
Terms of Reference for Individual Consultancy Services for Social Worker Expert within the scope of Enhancing Access to Justice and Legal Aid for Refugees in Turkey Project (UNJP)

1. Background

UNDP positions itself as a development partner that brings global knowledge, through a multi-sectoral approach – the key comparative advantage of UNDP – and concentrates its work on 3 programmatic fields: i) Inclusive and Sustainable Growth, ii) Inclusive and Democratic Governance, iii) Climate Change and Environment. In addition, UNDP also plays a key role in supporting the Government of Turkey with the refugee response through its Syrian Crisis Response and Resilience Programme – relying on its experience in these three major areas (i.e. livelihoods and facilitation of job creation, municipal service delivery, youth empowerment and protection / social cohesion).

Inclusive and Democratic Governance Portfolio (IDG) benefits from the interplay between UNDP global strategic priorities and national priorities and consolidates complementary CO initiatives with a view to bringing further coherence to programmatic work in this area. The IDG Portfolio contributes to consolidating the gains made so far and to the advancement of governance processes and institutions that foster effective democratic governance and are adapted to and able to deliver on the public expectations for inclusiveness and participation.

The IDG Portfolio is positioned to address the enhancement of governance processes via supporting instrumentalization of governance principles in policy making, strategy generation, capacity development, decision making, services planning and delivery, community empowerment and involvement as well as gender equality, empowerment and women's involvement. The IDG Projects provide technical and policy support at national, regional and local levels and brings together a long list of stakeholders from public, private, academic and civil society sectors. The Portfolio englobes projects that are grouped into four complementary areas i) Human Rights and Rule of Law ii) Inclusive, Responsive and Accountable Public Administration Structures; iii) Border Governance and Management; iv) Women's Empowerment and Gender Equality. The Portfolio cooperates with various national and local counterparts in the referred field including the human rights machinery, Ministry of Justice, Ministry of Interior, Ministry of Environment and Urbanization, Court of Cassation in Turkey, the Union of Bar Associations and Bar Associations, the Union of Municipalities of Turkey and National Human Rights and Equality Institution. Currently UNDP is working on different new fields addressing the capacity needs in the field of human rights, transparency in judiciary, access to justice and legal-aid, local governance reform, civilian oversight, e-governance and border management.

Human Rights and Rule of Law is one of the key programmatic areas of the IDG Portfolio in which interventions on rule of law, access to justice and legal-aid, fundamental rights and freedoms are clustered. The projects in this field aim to promote an environment conducive to the rule of law and the enjoyment of human rights, which would support an inclusive, people centered development agenda, through strengthening (a) the systems for access to justice and legal empowerment for people to have their voice heard, exercise their rights, challenge discrimination or hold decision-makers accountable, (b) the efficient functioning of the human rights mechanism, (c) oversight and anti-corruption efforts for efficient, responsive, transparent and accountable systems at local, regional and national levels.

Enhancing Access to Justice and Legal Aid for Refugees in Turkey Project (UN Joint Programme) which is being carried out in cooperation with the Ministry of Justice, UNDP (United Nations Development Programme) and UNHCR (United Nations High Commissioner for Refugees) prioritizes the rule of law, justice security and human rights by putting forward responding to urgent needs and long term goals. With high-level consensus on the strategic frame of strengthening the rule of law, the Ministry of Justice targets establishing Victim Rights Units in all courthouses around Turkey. Steps taken towards the protection and enhancement of victim rights allow the opportunity of cooperation between stakeholders.

The Syrian conflict has generated the largest refugee movement in the world. Turkey hosts the largest number of refugees in the world. According to official figures of the Directorate General for Migration Management (DGMM), currently there are 4 million refugees in Turkey. 3.6 million of these refugees are Syrians and the remaining are Iraqis, Afghans, Iranians, Somalians, and others who have been forced to leave their countries.

Turkey continues to provide refugees with access to national systems such as health, education, employment and social services via its Foreigners and International Protection Law. Institutions, United Nations (UN) and Civil Society Organizations work in cooperation in order to provide refugees with these services. Informing host communities, service provider institutions and refugees about rights, obligations and responsibilities, enhancing their access to justice and legal aid through improving services offered both nationally and locally are targeted in order to achieve the social cohesion of refugees in society.

2. Objective(s) of the Assignment

Overall objective of this assignment is to help deliver trainings that will strengthen the capacities of relevant justice sector actors and help establish a healthy social cohesion inside of Turkey. Alongside delivering trainings, preparation of a report that includes suggestions and reflections of the conducted trainings is another essential objective of this assignment.

