



TERMS OF REFERENCE (TOR)

ASSESSMENT OF COMMUNITY-DRIVEN CARBON MARKET GOVERNANCE, SAFEGUARDS AND BENEFIT-SHARING MECHANISMS

ACARES-KENYA PHASE II

Title of Assignment	Assessment of Community-Driven Carbon Market Governance, Safeguards and Benefit-Sharing Mechanisms
Scope:	Consultancy to equip communities with existing experience of carbon projects or carbon-related engagement with practical knowledge of Kenya's carbon-market laws and regulations and, through two county case studies, assess whether existing arrangements take account of community rights, interests, safeguards and benefit-sharing, including FPIC, CDAs, representation, participation, access to information, grievance mechanisms and land/resource rights.
Project:	Advancing Agroecology for Climate Action and Resilience of Smallholder Farmers in Kenya (ACARES-Kenya) - Phase II
Commissioned by:	Kenya Platform for Climate Governance (KPCG) - PACJA's designated Kenya platform
Consultancy period:	July 2026 - April 2027; up to 28 working days, with exact dates agreed at inception
Location:	Kajiado and Bungoma Counties: Shompole Group Ranch and Oldonyonyoike Group Ranch in Kajiado, and Kimaeti community/farmer site in Bungoma, with Nairobi-based and remote technical work as required

1. BACKGROUND

ACARES-Kenya Phase II advances agroecology as a farmer-led climate action pathway while strengthening community safeguards and evidence-based advocacy. The project builds on Phase I learning that farmers and community groups need accessible information and practical tools to engage in emerging climate-finance and carbon-market processes from an informed, rights-based position.

Outcome 3 focuses on strengthening the knowledge and agency of smallholder farmers, pastoralists and civil society organisations on Kenya's carbon-market governance and community safeguards. The consultancy will build on the communities' existing experience with carbon-market projects and carbon-related initiatives, including Shompole Group Ranch and Oldonyonyoike Group Ranch in Kajiado and Kimaeti farmers in Bungoma. The process will help communities understand the national requirements that affect them, relate those requirements to what is already happening on the ground, and identify gaps in information, participation, safeguards, and benefit-sharing.

2. PURPOSE AND OBJECTIVES

The consultancy will provide specialist carbon-market governance and safeguards expertise through a practical, community-centred learning and assessment process. It will help participating communities understand the provisions of Kenya's carbon-market laws and regulations that directly affect them and use this knowledge to examine their existing and future carbon-project arrangements, while generating evidence for comparative case studies and constructive policy and advocacy engagement. The process should leave participating communities with a clearer understanding of their rights and responsibilities and a simple tool for informed engagement with existing and future carbon projects.

- ◆ Assess carbon-market governance across national, county and community levels, using the communities' existing carbon-market experiences as the starting point for examining how regulatory requirements are interpreted and implemented.
- ◆ Build practical community capacity to understand and apply provisions that directly affect them, including their rights and responsibilities, FPIC, representation, participation, CDAs, benefit-sharing, access to information, grievance mechanisms, land/resource rights, transparency and other applicable safeguards.
- ◆ Facilitate two 3-day community capacity-building and evidence-gathering processes that enable participants to apply the regulatory framework to their own carbon-project or carbon-related arrangements in Bungoma and Kajiado.
- ◆ Identify governance, information, and safeguard gaps and produce comparative case-study findings, a simple community assessment tool/guidance note, and a policy/advocacy brief for constructive county and national engagement.

