

Terms of Reference
International REDD+ Policy Expert
to support the Lao National REDD+ Program,
the REDD+ Taskforce, and the REDD+ Division

1. BACKGROUND

The Government of Lao PDR (GoL) has participated in the Forest Carbon Partnership Facility (FCPF) since May 2008. The FCPF manages two different multi-donor funds - the Fund for REDD+ Readiness Preparation Support and the Carbon Fund. Lao PDR was provided with the 1st REDD+ Readiness Preparation Grant in November 2011.

Since then, the GoL REDD+ program has made significant progress with the Department of Forestry (DOF) of the Ministry of Agriculture and Forestry (MAF) as the core agency as well as the support from various Development Partners. It has already endorsed its National REDD+ Strategy (NRS), developed its National Reference Emission Level and Forest Reference Level (REL/FRL) and submitted its 1st REDD+ Technical Annex, both of which have been assessed/analyzed and accepted by UNFCCC, continues to strengthen the National Forest Monitoring System (NFMS) through an approved roadmap, and has established its safeguards framework and a Safeguards Information System (SIS). The GoL is ready to draft and submit a funding proposal through JICA to the next phase of GCF REDD+ Results-Based-Payment Program, which is expected to be approved at a GCF Board meeting in the near future.

In addition, the GoL has prepared Six Provincial REDD+ Action Plans (PRAPs) and an Emission Reductions Program Document (ER-PD) for the Carbon Fund. The ER-PD was approved by the FCPF Carbon Fund Participant Committee in June 2018, representing the first sub-national emission reduction program in Lao PDR titled Governance, Forest Landscapes and Livelihoods – Northern Laos (GFLL). The ER-PD proposes a strategy for successfully implementing REDD+ and opportunities to receive results-based payments. The Emission Reduction Purchase Agreement (ERPA) was conditionally signed in December 2020. The GoL met all the Conditions of Effectiveness in December 2021 and started preparatory works with the upfront advance payment of USD 3 Million in Jul 2022.

Given the establishment of the centralized market mechanism under Article 6.4 of the Paris Agreement, there have been several proposals on development and implementation REDD+ projects from domestic and foreign companies and non-profit organizations (NPOs). The NRS and the 2019 Forestry Law promotes REDD+ activities by all entities and provides general guidance on such investments. However, a legal framework and technical guidance on management of REDD+ projects, harmonization of REDD+ activities at various scales from national to field level, on how these REDD+ activities including forest carbon trade contributes to the achievement of the National Determined Contribution of Lao PDR (2020-2025) and so on needs to be developed taking into account the requirements of the market mechanism, which will become operational in 2-3 years. This will require close cooperation with other Departments and Ministries particularly the Department of Planning and Finance/MAF, the Department of Climate Change of the Ministry of Natural Resources and Environment, and the Ministry of Finance.

At the same time, the REDD+ elements including FRE/FRL and SIS at national level needs to be reviewed and updated very soon. At the same time, the GoL needs thorough analysis of the existing REDD+ schemes from national to field levels as well as possible support, and select one(s), which will most benefit the GoL and its people as well as fits with existing and anticipated capacity within DOF and other concerned Departments and Ministries. There are emerging REDD+ payment schemes such as the Lowering Emissions by Accelerating Forest finance (LEAF) coalition using the ART/TREES certification standard with higher requirements in carbon accounting and safeguards. The Department of Forestry in consultation with concerned Departments/ Ministries and development partners will need to make decisions on the future development path of REDD+ in Lao PDR and commence necessary works and capacity building.

2. OBJECTIVE OF ASSIGNMENT

The objective of the assignment is to assist the Management of DOF as well as of the REDD+ Division in updating them on the international trends and emerging schemes of REDD+ including the market mechanism under the Paris Agreement, drafting a legal document and technical guidelines on management of REDD+ projects including nesting with national and regional REDD+, in selecting the REDD+ scheme(s) and market(s), which Lao PDR would target, taking into account their requirements, capacity and capacity development of relevant agencies of the GoL especially DOF and potential support from development partners, and to respond to inquiries from DOF and REDD+ Division related to REDD+ policy and schemes.

Commented [Nori K.1]: This is the guideline framework you have called. I think it would be easy to separate a legal document which states necessary procedures and requirements for registration of REDD+ projects and authorization of forest carbon credits to be traded at the market mechanism. Technical guidelines will provide detailed templates for REDD+ projects registration, the sections of DOF/MAF responsible for the procedures, detailed technical requirements for authorization of forest carbon credits to be traded at the market mechanism.

