

GENERAL INFORMATION

Title: *Policy Engagement and Facilitator*

Project Name: *Preventing Violent Extremism through Promoting Tolerance and Respect for Diversity (PROTECT) Project, Phase II*

Reports to: National Project Manager

Duty Station: Jakarta

Expected Places of Travel (if applicable): N/A

Duration of Assignment: *32 working days within 6 months*

REQUIRED DOCUMENT FROM HIRING UNIT

<input checked="" type="checkbox"/>	TERMS OF REFERENCE
4	CONFIRMATION OF CATEGORY OF LOCAL CONSULTANT, please select:
	(1) Junior Consultant
	(2) Support Consultant
	(3) Support Specialist
	(4) Senior Specialist
	(5) Expert/ Advisor
	CATEGORY OF INTERNATIONAL CONSULTANT , please select :
	(6) Junior Specialist
	(7) Specialist
	(8) Senior Specialist
<input checked="" type="checkbox"/>	APPROVED e-requisition

REQUIRED DOCUMENTATION FROM CONSULTANT

<input checked="" type="checkbox"/>	P11 or CV with three referees
<input checked="" type="checkbox"/>	Copy of education certificate
<input checked="" type="checkbox"/>	Completed financial proposal
<input checked="" type="checkbox"/>	Completed technical proposal

Need for presence of IC consultant in office:

- ☐ ☒ partial (A regular meeting will be conducted through online / offline)
- ☐ intermittent (explain)
- ☐ full time/office based (needs justification from the Requesting Unit)

Provision of Support Services:

Office space: ☐ Yes ☒ No

Equipment (laptop etc): ☐ Yes ☒ No

Secretarial Services ☐ Yes ☒ No

If yes has been checked, indicate here who will be responsible for providing the support services: < Enter name >

I. BACKGROUND

a) Briefly describe the project rationale / background and the objectives of the project

In the last decade, Indonesia has experienced the threat of violent extremism and the spread of terrorist ideology by extremist groups, inspired by the Islamic State. The country has faced massive security concerns in numerous attacks, since the Bali bombings, the suicide bombing in Jakarta in 2016. As such, the country has experienced an increasing trend of attacks from Violent Extremist groups. The latest ones occurred in Surabaya, 2018, have transformed the patterns of the violent act in the violent extremism, resulting in the increased number of victims in deadly attacks and the involvement of women and children, acting as perpetrators of the attack.

In response to that situation, many actors have been actively engaged to prevent violent extremism. Those actors include the government of Indonesia, CSOs, academics, and religious-based mass organizations, and UN Agencies. They have been involved in the development of the policy-making including, in the areas of law enforcement and community-based approach that aimed to reduce the risk of violent-extremism leading to terrorism.

Based on the Secretary-General's Plan of Action to Prevent Violent Extremism and Sustainable Development Goals (SDGs) 16: Peace, Justice and Strong Institutions, the United Nations Development Programme (UNDP) and the European Union has launched the project "Preventing Violent Extremism through Promoting Tolerance and Respect for Diversity" (PROTECT), aiming to reduce the risk of violent extremism in the region by taking a preventive and welfare approach with core respect to human rights, and gender mainstreaming in South-East Asia. The PROTECT project is a regional project, which is being implemented in four countries of South-East Asia: Thailand, Philippines, Malaysia, and Indonesia.

In recent years, the number of violent and extremist acts has been increasing both globally and domestically. Since 2002, eight out of nine regions in the world have experienced an increase in terrorism. From 2006 to 2016, deaths caused by terrorism rose by 67 percent, and the acts of terrorism are predicted to continue in years to come (Global Terrorism Index, 2017), and when we refer to the Global Terrorist Index, 2019, the total deaths from terrorism are now down over 52 percent from their peak in 2014. Although the total number of deaths from terrorism has fallen, the impact of terrorism remains widespread. Conflict remains the primary driver of terrorism, with over 95 percent of deaths from terrorism occurring in countries already in conflict.

