



Spotlight Initiative
To eliminate violence
against women and girls



INDIVIDUAL CONSULTANT PROCUREMENT NOTICE

IC 2020-40 Legal Expert

Date: 20 April 2020

Deadline for Submission	Please see more details on e-tendering: https://etendering.partneragencies.org/
Allowable Manner of Submitting Proposals	<p>e-Tendering Site address: https://etendering.partneragencies.org/</p> <p>Business Unit: KGZ10 Event ID: 2020-40</p> <p>Guide for Bidders is available on https://www.undp.org/content/undp/en/home/operations/procurement/business/procurement-notices/resources/</p>
Information for electronic submission through eTendering	<p>No hard copy or email submissions will be accepted by UNDP/</p> <p>Detailed instructions on how to submit, modify or cancel a bid in the eTendering system are provided in the eTendering system Bidder User Guide and Instructional videos available on this link: http://www.undp.org/content/undp/en/home/operations/procurement/business/procurement-notices/resources/</p> <p>Contact Details for submitting clarifications/questions: E-mail address: procurement.sdg.kg@undp.org</p> <p>Please note that when uploading files, the following restrictions and specifications must be followed:</p> <ul style="list-style-type: none"> • File name can only contain 60 characters. • File name and description cannot contain special characters and letters from other alphabets. It should only contain letters from the English alphabet. • If you are uploading a large number of files (ex. 15 or more), please zip the files into a ZIP folder and upload the folder instead of each file individually. You can upload several ZIP folders, but if you do this, please note that the total size of each ZIP folder uploaded cannot exceed 50MB. <p>Please read the solicitation documents of the event carefully to ensure that you are meeting the event requirements for document submission. There may be restrictions on the size and format of the uploaded files.</p>
Documents to be included in proposal	<ul style="list-style-type: none"> • Proposal: Resume/CV (including past experience in similar projects) • Signed confirmation of interest and submission of financial proposal form (the form is attached), - Annex 3, Financial Proposal Form • Copy of ID (passport) • Copy of Diploma and required certificates

TERMS OF REFERENCE for Legal Expert

Project title:	Spotlight Initiative
Short title of Assignment:	Legal Expert
Contract Type:	Individual Contract
Duty station:	Bishkek, Kyrgyzstan with travels to regions
Duration of Contract:	180 effective person-days (May 2020 – January 2021)

BACKGROUND

The European Union and the United Nations have launched the Spotlight Initiative (SI), a multi-year programme aimed at addressing all forms of violence against women and girls (VAWG), and harmful practices. The Spotlight Initiative (SI) aims to support transformative change on the ground to end VAWG, in numerous countries globally, including the Kyrgyz Republic. The initiative comes with the highest level of commitment globally and will be governed by the UN Deputy Secretary General and the Vice President of the EU Commission.

The SI in the Kyrgyz Republic will apply a comprehensive set of approaches based on social innovation, Human Rights, multi-sectoral inclusive response and survivor-centred principles to the planning, coordination, implementation and monitoring of interventions across the SI's six Outcome Areas. Particular emphasis will be placed on integrating the voices and experiences and solutions of women and girls who face multiple forms of discrimination, in line with the Sustainable Development Goals (SDG) principle of 'Leave No One Behind'. The SI in the Kyrgyz Republic has sought to reflect on current or common place models of 'conducting business' in order to propose innovative alternatives aligned with commitments to gender transformative and community-led approaches guided by adaptive leadership and a joint-One UN systems management approach.

The UN Coordination Unit is responsible for the SI Kyrgyz Republic programme management, working under the supervision and guidance of the UN Resident Coordinator (RC), Country Programme National Steering Committee, the National Civil Society Reference Group, the EU Delegation in Kyrgyzstan, and other stakeholders and partners engaged in programme implementation. This unit is comprised of the Programme Coordinator (hosted by RCO), M&E Specialist (hosted by RCO), Technical Coherence Specialist (hosted by UNW), and the Communication Specialist (hosted by UNICEF). These staff make up the SI Kyrgyz Republic core functions. In order to ensure adequate implementation and integration across Pillars, the UN Coordination Unit will work with all Recipient United Nations Organizations (RUNOs): UN Women, UNDP, UNFP, UNICEF and UNODC and associated UN agencies (IOM, WHO and OHCHR).

