



## UNITED NATIONS DEVELOPMENT PROGRAMME

### TERMS OF REFERENCE

#### INTERNATIONAL PARLIAMENTARY COMMITTEE SPECIALIST

Location:	Nay Pyi Taw, Myanmar
Type of Contract:	Individual Contract
Post Level:	International Consultant
Languages Required:	English
Expected Starting Date:	June 2014
Expected Duration of Assignment:	85 days, June-December 2014

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#### **BACKGROUND ON THE MYANMAR LEGISLATURE:**

The Constitution of the Republic of the Union of Myanmar (the Constitution) came into force in 2008. Chapter 4 of the Constitution establishes the Union Legislature or Pyidaungsu Hluttaw comprising two Hluttaws that are generally equal in status:

- ❖ the Pyithu Hluttaw (People's Assembly) formed with representatives elected on the basis of township as well as population and representatives being the Defence Services Personnel nominated by the Commander-in-Chief of the Defence Services. Section 109 provides that the Pyithu Hluttaw will have a maximum of 440 representatives with not more than 330 elected representatives and 110 nominated, as prescribed above.
- ❖ the Amyotha Hluttaw (Nationalities Assembly) formed with representatives elected in equal numbers from Regions and States and representatives being the Defence Services Personnel nominated by the Commander-in-Chief of the Defence Services. Section 141 provides that the Amyotha Hluttaw will have a maximum of 224 representatives with 168 representatives elected in an equal number of 12 representatives from each Region or State inclusive of relevant Union territories and 1 representative from each Self-Administered Division or Self-Administered Zone and 56 nominated, as prescribed above.

The term of the Union Hluttaw is 5 years from the day of the first session of the Pyithu Hluttaw. The current term expires in late 2015.

#### **BACKGROUND ON UNDP MYANMAR PROGRAMME:**

In April 2013, a new three year UNDP Myanmar Country Action Plan (CPAP) was signed between the Government of Myanmar and UNDP. This CPAP presented a change in the way that UNDP worked in Myanmar. Previously UNDP was working under a restricted mandate and the new CPAP shifted UNDP from a programme focused on human development at the community level to a new programme with three pillars covering (i) Local Governance; (ii) Climate Change, Environment, Energy and Disaster Risk Reduction and (iii) Democratic Governance. The Pillar 3 covering Democratic Governance in turn contains

four areas of complementary work (a) Development Effectiveness; (b) Parliamentary Strengthening; (c) Access to justice and (d) Public Administration.

The Parliament Strengthening work started in April 2013. Together with the International Parliamentary Union (IPU), UNDP has engaged with the Union Assembly of Myanmar to identify areas where the capacity of the Union Assembly can be built in order for it to effectively discharge its constitutional mandate. Based on a series of assessment missions and discussions with senior political leaders in both the Pyithu Hluttaw and the Amyotha Hluttaw, UNDP and the IPU has developed a parliamentary strengthening component which includes a long-term, multi-faceted approach to capacity building. It covers capacity building for the Parliamentarians, the Parliamentary Administration as well as for the Regional/ State Parliaments. This assignment mainly contributes to the capacity building for the parliamentary committees.

#### **PROGRAMME ACTIVITIES IN 2014**

The Programme is currently supporting the Parliament in developing a strategic plan. This includes capacity building on the process of developing the strategic direction of the Parliament as well as the process of managing change. Another important element of the strategic plan to allow the Parliament to manage and prioritize development activities and ensure that they are effectively coordinated.

The Programme was requested to provide support in training existing staff and the large number of new staff who will be recruited throughout 2014 and 2015. A plan for developing a Learning Centre within the parliament has been approved and implementation has commenced. The initial focus of the Learning Centre will be the training of the parliamentary secretariat staff, but it will progressively increase its focus on providing capacity building programs to MP's. Longer term, the Learning Centre is expected to expand to include a focus on outreach including capacity building for staff and MPs of the Regional Parliaments, government officers, media and NGOs/INGOs and civil society groups.

An ICT plan has been developed and implementation of this plan has started. There will be some support for ICT infrastructure and strengthening of information management as well as capacity building and training on computer skills, ICT support and information management.

Management training started in 2013 and is continuing in 2014. The training has included both mid-level managers as well as executive managers. The management training has strong linkages with the work around strategic planning and change management.

