

**FEDERAL REPUBLIC OF NIGERIA**

**MINISTRY OF MINES AND STEEL DEVELOPMENT**

**MINERAL SECTOR SUPPORT FOR ECONOMIC DIVERSIFICATION PROJECT (MinDiver)**

**Terms of Reference for the Engagement of a Consultancy Firm to design and develop a mechanism for Citizen Engagement, Social Accountability and preparation of Stakeholder Engagement Plan for the MinDiver Project and the Mining sector in Nigeria**

**1.0 INTRODUCTION**

The Federal Government of Nigeria has obtained a credit from the International Development Association (IDA) to fund the Mineral Sector Support for Economic Diversification (MinDiver) Project. The project has the following development objectives:

- a. To improve the attractiveness of the Nigerian Mining sector, as a driver for economic diversification, for long-term private sector investment in the exploration and production of minerals.
- b. To create a globally competitive sector capable of contributing to wealth creation, providing jobs and advancing our social and human security.

The overall objective of the MinDiver Project is to link with the Roadmap and enhance the mining sector's contribution to the economy by strengthening key government institutions, improving information infrastructure and knowledge, and fostering domestic investment in the sector. The Project consists of the following parts:

**Part A. Establishing a Strong Foundation for Mining Sector Development**

1. Carrying out of a program of activities designed to strengthen the MMSD's capacity for governance and administration of the mining sector;
2. Carrying out of a program of activities designed to strengthen the Nigerian Geological Survey Agency as well as geological knowledge and information infrastructure for the mining sector,
3. Implementing a program of activities designed to strengthen the Recipient's capacity for management of environmental, health and social impacts in the sector

**Part B. Facilitating Downstream Sector Development and Enhancing Competitiveness**

1. Strengthening administration of the artisanal and small scale mining sub-sector,
2. Implementing a program of activities designed to leverage the mineral sector for regional development

3. Implementing a program of activities designed to enhance value addition to mineral products (including upstream development of industrial minerals and dimension stones domain) in the mining sector,
4. Implementing a program of activities designed to advance proof-of-concept investments and to attract private sector investments

### **Part C. Project Management and Coordination**

1. Strengthening the capacity of the MMSD for implementation, supervision and management of the Project through the provision of goods, consulting services, non-consulting services, operating costs and training for the purpose.
2. Supporting quality control of Project activities and outputs as well as monitoring and evaluation of Project outputs and results.

The key results of the project will include:

- i. Increased availability of precompetitive geo-science data enhancing mineral transactions;
- ii. Institutional information systems integrated with multi-sector planning tools;
- iii. Incentives created for Artisanal and Small-Scale Mining (ASM) formalization;
- iv. Improved environmental and social compliance by mining industry operators

This technical assistance project intends to improve governance and the enabling environment of the mining sector. While it would help to create a more favorable enabling environment for the expansion of large-scale mining as well as ASM in Nigeria, the project would also seek to ensure that the accompanying environmental and social challenges are adequately addressed. For this reason, the project is supporting the preparation of a mechanism for Citizen Engagement, Social Accountability and Stakeholder Engagement Plan for the MinDiver Project and the mining sector in Nigeria.

## **2.0 BACKGROUND**

The Federal Government of Nigeria is targeting to raise the contribution of mining to Gross Domestic Product (GDP) from the current position of 0.3% to 3% in the year 2025 based on a projected annual growth of 10%. It has developed a roadmap entitled, the Roadmap for the Growth and Development of the Nigerian Mining Industry ('the Roadmap'), to achieve its target. The Roadmap's vision leverages on a sustainable and well governed mining sector that is globally competitive, friendly and plays significantly in a diversified Nigerian economy. The national aspiration is to build a world-class minerals and mining ecosystem designed to serve a targeted domestic and export market for minerals and ores. Focusing on Nigeria's minerals, mining and related processing industry will achieve this over a 3-phase period. Over 25 years, Nigeria would seek to achieve the following: (a) rebuild its domestic utilisation of industrial and

energy minerals to support industrialisation in the first phase of 2-3 years; (b) expand its domestic ore and mineral asset processing industry in the second phase of 5-10 years; and (c) return Nigeria to the global ore and mineral markets expected to coincide with the next commodity upswing.

