



TERMS OF REFERENCE (ToR)

Legal Evaluation and Revision of the Environmental Fund State Decree (Pursuant to Articles 19 and 20 of the Environmental Framework Act of Suriname (Milieu Raamwet 2024)

1. BACKGROUND

The Environmental Framework Act of Suriname (Milieu Raamwet 2024) establishes, under Article 19, an Environmental Fund (Milieufonds) with the objective of promoting the protection, conservation, and sustainable use of the environment.

Article 20 defines the lawful sources of financing of the Fund and explicitly excludes permit and service fees payable to the National Environmental Authority (NMA) from constituting Fund resources.

The Act further provides that detailed provisions governing the Environmental Fund shall be elaborated by State Decree (Staatsbesluit). A draft State Decree has been prepared; however, legal and institutional developments — including the operationalization of the NMA and evolving standards in fiduciary governance — require a comprehensive legal and institutional review.

This consultancy will ensure that the Environmental Fund State Decree:

- Fully complies with Articles 19–21 of the Environmental Framework Act;
- Reflects legislative intent;
- Establishes a legally sound, transparent, and sustainable financing mechanism;
- Ensures clear separation between NMA operational revenues and Fund resources;
- Meets international standards for environmental fund governance.

2. OBJECTIVE OF THE ASSIGNMENT

The overall objective is to conduct a comprehensive legal and institutional review of the draft Environmental Fund State Decree and to produce a revised, legally robust, decision-ready version aligned with:



- Articles 19, 20 and 21 of the Environmental Framework Act ;
- Principles of legality, earmarking, and fiduciary prudence;
- Public financial management standards;
- Good governance and accountability principles;
- International best practices in environmental fund governance.

3. SCOPE OF WORK

The Consultant shall undertake the following tasks:

Task 1 – Legal Compliance Review

- Conduct a detailed article-by-article analysis of the draft State Decree.
- Assess conformity with:
 - Article 19 (Purpose, governance, financing scope);
 - Article 20 (Sources of funding);
 - Article 21 (Use and expenditure restrictions).
- Identify inconsistencies, ambiguities, and risks.

Task 2 – Institutional and Governance Assessment

- Review governance structure (Board vs designated legal entity).
- Assess appointment, dismissal, integrity and conflict-of-interest safeguards.
- Evaluate accountability and reporting mechanisms.
- Assess compatibility with NMA statutory mandate and separation of functions.

Task 3 – Financial and Fiduciary Framework Review

- Assess funding sources compliance with Article 20.
- Ensure exclusion of NMA permit/service fees from Fund resources.



- Review expenditure discipline (5% operational cap).
- Assess:
 - Budgeting procedures;
 - Financial reporting;
 - External audit mechanisms;
 - Investment policies;
 - Risk management provisions.

Task 4 – Comparative and Best Practice Benchmarking

- Conduct targeted comparative review of international environmental funds.
- Identify best practices on:
 - Earmarking;
 - Revolving mechanisms;
 - Sustainability safeguards;
 - Transparency standards.

Task 5 – Drafting and Consolidation

- Prepare revised State Decree with:
 - Article-by-article amendments;
 - Improved definitions;
 - Clear financing eligibility criteria;
 - Strengthened governance safeguards;
 - Compliance and audit provisions.
- Prepare explanatory memorandum for Cabinet-level decision-making.



4. EXPECTED DELIVERABLES

Deliverable 1 – Inception Report (Week 2)

- Work plan and methodology
- Legal assessment framework
- Analytical compliance matrix

Deliverable 2 – Draft Legal Evaluation Report (Week 6)

- Compliance assessment
- Governance risk analysis
- Financial and fiduciary assessment
- Gap identification

Deliverable 3 – Draft Revised Environmental Fund State Decree (Week 8)

- Consolidated legal text
- Article-by-article justification

Deliverable 4 – Final Package (Week 10)

- Final Evaluation Report
- Final Revised State Decree
- Executive Decision Memorandum (Council of Ministers level)

5. INSTITUTIONAL ARRANGEMENT

The Consultant will report to:

- Executing Authority: National Environmental Authority (NMA)
- Policy Oversight: Ministry responsible for Environment



- Decision Authority: Council of Ministers / President

The Consultant will work closely with designated legal and policy counterparts.

6. DURATION OF THE ASSIGNMENT

- Duration: 25–30 working days
- Implementation period: Approximately 3 months

7. REQUIRED QUALIFICATIONS AND COMPETENCIES

Education

- Advanced university degree (Master's or equivalent) in:
 - Environmental Law,
 - Administrative Law,
 - Public Financial Law,
 - or related field.

Experience

- Minimum 10 years of professional experience in:
 - Legislative drafting;
 - Public fund governance;
 - Environmental regulatory frameworks;
 - Public financial management systems.
- Proven experience with environmental funds or trust funds.
- Experience with UNDP/GEF procedures is an asset.

Competencies

- Strong legal analytical skills;
- Regulatory drafting expertise;



- Institutional governance design;
- Excellent written communication skills.

8. SELECTION CRITERIA

Technical Evaluation (70%)

- Education (15%)
- Relevant professional experience (30%)
- Experience in environmental financing/legal reform (15%)
- Experience with UNDP/GEF frameworks (10%)

Financial Evaluation (30%)

Combined scoring methodology applies.

9. PAYMENT SCHEDULE (INDICATIVE)

Milestone	Percentage
Inception Report	20%
Draft Evaluation + Draft Decree	40%
Final Deliverables	40%

Payments subject to satisfactory approval of deliverables.

10. ETHICAL CONSIDERATIONS

The Consultant shall:

- Maintain independence and objectivity;
- Avoid conflicts of interest;
- Maintain confidentiality;



- Comply with UNDP ethical standards and anti-corruption policies.

11. APPLICATION PROCESS

The Consultant must submit:

1. Technical Proposal

- Indicating the consultant's understanding of the TOR and a description of how he/she proposes to carry out the tasks and achieve the deliverables.
- Statement of why the consultant considers her/him suitable for this consultancy.
- CVs of the Consultant, indicating all past experience, as well as the contact details and at least three (3) professional references.

2. Financial Proposal

Applicants are instructed to submit their financial proposals in Suriname Dollars (SRD). Selected candidates who submitted a US Dollar quotation will be paid in SRD at the prevailing UNORE rate at the time of payment (Ref: <https://treasury.un.org/operationalrates/OperationalRates.php#S>)

Financial proposals must indicate an all-inclusive daily fee. The fee must consider all expenses: professional fee, communications, insurance, and any other relevant expenses related to the performance of services.

12. SUBMISSION AND OPENING OF PROPOSALS

All proposals must be submitted to: info-EMSAGS@nimos.org, with the subject reading as follows: "Application for Environmental Fund Legal Revision – NMA".

Submission Deadline: Friday, April 17, 2026, 15:00h Suriname Time.

Please ensure that the Application letter, CV, Technical Proposal, and Financial Proposal are submitted as **SEPARATE FILES** in one email.

Any proposal that arrives after the deadline for submission shall not be considered.