



REPUBLIC OF ZAMBIA

ASSESSING THE ROLE OF SAFEGUARDS, ENFORCEMENT AND GOVERNANCE IN REDD+ IMPLEMENTATION IN ZAMBIA

Terms of Reference for National Level Consultancy (Firm/Consortium)

BACKGROUND

Zambia is among the first pilot countries for the climate-change mechanism REDD+, which stands for reducing emissions from deforestation and forest degradation and the role of conservation, sustainable management of forests and enhancement of forest carbon stocks in developing countries. The readiness stage for this mechanism entails the participatory development of a national REDD+ Strategy, which will comprise policy reforms, investments and a related REDD+ implementation framework, with due monitoring and safeguard systems, in line with agreements and negotiations under the United Nations Framework Convention on Climate Change (UNFCCC). In essence, REDD+ is an international mechanism that intends to enhance the value of standing forests and incentivise sustainable forest management through a multi-stakeholders approach and a green development perspective. Zambia is fully engaged in advancing REDD+ and a partner member of UN-REDD (a United Nations collaborative programme, comprising FAO, UNDP and UNEP).

A UN-REDD Zambia national programme for REDD+ is underway, with a financial allocation of US\$ 4.49 million, in order to advance the national REDD+ readiness process. The Programme's goal is to prepare Zambian institutions and stakeholders for effective nationwide implementation of the REDD+ mechanism. The Programme's objectives are: (a) to build institutional and stakeholder capacity to implement REDD+; (b) to develop an enabling policy environment for REDD+; (c) to develop REDD+ benefit-sharing model; and (d) to develop Monitoring, Reporting and Verification (MRV) systems for REDD+. A total of six outcomes are envisaged: (1) Capacity to manage REDD+ Readiness strengthened; (2) Broad-based stakeholder support for REDD+ established; (3) National governance framework and institutional capacities for the implementation of REDD+ strengthened; (4) National REDD+ strategies identified; (5) MRV capacity to implement REDD+ strengthened; and (6) Assessment of Reference Emission Level (REL) and Reference Level (RL) undertaken.

The **REDD+ Strategy** is the core, pivotal basis for a REDD+ readiness phase. As part of supporting the building of the REDD+ Strategy, the consultancy to assess the role of safeguards, enforcement and governance in REDD+ implementation is being undertaken to provide some of the critical pillars for the strategy and its future implementation in Zambia.

Context and Approach

The following terms of reference represent the core primary step towards achieving the stated goal and objectives below. Inter-related and complementary analytical clusters of studies are being undertaken, to provide the elements and content for informing the REDD+ strategy. It is expected that a multi-disciplinary team will conduct these studies.

It is worth noting that safeguardsⁱ and governance are closely inter-linked and mutually re-enforcing. For example, one of the seven safeguards recommended by the UNFCCC Conference of Parties is “Transparent and effective national forest governance structures”. The set of seven safeguards recommended by the sixteenth session of the conference of parties the UNFCCC Conference in Cancun in 2010 (COP16) will thus be assessed in the Zambian context. Both the Cancun and Durban Agreements are broad, and leave considerable flexibility for parties to interpret what they mean in practice. Similarly, governance systems and structures would need to be enforced to oversee the implementation of safeguards. Essentially, therefore, the synergies amongst these two themes would be explored in this assignment and a conceptual or analytical framework linking the thematic areas under discussion defined.

Objective

The overall objective of the consultancy is to conduct assessments of existing REDD+ safeguard identify gaps and propose recommendations that will inform the development of the REDD+ strategy and its subsequent implementation. Notably, for example, the core safeguards principles of transparency, participation, accountability, and governance would be explored.

Scope of work

The REDD+ safeguard principles and related interventions are mandatory and therefore global in scope. However, these have to be interpreted and assessed in the national context to ensure country ownership and country specific approaches. Taking into consideration the national context, the consultancy will assess the implementation of the seven safeguards recommended by UNFCCC and how these can be internalized in Zambia. The analytical work will review REDD+ safeguards as a whole as well as relevant policies, legislation and regulations that are related to REDD+ safeguards across sectors and within the national legal system and relevant institutions. The study should draw lessons from on-going or planned REDD+ projects and propose recommendations with e overall governance principles. .

The Tasks:

1. Review existing international literature on REDD+ environmental and social safeguards notably the Cancun Agreements and subsequent Agreements and assess how safeguards can effectively be addressed and respected in REDD+ activities in Zambia. This should include but not limited to:
 - a. Rights and ownership of forest carbon on different land tenure systems;
 - b. Carbon rights and benefit-sharing in carbon trading in Zambia, including key issues and lessons;
 - c. Identify conflicts that have occurred or potential conflicts that might occur as a result of non-adherence of safeguards;

