

TERMS OF REFERENCE

Individual Contractor

1. Assignment Information

Assignment Title:	Consultant – Implementation of project on access to justice for persons with disabilities
UNDP Practice Area:	OHCHR Rule of Law Programme
Cluster/Project:	Rule of Law Unit
Post Level:	Junior Specialist
Contract Type:	Individual Contractor (IC)
Duty Station:	Phnom Penh
Expected Place of Travel:	Travel required in selected provinces
Contract Duration:	Part-time 1 September 2018 – 31 August 2019 (with possible extension)

2. Project Description

Cambodia has a strong commitment to disability rights evidenced by ratification of UNCRPD, signature of the Marrakesh Treaty, a legislative framework for rights protection, and a 700% increase from the previous year in the 2017 national budget for disabilities. Still, persons with disabilities face multiple challenges, particularly in accessing justice through the formal system and a lack of effective informal grievance mechanisms.

The Royal Government of Cambodia has created institutional mechanisms for the protection of the rights of persons with disabilities such as the Disability Action Council (DAC) and the Disability Rights Administration in the Ministry of Social Affairs, Veterans and Youth (MoSVY), but they operate with limited human and financial resources.

The UN has been implementing the joint UN Disability Rights Initiative Cambodia (DRIC) programme (2014-2018). The UN Partnership on the Rights of Persons with Disabilities accepted the proposal submitted by the Office of the High Commissioner for Human Rights in Cambodia (OHCHR-Cambodia) and the United Nations Development Programme (UNDP) to implement a project on “Access to justice without barriers for persons with disabilities”. The project focuses on access to justice and to accessible mechanisms to protect the rights of persons with disabilities, including in detention.

The project will enhance the capacity of duty bearers to implement the UNCRPD on access to justice and services. This includes training judges, prosecutors, court clerks, lawyers, prison officials, DACs/MoSVY officials on their obligations vis à vis the UNCRPD; ensuring that specific actions on access to justice are included in the National Disability Strategic Plan; increasing access to legal aid; and piloting grievance mechanisms in three provinces. The project also seeks to enhance the disability movement’s capacity to advance the rights of persons with disabilities and assist them in seeking justice, including through strengthened engagement with local authorities.

3. Scope of Work

The Consultant will assist OHCHR’s Rule of Law Unit in implementing the project. In particular, the Consultant will organize the following activities:

1. Liaise with the relevant authorities within the Ministry of Justice, provincial courts, the General Department of Prisons, the Ministry of Social Affairs, Veterans and Youth (MOSAVY) and the Disability Action Council to plan and implement the project activities;
2. Organize two two-day training for judges and prosecutors, a one-day training for lawyers and a two-day training for prison officials on the CRPD and the rights of persons with disabilities to access justice in at least three provinces;
3. Organize two three-day training for Provincial DACs/MoSAVY officials in the provinces on the CPRD, including practical ways to help persons with disabilities access justice;
4. Organize one two-day training for CDPO/DPOs' on collecting, documenting, reporting on and responding to cases of alleged human rights violations of persons with disabilities;
5. For each activity above, the Consultant will be responsible for the overall planning of the events, including drafting the agenda, preparing presentations and materials, making all logistical preparations, and drafting the reports of the activities;
6. Monitor progress of grants awarded by OHCHR Cambodia in the context of the project to and organize regular coordination meetings to verify progress and identify possible areas of support and/or follow up needed from OHCHR Cambodia;
7. Monitor relevant trials involving persons with disabilities in selected provinces, as defined by the Head of the Rule of Law Unit;
8. Draft texts to be posted on OHCHR Cambodia's social media accounts;
9. Report required: Monthly.

4. Expected Outputs and Deliverables

N	Deliverables/Outputs	Estimated Duration to Complete	Target Due Dates	Review and Approvals Required (<i>Indicate designation of person who will review outputs and confirm acceptance</i>)
1	Organization of a three-day training for provincial DACs/MOSAVY officials	10	30 September 2018	Ms. Claudia de la Fuente, Coordinator of the Rule of Law Unit
2	Organization of a two-day training for CDPO/DPOs' on collecting, documenting, reporting on and responding to cases of alleged human rights violations of persons with disabilities	10	31 October 2018	
3	Preparation of a progress report for submission to the UNPRPD, comprising of one financial report and one narrative report, detailing activities undertaken and outlining progress achieved in relation to the project objectives, including through partner grantees, also stating challenges and constraints	25	7 December 2018	

