

INDEPENDENT CONSULTANT SCOPE OF WORK

Investigation Consultant (Co-Facilitator) to facilitate an information exchange workshop for Forestry Law Enforcement Agencies at provincial level

Consultant Name: (Last, First)	Position Title:	Investigation Consultant (Co-Facilitator) to facilitate an information exchange workshop for Forestry Law Enforcement Agencies at provincial level	
Project Name:	USAID Sustainable Forest Management		
Billing Code:	3.3.1.1 and 3.3.1.2	Contract No:	
Period of Performance:	From May 2022 to before August 31, 2022		
Travel Days:	2		
Workdays (in field):	1		
Remaining Workdays: (Research, Report Writing)	3		
Total Level of Effort:	6		
Evaluator:	DAI		

A. DAI ORGANIZATION AND VALUES

DAI is a global development company with corporate offices in the United States, the United Kingdom, EU, Nigeria, Pakistan, and Palestine and project operations worldwide. We tackle fundamental social and economic development problems caused by inefficient markets, ineffective governance, and instability. DAI works on the frontlines of global development. Transforming ideas into action—action into impact. We are committed to shaping a more livable world.

DAI and its employees are committed to confronting racism and holding ourselves accountable for positive change within the company and in the communities, cultures, and countries in which we live and work. DAI is committed to attracting and retaining the best employees from all races and backgrounds in our continued effort to become a better development partner.

DAI upholds the highest ethical standards. We are committed to the prevention of sexual exploitation, abuse, and harassment as well as other ethical breaches. All of our positions are therefore subject to stringent vetting and reference checks.

B. PROJECT BACKGROUND

The USAID Sustainable Forest Management Project (the Project) will work with the Government of Vietnam (GVN) to reduce carbon emissions associated with deforestation, the degradation of natural forests, and poor plantation management. The Project will implement a “Green Prosperity” approach that strengthens local communities’ ability to protect their natural resource base and reduce emissions while building a strong foundation for sustainable livelihoods and equitable economic growth.

The Project will work in seven provinces (Lao Cai, Son La, Hoa Binh, Thanh Hoa, Nghe An, Quang Tri, Quang Nam) and focus on five objectives:

1. Improve and expand community forest management
2. Increase conservation-friendly enterprises in forest-dependent communities
3. Increase functionality of law enforcement system for forest crimes
4. Improve production forest management practices
5. Mobilize domestic resources for forest management and protection

The Project will be implemented during the period 2020-2025 by DAI in collaboration with RECOFTC and Preferred by Nature as partners, with the Ministry of Agriculture and Rural Development (MARD) as the counterpart and the Management Board of Forestry Projects (MBFP) as project owner.

C. DESCRIPTION OF CONSULTANCY SERVICE:

I. BACKGROUND OF THE ASSIGNMENT

1.1. Background

Of the five Project’s objectives (or sub-components)¹, Objective 3 aims at “*increasing the functionality of Law Enforcement Systems for Forest Crimes*”. The achievement of this objective may involve a suite of interventions including but not limited to: 1) a thorough assessment of current institutional, financial and social barriers to law enforcement in the target provinces, (2) increasing the ability of provincial governments to monitor small-scale encroachment in near real-time, 3) promoting use of handheld devices or other technological devices and data sources to increase efficient deployment of ranger patrols and increase prosecution rates and effectiveness, 4) leveraging social media and civil society to highlight crimes and increase the profile of enforcement actions, as higher profile issues can receive additional funding and can also increase awareness and act as a deterrent, 5) improving coordination and effectiveness of forest rangers, police, prosecutors, judges and their respective agencies, and 6) promoting efficient use of financial resources.

