

Terms of Reference

for advisory services for the development of a roadmap for a climate legislative framework Georgia: Regulatory Gap Analysis and Legislative Roadmap in the context of the GIZ-Project “Capacity development for climate policy in the countries of South-East and Eastern Europe, the South Caucasus and Central Asia, Phase III (CDCPIII)”

PN: 2016.9088.2-004.01

1. Background

Within the framework of the International Climate Initiative (IKI), the German Federal Ministry for the Environment, Nature Conservation and Nuclear Safety (BMU) commissioned GIZ to implement the program ‘Capacity Development for Climate Policy in the Countries of South East, Eastern Europe, the South Caucasus and Central Asia, Phase III’ (CDCPIII). The regional project supports the development of processes, methodologies, and instruments for long-term decarbonization planning and the integration into national targets to fight climate change while also achieving economic transformation targets. It strengthens the capacities of public decision-makers and institutions for the application of necessary integrated and inter-institutional planning processes. In Georgia, CDCPIII supports the government of Georgia to implement its national commitments for the implementation of the Paris Agreement. In 2021, CDCPIII supports the Ministry of Environmental Protection and Agriculture of Georgia (MEPA) to develop the Monitoring and Reporting Scheme for the newly adopted Georgia’s 2030 Climate Strategy and Action Plan (CSAP). In addition, the project supports MEPA with advisory and legal support for the development of a climate legislative framework roadmap and educational activities for raising awareness of the Georgian society about climate change.

Georgia accessed the United Nations Framework Convention on Climate Change (UNFCCC) as a non-Annex I country, and became a Party to the Kyoto Protocol (KP) and Doha Amendment to KP. In 2017, Georgia approved the Paris Agreement, which then entered into force for Georgia. In 2021, Georgia submitted its updated Nationally Determined Contribution (NDC) and adopted its Climate 2030 Strategy and 2021-2023 Action Plan (CSAP) as an implementation tool for the updated NDC. MEPA is responsible for the implementation of the CSAP as well as for the development of the next Action Plan, 2024-2026.

In the process of implementing the Paris Agreement, other international climate-related commitments, and domestic needs, the compilation of a consistent legal framework can play a crucial role. Currently, there is no pertinent legal instrument to regulate the climate change field, related measures, monitoring system, assigned duties (roles and responsibilities), and mandate for different entities to act. Climate-related issues are fragmented in different sectoral laws and by-laws. Therefore, it is necessary to conduct research and explore and determine the needs and options for a national framework for climate legislation in Georgia. Additionally, it is needed to identify steps for political decision-making, legal requirements for the

preparation of a national climate legal framework, and related technical and capacity-building needs.

1.1. Objectives

Under the direct supervision of the GIZ CDCPIII project, the specific objective of this assignment is to elaborate a report on a roadmap for a climate legislative framework Georgia: Regulatory Gap Analysis and Legislative Roadmap, focusing on the mapping of the existing legal framework, identifying and assessing needs and gaps, exploring applicable best cases, indicating suggestions of best options and developing a roadmap for Georgia. The national legal experts will be responsible for completing the following tasks:

Elaboration of a Report on a Roadmap for a Climate Legislative Framework Georgia: Regulatory Gap Analysis and Legislative Roadmap	
Tasks	Timeline
1. Identify, collect and analyze relevant documents and policies (incl. systematic screening of existing climate adaptation and mitigation related laws and by-laws, sectoral laws and by-laws, others)	By the beginning of September 2021
2. Select one (international) best case together with GIZ and MEPA and analyze the case	By mid-September 2021
3. Create a list of potential stakeholders and interview stakeholders for needs and gaps assessments	By mid-October 2021
4. In cooperation with GIZ, create and organize a (experts) working group meeting	By the end of October 2021
5. Elaboration of a draft report on a Roadmap for a Climate Legislative Framework Georgia: Regulatory Gap Analysis and Legislative Roadmap	By mid- November 2021
6. In cooperation with GIZ, organize a second (experts) working group meeting, as required	By the end of November 2021
7. Inclusion of recommendations and incorporation of corrections and comments from MEPA and GIZ	By mid-December, 2021
8. Elaboration of a final report on a Roadmap for a Climate Legislative Framework Georgia: Regulatory Gap Analysis and Legislative Roadmap	By the end of December 2021
9. Presentation of the report to MEPA and (possibly) other stakeholders for further discussion and decision-making	By the end of January 2021

1.2. Reports/deliverables and timeframe

Deliverables

- **A draft paper**, “Roadmap for a Climate Legislative Framework Georgia: Regulatory Gap Analysis and Legislative Roadmap,” including all work results, recommendations, feedback from the partner and other stakeholders, together with an executive

summary. The paper will be elaborated in English and contain up to 30 pages (Microsoft Word format). The GIZ CDCPIII project will provide the necessary templates.

- **A final paper** (updated draft paper), “Roadmap for a Climate Legislative Framework Georgia: Regulatory Gap Analysis and Legislative Roadmap,” including all work results, recommendations, feedback from the partner and other stakeholders, together with an executive summary. The paper will be elaborated in English and contain up to 30 pages (Microsoft Word format). The GIZ CDCPIII project will provide the necessary templates.
- **Short interim and final assignment reports** reflecting the working process of the assignment. The reports are expected to contain up to 3 pages and be completed in English (Microsoft Word format). The GIZ CDCPIII project will provide the necessary template.
- **PowerPoint presentations** that give an overview of the draft report and final report.
- **Participation** in the stakeholder meetings (if any) to present and discuss the report.

Timeline of Deliverables

Key Milestones	Due date¹
1. Assignment starts	02 August 2021
2. Identification and organizing of a (experts) working group meeting	30 October 2021
3. Submission of the draft paper to MEPA and GIZ together with the interim assignment report (max 2 pages)	15 November 2021
4. Organizing of second (experts) working group meeting (if necessary)	30 November 2021
5. Submission of the final document together with the PowerPoint presentation	30 December 2021
6. Submission of presentation of the report to GIZ and MEPA	20 January 2022
7. A short assignment report (max. 3 pages) to be prepared and submitted to MEPA and GIZ.	30 January 2022

2. Working Modalities

- The experts will directly support the Climate Change Division of the Environment and Climate Change Department of MEPA in cooperation with GIZ to ensure the government ownership of the process;

¹¹ Events and presentation dates shall be agreed with GIZ and MEPA

- The experts will work in close coordination with the local GIZ CDCPIII project under the direct supervision of the project's national advisor, Ms. Ketevan Vardosanidze;
- Overall supervision for the assignment is provided by Mr. Oscar Zarzo (CDCPIII Programme Component Manager for the Bilateral Cooperation with Georgia and Moldova);
- In addition, the experts will work in close coordination with other national and international stakeholders as deemed necessary and useful for the effective implementation of the assignment. GIZ will provide support identifying relevant stakeholders and will provide all relevant available documents.

3. Consultancy qualifications

The assignment should be fulfilled by a national consultancy/organization. A assignment team should consist of up to three members (at least two experts). The expert/s working for this assignment are required to have the following combined qualifications:

- Georgian national, fluent in Georgian and English;
- Master degree in law, environmental policy, public administration, or other relevant fields;
- At least 5 years of proven experience in delivering legal consultancy services to the public sector;
- At least 2 years of experience in drafting legal acts, various regulations, and similar documents oriented to the environment sector;
- At least 1 years of experience working for international development cooperation;
- Previous experience in the field of development assistance or related work for a donor organization, governmental institutions, NGO;
- Being familiar with climate change-related topics, such as NDC, LTS, NAMA concepts;
- Being familiar with international climate change policy and instruments.