

**Terms of Reference**

**For**

**International Consultant**

1. **POST DETAILS**

**Position Title:** Technical Specialist

**Agency/Project Name:** UNDP

**Period of Assignment/ Services:** 15th March 2020 – 30th July 2020(4 months and 15 days)

**Country of Assignment:** Dili, Timor-Leste

**Starting Date:** 15th March 2020

**B. Programme Context and Description**

United Nations Development Programme (UNDP) Country Office in Timor Leste has been working to support the country to achieve the Sustainable Development Goals (SDGs) and reduce human poverty. UNDP’s on-going Country Programme Action Plan 2015-2019 (CPAP) is positioned within the overarching objective of the Timor-Leste United Nations Development Assistance Framework (UNDAF) 2015‐2019, which elaborates on four outcomes and seventeen sub-outcomes to respond to the evolving needs within each sector. The formulation of the UNDAF in turn has been guided by the SDGs and the National Development Priorities which were defined in the Government’s Strategic Development Plan 2011-2030. Two of the current Governance Programme’s projects are the Justice Sector Reform and the Spotlight Initiative.

Justice Sector Reform

Significant changes in the justice sector had taken place since 2002 with the adoption of the laws and regulations by the Timor-Leste’s Legislative Organs which aimed to gradually replace the Indonesian’s legislation and UNTAET’s regulations in order to put in place a harmonized legal order which reflects the socio-cultural and political situation of the country and in order to comply with the internationally recognized legal standards. Nevertheless, the Government of Timor-Leste had made a strong commitment to continue strengthening the justice sector. To achieve the goal, the Government developed and approved the Justice Sector Strategic Plan.

Given the current state of the justice system, the Government has also considered that a justice system reform is necessary to build a momentum around the State’s overall reform process in order to achieve the alignment with the internationally recognized democratic standards. More importantly, the justice system reform is necessary to ensure equal access to an efficient, transparent and reliable justice system by all citizens of Timor-Leste in particular the vulnerable groups.

An initial work on justice system reform had been undertaken previously by the Government. A Legislation Reform Commission was created to implement the reform initiative which later produced a proposal for the Government to develop and implement a legislative package for the reform of the justice sector.

Within this context and after a thorough consultation of the Government and all national Judicial bodies, the National Parliament of Timor-Leste took the initiative to advance the implementation of the targeted interventions set out in the reform documents which are to design, develop and implement the justice sector reform framework to ensure achievement of an independent, efficient, impartial and a transparent justice system.

The Justice Sector Reform (JSR) project was established to respond to the National Parliament’s request for support to implement this reform by reviewing and formulating the following legislation:

* Legislation to complete the organizational structure of the country's judicial system;
* The Superior Council for Magistrates and Prosecutors legal framework which includes the level of authority and autonomy in supervising the functioning of the respective portfolio;
* Legal mechanisms for the performance of judges, prosecutors and public defenders, within a new framework that will allow a merit evaluation model;
* The Criminal Law which include the definition of new crimes and their compliance with international instruments;
* The Criminal Procedural Law, specially the extension of deadlines and the creation of the preliminary hearing phase (pre-trial phase/*instrução*);
* A Legislation to define the relationship of customary justice to formal justice - delimitation of legal spheres - subject to consultations with traditional authorities and civil society organizations;

Spotlight Initiative

To address the global challenges of VAWG, the European Union (EU) and the United Nations have embarked on a new multi-year programme- the EU-UN Spotlight Initiative. The Spotlight Initiative aims to support transformative change on the ground to end violence against women and girls.

The Spotlight Initiative in Timor-Leste will be implemented through five UN agencies (UN Women, UNFPA, UNDP, UNICEF, and ILO) with a focus on addressing intimate partner violence and domestic violence. The overall vision of the Spotlight Initiative in Timor-Leste is that women and girls enjoy their right to a life free of violence, within an inclusive and gender equitable Timor-Leste. This contributes to implementation of Timor-Leste’s National Action Plan on Gender Based Violence (2017-2021), with attention to holistic prevention and responses to violence against women and girls using a mutli-sectoral and intersectional approach to implement intervention on the following six outcomes area:

1) Pillar 1: Legislation and Policies

2) Pillar 2: Institutional strengthening

3) Pillar 3: Prevention of violence

4) Pillar 4: Available, accessible, and acceptable, quality services

5) Pillar 5: Quality and reliable data

6) Pillar 6: Supporting women’s movements and relevant civil society organizations

The Programme is grounded on the core principle of leaving no one behind and reaching the furthest behind first. The interventions have been designed to target women and girls most marginalized (rural, poor, with disabilities), at higher risk of intimate partner violence and groups that face multiple or intersecting forms of discrimination.

