



National Consultant to Draft the Biocultural Protocols

Application type:	External vacancy
Job Title:	National Consultant to Draft Biocultural Protocols (BCP) and conduct BCP related trainings
Category	Economics, Biodiversity
Duty station	Home based with travel to districts within Rwanda
Application Deadline:	
Type of contract:	National Individual Contract
Expected starting date:	Immediately
Duration	25 working days in 3calendar months

1. Background

1.1. Introduction:

The Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization (ABS), an agreement under the Convention on Biological Diversity, was adopted on 29 October 2010 in Nagoya (Japan) and entered into force on 12 October 2014, it provides a transparent legal framework for the effective implementation of the 3rd objective of the Convention on Biological Diversity (CBD). The Protocol applies to genetic resources that are covered by the CBD and to the benefits arising from their utilization, it also covers traditional knowledge (TK) associated with genetic resources held by indigenous and local communities. Contracting parties to the Nagoya Protocol need to fulfil core obligations to take measures in relation to access to genetic resources, benefit-sharing and compliance.

The UNDP-GEF Project “Strengthening human resources, legal frameworks, and institutional capacities to implement the Nagoya Protocol” (Global ABS Project) is a 3-year project that specifically aims at assisting 24 countries in the development and strengthening of their national ABS frameworks, human resources, and administrative capabilities to implement the Nagoya Protocol. The project seeks to achieve this through its 4 components namely:

- Component 1: Strengthening the legal, policy and institutional capacity to develop national ABS frameworks;
- Component 2: Building trust between users and providers of genetic resources to facilitate the identification of bio-discovery efforts; and
- Component 3: Strengthening the capacity of indigenous and local communities to contribute to the implementation of the Nagoya Protocol.
- Component 4: Implementing a Community of Practice and South-South Cooperation Framework on ABS.

The implementation of the basic measures of the Nagoya Protocol in Rwanda similarly to the other participating countries will unleash a wide range of monetary and non-monetary benefits for providers of genetic resources. Some of these benefits should be reinvested in the conservation and sustainable use of the biological resources from where the genetic resources were obtained. This will fulfil the three objectives of the Convention on Biological Diversity.

1.2. Context:

Rwanda ratified the Nagoya Protocol on October 12, 2014 and is on track to develop an enabling legal and institutional framework for the implementation of the Protocol. A draft Ministerial Order governing the Biodiversity permits has been developed and some of its articles determine the access to genetic resources and the fair and equitable sharing of benefits arising from their use. Other related existing laws are the Organic Law No. 04/2005, which determines the modalities of protection, conservation, and promotion of the environment in Rwanda, especially in its articles 4, 19, 52 and 82; Law No. 70/2013 of 02/09/2013, which governs biodiversity in Rwanda, especially in its Article 29; and Law No. 31/2009 of 26/10/2009, which enforces protection of intellectual property rights (IPR).

Rwanda Environment Management Authority (REMA) is the designated institution where the CBD and ABS focal points are hosted. The implementation of the basic measures of the Nagoya Protocol in Rwanda as one of the participating countries will unleash a wide range of monetary and non-monetary benefits for providers of genetic resources. Some of these benefits should be reinvested in the conservation and sustainable use the biological resources from where the genetic resources were obtained. This will fulfil the three objectives of the Convention on Biological Diversity.

Since 2018, the project has identified several genetic resources with a value addition potential, and has been piloting a proof of concept for setting up institutional arrangements to strengthen the national capacity to add value to selected potential value chains. An inventory study of traditional knowledge associated with genetic resources was also conducted.

Against the above background, UNDP on behalf of Rwanda Environmental Management is hiring a national consultant to carry out the Biocultural Protocols for the implementation of ABS project in Rwanda.

2. Objective and Scope of work

The National Consultant is expected to develop for Rwanda Biocultural community protocols, model contractual clauses that constitute the basis for clarifying Prior Informed Consent (PIC) and Mutual Agreed Terms (MAT) requirements between users and providers of Traditional Knowledge associated with Genetic Resources (aTK).

The national consultant is also expected to prepare BCP materials to be used to raise awareness about ABS, and improve the understanding of, the customary rights of local communities in relation to the use of biological resources and associated traditional knowledge. It also aims to contribute to the enhancement of the capacity of local communities in negotiating at the time of bio-prospecting.

The Consultant shall work in close collaboration with the project country team in Rwanda who will coordinate the consultancy. The country team shall include, at minimum and in line with national circumstances, the National Project Coordinator at REMA, the national consultant, the National Project Manager at UNDP country office, the Global Project Manager and the Regional Project Specialist for Africa from the Global ABS project team.

