

Terms of reference

Risk assessment on Prevention of Sexual Exploitation and Abuse (PSEA) and Sexual Harassment (SH) in UN Viet Nam

Reference number	TOR-VNM-2023-003 (Please refer to this reference number in the application letter).
Title	International Consultant on Prevention of Sexual Exploitation and Abuse (PSEA) and Sexual Harassment (SH)
Purpose	To conduct a Risk Assessment of PSEA/SH for UN Viet Nam to inform UN joint actions on SEA/SH.
Duty Station	Home-based
Contract duration	From March 13 to May 31, 2023 Maximum 20 working days
Contract supervision	Programme Analyst (UN Women Viet Nam Country Office)
Application Deadline	28 February 2023

1. Background

The United Nations Entity for Gender Equality and the empowerment of Women (UN Women), grounded in the vision of equality enshrined in the Charter of the United Nations, works for the elimination of discrimination against women and girls; the empowerment of women; and the achievement of equality between women and men as partners and beneficiaries of development, human rights, humanitarian action and peace and security. Placing women's rights at the center of all its efforts, UN Women leads and coordinates United Nations system efforts to ensure that commitments on gender equality and gender mainstreaming translate into action throughout the world. It provides strong and coherent leadership in support of Member States' priorities and efforts, building effective partnerships with civil society and other relevant actors.

In Viet Nam, UN Women contributes to the development objectives of Viet Nam's Socio-Economic Development Plan and the National Strategy for Gender Equality. Its Country Strategy

Note for 2022-2026 is aligned to the upcoming UN Sustainable Development Cooperation Framework (CF) 2022-2026 and is focused on supporting Viet Nam's fulfilment of Gender Equality commitments under The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), and the promise of the 2030 Sustainable Development Agenda to "leave no one behind".

The United Nations has a core mandate to fight for gender equality and non-discrimination. Combatting sexual exploitation, abuse, and harassment, and overall, gender-based violence is the responsibility of all of UN staff. Every UN employee has to be aware of the conduct, which is expected from staff, be it towards others and be it the duty to act when colleagues or others commit these abuses. In the context of the UNDS reform, efforts to coordinate on the prevention and response to PSEA and SH under an UN-System approach become more relevant than ever. As a pioneer in the ONE UN approach, UN in Vietnam will aim to undertake joint efforts and draw lessons that can feed into the system.

Summary of the work on PSEA/SH

In 2019 the UN Resident Coordinator (RC) in Vietnam requested to create a UNCT Working Group on PSEA and SH to address issues of prevention of PSEA and SH in connection with United Nations (UN) policies and guidelines, such as the [SG' Bulleting on Addressing discrimination, harassment, including sexual harassment, and abuse of authority \(2019\)](#) and [Special measures for protection from sexual exploitation and sexual abuse \(2003\)](#). The Working Group is to be composed by the Head of Agencies of UNDP, UNICEF, UNFPA, WHO and UN Women **under the coordination of UN Women**, reporting directly to the RC as chair.

While the group does not have a mandate or authority on managing cases of SH, it served as a reference point for staff seeking information about sexual harassment and options for denouncing cases. The group also distinguished different steps and stages which can be undertaken for staff, and for the network of the UN implementing partners. As the system policies and procedures on this topic seem to be quite different, it was agreed that we might as well start from agencies such as UNDP, UNFPA, UNICEF, and UN Women. Lessons learned from this experience can be used for wider application in the UN system.

Following the guidance of the **UNCT Working Group on PSEA and SH**, a task force group of the technical staff of UNICEF, UNFPA, UNDP and other agencies was established to work on specific milestones on an annual basis. Key results achieved to date include: (1) enhanced awareness and understanding of PSEA/SH; stronger commitment of UN agencies to coordinating system-wide efforts to prevent and tackle PSEA/HS; and Mapping of Agencies' Focal Points and procedures for reporting and handling cases of SEA/SH in Viet Nam. Initial experience shows that in most cases, the reporting mechanism goes directly to the office of investigation and oversight of each agency, fund and programme.

