

CALL FOR EXPRESSION OF INTEREST

STAKEHOLDER CONSULTATIONS FOR DEVELOPMENT OF SADC MODEL LAW ON GBV

Contract type: Contractor (procurement)

Duty station: home based

Project Duration: Twelve Months

Deadline: 21 August 2020 at 5pm Pretoria time

PURPOSE OF THE ASSIGNMENT

Southern African Development Community Parliamentary Forum (SADC-PF) and supporting partners wish to engage the services of a Contractor to organize and facilitate consultations with various stakeholders and to prepare reports of the inputs and feedback from the consultations. These reports are to inform the development of the SADC Model Law on GBV.

BACKGROUND

The SADC Parliamentary Forum was established in 1996 as a regional body of the national parliaments of SADC Member States. On 8th September 1997, the SADC Summit of Heads of State and Government approved the establishment of the SADC-PF as an autonomous institution of SADC, in accordance with Article 9(2) of the Treaty. The ultimate goal of the SADC-PF is to establish a Regional Parliamentary Framework for “dialogue on issues of regional interest and concern.”

The approval for the setting up of the SADC-PF, confirmed the need to provide a parliamentary mechanism at the regional level to accelerate the process of establishing the enabling legislative, regulatory, policy, institutional and democratic environment for regional integration. It was observed that without adequate information, knowledge and relevant competencies on SADC issues both at national and regional levels, Parliamentarians and national Parliaments could not effectively exercise their influence and legislative roles for the benefit of the region and its peoples.

The SADC-PF’s mandate thus includes developing prototypes for parliamentarians to assist them in executing their mandated roles. One such method is through the development of Model laws. Regional Model Legislation provides a benchmark offering the highest standards of norms that national legislators should strive to emulate or duplicate that could be used in various jurisdictions that face similar problems.

SADC-PF Regional Women’s Parliamentary Caucus (RWPC), during the Forum’s 44th Plenary Assembly Session held in Maputo, Mozambique (26 November to 10 December 2018), sponsored a motion to develop a model law on gender-based violence to be utilised by SADC Member States to prevent, address and eradicate these forms of violence. The motion was unanimously adopted. Consensus was also reached by stakeholders working in this area to proceed with the development of a SADC Model Law on Gender-Based Violence. SADC is engaging in research and a drafting process to elaborate the Model Law on GBV, and now seeks a contractor to organise and manage stakeholder consultations to support the drafting process.

SPECIFIC RESPONSIBILITIES OF THE CONTRACTOR:

The below responsibilities provide guidance for the elaboration of technical and financial proposals by interested contractors. Should a contractor wish to deviate from the below specifications, this should be clearly stated in the proposal, together with an explanation.

The contractor will report to and work under the supervision of Technical Working Group (TWG) established to support the development of the Model Law on GBV, and chaired by SADC-PF. The contractor will work in close collaboration with other consultants and contractors supporting this process, including the drafting team.

1. Prepare an inception report and comprehensive methodology for engagement with stakeholders as part of the development of the SADC Model Law on GBV.
 - a. The methodology should include working closely with the TWG and ensuring all documents and proposals are cleared by the TWG for approval, including on sensitive areas of consultations.
 - b. The contractor will also need to work closely with other consultants and contractors supporting the development of the GBV Model Law, in particular the drafting team.
2. Prepare, categorise and continually update and maintain a list of relevant stakeholders and their contact details for the purpose of stakeholder consultations for the GBV Model Law process.
 - a. The list of stakeholders should include the following organisations: civil society organisations, including NGOs, working in relation to GBV at the national and regional level in SADC and internationally, national human rights institutions and other independent state bodies working on GBV, public officials and professionals working on GBV (including public policy officials, law enforcement, prosecutors, judicial officials, health professionals, social work/counselling providers, educators), religious and community leaders, parliamentarians, academic institutions, legal experts, women human rights defenders, UN and regional human rights experts, development partners.
 - b. Stakeholders should also reflect and be inclusive of all groups - see paragraph 8 on inclusion and accessibility.
 - c. An initial list of stakeholders and criteria for selection for engagement will be provided to the contractor by the TWG. The contractor will carry out their own research to suggest additional organisations to complement the initial list, and provide it to the TWG for approval.
3. Organise rounds of stakeholder consultations for the GBV Model Law process, including:
 - a. One major initial virtual consultation, involving all relevant groups of stakeholders in the SADC region (Q3/Q4 2020, depending on timeline), that can provide initial inputs into the GBV Model Law process, including (if ready) the draft position paper.
 - b. One major virtual consultation on one of the drafts of the GBV Model Law, including all relevant groups of stakeholders in the SADC region. (Q4 2020 / Q1 2021, depending on timeline)

