



# WWF Feasibility Study for a BMZ-BENGO Project Proposal

## TERMS OF REFERENCE

Version of March 2, 2020

## Content

1) INTRODUCTION.....	4
2) PURPOSE, SCOPE AND METHODOLOGY OF STUDY .....	9
Rationale / Purpose.....	9
Scope .....	9
Methodology .....	9
3) CONTEXT AND PROBLEM ANALYSIS.....	11
Current Situation / socio-economic, political & cultural context .....	11
4) STAKEHOLDER ANALYSIS .....	13
5) ASSESSMENT OF THE PLANNED PROGRAMME BASED ON OECD/DAC CRITERIA .....	15
Criterion 1: Relevance .....	15
Criterion 2: Effectiveness .....	15
Criterion 3: Efficiency .....	15
Criterion 4: Impact .....	15
Criterion 5: Sustainability .....	15
Criterion 6: Coherency, Complementarity .....	16
6) EXPECTED DELIVERABLES; TIMELINE AND COSTS .....	16
7) PROFILE OF CONSULTANT.....	16
8) BUDGET, FUNDING, AND PAYMENT TERMS .....	19
ANNEX A. Report format .....	20
ANNEX B. Templates.....	21
1. Context- / Problem- Analysis.....	21
2. Stakeholder Analysis .....	22
3. Project Logic.....	23
ANNEX C BMZ Documents.....	23

## Terms of Reference for this Service Procurement

**Applicable law:** Public Procurement Law of Germany and BMZ's Contract Award Procedure for Supplies and Services

**Contracting agency:** WWF Germany, Reinhardtstraße 18, 10117 Berlin, Germany

**Type of contracting agency:** Non-profit, non-governmental, charity organisation

**Title:** Procurement of Services: WWF Feasibility Study for a BMZ-BENGO Program Proposal on Human rights due diligence in the Congo Basin (namely Democratic Republic of Congo, Republic of Cameroon, Central African Republic)

**Type of Contract:** Services

**1 Lot: One overall report comprising a dedicated chapter for a) the regional level and b) each of the three countries and sites**

**Award criteria:** Price is not the only award criterion and all criteria are stated in the procurement documents

**Duration of the contract:**

Estimated Start of the contract: start asap, end the latest by 31 March 2020; maximum duration of assignment is 20 days

**The contract is subject to renewal:** no

**Information about funds:**

The procurement is related to a project and/or program financed by the German Government, BMZ (grant) and Project Partners (own funds)

**Additional information:**

Right of the granting governmental organization for audit according to the project approval

**Type of procedure:** < 15.000 EUR contract,

**Time limit for sending the proposals:** 10 days after the launch of the ToR

**Time limit for sending questions to this tender is:** 2 days before the deadline

**Opening of the tenders:** 1 day after the deadline for sending, at WWF Berlin Office

**Language** in which tenders are requested: English

**Address** where the tenders shall be sent, duly signed (scan send via email is sufficient), within the time limit:

WWF Germany, Julia Bayer (Julia.Bayer@wwf.de), email tender sufficient/ Postcode 100037

## 1) INTRODUCTION

Being the second largest tropical forest on earth, the Congo Basin is a biodiversity hotspot and home to a great variety of rare and often endemic species that together build an ecosystem that also forms the second largest carbon sink on the planet. In today's climate crisis this eco-system is inseparable from the well-being of humans around the world and makes its protection a major concern.

To succeed with conservation efforts the buy-in by the local population is tantamount and an improvement of their livelihoods a meaningful way to guarantee their support. Unfortunately, local livelihoods in the target areas are generally weak and the lack of tenure rights often results in a so called "sell-out" of local forests to private and public entities with dramatic consequences for Indigenous Peoples and Local Communities (IPLC)<sup>1</sup> that usually do not benefit. Especially Indigenous Peoples (IP) who often live in the most remote corners of the Congo Basin, where many protected areas are located, suffer from discrimination and a lack of basic support by governmental structures (e.g. hospitals, schools).

Conservation actors, such as protected area managers, are often the only long-term partners in those rural areas. Thus, IPLC expect conservation actors to support their needs and livelihoods as well. Despite rural development efforts by park managements, the acceptance of protected areas (PA) by the IPLC is often low due to limited direct benefits from PAs and their buffer zones (e.g. hunting or forest concessions) paired with access restrictions. Further, the feeling prevails amongst IPLC that they are not adequately included in conservation decisions. Combined with a widespread lack of knowledge about environmental and forestry laws as well as natural resource use regulations (both on IPLC and conservation authority side), this often causes land use conflicts between stakeholders. In a context of weak adherence to international human rights standards this can lead to violations of rights and a discrimination of marginalized groups. Particularly vulnerable are IP and women, that are often victims of discrimination or even abuse and seldomly benefit from legal assistance. Thus, IPLC need support in building knowledge and means to claim their rights and advocate against discrimination.

