



## INDIVIDUAL CONSULTANT NOTICE – International IC

**Ref No: UNDP-IC-2020-022 - Lead Researcher on Stability and the Introduction of Formal Justice in the Merged Areas**

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**Country:** Pakistan

**Duty Station:** Home-based

**Description of the assignment/Job Title:** Lead Researcher on Stability and the Introduction of Formal Justice in the Merged Areas

**Reporting to:** FGP Chief Technical Specialist, with quality assurance from CSSF Conflict Advisor and

**Project name:** FATA Governance Project (FGP)

**Period of assignment/services:** 30 Working Days over Six Months

**Location:** Work from home.

### **Submission Instructions:**

Please submit your Technical and Financial proposals to the following address: not later than **21st January 2020 at 1230 hours Pakistan standard time. Or 02:30 AM EST.**

UNDP-IC-2020-022

UNDP Registry, Quotation/Bids/Proposals

United Nations Development Programme

Serena Business Complex, 2<sup>nd</sup> Floor, Khayaban-e-Suharwardy,  
Islamabad, Pakistan

Tel: 051-8355600 Fax: 051-2600254-5

OR by email to [bids.pk@undp.org](mailto:bids.pk@undp.org) no later than **21st January 2020 at 1230 hours Pakistan standard time. Or 02:30 AM EST.**

Kindly write the following on top left side of the envelop or email subject line UNDP-IC-2020-022

**Annex IV & V must be password protected**

**Important note for email submissions:** Please put UNDP-IC-2020-022 in the subject line. Further, our system will not accept emails those are more than 30 MB size. If required, segregate your emails to accommodate email data restrictions. For segregated emails please use sequence of emails like Email 1, Email 2 .... in the subject line. For attachment purposes please only use MS Word, Excel, Power Point or PDF formats.

If you request additional information, please write to [pakistan.procurement.info@undp.org](mailto:pakistan.procurement.info@undp.org). The team will provide necessary information within due date. However, any delay in providing such information will not be considered a reason for extending the submission date of your proposal. All/any query regarding the submission of the proposal may be sent prior to the deadline at the e-mail/address mentioned above.

**Background:**

Over the last decade, Khyber-Pakhtunkhwa's Newly-Merged Districts (NMDs') have experienced security challenges and large-scale population displacements. Since 2014, a combination of military operations and political reform process culminated in the merger of the Federally Administered Tribal Areas into neighbouring Khyber Pakhtunkhwa province. The merger, one of the most significant political reforms in Pakistan's 70-year history, is an unprecedented extension of constitutional rights and governance structures to 5 million of the poorest people in Pakistan.

The reform process includes the introduction of constitutional rights, elected local governments, the rule of law institutions, and empowered legislature, fundamentally changing the relationship between the citizen and the state.

There is a real and genuine risk of a backlash and the formation of countermobilization against the state and the integration process. While the government designed the reform process to stabilise and develop the region, the integration agenda includes reforms which may have the potential to introduce a new conflict or exacerbate existing tensions between the state and FATA residents in the near to medium term. The reform process, including tribal decade strategy and accelerated implementation plan, include extraction of minerals, land settlement and the formal justice systems. While these may be essential aspects for economic, legal and cultural integration, researchers have associated similar initiatives with conflict. There may be a possibility that these reforms could inadvertently contribute to instability in the region.

UNDP with support from DFID is recruiting a lead researcher to research stability implications of the introduction of the formal justice system in the merged areas. A field researcher based in Pakistan and contracted through a third-party will support the lead researcher.

**Research Frame: Stability and the Introduction of a Formal Justice System**

The researcher would conduct the project based on the further development of the following illustrative research questions and methodology. The overarching objective of this analysis is to better understand the risks – likelihood and impact - of the introduction of the formal justice system in the merged areas. The research aims to inform policymakers on the potential adverse effects of the reforms and make convincing, well-evidenced recommendations of recommended mitigation measures and sequencing.

**a) Theoretical framework development and clarification.** The central questions here include: What components of the transition to a formal justice system impact stability? What are the sub-variables/drivers that correlate with stability outcomes? May consist of sequencing, coms/information, capacities, design elements, and personal benefits. What are the most influential independent

variables/correlates in similar cases? UNDP requires a high level of rigour in theoretical development: peer-reviewed published work should form the primary basis.

