INDIVIDUAL CONSULTANT PROCUREMENT NOTICE

for individual consultants and individual consultants assigned by consulting firms/institutions

<table>
<thead>
<tr>
<th>Country:</th>
<th>Viet Nam</th>
</tr>
</thead>
<tbody>
<tr>
<td>Description of the assignment:</td>
<td>01 International consultant to conduct a study on international good practices on climate change and human rights of vulnerable people</td>
</tr>
<tr>
<td>Period of assignment/services (if applicable):</td>
<td>June 2022 – July 2022</td>
</tr>
<tr>
<td>Duty Station:</td>
<td>Hanoi, Vietnam</td>
</tr>
<tr>
<td>Tender reference:</td>
<td>T220606</td>
</tr>
</tbody>
</table>

1. Submissions should be sent by email to: luu.thi.trang@undp.org no later than: 23:59 hrs., 18 June 2022 (Hanoi time)

   With subject line:

   T220606 – 01 International consultant to conduct a study on international good practices on climate change and human rights of vulnerable people

Submission received after that date or submission not in conformity with the requirements specified this document will not be considered.

Note:

  - Any individual employed by a company or institution who would like to submit an offer in response to this Procurement Notice must do so in their individual capacity, even if they expect their employers to sign a contract with UNDP.

  - Maximum size per email is 30 MB.

  - Any request for clarification must be sent in writing, or by standard electronic communication to the address or e-mail indicated above. Procurement Unit – UNDP Viet Nam will respond in writing or by standard electronic mail and will send written copies of the response, including an explanation of the query without identifying the source of inquiry, to all consultants.
- After submitting proposal, bidder should send notification by email (without attachment) to: procurement.vn@undp.org informing that the bidder has submitted proposal. UNDP will not be responsible for the missing of proposal if the bidder does not send notification email to above address.

- Female consultants are encouraged to bid for this required service. Preference will be given to equally technically qualified female consultants.

2. Please find attached the relevant documents:

   - **Term of References** .......................................................................................................................... (Annex I)
   - **Individual Contract & General Conditions** ........................................................................................ (Annex II)
   - **Reimbursable Loan Agreement** (for a consultant assigned by a firm).......................... (Annex III)
   - **Letter to UNDP Confirming Interest and Availability** ............................................................... (Annex IV)
   - **Financial Proposal** ................................................................................................................................. (Annex V)

3. **Interested individual consultants must submit the following documents/information (in English, PDF Format)** to demonstrate their qualifications:

   a. **Technical component:**

   - Signed Curriculum vitae
   - Signed Letter to UNDP Confirming Interest and Availability
   - Published papers in English to be submitted

   b. **Financial proposal (with your signature):**

   - The financial proposal shall specify a total lump sum amount in **VND for national consultant and US dollar for International Consultant** including consultancy fees and all associated costs i.e. airfares, travel cost, meal, accommodation, tax, insurance etc. – see format of financial offer in Annex V.

   - Please note that the cost of preparing a proposal and of negotiating a contract, including any related travel, is not reimbursable as a direct cost of the assignment.

   - If quoted in other currency, prices shall be converted to the above currency at UN Exchange Rate at the submission deadline.
4. Evaluation

The technical component will be evaluated using the following criteria:

<table>
<thead>
<tr>
<th>No.</th>
<th>Requirement</th>
<th>Points</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Qualification of post-graduate degree in human rights, environment or related fields</td>
<td>200</td>
</tr>
<tr>
<td>2</td>
<td>At least 5 year-working experiences on the issues of climate change and human rights..</td>
<td>300</td>
</tr>
<tr>
<td></td>
<td></td>
<td>200</td>
</tr>
<tr>
<td>4</td>
<td>Experience in conducting similar research</td>
<td>200</td>
</tr>
<tr>
<td>5</td>
<td>Good command of English proven through published papers</td>
<td>100</td>
</tr>
<tr>
<td></td>
<td><strong>Total</strong></td>
<td><strong>1,000</strong></td>
</tr>
</tbody>
</table>

A two-stage procedure is utilized in evaluating the submissions, with evaluation of the technical components being completed prior to any price proposals being opened and compared.