Fortunately, in this susceptible condition, both state and non-state actors have been collaboratively responding to the issues. At the state level in Indonesia, the Indonesian National Counter-Terrorism Agency of Indonesia (BNPT), has made serious endeavors formulating a national policy framework for countering violent extremism called "*Rencana Aksi Nasional Penanggulangan Ekstremisme berbasis Kekerasan yang Mengarah pada Terorisme*" (RAN PE)/National Action Plan on Preventing and Countering Violent Extremism (NAP P/CVE) that leads to Terrorism. This action plan consists of three pillars, (i) prevention; (ii) law enforcement and strengthening legislative frameworks; and (iii) building partnership and strengthening international cooperation.

Since 2017, the Government of Indonesia already initiated the development of the NAP P/CVE. Therefore, the first phase of the PROTECT Project provided extensive support to accelerate the issuance of the NAP on P/CVE through several activities. As a result, in December 2019, BNPT successfully submitted the final draft of the Presidential Regulation regarding the NAP on P/CVE to the Ministry of Laws and Human Rights for further process of its issuance. Once NAP P/CVE is finally approved by the president, a lot of policy support would be required to make the implementation of the NAP successful, where the second phase of PROTECT can contribute to.

Considering this alarming condition, which might diminish the pluralism and diversity of the country, it is urgently required to address this threat. Therefore, the project seeks to continue to work with women and youth, to enhance the capacity and resilience towards the extremist narratives and processes of radicalization. All the proposed activities are evidence-based where intervention is required, building on the research findings of the 1st phase of the PROTECT project. For example, enabling factor of the radicalization process was identified by the research on the role of state-owned university mosques, such as the fact that the dissemination and recruitment process already modified to respond to the issuance of the Government Regulation in lieu of Law No. 2 of 2017 regarding the mass organization, and that student activity unit has been utilized as a part of recruitment mechanism, dormitory, loan and some mentoring scheme has been provided by the so-called “radical group”. Based on this finding, the project will address this issue through policy engagement with the government as well as capacity building of youth to promote positive narrative.

Lastly, the project aims to contribute to filling in the current knowledge gap on violent extremism in Indonesia and South East Asia through several pieces of research.

b) Briefly describe the context of the required services

In Indonesia’s context, the overall objective of the project is to **strengthen the capacity of PVE actors, including the government both at the national and sub-national level, CSOs, religious-based organizations, and academia in preventing and countering violent extremism** through three approaches; providing policy advocacy support to implement the NAP PVE, strengthening the PVE actors' network in the country and evidence-based knowledge on PVE, as well as enhancing the capacity and resilience of youth, religious organizations, and women towards the extremist narratives and processes of radicalization.

The project builds upon an initial 18-month phase of assistance, the EU-UNDP project “*Preventing Violent Extremism through Promoting Tolerance and Respect for Diversity*”. In response to research undertaken by the earlier project, and informed by a final evaluation of it, the following three key sets of activities have been identified as a necessary follow-up to secure the overall objective outlined above:

1. Support Government of Indonesia to further develop and implement policy frameworks for P/CVE, ensuring that NAP on P/CVE is coherent with existing regulations, so that they model the “*whole of government and whole of society*” approach;
2. Strengthen knowledge management in regard to violent extremism in national and sub-national level, and mobilise and facilitate a community of practitioners to engage on the issue at all levels –national and sub-national;
3. Build the capacities of Government and key civil society actors, particularly women and youth in Indonesia to disrupt processes of radicalisation and promoting tolerance and respect for diversity through online and offline activities.

The government of Indonesia already issued law no 5 of 2018 regarding new anti-terrorism law, where several operational regulations that mandatory to develop by the government to ensure that the law is fully equipped with technical operational regulation required in the field as mandatory and mentioned in the law and enforced effectively.

The Government of Indonesia also issued government regulation in lieu of law (Perppu) No. 2 of 2017 regarding Mass Organization. This law also has several technical operational regulations that mandatory developed by government institutions to ensure the effectiveness of the implementation of the law in the field.

To follow up on the results from the first phase of PROTECT Project where the project has worked closely with the Indonesian Witness and Victims Protection Agency (LPSK) in conducting 2 (two) policy engagements about the fulfilment of the right of the victims of terrorism and also recommendation obtained from the consultation meeting with government

counterparts, the project decides to provide support to the development of mandatory government regulations refer to Law No. 2 of 2017 and Law No. 5 of 2018.

c) Emphasize the relevance/purpose of the work required and how it is linked to the project context

The project plan to conduct several policy engagements and facilitate the development and issuance of government regulation as mandatory by Law No. 5 of 2018 and also Law No. 2 of 2017.

