

United Nations Children's Fund (UNICEF)

Vientiane, Lao PDR

Individual Consultancy: International Consultant to Support the Development of the seventh Lao PDR's State Party Report on the Implementation of the UN Convention on the Rights of the Child and the CRC Optional Protocols

Terms of Reference

1. Background:

Lao PDR acceded to the United Nations Convention on the Rights of the Child (CRC) on 8 May 1991. The CRC entered into force in Lao PDR one month later on the 8 June 1991. On 20 September 2006, Lao PDR also acceded to the CRC Optional Protocol on the Involvement of Children in Armed Conflict (OPAC) and the CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography (OPSC).

Lao PDR submitted the Third to Sixth Periodic (1996-2015) State Party Report on the implementation of the Convention on Rights of the Child combined with the 2nd and 3rd Report on the Implementation of the Optional Protocol on Involvement of Children in Armed Conflict and Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography to the UN CRC Committee in early 2017. Lao delegation went to Geneva for the CRC dialogue session in Sep 2018.

The Concluding observations on the third to sixth periodic reports of the Lao People's Democratic Republic was issued on 11 Oct 2018. The Concluding Observations acknowledge good progress in several areas such as the ratification of or accession to international instruments, in particular the ratification, in 2012, of the Convention against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment; strengthening the legal and policy framework related to children's rights and the continuing efforts by the State party to incorporate the provisions of the Convention into its national laws; the increasing number of forums where children can make their voices heard and other key areas. The committee also captures the priorities where more efforts are needed and make very specific and pertinent recommendations for action. It is observed that the Government is also encouraged to continue relying on UNICEF support on a number of issues.

Lao PDR has made significant progress in upholding children's rights and meeting its obligations as a State Party to the Convention and its Optional Protocols. The country's 9th National Socio-Economic Development Plan 2021–2025 (NSED) was formulated under the shadow of the coronavirus disease 2019 (COVID-19) pandemic, which is having a serious impact on the national development trajectory. The NSED priorities include reducing infant, under-five and maternal mortality and stunting; improving sanitation; achieving universal health coverage; increasing access to quality education, including early childhood education; strengthening skills education that matches the market demand; investing in digital technology in teaching and learning; expanding social protection and social services coverage and quality; and actions on environmental protection and disaster risk reduction. In addition, in the occasion of the 30th anniversary of the Convention on the Rights of the Child and reaffirming its commitment to protecting children, the government commits to endorse by 2020 and implement by 2025 a plan of action to strengthen the child protection system and make the reduction of multi-dimensional child poverty a part of the 9th National Socio-economic development plan.

The COVID-19 pandemic in the last few years has a big impact on children, especially it has exacerbated child protection vulnerabilities and caused disruptions to the services for children and has affected many aspects of children in Lao PDR, including their health, mental wellbeing, and

education. The health and social economic impacts and the consequences of the pandemic need to be reflected in the state CRC report.

UNICEF has been supporting the National Commission for the Advancement of Women Mothers and Children (NCAWMC), to meet its reporting obligations on the CRC and two Optional Protocols and to initiated preparations for the Government's 7th periodic State Party Report to the Committee. To facilitate the reporting process, UNICEF has supported NCAWMC to review the Government's implementation of the 2018 Concluding Recommendations of the CRC Committee; and the consultations with youths and children. The review and the results of the youths/children's consultations will feed into the development of the full State Party report.

In June 2022, the NCAWMC issued the Agreement on the Appointment of the Steering Committee and a Technical Team Responsible for writing the 7th National Report on the Implementation of the Convention on the Rights of the Child and two Optional Protocols. The Technical Team started to draft the report, which is expected that the first draft will be available by the end of Sept 2022.

At the request of NCAWMC, UNICEF will continue providing extensive technical support to NCAWMC to finalize the State CRC report to ensure it meets its reporting obligations to the UN CRC Committee.

2. Purpose:

The purpose of this consultancy is to support the Government of Lao PDR, especially the NCAWMC in revising and finalizing the seventh Lao PDR's State Party Report on the Implementation of the UN Convention on the Rights of the Child and the CRC Optional Protocols in all settings including develop and emergency contexts. In addition, the consultant is also expected to help the NCAWMC to update the common core document. The submission of the 7th state party report of Lao PDR on its implementation of CRC and the two optional protocols to the CRC Committee in Geneva is due in June 2023.

3. Work Assignments:

Under the overall supervision of the Chief of Child Protection, the International Consultant will work closely with the UNICEF Child Protection Specialist and will work in close consultation with the NCAWMC and the national consultant (if available) to support the CRC report development process.

The consultant will have key accountabilities, duties and tasks are as follows:

Task 1: Complete a desk review of up-to-date information on the Government's implementation of the CRC and its two Optional Protocols, including specific actions taken to implement the recommendations in the Committee's previous concluding observations to Lao PDR in 2018. This will involve reviewing of the legislation and concerned literature; collecting and compiling inputs from relevant government counterparts, other key stakeholders and other relevant source from regional and global level.

