

NATIONAL POLICY AND LEGAL EXPERT

PROCUREMENT NOTICE

Project Title:	“Strengthening Capacity on Climate Change Initiatives in the Industry and Trade sectors” (CCIT).
Description of the assignment:	National expert (i) to work with international consultant and other national consultants to identify and recommend greenhouse gas mitigation potential and GHG reduction targets in 3 sectors for drafting the MOIT Green Growth Action Plan, and (ii) lead the process for MOIT formulation of the Green Growth Action Plan for implementing the Green Growth Strategy during 2014-2020 with close cooperation with international consultant and other national consultants.
Duration of assignment:	75 working days (UN-EU cost norm 2013 will be referred to apply).

1. Interested consultant must submit the following documents and information to demonstrate their qualifications:
 - A technical proposal: Signed Curriculum vitae, cover letter expression of interest, explaining why he/she is the most suitable for the work.
 - A financial proposal: all-inclusive fixed Lump Sum contract price.
2. Proposals should be should be sent by email to: ccitisea@gmail.com or submitted at: CCIT Project Office, Unit 401, 30 Nguyen Du, Hai Ba Trung District, Hanoi no later than 17:00 hrs. September 26th 2014, with subject line: **Application for the National Policy and Legal Expert** post.
Proposals must remain valid for a minimum of 90 days.
3. Please find attached the detailed Term of Reference for the post.

Terms of Reference

National Policy and Legal Expert to support MOIT develop draft Green Growth Action Plan for submission to MOIT Minister.

1) Background and context

The Government of Vietnam has made significant efforts in responding to the challenges of climate change. An example of this is the Green Growth Strategy (GGS) takes three strategic directions: low-carbon development trajectories; green production and restoring of natural assets; and the stimulation of green lifestyles. The GGS provides Vietnam's voluntary emission reduction targets and assists to transform current development patterns towards sustainable development.

In July, 2012, the UNDP Project entitled "Strengthening capacity on climate change initiatives in the Industry and Trade sectors" (CCIT) was signed by the Prime Minister of Vietnam. This 4-year project will assist Ministry of Industry and Trade (MOIT), as well as other relevant ministries and industry stakeholders, to raise awareness about climate change, undertake analysis of the current environment in which industry operates and work to address the challenges posed by climate change and take advantage of the potential opportunities it offers.

In September 2012, the Prime Minister of Vietnam approved the Vietnam Green Growth Strategy (VGGS) which is now supported by a national Green Growth Action Plan (GGAP) and forthcoming Green Growth Action Plans for each line ministry under the VGGS.

MOIT has begun to develop its Action Plan on green growth to contribute to the common national efforts to implement VGGS. A key goal of GGAP(s) will be to quantitative GHG emission reduction targets set forth for the sectors and industries under MOIT's mandate. The Industrial Safety Techniques and Environment Agency (ISEA) of MOIT as the implementing agency will chair this assignment in coordination with Department of Science and Technology (DST) of MOIT.

To support MOIT develop its GGAP, CCIT project will provide expert inputs for setting GHG emission reduction targets in some key sectors, and for formulation of draft MOIT GGAP that will be submitted to MOIT Minister for approval by the end of December 2014. Thus, initially, MOIT will focus on GHG reduction target setting in 3 sectors (chemical fertilizer, steel and

energy/coal fired power generation). By early 2015, other sectors under MOIT's mandate may be added for this work.

In this context, a national **Policy & Legal** expert (hereinafter referred to as NPL) will be recruited to work as a member of a team, consisting of one international expert as Team Leader (hereinafter referred to as ITL) and four other national sector experts, to support MOIT in completing draft MOIT GGAP. The common plan for the team is summarized in Annex 1 below.

2) Objective of the assignment

The overall objective is to provide technical and evidence based support to MOIT for developing draft MOIT GGAP that the VGGS can be implemented within MOIT during 2014-2020. A key focus of draft MOIT GGAP will be specific GHG reduction targets for the sectors and industries under MOIT's mandate.

Specifically, NPL will support MOIT in the overall formulation of draft MOIT GGAP and its attachments to submit to MOIT Minister for approval by the end of December 2014, which should complement and support the VGGS and national GGAP.

NPL will work with an ITL and other national sector experts to produce the deliverables partly under Phase I of this assignment (while other experts provide technical foundation for MOIT establish a consolidated GHG baseline and GHG reduction target for the chemical fertilizer, steel and coal fired power generation sectors for the period 2014-2020).

Primarily, he/she will be responsible to produce deliverables under Phase II - consolidation of GHG reduction targets and design and formulation of overall draft MOIT GGAP (see Annex 1).