In order to streamline integration and collaboration across RUNOs, the SI Kyrgyz Republic has designated technical Pillar Leads based on decision of UN RC:

- Pillar 1 (Laws and Policies) – UNDP,

- Pillar 2 (Institutional Strengthening) – UNDP,
- Pillar 3 (Prevention) – UNICEF,
- Pillar 4 (Quality Services with Focus on Prevention and Resilience) – UNFPA,
- Pillar 5 (Data Management) – UNFPA
- Pillar 6 (Women’s Movement and CSOs) – UN Women.

Pillar	Pillar 1	Pillar 2	Pillar 3	Pillar 4	Pillar 5	Pillar 6
Pillar lead	UNDP	UNDP	UNICEF	UNFPA	UNFPA	UN Women
Implementing agencies	UNDP UN Women UNODC UNFPA UNICEF	UNDP UNODC UN Women UNFPA	UNICEF UNDP UN Women UNFPA UNODC	UNFPA UN Women UNODC UNICEF UNDP	UNFPA UNDP UNODC	UN Women UNDP UNFPA UNODC UNICEF
Associated agencies	OHCHR	OHCHR WHO	IOM OHCHR	WHO IOM		OHCHR

OBJECTIVE

The main objective of the assignment is to support Country Programme Gender Coordinator/Spotlight Project Manager in facilitating effective coordination and implementation of the UNDP led pillars 1 and 2 under Spotlight Initiative and coordination of UNDP-assigned activities in the other pillars with relevant RUNOs and stakeholders.

SCOPE OF WORK

Under the direct supervision of the Country Programme Gender Coordinator/Spotlight Project Manager, and the overall guidance of Rule of Law Advisor/Project coordinator and the SDG16 Team Leader, the Legal expert will perform the following tasks:

- In consultation with the Spotlight Technical Team and key justice stakeholders, support in provision of the analysis of the key results, available gaps, recommendations and the work done, by the selected contractor engaged in monitoring **development of Legislative review of the women’s rights & Violence against Women and Girls (VAWG) and capacitating of the relevant bodies of Jogorku Kenesh and Ombudsman’s Office**. The review shall also focus on assessing compliance of the domestic legal framework with international standards, as well as the intersecting forms of discriminations under criminal, civil, family, labour, administrative and all other cross sectoral relevant legislation. As a result, the review is expected to be used by national stakeholders, including the government, the Parliament, the Ombudsman, and CSOs, as a tool for advocacy, reform, and produce legislative amendments and recommendations that might contribute to increased protection of women and girls against violence.;