To ensure effective and meaningful impact of the Spotlight Initiative in Timor-Leste, the Programme will focus on a comprehensive set of actions at the national level, alongside community-based interventions in 3 municipalities (of the country’s 13 municipalities). Based on a preliminary analysis of needs, gaps and opportunities, from a thematic and geographic lens and consultations with various stakeholders, the Programme will focus its community-level efforts in Ermera, Viqueque, and Bobonaro municipalities.

Timor-Leste has drafted a Country Joint Programme Document, which was developed in full consultation with and participation by Government of Timor-Leste, the European Union, CSOs, independent institutions and other stakeholders. It is anticipated that the document will be approved in December 2019 with its implementation to begin in January 2020.

The Country Joint Programme Document contains a monitoring & evaluation (M&E) plan and a detailed results framework, of which this baseline forms a part. The baseline is an important element in the M&E plan and will enable the programme team to understand the situation at the beginning of the Initiative and will identify tools and approaches to measure established Spotlight indicators for Timor-Leste.

UNDP in Timor-Leste has led the United Nations’ effort to develop and consolidate democratic governance institutions, systems and processes to make them more inclusive and responsive the since 2002. Since then, UNDP has been supporting government efforts to strengthening key governing institutions of oversight, accountability, local development, electoral support and rule of law. The Programme offers support to policy design and implementation as well as capacity development on national level, as well as to enable more effective service delivery on local level.

**C. Duties and Responsibilities**

The main duties that the consultant will be expected to carry out are:

* Research, Knowledge Management and Documentation:
	+ Assist in preparation of knowledge resources, communications and background material for internal and external use, including concept notes and factsheets on thematic issues
	+ Support review, contribute to, and edit research and knowledge products such as narrative reports, research reports, evaluation reports, etc.
	+ Provide support to resource mobilisation efforts with the drafting of concept notes, briefing notes, talking points and other documents as needed
	+ Conduct preparation documents and research for project proposals to be developed within the scope of the Parliament
	+ Support initiatives of project development such as the g7+ Parliamentary Assembly, the Parliamentary SDGs Agenda, the Lian Povu Initiative and Harii Hamutuk Aid Effectiveness Mechanism.
	+ Coordinate and deliver UNDP’s activities under the Spotlight Initiative Programme.
* Project Planning, Implementation and Monitoring:
	+ Support the implementation of the Justice Sector Reform project, including organisation of meetings and events, coordination with UNDP Country Office and partners
	+ Draft presentations, meeting minutes, and briefs for and from workshops, meetings and consultations with stakeholders
	+ Support monitoring, reporting and evaluation of the Justice Sector Reform project and the Spotlight Initiative
	+ Use project-level monitoring tools to track progress and inform unit reporting throughout the year
	+ Provide administrative support and record all substantive matters in the project on an as-needed basis

1. **Expected Outputs/Key Deliverables and Timeframe**

The successful individual consultant is expected to deliver the following outputs/key deliverables:

| **Deliverables/Outputs** | **Estimated Duration to Complete** | **Target Due Dates** | **Review and Approvals Required** |
| --- | --- | --- | --- |
| Deliverable 1. Submission and approval of the first quarterly reports of Justice Sector Reform and Spotlight Initiative. | 15 days | 31st March 2020 | JSR CTA and Governance Programme Analyst |
| Deliverable 2. Submission of the PowerPoint Presentation given at the g7+ meeting during the IPU Assembly as well as minutes of the meeting; Documentation on support to project development of JSR’s second phase;Submission and approval of the revised AWP of Spotlight Initiative according to Q1 delivery.  | 1 month | 30th April 2020 | JSR CTA and Governance Programme Analyst |
| Deliverable 3. Submission and approval of the Progress report for JSR; Documentation on coordination and implementation efforts for the Spotlight Initiative.  | 1 month | 31th May 2020 | JSR CTA and Governance Programme Analyst |
| Deliverable 4. Submission and approval of draft Final Report of JSR; Submission and approval of the Spotlight Initiative’s second quarterly report.  | 1 month | 30th June 2020 | JSR CTA and Governance Programme Analyst |
| Deliverable 5. Handover notes for JSR and the Spotlight Initiative; Submission and approval of the revised AWP of Spotlight Initiative according to Q2 delivery.  | 1 month | 31st July 2020 | JSR CTA and Governance Programme Analyst |