The price proposal will be opened only for submissions that passed the minimum technical score of 70% of the obtainable score of 1000 points in the evaluation of the technical component. The technical component is evaluated on the basis of its responsiveness to the Term of Reference (TOR). Maximum 1000 points will be given to the lowest offer and the other financial proposals will receive the points inversely proportional to their financial offers. i.e. $S_f = 1000 \times F_m / F$, in which $S_f$ is the financial score, $F_m$ is the lowest price and $F$ the price of the submission under consideration.

The weight of technical points is 70% and financial points is 30%.

Submission obtaining the highest weighted points (technical points + financial points) will be selected subject to positive reference checks on the consultant’s past performance.

5. Contract

“Lump-sum” Individual Contract will be applied for freelance consultant (Annex II)
“Lump-sum” RLA will be applied for consultant assigned by firm/institution/organization (Annex III)

Documents required before contract signing:

- International consultant whose work involves travel is required to complete the courses on BSAFE which is the new online security awareness training and submit certificate to UNDP before contract issuance.

- **Note:** In order to access the courses, please go to the following link: [https://training.dss.un.org](https://training.dss.un.org)
The training course takes around 3-4 hours to complete.
- Full medical examination and Statement of Fitness to work for consultants from and above 65 years of age and involve travel. (This is not a requirement for RLA contracts).

- Release letter in case the selected consultant is government official.

6. Payment

UNDP shall effect payments to the consultant (by bank transfer to the consultant’s bank account provided in the vendor form upon acceptance by UNDP of the deliverables specified the TOR.

Payments are based upon outputs, i.e. upon delivery of the products specified in the TOR.

If two currencies exist, UNDP exchange rate will be applied at the day UNDP instructs the bank to effect to the payment.

7. Your proposals are received on the basis that you fully understand and accept these terms and conditions.
## TERMS OF REFERENCE

<table>
<thead>
<tr>
<th>Name of service:</th>
<th>International consultant to conduct a study on international good practices on climate change and human rights of vulnerable people</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project:</td>
<td>Human Rights and Climate Change</td>
</tr>
<tr>
<td>Reporting to:</td>
<td>The Governance and Participation Unit of UNDP</td>
</tr>
<tr>
<td>Duty Station:</td>
<td>Home-based</td>
</tr>
<tr>
<td>Duration of Assignment:</td>
<td>From 30 June to 30 July</td>
</tr>
<tr>
<td>Start Date:</td>
<td>6/30/2022</td>
</tr>
<tr>
<td>End Date:</td>
<td>7/30/2022</td>
</tr>
</tbody>
</table>

### 1. BACKGROUND & PROJECT DESCRIPTION

Climate change threatens the effective enjoyment of a range of human rights including those to life, health, food, water and sanitation, a healthy environment, and adequate standard of living, housing, property, self-determination, development, and culture. Moreover, there is also a nexus between environmental rights and civil and political rights, such as the rights to freedom of expression and collective action. The impacts of climate change on human rights’ enjoyment are particularly high for those sections of the population that are already marginalized or in vulnerable situations. Due to such intersectionality with pre-existing inequalities, vulnerable groups, such as women, children, older persons, persons with disabilities, indigenous peoples and persons living in rural areas or specific coastal areas, have limited access to decision-making or resources. Around the world concerns are raised on the adverse impacts of climate change in general and human rights in particular. Subsequently, the concern arises how measures that address climate change take these effects on human rights into consideration. If climate change adaptation and mitigation policies do not take a human rights based approach, they may exacerbate the negative impacts of climate change on human rights enjoyment, or have adverse secondary effects on human rights. For example, the agro-fuel production affects the right to food, or the reduced emissions from deforestation and degradation (REDD) programmes can have negative impacts on the rights of indigenous peoples.

Adaptation and mitigation measures should be developed in a participatory, gender-responsive and adequately resourced measure, aimed at substantive equality, to ensure that no one is left behind. Climate change, therefore, requires a global human rights-based response that puts fundamental rights and freedoms at the center of climate change action, including through the protection of environmental and human rights defenders.

