

**Terms of Reference (TOR) for the Consulting Services of
National Technical Advisor (NTA) for Three PONREs
(Xiengkouang, Luang Phabangand, Houaphanh Provinces)
For Implementation of LENS2 Subproject
(Revised on 28 February 2016)**

A. INTRODUCTION

1. Government of Laos (GOL) has accessed \$6.83 million of GEF funding (from Biodiversity, Land Degradation, and Sustainable Forest Management focal areas) and \$32 million of World Bank (WB) funds (national and regional IDA funding) for implementation of the Second Lao Environment and Social Project (LENS2 or the Project). The Project development objective (PDO) of LENS2 is: *to help strengthen selected environmental protection management systems, specifically for protected areas conservation, enforcement of wildlife laws, and environmental assessment management* and the Project activities will be implemented until June 2021. The Environment Protection Fund (EPF) is the executing agency of the Project. EPF, through its executive Office (EPFO) provides subgrants for subprojects proposed by Government or non-government entities in the realm of environment conservation and management.

2. Among the approved subprojects, there are 3 subprojects from the Provincial Office of Natural Resources and Environment (PONRE) of Xiengkouang (XK), Houaphanh (HP), and Luang Phabang (LPB) have been approved by EPF and the WB and are being implemented. These subprojects aim to improve capacity of PONRE staff in project planning and coordination for Protected Areas (PAs) and Protection Forests (PFs) in the provinces through training, public awareness, and other activities including preparation of additional proposals for the subprojects.

3. The subproject activities of each three PONRE are being implemented through the following 3 components¹ :

- *Component 1: Capacity building and coordination for PA and PF management* aiming to improve its capacity to manage the subproject as well as training and capacity building activities to the staff in coordination for Protected Areas and Protection Forest.
- *Component 2: Support for PA and PF management* providing technical assistance for PA and PF management of priority activities.
- *Component 3: Subproject administration and monitoring.*

4. To ensure timely implementation, the 3 PONREs have agreed to pool their financing to recruit a full time highly experienced National Technical Advisor (NTA) for a period of about 2 years. The NTA will work closely with the subproject team of each PONRE and other related LENS2 subproject team, especially the Division of Forest Resource Management (DFRM), and Project/subproject consultants/advisors in close consultation with EPFO staff. Objectives and scope of the services are described below.

B. OBJECTIVE OF THE SERVICES

5. To support PONREs' managers and subproject staff to timely and effectively implement the subproject activities of the 3 PONREs of LPB, XK, and HP and to mobilize additional financing from LENS2.

¹ See the key activities of each PONRE in Annex 1 of these TORs and in the subproject proposals are available with the respective PONREs and in the EPFO website.

6. Specific outputs/deliverables include:

- Quality enhancement of annual work plan and budget (AWPB) timely prepared by each PONRE prior to the beginning of each fiscal year, and of the semester progress reports timely prepared by each PONRE and delivered to EPF 30 days after the end of each period,
- Three subproject proposals packages for additional financing including proposal document, safeguard documents and AWPB for year 1 of implementation all by March 2017 and approved by EPF and WB by June 30 2017;
- Training of the three PONREs/DONRE staff on subproject management so they could implement and monitor or efficiently their current subproject as well as the future additional financing activities.

C. SCOPE OF THE ASSIGNMENT

7. The National Technical Advisor (NTA) will assist the 3 PONREs and facilitate timely implementation of the 3 PONRE subprojects in close consultation with EPFO². The NTA is expected to spend at least 25% of his time in each of the three provinces according to a calendar to be agreed at negotiation.

8. Specific tasks will include, but not limited to, the following:

Task 1: Subproject Planning and Reporting Supports

9. Context: The subproject activities including work schedule and budget are described in the subproject proposals and the AWPB documents. The subproject preparation and implementation is governed by the subproject grant agreement and Project Implementation Manual (PIM) of LENS2³. PONREs are required to submit the semi-annual progress report, the annual progress report, and the follow-on year AWPB in a timely manner as well as ensuring achievement of the outputs agreed in the subproject proposals.

