

## **Building the foundation for a Comprehensive Framework for Sound Chemicals and Waste Management in Saint Lucia**

### **TERMS OF REFERENCE**

#### **CONSULTANCY: LEGAL & INSTITUTIONAL STRENGTHENING FOR IMPLEMENTING THE BASEL, ROTTERDAM, STOCKHOLM AND MINAMATA CONVENTIONS IN SAINT LUCIA**

**(REFERENCE NUMBER: BCRC#SLU-SP\_2025\_001)**

## 1. BACKGROUND

The United Nations Environment Programme (UNEP) has approved funding under The Special Programme, also known as the Chemicals and Waste Management Programme, for a project to be executed in Saint Lucia. The Special Programme supports developing and transitioning countries strengthen institutional capacity to develop, implement and enforce policies, legislation, and regulations for fulfilling the obligations under the Basel, Rotterdam, Stockholm and Minamata (BRSM) Conventions.

The specific objective for the Saint Lucia project is to strengthen the country's legal and institutional frameworks for the sound management of chemicals and hazardous wastes by developing an integrated national chemicals policy, enhancing legislation and establishing a data collection and management system. To facilitate knowledge-sharing on the policy, database and chemicals and waste management, a national awareness campaign will also be developed for Saint Lucia.

The Basel Convention Regional Centre for Training and Technology Transfer for the Caribbean (BCRC-Caribbean) is a regional Centre that supports fifteen (15) Caribbean countries that are Parties to the BRSM Conventions, to implement their obligations for the sustainable management of the chemicals and waste to protect human health and the environment. The BCRC-Caribbean will act as the co-executing agency for this project, alongside the Department of Sustainable Development (DSD), Saint Lucia.

This project has been divided into the following three (3) proposed operationalization measures, each of which will assist in fulfilling the project's overall objective:

- 1. Proposed Measure 1: Policy and Regulatory Framework for Integrated Chemicals and Waste Management Developed and Endorsed**
2. Proposed Measure 2: National Data Collection and Management System for Reporting under the BRSM Conventions.
3. Proposed Measure 3: National Awareness Campaign on the National Integrated Chemicals Management Policy and National Integrated Chemicals Management Database is Delivered.

A national integrated chemicals and waste management policy has been recommended to provide direction to a cross-section of institutions responsible for chemicals and waste management in Saint Lucia and serve as the first step of a harmonized approach to the sound lifecycle management of chemicals and products containing hazardous chemicals, imported into, or manufactured in, Saint Lucia. This policy will be informed by a review and gap analysis assessment of relevant model legislation and policies developed for the Caribbean through previous initiatives. This policy will inform the recommendations for new/revised legislation to support the implementation of BRSM Conventions in Saint Lucia.

In this regard, the BCRC-Caribbean is seeking to recruit a **suitably qualified and experienced legal consultant** to implement Proposed Measure 1 of the project.

## 2. DESCRIPTION OF REQUIRED SERVICES

### Objective:

To develop a policy and regulatory framework for integrated chemicals and waste management in Saint Lucia, and build the technical capacity of relevant agencies and institutions through:

- Drafting of an Integrated Chemicals and Waste Management Policy
- Drafting of a National Roadmap for Implementation of the Integrated Chemicals and Waste Management Policy and legislative strengthening
- Development of a monitoring and evaluation framework for the implementation of the draft policy.
- Development and delivery of a training workshop.

### Scope of Work:

Under the guidance of the BCRC-Caribbean, the Consultant shall collaborate with the Department for Sustainable Development (DSD) to provide the following services:

#### A. Participate in Project Kick-off and Inception

- Participate in a virtual kick-off meeting with the BCRC-Caribbean and the DSD

to:

- Discuss the work plan, methodology and stakeholder engagement strategy;
- Receive guidance on administrative procedures, inception meeting planning and facilitation in Saint Lucia.

