# Terms of Reference

**Elaboration of Legal and Institutional Framework for Multi-hazard Early Warning System and Climate Information**

**Background Information and Rationale, Project Description**

Due to the diverse and complex terrain of the Caucasus mountains, its significant influence and the influence of the Black Sea and Caspian Sea on the climate and weather of the region, Georgia is exposed to various climate-induced hazards including floods and flash floods, climate-induced geological hazards (including landslides, mudflow, debris flows), droughts, soil erosion, severe winds, hailstorms and avalanches. Furthermore, according to Georgia’s the 2nd and the 3rd National Communications, the frequency, intensity and geographical spread of extreme hydro meteorological hazards will increase under climate change and may result in significant impacts on key sectors including agriculture, critical infrastructure (transportation networks, buildings, roads, water supply, energy installations), natural resources and eco-systems, glaciers and forests.

Disaster risk reduction governance in Georgia in terms of prevention, mitigation, preparedness, response/recovery is very poor both on national and local government levels. There are gaps in the existing legal and regulatory framework for disaster risk reduction and integration of climate risk information into decision-making across all sectors. Despite the presence of framework CCA/DRR laws, e.g. Law on Public Safety, law on Emergency Situations, there is a need for significant update to establish effective emergency management system, and address legal gaps, e.g. setting clear criteria for classification of disasters; specific regulations (in particular, methodologies) on multi-hazard vulnerability and risk assessments and mapping, flood assessment and mapping, communication protocols for early warning systems, SOPs of individual entities engaged in unified emergency management system, etc. are missing.

Similarly, there are gaps in the existing legal and regulatory framework for water management that would prevent operationalization of the MHEWS and integration of climate risk information in decision-making. There is an on-going work coordinated by the MEPA in Georgia to develop framework legislation on water and flood risk management guided by the EU directives. Technical support is required to accelerate development of technical guidelines and other regulations for these framework laws.

Consequently, to address the existing development challenges, UNDP designed a program on reducing climate-driven disaster risks in Georgia. The programmatic response encompasses two interrelated projects funded by Swiss Development Cooperation (SDC), under which the current Request Proposal is being announced, and Green Climate Fund (GCF). The GCF funded interventions will target expansion of the hydro-meteorological network, development of modelling capacities and improving community resilience through implementation of EWS & risk reduction measures.

The project funded by SDC will aim at reducing exposure and vulnerability of communities in Georgia, through development of multi-hazard risk information to be based on sound regulatory frameworks;

Under the current call of the Request for Proposal, improvement of a legal and institutional framework for Multi-hazard Early Warning System and climate information is envisaged, through provision of expertise in development/amendment regulatory frameworks for multi-hazard mapping, vulnerability and risk assessment as well as multi-hazard early warning system.

**Specific Objectives**

The objective of the required services is to develop a package of documents strengthening the legal and institutional frameworks for MHEWS and climate information issues in Georgia that includes Policy statement, Strategy, Legislation/Regulations, Procedures, Enforcement Acts, Codes of Practice, Protocols, Guidance, Framework documents and etc.

The goals of the assignment are:

1. Development of climate risk regulatory framework;

2. Development of institutional framework for MHEWS.

Specific targets to be achieved under each goal by the service provider are the following:

1. Development of legal framework for hazard, vulnerability and risk assessment and MHEWS, through:

* 1. Development of in-depth analysis of existing legal framework for MHEWS and hazard, vulnerability and risk assessment and identification of gaps;

2. Development of institutional framework for MHEWS, through:

* 1. Identification of roles, responsibilities and institutional arrangements for EWS at all levels, particularly the communication and dissemination of early warning;
	2. Development of communication lines between different agencies and development of Standard Operational Procedures, Communication Protocols and Codes of Conduct for each of the agencies responsible for the various elements of the MHEWS and response;

2.3 Development of national operational maintenance procedures for hydrometric network in compliance with WMO guidelines

**Scope**

The service provider will be expected to work closely with the team of experts to be hired under the overall program. Particularly, regulatory framework for multi-hazard mapping and risk assessment shall be developed with support from the team of experts working on development of the unified methodology and Standard Operation Procedures for multi-hazard mapping and risk assessment. As for development of regulatory frameworks for components of Multi-hazard Early Warning System (MHEWS), the activities will be supplemented by the team of international experts under GCF funded project.

Furthermore, the service provider will be expected to work closely with Emergency Management Service, National Security Council, Ministry of Environment Protection and Agriculture, Ministry of Internal Affairs, and other relevant line ministries.

