

IMPLEMENTING SUSTAINABLE LOW AND NON-CHEMICAL DEVELOPMENT IN SMALL ISLAND DEVELOPING STATES (ISLANDS)

PROJECT PREPARATION GRANT PHASE

(The Bahamas, Cuba, Dominica)

TERMS OF REFERENCE (02/03/2020)

LEGISLATIVE AND INSTITUTIONAL SPECIALIST - CUBA

(Reference Number: BCRC#10472_2020_004)

BACKGROUND

Under the Programming Directions for the 7th funding cycle of the Global Environment Facility (GEF 7), a specific allocation was made for Least Developed Countries (LDCs) and Small Island Developing States (SIDS) for chemicals and waste management. The programme entitled ISLANDS – Implementing Sustainable Low and Non-Chemical Development in SIDS was approved by the GEF Council in June 2019 (GEF ID 10185), and a subsequent allocation was approved for three (3) additional Caribbean countries, Bahamas, Cuba and Dominica, under the GEF ID 10472 Project in December 2019.

This global programme seeks to address the sound management of chemicals and waste through strengthening the capacity of sub-national, national and regional institutions, strengthening the enabling policy and regulatory framework in these countries and unlocking resources to implement sound management of chemicals and waste. This will be achieved by:

- Implementing Sustainable Low and Non-Chemical Development Strategies in SIDS and LDCs;
- Promoting Best Available Techniques (BAT) and Best Environmental Practices (BEP) to reduce mercury and Unintentional Persistent Organic Pollutants (UPOPs) releases from sectors relevant to the Minamata and Stockholm Conventions in SIDS and LDCs
- Promoting cleaner health-care waste management based on the lessons learnt from GEF-funded healthcare waste projects to reduce UPOPs and mercury releases;

Parties consenting to be served by the Centre:

Antigua & Barbuda Commonwealth of the Bahamas Barbados Belize The Republic of Cuba The Commonwealth of Dominica The Dominican Republic
The Republic of Guyana Jamaica The Federation of Saint Kitts and Nevis Saint Lucia Saint Vincent and the Grenadines Suriname The Republic of Trinidad and Tobago

- Strengthening the management system for e-waste, addressing all stages of the life cycle (i.e. acquisition of raw materials, design, production, collection, transportation and recycling) in SIDS and LDCs;
- Phasing out of mercury-containing products;
- Undertaking gender mainstreaming and project monitoring and evaluation; and
- Developing a strategy to ensure that technical assistance and investments are firmly linked to enhance countries' ability to deal with the management of POPs and mercury in a sustainable manner.

This ISLANDS programme covers three (3) geographical regions including the Caribbean, Indian Ocean and Pacific Islands and is being implemented by the United Nations Environment Programme (UNEP), The United Nations Development Programme (UNDP), The United Nations Food and Agricultural Organisation (FAO) and the InterAmerican Development Bank (IDB).

The ISLANDS programmatic framework has been designed to ensure that lessons and knowledge from each of the child projects are captured and shared among SIDS globally. The aim is to facilitate the replication and scale-up of initiatives based on lessons learnt, the demonstration of best practices and fostering increased south-south cooperation. The ISLANDS programme will support 30 SIDS, including 12 Caribbean nations. SIDS not included in the ISLANDS programme will be informed of the results of the programme.

The Child Project in the Bahamas, Cuba and Dominica will be implemented by UNEP, and the Executing Agency is the Basel Convention Regional Centre for Training and Technology Transfer for the Caribbean (BCRC-Caribbean). For this project, the details of the Components and Activities are detailed below:

COMPONENTS AND ACTIVITIES OF THE PROJECT

The overall project components and their related activities are:

1. Component 1: Preventing the Future Build-Up of Chemicals Entering Caribbean SIDS

Activities include (i) establish standards and build capacity to control/limit and prevent the import of hazardous chemicals, products containing hazardous chemicals or products that will result in hazardous waste (including single-use plastics); (ii) train the customs/border control and trade officers, environmental inspectors as well as officers responsible for the sound management of chemicals; (iii) develop the regulatory/policy framework and standards for environmentally sound management of POPs, mercury, medical waste, e-waste, used oil, used lead acid batteries, end-of-life vehicles and assess the cost implications; (iv)

Identification, assessment, validation of alternative products and chemicals products that meet the standards of the region.

