

Terms of Reference

Short Term Expert in EIA/SEA, as IRMs for the International Rio Conventions Integration and Synergic Implementation

CB2 Project MSP - PIMS 3069 “Strengthening Capacity to Integrate Environment and Natural Resource Management for Global Environmental Benefits”

I. INTRODUCTION

Project background information

The CB-2 project aims to expand Romania’s capacity to generate global environmental benefits through mainstreaming the Rio Conventions into national, regional and local decision-making. It will do this, *firstly*, by enhancing the enabling environment for convention implementation, including modifying institutional, legislative, policy and reporting frameworks to reflect conventions commitments and, *secondly*, by improving institutional and individual capacity within the lead agencies for convention implementation (MMP and MARD)¹. The latter component will strengthen mechanisms, tools and training to support the use of Integrated Resource Management to mainstream conventions themes into sectoral plans and programmes. The project also addresses the objectives of the three GEF focal areas and three of the four interim programming priorities under GEF Strategic Priority CB-2, **Cross-cutting Capacity Development**: (1) **Improve national convention institutional structures and mechanisms**; (2) **Strengthen policy, legislative and regulative framework**; and (3) **Mainstream global environmental priorities into national policies and programmes**. The project is consistent with a key UNDP programme objective for Romania: to enhance environmental governance at national and local levels for better compliance with EU standards and international conventions, through policy development and integration of environment into other sectors.

The Ecological University of Bucharest (UEB) is the Delegated Executing Agency of this project. A Project Management Unit (PMU) was formed², with the aim of providing project management service. The PMU reports to the National Steering Committee (NSC) and UNDP, and liaise closely with the National Execution Agency (NEA/ MMP) and the chair and members of the NSC to prepare all project work plans and managerial and financial reports.

Situation Analysis

Romania has ratified over 20 Multinational Environmental Agreements since 1992, including the “Rio Conventions” on biodiversity, climate change and land degradation (CBD, FCCC, CCD) and prepared related Action Plans. Romania’s accession to the EU, in January 2007, has triggered improvements to the institutional, legal and policy framework for environmental management, and led to the preparation of numerous environmental and sectoral plans, strategies and programmes. However, Rio Conventions management has continued to be fragmented and uncoordinated, and conventions implementation has been weak, due, in part, to poor integration of convention themes into EU-related reforms in policy-making, environmental and natural resource management, public administration, decentralization and regional and local planning.

¹ MMP = Ministry of Environment and Forests; MARD = Ministry of Agriculture and Rural Development

² PMU, is made up of a Project Manager (PM), and a Project Assistant (PA)

The analysis of the baseline situation indicated that there are many positive initiatives to improve environmental and natural resource management, yet there are also missed opportunities to integrate convention themes into these initiatives. *Institutions*: There is a well-developed institutional framework for environmental and natural resources management, with Convention Units in MMP (FCCC and CBD). However, convention responsibilities are unclear and convention units and activities are poorly integrated into MMP and MARD programmes at national, regional or local levels. There are no or weak collaborative mechanisms to involve other ministries or stakeholders in achieving convention goals. There have been only limited efforts to bring convention issues into sectoral plans and strategies, and there has been no involvement by regional and local environmental authorities.

Project Strategy

The strategy of the current project is three-fold, as follows³:

A. Enhance the enabling environment (institutional, legal and policy frameworks). This involves strengthening the institutional and legal arrangements for convention implementation, including delineation of accountability, roles and responsibilities, and reporting and collaborative mechanisms. It also involves amendments to current laws, strategies and plans to enable integration of convention themes into relevant policies, plans and programmes.

B. Strengthen capacity to integrate the conventions with sectorial and regional planning, programmes and projects. The MARD has the mandate for the agriculture and rural development sectors. Thus, strengthening its institutions, laws and norms, enhancing the capacity of its personnel and promoting collaboration with MMP creates rich possibilities for meeting multiple convention objectives through Integrated Resources Management (IRM). Alignment and close coordination with EU-supported institutional and sectorial capacity building provides a strategic entry point for the GEF to address cross-cutting convention issues that now are not being addressed.

