



Government of Nepal

Strengthening the Institutional Capacity of SAWEN for Coordinated and Organized Approaches to Combat Wildlife Crime in South Asia

IDF Grant Trust Fund No.: P144627

Terms of Reference

Consulting Services for

Reviewing policies and guidelines on wildlife crime and developing bilateral and regional MoUs

Contract ID: SICSAWEN/NTNC/S/IND/06

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**Project Coordination Unit
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BACKGROUND

Illegal trade in wildlife species and their parts is a global phenomenon that shows an increasing trend. Poaching and international trafficking of endangered species ranks among the largest of crimes, representing tens of billions of dollars per year. As a result this has become one of the key threats to the survival of the species. United Nations sixty-ninth session of the General Assembly also expressed concern about the increasing scale of poaching and illegal trade of wildlife and wildlife products and its adverse economic, social, and environmental impacts. The South Asia faces the same misfortune from the deep rooted wildlife crime. It evades through porous border, weak law enforcement, and poor coordination across the administrative/political boundary. Therefore, there is a need of trans-boundary cooperation, coordination and integrated actions to make the wildlife crime control efforts fruitful. The UN General Assembly has also welcomed the efforts of and cooperation between intergovernmental organizations aimed at preventing and fighting illicit trafficking in wildlife. Considering the growing global concern and urgency of combating wildlife crime from the South Asia region, South Asia Wildlife Enforcement Network (SAWEN) was formally launched in 2011 as an intergovernmental law enforcement support body of eight countries of South Asia; Afghanistan, Bangladesh, Bhutan, India, Maldives, Nepal, Pakistan and Sri Lanka. SAWEN promotes regional cooperation to curb wildlife crime in the region and works through its Secretariat in Kathmandu, Nepal. Owing to the urgent need of combating the region's illegal wildlife trade and eliminating illicit demand through bilateral/regional mechanisms, the SAWEN Secretariat is fostering collaboration among the member countries to tackle various aspects of wildlife crime.

The Government of Nepal has received grant financing from the World Bank's Institutional Development Fund (IDF) for the project entitled 'Strengthening Institutional Capacity of SAWEN to Combat Wildlife Crime'. The National Trust for Nature Conservation serves as the Project Coordination Unit (PCU) for the project. Therefore, the PCU-NTNC together with the SAWEN Secretariat intends to hire an individual consultant to undertake the following task that will assist the Secretariat in institutional development of SAWEN. The tasks is listed below.

Reviewing policies and guidelines on wildlife crime and developing bilateral and regional MoUs

The SAWEN member countries have their specific laws, policies and guidelines and law enforcement mechanisms to fight against wildlife crime. The level of enforcement also differs within and between the member countries. Harmonization of national laws and policies by shaping up prevailing inconsistencies is a current need for better cross-border coordination. This will strengthen cooperation in preventing, detecting, resolving and

minimizing wildlife crimes, with focus on dismantling of trans-national organized criminal networks. This task will analyse and help to reduce inconsistencies in the laws and policies and also develop bilateral or regional memorandum of understanding and common protocols.

OBJECTIVES

The development objective of this project is to strengthen the institutional capacity of SAWEN through its Secretariat and its focal points in the member countries for coordinated and organized approaches to combat wildlife crime in South Asia. Specifically, this assignment intends to

- Analyse all the laws, policies and guidelines on wildlife conservation and wildlife crime control of each member countries and present suitable measures to resolve differences and inconsistencies along with MoUs, protocols to be inked between/among member countries.

A key process of achieving the objectives identified above includes review, study, assessment, and adequate consultations with focal persons, government line agencies, concerned wildlife law enforcement agencies or civil society groups from the member countries and other key stakeholders such as ASEAN-WEN, GTF, GTI, CBD, CITES, LATF, CAWEN, INTERPOL-ENS and SAARC Forestry Program. It also involves distilling best practices and lessons from other countries and institutions in order to strengthen SAWEN.

SCOPE OF WORK

The main objective of the consultancy service is to strengthen the institutional capacity of SAWEN through its Secretariat and its focal points in the member countries for coordinated and organized approaches to combat wildlife crime in South Asia. The Government of Nepal, through the PCU-NTNC is seeking a qualified and an experienced consultant to provide Technical Assistance to achieve the objective stated above. The selected consultant will report to the Chief Enforcement Coordinator (CEC) of the SAWEN Secretariat and Project Chief of PCU-NTNC. The consultant is expected to review, analyse and consolidate all the available information pertaining to wildlife conservation and wildlife crime, and undertake surveys and consultations with the member countries and other relevant stakeholders as necessary to achieve the expected deliverables. The consultant will organize regional workshops to share and discuss the draft reports.

This task supports to facilitate for effective and efficient trans-boundary collaboration in wildlife law enforcement. This information will provide the basis for developing bilateral or regional memorandum of understanding and common protocols that will be necessary for

trans-boundary/regional cooperation. To achieve the objective, specific activities and key deliverables are listed below.

