

# TERMS OF REFERENCE

## Consultancy for Xe Sap National Protected Area Expansion CarBi II villages in Saravan and Sekong provinces

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### 1. Background

The Carbon and Biodiversity Project phase II (CarBi II) is implemented by WWF through KfW, and part of the International Climate Initiative (IKI). The Federal Ministry for the Environment, Nature Conservation and Nuclear Safety (BMU) supports this initiative on the basis of a decision adopted by the German Bundestag. This is one of the priority conservation programmes in the Central Annamites Landscape (CAL), which holds one of the biggest contiguous natural forests in continental Asia, constituting a reservoir of rich and unique biodiversity.

The CAL is home to many endemic species including the saola (*Pseudoryx nghetinhensis*), large-antlered muntjac (*Muntiacus vuquangensis*), Truong son muntjac (*Muntiacus truongsonensis*), owston's civet (*Chrotogale owstoni*), crested argus (*Rheinardia ocellata*), Annamite striped rabbit (*Nesolagus timminsi*), as well as other species of high conservation value including gibbon (*Nomascus annamensis*), red and grey-shanked douc langurs (*Pygathrix* spp) and several pheasants (*Lophura* spp). The landscape as a whole contains 134 mammal species and over 500 birds.

The CAL is included as part of the Annamite Range Moist Forests, one of the Global 200 Ecoregions which have been identified as the most crucial areas for conservation of global biodiversity (Olson & Dinerstein 1998). Within the Indochina region it is recognized as being an important biodiversity corridor containing multiple Key Biodiversity Areas within the CarBi II target areas of Saravan and Sekong Provinces.

CarBi II will be implemented over a 5-year period (2019 – 2024) by WWF-Vietnam and Laos. Key partners of the project in Laos are the Department of Forestry (DOF) under the Ministry of Agriculture and Forestry (MAFO), Provincial Agriculture and Forestry Offices (PAFO) of Saravan and Sekong.

Although the CAL and specifically the CarBi II landscape are characterized by high biodiversity, it is also under high anthropogenic pressures, predominantly due to large scale legal and illegal forest conversion, logging and poaching which have significantly reduced the population sizes of the region's most important threatened and endemic taxa. Communities of Buffer zone villages of protected areas (National Park and Nature Reserves) are also not well-organized to manage their allocated forests and concomitant natural resources, and there is also insufficient participation in decision making processes regarding natural resource management which impact directly on their socio-economic well-being.

## 2. CarBi II is aimed at addressing the following intervention strategies:

1. Effectively expand the protected area network, establish specialised Forest Ranger patrol capacity on the Laos side and continue to grow the value offered by the Viet Nam Forest Guards, conduct cutting edge biodiversity monitoring and data management systems, scaling up of conservation best practice lessons learnt, and policy transformation.
2. Enhance the capacities of local stakeholders to implement national policies and international regulations on illegal wildlife and timber trade, support multi-agency law enforcement interventions, promote trans boundary cooperation to reduce illegal wildlife trade, conduct demand reduction and consumer behaviour change interventions to disrupt the bushmeat supply chain.
3. Increase effective community engagement in sustainable natural resource management and protection through the establishment and capitalisation of Village Development Funds and Biodiversity Conservation Agreements in priority villages, supported through a fit-for-purpose livelihoods enhancement strategy and implementation support, a robust community awareness raising and behaviour change approach, as well as the strengthening of Volunteer Community Groups.
4. Develop sustainable financing mechanisms and promote lessons learnt to key decision makers, with specific focus on the development and piloting of a Biodiversity Offsetting regime, and enhancing the Payment for Forest Environmental Services (PFES) and benefit sharing system in Viet Nam, and the piloting of a Payment for Forest Environmental Services scheme in Xesap NPA.

## 3. Background to the expansion

The Xe Sap National Biodiversity Conservation Area (NBCA) was formerly proposed for government consideration by Berkmuller et al. (1995) as an addition to the NBCA system originally established in 1993, and was gazetted in February 1996 (by Decree 210/96 (Timmins & Vonthamkeng, 1996; Steinmetz et al, 1999). Since 9 February 1996, the Lao Government has elevated the status of the XeSap NBCA to a National Protected Area (NPA) which is equivalent to an IUCN Category II National Park. In reality, however, all NPAs in Lao are multiple use areas, IUCN Category VI (see IUCN, 1994).

