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Date: 19 September 2013

INDIVIDUAL CONSULTANT PROCUREMENT NOTICE

for individual consultants and individual consultants assigned by consulting firms/institutions

Country:	Viet Nam
Description of the assignment:	An international expert to share international experiences and good practices in drafting a national report on implementation of the International Covenant on Civil and Political Rights (ICCPR)
Project name:	Strengthening Access to Justice and Protection of Rights in Viet Nam (Project 58492)
Period of assignment/services (if applicable):	Early Oct – Nov 2013

1. Submissions should be sent by email to: nguyen.thi.hoang.yen@undp.org no later than: **3 October 2013 (Hanoi time)**.

With subject line: International expert - International Covenant on Civil and Political Rights (ICCPR)

Submission received after that date or submission not in conformity with the requirements specified this document will not be considered.

Note:

- Any individual employed by a company or institution who would like to submit an offer in response to this Procurement Notice must do so in their individual capacity, even if they expect their employers to sign a contract with UNDP.
 - Maximum size per email is **7 MB**.
 - Any request for clarification must be sent in writing, or by standard electronic communication to the address or e-mail indicated above. Procurement Unit – UNDP Viet Nam 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.
2. Please find attached the relevant documents:
 - [Terms of Reference \(TOR\)](#)..... (Annex I)
 - [Individual Contract & General Conditions](#)..... (Annex II)
 - [Reimbursable Loan Agreement](#) (for a consultant assigned by a firm) & [General Conditions](#) (Annex III)
 - [Insurance Coverage Table](#)..... (Annex IV)
 - [Vendor Form](#) (Annex V)
 - [Guidelines for CV preparation](#)..... (Annex VI)
 - [Format of financial proposal](#)..... (Annex VII)
 3. Interested individual consultants must submit the following documents/information **(in PDF Format)** to demonstrate their qualifications:

- a. Technical component:
 - Signed Curriculum vitae
 - Copy of 1-3 publications/writing samples.
 - Reference contacts of past 4 clients for whom you have rendered preferably the similar service
- b. Financial proposal **(with your signature)**:
 - The financial proposal shall specify a total lump sum amount in **US Dollar** including consultancy fees and all associated costs i.e. airfares, travel cost, meal, accommodation, tax, insurance etc. – see format of financial offer in Annex VII.
 - Please note that the cost of preparing a proposal and of negotiating a contract, including any related travel, is not reimbursable as a direct cost of the assignment.
 - If quoted in other currency, prices shall be converted to US Dollar at UN Exchange Rate at the submission deadline.

4. Evaluation:

The technical component will be evaluated using the following criteria:

Consultant's experiences/qualification related to the services		
	Criteria	Maximum Points
1	Having Master degree on law or human rights or a related discipline	200
2	Having working experience for at least 7 years in the field of human rights, especially civil and political rights.	500
3	Preferably having worked or being working at the Human Rights Council or the ICCPR Committee	100
4	Preferably having experience in, or has been involved in guiding countries to prepare national reports on implementation of the ICCPR, to participate in the assessment of national reports on implementation of the ICCPR.	200
	TOTAL	1000

A two-stage procedure is utilized in evaluating the submissions, with evaluation of the technical components being completed prior to any price proposals being opened and compared. The price proposal will be opened only for submissions that passed the minimum technical score of 70% of the obtainable score of 1000 points in the evaluation of the technical component.

The technical component is evaluated on the basis of its responsiveness to the Term of Reference (TOR).

Maximum 1000 points will be given to the lowest offer and the other financial proposals will receive the points inversely proportional to their financial offers. i.e. $S_f = 1000 \times F_m / F$, in which S_f is the financial score, F_m is the lowest price and F the price of the submission under consideration.

The weight of technical points is 70% and financial points is 30%.

Submission obtaining the highest weighted points (technical points + financial points) will be selected.

Interview with the candidates may be held if deemed necessary.

8. Contract

“Lump-sum” Individual Contract will be applied for freelance consultant (Annex II)

“Lump-sum” RLA will be applied for consultant assigned by firm/institution/organization (Annex III)

Documents required before contract signing:

- Personal History

- International consultant whose work involves travel is required to complete the course on Basic Security in the Field and submit certificate to UNDP before contract issuance.

Note: The Basic Security in the Field Certificate can be obtained from website: <https://training.dss.un.org/consultants>. The training course takes around 3-4 hours to complete. The certificate is valid for 3 years.

- Full medical examination and Statement of Fitness to work for consultants from and above 62 years of age and involve travel. (This is not a requirement for RLA contracts).
- Release letter in case the selected consultant is government official.

9. Payment

UNDP shall effect payments to the consultant (by bank transfer to the consultant's bank account provided in the vendor form (Annex V) upon acceptance by UNDP of the deliverables specified the TOR.

1st payment: 30% of total contract value will be paid upon UNDP's receipt and acceptance of submission of draft report;

2nd and last payment: 70% of total contract value will be paid upon UNDP's receipt and satisfactory acceptance of the deliverable defined in Section 5 of the TOR.

