

TERMS OF REFERENCE

FOR INDIVIDUAL CONTRACT

POST TITLE:	International Expert in Academy on Business and Human Rights for Companies (B+HR Academy), their suppliers and partners in Tunisia
AGENCY/PROJECT NAME:	UNDP/Promoting Responsible Business Conduct in target countries where Japanese companies operate, with a particular focus on promoting human rights due diligence in global supply chains and leveraging the UN Guiding Principles on Business and Human Rights for a just recovery (JSB project)
COUNTRY OF ASSIGNMENT:	Tunisia

BACKGROUND

The *United Nations Guiding Principles on Business and Human Rights* (UNGPs), adopted by the UN Human Rights Council in 2011, are the most authoritative guidelines on how to "prevent and address human rights abuses in business operations." As part of its overall work on human rights, UNDP has supported the implementation of UNGPs by countries and corporations worldwide. The Business and Human Rights (B+HR) program was first piloted in Asia in 2016, where UNDP was soon recognized as the convener on B+HR discourse through its support to Asian governments in developing policies and through peer learning activities, including its annual regional B+HR forums for Asia.

UNDP has since scaled up its work by creating a Global Initiative on Business and Human Rights. As part of this process, UNDP is cooperating with the Government of Japan on the JSB project. Funded by the Japanese Supplementary Budget (JSB) approved in 2021, one of the JSB project's outcomes is to build the capacities of Japanese companies, their suppliers and partners in driving a just recovery in 17 target countries, including Tunisia. The project will strengthen responsible business practices in Japan and in Tunisia through improving the ability and understanding of Tunisian authorities, Japanese businesses and corporations from other countries, suppliers and partners to carry out Human Rights Due Diligence (HRDD).

Achieving this objective will require UNDP to provide training and support to Japanese companies, their suppliers and partners on how to carry out HRDD. Accordingly, UNDP Tunisia intends to recruit an individual international consultant to **lecture at the so-called 'Business and Human Rights Academy', (B+HR Academy) in which the consultants and UNDP staff will provide tailor-made training and guidance sessions to companies, their suppliers and partners on HRDD and on any BHR-related questions they may have.**

The B+HR Academy will focus on mitigating the most immediate and salient human rights risks in companies' supply chains in Tunisia. It will take place in the period September 2022 – March 2023, and will consist of:

- a) **Training seminars for companies on the key components of HRDD**, including identifying, preventing, mitigating and accounting for how companies address their human rights impacts. The Expert will conduct (a minimum of) four training seminars for Tunisia, which will consist of a maximum of five modules, provided in the UNDP HRDD training guide (the exact duration will be decided by country offices following the execution of the mapping study that will precede this activity). The HRDD training will be conducted by the Expert in person in Tunisia. The training kickstarts the B+HR Academy, which will be conducted in the period October-January 2023. The HRDD training will be conducted by the Expert, along with a national consultant to be separately recruited and a UNDP staff member (another expert from other relevant UN agencies may be included if agreed with the JSB global coordination team). The Expert is expected to reflect the findings of the mapping study on responsible business conduct in Tunisia in devising the HRDD training. The Expert will be able to use UNDP's aforementioned [HRDD training guide](#) as a basis to carry out the HRDD training; should they propose to use other training materials, these will have to be approved by the BHR Global Advisor supervising their work. Total no. of working days: a minimum of 22 (including at least four two-day training sessions and up to eight days to set the curriculum in coordination with the national consultant and UNDP Tunisia team).
- b) **Group and one-on-one guidance sessions** provided to companies. The guidance sessions will aim to introduce companies in more depth to elements of human right due diligence, answer their questions on the implications of introducing policies and practices to carry out HRDD, and offer them confidential guidance to support them in the journey towards implementing more responsible practices. The guidance sessions will be conducted either individually by the Expert, or jointly with the national consultant and UNDP staff member mentioned previously. Each consultant will be expected to provide up to 50 hours of guidance sessions for companies in Tunisia (October 2022 – January 2023). Total no. of working days: 20.