2. Component 2: Safe Management and Disposal of Existing Chemicals, Products and Materials within the Caribbean SIDS

Activities include (i) supporting the establishment of integrated waste management strategy for products which are currently in the countries and (ii) the safe handling, treatment and where necessary disposal of existing chemicals, products and materials that contribute to the emissions of POPs and mercury. Regional approach will be implemented due to the small population size of the countries in the region.

3. Component 3: Safe Management of Products Entering SIDS/Closing Material and Product Loops for Products Entering the Caribbean SIDS

Activities include the (i) development of legislation (where necessary) to support extended producer responsibility and other appropriate measures for imported products (ii) development of national and or regional private sector partnerships to improve national and regional recycling initiatives according to economies of scale; (iii) reduction of residual landfill waste through composting activities;

4. Component 4: Knowledge Management and Communications

Activities will include the generation and development of case studies, guidelines, sharing of knowledge on best practices and technologies related to chemicals and waste management for SIDS. These materials will be shared with Knowledge Management (KM) Child Project. Conversely it is expected that additional activities will occur under this component to disseminate knowledge from the KM project to Caribbean stakeholders in cooperation with local NGOs. There will be a focus on reaching vulnerable groups, including indigenous populations, and looking at gender considerations.

In this regard, the BCRC-Caribbean, in its role as project executing agency, is seeking to recruit a suitably qualified and experienced consultant to act as the Legislative and Institutional Specialist - Cuba for the Project Preparation Grant (PPG) phase.

DESCRIPTION OF REQUIRED SERVICES FOR THIS CONSULTANCY

The main goal of this consultancy is to assess the legislative and institutional frameworks in Cuba with an aim to contribute to the conceptualisation of the GEF ISLANDS child project in the three countries. The outputs of this consultancy should model after the related outputs developed under the GEF #10185 project.

Under the guidance of the Project Manager and the BCRC-Caribbean, and in close collaboration with national project consultants¹ and national chemicals and waste management stakeholders in Cuba, the Consultant will undertake the tasks outlined below:

- Present on the scope of works and data needs at the Inception Workshop in April 2020.
- Contribute to the development of the Inception Report by the Project Manager; this Report includes a consolidated workplan, comprehensive stakeholder engagement plan/ strategy and the Inception Workshop Report.
- Identify and engage relevant national stakeholders to gather required information.
- Review existing and proposed legislation and policies relevant to hazardous chemicals and waste management in Cuba. The entire life cycle of chemicals and products and their social and environmental impacts should be considered as well as regional and international agreements.
- Assess the institutional framework and capacity to manage, monitor and enforce the chemicals and waste management sector; and, where possible, include a preliminary analysis of any considerations made for gender mainstreaming and social inclusiveness.
- Undertake a gap analysis of the current policy, legislative and institutional framework related to chemicals and waste management with a focus on barriers to implementing the Basel, Rotterdam, Stockholm and Minamata Conventions and to establishing initiatives such as private sector incentives; extended producer responsibility; labelling, environmental, product and safety standards; national and/or regional waste management infrastructure; trade agreements, etc.
- Provide recommendations to improve the policy, legislative and institutional framework for chemicals and waste management considering the identified gaps and barriers.
- Support the Project Manager with formulation of the alternative scenario text (different future outcomes) including:
 - Development of pilot projects in the three countries including: associated activities, project budget, estimations of Global Environmental Benefits (as per project indicators), preliminary cost/benefit analysis, and environmental risk assessment;

¹ Waste Management Specialist – Cuba; Customs Specialist – Cuba

- Determination of potential public-private partnerships and economic instruments to manage and finance the recommended activities in the long-term;
- Opportunities to integrate the recommended solutions into the regional child projects developed for the nine (9) participating Caribbean countries under the GEF #10185 project.
- Input information into the CEO Endorsement Document.

EXPECTED OUTPUTS

- Workplan
- Inception Workshop Report
- Evidence of contribution to the compiled Inception Report
- Policy, Legislative and Institutional Assessment Report for Cuba including:
 - Baseline Chapter
 - Gap and Barrier Analysis Chapter
 - Recommendations Chapter
- Alternative Scenario Text, in collaboration with the team
- Draft CEO Endorsement Document with annexes, in collaboration with the team
- Progress Reports, as needed, to the Project Manager

QUALIFICATIONS, EXPERIENCE AND SKILLS

Functional competencies:

- Strong interpersonal skills, communication and diplomatic skills, ability to work in a multidisciplinary team;
- Strong research, analysis and synthesis skills;
- Excellent writing and reporting skills;
- Good presentation skills;
- Proficient in use of Microsoft Office suite;
- Ability to work under pressure and stressful situations, and to meet tight deadlines.