If two currencies exist, UNDP exchange rate will be applied at the day UNDP instructs the bank to effect the payment.

10. Your proposals are received on the basis that you fully understand and accept these terms and conditions.



TERMS OF REFERENCE (TOR)

TITLE	An international expert to share international experiences and good practices in drafting a national report on implementation of the International Covenant on Civil and Political Rights (ICCPR)
PROJECT	Strengthening Access to Justice and Protection of Rights in Viet Nam (Project 58492)
DUTY STATION	Home-based with a two-day mission in Viet Nam

1. CONTEXT:

Since becoming a member of the International Covenant on Civil and Political Rights (the ICCPR), Vietnam has built and protected 02 National Report on the Implementation of the ICCPR. The latest report has been submitted to the ICCPR Committee by Viet Nam in 2001. Currently, specific content of the ICCPR is implemented through the issuance of legal documents, measures and mechanisms to ensure the implementation of the Convention as well as other technical measures, therefore, the Prime Minister has assigned the Ministry of Justice (MOJ) to be the national focal point for implementation of the ICCPR, and to be in charge of and coordinate with concerned ministries in building periodic national reports. In the context of Vietnam (the country is actively performing activities to strengthen and better protect human rights in terms of both domestic and foreign aspects, such as amendment and supplement of the 1992 Constitution, including provisions on human rights, election campaign for a position in the United Nations Human Rights Council for 2014-2016 period, preparation for protection of National report on the second cycle of the Universal Periodic Review (UPR), building national report on implementation of the ICCPR will also be a key factor in the process of improving human rights in Vietnam.

Besides, since the latest national report on implementation of the ICCPR in Vietnam recently submitted to the Convention Committee in 2001, up to now, Vietnam has not submitted reports on the implementation of the ICCPR for more than 12 years. At present, it is necessary to update the way to build and protect National report which has changed in many aspects in order to deal with this process comprehensively. In addition, it is very useful to refer to international experiences in building and protecting national reports on implementation of the ICCPR from other countries and from the perspective of the ICCPR Committee, as well as experiences in building national reports on implementation of other international treaties on human rights. Therefore, the Ministry of Justice will organize a workshop to gain international experiences and good practices in drafting a national report on implementation of the International Covenant on Civil and Political Rights.

As specified in this Terms of Reference (TOR), an international expert will be engaged to share international experiences and good practices which can help supporting the process of developing the national report on implementation of the ICCPR in Vietnam.

2. OBJECTIVES:

Overall objective of the assignment is to share and discuss the international experiences as well as international best practices on ICCPR reporting with national experts and drafters in order to provide technical assistance to the ICCPR reporting process in Viet Nam.

3. SCOPE OF WORK

The international expert will carry out the following tasks:

- Share and discuss the international experiences as well as international best practices on ICCPR reporting with national experts and drafters.
- Prepare a paper covering international experiences and good practices on ICCPR reporting. The paper should not only focus on the experiences and practices but also cover the key reporting requirements; and

- Attend a workshop on sharing international experiences on ICCPR reporting in Hanoi to present the above-mentioned paper.

4. WORKSHOP

4.1. Organization of the workshop:

With the above mentioned context and objectives, the MOJ will organize a workshop on international experiences and good practices on ICCPR reporting at which the international expert will present and engage in discussion with national experts and drafters. The main purpose of the workshop is to focus on the followings:

- Presenting an overview of implementation of the ICCPR in Vietnam up to now and plan for the future.
- Describing the requirements of the ICCPR for building of national report, practices of the ICCPR;
- Sharing international experiences (experience of some countries and the ICCPR Committee) in drafting and defending the national report on implementation of the ICCPR;
- Providing instructions of the ICCPR Committee on reporting requirements of the national reporting process regarding the implementation of the ICCPR (including but not limited on report structure, issues to be tackled, ect.);
- Lessons learnt from the past experiences of Vietnam on the ICCPR reporting;
- Lessons learnt from the past experiences of Vietnam on other international human rights convention reporting processes, for examples: the United Nation Convention on the Elimination of all forms of Racial Discrimination, the United Nation Convention on the Elimination of all forms of Discrimination against Women, the International Covenant on Economic, Social and Cultural rights.

The workshop will be held in the manner of which experts will present their researches and/or reports and other participants will comment, ask questions and exchange ideas with experts. The content is expected to contain 03 main topics as follows:

Firstly, requirements of the ICCPR national reporting: experts will present the requirements as well as guidance of the ICCPR Committee on how to develop the national reports on implementation of the ICCPR.

Secondly, international experience: experts will present international experiences (experiences of some selected countries and the ICCPR Committee) in building and protecting of national report on implementation of the ICCPR.

Thirdly, previous experiences of Vietnam: experts will present the past experience of Viet Nam in building and defending its national report on implementation of the ICCPR as well as experience in reporting on implementation of other international treaties on human rights. They will present study, and evaluate provisions of Vietnam law on civil and political rights compared with the ICCPR.

The workshop participants will discuss, give opinion or comment to clarify the content related.