3. Duties and Responsibilities

The Consultant will be hired to work between 5 September 2019 and 31 December 2019 under Individual Contract (IC) modality and is expected to perform the following tasks:

- Lead the preparation and delivery of trainings for justice sector actors (lawyers, judges, social workers and other support staff), related to:
 - Working with translators at courthouses, bars and etc. (tips and exercises),
 - The services of the Victim Rights Directorates established in pilot provinces,
 - Interview techniques and methods related to:
 - Approaching victims (both refugee and non refugee),
 - Approaching people (both refugee and non refugee) with special needs (hearing-impaired refugees, refugees who are mentally disabled),
 - Approaching people (both refugee and non refugee) who are subjected to violence including gender based violence which women are especially affected from (SGBV),
 - Approaching people (both refugee and non refugee) affected from sexual harassment, forced prostitution, modern slavery in the form of being sold as a “second wife”,
 - Approaching people (both refugee and non refugee) who are subjected to sexual and physical exploitation.
- These trainings will be conducted in Ankara and seven other pilot provinces (Eskişehir, Istanbul, Gaziantep, Izmir, Adana, Samsun and Konya).
- All trainings must be designed interactive and in a practical manner.
- Submission of a report, which includes reflections of the trainings carried out and suggestions on future Project activities.
- Secure submission of all trainings and reports in a quality and timely manner.
- Working effectively in collaboration with other experts and the UNDP Project team in order to ensure the smooth implementation of all trainings and other activities defined within the scope of the Project Document.

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- Coordinate and contribute to communication and awareness raising planning and related activities in collaboration with other experts and UNDP Project team.
- Ensure collaboration with the project team and work closely and in collaboration with the other experts of the project.
- Ensure human rights standards are applied, and gender equality is prioritized as an ethical principle within all actions.

The above listed activities are subject to further revision with the consent of UNDP, UNHCR and MoJ in line with the emerging requirements of the project. If required by UNDP, the IC may provide additional consultancy services related to her/his competencies and expertise, in line with the Duties and Responsibilities stipulated in this Terms of Reference.

His/her functions do not include managerial, supervisory and/or representative functions. The Consultant shall work in close cooperation with the project team and report to the project manager of Enhancing Access to Justice and Legal Aid for Refugees in Turkey Project. The Consultant will also be closely working with focal points designated by UNHCR and the Ministry of Justice (MoJ) in design and implementation of the project activities.

The Consultant is expected to prepare and coordinate the trainings, which will be carried out in order to inform justice sector actors on ways of approaching refugee and non-refugee victims of violence, crime and other relevant topics. The consultant is also expected to facilitate the establishment of a report that will develop additional suggestions for possible future project activities.

4. Expected Outputs and Deliverables

The expert shall deliver to UNDP deliverables pertaining to execution of abovementioned tasks as detailed below:

#	Deliverables	Due Dates	Estimated Maximum Number of Person/days to be invested by the IC	Review and Approvals Required
1.	Preparation of training materials and participating in awareness raising campaigns in pilot provinces	13 September 2019	7 days	UNDP Project Manager, in consultation with UNHCR and MoJ
2.	Preparation of training materials and participating in the special training for executives	15 November 2019	3 days	UNDP Project Manager, in consultation with UNHCR and MoJ
3.	Delivery of trainings and awareness raising campaigns in pilot provinces	29 November 2019	7 days	UNDP Project Manager, in consultation with UNHCR and MoJ
4.	Participating in the project closure event and writing a progress report covering the trainings and suggestions for future project activities	19 December 2019	8 days	UNDP Project Manager, in consultation with UNHCR and MoJ

5. Timing and Duration

Individual Consultant is expected provide services from 5 September 2019 until 31 December 2019. The expert is expected to invest (at maximum) 25 person/days to fulfill the required tasks detailed in this Terms of Reference throughout the Contract duration.

The payments shall be affected to the IC based on actual number of person/days (not to exceed 25 person/days) invested, upon acceptance of the deliverables by UNDP.

6. Institutional Arrangement

UNDP Turkey CO will;

- Provide the Consultant with relevant documents and full support in any further analysis of the data where necessary,
- Facilitate communication with Project partners and other stakeholders,
- Give feedback to the draft, final report and all other deliverables prepared by the Consultant,

All reports should be submitted in English.

All documents and data provided to the consultant are confidential and cannot be used for any other purposes or shared with a third party without any written approval from UNDP.

7. Place of Work

The place of work will be Ankara, Turkey and there will be several travels to 7 pilot provinces (Eskişehir, Istanbul, Gaziantep, Izmir, Adana, Samsun and Konya) with respect to project needs and the duties and responsibilities of the consultant. The assignment may also require travels to other provinces within Turkey.