In response to the recent global public concerns about ineffective prevention and responses to PSEA/SH within the UN system, the UNCT Working Group on PSEA and SH has developed a comprehensive work plan covering internal actions geared towards UN staff at the GOUNH and external actions geared towards implementing partners (IPs). Part of this work plan is to conduct a Risk Assessment of PSEA/SH which will be used to inform UN joint actions on PSEA/SH for UN Viet Nam.

2. Objective

- **The overall objective:** The overall objective of the consultancy is to conduct a Risk Assessment of PSEA/SH for UN Viet Nam to inform UN joint actions on SEA/SH.
- **Specific objectives:**
 - Identify the opportunities/risks to SEA/SH within the work of UN Viet Nam (from different perspectives (such as programme, operation, processes etc).
 - Propose strategies, common approaches, and measures for addressing SEA/SH within UN Viet Nam including a TOR for the UN focal points on PSEA/SH as well as an Inter-agency reporting mechanism.

3. Methodologies and scopes of work

Methods	Scope of work	Timeline
STAGE 1: INCEPTION REPORT PREPARATION		
<u>Deliverable in stage 1:</u> An inception report which contains the results of the literature review and research tools to be submitted to UN Women on March 24, 2023		
Literature review	<ul style="list-style-type: none"> ○ Review UN policies and guiding documents on PSEA/SH ○ Review Viet Nam's national legal framework for gaps, weaknesses, and challenges to adequately addressing PSEA/SH, ○ Review available reports on PSEA/SH ○ Conduct a situation analysis of the country context to identify: <ul style="list-style-type: none"> ▪ Key vulnerabilities existing with beneficiaries and communities that heighten the risks of SEA occurring. ▪ Key risks (likelihood and impact) associated with SEA prevention, response, victim assistance, accountability, and coordination. Including law enforcement, social and child protection systems, and risks associated with implementing partners, contractors, and suppliers. 	During 13-24 March 2023

	<ul style="list-style-type: none">▪ Prevention and response measures<ul style="list-style-type: none">○ Develop research tools.	
STAGE 2: DATA COLLECTION AND DRAFT REPORT PREPARATION		
Key deliverable in stage 2: A draft report on PSEA risk assessment to be submitted to UN Women on 21 April 2023		
Online data collection (quantitative)	An online data collection form will be sent to UN staff of different categories (and key implementing partners) for primary data gathering focusing on: <ul style="list-style-type: none">○ Risks/likelihoods for SEA/SH within the work of UN agencies.○ Measures for prevention and response to SEA/SH among UN staff○ Knowledge of reporting obligations	27 March-28 April 2023
Key informant interviews (KII)	KII with <u>selected</u> UN staff of different categories including RC, Head of agencies, Programme management, programme support staff, Operations staff, HR staff, Procurement staff, and Common service staff, aim to deepen understanding of key findings of the quantitative survey, focusing on: <ul style="list-style-type: none">○ Factors driving or allowing opportunities for PSEA/SH to happen and impact of those risks.○ Level of priority and roadmap for implementing recommendations on PSEA risk mitigation and response measures at the agency and UN levels○ Suggestions for effective inter-agency reporting mechanism.	
Data analysis and report preparation	<ul style="list-style-type: none">○ Undertake data analysis and prepare a draft report	
STAGE 3: REPORT FINALISATION		
Key deliverable in stage 3: A final report on PSEA risk assessment to be submitted to UN Women on 31 May 2023		
Report finalization	<ul style="list-style-type: none">○ Finalise the report based on comments from UN staff	2 May-31 May 2023

1. Institutional arrangement

The international consultant will work under the overall guidance of the UN Women Country Representative and technical supervision of the Programme Analyst in coordination with the PSEA task force of the UN Viet Nam. The consultant is home-based.

2. Key deliverables, timelines, and payment schedule

Deliverables	Timeline	Payment schedule
<u>For the first payment (to be made by RCO)</u> 1. Final report on risk assessment and recommendations including Inter-agency reporting mechanism and TOR of the UN Focal Points on PSEA	28 April 2023	30%
<u>For the second payment (to be made by WHO)</u> 2. Inception report covering the result of the literature review and research tools (qualitative and quantitative methods) 3. Draft report on PSEA/SH risk assessment and recommendations	31 May 2023	70%

3. Duration of Assignment and Duty Station

The consultancy will last from 13 March 2023 to 31 May 2023 home-based.

