



### Terms of Reference

#### **National Land Policy Consultant**

#### **BACKGROUND**

The Ministry of Public Works, Reconstruction and Housing of the Federal of Government of Somalia (MPWRH) is mandated to formulate policy directions, supervise, monitor and evaluate infrastructure projects, as well as urban planning and housing programmes and initiatives.

While most of the Urban Planning activities, according to the principle of subsidiarity, are being executed by local and regional administrations, the Federal Government of Somalia has been accelerating its efforts towards an integrated and coherent approach for integrated urban planning for the whole country, which will direct action at state and local level.

This project focuses on supporting the Ministry of Public Works, Reconstruction and Housing of the Federal of Government of Somalia in an efforts to substantially better perform its functions in order to curb the challenges associated with the rapid urbanization in Somalia and successfully implement the National Development Plan 9 towards attainment of the Sustainable Development Goal 11 and contributing to the implementation of the New Urban Agenda.

The lack of a comprehensive national land policy and complementary legal frameworks for land governance, including urban land use planning and administration of tenure rights, has been an issue in Somalia for some time. At the same time, there has been a strong disconnection between institutions (respective ministries and local authorities) sharing mandate over land. The current land administration and dispute settlement system is compounding the unbridled expansion of urban and agricultural land into pastoral rangeland; and it is now the main driver of conflict.

UN-Habitat and MoPWL&H agreed on supporting a consultation process, steered and owned by the Ministry, for the development of a roadmap for the elaboration of a comprehensive National Land Policy. The roadmap will provide the necessary background and set up the milestones to achieved fully fledged national policy objectives.

The recruitment and deployment of a qualified Land Consultant will be supported through an Agreement of Cooperation between MoPWL&H and UN-Habitat's Somalia Programme, Regional Office for Africa (ROAF). The consultant will be responsible for the preparation of the roadmap in an inclusive, participatory and consensus-drive fashion, engaging the various stakeholders from the federal to local governments levels.

This intervention is part of the Joint Programme on Local Governance and Decentralized Service Delivery (JPLG), Phase III, which five UN agencies (UN-Habitat, UNDP, ILO, UNICEF, UNCDF) are implementing in Somalia.

The intervention also contributes to the attainment of Durable Solutions for the more than 2.6 million people affected by internal displacement through the Midnimo (unity)-project that is being funded by the United

Nations Peace Building Fund and is being implemented in collaboration between federal and state governments and IOM, UNDP and UN-Habitat.

The consultant will be working under the overall coordination of the Ministry of Public Works, Reconstruction and Housing and the direct supervision of the Director of planning and the Director General. She/he will be responsible to manage, coordinate and document various consultation processes linked to the road map elaboration and necessary background studies.

She/he will report to the Director of Planning and the Director General and closely collaborate with the other departments of the ministry as well as with crucial line ministries linked to urban land management and governance matters, and the assigned focal person of UN-Habitat. Duty station is at the headquarters of MoPWRH in Mogadishu.

The consultant will also collaborate with other consultants working for the MoPWRH under this project for the development of a roadmap for the National Urban Policy and the implementation of the City Planning Law.

The consultant will be paid upon agreed deliverables (workplan).

## **RESPONSIBILITIES**

- Develop a Work Plan outlining the methodology, approach, timeline, resources and risk and mitigation strategy for the consultancy for review and approval of MoPWRH and UN-Habitat. The work plan will define detailed deliverables and will be developed in taking into account also the work to be developed by the MoPWRH's consultants for the development of a roadmap for the National Urban Policy and the implementation of the City Planning Law. The work plan will also include a risk and mitigation strategy taking into account also precautionary measure for the Corona virus pandemic which may result in delays and postponement of the activities;
- Develop a Consultations plan to engage with Local, State and Federal authorities and relevant key government stakeholder. The consultation plan will have to take into account precautionary measure for the Corona virus pandemic, using online and telematic tools as the main communication channel;
- Organize engagement activities and consultation with federal, state and local authorities and other relevant stakeholders;
- Develop a desk study of relevant documents and information, including Legal and Policy Frameworks, Land Conflict Dynamics, Land Tenure and Administration systems and Comparative Case Studies;
- Develop a discussion paper on National Land Policy, including consideration for policy problem, challenge and opportunity identification, policy goal definition, stakeholder and institution mapping and analysis;
- Draft a Roadmap for the National Land Policy and validate it;
- Develop a Concept note for the high-level technical dialogue on Urban Planning with link to the roadmap for the National Land Law;
- Support the development of the Somalia Urban Development Report under the coordination of the consultant for the National Urban Policy.
- Develop the gender and youth on land sector policy

## **EXPECTED OUTPUTS AND DELIVERABLES**

The consultancy is output based, and payment will be disbursed upon deliverables.