- c. At least 4 additional virtual consultation rounds with specific groups of stakeholders and on the basis of documents indicated by the TWG. (during whole contract period, in agreement with TWG)
- 4. For each major round of virtual consultations
 - a. Prepare an announcement to raise awareness of the consultation round and ways for stakeholders to engage, including suitable graphic material to advertise the consultation round. Disseminate widely the announcement through relevant channels including social media and email.
 - b. Written inputs
 - i. Design the format of data collection systems (questionnaire, online form) to obtain feedback on relevant documents being consulted on, for each round of consultations, for approval by the TWG.
 - ii. Consolidate all written inputs, including:
 - 1. Compilation of inputs (translated into English where necessary, see also point below on translation)
 - 2. Summary of inputs, structured and organised by main thematic areas of inputs.
 - c. Virtual meetings
 - i. Design agenda and organise virtual meetings to present the document and provide opportunities for oral inputs and discussions with stakeholders. The approach to virtual meetings is to be agreed with the TWG and may require more than one virtual meeting per round of consultations.
 - ii. The contractor will be responsible for organising the meeting including:
 - 1. Identifying the most appropriate platform, proposing to the TWG for approval, and contracting the relevant IT services.
 - 2. Proposing an agenda for approval by the TWG.
 - 3. Preparing draft presentations based on content provided by the TWG.
 - 4. Facilitation
 - 5. Acting as rapporteur
 - 6. Organising working sessions
 - 7. Implementing methodologies to make the virtual sessions dynamic and engaging.
 - iii. Meetings will be recorded and recordings provided (English channel + original)
 - iv. Prepare summaries of each virtual session including key points made by presenters and stakeholders, structured and organised thematically.
- 5. Support for possible in-person meetings
 - a. In parallel to virtual consultations, it is possible that in-person meetings will take place in different SADC countries, with the support of TWG members or partners that may have offices/facilities available, particularly to facilitate the participation of persons who face obstacles in participating through other means.
 - b. In such a scenario, the responsibilities of the contractor would be to provide remote support through:
 - i. Proposing methodologies
 - ii. Draft agenda
 - iii. Preparing draft presentations

