**INDIVIDUAL CONSULTANT PROCUREMENT NOTICE** 

 Date: 4 September 2020

**Country:** Botswana

**Description of the assignment:** National Human Rights Strategy and Action Plan - Botswana

**Project name: “Support to the Fulfilment of Human Rights, Access to Justice and the Empowerment of Youth and Women Project (2018 -2021)”**

Project number: 00102697

Period of Assignment / Services: As set out in the proposed workplan subject to agreement and available budget

Proposals should be submitted in a sealed envelope clearly labelled:

**“IC- National Human Rights Strategy & Action Plan”**

and be submitted to:

The Resident Representative

United Nations Development Programme

P.O. Box 54

Gaborone, Botswana

OR by email to procurement.bw@undp.org

**By Friday 2 October 2020 12:00 noon (Botswana Time).**

Any request for clarification must be sent in writing by e-mail to **enquiries.bw@undp.org** UNDP Botswana will respond by standard electronic mail and will post written copies of the response on the procurement notice on the website including an explanation of the query without identifying the source of the inquiry to all prospective facilitators.

**1. BACKGROUND**

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| The Government of Botswana and United Nations Development Programme (UNDP) are implementing the “Support to the Fulfillment of Human Rights, Access to Justice and Empowerment of Youth and Women Project” (2018 – 2021) (the Project). The objective of the Project is to provide advisory and technical support to the Government to strengthen and enhance its capacity to respect, protect and fulfil human rights, enhance the accessibility of the justice system and empower youth and women. The Project is guided by the Government’s national development priorities and goals as articulated in Vision 2036, NDP 11, SDGs, United Nations Sustainable Development Framework (UNSDF) (2017 – 2021) and the UNDP Country Programme Document (CPD) (2017-2021).The Ministry of Presidential Affairs, Governance and Public Administration (MOPAGPA) is one of the implementing partners under the Project. MOPAGPA, through the Human Rights Unit (HRU), has requested UNDP’s support to develop a Comprehensive Human Rights Strategy and National Action Plan (CHRSNAP) under the auspices of the Project. The HRU was established in August 2019 with the objective to provide strategic guidance in the promotion and protection of human rights in Botswana. The mandate of HRU includes, among other things; advising Government in the formulation of policies and strategies to strengthen the promotion and protection of human rights; coordinating and capacitating Government Ministries and Departments to effectively promote, protect and report on human rights; monitoring compliance with ratified human rights treaties, conventions and protocols; strengthening Civil Society Organisations (CSOs) partnerships with Government to ensure inclusivity in human rights promotion and protection efforts; and increasing public awareness to promote a human rights based approach and culture of human rights in Botswana. In order to make the development of the CHRSNAP consultative and inclusive, the HRU established a National Human Rights Coordinating Committee (“Committee”) consisting of Government ministries and CSOs. The HRU is the secretariat for the committee and it is supported in it’s Secretariat functions by a Taskforce consisting of the Ministry for Defence, Justice and Security (MDJS), the Ministry for International Affairs and Cooperation (MIAC), DITSHWANELO - The Botswana Centre for Human Rights; and UNDP.A consultant is therefore required to develop the CHRSNAP through a consultative, participatory and inclusive process that incorporates both urban and rural interests in accordance with the scope of work below. ***NOTE: Consultancy firms/companies interested in applying for this assignment are free to do so provided they submit a CV of only one qualified consultant and present its bid in a manner that would allow for evaluation of the bid in accordance with the evaluation criteria specified in these solicitation documents. That is, the experience required is that of the individual whose CV would have been submitted by the company rather than that of the company. Further, if the submitted bid wins, the ensuing contract will be between the UNDP and the company/firm, not the individual.***The specific contents of the CHRSNAP will be guided by consultations and the Committee. However, at a minimum the CHRSNAP should:* Be responsive to the local human rights context in Botswana;
* Provide clear guidance to Government regarding the tasks that need to be accomplished to ensure that human rights are effectively respected, promoted and protected;
* Promote collaboration between Government and non-State actors, including civil society organisations, the private sector, professional groups, educators, advocates, traditional leaders, political representatives etc. to facilitate effective human rights delivery at all levels from the grassroots;
* Establish or strengthen national or issue-specific institutions dealing with human rights;
* Promote the ratification and domestication of international and regional human rights treaties;
* Facilitate the effective implementation of obligations and promote conformity of national legislation with international standards;
* Promote wider awareness of human rights standards and mechanisms, including among those whose actions are particularly critical, such as police, security forces, prison staff, traditional leaders, politicians as well as Government officials and other workers in social fields;
* Promote and maintain a high level of awareness of the state of human rights observance in the country including in the private sector;
* Develop programmes specifically directed towards alleviating the human rights situations of vulnerable groups in society;
* Emphasize the role of human rights in national development; and
* Promote support for humanitarian interventions, and observance of human rights in the implementation of national responses to health pandemics, emergencies and crises.