Under international human rights law, states have the obligation to respect, protect and promote human rights. The Human Rights Committee stated, in its general comment No. 36 (2018) on the right to life, that climate change is one of “the most pressing and serious threats to the ability of present and future generations to enjoy the right to life.” (para 62). It concluded that States parties’ obligations under international environmental law should inform the content of article 6 of the International Covenant on Civil and Political Rights (ICCPR) and that the obligation of States parties to respect and ensure the right to life should inform their relevant obligations under international environmental law. In 2018, the
Committee on Economic, Social and Cultural Rights (ICESCR) also warned States that a failure to prevent foreseeable human rights harm caused by climate change, or a failure to mobilize the maximum available resources in an effort to do so, could constitute a breach of their obligation to respect, protect and fulfill all human rights for all.1 The human rights framework requires States that their efforts to mitigate and adapt to climate change are guided by relevant human rights norms and principles, including the rights to participation and information, transparency, accountability, equity and non-discrimination. As one of the countries most affected by climate change, Viet Nam shows their active engagement in the issues of climate change and human rights. Viet Nam has been one of the co-authors of the annual Human Rights Council Resolution on Climate Change and Human rights (together with Bangladesh and the Philippines). The latest Resolution was adopted by the UN Human Rights Council during its 47 sessions in Geneva in July 2021. The resolution stresses on the adverse impact of climate change on the full and effective enjoyment of human rights and calls for the better promotion and protection of human rights for all, including vulnerable people in responses to the global challenges of climate change. Viet Nam has announced its postulation to the UN Human Rights Council for the term 2023-2025 and could be selected as an ASEAN candidate. In Viet Nam’s Voluntary Pledge as a Member of the UN Human Rights Council, the issue of climate change and human rights of vulnerable people is one of the priorities.2 At the UN Climate Change Conference (COP 26) in 2021, Viet Nam’s Prime Minister Pham Minh Chinh announced strong commitments to tackle climate change with the aims of achieving net-zero emissions by 2050 and highlight the importance of cooperation in many areas including implementation of the Paris Agreement. UNDP has been supporting the Government of Viet Nam in their efforts to combat climate change impacts, build resilience of communities to adapt to the changing climate, as well as and in the implementation of their commitments under international human rights mechanisms. Against this backdrop, UNDP will commission a study on the linkages between human rights and climate change, provide international good practices, and recommendations to ensure that all policies aimed at tackling the impacts of climate changes and build resilience of communities will not exacerbate inequalities and will adopt a human rights-based approach to all aspects of climate actions. UNDP is looking for an experienced international consultant to realize the following objectives and outputs given the above background and context.

II. OBJECTIVES
This Term of Reference covers key objectives and specific outputs therein.

- To understand the nexus between human rights and climate change
- To provide international good practices in addressing climate change with a human rights-based approach
- To propose recommendations for policymakers on how to integrate a human rights-based approach in measures to tackle climate change impacts

The study should be able to answer following research questions:

- What is the nexus between human rights and climate change?

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2 Viet Nam’s Voluntary Pledges as a Member of the HRC: (8) Engaging responsibility in the work of UNHRC and promoting the role and the efficiency of the Council, with particular attention of the rights of vulnerable groups and the impacts of climate change on the enjoyment of human rights.
• What are examples of international good practices from maximum four countries with similar climate change challenges in adopting a human rights approach to climate change adaptation/mitigation?

• How should a human rights-based approach be integrated in measures to tackle climate change in Viet Nam?

