



TERMS OF REFERENCE

International consultancy to support the National Reforms Authority of the Kingdom of Lesotho in Security Sector Reforms

Type of Contract	Individual Consultant
Post Level	International Consultant
Duty Station	Maseru, Lesotho
Duration of Initial Contract:	Five calendar months, (108 consultancy days)

1. Context and project background

At the heart of the ongoing political tensions in Lesotho is the scarcity of resources and infighting for control of state power in order to access those limited resources. It has also led to conflict over the control of state institutions, including the security forces.

Lesotho's security sector (Police, military, National Security Services, the Immigration Department, and Correctional Services) is characterized by inadequacies including the absence of a security sector policy and associated strategy, outdated or unaligned sectoral laws, overlapping mandates, and politicization and factional leadership at the higher echelons of the sector. This weakens subordination to the civil authority, separation of powers, normal chains of command, accountability, the rule of law, due process and justice, impartiality of the institutions, and merit-based selection and promotion. Violations of human rights, including gender-related violations, and failures to apply the rule of law are common. This undermines the professionalism of the sector and public trust in its institutions. It also demoralizes the members of these organisations.

In 2018, the Government of the Kingdom of Lesotho in partnership with UNDP, OHCHR and UN Women, the Delegation of the European Union, and SADC formulated the Lesotho National Dialogue and Stabilization Project. It was publicly validated and internationally endorsed at the National Multi-Stakeholder National Dialogue Plenary II of 26 November 2019. The broad stakeholder acceptance of the comprehensive national reforms agenda and its focus on constitutional, security sector, parliamentary, public sector, judiciary, economic and media reforms, provides the opportunity and potential to address many of the challenges that Lesotho is currently facing, including those in the security sector. This led to a UN

Peacebuilding Fund (PBF) project “Effective Implementation of Lesotho National Security Sector Reforms for Peacebuilding” (NSSRP) which was endorsed by the Government on 24 December 2020.

The NSSRP seeks to help establish the minimum conditions for successful SSR in Lesotho through the following Outcomes; first is the development, implementation and effective communication of a national security policy and strategy in line with Lesotho’s international human rights and gender commitments and obligations with the engagement of civil society, sustained commitment of key political and security actors in order to provide a concrete framework for peacebuilding, professionalization, the depoliticization of security institutions and de-securitization of political institutions; second is strengthened internal and public oversight mechanisms to eliminate partisanship from security institutions, protect human rights including those of women, strengthen the rule of law and significantly reduce the levels of sexual and gender based violence in Lesotho; third, increase informal / community conflict resolution, negotiation, management and peacebuilding; and finally enhance government engagement with society and citizen participation in SSR and related peacebuilding initiatives (now and in the future).

2. Scope of work

This consultancy builds on the work of the UNDP consultant SSR adviser to the National Reforms Authority (NRA) from March to June 2022. In close collaboration with UNDP, national and regional stakeholders, other relevant partners and within the framework of the Multi-Stakeholder National Dialogue Plenary II Report of 2019, the consultant will support the Transitional Authority (TA) of the Kingdom of Lesotho in its national reform of the security sector. The primary objectives of the consultancy are to conduct a sectoral expenditure review, support national consultations on the draft National Security Policy (NSP) and National Security Strategy (NSS), and support the formal review of Lesotho’s security acts.

The scope of work for the consultant is as follows:

1. Conduct an expenditure review of Lesotho’s security agencies (corrections, intelligence, military and police) to support a government assessment of the affordability of proposed National reforms in the security sector.
2. Facilitate national stakeholder and community consultations by the authorities in charge of SSR on the draft national security policy and strategy,
3. Amend the draft national security policy and strategy to incorporate the outcomes of the consultation in preparation for their presentation to the government authorities.
4. Further refine recommendations for amendments to Lesotho security acts and support an expert legal review of those amendments to the point they are ready for presentation to Parliament (subject to the appointment or hiring of legal experts).

Other tasks:

5. Technical assistance to the Transitional Authority on security sector issues.
6. Advise the national authorities on appropriate and inclusive SSR mechanisms, structures and processes that can be used to achieve national SSR objectives.
7. Advise the TA on options to support SSR activities in Lesotho in line with international best practices and guided by United Nations normative frameworks and the African Union Policy Framework on SSR.
8. In collaboration with UNDP, assist the TA to consult with the relevant national stakeholders including civil society, women's groups, the youth, the international community, regional and other stakeholders on SSR.
9. Facilitate workshops, meetings and discussions at experts' level to inform decision making on SSR.
10. Submit monthly reports to UNDP and the TA and a final report highlighting results, achievements, challenges, and the way forward for the Kingdom of Lesotho in the implementation of SSR.
11. Any other relevant task assigned by the incumbent's supervisor (the UNDP Lesotho SSR Expert).

3. Expected Outputs and Deliverables

The schedule of outputs is expected to be as follows:

Expected Output	Duration (days)	Responsible for review
1. Inception Report (methodology, workplan and monitoring and evaluation [M&E] framework)	3	Lesotho authorities in charge of SSR / UNDP
2. Expenditure review	38	Authorities in charge of SSR
3. National stakeholder and community consultations on the draft national security policy and strategy	25	Authorities in charge of SSR
4. Revised national security policy and strategy	20	Authorities in charge of SSR
5. Revised recommendations for amendments to Lesotho security acts	20	Authorities in charge of SSR and Ministry of Law and Justice
6. Final Report	2	Authorities in charge of SSR / UNDP
Total	108	

4. Institutional Arrangements

- The expert is responsible to the UNDP Deputy Resident Representative and will work under the direct supervision of the UNDP Lesotho SSR Expert for consultations on delivering the expected outputs.
- The Consultant will prepare reports and submit reports by email. At least five days lead time must be allowed for review and feedback on submitted content.
- Both in-person and virtual tools may be used for stakeholder engagement and collection of information, ensuring compliance to the COVID-19 regulations.
- Payments will be processed based on approved and certified milestones.
- The consultant should have his / her own computer, access to internet and other logistical arrangements as necessary to complete the assignment.

