

TERMS OF REFERENCE FOR INDIVIDUAL CONSULTANT (FRAMEWORK AGREEMENT)

Assignment Title	Housing Land and Property (HLP) Policy Advisor
Type of Contract	International Individual Contract - Framework Agreement
Start/End Dates	15 May 2020 to 30 April 2021
Working Days	100
Supervisor(s)	SARL Project Manager
Duty Station	Home based with in-country missions in Myanmar

1) Background

Through the 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's work includes supporting IDPs and host communities in conflict-affected locations such as Kachin and Rakhine to secure their HLP rights. 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 an HLP Policy Advisor to provide expert advice to SARL's HLP related activities in Kachin and Rakhine State, and potentially also Northern Shan. The role includes supporting the design and roll out of HLP programming in these locations, including provision of technical support to CSOs and legal aid service providers during project implementation, and developing advocacy initiatives to influence the policy discourse on HLP rights in Myanmar.

Please note that this is a 'Framework Agreement'; these terms of reference set out the broad scope of work for this assignment. UNDP will then agree with the selected Contractor the details of specific assignments within the Framework Agreement.

2) Objectives of the Assignment

The aim of the assignment is to provide strategic and technical advice on the design and implementation of UNDP's programme interventions on HLP rights. This will involve providing technical advice and support to CSOs, UN agencies and key government departments, and leading on the design of advocacy initiatives, including writing briefing papers.

3) Scope of Work

The HLP Policy Advisor's assignment will be in two primary areas:

- Design and delivery of HLP-related advocacy initiatives
- Strategic and technical advice in the implementation of HLP rights activities

3.1 Design and delivery of HLP related advocacy initiatives:

- Development of an HLP policy advocacy strategy and design of specific advocacy initiatives targeting the process for drafting of the National Land Law and repeal/revision of existing laws
- Writing policy briefs on HLP and displacement issues
- Proposing, supporting the design of, or conducting further research
- Delivering presentations on HLP issues as required

3.2 Strategic and technical advice in the implementation of HLP rights activities

- Support effective **implementation of HLP rights programming** by UNDP:
 - Provide technical inputs to strengthen the impact of SARL's HLP initiatives in Rakhine, Kachin and Northern Shan
 - Support integration of HLP issues into UNDP programming in these locations in the fields of local governance, livelihoods and social cohesion.
- Providing **high quality technical assistance on HLP issues to counterparts**:
 - Strengthen CSO implementing partners' ability to work effectively on HLP issues, assist 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.
 - Support sensitization of legislators, justice actors, land administration bodies and other government officials on HLP rights and land laws to increase understanding and improve effective administration of land and fair dispute resolution.
 - Provide technical inputs to data gathering exercises such as research, mapping, baseline assessments and surveys.
- Supporting **resource mobilization** and creation of **strategic partnerships**:
 - Supports identification of opportunities for new project activities, and actively contributes to efforts to mobilize resources, through for example, drafting concept notes.
 - Act as a resource person on HLP issues, where required, in collaborations with other UN agencies.

5) Duty Station

The Contractor will be largely home based with potential occasional assignments in Myanmar, including in Rakhine, Kachin and Northern Shan.

6) Administrative and Logistical Arrangements

6.1) Reporting line:

- The Contractor will be managed by the SARL Project Manager.

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 flights. The travel costs should be based on the most economical fares and the most direct routes.
- UNDP will support the visa process and reimburse the visa fee, based on actual cost.
- 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 travel – 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 their own transportation 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 Contractor is expected to use their own computer and mobile phone.

7) Required Qualifications and Experience

Education:	Master's degree in social sciences, development studies or other related area.
Experience:	<p>Required:</p> <ul style="list-style-type: none">• Minimum 8 years of professional experience working on human rights, access to justice, and involuntary displacement, including provision of legal assistance to IDPs.• Strong understanding of HLP issues in emergency, conflict-affected and transitional settings, particularly in Myanmar.• Experience of designing and implementing policy advocacy initiatives, such as policy briefs, dialogues, workshops, targeted use of media, etc.• Experience of working directly with CSOs, INGOs, UN agencies and government officials. <p>Preferred:</p> <ul style="list-style-type: none">• Experience in designing and implementing training and capacity-building in a developing country context, including ideally 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:

- a. Duly completed *Letter of Confirmation of Interest and Availability* using the template provided by UNDP;
- b. *Personal CV or P11*, indicating all 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. *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 (70 points), potentially including a technical interview. Only candidates obtaining a minimum of 70% (49 points) in the Technical Evaluation will be considered for the Financial Evaluation.

Criteria	Total Points (70)
Master's degree in law, social sciences, development studies or other related area.	5
Minimum 8 years of professional experience working on human rights, access to justice, and involuntary displacement, including provision of legal assistance to IDPs.	20
Strong understanding of HLP issues in emergency, conflict-affected and transitional settings, particularly in Myanmar.	20
Experience of designing and implementing policy advocacy initiatives, such as policy briefs, dialogues, workshops, targeted use of media, etc	10
Experience of working directly with CSOs, INGOs, UN agencies and government officials.	5
Experience in designing and implementing training and capacity-building in a developing 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.