III. SCOPE OF WORK
The successful consultant is expected to be responsible for the following tasks:
• Task 1: Conduct the study on international good practices in human rights and climate change of 10-15 pages long.
• Task 2: Prepare a presentation on key findings and present (online) at the international workshop on human rights and climate change in Viet Nam (tentatively on July 29, 2022)

IV. DELIVERABLES & IMPLEMENTATION TIMELINE

<table>
<thead>
<tr>
<th>No.</th>
<th>Deliverables</th>
<th>Number of working days</th>
<th>Due date</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Conduct the study on international good practices on human rights and climate change</td>
<td>10</td>
<td>10 July 2022</td>
</tr>
<tr>
<td>2</td>
<td>Develop a ppt presentation (with detailed written notes) on key findings and deliver (online) at the workshop</td>
<td>2</td>
<td>20 July 2022</td>
</tr>
<tr>
<td></td>
<td><strong>Total of working days</strong></td>
<td><strong>12</strong></td>
<td></td>
</tr>
</tbody>
</table>

V. DURATION OF ASSIGNMENT, DUTY STATION & EXPECTED PLACES OF TRAVEL

Estimated number of working days: 12 days

Duty station: Home-based.

Expected places of travel: None

VI. PROVISION OF MONITORING & PROGRESS CONTROL

The consultant shall report to the Inclusive Governance Consultant and the Head of the Governance and Participation Unit of UNDP.

VII. ADMINISTRATIVE SUPPORT & REFERENCE DOCUMENTS

Administrative Support
UNDP will collaborate with Ministry of Foreign Affairs to organize the training and provide Zoom links and other administrative supports if needed.

VIII. DEGREE OF EXPERTISE & QUALIFICATIONS

<table>
<thead>
<tr>
<th>Qualifications</th>
<th>Relevant Professional Experience</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Qualification of post-graduate degree in human rights, environment or related fields</td>
<td>• At least 5 year-working experiences on the issues of climate change, human rights and environment issues. Experience on the nexus between climate change and human</td>
</tr>
</tbody>
</table>
rights is desirable.

**Other Competencies**
- Experience in conducting similar research

**Language Requirements**
- Good command of English proven through published papers

### IX. PAYMENT TERMS

<table>
<thead>
<tr>
<th>No.</th>
<th>Deliverables</th>
<th>Due Date</th>
<th>Payment Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Deliverable 1 &amp; 2 indicated in section IV</td>
<td>30 July 2022</td>
<td>100%</td>
</tr>
</tbody>
</table>

### X. CONSULTANT PRESENCE REQUIRED ON DUTY STATION

☒ NONE ☐ PARTIAL ☐ INTERMITTENT ☐ FULL-TIME

### XI. EVALUATION CRITERIA

<table>
<thead>
<tr>
<th>No.</th>
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<tbody>
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<td>At least 5 year-working experiences on the issues of climate change and human rights.</td>
<td>300</td>
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<td></td>
<td></td>
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<td>4</td>
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<td>Good command of English proven through published papers</td>
<td>100</td>
</tr>
</tbody>
</table>

**Total 1,000**

Criteria for Evaluation of Proposal

Offers will be evaluated according to the Combined Scoring method – where the educational background and experience on similar assignments will be weighted at 70% and the financial proposal will weigh at 30% of the total scoring.

The applicant receiving the Highest Combined Score and meeting other requirements in the Procurement Notice will be awarded the contract.

Documents for Submission

Applicants will be expected to include the following along with their application:

**B. Core Documents**

1. **Letter of Confirmation of Interest and Availability** using the template provided by UNDP;
2. **Current and complete CVs** in English;
3. 03 similar **sample reports**;
4. **Financial offer** using the standard UNDP template.
ANNEX IV

OFFEROR’S LETTER TO UNDP
CONFIRMING INTEREST AND AVAILABILITY
FOR THE INDIVIDUAL CONTRACTOR (IC) ASSIGNMENT

Date ______________________

(Name of Resident Representative/Bureau Director)
United Nations Development Programme
(Specify complete office address)

Dear Sir/Madam:

I hereby declare that:

A) I have read, understood and hereby accept the Terms of Reference describing the duties and responsibilities of [indicate title of assignment] under the [state project title];

B) I have also read, understood and hereby accept UNDP’s General Conditions of Contract for the Services of the Individual Contractors;

C) I hereby propose my services and I confirm my interest in performing the assignment through the submission of my CV which I have duly signed and attached hereto as Annex 1;

D) In compliance with the requirements of the Terms of Reference, I hereby confirm that I am available for the entire duration of the assignment, and I shall perform the services in the manner described in my proposed approach/methodology which I have attached hereto as Annex 3 [delete this item if the TOR does not require submission of this document];

E) I hereby propose to complete the services based on the following payment rate: [please check the box corresponding to the preferred option]:

☐ An all-inclusive daily fee of [state amount in words and in numbers indicating currency]
☐ A total lump sum of [state amount in words and in numbers, indicating exact currency], payable in the manner described in the Terms of Reference.