- Support in provision of the analysis of the key results, available gaps, recommendations and the work done, by the selected contractor engaged in managing grants to **CSOs and women's rights organizations to provide inputs to legislative and policy-making on SGBV**, conduct public oversight and participate in public hearing and inquiries on implementation of selected laws & policies on women's rights and SGBV;
- Support in provision of the analysis of the key results, available gaps, recommendations and the work done, by the selected contractor engaged in strengthening the institutional capacities of the selected **Parliamentarians, Parliamentary Committees of the Jogorku Kenesh**, including establishing a cross-sectoral Working Group to advocate for, draft new and/or strengthen existing legislation and/or policies to conduct oversight of legislation on VAWG, strengthen legislation and hold state institutions accountable for implementation of selected legislation on women's rights and SGBV;
- Support in provision of the analysis of the key results, available gaps, recommendations and the work done, by the selected contractor engaged in strengthening the institutional capacity of the **Department for Protection of Children's, Women's and Family Rights of the Ombudsman** to advocate for, monitor, report and increase public interface with CSOs on women rights' issues and VAWG);
- Support in provision of the analysis of the key results, available gaps, recommendations and the work done, by the selected contractor engaged in conducting **internal gender assessment of justice and security** institutions (police, Advokatura, General Prosecutor Office, judiciary), including assessment of capacity to deliver on survivor-centered SGBV programmes, and to develop subsequent action plans
- Expert support to the Rule of Law Advisor in provision of the analysis of the key results, gaps, recommendations and the work done, by the selected contractor engaged in **development and institutionalization of mandatory educational curriculum** for security & justice actors (police, judges, prosecutors and lawyers), the Management Academy under the President to enhance institutional gender-sensitive and survivor-centred criminal justice practices
- Expert support to the Access to Justice Advisor/Project Coordinator in provision of the analysis of the key results, gaps, recommendations and the work done, by the selected contractor engaged in support to the MoJ, through the work of the Bus of Solidarity, to **conduct an effective public campaign** on women's rights and EVAWG, targeting communities in rural and remote areas, to promote legal awareness as a tool to challenge discriminatory social norms, gender stereotypes and to contribute to increased women and girls' empowerment to claim equality before the law;
- Expert support in elaboration of TOR, then in analysis of the key results, available gaps, recommendations and the work done, by the selected contractor engaged in **conducting a functional review** of the national women rights network, including UNiTE, to identify strategic areas and develop a road map for the movement to be more strategic and coordinated at national and regional level;
- Support in ensuring project content wise document workflow maintenance, maintaining SI project communication with relative stakeholders, communication with SI communication unit for timely contribution.

Notes: UNDP will cover necessary logistical expenses of trainings/workshops/meetings (e.g. meals & conference facilities) when required.

FINAL DELIVERABLES

PRODUCTS	DEADLINE	PAYMET STRUCTURE
<p>Interim narrative report on the results of the conducted activities is submitted and approved by UNDP, including:</p> <ul style="list-style-type: none"> Minutes of participation in at least ten regular Spotlight Technical Team meetings to provide their legal expertise Summary and follow up to Country Programme Gender Coordinator/Spotlight Project Manager of the analysis of the key results, available gaps, recommendations and the work done, by the selected contractor engaged in: <ol style="list-style-type: none"> Legislative review of the women's rights & Violence against Women and Girls (VAWG), review of the legislative inconsistencies and gaps of domestic legislation on VAWG and women's rights and propose the respective amendments and harmonization; inputs to legislative and policy-making on SGBV, conducting public oversight and participating in public hearing and inquiries on implementation of selected laws & policies on women's rights and SGBV. established SGBV coordination/monitoring platforms or working group under the auspices of Jogorku Kenesh conducted participatory monitoring of the legislation on VAWG at subnational level (<i>list of stakeholders consulted and draft topics</i>); 	2 months after contract issuance	20%
<p>Interim narrative report on the results of the conducted activities is submitted and approved by UNDP, including:</p> <ul style="list-style-type: none"> Summary and follow up of the analysis of the key results, available gaps, recommendations and the work done, by the selected contractor engaged: in supporting justice and security institutions to conduct internal capacity assessment exercise on practices on VAWG, including gender assessment; based on findings, support justice and security institutions to develop their own specific action plans and establish internal mechanisms. Elaboration of TOR, then analysis of the key results, available gaps, recommendations and the work done, by the selected contractor engaged in conducting a functional review of the national women rights network, including UNiTE, to identify strategic areas and develop a road map for the movement; Inputs/recommendations/follow up actions during the two travels for meetings with CSOs and assessment at subnational level with agenda, list of participants and feedback forms; 	4 months after the contract issuance	25%
Interim narrative report on the results of the conducted activities is submitted and approved by UNDP, including:		

