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## Terms of Reference (TORs)

for

### **Assessment of Benefit Sharing Mechanisms from Natural Resources in Mozambique**

#### **1. Background**

The Government of Mozambique has been approving several legal instruments on benefit sharing with regards to the use and/or exploitation of natural resources since the 1990s. The goal of the Government is to promote the sustainable use of natural resources in the country through participation of local communities and other stakeholders. Many of these instruments focus on channeling of benefits to local communities living within and/or surrounding the territories where the natural resources are being exploited. Once the instruments are approved, various stakeholders including Civil Society Organizations (CSOs) and government undertake or participate in many activities to operationalize their implementation on the ground. So far, results from the field regarding the implementation of 20% tax share from the exploitation of forests and wildlife resources are not encouraging. For example, many local communities are not yet organized, legalized and lack technical skills to either manage financial resources or to influence the management of forests and fauna. On the other hand, CSOs that should be supporting the local communities also complain of shortage and/or lack of financial resources to effectively provide the support. In addition, in some provinces the process of channeling benefits of 20% tax accruing from exploitation of forests and wildlife resources is characterized by high levels of bureaucracy and alleged corruption involving local government authorities in association with traditional leaders.

WWF Mozambique Country Office is implementing its Country Strategic Plan (2016-2020), whose vision is to ensure that “*Natural capital is well maintained and thriving, ensuring sustainable and equitable development for the wellbeing of the people of Mozambique*”. In line with this vision, two projects are being implemented aiming to significantly improve and strengthen contribution and involvement of local communities in the sustainable management of natural resources in Mozambique, namely:

1. **Dedicated Grants Mechanisms for Local Communities in Mozambique (MozDGM)** (2018-2022) – funded by the World Bank, the project aims to strengthen the capacity of local communities and Community Based Organizations to participate actively in the integrated landscape management.

- 2. Leading the Change: Civil Society, Rights and Environment Programme (2018-2022)** – funded by Sida, the project aims to ensure that communities and stakeholders are effectively contributing to sustainable natural resource management to ensure maintenance of healthy ecosystems and accrual of equitable benefits for wellbeing of the people of Mozambique.

Both projects plan to promote lobbying and advocacy campaigns to ensure that benefits defined in the different sectorial legislation (forest and fauna, mining, land, fisheries) are allocated to the local communities. First of all, this implies that there has to be effective collection of information and data which will feed WWF and partners' decision on the strategies and activities to enable and influence how mechanisms that allow for equitable benefit sharing from natural resources are in place, implemented and strengthened. Consequently, WWF Mozambique Country Office is looking for a skilled and experienced expert(s) to assess the status of implementation of the legal instruments approved by the Government of Mozambique concerning benefit sharing mechanisms. This will help WWF and its local partners and communities define strategic interventions to put in place for improvement and/or implementation of the benefit sharing mechanisms.

## **2. Objectives of the assignment**

The overall objective of this consultancy is to carry out a detailed study of the actual status of implementation of the legal instruments regarding the channeling of benefits from the use and/or exploitation of natural resources to local communities in Mozambique.

The specific objectives of the consultancy are as follow:

1. Estimate the amount of money already channeled or due to communities that are eligible for a share of benefits, as stipulated in major instruments, particularly: (i) Ministerial Diploma 93/2005 (20%) within and outside conservation areas; (ii) 2.75% of the share in the gas and mining sector for local communities; and (iii) Decree 43/2003, the regulations of marines fisheries which is currently being revised.
2. Assess and determine the total number of communities and/or households that have benefitted from tax share from the exploitation of natural resources in line with the above mentioned instruments since their approval.
3. Identify the key bottlenecks for the implementation of the existing instruments institutionally, legally, financially, and technically.
4. Assess and identify alternatives for improving mechanisms for collecting and channeling the benefits accruing from the use and exploitation of natural resources, and their reporting, monitoring and evaluation.

