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ETHIOPIA

TERM OF REFERENCE (ToR)

GENERAL INFORMATION

Services/Work Description:	National Consultant for Researcher/Field Officer
Project/Program Title:	Transitional Justice related issues pursuant of the Joint Investigation recommendations
Post Title:	National Consultant (NC)
Consultant Level:	Consultant
Duty Station:	Addis Ababa, Ethiopia
Expected Places of Travel:	County-wide missions
Duration:	Three months
Expected Start Date:	Immediately after Signing the Contract

I. BACKGROUND / PROJECT DESCRIPTION

Following the release of the findings on 3 November 2021 of the joint report by the Office of the High Commissioner for Human Rights (OHCHR) and Ethiopian Human Rights Commission (EHRC) into alleged violations of international human rights, humanitarian and refugee law committed in the Tigray region (Northern Ethiopia) (<https://www.ohchr.org/Documents/Countries/ET/OHCHR-EHRC-Tigray-Report.pdf>), the Government of Ethiopia committed to implement the recommendations and established the Inter-Ministerial Taskforce (IMTF) to oversee among others the redress and accountability measures proposed in the report.

A number of recommendations relate not only to criminal accountability but also directly address future transitional justice processes.¹ For example, the following recommendations have been addressed to the Government of Ethiopia: i. Facilitate a victim-centered reparations scheme that includes restitution, compensation, rehabilitation, satisfaction - including the right to the truth, and guarantees of non-repetition; and adopt a comprehensive policy and measures on the right to reparation for victims of serious human rights and humanitarian law violations; ii. Ensure that the country embarks on a human right compliant, holistic, and victim centered transitional justice mechanism for crimes committed during the Tigray conflict including accountability for past crimes; and iii. Strengthen the policy and legislative framework for the protection of human rights including legal and security reforms in line with international standards.

¹ There are four widely recognized approaches to Transitional Justice: criminal prosecutions to hold perpetrators accountable; truth seeking in the form of non-judicial bodies such as commissions of inquiries to address root causes and impact; reparations for violations and abuses through restitution, compensation, rehabilitation, satisfaction or guarantees of non repetition; and legal or policy reform. These approaches are not mutually exclusive or alternatives to each other and States often use a combination of these approaches.

The Government of Ethiopia and the IMTF are currently working toward the implementation of various recommendations. Criminal investigations are underway, and discussions have been initiated over the possibility to develop a comprehensive policy on transitional justice. Furthermore, on 29 December 2021, the Government established the National Dialogue Commission (NDC) to facilitate “an inclusive dialogue and reconciliation process that would heal wounds, build a consensus on key issues and help the country to solve its complex problems” which is intended to “pave the way for national consensus and keep the integrity of the country.” The joint report took in to account the deeply rooted long term social and political issues that may have precipitated the conflict.

In an effort to contribute towards the timely, coordinated, and effective implementation of the recommendations on transitional justice within the EHRC/OHCHR joint investigation report, on 24-25 April 2022 the EHRC and OHCHR held a consultation on transitional justice in Addis Ababa with various stakeholders representing government institutions, the United Nations and civil society organizations and other actors. Participants reached consensus on the relevance, importance, and timeliness of pursuing a contextualized national transitional justice process to address the complex challenges Ethiopia is facing towards sustained peace, reconciliation, and to ensure accountability for human rights violations and redress for victims. The consultation also highlighted the imperative for such processes to be shaped and informed by population’s views - especially those who have been directly affected by the conflict – who are also likely to be key actors in any future accountability and reconciliation processes.

II. OBJECTIVES AND OUTCOMES

The National Consultant will be tasked with the responsibility of conducting a field research on communities’ perceptions and contributions to transitional justice approaches. In particular, the focus of the consultancy will be two-fold: on one hand, the identification, compilation and documentation of unique Ethiopian cultural/religious/community values, ethos and approaches that support/advance transitional justice values and principles; secondly, the consultancy will explore and collect data on perceptions and priorities among local Ethiopians on themes of accountability, reconciliation and transitional justice.

III. SCOPE OF THE WORK

Under the supervision of the OHCHR, Ethiopia Country Representative or his delegated senior official, the consultant will be expected to perform the following tasks:

- Undertake desk review and mapping of existing materials pertaining to community-based specific approaches to transitional justice in Ethiopia, including gender-specific contributions, and concrete examples of localized arrangements which successfully paved the way for peace and reconciliation initiatives.
- Conduct field visits, individual interviews and focus group discussions (FDGs) with local community groups and individuals on a) cultural, religious and community values and practices used at the grassroots level to promote peace and reconciliation when localized

tensions and conflicts have arisen. Particular emphasis will be placed on women and youth's contributions to initiatives promoting dialogue, peace and reconciliation; b) perceptions, views, priorities and aspirations related to possible initiatives to overcome past violations, divisions and inequalities that have resulted in widespread human rights violations and abuses affecting populations in Ethiopia.