The evergreen forests of the Annamite mountains and foothills are considered the most biologically distinct ecosystem in the region. Included are extremely wet forests, which are formed by an interaction of monsoon patterns and local topography. Annamite forests are found only in Lao PDR, Vietnam, and Cambodia, but they are of highest quality in Lao PDR, due in part to lower human pressure.

XeSap NPA is intrinsically important because its high altitude forest is the largest of four such areas within the National Protected Areas system. This value is further enhanced because the area forms part of the Southern Annamites, a biogeographic region with a high species endemism for many taxa. (after Timmins & Vongthamkeng, 1996).

Due to the high biodiversity value of the Palé area towards the east of Xe Sap, as elaborated in detail in the CarBi II Feasibility Study (2017), and following the specific

CarBi II objective to expand the PA network, the services of a consultancy is needed to develop the legal and administrative framework within which an expansion proposal can be formalized for submission to the relevant Laos government authorities in pursuance of the required official endorsements and approvals.

#### 4. Objectives

- Review of legal framework for protected area expansion in Laos, and specifically as applicable to the Xe Sap NPA
- Review of land availability and status in consultation with relevant authorities, based on the CarBi II Feasibility study's proposed area
- Preparation and submission of formal proposals for endorsement and approval by the relevant authorities based on the prescribed legal framework.

#### 5. Scope of work

- Detailed review of the official legal/policy and administrative framework for protected area expansion in Laos, including, the legal framework of land conversion from protection forest area to protected areas
- Develop the outline of expansion plan process, including official legal/policy and administrative framework for protected area expansion in Laos, land use surveys in proposed expansion area, maps, environmental and social risk information, and the official government endorsement and approval process
- Review and recording of land availability and status, with continuous engagement of key stakeholders such as local communities, district administrations and departments of forest conservation, including the production of a map as per the legal requirement for PA expansion
- Review the land use management for the proposed expansion area
- Supports WWF and the relevant departments for forest conservation in the preparation and submission of a formal proposal for approval by the relevant authorities at national level, including consultation meetings with key government counterpart officials
- Final consultation meeting to agree on the final draft proposal

## 6. Expected outputs

- Detailed review of the official legal/policy and administrative framework for protected area expansion
- Develop the outline of expansion plan process
- Review the land use management for the proposed expansion area
- Document land availability results (report) and prepare A0 map
- Preparation and submission of formal proposals for approval by the relevant authorities at national level
- Final consultation meeting with relevant government partners to agree on the final draft proposal

## 7. Deliverables & Timelines

The consultancy will start at 2 August 2021 and will end on 30 April 2022 or when all deliverables are approved by responsible managers

#	Deliverables	Deadline
1	Report on the review of legal framework for protected area expansion in Laos, and specifically as it may be applicable to the Xe Sap NPA	3 weeks after contract signed
2	Develop update and complete the outline of expansion plan process, including official legal/policy and administrative framework for protected area expansion in Laos, land use surveys in proposed expansion area, maps, environmental and social risk information, and the official government endorsement and approval process	1 month after contract signed
3	Minutes of Meetings with relevant stakeholders (provincial and district) for identifying the land use, availability and status	1.5 months after contract signed
4	Document land availability results (report) and prepare A0 map	2.5 months after contract signed
5	Minutes of Consultation meetings with key government counterpart officials for the draft proposal	3 months after contract signed
6	Minutes of Final consultation meeting with key government counterpart officials to agree on the final draft proposal	4 months after contract signed

7	Preparation and submission of formal proposals for approval by the relevant authorities at national level	5 months after contract signed

## 8. Requirements

- Relevant Bachelor degree or higher in related subjects such as Natural Resource Management, Forestry or equivalent
- A successful track record in Protected Area governance, planning and management in Laos with a deep understanding of government procedures and processes
- The consultant must have demonstrated previous experience in working closely with the relevant Forestry and related government departments such as DOF, MONRE, Planning & Investment, within a framework of cooperation and strong trust
- Good report writing skills in both English and Lao
- Good written and spoken English.
- This is for Laos based consultant only

## 9. Proposal formulation and cost breakdown

- Language of the proposal: The proposal shall be written in English and should include a detailed work plan and time schedule.
- Currency of the proposal and cost breakdown: The proposal must be quoted in United States of America Dollars and the contract will be awarded in this currency.
- The financial proposal must be aligned with detailed work plan

## 10. Selection criteria

- Selection will be based on 80% Technical proposal and 20% Cost/Price comparison