4	Organization of a two-day training for judges and prosecutors	10	20 December 2018	
5	Organization of a one-day training for lawyers	7	31 December 2018	
6	Preparation of at least 6 trial monitoring reports on cases concerning persons with disabilities	15	31 March 2019	
7	Minutes of quarterly meetings with grantees	10	15 April 2019	
8	Organization of a two-day training for prison officials	10	15 May 2019	
9	Organization of a two-day training for judges and prosecutors	7	30 June 2019	Ms. Claudia de la Fuente, Coordinator of the Rule of Law Unit
10	Organization of a three-day training for provincial DACs/MOSAVY officials	7	31 July 2019	
11	Preparation of at least 6 trial monitoring reports on cases concerning persons with disabilities	14	31 August 2019	
Total # of Days:		125		

5. Institutional Arrangement

The Consultant will be directly supervised by the Coordinator of the OHCHR Rule of Law Unit, under the overall supervision of the OHCHR Representative.

6. Duration of the Work

The work will be completed between 1 September 2018 and 31 August 2019, with possible extension. During this period, the Consultant will work part-time, as per agreement with the Coordinator of the Rule of Law Unit.

7. Duty Station

The Contractor's duty station for the contract duration will be Phnom Penh. The Consultant will be required to selected provinces to carry out training activities, to monitor trials and the overall project implementation. Transport and DSA will be covered by OHCHR separately from the consultancy fees and are not included in the value of this contract.

When working in Phnom Penh, the Consultant will be required to be present at the OHCHR office.

Selected individual contractors expected to undertake assignments in Cambodia are required to undertake the Basic Security in the Field (BSIF) training prior to travelling (<https://dss.un.org/dssweb/WelcometoUNDSS/tabid/105/Default.aspx?returnurl=%2fdssweb%2f>).

8. Minimum Qualifications of the Individual Contractor

Education:	Master's Degree in Law (A Bachelor's degree in combination with four additional years of qualifying work experience may be accepted in lieu of the Master's degree)
Experience:	At least three years of relevant professional experience working with persons with disabilities
Competencies:	<ul style="list-style-type: none"> - Experience working with persons with disabilities; - Experience in providing trainings to a variety of audiences; - Knowledge of international human rights standards and of the Cambodian justice system.
Language Requirement:	Fluency in oral and written Khmer and English

9. Criteria for Evaluation of Level of Technical Compliance of Individual Contractor

Technical Evaluation Criteria	Obtainable Score
Master's Degree in Law (A Bachelor's degree in combination with four additional years of qualifying work experience may be accepted in lieu of the Master's degree)	30 points
At least three years of relevant professional experience working with persons with disabilities	30 points
Experience in providing trainings to a variety of audiences	15 points
Knowledge of international human rights standards and the Cambodian justice system	15 points
Fluency in oral and written Khmer and English	10 points
Total Obtainable Score:	100

10. Payment Milestones

The consultant will be paid on a lump sum basis under the following installments.

No	Outputs/Deliveries	Payment Schedule	Payment Amount (% of the contract amount)
1	Submission of the report on: <ul style="list-style-type: none"> - first training for provincial DACs/MOSAVY officials (Output 3) - training for CDPO/DPOs (Output 4) - first training for judges and prosecutors (Output 2) 	30 November 2018	30%
2	Submission of the report on: <ul style="list-style-type: none"> - training for lawyers (Output 2) - at least 6 trials monitored on cases concerning persons with disabilities (Output 7) 	31 March 2019	40%

	- progress of the programme for submission to the UNPRPD, comprising of one financial report and one narrative report (Outputs 5 & 6)		
3	Submission of the report on: - minutes of quarterly meetings with grantees (Output 6) - training for prison officials (Output 2) - two-day training for judges and prosecutors (Output 2)	15 June 2019	15%
4	Submission of the report on: - second training for provincial DACs/MOSAVY officials (Output 3) - at least 6 trials monitored on cases concerning persons with disabilities (Output 7)	31 August 2019	15%
Total payment			100%

11. Annexes

n/a

12. Approval

Signature:

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Name:

Claudia de la Fuente

Title/Unit/Cluster:

Rule of Law Unit

Date:

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