## **B. Facilitate Inception Workshop with Project Stakeholders.**

The consultant will be required to:

- Present on the outputs of the consultancy:
  - Draft work plan
  - Draft stakeholder engagement plan
  - Draft methodology and approach to work including:
    - The Gap analysis assessment of relevant chemicals and waste management legislation
    - Monitoring and evaluation framework for implementation of the draft policy
    - Roadmap for Implementation of Draft National Integrated Chemicals Management Policy.
- Develop and submit an **Inception Report** (Deliverable 1) on the proceedings of the inception workshop to the BCRC-Caribbean, inclusive of the finalised work plan, stakeholder engagement plan and methodology.

## **C. Conduct Stakeholder Engagements and Consultations**

The Consultant will:

- 1) **Conduct Stakeholder Analysis** in close collaboration with DSD to:
  - Systematically identify and map all relevant stakeholders (to include, but not limited to, the Ministries with responsibility for Health, Agriculture, Labour, Customs and Excise, Commerce, the Attorney General's Chambers and representatives from the private sector).
  - Assess their roles, interests, and influence regarding chemicals management
  - Prioritise engagement approaches
- 2) **Execute consultations** through in-person and virtual meetings to gather input on:
  - Implementation of the pending National Integrated Chemicals Management

## Policy

- Proposed legislative amendments / new legislation development (expected outputs of consultancy)

### D. Conduct a Legislative Review and Assessment

The legal consultant will be required to:

- 1) Conduct a **comprehensive review & gap analysis** of both draft and existing legislation and policies related implementation of the BRSM conventions in Saint Lucia. This includes a review and gap analysis assessment of relevant models and recommendations developed for Saint Lucia from the following projects:
  - **GEF 5558<sup>1</sup>** (*POPs*) – including Regional Model Integrated Chemicals Management Act
  - **GEF 9455<sup>2</sup>** (*Minamata*) – including legislative recommendations for Convention implementation
  - **GEF 5409<sup>3</sup>** (*Pesticides*) – including FAO Model Pesticides Bill
  - **ReMLit<sup>4</sup>** (*Marine Litter*)- including Draft waste/hazardous waste regulations, OECS Waste Management Policy
  - **GEF ISLANDS 10279** - including Regional Model Policy on Hazardous Chemicals/Wastes, Regional Model Laws on 4 select hazardous waste streams, National Strategy & Roadmap for Regional Policy Implementation.
- 2) Provide **specific recommendations** to harmonise Saint Lucia's chemicals and waste framework including:
  - Priority legislative amendments and/or repeals (with justification and drafting guidance as needed)
  - New legislation requirements (identified gaps and proposed frameworks)

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<sup>1</sup> Development and Implementation of a Sustainable Management Mechanism for Persistent Organic Pollutants in the Caribbean

<sup>2</sup> Development on Minamata Initial Assessment in the Caribbean (Trinidad and Tobago, Jamaica, Saint Kitts and Nevis, Saint Lucia)

<sup>3</sup> Caribbean Regional Pesticide Management Project

<sup>4</sup> Building Resilience in the Eastern Caribbean through Reduction in Marine Litter

- Alignment pathways for international obligations

3) Submit a Draft **an assessment report** compiling all findings.

## E. Policy and Legislative Development

The Consultant will:

- 1) **Develop a draft National Integrated Chemicals and Waste Management Policy (Deliverable 3)**, incorporating findings from the assessment report, and aligning with BRSM Conventions obligations.
- 2) **Draft legislative amendments and/or new laws** aligned with:
  - The national policy (from activity E 1)
  - Recommendations from the Chemicals and Waste Advisory Group (CaWAG)<sup>5</sup> and other stakeholders.
- 3) **Conduct targeted consultations** with government agencies and other stakeholders to:
  - Validate policy approaches
  - Clarify implementation roles
  - Refine legislative proposals

## F. National Roadmap Development:

The consultant will:

- 1) Develop a National Roadmap for the Implementation of the Draft National Integrated Chemicals Management Policy (Deliverable 4) to align with new policy directives and legislative recommendations.
- 2) Ensure that the roadmap facilitates coordinated legislative implementation and stakeholder endorsement to support a coordinated approach to the endorsement and establishment of a harmonized policy and legislative framework.

