

# **TERM OF REFERENCE (ToR)**

## **FOR THE RECRUITMENT OF INDIVIDUAL CONTRACTOR (IC)**

### **GENERAL INFORMATION**

Services/Work Description:	Recruitment of Consultant to draft the AU/OHCHR/UNHCR report on mainstreaming the rights and participation of refugee and internally displaced women and girls in the AU AGA and APSA
Project/Program Title:	Draft the AU/OHCHR/UNHCR report on AU theme of 2019
Post Title:	National Consultant (NC)
Consultant Level:	Level B
Duty Station:	Addis Ababa, Office of OHCHR-EARO
Expected Places of Travel:	As required
Duration:	10 weeks
Expected Start Date:	Immediately after Signing the Contract

### **I. BACKGROUND / PROJECT DESCRIPTION**

The African Union (AU) has declared 2019 as the year of "Refugees, Returnees and Internally Displaced Persons in Africa: Towards Durable Solutions to Forced Displacement." This initiative is at the heart of a number of urgent global human rights and humanitarian issues. Across many parts of the world, refugees and migrants have become scapegoats in the speeches and policies of many national leaders. AU regional instruments and international human rights norms including the Universal Declaration on Human Rights and subsequent human rights agreement is clear; human rights are universal, indivisible and interdependent. It is applicable regardless how and why people moved, whether people are in their countries, in camps or in foreign countries. 2019 marks 50 years since the 1969 OAU Refugee Convention was adopted and 10 years since the adoption of the AU Convention on IDPs (the Kampala Convention), and it is also a year in which the African Union is focused on achieving durable solutions to forced displacement in Africa. Both treaties incorporate strong.

Africa faces significant internal displacement challenges. Out of the estimated 68 million forcibly displaced persons in the world, over a third of the world's forcibly displaced persons are in Africa, including 6.2 million refugees and asylum-seekers and 15.5 million internally displaced persons (IDPs). Conflict remains the main driver of displacement combined with others in particular discrimination, inequalities, effected of climate change and lack of access to fundamental human rights

Displaced persons particularly women and children are often on the move as a result of human rights violations and their vulnerability to further human rights violations and abuses is deepen while on the move. In particular, women and youth are at increased risk of sexual and gender based violence, xenophobia, trafficking, and forced labour among others. Refugees, internally displaced persons ( IDPs) and migrants may be placed in arbitrary detention, suffer ill-treatment in detention and other abuses with little recourse. In humanitarian crises, displaced people in camps and host communities often suffer from minimal protection from violence and have access to fewer resources to fulfill their rights to shelter, food, water and education.

The overwhelming majority of IDPs are often young and female. The suffering of this group, the harm caused to achieving goals on gender equality including goal 5 of the SDGs and Agenda 2063, and a host of other impacts of displacement means that it is critically important for a proper understanding of the impact of involuntary movements on women and girls in the context of the Maputo Protocol.

With the year's theme and focus on forced displacement, the African Union decided to include in all activities, including those aimed at putting in place early warning and prevention mechanisms, the critical nature of ensuring full participation of refugees, IDPs, returnees, stateless people, host communities and all those who will be affected by decisions in particular women and girls, who are disproportionately affected by displacement, and their role as agents of peace and development in Africa.

## II. SCOPE OF THE WORK

Under the direct supervision of WGDD and OHCHR-EARO, UNHCR and UN Women, the scope of the work of the Consultant will be the followings.

### Role of the Consultants

- The consultants will be in regular consultations with, the AUC's Department of Political Affairs (DPA) - the lead AUC department responsible for the 2019 theme, members of the Project 2019 Steering Committee, and any other experts that are considered appropriate for the drafting of the report.

### Objectives of the consultancy

- The consultants will build on existing documentation prepared by the AU, its partners' reports on the topic, the African Governance Architecture (AGA), the African Peace and Security Architecture (APSA) as well as the AU's strong legal and policy framework governing human rights in order to draft a comprehensive report.