- Conduct planning and implementation arrangements, including identification of key and relevant actors necessary for the organization of consultations with relevant groups through individual interviews, FDGs and other research methodologies as appropriate.
- Support the identification of potential members of possible groups of conflict-affected survivors who could participate in field consultations (FDGs, individual interviews).
- Translate and interpret from English to Amharic and other local languages and vice versa during the field engagements if required;
- Document key findings, analysis, challenges and gaps based on the desk review and field research/consultations with relevant stakeholders;
- Draft a variety of reports and correspondence including notes to file, minutes, consultation reports, field reports and updates with action-oriented recommendations.
- Conduct oral presentations upon need.
- Perform other duties as required.

IV. EXPECTED OUTPUTS AND DELIVERABLES

- a. Plan the organization and conduction of 50 individual interviews with relevant stakeholders (throughout 3 months of consultancy)
- b. Plan, organize and conduct 11 focus group discussions at regional level with relevant stakeholders (throughout 3 months of consultancy)
- c. Outreach to survivors of conflict and identification of potential members of groups of conflict-affected survivors. (throughout 3 months of consultancy)
- d. Submission of reports following interactions with relevant stakeholders outlining gender-specific contributions to dialogue, peace and reconciliation efforts (throughout 3 months of consultancy)
- e. Fortnightly time-sheets and brief results-based progress reports based on the prior agreed work plan about implemented activities and achieved results
- f. Final report about findings of the desk review, findings from field engagements, lessons learnt and recommendations highlighting opportunities for community-based transitional justice interventions (delivered at the end of consultancy) including possible options for viable transitional justice mechanisms

No.	Deliverables / Outputs	Estimated Duration to Complete	Review and Approvals Required
1	Plan the organization and conduction of 50 individual interviews with relevant stakeholders (throughout 3 months of consultancy) and organize and conduct 11 focus group discussions at regional level with relevant stakeholders (throughout 3 months of consultancy)	Throughout	OHCHR Regional Office
2	Outreach to survivors of conflict and identification of potential members of groups of conflict-affected survivors. (throughout 3 months of consultancy) Submission of reports following interactions with relevant stakeholders outlining gender-specific contributions to dialogue, peace and reconciliation efforts (throughout 3 months of consultancy)	Throughout	OHCHR Regional Office
3	Fortnightly timesheets and brief results-based progress reports based on the prior agreed work plan about implemented activities and achieved results	Throughout	OHCHR regional Office
4	Final report about findings of the desk review, findings from field engagements, lessons learnt and recommendations highlighting opportunities for community-based transitional justice interventions (delivered at the end of consultancy) including possible options for viable transitional justice mechanisms	One week to end of consultancy period	OHCHR regional office

V. Methodology

The consultancy will include the following processes:

- Regular meetings/engagements/interviews/focus groups discussions with community members across Ethiopia
- Field trips to selected locations and focus group discussions/consultations/individual interviews
- Regular meetings/engagements with OHCHR East Africa Regional Office and other relevant UN, non-UN actors
- Independent work of review and analysis of relevant documentation
- Secondary research
- Reporting on findings

VI. INSTITUTIONAL ARRANGEMENT / REPORTING RELATIONSHIPS

The consultant will be based in Addis Ababa for the duration of the consultancy with extensive travels within Ethiopia. He/she will work under the supervision of OHCHR Regional Representative or his Deputy Country Representative. The consultant should avail him/herself of his/her own laptop.

VII. DURATION OF THE WORK²

- a. Expected duration of work will be Three months.

VIII. QUALIFICATIONS OF THE SUCCESSFUL INDIVIDUAL CONTRACTOR (IC)

a. Academic Qualifications and Experience:

Education

Advanced university degree in law, sociology or anthropology. A first-level university degree in combination with qualifying 7 experience may be accepted in lieu of the advanced university degree

Work Experience

- At least 5 years of relevant professional experience closely related to the field of human rights/ humanitarian/ protection / conflict-resolution issues.
- Experience of conducting research documents including at the field level is required
- Experience and/or knowledge in transitional justice is required.
- Experience with research institutes, academia, UN/NGO or other International bodies is an added asset
- Computer literacy and ability to effectively use office technology equipment, IT tools, ability to use Internet and email.