In 2022, the Project plans to organize a workshop for the agencies listed in the intervention number 5 above to explore options for strengthening the cooperation among these agencies and expectations of one agency from the other. Especially, it is expected that the workshop will help identify the capacity gaps of the FPDs at provincial and district levels when exercising their tasks

¹ Objective 1: Improve community forest management; Objective 2: Increase conservation-friendly enterprises in forest-dependent communities; Objective 3: Increase Functionality of Law Enforcement Systems for Forest Crimes; Objective 4: Improve production forest management practices; and Objective 5: Mobilize domestic resources for forest management and protection

and functions of a law enforcement agency to handle administrative and criminal violations in forestry sector, thus to design supporting interventions in the coming years.

The Project is looking for 02 consultants, one with expertise in prosecution process and requirement (Procuracy Consultant) and one with expertise in investigation (Investigation Consultant) to facilitate the workshop.

This SOW is for the Investigation Consultant (Co-Facilitator).

1.2. Description of the workshop

1. **Time:** one-day workshop, tentatively scheduled for **August 18, 2022**
2. **Venue:** in Hanoi or another province (to be determined)
3. **Participants:** 49 participants (of which there are 39 trainees)
 - From 35 – 39 participants from 07 Project provinces, representing provincial or district FPD, Police, Procuracy, Court
 - 06 project staff
 - 02 Consultants (Facilitators) and 02 keynote speakers

2. OBJECTIVES OF THE ASSIGNMENT AND TASKS OF THE CONSULTANT

2.1. Objective

Strengthen law enforcement capacity of local FPDs and their cooperation with other local law enforcement and judicial agencies in handling administrative and criminal violations in forestry sector.

2.2. Specific tasks

The Investigation Consultant will support the Lead Facilitator to prepare for and facilitate the workshop and will carry out the following tasks:

2.2.1. Explore the needs for information of participants and design the workshop accordingly

Contact some participants who represent the provincial police in the list provided by Provincial Management Boards of the Project to explore what information and knowledge these participants want to be provided at the workshop. The consultant is also encouraged to contact the Provincial Police through his/her own network to explore the areas of cooperation that the Police want to have with FPDs. He/she will conduct the consultation/interview online (emails, phone, other online communication channels), using a set of questions provided by the Lead Facilitator.

The Investigation Consultant will then provide the Lead Facilitator with a one- or two-page note that consolidate the information collected for the latter to include in an Inception Report.

2.2.2. Develop workshop materials

Workshop materials are developed on the basis of the assessment and agenda mentioned above and would include: i) PPT presentations; ii) handouts; and iii) other reading materials.

The Investigation Consultants will focus on contents related to the tasks and authorities of FPD and Police in investigating, filing and submitting the prosecution documents to the

People's Procuracy. He/she will prepare some specific case studies and facilitate the discussion on these cases at the workshop.

2.2.3. Facilitate the workshop

The Investigation Consultant will support the Lead Facilitator at the workshop and will take lead in the presentation and discussions on the contents he/she is responsible for (as described in 2.2.2).

At this stage, key contents of the workshop are described in the Tentative Agenda in the Annex of this SOW. *Note that this Agenda can be revised by the consultants on the basis of information collected from participants and their agencies.*

3. KEY DELIVERABLES / OUTPUTS OF THE CONSULTANT

1. A one or two-page report that consolidates the information collected from the police participants and/or their agencies
2. Workshop materials (PPT presentations, handouts, other reading documents).

4. LOCATIONS

Hanoi and workshop venue (to be determined)

5. CONSULTATION TIME (LOE) AND DELIVERABLES

#	Activities	LOE	Deliverable	Completion date
1	Contact the participants/representatives of Police to collect and consolidate information	1	D1. A one or two-page report that consolidates the information collected from the police participants and/or their agencies	July 2022
2	Prepare workshop materials	3	D2. PPTs, handouts, other reading materials	By August 10, 2022
3	Facilitate the workshop (1 day workshop, 1 day travel)	2		Tentatively August 18, 2022
	Total	6		

Remarks:

- All deliverables are submitted in Vietnamese
- All deliverables are subjects to approval of DAI

