

TERMS OF REFERENCE

Assignment Title	Human Rights Consultant
Type of Contract	Individual Contract
Start/End Dates	19 Aug 2019 – 19 Nov 2019
Working Days in this Mission	65 Days
Supervisors	Resident/Humanitarian Coordinator
Duty Station	Yangon, with in-country missions in Myanmar

1) Background

On 27 August 2018, the Independent International Fact Finding Mission (FFM) presented its initial report and on 18 September 2018 they presented the findings of its full report at the 39th session of the Human Rights Council. In its report, the FFM recommends:

“The United Nations should urgently adopt a common strategy to ensure that all engagement with Myanmar takes into account, and addresses, human rights concerns, in line with the Human Rights Up Front Action Plan. This should guide all United Nations engagement in Myanmar, particularly in relation to Rakhine State, and include policies and public advocacy stances. All United Nations support to Myanmar authorities should undergo a full Human Rights Due Diligence analysis.”

UN in Myanmar initiated a process to internalizing Human Rights up Front (HRuF) in 2015. The UN in Myanmar’s operationalization of HRuF outlines a strategy in line with the Human Rights Up Front Action Plan reflecting on the risk of serious human rights violations in Myanmar. However, since the violence in Rakhine State in October 2016 and August 2017, the human rights situation has dramatically changed and there is a need to carefully review the strategy from 2015 and identify lessons learned. This exercise will support the drafting of a new comprehensive strategy as recommended by the FFM.

Against the above background and due to the urgency of this task, UN in Myanmar is seeking to hire a short-term consultant to lead the review process of the current HRuF strategy and lead the drafting of a new comprehensive strategy in line with the HRuF advocacy strategy. The short-term consultant is also expected to support the UN Communications Group and the Human Rights Theme Group to draft a human rights communications and advocacy strategy as agreed by the UN Country Team

2) Objectives of the Assignment

The objective of the assignment is for UN in Myanmar to develop a common human rights strategy to ensure that all engagement with Myanmar takes into account, and addresses, human rights concerns, in line with the Human Rights Up Front Action Plan.

A UNCT human rights strategy identifying the most critical, priority human rights issues, common messages for advocacy and red lines for UN engagement, key interlocutors, agreed responsibilities for communication and intervention including options for joint UNCT action, action by individual agencies and the RC. The strategy would

provide the parameters for UN engagement, the first level of the due diligence framework, and help to ensure a consistent and coherent UNCT approach based on shared UN values and principles. It would also include a clear communication strategy with regard to the other elements of the due diligence approach. It may build on existing work done by the Human Rights Theme Group as well as the proposed Human Rights Early Warning System Analysis Framework.

The assignment will support the UNCT in putting in place a human rights due diligence framework that enables it to strategically assess and continuously keep under review how UN action supports or hinders the protection and advancement of human rights in Myanmar, develop interventions in line with these objectives, modifies/corrects its course of action as needed, and strengthens its standing as a credible, principled and effective partner.

3) Scope of Work of the Mission

For this assignment, the Human Rights Consultant will ensure that a conflict-sensitive and inclusive approach is taken while carrying out the following specific tasks:

1. Conduct desk research and engage with key actors for informational interviews.
2. Produce a Lessons Learned report on the implementation of the 2015 Human Rights Up Front Strategy
3. Prepare a draft UN common strategy to ensure that all engagement with Myanmar takes into account, and addresses, human rights concerns, in line with the Human Rights Up Front Action Plan.
4. Facilitate a half-day discussion/retreat with the RC/HC and UNCT Heads of Agencies on the draft human rights strategy.
5. Present the draft strategy to RC/HC and UNCT and finalize the strategy after comments from UNCT
6. Support the UN Communications Group and the UN Human Rights Theme Group to draft a Human Rights advocacy strategy

4) Duration of Assignment & Duty Station

The period of the assignment will be 19 August to 19 November 2019. During this period the consultant will spend 93 calendar days in Myanmar, of which 65 will be fee days. The duty station for the assignment is Yangon with possible in-country missions in Myanmar.

5) Qualifications

Education:	Advanced university degree (Masters or equivalent) in human rights, international and public law, political science, international relations or other related field;
Experience:	<ul style="list-style-type: none"> • A minimum of ten years (P-5 level) of applied professional experience at the national or international level in the field of human rights, with development and/or humanitarian experience; • Specialist knowledge of the Human Rights up Front Action Plan • Excellent knowledge of institutional mandates, policies and guidelines relating to the United Nations work in the area of human rights, operational activities for development, peace and security and humanitarian affairs; • Good knowledge of and experience in development programming; • Good knowledge of human rights advocacy and development of human rights communication and advocacy strategies;

	<ul style="list-style-type: none"> • Additional qualifications and experience, including on humanitarian action, as may be relevant to the specificities of the country context; • Advocacy, communication and networking skills; • Cultural and gender sensitivity; • Knowledge of Myanmar context would be added value.
Language Requirements:	Relevant Language Skills

Competencies:**Professionalism:**

In-depth knowledge of and good practical experience in human rights. Comprehensive knowledge of and exposure to a range of legal and human rights issues related to Human Rights up Front and human rights advocacy. Strong analytical skills and ability to conduct comprehensive legal and policy research on a range of issues, including those of a complex nature. Proficiency in drafting and ability to prepare well and under time pressure. Knowledge of relevant institutional mandates, policies and guidelines and ability to integrate human rights perspectives into the work of other departments and agencies work in this field.

