

Terms of Reference:

Kenya - NDC & Carbon Markets Senior Facilitator

September 2023

ABOUT THE NDC PARTNERSHIP

The NDC Partnership is a global coalition that works with national governments, international institutions, and civil society, to fast-track climate and development action. To date, the Partnership's membership brings together more than 120 countries—developed and developing—and more than 85 institutions to create and deliver on ambitious climate action. Through the Partnership, members leverage their resources and expertise to provide countries with the tools they need to implement their NDCs to combat climate change and build a better future.¹

In 2015, the world endorsed the Paris Agreement and the 2030 Agenda for Sustainable Development. These historic accords presented countries with an unprecedented opportunity to align the climate and sustainable development agendas to spur economic growth and improve the livelihoods of all people. Nations signal their commitments to the Paris Agreement through Nationally Determined Contributions (or NDCs) - each country's strategy to cut its own greenhouse gas emissions and build resiliency against the negative effects of a changing climate. One of the unique value propositions that the NDC Partnership brings through its in-country work is leveraging the support from a consortium of partners towards a common objective set by the government. The Partnership, through its Country Engagement process, engages directly with ministries and other stakeholders to assess climate related needs and identify opportunities for collaboration around these needs—across sectors, regions, and international partners. Through targeted and coordinated technical assistance, members of the Partnership support countries with, for example, policy and strategy formulation for NDC mainstreaming, development of NDC implementation plans and resource mobilization, NDC revision and enhancement, or green economic recovery post-pandemic.

KENYA CONTEXT

Kenya has enhanced its overall mitigation target in the updated NDC committing to a 32% greenhouse gas emissions reduction compared to the 30% target communicated in the initial NDC. While the first NDC was fully conditional on support, in the updated NDC, Kenya commits to mobilize domestic resources to meet 13% of the required budget and requires international support for the other 87%. Kenya has also elaborated its adaptation component with new updated information on climate risk, impacts and vulnerabilities, and commits to mobilize domestic finance to fund 10% of total costs required for adaptation. Full implementation of the revised NDCs is estimated to cost USD 62 Billion for the 2020-2030 period (equivalent to USD 6.2 billion per year). To implement its NDC, Kenya would not only require financial assistance but the best available policy, technical, governance, and legal expertise to facilitate technology development and transfer, and capacity building.

The Climate Change Act, Number 11 of 2016, under Section 13 recognizes the National Climate Change Action Plan (NCCAP) as the key legal tool for mainstreaming and implementing climate change response actions in Kenya. The Act also stipulates that the National Climate Change Action Plan should be reviewed and updated every five (5) years. In line with this, the government with Support from Germany through the NDC Assist project, which is a contribution to the NDC Partnership, developed the third NCCAP for the period 2023-2027 through nationwide consultative engagements with respective stakeholders including; Ministries and Agencies, County Governments, development partners, private sector, civil society, youth, women, indigenous and marginalized communities.

The third NCCAP sets out eight priority climate action areas (disaster risk management; food and nutrition security; water and blue economy; forestry, wildlife and tourism; health, sanitation and human settlements; manufacturing; energy and transport; children and youth) with concrete adaptation and mitigation actions. Enabling actions are also identified in the areas of the policy and regulatory environment, capacity building and knowledge management, technology and innovation, climate finance, and measurement, reporting and verification plus (MRV+). The 3rd NCCAP was launched at Africa Climate Summit by H.E. Dr. William Samoei Ruto, The President of the Republic of Kenya alongside Kenya's Long-Term Low Emissions Development Strategy (LT-LEDS) and the Climate Change (Amendment) Act, 2023.

NCCAP Implementation and Progress Reporting

The Climate Change Act mandates the National and County Government entities to integrate the NCCAP into sectoral plans. Further, the Ministries, Departments and Agencies (MDAs) and Counties are required to report annually on the status and progress of performance and implementation of assigned climate change duties and functions. In addition, for effective implementation of the NCCAP, a coordinated and coherent planning process with active participation of line Ministries, Departments and Agencies (MDAs), Development Partners, Counties, Private Sector and other non-state actors is crucial.

The Ministry of Environment, Climate Change and Forestry (MoECCF) through the Climate Change Directorate (CCD), with support from NDC Partnership developed annual implementation progress reports for FYs 2018/19 and 2019/20. As guided by the Climate Change Act, 2016, the CCD shall keep undertaking biennial review of the NCCAP III to track progress of implementation.