Specific tasks:

- Review the existing documentations on ABS institutional and legal framework in Rwanda to set the context of BCPs,
- Identify a community involved in the management of TK to serve as a case study for the development of BCPs.
- Develop BCPs and align them with existing draft ABS guidelines, PIC, MAT and MTA
- Develop BCP awareness raising materials
- Present the draft BCP and related awareness materials at a validation workshop and incorporate comments from stakeholders

3. Outputs/Expected deliverables

The selected consultant will provide the following key deliverables:

- Deliverable 1: Inception report, which demonstrates understanding of the assignment, clear methodologies to be used, and work plan. This deliverable will be approved by the project country team. The consultant shall submit his/her inception report with 2 calendar weeks from the date of signing the contract.
- Deliverable 2: Draft Biocultural Protocol delivered within 2 months from start of assignment
- Deliverable 3: Draft BCP awareness raising materials delivered within 2 and halfmonths from start of assignment.
- Deliverable 4: Final BCP protocols and BCP awareness raising materials incorporating comments from stakeholders and validated. To be delivered before 3 months from start of assignment.

4. Duration of the contract

The assignment is expected to take 30 workdays in the period of 3 and half months.

5. Institutional arrangement

UNDP will contract a national Consultant to undertake this assignment. UNDP Programme Specialist of the Sustainable Growth Unit, or any personnel delegated will supervise the consultant. The Consultant will directly report to the ABS Project Coordinator at REMA and UNDP Country Office focal point. A Technical Working Group to guide the assignment will be established, made up of technical members of related government agencies, civil society, private sector, academia, REMA and UNDP. All

deliverables should be accepted and validated by the Technical Working Group, and cleared by the DG REMA, unless otherwise stated.

6. Duty station

The assignment is both home and field (Kigali) based. The consultant is expected to travel to outside Kigali at least 3 times for consultations with stakeholders.

7. Required expertise and experience

Academic Qualifications/Education:

- Minimum Master's degree Laws, environment law or another related field.

Experience:

- At least 5 years of experience in drafting strategies at the national or international level;
- Proven experience in developing laws, regulations and guidelines related to biodiversity and Genetic Resources
- A good understanding of the main challenges facing the implementation of the Nagoya Protocol and ABS regimes in Africa region; specific experience in Rwanda is an asset;
- Experience working in multi-disciplinary teams with national experts and other stakeholders from relevant national institutions;

Language skills:

- Excellent writing, editing, and oral communication skills in English.

Competencies:

- Ability to provide guidance on valuation of genetic resources and associated traditional knowledge within priority ABS compliant value chains;
- Knowledge of the science-policy-business interface related to ABS and the ability to apply it to strategic and/or practical situations;
- Skills in local community engagement
- Ability to contribute to strategic planning, change processes, results-based management and reporting;
- Demonstrates practical knowledge of inter-disciplinary development issues;
- Consistently approaches work with energy and a positive, constructive attitude;
- Demonstrates strong oral and written communication skills;

8. Payment modality

The consultant will be paid the consultancy fee upon completion of the following deliverables.

20% upon completion and acceptance of the Inception Report.

30% upon completion and approval of the Draft BCP

30% upon completion and approval of the Draft BCP awareness materials

20% upon completion and approval of the Final Draft BCP and corresponding awareness materials

9. Application procedures

Qualified and interested candidates are hereby requested to apply. The application should contain the following:

- Personal CV or P11, indicating education background/professional qualifications, all past experience, as well as the contact details (email and telephone number) of the candidate and at least three (3) professional references;
- Brief description of why the individual considers him/herself as the most suitable for the assignment and a methodology, on how they will approach and complete the assignment;
- Financial proposal that indicates the all-inclusive fixed total contract price, supported by a breakdown of costs, to be provided by the UNDP procurement.

10. Evaluation criteria

The consultant will be evaluated against a combination of technical and financial criteria (combined scoring method). Maximum score is 100% out of which technical criteria equals 70% and financial criteria equals 30%. The technical evaluation will include the following:

Criteria	Weight	Max. point
Excellent proposed methodology for accomplishing the assignment	40	40
Minimum Master's degree in Laws or environment law or another related field.	10	10
At least 5 years of continuous experience in developing laws, regulations, guidelines on biodiversity or Genetic Resources	20	20
Proven experience in biodiversity and genetic Resources field	10	10
At least 5 years of experience in drafting laws and regulations at national level	10	10
A good understanding of the main challenges facing the implementation of the Nagoya Protocol and ABS regimes in Africa region; specific experience in Rwanda is an asset;	5	5
Excellent writing, editing, and oral communication skills in English knowledge of French and Kinyarwanda is an asset.	5	5
Total	100%	100

UNDP is committed to achieving workforce diversity in terms of gender, nationality and culture. Individuals from minority groups, indigenous groups and person with disabilities are equality encouraged to apply. All applicants will be treated with the strictest confidence.

Prepared by:

Signature _____

Name and Designation Bernardin Uzayisaba, Programme Analyst

Date of Signing _____

Reviewed and Cleared by:

Signature _____

Name and Designation Madeleine Nyiratuza, Head of Unit, Sustainable Growth Unit

Date of Signing _____

Approved by:

Signature _____

Name and Designation Varsha Redkar-Palepu, Deputy Resident Representative

Date of Signing _____