

Terms of Reference

Myanmar

Consultant to support the Pre-Cadastre Working Group

1. Background

The Extractive Industries Transparency Initiative (EITI) is a global Standard to promote an open and accountable management of natural resources. It seeks to strengthen government and company systems, inform public debates and enhance trust. In each implementing country it is supported by a coalition of governments, companies and civil society organizations working together.

Myanmar joined EITI upon instructions from its President at the end of 2012. Myanmar submitted its application to become an ‘EITI Candidate’ country to the EITI Board in May 2014. At its 27th meeting in Mexico in early July 2014, the EITI Board approved Myanmar’s candidacy application. In January 2016 Myanmar produced its first EITI Report which reconciled government’s revenue flows from oil, gas and mining operations (including gems). Myanmar will publish its second EITI Report in March, 2018, after which time Myanmar’s compliance with EITI requirements will be validated.

One of the key requirements of EITI is to maintain a publicly available Mineral Cadastral System.

The first Myanmar EITI report noted that Myanmar’s current Mineral Cadastral System has important weaknesses:

1. No consolidated list of mineral and gem licenses exists
2. Existing licenses contain a number of incorrect datasets or miss essential information
3. The mineral cadaster system is not available online
4. Allocation and transfers of mineral rights are not computerized
5. Intensive manual manipulation is required to extract the list of licenses
6. Licenses are not systematically pre-numbered

Additionally, the EITI report recommended that:

1. The Mineral Cadastre should ensure that all records are computerized and kept up to date.
2. A cadastral system where the information is available online should be installed. The system should include information on coordinates of concessions and transfers of mineral rights as well as fees paid and other performance obligations. The ministry in charge of mines should have official on-line cadastre maps with details of licenses.

In February 2018 a MEITI Mineral Cadastre Consultant Mission to Myanmar reported the actual situation of Myanmar Mining Cadastre System and one of the main suggestions was to create a working group devoted exclusively to the pre-cadastre

activities. Complementarily, in order to increase the efficiency and performance of this team, it would be advisable to have the support of an external expert.

2. Objective

The objective of this consultancy is to provide training to, and assist the local Myanmar pre-cadastre team in the compilation and electronic storage of the required information to build the new computerized cadastre system, as well as to create the new unified cadastral archive.

3. Scope of Work

- a. Training provided by the consultant to the pre-cadastre team will cover the following topics;
 - GIS training to integrate and analyze multiple layers of data, such administrative boundaries, topographic and physical features, geological features and other GIS layers;
 - Digital data management, including financial and geological data as well as other technical and administrative datasets (permits, notification, report filings, etc.) which would be relevant to register in a mineral cadaster management system;
 - Simulation of mineral cadaster system management based on case examples from other existing cadaster systems.

- b. The Consultant will support the local cadastre team to develop an accurate and codified database of all the existing mineral licenses and pending applications, which will include;
 - An alpha-numeric database stored in Access or a similar software.
 - A coordinates data base. The coordinates of each polygon will be registered in a single and independent file (Excel or similar).
 - A graphic data base, to be stored in Arc Map, Map Info or a similar GIS software, where the polygons corresponding to each existing license and pending application are plotted. In addition, separate layers of information on areas reserved for gemstones (tracts) and zones where the mining activity is restricted (eg Natural Parks, Reserve Areas, Protected Forests, Security zones, etc.) will be stored in GIS.
 - The alphanumeric information will be linked to the GIS graphic information using the present license code as a single and unique identifier.
 - Verification in the GIS and the database of potential conflicts or cadastral problems (overlaps, duplications, etc.), and a case by case evaluation and proposed solution.

4. Organization of work and reporting

The consultant reports to U Kyaw Thet, Deputy Director General, Department of Mines, Ministry of Natural Resources and Environmental Conservation as Project Coordinator (or any other senior official so designated). The Coordinator shall be responsible for the coordination of activities under the Contract, for receiving and approving invoices for payment, and for acceptance of the deliverables by the Client.

The consultant will develop his activity through a number of short visits to the pre-cadastre headquarters and will produce a mission report in each one of these visits. At the end of the first mission, the consultant will produce a plan of activities and will establish the schedule for completing the pre-cadastre. It is estimated that the pre-cadastre should be completed within a period of 6 months and that during the period the consultant will be required to visit the pre-cadastre team (at least) six times.

The consultant should ensure his advice is acceptable to the World Bank and use appropriate disclaimer in case of need, and will guarantee the confidentiality of all the information acceded during the project execution.

The consultant shall report in English.

5. Profile

The Consultant should have the following qualifications and experience:

- A minimum of 5 years of experience in design and configuration of computerized applications which combine data bank management and geographical information system (GIS) applications.
- Proven experience of working with a modern mineral cadastre license management system.
- Experience in legal and regulatory analysis pertaining to mineral sector management and license processing.
- Expertise in integration of alphanumeric and graphic data.
- Experience supervising and training government staff responsible for mineral license administration.
- Knowledge of Myanmar language and/or the mining industry in Myanmar would be an asset.
- Strong English language skills will be a requirement.

6. Anticipated Duration and Cost of Contract

It is anticipated that the contract will require a total of approximately 60 days non-consecutive on site in Nay Pyi Taw.