The Roadmap identifies one of the sector challenges to be limited engagement and leverage of industry stakeholders, particularly communities who tend to bear the brunt of the damaging effect of the mining industry. To address this, it identifies the need to:

- Establish and strengthen mechanisms for community engagement throughout the lifecycle of mining activity.
- Encourage investors to co-invest with communities if possible, or set-up transparent trusts to help communities manage any profit sharing or similar economic returns received.

### **3.0 OBJECTIVE OF THE ASSIGNMENT**

The primary objective of this assignment is to design and develop a mechanism for citizen engagement, social accountability and preparation of stakeholder engagement plan for the MinDiver Project and the Mining sector and for each stage of the following:

1. Mining life cycle in Nigeria from: (i) prospecting and exploration; (ii) mine-site design and planning; (iii) construction; (iv) production and (v) closure and reclamation.
2. Mining value chain in Nigeria from: (i) issuance of contracts and licenses; (ii) regulation and monitoring of operations; (iii) collection of taxes and royalties; (iv) revenue management and allocation and (v) implementation of sustainable development policies and projects.

### **4.0 SCOPE OF WORK**

It is against this background that the MMSD is engaging the services of a Consultant Firm to provide assistance in undertaking the identified objectives. The main role of this Consultancy is to undertake the following three main activities:

#### **Activity 1- Development of a Social Accountability (SA) Framework in the MinDiver project**

The objective of integrating SA framework into the implementation of the MinDiver project is to improve project outcomes, improve government-citizen relationships, and transfer some of the responsibility of local level supervision from government to local communities. This will be through the integration of SA interventions in the MinDiver project, building on principles of transparency, accountability, and participation. This will focus on managing project risks and concerns; improving transparency, accountability, governance, and, participation to help manage these risks; improving development effectiveness; and enhancing inclusiveness and responsiveness in the implementation of the MinDiver project by the MMSD.

In undertaking this activity, the firm will:

1. Identify and prioritise Social Accountability Concerns and Opportunities: The Consultancy firm will identify strategic entry points and potential SA entry points in the MinDiver project and prioritize potential issues and activities. To identify opportunities and potential accountability entry points for potential social accountability activities, the Consultant should
  - map key project activities and objectives;
  - identify governance concerns and opportunities associated with the project;
  - map the project activities against opportunities for citizen feedback, participation, and monitoring

Potential entry points to be identified by the firm include the following among others:

- Social Accountability in Environmental and Social Framework: this includes formal and mandatory procedures that require or strongly encourage transparency, accountability, and participation mechanisms in the environmental and social framework design, instrument preparation and bidding process being supported under MinDiver. This will be particularly useful for the proof of concept projects, regional development projects;;
  - Social accountability in the mitigation of implementation risks: this focuses on project implementation risks and the measures that have been identified to help manage the risks;
  - Social accountability to establish and ensure: (i) transparent bidding processes to be undertaken under the project that will allow for the public to monitor the process; (ii) selection of target communities under the gender and ASM support programs
2. Assessment of the Context and Enabling Environment for SA Activities: The objective is to assess the socio-political context for SA activities before the SA interventions are recommended to address governance issues. Assessing the context and enabling environment will determine the type of SA approach that may be most effective, depending on the capacity, trust, and strength of the legal and regulatory framework. The firm should be guided by the social, political (identifying multiple sources of legitimacy for different political leadership and decision), and legal contexts (existing incentives, accountability mechanisms, institutional capacity in civil society organisations (CSOs), access to information, relationship between the state, civil society, and industry) for social accountability and utilise the Environmental and Social instruments (Environmental and Social Management Framework (ESMF), Resettlement Policy Framework (RPF), Strategic Environmental and Social Assessments (SESA) and other tools developed under the project to understand the context. As part of the contextual analysis, the

Consultant will establish the main objectives of the social accountability activity or intervention to accurately identify the types of change required to achieve project objectives.

