



GEF6 PROJECT

« GLOBE Legislators Advancing REDD+ and Natural Capital Governance Towards the Delivery of the 2030 Agenda »

Terms of Reference

For the recruitment of a consultant for a Diagnostic Study of the Legislative and Institutional Framework of the Great Green Wall and its Activities in Nigeria

2020

1. Context

The vision of a Great Green Wall Initiative (GGWI) was originally conceived by the former President of the Federal Republic of Nigeria, Chief Olusegun Obasanjo, and later strongly supported by President Abdoulaye Wade of Senegal. Originally, the GGWI concept was limited to a tree-planting initiative, but it later evolved to the promotion of Sustainable Land Management (SLM) as a more ecologically appropriate, socio-economically sustainable and holistic approach at the landscape level to directly benefit local land and water users (farmers, agropastoralists and mobile pastoralists).

Thanks to the efforts of several other leaders in the region, the new approach was adopted by the African Union (AU) following the adoption of the "*Decision on the Implementation of the Green Wall for the Sahara Initiative*" by the AU Assembly in January 2007. At present, the GGWI covers several African Sahelo-Saharan states. The Convention on the establishment of the Pan-African Agency of the Great Green Wall was adopted by the Assembly of Heads of State and Government of the Community of Sahelo-Saharan States (CEN-SAD) in Ndjamena, Chad, on 17 June 2010.

Historically, the Sahel has experienced high variability in rainfall. This variability in rainfall plus land degradation and desertification are some of the factors that combine to make it one of the poorest, most insecure and environmentally threatened regions in the world. In response to this, the GGWI is envisioned as a mosaic of land uses to extend Sustainable Land and Water Management (SLWM) in targeted landscapes and in areas vulnerable to climate change in West African and Sahelian countries, including Nigeria.

By its nature, the GGWI is a cross-cutting initiative, which aims to address the main drivers of environmental degradation in the context of countries' social and economic realities and with a view to putting them on the path to sustainable development. This cross-sectoral approach has made it a precursor of the integrated approach to the Sustainable Development Goals (SDGs) for 2015 and, as such, a strong tool for the achievement of the UN Agenda 2030. Over the past decade, the GGWI has carried out a series of interrelated interventions with the aim of achieving (i) conservation, development and management of natural resources; (ii) strengthening infrastructure; and (iii) improving people's living conditions. The World Bank and the Global Environment Facility (GEF) have been major contributors to this work, with the GEF having a mandate in the focal areas of land degradation, climate change mitigation, biodiversity and international waters.

The Sahel is highly vulnerable to climate change because of its geographical location and its population's dependence on rain-fed agriculture and transhumance systems. The agricultural sector employs more than 60% of the working population and accounts for 40% of the region's GDP. The main livelihood strategies in the region focus on secondary services derived from land and water resources (food, fuel, fibre). Unfortunately, the capacity of the region's land and water resources to provide a secure flow of ecosystem services necessary for poverty reduction and economic growth, such as soil and biomass carbon storage and

groundwater recharge, is steadily deteriorating due to this dependence on land and water resources, the expansion of human settlements and the demand for food and fuelwood; combined with poor planning and use of land (deforestation, continuous cropping and overgrazing) and water (surface and groundwater) in the context of frequent droughts.

As a result, the natural vegetation of most of the Sahel has been significantly altered and the ecosystems degraded. The net result has been a decrease in annual rainfall, increased land degradation, increased desertification, frequent crop failures and low fodder and fuelwood production. Water availability is often considered by many Sahelian countries to be the most limiting development factor in the area. These challenges are likely to become more entrenched in climate change. Climate change will generally increase disaster risks, not only because of increased climate variability, extreme weather events and sea-level rise, but also because of society's increased vulnerability to risks arising from pressures on water availability, agriculture and ecosystem degradation. As is clear, inadequate early warning systems, lack of food rations, and inadequate land-use planning contribute to increased levels of danger.

As a Sahelian country, Nigeria's success in pursuing sustainable development will depend on its success in implementing cross-cutting measures and actions to address these multiple and interrelated challenges in an integrated manner, capable of capturing and responding to its interconnected nature: combating desertification and biodiversity loss, which threaten the provision of ecosystem services essential for human well-being; managing climate and environmental risks; and formulating economic development models to ensure the well-being of its people that are compatible with the preservation of its natural capital as a basis for long-term sustainable development.

