MedWaves
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Terms of reference (TOR) for the recruitment of a National consultant for Tunisia with mercury knowledge under the GEF-Funded Mediterranean Sea Programme (MedProgramme) on Enhancing Environmental Security (2019-2024)

Component 1:
Reduction of Land Based Pollution in Priority Coastal Hotspots, and measuring progress to impacts / Child Project 1.1
"Reducing Pollution from Harmful Chemicals and Wastes in Mediterranean Hot Spots and Measuring Progress to Impacts" / Output 1.4
"Mercury reduction through pilot activities"

About the position

MedWaves, in order to fulfil the obligations of the MedProgramme Child Project 1.1 (GEF ID 9684), the hiring of a National consultant for Tunisia with mercury knowledge.

The duration of this task is estimated to end before the 31st December 2024.

BACKGROUND/ DESCRIPTION OF THE PROBLEM AT STAKE

The continuing degradation of coastal zones and marine environments of the Mediterranean, coupled with the urgent growing impacts of climate variability, the loss of livelihoods and dramatic deterioration of social conditions along critical sections of the Southern and Eastern Mediterranean shores, prompted the development of the Mediterranean Sea Programme: Enhancing Environmental Security (MedProgramme).

Large quantities of mercury and mercury-contaminated wastes are found in the project countries, at sites of operational and decommissioned chlor-alkali plants in Algeria, Bosnia and Herzegovina, Morocco and Tunisia. Under the Barcelona Convention Regional Plan on reduction of mercury, countries have committed to phase out chlor-alkali plants using mercury cells by 2020, yet much remains to be done to ensure full implementation, including the provision that prohibits mercury re-entry to the market. In some cases, actions have been implemented to sort and properly store contaminated wastes, but the capacities for ESM of mercury wastes are generally insufficient to address the scope and magnitude of the problem. In some cases, the extent of contamination is not fully known, and further assessments and studies are needed

Mercury is used in medical measuring devices, especially thermometers which are intensively used in hospitals with high levels of replacement reported, either due to breakage or loss (e.g. taken home by patients). In either case, the mercury contained within these devices can be assumed to eventually be released into the environment, since most countries do not have adequate hazardous waste collection and disposal, as well as treatment for municipal waste. The main reason behind the continued use of mercury containing medical measuring devices in Mediterranean countries is economic as it is possible to import these products at low prices.

The major barriers to phasing in safe alternatives to mercury containing devices are:
Regulations: lack of legislation and/or enforcement to restrict or prohibit the use of mercury containing devices in countries, either as restriction of mercury-containing products or Extended Producer Responsibility (EPR) requiring producers to take back the generated mercury waste and health services and institutions to properly treat mercury waste as hazardous waste according to local legislation and international standards.

Awareness: most users of mercury containing devices, particularly hospital personnel and laboratories, are perfectly aware of the health implications of mercury exposure but they are not as aware of the environmental implications and impacts of these products at its end-of-life if not properly managed (normally ending up in landfills), neither the need to replace them by safe alternatives.

CONTEXT TO MEDWAVES' INSTITUTIONAL FRAMEWORK

MedWaves, the UNEP/MAP Regional Activity Centre for SCP, is a centre for international cooperation on development and innovation based on the sustainable consumption and production approach (hereinafter MedWaves). It is attached to the Catalan Waste Agency (Agència de Residus de Catalunya, referenced as ARC).

The Centre is one of the Regional Activity Centres established in the framework of UNEP/Mediterranean Action Plan (hereinafter UNEP/MAP), the programme of UN Environment established to support the member countries of the Barcelona Convention for the Protection of Marine Environment and the Coastal Region of the Mediterranean. Since 2009, the Centre also operates in support of the Stockholm Convention, an international

agreement involving 180 countries to fight against the generation of persistent organic pollutants, highly polluting and toxic substances. MedWaves has the mandate from the Barcelona and Stockholm Conventions to provide assistance to their Contracting Parties in fulfilling their commitments under those treaties, particularly through the support to the countries to shift to sustainable consumption and production patterns and circular economy.

