

## **Terms of Reference (TOR)**

### **Individual Consultant to Develop a National Gender Policy and Supporting Documents for the Government of Aruba**

#### **1. Introduction/Background**

The Government of Aruba recognizes that gender equality and women's empowerment are fundamental dimensions of human development, and that investing in the education, health and potential of girls and women enables their full participation in Aruba's economic, social and political development to the benefit of their families, communities and the country as whole. The Government recognizes, too, that gender equality can be a catalytic policy intervention that triggers positive multiplier effects across the spectrum of development. Aruba's Prime Minister, The Honorable Evelyn Wever-Croes, has thus signaled in unequivocal terms that her Government prioritizes gender equality, female empowerment, and investment in the education, health and safety of Aruba's women and girls.

Aruba compares well with countries such as Sweden, the United States, Barbados, and the Netherlands on issues regarding gender and economic opportunity. Aruba is the equal of those countries in women's labor-force participation and is their superior in female wage equality. Aruba is closer to gender equality in occupations such as legislators, senior officials and managers than Sweden and the Netherlands; and the country is near or exceeds gender parity in many education and health categories (e.g., female literacy and life expectancy). With the election of Prime Minister Wever-Croes in November 2017, Aruba had its first female Head of State before the mentioned countries. Additionally, while there was only one woman in its 21-member Parliament in 1986, there are now seven female Parliamentarians. Aruba's Constitution espouses gender neutrality in its legislation, policies and plans, and the country adheres to international instruments that express commitment for the promotion of gender equality—including the 1995 Beijing Declaration and Platform for Action, the 1989 Convention on the Rights of the Child (CRC), and the 2004 Convention on the Elimination of all Forms of Discrimination against Women (CEDAW).

Despite these gains, several indicators of gender inequality and discrimination against women persist. For example, inequality in education translates into reduced opportunities at both ends of the labor spectrum—with women not faring as well in, for example, STEM-related fields compared to Sweden, the USA, the Netherlands and Barbados. Female school-leavers are also half as likely to obtain a diploma of vocational education as male school leavers. Additionally, longer life expectancy does not necessarily mean better health for Aruban women, as females are more likely than males to have health limitations. Aruban women earn 80% of their male counterparts' pay. The Prime Minister may be female, but the Aruban political arena is still dominated by men, with twice as many male Parliamentarians and three times as many male Ministers as female ones. Gender-based violence is prevalent and affects women disproportionately. Care for the family still falls mainly on women while their contribution is not recognized. In addition, Aruba—as a small island that is economically reliant on tourism—has been among the countries most impacted by the COVID-19 pandemic in terms of per capita infections and declining GDP. The pandemic's disproportionate effect on women requires consideration.

Against this background, and with due consideration of the COVID-19 pandemic, the Government of Aruba recognizes the need for a National Gender Policy and associated Institutional Framework that:

- Institutionalizes a coherent and strategic governance framework for the promotion of gender equality;

- Provides holistic guidance and the tools for the integration of gender perspectives into public institutions in a cross-cutting manner;
- Raises awareness in all sectors of Aruba society on gender equality's importance to the country's sustainable development; and
- Challenges and leads to the elimination of traditional social norms, attitudes and practices that support and encourage women being regarded and treated as subordinate.

The National Gender Policy will incorporate best practices in gender equality and women's empowerment and be transformational in its nature—highlighting a strategic approach to gender equality, including institutional frameworks, capacity provisions and clear benchmarks and indicators for monitoring and evaluating policy performance. It will also be comprehensive, covering a range of thematic areas and acting as reference point to direct all levels of intersectoral planning, resource allocation and implementation of development projects with a gender perspective in Aruba. In developing the National Gender Policy, the following considerations will be paramount:

- a. Alignment and coherence with the Constitution of Aruba and national laws;
- b. Consistency with relevant international conventions and laws ratified/or in the process of being ratified by Aruba (including the Beijing Declaration, CRC and CEDAW);
- c. Promotion of gender equality and protection of the rights of girls and women;
- d. Addressing gender-related impacts of the COVID-19 pandemic and other external shocks on Aruba;
- e. Leaving no one behind to ensure that ALL Arubans in their diversity (e.g., age, country of birth, income, physical condition, religion, marginal groups) are treated with respect and are free from discrimination throughout Aruban society;
- f. Eradication of gender-based violence in all its forms;
- g. Facilitating and providing an enabling environment for the participation of women in political, social and economic leadership, and in policymaking;
- h. Promoting education and awareness on gender-equality in schools and homes, and particularly among males;
- i. Supporting research on gender equality and the situation of women, to improve public policy;
- j. Paying due consideration to positive aspects of Aruban social norms, traditions and culture, and being culturally sensitive in proposing remedial measures to adversarial issues;
- k. Promoting globally and locally accepted values and the integration of cross-cutting issues;
- l. Alignment with the Aruba Government's policy-formulation protocols and procedures; and
- m. Accompaniment by a formulated institutional mechanism through which the Policy can be effectively and efficiently implemented and governed.

A Consultant is required to undertake the development of the National Gender Policy for Aruba. The Consultant will work under the supervision and leadership of the UN Resident Coordinator for Aruba (who operates from Trinidad and Tobago), the Government of Aruba (based in the island's capital, Oranjestad, and which will identify a focal point within the Government to work with the Consultant), and the Representative of the Barbados-based UN Women Multi-Country Office-Caribbean (MCO-Caribbean; which covers 22 Caribbean countries and territories, including Aruba).

## **2. Purpose and Specific Objectives: Duties and Responsibilities**

Purpose: To support the Government of Aruba with a policy instrument that accelerates its progress toward a society in which the rights, needs and equality of all its citizens, regardless of gender, are realized, and which is responsive to existing and future phenomena that cause gender imbalances.

### **3. Specific Objective**

To develop a National Gender Policy and the requisite Institutional Framework that address the country's gender disparities, as well as those that arise from shocks such as the COVID-19 pandemic.

### **4. Scope of Consultancy Assignment**

The assignment is for a period of 25 working days (over a maximum of 90 calendar days).

The location of the assignment is Aruba.

The consultant shall undertake but not be limited to the following activities:

- Conduct a desk review of all relevant international, regional and national instruments and documents, including the Aruba Constitution, Parliamentary Reports, national budgetary allocations, policy guidelines, and legal frameworks pertinent to gender equality institutionalization, mainstreaming and implementation in the country.
- Conduct in-depth consultations in Aruba with key stakeholders—including but not exclusive to all relevant Government ministries and local government bodies, autonomous agencies and non-governmental organizations, law enforcement agencies, the Judiciary, gender focal persons, relevant civil society organizations, and private sector representatives—to assess the country's achievements and identify its key challenges and gaps relating to gender mainstreaming in sectoral strategies and policies, as well as to shocks like the impact of COVID-19.
- Draft a National Gender Policy that:
  - a. Aligns with the Constitution of Aruba, national laws, relevant international conventions and laws ratified/or in the process of being ratified by Aruba;
  - b. Leaves no one behind, to ensure that ALL Arubans in their diversity (e.g., age, country of birth, income, physical condition, religion, marginal groups) are treated with respect and are free from discrimination throughout Aruban society;
  - c. Promotes globally accepted values and best practices while paying due consideration to positive aspects of Aruban social norms, traditions and culture, as well as culturally sensitive in proposing remedial measures to adversarial issues;
  - d. Promotes education and awareness on gender-equality, particularly among males;
  - e. Has the potential to eradicate gender-based violence in all its forms;
  - f. Addresses gender-related impacts of the COVID-19 pandemic and other external shocks;
  - g. Facilitates an enabling environment for the participation of women in political, social and economic leadership, and in policymaking;
  - h. Promotes the integration of cross-cutting issues (e.g., persons living with disabilities and HIV/AIDS);
  - i. Is accompanied by a formulated Institutional Framework and mechanism through which the Policy can be effectively and efficiently implemented and governed; and
  - j. Is accompanied by a Strategy and Action Plan and Budget required to implement the Policy, and a Monitoring and Evaluation Framework that allows for gauging the Policy's effectiveness.