The consultant will present all deliverables to the HRU which will in turn coordinate consultations and review by UNDP and the Committee. |

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

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| The scope of work is as follows:1. **Develop a National Human Rights Strategy**
	1. Draft and present an **inception report** including summary of the progress to date and key issues arising for consideration in the Strategy;
	2. Develop and present a **work plan** (including methodology) and strictly follow the agreed work plan;
	3. Carry out a **desk review** of documents relevant to an understanding of the national legal framework, including administrative arrangements, existing policy frameworks, action plans and legislation relevant to human rights and constitutional provisions, international and regional human rights commitments and existing assessments of Botswana’s human rights reports;
	4. Conduct a **desk review** of comparable National Human Rights Strategies and Action Plans from select relevant jurisdictions in the SADC region, Africa and comparable jurisdictions (also in particular developing countries, preferably middle income countries) and Identify possible models for approval by the Committee;
	5. Develop a **stakeholder analysis and mapping that identifies key stakeholders** in the promotion and protection of human rights in Botswana, their roles and responsibilities. Stakeholders will be at the local, district, national and international levels. The analysis should include recommendations to strengthen partnership, cooperation and engagement and implementation of the CHRSNAP;
	6. Develop a **consultation plan.** The consultation plan should be cognizant of consultations that have already taken place and the need to ensure accessible communication in various local languages. The consultations should be inclusive and participatory and the plan should include consultation with a broad range of stakeholders and regular engagement with the Committee. The plan must take into account COVID-19 related social distancing requirements and travel restrictions that may exist;
	7. **Collect all the required data and information** from various sources, including Government Departments, Ministries, CSOs and other relevant sources with access to the information. The Government shall facilitate in collection of the data/information with required official letters and contact with focal person(s) wherever required;
	8. Collect, review and analyze all the necessary documents and data and produce a **Baseline Study** of Botswana’s legal and institutional human rights framework on the promotion and protection of human rights. The baseline study should indicate the status of human rights in Botswana human rights treaty ratification and reporting status and Botswana’s national legal and institutional frameworks for the promotion and protection of human rights;
	9. **Compile the Draft National Human Rights Strategy** in a format consistent with the Government’s Public Policy Development Framework. The proposed table of contents and draft Strategy should be presented for approval prior to drafting. The Strategy should be informed by the baseline study and consultations and be linked to national development priorities, the SDGs and international and regional human rights commitments;
	10. **Facilitate stakeholder consultations** and workshops in accordance with the work plan and consultation strategy; and
	11. **Incorporate feedback from consultations** and undertake any necessary revisions and updates required and finalise the National Human Rights Strategy.
2. **Draft the Final National Human Rights Strategy Action Plan** including**:**

 **2.1 Objectives,** **activities, implementing partners and timeframes,** including any necessary sequencing and prioritization of action and reforms;**2.2 Systems and processes** necessary for implementation of the National Human Rights Strategy;**2.3 Linkages** with SDGs, NDP11 KPIs, Vision 2036, Africa 2063.All documents to be produced in English. Translation into other language(s) should be factored into the Work Plan and financial proposal. |

**3. REQUIREMENTS FOR EXPERIENCE AND QUALIFICATIONS**

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| I. Academic Qualifications:* Minimum of Master’s Degree or equivalent, in International Law, Human Rights, Public Policy, Social Science or related field, with a specialization in human rights.

