

**TERMS OF REFERENCE (TOR) FOR NHRC COMPREHENSIVE NEEDS ASSESSMENT**

**GENERAL INFORMATION**

**Services/Work Description:** Conduct a comprehensive needs assessment exercise for the National Human Rights Commission (NHRC)

**Project/Program Title:** ***“Support the capacity of the Government and national stakeholders to establish credible transitional justice processes and mechanisms that promote reconciliation and sustainable peace in The Gambia”***

**Post Title:** National Consultant

**Duty Station:** Banjul

**Duration:** 30 working days

**Expected Start Date:** Upon signature (tentatively 21 September 2020)

**Expected End Date 30 November 2020**

1. **Background**

Upon coming into office in 2017, The Gambia Government chose to embark on a transitional justice program to address the 22- year rule of former President Jammeh and restore respect for human rights in the country. In support of the transition process, the UN Secretary General fielded an Inter-Agency Mission to The Gambia to support the transitional justice process. Resulting from this Mission and upon request from the Government, the United Nations Peace Building Fund in May 2017 initiated a Project to support The Gambia deal with legacies of past human rights violations and abuses, and to help the delivery of justice, truth and healing for its society.

In 2018 the government through the National Human Rights Commission Act 2017, established the National Human Rights Commission (NHRC) in line with the Paris Principles as part of various mechanisms established during the transitional process. The NHRC is a first of its kind in the country and is a permanent institution with a broad mandate to promote and protect human rights in The Gambia. The NHRC is a key institution in the human rights framework of the country acting as an ‘important bridge’ linking government, the National Assembly, other state entities, academic and research centers, civil society organizations (CSOs) and the international, regional and national human rights protection systems. It began its operations in February 2019 with the swearing-in of five Commissioners and has since then commenced implementation of its mandate, engagement of substantial staff along with developing internal rules and procedures to guide its operations. The Commission has also embarked on awareness raising activities on its mandate throughout the country, conducted capacity-building activities for key stakeholders and issuing press release on situations of concerns affecting human rights.

With over a year into its operations, the NHRC with support from the Transitional Justice and Human Rights Project (TJHR Project) seeks to conduct a needs assessment of its operations to ensure it is implementing its mandate in line with the Paris Principles and enhance its effectiveness. The exercise will inform the NHRC of existing gaps and specific initiatives to undertake with respect to legislative, institutional and operational reforms.

**2. Objectives of the Consultancy:**

Working closely with the Executive Secretary of the NHRC, the national consultant shall:

* Assess the capacity, strengths and needs of the NHRC;
  + Support the NHRC to assess its current capacity to implement its mandate;
  + Support the NHRC identify any gaps in complying with the Paris Principles;
  + Identify priority capacity gaps that should be urgently addressed;
  + Recommend strategies to address identified capacity gaps.
  + Recommend tailored capacity development strategies that addresses identified capacity gaps of the NHRC;
  + Develop a practical capacity assessment tool that can be used for self-assessment on a regular basis by NHRC.

**3. Tasks of the National Consultant**

Under the supervision of the NHRC Executive Secretary, the national consultant shall carry out the following functions:

* Preparation of a detailed work plan;
* Actively engage with the NHRC and relevant stakeholders through a participatory process;
* Work closely with Commissioners and staff of the NHRC;
* Conduct on the ground additional data collection as may be necessary to fill research/information gaps where required;
* Provide regular progress reporting to the TJHR Project;
* Draft and finalize a report on the assessment based on preliminary work ensuring that the document is user-friendly and includes graphic designs/illustrations to make it reader friendly;
* As part of the Annexes to the Needs assessment report, develop a practical capacity assessment tool that the NHRC can use on a regular basis for self-assessment;
* Facilitate a validation workshop on the comprehensive needs assessment report and incorporate comments into the final document;
* Submission of a finalized comprehensive needs assessment report on the NHRC which includes:

1. List of acronyms and abbreviations;
2. Executive summary;
3. Background;
4. Introduction: objectives, concepts and definitions, methodology, document overview;
5. Paris principles;
6. Baseline assessment;
7. Problem analysis - SWOT analysis & Actor Mapping;
8. Identifying capacity issues;
9. Conclusion;
10. Recommendations.

* Annexes:
* Practical capacity assessment tool that the NHRC can use on a regular basis for self-assessment.