- The NTA will review, evaluate and possibly help re-organize each PONRE monitoring and evaluation (M&E) systems and data collection, train staff as necessary and coordinate data collection by PONRE staff as well as consolidation of reporting to Department of Forest Resources Management (DFRM) and EPF;
- The NTA will assist the 3 PONREs to plan and implement each of the subproject activities listed in the AWPB in close consultation with key concerned agencies of MONRE (especially DPC, DFRM, DESIA, and PCD) and EPFO. These activities are expected to include study tours, workshops, field support mission, protected area planning, data collection, training, design of specifications for equipment, awareness raising, support to the Nam Et Phou Leau National Protected Area (NEPL NPA), etc.
- The NTA will provide technical support to the subproject steering committee as needed. Training to the subproject staff (see Task 3 below) will also be made to ensure that the subproject staff can timely perform the subproject management tasks as required.

² The NTA will sign a single contract with all three PONREs. Payment will be made by EPFO upon specific deliverables and endorsement of the PONREs.

³ PIM for LENS2 is available in the EPFO website (...)

- The three PONREs are jointly supporting the development of a 3-province management model for the NEPL NPA. The NTA will ensure that all three PONREs participate equally in the process, build their capacity to support the NEPL NPA, stimulate the PONRE and DONRE teams to ensure progress and work with the DFRM team, POFIs and the Wildlife Conservation Society (WCS) team tasked to design the NEPL subproject.

Task 2: Preparation of Additional Financing

10. **Context:** Under LENS2, PONRE is eligible for capacity building in PAs management as well as on environment and social impact management given high priority on issues related to implementation of the environmental impact regulations, waste management, and/or pollution control. Under the on-going subprojects, the 3 PONREs have identified priority PAs to be implemented using the approach approved in the Community Engagement Framework (CEF) using a Payment for Ecosystem Services (PES) approach. These priorities will be addressed by mobilizing additional financing for the same subprojects (see below). While a validation is necessary, the expanded area of intervention are expected to include:

- Xiengkhuong (XK) -- Nam Ngum NPF;
- Loungphabang (LPB) – Phoupherng Phouphatoon and Tad Kuangxee;
- Haouphan (HP) -- Nam Xam-Nam Sim NPF.

11. In addition, the DFRM with assistance from LENS2 is preparing a database to track external investments that overlap protected areas, the Department of Environmental and Social Assessment (DESIA) with assistance from LENS2 is establishing a database for monitoring of ESMP and concession agreement (CA) implementation of category A investment while the Pollution Control Department (PCD) and the Natural Resources and Environment Research Institute (NERI) will strengthening their functions. The Department of Environmental Quality Promotion (EQMP) is planning to support PONRE capacity to implement the integrated spatial planning (ISP) and promotion of “clean, green, beautiful” city. Effective integration and/or complimentary of these activities are important to enhance potential impacts of LENS2.

- Under the assignment, the NTA will work closely with PONRE and their partners (e.g. JICA in LPG, CLIPAD & WCS in HUA) and prepare a proposal for additional financing to be implemented during 2017-2020 in the priority PA including safeguard implementation and capacity building on PA activities and on environment and social impact assessment, waste management, and/or pollution control.
- Specific actions may include, but not limited to, the followings:
 - Review and discuss priority issues related to the PA management of the target PAs including PES application, the Government EIA/IEE regulations, and the WB safeguard requirements (ESMP, CEF implementation as PES system). Collect, through desk and field work, and review all available information on each of the PAs proposed for support including (a) staffing and management plan, (b) ecological, wildlife, vegetation inventories or surveys, (c) socio economic data on communities such as demography, ethnic make up, production system, poverty, historical engagement in natural resources management (NRM), dependence on the PA resources, willingness to contribute to PA management, etc., (d) ongoing or proposed overlapping external projects and investments such as roads, power lines, hydropower, mining, agriculture concessions and assess the severity of the proposal, the existence of EIA, etc., (e) carry out a threat assessment, calculate

the METT and the score of functional capacity, (f) carry out a comprehensive community consultation using protocols and processes defined in the Environment and Social Management Framework (ESMF) and the CEF, (g) contribute to the re-delimitation process to be carried out by DFRM and DOF and which is likely to seriously impact the boundary of the proposed PA and possibly the relevance of the additional financing for that PA, (h) organize workshop in the province and consultation with DFRM to ensure alignment with emerging guidelines and regulations, etc.