3. SCOPE OF WORK AND MAIN TASKS

1) Updating information of international trends and emerging REDD+ schemes and markets

- Search and study the international trend in REDD+ and emerging REDD+ schemes and markets
- Update the leaders of DOF and the Director and concerned staff of the REDD+ Division of the international trend in REDD+ and the emerging REDD+ schemes and markets
- Attend meetings/consultations on REDD+ policy and schemes, and prepare presentations to be presented by the expert or DOF officer

2) Legal framework on management of REDD+ projects and nesting with REDD+ activities at higher levels

- Study existing and emerging laws and regulations related to proposal, approval, registration and implementation of REDD+ projects financed by private sector and/or NPO
- Identify appropriate methods or certification scheme/standard for nesting of REDD+ at various scale especially REDD+ projects on the ground and the national REDD+ elements including FREL/FRL, MRV and so on
- Identify necessary procedures for authorization of forest carbon credits, which the owner of the forest carbon credits would like to trade at the market mechanism under Article 6.4 of the Paris Agreement in consultation with concerned Departments and Ministries esp. DCC/MONRE.
- Identify appropriate methods for the corresponding adjustment of the forest carbon credits traded at the market mechanism and/or voluntary markets
- Draft a legal document (PM Decree or MAF regulation) and DOF technical guidelines on the management of REDD+ projects and nesting with REDD+ activities at higher levels taking into the above items.
- Attend meetings/consultations on the issues related to the draft legal document and technical guidelines and prepare presentations to be presented by the expert or DOF officer
- Finalize the legal document and technical guidelines for proposal to MAF

3) Recommendations or suggestions on the future REDD+ schemes and markets, which Lao PDR will target

- Based on the Scope 1) above, prepare recommendations or suggestions on the future REDD+ schemes and markets, which Lao PDR will target, taking into account the requirements of the schemes and markets and the capacity and capacity building of concerned DOF Divisions and officers
- Prepare a timeline for application to the selected schemes and markets covering both technical and procedural aspects
- Assist DOF in finding necessary support/fund from development partners and private sector

4) Capacity building of REDD+ officers of REDD+ Divisions

Commented [Nori K.2]: You need somebody in the Division, who has sufficient knowledge and information of international trends, existing and emerging REDD+ payment/trading schemes and so on. This person(s) will be my counterpart staff.

- Prepare and provide capacity building on REDD+ schemes and markets for officers designated by REDD+ Division on a regular basis
- Conduct information exchange on the Scope 1)-3) above with other Projects and donors such as F-REDD, World Bank and so on, and report to the REDD+ Division

5) *Others*

- Provide data, information and/or advice related to the REDD+ schemes and markets, when DOF requests the expert to do so

4. DURATION AND TIMEFRAME OF THE ASSIGNMENT

- The services of the expert are required for a tentative period of 3 years starting October 2022.
- The contract and the terms of reference will be renewed on an annual basis depending on the performance of expert, the necessity of the post and the budget availability
- The assignment is on a part time basis.

Commented [Nori K.3]: Updating FREL/FRL, meeting SG requirements and so on need to be done by the end of 2025. In addition the legal framework on authorization of forest carbon credit should be in place by that time. If possible, MRV in 2025 together with 2nd MMR for the Carbon Fund. But, this depends on the timing of selection of REDD+ scheme.

Commented [S4]: I would prefer to use the term Intermittent and that to be reminded that the total number of days is 100 days. 60 days for 2023 and 40 days for 2024

5. SUPERVISOR AND REPORTING

- The expert will conduct its activities under the supervision of the Director of REDD+ Division and GFL National Project Coordinator
- The expert will submit a succinct monthly report on its activities together with a monthly time sheet

6. QUALIFICATIONS

The International REDD+ Policy Expert shall meet the following qualifications.

- Master or higher degree with education in the forestry, environment, environmental law or another related field.
- A minimum of 7 years of experience in work related to REDD+ policy in Lao PDR.
- Sufficient experiences in and familiar with the establishment and implementation of existing REDD+ schemes such as the UNFCCC requirements (REDD+ Strategy, FREL/FRL, MRV, Safeguards Information System and Summary of Information on Safeguards Implementation), GCF REDD+ RBP, and the Emission Reduction Program under the Carbon Fund
- Familiar with other REDD+ schemes including LEAF Coalition/ARTS/TRESS, JNR/VCS, CORSIA and so on.
- Familiar with the land and forest policy and legislation in Lao PDR
- Familiar with forestry sector institutions including the Department of Forestry/REDD+ Division and local line agencies is preferable
- Familiar with key development partners engaged in REDD+ or related activities in Lao PDR.
- Excellent spoken and written skills in English.
- Intermediate knowledge of the Lao language.
- Flexibility and ability to work and deliver high-quality products in a timely manner.

Presence in Vientiane, Lao PDR, is an essential requirement for this assignment.