To ensure good and practical ideas, as well as in-depth information about experience in building national report on implementation of the ICCPR and other international conventions, which are the basis for participants' discussion, comments and suggestions, an international expert with strong knowledge and experience on human rights and/or human right reporting mechanism will present and participate in the discussion at the workshop.

The workshop will be organized in **early November 2013**.

4.2. Workshop participants

Total number of workshop participants about 60 to 70 persons. Participants in the workshop comprise of:

- A representative of Ministry of Justice (MOJ);
- National and international speakers;
- Representatives from the central agencies of government and the judicial bodies such as the Ministry of Foreign Affairs, Ministry of Public Security, Ministry of Labor, War invalids and Social Affairs, Government Inspectorate, Ministry of Information and Communications, Ministry of Planning and Investment, Office of

the Government, Committee for ethnic minority affairs ... the Supreme People's Court, Supreme People's Procuracy which involve in developing the national report on implementation of the ICCPR in Viet Nam.

- Representatives from research institutes, institutions training law on human rights and civil rights.
- Experts, researchers on human rights and civil rights.
- Representatives from some Provincial Department of Justice who have mandated to review laws in relation to civil and political rights.
- Representatives of PMU and UNDP.

5. EXPECTED DELIVERY

The expert's draft paper will be sent to UNDP two weeks before the workshop. The draft paper will be presented by the expert at the workshop and be finalized after the workshop.

Overall, the expert will consolidate all papers, keynotes and other supporting materials presented at the workshop; Workshop proceedings (collections of final papers and keynotes) will be circulated to national agencies in preparation for the national ICCPR reporting of Viet Nam.

6. DURATION OF ASSIGNMENT, DUTY STATION AND EXPECTED PLACES OF TRAVEL

The international expert will work for **12 working days** including 10 working days (home-based) to prepare the consultancy paper and 2 working days to attend the workshop to be held **early November 2013** in Viet Nam.

7. DEGREE OF EXPERTISE AND QUALIFICATIONS

- Having Master degree on law or human rights or a related discipline.
- Having working experience for at least 7 years in the field of human rights, especially civil and political rights.
- Having worked or being working at the Human Rights Council or the ICCPR Committee;
- Having experience in, or has been involved in guiding countries to prepare national reports on implementation of the ICCPR, to participate in the assessment of national reports on implementation of the ICCPR.

8. PROVISION OF MONITORING AND PROGRESS CONTROL

The Project Management will be responsible for monitoring the performance of the international expert in line with the tasks and requirements set forth in this TOR.

9. ADMIN SUPPORT AND REFERENCE DOCUMENTS

The sub-component of International Law Department is responsible for organization of the workshop and monitoring related activities under the support of the Project Management Unit and UNDP.

10. PAYMENT TERMS

Payment will be made according to the following milestones:

1st payment: 30% of total contract value will be paid upon UNDP's receipt and acceptance of submission of draft report;

2nd and last payment: 70% of total contract value will be paid upon UNDP's receipt and satisfactory acceptance of the deliverable defined in Section 5 of the TOR.

Annex VI

GUIDELINES FOR PREPARING CV

WE REQUEST THAT YOU USE THE FOLLOWING CHECKLIST WHEN PREPARING YOUR CV:

Limit the CV to 3 or 4 pages

NAME (First, Middle Initial, Family Name)

Address:

City, Region/State, Province, Postal Code

Country:

Telephone, Facsimile and other numbers

Internet Address:

Sex, Date of Birth, Nationality, Other Citizenship, Marital Status

Company associated with (if applicable, include company name, contact person and phone number)

SUMMARY OF EXPERTISE

Field(s) of expertise (be as specific as possible)

Particular development competencies-thematic (e.g. Women in Development, NGOs, Privatization, Sustainable Development) or technical (e.g. project design/evaluation)

Credentials/education/training, relevant to the expertise

LANGUAGES

Mother Tongue:

Indicate written and verbal proficiency of your English:

SUMMARY OF RELEVANT WORK EXPERIENCE

Provide an overview of work history in reverse chronological order. Provide dates, your function/title, the area of work and the major accomplishments include honorarium/salary. References (name and contact email address) must be provided for each assignment undertaken by the consultant that UNDP may contact.

UN SYSTEM EXPERIENCE

If applicable, provide details of work done for the UN System including WB. Provide names and email address of UN staff who were your main contacts. Include honorarium/salary.

UNIVERSITY DEGREES

List the degree(s) and major area of study. Indicate the date (in reverse chronological order) and the name of the institution where the degree was obtained.

PUBLICATIONS

Provide total number of Publications and list the titles of 5 major publications (if any)

MISCELLANEOUS

Indicate the minimum and maximum time you would be available for consultancies and any other factors, including impediments or restrictions that should be taken into account in connection with your work with this assignment.

Please ensure the following statement is included in the resume and that it is signed and dated:

I CERTIFY THAT ALL INFORMATION STATED IN THIS RESUME IS TRUE AND COMPLETE TO THE BEST OF MY KNOWLEDGE. I AUTHORIZE UNDP/UNOPS OR ITS AGENT TO VERIFY THE INFORMATION PROVIDED IN THIS RESUME.

(Signature)

