

**PRE-QUALIFICATION EXERCISE FOR IRAQI CIVIL SOCIETY ORGANIZATIONS
FOR THE THE ESTABLISHMENT / OPERATION OF A LEGAL HELP DESK IN
BAGHDAD / RUSAFI AND / OR IN BASRA COURTS
(EOI-002/2013)**

The United Nations Development Programme (UNDP) Iraq office, located in Amman, invites Expressions of Interest (EOI) from Iraqi Civil Society Organizations. The purpose of this EOI is to shortlist eligible Iraqi Civil Society Organizations (CSOs) for possible partnership with UNDP to develop and implement a legal assistance scheme in Rusafa and Basra Justice Palaces, Iraq. The scheme will be funded under UNDP's work on Rule of Law in Iraq.

Background:

The Iraqi state's capacity to exert legitimate authority and Rule of Law has been weakened by the cumulative effect of years of violence and general degradation of state institutions since 1991. Insecurity and reduced access to justice have severely impacted communities, especially women and the most vulnerable (including the aged, women, widows, female heads of household, children, persons with disabilities, minority communities and Internally Displaced People and returnees). The most vulnerable have limited access to the formal justice system and little confidence in its workings, often relying on traditional justice mechanisms, which play an important role in promoting social reconciliation but often are not compliant with national and international human rights standards.

The Judiciary, the Ministry of Justice and security sector institutions are critical actors in enforcing the Rule of Law, to reduce insecurity and to protect citizens' rights. However, their capacity and authority have been affected by years of neglect and conflict, with other factors placing the systems under additional strain, such as significant levels of violence through intimidation, poor infrastructure, "brain drain", and the high number of conflict-related disputes.

To address some of these issues, UNDP-Iraq is, in partnership with the Government of Iraq justice institutions, undertaking a broad set of activities in the area of justice sector capacity-building and modernization.

The primary purpose of the programme is to support the Iraqi judicial institutions to strengthen their capacity with the ultimate goal of improving the rule of law for all Iraqi people and enhancing access to justice for Iraqi citizen.

The legal assistance scheme will operate a 'legal help desk' within the court premises, as one of the activities to promote accessibility of the courts. The scheme will provide legal information and advice on-site. The scheme will also provide legal representation in extenuating circumstances, particularly to support vulnerable and disadvantaged people who cannot afford to pay a private lawyer.

In implementing these activities, the successful bidder will work very closely with UNDP-Iraq, the Government of Iraq counterparts in the Higher Judicial Council, Rusafa and Basra Justice Palace, Ministry of Justice, Iraqi Bar Association and other legal assistance services including those funded by UN Agencies, and other implementing partners of UNDP Iraq.

Scope of work:

In close coordination with the HJC, the Rusafa and/or Basra Court Complex management and any other relevant stakeholders, The implementing partner will:

a) ***Develop an inception report***, setting out in detail the activities to be undertaken under this contract and the actions required to implement the activities. The inception report will include an action plan with time-bound activities, resource (financial and staffing) plan, monitoring and evaluation system for quality assurance, and identification of risks and the mitigation strategy for such risks.

b) ***Establish and document systems, policies and procedures required to operate the legal assistance service***, including intake procedures, clients records systems, conflict of interest policies (particularly in relation to GBV cases, where the scheme may be assisting the victim as well as requested to assist the defendant), case file structures and a client referral manual.

The policies and procedures established will include a monitoring and evaluation system, with a system designed to provide quality assurance for the work performed by the implementing partner under the contract, and to measure progress towards achieving the project targets. The policies and procedures will also identify measures to ensure the sustainability of the legal assistance scheme beyond the project lifespan.

The legal assistance scheme will provide assistance in criminal and civil cases. The types of assistance which will be provided, and eligibility criteria for assistance, will be included in the intake manual developed by the implementing partner.

The policies and procedures will include a referral process to refer clients who require other assistance to suitable organisations (such as for counselling, psycho-social support, medical treatment etc). The referral process will also refer clients to do not meet the selection criteria (such as those clients who have the necessary financial means to afford the services of a lawyer) to the private bar, in conjunction with the Iraqi Bar Association.

c) ***Establish and operate a legal assistance scheme at Rusafa and / or Basra Justice Palace,, Iraq***. The legal assistance scheme will provide legal information and advice to accused, their relatives and members of the public.

The scheme will operate with at least four qualified and experienced lawyers, with at least two qualified and experienced lawyers available at the Court to provide assistance each day during the normal operating hours of the Rusafa and Basra Justice Palaces. Two social workers will also be recruited for determining what non-legal services might be needed, as well as performing other tasks, including informal mediation, referrals and related matters. A social worker will be available each day at the court during the normal operating hours of the Rusafa and Basra Justice Palace.