There is also a strong demand by Committee Chairs, committee members and committee staff for capacity building initiatives to improve committee effectiveness. In response the program is delivered and is developing new capacity building programs with a number of committees including the PAC and the Bills Committees, which are both, established under the Constitution. It is important, however to broaden this support to the large number of Ad Hoc (portfolio/subject) committees. This consultancy will be responsible for developing and implementing an effective and coordinated programme of committee training. It is also expected that the consultant will provide leadership and support in the area of strategic planning for committees.

#### **EXPECTED OUTCOME:**

Parliamentarians and key staff of parliamentary committees have better understanding of the role and responsibilities in regards to representation, lawmaking and oversight.

## **EXPECTED OUTPUTS:**

As part of the assignment the incumbent are responsible to;

1. A base line and needs assessment methodology, for monitoring and evaluation purposes which is used to tailor capacity building initiatives, curriculum design and teaching materials for a minimum of 6 committees.
2. A curriculum for capacity building with the Members and staff of the committees of the Hluttaw including teaching and self learning materials;
3. Develop committee work plans for relevant committees and link work planning to the work of developing a departmental strategic plan;
4. Incorporation specific thematic issues as identified in the training programme and coordinate with relevant UN agencies;
5. Incorporation of national specialists and Hluttaw managers into the teaching programme to maximize learning outcomes and program sustainability;
6. Identify relevant participation of parliamentarians and staff from other parliaments in the teaching programme;
7. Material and knowledge products developed according to the needs identified during the assessment and delivery of training and also as an outcome of input from other UN agencies, development partners and specialists working for the parliamentary support programme;
8. Improved coordination and processes between the Executive, the Attorney General's Office and parliamentary committees in regards to lawmaking;
9. Training programme and curriculum incorporated into the newly established learning center for staff and parliamentarians.

## **DUTIES AND RESPONSIBILITIES:**

Under the supervision of the Parliamentary Programme Specialist the consultant will be responsible for:

1. Working with parliamentary committee Chairs, members and staff, in identifying areas of support and developing capacity building programmes that respond to identified needs;
2. Develop training and curriculum modules and lead the delivery of that training. Identify international and national specialists to assist in supporting the training program as necessary.
3. Work closely with, and mentor secretariat staff and design and pilot a train the trainers programme for committee staff within the Learning Centre;
4. Advise and facilitate coordination with other bilateral institutions who provide support to the parliamentary committees;
5. Coordinate with other UNDP/IPU programme initiatives to ensure that programmes successes in areas such as research support and ICT are integrated into the support for parliamentary committees;
6. Facilitate inclusion of other UN agencies and development partners in strengthening the work of committees where they have technical expertise and mandate on specific issues relevant to the committees;
7. Prepare mission reports and provide advice on current and future programming;
8. Coordinate with the Programme Specialist as well as other consultants in preparing knowledge products relevant to the work and functions of the parliamentary committees;
9. Provide consultation and advice on international parliamentary committee best practice and support the development of effectiveness committee inquiries which include open public hearings with key stakeholders;
10. Identify and prepare innovative programming to be implemented in line with the Parliamentary Support Programme.

## **RISKS AND CONTINGENCIES**

Myanmar is in the middle of transformation and reform processes'. The country is developing in a challenging and multifaceted context both politically, ethnically and religiously. Some of these challenges are already surfacing and these might cause unforeseen challenges which will influence the implementation of the activities of the programme and ultimately the deliverables of the consultant. In such unforeseen cases the deliverables of the consultant will have to be adjusted and if necessary changed. These could include more focus on developing knowledge products and reports based on desk review. There is also the possibility that responsibilities could be changed to work on activities related to the sub-national parliaments if the situation at the Union Parliament do not allow for implementation of activities.

## **INSTITUTIONAL ARRANGEMENT**

- The consultant will be reporting to the Programme Specialist of the Parliamentary Support Programme who will be responsible for approving the deliverables.
- Reports and deliverables are expected to be completed after each mission within 2 weeks.
- The consultant will be mainly working with the Union Parliament, but will also seek to establish contact with national experts, academia and CSOs. There might also be requests for participating in events organized by the Sub-national Parliamentary Expert when this is possible and time allows, especially in regards to supporting strengthening the network for transfer of knowledge and experience between the parliaments at all levels.
- Administrative support and interpretation when needed will be provided.
- The consultant will be responsible for organizing travel to and from Myanmar and for accommodation. UNDP will provide support for booking domestic travel accommodation in Myanmar, but consultant will have to make the payment. The consultant will be provided mobile phone and sim card for use in Myanmar until this is easily accessible (expected from August), but will be responsible for the cost of the calls. The consultant will be responsible for organizing his/her own transport in Yangon, but UNDP will provide work related transportation in NPT. UNDP will provide support for applying visa, but the consultant will bear all costs for collecting the visa at embassy of choice or for visa on arrival.

