



TERM OF REFERENCE (ToR) FOR THE RECRUITMENT OF INDIVIDUAL CONSULTANT (IC)

GENERAL INFORMATION

Services/Work Description:	Human Rights Consultant
Project/Program Title:	PBF Post-TRRC project (jointly implemented by UNDP and OHCHR)
Post Title:	National Consultant
Consultant Level:	Level B, Specialist
Duty Station:	Banjul, The Gambia
Expected Places of Travel:	in-country travel
Duration:	60 working days
Expected Start Date:	Immediately after Concluding Contract Agreement

I. BACKGROUND / PROJECT DESCRIPTION

The TRRC was established by an Act of the National Assembly in December 2017 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. Its operations commenced in October 2018 following the swearing-in of its 11 Commissioners, and is expected to conclude towards the end of 2021, following the submission of its Final Report to President Adama Barrow, which will include its findings and recommendations. The TRRC heard from 393 witnesses during 23 thematic public hearings over 892 days, producing over 2800 hours of live streamed testimony and other footage on YouTube on other online platforms, and in 2019, was dubbed as the transitional justice event of the year by Fondation Hirondelle's JusticeInfo.net, while several international and national organizations have also highlighted shortcomings regarding the space given to women and the treatment of SGBV crimes. 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. This 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 post-Project supports the Government of The Gambia to create awareness of and improve capacities to implement recommendations made by the Truth, Reconciliation and Reparations Commission (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. The Project employs a broad approach in the design and implementation of its interventions, to include both immediate and prerequisite support to prepare for implementation, but also actual implementation of some recommendations, whilst ensuring the Government buy-in, ownership and commitment to the process and laying the foundation for continued implementation of TRRC recommendations beyond the Project duration.

II. SCOPE OF THE WORK

The consultancy will support the implementation of the post-TRRC project. The consultant will be responsible for support to the NHRC and CSOs, firstly, to disseminate the TRRC recommendations as widely as possible and call for their implementation, while calling for gender equality and impunity for SGBV crimes to be addressed. The Project will support coordination between CSOs and the NHRC to strengthen impact of their related interventions. Considering its mandate, the NHRC will also be supported to provide evidence-based advice to the Government on peoples' expectations on the implementation of TRRC recommendations, as well as correlations between these and other recommendations by the Special Rapporteur on Truth, the Working Group on Enforced or Involuntary Disappearances, recommendations from the Human Rights Committee and the Universal Periodic Review.

Core tasks include:

- Facilitate workshops between Government ministries, agencies, and departments, as well as CSOs including victim led CSOs, to discuss the White Paper, assess levels of preparedness for implementation across the entire Government and where possible agree on partnerships;
- Specifically, organize a National Stakeholder's Conference on the White Paper to facilitate exchange of regional and other relevant experiences from other governments on implementation of truth commission recommendations;
- Promote the inclusion of women, youth and persons with disabilities in the discussions after the finalization of the white paper;
- Promote the establishment of a national coordination mechanism on the implementation of the TRRC recommendations by the white paper;

III. EXPECTED OUTPUTS AND DELIVERABLES

No.	Deliverables / Outputs	Estimated Duration to Complete	Review and Approvals Required
1	Organise and facilitate workshops to discuss the White Paper	15 working Days	OHCHR WARO & UNDP Head of Governance
2	Organize a National Stakeholder's Conference on the White Paper	15 Working days	OHCHR WARO & UNDP Head of Governance
3	Promote the inclusion of women, youth and persons with disabilities in the discussions after the finalization of the White Paper	10 Working days	OHCHR WARO & UNDP Head of Governance
4	Technical support to design and set-up a national coordination mechanism on the implementation of the TRRC recommendations by the White paper	20 working days	OHCHR WARO & UNDP Head of Governance

IV. INSTITUTIONAL ARRANGEMENT / REPORTING RELATIONSHIPS

- UNDP will manage and oversee the evaluation process, however, OHCHR, through its West Africa Regional Office, will also participate in the evaluation process. Consultant will submit weekly reporting to OHCHR, and together with UNDP's Head of Governance, guidance, and quality assessment of submitted deliverables will be provided.

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- b. The Consultant is expected to work closely with other Consultants recruited to support the implementation of the project

V. LOGISTICS AND ADMINISTRATIVE SUPPORT TO PROSPECT IC

- a. UNDP will provide to the prospect IC: Office Space (to be shared with other project Consultants) and Arrangement of workshop(s).
- b. No other logistical or communication support will be provided to the Consultant, thus cost of these should be factored into the Consultant's all-inclusive daily fees (to be included in the Financial Proposal).

VI. DURATION OF THE WORK

- a. The duration of the consultancy is 60 working days on a full-time basis.

VII. QUALIFICATIONS OF THE SUCCESSFUL INDIVIDUAL CONTRACTOR (IC)

a. Academic Qualifications:

- Masters' degree in human rights, public or international law, political science, international relation or a related field with 5 years relevant work experience. A combination of relevant academic qualifications and 5 years of relevant substantive experience may be accepted in lieu of a Masters' degree.

b. Years of experience:

- Specialised knowledge and working experience with regard to the international human rights machinery and treaties;
- A minimum of 5 years of applied professional experience at national and/or international level in the field of human rights, development and/or humanitarian experience,

c. Competencies:

- Experience in the usage of computers and office software packages (MS Word, Excel, etc) and advance knowledge of spreadsheet and database packages, experience in handling of web based management systems

d. Language and other skills:

- Excellent knowledge of English, including the ability to set out a coherent argument in presentations and group interactions;
- 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 require;

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 Individual Consultant is expected to submit both the Technical and Financial Proposals. The Technical Proposal must contain CV and narrative on proposed methodology. 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 and technical proposal)	70%	70
▪ Criteria a. Technical competence (Understanding the Scope of Work (SoW) (20 points); comprehensiveness of the methodology/approach (10 points); and organization & completeness of the proposal (10 points)		40
▪ Criteria b. Relevant Academic Qualifications (10 points) and Experience (20 points) (both to be derived from CV)		30
Financial (Lower Offer/Offer*100)	30%	30
Total Score	Technical Score * 70% + Financial Score * 30%	

IX. PAYMENT MILESTONES AND AUTHORITY

The qualified 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 st Installment	Comprehensive Progress Report on support provided on workshops discussing White Paper (including women, youth and PwDs), as well as outcome of such discussions	DRR	30%
2 nd Installment	Comprehensive Progress Report on support provided on the organization of the National Stakeholder's Conference	DRR	30%
3 rd Installment	Final Consultancy report, including comprehensive progress report on the support provided on the establishment of the national coordination mechanism on the implementation of the TRRC recommendations	DRR	40%

XI. CONFIDENTIALITY AND PROPRIETARY INTERESTS

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- 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 UNDP and OHCHR.

XII. ANNEXES TO THE TOR

This TOR is approved by:

Signature:

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Ida Persson
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Name and Designation: Ida Persson, Head of Governance, UNDP

Date of Signing: 21-Jul-2022