### **5. Methodology**

The consultant will develop a technically sound methodology in accordance with international standards, and which maximizes beneficiary participation and is consistent with the Sustainable

Development Goals and Aruba's National Integrated Strategic Plan 2010-2025. The methodology requires the Consultant:

- Develop and deliver a detailed Inception Report, detailing the methodology, all roles and responsibilities, work plan and budget for the development of the National Gender Policy and related documents;
- Conduct a desk review of all relevant international, regional and national documents, reports and instruments, including the Aruba Constitution, Parliamentary Reports, national budgetary allocations, policy guidelines, the Aruba COVID-19 Recovery Master Plan, and legal frameworks pertinent to gender equality institutionalization, mainstreaming and implementation in the country;
- Conduct in-depth consultations in Aruba with key stakeholders (including, but not exclusive to, all relevant Government ministries and local government bodies, autonomous agencies and non-governmental organizations, law enforcement agencies, the Judiciary, gender focal persons, relevant civil society organizations, and private sector representatives) to assess the country's achievements and identify its key challenges and gaps relating to gender mainstreaming in sectoral strategies and policies;
- Develop and deliver a Literature Review and Stakeholder Consultations Report detailing the main findings and results of the desk review and stakeholder meetings;
- Draft a National Gender Policy and related Institutional Framework that provides a mechanism through which the Policy can be effectively and efficiently implemented and governed, as well as a Strategy and Action Plan and Budget required to implement the Policy, and a Monitoring and Evaluation Framework that allows for gauging the Policy's effectiveness;
- Present drafts of the National Gender Policy and its associated Institutional Framework, as well as drafts of the Strategy and Action Plan and Budget required to implement the Policy and the Monitoring and Evaluation Framework (with tools for sector-based and disaggregated data reporting) needed to gauge its effectiveness, to all key stakeholders for validation before finalization;
- Deliver the Final Drafts the National Gender Policy, Institutional Framework, Strategy and Action Plan, implementation Budget, and Monitoring and Evaluation Framework (accompanied by a letter that explains how stakeholder comments on the draft documents were incorporated into the final versions) to the Government of Aruba and UN Resident Coordinator; and
- Develop and deliver a Final Report, indicating obstacles encountered and lessons learned during the development of the National Gender Policy.

A briefing and debriefing meeting will be organized at the beginning and end of the assignment between the Consultant and representatives from the UN Resident Coordinator Office, the Government of Aruba and UN Women MCO-Caribbean. The Consultant will report to the UN Resident Coordinator and the Government of Aruba's focal point for each of the assignment's deliverables.

## **6. Working Arrangements**

- The Consultant will work under the overall guidance of UN Resident Coordinator, the Government of Aruba, and the UN Women MCO Representative.
- The Consultant will be supervised by the Team Leader of UN Resident Coordinator Office (RCO), under the overall supervision of the UN Resident Coordinator.
- The Consultant will work daily with the RCO, the Aruba Government focal point, and the UN Women MCO Representative who will oversee and guide their work. The RCO may invite representatives of other UN agencies to assist with oversight and guidance of the Consultant's work.

#### Responsibilities of the UN:

- Under the leadership of UN Resident Coordinator, the RCO and UN Women MCO-Caribbean will be responsible for oversight and guidance of activities to develop a National Gender Policy and the requisite Institutional Framework that address Aruba's gender disparities, as well as those that arise in the country from shocks such as the COVID-19 pandemic.
- The RCO and UN Women MCO-Caribbean will guide the consultant in formulating the work's methodology and preparing the project's deliverables, review the project's deliverables and guide their revision, provide the consultant with all available key Government, UN and other stakeholder documents needed to undertake the assignment, and assist the consultant with identifying key stakeholders to be consulted.

#### Responsibilities of the Consultant:

- Under the overall guidance of the UN personnel and Government of Aruba focal points, the Consultant will implement actions to support the Government of Aruba with a policy instrument that accelerates its progress toward a society in which the rights, needs and equality of all its citizens, regardless of gender, are realized, and which is responsive to existing and future phenomena that cause gender imbalances.
- The consultant will be responsible for formulating the work's methodology and preparing the project's deliverables, revising the project's deliverables to address the UN and Government of Aruba's criticisms, preparing materials and tools that are needed to fulfil the consultancy's objectives, and undertaking discussions with key stakeholders in consultation with UN and Government of Aruba to develop a National Gender Policy and the requisite Institutional Framework that address Aruba's gender disparities, as well as those that arise from shocks such as the COVID-19 pandemic.

