

Call for Expression of Interest (Terms of reference)

For an independent expert (or team of experts) to research, establish, and assess the facts related to the impacts of blasting, assess the adequacy of mitigation measures to avoid negative impacts of blasting and surface miners and present recommendations on remedial measures.

Application deadline: February 14, 2022

Starting date: as soon as possible

Location: Sangaredi (Republic of Guinea)

Language requirements: French and English required, Poular preferred

1. Context/Background

In February 2019, members of the local community living in 13 villages in the Sangaredi mine area of Guinea ("the Complainants") filed a complaint with CAO¹ with the support of the International Trade Centre for Development (CECIDE), the Association for Rural Development and Mutual Assistance of Guinea (ADREMGUI) and Inclusive Development International (IDI) ("NGO advisors"). The complaint cites concerns about the environmental and social impacts of the Sangaredi mine in these communities. The Sangaredi mine is operated by Compagnie des Bauxites de Guinée ("CBG" or "the Company"). CBG is a client of the IFC. In March 2019, CAO determined that the complaint met its three eligibility criteria. During CAO's assessment, the Complainants and CBG expressed their desire to participate in a dispute resolution process under CAO's auspices. The dispute resolution process started in April 2021.

Amongst other concerns raised, the Complainants maintain that CBG's dynamite blasting activities around the villages have been causing harm to the host communities, including but not limited to physical injury, damage to property, impacts on crops and loss of livestock. As part of the dispute resolution process, the Complainants and CBG ("the Parties") signed an agreement on blasting, which included the appointment of an expert to research, establish, and assess the facts and present recommendations on allegations related to the impacts of blasting, and to assess the adequacy of mitigation measures to avoid negative impacts of blasting and surface miners.

¹ The Office of the Compliance Advisor-Mediator (CAO) is a stand-alone accountability mechanism for the private sector branches of the World Bank Group, namely the International Finance Corporation (IFC) and the Multilateral Investment Guarantee Agency (MIGA). Under the immediate leadership of the President of the World Bank Group, CAO's mandate is to help address complaints from those affected by IFC- and MIGA-funded projects in a fair, objective, and constructive manner, while improving the environmental and social outcomes of these projects.

2. Scope and Objectives of the mission

The Complainants have reported claims in connection with damage allegedly caused to individual or collective property. The extent of damages and losses must be investigated and verified by an expert who will recommend appropriate remedial measures.

The mandate of the independent expert is to:

- Conduct an investigation into all the facts reported by communities and the possible damages and losses caused to individuals, households and communities in relation to the Company's blasting activities;
- Produce an electronic database of all such damages and losses and their cost of remediation or repair, where relevant;
- Lead the formulation of an investigation methodology to be agreed upon by the Parties, including the gathering of evidence and the assessment of established loss and damage;
- Formulate remediation proposals for the established damages and losses to be submitted to the Parties for prior evaluation and validation;
- Submit their preliminary report to the Parties who may make observations to which the expert will have to respond in a relevant and justified manner in order to accept or not accept these observations;
- Assess the adequacy of mitigation measures for blasting and the use of surface miners to avoid impacts to affected people and communities, and confirm that the Company is respecting the buffer zones and whether they are sufficient to avoid impacts;
- Monitor the implementation of mitigation and remedial measures through two site visits, 6 and 12 months after the issuance of the final report or at an appropriate time agreed by the Parties.

The expert's mandate will end once the Parties have validated the final report and the two monitoring visits have been conducted.

3. Guiding Principles

The following guiding principles will govern the work of the expert:

- The independence, competence, and credibility of the expert.
- Parties shall participate constructively in the entire process, including providing available information that the expert will need to carry out the work.
- Discussions held in the context of this project will form part of the CAO dispute resolution process and be governed by the principles of confidentiality. Any documentation shared by the Parties during the Experts work shall be kept confidential and shall not be disclosed externally, except to observers and stakeholders listed in the Ground Rules Agreement.
- The expert will sign a confidentiality agreement on the commencement of the project.

- The basis for the expert's assessment and recommendations regarding the impacts identified should focus on the agreement reached between the Parties on the use of dynamite blasting and surface miners.

