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**THE THIRD SUSTAINABLE LIVELIHOODS PROJECT (P125232)**

**terms of reference**

 **LEGAL BACKSTOPPING CONSULTANT**

**BACKGROUND**

The Government of Mongolia (GoM) is implementing the “Third Sustainable Livelihoods Project” (SLP3), which is funded by the International Development Association and the Swiss Agency for Development and Cooperation. The project development objective of the SLP3 is “to improve governance and community participation for the planning and delivery of priority investment in rural areas of Mongolia.”

The Project focuses on supporting participatory processes and building capacity in the governmental structure to successfully implement the Local Development Fund (LDF) introduced under the Integrated Budget Law (IBL) of 2011. In particular, it introduces an incentive mechanism, a Performance Based Grant (PBG), to promote good governance at the soum level, rewarding those soums that embrace the participatory processes and incorporate good practices into their planning, budgeting, execution, monitoring and evaluation and fiduciary processes. The project also finances related Annual Performance Assessments (APAs) and capacity-building activities.

In order to ensure institutionalization and sustainability of the successful and innovative elements of the SLP3 and to further strengthen the LDF policy and implementation, a number of policy, regulatory and technical issues need to be carefully considered for further policy reforms including (i) reviewing LDF financing sources and allocation rules; (ii) instituting the PBGs in the LDF allocation formula; (iii) appropriate aimag/soum LDF financing allocation ratio; (iv) eligibility of expenditures under the LDF (e.g., financing of APAs, LDF management costs, capacity building costs, recurrent expenditures for operations and maintenance); (v) feasibility of customization of approaches in Ulaanbaatar, smaller towns, and remote rural areas; (vi) improving functioning, transparency and accountability of aimag LDF; and (vii) institutionalizing demand side community engagement and accountability aspects.

**OBJECTIVE OF THE ASSIGNMENT**

The objective of the assignment is to support the MOF in reviewing the legal aspects that could further help strengthen the relevance, effectiveness and sustainability of the LDF and propose potential changes.

**DETAILED TASKS AND / OR EXPECTED OUTPUTS:**

* Review and analyze the LDF-related laws and regulations with a view of identifying gaps and weaknesses in order to further strengthen the legal environment for and framework of the LDF;
* Provide recommendations on legal issues related to improving the current LDF policy and practices (inter alia civil servants’ performance and accountability requirements and measurements);
* Provide technical support for developing and formulating legal changes and the related briefing for introducing further LDF policy reforms in close coordination and consultation with the Policy Reform Consultant and the international technical advisor for the project.
* Provide legal advice regarding specific policy issues including the LDF allocation and institutionalization the APA and the PBGs;
* Review and provide recommendations on legal issues concerning:
* State budget
* Local budget
* Decentralization of the state budget
* Any issues regarding the legal environment for the budget and its use, for example overlap, conflict and consistency of laws and regulations regarding budget, public financial management, and public procurement.
* Review documents developed by/for the SLP3 from the legal perspective; and
* Carry out any other tasks as reasonably requested by the Project Director.

**EXPECTED DELIVEBRALES:**

* Proposed detailed work plan for the assignment to be presented to the Client within two weeks of the start of the assignment.
* Monthly reports of deliverables to be submitted to the Client by the end of every month.
* Report on the legal environment and proposed legal changes for future policy reforms for the LDF.

**CONSULTANT’S QUALIFICATION/SELECTION CRITERIA**

Successful applicant should have:

* At least a master degree in law.
* Minimum 8 years’ of experience in the legal sector.
* Prior experience in working on public financial management and budget matters.
* Prior experience in working on legal reform would be a plus.
* Prior experience in working on donor-funded development projects would be a plus.
* Proven analytical and report writing skills in English and Mongolian are required.

**Contract duration and cost estimate:**

The assignment is expected to commence in May 2019 and continue for twelve (12) months with the expected input of 8 months during the contract period. The total cost estimate for the consultancy will be USD 1,500 \* 8 months = USD 12,000.

The Consultant will be selected in accordance with *the World Bank Guidelines: Selection and Employment of Consultants by World Bank Borrowers, October 2006*.

If you possess the indicated qualifications, please submit a ***cover letter,*** indicating why you consider yourself suitable for the position, with a detailed ***CV*** highlighting skills/experience, copy of diplomas or certificates and two reference letters from last employers no later than **12:00 PM, 20 May, 2019.** **Only successful candidates will be contacted.** Application documents shall be submitted in person to the below address. Submitted documents will not be returned to the applicants. Incomplete applications would not be considered. If you need any further details, please feel free to contact us.

**Contact address:** Jigjid Banzragch, Procurement Specialist, Third Sustainable Livelihoods Project, Room #510, Ministry of Finance, Government Building No.2, S. Danzan Street 5/D, Ulaanbaatar 15160, Mongolia; Tel: +(976)-70009828 (office); E-mail: jigjidb@slp3.mn