4. Application Evaluation Criteria

The applicant will be evaluated based on technical capacities (70%) and financial proposal (30%). The technical evaluation will be based on the following criteria:

#	EVALUATION CRITERIA	Max. point
1	Master's Degree in Gender Studies, Human Rights or other relevant disciplines (social sciences)	10 points
2	At least 5 years of professional experience in social development planning and management, particularly also in the area of gender-based violence and protection, at the international level, is required.	25 points
3	Demonstrated knowledge of PSEA and gender-based violence	25 points
4	Working experience/consultancy experience with UN agencies, especially under joint programmes will be an advantage	25 points
5	Good analytical writing skills in English (2 sample report in English on relevant subjects to be submitted for evaluation).	15 points
	Total	100 points

5. Qualifications or Specialized Knowledge/Experience Required

Qualifications and Experience

- Academic qualification at the master's level in relevant fields such as international development, human rights, psychology, sociology, international law, or another relevant social science field.
- At least 10 years of professional experience in social development planning and management, particularly also in the area of gender-based violence and protection, at the international level, is required.
- Proven experience in PSEA coordination is an advantage.

Knowledge and Skills

- Demonstrated knowledge of PSEA and gender-based violence
- Proven knowledge and understanding of Viet Nam's context.
- Knowledge of UN systems programming is an advantage.
- Excellent management, interpersonal, planning, and coordination skills
- Demonstrated ability to work in a multicultural environment and establish harmonious and effective working relationships.

Competencies of a Successful Candidate

- Communication
- Working with people
- Drive for results
- Relating and networking
- Applying technical expertise
- Formulating strategy and concepts

Languages

- Fluency in spoken and written English.

Please visit this link for more information on UN Women's Core Values and Competencies:

<http://www.unwomen.org/-/media/headquarters/attachments/sections/about%20us/employment/unwomen-employment-values-and-competencies-definitions-en.pdf>

The weight of technical points is 70% and the financial points are 30%. The individual consultant will be evaluated based on Cumulative analysis, the award of the contract will be made to the individual consultant whose offer has been evaluated and determined as:

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

6. Application Procedure and Deadline

Candidates are requested to send the following documents in one application email to procurement.vietnam@unwomen.org

1. An application letter explaining your interest in the consultancy and why you are the most suited candidate for the consultancy position.
2. Updated CV and 2 relevant report samples in English.
3. Personal History Form (P11). The P11 Form can be downloaded from the following website: <http://asiapacific.unwomen.org/en/about-us/jobs>.
4. Financial proposal specifying a daily consultancy rate in USD and a breakdown per deliverable. UN Women will bear the costs of requested travel expenses following the UN standard rates.

Deadline for Application: 28 February 2023

7. Evaluation

The evaluation will be based on the combination of the weighted technical and financial scores (70 percent technical and 30 percent financial).

NOTE: Documents required before contract signing:

- UN Personal History Form.
- The medical statement from the physician certifying good health to work and travel. (This is not a requirement for RLA contracts).
- Completed UNDSS BSAFE online training course. Link: <https://training.dss.un.org/>
- Release letter in case the selected consultant is a government official.

At UN Women, we are committed to creating a diverse and inclusive environment of mutual respect. UN Women recruits, employs, trains, compensates and promotes regardless of race, religion, colour, sex, gender identity, sexual orientation, age, ability, national origin, or any other basis covered by appropriate law. All employment is decided based on qualifications, competence, integrity, and organizational need. If you need any reasonable accommodation to support your participation in the recruitment and selection process, please include this information in your application. UN Women has a zero-tolerance policy on conduct that is incompatible with the aims and objectives of the United Nations and UN Women, including sexual exploitation and abuse, sexual harassment, abuse of authority, and discrimination. All selected candidates will be expected to adhere to UN Women's policies and procedures and the standards of conduct expected of UN Women personnel and will therefore undergo rigorous reference and background checks. (Background checks will include the verification of academic credential(s) and employment history. Selected candidates may be required to provide additional information to conduct a background check.)