



## **TERM OF REFERENCE (ToR) FOR THE RECRUITMENT OF NATIONAL CONSULTANT**

### **GENERAL INFORMATION**

<b>Services/Work Description:</b>	Project Management
<b>Project/Program Title:</b>	Support to the implementation and monitoring of the Truth, Reconciliation and Reparations Commission (TRRC) recommendations in The Gambia
<b>Post Title:</b>	National Consultant (post-TRRC)
<b>Level:</b>	Level B (Specialist)
<b>Duty Station:</b>	UNDP Gambia Country Office
<b>Expected Places of Travel:</b>	In-country travel
<b>Duration:</b>	60 days (May – July 2022)
<b>Expected Start Date:</b>	As soon as possible/Upon signing of contract

### **I. BACKGROUND**

The Gambia has had a successful transition from 22 years of authoritarian rule to an embryonic democratic dispensation. Under the previous regime, serious human rights violations were committed, and justice institutions were systematically manipulated to preserve the regime in power. Justice delivery has been slow and there has been a deficit in access to justice for the population, as well as very limited state support mechanisms or legal aid services available for victims, and defendants. To consolidate democratic governance in The Gambia, the Government in its 2018-2021 National Development Plan (NDP) identified governance as a key priority for reform to assure the durability of peace, transitional justice, and reconciliation. The new administration embarked on several reform initiatives including national reconciliation, constitutional review, and security sector reform.

In December 2017, The Gambia's Truth, Reconciliation and Reparations Commission was established by an Act of the National Assembly to investigate and establish an impartial historical record of human rights violations that occurred in The Gambia between July 1994 and January 2017 under former President Yahya Jammeh's rule, grant interim reparations to victims of abuses, recommend persons for prosecution and amnesty, and promote national reconciliation. The TRRC concluded its work and submitted its Final Report to the President in November 2021. Public, particularly victims', expectations remain high that the final recommendations of the TRRC address their needs and will be implemented by the Government in a timely and comprehensive manner, to achieve justice, including gender-justice, promote national reconciliation and sustainable peace in The Gambia.

The PBF has approved a joint UNDP and OHCHR post-TRRC Project for The Gambia. The project aims to support the transitional justice process with special focus on the recommendations of the TRRC, as well as those coming from civil society, and an overall objective of continuing the process of successful, peaceful democratic transition in The Gambia. The project is expected to support the Government of The Gambia to create awareness of and improve capacities to implement recommendations made by the TRRC using a consultative and participatory approach involving key national institutions such as the Police, Judiciary, National Human Rights Commission, and civil society organizations, with a special focus on victims' and women's organizations.

### **II. SCOPE OF THE WORK**

The UNDP Country Office is seeking a Consultant to support the implementation and monitoring of the Truth, Reconciliation and Reparations Commission's (TRRC) recommendations in The Gambia.

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The primary responsibility of the Consultant will be to engage with partners and stakeholders to support the implementation of activities for the achievement of the following outputs:

- **Output 1.1:** The Government is enabled to issue a comprehensive Government White Paper on implementation of the TRRC recommendations
- **Output 1.2:** The Government is enabled to issue a comprehensive Government White Paper on implementation of the TRRC recommendations
- **Output 1.3:** The Government is enabled to issue a comprehensive Government White Paper on implementation of the TRRC recommendations
- **Output 2.1:** The Judiciary, Ministry of Justice and Ministry of Interior (Police) are supported to ensure prosecution of cases arising from TRRC recommendations
- **Output 2.2:** Enhanced civil society, particularly victim, participation in the activities of the justice sector on the prosecution of cases emanating from TRRC recommendations
- **Output 3.1:** National debate on the findings and recommendations of the TRRC is enhanced
- **Output 3.2:** The NHRC, media, academia, and civil society, particularly victim, women and youth-led organizations monitor, advocate for, and support the implementation of key TRRC recommendations paying special attention to gender-based violence and women's rights, whilst preventing misinformation, disinformation and hate speech

### III. EXPECTED OUTPUTS AND DELIVERABLES

No.	Deliverables / Outputs	Estimated Duration to Complete	Review and Approvals Required
1	Provide technical support to responsible parties to implement activities in line with UNDP rules and procedures	20 working days	Head of Governance
2	Organize and actively contribute to project technical committee meetings, finalizing meeting minutes and support follow-up actions	7 working days	Head of Governance
3	Development concept notes or terms of reference to support the adoption of essential laws, strategies, procedures, and other working documents aimed at the implementation of TRRC recommendations	18 working days	Head of Governance
4	Support government, NHRC and CSO activities aimed at increasing awareness around the implementation of the TRRC recommendations	15 working days	Head of Governance

### IV. INSTITUTIONAL ARRANGEMENT / REPORTING RELATIONSHIPS

The Consultant is expected to work with other consultants supporting the post-TRRC project, as well as UNDP staff and interns in the Governance Unit. The Consultant will report to the Head of Governance and partake in regular Governance Unit meetings.