Despite an effort to streamline laws related to forest uses in the Central African countries (e.g. under COMIFAC), policies on indigenous peoples and local communities' rights and their level of implementation in the three target countries in the Congo Basin are very different:

The **Central African Republic** (CAR) is the first and only African country that has ratified the International Labor Organization (ILO) Convention 169 on Indigenous Rights of 1989. This convention recognizes the unique characteristics and life plans of IP and promotes their special rights. At the heart of ILO Convention 169 are consultation and participation procedures to ensure the participation and input of IP in projects that affect them. However, as with many

---

<sup>1</sup> Our understanding of the term Indigenous Peoples follows the United Nations Declaration on the Rights of Indigenous Peoples. In our program this term is broadened to IPLC as the DRC does not have a legal definition of the term IP and to ensure that local non-indigenous groups that may suffer from human rights violations are equally included in the programs' activities.

ratifications, the regulations for implementation and follow up mechanisms are lacking. The CAR forest code recognizes some indigenous people rights and introduces community forests as a mean to enable the local population to manage forest resources. The environment code introduces the consultation of local population to enable its participation in local decision-making processes.

**Cameroon** has adopted the UN Declaration on Human Rights in 2007 but has not yet ratified ILO Convention 169. Cameroonian forestry law recognizes only the right of use of communities in the forests of the permanent domain while the state retains ownership of the land and resources. However, community managed forest (some of them by Baka) as well as community managed hunting concessions have been attributed. In addition, an MoU granting access of indigenous Baka to protected areas in south-east Cameroon - e.g. in Lobéké National Park - has been signed by the relevant ministries in 2019.

In the **Democratic Republic of Congo (DRC)** there is no legal definition of the term “indigenous” and thus there are no laws or policies specifically targeting the promotion and protection of IPs’ rights. However, under the DRC’s 2014 Forest Code, IPLC have the right to own community forests covering an area of up to 50.000 hectares. Since the law is rather new, the first community concessions were only accredited recently and the realization of the legal framework on provincial level is still at the very beginning. Hence, IPLCs need support to claim their rights.

WWF Germany proposes a program that aims to strengthen the rights of IPLC (general human rights and indigenous rights in particular) which reside in and around three protected areas in the Congo Basin. WWF aims to promote the recognition of these rights at local, national and regional level by advocacy work, local access to grievance mechanisms and by enhancing the capacity of civil society organizations that will continue their work on IPLC rights beyond the scope of this program.

The following program outline is foreseen to contribute to the objective stated above:

#### Theory of change

The program shall promote IPLC rights on micro (local), meso (national), and macro (regional) level through three work streams. The work streams and the respective activities thereunder shall be interlinked and inform and enhance each other. For example, we see the following connections between levels and work streams:

Firstly, strengthened capacities of civil society organizations enable the implementation of grievance mechanisms on the local level and advocacy work on national and regional level.

Secondly, a monitoring of complaints via grievance mechanisms allows to draw conclusion about IPLC rights at local level with regards to types of violations of rights, degree of severity or frequency. This information will be crucial to develop policy asks in line with the needs on the local level. On the local level

(apart from DSPA) a systematic monitoring of complaints is lacking and thus the exact reasons for conflict, types of violations and needs remain unknown.

Thirdly, policy and advocacy work on the regional level raises awareness about IPLC rights and triggers debates on shortcomings and needs on the regional level. Eventually this leads to a better understanding of IPLC rights amongst civil society actors and political decision makers which in the long-term will contribute to legislative procedures better reflecting realities and needs on the ground.

The three work streams are described in the following.

#### Work Stream 1:

Existing networks advocating IPLC rights such as the Network of Indigenous and Local Communities for the Sustainable Management of Forest Ecosystems in Central Africa (REPALEAC) (<https://pfbf-cbfp.org/REPALEAC.html>) will strengthen IPLC rights at regional and national level through measures like the promotion of ILO169, the popularization of free prior informed consent (FPIC), and coordination with UNDRIP. Further, the Indigenous Peoples of Africa Coordinating Committee (IPACC) will build capacity with the partner organizations on the ground and carry out advocacy work in international fora such as UNESCO, United Nations Permanent Forum on Indigenous Issues (UNPFII), Convention on Biological Diversity (CBD), Congo Basin Forest Partnership (CBFP) and Global Landscape Forum (GLF).

#### Work Stream 2

Local rights will be promoted through the implementation of grievance/conflict resolution mechanisms and legal assistance in two UNESCO world heritage sites in the Congo Basin: Salonga National Park (SNP, DRC) and the Sangha Trinational<sup>2</sup> (more precisely in Lobéké National Park (LNP, CAM) and Dzanga-Sangha Protected Areas (DSPA, CAR)). This work shall be closely linked with work stream 1 as findings from complaints on site will shape the policy work on national and regional level. For example, findings on the local level could reveal that women rights must be promoted on policy level that advocacy efforts should thus evolve around this particular issue. Therefore, the program aims to create an exchange between the civil society organisation implementing the grievance mechanisms and the regional actors such as REPALEAC and IPACC to ensure that both work streams go hand in hand.

The grievance mechanisms in and around the three Protected Areas (PAs) shall be implemented/supported by local Civil Society Organization (CSOs) and/or Community Based Organizations (CBOs): Maison de l'Enfant et de la Femme Pygmées (MEFP) for DSPA, Centre pour l'Education, la Formation et l'Appui aux Initiatives de Développement (CEFAID) and Association Sanguia Buma'a Kpode (ASBABUK) for Lobéké NP and "tbc" Salonga NP<sup>3</sup>.