4. Methodology

Applicants are invited to develop and propose a methodology for investigating and evaluating past impacts of blasting as well as for assessing the adequacy of current mitigation measures by the Company. Once appointed, the expert will finalize the methodology and scope of work in consultation with the Parties through the CAO facilitated dispute resolution process.

The proposed methodology should include, at minimum, a desk review of all documentation and extensive consultation with the affected communities, the Company and the NGO advisors, and consider the socio-economic, political, and impacts of mining in the Boké region and Guinea. The methodology should also be accompanied by a proposed timetable that describes the deadlines and period of the mission.

5. Expected outputs

The expected outputs of this evaluation are:

- **Scoping report:** One week after consulting with the Parties, the expert will produce a document that will present an understanding of the mandate, the methodology, and the proposed timetable for the project. This report shall be reviewed and validated by the Parties before the expert starts work on the project.
- **Preliminary report:** Once the expert has concluded the work according to the agreed methodology and timetable, an oral and written presentation of the preliminary assessment will be made available to the Parties. The objective of this presentation is to share the result of the preliminary assessment with the Parties in advance of the validation process.
- **Draft assessment report:** One month after submitting the preliminary report, the expert will submit a draft assessment report for Parties' consideration and subsequent validation of the process. The expert shall respond to any comments made by the Parties in a relevant and justified manner and adjust the report accordingly.
- **Final assessment report:** The Expert will finalize the assessment report and all attached documents taking into account the comments from the Parties.
- **Summary of recommendations:** Upon submitting the final assessment report, the expert will also submit a summary of recommendations for remedial action to the Parties and for publication on the CAO website.

- **Follow-up reports:** Once the final assessment report has been submitted, the expert will undertake two follow-up missions (6 months and 12 months after the finalization of the final report) to monitor the implementation of the recommendations in the final assessment report or at another appropriate timing agreed by the Parties. The expert will submit a short follow-up report for each of these missions.

All deliverables must be written in both English and French.

6. Selection criteria

CAO will lead the recruitment process of the expert. CAO will select three proposals that demonstrate independence, expertise, competence, credibility and the ability to collaborate constructively with the Parties. These proposals will be presented to the Parties for final selection.

The expert may be made up, where necessary, of a team of experts/specialists identified and presented in the expert's proposal so that all multidisciplinary themes of the mission are covered. The lead expert will manage all other experts/specialists as subcontractors. The CAO will only issue a contract to the lead expert. Where applicable, the same conditions in the confidentiality agreement between the CAO and the Lead Expert shall apply to other experts/specialists.

7. Competencies and Selection Criteria

The expert would have the following qualifications and experience:

- An advanced university degree in sociology, anthropology, economics, community development, mining, geology, or a related field.
- > 10 years of international experience in planning, implementing, monitoring, and complying with community relations processes and social guarantees in accordance with international standards.
- Experience in community relations in a mining context.
- Proven skills in mining impact assessment, evaluation of damages and, where relevant, appropriate compensation.
- Experience in livelihood restoration and community development is an asset.
- Experience working with the private sector, multilateral institutions, and affected communities on complex issues.
- Experience working in the Global South, preferably in Guinea or other West African countries preferred.
- Fluency in French and English. Mastery of local dialects (Poular) is a plus.
- Outstanding ability to provide objective, evidence-based assessments and recommendations in challenging and complex environments.
- Excellent listening and communication skills, with a demonstrated ability to translate complex information and diverse perspectives into a clear outcome document

- Demonstrate responsiveness, objectivity, organization and have a good methodology in the execution of the evaluation.

8. Payment and governance

The expert shall propose a budget in the expression of interest. The expert will report directly to the CAO mediation team, who will transmit the information to the Parties. The Parties shall monitor the quality of satisfaction of the evaluation outputs.

9. Expressions of interest

Interested candidates should submit an Expression of Interest, including a summary of relevant experience and qualifications, a preliminary proposal of the approach to implementing the scope, an estimated budget, and a summary CV (where applicable, attach CVs of all the experts/specialists that plan to participate in the team).

Submit application documents to: CAO@worldbankgroup.org