Specifically, the service provider will be expected to provide the following services:

Phase 1. Technical Note/annual work plan

1. Develop a detailed methodology, work plan and resourcing plan in close cooperation with UNDP project team and Chief Technical Advisor;

Phase 2. Desk Research

1. Conduct in depth analysis of institutional set up for multi-hazard early warning components and climate information (multi-hazard mapping, vulnerability and risk assessment), that includes stakeholder mapping for each component and relevant capacity assessment. Considering the results of the stakeholder mapping composition of a thematic working group for legal and institutional framework should be prepared in order to conduct thematic working group meetings during implementation of the assignment. The activity will be supplemented by a team of international experts hired under the project for development of multi-hazard mapping methodology and SoPs, international expert on institutional capacity assessment and international experts for forecasting models, to be hired by GCF project. At least 2 thematic working group meetings should be organized during implementation of the overall assignment, or more as deemed required by the service provider.
2. Identify gaps and specific needs for establishment/improvement of institutional framework for multi-hazard early warning system, that includes definition of specific mandates and standard operation procedures in close cooperation with relevant stakeholders;
3. Prepare Capacity Development Plan based on the needs for establishment/improvement of the institutional framework; The activity will be implemented with the technical support from international expert on Institutional Capacity Assessment.
4. Review and in-depth analysis of legal framework for multi-hazard early warning components and climate information (multi-hazard mapping, vulnerability and risk assessment), that includes stakeholder mapping for each component and relevant governing laws and policy documents.
5. Identify the gaps and needs for development/amendment of specific policies and any other legal documents (by-laws, decrees etc.) to regulate components of multi-hazard early warning system and multi-hazard mapping, vulnerability and risk assessments based on the methodology and SoPs to be developed by the team of experts working on the issue;
6. Conduct review of existing practice and capacities for operation and maintenance of hydrometric monitoring network, identify gaps and develop recommendations for improving the protocol for O&M in close cooperation with relevant stakeholders (NEA, NFA, MEPA), including the Capacity Development Plan. The activity will be implemented with the technical support from International expert on Institutional Capacity Assessment to be hired by the project.
7. Review existing status of integrating climate induced flood and droughts risks management into water legislation:
	1. Review in detail the policies, strategies and plans within the water management sector. Identify entry points in the policies and plans for introducing Climate Change induced flood and drought considerations within the water management sector.
	2. Undertake detailed technical review studies on Climate Change impacts on the water resources sector in Georgia.
		1. Review all existing practises, processes etc. relating to how hydrological assessments of water resources (surface and ground water assessments) within each basin and the extent to which climate change considerations are included.
		2. Review all existing practises, processes etc. relating to water supply and demand assessments (Urban and rural domestic water supply demands, Irrigation demands, Industrial and mining demands, Environmental Flow Requirements) and identify whether climate change induced flood and drought considerations are systematically included.
		3. Review all existing practises, processes etc. relating to river basin water allocation assessments and identify whether climate change-induced flood and drought considerations are systematically included
	3. Review of existing River Basin Management Planning practice, methodology and procedures in Georgia

Phase 3. Institutional framework for multi-hazard early warning system

1. Develop structural set up for Early Warning System with clarification of roles, responsibilities and institutional arrangements for EWS at all levels, particularly the communication and dissemination of early warning to be reviewed and validated by relevant stakeholders on thematic working groups.
2. Develop Standard Operational Procedures, Communication Protocols and Codes of Conduct for each of the agencies responsible for the various elements of the MHEWS and response, to be implemented in close cooperation with relevant stakeholders.
3. Develop a set of procedures for operational maintenance of hydrometric monitoring network, to be validated and approved by relevant stakeholders. The activity should be implemented in close cooperation with international expert on hydrometeorological and agrometeorological network to be hired by GCF project.

**Approach and Methodology**

At the initial stage the service provider should prepare a process approach and implementation plan acceptable for UNDP project team and CTA.

The Service provider will be expected to complete deliverables with the following requirements:

1. The work plan should include Gantt Charts or Work Schedule indicating detailed sequence of the implemented activities and their corresponding timing;
2. The service provider should ensure active engagement and consultations with major stakeholders in Georgia, and particularly the Ministry of Environment Protection and Agriculture, National Environmental Agency, Emergency Management Service under the Ministry of Internal Affairs, Joint Operation Center/112 under the Ministry of Internal Affairs, National Security Council etc.
3. Development of institutional framework for MHEWS components should be supplemented by team of international experts to be hired by GCF, particularly they will develop the institutional arrangement for effective delivery of forecasts within their areas of their expertise. They will also provide guidance on the thresholds and criteria for warnings for their specific hazards;
4. Gender considerations should be reflected in policy documents and technical guidance (to be reviewed by gender advisor of the project);
5. The regulatory documents should be prepared in both Georgian and English;

**Deliverables and Schedules/Expected Outputs**

The service provider shall produce following deliverables:

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| # | Deliverable  | Deadline for submission  |
| 1 | Upon clearance of completion of phase 1 Technical note/annual work plan: a detailed process approach and implementation plan. The submitted deliverable should be analysed by UNDP during this period  | No later than 15th January 2020 |
| 2. | Upon clearance of completion of phase 2 desk research. The submitted deliverable should be analysed by UNDP during this period | No later than 30th March 2020 |
| 3.  | Upon clearance of completion of phase 3 Institutional framework for multi-hazard early warning system. The submitted deliverable should be analysed by UNDP during this period | No later than 15th February 2021 |

**Key Performance Indicators and Service Level**

The service provider shall be expected to provide technical expertise for the following services:

* Identify gaps in existing legislation regarding multi-hazard mapping, vulnerability and risk assessments, and provide inputs for amendment/development of relevant legal documents with consideration of agreed unified methodologies;
* Identify gaps in legislation related to multi-hazard early warning system and provide inputs for amendment/revision of the policy documents;
* Develop road map for adoption of legal and institutional framework;
* Develop Capacity Development Plan for elaboration of climate risk informed legislation across all sectors.