Communication:

Speaks and writes clearly and effectively, including the ability to produce strategy document and analytical report in a clear and concise style. Ability to lead a consultative process in a timely and effective manner. Ability to deliver presentations to external audiences with language, tone, style and format tailored to match the audience. Maintains timely and consistent flow of information with relevant colleagues within UN and other entities, as relevant. Demonstrates openness in sharing information and keeping people informed and ability to build and maintain effective partnerships.

Planning and organizing:

Skills and ability to coordinate the work with others, work to tight deadlines and handle multiple concurrent projects; good understanding of contemporary international relations and of the UN system, organization and interrelationships.

Teamwork:

Works collaboratively with colleagues to achieve organization and expertise and is willing to learn from others. Places team agenda before personal agenda. Supports and acts in accordance with final group decision, even when such decisions may not entirely reflect own position. Shares credit for team accomplishments and accepts joint responsibility for team shortcomings.

6) Institutional Arrangements

The Contractor will report to UN Resident/Humanitarian Coordinator. For management and operational matters, the Contractor will be connected to the relevant project managers.

7) Deliverables & Payment Schedule

No.	Deliverables	Estimated Completion Date	Payment instalments (Percentage of Total Price)
1.	Desk Review	30 August 2019	10%
2.	Outline of the Strategy	13 September 2019	20%
3.	First draft of the strategy	11 October 2019	30%
4.	Final draft of the strategy	19 November 2019	40%

8) Scope of Price Proposal

The consultant will be paid on a lump sum basis including fees, living allowance, international travel cost (most direct economy airfare based on the UNDP travel policy ([available in this link](#))) to and from the duty station, terminals, communication and other fee related to the assignment. For the local travel, travel costs shall be paid on actual basis.

9) Recommended Presentation of Offer

1. Duly accomplished **Letter of Confirmation of Interest and Availability** using the template provided by UNDP;
2. **Brief Description** of why the individual considers him/herself as the most suitable for this assignment, and a methodology on how the assignment will be completed
3. **Financial Proposal** indicating an all-inclusive fixed total contract price, supported by a breakdown of costs. If an offeror is employed by an organization/company/institution, and he/she expects his/her employer to charge a management fee in the process of releasing him/her to UNDP under Reimbursable Loan Agreement (RLA), the offeror must indicate at this point, and ensure that all such costs are duly incorporated in the financial proposal submitted to UNDP.
4. **Personal CV and P11-form** indicating all experience from similar projects, as well as the contact details (email and telephone numbers) of the candidates and at least three professional references.

10) Selection Method

Individual consultant will be evaluated based on the cumulative analysis of the technical evaluation (weight: 70%) and financial criteria (30%). Only candidates obtaining a minimum of 70 point from the technical evaluation would be considered for the financial evaluation.

The technical qualification of the individual is evaluated based on the following technical qualification evaluation criteria:

- Relevance of education – **Max 10 points**
- Knowledge of the human rights laws, human rights systems, human rights advocacy and development of human rights communication and advocacy strategies- **Max 30 Points**
- Knowledge of institutional mandates, policies and guidelines relating to the United Nations work in the area of human rights, operational activities for development, peace and security and humanitarian affairs – **Max 20 points**
- Experience in research, reporting and knowledge of UN and Myanmar contexts – **Max 10 points**



Financial Proposal Evaluation:

The following formula will be used to evaluate financial proposal: Lowest Financial proposal/price of the proposal being evaluated X 30%. Lowest Financial Proposal refers to the lowest price offered by Offerors scoring at least 50 points in the technical evaluation.

This TOR is approved by : *[indicate name of Approving Manager]*

Signature _____
Name and Designation _____
Date of Signing _____

Annex. Template for Financial Proposal

Cost Components	Unit Cost	Quantity	Total Rate for the Contract Duration
I. Personnel Costs			
Professional Fees			
Life Insurance			
Medical Insurance			
Communications			
Land Transportation			
Others (pls. specify)			
II. Travel Expenses to Join duty station			
Round Trip Airfares to and from duty station			
Living Allowance			
Travel Insurance			
Terminal Expenses			
Others (pls. specify)			
Total			