



INDIVIDUAL CONSULTANT PROCUREMENT NOTICE

Re-Advertisement

(National Consultant – Review Issue of Non-discrimination and Diversity in the National Human Rights Commission)

UNDP/PN/54/2016

Date: 11 January 2017

Country: Nepal

Description of the assignment: The Constitution of Nepal 2015 has adopted the provision of affirmative action, social justice, non-discrimination and proportional representation and inclusion in the whole state machineries and governance system in Nepal. All the state bodies are accountable in promoting social inclusion, gender equality and human rights of poor and vulnerable communities. Given the changed context, there is a need to review the organization structure and institutional arrangement of NHRC including operations from the diversity and non-discrimination point of view. The analysis is needed to oversee whether the commission has initiated anything for setting the gender and non-discriminations friendly frameworks, whether there is the oversight mechanism to provide necessary oversights in this regard. The consultant requires to review the existing provisions and measures regarding non-discrimination and diversity in the NHRC and recommend to the measures to ensure that the commission is well represented by all the strata of society and it is more inclusive in the promotion of non-discrimination, diversity in staffing management and responsive in addressing gender issues in its operations.

The main tasks and scope of this consultancy will be as follows:

- Conduct a review of the existing policies, guidelines, rules/regulations and overall capacity of existing mechanism regarding non-discrimination, gender quality, social inclusion and affirmative actions;
- Identify the strengths, issues, gaps and challenges in relation to this issue and recommend some of the key recommendations related to the advocacy, institutional capacity of the commission, human rights promotion and education, monitoring, investigation and reporting;
- Suggest the GESI strategy as per the changed context; and
- Draft a report and with the finding of the above points and develop an accompanying implementation plan with concrete actions to support the NHRC to better institutionalize its work on non-discrimination, gender equality and affirmative action.

Number of consultant required: 1

Project name: National Human Rights Commission's Strategy Plan Support Project (NHRC's SPSP)

Period of assignment/services (if applicable): A total of 30 working days commencing from 1st February 2017 – 15th April 2017.

Duty Station: Kathmandu, Nepal

Proposal should be submitted at the following address: **Procurement Unit, UNDP (Ref.: UNDP/PN/54/2016 Re-Add: Consultant – Review Issue of Non-discrimination and Diversity in the National Human Rights Commission (SM), UN House, Pulchowk, PO Box 107, Kathmandu, Nepal** or by email to procurement.np@undp.org not later than **1730 hours (Nepal Standard Time) of 22 January 2017.**

Any request for clarification must be sent in writing, or by standard electronic communication to the e-mail: query.procurement.np@undp.org mentioning Procurement Notice Ref: **UNDP/PN/54/2016: Consultant to review issue of non-discrimination and delivery in the national human rights commission (SM)**, on or before **15 January 2017**. The procurement unit will respond to the inquiries by **16 January 2017**, in writing, including an explanation of the query without identifying the source of inquiry, to all consultants or via bulletin published on the UNDP website: <http://www.np.undp.org/content/nepal/en/home/operations/procurement.html>. Inquiries received after the above date and time shall not be entertained. Inquiries received after the above date and time shall not be entertained.

Any delay in UNDP's response shall be not used as a reason for extending the deadline for submission, unless UNDP determines that such an extension is necessary.

1. SCOPE OF WORK, RESPONSIBILITIES AND DESCRIPTION OF THE PROPOSED WORK

Please refer to the attached ToR (Annex 1)

Please submit your application at the following email address: procurement.np@undp.org

2. REQUIREMENTS FOR EXPERIENCE AND QUALIFICATIONS

Education & Experience:

- Advanced master's degree preferably in sociology, human rights, law international studies, social sciences, gender or a related field.
- At least 10 years of experience are required in the field of human rights and access to justice, social studies, of which at least 5 years in design and delivery of trainings the field of human rights, access to justice, management and organizational development.
- Previous experience of working with National Human Rights Institutions is desirable.

Language Requirements:

- Proficiency in spoken and written English is required.