F) For your evaluation, the breakdown of the abovementioned all-inclusive amount is attached hereto as Annex V;

G) I recognize that the payment of the abovementioned amounts due to me shall be based on my delivery of outputs within the timeframe specified in the TOR, which shall be subject to UNDP’s review, acceptance and payment certification procedures;
H) This offer shall remain valid for a total period of ________ days [minimum of 90 days] after the submission deadline;

I) I confirm that I have no first degree relative (mother, father, son, daughter, spouse/partner, brother or sister) currently employed with any UN agency or office [disclose the name of the relative, the UN office employing the relative, and the relationship if, any such relationship exists];

J) If I am selected for this assignment, I shall [please check the appropriate box]:
- [ ] Sign an Individual Contract with UNDP;
- [ ] Request my employer [state name of company/organization/institution] to sign with UNDP a Reimbursable Loan Agreement (RLA), for and on my behalf. The contact person and details of my employer for this purpose are as follows:

K) I hereby confirm that [check all that applies]:
- [ ] At the time of this submission, I have no active Individual Contract or any form of engagement with any Business Unit of UNDP;
- [ ] I am currently engaged with UNDP and/or other entities for the following work:

<table>
<thead>
<tr>
<th>Assignment</th>
<th>Contract Type</th>
<th>UNDP Business Unit / Name of Institution/Company</th>
<th>Contract Duration</th>
<th>Contract Amount</th>
</tr>
</thead>
<tbody>
<tr>
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</table>

- [ ] I am also anticipating conclusion of the following work from UNDP and/or other entities for which I have submitted a proposal:

<table>
<thead>
<tr>
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<th>Contract Type</th>
<th>Name of Institution/Company</th>
<th>Contract Duration</th>
<th>Contract Amount</th>
</tr>
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</table>

L) I fully understand and recognize that UNDP is not bound to accept this proposal, and I also understand and accept that I shall bear all costs associated with its preparation and submission and that UNDP will in no case be responsible or liable for those costs, regardless of the conduct or outcome of the selection process.

M) If you are a former staff member of the United Nations recently separated, please add this section to your letter: I hereby confirm that I have complied with the minimum break in service required before I can be eligible for an Individual Contract.

N) I also fully understand that, if I am engaged as an Individual Contractor, I have no expectations nor entitlements whatsoever to be re-instated or re-employed as a staff member.
O) Are any of your relatives employed by UNDP, any other UN organization or any other public international organization?

YES □ NO □ If the answer is "yes", give the following information:

<table>
<thead>
<tr>
<th>Name</th>
<th>Relationship</th>
<th>Name of International Organization</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

P) Do you have any objections to our making enquiries of your present employer?

YES □ NO □

Q) Are you now, or have you ever been a permanent civil servant in your government’s employ?

YES □ NO □ If answer is "yes", WHEN?

R) REFERENCES: List three persons, not related to you, who are familiar with your character and qualifications.

<table>
<thead>
<tr>
<th>Full Name</th>
<th>Full Address</th>
<th>Business or Occupation</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
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</tbody>
</table>

S) Have you been arrested, indicted, or summoned into court as a defendant in a criminal proceeding, or convicted, fined or imprisoned for the violation of any law (excluding minor traffic violations)?

YES □ NO □ If "yes", give full particulars of each case in an attached statement.

I certify that the statements made by me in answer to the foregoing questions are true, complete and correct to the best of my knowledge and belief. I understand that any misrepresentation or material omission made on a Personal History form or other document requested by the Organization may result in the termination of the service contract or special services agreement without notice.

