**TERMS OF REFERENCE**

**EXTERNAL MONITOR**

**(intermittent, 120WD)**

(A) Objective and Purpose of the Assignment

1. The Climate Resilient Rice Commercialization Sector Development Program (Rice-SDP) and its additional financing (Rice-SDP AF) envisages to construct twelve warehouses and drying yards for selected agricultural cooperatives (ACs) on the land owned by the ACs. One farmers water users’ community (FWUC) building may also be constructed. No land acquisition or involuntary resettlement is envisaged for these infrastructure subprojects and they will be built only on the land owned by the ACs or FWUC. The MEF/PMO requires the service of a qualified and experienced Lawyer/Social safeguard specialist to act as an external monitor in validating the land ownership of the ACs.

(B) Scope of Work

1. The construction of twelve warehouses and drying yards for selected ACs and one FWUC building on the land owned by the respective community organizations will commence in 2022 and extend to the end of 2022 with most of the subprojects expected to complete construction by end of 2022.The external monitor (lawyer/safeguard specialist) will assist and support the MEF/PMO and MAFF/NIO in validating the land ownership of the ACs to ensure the past dealings were made under “Willing Seller and Willing Buyer” approach. The external monitor will document the process with the aim of ensuring that the relevant community have been meaningfully consulted, had a bargaining power/“power of choice” and were not coerced. The external monitor will report to the Program Director/Program Manager and work under the overall supervision of the international Program Implementation Advisor. S/he will be required to work intermittently over the duration of the contract starting from December 2021 to December 2022.

**(C) The detailed tasks for the external monitor in this respect are defined below:**

1. Documenting the land acquisition process aims to assure that the relevant community and authorities where the agricultural cooperative (AC) is located are meaningfully consulted with public participation and they have the power of choice without coercion;
2. Verifying and documenting that the land acquisition for the project purchased by the AC is free from any dispute on ownership or any other encumbrances;
3. Compiling and validating relevant land purchase documents from AC and relevant stakeholders for past purchases; and
4. Assuring the due diligence of the land purchase base on “willing seller and willing buyer” principles.
5. Undertake other duties and responsibilities that may be assigned by the MEF/PMO.

(D) Minimum Qualification Requirements

The minimum education and relevant experience requirements are as below:

1. Degree in Law or Applied Social Science, or Natural Resource Management or other related fields.
2. At least 7 years of experience in safeguard reporting and monitoring and be fully conversant with the Government and ADB SPS procedures
3. Demonstrated prior experience in the production of independent safeguard monitoring reports for ADB funded projects will be considered favorably.
4. Excellent oral and written communication skills in English.