Outputs 1: Desk review of up-to-date information, data document, research or study reports.

Task 2: Review and improve the draft 7th Lao PDR's State Party Report to the Committee on the Rights of the Child in accordance with the harmonized reporting obligations under the Convention. This will involve collecting and compiling comments/inputs from the government counterparts (especially the NCAWMC), development partners, UN agencies, INGOs/CSOs and children; and drafting and revising successive versions of the report to completion

Outputs 2: Lao PDR's State Party Report (treaty-specific report) to the Committee on the Rights of the Child drafted in line with the harmonized reporting obligations under the Convention updated.

Task 3: Participate in a national consultation workshop (off-line or online), especially with the development partners, to discuss, review and input on a draft Lao PDR's State Party Report on the two Optional Protocols to the CRC to the Committee on the Rights of the Child. Meet with the

individual organizations and partners (off-line or online) as needed for the finalization of the draft report. This will involve participating, collecting and compiling comments/inputs from consultations workshops and focused groups meetings.

Output 3: Data/information gathered and analysed through meetings or discussion with relevant stakeholders or informants. Draft report revised or finalized based on comments, inputs and recommendation from consultation workshop and individual meetings.

Task 4: Update the information in the Common Core document in accordance with the harmonized reporting obligations under the Convention including: general information about the State Party, the general framework for the protection and promotion of human rights, and information on non-discrimination, equality and effective remedies.

Output 4: Common core document updated and finalized in line with the harmonized reporting obligations under the Convention.

Task 5: Analyse and define key priority information and gaps issues related to the 7th Lao PDR's State Party Report and Common Core document.

Output 5: key priority information and gaps issues of 7th Lao PDR's State Party Report and Common Core document were collected and compiled

4. Qualifications or Specialized Knowledge/Experience Required:

Qualifications and Experience

- Advanced university degree in law, human rights, child rights, social sciences, social development or related field
- At least 10 years of relevant experience in conducting policy and legislative analysis in the field of human rights and/or child rights
- Demonstrated knowledge of the CRC reporting process and prior experience in supporting governments to develop and draft treaty-specific reports
- Excellent inter-personal communication skills and ability to establish good working relationship with the Government
- Excellent analytical and writing skills

Knowledge and Skills

- Solid knowledge of the human rights, child rights, social sciences, social development or related field
- Proven previous experience in writing high quality CRC report or related report.
- Knowledge of the country and the regional context is an asset

Competencies

- Analysing
- Deciding and Initiating action
- Applying technical expertise

Languages

Excellent communication and write skills in English. (Evidence of prior write ups would be an asset).

5. Location:

The consultant can work remotely as necessary with 1 mission to Lao PDR for stakeholder meetings/consultations with the DPs. If the consultant cannot travel to Lao PDR for any reason, especially due to the COVID -19 pandemic, the consultant can participate the meeting/consultation remotely.

6. Duration:

It is estimated 35 working days spread over the period Oct 2022 to Feb 2023.

7. Deliverables:

The following tentative work schedule with suggested timelines for the deliverables and the distribution of working days by days is proposed. A more detailed work or update schedule can be developed and finalized in consultation with NCAWMC, national consultant and the international consultant at the start of the consultancy.

Deliverable	Timeline	Number of days
Deliverable 1: Desk review of up-to-date information, data document, research or study reports	Oct 2 nd -3 rd week	5
Deliverable 2: Lao PDR's State Party Report (treaty-specific report) to the Committee on the Rights of the Child updated in line with the harmonized reporting obligations under the Convention updated.	Oct-Dec 2022	10
Deliverable 3: Draft report revised or finalized based on comments, inputs and recommendation from consultation workshop and individual meetings.	Oct -Dec 2022	8
Deliverable 4: Common core document updated and finalized in line with the harmonized reporting obligations under the Convention.	Dec 2022 – Feb 2023	7
Deliverable 5: key priority information and gaps issues of 7th Lao PDR's State Party Report and Common Core document were collected and compiled	Dec 2022 - Feb 2023	5

8. Reporting Requirements:

All deliverables should be written in English and submitted to the Child Protection Specialist, UNICEF Lao PDR and NCAWMC for review.

9. Payment Schedule linked to deliverables:

The payments will be made upon receipt of and satisfactory completion of all work assignments. This refers to timely submission of product that if of high quality and meets UNICEF's standards and incorporates inputs from all stakeholders.

DSA (in country) and travel cost will be paid by UNICEF base on the actual travel cost and UNICEF DSA rate base on the number of the days staying in the country.

