



# Indigenous Livelihoods Enhancement Partners (ILEPA)

P.O BOX 1088 -20500 ILEPA Offices, Narok, Kenya

Tel: +254705905334 | Email: [info@ilepa-kenya.org](mailto:info@ilepa-kenya.org) | Website: [www.ilepa-kenya.org](http://www.ilepa-kenya.org)

**Terms of Reference (ToR) for Carbon Project: Strengthen the land tenure security for communities as the foundation for enhancing a legitimate voice in carbon property and associated dialogues.**

## 1. Introduction:

Enhancing Biodiversity Conservation and Climate Resilience in the Southern Kenya Landscapes (Narok, Kajiado, Taita Taveta Counties)

## 2. Background:

There is general global recognition that climate change constitutes the greatest environmental challenge facing humanity today. Climate change is not only a threat to the achievement of sustainable development and poverty reduction but has the potential to reverse the modest gains that we have achieved toward attaining the Millennium Development Goals (MDGs)

The latest Intergovernmental Panel on Climate Change (IPCC) report notes that limiting warming to 1.5C will require significant cumulative net carbon dioxide removals. To avoid the worst impact of climate change, the world must massively scale up its investment in removing Green House Gases (GHG) including Carbon dioxide (CO<sub>2</sub>) from the atmosphere. The proposed response measures entail efforts to protect and expand natural carbon sinks, support for efforts to store away more carbon in soils through new land management practices, and innovations in technologies to capture and durably store carbon dioxide.

Carbon markets emerged as a result of the Kyoto Protocol, developed and adopted under the United Nations Convention on Climate Change (UNFCCC) in 1997. Article 6 of the Paris Agreement set a series of rules to govern market-based activities, which aim to improve environmental integrity and avoid the double counting of emissions reductions. Carbon markets focus on mitigating climate change while providing economic opportunities for participating countries and carbon credit project participants.

Kenya is a party to the UNFCCC and a signatory to the Paris Agreement. The Country has put in place ambitious policies and measures to pursue its low-carbon climate resilience pathway to help realize its aspiration under the vision to 2030. About 70% of the Country's population lives in rural areas and is highly dependent on natural resources as a means of livelihood through agriculture, farming, and pastoralism. Periodic floods and droughts have huge cost implications for the economy, slowing economic growth with adverse effects and impacts on local livelihood practices.

The Carbon credits market actors are already targeting conservation landscapes such as parks, game reserves, community-based conservancies, and Indigenous community conserved areas (ICCAs). Most Carbon Credit trading projects in Kenya are located in forests and rangeland ecosystems. Rangelands and pastureland sequester carbon as the grass and plants absorb carbon dioxide and store it in the soil through photosynthesis, hence the potential for generating carbon credits and possibly payments through offsets (trading).

These landscapes are settled by Indigenous peoples and local communities (IPLCs). Some of the project sites overlap with areas of unsettled IPs historical land rights claims. Southern rangelands are a very biodiversity and culturally rich landscape. The landscape boasts of high diversity of habitats, a high number of livestock, and a high diversity of wildlife including key species. Pastoralism and pastoralists, wildlife, and conservationists share these diverse habitats across seasons. These landscapes are experiencing prolonged drought, which is impacting people, wildlife, and the ecosystem.

### ***About the Organization***

Indigenous Livelihoods Enhancement Partners (ILEPA) is a not-for-profit community-based Indigenous Peoples organization (IPO) for human rights and governance, environment and climate change, and local-level development registered in Kenya.

ILEPA envisions a just and prosperous Indigenous Peoples' society, and seeks to promote Indigenous Peoples' self-determined sustainable development hinged on recognition and respect of their human rights for enhanced well-being.

ILEPA in partnership with the African Wildlife Foundation (AWF) and Land Development & Governance Institute (LDGI) is implementing a SIDA-supported project titled 'Biodiversity Conservation in the Southern Landscape covering Narok, Kajiado and Taita Taveta Counties.