In addition, the Climate Change Directorate (CCD) has initiated a joint sector working group (JSWG) for the NCCAP implementation, which brings together key ministries and development partners as a platform to coordinate their efforts for coherent, effective and efficient support across sectors to contribute to Kenya's climate action goals as per the Climate Change Act, 2016. The Directorate has also established various coordination platforms to enhance the NDC implementation and reporting.

With much of this work starting and underway, the Climate Change Directorate of Climate Change requests additional technical capacity of an embedded senior technical advisor to support the CCD, in leading a coordinated effort for mainstreaming the NDC, tracking progress and reporting to meet Kenya's commitment to the Paris Agreement

Establishment of a National Carbon Registry

Kenya has actively participated in the global carbon markets over the years in both the compliance and voluntary carbon market. The country accounts for the largest share of carbon credits in the East Africa region. In total about 52.4 million carbon credits have been issued in Kenya through the Clean Development Mechanism (CDM) and Voluntary Carbon Market (VCM) standards.

Moreover, the updated NDC states Kenya's intention "to use voluntary cooperation under Article 6 of the Paris Agreement" and further states that domestic legislation and institutional frameworks will be developed to govern engagement in market and non-market mechanisms.

The Government of Kenya has amended the Climate Change Act 2016 to provide guidance on carbon markets participation in the Country. The Climate Change (amendment) Act 2023 was assented to by H.E. The President of the Republic of Kenya Dr. William Samoei Ruto on 1st September 2023 and the Law will come into effect on 15th September 2023. The Amended Act provides a legal framework to guide the domestic and international investors in order to boost carbon market confidence as well as ensure the country complies with its international obligations.

The Act has also provided for the establishment of the Institutional, Regulatory, Technical and Infrastructural requirements for the Country's effective participation in the Article 6 Market, Non-Market and other market mechanisms of the Paris Agreement. This therefore necessitates for Kenya to immediately put in place 2 critical measures to roll out the process effectively. These are:

1. The establishment of a functional Designated National Authority for Market Mechanisms and any other Mechanisms deriving from Article 6 of the Paris Agreement
2. Establishment of the National Carbon Registry for tracking and reporting of carbon markets activities

The MoECCF also requests additional technical support in the establishment and maintenance of the National Carbon Registry.

ROLES AND RESPONSIBILITIES

The NDC & Carbon Markets Senior Facilitator will support the Climate Change Directorate based on following roles and responsibilities:

- i. Support coordination of implementation of climate change plans, programmes and projects and other processes**
 - a. Facilitate the mainstreaming of NDC targets/climate actions in planning and budgeting processes at national and country levels to ensure alignment with GoK priorities
 - b. Facilitate continuous NCCAP implementation status assessment

- c. Support quarterly/on need basis coordination meetings between CCD and the various stakeholder coordination platforms to evaluate implementation status of NCCAP and facilitate information sharing
 - d. Support MoECCF/CCD coordination with county governments and their engagement and a whole of society approach while implementing climate actions
- ii. Catalyze the mobilization of new and additional resources for local climate action increase access climate finance and develop project pipelines**
- a. Mapping of Development Partner support and identify resource gaps
 - b. Conduct needs assessments and prepare concept notes for resource mobilization
 - c. Support alignment, harmonization, and coordination of Development Partner's support on climate change activities, in line with the government's priority areas/actions as per NCCAP.
 - d. Popularize the revised NDCs and NCCAP actions within existing coordination and governance mechanisms in country together with non-state actors - development Partners coordination platforms and Private sector platforms while leveraging and mobilizing their respective advantages
 - e. Support the CCD to convene donor coordination meeting on a quarterly/on need basis
- iii. Support MoECCF/CCD to harmonize the M&E tracking system and reporting templates and on how to monitor and report on the implementation of the NDCs and NCCAP in alignment with the National Carbon Registry**
- a. Support CCD to track progress and report the NDC/NCCAP implementation progress across all stakeholders at national and county level
 - b. Support CCD in the mobilization of resources and technical assistance for development of a national MRV framework to track progress of NDC implementation
- iv. Support the establishment and maintenance of the National Carbon Registry**
- a. Facilitate the process of hiring of experts to support the Designated National Authority (DNA) in the establishment of a National Carbon Registry
 - b. Coordinate the consultants and regular updates to the DNA and other relevant national government institutions on the development of the National Carbon Registry
 - c. Support stakeholder consultations during the development of the Registry
 - d. Support the coordination between the experts, the DNA and other relevant MoECCF institutions in establishing the annual carbon budget guided by the national Green House Gas Inventory (NIR)
 - e. Support the DNA to coordinate with the relevant Ministries, Departments, Agencies, Counties, Civil Society, Private Sector and other groups in the regular updates and dissemination of information regarding the Registry
 - f. Support the capacity building initiatives on how to use the carbon registry and on carbon markets.
 - g. Support the MoECCF in using carbon market approaches in the implementation of NDCs, through cooperative approaches under Article 6 of the Paris Agreement, including supporting the establishment of domestic carbon pricing (policies or instruments), carbon market mechanisms, voluntary carbon markets, potential use of offsets, internationally-linked Emissions Trading Systems etc.