---

<sup>2</sup> Trinational de la Sangha consists also of Noubali Ndoki, which is not a target area of this program.

<sup>3</sup> The CSO for the grievance mechanism of Salonga National Park will be communicated to the consultant prior to the start of the assignment.

The grievance mechanisms do not only serve to collect and file complaints and to launch resolution procedures, but also carry out the following activities:

- Sensitization of the local population including public (local and provincial) authorities and park administration, e.g. through local community radios or workshops
- Creation of a network of local contact/trusted persons in the villages and social workers to gather complaints
- Access to traditional conflict resolution mechanisms and legal assistance
- Trainings for nature conservation and law enforcement personnel

Being part of UNESCO world heritage sites, the three PAs are obliged to promote UNESCO policies inspired by the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP).

### Work Stream 3

Organizational Development shall support the local/national CSOs and/or CBOs in strengthening their organizational capacity and enable them to firstly manage the grievance mechanisms in the three PAs and secondly to enhance their skills to translate findings from the local level in advocacy work for both national and regional forums. In broader terms, any organizational development and capacity building measures to CSOs shall enhance their capacities to work on human rights issues even beyond the scope of this program.

Being committed to a human rights-based approach to nature conservation worldwide and having common goals with the BMZ, WWF Germany is negotiating a funding opportunity with the BMZ with the following key data:

<u>Title:</u>	Human rights due diligence in the Congo Basin
<u>Goal:</u>	In the context of human rights-based conservation, the program aims to strengthen the rights of the indigenous and local populations (indigenous rights, general human rights) not only in and around the three target protected areas, but also to promote the recognition of rights of local and indigenous communities at local, national and regional level by capacity building, operational grievance mechanisms and advocacy work.
<u>Countries:</u>	Democratic Republic of Congo, Republic of Cameroon, Central African Republic
<u>German Executing Agency:</u>	WWF Germany
<u>(Local) executing agencies: (to be confirmed)</u>	Regional: The Indigenous Peoples of Africa Co-ordinating Committee (IPACC), Network of Indigenous and Local Communities for the Sustainable Management of forest Ecosystems in Central Africa (REPALEAC) DRC (tbc): Comité de Droit de l'Homme et Développement (CODHOD), Juristes pour l'Environnement au Congo (JUREC), The Carter Center CAM: Centre pour l'Education, la Formation et l'Appui aux Initiatives de Développement (CE-FAID), Réseau Action Concerté Pygmée (RACOPY), Association Sanguia Buma'a Kpode (ASBABUK) CAR: Maison de l'Enfant et de la Femme Pygmées (MEFP)
<u>Duration:</u>	3,5 years, starting 01.07.2020 – 31.12.2023
<u>Programme volume:</u>	3,33 Mio. EUR (3 Mio. € BMZ funding / 333.000 EUR WWF own funding)
<u>Target groups:</u>	Indigenous and local populations in and around the protected areas of Salonga (DRC), Dzanga Sangha (CAR) and Lobéké (CM), park

administrations, local and provincial authorities, national governments, Civil Society Organizations, Community Based Organizations, judicial institutions

## 2) PURPOSE, SCOPE AND METHODOLOGY OF STUDY

### **Rationale / Purpose**

This program shall be designed to link local issues with policy processes on the national and regional (i.e. Congo Basin) level. For this reason, a multi-level approach across the three work streams will be key to achieve the program goals. Further, only through an exchange between actors working on micro, meso and macro level and the identification of synergies between them will create the intended impact. The purpose of this feasibility study is to provide a sound basis for the development of the program concept by identifying prerequisites, opportunities and risks. In this regard, the general program context, the political framework and key stakeholders shall be assessed (see chapters 3 and 4). The information obtained shall serve as baseline to develop SMART (Specific, Measureable, Achievable, Relevant and Time-Bound) indicators for the impact matrix and give an overview of the current situation of human and IP rights, grievance mechanisms and related CSO capacities in the target areas. The program shall further be evaluated against the OECD DAC criteria (see chapter 5).

Finally, recommendations shall be given on the structure, set-up and content of the program concept and the planned activities.

The study is also expected to assess and comment the (draft) impact matrix (see an extract in Annex D).

### **Scope**

The program enhances the Human Rights situation of IPLC in three target areas in the Congo Basin through advocacy work, access to legal support, sensitisation, and capacity building of civil society. It covers three countries, the Democratic Republic of Congo (DRC), the Republic of Cameroon (CAM), the Central African Republic (CAR).

Human rights centres and complaint mechanisms already exist around DSPA and LNP but need improvement e.g. with regards to gender-sensitivity or social safeguards. However, there is neither a grievance mechanism nor a human rights centre or a strong CSO present around SNP. Therefore, the focus of this program will be on Salonga National Park in the DRC, where the needs are the most urgent. This focus may also be reflected in the feasibility study in terms of level of details.

