TERMS OF REFERENCE

INDIVIDUAL CONSULTANT FOR THE PREPARATION OF AN ENVIRONMENTAL AND SOCIAL MANAGEMENT FRAMEWORK (ESMF) FOR Sustainable Fisheries, Aquaculture and Watershed Management Project in Malawi

African Development Bank Group, Abidjan, Cote d’Ivoire

Closing date: COB June 16th 2019

For questions: Contact Ahmed KHAN at A.Khan@afdb.org

I. Introduction

The African Development Bank (AfDB) Bank hereby invites Individual Consultants (environmental and social safeguards specialists) to indicate their interest in the following assignment: Preparation of an Environmental and Social Management Framework (ESMF). The objective of the ESMF is to provide a unified process to address all environmental and social safeguard issues for subprojects within the Sustainable Fisheries, Aquaculture and Watershed Management Project in Malawi, from preparation, through appraisal and approval, to implementation. It thereby ensures compliance with the Bank’s safeguards. The ESMF shall describe the process for screening, assessing, addressing and managing safeguard issues for site-specific project activities and subprojects that will be identified during project preparation or have yet to be identified at the time of preparation. The ESMF shall cover all project components including any capacity building as well as any small-scale works related to the subproject investments.

II. Background

The Malawi’s fisheries sector is of great importance to the national economy as it contributes 4% to the gross Domestic Product (GDP) and is also a source of employment, food, rural income, export, import substitution and conservation of biodiversity. The sector directly employs about over 60,000 fishers and 9,000 fish farmers and indirectly supports 500,000 people who are involved in fish processing, fish marketing, boat building and engine repair while only two investors are engaged in commercial aquaculture. Millions of people depend on fish for their dietary requirement as over 60% of dietary animal protein intake and 40% of the total protein supply of Malawians come from fish.

The sector has been experiencing a number of challenges leading to dwindling of high value fish species like chambo (Oreochromis sp) and subsequent reduced per capita fish consumption. While the annual fish catches have increased for the past decade from 50,000 tonnes to over 120,000 tonnes by 2016, over 60% of the catches constitutes Usipa and other cichlids while the high value chambo has remained low. Due to population increase, the per capita annual fish consumption has fallen since the 1970s from 12.9 kg and to about 8 kg, which is below 15kg as recommended by the World Health Organization. It is within this context that the Government of Malawi seeks to improve management of wild capture fisheries, restore degraded ecosystems and watersheds, and promote aquaculture development and fish value chains.

Several strategies are pursued to achieve suitable utilization of the fisheries resources, including the improvement of the performance of the sector, investment in technology, training and support infrastructure development. The proposed project therefore focuses on the development of value
chains in both capture fisheries and aquaculture taking into account the changing climate and environment on the lakes of Malawi. The project strives to make provisions of basic infrastructure, supporting research and extension services for wild captured fisheries, provision of training to SMEs and the encouragement of competitive fish value chains. Moreover, promoting aquaculture investments in both cage culture and pond-based culture should boost production of culture species such as the chambo. The proposed intervention will also focus on strengthening adaptive capacity of the fishing and fish farming communities in response to global change. In the southern Lake Malawi and some parts of Lake Chilwa the proposed intervention will collaborate with on-going projects focusing on sustainable fish production and value addition.

III. Scope of Work

As part of the assignment, the Consultant is required to visit all the project sites and engage with the relevant stakeholders of the program (in-country consultations and field visits) where the data should cover the national to the lowest level where subprojects will be proposed, approved and implemented. The Consultant is also required to undertake a detailed analysis of the environmental and social risks posed by the proposed project interventions and comply their findings into an ESMF report that will be used towards managing environmental and social risks arising within the project. The ESMF should be formulated in-line with the guidance provided in the AfDB Integrated Safeguards System (the format of an ESMF is included as Annex I of this TOR). The Individual Consultant’s Scope of Work for the development of the ESMF includes the following:

1. Review the Integrated Safeguards System of the African Development Bank with emphasis on the requirements for an ESMF.