3. Select Social Accountability Tools and Methods: Based on the work carried out in the above sub-activities, the Consultant will select the SA tools and methods, particularly the use of ICT, which would address the concerns that have been identified, considering the project context, and enabling environment. Selections will be designed jointly with mapped stakeholders and they will continue to play an important role during implementation. In selecting the SA tools and methods, the firm will consider the following:
- the extent to which a given initiative is dependent on government cooperation;
  - the complexity or difficulty of implementing the SA activity;
  - stakeholder capacity and experience with the tool or method;
  - cost and time considerations
  - gendered impacts of mining projects and appropriate measures for gender-responsiveness

The firm is expected to:

- a. identify an SA strategy or approach that will be a good fit for the context and governance challenge, conduct a brief diagnostic
- b. review some of the main characteristics of the SA approach being considered to see how they fit with the diagnostic
- c. select the best SA approach and who will implement it through a consultative process;
- d. develop a first-cut strategy
- e. assess the use ICT (e.g. Smartphone App), and if deemed feasible, prepare a design brief and estimate.

The firm will be expected to validate the initial design; pilot field methods, monitor, and adjust methods; expand after pilot testing; implement and document social accountability initiative; and validate findings with stakeholders

4. Develop a Communications Strategy and Stakeholder Engagement Plan: The firm will carry out a stakeholder analysis and preparation of the above instruments which will involve the following tasks:
- a. **Task 1:** Examine relevant available secondary documentation about the MinDiver Project, and the processes and experiences of any previous stakeholder engagement efforts (particularly the history of relationships with key stakeholder groups – positive or negative). Systematise key reference documents in relation to social accountability initiatives, and propose a clear framework to interpret the effectiveness of social accountability initiatives. This documentation may include:

- Reports commissioned by the MinDiver Project Implementation Unit (PIU);
  - Project documents ;
  - World Bank Social Accountability guidance (e.g. Sourcebook, Framework) relevant to the project;
  - Evidence of other stakeholder engagement efforts (e.g. Stakeholder minutes of meetings, etc.);
- b. **Task 2:** Design, plan, and gain agreement for a stakeholder analysis methodology with PIU. Obtain the views of this group on:
- Overall objectives and goals of the Project;
  - Critical stakeholders within the sector;
  - Key issues for stakeholder identification and analysis;
  - The most vulnerable groups among the poor and potential mechanisms to include their voices and perceptions are heard during the stakeholder analysis, and make sure they are not overlooked;
  - Their views regarding civil society representation and participation.
- c. **Task 3:** Undertake a stakeholder assessment which:
- Is as participatory and inclusive in nature as feasible;
  - Identifies primary, secondary and key stakeholders, where:
    - *primary stakeholders* are those ultimately affected by the project, either positively
    - *secondary stakeholders*
    - *key stakeholders* are those who can significantly influence the project, or who are important to the success or failure of the Project;
  - Maps the stakeholders, showing their degree of importance and influence (see Illustrative Stakeholder Map below). An analysis identifying key concerns of each stakeholder group will also be highly relevant.
  - Provides clear information on the concerns and interests of each of the key stakeholder groups.

### Illustrative Stakeholder Map

Influence of Stakeholder	Importance of Stakeholder			
	Unknown	Little/No Importance	Some Importance	Significant Importance
Significant Influence	<b>C</b>		<b>A</b>	
Somewhat Influential				
Little/No Influence	<b>D</b>		<b>B</b>	
Unknown				

Boxes A, B and C are the **key stakeholders** of the project. The implications of each Box are summarized here:

- **Box A:** Stakeholders appearing to have a high degree of influence on the project, who are also of high importance for its success. This implies that the government implementing agency will need to construct good working relationships with these stakeholders, to ensure an effective coalition of support for the project.
- **Box B:** Stakeholders of high importance to the success of the project, but with low influence. This implies that they will require special initiatives if their interests are to be protected.
- **Box C:** Stakeholders with high influence, who can therefore affect the project outcomes, but whose interests are not necessarily aligned with the overall goals of the MinDiver Project. This conclusion implies that these stakeholders may be a source of significant risk, and they will need careful monitoring and management.
- **Box D:** Stakeholders in this Box, with low influence on, or importance to project objectives may require limited monitoring or evaluation, but are of low priority.