**b) Introduction of case material from other contexts.** Each of the sub-variables identified in (a) should be substantiated from cases in Pakistan, Asia, for elsewhere. The Lead Researcher will locate and analyse many cases (country; or sub-national cases most similar to the merged areas) selected based on similarity to the regions merged. They should identify cases where mitigation measures were applied and evaluate their success and applicability to the merged areas. It will be particularly valuable to identify innovations adopted by that have worked in reducing justice-related instability.

**c) Identification of likely triggers (if this, then that).** The Lead Researcher shall identify and evidence specific possible triggers by which the introduction of the formal justice system could trigger instability. These should be suitably evidenced, ranked on criticality (likelihood and impact). Trigger specific mitigation methods should be identified, proofed, and explained. A flow chart approach may be useful here to develop the linkages between mitigation measures and downstream impacts on governance issue such as fiscal space and public sentiment.

**d): Conclusions and recommendations.**

The Lead Researcher is to summarise findings across all the above sections and make recommendations on which mitigation measures should be applied, sequencing, etc. The recommendations are expected to be specific and actionable in the context of current capacities and fiscal constraints. They should extend outside the formal justice system where appropriate such as to alternative dispute resolution mechanisms. The lead researcher should frame proposals as:

- Recommendations for GoKP executive, judiciary, police and legislature
- Recommendations for local civil society including tribal leadership
- Recommendations for the international community

**Duties and Responsibilities**

The lead researcher shall by the primary author of the report with the field researcher as well as providing overall guidance, quality assurance, and critical analysis. This will be done off-site through the exchange of documents and daily communication with the project team and the field researcher.

**1. Deliverables, Scope, and Schedule of Payments**

Deliverables/ Outputs	Schedule of Payments	Level of Effort	Payment Terms	Review and Approvals Required
<b>Deliverable 1</b> Approved research design	17%	5 days	60 days from the signing of the contract	Chief Technical Specialist

				UK Conflict Advisor
<b>Deliverable 2</b> Submission of draft report.	50%	15 days	120 days from the signing of the contract	Chief Technical Specialist UK Conflict Advisor
<b>Deliverable 3</b> Final report.	33%	10 days	180 days from the signing of the contract	Chief Technical Specialist UK Conflict Advisor

Please go the following link for the UNDP General Conditions of Contract for Individual Consultants:  
[http://procurement-notice.undp.org/view\\_file.cfm?doc\\_id=7879](http://procurement-notice.undp.org/view_file.cfm?doc_id=7879)

Individual Consultants are responsible for ensuring they have vaccinations/inoculations when travelling to certain countries, as designated by the UN Medical Director. Consultants are also required to comply with the UN security directives as set forth by the United Nations Department of Safety and Security.

### **Copyright**

The above assignment will have UNDP or Government sole ownership and copyright.

### **2. Institutional Arrangement and Duty Station:**

The Lead Researcher will be working under the direct supervision of the Chief Technical Specialist, with quality assurance from CSSF Conflict Advisor. The Lead Researcher will work in close coordination with the field researcher. The lead researcher will work off-site.

The lead researcher will be responsible for organising sufficient access to academic publications and research.

### **3. DURATION OF WORK**

The expected duration of work will be 30 working days over a period of Six months.

### **4. QUALIFICATIONS – EDUCATION, EXPERIENCE AND LANGUAGE:**

- a. Minimum 7 years' of relevant experience in a related field such as law, public administration, conflict studies.
- b. Significant published work related to the task.
- c. Current research in the field is an asset. Expertise in South Asia is an asset.

- d. Excellent communication skills, flawless writing, and editing in English.

## **5. APPLICATION PROCESS AND SELECTION CRITERIA**

The following documents must be submitted by interested persons to become an eligible candidate. Failing to comply with the requirements will result in disqualifying the applicant. Due to the large number of applications we receive, only the successful candidate will be informed about the outcome or status of the selection process.

Interested individual consultants must include the following documents when submitting the applications:

- **CV** indicating all past experience from similar projects, as well as the contact details (email and telephone number) of the Candidate and at least three (3) professional references - UNDP retains the right to contact references directly
- One or more **analytical pieces** demonstrating expertise (linked in CV or annexed)
- **Letter of Confirmation of Interest and Availability and Financial Proposal**, Applicants are instructed to submit their financial proposals in **US Dollars** for this consultancy using the annexe to the Letter of Confirmation of Interest and Availability template available here: [http://procurement-notice.undp.org/view\\_file.cfm?doc\\_id=45780](http://procurement-notice.undp.org/view_file.cfm?doc_id=45780).