2. Undertake a gap assessment of national policies and regulations and the (AfDB) environmental and social safeguards policies and standards and the measures to fill any gaps.

3. Summarise the project descriptions, including a typology of the potential subprojects to be financed, based on potential size/scale of subprojects and the environmental and social impacts and risks, paying particular attention to how subprojects will be identified, prepared, approved and implemented, and how funds will flow to approved subprojects.

4. Prepare an overview of the environmental and social contexts relevant to the projects, including an analysis of the legislative, regulatory and administrative regime (i.e.: protection of natural habitats and cultural heritage, pollution control, etc.) within which the project will operate, with a focus on requirements applicable to the planning/design, approval and implementation of subprojects.

5. Collect environmental and social baseline information at national and regional levels with stipulation of required information and studies to be conducted within a given framework.

6. Outline procedures for conducting an appropriate level of environmental and social assessment of subprojects, consistent with the bank’s OSs, identifying the impacts to be managed or mitigated.

7. Prepare procedures for identifying and screening environmental and social issues of subprojects during project implementation (screening checklists and identification of cumulative, indirect and
induced impacts, in line with relevant AfDB E&S safeguards standards and other applicable standards). Screening has the following purposes:

a. screen subprojects for potential environment and social risks and impacts;

b. identify applicable E&S standards;

c. determine the E&S category of the subproject; and

d. determine the specific instrument(s) to be prepared for each subproject.

A checklist is often useful in screening E&S issues. In this section, the screening checklist should be described and the mechanics of its use on subprojects are to be presented. The actual screening checklist should be presented as an Annex of the ESMF.

8. Prepare a procedure for scoping of environmental and social issues and determining appropriate and required safeguards instruments for site-specific subprojects that will be identified during project implementation. This section outlines information on the type of management instrument (for example, full ESIA, audits, etc.).

9. Prepare procedures for preparing and approving site-specific safeguard instruments. These procedures should include:

a. A framework of actions to guide the development of an Environmental and Social Management Plans of subprojects (including identification of mitigation measures);

b. the objective of each measure, its specific implementation requirements and responsibilities,

c. its’ technical and operational requirements, including timing,

d. the targets to be achieved and performance indicators for monitoring and supervising the adequacy of safeguard implementation.

e. Chance find procedures and management plans to identify and avoid impacts on physical cultural resources in line with AfDB OS 2 requirements.

f. Generic safety measures for infrastructure and construction activities.

10. Determination of institutional capacity for implementing the ESMF. This should include an analysis of the authority and capability of the relevant institutions at local, district, provincial/regional and national levels and their capacity to manage, monitor and supervise the implementation of the ESMF. Also, to be included is a description of the institutional arrangements for project implementation with a focus on points of accountability (who will do what) for specific functions on environmental and social safeguards. This would include a clear definition of roles and responsibilities of project staff and associated agencies in subproject implementation and application of environmental and social review, preparation and implementation of safeguard instruments, monitoring, and evaluation but also training, staffing, budgeting and financial support.
11. Outline the requirements for consultation with local communities and stakeholders, both during subproject preparation and ESMP development, and during subproject implementation.

12. Outline the grievance redress mechanism to provide stakeholders and potentially affected communities and households avenues to provide feedback or grievances, and receive responses, with regard to the implementation of sub-projects throughout the life of the projects.

13. Outline the requirements for monitoring and subproject supervision to ensure that the management measures are satisfactorily implemented and that the agreed targets for environmental and social protection are achieved. A supervision plan should be prepared with guidance on thresholds or triggers for initiating corrective action and safeguard performance indicators to enable the Bank to evaluate compliance with safeguards and determine the need for corrective actions. As well, include the scope, timing and responsibilities for reporting on the ESMF. This should include specific actions to be taken by the borrower or client to report in a timely manner on failure to implement measures successfully or to meet the desired targets and any remedial actions.