Expected key deliverables

- The draft of MOIT GGAP for submission to MOIT Minister for approval.
- The attachments to the draft GGAP for submission to MOIT Minister for approval, including:
 - i) A Report on the development of draft MOIT GGAP, including consolidation of targets for 3 sectors.
 - ii) A Submission Letter, covering implementation arrangement related issues.

- iii) A Draft Decision to sign by MOIT Minister on approval of GGAP.
- iv) A summary of opinions and comments of relevant departments of and outside MOIT.

3) Scope of work and specific activities

This assignment will work towards formulation of draft MOIT GGAP and build on a set of clear recommendations and quantitative measures to support MOIT for the GHG target setting under GGAP - as it relates to the chemical fertilizer, steel and coal fired power generation sectors. The draft frame outline of MOIT GGAP, that is one of CCIT supported products to MOIT, will be referred during the formulation of draft MOIT GGAP.

The scope of assignments of NPL will consist of following key works:

- To review and evaluate the legal documents related to green growth including 14 activities assigned to MOIT and related activities in the National Action Plan on Green Growth that was approved by the Prime Minister by Decision No. 403/QD-TTg on March 20th, 2014, with focus on the steel, chemical fertilizer and coal power generation sectors. Key relevant legal framework to be reviewed are:
 - Laws on environmental protection and energy efficiency;
 - Strategies and plans on green growth (national GGS 2012 and national GGAP 2014) and climate change response;
 - Strategies and plans on industrial development, focusing the development plans in steel, chemical fertilizer, energy/coal power generation;
 - Existing projects/programs, such as those on energy efficiency, cleaner production, development of environment industry sector, biofuel, clean technology, technology transfer, green trade etc.
- In cooperation with ITL and other national sector experts (steel, chemical fertilizer, energy/coal power generation) to evaluate and compare the results obtained under Phase I (see Annex 1) along with the review of current legal documents - to develop MOIT GGAP for 2014-2020.
- Based on the policy review result, to recommend a roadmap to achieve the targets/goals set forth, the solutions of institutional and organization arrangement and capacity building of MOIT in implementing and

coordinating mitigation and green growth tasks, the necessary awareness raising activities of enterprises/sectors towards green growth goals.

- Draft and design MOIT GGAP during 2014-2020; lead the holding of final stakeholder consultation meeting along with ITL and incorporate feedback from the final meeting.
- Finalize draft MOIT GGAP for submission to MOIT Minister by the end of December 2014.

4) Deliverables and timeline

- October 15, 2014: Initial outline of coming draft MOIT GGAP, methodology and work plan for fulfilling the assignment.
- November 15, 2014: Initial review on relevant policies, strategies and plans towards green growth goals, and draft GGAP, excluding the GHG baseline(s) and evidence based targets for 3 sectors, in order to recommend a roadmap of policy improvement and development towards green growth.
- December 15, 2014: Final draft MOIT GGAP and attachments.

5) Assignment duration and proposed workplace

The assignment will start from 1 October 2014 and all deliverables will be completed by 20 December 2014. ITL will have two missions in Hanoi for stakeholder consultation and holding of workshops. NPL will be available for supporting ITL for the first and second workshop and lead the holding of final stakeholder consultation meeting along with ITL.

6) Team constellation

The MOIT GGAP formulation work will consist of 2 phases: one technical assessment work including national technical consultants for 3 sectors and an ITL. The selected consultant will be part of this team with low level involvement.

Phase II is on consolidation of targets and design and formulation of draft MOIT GGAP. The team from Phase I will collaborate with NPL in terms of delivery of Phase II of the assignment - but main responsibility of Phase II is with the recruited national consultant (of this TOR).

NPL will work with ITL to also assist MOIT in preparing and facilitating an initial workshop where the ITL will present methodology and initial technical data from Phase I; this will be followed by another update workshop on Phase

I. Received comments/inputs will be collected at the workshop and incorporated in finalizing Phase I in terms of target setting of specific sectors and finalizing Phase II.

The draft report comprising of Phases I and II (draft MOIT GGAP and consolidated targets) will be presented **at a final workshop for comments** before the report is finalized for submission to MOIT. This final report is the main responsibility of NPL (with support from ITL).

7) Administrative support and reference documents

The CCIT Project Management Unit (PMU) and UNDP will assist NPL on practical issues for carrying out the assessment (contact, interviews and meetings with proposed stakeholders etc.).

A number of reference documents from conducted or ongoing studies on GHG baselines and reduction potential will be shared by PMU and UNDP. NPL will be responsible for review of related legal and policy documents.

