



INDIVIDUAL CONSULTANT PROCUREMENT NOTICE

Date: [01/06/2020]

Country: Sao Tome and Principe

Description of the assignment: Human Rights Risk Assessment

Project name: Enhancing Biodiversity Conservation and Sustainable Land and Natural Resource Management

Period of assignment/services (if applicable): up to 40 days over a 4 month period

The maximum number of days under this assignment is 40 working days to be worked over a 4-month period from December 2019. The assignment will include at least one extended mission with extensive field visits on both São Tomé and Príncipe Islands. Mission dates will need to be agreed in advance with UNDP (Country Office, Regional Technical Advisor) and counterparts from the Governments of São Tomé and Príncipe.

Proposal should be submitted at the following address by email procurement.st@undp.org no later than 17 June 2020 at 17H00 GMT with the subject **"Human Rights Risk Assessment"**

Any request for clarification must be sent in writing, or by standard electronic communication to the address or e-mail indicated above. *UNDP* 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.

1. BACKGROUND

The Democratic Republic of São Tomé and Príncipe (STP) is a Small Island Developing State off the coast of Gabon. STP is a **Least Developed Country with a small economy and about half or more of the population living below the poverty line** (40-70% depending on the source). In 2017, the country's GDP was USD 393 million (USD 686 million PPP) and its GDP/capita USD 3,200 PPP. Agriculture accounts for a significant share of employment on STP, 26% to 60%

Despite STP's small size, the islands' tropical climate and relief as well as their geographical location and the isolation from the African continent have given rise to a remarkable wealth in terms of ecosystems and biodiversity. Sometimes referred to as the "Galapagos of Africa", STP is classified amongst the countries with the highest levels of endemic species in the world (RDSTP, 2014), mainly

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birds, amphibians, plants, bats, reptiles, butterflies and molluscs distributed in different terrestrial and marine ecosystems and habitats (Vaz & Oliveira, 2007).

STP has committed to **preserve its unique natural heritage**. The island of Príncipe has an ambitious sustainability Vision 2030 and successfully pushed to be designated as a UNESCO Biosphere Reserve. The islands' offer considerable potential for **further development of tourism**, and the Government has taken steps to expand tourist facilities in recent years. The **development challenge for the islands is how to reconcile the different streams of development objectives and investments**, most of which depend on natural resources and ecosystem services and/or will have negative impacts on these.

The project aims to “**Safeguard globally significant terrestrial biodiversity and ecosystems services by strengthening national capacities and frameworks for biodiversity and natural resource management, integrated land use planning and environmental law enforcement as well as enhancing protected area management and the sustainability of charcoal production**” through the implementation of four project components: Now the project is looking for an experienced consultant to make a human rights risks assessment of its components 1. Environmental law enforcement, 2. strengthening of protected area management and 3. work on sustainable charcoal.

2. SCOPE OF WORK, RESPONSIBILITIES AND DESCRIPTION OF THE PROPOSED ANALYTICAL WORK

UNDP seeks the services of a consultant with experience in the rights of forest dependent communities. The consultant is to undertake a targeted assessment, with support from national counterparts, to describe and quantify the risk of infringement of human rights to local populations. This is to ensure that the project's actions under Components 1 to 3 are in compliance with Principle 1 Human Rights under [UNDP's Social and Environmental Standards](#) (SES).

The assignment will include at least one extended mission with extensive field visits on both São Tomé and Príncipe Islands. Mission dates will need to be agreed in advance with UNDP (Country Office, Regional Technical Advisor) and counterparts from the Governments of São Tomé and Príncipe

The focus will be on ensuring that the project's actions comply with UNDP's Social and Environmental Screening Procedure (SESP). The scope of the assessment must consider all potential sources of human rights infringements. Especially the work on environmental law enforcement under project component 1, the strengthening of protected area management under component 2, and the work on sustainable charcoal under component 3.

The consultant will work closely with UNDP (Country Office, Regional Technical Advisor) and counterparts from the Government as well as with the Expert for Charcoal Value Chain Analysis and Economic Displacement Risk Assessment (see separate TORs) to produce the following outputs and related activities.

Output 1: Human Rights Risk Assessment

- Undertake a targeted assessment to identify the risk-based applicability of Principle 1 Human Rights of the SES Overarching Principles

- Identify and describe actions that could potentially violate human rights and also determine the risk level (high/medium/low)
- Prepare an assessment report to be used as the basis for the Human Rights Action Plan (below)

Output 2: Human Rights Action Plan

- Identify the procedures and actions that need to be undertaken in order to ensure that human rights are not violated by project actions
- Prepare a Human Rights Action Plan that reflects the commitment by the Implementing Partner and UNDP to affected people and communities to respect their human rights
- Support the mandatory disclosure process for the draft human rights action plan
- Finalize the action plan based on feedback received during the disclosure period
- Train and advise PMU on the implementation of the action plan

3. REQUIREMENTS FOR EXPERIENCE AND QUALIFICATIONS

I. Academic Qualifications:

Degree in the field of law, development sciences, human rights studies and/or human rights law; can be substituted by significant relevant and proven experience in the required fields