3. DOCUMENTS TO BE INCLUDED WHEN SUBMITTING THE PROPOSAL

Interested individual consultants must submit the following documents/information to demonstrate their qualifications:

- Offeror's Letter to UNDP Confirming Interest and Availability for the Individual Contractor (IC) Assignment along with the completed financial proposal and PII template annexed to this letter.
- A cover letter with a brief presentation of your consultancy explaining your suitability for the work;
- A brief methodology on how you will approach and conduct the work (limit to under 1500 words);

Note:

- Applicants of 62 years or more require full medical examination and statement of fitness to work to engage in the consultancy
- The candidate has to be an independent consultant (If the candidate is engaged with any organization, the organization employing the candidate will be issued with a Reimbursable Loan Agreement (RLA) to release the employee for the consultancy with UNDP.)
- Due to sheer number of applicants, the procurement unit will contact only competitively selected consultant.

4. EVALUATION

Individual consultants will be evaluated based on the following methodologies:

Cumulative analysis

When using this weighted scoring method, the award of the contract should 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 weighted technical and financial criteria specific to the solicitation.*

- *Technical Criteria weight; 70%*
- *Financial Criteria weight; 30%*

Only candidates obtaining a minimum of 49 points in the technical evaluation would be considered for the Financial Evaluation.

Criteria	Weight	Max. Point
<u>Technical</u>		
Criterion A: <ul style="list-style-type: none"> Advanced master's degree preferably in sociology, human rights, law international studies, social sciences, gender or a related field. 	25%	25
Criterion B: <ul style="list-style-type: none"> At least 10 years of experience are required in the field of human rights and access to justice, social studies, of which at least 5 years in design and delivery of trainings the field of human rights, access to justice, management and organizational development. 	30%	30
Criterion C: <ul style="list-style-type: none"> Previous experience of working with National Human Rights Institutions is desirable. 	15%	15
<u>Financial</u>		
<ul style="list-style-type: none"> Lowest financial proposal 	30%	30

Contract will be awarded to the technically qualified consultant who obtains the highest combined score (financial and technical). The points for the Financial Proposal will be allocated as per the following formula:

$$\frac{\text{Lowest Bid Offered} *}{\text{Bid of the Consultant}} \times 30$$

* "Lowest Bid Offered" refers to the lowest price offered by Offerors scoring at least 70% points in technical evaluation.

ANNEX

ANNEX 1- TERMS OF REFERENCES (TOR)

ANNEX 2- GENERAL CONDITIONS OF CONTRACT FOR THE SERVICES OF INDIVIDUAL CONSULTANT

ANNEX 3- P11 Form

ANNEX 4 - OFFEROR'S LETTER TO UNDP CONFIRMING INTEREST AND AVAILABILITY FOR THE INDIVIDUAL CONTRACTOR (IC) ASSIGNMENT



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TERMS OF REFERENCE

I. Position Information

Title: Consultant to Review Issue of Non-discrimination and Diversity in the National Human Rights Commission

Department/Unit: Strategic Plan Support Project for the National Human Rights Commission

Duration of Assignment: 1st February 2017 – 15th April 2017 (maximum 30 working days during this period), Duty Station: Kathmandu

II. Background Information

Through the National Human Rights Commission's Strategic Plan Support Project (SPSP), designed based on the requirements of the National Human Rights Commission (NHRC) as foreseen in the Strategic Plan of NHRC 2015 – 2020, UNDP Nepal is working with the NHRC to address its immediate needs in terms of strengthening its organisational and competence capacity.

Through this project, it is envisaged to significantly contribute towards long-term sustainability of the institution and its capability to carry out the tasks set by itself in the Strategic Plan 2015 – 2020.

The Project is proposing measures supporting the re-organization and further capacity development of the NHRC that are realistically achievable, based on the overall holistic approach and which include day to day working with the partner institution to ensure its ownership and leadership over the process. Project activities will also contribute to an increased level of coordination between human rights institutions, resulting in more effective protection of human rights of vulnerable and marginalized groups of people.

The Project has two distinctive Components - Component 1 focusing on technical assistance which consists of a thorough development of the organizational capacity through a training needs assessment and a management review that identifies the required areas of support for the internal management including business management, procedures, and financial management as well as the core areas of performance of the NHRC monitoring, investigation, and outreach towards other constitutional commissions, civil society and the GoN and the Component 2 where the ongoing activities of the NHRC are supported including an initiation of a pilot project, focusing on monitoring, investigation, outreach, and on the promotion of rights for people with mental disabilities