### **Methodology**

The feasibility study is to be designed and conducted as a desk study combined with remote interviews (via Skype/Email/ Telephone etc.). The contract will

include the preparation and write-up of an overall report that covers country and site-specific information in dedicated chapters. The consultant is expected to use the following approaches in an adequate and useful mix:

- a) Desk review of the program concept, and related WWF and BMZ documents
- b) Desk review of Human and indigenous rights situation, legislations and their implementation in each of the three countries/sites
- c) Interviews with WWF Germany focal points as well as with WWF CAR, Cameroon and DRC
- d) Interviews with IPACC and REPALEAC partners as well as with civil society and community-based organizations: CODHOD (tbc), the Carter Center (tbc), JUREC (tbc), CEFAID, RACOPY, MEFP focal points and others as relevant (e.g. catholic church)
- e) Interviews with at least one representative of the National governments or park administrations (at least one per country/site)
- f) Interviews with representatives of indigenous and local groups or those working to support their livelihoods around the protected areas: OXFAM and I.S.C.O (Salonga), Ndima Kali (Dzanga Sangha, CAR), ASBABUK (Lobéké, CAM)
- g) Interview with complaint mechanism expert or grievance mechanisms managers from other protected areas (tbd)
- h) Interview with judicial authorities around protected areas regarding law enforcement

With respect to a) the following documents should be consulted:

- Current program concept and draft impact matrix
- BMZ documents relevant for the program: Global Programme handout and guidance on Impact matrix, BMZ Human Rights Strategy and related BMZ and WWF Social Policies and the Environmental and Social Safeguards Framework (ESSF) and related documents, e.g. ESS Screening Tools
- Documents on similar projects/programs and other relevant information of the partners
- Project documents, audits, reports of similar projects (within and – if available – outside the WWF Network)
- WWF policies on human rights and indigenous peoples

With respect to b) the following documents should be consulted:

- Background information relevant for the region and the site, including national legislation in the three countries related to forest, wildlife and indigenous people/local communities  
Official documents, especially regarding the national legal framework (including ILO169) and policies on human rights, indigenous rights and land use rights of the three countries and regionally such as Regional

Human Rights Mechanisms and Arrangements as well as World Bank standards on human rights / OECD principles on human rights

- Universal Declaration on Human Rights, UN Declaration on the Rights of Indigenous Peoples, UN Guiding Principles on Business and Human Rights, International Social and Environmental Safeguards and Standards including FPIC and Human Rights Based Approach
- Participatory forest management guidelines and policies on local community user rights for each of the three countries

Most relevant preparatory documents will be provided by WWF Germany.

With respect to the points c) to h) WWF Germany will compile a list of staff members, partners and stakeholders to be consulted on the regional and the three national levels (a maximum of 20 remote interviews to be held):

### 3) CONTEXT AND PROBLEM ANALYSIS

#### **Current Situation / socio-economic, political & cultural context**

The assignment shall analyse the current situation and problems with regards to IPLC rights in the target areas. The analysis will serve as basis for the program planning and therefore create baseline data where possible. In a second step the overall feasibility to implement the program shall be assessed including upscaling potentials.

The two terminating BMZ-funded projects in Dzangha-Sangha focus on education, health and one health/zoonosis and thus only have limited intersections with the global program that shall be assessed within this feasibility study. However, the planned human rights program builds on the BMZ-funded Fit project (implemented between 2015-2018) which enabled the establishment of the existing human rights centre in Bayanga (DSPA).

The assignment is further expected to give specific information on the following issues/questions:

#### Work Stream 1 – National and regional advocacy work

The study is expected to provide:

- An overview on the current state and the legal framework of human and indigenous rights in the three countries; a variety of studies and documents already exists and will be provided by WWF Germany, however, a concise overview and up-to date compilation of existing information is still missing.
- Possible areas of intervention, windows of opportunity, and limits for advocacy work in view of the program's objective to strengthen the IPLC rights at regional and national level through measures like the promotion of ILO169, free prior informed consent (FPIC), UNDRIP, etc.
- In what way and format can experience from the three specific sites inform advocacy work on the national and regional level?

- What tangible results could be achieved within the scope of the program and linked to the work on the local level (work stream 2)? How can work stream 1 best be linked to work stream 2?
- Which risks for the program and its implementing actors may arise from linking work stream 1 and 2 (e.g. shrinking spaces, protection of victims)
- Specifically for DRC:
  - o What are key relevant actions that are not related to governmental procedures where IPLC could exercise their rights with regards to equitably benefit from sustainable natural resources management
  - o What does the lack of a legal definition of “indigenous” and the subsequent lack of specific recognition and rights of IPs mean for this work?
  - o What challenges and opportunities may arise from the decentralised governance system in the DRC?
- Specifically for CAM/Lobéké
  - o How does the existing and new forest law consider land usage rights?
  - o How can the MoU that guarantees access to natural resources for IP within LNP help to safeguard IPs usage of natural resources?
  - o Which pathways do exist to promote ILO169 in Cameroun?
- Specifically for CAR/DSPA
  - o How can the successfully implemented human rights center in DSPA inform at the national level?
  - o What national support is needed to improve the situation of the target group? For example with regards to more awareness of IPLC rights among judges and other representatives of public authorities?

### Work Stream 2 – Grievance mechanisms

- What are international best practices and which gaps in the current set-ups need to be addressed to align the three grievance mechanisms to these best practices?
- How can learnings from the human rights centre in PA Dzanga-Sangha be capitalised for the other two grievance mechanisms?
- DRC/Salonga:
  - o Assessment of feasibility and suitability of planned grievance mechanism for Salonga National Park; does the current set-up comply with best practices and meet the needs of the IPLC?
  - o How can the functionality and visibility of the grievance mechanism be guaranteed around the large Salonga landscape?
  - o How can the grievance mechanism be adequately upscaled to cover the entire landscape in due time?
- CAR:
  - o DSPA already has a human rights center with its own local lawyer. This center needs to be expanded (e.g. additional female staff for improved gender-sensitive access and the village monitors;

more awareness through different means). How can this best be implemented in view of limited funding?

