



INDIVIDUAL CONSULTANT PROCUREMENT NOTICE

2017/PROC/UNDP-MMR/PN/048

Date: May 29, 2017

Country:	Myanmar
Description of the assignment	International Evaluation Specialist (Team Leader)
Period of assignment:	30 working Days
Duty Station:	Home based with travel to Yangon, Naypyidaw, Taunggyi, Myitkyina and Mandalay
Type of contract:	IC contract (International)

Proposal should be submitted at <https://etendering.partneragencies.org> or submit to bids.mm@undp.org (as an alternative) no later than **12 June 2017 (17:00)**.

Any request for clarification must be sent in writing, or by standard electronic communication to the address or e-mail to moung.kee.aung@undp.org. Procurement Unit will respond in writing or by standard electronic mail and will send written copies of the response, including an explanation of the query without identifying the source of inquiry, to all consultants.

A. PURPOSE OF THE EVALUATION

In line with the evaluation plan of the Rule of Law and Access to Justice Output of the Democratic Governance Pillar, the UNDP Myanmar Country Office is commissioning an evaluation of its Rule of Law Centres Initiative ("the Initiative") which is currently implemented in partnership with the International Development Law Organization (IDLO). This evaluation comes during the design of the new UNDP Country Programme 2018-2022 of UNDP and the implementation of the Phase II (July 2016-December 2017) of the Initiative and is intended to provide recommendations for the remainder of the project cycle as well as for how the Initiative should be taken forward under UNDP's next country programme. The evaluation is expected to analyze progress and results that the Rule of Law Centres Initiative in the area of rule of law and access to justice has achieved in Myanmar under UNDP's Rule of Law and Access to Justice Project, identify problems and constraints that have been encountered in project's implementation, formulate important lessons to be learned, as well as assess its value for money. The evaluation will also be forward looking and provide concrete recommendations for the future design and implementation of Phase III, strategic direction and priorities for the centres and consider options for future delivery and implementation which promote ownership, sustainability and value for money. The evidence and information generated from this evaluation should enable the Rule of Law Centres, UNDP, the Government of Myanmar and relevant development partners, to make informed decisions and plan strategically for future implementation including possible expansion both in terms of scope of work and geographical implementation. The evaluation is expected to be

presented before the “National Coordinating Body for Rule of Law Centres and Justice Sector Affairs” and during the UNDP-supported International Justice Sector Reform Conference which will be held in the last quarter of 2017.

B. BACKGROUND AND CONTEXT

UNDP is currently implementing a Country Programme Action Plan (CPAP) 2013-2017 to support the political, economic and peace-building transition process of the country. In particular, under the Democratic Governance Pillar of UNDP Myanmar, the Rule of Law and Access to Justice Output has been designed in order to strengthen justice institutions to uphold the rule of law and protect human rights and equip them to develop and implement frameworks for justice sector reform that reflects the needs of diverse groups, especially women and vulnerable groups, and make justice service delivery more functional, accessible and fair. In particular, assistance to justice sector institutions has been structured around the key areas of: planning and coordination for a justice sector reform strategy that ensures access to justice for vulnerable groups; improving government recognition of the need for adequate participation from those affected to ensure laws respond to public needs; and providing judicial officials and law officers with the skills and tools they need in order administer justice in accordance with international human rights standards.

The CPAP ends in 2017, but a new Country Programme Document (CPD), which will be aligned to the new 2018-2022 United Nations Assistance Development Framework (UNDAF) for Myanmar, is under development, and UNDP expects to remain fully engaged in supporting Democratic Governance, including rule of law, access to justice and human rights.

The Rule of Law Centres Initiative

In 2013, the Parliamentary Rule of Law and Tranquillity Committee led by Daw Aung San Suu Kyi, established a Coordinating Committee to explore the utility of regional rule of law centres to help fill the gap in knowledge and skills of existing legal professionals through providing intensive legal training. The Committee requested UNDP to carry out a feasibility study to determine the feasibility of such an initiative in 2014. Based on the study’s recommendation, the Committee requested UNDP to implement a pilot series of trainings.

The Pilot Project was implemented by a consortium led by the International Development Law Organization (IDLO) and including Avocats Sans Frontières (ASF) and Bridges Across Borders South East Asia Community Legal Initiative (BABSEA-CLE). Under this Project, pilot series of rule of law trainings were delivered for the benefit of 78 lawyers, civil society representatives and law teachers, and community outreach activities were implemented in Mandalay, Mandalay Region and Lashio, Shan State for a six-month period completing in March 2015.