d. **Task 4:** Conduct interviews or focus group discussions with a wide range of potential actors, i.e. **[as set out in the plan agreed during Task 2]:**

- Government, including, but not limited to the following:
  - Key officials involved in the project;
  - Key officials responsible for the sector;
  - Managers in the regulatory agency for the sector (if any);

- Civil society organisations/groups:
- Project Beneficiaries and Affected Persons

e. **Task 5:** Advise the project on:

- The key stakeholders and their concerns;
- Any important sub-groups and (if appropriate) individuals;
- Options for the project to respond to stakeholder concerns, paying particular attention to concerns that may risk the delay, postponement or negatively affect the project;
- Recommended or preferred options, strategies and tactics for project that reflect stakeholder concerns and Governments overall objectives for project;
- High-level “messages” to be considered during the detailed design of a communications and engagement plan.

f. **Task 6: Prepare a detailed a communications strategy and Stakeholder Engagement Plan**

5. Decide on Implementation Modalities: This task involves deciding on the details for implementing selected SA activities and selecting capable partners. The focus will be on selecting and sequencing tools, understanding the implications of the context for the choice and integration of tools, linking them to project activities, and planning for institutionalizing and scaling up SA. In this sub-activity, the Consultant will be involved in selecting capable partners for implementation of SA tools including CSOs (international, national, or local organizations and coalitions), professional associations, private firms (especially consulting firms), universities, and other research institutions. The partner institutions that hold government and service providers accountable should also be held accountable to beneficiaries they are representing. To ensure that local communities have the capacity to also supervise projects, the Consultant will propose and deliver capacity development support to build up the capacity to monitor and maintain social accountability without external funding.
6. Monitoring and Evaluation (M&E): The Consultant will integrate M&E by defining the theory of change to better understand the logic of the SA intervention, setting up systems to capture information during implementation, establishing an M&E unit to coordinate all M&E activities/working with the MinDiver M&E team, and agreeing on the M&E plan and indicators with all the relevant stakeholders. This can be supported by integrating an M&E specialist from the beginning of the project.



## **Activity 2 – Integration of Social Accountability Activities along the Mining Industry Value Chain and Project Life Cycle**

The objective of this activity is to integrate SA under each link in the mining value chain and steps in the project life cycle. All accepted recommendations will form the basis for development of regulations for the government.

In this activity, the Consultant will apply the TAP (transparency, accountability and participation) principles to involve CSOs and communities along the mining industry value chain and project life cycle using the same kinds of SA approaches and tools described in activity one. In undertaking this activity, the Consultant Team will:

1. Undertake an extensive mapping exercise (in furtherance as indicated in activity 1) to identify the non-state actors (CSOs, non-governmental organisations, community based-organisations (CBOs), faith based organisations (FBOs), foundations, research institutions, the media etc.) that: (i) are actively involved in the mining sector; (ii) have a direct role; (iii) have an indirect role; (iv) can potentially play a direct role; (v) can potentially plan an indirect role in promoting good governance, transparency and accountability along each stage of the mining life cycle and the mining value chain, including the participation of communities in key mining decision stages along the life cycle and value chain. The mapping exercise should focus on identifying the thematic areas of focus of the actors, location, level of involvement and activeness, organisational structure etc) and how they can connect with one another to support host mining communities.
2. Assess the implementation of community engagement provisions in the Nigerian Mineral Mining Act since it was enacted into law. The Consultant will review the provisions in the act, specifically the process of obtaining consent from communities, citizens' (communities and CSOs) participation in the ESIA process and the Community Development Agreement (CDA) development process and implementation and how they have been implemented. Additionally, the Adviser will review a sample of consents, ESIA's, and CDAs for several high value and low commodity minerals, different lease types, and at different locations;
3. Review the Participatory Partnerships for Community Development (PPCD) in the oil sector, particularly the Global Memorandum of Understanding (GMOU) entered by multinational oil companies with communities and state governments in oil producing states in Nigeria, including the history, governance and operational structure, etc. Identify implementation challenges and lessons that could be applied to the mining sector;
4. Assess the global use of benefit sharing mechanisms such as foundations, trusts, and funds and their applicability in different mining operations at all levels of engagement on behalf of mining communities in different countries. Following this, the Consultant should