## G. Develop a Monitoring & Evaluation Framework for Maintaining Effective Inter-institutional coordination

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<sup>5</sup> Established to guide the project's implementation

The Consultant will:

- 1) Develop a monitoring and evaluation framework (Deliverable 5) to:
  - Track implementation of the National Chemicals Management Policy
  - Define institutional role(s) and coordination mechanisms for the implementation of the Policy.
- 2) Create at least three tools to aid in implementation and support of the framework such as stakeholder mapping and analysis (influencers, doers), performance indicators, survey instruments and a communications management plan to support the framework.
  - Note: Implementation of the framework will be done through the Department of Sustainable Development.

#### H. Facilitate a Validation workshop

The Consultant will:

- 1) Co-facilitate a two-day in-person with the BCRC Caribbean, in collaboration with DSD, to validate the:
  - Draft National Integrated Chemicals and Waste Management policy
  - Monitoring & Evaluation Framework
- 2) Engage up to 30 participants from the CaWAG and other relevant private- sector stakeholders.
- 3) Prepare and submit **a validation workshop report** (Deliverable 6) documenting outcomes and for sharing with the CaWAG and DSD.

#### I. Facilitate an Enforcement and Management Training Workshop on Integrated Chemicals Management.

The Consultant will:

- 1) Develop and submit for approval:
  1. A **Training Plan** (Deliverable 7a) including:
    - Provisional workshop agenda
    - Training curriculum
    - Provisional of stakeholder list for training (to be finalized in consultation with the DSD).
    - Evaluation framework to gauge the success of the workshop.

The training plan should address both in-person and online participation and incorporate interactive workshop tools.

- **Training Materials** (Deliverable 7b) aligned with the approved training plan to meet the stated objectives.

2) Conduct a 2-day **interactive training session** (in hybrid format) using the train-the-trainers approach, for building technical capacity within the different institutions involved in the implementation of the pending (Deliverable 3) National ICM Policy and M&E Framework (Deliverable 5).

Multiple staff per institution will be targeted for training to build organisation-wide capacity for policy and legal framework implementation.

- 3) Prepare and submit a **post-training workshop report** (**Deliverable 7c**), including:
- Proceedings and final agenda,
  - Participant list,
  - Results of the participants' evaluation of the workshop's effectiveness

The training materials delivered must be attached to the report.

#### J. Provide Quarterly Progress Reports

- Prepare and submit **quarterly progress reports** (Deliverable 8) throughout the contract period to the BCRC-Caribbean, including
  - Completed activities
  - Stakeholder engagements/meetings conducted (including the male to female ratio of persons engaged)
  - Challenges encountered and mitigation measures implemented
  - Summary of approved expenses and fees received
  - Planned upcoming activities/events

These reports will be shared by the BCRC-Caribbean with the DSD.

#### K. Engage in Close-out Process

- 1) Attend a virtual **close-out meeting with the BCRC-Caribbean** and the **Department of Sustainable Development** to review:
- Consultancy outcomes and successes



- Challenges encountered and key lessons learned
- 2) Prepare and sign the Close-out Report (Deliverable 9) for approval and signature by the BCRC-Caribbean and DSD following the meeting.

The legal consultant will collaborate with the **Department of Sustainable Development, Chemical and Hazardous Waste Advisory Group** (CaWAG) and legal and private sector stakeholders to strengthen Saint Lucia's legal and institutional frameworks. This aims to enhance the country's capacity to develop, implement and enforce policies, legislation and regulations for effective implementation of the Basel, Rotterdam, Stockholm and Minamata (BRSM) Conventions.