## **DURATION OF THE WORK AND DUTY STATION**

The consultancy is for 85 days, June to December 2014, which of 60 days in Myanmar and 25 days home based. The consultancy is expected to be carried out over three missions, each to last for approximately 20 days. The missions will have to take place when the Union Parliament of Myanmar is in session, which is expected to be June-July, September and November-December. The dates are not set and will have to be confirmed later. The consultant is expected to be mainly based in Nay Pyi Taw with 6 days in total in Yangon (1 day at the beginning of each mission and 1 day at the end).

## **QUALIFICATIONS**

Education:

- Advanced university degree in law, social sciences, International development, Economics, law, human rights, peace studies

Experience:

- Specialization in democratic institutions with focus on parliamentary strengthening support;

- 10 years of increasingly responsible relevant professional experience, including experience in parliamentary development or in a parliament. Experience working with sub-national parliaments is an advantage;
- 5 years of experience working in developing and/or transition countries;
- Knowledge and experience of working in Myanmar is an advantage;
- Knowledge of law making, including relevant international human rights standards;
- Experience in development and conduct of training for parliamentarians;
- Prior experience in the UN system is an added advantage.

#### **SCOPE OF PRICE PROPOSAL AND SCHEDULE OF PAYMENT**

- Lump sum amount with all costs inclusive, except for the support provided by UNDP as mentioned in under institutional arrangements.
- The contract price will be fixed regardless of changes in the cost components;
- Include information about actual cost of travel to Myanmar.

#### **PRESENTATION OF OFFER**

The following should be included in the offer;

- a) **Letter of Confirmation of Interest and Availability** using the template provided by UNDP;
- b) **Personal CV or P11**, 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;
- c) **Brief description** of why the individual considers him/herself as the most suitable for the assignment, and a methodology, if applicable, on how they will approach and complete the assignment. A methodology is recommended for intellectual services, but may be omitted for support services ;
- d) **Financial Proposal** that indicates the all-inclusive fixed total contract price, supported by a breakdown of costs, as per template provided. 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.

#### **CRITERIA FOR SELECTION OF OFFER**

Combined Scoring method – where the qualifications and technical proposal will be weighted 70% and combined with the price offer which will be weighted 30%. Qualifications and technical proposal should be equally counted 50% each.

For qualifications relevance 10% will be put on education, 50% on experience in conducting similar types of activities, 20% on experience of working in developing and/or transition countries, 20% on knowledge and experience of working in the region or knowledge of the region.

In the technical proposal equal amount of focus will be put on methodology, use of resources to achieve deliverables and the plan for implementation.

#### **REVIEW TIME REQUIRED**

Payment can be released after the submission and approval of the deliverables as listed above. The review time will be 10 working days.

## DELIVERABLES

The lump sum shall be paid according to the following deliverables and divided into 4 milestones, details as below:

<i>Deliverables/Outputs</i>	<i>Target Due Dates</i>	<i>Percentage</i>
Signing of contract	June	10%
<ol style="list-style-type: none"> <li>1. Base line and needs methodology developed and approved;</li> <li>2. Curriculum design and teaching materials developed for capacity building/training programmes including material for the first training period;</li> <li>3. Capacity building/training programmes delivered to relevant (minimum 2) committees;</li> <li>4. First mission report including a strategic analysis and evaluation of the trainings programmes completed for committee members and staff;</li> </ol>	July	35%
<ol style="list-style-type: none"> <li>1. Curriculum design and teaching materials completed for capacity building/training programmes for second phase;</li> <li>2. Capacity building/training programmes delivered to relevant (minimum 2) committees;</li> <li>3. Committee information fact sheets and work plans developed for relevant committees.</li> <li>4. Second mission report including a strategic analysis and evaluation of the trainings programmes completed for committee members and staff;</li> </ol>	September	20%
<ol style="list-style-type: none"> <li>1. Curriculum design and teaching materials completed for capacity building/training programmes for third phase;</li> <li>2. Capacity building/training programmes delivered to relevant (minimum 2) committees;</li> <li>3. Committee information factsheets and work plans developed for relevant committees.</li> <li>4. Third mission report including a strategic analysis and evaluation of the capacity building/trainings programmes completed;</li> <li>5. Teaching and curriculum material incorporated into the Learning Centre and a program designed for post election induction for Members and staff in 2015.</li> <li>6. Draft AWP for parliamentary committee work in 2015 completed.</li> </ol>	December	35%