With its cross-cutting approach, the GGWI thus stands out as a first-rate mechanism for addressing these challenges in a coherent and effective manner by combining foreign aid with government action. At the same time, it constitutes a conceptual framework that is fully aligned with the implementation of Nigeria's international commitments for the post-2015 period, namely: the Paris Agreement, the post-Aichi biodiversity objectives, the sustainable development objectives, the Sendai Framework for Disaster Risk Reduction and the Addis Ababa Programme of Action for Financing for Development.

GGWI interventions are implemented using the landscape approach (promoted by FAO's Sustainable Forest Management Programme, SFM), which integrates people's livelihood objectives into the management of the different ecosystems in the landscape.

Through several of its land-use and land-use change components, GGWI interventions promote the restoration and enhancement of carbon stocks, and aim to reduce pressures on forest resources through SLM, generating sustainable flows of forest ecosystem services. This means that the GGWI can serve as a framework for REDD+ projects.

At this stage, there is a wealth of lessons learned from the implementation of GGWI projects (and the REDD+ Programme) as well as knowledge on the obstacles these projects have encountered. These barriers are generally grouped into three categories: knowledge and technical barriers, political and institutional barriers, and economic and financial barriers.

With regard to political and institutional barriers, experts point out that :

- While many achievements have been made, climate change mitigation/adaptation issues have yet to be integrated into sectoral frameworks, plans and policies (agriculture, livestock, forests, water, land) and into the budget processes of Poverty Reduction Strategy Papers (PRSPs).
- Commitments, policies and actions to combat land degradation are included in the national and regional strategies and action plans of most countries, but they have often failed to agree on concrete actions to support the adoption of SLM. More specifically, actions that are often lacking include (i) the large-scale promotion of well-proven SLM techniques; (ii) the testing of new techniques; and (iii) the creation of an enabling environment in which resource users have the right incentives to adopt SLM.
- Resource tenure policies are fragmented, weak or non-existent. As a result, resource users of land resources often do not have sufficient long-term security over the resource on which they depend, nor sufficient consultation mechanisms. This restricts their sense of ownership over the resource and limits their interest in investing in SLM, which would lead to increased production in the medium to long term, and creates a perverse incentive to move beyond sustainable use.
- Local governments and communities often have limited capacity, resources and access to information to manage their land resources, which severely limits their effectiveness. Extension services in participation countries are weak, both in the public and private sectors. Rural people have limited access to information on natural resource management, except among themselves.
- Promoting technology on the ground requires working through credible public and private institutions that can work with rural people to protect natural resources and deploy improved technologies.
- Available financial resources are not sufficient to address the multidimensional challenge of land degradation and climate change, and synergies with the private sector have not been adequately mapped and exploited through incentives and other mechanisms.
- Inappropriate economic policies and prices have led to unsustainable pressures on natural resources, while effective incentives for sustainable land management (return on investment, compensation for non-use of resources and support for initial investment for longer-term deferred returns) have not been developed and/or are very poorly implemented. Governments and farmers do not sufficiently understand the economic and financial aspects of sustainable land and water management, thus reducing their interest in supporting the large-scale investments needed for national implementation. This is despite the fact that most agriculture-based sustainable land and water management techniques can improve agricultural production. Financial support and other complementary measures need to be put in place to promote greater uptake. For example, a World Bank research conducted in 2011 in Nigeria showed that while some integrated approaches to soil fertility are both more cost-effective and have greater environmental benefits than inorganic fertilizers, adoption rates remain low, perhaps due to a policy that subsidizes only inorganic fertilizers.

In this framework, a strategic partnership has been established between GLOBE International, UN Environment and the GEF in the framework of the GEF6 project "*GLOBE Legislators Advancing REDD+ and Natural Capital Governance for the Delivery of the 2030 Agenda*" to enhance the legislative approach of countries to sustainable development and create favourable conditions for a common approach by all development actors. To do so, three priority areas have been identified by the project, including: forest governance in the context of REDD+ and its Cancun safeguards; Environmental Economic Accounting; and the GGWI. Three countries have been identified for the first phase of the project implementation: the Democratic Republic of Congo, Nigeria and Senegal.

The advancement of legislative responses for the sustainable management of forests and natural capital at large is the core aim of this capacity-support project for national parliamentarians. In order to provide legal solutions, an in-depth diagnosis of the legal and institutional frameworks that condition the success of the Great Green Wall in Nigeria is necessary. Such a diagnosis will make it possible to take stock of the current situation and propose improvements.