Under the Law No. 5 of 2018 there are several mandatory government regulations that should be developed, as below:

1. Government regulation on the Protection of the Victims (article 34A, 35A and 36)
2. Government Regulation on the National Preparedness (article 43B verse 5)
3. Government Regulation on the Countering Radicalization (article 43C verse 4)
4. Government Regulation on the deradicalization (article 43D verse 7)
5. The Arrangement of the Organizational Structure and Governance of BNPT article 43H)
6. The Role of the Indonesian National Army (article 43I)
7. The regulation of the House of Representatives, concerning the formation of an Oversight Team of Countering Terrorism (article 43J)

The project will also incorporate some measures in responding to the COVID-19 coronavirus pandemic situation during policy engagement activities conducted under these activities, as well as propose required measures related to specific conditions in the draft of government regulation, such as on the protection of the victim. The number of government regulation which will be facilitated by the project for the development is subject to project partners approval and budget available.

While under the Law No. 2 of 2017 regarding the mass organization, there are several government regulations that mandatory to develop, as listed below:

1. Registration procedure and data collection of the mass organization (article 19)
2. Empowerment of mass organization (article 40)
3. Information System of the mass organization (article 42)
4. Licensing, Licensing Team, and ratification of a mass organization established by foreign citizen (article 50)
5. Oversight from public and government toward a mass organization established by foreign citizen (article 56)
6. Mediation procedure and dispute resolution of the mass organization (article 57)
7. The imposition of Sanction of the mass organization (article 82).

The project will also incorporate some measures in responding to the COVID19 coronavirus pandemic situation during policy engagement activities as well as propose required measures related to COVID19 in the draft of government regulation, such as in the information system, licensing, etc. The number of government regulation which will be facilitated by the project for the development is subject to project partners approval and budget available.

Based on the above information regarding operational regulation required and mandatory with referring to Law No. 2 of 2017 and Law No. 5 of 2018, it's found that those operational regulations will have a direct impact to the implementation of the NAP on PVE, considering that the final draft of NAP on PVE also refer to those laws and incorporate several values and spirit from those laws into the Final Draft of Presidential Regulation on NAP on PVE and the matrix as well, therefore, the development of operational regulation will have a direct impact to the objective that also emphasize under the NAP on PVE.

d) List and describe the stakeholders for the project.

Many activities under the project will be implemented for and with the direct participation of the beneficiaries in close partnership with the local leaders, local level government and national government such as the National Counter-Terrorism Agency (BNPT), The Coordinating Ministry for Political, Legal and Security Affairs, Coordinating Ministry for Human Development and Culture Affairs, the National Development Planning Agency, Ministry of Defense, Ministry of Laws and Human Rights, Ministry of Religious Affairs, Ministry of Education and Culture, Ministry of Women Empowerment and Children Protection, Ministry of Home Affairs, and Witness and Victim Protection Agency.

The critical role of civil society is felt particularly at the community level. Radicalisation is often fed by real and perceived local disaffection and alienation from the State, and from mainstream political life. This distance can be closed by effective CSOs that have local credibility in seeking to build community resilience against radicalisation, also provide insightful inputs to the draft of a regulation prepared by governments and parliament.

e) If applicable, explain thoroughly the peculiarity of the setting of the project or the work required, if any (e.g., security risks involved in conducting the work in certain communities, certain cultures and practices unique to the stakeholders, etc.)

The main issue of the current activities is that after the anti-terrorism law (Law No. 5 of 2018 regarding Amendment to Law No. 15 of 2003 concerning Determination of the Replacement of Government Regulation in lieu Law No. 1 of 2002 regarding Eradication Criminal Action of Terrorism to be a Law) was enacted, it is required to set up various operational regulations so that the law can be enforced effectively.

Also, since 19 July 2017, the government of Indonesia issued the Government Regulation in lieu of law (Perppu) No. 2 of 2017 and then revoking the legal status of HTI (*Hizbut Tahrir Indonesia*), a conservative Islamist group deemed to threaten Pancasila, the state ideology. However, the law has not been enforced yet as planned, due to lack of operational regulations.