In the performance of its mandate, MedWaves fosters the introduction of solutions on eco-innovation, marine litter/plastic pollution prevention, circular economy and safe alternatives to toxic chemicals through the provision of advisory services, technical assistance, innovative training materials, networking services and accompaniment in the implementation of measures. MedWaves also leads a comprehensive support programme for the creation and development of green, circular business models and enterprises.

Given its particular experience on the prevention of toxic chemicals in the Mediterranean region, MedWaves is involved in the execution of the Mediterranean Sea Program (Medprogramme): Enhancing Environmental Security funded by the Global Environmental Facility Trust Fund (GEF. Reference: ID 9607 together with UNEP/MAP (one of the executing Agency) and UNEP (implementing agency)

OBJECTIVE OF THE MEDPORGRAMME

The GEF/UN Environment "Mediterranean Sea Programme (MedProgramme): Enhancing Environmental Security" (2019-2024) represents the first GEF programmatic multi-focal area initiative in the Mediterranean Sea. It will operationalize priority actions to reduce major transboundary environmental stresses in its coastal areas while strengthening climate resilience and water security and improving the health and livelihoods of coastal populations.

As such, the MedProgramme is based on the success of the partnership between UNEP/MAP, the GEF and the 22 contracting parties to the Barcelona Convention. It is based on an overview of change that can generate a series of 8 interconnected components (projects) to move towards "*A healthy Mediterranean with productive and biologically diverse marine and coastal ecosystems that contribute to sustainable development for the benefit of present and future generations*".

More specifically, it aims to accelerate the implementation of agreed priority actions in ten beneficiary countries sharing the Mediterranean basin: Albania, Algeria, Bosnia and Herzegovina, Egypt, Lebanon, Libya, Montenegro, Morocco, Tunisia and Türkiye.
Its eight Child Projects cut across four different Focal Areas of the Global Environment Facility Biodiversity [BD], Chemicals and Waste [CW], Climate Change Adaptation [CCA] and International Waters [IW]). This also involves a wide spectrum of developmental and societal sectors ranging from banking institutions, the private sector, governmental and non-governmental bodies, industry, research, media, and various other organizations including Regional Activity Centres.

The MedProgramme is structured around 4 components:

- Component 1: Reduction of Land Based Pollution in Priority Coastal Hotspots and Measuring Progress to Impacts;
- Component 2: Enhancing Sustainability and Climate Resilience in the Coastal Zone;
- Component 3: Protecting Marine Biodiversity;
- Component 4: Knowledge Management and Programme Coordination.

MEDWAVES is mainly involved in the implementation of component 1, as described in the next section.

COMPONENT 1 - CHILD PROJECT 1.1

Under Component 1, MedWaves will be more particularly involved under Child Project 1.1, aiming to improve human health and coastal habitats, through the reducing pollution from harmful chemicals (POPs and mercury) and waste in Mediterranean hotspots and measuring progress to impacts. Hence, the project will focus on land-based sources of hazardous chemicals pollution, namely Persistent Organic Pollutants (POPs) banned under the Stockholm Convention, and mercury banned under the Minamata Convention.

Based on the problem and objective analysis the child project 1.1 has been designed around:
a) Engaging with participating country governments on the provision of disposal options (for POPs) and long-term containment (for mercury) by UNEP/MAP; and
b) Raising awareness on mercury in the healthcare sector, through targeted pilot activities to introduce alternatives by MedWaves.

This ToRs is related to the execution of ***'Output 1.4 of child project 1.1: Mercury reduction through pilot activities on mercury alternatives',*** under the responsibility of MedWaves

TASKS TO REALISE

With this contract, the national consultant hired will be responsible for conducting and completing two activities outlined in the work plan:

Activity 1.4.1: Update of legislation

Legislative draft aimed at analyzing in detail the very restrictive regulations of the Minamata Convention, and updating national legislation relating to mercury.

Activity 1.4.2: Mercury waste hotspots analysis reports

This last activity includes two subactivities:

1. One report related to the management of mercury-contaminated waste, identifying hotspots in Tunisia (Chlor-Alkali; industrial processes, production of virgin mercury, mining slag heaps, etc.) and mercury in lagoon and proximal marine environments.
2. National inventory of mercury release in the environment (2022) available.

