

## Terms of Reference

**National or International consultants:** National consultant

**Description of the assignment:** Junior Legal Consultant in Access to Justice to support the project on Legal Aid

**Project Title:** Enhancing Community Security and Access to justice in Lebanon Host Communities

**Period of assignment/services:** 70 working days spread over a period of 4 months

### 1. Background & Rationale

Lebanon is currently hosting an unprecedented number of refugees due to the Syrian crisis (about 1.1 million individuals for an estimated population of 5.9 million individuals). Recent surveys indicate increased tensions between host communities and Syrian Refugees. Those tensions are the result of the lack of security and justice services, and are aggravated by human rights violations committed by law enforcement institutions. UNDP Lebanon is operating to respond to the crisis impact through the implementation of a large programme targeting host communities.

UNDP community security and access to justice project (project) aims at improving basic security and justice services to host communities and Syrian refugees in a view to prevent and appease tensions at local level and improve trust into rule of law institutions. The project works on (i) developing and institutionalising basic state security and justice services to host communities in municipalities, particularly municipal police and legal aid; (ii) improving the coordination among state actors, as well as partnerships between formal and informal actors; (iii) addressing conditions of detention and social reintegration of prisoners; and (iv) developing capacities of national state institutions to understand and respond to local security, justice and human rights challenges.

The project has an important component on access to justice, both in communities and in prisons. Hence, the Ministry of Justice, UNDP and UNHCR launched a Joint Initiative aiming at supporting the Ministry of Justice and relevant institutions, including the Bar Associations, to develop a broader and decentralized range of free and quality legal aid services. This joint initiative works on 2 levels; the first is the development of a shared vision on legal aid (policy); and the second, which is a key requirement for the success of the pilot phase lies in **establishing legal helpdesks at local level to deliver free and quality legal aid services to the Poor and most vulnerable.**

These services include (i) information dissemination, (ii) legal counselling, (iii) legal assistance, (iv) legal representation, (v) alternative dispute resolution (such as mediation). The implementation of the joint initiative will enhance access to legal aid to the most disadvantaged while the grounds for a sustainable model for free quality legal aid will be established.

To that effect, an "Access to Justice Working Group" (A2JWG) chaired by the Ministry of Justice with the participation of the Bar Associations (Beirut & Tripoli) has been established to serve as a platform to steer and coordinate the Joint Initiative for a successful

implementation of the project. This working group is currently in the process of developing all the technical and operational material needed for the establishment and operation of the helpdesks.

Following several visits to pilot municipalities, and a selection criterion that was set forth by the A2JWG for the selection of the municipalities/areas that will be hosting legal helpdesks, UNDP identified 4 main areas that will be hosting the legal helpdesk. (1) Baalback; (2) Tripoli; (3) Burj Hammoud; (4) Saida.

Based on the abovementioned, Baalback municipality granted a space for the establishment of the helpdesk. UNDP is currently in the process of developing the Standard Operating Procedures related to the helpdesk, in addition to code of conduct and other necessary forms/documents needed for governing the work of helpdesk and particularly the staff members, to ensure the quality of work.

The project is looking to recruit a Junior specialist in access to Justice consultant to support activities of the project on the development of legal aid services.

## **2. Scope of work, responsibilities and description of the proposed analytical work**

- 1) Develop three template contracts for the staff members of the legal helpdesk
- 2) Developing four new specialized factsheets
- 3) Support the project in drafting the preidentified complementary documents (10 annexes) for the Standard Operating Procedures.
- 4) Developing the predeveloped specialized factsheets into briefs/"user-friendly" documents.