## **3. Scope of the Work and Methodology**

The consultant(s) will work under the supervision of the MozDGM Project Manager in close collaboration with the technical team of the Leading the Change Programme. The assignment will be undertaken largely from Maputo with frequent travels to provinces of

Cabo Delgado and Zambezia for data collection, consultation meetings and interviews with local government authorities from the relevant sectors, NGOs, Civil Society Organizations, Community Based Organizations and members of local communities. It is expected that the consultant(s) will design and use appropriate participatory data collection tools to gather information from key stakeholders and decision makers including traditional leaders, forest operators, mining and safari operators, members of fishery associations, national, provincial and district authorities amongst others. It's also expected that the consultant will carry-out a thorough literature review of the existing legal instruments and reports produced by different governmental and Non-governmental stakeholders, and design appropriate methodology for collecting data on benefits channeled or plan to communities/beneficiaries. Furthermore, the consultant will design and deliver a participatory workshop to share preliminary results and collect inputs from the key actors as part of the assignment.

#### **4. Expected Outputs**

The expected outputs of the consultancy include:

- (a) Detailed Program of Work and data collection tools at the start of the implementation of the assignment. The tools and work program will have to be approved by WWF in close consultation with relevant stakeholders.
- (b) Preliminary Findings of the study and literature review presented to WWF MCO team for inputs.
- (c) Participatory workshop to share preliminary results and collect inputs from key actors.
- (d) Study Report detailing: amounts of money already channeled and due to the communities and number of beneficiary communities and/or households of tax share benefits from each of the specified instruments, and key bottlenecks for the implementation of the specified instruments and recommendations for improving mechanisms of collection and channeling the benefits. The report should be in Portuguese and English.

#### **5. Duration and Timing**

The consultancy will be carried out and completed within 30 working days from the time of signing Contract with WWF.

#### **6. Logistical Support and Other Information**

WWF MCO will help the consultant with the contacts for the relevant stakeholders (CSOs, Government, Private sector and local communities) and logistical support will also be provided for travel, accommodation and meetings during data collection and sharing of preliminary results.

## **7. Assignment Work Station**

The tasks will be performed from the consultant(s) base, except for the workshop and field work in Pemba, Mocuba and Maputo.

## **8. Eligibility/Qualification of Consultant**

The consultant(s) will have a minimum of:

- Advanced degree (Master's or higher) in natural resources management, social sciences, statistics, or relevant discipline.
- At least 10 years of practical experience in data collection, analysis and demonstrated professional experience in Mozambican legislation related to forests, wildlife, fisheries, mining, land tenure and other natural resources.
- Experience of working with government, local communities, Media and civil society organizations in natural resource management.
- Experience in organizing workshops and related events involving various stakeholders.
- Availability to travel all over the country, especially to remote areas.
- Strong analytical and report writing skills both in Portuguese and English.

## **9. Application**

Interested candidates are invited to submit the following by email to: [concursos@wwf.org.mz](mailto:concursos@wwf.org.mz) with name of consultancy in subject line or via hardcopies delivered to WWF Office in Maputo, at Av. Rua Faralay N<sup>o</sup>. 108 by 10<sup>th</sup> May 2019, midnight Maputo time:

- (a) Technical Application/Proposal – with a cover letter, the technical proposal should demonstrate a solid understanding of the TORs and ability to deliver the requirements of the assignment. The application shall include the company's profile and/or consultant(s) CVs elaborating and their suitability for the assignment and provide list of similar work already done by the consultant(s). Most importantly, the proposal should outline in detail the methodology and tools proposed to be used in the carrying out the assignment.
- (b) Financial proposal - The financial proposal should be submitted, separately from the technical proposal, and list and justify the costs associated with the execution of the assignment including daily rates in United States Dollars.

*Please note that all applications shall be submitted in English, and shortlisted applicants may be contacted for a face-to-face interview and presentation of their Proposal as part of the selection process.*

## **10. Evaluation of Applications**

Proposals will be evaluated on the basis of the following criteria: (a) demonstration of understanding of assignment and technical soundness and merit of methodology and tools to execute the assignment (40 points); (b) organizational capacity and expertise to execute the assignment (30 points); (c) past performance relevant to the assignment (20 points); and (d) the financial offer (10 points).