The additional lawyers are necessary to ensure that at least two lawyers are available at the court during absences of the principal lawyers. These absences could include periods of leave for the principal lawyers, training, participation in meetings, representation of clients away from the Rusafa and Basra Justice Palace, outreach activities, etc.

Implementing partners may propose more than four lawyers if they consider it necessary for the service. Implementing partners may also propose additional staff (such as social workers, paralegals, communications and outreach staff, law students etc) to assist with the scheme. However, legal advice and legal representation will only be given by qualified lawyers

The scheme will establish a referral network, to receive case referrals from sources such as community welfare agencies, NGOs, police, lawyers and Government departments. The scheme will also establish a referral network to refer clients to professional service providers, including lawyers, psycho-social services, medical services and welfare organisations. The scheme must refer clients to other lawyers in an impartial and objective way, and will collaborate with the Iraqi Bar Association to develop this process. The scheme will also, where appropriate, coordinate with family protection units under the Ministry of Interior to ensure that appropriate coordination and referral is in place.

In the event of limited caseloads and referrals to the scheme, the implementing partner will proactively undertake initiatives to increase referrals, such as mobile legal services to deliver legal assistance at the locations of vulnerable people (including police stations and detention centres), or co-locating lawyers with other service providers to provide legal assistance as part of an integrated service (i.e. decentralised service delivery).

d) ***Provide legal representation to clients in exceptional circumstances.*** Such circumstances would include providing assistance to victims of gender based violence, and other particularly vulnerable clients (due to factors such as physical or mental disabilities, juveniles, referrals from welfare services providing assistance to victims of torture and abuse, poverty, vulnerability due to belonging to an ethnic minority, poor people in detention, etc).

Care should be taken to mitigate potential conflicts of interest, particularly where the scheme is providing representation to clients.

e) ***Develop a legal outreach programme and undertake local level legal outreach and awareness raising activities to promote legal rights and awareness of the legal assistance scheme.*** The legal outreach services will target vulnerable groups with limited knowledge of legal rights, and groups in frequent contact with the justice system (such as young people, minority groups over-represented in detention centres etc). Legal outreach will promote legal rights, particularly those relevant to the criminal justice system, such as the right to a lawyer and the right to avoid self-incrimination. Legal outreach will also promote mechanisms for the accused or their family members to contact a lawyer to seek legal assistance. Legal outreach activities will be conducted in prisons (incl. for juveniles and women), detention centers, women shelters, schools, and in local NGOs.

Legal outreach campaigns should be based on relatively low cost initiatives, including mobile workshops, radio appearances, newspaper interviews and articles, and printing publications, posters, brochures, banners etc. Outreach involving creative arts, such as recording music, art displays, photo competitions etc could also be proposed. Other legal outreach campaign approaches may also be proposed. Sufficient allowances for these activities must be made in the proposal budget.

f) ***Provision of training on legal aid and legal rights.*** A training plan will be developed and implemented with a view to increase the awareness and capacity of relevant actors (inc. NGOs, legal professional, law students, etc.) on legal aid, access to justice and legal rights. The training will target in priorities those institutions whose role in the provision of legal aid is deemed critical in order to increase coordination and enhance referral processes.

Minimum Requirements for Pre-Qualification:

The following conditions must be met by the NGOs to be pre-qualified:

1. Must be registered legally under the NGOs Directorate.
2. Must be a national Iraqi NGO (Iraqi offices of International NGOs will not be eligible)
3. Must have at least 2 years of operating experience in Iraq in supporting the reform of the judicial sector and have experience in implementing projects from external sources of funding.
4. Annual NGO expenditure must be above 50,000 USD

UNDP will give consideration only to those NGOs which are fully compliant with the minimum Pre-Qualification requirements listed above.

NGOs will also be evaluated based on the answers provided in the Pre-Qualification application form. In the form, only questions 11, 12 and 13 will be evaluated through a point system; the other questions in the form will be used for information purposes only. Requirements as set forth in this section will have to be met.

All applicants will receive an email notifying them of their application status within 3 weeks of the application deadline.

1. Submission Details:

Interested NGOs should send an email containing:

1. Completed NGO Pre-Qualification form (signed)
2. A one page NGO profile (longer documents will not be accepted)
3. Financial statements of the last 2 years (2010 and 2011)
4. Recommendation letter of last 2 external partners or alternatively a positive performance evaluation report of the NGOs performance produced by the last 2 external partners. The recommendations or performance evaluation report should highlight as much as possible the delivery capacity (sectors of intervention) and financial/budgetary management capacity of the NGO.
5. Copy of original certification of legal NGO registration

Language of submission: English

(English proficiency is not required, only the content of the information provided will be looked at, not the level of English)

Note: as this is a pre-qualification exercise you do not need to submit any particulars with relation to the scope of work mentioned in this notice. Your proposal on how you plan to implement the scope of work will have to be submitted at a later stage, should your organization pass this pre-qualification phase.

