. Please make sure you have provided all requested materials.**

## **10. EVALUATION OF APPLICANTS**

Applicants will be evaluated based upon the offer which gives the best value for money based on the Lump Sum proposal submitted, selected by the UNDP PNG Country Office in consultation with the UNDP Bangkok Regional Hub Technical Advisor.

The Technical and the Financial Proposal submitted to by the National Consultant will be evaluated on the basis of the weight of the technical criteria [70] and of the financial proposal [30].

The evaluation will be performed in two stages:

Stage One (Technical Evaluation of Proposals). All Individual Consultants proposals comprising the information/documentation provided will be evaluated to ascertain the suitability of the individual consultants to carry out the assignment. Candidates who obtain the minimum of 49 points of the full mark (70 points) will be considered technically compliant and their financial evaluations will be evaluated thereafter.

Stage Two (Financial Evaluation). The financial proposals of all the individual consultants who pass stage one will be evaluated. The maximum 30 points will be allotted to the lowest financial bid, and all other bids shall receive points in inverse proportion to the lowest fee e.g.  $[30 \text{ Points}] \times [\text{USD lowest}] / [\text{USD other}] = \text{points for other proposer's fees}$

The award of contract shall be based on the individual consultant who receives the highest cumulative score.

### **Technical criteria**

The following criteria will be used to evaluate the individual consultants' technical proposals:

Education – 10 points

- Post-graduate degree (LLM or MA) in law with a focus on natural resources or closely related field.

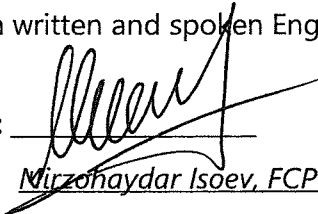
Experience – 50 points

- A minimum of 10 years progressive experience in law related to natural resource management or a related field;
- Strong understanding of REDD+ under the UNFCCC, including application of REDD+ concepts and implementation in developing country contexts;
- Experience with REDD+ development and implementation in PNG, or the Pacific region;
- Strong inter-personal skills, in particular, demonstrated team leadership qualities and excellent oral communication skills.
- Experience of PNG is a requirement.

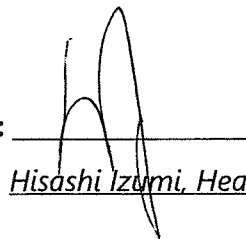
Language Requirements – 10 points

- Fluency in written and spoken English.

Prepared by: \_\_\_\_\_

 01/09/2016  
Mirzohaydar Isoev, FCPF REDD+ Chief Technical Advisor

Approved by: \_\_\_\_\_

  
Hisashi Izumi, Head of Programme, UNDP PNG Country Office