### The aim of the Report is to:

- Review or map policy frameworks and tools of the AU Peace and Security Architecture and identify their implication for the protection of displaced women and girls and their engagement for solutions with the view to recommend specific areas requiring guidance for mainstreaming the rights of displaced women and girls;
- Raise attention of AU Member States and partners on the importance of the Maputo Protocol and initiate a broader continental dialogue on the human rights of female refugees, returnees and IDPs;
- Provide a contextual analysis of the issues of the forced displacement of women and girls, and make policy recommendations to fast-track the implementation of women's rights by AU Member States, AU organs particularly by the AU Peace and Security Council and other stakeholders; and make
- Produce a tool to assist gender-responsive actions to promote equality and female empowerment and meaningful participation of women and girls in peace processes.

### Work assignment

- The following activities will be undertaken by the consultants in close collaboration and consultation, primarily with WGDD, DPA, OHCHR-EARO, UNHCR, UN WOMEN and other relevant experts on the subject area. The consultants will be expected to travel to field sites identified by UNHCR.

### Outputs/Deliverables

No.	Deliverables / Outputs	Estimated Duration to Complete	Review and Approvals Required
1	Report on strengthening compliance and norm-monitoring of the AU' AGA and APSA focusing on 'Refugees, Returnees and Internally Displaced Persons in Africa: Towards Durable Solutions to Forced Displacement of Women and Girls' using the Maputo Protocol.	5 weeks	AU, OHCHR, UNHCR, UN Women
2	Tool on mainstreaming the rights of women refugees, returnees and IDPs in the AU AGA and APSA.	5 weeks	AU, OHCHR, UNHCR, UN Women

## VI. DURATION OF THE WORK<sup>1</sup>

- a. Expected duration of work will be 10 weeks

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<sup>1</sup> The IC modality is expected to be used only for short-term consultancy engagements. If the duration of the IC for the same TOR exceeds twelve (12) months, the duration must be justified and be subjected to the approval of the Director of the Regional Bureau, or a different contract modality must be considered. This policy applies regardless of the delegated procurement authority of the Head of the Business Unit.

## VII. QUALIFICATIONS OF THE SUCCESSFUL INDIVIDUAL CONTRACTOR (IC)

### **a. Academic Qualifications:**

- A qualified practitioner from the government, non-governmental social sector, academia or suitably qualified expert, with post-graduate qualifications in the area of public policy or other relevant field

### **b. Years of experience:**

- a minimum of seven years work experience in the field of human rights of women and girls at the international level including with a specific focus on Africa.

### **c. Functional Competencies:**

Knowledge Management and Learning

- Shares knowledge and experience
- Actively works towards continuing personal learning, acts on learning plan and applies newly acquired skills

#### **Development and Operational Effectiveness**

- Ability to perform a variety of specialized tasks related to Results Management, including support to design, planning and implementation of programme, managing data, reporting.
- Ability to provide input to business processes re-engineering, implementation of new system, including new IT based systems
- Good knowledge of Results Management Guide and Toolkit

#### **Leadership and Self-Management**

- Focuses on result for the client and responds positively to feedback
- Consistently approaches work with energy and a positive, constructive attitude
- Remains calm, in control and good humored even under pressure
- Demonstrates openness to change and ability to manage complexities

### **d. Corporate Competencies:**

- Demonstrates commitment to UN's mission, vision and values.
- Displays cultural, gender, religion, race, nationality and age sensitivity and adaptability

### **e. Language and other skills:**

- Fluency in Oral and written French and English language.

### **f. Compliance of the UN Core Values:**

- Demonstrates integrity by modelling the UN's values and ethical standards
- Promotes the vision, mission, and strategic goals of UN;
- Displays cultural, gender, religion, race, nationality and age sensitivity and adaptability
- Treats all people fairly without favouritism;
- Fulfils all obligations to gender sensitivity and zero tolerance for sexual harassment.