- Review and discuss priority issues related to the management of environmental and social management (IEE/EIA, waste management, pollution control). Priority should be given to building PONRE capacity to implement:
 - the IEE regulation including social impact assessment, resettlement and compensation, and grievance mechanism; capacity building on monitoring the implementation of CA and/or ESMP of investment projects (especially hydropower, mining, infrastructure, and industry) in close consultation with the Department of Environment and Social Impacts Assessment (DESIA) and line agencies; and/or
 - waste management and pollution control.
- Based on the above work, for each PONRE, the NTA will prepare a proposal for additional financing to EPF including an Environment and Social Management Plan (ESMP) for the additional financing of the subprojects as required by the LENS2 Environment and Social Management Framework (ESMF). Specific requirements will be discussed with EPFO and/or WB safeguard specialists.

NOTE: It is expected that each proposal will have value on their own rights and respond to the specific needs of each PONRE instead of mirroring each other as if all PONREs are equal.

Task 3: Training

11. **Context:** PONRE is the key agencies responsible for ensuring effective management of PA and environment and social impact management system at local level covering provincial, district, and village levels. Under LENS2, a number of trainings related to PA management and environment and social safeguards to be conducted by the National University of Lao (NUOL) (FFS, FEB, FSS, FES, FNS) and MONRE agencies (DPC, DFRM, DEQP, DESIA, PCD, NREI). The NTA will work closely with these agencies and key sector agencies in the provinces to ensure effective training and capacity building of these programs for PONRE/DONRE staff.

- In close consultation and coordination with EPFO staff, the NTA will provide training for PONREs/DONREs on all dimensions of subproject implementation such as planning, M&E design data collection, writing subproject proposal, etc. Due attention will be given to (a) advice PONRE/DONREs on the establishment and updating of PA databases to be given by DFRM; (b) enhance coordination and cooperation among key agencies/stakeholders (including Vietnam and/or Thailand) in ensuring effective management of priority PA and environmental and social impact management in the province; and/or undertaking new initiatives with local communities on PA management and/or environmental conservation.
- In close consultation with EPFO staff, the NTA will also provide on-the-job training to the subproject team on the subproject management including preparation of specific

operation manual at provincial/district levels in line with the PIM of LENS2 as needed with an aim to ensure effective implementation of subproject activities.

NOTE: The cost for undertaking any training workshops will be financed by the respective PONRE through their project cost.

D. EXPECTED INPUTS

12. The NTA will receive a 2 year full time contract with a possible extension. He/she will share his/her time equally between PONRE-LPB, PONRE-XK and PONRE-HP. The NTA will spend at least 25% of the time in each of the 3 provinces. PONREs will provide information and data, office space and equipment, a pooled vehicle as necessary and facilities.

E. REPORTING

13. The NTA will prepare and submit the following reports (both in English and Lao):

- Inception report within 1 month of the contract signing. The report should outline the plan to conduct the activities especially time framework preparation of new proposals and the safeguard documents as needed. A number of AWPB reports and progress report of the subprojects (AWPB 2017, six months progress report and annual progress report)
- Three proposals for the additional financing of the 3 PONRE subprojects including AWPB, and safeguard documents.
- A succinct final report describing the activities carried out during the services including achievement, issues, and lesson learnt. The draft report will be submitted to PONREs at least 10 days before the contract completion date or per the schedule as agreed with PONREs.

F. QUALIFICATION AND EXPERIENCES

12. The following lists the key qualifications and experience:

- Bachelor Degree (or higher) in science, engineering, and/or other related disciplines such as forestry, environment, and social aspects related PA management, environment and social impact management and/or project management;
- Minimum of 5 years working experience in the sector related to natural resources management, forestry, PAs management and/or environment and social impact assessment/management with government agencies and/or private sectors with extensive knowledge and experience on project management, planning, budgeting, monitoring and evaluating activities;
- At least 2 (two) similar assignments regarding project design and implementation successfully completed and at least 2 (two) similar assignments regarding the carrying of environment and social impact assessment successfully completed (all with reference provided).
- Excellent in Lao and English speaking and writing skills;
- Computer skills, including Word, Excel, Power point and email.

15. The following additional qualifications would be an advantage:

Experience related to protected area management, wildlife conservation, conservation biology, environmental management and planning, and/or similar specializations;

- Experience with the World Bank and/or international financing projects;
- Experience with community based conservation and multiple-use protected areas;
- Experience in developing and/or reviewing environmental law, policy, guidelines, and strategies; and/or
- Experience in database management related to PA management and/or environment and social impact management.