With reference to the terms and conditions of UNICEF's Human resource policy on consultants, UNICEF reserves the right not to pay the full amount of the consultancy should the final product not meet its expectation, standards and timeline as agreed in the TOR.

<i>Deliverables</i>	<i>Payment (including business travel fee) be directly linked with satisfactory deliverables</i>	<i>Reporting Requirements for each deliverable</i>
Deliverable 1 (Desk review of up-to-date information, data document, research or study	The first payment, 50 % of the total consultant fee	To be written in English and submitted to UNICEF and NCAWMC

reports) and Deliverable 2 (Lao PDR's State Party Report (treaty-specific report) to the Committee on the Rights of the Child drafted in line with the harmonized reporting obligations under the Convention drafted).		
Deliverable 3 (Draft report revised based on comments, inputs and recommendation from consultation workshop and individual meetings), Deliverable 4 (Common core document updated and finalized in line with the harmonized reporting obligations under the Convention) and Deliverable 5 (key priority information and gaps issues of 7th Lao PDR's State Party Report and Common Core document were collected and compiled).	The second (last) payment, 50 % of the total consultant fee	To be written in English and submitted to UNICEF and NCAWMC

10. Administrative Issues:

- The consultant will be responsible for his/her own laptop and software programmes needed for the assignment.
- UNICEF will arrange transportation for in-country field visits during the assignment.
- Translation/interpretation will be arranged by UNICEF.
- Health insurance is required by the consultant.

11. Contract supervisor:

The consultant will work under the overall supervision of the Chief of Child Protection and will work closely with the Child Protection Specialist.

12. Nature of 'Penalty Clause' to be Stipulated in Contract:

Unsatisfactory performance: In case of unsatisfactory performance the contract will be terminated by notification letter sent five (5) business days prior to the termination date in the case of contracts for a total period of less than two (2) months, and ten (10) business days prior to the termination date in the case of contracts for a longer period

Performance indicators: Consultants' performance will be evaluated against the following criteria: timeliness, quality, and relevance/feasibility of recommendations for UNICEF Lao PDR.

13. Submission of applications:

Interested candidates are kindly requested to apply and upload the following documents:

<http://www.unicef.org/about/employ/>

- Letter of Interest (cover letter)
- CV or Resume
- Performance evaluation reports or references of similar consultancy assignments (if available)

Financial proposal: All-inclusive lump-sum cost including:

- Consultancy fee for the entire duration of the assignment
- International travel to/from Lao PDR (if applicable). The travel cost shall be based on the most direct and economical fare
- Living costs
- Medical insurance (health and accidental death, medical evacuation) for the entire duration of the contract.
- Since medical insurance costs are included in the overall lumpsum of this consultancy, no separate, additional medical insurance will be provided by UNICEF.

The applicants should provide **medical insurance covering medical evacuation** for the whole duration of the assignment -as part of the financial proposal submission.

The deadline for applications is 8 September 2022

14. Assessment Criteria:

A two-stage procedure shall be utilized in evaluating proposals, with evaluation of the technical proposal being completed prior to any price proposal being compared.

Applications shall therefore contain the following required documentation:

1. Technical Proposal, including a cover letter, updated CV, and copies of 2 relevant evaluations performed earlier by the consultant.
2. Financial Proposal: Lump-sum offer with the cost breakdown: Consultancy fee, travel costs (economy class), per-diem to cover lodging, meals, and any other cost related to the consultant's stay in Vientiane, including transportation inside the city and other costs. The travel (if involved) shall be based on the most direct and economy fare.

No financial information should be contained in the technical proposal.
For evaluation and selection method, the Cumulative Analysis Method (weight combined score method) shall be used for this recruitment:

- a) Technical Qualification (max. 100 points) weight 70 %
 - Advanced education degree. (30 points)
 - 10 years of relevant experience in conducting policy and legislative analysis in the field of human rights and/or child rights (40 points)
 - knowledge of the CRC reporting process and prior experience in supporting governments to develop and draft treaty-specific reports (30 points)

- b) Financial Proposal (max. 100 points) weight 30 %

The maximum number of points shall be allotted to the lowest Financial Proposal that is opened /evaluated and compared among those technical qualified candidates who have attained a minimum 70 points score in the technical evaluation.

The Contract shall be awarded to candidate obtaining the highest combined technical and financial scores, subject to the satisfactory result of the verification interview.

15. Programme Area, Outputs and Specific Key Results Areas in the Rolling Work Plan:

Section Request: Child Protection Programme

Programme Area: Child Protection

IR: Chief of Child Protection, Yali Zhang

Output 1: Child protection systems and structures at national and sub-national levels have strengthened frameworks, tools, evidence and data to plan, coordinate, monitor and adequately resource the delivery and expansion of quality child protection and childcare services.

Activity 1.4.1: Support the development of the 7th State CRC report through consultations with various stakeholders including children

Included in approved RWP: Yes

No