## 7. Deliverables

#### *Deliverable 1. Inception Report*

To include a work plan, methodology, all roles and responsibilities, and timeline, and serve as a means of ensuring mutual understanding of the consultant's plan of action and timeline for conducting the evaluation. It also provides additional guarantee of adherence to and interpretation of the Terms of Reference.

Location: Home Based

Duration: 3 working days (December 2020)

Payment schedule: 10% of total value of contract

#### *Deliverable 2. Literature Review*

To detail the main findings of a desk review of all relevant international, regional and national documents, reports and instruments, including the Aruba Constitution, Parliamentary Reports, national budgetary allocations, policy guidelines, the Aruba COVID-19 Recovery Master Plan, and legal frameworks pertinent to gender equality institutionalization, mainstreaming and implementation in the country.

Location: In-country travel

Duration: 4 working days (December 2020-January 2021)

Payment schedule: 10% of total value of contract

*Deliverable 3. Stakeholder Consultations Report*

To provide the main findings of in-depth consultations in Aruba with key stakeholders (including, but not exclusive to, all relevant Government ministries and local government bodies, autonomous agencies and non-governmental organizations, law enforcement agencies, the Judiciary, gender focal persons, relevant civil society organizations, and private sector representatives), and detailing their perspectives on Aruba's achievements, challenges and gaps relating to gender mainstreaming in sectoral strategies and policies.

Location: Home-based

Duration: 5 working days (January-February 2021)

Payment schedule: 10% of total value of contract

*Deliverable 4. Draft National Gender Policy (and Associated Documents)*

To provide a policy instrument that accelerates Aruba's progress toward a society in which the rights, needs and equality of all its citizens, regardless of gender, are realized, and which is responsive to existing and future phenomena that cause gender imbalances; and to be accompanied by an Institutional Framework that provides a mechanism through which the policy can be effectively and efficiently implemented and governed, as well as a Strategy and Action Plan and Budget required to implement the Policy, and a Monitoring and Evaluation Framework that allows for gauging the Policy's effectiveness.

Location: In-country travel

Duration: 5 working days (February 2021)

Payment schedule: 20% of total value of contract

*Deliverable 5. Stakeholder Presentation*

Presentation of the draft National Gender Policy and its associated documents (Institutional Framework, Strategy and Action Plan, Budget, and Monitoring and Evaluation Framework) to all key stakeholders for validation before finalization.

Location: In-country travel

Duration: 2 working days (February-March 2021)

Payment schedule: 15% of total value of contract

*Deliverable 6. Final National Gender Policy (and Associated Documents)*

To provide the Final Drafts the National Gender Policy, Institutional Framework, Strategy and Action Plan, implementation Budget, and Monitoring and Evaluation Framework (accompanied by a letter that explains how stakeholder comments on the draft documents were incorporated into the final versions) to the Government of Aruba and UN Resident Coordinator.

Location: In-country travel

Duration: 4 working days (March 2021)

Payment schedule: 20% of total value of contract

*Deliverable 7. Final Report*

To indicate the obstacles encountered and lessons learned during the development of the National Gender Policy.

Location: Home-based

Duration: 2 working days (March 2021)

Payment schedule: 15% of total value of contract

Deliverables must be approved by the UN RCO, UN Women MCO-Caribbean and the Government of Aruba for related payments to be processed. Before payment for a deliverable is processed, all preceding deliverables must have been received and approved. The RCO, Government of Aruba and UN Women MCO-Caribbean will provide critiques on each deliverable within seven calendar days of receipt, after which the Consultant will have seven calendar days to demonstrably address the criticisms in the deliverable's final version.

## 8. Competencies

Education:

- An advanced degree (Masters level or higher) from an approved university in Gender Development Studies, Social Sciences, Law and/or Demography, with demonstrable knowledge and skills in Monitoring and Evaluation.

