



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

### GENERAL INFORMATION

**Services/Work Description: Training of ADRS Staff on ADRS Mechanisms in relation to Mediation, Conciliation and Negotiation.**

**Project/Program Title** :Community Access to Justice  
**Post Title:** International Consultant  
**Consultant Level:** Level B (Specialist)  
**Duty Station:** UNDP Gambia Country Office  
**Expected Places of Travel:** Online Training on ADRS  
**Duration:** 30 working days  
**Expected Start Date:** October..., 2022/ Immediately after Concluding Contract Agreement

### I. BACKGROUND / PROJECT DESCRIPTION

The United Nations Development Programme (UNDP), UNFPA and UNICEF, in partnership with the Government of The Gambia are implementing a Community Access to justice Project in The Gambia. The Joint Project endeavors to implement a holistic and comprehensive program which addresses both the supply and demand sides of justice delivery. The Joint Project seeks to strengthen rule of law institutions, Children, Women and Social Service providers to deliver quality services, to empower citizens in the exercise of their rights and to increase access to justice and social services.

The Joint Project's implementing partners are the Ministry of Justice, the Judiciary, the Gambia Police Force, the Gambian Prisons Service, the National Agency for Legal Aid (NALA), CSOs, NGOs, the ADR Secretariat, the Gambia Bar Association, Ministry of Women Children and Social Welfare. The Project has three outcomes and these are: improved access to justice especially for women and children who are victims of serious human rights violations; establishing community policing initiative for the prevention of serious human rights violations and protection of survivors; strengthened justice service delivery system for citizens, particularly victims of human rights abuses.

The Alternative Dispute Resolution Secretariat (ADRS) is mandated under the Alternative Dispute Resolution (ADR) Act of 2005 to provide decentralized services and facilities to those wishing to settle their civil disputes. ADRS is used primarily for rural citizens, the majority of whom are poor and turn to traditional means to resolve dispute. Despite the ADRS being the most preferable means of addressing disputes within The Gambian context, the secretariat remains understaff with limited capacity to address most of the disputes that are brought before the secretariat. However, there are only a few certified mediators and nearly as few who have received formal training on ADR. Many of those who have received training did so over a decade ago and have received little to no follow-up training. It is against this backdrop, that UNDP at the request of ADRS intend to upscale the capacity of ADRS staff through a certified online platform that will equip the staff with the necessary skills to mediate and resolve dispute within communities to enhance peace and social cohesion.

The training endeavors to increase access to justice under Sustainable Development Goal (SDG) 16: "Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels."

### II. SCOPE OF THE WORK

According to the relevant stakeholders, the lack of capacity of the ADRS staff is a contributing factor as to while most cases at community level are left unaddressed or not fully address since the staff does not have the required skills in addressing some of the complex cases that comes before the secretariat.

As part of the effort to improve alternative dispute resolution mechanism, ADRS have requested UNDP support for a comprehensive online capacity building training to strengthen the mediation of cases particular complex disputes. Based on this training, the staff will be in a better position to mediate and train community members on mediation for dispute resolution.

To that end, UNDP seeks the service of aInternational consultant to conduct an online training for the six (6) ADRS staff, the training must include but is not limited to the following:

1. The best methodology to resolve disputes.
2. Enhance understanding of the different types of ADR Mechanisms especially Mediation, Conciliation and Negotiation.
3. Enhance capacity of the ADRS in dealing with ADR and disputes settlement.
4. Understanding typology of responses to conflicts and the ADR Spectrum

### Specific tasks

1. Organize Consultative meetings with UNDP staff as well as staff from ADRS.
2. Conduct an assessment with the use of questionnaire for ADRS staff that will guide the training process.
3. Review relevant conducts on the alternative dispute mandate in the Gambia
4. Submit the inception report and recommended draft modules for the training
5. Share the first draft modules with UNDP as well as with ADRS staff for validation.
6. Submit final report training report

### OBJECTIVES

The objective of this training is to strengthen the capacity of ADRS staff to improve mediation at community levels as well as peaceful co-existence between community members.

The expected outputs for this assignment are

1. An inception report detailing the work plan with clear activity deliverables
2. Facilitate consultation with stakeholders on drafting the online training required by stakeholders
3. Conduct online training of 6 ADRS staff

### III. EXPECTED OUTPUTS AND DELIVERABLES

No.	Deliverables / Outputs	Estimated Duration to Complete	Review and Approvals Required
1	Submission of Inception Report, results of Capacity Assessment for target participants and schedule of trainings	_3_ Working days	UNDP
2	Submission of draft Training Modules	2 Working days	UNDP
3	Submission of final training report with recommendations	25 Working days	UNDP

Indicators to evaluate the consultant's performance All deliverables/outputs must be submitted in English and meet the satisfaction of the UNDP RoL project according to the following indicators:

- ✓ Quality of the deliverable produced
- ✓ The evaluation of the consultant's performance (the quality of the reports and products, the technical competence shown, and the timeliness of the reports) will be determined by the UNDP RoL.

### IV. INSTITUTIONAL ARRANGEMENT / REPORTING RELATIONSHIPS

## United Nations Development Programme



UNDP, through the project manager for the RoL project will manage and oversee the process. The consultant would oversee and submit the deliverables to the UNDP.

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

N/A

#### VI. DURATION OF THE WORK

- a. The duration of the consultancy is **30 working days**.

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

##### a. Academic Qualifications:

- ✓ Advanced university degree in law, certified holder of Alternative Dispute Resolution or a related field.
- ✓ A combination of relevant academic qualifications and experience may be accepted in lieu of the advanced university degree

##### b. Years of experience

- ✓ Minimum 10 years of progressively responsible professional experience in alternative dispute resolution and experience in the region.
- ✓ Minimum 5 years working experience in facilitating online trainings/workshops on alternative dispute resolution.
- ✓ Prior experience working for UNDP and knowledge of its programmatic structures is an added advantage

##### c. Competencies:

- Demonstrable competency teamwork, excellent communication, analytical, writing and editing skills.

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

- Excellent knowledge of English
- Capacity to communicate fluently with different stakeholders
- **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. 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 is:
  - a. Technical Criteria weight is **70%**
  - b. Financial Criteria weight is **30%**

Criteria	Weight	Max. Point
<b>Technical Competence (based on CV, Proposal, and interview (if required))</b>	<b>70%</b>	100
<ul style="list-style-type: none"> <li>▪ Understanding the Scope of Work (SoW); comprehensiveness of the methodology/approach; and organization &amp; completeness of the proposal</li> </ul>		50*
<ul style="list-style-type: none"> <li>▪ <b>Criteria b.</b> Technical competence</li> </ul>		25**

▪ <b>Criteria c.</b> Relevant Experience		25 **
<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 qualified consultant shall receive his/her service fees upon certification of the completed tasks satisfactorily, as per the following payment schedule:

<b>Installment of Payment/ Period</b>	<b>Deliverables or Documents to be Delivered</b>	<b>Approval should be obtained</b>	<b>Percentage of Payment</b>
1 <sup>st</sup> Installment	Submission of Inception Report	RR	10%
2 <sup>nd</sup> Installment	Submission of draft Training Modules	"	40%
3 <sup>rd</sup> Installment	Submission of final training report with recommendations	"	50%

#### XI. 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 UNDP.

#### XII. ANNEXES TO THE TOR

- Rule of Law Annual Workplan

**This TOR is approved by:**

**Signature:**

DocuSigned by:

Ida Persson

**Name and Designation:** Ida Persson, Programme Specialist/Head of Governance

**Date of Signing:**