As the PROTECT's research findings on the level of radicalisation at state-mosques on campus revealed, it seems HTI still has some indirect influence on campus, therefore, it is quite urgent to enforce the law properly with relevant operational regulations.

The IC will facilitate some policy engagement required to support the development and issuance of government regulation as mandatory by Law No. 5 of 2018 and Law No. 2 of 2017.

f) Provide information available that will help IC to understand the context of the work, such as publications, reports, etc.

In line with the project, the information on the PROTECT project is available mainly by reading the project documents and the presentation materials including the factsheet on the project.

Other relevant documentation that could clarify the context of the work for the IC Consultant is:

- The PROTECT Project Document developed for CO Indonesia
- The Description of Action developed by BRH
- Law No. 5 of 2018
- Law No. 2 of 2017
- On the National Action Plan on Countering Violent Extremism leading to Terrorism, refer to the latest version of BNPT's manual and Matrix of NAP on PCVE.

g) Provide information on important stakeholders, including donors, partners, implementing agencies and organizations

The IC will work closely daily with the government counterparts of the PROTECT project, such as a visit to their offices to discuss the substance and content of the operational regulation drafted, etc. In more specific term, the IC will engage and collaborate with the National Counter-Terrorism Agency (BNPT), The Coordinating Ministry for Political, Legal and Security Affairs, Coordinating Ministry for Human Development and Culture Affairs, the National Development Planning Agency, Ministry of Defense, Ministry of Laws and Human Rights, Ministry of Religious Affairs, Ministry of Education and Culture, Ministry of Women Empowerment and Children Protection, Ministry of Home Affairs, and Witness and Victim Protection Agency as well as some CSOs.

II. SCOPE OF WORK, ACTIVITIES, AND DELIVERABLES

Scope of Work

1. Briefly describe the required activities (scope, location, subjects, etc.) and other information that will help prospective Offerors understand the nature of the work

Under the direct supervision of the National Project Manager of the PROTECT project, the consultant will:

1. Consult with BNPT, The Coordinating Ministry for Human Development and Coordinating Ministry for Political, Legal and Security Affairs, Ministry of Laws and Human Rights and other relevant stakeholders on issues relating to the issuance of the government regulation as mandatory by the Law No. 2 of 2017 and Law No. 5 of 2018
2. Determine methodology, design and work plan of the development of government regulations as mandatory by the Law No. 2 of 2017 and Law No. 5 of 2018; submit inception report for review
3. Identify needs and gaps of the implementation of the laws
4. Identify relevant stakeholders should be engaged for each specific government regulations
5. Map links with local government, NGOs, CSOs, and other entities to have their inputs on the drafting of the operational regulations
6. Conduct several meetings with relevant stakeholder on drafting the operational regulations
7. Submit reports for review, present the findings to the Project and relevant stakeholders through a meeting, make adjustments based on feedback for the final submission of the study
8. Conduct any other activity that promoted the achievement of output, as approved by the Project.

The expected outputs from the activities are:

1. Government institutions agreed to develop some government regulation as mandatory by Law No. 2 of 2017 and Law No. 5 of 2018
2. Draft of some government regulation as mandatory by the Law No. 2 of 2017 and Law No. 5 of 2018
3. Facilitate some meeting on the development of government regulation as mandatory by Law No. 2 of 2017 and Law No. 5 of 2018
4. Inputs from government counterparts incorporated through FGD and meetings.