12. The candidate is expected to demonstrate the following dimensions during the interviews.

- High motivation and spirit in conservation;
- Excellent communication skills both in Lao and English language;

Demonstrated skills in teamwork; and

Positive and constructive approach with working with Lao Government staff.

Annex 1: Component and Activities of the Three PONREs

This annex provides a brief summary on the component and key activities of the 3 PONRE subprojects which are under implementation. Detailed proposals are available at EPFO.

(A) Luang Phabang PONRE

Component	Activities
Component 1. Capacity building and coordination for PA and PF management	<p>1.1 Technical staff will be trained in practice of protected area management.</p> <p>1.2 Technical staff and decision-makers will be participated in study tour abroad on protected area management</p>
Component 2. Support for PA and PF management	<p>2.1. Stakeholder workshops toward better protected area management</p> <p>2.2. Key partner workshops toward better protected area management will be held in the province.</p> <p>2.3. Seminar workshops with neighboring province of Vietnam and Thailand on PA cooperation</p> <p>2.4. Conduct conservation awareness raising and dissemination on relevant laws at markets.</p> <p>2.5. Support the protected area work at district level – District Office of Natural Resource and Environment of Phonsai, Phonthong and Viengkham Districts .</p> <p>2.6. Participate in management planning and monitoring of NEPL NPA.</p> <p>2.7. Prepare subproject proposal of improved coordination and cooperation for Phoupherng, Phouphatoon and Tad Kuangxee with completed safeguard process and Capacity building of PONRE need.</p>
Component 3 Subproject administration and monitoring	<p>3.1 Reports of subproject administration and monitoring (annuals)</p> <p>3.2 Capacity to deliver outputs defined in the AWPB</p>

(b) Xieng Khuang PONRE

Component	Activities
Component 1: Capacity building and coordination for PA and PF management	<p>1.1 Technical staff will be trained in practice of protected area management</p> <p>1.2 Technical staff and decision-makers will be participated in study tour on protected area management</p>
Component 2: Support for PA and PF management	<p>2.1 Stakeholder workshops toward better protected area management will be held for 4 times (as 2 each be held at provincial and district level).</p> <p>2.2 Key partner workshops on PAs and PFs Management (4 Times)</p> <p>2.3 Strengthening the capacity of Phou Kout DoNRE on PA mgt and coordination for NEPL mgt (6 times).</p> <p>2.4 Participate in planning and monitoring of NEPL NPA management(8 times)</p>

	<p>2.5 Conduct conservation awareness raising and dissemination on relevant laws at markets (8 times), at target villages including Phou Sabot Pong Chong NPA (9 villages) and international days to the public event (4 times).</p> <p>2.6 Draft Provincial PA and PF strategy - Workshop with 7 Districts of Natural Resources and Environments to draft Provincial PAs and PFs Strategy for long term management (2 times per each)</p> <p>2.7 Prepare subproject proposal of improved coordination and cooperation for Nam Ngum protection forest (NPF) management with complete safeguard the process.</p>
Component 3 Subproject administration and monitoring	<p>3.1 Reports of subproject administration and monitoring (annuals)</p> <p>3.2 Deliverables” proposed in the AWPB completed each year (annual) by PFRM</p>

(c) Houaphan PONRE

Component	Activities
Component 1: Capacity building and coordination for PA and PF management	<p>1.1 Technical staff will be trained in practice of protected area management.</p> <p>1.2 Technical staff and decision-makers will participate in the study tour on protected area management</p>
Component 2: Support for PA and PF management	<p>2.1 Stakeholder workshops toward better protected area management</p> <p>2.2 Key partner workshops on PAs and PFs Management</p> <p>2.3 Seminar workshops with neighboring provinces of Vietnam on PA cooperation</p> <p>2.4 Conduct conservation awareness raising and information dissemination on laws at markets</p> <p>2.5 Support the protected area work at the district level – District Office of Natural Resource and Environment</p> <p>2.6 Participate in planning and monitoring of NEPLNPA management.</p> <p>Prepare sub-project proposal capacity building for environmental impact assessment in Nam Xam protection forest NPF.</p>
Component 3: Sub-project administration and monitoring	<p>3.1 Reports of sub-project administration and monitoring (annuals)</p> <p>3.2 Deliverables” proposed in the AWPB completed each year (annual) by PFRM</p>