Address: bids.iraq@undp.org

Email subject: Pre-qualification application, EOI-002/2013

Deadline: no later than **19:00 hrs (Iraq time) February 7, 2013.**

Forms

The Pre-Qualification Form is attached to this announcement.

Disclaimer

This Pre-Qualification exercise does not entail any commitment on the part of UNDP, either financial or otherwise. UNDP reserves the right to accept or reject any or all Pre-Qualification applications without incurring any obligation to inform the affected applicants.

Annex 1

Pre-Qualification NGO form

Enhancing Access to Justice in Iraq

1	NGO Name	
2	Head Office Address	
3	Contact Person	
4	Phone number	
5	Fax number	
6	Email address	
7	Date of legal registration	
8	NGO mandate or main focus	<i>Maximum 50 words. Longer responses will not be considered. As much as possible quote from the NGO's By-Laws.</i>
9	Geographic areas covered under NGO activities	<i>Mention Governorates where you have experience implementing activities.</i> <i>Also, pls mention whether you are capable in operating in Basra, Baghdad or both locations</i>

10	Annual NGO expenditure for 2010 and 2011	<p><i>Total amount of funds disbursed by the NGO during the annual period of 2010 and of 2011. Please note that annual expenditure is different from your annual budget and also different from your annual revenue. Annual expenditure is how much the NGO has spent in one year.</i></p> <p><i>Mention year and currency.</i></p>
11	<p>Projects implemented in past 2 years (since August 2010)</p> <p><i>This question will be evaluated out of 10 points.</i></p>	<p><i>Starting from your most recent project. Continue in reverse chronological order.</i></p> <p>Project 1 title:</p> <p>Total budget and currency:</p> <p>Donors (source of funds):</p> <p>Start and end date:</p> <p>Status (initiating, ongoing, finalized):</p> <p>Main achievement:</p> <p>Project 2 title:</p> <p>Total budget and currency:</p> <p>Donors (source of funds):</p> <p>Start and end date:</p> <p>Status (initiating, ongoing, finalized):</p> <p>Main achievement:</p> <p><i>Repeat for each project, do not add additional information.</i></p>
12	How would you describe your role as a Civil Society Organization in supporting the reform of Justice in Iraq. (min.	<p><i>min. 100 words, max 150 words. Shorter or longer responses will not be considered.</i></p>

	100 words, max 150 words) <i>This question will be evaluated out of 10 points.</i>	
13	Why do you think that enhancing access to justice is importance to uphold the rule of Law. <i>This question will be evaluated out of 10 points.</i>	<i>min. 100 words, max 150 words. Shorter or longer responses will not be considered.</i>

Note: only questions 11, 12 and 13 will be evaluated through a point system; the other questions will be used for information purposes only. Requirements as set in section 5 of the Pre-Qualification notice will have to be met.

The following documents must be attached to this form:

1. A one page NGO profile (longer documents will not be accepted)
2. Financial statements showing revenue and expenditure of the last 2 years (2010 and 2011)
3. Recommendation letter of last 2 external partners or alternatively a positive performance evaluation report of the NGOs performance produced by the last 2 external partners. The recommendations or performance evaluation report should highlight as much as possible the delivery capacity (sectors of intervention) and financial/budgetary management capacity of the NGO.
4. Copy of original certification of valid legal NGO registration

I understand that I will be informed in writing by UNDP if my NGO has been pre-qualified and is therefore invited to submit a full proposal. I also understand that this invitation is not a guarantee of future funding by UNDP.

Name:

Date:

Signature and Stamp:

UNDP will give consideration only to those CSOs which are fully compliant with the minimum pre-qualification requirements listed above.

Submission Details:

Interested CSOs should send email together with completed Pre-Qualification Form, NGO profile, audited financial statements and any other relevant supporting documents to bids.iraq@undp.org no later than 19:00 February 7, 2013, Amman time.

Do not send emails with more than 5MBs in size as the system will not receive them. You may send several emails if your documents are more than 5 MBs.

CSO Pre-Qualification Form is attached to this announcement.

CSO Pre-Qualification exercise does not entail any commitment on the part of UNDP, either financial or otherwise. UNDP reserves the right to accept or reject any or all pre-qualification applications without incurring any obligation to inform the affected applicants.