

United Nations Children's Fund (UNICEF)

Vientiane, Lao PDR

Individual Consultancy: National 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 discussed and 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 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 and ensure it meets its reporting obligations to the UN CRC Committee.

2. Purpose:

The purpose of this consultancy is to support and work with the National Commission for Advancement of Women and Mothers - Children (NCAWMC) and international consultant to improve and finalize the 7th State Party Report on implementation of the CRC and its optional protocols namely optional protocol on the involvement of children in armed conflict and the optional protocol on the sale of children, child prostitution and child pornography, in all settings including develop and emergency contexts.

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 national consultant will work closely with the NCAWMC and the international consultant to develop and finalize Lao PDR's State Party Report the two Optional Protocols to the CRC and core document before submission to the Ministry of Foreign Affairs for the final review. The consultant will be expected to travel to the field and participate in the related consultations and meetings. The consultant will have key accountabilities, duties and tasks are as follows:

Task 1: Support NCAWMC and the international consultant to complete a review and finalization of the draft 7th State Party Report on implementation of the CRC and its optional protocols. This will involve following-up with relevant government counterparts and key stakeholders to collect additional information/data and compile updated data and information and translate the draft report into English for the international consultant to finalize the draft state party report.

Outputs 1: Report on summarization of data information or inputs from all stakeholders on the implementation of the CRC and its optional protocols translated into English and sent to the international consultant.

Task 2: Support NCAWMC and the international consultant to update the information in the Common Core document. This will involve following-up with relevant government counterparts

and key stakeholders to collect and compile updated data and information to finalize the Common Core document.

Outputs 2: Compile updated data and information sent to international consultant to finalize the Common Core document.

Task 3: Support NCAWMC to coordinate and facilitate the national consultations or meeting to finalize the 7th State Party Report on implementation of the CRC and its optional protocols. This will involve preparing and convening consultation meetings, facilitating the consultation process, following-up on inputs from different government counterparts and key stakeholders (including development partners, UN agencies, INGOs and CSOs), supporting the international consultant to compile and contextualize inputs for the State Party report, and proofreading Lao drafts of the report.

Output 3: Consultations conducted and updated inputs from all government counterparts and key stakeholders translated into English and send to the international consultant.

Task 4: Update and translate draft report, Common Core document and other relevant documents developed by international consultant into Lao language and send to the NCAWMC in due course.

Output 4: Lao version of the final draft of the 7th State Party Report on implementation of the CRC and its optional protocols and Common Core document shared with the NCAWMC.

4. Qualifications or Specialized Knowledge/Experience Required:

Qualifications and Experience

- A University degree in law, social sciences, social development or related field
- At least 3 years of relevant experience in working with the government partners or INGOs, CSOs and other organization in the field of child rights
- Have experience in quality translation of documents from Lao to English and English to Lao language
- Excellent inter-personal communication skills and ability to establish good working relationship with the Government
- Excellent writing skills in English and Lao

Knowledge and Skills

- Solid knowledge of the human rights, child rights, social sciences, social development or related field
- Proven previous experience in translation of documents from Lao to English and English to Lao language.

Competencies

- Analysing
- Deciding and Initiating action
- Applying technical expertise

Languages

Excellent communication and write skills in Lao and English.

5. Location:

The consultant will be working from home and expected work in UNICEF office and the NCAWMC office as needed.

6. Duration:

It is estimated 45 working days spread over the period Sept 2022 to March 2023.

7. Deliverables:

The following tentative work schedule with suggested timelines for the deliverables and the distribution of working days by months is proposed.

Deliverable	Timeline	Number of days
Deliverable 1: Report on summarization of data information or inputs from all stakeholders on the implementation of the CRC and its optional protocols translated into English and sent to the international consultant.	Sept - Oct	15
Deliverable 2: Compile updated data and information sent to international consultant to finalize the Common Core document.	Oct - Dec	5
Deliverable 3: Consultations conducted and updated inputs from all government counterparts and key stakeholders translated into English and send to the international consultant.	Oct - Nov	15
Deliverable 4: English and Lao version of the final draft of the 7th State Party Report on implementation of the CRC and its optional protocols and Common Core document shared with the NCAWMC.	Dec 2022 – March 2023	10

8. Reporting Requirements:

All deliverables should be written in Lao and 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 covered by the NCAWMC through the DCT based on the UNICEF policy.

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 (Report on summarization of data information or inputs from all stakeholders on the implementation of the CRC and	The first payment, 50 % of the total consultant fee	To be written in Lao and English and submitted to UNICEF and NCAWMC

its optional protocols translated into English) and Deliverable 2 (Compile updated data and information sent to international consultant to finalize the Common Core document)		
Deliverable 3 (Consultations conducted and updated inputs from all government counterparts and key stakeholders translated into English and send to the international consultant.), Deliverable 4 (English and Lao version of the final draft of the 7th State Party Report on implementation of the CRC and its optional protocols and Common Core document shared with the NCAWMC.).	The second (last) payment, 50 % of the total consultant fee	To be written in Lao and 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.
- Health insurance is required by the consultant.

11. Contract supervisor:

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

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

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

- Consultancy daily fee
- Medical insurance (health and accidental death, medical evacuation) for the entire duration of the contract.

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 Aug 31,2022

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 (if available).
2. Financial Proposal: Lump-sum offer with the cost the consultancy fee and other relevant cost.

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)
 - 3 years of relevant experience in working with the government partners or INGOs, CSOs and other organization in the field of child rights (40 points)
 - Solid knowledge of the human rights, child rights, social sciences, social development or related field (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