- DSPA shall under this program function as a model for the other two protected areas. How can this best be implemented?
- CAM:
  - How can the grievance mechanism/human rights centre on site ensure timely follow up of cases?
  - How can we apply the lessons learned from DSPA and put them into the Cameroonian context and the different set up of the grievance mechanism?
  - How can other traditional groups (Bantu) and particularly women be better integrated in the grievance mechanism?

### Work stream 3 – Organisational development

- Who could conduct an organizational development program? Can the WWF (with support from internal experts in OD) in the countries take over this function?
- What are the needs / weakest points of the local NGOs and what is lacking to enable them to implement the planned complaint mechanisms?
- Do the identified NGOs have the capacity and a strategy for advocacy work and to influence national political processes and legal frameworks?
- Is there a national or regional exchange platform allowing CSOs to discuss best practices with regards to the management of grievance mechanisms?

## 4) **STAKEHOLDER ANALYSIS**

The feasibility study is expected to provide a stakeholder analysis for relevant governmental and non-governmental stakeholders on micro, meso and macro level and describe how they are interlinked. In this context, a power analysis and the template in Annex B shall be used.

Additionally, the following questions shall be addressed:

### Related to the program set-up/ program management

- What level of coordination and interaction between the program stakeholders exists in terms of communication, barriers etc.?
- Please provide a job description for a WWF program coordinator who will be based in Kinshasa and bundle and coordinate the activities
- How can learning, cooperation, knowledge management, communication and networking approaches between implementing partners and beyond be included in the programme concept? Which approaches are recommended?

### Work Stream 1 – Advocacy work on national and regional level

- Can REPALAC and IPACC support advocacy and influence policies both in the three target countries and on the international level as described in the impact matrix and how?
- Describe the current and future role of key stakeholders on regional, national, and local level (state institutions, communities and civil society) in the improvement of indigenous and human rights
- What is the expected role / responsibility of each relevant stakeholder and partner in the programme with regards to work stream 1?
- Where are risks of overlaps/ chances of synergies/ with existing projects/ programs and what synergy effect can be created by the involvement of identified stakeholders and coordination with existing programmes?
- How can the proposed program successfully be embedded in the respective national context?
- What upscaling potential can be identified?

#### Work Stream 2 – Grievance mechanisms

- Are the local implementing partners (likely to be) accepted and trusted at local level?
- Are there overlaps or conflicts of interest between key stakeholders/ partners?
- To what extent do stakeholders identify with the programme and are willing to make it a success?
- What synergy effects can be created by the involvement of relevant stakeholders and coordination with existing programmes?
- How can learning, cooperation, knowledge management, communication and networking approaches between implementing partners and beyond be included in the programme concept? Which approaches are recommended?

#### Work Stream 3 – Organisational development

- Do the CSO partners have the capacities and interest to implement the planned programme? If not, what support or incentive would they need to build it in due time?
- Are the identified CSOs suitable to manage the grievance mechanism on site as well as advocacy work on meso and macro level?
- Are they interested to cooperate with WWF to improve the human rights situation around Protected Areas?
- What are each CSOs strengths and weaknesses? Are the CSOs aware of environmental and social safeguards (e.g. by the World Bank)?
- What capacities are lacking, and which trainings are necessary to ensure an independent management of the grievance mechanism and advocacy work by the CSO (in the near future)?
- To what extent do the stakeholders identify with the programme and are willing to make it a success?

- Are there up to date guidelines for financial management, regular procedures and personnel? Are they in line with international standards and do they contribute to an efficient project/program management?

## 5) ASSESSMENT OF THE PLANNED PROGRAMME BASED ON OECD/DAC CRITERIA

### **Criterion 1: Relevance**

- To what extent are the objectives valid and relevant for the beneficiaries?
- Are the outputs and outcome of the programme consistent with the intended impacts and effects on micro, meso and macro level?
- What are necessary external factors / conditions to achieve the programs' results (assumptions)?

### **Criterion 2: Effectiveness**

- To what extent are the objectives achieved / are likely to be achieved?
- What are the major factors influencing the achievement or non-achievement of the objectives (for each work stream and programme level)?

### **Criterion 3: Efficiency**

- Can the objectives be achieved within the given time frame?
- Is the programme designed in the most efficient way compared to alternatives?
- What would the general outline of an appropriate management structure for an efficient program set up look like in the respective country and for overall programme steering?

### **Criterion 4: Impact**

- What is expected to happen as a result of the programme – in regards to societal and political impact?
- What difference will the programme make – for civil society / communities / political stakeholders in the programme countries and on the regional level?
- Who is affected / benefitting directly / indirectly by the programme?

### **Criterion 5: Sustainability**

- To what extent will the benefits of the programme continue after funding?
- What are major factors influencing the achievement or non-achievement of sustainability of the programme especially with regards to the multi-level approach?

