TERMS OF REFERENCE

1. POSITION: COMPANY (NGO, FIRM, RESEARCH INSTITUTION) PROVIDING SERVICES FOR A STUDY OF ILLEGAL LOGGING IN MOLDOVA

Project title: “Improving Forest Law Enforcement and Governance (FLEG) in the European Neighbourhood Policy East Countries and Russia”

2. REPORTING RESPONSIBILITIES¹:

<table>
<thead>
<tr>
<th>Direct Reporting Line</th>
<th>Reporting Area</th>
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</thead>
<tbody>
<tr>
<td>ENPI/FLEG IUCN Program Consultant – Moldova (IUCN Country Program Coordinator)</td>
<td>Issues pertaining to the IUCN ENPI-FLEG program implementation in Moldova, with respect to technological support for establishing baseline data relating to Forest Law Enforcement and Governance that addresses issues such as stakeholder awareness and commitment, national ownership and capacity, and knowledge sharing. All administrative issues pertaining to these Terms of Reference.</td>
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3. LOCATION – Chisinau, Moldova

4. DURATION – 12 months

5. STARTING – February 2010

6. BACKGROUND

This European Commission financed European Neighbourhood and Partnership Instrument – Forest Law Enforcement and Governance (ENPI-FLEG) program will promote the development of improved forest law enforcement and governance arrangements in seven targeted countries: Armenia, Georgia, Azerbaijan, Moldova, Ukraine, Belarus and Russia. The program’s core funding is provided through a grant agreement from the European Commission to the World Bank. The program is being undertaken as a partnership among the World Bank, IUCN and WWF. Each of the three partnered program implementation organizations will be responsible for its own set of specified activities and deliverables. Three broad categories of stakeholder groups will be targeted by the program: government (line departments, parliamentarians, local authorities and the judiciary); civil society (NGOs, community organizations and forest-dependent communities); and the private sector (particularly timber companies). The program will define the policy, legal, institutional and economic obstacles to improved forest governance (including the control of illegal logging); test pilot innovative approaches to overcoming these obstacles; enhance the capacity of key stakeholders to implement forest governance reforms; and disseminate the lessons learned at national, regional and global levels. The program will also support the other regional Forest Law Enforcement and Governance official processes being organised by the World Bank and will contribute to the EU FLEGT Action Plan.

The program’s purpose is to contribute to ensuring that improved forest governance arrangements are in place in the forest sector and closely linked sectors through effective implementation of the ENA FLEG Ministerial Declaration (St. Petersburg Declaration 2005), involving governments, civil society and the private sector.

¹ Direct reporting lines indicate those staff members providing direct supervision. Additional reporting lines indicate accountability for particular functions or areas of work. Consultation, information sharing and other relationship lines are not indicated, as they are likely to be numerous.
The program's specific objective is to contribute to legal and sustainable forest management and utilization practices and improved local livelihoods in the six ENPI East countries plus Russia.

The program's results will be:

**Result 1:** Increased awareness and commitment of key stakeholders on FLEG

**Result 2:** Effective national and regional FLEG action processes in place

**Result 3:** National ownership and capacity increased

**Result 4:** Improved regional and sub-regional collaboration and knowledge sharing

**Result 5:** Effective engagement of key trading partners

**Result 6:** Continuation of the formal official ENA FLEG process

**Result 7:** Sustainable forest management practices implemented

7. **TASKS**

7.1 **General**

Under the direct supervision of the ENPI-FLEG Country Program Coordinator (Program Consultant - Moldova) in the Republic of Moldova, the Company will be responsible for providing analytical and logistical services for (i) conducting an analytical study on illegal logging, (ii) real impact from illegal harvesting (including causes, economic and social impact of inefficient and unsustainable forest practices, particularly in vulnerable zones), (iii) developing strategies and mitigation recommendations to help accurately assess changes and areas that may produce positive trends in forest management.

7.2 **Specific tasks**

- **Collection and processing the initial data on illegal logging**
  A standard form for imputing the initial/primary data on illicit logging shall be developed and proposed to the state forest authority in order to ensure accurate and verifiable data. All the information should be provided according to the existing organizational framework of the governmental forest agency.

- **Managing of the initial data on illegal logging.**
  The provision of the official data on illegal logging within the National Forest Fund (NFF) will facilitate a transparent cooperation and communication process for the wide range of stakeholders and interested population; it will encourage and support cross country exchange of information from the NFF administered by both the governmental forest authority and mayoralties and local administrations. The following activities should be implemented:
  - Manage information coming from the Governmental Forest Authority, State Ecological Inspectorate and other involved bodies in the control of the forest fund;
  - Deal with data from all afforested areas, included from the green zones inside settlements;
  - Address and cooperate with other bodies (Statistical Agency, Customs Service, Ministry of Internal etc.) to provide official data on forest trade and commerce;
  - Provide data from the private sector dealing with timber and commerce;
  - Work on illegal logging issues with other stakeholders (NGOs, local groups etc.).

- **Verification of the official initial data with the real situation in the field:**
  The data on timber logging provided by various forest managers/owners (state forest authority, local administrations, private) in accordance with the Annual Timber Harvest Plans (AHPs) may not always correspond with the real situation in the field. It is often difficult to verify the effectiveness of the forest
management, particularly the legality of extracted products and/or of the documented legal right to harvest. Along with the ministerial/departmental staff and personnel, it is important to attract to the verification procedure the civil sector (NGOs, community organizations, forest-dependent groups).

- **In-depth analysis and research activity on illegal logging**
  - an ample analysis of the situation of illicit logging and illicit timber commerce in Moldova;
  - an extensive research and analysis of local taxes and fees on legal logging in Moldova, based on official data from Forest Authority, Ministry of Environment and other owners of forests;
  - a study on real impact from illegal logging and other forest crimes;
  - an analysis of causes of the illegal logging in forests;
  - an assessment of the economic and social impact of inefficient and unsustainable forest practices, particularly in vulnerable zones;
  - development strategies and mitigation recommendations to help accurately assess changes and areas that may produce positive trends in forest management;

- **Organizing and holding of three workshops with:**
  - civil sector, as NGOs (republican, local, regional), community groups and organizations, and forest-dependent organizations;
  - public authorities (from statewide authorities to local authorities);
  - line departments (forest state authority, departmental forest enterprises/units, Ministries, agencies, Parliament commission, judiciary authorities);
  - providing logistical support for the organization of workshops.

- **Project planning and assessment**
  - Provide accurate information and advice to the Program Consultant in a timely fashion so that all required technical and financial reports can be submitted;
  - In cooperation with the Program Consultant, facilitate monitoring and evaluation of program progress, impacts and lessons.

8. **REPORTING AND DELIVERABLES**
   - All scientific and technical information related to the provision of logistical services should be reported to the ENPI/FLEG IUCN Program Consultant in Moldova.
   - The final publication(s) or report(s) shall be delivered in time.
   - All legal rights of the resulted outputs (publications etc.) shall pertain to the Company and the IUCN, on a mutual agreement on the product(s) to be shared and/or delivered.

9. **QUALIFICATIONS**
The position is suitable for any legal organisation (NGO, Research/ Academic Institutes, Logistical Company, Firm etc.) with qualifications in providing services for analytical studies on forest management, timber harvesting and forest research. The following specific qualifications must be met:
   - Legally registered company;
   - Institutional and human capacities for analytical studies, organization of workshops/meetings, other necessary infrastructure;
   - At least 5 years experience in the field;
   - Experience in the participation in forestry related projects in Moldova;
   - Sufficient knowledge of forestry issues in Moldova.