review the NMMA and assess the extent of its use in Community Development Agreements (CDA) between mining companies and host communities. The consultant will undertake a detailed Strengths, Weaknesses, Opportunity, and Threats as well as a Political, Economic, Social, Legal analysis on the applicability of FTFs in improving benefit sharing in the CDA process and what structures should be adopted to improve the lot of host communities and even host state governments from mining using FTFs. Based on the analysis above, the consultant should develop guidelines on benefit sharing mechanisms such as foundations, trusts, and funds and their applicability in different mining operations at all levels of engagement on behalf of mining communities. Furthermore, the consultant should develop a geographically based support for elaborating the baseline to apply community development funds within selected buffer areas around intended operating sites to be supported under this project;

5. Develop a mechanism for citizen engagement through a CSOs, NGOs, and environmental watchdogs etc platform/working group assess the possibility of using simple ICT solutions. Furthermore, the expert will assess the possibility of using simple ICT solutions for linking host mining communities to the CSOs, NGOs, and environmental watchdogs platform/working group on the Consent, Environmental and Social Impact Assessment and Management as well as CDA development process .. The consultant is required to provide a design brief, technical criteria and financial estimate for developing the simple ICT solutions;
6. Provide capacity building programs for CSOs, CBOs, and other relevant stakeholders to participate in key decisions in mining operations within communities including the development and negotiation of CDAs, mining revenue transparency, SA and governance, environmental management, etc.; Prepare a communication strategy for civil society and CBOs and other community representatives.
7. Draft regulations, guidelines, and model agreements for the Mining Cadastre Office, Mines Inspectorate, Mines Environmental Compliance/Ministry of Environment based on the agreed recommendations on the consent, ESIA, and CDA processes as well as land access for exploration and production activities and CDAs. Recommendations on land access will form the basis for discussions between the Federal Government and the State Governments.

in accomplishing the aforementioned tasks, the following outlines should be considered;

- Seemingly combination and integration of approaches
- Appreciative inquiry
- Opportunity creation for visioning, experimentation and innovation
- Foster a sense of teamwork and collective responsibility
- Define clear roles and responsibilities

- use educational and awareness-raising materials to create momentum for integration of SA activities
- Training of selected/mapped stakeholders to engage authorities effectively.

## **5.0 CONSULTANT'S QUALIFICATION**

The design and development of citizen engagement and social accountability mechanism will be undertaken by a firm (defined as Consultant) with at least ten (10) years cognate experience in subject matter (design and development of citizen engagement and social accountability mechanisms). Experience in similar assignment within the sub-region and mining sector is highly desirable.

The Consultant's team shall include all the necessary expertise required to complete the work as specified within the terms of reference for the assignment. The consultant/firm must have experience of World Bank assisted projects and must be able to demonstrate:

- a. Knowledge of and experience in citizen engagement and social accountability and assessment, specifically in Africa and the global mining sector;
- b. Skills and experience in preparation of stakeholder engagement plan for infrastructure projects/mining projects in Africa. Having such experience in Nigeria is an added advantage;
- c. Skills and experience in preparation of communication strategy for infrastructure projects/mining projects in Africa. Having such experience in Nigeria is an added advantage;
- d. Track record of successful project management, team work, and project delivery is essential.

The consultant/firm will work closely with the PIU and MMSD, who should be included in the assignment process, to provide in-country advice and a coordinated response to this exercise.

## **6.0 STAFF REQUIREMENTS**

### **Qualifications and team composition**

The Consultant shall at a minimum, provide the key staff described below. Curriculum Vitae shall be provided in respect of each key staff Experience and a track record in complex World Bank safeguard policies work; sustainability, entailing legacy, corporate risk and highly complex projects is highly desirable. Experience of working with

international development institutions-funded projects like the infrastructure related projects.