SCOPE OF WORK

The expert will work under the guidance and supervision of the B+HR national analyst, with support from the JSB global coordination team. Specific results to be achieved by the Expert are listed below.

1. Develop curriculum for HRDD training to companies, in consultation with the Tunisia staff and JSB global coordination team:

- Analyze mapping study on responsible business conduct in Tunisia;
- Based on this analysis, develop a curriculum for HRDD training. In doing so, the Expert may follow the UNDP HRDD training guide. The training should include, at a minimum (unless it is otherwise agreed with UNDP Tunisia staff and the JSB global coordination team), the following: an introduction to BHR, the business case for respecting human rights mapping, an introduction to HRDD, a detailed overview of the four aspects of HRDD (identifying and assessing actual or potential human rights impacts; integrating and acting on findings; tracking the effectiveness of a company's response; and communicating corporate actions); a review of the current or upcoming mandatory norms that impact the conduct of HRDD in Tunisia; and the connection between remediation mechanisms and HRDD.

- Incorporate feedback by UNDP Tunisia and JSB global coordination team to the curriculum.

2. Deliver training on HRDD in Tunisia:

- In accordance with the curriculum agreed under point 1, deliver HRDD training in person in Tunisia. The training (as was noted above) will last a total of no more than 2 working days, delivered either in one continuous training session, or over training sessions (to be agreed with UNDP Tunisia);

3. Provide guidance to companies:

- The Expert will provide one-on-one guidance to companies attending the B+HR Academy. During the sessions, facilitated by the expert, the Expert will listen to a presentation from the company and answer relevant questions, e.g., how companies should mitigate their human rights risks, improve their human rights practices to add value to their business, integrate human rights considerations and practices across their operations, and provide ongoing coaching to support a change of culture in the companies in question.
- The guidance sessions will be done by the Expert on their own, or together with the national consultant and/or UNDP staff member. The composition and schedule of each guidance session will be determined by UNDP Tunisia staff.
- In total, the Expert will be expected to provide at least 50 hours of guidance sessions over the course of 4 months.

OUTPUT AND DELIVERABLES

Deliverables/ Outputs	Estimated Duration to Complete	Review and Approvals Required
1) Develop HRDD curriculum	Up to 08 days	B+HR national analyst, JSB global coordination team
2) Deliver training on HRDD in Tunisia	A minimum of 22 days	B+HR national analyst, JSB global coordination team
3) Deliver guidance sessions for companies	Up to 20 days	B+HR national analyst, JSB global coordination team

The Expert will use his/her own equipment and software.

INTELLECTUAL PROPERTY

All information and production of report to the assignments as well as outputs produced under this contract shall remain the property of the UNDP who shall have exclusive rights over their use. The products shall not be disclosed to the public nor used in whatever format without written permission of UNDP in line with the national and International Copyright Laws applicable.

INSTITUTIONAL ARRANGEMENTS

The consultant will work under the overall guidance of the B+HR national analyst and JSB global coordination team. Each deliverable shall be presented to the B+HR national analyst and JSB global coordination team for review and approval.

DURATION OF ASSIGNMENT, DUTY STATION AND EXPECTED PLACES OF TRAVEL

Duration

The assignment shall be completed within a maximum of **50 working days**. The assignment will be completed by January 31st 2023 at the latest.

The consultancy will be based in Tunisia (for HRDD training). The costs of travel and accommodation will be paid by the consultant.

DEGREE OF EXPERTISE AND QUALIFICATIONS

Required Skills and Experience

The consultant should possess the following expertise and qualifications:

Education and Experience

- Advanced university degree (Master's or equivalent) or PhD in law, governance, anthropology, social science, political science, business management, or related discipline(s);
- 5+ proven training experiences on human rights (including BHR) issues;
- 3+ relevant work experiences of providing advice to companies on business and human rights;
- Demonstrated understanding of corporate impacts on human rights, risks created throughout corporate supply chains, and business and human rights issues in Tunisia;

Skills

- Demonstrable training facilitation skills;
- Results-driven, initiative-taking, ability to work under pressure and meet tight deadlines;
- Ability to work independently or with very limited guidance;
- Highly motivated with a positive attitude and problem-solving approach;
- Good interpersonal and communication skills.