To provide more context for each of the activities:

Activity 1.4.1: Update of legislation

This involves updating legislation regarding mercury present in consumer products and its progressive elimination. The objective is to define and select regulatory texts on the use and management of mercury and mercury waste, particularly in healthcare facilities (thermometers, sphygmomanometers, dental amalgams, amalgam separators, mercury lamps and tubes, etc.), as well as national standards regarding permitted limits in drinking water, discharge, and consumer products. This activity must take into account the binding provisions of the Minamata Convention, the ratification preparations of which are at an advanced stage.
The work will strive to identify regulatory gaps in national legislation and provide necessary guidance for the progressive improvement of this legislation to bring it into conformity with the provisions of the Minamata Convention on mercury.
In this regard, the following has to be carried out:

- Comprehensive analysis of the national regulatory framework related to mercury (identification of needs and gaps...)

- Drafting of regulatory texts to limit and define requirements on mercury in products and articles (industrial, agricultural, health).

- Proposals (modifications of existing texts or proposal of a draft text itself) on the limit values of mercury concentrations in water and atmospheric emissions and waste in accordance with the provisions of the Minamata Convention.

Activity 1.4.2: Mercury waste hotspots analysis reports.

This activity involves one report on the analysis of mercury hotspots and mercury waste. Understanding natural (mining areas) or anthropogenic (industrial sites polluted by mercury) hotspots, their emissions, and consumer products with added mercury is crucial to assess environmental impacts and risks to human health and biological living environments. This will guide national policies on reducing mercury-rich consumer and industrial products, monitoring emissions, and strengthening mercury bio-surveillance under the MedProgramme Project.

In addition, a chapter on mercury waste management must be included, detailing the development of a comprehensive waste management program. This program should cover obsolete medical devices, mercury-contaminated waste, amalgam separators, contaminated activated carbon, and amalgam waste, ensuring effective disposal protocols from collection to disposal. Moreover, a separate waste collection system for this type of waste will be proposed to prevent any contamination of infectious waste by mercury.

About the national inventory, it is very important and is regularly required under the Minamata Convention when becoming a Party. In Tunisia, only the 2015 inventory has been completed, and it would be more beneficial to conduct a more recent one (2022), which will be submitted to the Deputies of the ARP in the Ratification dossier. Indeed, these individuals will undoubtedly inquire about the sources and quantities of mercury emitted into the receiving environment. In this regard, the inventory is crucial and necessary for the ratification dossier.

The inventory takes into account activities (quantities of mercury emitted) sought from various organizations (National Institute of Statistics, SONEDE, ONAS, Customs, General Directorate of Energy, General Directorate of Mines, Ministry of Industry, etc.). This specifically involves the exact quantities consumed annually, which have nothing to do with water, soil, sediment, or consumer product analyses.

This inventory will include the mercury emissions balance for the year 2022. In this context, the balance sheet for mercury emissions from Tunisia for the year 2022 (according to Toolkit Level 1, UNEP, revised 2013) will be established and compared to the balance already conducted for the year 2015. In addition, all relevant data that is traceable and obtained by scientific methods up to 2024, and which can be certified, must be considered. Taking into account the year 2022 does not exempt the inclusion of any subsequent data that could also be useful for the inventory.

The final report and national inventory must accurately reflect and highlight the impact of mercury emissions into the environment and hotspots. Understanding natural (mining areas) or anthropogenic (industrial sites polluted by mercury) hotspots that constitute focal points for mercury discharge into the environment, as well as evaluating consumer products with added mercury, is crucial for comprehending and assessing the release of this element into the environment and the associated risks to human health and biological living environments.
Analyzing existing data in the context of literature can guide future strategies to combat mercury emissions, forecast the hazards associated with this element, and implement Health-Environment programs aimed at screening mercury levels in populations at risk. Understanding the risk of environmental pollution also plays a pivotal role in improving the country's regulations, particularly concerning land use in mining hotspots and fishing products, especially in coastal areas.

In addition, it has to be mentioned that the National consultant will have to submit the progress of these texts to the national focal point in a continuous way. The communication has to be fluent until the final report would be approved by the focal point.