Since the project « *GLOBE Legislators Advancing REDD+ and Natural Capital Governance Towards the Delivery of the 2030 Agenda* » also seeks to strengthen legislation and parliamentary scrutiny functions in both natural and plantation forests with the aim to support efforts in Reducing Emissions from Deforestation and forest Degradation (REDD+), promote Sustainable Forest Management (SFM), and safeguard the rights of local communities and indigenous peoples, the diagnosis will be developed in synergy with REDD+ efforts advanced under the project, which seek to recommend options for REDD+ legal reform in Nigeria based on a consultative process with key national stakeholders.

This Terms of Reference (ToR) define the objectives and tasks assigned to the consultant as well as the modalities of his / her intervention.

2. Aims of the Study

The objective of this study is to carry out a diagnosis in the form of a review and analysis of the legislation and regulations that affect the implementation of the GGWI in the broadest sense. In other words, not only those that have direct impact on the functioning of the National Agency for the Great Green Wall, but also the multi-sectoral regulatory environment in which the GGWI projects are implemented, which conditions their success and sustainability, and which may or may not allow the replication of these successes on a large scale throughout the country. This Study will be concomitant to a separate one aimed at addressing the advancement of REDD+ Laws in Nigeria in order to strengthen its capacity to tackle natural capital governance towards the delivery of the Sustainable Development Goals (SDGs) as regards to the continued flow of ecosystem services, in the framework of the project *GLOBE Legislators Advancing REDD+ and Natural Capital Governance Towards the Delivery of the 2030 Agenda* . Bearing in mind the multiple possible interactions between REDD+ and the GGW, a particular emphasis shall be placed on the contribution of the GGW to the implementation of REDD+, and the consultant will be expected to liaise with the author leading on the REDD+ study to ensure the alignment and complementarity of both pieces of work..

This analysis will serve as a basis for proposing a plan to update and refresh the legal frameworks informed by the lessons learned and the analysis of obstacles identified by the GGWI projects in Nigeria over the last few years, e.g. under the *Sahel and West Africa Program in Support of the Great Green Wall Initiative To Expand Sustainable Land and Water Management in Targeted Landscapes and Climate Vulnerable Areas* of the World Bank since 2011, as well as the Actions Against Desertification implemented by FAO.

3. Consultant's Tasks

The Consultant shall:

- Take stock of the legislative and regulatory frameworks in key policy areas relevant to the GGWI and its eventual alignment with REDD+ interventions, and of the political and institutional obstacles encountered by said GGWI interventions in Nigeria, and present an analysis of how they can be improved to ensure the sustainability of these projects and their replication on a large scale, based on lessons learned from past projects - e.g., the need for a more comprehensive approach to the implementation of the GGW projects, including possible synergies with REDD+; the extent to which climate change adaptation is integrated into current agriculture, livestock, forestry, water and land-use policies with suggestions on how this can be improved on; the existence or absence of (i) large-scale promotion of well-tested SLM techniques; (ii) testing of new techniques; and (iii) creation of an enabling fiscal environment in which resource users are encouraged to adopt SLM; the existence of an innovative framework to capitalize on synergies with the private sector across the widest range of sectors (e.g. the sanitation sector) to mobilize private financing for the realization of public goods, complementing the investment efforts of the Nigerian State with suggestions on how this can be achieved; the capacity of existing land tenure systems to support SLM implementation and how to improve on them, etc.
- Make an analysis of the difficulties that the National Agency for the Great Green Wall (NAGGW) encounters in its current operation;
- Make an analysis to what extent the cooperation between the Federal Ministry of Environment (FME), the Federal Ministry of Humanitarian Affairs, Disaster Management and Social Development (FMHADMSD) and the NAGGW on the one hand, and the different Ministries on the other, is used as an essential mechanism to achieve Nigeria's international commitments in the areas of climate change mitigation and adaptation, biodiversity and disaster risk reduction, as well as the Sustainable Development Goals dependent on ecosystem services (e.g. access to water, food security, etc), and if the resources devoted to it are commensurate with its role and potential, to ensure that the GGWI can be the driving force for the development of local communities. The aim is to ensure that the FME, the FMHADMSD and the NAGGW can play a systemic role at national level as a mechanism for the coherent implementation of a wide range of development objectives that are beyond the exclusive competence of the FME and the FMHADMSD;

- Make a proposal for new resources, real and mobilizable by 2030. Great attention should be paid to synergy with REDD+ and to natural capital accounting efforts with a view towards the implementation of Payment for Ecosystem Services (PES);
- Confirm his / her readiness to provide limited, ad-hoc, on demand support to MPs in the drafting and tabling of GGW-related motions and resolutions related to the Study, over the next two years.