Building on the experience and lessons learned during the Pilot Phase, in Phase I, between July 2015 and June 2016¹, UNDP and IDLO, together with partner ASF, established four Rule of Law Centres, including legal resource libraries, in Mandalay, Myitkyina, Taunggyi², and Yangon. The Centres focus on two core activities: (i) providing training in rule of law principles and linking them to Myanmar law and local justice priorities, for lawyers, law teachers and civil society representatives; and (ii) supporting community outreach initiatives to strengthen public legal awareness. These activities emphasize innovative and interactive learning, and build common culture of values and knowledge around justice and collaboration between different groups.

At the request of the Union Attorney General and Myanmar State Counsellor's Office, UNDP and IDLO began implementation of Phase II in July 2016, expanding the scope and reach of programming with expanded training and outreach activities and a broader range of beneficiary groups, including local government officials. In line with the current Letter of Agreement (LOA) with IDLO, Phase II will come to an end on the 31st of December 2017.

It has been designed to increase trust and cooperation between justice providers and the communities they serve and around achieving the following three outcomes:

1. Communities have increased knowledge of their rights and demonstrate an increased ability to access judicial and administrative remedies;
2. Justice institutions and service providers apply rule of law principles in their work, including gender standards; and
3. Dialogue between communities and Government actors leads to increased cooperation to address local justice problems and inform justice sector reform.

Against this background, in February 2017, following consultations with key stakeholders, a "National Coordinating Body for Rule of Law Centres and Justice Sector Affairs" was formed by the Union Government, with the Attorney General appointed as its Chair. It has met twice, and is comprised of members of the Parliament, Director General from the Office of the Supreme Court of the Union, senior officials at various ministries whose jurisdiction includes aspects of the justice sector or law enforcement, and members of civil society and the private bar. The Coordinating Body is expected to

¹ In June 2016, UNDP and IDLO submitted an options paper for Phase II of the ROLCs to the Office of the State Counsellor and the Attorney General recommending to expand the number of centres to Sittwe, Rakhine State and Hpa-An, Kayin State, with a specialized center in Nay Pyi Taw (2017). In relation to the center to be established in Sittwe, a Feasibility Study was conducted by UNDP and submitted to the Office of the State Counsellor in September 2016. However, due to the resumption of the conflict and the increase of communal tensions in Rakhine State since October 2016, the planned expansion was suspended. In addition, due to lack of additional funds, the center in Hpa-An could also not be set up.

² The evaluation of the Initiative in Taunggyi and Myitkyina shall be conducted in light of the situation of protracted displacement and humanitarian crisis which are a result of the resumption of armed conflict in Kachin and Northern Shan State in June 2011, marking the collapse of a 17-year ceasefire. In the two states, more than 99,242 people remain displaced in 188 camps/sites, of which about 77 percent are women and children. About 43 percent of the displaced people are located in areas beyond Government control where international actors have limited humanitarian access but where local humanitarian organizations continue to be able to operate, despite increasing constraints (Myanmar Shelter, NFI, CCCM Cluster Analysis Report Kachin and Northern Shan States, December 2016; Humanitarian Response Plan (Myanmar) January–December 2017, United Nations and Partners, Humanitarian Country Team, December 2016)

oversee the rule of law sector of the country, including overseeing and providing strategic direction to the Initiative.

Within this context, UNDP is seeking a team of individual consultants to conduct an independent evaluation of the project, for a period of 30 days commencing on the 22nd of May 2017 per requirements set forth in this Terms of Reference (TOR).

C. SCOPE

The evaluation is intended to assess the degree to which the Rule of Law Centre Initiative (Phase I & II) has been able to deliver against the overall goal, the outcomes, the deliverables and the strategies and implementation mechanisms being applied in project implementation. In particular, the evaluation is expected to assess relevance, effectiveness, efficiency, sustainability, progress and results of the Rule of Law Centre Initiative, identify problems and constraints that have been encountered in project's implementation, formulate important lessons to be learned, as well as assess its value for money. The evaluation shall also assess if the Initiative is still relevant under the current national priorities of the rule of law and justice sector and shall consider strategic linkages to the relevant focus areas of the new CPD. Finally, the evaluation shall provide recommendations for the future design and implementation of Phase III and future interventions in support to the rule of law and justice sector, including suggestions for strategic priorities, delivery options and modalities of implementation that promote sustainability, increased efficiency, effectiveness, civic engagement and national ownership. The evaluation is also expected to assess to what extent the project applied the human rights based approach and addressed gender and conflict sensitivity issues in its design and implementation.

