

Drafting of Balochistan Farmers/Women Farmers and Water Users Association Act

Background

The International Trade Centre (ITC) is the joint agency of the World Trade Organization (WTO) and the United Nations (UN). It is the only development agency that is fully dedicated to supporting the internationalization of micro, small and medium enterprises (MSMEs). ITC's mission is to foster inclusive and sustainable economic development, and contribute to achieving the United Nations Global Goals for Sustainable Development.

ITC is implementing the EU funded 'Growth for Rural Advancement and Sustainable Progress' (GRASP) project which aims to contribute to the reduction of poverty through development of rural MSMEs in selected districts within two provinces of Pakistan: Balochistan and Sindh. GRASP will focus on selected product lines within livestock and horticulture.

GRASP will take a holistic approach to building MSME competitiveness in agribusiness value chains starting from a deep understanding of markets and working back through the value chain to enable MSMEs and ultimately producers to create and capture additional value. To do this, GRASP will implement three intermediary outcomes:

1. Regulatory and institutional frameworks improved at federal and provincial levels for rural value chain and MSME development.
2. Productivity, quality, and sustainability of selected value chains in horticulture and livestock improved.
3. MSME commercialization within selected value chains improved.

Under output 1, GRASP will seek to improve the regulatory and institutional frameworks, at federal and provincial levels in Sindh and Balochistan, in the areas of domestic commerce, agricultural policies, rural MSME development and food safety, including plant and animal health. GRASP will undertake regulatory reform by developing and sustaining policies, laws, regulations (including upgrading existing laws) and strengthening government institutions to reduce barriers to competition and market openness, and foster market dynamics, while ensuring essential social and environmental welfare. GRASP will employ highly inclusive approaches to the design and implementation of regulatory reforms through close participation of all relevant stakeholders, especially the private sector including the small hold farmers and women through wide range consultations and public private dialogue (PPD).

Weak and inadequate regulatory framework for the formation, operation, promotion and registration of farmers and women farmers organizations and water users association was one of the key issues identified for reform through consultations with the public and private sectors during the inception phase of the GRASP project. The Agriculture and Cooperatives Department government of Balochistan also highlighted this need officially.

In this context, ITC is hiring national consultant to support the Government of Balochistan to assess the need and hold consultations with the relevant stakeholders to design and develop a new law for the formation, promotion and registration of farmers and women farmers associations and water users associations in the province. The new law will regulate formation, promotion and registration (among other areas) of the farmers/women farmers organizations and water users associations in the province to provide for on-farm water management, conservation and optimum utilization of irrigation water sources in the Province. The law will be developed in close collaboration with the Balochistan Agriculture and Cooperatives Department.

Description of Duties/Responsibilities

ITC intends to hire a legal expert to review the existing regulatory framework in the province for regulation of farmers and women farmers association and water users associations and develop a new law to that affect. The new law will be developed by undertaking a regulatory impact analysis of existing laws in force in Balochistan and/or in other provinces of the country as well as international best practices and evolving trends and in close consultation and coordination with all relevant stakeholders from public and private sectors. The new law shall regulate formation, promotion and registration (among other areas) of the farmers/women farmers organizations and water users associations in the province to provide for on-farm water management, conservation and optimum utilization of

irrigation water sources in the Province.

The Legal Consultant will work under the guidance of the Islamabad based Deputy GRASP Coordinator cum Policy Lead in association with Balochistan GRASP Lead and under the overall supervision of GRASP Coordinator. The consultant will be required to collaborate with other ITC GRASP staff and consultants working on the GRASP project.

"The consultant has to ensure that s/he has obtained the necessary permissions with regard to intellectual property rights required to perform his/her services under this consultancy contract and for the subsequent dissemination by ITC in any form. Documentary proof is to be submitted to ITC. S/he has further to ensure to obtain accreditation to the event(s) as required. Should any license fee be due for the use of copyrighted materials of third parties, the consultant shall request the prior written permission from ITC."

Expected Outputs and Timelines

Activities	Expected Outputs	Timeline
Conduct literature review including existing provincial law and historical federal and provincial laws related to the regulation, formation and registration of farmers/ women farmers and water users organizations. The review should also include the best international practices (especially from comparable countries) and based on the review, an issue paper should be developed.	Issue paper is produced	Issue paper is submitted no later than one week from start of contract
Together with the departmental focal person from Balochistan Agriculture Department, hold consultations with the relevant stakeholders in public and private sectors to identify the challenges faced by various private sector actors from across the value chain and to gain understanding of government objectives. Subsequently, come up with a draft outline of the proposed law specifically indicating different sections and parts of the proposed law to show case structure. Along with outline develop a narrative of the proposed provisions and sections of the proposed law	Outline and narrative are produced (the areas included in the outline will be validated by ITC and Balochistan Agriculture Department)	Week 2-3
Present the proposed law in a one day PPD in Quetta to present and select policy options that satisfy both public and private objectives	PPD is held	Week 4
Based on the discussions at PPD and feedback received from the stakeholders, develop first draft of the draft Act and submit to ITC. Incorporate changes as suggested by ITC and Balochistan Agriculture Department among other stakeholders.	First draft of proposed law is produced	Week 5
Present the draft law in BRRC and or experts round table after incorporating all suggestions from stakeholders review	Proposed law is finalized and presented	Week 6
Submit final draft of the proposed law	Final draft of proposed law is submitted	Week 6

Travel

Travel to Quetta will be required to hold consultations and presentation of the proposed law

Budget: Lump sum fee for the consultancy. Travel and DSA will be provided as per UN rules.

Required education, skills and experience

The consultant should have the following education, skills and experience.

Education

Master's degree (or higher) in Law, Agriculture, Economics, Business, Development studies or a closely related field. Extensive relevant experience may be accepted in lieu of the university degree. A combination of qualification in law and business/economics/agriculture would be preferred.

Experience

- At least ten years of progressively responsible experience working on issues related to legal affairs, drafting laws, economic development and policy formulation on agriculture/economic/trade/rural development matters in Pakistan.
- Experience with research and report writing in the above-mentioned fields
- Experience with project related consultancies and drafting project related documents in relation to drafting of laws, economic/trade/rural development matters

Skills

- Excellent presentation and communication skills
- Strong networking and capacity to build partnerships
- Good knowledge of institutions working on and facilitating farmers associations
- Extensive knowledge of institutional and regulatory regime in Pakistan
- Excellent legal drafting skills

Language

Fluency in Urdu and English required