- d. In relation to point (C) above, outline redress mechanisms on issues related to REDD+ and how lessons can be drawn for REDD+ implementation;
 - e. How key specific social and environmental risks/potential risks in REDD+ can be taken into consideration in Zambian context, particularly through on-going initiatives;
2. Analyze national safeguard policy response processes and examine what additional safeguards are needed in order to respond to the UNFCCC requirements as well as opportunities that Zambia can build on;
 3. Carryout a detailed national assessment of existing information sources and systems for information-sharing, development of indicators, choice of information/data methodologies and approaches etc on safeguards;
 4. Based on the above-mentioned and through a stakeholder consultative process, propose recommendations for:
 - a. Defining an overall country-level safeguard approach to design and implement safeguards comprehensively and effectively within the context of the REDD+ strategy and implementation arrangements in Zambia;
 - b. Propose a safeguard framework that provides the basis for the country's response to UNFCCC needs based on the identified gaps and comply with the UNFCCC recommended standards;
 - c. Identify standards, policy, principles and criteria and/or overarching policies which effectively define what social and environmental safeguards should be met or be put in place by various actors involved in designing and implementing REDD+ activities;
 - d. Propose detailed recommendations or options to establish or strengthen governance systems to oversee and monitor the work on safeguards (e.g. what data is to be collected, who collects the data, frequency of data collection, the scale at which data is collected (e.g. at the country, local or project level), methodologies to be used, what should be monitored, how it should be monitored and who should monitor it);
 - e. Propose specific recommendations for reviewing the policies and legislation or strengthening existing legislation, regulations and policies to optimize REDD+ safeguards (Build on Country Study on Legal Preparedness);
 - f. Propose options for developing a safeguard information system (SIS) which builds on the web portal and database on REDD+ and National Forest Monitoring System;
 5. Support the holding of a multi-stakeholder consultations to present the finding and work on REDD+ safeguards;
 6. Prepare a Policy brief on Safeguards, Enforcement and Governance with the support of the UN-REDD team.

In implementing the above-mentioned tasks, explore lessons and experiences from other countries, particularly those within the region, on their analytical and strategic planning processes to address safeguards.

Time Frame and Deliverables

The assignment will have the duration of 40 working days. A proposed time frame follows.

Deliverables	Timelines
Inception report including a complete methodology and approach to the	2 days after signing of contract

task	
Inception workshop in Lusaka	1 day
Interviews, focus meeting, field visits– all resulting in a progress report (with power-point summary) and preparation of draft report	25 days
Internal Review, Revision of Report and Stakeholder validation	4 day
Final report providing options and considerations for promoting safeguards, enforcement and governance on REDD+ in Zambia	4 days after stakeholder consultative meeting
Policy Brief on Safeguards	4 days

*The report should be submitted in draft in both electronic and printed.

1. Team Composition and Required Qualifications

A firm or Institution with at least two experts will be contracted to undertake the assignment.

1. Natural Resource/Forestry Expert:

- At least a Masters Degree in Natural Resource Management, environmental economics or a development-related subject
- An expert safeguards, forest/environmental governance with demonstrated international experience on REDD+ issues;
- Demonstrated experience and strong knowledge in REDD+ and related areas in Zambia, such as general forest management;
- Demonstrated strong knowledge of financing sources, mechanisms and instruments; Broad knowledge of REDD+ and its role in climate change discussions and approaches;
- Relevant experience in research in the area of forest governance and public management in the natural resource sector;
- Demonstrated in assessing laws and policies related to fiscal management, economics and finance.
- Prior experience from Sub-Saharan Africa preferred.

2. Legal Expert REDD+:

- At least a Master's Degree in Law or legal related field ;
- Experience in the policy and legal reviews;

- Broad knowledge of climate change mitigation and/or adaptation in Zambia;
- Broad knowledge of political and economic development in Zambia and how REDD+ fits in with that;
- Excellent organizational skills;
- Fluent written and spoken English.

Helpful Information and Resources

1. UN-REDD tools/guidelines/methodologies
 - a. Social and Environmental Principles and Criteria SEPC
 - b. UN-REDD/FCPF Stakeholder Engagement Guidelines and UN-REDD FPIC Guidelines
 - c. Benefits and Risk Tool (BeRT)
 - d. Participatory Governance Assessments
 - e. Guidance on Conducting REDD+ Corruption Risk Assessment
 - f. Guidelines on Strengthening Establishing National-Level Grievance Mechanisms
 - g. LEG-REDD+

2. Institutional and Context Analysis

Studies on

3. Legal Preparedness for REDD+
4. Stakeholder Assessment and Engagement Plan
5. Preliminary Study on Drivers of Deforestation
6. Assessment of previous, ongoing and planned forest management activities with potential for REDD+
7. Drivers of Deforestation and threatened forest
8. Economic Context of REDD+
9. Past and current practices related to REDD+
10. Green House Gases Inventory and Reporting methodology
11. Development of Reference Emission Levels
12. Soil Survey Design and Methodology Development
 - a. Support for estimation soil organic carbon- linked to ILUA II

Links to other initiatives

- Joint Forest Management
- CBNRM
- NAP
- Forestry Policy

Partners

- Ministry of Justice
- Law Association of Zambia
- UN Agencies
- Climate Change Secretariat

ⁱ Broadly defined Safeguards are procedures and approaches that can help to ensure that REDD+ activities “do no harm” to people or the environment. Safeguards could be put in place by various actors involved in designing and implementing REDD+ activities (Ref: UN-REDD Policy Brief, Number 3).