5. Duration of the Work and Duty Station

The assignment will require 108 working days. The implementation of the assignment is expected to take place from 1 August 2022 with a [completion date](#) of 2 January 2023.

6. Qualifications and Experience

Qualifications:

Education:

- Advanced university degree (Master's Degree) or equivalent in law, international relations, political science, or related field.

Language:

- Excellent written and spoken English

Professional Experience:

- A minimum of 10 years of progressive experience in security sector reform and rule of law technical fields combined with strong communication skills, of which at least seven years at the international level are required.
- Proven professional track record in developing national security policies, conducting security sector expenditure reviews and supporting SSR/RoL multi-year programmes in the field experience are essential.
- Experience in providing policy and strategic level technical advice and assistance on national security policies and SSR/RoL issues to governments at a senior level, in a multi-lateral setting is highly desirable.
- Proven capacity to engage with national and international stakeholders at a senior level

with strong liaison capacities and experience is highly desirable.

- Experience in Africa, and Lesotho, in particular is highly desirable.
- Field experience in complex environments supporting SSR reforms is highly desirable.
- Excellent writing and analytical skills including in writing reports, position papers and policy briefs are essential.

Competencies:

- Strong organizational skills.
- Ability to work independently, produce high quality outputs.
- Sound judgment, strategic thinking and the ability to manage competing priorities.
- Demonstrated ability to meet deadlines and work under pressure.
- Ability to be flexible and respond to changes to text as part of the review and feedback process.
- Displays cultural, gender, religion, race, nationality and age sensitivity and adaptability.
- Acting as a team player and facilitating teamwork.
- Learning and sharing knowledge and encourage the learning of others. Promoting learning and knowledge management/sharing is the responsibility of each staff member.
- Focused and results oriented.

7. Scope of Bid Price and Schedule of Payments

The financial proposal should be presented as a Lump Sum Amount – representative of payments closely linked to deliverables.

- The lump sum amount must be “all-inclusive”; and provide a breakdown consistent to the project deliverables
- The contract price is fixed regardless of changes in the cost of components.

Payments will be scheduled as follows:

Deliverables / Outputs	% Payment	Due Date	Review and Approvals Required
1. Inception Report (methodology, workplan and monitoring and evaluation framework)	3%	<i>TBA closer to the date of contract (to allow for possible processing and recruitment delays)</i>	TA / UNDP
2. Expenditure review	35%		NRA

Deliverables / Outputs	% Payment	Due Date	Review and Approvals Required
3. National stakeholder and community consultations on the draft national security policy and strategy	23%		NRA
4. Revised national security policy and strategy	19%		NRA
5. Revised recommendations for amendments to Lesotho security acts	19%		TA / UNDP
6. Final Report	2%	2 January 2023 (TBC closer to the date of contract)	
Total	100%		

8. Recommended Presentation of Proposal

- [Letter of Confirmation of Interest and Availability](#) using the template provided by UNDP.
- **Personal CV or [P11 Personal History Form](#)**, indicating all experience from similar projects, as well as the contact details (email and telephone number) of the Candidate and at least three (3) professional references.
- **Brief description** of why the individual considers him/herself as the most suitable for the assignment, and a methodology, on how they will approach and complete the assignment.
- **Financial Proposal** that indicates the all-inclusive fixed total contract price, supported by a breakdown of costs, xxxxx AS PER TEMPLATE PROVIDED. If an Offeror is employed by an organization / company / institution, and he / she expects his / her employer to charge a management fee in the process of releasing him/her to UNDP under Reimbursable Loan Agreement (RLA), the Offeror must indicate at this point, and ensure that all such costs are duly incorporated in the financial proposal submitted to UNDP. Xxxxxx inquire about medical (Cigna), etc xxxx.

- Sample report or research paper.

9. Criteria for Selection of the Best Offer

A successful Consultants will be selected based on the Combined Scoring Method where the qualifications and methodology will be weighted a max. of 70% and combined with the price offer which will be weighted a max of 30%. The criteria for scoring will be guided by the following:

Criteria for technical evaluation	Ranking
Academic Qualification	20%
Professional Experience as outlined in section 6 above	30%
Quality of previous work – presentation and English writing skills (sample report of previous work)	15%
Methodology and Technical Proposal	35%
Total	100%

10. Annexes to the TOR

- Letter of confirmation interest and availability template.
- P11 template.

11. Submissions

Interested offerors may submit their applications to:

REF: Consultancy to support the National Reforms Authority of the Kingdom of Lesotho in Security Sector Reforms

Ms Nessie Golakai-Gould
Acting UNDP Resident Representative
UN House, 13 UN Road, Maseru / P.O. Box 301, Maseru 100 LESOTHO

Electronic submissions can be sent to: ls.procurement@undp.org.

12. Approval

This TOR is approved by:

Ms. Nessie Golakai

Acting Resident Representative

Signature: _____

Date: _____

DocuSigned by:

Nessie Golakai

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12-Jul-2022