The team shall include a Day-to-Day Project Manager and Team Leaders and other key staff for each of the necessary expertise. The following list of required key staff is regarded as a minimal in the Consultant's project team as follows:

S/N	Title	Specific Expertise	Years of Exp.
1	<b>Team Leader (Citizen/ stakeholder engagement Expert)</b>	He/ She must possess a minimum of a Master's Degree in international relations, Social Sciences or related discipline with at least fifteen (15) years' experience in public administration, governance, social accountability, mining development and community development with experience in undertaking similar assignments; Experience in working with artisanal miners and host mining communities is mandatory. preferably related to Mineral Development projects, a significant portion of which has been in Sub-Saharan Africa. He / she must have a proven track record in managing similar assignment, particularly in Africa. Experience in relation to participatory governance, social accountability, and community development in Nigerian/African/developing countries. This senior position will involve responsibility for the day-to-day management of the project and for all negotiations and joint planning with the officials of the MMSD. Good interpersonal skills will be essential, including the ability to work with the staff of the MMSD, private sector organisations and associations and other critical stakeholders. Good knowledge of the socio - cultural and traditional legal system in projects.	<b>15</b>
2	<b>Socio-economic Expert</b>	He/ She must possess a Master's Degree in Social Sciences or related field from a recognized University with at least ten (10) years practical post-qualification experience in social analysis and social works. The experience required of the experts is as detailed below:	<b>10</b>

		<ul style="list-style-type: none"> <li>• Experience in social and economic development activities for poor communities or any other relevant field; Experience of community based development projects preferably in an urban context;</li> <li>• Experience in operational planning and implementation of social and economic development activities;</li> <li>• Knowledge of and experience in the mining sector, particularly in developing countries;</li> <li>• Experience with at least two projects of similar nature to the assignment, with at least one of the projects having been produced in Sub-Saharan Africa;</li> <li>• Robust understanding of the national and international developments in relation to social accountability, preferably in the mining sector;</li> <li>• Understanding of social accountability priorities in the mining sector in Nigeria and Sub-saharan Africa will be an advantage;</li> <li>• A track record of promoting sustainable community development initiatives through public-private partnerships in Nigeria and Sub-saharan Africa. Experience in conducting such initiatives in the Nigerian extractives (oil, gas, mining) industries will be an added advantage;</li> <li>• Experience of working with artisanal miners and host mining communities is an added advantage;</li> <li>• Experience of working on World Bank assisted projects or in Multilateral Institution environments such as African Development Bank or similar organizations is an added advantage.</li> </ul>	
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3	<b>Social Safeguard Specialist</b>	He/ She must possess a Master's Degree in Social Sciences or related field from a recognized University with at least Seven (7) years practical post-qualification experience in social analysis and social work. She/he will have demonstrated expertise in the design and implementation of census surveys and socio- economic data collection and analysis to support the preparation Stakeholder Engagement Plan, Communication Strategy, GBV assessment etc. required by national government and international lending agencies. She/he will have demonstrated skills in working effectively with public sector clients, and in implementing effective consultation and participation at project and community levels, especially in Nigeria. He/she should have served in a similar capacity and with relevant experience in preparation and implementation of citizen engagement plan and communication strategy; GRM among others. Experience of working with artisanal miners and host mining communities is an added advantage; Familiarity with Bank safeguards standards and best practice is necessary.	7
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4	<b>Environmental Expert</b>	He/ She must possess a Master's Degree in environmental Sciences or related field from a recognized University with at least Seven (7) years practical post-qualification experience in environmental impact analysis, planning, mitigation, and management. She/he will have demonstrated expertise in the design and implementation of environmental and social management plans, environmental and social impact assessments, and environmental management. She/he will have demonstrated skills in working effectively with public sector clients, and in implementing effective consultation and participation at project and community levels, especially in Nigeria. He/she should have served in a similar capacity and with relevant experience in preparation and implementation of citizen engagement plan and communication strategy; GRM among others. Experience of working with artisanal miners and host mining communities is an added advantage; Familiarity with Bank safeguards standards and best practice is necessary.	7
5	<b>Trust Fund/Foundation Expert</b>	He/ She must possess a minimum of a Master's Degree in business management/finance with at least five (5) years' experience with investment trust funds for mining communities including analysis of trust funds, capitalization of trust funds, development of institutional and operational frameworks for trust funds, governance of trust funds, development of programs to guide communities, building community capacity to negotiate. Similar experience in the oil and gas sector is also beneficial.	5