1. **Institutional Arrangements**

The Technical Specialist will work under supervision of the JSR Chief Technical Advisor and will be required to work closely with the Governance Programme and the rest of the staff in the Country Office. The Technical Specialist will report to the JSR Chief Technical Advisor on contractual, performance management and administrative matters.

1. **Duration of Work**

The expected duration of this assignment is one year with a start date of 1st of March 2020, and planned to be completed by 31st of July 2020.

1. **Duty Station**

The main duty station will be in Dili, Timor-Leste.

1. **Qualifications of the Successful Individual Contractor**

**Required Skills and Experience**:

**Education and experience:**

Applicants must at the time of application meet the following requirements:

* Graduated with a Bachelor university degree in the field of governance, development, international relations or equivalent
* Minimum one year of work experience in international development and governance, project management, research
* Experience and knowledge of working with UNDP Timor-Leste as well as with governance institutions in the country
* Excellent writing skills, as well as strong analytical aptitude and strong communication skills
* Excellent interpersonal skills: being able to listen and collaborate with a wide range of players, being able to work independently and manage workload individually while meeting deadlines, being pro-active and taking initiative
* Knowledge of the Spotlight Initiative, specifically the Pacific and the Timor Leste programme, is a distinctive advantage
* Knowledge of the Justice Sector Reform project in Timor-Leste is a distinctive advantage

**Personal Competencies:**

* Commitment to UNDP's mission, vision and values;
* Sensitivity to cultural, gender, religion, race, nationality and age differences;
* Highest standards of integrity, discretion and loyalty.

**Language:**

Fluent in English with excellent reading and writing skills. Knowledge of Portuguese and Tetum is advantage.

1. **Scope of Price Proposal and Schedule of Payments**

**Lump Sum Contract**

The Financial Proposal must be expressed in the form of an all-inclusive[[1]](#footnote-2) Lump Sum Amount, linked to the Expected Outputs and Deliverables, supported by a breakdown of costs as per the template provided by UNDP. Under the lump sum approach, the contract price is fixed, regardless of changes in the cost components or duration of the assignment.

**Travel;**

All envisaged travel costs must be included in the financial proposal. This includes all travel to join duty station/repatriation travel. In general, UNDP should not accept travel costs exceeding those of an economy class ticket. Should the IC wish to travel on a higher class he/she should do so using their own resources.

In the case of unforeseeable travel, payment of travel costs including tickets, lodging and terminal expenses should be agreed upon, between the respective business unit and Individual Consultant, prior to travel and will be reimbursed.

**Schedule of payments**

| **Instalments of Payment/ Period** | **Deliverables and/ documents to be delivered** | **Approval should be obtained** | **Percentage of Payment** |
| --- | --- | --- | --- |
| 1st instalment  | Deliverable 1. Submission and approval of the first quarterly reports of Justice Sector Reform and Spotlight Initiative. | JSR CTA and Governance Programme Analyst | 20% |
| 2nd instalment | Deliverable 2. Submission of the PowerPoint Presentation given at the g7+ meeting during the IPU Assembly as well as minutes of the meeting; Documentation on support to project development of JSR’s second phase;Submission and approval of the revised AWP of Spotlight Initiative according to Q1 delivery.  | JSR CTA and Governance Programme Analyst | 20% |
| 3rd instalment | Deliverable 3. Submission and approval of the Progress report for JSR; Documentation on coordination and implementation efforts for the Spotlight Initiative.  | JSR CTA and Governance Programme Analyst | 20% |
| 4th instalment  | Deliverable 4. Submission and approval of draft Final Report of JSR; Submission and approval of the Spotlight Initiative’s second quarterly report.  | JSR CTA and Governance Programme Analyst | 20% |
| 5th instalment | Deliverable 5. Handover notes for JSR and the Spotlight Initiative; Submission and approval of the revised AWP of Spotlight Initiative according to Q2 delivery.  | JSR CTA and Governance Programme Analyst | 20% |