**4. DELIVERABLES AND TIMEFRAME**

The consultancy will last for a period of 30 working days and end no later than 30 November 2020.

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| --- | --- |
| **Deliverables** | **Due date** |
| Submission of an inception report with detailed work plan for the consultancy | Following 5 working days and no later than 1 October 2020. |
| Submission of a draft comprehensive needs assessment report | Following 15 working days and no later than 30 October 2020. |
| Facilitate a national validation workshop on the NHRC comprehensive needs assessment report | Following 1 working day and no later than 10 November 2020 |
| Submission of a final NHRC comprehensive needs assessment report | Following 9 working days and no later than 30 November 2020 |

Payment Schedule

| **Instalments of Payment/ Period** | **Deliverables or Documents to be Delivered** | **Approval should be obtained** | **Percentage of Payment** |
| --- | --- | --- | --- |
| 1st instalment | Upon submission of first draft NHRC comprehensive needs assessment report | “ | 30% |
| 2nd instalment | Upon submission of final validated NHRC comprehensive needs assessment report | “ | 70% |

**5. QUALIFICATIONS of the Successful Individual Contractor (IC)**

**Academic Qualifications:**

Advanced University Degree (minimum Master’s Degree in Law, human rights, development, social sciences or other related fields).

**Experience:**

* Five years of experience in policy development or programme management, design and implementation.
* At least five years of experience in planning, design, preparation and implementation of development programmes.
* Experience with UN Agencies and/or strong understanding of UN, EU or other international donor systems, frameworks, and structures, particularly in programming is required.
* Previous experience of conducting needs assessment exercises is highly desirable.

**Required Competencies:**

Core Values

* Commitment
* Diversity and Inclusion
* Integrity

Core Competencies

* Communication
* Working with People
* Drive for Results

Functional Competencies

* Leading and Supervising
* Formulating Strategies and Concepts
* Analyzing
* Relating and Networking
* Deciding and Initiating Action
* Applying Technical Expertise

**Language and other skills:**

* Excellent knowledge of English language, including the ability to set out coherent argument in presentations and group interactions;
* Ability to present clearly and concisely ideas and concepts in written and oral form;
* Excellent oral and written communication skills in English;
* Good understanding and knowledge of human rights, transitional justice, and good governance;
* Capacity to communicate fluently with different stakeholders (civil society, government authorities, local communities); and
* Computer skills: full command of Microsoft applications (Word, Excel, and PowerPoint) and common internet applications will be required.

**6. CRITERIA FOR SELECTING THE BEST OFFER**

A combined scoring method will be used to select the best offer, where the qualifications and methodology will be weighted for 70%, and combined with the price offer, which will be weighted for 30%. The key criteria for rating the qualification and methodology and their respective percentage weight are as shown below.

|  |  |
| --- | --- |
| **Criteria** | **Percentage weight** |
| Advanced University Degree (minimum Master’s Degree in Law, human rights, development, Social Sciences or other related fields). | 10 |
| Five years of experience in planning, design, preparation and implementation of development programmes. | 30 |
| Five years of experience with UN Agencies and/or strong understanding of UN system, frameworks and structures, particularly in programming. | 15 |
| Previous experience of conducting needs assessment exercises | 35 |
| Language (English required) | 10 |
| **Total (technical score)** | **100** |

**7. RECOMMENDED PRESENTATION OF PROPOSAL**

For purposes of generating proposals whose contents are uniformly presented and to facilitate their comparative review, you are hereby given a template of the Table of Content. Accordingly, your Technical Proposal document must have at least the following preferred content and shall follow its respective format/sequencing as follows.

**Proposed Table of Contents**

**TECHNICAL PROPOSAL**

* CV
* Cover/Motivational Letter
* Demonstration of experience in similar consultancy and/or projects, listing challenges and achievements
* List of personal referees

**FINANCIAL PROPOSAL**

* Daily professional fee

**8. CONFIDENTIALITY AND PROPRIETARY INTERESTS**

The Individual Consultant shall not either during the term or after termination of the assignment, disclose any proprietary or confidential information related to the consultancy service without prior written consent. Proprietary interests on all materials and documents prepared by the consultants under the assignment shall become and remain properties of UNDP, OHCHR and the NHRC.