One of the project objectives is to improve the livelihoods of target communities through nature-based enterprises and value chains with the aspiration to contribute towards secure livelihoods and strengthened inclusive market systems that support sustainable natural resources management. Under this objective, ILEPA is rolling out a scoping study on the status and trends of Carbon offset initiatives within the project target landscape.

## **3. Objective of the assignment**

The primary objective of the Scoping study is to gather comprehensive data on carbon markets, their direct relation to land tenure rights, and their implication on Indigenous Peoples' rights and livelihoods.

The study also seeks to evaluate the benefit-sharing models, and the safeguards needed for Indigenous Peoples and local communities to adapt, to prevent land grabs, criminalization, conflict, and other human rights violations. The findings of the Scoping study will serve as a reference point to measure the impact of BRISK interventions over time.

## 4. Scope of Work

The geographic area of focus for this project is the Southern rangelands comprising Narok, Kajiado, and Taita Taveta. The Scoping study will encompass the following key components:

- Provide a comprehensive profile of ongoing carbon offset markets project on the southern rangeland including size of land, participating communities, project developers, and resource in-flows.
- Provide an overview of the nature of carbon markets engaged in, including assessing the unit cost of Carbon credit, cost-accounting, and existing benefit-sharing arrangements.
- Map out the present key actors in the carbon offsets market ecosystem - developers, registries, traders, brokers, and investors.
- Provide a synthesis of Kenya's policy, legal, and regulatory environment on Carbon markets highlighting strengths and weaknesses from a community perspective.
- Provide a comprehensive analysis of risks, opportunities, and benefits accruing from carbon projects from a community perspective.
- Present a synopsis of the decision-making and governance arrangement of existing carbon projects.
- Assess ways in which to strengthen the land tenure security for communities as the foundation for securing a legitimate voice in carbon as property and associated dialogues.
- Draw out ways of enhancing knowledge and capacity for uptake of progressive relevant policies and legislations IPLC's rights and safeguards.
- Highlight ways to promote multi-actor and multi-scale dialogues on carbon credits and market dynamics, supporting and facilitating community organizing, full and effective representation, and participation of communities in decision-making arrangements across scales.
- Provide recommendations on how communities should eliminate & minimize risks and optimize associated benefits.

## 5. Methodology

The Scoping study will employ a mixed-methods approach, combining both qualitative and quantitative techniques. The methodology will include:

- a) Household Studies: Conduct structured interviews with landowners (private and community land), Community Land Management Committees (CLMCs) to collect quantitative data on their engagement with carbon markets.
- b) Key Informer Interviews: Collect data from privileged knowledge-holders on carbon market dynamics including the private sector, relevant government officials (national and county), elected leaders, carbon developers, and others to gain insights into the carbon market ecosystem.
- c) Focus Group Discussions (FGDs): Organize FGDs with private and community landowners to facilitate in-depth discussions on carbon market mechanisms, expectations, challenges, and potential solutions.

- d) Participant Observation: gather data informally through active observation to assess the impact of carbon markets interventions, and green jobs dynamics on IPLCs

## 6. Task, Responsibility, and Deliverables

The consultant(s) or research team undertaking the Scoping study will be expected to deliver the following outputs:

- i. An inception report will be prepared by the consultancy team and shared with the Programmes Manager and ILEPA Director.
- ii. Building on the inception report, the consultancy team will produce a draft report that will be shared with the ILEPA team leader for review.
- iii. The consultant will prepare the **final report** after debriefing of the review. The report will follow the presentation logic and include, at a minimum: an executive summary, a list of acronyms, an introduction, a study context and purpose, baseline framework and methodology, findings, conclusions, and recommendations.
- iv. Annexes should include the TOR, inception report, list of documents reviewed, list of persons interviewed or consulted, and data collection instruments.