C. Improve institutional and individual capacity of MMP and MARD. This strategy involves strengthening the technical capacity of MMP and MARD through awareness-building, technical assistance and applied training, so that they can better implement convention themes into Ministry activities at national, regional and local levels.

II. PURPOSE OF THE CONSULTANCY

The problem is that:

- Environmental Impact Assessment/ EIA system is in place, but it does not fully cover the inclusion of integrating all possible themes of Rio Conventions;
- There is provision for Strategic Environmental Assessment/SEA, but it is rarely used to address regional and/or sectoral issues, with respect to Rio Conventions synergic implementation;
- Non-government stakeholders are using some Integrated Resources Management/IRM techniques, but government-non-government collaboration is rare.

³ The proposal was initially submitted to GEF Secretariat on April 26th, 2006 and re-pipelined for 2007 as per GEF Secretariat information and upon request resubmitted on March 2nd, 2007. Proposal approved on March 28th, 2008; Project Document signed in June, 2008.

Under this consultancy, the principal responsibility of the consultant is to make a thorough analyze of the existing Environmental Impact Assessment - EIA and Strategic Environmental Assessment - SEA procedures, as tools of integrated Rio Conventions obligations implementation evaluation, in mainstreaming their requirements, into synergies of natural resources and environmental management, for global environmental benefits. This would involve reviewing and **strengthening the EIA/SEA system** to better integrate convention themes, through process changes, if needed, and the elaboration of codes of good practices and project or program **specific guidelines and checklists**. There should also be conducted a **training** needs assessment and then an assistance training program, for responsible EIA/ SEA authorities in how to use these tools to promote more sustainable programs and projects. Further analysis will be undertaken to identify which of the Integrated Resource Management - **IRM tools** listed in the table below, that are already being used in Romania, need **strengthening**, and which **new others** should be introduced.

Selective Tools of Integrated (Natural) Resources (and Environmental) Management	Central Authorities/ MMP	Regional/ county offices of Agriculture and Rural Development	National Environmental Protection Agency	Environmental Guard	Regional & Local Environ. Protection Agencies
Rio Conventions and MEAs	X	X	X		X
Integrated Rural Development & Integrated Agricultural Development	X	X			
Environmental Impact Assessment & Monitoring	x		x	x	X
Strategic Environmental Assessment	x		X	x	
Use of GIS to implement plans & programmes	X	X	X	x	X
Integrated Watershed Management		X			X
Natural Resources Valuation (an environmental economics tool)	X	X	X		X
Regional Planning		X			
Urban Planning (SEA, for national & regional)	X				X
Stakeholders Involvement	X	X	X	x	X
Public Awareness & Media Strategies			X		X
Programme and Project Management	X	X			
Incentives (financial and non-financial)		X			
Technology and Knowledge transfer		X			
State of Environment Reporting & Indicators to monitor conventions implementation	X			x	

Within the framework of this ToR, the consultant is expected to perform the following duties:

- Make a review of the current systems for EIA and SEA, and provide recommendations for improvements of procedures and practices for follow-up and monitoring after EIA, which should ensure that (negative) environmental impacts of an investment are avoided or mitigated during construction and operation;
- Revise EIA and SEA processes, as recommended in the review above;
- Review additional IRM tools used in Romania (as listed in the Table above) to identify strengths, weaknesses and recommendations to improve these processes. Focus on the tools seen as most valuable by Ministry staff (as identified through a needs assessment);
- Propose a training portfolio, for relevant government and scientific staff in applying the above tools, including conducting a train-of-trainers program;
- Develop codes of good practice, guidelines and checklists to support various IRM processes, including design, planning, implementation, follow-up and monitoring stages, for the use of MMP and other responsible authorities.

All these tasks should be accomplished in close dialogue with the rest of the project technical team members, in consultation with the project Working Group of stakeholders representatives and in agreement with the guidance provided by the National Steering Committee – NSC of the project. As well, each of the recommended aspects, especially with respect to the IRM tools, should be reflected in their operational application, with the pilot activities of the project, in addressing priority issues, at each of the eight Development Regions, in Romania.

