



BIOPAMA - EASTERN AND SOUTHERN AFRICA

TERMS OF REFERENCE:

CONSULTANT, DEVELOPMENT OF DRAFT GUIDELINES FOR EI DEVELOPMENT IN THE SADC REGION

1. BACKGROUND

In line with the key action “Develop guidelines on the exploitation of natural resources such as minerals in reserves or protected areas” defined in the SADC Biodiversity Action Plan approved by Ministers responsible for Environment and Natural Resources in November 2013, the SADC Secretariat in collaboration with the IUCN, organized a workshop in September 2014 to begin the process of developing a regional guideline for the mainstreaming of biodiversity into the Extractive Industry development in the SADC region. The workshop was supported through the IUCN Biodiversity and Protected Area Management (BIOPAMA) Programme and brought together government, private sector and civil society representatives of the Extractive Industries and biodiversity sector to discuss how these two sectors can better work together in future to reduce the impacts of mineral and hydrocarbon exploitation (EI) on biodiversity and related ecosystems in the SADC region (mainstream biodiversity into the EI sector in the region). The overall goal of the workshop was to develop a framework for a SADC regional guideline to guide Governments and private sector in EI development to pro-actively consider and mainstream biodiversity to avoid and mitigate degradation of key ecosystem services and biodiversity areas. During the workshop, case studies of best practices from the region (based on a discussion paper drafted for SADC and IUCN) as well as global examples were presented, key content for the guideline discussed and the process for the development of a regional guideline decided.

Based on the outcomes and recommendations of the workshop, a draft outline for the regional guideline has been developed. The outline is intended to guide the development of the regional guideline for Extractive Industry development in the SADC region.

It is against this background that the SADC Secretariat in collaboration with IUCN and Member States with support from the IUCN Biodiversity and Protected Area Management (BIOPAMA) Programme, seeks to procure the services of a consultant(s) to develop the content for the regional EI and biodiversity guidelines.

2. OBJECTIVES OF THE CONSULTANCY:

The consultant will assist IUCN and SADC in developing the content for the regional guideline, based on the outline and inputs suggested by the workshop participants (Annex 1). The final draft guideline content will then be discussed and approved through SADC processes outside of this consultancy.

3. CONSULTANCY COMPONENTS

A. Review all available documents related to the workshop as well as key relevant international, regional and local guidelines in the context of extractive industries and biodiversity, with the view of identifying key content and references for the SADC regional guideline within the existing outline. Specific documents to review include (to be made available by IUCN and SADC):

- SADC Biodiversity Action Plan (context)
- SADC biodiversity Strategy (content)



- other SADC guidelines (to inform the format), e.g. SADC Guidelines for strengthening River Basin Organisations
- Discussion Paper: Best Practice guidelines for the exploitation of mineral and hydrocarbon resources in the SADC region
- Workshop Report: Consultative workshop on developing best practice guidelines for mainstreaming biodiversity into the extractive industry sector in the SADC Region
- South Africa: Mining and Biodiversity Guideline
- ICMM: Good Practice Guidance for Mining and Biodiversity
- ICMM/IUCN: World Heritage and Mining (Technical Workshop report)
- other international best practices

B. Based on the review of these documents, the consultant should **develop the guideline document content based on the outline developed in the stakeholder consultation workshop** and provide a draft guideline document for discussion. The guideline should be short and succinct, aligning with other similar SADC guidelines and making cross-reference to existing technical documents and good practices already available. The IUCN and SADC team will be available to guide the consultant in the content development process.

C. **Collate reference list/database** including all references mentioned in the SADC draft guideline as well as any other relevant documents that were used in the development of the guideline. The information is intended to be linked into the BIOPAMA Regional Reference Information System for the SADC Region and similar information systems.

4. METHODOLOGY

This work will be based on a review of relevant literature and email/skype/telephonic interviews and strategy sessions with IUCN and SADC (by skype) as well as other relevant stakeholders (in particular the attendees of the SADC workshop in Sep 2014) as required. At this stage of the project, it is not envisaged that the consultant will travel in the region, therefore all the work will be desk-based. There is a possibility, if additional funding is secured, that IUCN might ask the consultant to assist with the final revision of the guideline based on stakeholder inputs on the draft, but this will be subject to an amendment to this contract or the development of a new contract.

5. TIMEFRAME AND LOGISTICS

The consultancy shall be conducted within a 6 week period beginning middle of March and must be completed by 30 April 2015.

6. EXPECTED OUTPUTS

- Draft regional guideline
- Database (and where possible, PDF copies) of references and technical documents related to good/best practice in Extractive Industry development and other relevant links used in the development of the content for the guideline
- Strategy sessions with IUCN and SADC (possibly virtual, depending on location of consultant) – 3 sessions: Kick-off in mid Mar; possibly late Mar/early Apr after review of documents, during April for review of first draft.