<p>The impact expected under the framework of the Project is that the people of Nepal especially people from minorities, women and disadvantaged groups increasingly enjoy their human rights, protected by rule of law.</p> <p>The Constitution of Nepal has adopted the provision of affirmative action, social justice, non-discrimination and proportional representation and inclusion in the whole state machineries and governance system in Nepal. Now all the state bodies are accountable in promoting social inclusion, gender equality and human rights of poor and vulnerable communities. There are some state laws and international obligations in this regard as well. For example, some of the international treaties i.e. ICESCR, CRPD, CEDWA, ICERD have clearly stated that the state obligations for the full respect of the rights related to non-discrimination, anti-discriminations and affirmative action.</p> <p>At the same time, the UN Human Rights Council and its mechanisms including the UPR have been increasingly used to promote LGBTI rights at the international level. The Human Rights Council adopted its first resolution on SOGI in 2011. In 2012, 2013 and 2014, NHRIs issued a joint statement to the Human Rights Council on discriminatory laws and practices and acts of violence based on sexual orientation, gender identity and intersex groups.</p> <p>In this regard, the NHRC as an umbrella institution has to internalize all the progress so far and in other it also has to demonstrate that the commission itself is translating all the spirit of social inclusion, non-discrimination and gender equity. Furthermore, as the national human rights institutions (NHRIs) have a mandate to protect and promote human rights. They are independent public institutions partly funded by individual governments. They can play a crucial role in promoting and monitoring the effective implementation of international human rights standards at the national level and are important in combating racism, racial discrimination, xenophobia and related intolerance.</p> <p>In addressing the issues of non-discrimination and affirmative action, there are some initiative already taken by the commission. For example, a separate division has been established and some of the draft guideline on gender and social inclusion has been developed and even furthermore a monitoring tool has also been suggested to mainstream gender into it. In terms of staffing structure as well, the commission is inclusive. There is also a provision of quota and special measures targeting women and vulnerable communities, however these are not enough. There requires more at the organizational and of course at functional level.</p> <p>However, given the changed context, there is a need to review the organization structure and institutional arrangement including operations from the diversity and non-discrimination point of view. The analysis is needed to oversee whether the commission has initiated anything for setting the gender and non-discriminations friendly frameworks, whether there is the oversight mechanism to provide necessary oversights in this regard.</p>
<p>III. Objective of the Assignment</p>
<p>Under the overall guidance and in coordination with National Project Director, the NHRC Gender Unit and overall supervision of the International Project Manager, the Consultant will be responsible to review the existing provisions and measures regarding non-discrimination and diversity in the NHRC and recommend to the measures to make sure that the commission is well represented by all the strata of society and it is more inclusive in the promotion of non-discrimination, diversity in staffing management and responsive in addressing gender issues in its operations.</p>

IV. Major Tasks and Scope of Work	
<p>The main tasks and scope of this consultancy will be as follows:</p> <ul style="list-style-type: none"> • Conduct a review of the existing policies, guidelines, rules/regulations and overall capacity of existing mechanism regarding non-discrimination, gender quality, social inclusion and affirmative actions; • Identify the strengths, issues, gaps and challenges in relation to this issue and recommend some of the key recommendations related to the advocacy, institutional capacity of the commission, human rights promotion and education, monitoring, investigation and reporting; • Suggest the GESI strategy as per the changed context; and • Draft a report and with the finding of the above points and develop an accompanying implementation plan with concrete actions to support the NHRC to better institutionalize its work on non-discrimination, gender equality and affirmative action. 	
V. Deliverables:	
<p>The main deliverables of this consultancy will be as follows:</p> <ul style="list-style-type: none"> - A thorough analysis of NHRC's overall capacity and initiatives in addressing the issues of non-discriminations and in promoting diversity and affirmative actions - Outline for the GESI policy and strategy as per the changed context; - A report with strong way forward, and implementation plan to institutionalize the issues of non-discrimination, diversity and affirmative actions. 	
VI. Consultancy details and terms	
<p>Total number of days: Maximum 30working days</p> <p>Rate: per day</p> <p>DSA: NO</p> <p>Travel: NO</p> <p>Local Travel: N/A</p>	
VII. Recruitment Qualifications	
Education:	Advanced master's degree preferably in sociology, human rights, law international studies, social sciences, gender or a related field.
Experience:	<p>At least 10 years of experience are required in the field of human rights and access to justice, social studies, of which at least 5 years in design and delivery of trainings the field of human rights, access to justice, management and organizational development.</p> <p>Previous experience of working with National Human Rights Institutions is desirable.</p>
Language Requirements:	Proficiency in spoken and written English is required.