- iv. Facilitation
 - v. Rapporteur
 - vi. Consolidation of inputs
 - vii. Taking part remotely, supporting with facilitation, being rapporteur, note-taking, consolidation of inputs.
6. The contractor is responsible for organising and arranging for translation and interpretation services in English, French and Portuguese to ensure that:
- a. All communication, data collection methods, presentations with stakeholders should be done in English, French and Portuguese.
 - b. Virtual meetings should include interpretation in English, French and Portuguese, using an online platform that allows for simultaneous interpretation.
 - c. Stakeholders should be able to send inputs in English, French and Portuguese to the contractor.
 - d. Contractor will be responsible for translating documents for each consultation round from English into French and Portuguese
 - i. This excludes any official SADC-PF documents such as the position paper and draft Model Law, which will be translated by SADC-PF directly.
 - e. Contractor will be responsible for producing compilations in English of inputs received and stakeholder discussions during virtual meetings, including interventions and inputs provided in French and Portuguese. Summaries of the inputs should be available in all three languages.
 - f. Contractor will be responsible for ensuring that translation and interpretation services are accurate and of sufficient quality to ensure successful engagement with stakeholders in all three languages. To ensure this, the contractor will need to submit CVs of proposed translators and interpreters to the TWG/SADC-PF for approval, prior to proceeding with such services.
7. Awareness raising among stakeholders
- a. The contractor will prepare and design periodic announcements with updates to raise awareness among stakeholders of the development of the Model GBV Law, and disseminate through social media and email, with approval of the TWG.
8. IT platforms
- a. IT platforms used for stakeholder engagement including collecting written inputs and virtual meetings should be easy to use. The platform for virtual meetings should allow screen sharing, voting and other interactions with stakeholders.
9. Inclusion and Accessibility
- a. The contractor will be responsible for ensuring the accessibility of all consultation processes and to be fully inclusive of all persons, particularly persons who are vulnerable to GBV (including women, young women, older persons, sex workers, LGBTI people, people with disabilities, people living with HIV, migrants (documented and undocumented), refugees, IDPs, persons living in poverty, minorities, and other marginalised groups, so that stakeholders are not left out.
 - b. This includes ensuring that persons with disabilities are able to take part in the consultation process. All communication should be made in accessible formats. Virtual meetings should be accessible to persons with disabilities.
 - i. Contractor is responsible for collecting data on accessibility requirements of stakeholders for participation in the consultation process (written inputs, virtual meetings), including through the outreach to stakeholders

and when signing up for consultations, and ensuring that accessibility requirements are addressed through the design and methodology of consultations to ensure that they are accessible to persons with disabilities. Any associated costs should be included in the financial proposal.

- c. The contractor will make proposal and include in the proposed methodology and financial proposal, approaches to reduce obstacles to participation in relation to the cost of access to internet data.

10. Data protection and security

- a. The contractor will be responsible for ensuring protection of user data, confidentiality and security in line with international best practice, including taking measures to safeguard and protect data, and should indicate measures that will be taken in the proposal.

11. Financial proposal

- a. Financial proposals should be inclusive of all costs related to the proposal, including human resources, IT solutions, web platforms, translation and interpretation, accessibility, data protection and safety.
- b. In the event that in-person meetings take place as part of stakeholder consultations if the situation allows, costs related to travel of the contractor and participants will be handled separately and should **not** be included in the financial proposal.

DELIVERABLES

The Contractor is expected to produce the deliverables highlighted above, to be approved by the TWG, including:

- Updated list of relevant stakeholders, including contact details, to invite for consultations (see Annex 1).
- Format / questionnaire for collecting written input during the relevant consultations, to be finalised in consultation with the TWG and the team drafting the Model Law.
- Calls for participation in consultation rounds and awareness raising announcements and updates in English, French, Portuguese, disseminated through social media, email and other channels.
- Organising and facilitating virtual meetings with stakeholders during each consultation round.
- Compilation and summary reports, in English, of the written input and feedback received from virtual meetings for each consultation round.
- Public information and awareness raising material to provide updates on the GBV ML process in English, French and Portuguese.

The duration of the contract is an estimate. Proposals must explicitly integrate flexibility to adapt to changes and delays in the duration and timing of activities, including as a result of the impact

of COVID-19. Proposals must include an explicit commitment to accept extensions to the duration of the contract where they are required for the successful completion of all relevant consultations for the development of the Model Law on GBV.

DURATION AND WORKING SCHEDULE

The assignment is estimated to commence in September 2020 and to be completed within a period of twelve months.

PLACE WHERE SERVICES ARE TO BE DELIVERED

Remotely.

Depending on the evolution in the situation in relation to COVID-19 and related travel and meeting restrictions, travel may be required to in-person meetings in the SADC region. Travel costs should **not** be included in the financial proposal.

DELIVERY DATES

The delivery dates for specific deliverables will be agreed upon contract signature.

Work is expected to be delivered electronically by email, through virtual meetings, and, depending on the situation, in face-to-face meetings.