Education and Experience:

- Education: Advanced University Degree in Environmental Law, Development, or any other related field;
- Work experience: At least 8 years' professional experience in the field of environmental/ trade legislation;
- Experience in developing Project Preparation Grant Documents would be considered an asset;
- Knowledge of the legislative and institutional framework for chemicals and waste management in Cuba, in addition to knowledge of regional and international legislations and multilateral environmental agreements related to chemicals and waste would be considered an asset;
- Experience working with UN agencies and the GEF is desired;
- Experience in conducting stakeholder meetings is desired;
- Relevant experience in Cuba is required, and relevant experience in Latin America and the Caribbean region is highly desired;
- Language: English and Spanish required.

NOTE: The working language of the BCRC-Caribbean is English, therefore, all report submissions and communication with the BCRC-Caribbean will be conducted in English.

DURATION OF CONSULTANCY

The tasks of this consultancy are estimated to be completed from mid-March 2020 to the end of May 2020.

USEFUL LINKS

GEF-7 Replenishment Programming Directions:

https://www.thegef.org/sites/default/files/council-meeting-documents/GEF-7%20Programming%20Directions%20-%20GEF_R.7_19.pdf

GEF 10387 Documents

<https://www.thegef.org/content/c57-work-program-submitted-council-approval> **(go to GEF ID 10387)**

Basel Convention ESM Toolkit

<http://www.basel.int/Implementation/CountryLedInitiative/EnvironmentallySoundManagement/ESMToolkit/Overview/tabid/5839/Default.aspx>

APPLICATION PROCEDURES

Applications are open to all Cuba-based consultants who meet the qualifications of this consultancy service.

DOCUMENTS TO BE INCLUDED WHEN SUBMITTING THE PROPOSAL

1. Technical Proposal describing how one will approach and complete the assignment. This should include the Consultant's methodology and work implementation plan, qualifications and experience of personnel, and non-financial resources to be assigned;
2. Curriculum/ Curricula Vitae (CVs) of key personnel;
3. Sample report/ document authored by the Consultant;
4. Financial Proposal, which is to be separated into the Consultant's fees in United States (US) Dollars, matched up against key milestones and deliverables.

REMUNERATION

- A total gross fee to the Consultant(s) inclusive of all taxes will be agreed on and mentioned within the contract based on the financial proposal developed and negotiated cost for this consultancy.
- Payments shall be made in instalments based on key deliverables identified within the contract and agreed on between the BCRC-Caribbean and the Consultant(s).

QUERIES

Interested bidders may submit all queries in writing to:

Ms. Analissa Rasheed Project Execution Officer Email: analissa.rasheed@bcrc-caribbean.org Phone: (868) 628-3829 / 9372	Ms. Leselle Vincent Research Assistant Email: lesellek.vincent@bcrc-caribbean.org Phone: (868) 628-3829 / 9372
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BID SUBMISSION

Interested bidders are invited to apply by submitting a detailed technical and financial proposal **via email** to:

Ms. Jewel Batchasingh

Director (Ag.)

Basel Convention Regional Centre for Training and

Technology Transfer for the Caribbean

#8 Alexandra Street, St. Clair,

Port-of-Spain,

Trinidad and Tobago.

Email: jewel.batchasingh@bcrc-caribbean.org and info@bcrc-caribbean.org

The deadline for the submission of proposals is **6:00pm (Trinidad and Tobago, GMT - 4) on March 15th, 2020**. Any bids received after this time will be rejected **immediately**.

NOTES:

- When submitting bids, bidders must ensure that all documents are labelled clearly.
- Bid documents shall remain the property of the BCRC-Caribbean.
- The BCRC-Caribbean reserves the right to accept or reject any bid, and to cancel the bidding process and reject all bids, at any time prior to the award of Contract, without thereby incurring any liability to the affected bidder.
- The BCRC-Caribbean is not bound to accept the lowest Financial Bid.
- The successful bidder will be notified in writing of the award of contract and provided with an authorisation to proceed. The successful bidder shall be required to enter into an appropriate Contract based on the tender documents and incorporating any other appropriate provisions within that period.
- The successful bidder shall not be eligible for participation in the post PPG stage of this project.
- **The successful candidate will be expected to start work as early as March 23rd, 2020 and MUST indicate their availability in their submission.**