### V. LOGISTICS AND ADMINISTRATIVE SUPPORT TO PROSPECT IC

UNDP will provide office space for the Consultant (including office equipment and facilities), as well as cater for the organization of workshops and monitoring visits within The Gambia. No other logistic or administrative support will be provided by UNDP to complete the assignment.

### VI. DURATION OF THE WORK

The duration of the assignment is 60 working days, to commence as soon as contract is signed, on a full-time basis. To allow for periods of leave, the consultancy would be carried out between May and July 2022.



## VII. QUALIFICATIONS OF THE SUCCESSFUL INDIVIDUAL CONTRACTOR (IC)

### **a. Academic Qualifications:**

Advanced university degree in Law, International Relations, Development Studies, Public Policy, or in a related discipline. A degree or certificate in programme management is desirable.

### **b. Experience:**

- Minimum 5 years of progressively relevant project management experience at the national or international level in policy dialogue, coordination, formation and advocacy, that combines research and practice
- Leadership experience in managing people and processes in a politically sensitive environment
- Experience in working and developing partnerships with governments, relevant experts, international organisations, civic society organisations, assistance agencies and donors
- Previous experience managing or working for a UNDP project is desirable

### **c. Competencies:**

#### Advocacy/Advancing A Policy-Oriented Agenda

Influencing the public policy agenda

Builds consensus concerning UNDP's strategic agenda with partners on joint initiatives

Dialogues with national counterparts and other stakeholders to strengthen advocacy efforts, incorporating country, regional and global perspective

#### Results-Based Programme Development and Management

Achieving results through programme design and innovative resourcing strategies

Identifies country needs and strategies using a fact-based approach

Makes use of a variety of resources within UNDP to achieve results, such as cross-functional teams, secondments and developmental assignments, and collaborative funding approaches

Ensures the full implementation of country programme and Financial Resources to obtain results

#### Building Strategic Partnerships

Makes effective use of UNDP's resources and comparative advantage to strengthen partnerships

Creates networks and promotes initiatives with partner organizations

### **d. Language and other skills:**

- Excellent knowledge of English, including the ability to set out a coherent argument in presentations and group interactions and write reports
- Capacity to communicate fluently with different stakeholders (civil society, government authorities, local communities, project staff) and
- Computer skills: full command of Microsoft applications (word, excel, PowerPoint) and common internet applications will be required

### **e. Compliance of the UN Core Values:**

- Demonstrates integrity by modelling the UN's values and ethical standards
- Fulfils all obligations to gender sensitivity and zero tolerance for sexual harassment

### **Important Note:**

The Consultant is required to have the following professional and technical qualifications. Only the applicants who hold these qualifications will be shortlisted and contacted.

## VIII. CRITERIA FOR SELECTING THE BEST OFFER

Upon the advertisement of the Procurement Notice, qualified Consultant is expected to submit:

- A Cover letter

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- A Technical Proposal, with details of proposed methodology to accelerate delivery of this project
- CV, and details of experience required and desirable for this Consultancy
- A Financial Proposal

Accordingly, applicants 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
<b>Technical Competence (based on CV and supporting documents)</b>	<b>70%</b>	70
▪ <b>Criteria a.</b> Academic qualifications		10
▪ <b>Criteria b.</b> Experience		40
▪ <b>Criteria c.</b> Technical proposal/proposed methodology to accelerate delivery of the project		20
<b>Financial (Lower Offer/Offer*100)</b>	<b>30%</b>	30
<b>Total Score</b>	<b>Technical Score * 70% + Financial Score * 30%</b>	

### IX. PAYMENT MILESTONES AND AUTHORITY

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

Installment of Payment/ Period	Deliverables or Documents to be Delivered	Approval should be obtained	Percentage of Payment
1 <sup>st</sup> Installment	Progress report detailing support provided to Government, NHRC and CSOs, including project responsible parties over 20 working days from consultancy start date	DRR	30%
2 <sup>nd</sup> Installment	Progress report detailing support provided to Government, NHRC and CSOs, including project responsible parties over 40 working days from consultancy start date	DRR	30%
3 <sup>rd</sup> Installment	Final Consultancy report, detailing all support provided to Government, NHRC and CSOs, including project responsible parties over 60 working days from consultancy start date, and attaching all concept notes, ToRs, activity reports and meeting minutes produced during consultancy period	DRR	40%

### XI. CONFIDENTIALITY AND PROPRIETARY INTERESTS

- The Consultant shall not either during the term or after termination of the assignment, disclose any proprietary or confidential information related to UNDP without prior written consent. Proprietary

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interests on all materials and documents prepared by the Consultant under the assignment shall become and remain properties of UNDP and OHCHR.



**This TOR is approved by:**

**Signature:**

DocuSigned by:  
*Ida Persson*  
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**Name and Designation:** Ida Persson, Head of Governance

**Date of Signing:** 09-May-2022