Expected Outputs and deliverables

1. *List down the outputs and specific deliverables in sequence, corresponding to the work and their corresponding target delivery dates.*
2. *If the specific dates are contingent on too many variables and cannot yet be defined, the span of time from the commencement of the work could be indicated (e.g., 2nd week from contract signing, within 2-3 months from contract signing, etc.).*
3. *If there are multiple reviewers/certifying authorities for each output/deliverable, they shall be properly identified and indicated in this section*

Deliverables/Outputs	Estimated number of working days	Completion deadline	Review and Approvals Required (Indicate designation of person who will review output and confirm acceptance)
1. Inception report detailing the work plan and methodology to ensure timely execution of deliverables	2 days	1 week after contract signing	National Project Manager
2. Preliminary Report including: <ul style="list-style-type: none"> • results of consultations • list of participants • the draft of the study of specific government regulations, and • inclusive target recipients for review and approval 	3 days	4 weeks after the inception report	National Project Manager
3. Policy Engagements activities with various government institutions and relevant stakeholders regarding the development of government regulations as mandatory by Law No. 2 of 2017 and Law No. 5 of 2018 including the drafting the Operational Regulations as necessary/required, including: <ul style="list-style-type: none"> • minute of meeting • list of participants • some pictures and documentations 	10 days	4 weeks after the Preliminary Report	National Project Manager
4. TOR for Development of Government Regulations of each operational regulation agreed by the Project Partners	3 days	2 weeks after the Policy Engagements	National Project Manager
5. Report and of facilitation of Workshop and or Meeting for the development of government regulations as mandatory by Law No. 2 of 2017 and Law No. 5 of 2018, including: <ul style="list-style-type: none"> • The draft of government regulation resulted 	12 days	4 weeks after the TOR for Development of Government Regulations	National Project Manager

	<ul style="list-style-type: none"> • Verbatim minute of meeting • List of participants • Some pictures and documentations 			
	6. Final Report of consultancy which will be at least consist of: <ul style="list-style-type: none"> • Specific strategies, including recommendation on further facilitation required on the issuance of operational regulation refer to Law No. 5 of 2018 and Law No. 2 of 2017 • The result of policy engagements and recommendations • Some pictures and documentations 	2 days	2 weeks after the Report of facilitation of Workshop and Meeting	National Project Manager

III. WORKING ARRANGEMENTS

Institutional Arrangement

The IC will report to the National Project Manager of the PROTECT project, that will supervise directly the IC Consultant for the reporting, approval and acceptance of the outputs. The IC Consultant work in close collaboration with the PROTECT team of the UNDP CO Indonesia office and other key parties.

The IC Consultant is expected to liaise, interact and collaborate for the development of government regulations as mandatory by Law No. 2 of 2017 and Law No. 5 of 2018, with relevant stakeholders and the government counterparts of the PROTECT project. The IC consultant is expected to work in close consultation with related ministries. The IC is expected to develop TOR for each workshop and meeting regarding the development of government regulation as mandatory by Law No. 2 of 2017 and Law No. 5 of 2018.

The success of the project depends on the timely delivery of each component. The Consultant should ensure timely identification of potential risks and signal any delays in deliverables. The contract will be effective immediately upon signature by UNDP.

The Team of the PROTECT project at UNDP CO Indonesia will have the following responsibilities: (i) Provide relevant documents; (ii) Discuss and agree on the methodologies of the assignment; and (iii) Monitor and evaluate the progress of the assignment. The contract and payments will be performance-based and regularly assessed by the UNDP CO Indonesia. All travel expenses to and from the target area should be included in the financial proposal. The PROTECT project will not support the IC with facilities or supplies.

Duration of the Work

Following the above requirements, the consultant is expected to work for a total of 32 working days in 6 months, from September 2020 to February 2021, In Jakarta.

Duty Station

The consultancy will be managed by the PROTECT project at UNDP CO Indonesia. The consultant's presence is required at the ministries to work very closely with government counterparts for the development of government regulations activities as mandatory by Law No. 2 of 2017 and Law No. 5 of 2018.

Travel Plan

Below is an indicative travel plan for the duration of the assignment. The Consultant will be required to travel to the below-indicated destinations and include the relevant costs into the proposal. There may be also unforeseen travel that will come up during the execution of the contract which will be agreed on an ad-hoc basis.

No	Destination	Frequency	Duration/days
	N/A		

IV. REQUIREMENTS FOR EXPERIENCE AND QUALIFICATIONS

The consultant should possess the following expertise and qualifications:

Academic Qualifications:

A Master's Degree in Laws, development studies, social sciences, international relations or other fields related to the scope of the assignment.

