

TERMS OF REFERENCE FOR INDIVIDUAL CONSULTANT (FRAMEWORK AGREEMENT)

Assignment Title	Housing Land and Property (HLP) rights and Durable Solutions Coordinator
Type of Contract	International Individual Contract as Framework Agreement
Start/End Dates	1 October 2019 to 31 September 2020
Working Days	200
Supervisor(s)	SARL Project Manager
Duty Station	Myitkyina, and in-country missions in Myanmar

1) Background

The United Nations (UN) Secretary General endorsed the Framework on 'Ending Displacement in the Aftermath of Conflict,' which establishes priorities and responsibilities to support the delivery of durable solutions for Internally Displaced Persons (IDPs) and refugees returning to their country of origin. At the country level, UNDP and UNCHR, in their capacities as global cluster lead agencies on Early Recovery and Protection, are tasked with providing the necessary technical expertise to the Resident Coordinator to support the development and implementation of Durable Solutions. In this capacity, UNDP Myanmar is in the process of developing a new programme to support durable solutions, working in partnership with the UN Country Team (UNCT), as part of a Kachin Area Based Programme (KABP).

A critical component of to address displacement is the need to address HLP rights . Through the UNDP, 'Strengthening Accountability and Rule of Law (SARL) Project', UNDP 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 main 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 with CSOs to protect the HLP rights of IDPs in conflict-affected locations such as Kachin and Rakhine. Additionally, UNDP together with other UN agencies is also developing and piloting durable solutions programming to ensure recognized humanitarian standards are applied during returns or resettlement of IDPs.

To this end, UNDP is seeking a **HLP and Durable Solutions Coordinator** to coordinate UNDP's activities in Kachin State. It includes supporting the design and roll out of UNDP's new KABP that will support durable solution activities and the expansion of HLP programming in Kachin and Northern Shan, including provision of technical support to CSOs and legal aid service providers in these locations during project implementation. S/he will lead the coordination of durable solutions programming in Kachin State, working closely with other UN agencies and Government institutions.

S/he works in collaboration with the Deputy Resident Representative, Country Office Governance and Sustainable Peace Unit, Programme Support Unit and other project teams, government officials, UN Agencies, technical experts, implementing partners, beneficiaries and civil society to support successful implementation of the KABP.

2) Objectives of the Assignment

The aim of the assignment is to provide strategic and technical advice and advocacy support on the design and implementation of UNDP's programme interventions in durable solutions and HLP rights as part of an area based programme. This will involve providing technical advice and support to CSOs, UN Agencies and key government departments.

3) Scope of Work

The HLP and Durable Solutions Coordinator's assignment will be in three primary areas:

- Support the establishment of UNDP's new KABP including partnerships, technical requirements and capacities and advising senior management and team leaders during the establishment phase;
- Strategic and technical advice and coordination to on the development of durable solutions approaches for internally displaced persons;
- Strategic and technical advice in the implementation of HLP rights activities

3.1. Support the establishment of UNDP's new KABP including partnerships, technical requirements and capacities and advising senior management and team leaders during the establishment phase:

- Organize consultations with the UN agencies, I/NGOs, CSOs and government officials to identify and establish partnerships, and areas of cooperation.
- Draft areas of work based on consultations working with UNDP programme and projects, and other UN agencies as relevant.
- Determine resource requirements to support short to medium term programming including Country Office requirements and project requirements in the area of durable solutions and HLP, Access to Justice and others as agreed.
- Provide regular updates, briefs, analysis and research to keep senior management and team leaders updated and to support decision making.

3.2. Strategic and technical advice and coordination to on the development of durable solutions approaches for internally displaced persons:

- Coordinate with focal points of other UN agencies in Kachin over the development of durable solution pilots in the context of the National Strategy on Camp Closure.
- Provide strategic advice to the Country Office on UNDP's overall support and positioning with regard to HLP support and durable solution best practices.
- Design, in collaboration with other partners, pilot interventions for UNDP.
- Support the establishment of technical teams and office requirements.

3.3. Strategic and technical advice in the implementation of HLP rights activities

Key responsibilities include:

1. Ensuring effective **implementation of activities relating to HLP rights**, focusing on achievement of the following results:

- Oversees and coordinates the implementation of the SARL HLP initiatives in Kachin and Northern Shan States including quality assurance, monitoring, reporting, identifying risks & issues and mitigation measures, and evaluation of project interventions.
 - Coordinates with other programmes, especially humanitarian agencies supporting displaced and affected communities, to ensure:
 - Coherence in HLP programming and exchanges of lessons and approaches between HLP actors in Rakhine, Kachin and Northern Shan
 - Integration of HLP issues into UNDP programming in these locations in the fields of local governance, livelihoods and peacebuilding.
 - Provides technical support to CSOs from the inception stages and during implementation.
 - Leads HLP advocacy initiatives at the State level including development of policy briefs towards this purpose.
2. Providing **high quality technical assistance on HLP issues to counterparts** focusing on achievement of the following results:
- Strengthens CSO implementing partners' ability to work on HLP issues, assists them to develop HLP training materials responsive to issues of IDPs and affected communities, and to integrate HLP rights issues into their awareness raising programmes and legal assistance at the community level.
 - Oversees and supports sensitization of land administration bodies at the Village Tract and Township level on HLP rights and land laws to increase understanding and improve effective administration of land and fair dispute resolution.
 - Oversees and supports all exercises regarding mapping, baseline assessments and surveys at local level, to establish realistic and contextualized baselines for project development and monitoring on HLP.
3. Supporting creation of **strategic partnerships** focusing on achievement of the following results:
- Acts as the technical liaison on HLP and rule of law issues with counterparts and stakeholders including other UNDP projects, UN agencies, civil society, I/NGOs, Government Departments, Parliament, etc., and provides technical inputs, as required.
 - Prepares substantive briefs on possible areas of cooperation, identification of opportunities for initiation of new project activities and active contribution to the overall project effort to mobilize resources.
4. Leading **knowledge building and coordination** focusing on achievement of the following results:
- Documents the processes taken during the provision of technical assistance and lessons learned so that the know-how can remain within UNDP, government institutions and CSOs.
 - Participates in design of monitoring tools and analysis of monitoring results to ensure achievement of successful results from the technical assistance.
 - Supports capacity building and training of justice actors and members of parliament in the area on rule of law issues and local justice issues such as land.
 - Identifies opportunities for institutional counterparts to share their experience with other regions, states and countries and facilitates in country and South-South cooperation.