Provision of monitoring and progress controls:

NPL will work under supervision and management by the CCIT National Project Director (NPD) with quality assurance of CCIT International Technical Advisor (ITA) and UNDP staff as per the VN-UN Harmonised Programme and Project Management Guidelines (HPPMG). The PMU staff will be charge of the daily management of NPL in collaboration with ISEA and UNDP. NPL will work closely with other national consultants in Phase I; will perform under the conditions of contract. Administrative support will be provided by personnel of PMU.

Meetings and progress reports should be conducted with PMU and UNDP staff as requested.

Quality management:

Qualitative criteria: PMU and UNDP staff will be quality reviewers of the ongoing assessment and the draft and final assessment report.

8) Required qualifications

The national consultant must be able to document the following experiences and expertise:

Consultant's experiences/qualification related to the services

		Max points
1	University degree (MA or equivalent) in economics, political science, law, policy studies or a related subject.	100
2	Comprehensive technical knowledge and work experience in legal framework and policy development (Master Plan or similar strategy) within Government of Vietnam and possibly within MOIT. Some knowledge of industrial production, GHG mitigation issues would be helpful.	400
3	Experience in leading national policy level stakeholder consultation; coordinating stakeholder inputs, consolidating them and translating them into legal and policy documents.	300
4	A proven track record working with UNDP (or other international organizations) supported projects .	100
5	Fluency in written and spoken Vietnamese and English (at least one writing sample must be provided for assessment).	100
	Total	1000

9. Payment terms

Three instalments after completion of each phase of work; and acceptance of outputs by PMU and UNDP, as follows:

- 20% upon acceptance of detailed implementation plan of the assignment and the proposed step-wise methodology.
- 40% upon draft MOIT GGAP at its final stage.
- 40% upon acceptance of final consolidated targets and formulated draft MOIT GGAP.

Annex 1: Implementation plan for the overall assignment (not only focused on the national Policy and Legal expert)

Phase I: Technical Assessment (GHG baseline and target setting):

Task 1: Formulation of detailed methodology

- Formulate a detailed methodology for identifying the GHG baseline levels, reduction potential and target setting in the energy, steel and chemical fertilizer sectors. The methodology will validate and advance on the ongoing sectors work under CCIT project; will include a detailed analysis of sectors. In addition to the GHG reduction potential and target setting, the methodology will also include an assessment of marginal abatement costs of various reduction options. Identification of optimal level of reductions; political mandate and human resources of MOIT to achieve and monitor/report the reduction targets should also be included in the methodology and subsequent formulation of reduction targets.

Task 2: Desk review of the existing studies for GHG reductions

- Conduct a comprehensive desk review previous/ ongoing assessments for GHG baseline and reduction options in 3 sectors.

Task 3: Empirical data collection for further detailed analysis

- Collect/validate international and national data for the GHG baseline setting and identification of reduction target setting for 3 sectors.

Task 4: Stakeholder consultations

- Consult with stakeholders and sector experts, state agencies and donors involved in 3 sectors related and general climate change mitigation activities in Vietnam.
 - The consultations will focus on collecting/validating information for the technical assessment, foster knowledge sharing among key stakeholders and create consensus (where possible) on the GHG baseline levels and reduction targets for the MOIT GGAP.
 - The experts will participate in an initial technical consultation workshop discussing methodology and initial data of the whole team (chemical fertilizer, steel and energy sectors).

- The experts will participate in a final workshop reflecting results of Task 5 (targets) as the output of Phase I as well results of Phase II detailed below.

Task 5: Detailed assessment of 3 sectors for GHG target setting

- The assessment must incorporate existing studies and develop further quantitative analysis on GHG baselines and reduction options. The applied analytical approach must be based on internationally recognized methodologies such as value chain analysis, MACC assessments, LEAP modelling etc. The detailed analysis must include technical GHG reduction potential, recommend/optimal reduction potentials, and estimated costs of the reductions.

Phase II: Consolidation of results produced by experts and formulation of draft MOIT GGAP

Task 1: Sector experts support NPL review and evaluate the legal documents related to green growth including 14 activities assigned to MOIT and related activities in the national GGAP that was approved by the Prime Minister of Vietnam by Decision No. 403/QĐ-TTg on March 20th, 2014.

Task 2: Sector experts support and cooperate with NPL to evaluate and compare the results obtained under Phase I with the current legal documents to develop the MOIT GGAP for 2014-2020.

Task 3: NPL and ITL incorporate comments/inputs from related stakeholders to modify and supplement contents and complete documents for 3 sectors.

Task 4: NPL draft and design MOIT GGAP during 2014-2020 for MOIT's later submission to MOIT Minister by the end of December 2014.