Years of experience:

- Minimum 10 years of relevant experience at the national and international level in policy engagements in the international development field (required), also in the development of policies with international organizations, as well as government initiatives
- Demonstrated field experience and knowledge in research approaches and methods, working on social cohesion or Preventing Violent Extremism, or with law enforcement agencies will be an asset
- Experience working with governmental institutions would be an asset

Technical Experience:

- Understanding of legal frameworks and development of government regulation procedures
- Experience working on social cohesion or Preventing Violent Extremism
- Experience in developing legal drafting and policies
- Understanding the sensitivities of programming in Indonesian context
- Experience in formulating development strategies and policies
- Excellent public speaking and presentation skills.

Competencies and special skills requirement:

Corporate

- Demonstrates integrity by modelling the UN's values and ethical standards (human rights, peace, tolerance, integrity, respect, results orientation, impartiality)
- Promotes the vision, mission and strategic goals of UNDP
- Displays cultural, gender, religion, race, nationality and age sensitivity and adaptability.
- The technical expertise of legal drafting, in particular for policy frameworks including the benefits and constraints of different methodologies
- Demonstrated knowledge, experience, expertise and ability in conducting studies and strategies for developing legal drafting and policies
- Understanding the sensitivities of programming in fragile or conflict-affected contexts
- Fluency in English with excellent written communication skills, and strong experience writing reports

- Fluency in Bahasa Indonesia is required

Functional

- A Solid experience in facilitation high level meetings
- Background knowledge about the United Nations and UNDP
- Demonstrates ability in conducting creative-thinking and innovation learning events
- Good teamwork and interpersonal skills
- Flexibility and ability to handle multiple tasks and work under pressure
- Excellent computer skills especially Word, Excel and Power Point, Email.

Leadership

- Demonstrated ability to think strategically and to provide credible leadership
- Demonstrated intellectual leadership and ability to integrate knowledge with broader strategic overview and corporate vision and overseeing the analysis/resolution of complex issues
- Strong managerial/leadership experience and decision-making skills with proven track record of mature judgments.

Managing Relationships

- Demonstrated well developed people management and organizational skills
- Excellent negotiating and networking skills with strong partnerships in technical organizations in the practice area.

Managing Complexity

- Ability to address global development issues
- Substantive knowledge and understanding of development cooperation with the ability to support the practice architecture of UNDP and inter-disciplinary issues
- Demonstrated substantive leadership and ability to integrate knowledge with broader strategic, policy and operational objectives
- A sound global network of institutional and individual contacts.

Knowledge Management and Learning

- Ability to strongly promote and build knowledge products
- Promotes knowledge management in UNDP and a learning environment in the office through leadership and personal example
- Seeks and applies knowledge, information and best practices from within and outside of UNDP.

Judgment/Decision-Making

- Mature judgment and initiative
- Proven ability to provide strategic direction to the project implementation process
- Independent judgment and discretion in advising on handling major policy issues and challenges, uses diplomacy and tact to achieve result.

V. EVALUATION METHOD AND CRITERIA

[The procuring UNDP entities will choose among one of these two evaluation methods prior to submit the have the Individual Consultant Procurement Notice. Once the evaluation method has been selected the other one shall be deleted to avoid any misunderstanding]

Individual consultants will be evaluated based on the following methodologies:

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 70 point would be considered for the Financial Evaluation

Criteria	Weight	Maximum Point
Technical		
<ul style="list-style-type: none">Criteria A: qualification requirements as per TOR:	70	
<u>Academic Qualifications:</u> A Master's Degree in Laws, development studies, social sciences, international relations or other fields related to the scope of the assignment.	20	
<u>Years of experience:</u> 1. Minimum 10 years of relevant experience at the national and international level in policy engagements in the international development field (required), also in the development of policies with international organizations, as well as government initiatives	20	
2. Demonstrated field experience and knowledge in research approaches and methods, working on social cohesion or Preventing Violent Extremism, or with law enforcement agencies will be an asset	15	
3. Experience working with governmental institutions would be an asset	15	
<ul style="list-style-type: none">Criteria B: Description of Approach to Assignment	30	
1. Understanding of the TOR	8	
2. Proposed approach	8	
3. Proposed methodology	7	
4. Proposed implementation plan	7	
<ul style="list-style-type: none">Criteria C: Further Assessment by Interview (if any)		