**Criterion 6: Coherency, Complementarity**

- Coherency and complementarity to BMZ priorities for the region: Does the program make a clearly aligned and meaningful contribution to BMZ goals and local priorities?
- Is this approach complementary to relevant BMZ supported projects/programs in the region?

**6) EXPECTED DELIVERABLES; TIMELINE AND COSTS**

<b>Major Evaluation Task/Deliverable</b>	<b>Estimated Time</b>	<b>Dates / Deadline</b>	<b>Cost</b>
Preparation (Desk review and arrangement of interviews)	5 days	Starting asap	
Report (max 30 pages) drafted and circulated to relevant staff, Briefing on preliminary findings (soft copy)	12 days (of which 3-4 for interviews)	By end-March/ early April	
Comment period / Availability for questions, calls and finalisation	3 days	end March/early April	
Report (max 30 pages) finalized by consultant and approved by person/organisation who commissioned the evaluation (soft copy)		Early April	
<b>Total</b>	<b>&lt; 20 days</b>		<b>&lt; 15,000 EUR</b>

**7) PROFILE OF CONSULTANT**

The consultant will state that he/she does not have and never had any role in the program to be analysed, and no hierarchical or other relationship with, or dependency from the project managers. For further information and requirements please consult the Declaration of Honour form, as attached to the tender package.

The consultant will be responsible for the overall implementation of the respective desk research including interviews and the report writing.

## **Selection Criteria and Technical and professional ability**

<b>Required Expertise regarding the team delivering the services</b>	<b>Proof to verify the compliance</b>
The absence of any professional or personal conflict of interest	Signed declaration of honour (non-exclusion criteria form)
<b>Required Expertise regarding the person or team delivering the services</b>	<b>Proof to verify the compliance</b>
At least 5 years of expertise to carry out quantitative and qualitative analysis related to the topic of this procurement	The tenderer must provide references for at least 3 projects that altogether demonstrate the requested capacity and were delivered in the last 3 years. The project references should include at least title, duration, geographical scope, public entity's name and the type of the procurement procedure
Sound knowledge of human and indigenous rights – at least 3 years of professional experience or at least the demonstration of the participation in 3 projects.	The tenderer must provide references for at least 2 projects that altogether demonstrate the requested capacity and were delivered in the last 3 years. The project references should include at least title, duration, geographical scope, public entity's name and the type of the procurement procedure
Technical competency on the issue to be evaluated: human and indigenous rights, respective policy/legislations; experience with multi-level approaches will be a strong advantage	Proof of education (university degree in a relevant subject)
Fluent in French language (C1 according to the European common reference system)	CV + project references
In-country experience in Africa – preferably Central Africa - at least 5 years, or at least 3 projects/consultancies carried out in the last 10 years.	CV with reference to the projects carried out in any African country

### **Award criteria**

The contract will be awarded based on the most economically advantageous tender, according to the 'best price-quality ratio' award method. The quality of the tender will be evaluated based on the following criteria. The maximum total quality score is 100 points. Tenders that receive less than 70% of the maximum

possible mark for the whole quality evaluation or less than 60% for one of the quality criteria will be eliminated and their final score will not be calculated. Tenders that do not reach the minimum quality levels will be rejected and will not be ranked.

<b>Quality Criteria</b>	<b>Points</b>
<p><b>Proposed project methodology</b></p> <p>This criterion aims to assess the understanding of WWF needs and the proposed solution. Previous experience on carrying out similar works and services on behalf of third sector organisations (such as NGOs) is highly desirable.</p>	<p>30 point – minimum threshold 60% (18 points)</p>
<p><b>Evaluation capacity</b></p> <p>The tenderer should demonstrate his/her background on project planning/ evaluation and his/her feasibility to carry out ex-post/ex-ante evaluation/ and or project planning.</p>	<p>30 points - minimum threshold 60% (18 points)</p>
<p><b>Project management and quality control</b></p> <p>This criterion will assess the quality control system applied to the service foreseen in this tender specification concerning the quality of the deliverables, the language quality check, and continuity of the service in case of absence of the member of the team. The quality system should be detailed in the tender and specific to the tasks at hand.</p>	<p>20 points – minimum threshold 60% (12 points)</p>
<p>Understanding/ Knowledge of the project landscape/ country specifics</p> <p>Knowledge of BMZ' and WWF's vision on human, indigenous and land use rights, the way BMZ and WWF work and their programming cycle is desirable but not mandatory</p>	<p>20 points – minimum threshold 60% (12 points)</p>
<p>Total number of points</p>	<p>100 points minimum threshold to reach is 60% (60 points)</p>

### **Ranking of the offers/tenders**

The contract will be awarded to the most economically advantageous tender, i.e. the tender offering the best price-quality ratio in accordance with the formula below.

### **A weighting of 80 - 20 is given to price and quality.**

After evaluation of the quality of the tenders, the evaluation committee will proceed with the financial comparison of the tenders retained for further consideration according to the following formula:

score for tender X = [(Lowest price / Price of tender X) x 80 ]+ [(Total quality score for all award criteria of tender X / 100) x 20]

**Price offer**

The tenderer shall provide WWF with a price offer according to the following format:

Total NET service fee in EUR + VAT (if applicable)

## 8) BUDGET, FUNDING, AND PAYMENT TERMS

To be specified in the consultant contract according to the schedule below.