The consultancy is expected to run through the duration of the Agreement of Cooperation between MoPWRH and UN-Habitat's Somalia Programme, with an expected completion by February 2021, and follow its

implementation schedule. Comprehensive workplan will be elaborated and approved with the supervision of MoPWRH and UN-Habitat’s Somalia Programme, with the possible review of detailed deliverables. Review and approvals will be undertaken jointly by MoPWRH and UN-Habitat.

<b>Del. No.</b>	<b>Deliverable/ Output Description</b>	<b>Estimated Duration from the start of the consultancy</b>	<b>Target Due Dates</b>
1	<ul style="list-style-type: none"> <li>a) Develop a Work Plan outlining the methodology, approach, timeline, resources and risk and mitigation strategy for the consultancy for review and approval;</li> <li>b) Consultations plan</li> </ul>		
2	<ul style="list-style-type: none"> <li>a) Consultations reports and summaries;</li> <li>b) Desk review:               <ul style="list-style-type: none"> <li>1. Legal and policy framework</li> <li>2. Land conflict dynamics</li> <li>3. Land tenure and administration</li> <li>4. Technical systems and standards</li> <li>5. Comparative case studies from the region and above</li> </ul> </li> </ul>		
3	<ul style="list-style-type: none"> <li>a) National Land Policy Discussion Paper               <ul style="list-style-type: none"> <li>1. Consideration for policy problem,</li> <li>2. Challenge and opportunity identification,</li> <li>3. Policy goal definition</li> <li>4. Stakeholder mapping and analysis</li> <li>5. Institutional mapping and analysis</li> </ul> </li> </ul>		
4	<ul style="list-style-type: none"> <li>a) Draft roadmap for National Land Policy:               <ul style="list-style-type: none"> <li>1. Tentative timeline and milestones</li> <li>2. Public engagement plan</li> <li>3. Thematic working group for scoping studies</li> <li>4. Evaluation of different policy options to assess best suited option for the context in order to achieve the policy goals</li> <li>5. Assessment of human, financial and institutional capacities, estimated budget, roles and responsibilities</li> </ul> </li> <li>b) Support to Urban Development Report</li> </ul>		

## COMPETENCIES

### 1 Professionalism:

- Knowledge and understanding of basic theories, concepts and approaches relevant to public law and governance;

- Have conceptual analytical and evaluative skills to conduct independent research and analysis, familiar with various research sources, including electronic sources on the internet, intranet and other databases;
- Ability to conduct and review legal studies on certain legal subject matters;
- Have the ability to think strategically;
- Able to manage assigned work in professional manner, e.g. structured, forward looking, in time;
- Shows pride in work and in achievements; and, persistence when faced with difficult problems or challenges;
- Maintain a close collaboration to project partners as such as line ministries involved in the project, and UN-Habitat.

## QUALIFICATIONS

### **Education:**

A master's degree in urban planning, political science/international relations, post conflict management, law or any other relevant field. Specialization in land law is an advantage.

### **Work Experience:**

A minimum of 7 years of demonstrable experience in working experience in urban planning, land management and local governance matters. Work experience in government sector is an advantage.

### **Language:**

Strong written and oral skills in both Somali and English are a requirement.

### **Other skills:**

Knowledge of basic computer programmes such as Word, spread sheet, email and internet search functions are essential. The same is for presentation skills and experience in moderation and mediation.

### **Gender:**

Job applications from qualified women will be highly welcomed.

### **Eligibility:**

Internal candidates with required qualification and experience are highly encouraged to apply.

### **How to Apply:**

Interested candidates who meet the criteria above are encouraged to send their application letters and detailed CV to [planning@mpwr.gov.so](mailto:planning@mpwr.gov.so) or [dg@mpwr.gov.so](mailto:dg@mpwr.gov.so). Closing date by 31th October 2020 @5:00pm. Kindly indicate "Post Name – Mogadishu, Somalia" on the subject line when applying. Only shortlisted candidates will be contacted.