In summary, all missions will be carried out in two phases:

Phase 1: Diagnosis

- Literature Review and Analysis;
- Identification and analysis of mobilized and unmobilized resources; incl. national impact investors and philanthropy; opportunities for carbon market financing;
- Preparation of databases of complementary projects and programs in the country and of possible macro & meso level partners; mapping of synergies with other MDAs;
- Interviews with various partners;
- Identification and analysis of problems;
- Diagnostic report.

Phase 2: Formulation of proposals and action plan

- Meetings with different stakeholders ;
- Interim report, to be validated by stakeholders;
- Final report including attachments (proposed bills and amendments);
- Presentation at the National Assembly.

The consultant, in his / her methodology, will have to propose an intervention plan based on the different missions.

4. Expected Outputs:

The consultant is expected to produce the following outputs:

1. Provision of an Inception report.
2. Provision of a draft *Diagnostic Study of the Legislative and Institutional Framework of the Great Green Wall and its Activities in Nigeria*, to be reviewed by project stakeholders and amended as appropriate.
3. Conduct of training for GLOBE Nigeria and other relevant agencies on the Great Green Wall and its activities in Nigeria.
4. Presentation at the National Assembly of the consolidated Study.
5. Provision of technical support to Nigeria's National MPs in the draft of Motions / Bills identified as necessary for the provision of legal backing to the implementation of Environmental Economic Accounting in Nigeria.

Delivery dates of outputs

- Deliverable 1, by (date to be stipulated in contract)
- Deliverable 2, by (date to be stipulated in contract)
- Deliverable 3, date to be determined by GLOBE Nigeria.
- Deliverable 4, date to be determined by GLOBE Nigeria.
- Deliverable 5, recurrent over a two-year period.

5. Key Study Team

The Consultant shall be a specialist in environmental law with a proven experience of at least 10 years and could engage the services of :

- a forestry expert specialized in REDD;
- a specialist in environmental economic accounting;
- a specialist in green financing mechanisms.

All Consultants must have at least 10 years of experience.

The leading Consultant is responsible for the composition of his or her team of support staff to ensure the completion of all Study objectives in a timely manner.

He / she is also responsible for the provision of all material resources (computers, vehicles, offices, etc.) to ensure the completion of all Study objectives.

6. Turnaround time

This consultation will last 60 flexible working days according to the indications below, from the date of signature of the contract until the deposit of the final version following the sharing and validation of the final draft.

Tasks	Number of days
Meeting with the project coordination team, understanding the ToRs	1
Literature Review	20
Field visits	17
Drafting of the interim report	10
Review of the draft report with project stakeholders and integration of amendments	4
Preparing and facilitating the sharing of the content of the finalised report in a training session	4
Preparation of report presentation	4
TOTAL	60

Duty station or Location of Assignment: The Consultant will work from home, with necessary travel for consultative meetings.

7. Proposed Fee and Payment Schedule

The total remuneration for this contract is €9,000.

Payment will be structured in four instalments:

- Receipt of Inception Report (deliverable 1): €1,000
- Receipt of draft Study (deliverable 2): €3,000
- Approval of Consolidated Study by GLOBE International in consultation with project sponsor and stakeholders: €2,500
- Completion of training and launch at the National Assembly (deliverables 3 & 4): €2,500

**It is understood that the operational costs related to the implementation of the training and the launch at the National Assembly will be borne by GLOBE International.*

8. Bid Submission

The offers must come in two forms submitted separately viz :

1. Technical offer

The curricula vitae of the personnel the consultant intends to use in the accomplishment of the mission.

- In particular, these must specify the professional experience and similar services provided.
- Intervention methodology : description of the approach proposed for the implementation of the study.
- Detailed description of the stages and activities to be engaged in, in the execution of the study.

2. Financial offer

- A detailed description of the service, concept, unit price, total price (exclusive of tax and including all travel and other expenses relating to the service).

Applications must be sent no later than 30/06/2020 at 08.00 hours Abuja time by email to : globe_nigeria@globelegislators.org and rafael.aybar@globelegislators.org with the subject line "*Diagnostic Study of the legislative and institutional frameworks of the Great Green Wall and its activities in Nigeria*".