The evaluation will consider Rule of Law Centers' engagement in the rule of law and access to justice sector of Myanmar since the inception of Phase I of the Initiative in 2015 to date and will cover the geographic locations where the project has presence namely: Mandalay Region (Mandalay), Shan State (Taunggyi), Kachin State (Myitkyina) and Yangon Region (Yangon).

The evaluation is expected to take into consideration, the feedback garnered from relevant government and justice sector actors, at both Union and States/Regions level, including but not limited to: justice institutions employees, government counterparts, legal professionals, civil society organizations, UNDP staff and management, IDLO staff and management, Rule of Law Centres staff and management, donor representatives, UNDP program teams under the democratic governance portfolio and Rule of Law and Access to Justice Output, and collaborating UN agencies. The evaluation will also take into consideration the feedback from civil society organizations and all beneficiary institutions and selected beneficiaries of Rule of Law Centres' activities, including rule of law and specialized legal trainings, outreach activities, mobile trainings, round table discussions, community forums, etc.

D. EVALUATION OBJECTIVES AND CRITERIA

- Please see TOR attached.

E. Qualification, Expertise Required and Responsible

International Evaluation Specialist (Team Leader)

- Master's degree in law, political science, development studies or a Bachelor's degree with additional 8 years' experience in development studies, political science or related field
- Proven expertise and experience in conducting several evaluations and project/program assessments in the field of rule of law and access to justice, especially in conflict-affected contexts
- Technical knowledge and experience in UNDP thematic areas, specifically in rule of law, and cross cutting issues such as gender, sustaining peace/conflict prevention, rights-based approaches to programming and capacity development is an asset
- Prior experience of working in Myanmar on rule of law and justice issues is strongly desirable
- Strong analytical skills
- Strong interpersonal skills
- Ability to work in a multicultural environment
- Strong English language skills (both written and spoken)

The Team Leader will be responsible for:

- Providing overall leadership on the independent evaluation of the Rule of Law Centers Initiative based on inputs and insights from the national consultant
- Conducting desk reviews of relevant documents and interview with government partners, UN / UNDP staff, IDLO staff, Rule of Law Centers staff, donors and other partners
- Reviewing the relevance, effectiveness, efficiency, sustainability, value-added and progress of the Rule of Law Centers Initiative in Myanmar and propose strategic project's delivery options
- Identifying whether or not the Initiative has achieved its intended results (based on the strategic outcomes and workplans) and recommend strategic recommendations as required by this TOR
- Ensuring completion of all the deliverables outlined below: evaluation inception report, draft evaluation report, evaluation brief (if required) and final evaluation report
- Presenting the findings and recommendations of the draft final evaluation report as agreed with UNDP before the government partners, UN / UNDP, IDLO, Rule of Law Centers, donors and other partners

F. DELIVERABLES

- Please see attach TOR

G. MANAGEMENT AND IMPLEMENTATION ARRANGEMENTS

- Please see attach TOR.

H. DUTY STATION, TIMEFRAME AND COST

- Please see attach TOR.

I. RECOMMENDED PRESENTATION OF OFFER:

Interested persons are requested to submit the following documents:

- 1) **Letter of Confirmation of Interest and Availability** using the template provided by UNDP
- 2) **Personal CV** indicating all past experience as well as the contact details (email and telephone number) of the candidate and at least three (3) professional references
- 3) **Financial Proposal** that indicates the all-inclusive fixed total contract price, supported by a breakdown of costs, as per template provided by UNDP

J. CRITERIA FOR SELECTION OF THE BEST OFFER

The following criteria shall serve as basis for evaluating offers:

- Combined Scoring Method - where the qualifications and experience will be weighted a maximum of 70% and combined with the price offer which will be weighted a maximum of 30%
- Applications will be scored as per the following breakdown for qualification and experiences:
 - Educational background and years of relevant experience - 20 points
 - Relevant experience and expertise in rule of law programming and access to justice- 30 points
 - Prior experience of working in Myanmar and/or transitional contexts - 20 points
 - Proven expertise and experience in conducting evaluations and project/program assessments - 30 points

K. EVALUATION ETHICS

- **Please see attach TOR**

ANNEXES

ANNEX 1- TERMS OF REFERENCES (TOR)

ANNEX 2- GENERAL CONDITIONS OF CONTRACT

ANNEX 3- P-11 for ICs

ANNEX 4- Template for Confirmation of interest and Submission of Financial Proposal