



INDIVIDUAL CONSULTANT PROCUREMENT NOTICE

2020/UNDP-MMR/PN/042

Date: 23 April 2020

| | |
|---------------------------------------|---|
| Country: | Myanmar |
| Description of the assignment: | Legal Advisor (Anti-Corruption, Rule of Law & Human Rights) |
| Type of Contract: | Individual Contract (International) as Framework Agreement |
| Duty Station: | Nay Pyi Taw (minimum three days per week) Yangon (two days per week) |
| Period of assignment/services: | 1 May 2020 – 30 April 2021 (200 working days) |

Proposal should be submitted to (either bids.mm@undp.org or UNDP Jobs site <http://jobs.undp.org> no later than **7 May 2020, 24:00 hr (COB, YANGON)**. Email submission should state procurement notice number (**2020/UNDP-MMR/PN/042**) in the subject line.

Any request for clarification must be sent in writing, or by standard electronic communication to the address or e-mail to mmr.procurement@undp.org. Procurement Unit will respond in writing or by standard electronic mail and will send written copies of the response, including an explanation of the query without identifying the source of inquiry, to all consultants.

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 components: (1) Anti-Corruption, (2) Parliament, and (3) Rule of Law & Human Rights.

Under the Anti-Corruption and Rule of Law & Human Rights components SARL accommodates activities under two UNDP regional projects "Promoting a Fair Business Environment in ASEAN" (Fair Biz) and "Business and Human Rights in Asia: Enabling Responsible Trade & Investment through the Protect, Respect and Remedy Framework" (B+HR).

Through SARL and the regional initiatives, UNDP Myanmar supports institutional capacity of key accountability institutions such as the Anti-Corruption Commission (ACC), Corruption Prevention Units (CPUs) of line ministries, the Union Attorney General's Office (UAGO), the Myanmar National Human Rights Commission (MNHRC), and the Directorate of Investment and Company Administration (DICA) to strengthen justice and watchdog mechanisms in Myanmar and enable these institutions to better implement their mandate. In addition, UNDP's interventions thematically focus on the private sector's role in accountability processes, promoting the United Nations Guiding Principles on Business and Human Rights (UNGPs) and stressing the importance of involving businesses in anti-corruption efforts. Accountability aspects related to housing, land and property (HLP) rights is a further area of activity in SARL, including protection of land rights through legislation, policies, and private sector initiatives, as well as redress mechanisms and advocacy. Regarding supporting Rule of Law in Myanmar SARL has a long-standing relationship with the UAGO, which includes support for strengthening fair trial and legislative drafting standards, legislative vetting, and justice sector coordination.

UNDP is seeking a Legal Advisor to provide technical advice in the planning and implementation of human rights, anti-corruption, and rule of law activities under SARL, FairBiz, and B+HR. It includes, among other elements, guiding the ACC, UAGO, and CPUs to conduct Corruption Risk Assessments of private sector and public service relevant legislation and procedures and to support DICA, MNHRC and private sector to protect and respect the UNGP's specifically in the area of HLP rights. S/he will provide technical inputs for SARL, FairBiz and B+HR activities in these areas, working closely with other UN agencies, private sector, and Government institutions.

2. SCOPE OF WORK, RESPONSIBILITIES AND DESCRIPTION OF THE PROPOSED ANALYTICAL WORK

For detailed information, please see Terms of Reference.

3. REQUIREMENTS FOR EXPERIENCE AND QUALIFICATIONS

For detailed information, please see Terms of Reference.

4. DOCUMENTS TO BE INCLUDED WHEN SUBMITTING THE PROPOSALS.

Candidates should submit the following documents:

- a. Duly **completed Letter of Confirmation of Interest and Availability** using the template provided by UNDP
- b. 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

c. **Brief description (max. ½ page)** of why the individual considers him/herself as the most suitable for the assignment

d. **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.

5. FINANCIAL PROPOSAL

Fees

Financial Proposal that indicates the all-inclusive fixed total contract price, supported by a breakdown of costs, as per template provided. If an Offeror 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 Offeror must indicate at this point, and ensure that all such costs are duly incorporated in the financial proposal submitted to UNDP.

Travels

All envisaged travel costs must be included in the financial proposal. This includes all travel to join duty station/repatriation travel. In general, UNDP will not accept travel costs exceeding those of an economy class ticket. In the case of unforeseeable travel, payment of travel costs including tickets, lodging and terminal expenses will be agreed upon, between the respective business unit and Individual Consultant, prior to travel and will be reimbursed. (Please see Template attached at Annex- 4)

6. EVALUATION

UNDP will use a combined scoring method, in which **the technical proposal (the candidate's CV + sample writing material + short technical interview)** will be weighted at 70% and the financial proposal at 30%. Scoring for the technical proposal will be:

| Criteria | Points (total = 70) |
|--|------------------------|
| Relevant educational background: Master's university degree in Law. Admission to the Bar an advantage. | 10 |
| Minimum 5 years of relevant professional experience in law, law related | 20 |



*Empowered lives.
Resilient nations.*

| | |
|---|----|
| international development projects or programmes, including at least 2 years working on anti-corruption, rule of law and human rights in countries in transition or affected by conflict. | |
| Experience conducting corruption risk assessments, and in designing and implementing training and capacity building in a development country context in the areas of human rights & rule of law and anti-corruption and/or business integrity | 20 |
| Experience working with senior public officials in Myanmar | 10 |
| Strong understanding of Myanmar's legal system and specifically on anti-corruption, human rights, and HLP issues, Myanmar's legal institutions, the law-making process, and Myanmar's overall context and culture | 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.