Language

- Proficiency in English. Working level of French and Arabic is an advantage.

REQUIRED DOCUMENTS

Required documents

Interested candidates must submit the following documents/information to demonstrate their qualifications.

1. Duly accomplished Letter of Confirmation of Interest and Availability using the template provided by UNDP. It shall include the Financial Proposal that indicates the all-inclusive fixed total contract price, supported by a breakdown of costs, as per template provided
2. Curriculum Vitae;
3. Examples of previous publications;
4. Brief description of why the individual considers him/herself as the most suitable for the assignment.

CRITERIA FOR SELECTION OF THE BEST OFFER

Evaluation Method and Criteria

Only candidates who are responsive and compliant will be evaluated. Individual consultants will be evaluated based on the following methodology:

Combined Scoring method:

The award of the contract shall be made to the candidate whose offer has been evaluated and determined as a) responsive/compliant/acceptable; and b) having received the highest score out of set of weighted **technical criteria (70%) and financial criteria (30%)**.

- The technical criteria consist of qualification review: education and professional experience according to the CV; competences and linguistic skills based on the interview [max. 100 points]
- **Financial score** shall be computed as a ratio of the proposal being evaluated as the lowest priced qualified proposal received by UNDP for the assignment will be based on a maximum 30 points.

Technical Criteria for Evaluation (Maximum 100 points)

- Criteria 1: Education – Max 20 points;
- Criteria 2: Working experience – Max 20 points
- Criteria 3: Analytical, research and writing abilities – Max 20 points
- Criteria 4: Interview – Max 30 points
- Criteria 5: Excellent command of English – Max 10 points

Only candidates obtaining a minimum of 70 points for technical criteria (approx. 70% of the total technical points) would be considered for the Financial Evaluation.

N	Criteria	Max points
1	<p>Advanced university degree (Master's or equivalent) or PhD in law, governance, anthropology, social science, political science, business management, or related discipline(s)</p> <p>Master's degree 15 pts</p> <p>PhD 20 pts</p>	20
2	<p>05+ proven training experiences on human rights (including BHR) issues</p> <p>05 experiences 10 pts</p>	15

	From 05 to 10 experiences 12 pts +10 15 pts	
3	03+ relevant work experiences of providing advice to companies on business and human rights 03 experiences 10 pts +03 experiences 15 pts	15
4	Demonstrated capacity to conduct multi-discipline, cross-sector and cross-country research on Business and Human Rights 01 research experience 07 pts 02+ research experiences 10 pts	10
5	Proficiency in English. Working level of French and Arabic is an advantage	10
6	Interview	30

The application receiving the Highest Combined Score will be awarded the contract.

9) CONSULTANT PRESENCE REQUIRED ON DUTY STATION/UNDP PREMISES

None

Partial

Intermittent **X**

Full-time

10) PAYMENT TERMS

Candidates shall quote a **lump-sum “all-inclusive” fee** for the completion of each deliverable. The term “all-inclusive” implies that all costs that could be incurred by the consultant in completing the assignment are already factored into the lump-sum submitted in the proposal. Payments shall be done upon verification of completion of deliverables and approval by the IC’s supervisor.

Elements	Fees/day	Nb/days	Total
Daily rate		50 days	
International travel (minimum of 05 trips to Tunis)		40 days	
National travel / accommodation/ transport		40 days	

The lump-sum price is fixed regardless of changes in the cost components.

Deliverables	Payment	Calendar
Develop HRDD curriculum	20%	08 days
Deliver 1st training on HRDD in Tunisia	40%	1 month
Deliver guidance sessions for companies	40%	04 months

This TOR is approved by: Corrado Quinto, Chief Technical Advisor on Justice and Human Rights

Signature

Date of Signing