**J. Recommended Presentation of Offer**

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

1. Dully accomplished **Letter of Confirmation of Interest and Availability** using the template provided by UNDP (to be downloaded from the procurement notice link);
2. **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;
3. A brief **methodology and step by step timeline** on how he/she will approach and complete the assignment, and
4. **Financial Proposal** in the template provided by UNDP (to be downloaded from the procurement notice link).

**K. Criteria for Selection of the Best Offer**

The applications will be evaluated using weighted scoring method, where the award of the contract should be made to the individual consultant whose offer has been evaluated and determined as:

a) Responsive/compliant/acceptable, and

b) Having received the highest score out of a pre-determined set of weighted technical and financial criteria specific to the solicitation and has accepted UNDP’s General Terms and Conditions.

\* Technical Criteria weight; 70%

\* Financial Criteria weight; 30%

**Only candidates obtaining a minimum of 49 points of the technical criteria (70%) will be considered for the Financial Evaluation.**

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| --- | --- |
| **Technical Criteria** | **Maximum obtainable points (70 points)** |
| 1. Minimum graduated with a Bachelor university degree in the field of governance, development, international relations or equivalent. | 10 |
| 2. Minimum 1 year of work experience in international relations and governance, project management, research | 10 |
| 3. Experience and knowledge of working with UNDP Timor-Leste as well as with governance institutions in the country | 15 |
| 4. Excellent writing skills, as well as strong analytical aptitude and strong communication skills | 5 |
| 5. Excellent interpersonal skills: being able to listen and collaborate with a wide range of players, being able to work independently and manage workload individually while meeting deadlines, being pro-active and taking initiative | 5 |
| 6. Knowledge of the Spotlight Initiative, specifically the Pacific and the Timor Leste programme | 10 |
| 7. Knowledge of the Justice Sector Reform project in Timor-Leste is a distinctive advantage  | 10 |
| 8. Fluent in English with excellent reading and writing skills. Knowledge of Portuguese and Tetum | 5 |
| **TOTAL Technical scores** | **70** |

**UNDP Personal History form (P11):**

http://www.undp.org/content/dam/undp/library/corporate/Careers/P11\_Personal\_history\_form.doc.

**General Conditions of Contract for the ICs:**

https://procurement-notices.undp.org/view\_file.cfm?doc\_id=XXXXX

**Annex I Offeror´s letter to UNDP confirming interest and availability for the Individual Contractor (IC) assignment:**

http://procurement-notices.undp.org/view\_notice.cfm

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| --- |
| DETAIL CRITERIA***Technical Criteria* Maximum obtainable points *(70 points)* Weight Percentage *(70%)***Graduated with a Bachelor university degree in the filed of governance, development, international relations or equivalent 10 10%Minimum one year of work experience in international development and governance, project management, research 10 10%Experience and knowledge of working with UNDP Timor-Leste as well as with governance institutions in the country 15 15%Excellent interpersonal skills: being able to listen and collaborate with a wide range of players, being able to work independently and manage workload individually while meeting deadlines, being pro-active and taking initiative 5 5%Excellent writing skills, as well as strong analytical aptitude and strong communication skills 5 5%Fluent in English with excellent reading and writing skills. Knowledge of Portuguese and Tetum is advantage.  5 5%Knowledge of the Spotlight Initiative, specifically the Pacific and the Timor Leste programme, is a distinctive advantage 10 10%Knowledge of the Justice Sector Reform project in Timor-Leste is a distinctive advantage 10 10% ***A. Total Technical criteria 70 70%******Financial proposal 30 30%******Final Score 100 100%*** |

**L. Approval**

**This TOR is approved by:**

Signature

Name and Designation

Date of Signing

1. *The term “All inclusive” implies that all costs (professional fees, travel costs, living allowances, communications, consumables, etc.) that could possibly be incurred by the Contractor are already factored into the final amounts submitted in the proposal* [↑](#footnote-ref-2)