#### **Important Note:**

The Consultant is required to have the above mentioned professional and technical qualifications. **Only the applicants who hold these qualifications** will be considered for the next procurement process

## VIII. CRITERIA FOR SELECTING THE BEST OFFER

Upon the advertisement of the Procurement Notice, qualified Individual Consultant is expected to submit both the Technical and Financial Proposals. Accordingly; Individual Consultants will be evaluated based on Cumulative Analysis as per the following scenario:

- Responsive/compliant/acceptable, and
- Having received the highest score out of a pre-determined set of weighted technical and financial criteria specific to the solicitation. In this regard, the respective weight of the proposals are:
  - a. Technical Criteria weight is **70%**
  - b. Financial Criteria weight is **30%**

Criteria	Weight	Max. Point
<b>Technical Competence (based on CV, Proposal and interview (if required))</b>	<b>70%</b>	70
<ul style="list-style-type: none"> <li>▪ Understanding the Scope of Work (SoW); comprehensiveness of the methodology/approach; and organization &amp; completeness of the proposal</li> </ul>		40
<ul style="list-style-type: none"> <li>▪ Educational Background</li> </ul>		15
<ul style="list-style-type: none"> <li>• Experience in the field, Presentation, &amp; Language</li> </ul>		15
<b>Financial (Lower Offer/Offer*100)</b>	<b>30%</b>	30
<b>Total Score</b>	<b>Technical Score * 70% + Financial Score * 30%</b>	

#### IX. PAYMENT MILESTONES AND AUTHORITY

The prospective consultant will indicate the cost of services for each deliverable in **US dollars all-inclusive<sup>2</sup> lump sum contract amount** when applying for this consultancy. The consultant will be paid **based on the effective UN exchange rate (where applicable), and** only after **approving authority** confirms the successful completion of each deliverable as stipulated hereunder.

The qualified consultant shall receive his/her lump sum service fees upon certification of the completed tasks satisfactorily, as per the following payment schedule:

Installment of Payment/ Period	Deliverables or Documents to be Delivered	Approval should be obtained	Percentage of Payment
1 <sup>st</sup> Installment	Report on strengthening compliance and norm-monitoring of the AU' AGA and APSA focusing on 'Refugees, Returnees and Internally Displaced Persons in Africa: Towards Durable Solutions to Forced Displacement of Women and Girls' using the Maputo Protocol.	yes	50%
2 <sup>nd</sup> Instalment	Tool on mainstreaming the rights of women refugees, returnees and IDPs in the AU AGA and APSA.	yes	50%

#### X. RECOMMENDED PRESENTATION OF TECHNICAL PROPOSAL

For purposes of generating proposals whose contents are uniformly presented and to facilitate their comparative review, you are hereby given a template of the Table of Content. Accordingly; your Technical Proposal document must have at least the preferred content as outlined in the IC Standard Bid Document (SBD)/IC Procurement Notice attached hereto.

##### Proposed Table of Contents

- 1.1 Letter of Motivation
- 1.2 Proposed Methodology
- 1.3 Past Experience in Similar Consultancy and/or Projects
- 1.4 Implementation Timelines
- 1.5 List of Personal Referees

#### ANNEXES

Annex a. Duly Signed Offeror's Letter to UNDP Confirming Interest and Availability (use the template hereto)

Annex b. Duly Signed Personal CV's

#### XI. CONFIDENTIALITY AND PROPRIETARY INTERESTS

The Individual Consultant shall not either during the term or after termination of the assignment, disclose any proprietary or confidential information related to the consultancy service without prior written consent. Proprietary interests on all materials and documents prepared by the consultants under the assignment shall become and remain properties of UNDP.

<sup>2</sup> The term "All inclusive" implies that all costs (professional fees, travel costs, living allowances, communications, consummables, etc.) that could possibly be incurred by the Contractor are already factored into the final amounts submitted in the proposal