The report must reflect, in full and without omission, all the points requested in the ToR.

The report will be in French and Arabic, and communication with the focal point can be conducted in French or Arabic.

MEANS AND MODALITIES OF WORK

• The National consultant will start the work after the validation of the offer by the contractor and will finish it by December 31st, 2024. The consultant must respect the deadline for this activity and send all the documents for validation one month before the deadline.
• The National Consultant will work under the supervision and coordination of the Policy Area team of MEDWAVES.
• The National consultant should be based in Tunisia and have a good knowledge of Mercury and Tunisian legislation according to them and the situation in the country.
• Different drafts will be sent and shared with the focal point before final approval. The reports are not considered approved until all comments have been incorporated. Payment for the contract will only be made upon approval.
• The working language will be French and English.

ELIGIBILITY

The applicant must meet the following requirements:
• Ability to comply with the national fiscal context and rules for the receipt of international funds from Spain.
• Partnership and subcontracting are not allowed.
• Being from Tunisia or having a good knowledge of the country's context.

HOW TO APPLY AND SELECTION PROCESS

Candidates should submit the following documents. The official forms to be submitted can be downloaded here.

They consist of:

1. Technical Offer (Maximum 8 Pages): The proposal must articulate the extent to which applicants meet the specified conditions, demonstrate their capacity to successfully fulfil the mission, and outline their approach to executing the activities outlined in these terms of reference. The submission may encompass a concise professional background, incorporating relevant project references related to the topic to underscore the applicant's capability. Additionally, the technical bid is encouraged to include suggestions for potential enhancements. This technical offer can be sent in French or English.

2. Financial offer: The maximum amount considered is 13999€ (all taxes included).

3. Bank form filled in, signed and stamped by the bank (if the stamp is not possible, the candidate will annex a digital certificate).

Offers must be sent to jordimoles@gencat.cat with the subject **'Mercury Consultant for Tunisia'** before the 9th June 2024, midnight (CET).

All candidates will be notified upon the reception of the offers.

Applications who meet the requirements will be assessed and rated in accordance with the following criteria (100 points):

Points	Criteria
Maximum 45 points	The extent to which the technical bid is responding to the needs.
Maximum 45 points	Financial bid.
Maximum 10 points	Other qualifications and additional proposals for improvement.

The MEDWAVES may also conduct personal interviews to facilitate the assessment.

The bidders may have questions concerning these ToR, and therefore they are invited to contact: jordimoles@gencat.cat

SELECTION AND PAYMENTS

The winning candidate will be notified by email on the selection of the offer. From that moment on, work can start according to the calendar.
Payments will be made via bank transfer upon presentation of the invoice, and will be processed upon confirmation that all analyses are completed and the final report has been written.

Payments will be done in a period of 60 days after reception and validation of the invoice. The Contractor is not responsible for banking costs that might be applied by the consultant(s) bank, neither for changes in currency exchange.

AUTHORSHIP AND OWNERSHIP OF THE WORK

The ownership of the work covered by the Contract related to this ToR shall belong to the MedWaves and any use or mention thereof in publications, articles, interviews, conferences, etc., in any language and without any temporal or territorial limitation, shall have the relevant authorization and indicate the MedWaves as the owner. Thus, the selected expert(s), on behalf of any persons who, if appropriate, may collaborate with him/her in the drawing up of the Report, will assign to the MedWaves the rights for the reproduction, distribution and sale of the Report, in any form of publication and commercialization, for its use in any language and throughout the world, as well as for its partial reproduction for teaching or research purposes. Nevertheless, the MedWaves shall ensure that the name(s) of the material author(s) of the document appear(s) prominently on all the copies which are published, so that the latter may use the final or partial results of their work in the terms stipulated in this contract.

CONFIDENTIALITY CLAUSE

The information to which the selected expert(s) obtains access for the development of the purpose of this Contract, provided that it is not classified as public, shall be of a confidential nature and may not be used for activities other than those included in this Contract. In the event that a particular use of the information raises doubts with regard to respect for this Confidentiality Clause, the successful bidder must, in any case, request the consent of the MedWaves.