## **6. FINANCIAL PROPOSAL**

The financial proposal shall specify a total lump sum amount and payment terms around specific and measurable deliverable. In order to assist the requesting unit in the comparison of financial proposals, the financial proposal should include only the daily fee and number of days. Nothing else will be reimbursed.

## **7. TRAVEL**

All travel costs shall be born directly by the consultant and should be included in the financial proposal. Any unexpected approval travel would be reimbursed by UNDP in accordance with policies and procedures.

## **8. EVALUATION PROCESS**

Individual consultants will be evaluated based on the **cumulative analysis** methodology (weighted scoring method), where the award of the contract will be made to the individual consultant whose offer has been evaluated and determined as:

- Responsive/compliant/acceptable; and
- Having received the highest score out of a pre-determined set of technical and financial criteria specific to the solicitation.

**Technical Criteria weight: 70%**

**Financial Criteria weight: 30%**

Only consultants obtaining a minimum of 70% on the Technical evaluation will be considered for the Financial Evaluation.

Criteria	Weight	Max. Points
<b>Technical Competencies</b>	70	
Minimum 7 years' of relevant experience in a related field such as law, public administration, conflict studies. Current research in the field is an asset. Expertise in South Asia is an asset.	35	
Significant published work related to the task (one or more articles, reports or books)	35	
Excellent communication skills, flawless writing, and editing in English (scored based on analytical pieces submitted as above)	Min Req.	
<b>Financial (Lower Offer/Offer*100)</b>	<b>30</b>	
<b>Total Score</b>	<b>Technical score 70 + 30 Financial</b>	

## Competencies

### Building Strategic Partnerships

- Makes effective use of UNDP's resources and comparative advantage to strengthen partnerships
- Creates networks and promotes initiatives with partner organizations

### Innovation and New Approaches

- Creates an environment that fosters innovation and innovative thinking.
- Conceptualizes more effective approaches to program development and implementation

### Promoting Organizational Learning and Knowledge Sharing

- Participating in the development of policies and innovative approaches and promoting their application throughout the organization
- Promotes UNDP as a learning/knowledge sharing organization.

### Job Knowledge/Technical Expertise

- Possesses expert knowledge of advanced concepts in primary discipline, a broad knowledge of related disciplines, as well as an in-depth knowledge of relevant organizational policies and procedures, with expertise in reforms contexts
- Keeps abreast of new developments in area of professional discipline and job knowledge and seeks to develop him/herself personally

- Demonstrates comprehensive knowledge of information technology and applies it in work assignments

### Client Orientation

- Anticipates constraints in the delivery of services and identifies solutions
- Proactively identifies, develops and discusses solutions for clients

### Core Competencies

- Promoting ethics and integrity, creating organizational precedents
- Staff competence, creating an environment of creativity and innovation
- Promoting effective teams
- Very good communication skills. Ability to express clearly and concisely in both written and oral forms
- Transparent decision making; calculated risk-taking
- Ability to be flexible and react to changing circumstances, e.g. security situation

Weight per Technical Competence	
Weak: Below 70%	The individual consultant/contractor has demonstrated a <b>WEAK</b> capacity for the analyzed competence
Satisfactory: 70-75%	The individual consultant/contractor has demonstrated a <b>SATISFACTORY</b> capacity for the analyzed competence
Good: 76-85%	The individual consultant/contractor has demonstrated a <b>GOOD</b> capacity for the analyzed competence
Very Good: 86-95%	The individual consultant/contractor has demonstrated a <b>VERY GOOD</b> capacity for the analyzed competence
Outstanding: 96-100%	The individual consultant/contractor has demonstrated an <b>OUTSTANDING capacity</b> for the analyzed competence

**Note:** UNDP is committed to achieving workforce diversity in terms of gender, nationality and culture. Individuals from minority groups, indigenous groups and persons with disabilities are equally encouraged to apply. All applications will be treated with th

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## **ANNEXES**

ANNEX 1. TERMS OF REFERENCE (TORs)

ANNEX 2. INDIVIDUAL CONSULTANT GENERAL TERMS AND CONDITIONS.

ANNEX 3- PROPOSAL SUBMISSION FORM.

ANNEX 4- OFFEROR'S LETTER TO UNDP/CONFIRMATION OF INTEREST.

ANNEX 5 – FINANCIAL PROPSAL

Please also submit updated CV.