

### Terms of Reference

Project:	“Biodiversity mainstreaming into Sectoral Policies and Practices and Strengthen Protection of Biodiversity Hot-spots in Montenegro”
Job title:	<b>Enhancing the effectiveness of Montenegro's Protected Areas System: Strengthening Legal and Policy Frameworks and Institutional Capacity through "Learning by Doing" Approach</b>
Duration of assignment:	15 <sup>th</sup> of July 2024 – 14 <sup>th</sup> of July 2025
Location:	Home based, Montenegro

#### Background:

The project “Biodiversity mainstreaming into Sectoral Policies and Practices and Strengthen Protection of Biodiversity Hot-spots in Montenegro” is geographically focused on the Key Biodiversity Areas (KBAs) of Montenegro and includes various types of interventions and involves both ecosystem protection and work with production sectors, such as tourism, agriculture and forestry.

The Component 1 of the proposed project deals with the management constraints associated with the Protected Areas (PAs) estate and unprotected biodiversity hot-spots. The project will provide for the improved management of the pilot PAs in order to ensure compliance with the international requirements, guidelines and best practices for protection of valuable biodiversity within the KBAs and other international biodiversity hot-spots. Through spatial planning instruments, the project will promote concrete solutions for valuable and threatened biodiversity conservation outside the PA’s.

The Component 2 targets the productive landscape outside PAs and in the vicinity of KBAs, where the project will address the sectoral threats to biodiversity via mainstreaming biodiversity-friendly practices and adjust the sectoral development scenarios for tourism, agriculture and forestry to take into account the potential impact on biodiversity.

The task under this Terms of Reference falls within the *Component 1, Outcome 1: Capacity of the existing national protected areas strengthened to better address the key threats to globally significant biodiversity* and it aims to raise national capacities for the establishment and management of protected areas, especially those with international designations.

#### Purpose and objectives of the assignment

The primary aim of this assignment is to enhance the effectiveness of the protected area system in Montenegro, through harmonising procedures for management planning, improving the monitoring and evaluation, reporting and accountability, in relation to the national nature protection policy goals and targets. It is also expected to contribute to the resilience of the protected area system in the face of the climate change impacts, as well as make national contribution to the provisions of the Global Biodiversity Framework, especially targets 3, 4, 8, 19, 21 and 22.

This objective will be achieved through a multi-faceted approach that strengthens legal and policy frameworks, develops comprehensive management tools, and builds the capacity of protected area managers.

The methodology for achieving this objective will involve a "learning by doing" approach, wherein the process will be tested and implemented. As a result, the following outcomes are anticipated:

- Strengthened legal framework for management planning of protected areas – through development of bylaw on Law on Nature Protection
- Strengthened policy framework for protected area management – through development of a comprehensive *Toolbox for Effective Management of Protected Areas*
- Strengthened capacities of protected area managers through applying the *Toolbox* through “learning by doing” approach in developing specific management tools

Within the scope of this Assignment, the selected Service Provider will undertake an in-depth analysis of existing practices within the context of Montenegro's protected area planning and management. This includes an examination of the legislative and policy frameworks, management plans of protected areas and experiences and lessons learned tied to these processes. Simultaneously, the service provider will examine relevant international regulatory frameworks, identifying good practices and recommendations applicable to the Montenegro context and the purpose of this assignment.

Addressing identified gaps and shortcomings, the Service Provider will deliver the expected results in a professional, inclusive, and cooperative manner, employing a "learning by doing" approach. In practice, this involves timely and transparent identification of all relevant stakeholders at both the national and local levels. These stakeholders will include protected area managers, but also relevant government bodies, national institutions, local communities, businesses, NGOs, and other pertinent entities.

Throughout the development process, the Service Provider will leverage available data and information sources, such as statistical offices, line ministries, cadastre, scientific works and research, existing legislative and policy documents, published peer-reviewed and grey literature, and national statistical and other databases. Relevant outputs from ongoing projects in forestry and nature protection sectors, such as the Natura 2000 mapping, should also be considered.

## **Job content**

### **Task 1: Strengthen the legal framework for protected areas**

The Service Provider shall draft the bylaw elaborating the relevant articles of the *Law on Nature Protection*, defining the contents of the protected area management plans, as well as stipulating the procedures for their development, monitoring, evaluation and reporting, enforcement and compliance. The bylaw is expected to improve the effectiveness of the protected area management through management planning.