The tasks of the consultant will include, but not limited to, the following:

- 1) Develop **three** template contracts:
  - Employment contract between the operational body (NGO) and the administrative staff
  - Employment contract between the operational body (NGO) and the legal/technical staff
  - Retainer contract between the operational body (NGO) and the contracted lawyers
- 2) Develop 10 **annexes** complementing the legal helpdesks SoPs:
  - a. Request for legal aid services to be filled by the beneficiary
  - b. Personal information form of the beneficiary
  - c. Evaluation form of the case to be filled by technical staff
  - d. Evaluation form to be filled by lawyers
  - e. Internal complaint mechanism
  - f. Non-disclosure agreement
  - g. Regularly reporting mechanism
  - h. Referral mechanism
  - i. Case management/tracking form
  - j. Case Closure form

- 3) Develop **four new** specialized fact sheets addressing the following topics:
  - a. Personal status (content): marriage
  - b. Personal status (content): divorce
  - c. Personal status (content): custody
  - d. Personal status (procedural): procedures before the civil administration
  
- 4) Develop **eight existing** specialized fact sheets into briefs/"user-friendly" documents addressing the following topics:
  - a. Child protection
  - b. Sexual and gender-based violence
  - c. Criminal procedure: right of detainees
  - d. Alternative and collaborative dispute resolution
  - e. Housing
  - f. Labor
  - g. Legal stay for foreigners
  - h. Work permit for foreigners

### 3. Expected Outputs and deliverables

Expected Outputs: Support in the development of the operational documents needed for the implementation phase of the establishment of the legal helpdesks in order to provide free and quality legal aid services.

Expected Deliverables: the consultant is responsible to deliver the following deliverables within the set delivery schedule:

Deliverables	Estimated time for completion	Target Due Dates	Review and Approvals Required
1. Develop three standard template contracts for the staff members of the legal helpdesk	8 working days	June 24 2020	UNDP project officer/project coordinator
2. Develop 10 templates/annexes complementing SoPs	16 working days	July 16 2020	
3. Develop 4 new specialized factsheets	30 working days	August 3 2020	
4. 8 briefs/"user friendly" technical specialized legal fact sheets	16 working days	September 15 2020	

### 4. Institutional arrangements

The consultant will work under the overall supervision of the project officer. The consultant will work closely with the senior legal aid consultant that will coach him/her during the consultancy.

The consultant will also work with the UNDP legal aid coordinator and will assist her in activities related to legal aid.

UNDP has full ownership of the activity and of its final product. Thus, any public mention (including through social media) about the activity should state clearly that ownership. In addition, any public appearance related to the activity should be coordinated and approved by UNDP.

## **5. Duration of work**

The consultancy will require a total of 70 working days spread over a duration of 4 months.

**Expected starting date: 15 June 2020**

**Expected end date: 10 October 2020**

### **REPORTS VALIDATION MODALITIES**

Provisional approval of submitted reports shall take place at each of the defined milestones shown in section 3. It is expected that such approval shall not exceed 3 working days from the notification of the completion of a specific milestone.

## **6. Duty station**

The consultant will be working from home.

The consultant may be requested to work (on part-time basis) from the premises of a national partner, or project office in downtown Beirut.

The consultant will conduct field missions in pilot municipalities where the project intervenes; as well as to any destinations required by the project. Costs related to field visits will be covered by the project.

## **7. Requirements for experience and qualifications**

The Individual Consultant should possess the following minimum qualifications and competencies:

### **a. Academic Qualifications:**

Master's Degree in Law

### **b. Professional Experience:**

- 5 year of experience in the area of human rights (civil, political, social, etc);

- 3 years' experience with justice sector and legal aid actors;
- Experience drafting legal documents.

**c. Competencies:**

- Fluency in Arabic and English (oral and written);
- Strong interpersonal skills: Ability to listen and persuade; Strong oral and written communication skills.

## **8. Scope of Price Proposal and Schedule of Payments**

All proposals must include a technical and financial offer be expressed in lump sum taking the following into consideration:

- i) the lump sum amount must be “all-inclusive<sup>1</sup>”;
- ii) the contract price is fixed regardless of changes in the cost components.

**Payment will proceed as following:**

25 % upon reception of deliverable 1 (validated by UNDP);  
 50% upon reception of deliverable 2 and 3 (validated by UNDP)  
 25% upon reception of deliverables 4 (validated by UNDP).

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<sup>1</sup> 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.