3. SCOPE OF WORK AND KEY TASKS

TASK	DESCRIPTION
1. Inception and governance review	Review relevant carbon-market laws, regulations, policies, institutional mandates, county-level arrangements and available project information. Map the carbon-market experiences and arrangements relevant to the participating communities. Confirm methods, stakeholder/evidence map, ethics approach and Year 1 workplan.
2. Governance/safeguards framework and checklist	Develop a field-ready governance/safeguards checklist and simple community assessment tool with practical questions on what has been agreed, who represents the community, how consent was obtained, what benefits were agreed and how they are calculated/shared, what information should be available, and where concerns can be raised. Include evidence prompts, red flags and follow-up actions covering institutional roles and regulatory implementation, FPIC, land/resource rights, CDAs, transparency, participation, inclusion and data/MRV-related rights.
3. Bungoma County – Kimaeti training and evidence collection	Develop technical content and deliver a three-day capacity-building and evidence-gathering session for 30 participants, starting from Kimaeti farmers' existing experience with carbon-related initiatives. Help participants understand the applicable carbon-market requirements and use the assessment tool to examine what is happening on the ground, including consent, representation, participation, information, safeguards and benefit-sharing. Collect evidence and document lessons.
4. Kajiado County – Shompole and Oldonyonyoike training and evidence collection	Develop technical content and deliver a three-day capacity-building and evidence-gathering process for 30 participants, starting from the different carbon-market experiences of Shompole Group Ranch and Oldonyonyoike Group Ranch. Shompole's ongoing carbon project and Oldonyonyoike's carbon-market engagement, including concerns or disagreements that have arisen, should be examined as distinct experiences. Help participants apply the regulatory framework to their own arrangements and identify lessons, information gaps, participation and safeguard issues, benefit-sharing questions and practical concerns.
5. Case study and governance/safeguards analysis	Analyse evidence from Kimaeti, Shompole Group Ranch and Oldonyonyoike Group Ranch to assess how Kenya's carbon-market laws and regulations are interpreted and implemented across national, county and community levels. Document institutional roles and coordination, community understanding, power dynamics, gender/youth inclusion, benefit-sharing, grievance pathways, unresolved information gaps and lessons from different community experiences.
6. Validation and final knowledge products	Take findings from each community experience back to the respective communities for validation before completing the comparative case study and policy recommendations. Finalise the comparative case study, community assessment tool/guidance note and concise policy/advocacy brief with practical recommendations on national-county coordination, community safeguards, informed engagement and equitable benefit-sharing.

Assignment boundary: This is a safeguards, rights, accountability and community-capacity assignment. It does not include carbon-project development, brokerage, credit sales, validation or verification. The consultant must maintain an independent and neutral role, must not promote or oppose any carbon-market actor or project, and must not encourage communities to take a predetermined position against project developers. The process should enable communities to make informed, evidence-based assessments of their rights, interests and existing arrangements.

4. MINIMUM GOVERNANCE AND SAFEGUARDS ASSESSMENT FRAMEWORK

SAFEGUARD DOMAIN	MINIMUM ASSESSMENT REQUIREMENTS
Governance, regulatory implementation and transparency	Assess applicable national/county requirements, institutional roles, approvals and oversight; identify the activity, proponents/intermediaries and available project/standard/registry information; establish what communities have been told, how requirements are implemented and what remains unclear.
Land, resource and carbon rights	Review who holds or uses land, trees, soil, rangeland or other relevant resources; who is authorised to negotiate; and whether rights, tenure and obligations are clear.
FPIC, consultation and representation	Assess whether information was timely, understandable and free from coercion; whether legitimate representatives were accountable; and whether women, youth and less-formalised groups had meaningful voice.
Community Development Agreements	Review parties, obligations, duration, community priorities, decision-making, disclosure, amendment/termination, monitoring and community access to the agreement or an understandable summary.
Benefit-sharing and financial transparency	Assess promised monetary/non-monetary benefits, formulas, deductions, timing, distribution, disclosure and whether community members understand how benefits are calculated and governed.
Grievance, remedy and public participation	Assess accessibility, independence, timelines, escalation routes, retaliation protection, appeal mechanisms, public-participation processes and responsiveness to community concerns.
Data, MRV and accountability	Review data collected from farms, households or landscapes, consent and privacy expectations, monitoring obligations, access to results and how safeguard commitments are tracked over time.

5. METHODOLOGY AND MINIMUM STANDARDS

- ◆ Participatory and community-led: start from existing community experience with carbon projects or carbon-related initiatives and combine document review, focus-group discussions, key-informant interviews, practical checklist exercises, community mapping and reflection on real project arrangements where relevant.
- ◆ FPIC-guided and do-no-harm: explain purpose, voluntary participation, confidentiality and use of information; apply additional care where land, livelihoods, leadership or commercial interests are contested, and avoid creating or escalating disputes.
- ◆ Gender-responsive and youth-inclusive: assess voice, leadership, understanding, access to information, participation, benefits and remedy - not attendance alone.
- ◆ Evidence-based, independent and practical: distinguish documented evidence from perceptions or unresolved claims, validate findings with communities, disclose any actual or perceived conflict of interest, and translate the regulatory framework into practical questions communities can use when engaging with carbon projects.