7. PROPOSAL

A comprehensive proposal for these terms of references should be **submitted to Christine Mentzel (Christine.Mentzel@iucn.org) by 27 February 2015 COB** and include the following:

- CV of key personnel
- Budget, timeline and quality control measures
- Sample of previous similar work/products
- Proposal should also include considerations for research ethics and gender equality

8. CONSULTANT REQUIREMENT

The Consultant must have at least a Master's Degree in Environmental Sciences, Development Studies, or related discipline. The consultant must also demonstrate similar previous work as well as knowledge of the SADC region; have minimum working experience of 10 years, including in mainstreaming biodiversity into EI projects with private sector or government, and the capacity to carry out the study within the determined timeframe. Fluency (written and spoken) in English is a requirement, French and Portuguese is an advantage.

9. ANNEXES

The outline of the guideline that was developed during the workshop is attached in Annex 1 of this document and forms the framework for the expected output from this consultancy.

PROJECT PARTNERS

SADC Secretariat

The SADC is a Regional Economic Community of the 15 Southern African Member States; Angola, Botswana, Democratic Republic of Congo, Lesotho, Madagascar, Malawi, Mauritius, Mozambique, Namibia, Seychelles, South Africa, Swaziland, Tanzania, Zambia and Zimbabwe. Established in 1992, SADC is committed to Regional Integration and poverty eradication within Southern Africa through economic development and ensuring peace and security.

The Southern African Development Community (SADC) Secretariat is the Principal Executive Institution of SADC, responsible for strategic planning, facilitation and co-ordination and management of all SADC Programmes. One of the functions of the Secretariat is to ensure the equitable and sustainable use of the environment and land based resources for the benefit of the present and future generations. In order to achieve this, the Region, amongst others, aims to promote sustainable use of biodiversity for improved economic growth and poverty reduction. To this end the region developed the Regional Biodiversity Strategy that was approved by the Integrated Council of Ministers in 2007. To foster implementation of the Strategy, the region in collaboration with IUCN developed an Action; the Regional Biodiversity Action Plan that was approved for implementation by Ministers responsible for Environment and Natural Resources in 2013. The Regional Best Practice Guidelines for the Exploitation of Mineral and Hydrocarbon Resources in the SADC Region is being developed within the framework and as part of implementation the Regional Biodiversity Action Plan



BIOPAMA Programme

The Biodiversity and Protected Area Management Programme (BIOPAMA) is an EU-funded project that aims to improve the long-term conservation of biodiversity in Africa, the Caribbean and the Pacific Islands region by improving access to relevant information and data and enhancing the capacity of existing institutions and networks involved in biodiversity conservation and protected area management. BIOPAMA is implemented by the International Union for the Conservation of Nature (IUCN), the Joint Research Centre of the European Commission (EC-JRC) and the German Agency for International Collaboration (GIZ).

Within the eastern and southern African region, the BIOPAMA programme has identified land and resource use conflicts as one of the key threats to protected areas in the region. To address this threat, and in consultation with various stakeholders across the region, the BIOPAMA programme will focus on supporting cross-sectoral engagement for integrated sustainable planning with sectors and stakeholders active at the interface of Protected Areas (contributing to Aichi Target 2 and PoWPA Goal 1.2). A Regional Observatory will be established in the Eastern and Southern African region to support the provision of relevant data and information to assist in improved planning and decision-making as well as exchange of knowledge and best practices. One of the key sectors identified for cross-sectoral engagement is the Extractive Industries (Mining, Oil and Gas) sector and therefore the collaboration with the SADC Secretariat to host and facilitate this very important regional dialogue is directly in line with the goals of the BIOPAMA project.

BIOPAMA is implemented by:



An initiative of the ACP Secretariat funded by the European Union under the 10th EDF



Annex 1: Draft outline of SADC Regional Guidelines for Extractive Industries and biodiversity

1) Rationale for the Guideline (1/2 page)

Explain the background to why the guideline is being developed (see also text in workshop concept), including

- *National request for regional guidance (SADC BAP reference)*
- *Statement that guideline is not prescriptive, but guiding document intended to support countries in their plans*

(NB. The guideline is a high-level document and should provide framework recommendations on achieving more sustainable EI development and in ensuring mainstreaming of biodiversity considerations throughout the projects life cycle)

2) Aim, Objective & Scope (1/2 page) (this was already broadly agreed in the technical workshop)

Flesh out the inputs from the workshop using the slides for each relevant topic

3) Who should use this guideline and how? (½ page, possibly table?)

Use agreed target audience as per stakeholder workshop and outline intended use for each target audience

- Governments*
- Developers*
- Civil society*
- Other stakeholders*

4) Guiding Principles (1-2 pages)

Use principles outlined in stakeholder workshop, including definitions/explanations. Possibly add annexure with definitions/explanations or glossary of terms

5) Recommendations to effectively mainstreaming biodiversity throughout the lifecycle of EI development

Including general recommendations to be categorised in a relevant manner and might also include specific recommendations for each phase of project cycle. Recommendations should include recommended approaches and possible tools – effectively outlining a “checklist” of actions that should be implemented to achieve better biodiversity outcomes during development. Many of these will link to existing documents and would only contain a high-level statement and then the reference to relevant resources for details. (Consultant to help categorise recommendations in a logical manner – could be according to topic or phase, or both...)

6) References and Examples (for each of the recommendations)

This could be links to various websites that will be constantly updated into the future and would therefore remain relevant. This is to try and ensure that the guideline is up to date for as long as possible. Check also the ICMM guideline list of reference – update these.