III. EXPECTED DELIVERABLES AND TENTATIVE TIMEFRAME

Deliverables:

- Preliminary report detailing the findings and improvement recommendations regarding EIA/ SEA systems and procedures, IRM tools analyze and the training portfolio suggested, to enhance MMP and their field agencies technical and managerial capacity to integrate environmental and sectoral resource management;
- Summary report of the consultations with the stakeholders Working Group and the revised report comprising the proposed improvements;
- A series of materials on Codes of Good practices, Guidelines and Checklists for EIA/ SEA and IRM use in projects and programs implementation, integrating the Rio Conventions themes;
- Training materials which reflect the above consultancy outcomes, and the delivery of a Train-of Trainers session, on the indicated topics;
- A final report, illustrating the overall accomplishments, including the practical use of IRM, into defining priority issues at regional level.

Tentative timeframe

- Consultancy work shall start Nov. 10th, 2010 to be concluded through July 31st, 2011.
- Estimated consultancy time allocation = 40 work-days

Preliminary report	Delivery expected: March 25 th , 2011
Summary report of the focus group	Delivery expected: April 25 th , 2011
Good practices and Checklists	Delivery expected: May 25 th , 2011
Training materials and sessions	Delivery expected: June 25 th , 2011
Final report	Delivery expected: July 25 th , 2010

IV. REQUIREMENTS:

The consultant should possess the following Competencies and meet the following Requirements:

Competencies:

- High degree of familiarity with UNFCCC, UNCBD, UNCCD Conventions and their implementation in Romania and at global level as well as knowledge of other Conventions, such as the Stockholm Convention (POPs) and others relevant Conventions for Romania, related to these;
- Proven knowledge and experience on EIA/ SEA procedures and IRM tools is a must;
- Knowledge of the EU environmental management framework;
- Knowledge of the environmental management framework in Romania;
- Acquaintance with the Romanian administrative and local governance structures will be an advantage;
- Acquaintance with MMP and MARD structures will be considered an advantage;
- Good working experience in undertaking desktop research and publications review;

- Experience in conducting interviews and work with focus groups;
- Demonstrated skills to interpret, present and report data/information and to elaborate public materials;
- Capacity to coordinate working groups and use participative methods to build consensus;
- Proven knowledge and experience on training programs designing, delivery and evaluation;
- Prepared to work in a fast evolving dynamic environment; including all changes implemented under the harmonization programme with the EU Directives.

Required Skills and Experience:

Education:

Advanced university degree in the fields of nature conservation and environmental protection, natural resources management, public administration or related fields.

Work experience:

At least five years of experience in areas related to the implementation of the Rio Conventions and/or other MEAs, particularly in EIA/ SEA system and use of IRM tools.

Experience and knowledge in conducting training sessions and to elaborate necessary support materials for.

Languages:

Able to provide assignment outputs of high quality in Romanian and English.

V. IMPLEMENTATION ARRANGEMENTS:

The principal responsibility for managing this consultancy lies with the Delegated Executing Agency – The Ecological University of Bucharest, and The Project Management Unit. The Project Management Unit within the Ecological University of Bucharest will contract the consultant and ensure timely provision of the necessary feedback on deliverables.

The Project Management Unit within the Ecological University of Bucharest will have the responsibility of liaising with the team of consultants and assisting with logistical support, as case may be, in setting up stakeholder’s interviews and coordinate with the Government.

EVALUATION OF APPLICANTS:

Successful candidates will be selected based on a cumulative analysis of their technical capacity and their financial offer.

All applications and enquiries must be sent:

- by e-mail to Mr. Pop Dorin Alexandru, CB2 Project Assistant, dorinal Alexandru@yahoo.com with Cc at environment.ro@undp.org.

Applications must contain the following documents:

- CV (preferably in English) – with highlights on the required knowledge, skills and experience;
- Letter of intention, that will highlight the applicant’s skills in relationship to the assignment and the applicant’s approach to the given assignment
- Financial offer, expressed as (gross) fee/ day, in USD.

The deadline for submitting applications is November 2nd, 2010.