6	<b>Communications /Public Engagement Expert</b>	<p>He/ She must possess a minimum of a Master's Degree in Mass communication, Media/Theatre Art, Development studies, international relations, Social Sciences or related discipline with at least five (5) years experience in stakeholder engagement and community dialogue in development projects. Experience in citizen engagement and social accountability and preparation of communication strategy is highly desirable.</p> <p>Other skills needed include:</p> <ul style="list-style-type: none"> <li>• Excellent report writing skills and good communication and interpersonal skills;</li> <li>• Experience in evaluating policies, influencing projects/programs in the extractive industries/sector.</li> </ul> <p>Fluency in spoken and written English is mandatory while ability to communicate in Nigerian languages is added advantage.</p>	5
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7	<b>Legal Regulatory Specialist</b>	<b>and</b> 1 Nos with educational qualification in law, economics, law, finance, management, public policy or other relevant discipline. The expert should have international professional experience and skills in developing and drafting of mineral law and regulatory frameworks and model contracts for implementation and must be familiar with international practices in mineral legislation and regulation as well as development of procedures and operational manuals for extractive industry based regulatory agencies. Possession of skills and expertise in the areas of mining industry operations, mining law and regulation, social accountability, social and environmental impacts of mining, community development is required. Similarly, they should have experience in the evaluation of legal frameworks and provision of recommendations for regulatory reform to encourage benefit sharing with communities. Furthermore, the experts should have previous experience in managing similar legal and regulatory reforms and creating a stronger and more efficient and effective regulatory environment. It is a requirement that one of the experts must have Nigerian legal and regulatory expertise and experience with reviewing, drafting, or modifying the various legal and regulatory documents and other relevant documents that will be necessary to create a stronger legal and regulatory environment in the mining industry;	<b>5</b>
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8	<b>Gender Expert</b>	<p>He/ She must possess a minimum of a Master's Degree in Social Science or any closely related area with at least 5 years of experience in gender and women's empowerment in Nigeria, gender analysis and integration at the community level, implementing gender initiatives and strategies, sensitizing stakeholders on gender issues, mainstreaming gender, documenting success stories.</p> <p>Essential Skills:</p> <ul style="list-style-type: none"> <li>• Conducting gender-sensitive analyses to ensure the differential needs, constraints, capacities, priorities of women and men targeted by the project are understood and addressed;</li> <li>• Mainstreaming of gender into project activities and project management tools, including tracking of gender equality results and gender-sensitive analysis of data collected;</li> <li>• Solid understanding of gender issues in the operational context of mining or other World Bank operations.</li> </ul>	5
9	<b>ICT Expert</b>	<p>1 Nos with educational qualifications in ICT, engineering, mathematics or other relevant discipline with relevant professional accounting qualifications. The expert should have experience in the use and development as well as design and deployment of ICT solutions to improve access and citizen participation of rural communities in their own development as well as connecting them with partner CSOs, NGOs, environmental watchdogs as well as relevant regulatory and security institutions etc. Experience of undertaking similar assignments with small holder farmers and/or artisanal miners is required. The expert should provide case examples of previous work done to design, implement, and deploy simple ICT solutions.</p>	5

## 7.0 REMUNERATION AND PAYMENT TERMS

Remuneration of the Consultant is attractive and commensurate with those offered by international bodies for similar assignments. However, the consultant will also be reimbursed for

operational expenses such as travel, accommodation, and telephone incurred while carrying out this assignment and in line with World Bank guidelines and procedures. Before reimbursement can be made, the consultant will need to submit a statement of expenses supported by valid documentation.