II. Years of experience:

- At least 5 years of experience with assessing socio-cultural and/or human rights impacts of natural resource management projects in Africa

III. Competencies:

- Prior experience with Free, Prior and Informed Consent (FPIC)
- Prior experience in working with forest dependent communities in STP is an advantage
- Excellent command of Portuguese, or Spanish or French as substitutes;
- Good communication skills

IV. Mandatory language requirements

- English for report writing
- Portuguese (or Spanish) for in-country communication with stakeholders

4. DOCUMENTS TO BE INCLUDED WHEN SUBMITTING THE PROPOSALS.

Interested individual consultants must submit the following documents/information to demonstrate their qualifications:



1. Technical Proposal:

(i) Letter To Undp Confirming Interest And Availability (Annex 1)

(ii) Personal CV including past experience in similar projects and at least 3 references

(iii) Provide a brief methodology on how they will approach and conduct the work (if applicable), schedule and explaining why they are the most suitable for the work

2. Financial proposal in USD (Annex 2)

5. FINANCIAL PROPOSAL

Lump sum contracts

The financial proposal shall specify a total lump sum amount, and payment terms around specific and measurable (qualitative and quantitative) deliverables (i.e. whether payments fall in installments or upon completion of the entire contract). Payments are based upon output, i.e. upon delivery of the services specified in the TOR. In order to assist the requesting unit in the comparison of financial proposals, the financial proposal will include a breakdown of this lump sum amount (including travel, per diems, and number of anticipated working days).

Travel:

All envisaged travel costs must be included in the financial proposal. This includes all travel to join duty station/repatriation travel. In general, UNDP should not accept travel costs exceeding those of an economy class ticket. Should the IC wish to travel on a higher class he/she should do so using their own resources.

In the case of unforeseeable travel, payment of travel costs including tickets, lodging and terminal expenses should be agreed upon, between the respective business unit and Individual Consultant, prior to travel and will be reimbursed

6. EVALUATION

Cumulative analysis

When using this weighted scoring method, the award of the contract should be made to the individual consultant whose offer has been evaluated and determined as:

a) responsive/compliant/acceptable, and

b) Having received the highest score out of a pre-determined set of weighted technical and financial criteria specific to the solicitation.

* *Technical Criteria weight; [70%]*

* *Financial Criteria weight; [30%]*

Only candidates obtaining a minimum of 49 point would be considered for the Financial Evaluation

Criteria	Max. Point
<u>Technical</u>	70
<ul style="list-style-type: none">Degree in related field or significant relevant and proven experience	10
<ul style="list-style-type: none">Experience with assessing socio-cultural and/or human rights impacts of natural resource management projects in Africa	20
<ul style="list-style-type: none">Experience with Free, Prior and Informed Consent (FPIC) and Experience in working with forest dependent communities	20
<ul style="list-style-type: none">Methodology on how they will approach and conduct the work	20
<u>Financial Proposal</u>	30

ANNEX

ANNEX 1- OFFEROR'S LETTER TO UNDP CONFIRMING INTEREST AND AVAILABILITY

ANNEX 2- BREAKDOWN OF COSTS

ANNEX 3- TERMS OF REFERENCES (TOR)

ANNEX 4- INDIVIDUAL CONSULTANT GENERAL TERMS AND CONDITIONS



ANNEX 1
OFFEROR'S LETTER TO UNDP
CONFIRMING INTEREST AND AVAILABILITY
FOR THE INDIVIDUAL CONTRACTOR (IC) ASSIGNMENT

Date _____

Katarzyna Wawiernia
United Nations Development Programme
São Tomé, São Tomé and Príncipe

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 2;
- 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:

Assignment	Contract Type	UNDP Business Unit / Name of Institution/Company	Contract Duration	Contract Amount

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

Assignment	Contract Type	Name of Institution/ Company	Contract Duration	Contract Amount

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:

Name	Relationship	Name of International Organization

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.

Full Name	Full Address	Business or Occupation

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, Professional Certification, Employment Records /Experience
- Breakdown of Costs Supporting the Final All-Inclusive Price as per Template
- Brief Description of Approach to Work (if required by the TOR)

BREAKDOWN OF COSTS¹
SUPPORTING THE ALL-INCLUSIVE FINANCIAL PROPOSAL

A) **Breakdown of Cost by Components:**

Cost Components	Unit Cost	Quantity	Total Rate for the Contract Duration
I. Personnel Costs			
Professional Fees			
Life Insurance			
Medical Insurance			
Communications			
Land Transportation			
Others (pls. specify)			
II. Travel² Expenses to Join duty station			
Round Trip Airfares to and from duty station			
Living Allowance			
Travel Insurance			
Terminal Expenses			
Others (pls. specify)			
III. Duty Travel			
Round Trip Airfares			
Living Allowance			
Travel Insurance			
Terminal Expenses			
Others (pls. specify)			

¹ The costs should only cover the requirements identified in the Terms of Reference (TOR)

² Travel expenses are not required if the consultant will be working from home.