D. QUALIFICATIONS

Criteria	Detailed requirements
Nationality	Vietnamese
Degree	Minimum Bachelor's Degree from Law schools, Procuratorate Universities/Academies, People's Police Academies or related fields
Professional experience	<ul style="list-style-type: none"> - Have at least 15 years of working experience in prosecution (Procuratorate Universities/Academies, People's Procuracy), police force (People's Police Academies, Investigation Office of Police Force ...) or other areas related to law enforcement - Have profound knowledge and experience in provide trainings on law enforcement techniques (investigation, prosecution ...) related to forest management, handling violations of forestry law - Having practical experience as prosecutors, investigators, judges is an advantage
Skill	<ul style="list-style-type: none"> - Good facilitating, presentation skills - Good reporting skills - Able to use Microsoft office applications such as word and excel, data analysis tools and software - Speaking English is not compulsory, but is an advantage

E. HOW TO APPLY AND REQUESTED DOCUMENTS

Individual interested candidates are requested to submit:

1. Updated CV in English and Vietnamese
2. Cover letter in English indicating why the applicant is suitable for this position along with current contact details of at least three referees in English or Vietnamese
3. Scanned copy of related degrees
4. Similar consultancy projects/reports completed before either in English or Vietnamese
5. Technical proposal in English or Vietnamese to carry out this consultancy assignment (approach and implementation plan)

via email to our recruitment email at VietnamSFM@dai.com. Please quote the position title in the subject line: "**Candidate's full name _ Investigation Consultant**"

Deadline for application: 5.00 p.m. (Hanoi time), June 17, 2022

Remark: *If being recruited, the candidate will have to provide DAI with a release letter with authorized signature and stamp from current employer to certify that candidate will not receive salary from current employer during the implementation of this consultancy assignment or candidate commits to carry out the assignment outside normal working hours. This release letter is required for candidate **who are currently working for government agencies only.***

To learn more about DAI, please visit our website: <https://www.dai.com/>

DAI is an equal opportunity/affirmative action employer with a commitment to diversity. DAI does not discriminate in employment on the basis of race, color, religion, sex (including pregnancy and gender identity), national origin, political affiliation, sexual orientation, marital status, disability, genetic information, age, parental status, veteran status, or other non-merit factor

ANNEX: TENTATIVE WORKSHOP AGENDA

Final Agenda will be proposed by the consultants and approved by DAI. The Agenda proposed below is for discussion

Time	Activities	Remarks
AM	Presentation, Q&A <ul style="list-style-type: none"> General information on functions, authorities, tasks of LEAs Cooperation mechanisms between the LEAs Procedures of applying law enforcement measures (administrative fines, suspension of business, revoking business permits, prosecution etc. ...) 	Consultant (Procuracy)
AM	Presentation and in-depth discussion <ul style="list-style-type: none"> Authority of FPD in investigating criminal cases: What FPD is authorized to do? What would not be included in FPD's authority? Any differences in the regulations on FPD's authorities with regards to investigation of criminal cases in the Criminal Code 2015 and the Law on the organization of Criminal Investigation Bodies 2015? Obstacles caused by policy gaps? Obstacles caused by FPD's capacity? How to overcome the obstacles? 	Consultant (Procuracy, Police)
AM	Keynote speaker(s): sharing information on the results of implementing Forest Management Regulations or results of handling forestry violations by district People's Procuracy or Court	
PM	Presentation, Q&A Filing criminal cases and submit to authorized bodies for prosecution: <ul style="list-style-type: none"> Contents of the files? What is responsible for by FPD? What would Police, Procuracy, Court required from FPD? 	Consultant (Police)
PM	Case studies: group discussion, presentation, plenary discussion <ul style="list-style-type: none"> Cases prepared by the consultants 	Consultants

Time	Activities	Remarks
	<ul style="list-style-type: none"> Cases proposed/asked by participants 	
PM	Facilitated plenary discussion <ul style="list-style-type: none"> Measures to improve the results of forestry law enforcement Suggestions for cooperation mechanisms of law enforcement agencies at local levels 	Consultants or DAI