<ul style="list-style-type: none"> Summary and follow up of the analysis of the key results, available gaps, recommendations and the work done, by the selected contractor engaged: in streamlining the business processes within the Department for Protection of Children's, Women's and Family Rights under Ombudsman Office and Elaboration of monitoring and reporting instruments on SGBV cases; training of the Department staff and authorized representatives in the regions on monitoring, reporting, legislation on SGBV; strengthening reporting and monitoring practice of the Department on SGBV; Summary to the Access to Justice Advisor/Project Coordinator in: <ol style="list-style-type: none"> analysis of the key results, milestones, gaps, recommendations and the work done in the framework of the Letter of Agreement with the Ministry of Justice to strengthen the Bus of Solidarity initiative; provision of the expert's advice to UNDP staff, Ministry of Justice on improving the promoting legal information and counseling (on VAWG, family law, civil rights legislation, property rights, etc.); 	7 months after contract issuance	25%
<p>Final narrative report on the results of the conducted activities within the scope of work is submitted and approved by UNDP, including:</p> <ul style="list-style-type: none"> Summary to the Rule of Law Advisor in provision of the analysis of the key results, gaps, recommendations and the work done, by the selected contractor engaged in developing and institutionalizing through adoption of regulation four comprehensive /40 hours educational curricula on women rights and SGBV training courses in partnership with Training Centres and Academia of security and justice institutions (MIA, GPO, Advokatura, High School of Justice); Summary to Country Programme Gender Coordinator/Spotlight Project Manager in: <ol style="list-style-type: none"> analysis of the work performed, by the contractor engaged in development of recommendations/TOR for upgrading the analytical submodule of ERPP. provided legal consultation, inputs/bullet points to UNDP staff when meeting with the relevant national partners and donors (General Prosecutor's Office, National Statistics Committee etc.) on the issues raised during the implementation of the above-mentioned contract 	10 months after contract issuance	30%

REPORTING REQUIREMENTS

Legal Expert shall submit progressive/interim and final reports in English language based on the results achieved according to set deadlines in agreed format stated all actions taken during the assignment to be approved by Country Programme Gender Coordinator/Spotlight Project Manager, and the overall guidance of Rule of Law Advisor/Project coordinator and the SDG16 Team Leader, which will serve as a justification for the payments. **The certifying officer is SDG16 Team Leader.**

QUALIFICATION REQUIREMENTS

- Minimum Bachelor's degree or equivalent in Law;
- Proven experience working in the area of rule of law/ human rights/SGBV/gender equality at least 2 years;
- Experience in conduction/participation of analysis of laws/draft laws/legislation;

- Experience in working with diverse partners including state bodies, CSOs, international organizations and development projects;
- Language skills: fluency in Russian and English is required;
- Knowledge of Kyrgyz will be an asset.

ADDITIONAL REQUIREMENTS FOR RECOMMENDED CONTRACTORS

Statement of Medical Fitness for Work

Individual Consultants/Contractors whose assignments require travel and who are over 65 years of age are required, at their own cost, to undergo a full medical examination including x-rays and obtaining medical clearance from an UN - approved doctor prior to taking up their assignment.

Where there is no UN office nor a UN Medical Doctor present in the location of the Individual Contractor prior to commencing the travel, either for repatriation or duty travel, the Individual Contractor may choose his/her own preferred physician to obtain the required medical clearance.

Inoculations/Vaccinations

Individual Consultants/Contractors are required to have vaccinations/inoculations when travelling to certain countries, as designated by the UN Medical Director. The cost of required vaccinations/inoculations, when foreseeable, must be included in the financial proposal. Any unforeseeable vaccination/inoculation cost will be reimbursed by UNDP.

SECURITY CLEARANCE

The Consultant/Contractor will be requested to undertake the BSAFE training. These requirements apply for all Consultants, attracted individually or through the Employer.

TRAVEL REQUIREMENTS

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.