MONITORING AND PROGRESS CONTROL

The contractor is expected to regularly report to the TWG on implementation of the contract. The regularity of the reporting to both the Secretary General of the SADC PF and the TWG will be agreed upon contract signature.

SUPERVISORY ARRANGEMENTS

The contractor will report to the Secretary General of the SADC PF and will be expected to work with and report to the technical working group established for quality control and technical approval of the deliverables under the leadership of the SADC-PF. The contractor will also work closely with other contractors and consultants involved in the process, including the legal drafting team.

EXPECTED TRAVEL

Depending on the COVID-19 situation, the work may include travels to attend relevant in-person meetings of the Technical Working Group, Expanded Advisory Group, SADC-PF and stakeholder consultations. Costs and arrangements for travel and incidentals related to the attendance of the meeting will be covered by the SADC-PF and other partners in accordance with applicable travel policies for meeting participants.

QUALIFICATIONS (IN RELATION TO STAFF WHO WILL FORM PART OF THE PROPOSAL AND THE CONTRACTOR IN GENERAL)

- A graduate degree in communication for development, social policy, law or other areas relevant for the ToR.
- Minimum of 10 years experience in organizing and managing consultations on social policy issues, preferably within the SADC region.
- Experience in engagement and facilitation with wide range of stakeholders including government officials, members of parliament, law professionals, civil society organisations including women's organisations, etc...
- Experience and expertise in relation to gender based violence is a requirement.
- Experience in managing consultations on draft legislation and policies.
- Experience with inclusion of persons who face marginalization and discrimination into consultation processes.
- Experience in ensuring accessibility for persons with disabilities in virtual meetings.
- Good networks among civil society in the SADC region.
- Strong communication (written, verbal, presentation) skills.
- Strong IT skills and experience, including expertise in convening large virtual / remote meetings and consultations with simultaneous translation and organising the collection of written inputs on documents.
- Experience in working in English, French and Portuguese and with translators and interpreters in those three languages.
- Very good interpersonal and diplomatic skills; ability to work in a team in a consultative and collaborative manner observing protocol.

APPLICATION PROCEDURE

The application package is to contain the following articles:

- Letter of interest
- Technical proposal including the following:
 - Proposed methodology
 - A proposed timeframe detailing activities and a schedule/work plan
 - Listing experience of relevant prior assignments (3 examples)
- Financial proposal (with breakdown)
- CVs of proposed members of the team.
- Names and contact information of at least two references who can be contacted regarding relevant experience.

The application package should be submitted via email to the SADC-PF at pkanguatjivi@sadcpf.org and to the OHCHR Regional Office for Southern Africa at mvangelderren@ohchr.org and sklaas@ohchr.org with the heading **"SADC GBV MODEL LAW CONSULTATIONS CONTRACT"**. The deadline for submission is 21 August 2020 at 5pm Pretoria time.

COPYRIGHT

Copyright for the work produced as part of this contract shall be vested in the SADC-PF and any partner organisations agreed upon by the SADC-PF Secretariat and associated to this project. All acts covered by the copyright shall be taken jointly by the SADC PF and these partner organisations except that either party may itself reproduce or publish the text or, after consultation with the

other party, a revised version of the text. While the individual(s) or institution(s) ultimately contracted to conduct the work mentioned in the present Terms of Reference (TORs) will be acknowledged, that individual or institution shall not have any copyright claim with regard to any document or material produced as part of the contract.

COMPENSATION

Compensation will be based on the financial proposal agreed as part of the contract and will be based on responsibilities of the contractor and deliverables in the TORs and agreed as part of the contract. Financial proposals should be all-inclusive of all costs related to the completion of the TORs, with the only exception of travel costs linked to participation in in-person meetings, should these take place, as per the section on travel. No other costs will be reimbursed.

Payments in relation to this work will be made in several instalments, upon satisfactory delivery of intermediary products, to be agreed as part of the contract.