### 3. EXPECTED OUTPUTS AND DELIVERABLES

The consultant, under the guidance of, and reporting directly to the BCRC-Caribbean is expected to deliver the following:

1. **Deliverable 1** – Inception Workshop Report
2. **Deliverable 2** – One (1) Legal Assessment Report.
3. **Deliverable 3** – Draft national integrated chemicals and waste management policy, including draft proposed amendments of existing legislation and/or new legislation
4. **Deliverable 4** – Draft National Roadmap for legislative policy implementation in Saint Lucia
5. **Deliverable 5**- Monitoring and Evaluation Framework
6. **Deliverable 6** – Validation Workshop and Validation Workshop Report
7. **Deliverable 7** - Training Plan (**7a**), Training Materials (**7b**) and Training Workshop Report (**7c**)
8. **Deliverable 8** – Three (3) Quarterly Progress Reports.
9. **Deliverable 9** - Closeout Meeting Report

**Note:** All outputs will be subject to review and approval by the BCRC-Caribbean, DSD and CaWAG.

## 4. QUALIFICATIONS, EXPERIENCE, AND SKILLS

To facilitate this component of the project, the consultant is expected to possess the following Education and Experience:

### Education and Experience:

- Advanced University Degree in Law, bachelor's degree in law (LLB), Environmental Law, Environmental Governance, Public Policy and/or any other related fields.
- The Consultant must possess a minimum of three to five (3-5) years' professional experience within Saint Lucia in the legal fraternity. Experience in legal assessments in the field of chemical and waste management would be an asset.
- Demonstrated knowledge of the Basel, Rotterdam, Minamata and Stockholm Conventions and Global Framework on Chemicals will be considered an asset.
- Demonstrated experience in mainstreaming strategies, policy review and recommendations.
- Demonstrated experience in Legislative Drafting.
- Experience in conducting stakeholder meetings and desktop reviews.
- Experience in conducting training and capacity building exercises.

### Functional Competencies:

- Strong interpersonal skills, communication and diplomatic skills.
- Critical writing and strategic reporting skills.
- Excellent presentation skills and public speaking.
- Engaging facilitation skills with focus on information transfer.
- Fluency in English (listening, writing and speaking), the principal language for the consultancy.
- Fluency in French Creole would be an asset

## 5. DURATION

The duration of the consultancy period is scheduled as **twelve (12) months**, with a tentative start date for the consultancy being **June 2025**.

## 6. REMUNERATION

As per the contract with the BCRC-Caribbean, this consultancy offers a maximum fee of **Forty Thousand United States Dollars USD40, 000.00**. All taxes to be agreed on will be detailed within the contract document. The consultant will be responsible for the remittance of local income tax and other mandatory statutory remittances. Expenses will be paid on a reimbursable basis where evidence of expenditure is provided in accordance with the terms of the contract agreement.

*Note: Upon signing the contract for this consultancy, the consultant agrees to maintain confidentiality of the data and information provided.*

## 7. INSTITUTIONAL ARRANGEMENTS

The Consultant will be directly supervised by the BCRC-Caribbean with support from DSD. During the consultancy, the consulting team will be expected to attend in-person and/or virtual meetings for general information exchange, to provide updates on the progress of the work and discuss feedback as required. This will include, but not be limited to, the introductory briefing meeting and the consultancy closeout meeting.

## 8. MODE OF WORK

The Consultant shall work **virtually** from their own location, utilising their own resources, equipment and facilities. Occasional in-person reporting to the DSD office may be required, as needed.

Unless expressly authorized in advance, all expenses incurred in connection with the execution of the consultancy, including but not limited to equipment, software, and internet connectivity, shall be borne solely by the Consultant.

The Consultant is responsible for providing his/her/their own resources for the successful completion of the project. Virtual support and necessary resources will be made available.

## 9. APPLICATION CRITERIA

Consultants with demonstrated experience working in Saint Lucia are strongly preferred, though applications from other qualified candidates will also be considered.