Experience:

- A minimum of seven years' experience working on gender-responsive policy, planning and programming, and in gender-equality-related matters.
- At least five years of experience working in providing evidence-based gender policy advice, and in formulating national gender equality policies with or for government agencies.
- Proven record formulating development strategies, action plans, implementation budgets, and Monitoring and Evaluation frameworks, and undertaking research on gender and development.
- Good contextual knowledge of the gender equality environment in the Caribbean, with knowledge of the issue in the Dutch Antilles being an asset.
- Strong, demonstrable conceptual and analytical skills, particularly in the field of gender equality.
- Advanced facilitation, public speaking and communication, presentation, report-writing and inter-personal skills.

## 9. Languages

Excellent analytical writing and oral presentation in English. Application procedure and documents to be submitted in English. Proficiency in Dutch and/or Papiamentu will be an asset.

Interested Consultants must submit the following documents/information to demonstrate their qualifications on or before the suggested deadline online through the [jobs.undp.org](https://jobs.undp.org) electronic portal.

- Technical Proposal** – This will explain why they are the most suitable for the work, providing a brief methodology on how they will approach and conduct the work, and highlighting their relevant work experience and skills for the assignment. The consultant's curriculum vitae, outlining detailed qualifications, experience and skills should be presented.
- Financial proposal** – This will include the fees and incidental costs considered inherent to the consulting.

The UNDP will enter into a contract based on a lump sum amount. The financial proposal shall represent a detailed, justified and “all inclusive” amount. All envisaged travel costs must be included in the financial proposal. This includes all travel to, from and within Aruba, terminal expenses, and lodging costs while in the country. In order to assist UNDP in the comparison of financial proposals, the financial proposal shall be explained as the total daily cost for the duration (maximum 25 working days) of the consultancy period. Payments will be made in instalments and based upon output; i.e., upon delivery of specific and measurable (qualitative and quantitative) deliverables specified in the Terms of Reference.

Proposals not meeting the above requirements will be rejected.

## **10. Evaluation Criteria**

### **Evaluation Criteria -Interview**

Method:

Highest total score of weighted desk review and financial criteria: The price proposals of all consultants, who have attained a minimum 70% score at the Desk Review, will be compared. UNDP will award a contract to the individual who receives the highest score out of a predetermined weighted, Desk Review and Financial criteria as follows: 70% Desk Review criteria, 30% Financial criteria.

<b>Criteria</b>	<b>Points</b>
Relevance of Education/ Degree	<b>15</b>
Seven years’ experience working on gender-responsive policy, planning and programming, and in gender-equality-related matters	<b>20</b>
Five years’ experience working in providing evidence-based gender policy advice, and in formulating national gender equality policies with or for government agencies	<b>10</b>
Proven record formulating development strategies, action plans, implementation budgets, and Monitoring and Evaluation frameworks, and undertaking research on gender and development	<b>10</b>
Strong, demonstrable conceptual and analytical skills, particularly in the field of gender equality	<b>5</b>
Good contextual knowledge of the gender equality environment in the Caribbean, with knowledge of the issue in the Dutch Antilles being an asset	<b>10</b>



Excellent facilitation, public speaking and communication, presentation, report-writing and inter-personal skills	<b>5</b>
Knowledge of English, with additional proficiency in Dutch and/or Papiamentu being an asset	<b>5</b>
<b>Total</b>	<b>80</b>

Once the candidates have attained a score of at least 70% on the desk review, based on the requirements in the Terms of Reference, only then, their financial proposals to be evaluated.

The final evaluation process is based on a 70:30 weighting, with 30 points being allocated to the financial component.

The following formula (cumulative analysis) is used to determine the financial scoring:  $p = y (\mu/z)$ ,

Where:

p = points for the financial proposal being evaluated

y = maximum number of points for the financial proposal

$\mu$  = price of the lowest priced proposal

z = price of the proposal being evaluated

#### **Additional requirements for recommended contractor:**

The recommended Individual contractor, if below age 65, is required to submit a statement of good health and a copy of his/her medical insurance prior to commencement of services in any offices or premises of UNDP, or before engaging in any travel required by UNDP, or connected with the performance of the Contract. Medical examination not required.

The recommended Individual contractor, if aged 65 and older, is required to submit a statement of good health signed by a recognized physician and a copy of his/her medical insurance prior to commencement of services in any offices or premises of UNDP, or before engaging in any travel required by UNDP, or connected with the performance of the Contract. The medical examination shall be paid by the consultant.