

## Term of Reference of the Consultant

### for Developing Long Term Organizational Development of MEITI NCS

#### 1. Background

Myanmar has started its EITI process since 2012. In 2013, the Myanmar EITI (MEITI) - MSG was formed, and in 2014, Myanmar had been accepted as the ‘Candidate’ country. The 1<sup>st</sup> MEITI report was published in 2015 followed by the 2<sup>nd</sup> and the 3<sup>rd</sup> MEITI reports in 2018. The 4<sup>th</sup> MEITI report has been published in 2019 and is currently under planning to launch it to the public. The 1<sup>st</sup> and 2<sup>nd</sup> MEITI-Forestry reports have been published in 2019. Besides, the Subnational-Coordination Units (SNUs) have been formed respectively in Tanintharyi, Mandalay, Sagaing, Magway Regions and Shan State. Furthermore, the Beneficial Ownership data have been published before the EITI requirement deadline 1 January, 2020.

On 16 October, 2019, the EITI Board decided that Myanmar has made ‘**Meaningful Progress**’ in EITI implementation and needs to carry out (12) Corrective Actions until 16 April 2021. Now, the 5<sup>th</sup> MEITI report, the 3<sup>rd</sup> and the 4<sup>th</sup> MEITI-Forestry reports are in progress.

While there are aforementioned achievements in MEITI progress, MEITI - National Coordination Secretariat (NCS) has been facing challenges for timely EITI implementation under the regulations of Budget Department of Ministry of Planning, Finance and Industry and the World Bank. In order to attain smooth implementation of MEITI process, an interim body is needed for NCS as a temporary action since NCS is not a registered body and structure review has been considered.

With the support of Extractive Hub funded by DFID, an implementation structure review report for the new implementation structure was done and the report suggests five different implementation structures. During the 2<sup>nd</sup> Donor Consultation Group meeting which was taken place on 9 January 2020, it is decided to hold **MEITI Interim Arrangement and Implementation Structure Workshop in Nay Pyi Taw on 17 January 2020**.

With reference the above-mentioned workshop, a decision was to recruit a consultant for organizational development for MEITI NCS’s long term structure based on the report prepared by Extractive Hub that reviewed existing structure and proposed five models. The following five general key issues repeatedly came up during stakeholder consultation meetings as being essential when considering a new model or structure for the National Secretariat function. As such they can be regarded as core criteria or requirements:

(a) **High level government ownership** of the MEITI process is essential. Mainstreaming EITI into core relevant government processes and procedures is a key objective and aspiration of EITI globally. Therefore, it makes sense and is more appropriate for the National Secretariat to be under the auspices of government. The structure should ideally have long term sustainability and be resistant to any potential political changes.

(b) **Ease of direct /bilateral donor funding** – ability to receive own funding directly and manage own expenditure.

(c ) **Increased flexibility** in terms of financial management and procurement procedures is essential.

(d) **Hybrid team** – possibility of including both government civil servants and non-government independent staff and experts in one team, located unitarily, ideally with matching remuneration to avoid tensions arising from discrepancies.

(e ) **Ease of transitioning from the current structure** to a new implementation structure or model.

## 2. Scope of Work

The consultant service is responsible to work with the Work Plan and Governance Sub-committee under the guidance of Multi-stakeholders Group of Myanmar EITI and to carry out the following process of developing the MEITI NCS: the MEITI National Coordination Office (NCS) in the following work streams.

The consultant will carry out the following process of developing the MEITI NCS:

- Review the existing MEITI work plans, implementation manual, EITI standard 2019, and other relevant documents;
- Review the report on “MEITI Governance and Implementation Review and Options Study” by Extractive Hub ;
- Review other current relevant policy frameworks, financial, procurement and human resource legislation and notifications. Hold discussions with the MEITI Work Plan and Governance Sub-committee members, staff of the MEITI unit from Ministry of Planning, Finance and Industry and Union Office of Auditor General and Union Attorney General Office, private sector companies, industry associations, and other private sector organizations and the donor community and civil society/NGOs. At all stages, MEITI NCS will be closely involved with the process.
- Prepare organization structure on MEITI NCS based on five key criteria, namely, high level government ownership of the MEITI process, ease of direct /bilateral donor funding, increased flexibility, sustainability, highbred team and ease of transitioning from the current structure to a new implementation structure in that report.
- Develop MEITI NCS structure that will be involved of line of authority with MEITI MSG and communication with the President Office and Ministry of Planning, Finance and Industry of Government of the Union of Myanmar;

**MEITI-NCS shall be consist of the following sections: Programme, Human Resource, Administration and Procurement, Finance, Information and Communication, Technical (Extractive sectors, requirements of EITI standard, Policy and Research )**

- To prepare Charter, Financial Guidelines, Human Resource Policy and Procurement Policy for MEITI NCS.
- To develop key policies document that corresponds to the core criteria agreed by MEITI stakeholders at the workshop on 17 January 2020. The policy areas are listed below:
  - Core fund policy and overhead,
  - Ethical funding policy
  - Anti-corruption policy
  - Human resource policy
  - Procurement policy
  - Due diligence assessment (governance and structure)
  - Government revenue policy
  - Fixed asset policy
  - Miscellaneous account and petty cash

### 3. Deliverables

The reports shall be submitted as follows:

- An inception report: The inception report should be prepared by the consultant before embarking on a fully-fledged review exercise. The inception report will detail the consultant’s understanding of what is being reviewed and why, as well as proposed methods, tools, sources of data and procedures intended to answer each review question. The inception report should also include a proposed schedule of tasks, activities, timeline, deliverables and key issues. The inception report shall not exceed 5 pages (within 3-5 days after signing contract).
- A draft report: The consultant will deliver a draft report within the indicative assignment timeframe. The report must include charter, financial guidelines, human resource policy and procurement policy for MEITI NCS, job grading and salary structure in line with the new organogram in **English**. (15 to 20 days after inception report)
- A final report: The Consultant will deliver a final report to Work Plan and Governance Sub-committee Members in **Myanmar and English**. (10 to 15 days after draft report)
- The consultant needs to present about the draft and final reports to the MEITI Work Plan and Governance Sub-committee members.

### 4. Timeline

The consultancy **period** will be for **30 days to 45 days** and the final report shall be submitted not later than **25 April, 2020**.

### 5. Qualification and Criteria

The following qualifications and experience are required for Consultancy which may consist International and local experts:

- At least a postgraduate degree in a technical field relevant to management, administration, law, human resources management, organizational development and economics
- At least 10 years' experience in the area of organizational development, of which at least 5 years relating to government policy
- Preferably having experience working with governments and institutions particularly in extractive sector reform and public financial management reform Demonstrate understanding of natural resource governance with particular reference to policy research on development and management
- Understand the nature of program management and understanding of the planning and funding cycles of the non-governmental organization
- Experience in developing organizational manuals, financial manual, compliance manual and evaluation of program
- Excellent communication and writing skills in English and Myanmar

## 6. Submission of Proposal

The consultant shall submit financial proposal with cover letter, CV and responsibilities of team not later than 17:00 pm 28 February 2020 to following email address; National Coordination Secretariat Office (MEITI) , 13-A, Mya Yadanar Street, 16 Ward, Yankin Township, Yangon, Myanmar, [communication@myanmareiti.org](mailto:communication@myanmareiti.org).