Documents to be included when applying are as follows:

1. **Signed Cover Letter** confirming availability to start work within the month of June, 2025.
2. **Technical Proposal** describing the approach to the assignment. This should include the methodology and work plan with timeline and if applicable nonfinancial resources to be assigned.
3. **Curriculum Vitae (CV)** of the Consultant, inclusive of contact information for at least three (3) references for the relevant past project/work experience.
4. **Reporting sample** providing a layout of the contents of the reports identified as deliverables under the Expected Outputs section of this document.

## 10. APPLICATION PROCEDURES

### A. APPLICATION SUBMISSION

Applications must be submitted on or before **Monday May 19<sup>th</sup> 2025 at 11:59 pm (GMT -4)** to:

**Ms. Jewel Batchasingh**

Director

Basel Convention Regional Centre for Training and Technology Transfer for the Caribbean #8 Alexandra Street, Saint Clair,

Port-of-Spain,

Trinidad and

Tobago.

Email: [submissions@bcrc-caribbean.org](mailto:submissions@bcrc-caribbean.org)

**Any applications received after this time will be immediately rejected.**

### B. QUERIES

Interested applicants can submit all queries in writing to **both and clearly stating the reference number of the TOR:**

<b>Mr. Joshua Prentice</b> Research Officer BCRC-Caribbean Email: <a href="mailto:joshua.prentice@bcrc-caribbean.org">joshua.prentice@bcrc-caribbean.org</a>	<b>Ms. Shalina Rooplal</b> Research Analyst BCRC-Caribbean Email: <a href="mailto:shalina.rooplal@bcrc-caribbean.org">shalina.rooplal@bcrc-caribbean.org</a>
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You are advised to submit your queries with sufficient time before the deadline to avoid any possible delays, inclusive of technical or high traffic issues. When submitting queries via email, candidates must ensure that the email subject contains the reference number (BCRC#SLU-SP\_2025\_001).

The bids received will be reviewed and evaluated by the BCRC-Caribbean in a fair and impartial way in accordance with the BCRC-Caribbean's Evaluation Procedure and Criteria. Following the evaluation process, the identification and recommendation of a proposed bidder to the Director of the BCRC-Caribbean will be made for consideration. The estimated timeline for the completion of the evaluation process is three (3) to four (4) weeks. However, please note this timeline is contingent upon the number of bids received and if there is a need to enter into negotiations with the preferred bidder.

### **NOTES:**

<b>Submission</b>
i. <i>When submitting applications, applicants must ensure that all documents are clearly labelled according to the following protocol: <b>BCRC#SLU-SP_2025_001_Legal Consultant_LastNameFirstName_Name of Document.</b></i> ii. <i>The applicant's documents must be submitted in PDF file format unless otherwise stated.</i> iii. <i>The successful applicant will be notified in writing of the award of the contract and provided with a letter of offer. The successful bidder shall be required to enter into an appropriate Contract based on the tender documents and incorporate any other appropriate provisions within that time.</i>
<b>Obligations</b>
i. <i>The BCRC-Caribbean reserves the right to accept or reject any bid, and to cancel the bidding process and reject all bids, at any time before the award of the Contract, without thereby incurring any liability to the affected bidder.</i>

ii.	<i>Any data gathered and draft or final deliverables developed under the execution of this position shall not be shared with third parties without approval from the BCRC-Caribbean.</i>
<b>Language</b>	
ii.	<i>The working language of the Project is English.</i>
<b>Gender Sensitivity</b>	
i.	<i>The Saint Lucia project is enabling equal opportunity for applicants to overcome structural biases in recruitment and selection. We are welcoming applications from all qualified people. We strongly encourage applicants of diverse and marginalized backgrounds, especially race or ethnic minorities, Indigenous peoples, youth, and/or anyone identifying as a gender or sexual minority.</i>
<b>Conduct and Disabilities</b>	
i.	<i>Reasonable accommodations for applicants with disabilities may be provided to support participation in the recruitment process when requested and indicated in the application.</i>
ii.	<i>The successful applicant will be expected to uphold professional conduct throughout the contracted period. Any misconduct, including unprofessional behaviour, will result in mutual termination of the agreement.</i>