A detailed report documenting the findings of the study, including data analysis, key observations, and recommendations. A presentation summarizing the key findings of the Scoping study to be delivered to stakeholders should be prepared.

## 7. Timeline

The Scoping study is expected to be conducted over a period of 21 working days. The date of commencement will be communicated.

The final deliverables will be discussed and communicated during the agreement.

## 8. Budget and Mode of Payment

The budget for the Scoping study should cover all expenses related to personnel, transportation, data collection tools, analysis, and reporting. The budget allocation should be in line with industry standards and reflect the scope and complexity of the study.

The consultant will be paid in two installments as below: -

1<sup>st</sup> installment: 20% upon submission and approval of inception report & data collection tools; and a signed contract

2<sup>nd</sup> installment: 40% upon submission and approval of the draft report.

3<sup>rd</sup> installment: 40% upon submission and approval of the final report and all agreed-upon products of the study.

The consultancy fees will be subject to a 5% withholding tax.

## 9. Qualifications of Consultants

The consultants or research team responsible for conducting the Scoping Study should possess expertise in research methodologies, data collection, and analysis, with prior experience in

similar projects within carbon credits and markets being highly desirable. Specifically, the Consulting firm/candidate should possess:

- Master's degree in environmental science, economics, international development, or any other related field
- At least five years of experience and active engagement in the field of climate change or environmental management
- Strong knowledge of the carbon market industry, including international carbon market frameworks, and market-based mechanisms for climate change mitigation
- Experience in / knowledge of voluntary carbon markets, especially in Kenya.
- Experience in working with ambiguity and navigating complex environments.
- Extensive (international) network and up-to-date knowledge about carbon markets, inclusive of strategies for further scaling, funding and social development
- Strong quantitative and analytical writing skills; advanced proficiency in MS Excel and significant experience in producing concise, executive-level reports and presentations, training modules, and materials.
- Excellent interpersonal, social, and networking skills, and ability to engage with governments, the private sector, and local communities. Prior experience working with indigenous peoples and other broad partnerships is highly desirable.
- Experience with knowledge management, learning, and innovations in Carbon offset projects.
- Strong communication and negotiation skills in speaking, writing, as well as presenting materials in a variety of media.
- Expert command of the English language. Fluency in the local Maa language and Kiswahili will be an added advantage.

#### 9.1: Mandatory Compliance Evaluation

The Consultant Firm(s)/ Individual(s) will be subjected to Mandatory Compliance Evaluation, and should submit the below:

- KRA Certificate and eTIMS Registration
- Company Registration Certificate
- Certificate of Good Conduct

## 10. Proposals Evaluation Criteria:

The technical and financial proposals will be evaluated according to the following criteria;

- a) Profile of the firm/ consultant in relation to the task (5%)
- b) Composition and skillsets of the research team (10%)
- c) Interpretation and understanding of the TOR (5%)
- d) Technical and financial proposal (50%)
- e) Evidence of demonstrated relevance experience and skills with contactable references (report samples) (30%)

## 11. Reporting and Coordination:

The consultant(s) or research team will report directly to the Project Coordinator of ILEPA and maintain regular communication throughout the duration of the assignment. Any deviations from the agreed-upon timeline or scope of work should be promptly communicated and addressed.

## 12. Ethics and Confidentiality:

All data collected during the Scoping Study should be treated with the utmost confidentiality and used solely for the purposes outlined in this TOR. Ethical considerations, including informed consent and protection of participants' rights, should be adhered to throughout the study process.

### How to apply

Firms or consultants who meet or exceed the requirements should submit their technical and financial proposal to [procurement@ilepa-kenya.org](mailto:procurement@ilepa-kenya.org) not later than 17th June 2024; at 5:00 pm. Any application submitted after the set deadline will not be considered.

### Approval

This TOR for the Scoping study is subject to approval by the Project Steering Committee of AWF, ILEPA, and LDGI.

### Signed

Director /Project Manager

3rd June 2024