After contractual signature	10%
Final payment on approval of report	90%

Travel costs will be reimbursed as specified in the contract, following the rules & regulations of the German Travel Regulations (Bundesreisekostengesetz, BRKG) and WWF Internal Standards & Procedures.

**Other Stipulations**

**Supplier compliance, code of conduct, conflict of interest**

All bidders taking part in the tender have equal opportunities and the contracting authority ensures that the contract will be awarded to the bidder that offer provides the best price-quality ratio bid.

Bidders are requested to declare any conflict of interest in the declaration of honour form.

When signing the service contract with WWF Germany, the successful bidder will be requested to accept WWF's supplier code of codex on human rights and environmental requirements. This code of codex will be annexed to the contract that WWF Germany signs with the successful bidder. If a tenderer wished to read the document in advance, in the tender phase, please get in touch with the contact person at WWF.

## ANNEX A. Report format

### **Title page**

Report title, project or programme title, and contract number (if appropriate),  
Date of re-port, Authors and their affiliation, Map (if appropriate)

### **Executive Summary (between 2 to 3 pages in English)**

Principal findings and recommendations, organized by the six DAC assessment criteria

### **Acknowledgements**

### **Table of Contents**

### **List of Acronyms and Abbreviations**

#### **A. Introduction (max 1,5 pages)**

- Purpose, objectives, and intended utilization of the feasibility study (reference and attach the ToR as an annex)
- Methodology and rationale for approach (reference and attach as annexes the itinerary; names of key informants; a list of consulted documents; and any tables containing project/programme information utilized in the exercise)

#### **B. Project/Programme Overview**

##### **(Summary plus max 3 pages per country, total max 14 pages)**

- Concise presentation of the programme characteristics
- Concise summary of the purpose, rationale & programme design (ToC)
- Essential characteristics per country:
  - Context & problem statement
  - Stakeholders & beneficiaries
  - Objectives, and strategies to achieve the programme goals

#### **C. Key Findings, Conclusions and recommendations (max 12 pages)**

- Findings organized by each of the six core evaluation criteria for the programme level and each countries specific context (attach as annexes tables, graphics, and other figures to help convey key findings)
- Conclusion and recommendation organized each of the six core evaluation criteria for the programme level and each countries

### **Annexes**

- Terms of Reference
- Itinerary with key informants
- Documents consulted

## ANNEX B. Templates

### 1. Context- / Problem- Analysis

Use PPMS Conceptual Model, problem tree or the following table:

<b>Causes/ Contributing Factors</b>	<b>Challenges / Threats</b>	<b>Impact on Targets</b>
What are the causes (ecological / economic / social / political) of the core problem?	What is the core problem / challenge to which the project wants to react?	What effects does the core problem have on protected objects (ecosystems/species/etc.) and target groups?

## 2. Stakeholder Analysis

Stakeholder	Power / influence on the project	Interest in the project	Role / point of connection to the project
	<ul style="list-style-type: none"> <li>- <i>What is the power / influence of the stakeholder? (high / medium / low?)</i></li> <li>- <i>How can the stakeholder influence the project results? (Positive &amp; negative)</i></li> <li>- <i>Is it influenced by project results? (Positive, negative)</i></li> </ul>	<ul style="list-style-type: none"> <li>- <i>What is the stakeholder's interest? Why?</i></li> <li>- <i>What expectations do they have?</i></li> </ul>	<ul style="list-style-type: none"> <li>- <i>In what way are these stakeholders connected with the project</i></li> <li>- <i>What role does the stakeholder play in the project?</i></li> <li>- <i>How should the stakeholder be involved?</i></li> </ul>

### 3. Project Logic

See BMZ Global Programme and Draft Impact Matrix (will be provided by WWF)

## ANNEX C BMZ Documents

### 1. Global Programme Handout

Global programmes should achieve higher impacts through the networking of individual projects. Higher structural impacts are achieved through cross-country and cross-thematic synergy effects and a focus on capacity development and advocacy. In terms of content, global programmes are dedicated to global challenges and supraregional crises (such as flight, climate change, pandemics, famine, etc.).

The volume of global programmes usually exceeds EUR 1.0 million. The duration is initially limited to 4 years, with the possibility of a subsequent phase. A global programme may take place in:

- one sector, at least 3 countries,
- one country, at least 3 sectors,
- several sectors, several countries,
- one country, one sector and at least 3 local institutions.

Synergy effects and strategic approaches must be demonstrated in order to achieve a common overall objective. In addition, global programmes should have effects not only at micro level, but in particular at meso and macro level (national and/or regional) and aim at systemic changes. After approval by BMZ, global programmes can also be used for particularly innovative approaches, e.g. for joint applications from several German NGOs.

**Differentiation:** In addition to global programmes, there are also transnational projects and projects implemented with several executing agencies or in different sectors. In contrast to global programmes, cross-country/sector/executing agency projects have their effects primarily at the micro and meso levels and their funding volume generally amounts to a maximum of EUR 1.0 million. Accordingly, the requirements of the Global Programme do not apply to transnational projects.