The successful Consulting Firm would be paid a lump sum amount upon delivery of key deliverables in accordance with an agreed schedule of deliverables, on the agreed rate of professional fee and reimbursable expenses, subject to satisfactory performance, timely receipt and approval of deliverables.

## **8.0 DURATION OF SERVICE**

It is expected that service of the Consultant is required for a period of Six (6) months to design and develop a mechanism for citizen engagement and social accountability in the MinDiver project and the mining sector; prepare a standalone Stakeholder Engagement Plan and Communication Strategy for the MinDiver Project.

## **9.0 DELIVERABLES AND SCHEDULE**

The consultant will produce the following reports:

- a. **An Inception Report** to outline the work plan of the consultant, define its tasks and the planned implementation periods and schedules, identify target submission dates on each task. Particular attention will be given towards the planned coordination within other teams and preparation of a detailed schedule. The Inception Report will be submitted within one month of the commencement of the assignment and once approved and issued in its final form, will serve as the consultancy's baseline for the management and monitoring of the tasks;
- b. **Monthly progress reports (including 1<sup>st</sup> and 2<sup>nd</sup>)** on engagements and findings with stakeholders. The Consultant shall prepare consolidated Monthly Progress Reports covering progress towards achieving the objectives in this ToR as well as identified areas of weaknesses and strategies for improvement. The reports shall provide a brief but comprehensive end-of-month progress assessment and details of impediment to the works and proposals for overcoming them. These reports shall be submitted within the first week of the succeeding month. The reports will be assessed and appraised by the MinDiver Project Coordinator.
- c. **Specific Reports**, to meet the reporting requirements for tasks set out in the numbered subject areas of the scope of works. Such reports (Stakeholder Engagement Plan, Communication Strategy), bound in three (3) copies and an electronic copy in CD, to be prepared following duly considered review and assessment and in line with the schedule set out in the Inception Report and as envisaged below:

	<b>Activity and Timing</b>		<b>Deliverable(s)</b>
<b>Activity 1</b>	Development of a Social Accountability Framework in the MinDiver project	Months 1-4	Reports of sub-activities, e.g. Stakeholder Engagement Plan (SEP), Communication Strategy etc,
<b>Activity 2</b>	Integration of Social Accountability Activities along the Mining Industry Value Chain and Project Life Cycle	Months 4-6	Reports of sub-activities (Mechanism for citizen engagement and social accountability in the Mindiver project and mining sector)

- d. **A Draft Final Report**, within the first week of the last month of the assignment;
- e. **A Final Report** and consolidate advice for implementation, bound in three (3) copies and an electronic copy in CD, within the last week of the assignment.

All Reports Shall Be in English and Presented in Hard and Soft Copies for review and approval by the Project Co-coordinator

### **PAYMENT SCHEDULE**

<b>DELIVERABLE</b>	<b>PERIOD</b>	<b>% Payment for Deliverable</b>
Inception Report	Week 4	10%
1 <sup>st</sup> Progress Report	Week 8	15%
2 <sup>nd</sup> Progress Report	Week 12	15%
Stakeholder Engagement Plan and Communication Strategy	Week 16	20%
Draft Final Report	Week 20	30%
Final Report	Week 24	10%

All information pertaining to this programme as well as outputs produced under this contract shall remain the property of the MMSD who shall have exclusive rights over their use. Except for purposes of this assignment, the products shall not be disclosed to the public nor used in any format without written permission of MMSD in line with the national and International Copyright Laws applicable.

**THE CONSULTANT WILL SIGN A CONFIDENTIALITY and NON-DISCLOSURE AGREEMENT WITH THE PIU (Project Coordinator overseen by the World Bank). Noncompliance will subject to legal penalties not inferior to the Full Cost of the Contract.**

**NO FINAL PAYMENT WILL BE MADE UNTIL QA/QC HAS BEEN PASSED.**

## **10.0 SELECTION METHOD**

The Consultant will be selected in accordance with the Consultant's Qualification (CQ) Based Selection Method set out in the **Procurement** Regulations.