COMPETENCIES:

- ☐ Demonstrates commitment to UN's mission, vision and values.
- ☐ Displays cultural, gender, religion, race, nationality and age sensitivity and adaptability

Core Competencies and values:

- Demonstrates integrity and fairness by modelling UN values and ethical standards;
- Demonstrates professional competence and is conscientious and efficient in meeting commitments, observing deadlines and achieving results;
- Display cultural, gender, nationality, religion and age sensitivity and adaptability;
- High sense of relational skills, including cultural, gender, religion, race, nationality and age sensitivity and adaptability, with a demonstrated ability to work in a multidisciplinary team.

Functional Competencies:

- Knowledge and experience of issues concerning human rights, transitional justice, localized mechanisms to promote peace and reconciliation

² The IC modality is expected to be used only for short-term consultancy engagements. If the duration of the IC for the same TOR exceeds twelve (12) months, the duration must be justified and be subjected to the approval of the Director of the Regional Bureau, or a different contract modality must be considered. This policy applies regardless of the delegated procurement authority of the Head of the Business Unit.

- Excellent facilitation and communication skills;
- Experience in quantitative and qualitative research methods and –analysis including surveys, focus group discussions, key informant interviews etc.;
- Ability to deal with multi-stakeholder groups;
- Ability to write focused assessment reports;
- Strong interpersonal and managerial skills, ability to work with people from different backgrounds and evidence of delivering good quality assessment and research products in a timely manner.

Language:

- Fluency in written and spoken English is required;
- Knowledge of Amharic is required
- Knowledge one or more additional local languages as an asset

X. CRITERIA FOR SELECTING THE BEST OFFER

Qualified Individual Consultant and her/his are expected to submit both the Technical and Financial Proposals. Accordingly; Individual Consultants will be evaluated based on Cumulative Analysis as per the following scenario:

- Responsive/compliant/acceptable, and
- Having received the highest score out of a pre-determined set of weighted technical and financial criteria specific to the solicitation. In this regard, the respective weight of the proposals are:
 - a. Technical Criteria weight is **70%**
 - b. Financial Criteria weight is **30%**

Criteria	Weight	Max. Point
Technical Competence (based on CV, Proposal and interview (if required))	70%	
<ul style="list-style-type: none"> ▪ Understanding the Scope of Work (SoW); comprehensiveness of the methodology/approach; and organization & completeness of the proposal 		40
<ul style="list-style-type: none"> ▪ Educational Background 		15
<ul style="list-style-type: none"> • Experience in the field, Presentation, & Language 		15
Financial (Lower Offer/Offer*100)	30%	
Total Score	Technical Score * 70% + Financial Score * 30%	

XI. PAYMENT MILESTONES AND AUTHORITY

The prospective consultant will indicate the cost of services for each deliverable in Birr **all-inclusive³ lump-sum contract amount** when applying for this consultancy.

The qualified consultant shall receive his/her lump sum service fees upon certification of the completed tasks satisfactorily, as per the following payment schedule:

³ 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

Installment of Payment/ Period	Deliverables or Documents to be Delivered	Approval should be obtained	Percentage of Payment
1 st Installment	Plan the organization and conduction of 25 individual interviews with relevant stakeholders and organize and conduct at least 5 focus group discussions at regional level with relevant stakeholders	OHCHR	33%
2 nd Instalment	Plan the organization and conduct 25 more individual interviews with relevant stakeholders and organize and conduct the remaining 6 focus group discussions at regional level with relevant stakeholders	OHCHR	33%
3 rd Instalment	Final report about findings of the desk review, findings from field engagements, lessons learnt and recommendations highlighting opportunities for community-based transitional justice interventions (delivered at the end of consultancy) including possible options for viable transitional justice mechanisms	OHCHR	34%

XII. RECOMMENDED PRESENTATION OF TECHNICAL 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 preferred content as outlined in the IC Standard Bid Document (SBD)/IC Procurement Notice attached hereto.

TECHNICAL PROPOSAL COVER PAGES

Cover Page

Cover Letter

SECTION I. TECHNICAL PROPOSAL SUBMISSION FORM

- 1.1 Letter of Motivation
- 1.2 Proposed Methodology
- 1.3 Past Experience in Similar Consultancy and/or Projects
- 1.4 Implementation Timelines
- 1.5 List of Personal Referees
- 1.6 Bank Reference
- 1.7 Academic Credentials

SECTION II. ANNEXES

Annex a. Duly Signed Offeror's Letter to UNDP Confirming Interest and Availability (use the template hereto) – use separate pdf file

Annex b. Duly Signed Personal CV's/P11 (use the template hereto) – use separate pdf file
Annex c. Financial Proposal–BREAKDOWN OF COSTS Template (use the template hereto) use separate pdf file

XIII. 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 OHCHR Regional Office.

XII. HOW TO APPLY

Interested consultant with required qualification and experience must submit their applications through: <https://etendering.partneragencies.org> UNDP/ETH10/Event ID: **ETH3632**