No payments shall be due from UNDP in case the service level is not met by the service provider for the activities and deliverables listed above.

**Governance and Accountability**

The contractor’s performance will be monitored and regularly evaluated based on the monthly progress reports designed to provide updates per the service implementation plan and annual workplan. Regular monitoring of the performance will be conducted by UNDP senior management as per stipulated in the Terms of Reference.

The instalments will be linked with the deliverables and will be linked with approval from Project Manager and Chief Technical Advisor.

The service provider while implementing the service, should closely cooperate with Ministry of Environment Protection and Agriculture of Georgia, Emergency Management Service, National Security Council, project donor – SDC technical representatives and the project’s Chief Technical Advisor.

**Facilities to be provided by UNDP**

To the certain extend UNDP will assist in mobilizing stakeholders contributing to the assignment. UNDP will provide with office premises during missions of international experts in Georgia.

**Expected duration of the contract/assignment**

The implementation period of the contract is 14 months starting from 16 December 2019 to 28 February 2021.

UNDP reserves the right to review outputs, give comments, approve/accept outputs within 2 weeks period after submission.

**Duty Station**

The duty station of the contractor will be home based with missions to Tbilisi Georgia.

**Professional Qualifications of the Contractor and its key personnel**

The assignment must be implemented through the international expertise in DRR and EWS framework, EU Flood and Drought Directives national expertise in DRR, EWS, WRM, and legislation, policy analysis and development with the following composition:

1. **Coordinator: Pavel Cincera,**

**Nationality: Czech**

**Duration: 20 working days for the period of 16 December 2019 – 28 February 2021**

The Coordinator shall be responsible for overall technical and administrative supervision, coordination of the team of experts, planning of the activities and ensuring that the project progresses as scheduled, coordination with the stakeholders, financial management, and regular reporting.

1. **International expert in DRR and EWS: Pavel Raska**

**Nationality: Czech**

**Duration: 15 working days for the period of 16 December 2019 – 28 February 2021**

The expert shall provide leadership in development of institutional, legislative and policy frameworks for national Disaster Risk Reduction and Early Warning Systems. Provide analysis of disaster-risk and institutional context, provision of advisory services, identification of entry points into existing national policy and legislative frameworks and ongoing or planned programmes, and development of overarching frameworks for DRR and MHEWS. Development of SoPs for operation and maintenance of hydrometric monitoring network.

1. **International expert in International law, policy analysis and development: Jiri Kolman**

**Nationality: Czech**

**Duration: 10 working days for the period of 16 December 2019 – 28 February 2021**

The expert shall provide leadership in identification of priority DRR and EWS areas for translation based on strategic national documents, identification of acts for translation, and determination the annual calendar of translation, translation into national legislation in accordance with national legislation.

1. **National expert in WRM/DRR: Ivane Grigolashvili**

**Nationality: Georgian**

**Duration: 10 working days for the period of 16 December 2019 – 28 February 2021**

The national expert in WRM/DRR under leadership of international experts will be responsible to review in detail the policies, strategies and plans within the water management sector. Identify entry points in the policies and plans for introducing Climate Change induced flood and drought considerations within the water management sector. Undertake detailed technical review studies on Climate Change impacts on the water resources sector in Georgia.

1. **National Expert in EWS/DRR: Sophio Devdariani**

**Nationality: Georgian**

**Duration: 10 working days for the period of 16 December 2019 – 28 February 2021**

The national expert under leadership of international experts will be responsible for development of institutional, legislative and policy frameworks for national Disaster Risk Reduction and Early Warning Systems

1. **National expert in policy analysis and development: Shota Kublashvili**

**Nationality: Georgian**

**Duration: 10 working days for the period of 16 December 2019 – 28 February 2021**

The experts shall provide in-depth analysis of the legislation system for DRR and EWS under technical guidance of international and national experts and develop the relevant legal framework in close cooperation with legal staff from relevant governmental stakeholders.

1. **National expert in policy analysis and development: Ketevan Papashvili**

**Nationality: Georgian**

**Duration: 10 working days for the period of 16 December 2019 – 28 February 2021**

The experts shall provide in-depth analysis of the legislation system for DRR and EWS under technical guidance of international and national experts and develop the relevant legal framework in close cooperation with legal staff from relevant governmental stakeholders.

**Price and Schedule of Payments**

The Contract’s price is fixed output-based regardless of extension of the herein specific duration. Payment per each deliverable will be done only after full clearance of the deliverables by the Project Manager and Chief Technical Adviser.

Activities are divided into 3 phases. During the period the contractor should submit the deliverables as follows:

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| # | Deliverable |
| 1 | Upon completion of phase 1  |
| 2. | Upon completion of phase 2 desk research. The submitted deliverable should be analysed by UNDP during this period |
| 3 | Upon completion of phase 3  |