**Requirement** for the promotion of global programmes is the qualification of the private project-executing agency through:

- many years of experience with BMZ-funded projects (usually min. 10 years)
- the ability to implement multi-level approaches
- a high level of development and sectoral expertise
- broad access to different local partners (proof of cooperation experience with independent local partners in usually at least 5 countries)

- high financial mobilisation capacity (at least EUR 5 million annual turnover, exceptions are possible in justified individual cases after consultation with the BMZ)
- Completion of further training on administrative and technical issues relating to global programmes at bengo.

The implementation of a global programme does not increase the total amount of funding granted to a project-executing agency, but brings together several individual projects of the project-executing agency with the aim of achieving greater broad impact. Global programmes should be discussed in advance with the BMZ in sufficient time before the annual planning enquiry.

### **Procedural simplifications:**

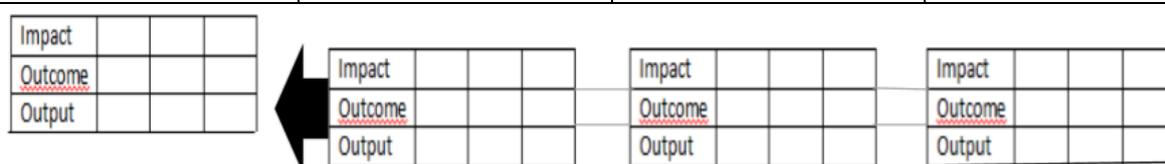
- 1. Reduced administrative effort:** Only one application, only one planning phase (financing of a feasibility study incl. cross-country or cross-sector planning workshop) and one technical and financial report for the global programme.
- 2. Greater flexibility in implementation:** Up to 30% of the individual estimates of the overall financing plan can be rededicated without amendment.
- 3. Possibility of a follow-up phase:** In order to scale the results of the first phase, it is possible to approve a follow-up phase, but this cannot be promised at the beginning of the first phase. Thus, a first project phase must also contain a demonstrably achievable and sustainably realizable goal and have an effect independent of a subsequent phase.
- 4. Financing network activities and programme coordinator:** A programme coordinator can be financed in Germany or one of the partner countries. In addition to programme coordination, the programme coordinator is responsible for setting up network structures (financing of regional or sector workshops is possible). The coordinator should prepare and implement the transfer of coordination tasks to the local partners as part of an exit strategy and ensure that the networks are maintained beyond the end of the programme. Accordingly, personnel costs should be reduced wherever possible. However, the costs of the position, including the network activities, must not exceed a maximum of 10% of the total project expenditure.
- 5. Reduced level of detail in the planning of activities:** The individual measures to achieve the outputs can be described by way of example with an "activity pool", the necessity of which must be derived from the impact matrix. The planned expenditures can be summarised in upper categories. The project-executing agency confirms in the application that only eligible expenditure is actually implemented and accounted for in accordance with the funding guidelines.
- 6. Own resources:** In non-crisis countries, a 25% own contribution must be paid for global programmes. The own contribution for an overall programme is 10% if at least 50% of the measures are implemented in one or more crisis countries or if the global programme explicitly addresses a regional crisis context (civil war, revolts, flight, disasters) and is implemented in at least one crisis country.

**Conception of the application:** The guidelines for the funding of private German institutions dated 01.01.2016 also apply to the Global Programme. A feasibility study (max. 30 pages) must be carried out before the start of the programme.

- In the application, a separate program module with its own impact matrix (see figure) is to be provided for each local partner, which is combined in the higher-level matrix.

- The overall impact matrix for the global programme summarises the objectives, impacts and measures of the individual modules. It thus reflects the aggregated benefits of the programme, which should be scaled in perspective with the aim of achieving greater broad impact.
- A separate module is to represent common goals and interactions between the partners and, if necessary, other actors.

Program (superordinate)	Programme module 1: Objectives and activities of the local partner 1	Programme module 2: Objectives and activities of the local partner 2	Programme module 3: Overarching goals of partners 1 and 2, e.g. networking, coordination, dialogue structures
----------------------------	--	--	--



- For each programme module, a separate financing plan shall be drawn up in the application, as well as in the interim and final report, which shall be aggregated in an overall financing plan.
- **The overall impact matrix and the overall financing plan are binding.**

**Reporting:** For global programs, interim & final reports consist of:

- Financial reporting (one per programme module and one aggregated report)
- A technical report with reference to the separate impact matrices for each program module.

NB:

Interested consultants should send the following documents/information:

- A technical offer explaining the detail methodology, organization of the mission, means, a detail planning of execution based on the ToR and expectations as mentioned on page 18,
- The consultants' resume which shall state clearly any experience similar to the objectives of the present call for service, indicating key references and the field of specialization
- A financial offer. The budget should give details of consultancy days by category as well as daily rates, along with management secretariat costs (if appropriate). Daily rates and expenditures should be shown separately. All these with regards to what was mentioned above

The highest or lowest cost bidder may not necessarily be awarded this contract. Overall cost and best value for the budget will be strongly considered. WWF is under no obligation to issue a contract because of this call for tenders.

Bids should be in ONE file (PDF) and submitted by email to [recruit-cam@wwfcam.org](mailto:recruit-cam@wwfcam.org) with subject "Special call for tender – WWF Feasibility Study for a BMZ-BENGO Project Proposal".

The deadline for the submission of bids is **Sunday, 22nd March 2020**.