- v. **Collaborate with the NDC Partnership Support Unit including the Knowledge and Learning team and other partners knowledge learning platforms**
- a. Document success stories and organize learning events as appropriate, including both contributing to and accessing knowledge products.
 - b. Facilitate periodic progress assessments of the NCCAP implementation to generate success stories, existing gaps, opportunities and NDC Partnership support status and make recommendations for adjustments
 - c. Support MoECCF/CCD and National Treasury and facilitation of “Annual stop and reflect” learning and exchange events on the NCCAP /NDC implementation

Logistics and Reporting

The NDC & Carbon Markets senior facilitator will be based in the Ministry of Environment, Climate Change and Forestry (MoECCF) / Climate Change Directorate (CCD). S/he will work and report directly under the day-to-day supervision of the Director Climate Change Programmes Coordination. The facilitator will also support the Director to share approved progress reports to stakeholders including the NDC Partnership Support Unit on key deliverables as per the contract, working in close cooperation with the focal point in the National Treasury and Planning, and the NDC Partnership Support Unit team.

QUALIFICATIONS AND SKILLS REQUIRED

The candidate should be highly motivated, enthusiastic, and capable of working independently. He/she should have a strong technical and policy background on the UNFCCC and its Paris Agreement, and NDC process, particularly in priority sectors identified by the Government and technical knowledge on adaptation, mitigation and transparency reporting. The ability to work with a range of stakeholders, across Ministries/Departments/Agencies (MDAs), non-governmental organizations, private sector and research institutions is essential. A good understanding of the national institutional framework is highly desirable.

Qualifications and Experience

- An advanced degree (Masters or higher) in environmental management, Natural Resource Management, carbon management, public policy or public finance management, or relevant field and equivalent experience.
- 8 years relevant experience in environmental public policy fields with practical experience in climate change, climate finance, carbon accounting, greenhouse gas inventory, adaptation/mitigation planning and implementation
- Experience in Climate change policy development, coordination and integration of NDC with national and sub-national policies, plans and strategies.
- Coordinating multi-stakeholder initiatives under the NDC
- Working in a multi-cultural environment in Africa and Kenya.
- Project and program design, management, monitoring and evaluation, including budget development and management in climate change
- Excellent communication and interpersonal skills

- Excellent technical and report writing skills
- Experience working with the national Government will be an added advantage
- Fundraising experience to identify donors and develop grant proposals for Kenya's NDC. This could include demonstration of capacity for fundraising through bilateral or multilateral partners.
- Good analytical skills and a demonstrated ability to think strategically
- Experience in identifying key issues in a complex situation, and consulting, gathering, and analyzing relevant information before proposing and implementing decisive actions or recommendations.
- Well-organized and logical in thought and action.
- Ability to foresee and manage risk.

Duration: 1 year (renewable)

The position will be based in Nairobi, Kenya and is open to locals only.

HOW TO APPLY

Interested consultants should submit a current curriculum vitae, cover letter (no more than one page) and proposed daily rate by **c.o.b., 22 September 2023** with the subject "*NDC & Carbon Markets Senior Facilitator*" to:

- Ms. Margaret Barihaihi: Margaret.Barihaihi@ndcpartnership.org
- Ms. Irene Mwaura: Irene.Mwaura.5@ndcpartnership.org
- Mr. Gabriel Malunga: Gabriel.Malunga.5@ndcpartnership.org

Applicants who previously applied to this position are requested to reapply.

We will consider applications as they are received. **Only short-listed applicants will be contacted and final terms will be discussed upon selection.**