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## Terms of Reference

### Legal Aid Service Providers in Rakhine State

Services to be provided	Provision of Legal Awareness and Legal Aid Services to individuals and communities in Rakhine State on Housing, Land and Property (HLP).
Type of Contract	Responsible Party Agreement
Start/End Dates	15 October 2019 to 30 June 2020 (8 ½ months)
Location	Rakhine State
Country	Myanmar

#### A. Background

The Strengthening Accountability and Rule of Law (SARL) Project supports the Government of Myanmar to address low public trust in state institutions at a critical time in Myanmar's transition. Building on the clear initiative of all three branches of the Government of Myanmar to promote transparency and accountability, the project helps to strengthen institutional frameworks and capacities for good governance. SARL is organized into three thematic intervention areas: (1) Anti-Corruption, (2) Parliament, and (3) Rule of Law and Human Rights.

Within the Rule of Law and Human Rights component, SARL supports institutional capacity of formal justice sector institutions to provide higher quality, more accessible and responsive legal services to the public and to other government entities, as well as institutional justice sector efforts to coordinate among themselves and development partners in order to address the urgent needs identified at the local and national level, and to leverage resources to provide a cohesive justice sector reform strategy. SARL's work in the field of rule of law also includes initiatives to protect people's Housing, Land and Property (HLP) rights in conflict-affected locations.

#### B. Problem Description

People's awareness, especially women, of their rights, and the provision of legal services to address HLP issues, is a vital component of peace-building and progress.

UNDP, through this Call for Proposals seeks organizations working in the fields of legal aid, access to justice and housing land and property rights to provide legal rights awareness and legal aid services at community level on housing land and property matters.

## C. Objectives and Expected Outputs

UNDP is calling for technical and financial proposals from legal aid service providers (LASPs) to:

- a) Provide legal awareness raising activities to communities in Rakhine State
- b) Provide legal aid services to vulnerable persons, in line with these Terms of Reference
- c) Provide support for registration of land.

The main outputs are as follows:

- a. Conduct outreach to community leaders and local government officials at the Township, Village and State level to ensure their cooperation and understanding of the purposes of the awareness raising activities, in collaboration with UNDP.
- b. Conduct legal awareness raising on HLP issues including land law, registration processes under different land regimes, objection claims procedures and dispute resolution.
- c. Provide legal advisory services (out of court) throughout Rakhine State, in communities that have received legal awareness training and those that have not, through telephone “hotlines” or other technologies. Legal aid services beneficiaries should include women and marginalized groups.
- d. Provide in-person, direct legal services to persons who appear in court in criminal and civil cases related to HLP.
- e. Publicize the availability of a legal aid services hotline and clinic hours at the CSOs/NGOs offices in Rakhine State in Burmese, Rakhine and possibly other minority languages.
- f. Provide in-person, direct legal services and advice (out of court) through mobile legal aid delivery mechanisms, and/or regularly staffing legal aid resource persons at the CSOs/NGOs office or in publicly accessible locations, including if possible, select government offices where legal advice is needed to address HLP issues.
- g. Assist people to prepare land registration documents and accompany them where possible to engage land administration authorities over land registration.
- h. Participate and support education of government officials in courses organized by UNDP as needed.
- i. Cooperate with efforts of UNDP and its international implementing partners to provide legal skills mentoring with international experts.

### **Eligible organisations**

Eligible organisations will be legal aid service providers focused on improving awareness of HLP issues including: land law, registration processes and dispute resolution; land mapping and monitoring land claims; and, provision of legal aid services in Rakhine State targeting townships and locations within and outside of Sittwe as agreed upon with UNDP at the inception of the programme.

### **Final Beneficiaries**

Eligible beneficiaries will be individuals and communities from the poorest communities in any township and location in Rakhine State, Myanmar. The applicant organisation should clarify how it will identify these beneficiaries and what criteria it will use. A minimum of 40% of these people will be women and girls, preferably more. Special consideration should be shown for reaching people from ethnic minority groups and people with disabilities, and any particular group that in the opinion of the applicant organisation has been marginalised and disadvantaged.

#### D. Deliverables and Selection Criteria

This Call for Proposals has the following deliverables:

***Deliverables [applicants may select any or all of the following deliverables]:***

#	Description	Approx. % of total budget	Start Date	End Date
1.	Deliver up to 5 training sessions to development organizations on HLP rights, land laws, land administration processes and dispute resolution	5%	15 October 2019	30 June 2020
2.	Deliver up to 50 community/township level awareness-raising workshops on land issues (including land registration processes and dispute resolution).	15%		
3.	Provide free in-person legal advice through static and mobile legal aid clinics and a telephone hotline to up to 150 individuals	10%		
4.	Conduct paralegal training for up to 100 paralegals and establish a continued learning and a referral mechanism with them.	15%		
5.	Provide free direct legal representation to up to 30 individual cases in need of legal assistance in court proceedings on land related cases	5%		
6.	Support up to 30 communities to prepare land registration documents and engage land administration authorities for registration	5%		
7.	Support and participate in 2 UNDP arranged training workshops on HLP laws and rights for government officials in Rakhine State	1%		

#### ***Selection Criteria for Legal Aid Service Providers:***

1. Holding the necessary permission to provide legal aid services as outlined in these TOR in the proposed locations.
2. Be able to demonstrate a track record of at least five years in provision of legal aid services in Myanmar, preferably targeting disadvantaged and/or underserved populations.
3. Must be a national organization with established operations in Rakhine State.

#### E. Proposal format

Proposed Methodology, Approach, Quality Assurance Plan and Implementation Plan – this section will demonstrate the applicant’s response to the Terms of Reference by identifying the specific components proposed, how the outputs/ delivery shall be addressed, as specified; providing a detailed description of

the essential performance characteristics proposed; identifying the works/portions of the work that will be subcontracted, if any.

The proposal will demonstrate how the proposed methodology meets or exceeds the TOR, while ensuring appropriateness of the approach to the local conditions and the rest of the project operating environment. This methodology must be laid out in an implementation timetable and a quality assurance.

Management Structure and Resources (Key Personnel) – This section will include a description of the management structure and information regarding required resources including curriculum vitae (CVs) of key personnel that will be assigned to support the implementation of the proposed methodology, clearly defining the roles and responsibilities vis-à-vis the proposed methodology. CVs should establish competence and demonstrate qualifications in areas relevant to the TOR. For Legal aid CSOs/NGOs, please include information demonstrating that key personnel are certified to appear in court and to provide legal services.

## **F. Budget**

Applicants will present a detailed budget using the financial proposal template included in the Call for Proposals for this assignment. The budget will provide the detail of the costs required to implement the proposed activities (including operational support, technical assistance, monitoring, overheads, etc). The budget submitted will be the basis of a “value for money” assessment during the proposal evaluation process.

The budget for any proposal submitted by an applicant organisation should fall within the range of USD 40,000 to a maximum of USD 150,000. The amount requested in the proposal should align with the organization’s administrative and financial management capacities. In principle, project duration will be 8 ½ months depending on actual start date; shorter periods may be considered for lower value proposals.

The total budget envelope for this activity is USD 150,000.