14. Where needed, outline the requirements for capacity strengthening or training deemed appropriate for the government agency involved in the ESMF implementation or monitoring. This may include the establishment or expansion of an environmental and social management unit within the borrower organization. Other elements may include technical cooperation programs, equipment and supplies procurement and organizational changes.

15. Where needed, outline the requirements for technical assistance to communities, service providers and public sector institutions to support the implementation of the ESMF. This may involve supporting studies examining, for example, changing access to natural resources or potential impacts upon a protected area.

16. Summarize the in country disclosure and approval requirements as well as those of the AfDB and other institutions as applicable to the projects under the program.

17. Based on the assessments above, outline an estimated budget for the implementation of the ESMF for subprojects.

IV. Expected Deliverables of the Consultancy

The expected deliverables of the assignment are as follows:

- An inception report inclusive of a detailed work plan and schedule
- A draft ESMF including
  - a summary of all findings from the stakeholder analysis, and the impact assessment of the subprojects in accordance with AfDB safeguard standards;
  - recommendations of mitigation measures for adverse impacts; o summary of consultations undertaken;
  - screening procedures to be followed for sub projects;
  - ESMF monitoring plans/programs (See Annex 2 in this ToR for additional guidance)
- Final ESMF report
- An Executive Summary of the ESMF that includes information summarized from the ESMF and the results of the public consultations carried out. (approximately 10 pages)
Annexes, as applicable, and may include the following:
  o Exclusion list (list of activities that the programme will not finance)
  o Eligibility list
  o Screening checklist: The purpose of screening is to determine the subproject’s eligibility for AfDB funding and to identify whether the subproject would have the potential to cause significant adverse impacts on the environment and society, consequently the appropriate safeguard instruments and mitigation measures to manage those impacts. A matrix or table will be developed which outlines the severity of the potential impact, whether it triggers a policy (OS), and how it should then be considered. The project timeline will be discussed with the client, as well as key delivery dates. All of the procedures used will need to be consistent with applicable national and local environmental assessment and planning/permitting procedures.

V. The eligibility criteria

The establishment of a short list and the selection procedure shall be in conformity with the Bank’s Rules and Procedure for the Use of Consultants under projects financed by the Bank Group, available on the Bank Website at http://www.afdb.org. Please, note that interest expressed by a Consultant does not imply any obligation on the part of the African Development Bank to include him/her in the final shortlist.

VI. Consultant Qualifications

The Individual Consultant should have the following requirements:

1. At least a Master’s degree in Environmental Studies, Natural Resource Management, Environmental Policy or a related discipline;

2. A minimum of six (6) years of relevant professional experience in areas related to environmental and natural resource management, environmental assessment, environmental monitoring and environmental stewardship;

3. A good knowledge and experience in developing and managing the implementation of Environmental and Social Impact Assessments (ESIAs), Environmental and Social Management Plans (ESMP), Environmental Management Frameworks, the social aspects of development projects (health and safety aspects, involuntary resettlement and gender issues, etc.), monitoring, evaluation and conformity assessment;

4. A good knowledge and experience of multi-criteria assessments, stakeholder engagement and consultation, community participation; analytical skills to assess institutional capacity and to design/review practical arrangements for implementing complex projects, particularly in Africa;

5. Listening to clients - providing effective services and solutions to staff beyond presenting past challenges and able to gain respect through the depth of demonstrated expertise, effectively managing various clients and country situations;

6. Demonstrated ability to work effectively in a multicultural environment and to develop effective working relationships with clients and colleagues;
7. Have excellent technical and analytical skills:

8. Be able to communicate effectively (written and oral) in English;

9. Master the use of MS Office software.

VII. Selection criteria:

The consultant will be selected based on i) qualifications, ii) years of experience and iii) experience of working in developing countries.

VIII. Expressions of interest must be received no later than 16 June 2019 at 5pm Abidjan, Cote D’Ivoire time to A.Khan@afdb.org and copy f.kondo@afdb.org.