Please be guided by the following information when preparing your financial proposal:

Number of visits	Days of travel	Overnights in total
2 visits to Osh	4 days each travel	6 overnights;
2 visits to Issyk Kul	4 days each travel	6 overnights

SCOPE OF PRICE PROPOSAL AND SCHEDULE OF PAYMENTS

Preferred Currency of Offer: United States Dollars (US\$)

The financial proposal shall specify a total lump sum amount, and payment terms around specific and measurable (qualitative and quantitative) deliverables. Payments are based upon output, i.e. upon delivery of the services specified in the TOR. In order to assist the requesting unit in the comparison of financial proposals, the financial proposal will include a breakdown of this lump sum amount (including travel, per diems, and number of anticipated working days).

For local contractors in Kyrgyzstan UNDP shall affect payment in Kyrgyz som based on the prevailing UN operational rate of exchange on the month of payment. The prevailing UN operational rate of exchange is available for public from the following link: <http://treasury.un.org/operationalrates/OperationalRates.aspx>

UNDP INPUT

Ensure overall substantive coordination with Implementing Partners, Responsible parties and/or Individual Consultants engaged. Security charges are not applicable.

EVALUATION

Offerors will be evaluated based on the methodology of cumulative analysis.

The award of the contract of individual consultant should be made to the person 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.

Total score=Technical Score + Financial Score

Technical Criteria weight – 70%, 700 scores maximum

Financial Criteria weight – 30%. 300 scores maximum

Only candidates obtaining a minimum of 490 from 700 point in the Technical part of evaluation would be considered for the Financial Evaluation

The lowest technically qualified proposal receives 300 points and all the other technically qualified proposals receive points in inverse proportion according to the formula:

$P=Y*(L/Z)$, where

P=points for the financial proposal being evaluated

Y=maximum number of points for the financial proposal

L= price of the lowest price proposal

Z=price of the proposal being evaluated

The selection of candidates will be done in 3 stages:

1st stage: Prior to detailed evaluation, all applications will be thoroughly screened against eligibility criteria (minimum qualification requirements) as set in the present TOR in order to determine whether they are compliant/non-compliant.

Eligibility Criteria/ Критерии приемлемости	
1	Bachelor's degree or equivalent in Law.
2	Proven experience working in the area of rule of law/ human rights/SGBV/Gender equality at 2 years

2nd stage: Technical Evaluation of technical proposals – desk review.

Short-listed candidates will be evaluated based on the following criteria:

Criteria/Критерии	Weight/Мера	Max. Point/Максимальный балл
Technical evaluation/Техническая оценка:	70%	700
Proven experience working in the area of rule of law/ human rights/SGBV/gender equality at least 2 years; 100 points per each additional year above minimum, but no more than 300 points.		300
Experience in conduction/participation of analysis of laws/draft laws/legislation (CV); 100 points per each year, but no more than 200 points.		200
Experience in working with diverse partners including state bodies, CSOs, international organizations and development projects (CV).		100
Language skills: Fluency in Russian <i>10 points – not easily</i> <i>20– easily</i>		20
Language skills: Fluency in English <i>10 points – not easily</i> <i>20– easily</i>		20
Language skills: Fluency in Kyrgyz is an asset <i>30 points – not easily</i> <i>60 – easily</i>		60
Only candidates obtaining a minimum of 490 points from 700 points at the Technical Evaluation/Interview would be considered for the Financial Evaluation.		
Financial/ Финансовая оценка	30%	300

3rd stage: Financial evaluation (according to the method described above)

Only candidates obtaining a minimum of 490 from 700 point in the Technical part of evaluation would be considered for the Financial Evaluation

The lowest technically qualified proposal receives 300 points and all the other technically qualified proposals receive points in inverse proportion according to the formula:

$P=Y*(L/Z)$, where

P =points for the financial proposal being evaluated

Y =maximum number of points for the financial proposal

L = price of the lowest price proposal

Z =price of the proposal being evaluated

The candidate achieving the highest cumulative score for both Technical and Financial evaluations will be recommended by the Evaluation Committee for contracting.

Approved by/ Одобрено	Signature
Erkina Urazbaeva, UNDP Programme Officer/Team Leader	<i>Erkina Urazbaeva</i> 20-Apr-2020