6. DELIVERABLES

#	DELIVERABLE	MINIMUM CONTENT
D1	Inception & review package	Inception note, refined methodology, governance/stakeholder evidence map, ethics/data approach, mapping of existing community carbon-market experiences and detailed Year 1 workplan.
D2	Community governance, safeguards tools & training package	Draft governance/safeguards checklist and simple community assessment tool, case-study tools, interview/FGD guides and accessible training content grounded in the communities' existing experiences.

#	DELIVERABLE	MINIMUM CONTENT
D3	Community training, practical assessment & evidence package	Technical participation in both three-day community training/capacity-building processes, two concise field/training notes, completed practical assessment/checklist outputs and anonymised evidence matrix.
D4	Draft comparative case study	Draft comparative case study covering Kimaeti, Shompole Group Ranch and Oldonyonyoike Group Ranch; governance/safeguards gap and red-flag matrix; revised community assessment tool; and draft recommendations for community validation.
D5	Community validation & final knowledge products	Validation notes from the respective communities; final comparative case study; final community assessment/checklist tool; safeguards guidance note; policy/advocacy brief; final briefing and editable files.

7. BUDGET AND PAYMENT SCHEDULE

The consultancy budget and implementation are assigned entirely to the project scope. The TOR does not state a monetary ceiling; payments will be linked to satisfactory completion and approval of the agreed output.

MILESTONE	PAYMENT
Approved inception and safeguards tools package (D1-D2)	20%
Approved community training/evidence package (D3)	30%
Approved draft case study and validation package (D4 and validation outputs)	20%
Approved final knowledge products, briefing and handover (D5)	30%

Project-managed community training and validation logistics will be handled separately by PACJA-KPCG in accordance with approved project procedures and should not be duplicated in the consultant's professional-fee proposal unless specifically requested.

8. CONSULTANT QUALIFICATIONS AND EXPERIENCE

- ◆ Advanced degree in climate/environmental law, environmental policy, climate finance, natural-resource governance, development studies, economics, agriculture or another directly relevant field.
- ◆ At least 8 years of relevant professional experience in carbon markets, climate governance, social/environmental safeguards, community rights or related fields.
- ◆ Demonstrated knowledge of Kenya's carbon-market governance and regulatory framework, including national/county institutional roles, and practical experience with FPIC, CDAs, benefit-sharing, grievance mechanisms, stakeholder consultation and public participation.
- ◆ Proven participatory research/facilitation experience with smallholder farmers, pastoralists, rural communities or civil society organisations, preferably including communities with existing experience of carbon projects or carbon-related engagement, and ability to communicate technical concepts in accessible English and Kiswahili.
- ◆ Strong analytical and writing record, including comparable case studies, safeguards tools/checklists, policy briefs or guidance products; conflicts of interest with relevant carbon-market actors must be disclosed.

9. REPORTING, OVERSIGHT AND COORDINATION

The consultant will report to the KPCG National Coordinator / ACARES Project Coordinator. PACJA-KPCG will coordinate technical reviews with designated project staff, Acts for Change Trust and relevant national, county and community stakeholders. Progress will be reviewed through inception, training/workshop reports, community debriefs, case-study validation and final technical briefing. The consultant will maintain a neutral, rights-based and evidence-led approach throughout and ensure that community concerns are documented without advocating a predetermined position on any project or developer.

10. OWNERSHIP, CONFIDENTIALITY AND ETHICS

All commissioned outputs and agreed evidence products will be owned by PACJA-KPCG, subject to appropriate protection of community information. The consultant must obtain consent for research/documentation, protect confidential or sensitive information, avoid unnecessary disclosure of personal data, clearly record evidence limitations or unresolved disputes, and ensure that community participation is voluntary and informed. Any actual or perceived conflict of interest must be disclosed and managed.

11. APPLICATION REQUIREMENTS

- ◆ A concise technical proposal showing understanding of the assignment, proposed community-centred methodology and approaches, work plan, delivery team and availability.
- ◆ A financial proposal detailing the proposed professional fees and any applicable costs, aligned to the scope of the assignment and deliverables.
- ◆ CV(s) of proposed expert(s), two relevant samples of similar work and contact details for three referees.
- ◆ A signed conflict-of-interest disclosure covering current or recent relationships with carbon project proponents, aggregators, brokers, buyers, standards or service providers relevant to the assignment, and confirming the consultant's commitment to an independent and neutral role.

12. APPLICATION PROCESS

Applications should be submitted electronically to:

Primary email: procurement@pacja.org

Copy: kpcg@pacja.org;

Application deadline: 11th September 2026 COB

— End of Terms of Reference —



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