### **Task 2: Strengthen the policy framework for protected areas**

Within this task, the Service Provider will elaborate the *Toolbox for Effective Management of Protected Areas*, aimed at improving the effectiveness of Montenegro's protected area system in achieving the goals of the nature protection policy. The task will consist of the following:

- Update the existing *Guidelines for Protected Areas' Management Plans* and *Guidelines for Protected Areas' Annual Management Programs*. The primary purpose of this update is to align these documents with the new *Law on Nature*

*Protection* and the draft bylaw on management plans. The update should also aim to incorporate lessons learned and address the needs that emerged from their implementation so far. This can include, but not be limited to: instructions on how to identify and assess threats and pressures within the landscape context, identify and manage the socio-economic benefits from the protected area, and other issues that may be identified through screening in the inception phase.

- Develop *Guidelines on Evaluation of Management Effectiveness and Adaptive Management of Protected Areas* – this document should provide instructions on defining appropriate indicators and establishing a monitoring system to measure and track management effectiveness of protected areas. The document should also elaborate on the system of evaluation (including methods for identifying the impact of management plans/decisions/activities, along with mitigation solutions). Emphasis should be on continuous improvement through iterative decision making, annual management programs and periodic reviews of the management plan to support adaptive management.

- Develop *Guidelines on Climate Change Adaptation Planning for Protected Areas* – the Service Provider will adjust the existing *Methodology for Vulnerability Assessment of Climate Change Impacts and Planning for Climate Change Adaptation* to the context of the protected area system, in order to create conditions for adaptive management in the face of climate change impacts.

- Develop *Guidelines on Participatory and Transparent Management of Protected Areas* – the Service Provider will elaborate the guidelines on how to enhance governance through stakeholder engagement in all phases of protected area cycle – from establishment, through planning, activity implementation, monitoring, and reporting on management. This document will include instructions on developing stakeholder engagement plans for various protected area phases and management processes. The document should mainstream relevant gender issues to promote inclusivity and equity. This involves ensuring that both women and men have equal opportunities to participate in decision-making processes of protected areas, addressing gender-specific needs and perspectives, and promoting gender-sensitive approaches in all aspects of protected area management.

- Develop *Guidelines on Data Management for Protected Areas* – this document should provide guidance on the types of data needed for effective protected area management, their sources, methods for data collection (including participative approaches), storage and analysis that ensure consistency and reliability. The document should elaborate how data can support decision making processes, particularly adaptive management. The emphasis should be given to spatial data for delineating and demarcating the borders and zones and targeted conservation efforts. Within this task, the Service Provider will also elaborate the protocol for data sharing between the protected area managers and the Environmental Protection Agency, proposing the most feasible data sharing platform.

- *Guidelines on Incorporating the Management of Ecological Network and International Designations* – will elaborate specific requirements of managing Natura 2000, Ramsar, UNESCO and other international designations (including setting objectives and targets, monitoring and reporting etc) and means of incorporating them within the management plans of protected areas, with respect to legal and policy alignment.

- *Guidelines on Visitor Management in Protected Areas* – this document should elaborate the means of assessing the ecological, physical, social and managerial carrying capacities of protected areas, visitor management strategies (including infrastructure, zoning, control of visitor behaviour, visitor flow management), education and interpretation (guidelines on effective interpretive programs, materials and visitor engagement), how to monitor and evaluate visitor impact and guidance on balancing conservation and visitation.

- *Guidelines on Sustainable Financing of Protected Areas* will address sustainable financial management within protected areas, including budget planning, tagging, and allocations. The chapter will elaborate on approaches for assessing the values of biodiversity and ecosystem services, and encouraging practices that utilise biodiversity resources in ways that ensure their long-term viability. This includes sustainable agriculture, forestry, fisheries, and tourism, which can provide economic benefits while conserving biodiversity. Service Provider will also elaborate the methodology for creating business plans tailored to protected areas, and compile a portfolio of feasible potential income sources specific to protected areas in Montenegro. These guidelines should mainstream recommendations from the Global Biodiversity Framework and be aligned with the ongoing projects focused on sustainable biodiversity financing in Montenegro, in particular BIOFIN project.

In the development of the *Toolbox*, the Service Provider will incorporate the lessons learned and needs identified from the experiences in protected area management and the current situation in the field, use case studies and best practice examples, propose options that are most feasible for Montenegrin context, as well as mainstream the relevant requirements arising from the Global Biodiversity Framework. The Guidelines within the *Toolbox* should consist of clear and practical instructions, be concise but informative and apply contemporary and innovative practices. The process should also be aligned with the ongoing process of preparing the new *National Biodiversity Strategy with Action Plan*.