- (i) Critical analysis of the existing national plans, policies, legislative frameworks, and institutional arrangements governing wildlife crime control in the member countries. This also includes review of the institutional mandates and guidelines for wildlife crime control;
- (ii) Review bi-lateral and international wildlife crime control related instruments (agreements, MoUs, charters, protocols, treaties, recommendations, conventions and declarations) signed by the Governments of the member countries and assess their effectiveness and recommend measures to strengthen their effectiveness accordingly;
- (iii) Consultations with CEC and focal persons of SAWEN, regional wildlife experts and officials of regional wildlife law enforcement agencies either by in person interview or by electronic communication;
- (iv) Prepare a report based on the analysis undertaken in (i) (ii) and (iii) above, which should include an identification of cross-country inconsistencies in the existing national policies and legislative frameworks, weakness in the institutional mandate and guidelines, measures to strengthen the effectiveness of institutional arrangements and reasons for none or weak compliance with obligations under (ii) and a set of practical recommendations to address the inconsistencies identified specific to each member country which should contribute to regional harmonization of the laws, policies and guidelines related to enforcement of wildlife laws. The recommendations should lay the legal foundation and institutional framework for effective enforcement of wildlife laws and management of wildlife crime.
- (v) Develop effective and efficient models or frameworks for bilateral/regional cooperation among member and neighbouring countries to enhance and mainstream trans-boundary collaboration in combating illegal wildlife trade and eliminating illicit demand by addressing at least 5 major illegally traded species;
- (vi) Conduct at least one regional workshop to share and discuss the draft report with the outcomes of the above mentioned activities;
- (vii) Develop a final comprehensive report on laws, policies and legislative framework analysis and institutional arrangements by incorporating suggestions and feedback made during the regional workshop.

DELIVERABLES

The consultancy firm will provide the following deliverables to PCU-NTNC.

Reports – one original hard copy and electronic copy of the analysis report and workshop report within two weeks after completion of the tasks.

Final Report – three original hard copies and an electronic copy-

- A final report
- Draft bilateral/regional MoUs and protocols

QUALIFICATION AND SKILL

In order to perform these tasks, incumbent must be a senior professional with strategic vision, managerial and operational experience. S/he should have the following experience and qualifications:

- At least a Master's Degree and 10 years of demonstrated experience working in biodiversity conservation with focus in wildlife crime with proven experience in analysis of national plans, policies, legislative frameworks, and institutional arrangements; and developing bilateral/regional MoUs and protocols.
- Proven track record of successfully completed at least 3 such projects.
- The consultant should have working experience of at least one relevant project in South Asia with good knowledge on wildlife and wildlife crime issues.
- It is preferable that the consultant have associates or contact persons in the member countries.
- Proven ability to write and present in an international standard.

ELIGIBLE CRITERIA

- The consultant should not have been convicted of any criminal offence related to professional conduct, corruption, or the making of false statements or misrepresentations as to its qualifications to enter into a procurement contract within a period of three years preceding the commencement of the procurement proceedings;
- The consultant should not been blacklisted or debarred by Public Procurement, Government, Semi-Government, Private, Autonomous body or any other international organization;
- The consultant should not have a conflict of interest in the procurement requirement.

APPROACH AND METHODS

To achieve the aforementioned objectives, the consultant is expected to use a combination methods including but not limited to review, study, consultations, research, and analysis to complete the consulting services. A variety of broadly conceived opportunities and alternatives based on studies at national and international levels shall be considered.

In all aspects of this study, the consultant shall closely work with the PCU-NTNC, the SAWEN Secretariat and focal persons of the member countries to ensure that requirements are understood, to promote synergy, and to ensure that cross-study issues are appropriately addressed and options are recommended. The consultant will work under the overall supervision of the PCU-NTNC team in Kathmandu. The consultant shall propose the precise combination of methods to undertake the task.

DUTY STATION

The consultants are supposed to perform their work from their own office with travel as deemed by the assignment. All travel costs related to assignment should be covered and managed by the consultants during the assignment.

IDENTIFICATION OF RISKS

Consultancy firm or consultants should withhold information where that information may place them at risk and take necessary measures to protect them from placing themselves at risk.

TIMELINE AND PAYMENT SCHEDULE

The consultant is expected to apply a level of coordinated effort with the key stakeholders while conducting analysis of national plans, policies, legislative frameworks, institutional arrangements and related instruments governing wildlife control, and developing bilateral/regional instruments between member countries over a period of 75 working days spread over 5 months from the date of signing the contract. The delivery and payment schedule, subject to each milestone being formally accepted by the PCU-NTNC, is as follows. All the applicable taxes will be deducted at the source.

Milestone	Timeline	Payment schedule (% of total)
An inception report with a proposed plan of actions	2 weeks	20%
Delivery of the drafts of analysis report, workshop report and MoUs and protocols	Month 04	50%
Delivery of final completion report (only after the approval from the client)	Month 16	30%
TOTAL		100%

Annex I

FORMAT OF CURRICULUM VITAE (CV) FOR PROFESSIONAL

1.	Name			
2.	Date of Birth		Nationality	

3. Education

Year	Degree Obtained	College/University

4. Relevant Publications:

5. Employment Records:

Starting with present position, list in reverse order every employment held. List all positions held by staff member since graduation, giving dates, names of employing organizations, titles of positions held, and locations of assignments. For experience in last ten years, also give types of activities performed and client references, where appropriate.

6. Detailed Tasks Assigned:

7. Work undertaken that best illustrates capacity to handle the tasks assigned.

Name of Assignment		
Year	Start date	End date
Location		
Client		
Main Project Features		
Position Held		
Activities Performed		

8. Training:

9. Languages:

[For each language indicate proficiency: excellent, good, fair, or poor in speaking, reading, and writing.]

10. Certification:

I, the undersigned, certify that to the best of my knowledge and belief, this CV correctly describes myself, my qualifications, and my experience. I understand that any misstatement described may lead to my disqualification or dismissal, If engaged.

----- *Date:* -----

[Signature of consultant]

Day/Month/Year