The travel, accommodation costs (bed and breakfast) and living costs (intra-city travel costs, lunch, dinner, etc.) of the missions to other provinces will be borne by UNDP. UNDP will arrange flight tickets through its contracted travel agency.

In case of need of additional travels that are unforeseen in the ToR, the costs of the respective travels of the Consultant may either be;

- Arranged and covered by UNDP from the respective budget without making any reimbursements to the Consultant, through UNDP's official Travel Agency or,
- Reimbursed to the Consultant upon the submission of the receipts/invoices of the expenses by the Consultant and approval of the UNDP. The reimbursement of each cost item is subject to the following constraints/conditions provided in below table or,
- Covered by the combination of both options.

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The following guidance on travel compensation is provided as per UNDP practice.

Cost item	Constraints	Conditions of Reimbursement
Travel (intercity transportation)	Full-fare economy class tickets	1- Approval by UNDP of the cost items before the initiation of travel 2- Submission of the invoices/receipts, etc. by the consultant with UNDP's F-10 Form 3- Acceptance and Approval by UNDP of the invoices and F-10 Form.
Accommodation	Up to 50% of the effective DSA rate of UNDP for the respective location	
Breakfast	Up to 6% of the effective DSA rate of UNDP for the respective location	
Lunch	Up to 12% of the effective DSA rate of UNDP for the respective location	
Dinner	Up to 12% of the effective DSA rate of UNDP for the respective location	
Other Expenses (intra city transportations, transfer cost from /to terminals, etc.)	Up to 20% of effective DSA rate of UNDP for the respective location	

8. Required Qualifications

	Minimum Qualification Requirements	Assets
General Qualifications	<ul style="list-style-type: none"> ▪ Bachelor's Degree in the fields of sociology, anthropology, international relations, political science, public administration or other relevant fields ▪ Good command of spoken and written English ▪ Full computer literacy 	<ul style="list-style-type: none"> ▪ Advanced Degree in the fields of sociology, international relations, political science, public administration or other relevant fields
General Professional Experience	<ul style="list-style-type: none"> ▪ Minimum 5 (five) years of professional experience, ▪ Minimum 2 (two) years of professional experience in preparing and giving trainings ▪ Knowledge and experience in interview techniques 	<ul style="list-style-type: none"> ▪ Former experience in preparing and conducting trainings related to approaching vulnerable people including refugees
Specific Professional Experience	<ul style="list-style-type: none"> ▪ Experience in collaborating with public sector institutions, international organizations and/or non-governmental organizations ▪ Experience in drafting qualified reports ▪ Experience in conducting field research, compiling and analysis of data 	<ul style="list-style-type: none"> ▪ Knowledge of human rights and refugee studies ▪ Experience in working in United Nations or European Union projects

Notes:

- *Internships (paid/unpaid) are not considered professional experience.*
- *Obligatory military service is not considered professional experience.*
- *Professional experience gained in an international setting is considered international experience.*
- *Experience gained prior to completion of undergraduate studies is not considered professional experience.*

9. Competencies

Individual Consultants need to have below competencies.

- Ability to design and develop time plans and resource schedules for complex tasks and task groups,
- Ability to work in multi-disciplinary and multi-cultural teams,
- Ability to work under pressure against strict deadlines,
- Ability to think out-of-the-box,
- Ability to present complex issues persuasively and simply,
- Ability to contextualize global trends in accordance with the dynamics of the operating (working) environment.

10. Payments

Payments will be made within 30 days upon approval of each deliverable and the corresponding UNDP Certificate of Payment Form (COP) based on actual number of days invested by the Consultant for the respective deliverable. While the Consultant may invest less or more than estimated number of person/days designated for each deliverable within the table given in Article 4, the total amount of payment to be affected to the Consultant within the scope of this Assignment cannot exceed equivalent of 25 person/days throughout contract validity.

Consultant will be hired under an Individual Contract (IC). The price proposal will be given in TRY and the Consultant will be paid in TRY upon submission of the deliverables as detailed above.

If the deliverables are not produced and delivered by the consultant to the satisfaction of UNDP, no payment will be made even if the consultant has invested person/days to produce and deliver such deliverables.

The amount paid to the consultant shall be gross and inclusive of all associated costs such as social security, pension and income tax etc.

Tax Obligations: The IC is solely responsible for all taxation or other assessments on any income derived from UNDP. UNDP will not make any withholding from payments for the purposes of income tax. UNDP is exempt from any liabilities regarding taxation and will not reimburse any such taxation to the IC.