### **Task 3: Strengthen the capacities of protected area managers**

The Service Provider will apply the contemporary protected area management planning practices in developing two documents: the management plan for National Park Durmitor and the business plan for Nature Park Ulcinj Salina ensuring the mutual alignment with the *Toolbox on Effective Management of Protected Areas*.

The Service Provider will work in close collaboration with the managing bodies of these protected areas, and provide guidance on how to effectively apply contemporary management practices. Service Provider will oversee the development process of the said plans, all the while providing continuous feedback and support throughout the process, addressing any issues and refining strategies as needed. All the identified gaps and issues should feed into the elaboration of the guidelines within the *Toolbox*, so they are tailor made to Montenegrin protected area context.

Throughout the engagement, the Service Provider will document the entire process and develop a lessons learned report, which should indicate successful practices, areas for improvement, and practical recommendations for future management planning processes.

Based on the experiences from the process, identified capacity gaps and needs, the Service Provider will develop a detailed plan for systematic and targeted capacity building for protected area management bodies. This plan should be tailored-made and aim to enhance the skills and knowledge of different staff categories, including the management, technical staff, and rangers/law enforcement, which would enable them to successfully fulfil their job responsibilities and achieve the protected area's objectives and outcomes, thus increasing its effectiveness.

## **Expected deliverables**

1. Developed and delivered bylaw on protected area management plans

Developed *Toolbox for Effective Management of Protected Areas*, including:

2. Updated existing *Guidelines for Protected Area Management Plans and Guidelines on Protected Area Annual Management Programs*

3. *Guidelines on Evaluation of Management Effectiveness and Adaptive Management of Protected Areas*

4. *Guidelines on Climate Change Adaptation in Protected Areas*

5. *Guidelines on Participatory and Transparent Management of Protected Areas*

6. *Guidelines on Data Management for Protected Areas*

7. *Guidelines on Incorporating the Management of Ecological Network and International Designations within Protected Areas*

8. *Guidelines on Visitor Management in Protected Areas*

9. *Guidelines on Sustainable Financing of Protected Areas*

10. Management Plan for National Park Durmitor (and including stakeholder engagement plan)

11. Business Plan for Nature Park Ulcinj Salt pans (mainstreaming the relevant topics from above)

12. Plan for systematic and targeted capacity building program for the staff of protected area management bodies

13. Lessons learned report

The Company is expected to report to the Project Manager and Chief Technical Specialist on a weekly basis through phone calls, e-mails, and in-person and online meetings.

The Company will submit all the agreed contract deliverables in electronic form, in the appropriate file formats in Montenegrin.

## **Duration of the assignment and timetable**

The assignment should be implemented during 12 months in the period of 15<sup>th</sup> of July 2024 – 14<sup>th</sup> of July 2025.

Timetable:

Deliverables to be submitted until 10th November 2024:

- Developed bylaw of the *Law on Nature Protection* on management plans
- Updated *Guidelines for Protected Area Management Plans and Guidelines for Protected Area Annual Management Programs*
- Developed *Management Plan for National Park Durmitor*
- *Guidelines on Climate Change Adaptation in Protected Areas*
- *Guidelines on Data Management for Protected Areas*

Deliverables to be submitted until 20th January 2025:

- Developed *Guidelines for Adaptive Management of Protected Areas*

- *Guidelines on Participatory and Transparent Management of Protected Areas*
- *Developed Guidelines on Incorporating the Management of Ecological Network and International Designations within Protected Areas*
- *Developed Guidelines on Visitor Management in Protected Areas*

Deliverables to be submitted until 31st May 2025:

- *Developed Guidelines on Sustainable Financing of Protected Areas*
- *Developed Business Plan for NP Ulcinj Salinas*

Deliverables to be submitted until 14<sup>th</sup> of July 2025:

- Plan for systematic and targeted capacity building program for the staff of protected area management bodies
- Lessons learned report
- Final report

**Reporting:**

Provide four reports not longer than three (3) pages, in English or local language, to Project Manager and Chief Technical Specialist as follows:

- a. Progress report including submission of all deliverables requested until 10th November 2024
- b. Progress report including submission of all deliverables requested until 20th January 2025
- c. Progress report including submission of all deliverables requested until 31st May 2025
- d. Final report, including submission of all deliverables requested until 14th of July 2025.