II. Required experience:* Demonstrated experience of working on human rights issues at the strategic level with Government and civil society preferably in developing and/or Middle Income Country contexts. Demonstrated experience of working on human rights issues in the Sub Sahara African region at the strategic level will be an added advantage;
* Demonstrated experience in drafting Human Rights Strategies and Action Plans or Implementation Plans;
* Demonstrated experience conducting comparative research, data collection and analysis and contextualising to the local context and conditions;
* Demonstrated experience and skills in facilitating stakeholder/working group consultations;
* Demonstrated ability to work with diverse groups to facilitate dialogue and inclusive and participatory processes to build consensus on complex and sensitive issues;
* Excellent written and oral communication skills;
* Fluency in both written and spoken English.
* Knowledge of other languages spoken in Botswana would be an added advantage, (Arrangement for translation and interpretation should be factored where consultant is not coversant with other languages spoken in Botswana).
* III. Competencies:
* Uses substantive mastery of technical content to model excellence and motivate performance;
* Ability to lead effectively, using mentoring and conflict resolution skills;
* Sets strategic goals and builds the means to achieve results;
* Demonstrates openness to change and ability to manage uncertainties and complexities;
* Remains calm, in control and good humored even under pressure;
* Excellent oral and written communication skills;
* Ability to adapt to different cultural and religious contexts.
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**4. DOCUMENTS TO BE INCLUDED WHEN SUBMITTING THE PROPOSALS.**

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| Interested consultants must submit the following documents/information to demonstrate their qualifications:1. **Proposal:**(i) Explaining why they are the most suitable for the work, clearly matching expertise to the selection criteria;(ii) Provide a draft Methodology and Work Plan outlining approach and delivery of the scope of work, taking into account likely social distancing requirements and travel restrictions due to COVID-19; (iii) Samples of Strategies, Action Plans, Implementation Plans and any other relevant work previously completed by the consultant;2. Financial proposal including the costs of inclusion and accessibility;3. Personal CV including at least 3 written references.***NOTE: Consultancy firms/companies interested in applying for this assignment are free to do so provided they submit a CV of only one qualified consultant and present its bid in a manner that would allow for evaluation of the bid in accordance with the evaluation criteria specified in these solicitation documents. That is, the experience required is that of the individual whose CV would have been submitted by the company rather than that of the company. Further, if the submitted bid wins, the ensuing contract will be between the UNDP and the company/firm, not the individual.*** |

**5. FINANCIAL PROPOSAL**

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| The financial proposal will specify the daily fee, project costs, travel expenses and per diems quoted in separate line items, and payments are made to the Individual Consultant based on an agreed schedule of deliverables.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. Should the Consultant wish to travel on a higher class he/she should do so using their own resources.In the case of unforeseeable travel, payment of travel costs including tickets, lodging and terminal expenses should be agreed upon, between the respective business unit and Individual Consultant, prior to travel and will be reimbursed. |

**6. EVALUATION**

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| Bids will be evaluated based on the following methodology:*Cumulative analysis* *When using this weighted scoring method, the award of the contract should be made to the individual consultant 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.* *\* Technical Criteria weight; [70%]**\* Financial Criteria weight; [30%]**Only candidates obtaining a minimum of 50 point will be considered for the Financial Evaluation*

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| ***Criteria*** | ***Weight***  | ***Max. Point*** |
| Minimum Master’s degree or equivalent, in International Law, Human Rights, Public Policy, Social Science or related field with a specialization in human rights. | Mandatory exclusionary criteria |
| Demonstrated experience working on human rights issues at the strategic level with government and civil society preferably in developing and/ or middle income country contexts. | Mandatory exclusionary criteria |
| Demonstrated experience in drafting Human Rights Strategies and Action Plans or Implementation Plans. | Mandatory exclusionary criteria |
| Complete technical and financial proposal submitted as per Item 4 “Documents to be Included when Submitting the Proposal.” | Mandatory exclusionary criteria |
| Fluency in both written and spoken English. | Mandatory exclusionary criteria |
| *Technical* | 70% | 70 |
| Technical proposal clearly matches skills and experience to the selection criteria and demonstrates competency to complete the scope of works. | 30 | 30 |
| The draft methodology and work plan address the scope of works and are responsive to the background information provided. | 30 | 30 |
| Demonstrated experience and skills in facilitating stakeholder/working group consultations. | 5 | 5 |
| Demonstrated experience working in the Sub Saharan African region on human rights at the strategic level  | 5 | 5 |
| *Financial* |  |  |

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**ANNEX**

**ANNEX 1- INDIVIDUAL CONSULTANT GENERAL TERMS AND CONDITIONS**