DATE: ___________________________ SIGNATURE: ___________________________

NB. You will be requested to supply documentary evidence which support the statements you have made above. Do not, however, send any documentary evidence until you have been asked to do so and, in any event, do not submit the original texts of references or testimonials unless they have been obtained for the sole use of UNDP.

Annexes [please check all that applies]:

☐ CV shall include Education/Qualification, Processional Certification, Employment Records /Experience

☐ Breakdown of Costs Supporting the Final All-Inclusive Price as per Template
GUIDELINES FOR CV PREPARATION

WE REQUEST THAT YOU USE THE FOLLOWING CHECKLIST WHEN PREPARING
Your CV:
Limit the CV to 3 or 4 pages
NAME (First, Middle Initial, Family Name)
Address:
City, Region/State, Province, Postal Code
Country:
Telephone, Facsimile and other numbers
Internet Address:
Sex, Date of Birth, Nationality, Other Citizenship, Marital Status
Company associated with (if applicable, include company name, contact person and phone number)

SUMMARY OF EXPERTISE
Field(s) of expertise (be as specific as possible)
Particular development competencies-thematic (e.g. Women in Development, NGOs, Privatization, Sustainable Development) or technical (e.g. project design/evaluation)
Credentials/education/training, relevant to the expertise

LANGUAGES
Mother Tongue:
Indicate written and verbal proficiency of your English:

SUMMARY OF RELEVANT WORK EXPERIENCE
Provide an overview of work history in reverse chronological order. Provide dates, your function/title, the area of work and the major accomplishments include honorarium/salary. References (name and contact email address) must be provided for each assignment undertaken by the consultant that UNDP may contact.

UN SYSTEM EXPERIENCE
If applicable, provide details of work done for the UN System including WB. Provide names and email address of UN staff who were your main contacts. Include honorarium/salary.

UNIVERSITY DEGREES
List the degree(s) and major area of study. Indicate the date (in reverse chronological order) and the name of the institution where the degree was obtained.

PUBLICATIONS
Provide total number of Publications and list the titles of 5 major publications (if any)

MISCELLANEOUS
Indicate the minimum and maximum time you would be available for consultancies and any other factors, including impediments or restrictions that should be taken into account in connection with your work with this assignment.
**Annex V**

**FINANCIAL OFFER**

Having examined the Solicitation Documents, I, the undersigned, offer to provide all the services in the TOR for the sum of …… (VND for National Consultant and USD for International Consultant).

This is a lump sum offer covering all associated costs for the required service (fee, meal, accommodation, travel, taxes etc).

<table>
<thead>
<tr>
<th>No.</th>
<th>Description</th>
<th>Quantity</th>
<th>Unit Rate</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Consultancy fee</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Out of pocket expenses</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.1</td>
<td>Travel</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.2</td>
<td>Per diem</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.3</td>
<td>Full medical examination and Statement of Fitness to work for consultants from and above 65 years of age and involve travel – (required before issuing contract). *</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.4</td>
<td>Others (pls. specify)…….</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.5</td>
<td>VAT** if applicable for local firm (in case your company signs the contract)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Total</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

* Individual Consultants/Contractors who are over 65 years of age with assignments that require travel and are required, **at their own cost**, to undergo a full medical examination including x-rays and obtaining medical clearance from **an UN-approved doctor** prior to taking up their assignment.

** Individual Consultants/Contractors who request their employer to sign a Reimbursable Loan Agreement (RLA) with UNDP for their behalves are reminded to add the Value Added Tax into the total lump sum of the Financial Offer if applicable.

I undertake, if my proposal is accepted, to commence and complete delivery of all services specified in the contract within the time frame stipulated.

I agree to abide by this proposal for a period of 120 days from the submission deadline of the proposals.

Dated this day /month of year

Signature

*(The costs should only cover the requirements identified in the Terms of Reference (TOR)*
*Travel expenses are not required if the consultant will be working from home).*