5) Duty Station

This Contractor will be based in Kachin, Myanmar. S/he will be required to travel regularly within the state and to North Shan, Yangon and other locations for the purposes of the assignment.

6) Administrative and Logistical Arrangements

6.1) Reporting line:

There will be a matrix reporting line to the Deputy Resident Representative during the initial establishment of the KABP, which will shift to a designated Team Leader during the course of the assignment and the consultant will report to the SARL Project Manager on a weekly basis.

6.2) Contract administration:

- UNDP will develop terms of reference for the provision of specific services within the scope and duration of the Framework Agreement. These terms of reference will include the deliverables against which payments will be made.
- Once these are agreed with the Consultant, UNDP will issue a contract to activate the provision of the services.

6.3) Logistical arrangements:

For all international travel, where applicable:

- Candidates are requested to include international travel costs from possible origins of travel in the financial proposal and arrange the flight. The travel cost should be based on the economy class fares, with most direct routes.
- UNDP will provide support for the visa process and reimburse the visa fee, based on the actual receipt.
- UNDP will provide terminal charges at the rate of US\$ 80 per mission.

For all in-country travel:

- When in-country missions are requested by UNDP, UNDP will arrange and cover costs related to all domestic travels – such as transportation between the agreed in-country duty stations and living allowances - in accordance with UNDP's regulations and policies.
- UNDP will facilitate security clearances required to travel in-country (if applicable).

Other logistical matters:

- The contractor will arrange their accommodation in the agreed duty stations, and for his/her own transportations to/from the places of work. Field-based transport will be arranged by UNDP.
- UNDP will not consider travel days to/from the duty station as working days. The above stated working days are exclusive of travel time.
- The working language of this assignment is English. Interpreters will be engaged by UNDP as and when required.
- The contractors are expected to use their own computer and mobile phones.

7) Required Qualifications and Experience

Education:	University degree in law, social sciences, development studies or any other related area.
Experience:	<ul style="list-style-type: none"> • Minimum 10 years of professional experience working in the field of rule of law, human rights and access to justice with government institutions, CSOs and communities. • Strong understanding of HLP issues in emergency, post-conflict and transitional settings, and sustainable durable solution approaches. • Experience of working directly on HLP rights issues involving internally displaced persons, preferably in Myanmar. • Experience of working directly with CSOs, UN agencies and government officials.

	<ul style="list-style-type: none"> • Experience in designing and implementing training and capacity-building in a development country context, including for senior public officials
Language Requirements:	Excellent command of written and spoken English

8) Scope of Price Proposal and Schedule of Payments

Candidates shall propose their professional daily fee, which will be applied for any future contracts issued under the Framework Agreement within the validity period of the Agreement. Payments will be made on completion of agreed deliverables.

9) Recommended Presentation of Offer

Candidates should submit the following documents:

- Duly completed Letter of Confirmation of Interest and Availability using the template provided by UNDP;
- 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;
- Brief description of why the individual considers him/herself as the most suitable for the assignment;
- Financial Proposal that indicates the all-inclusive fixed total contract price, supported by a breakdown of costs, as per template provided. *Note:* If the candidate 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 candidate must indicate at this point, and ensure that all such costs are duly incorporated in the financial proposal submitted to UNDP.

8) Criteria for selection of the best offer

Offers received will be evaluated using a combined scoring method, where the qualifications of the Offeror will be weighted 70% (i.e. technical evaluation), and combined with the price offer, which will be weighted 30% (i.e. financial evaluation).

Technical Evaluation will be conducted based on a review of the applicant's qualifications (40 points) and the performance in an interview (30 points). Only candidates obtaining a minimum of 70% (49 points) in the Technical Evaluation will be considered for the Financial Evaluation.

Criteria	Total Points (40)
University degree in law, social sciences, development studies or any other related area.	5
Minimum 10 years of professional experience working in the field of rule of law, human rights and access to justice with Government institutions and communities.	5
Strong understanding of HLP issues in emergency, post-conflict and transitional settings, and sustainable durable solution approaches.	10

Experience working directly on HLP rights issues involving internally displaced persons, preferably in Myanmar.	5
Experience working with a CSOs, UN agencies and government officials.	5
Experience in designing and implementing training and capacity-building in a development country context, including for senior public officials.	10

- Financial Evaluation: All technically qualified proposals will be scored out of 30. The maximum of 30 points will be assigned to the lowest financial proposal.