

## TERMS OF REFERENCE

<b>Title of the post:</b>	National Consultants to develop Handbook on effective responses by the Judiciary to violence against women and girls
<b>Organizational Section/Unit:</b>	UNODC Country Office in Viet Nam
<b>Duty station:</b>	Ha Noi and home-based
<b>Duration:</b>	May 2020 – December 2020 (45 working days in total)
<b>Type of contract:</b>	Individual Contract

### 1) BACKGROUND INFORMATION

Violence against women and girls is one of the most universal and pervasive human rights violations in the world. Violence against women and girls takes on many forms, including intimate partner violence; gender-related killing (also referred to as femicide); non-partner sexual violence; sexual harassment in the workplace, other institutions and in public spaces; trafficking for the purposes of sexual exploitation and other forms of forced labour; female genital mutilation. Violence against women can be condoned by the State; and is widely prevalent in conflict situations. The prevalence rates for some forms of violence are better documented than others, however from the data available for certain forms of violence, it is evident that violence against women is a global problem of alarming proportions. The most recent estimates by the WHO and the London School of Hygiene and Tropical Medicine (2013) show that the global prevalence of physical and/or sexual intimate partner violence and non-partner sexual violence is 1 in 3 (35%). The majority of this violence is that by intimate partners which affects about 30% of women globally.

In Viet Nam, according to the national survey on domestic violence conducted in 2010 by the General Statistics Office, the data showed that approximately 87% of domestic violence victims did not seek help from public services or other competent authorities. They only sought help when violent act has become extremely serious. At the same time the survey results also showed that 60% of victims have heard about the Law on Domestic violence prevention and control, but they did not understand the detailed provisions of the Law.

Violence against women and girls not only affects physically, mentally its victims, but also leads to enormous economic cost to family and society. Violence is the cause of constraining economic growth and increasing poverty rate in the country. According to research results “Estimating the cost of domestic violence against women in Vietnam” published by the United Nations in 2012, a crude estimation for the economy as a whole suggests that both out of pocket expenditures and lost earnings represent nearly 1.41% of the GDP in Vietnam in 2010. More importantly, an estimate of the total loss of labor productivity accounted for 3.19% of the GDP in Vietnam in 2010. Gender-based violence also forces to have significant impact on the mount social cohesion and resilience of communities, which continue to hamper economic growth and increasing poverty rate.

The causes of gender-based violence stem from gender inequality, gender stereotypes, respecting the dominance of men as well as lowering the role and position of women and girls.

The judiciary plays a critical role in the criminal justice response to violence against women and girls. It is uniquely placed to ensure that relevant criminal laws, including those relating to gender-based violence are interpreted through the lens of international standards and norms; are effectively enforced; protect women and girls from violence, including from the recurrence of violence; hold perpetrators accountable; and provide effective reparations for victims. However, judges come to the bench with their built-in and often strongly-held set of values and therefore have a duty to ensure that possible prejudices and harmful gender stereotypes do not influence proceedings or undermine gender-based violence victims' credibility. Judges are in a position to manage their courtrooms in a way that addresses biases leading to victim-blaming, disbelief or mistrust in the victim's story and ultimately, putting the victim on trial. As final arbitrators, judges have the power to protect abused women and girls, punish offenders and send a clear message to the community that such violence is not tolerated.

As part of UNODC's efforts to develop capacity for law enforcement and justice officers to prevent and respond to gender-based violence, UNODC plans to support the Vietnamese government in developing Handbook on effective responses by the Judiciary to gender-based violence against women and girls based on the materials developed by UNODC.

The overall goal of this activity is to increase and facilitate access to justice for gender-based violence victims and have a more accountable and effective criminal justice system, specifically targeted on gender-based violence cases.

## **2) OBJECTIVES OF THE ASSIGNMENT**

The overall aim of this consultancy is to develop a Handbook for the Vietnamese judicial officers on effective response to gender-based violence against women and girls in Viet Nam, with focus on domestic violence and sexual violence.

## **3) SCOPE OF WORK:**

Under the direct supervision of the UNODC Programme Specialist and overall guidance of the Crime Prevention and Criminal Justice Officer who acts as the UNODC focal point in the area of Violence against Women at UNODC ROSEAP, Bangkok, the consultant will be responsible for:

- Drafting the Handbook for the Vietnamese judicial officers on effective response to violence against women and girls based on the global Handbook for the Judiciary developed by UNODC.
- Collecting feedbacks on the draft Handbook from law enforcement, justice officers and experts.
- Revising and finalizing the draft Handbook (in Vietnamese and English) based on comments provided by stakeholders.

## **4) DURATION OF ASSIGNMENT, DUTY STATION AND EXPECTED PLACES OF TRAVEL**

A maximum of **45 working days** from May 2020 to December 2020.

Duty station: Ha Noi and home-based

Note: It is understood that the consultant would not hold UNODC responsible for any unforeseen or untoward incident during the duration of the consultancy. It is recommended that the consultant secure his/her own insurance coverage during the conduct of the consultancy.

## **5) FINAL PRODUCTS**

The Handbook for Vietnamese judicial officers on effective response to violence against women and girls (in Vietnamese and English) adopted by the Supreme People's Court.

## **6) PROVISION OF MONITORING AND PROGRESS CONTROLS**

The consultant will work under the guidance of the UNODC Programme Specialist based in Viet Nam.

### **Indicators to evaluate the consultant's performance:**

All the outputs should meet the satisfaction of UNODC (as assessed by) according to the following indicators:

- Quality of the training conducted
- Technical competence
- Timeliness of the delivery

## **7) DEGREE OF EXPERTISE AND QUALIFICATIONS**

**Advanced university degree in law and/or criminology.**

### **Work Experience**

- ✓ Minimum of 10 years of professional experience working in the criminal justice sector;

### **Specific Professional Knowledge and Experience**

- ✓ Experience of working on gender-based violence issues;
- ✓ Knowledge of and exposure to work in the field of adjudicating violence against women
- ✓ Knowledge and appreciation of UNODC goals and work processes
- ✓ Strong skills in analysis and advocacy for human-rights-based approaches to policy development with actual experience in other countries
- ✓ Excellent writing, presentation and facilitating skills;
- ✓ Excellent interpersonal, communication, and organizational skills
- ✓ Knowledge of the Vietnamese legal system and/or the gender-based violence situation in Viet Nam is highly desirable;
- ✓ Cultural and gender sensitivity are requirements.

### **Other Skills**

- ✓ Demonstrated experience working within the context of technical assistance projects
- ✓ Ability to work with minimum supervision.
- ✓ Ability to communicate effectively across different constituencies.

## **8) REVIEW TIME REQUIRED**

**Periodically during the period of the consultancy.**

## 9) HOW TO APPLY

Interested applicants should submit the following documents:

(a) Letter of interest - not exceeding one page - clearly stating suitability for the position *with:*

• ***Proposed daily consultancy fee***

(b) UN Personal History Form (can be downloaded from <http://www.un.org.vn/en/un-jobs.html>) and detailed curriculum vitae based on the criteria stated above.

Please submit the application by e-mail to: [minh.nguyen@un.org](mailto:minh.nguyen@un.org) and [fo.vietnam@unodc.org](mailto:fo.vietnam@unodc.org).

**Application deadline is 29 May 2020.**

Note:

(a) Please clearly indicate the position you are applying for.

(b) Failure to submit supporting documents as specified in the announcement will result in an incomplete application. Applicants who submit incomplete applications will NOT be considered.

(c) Applicants employed as a civil servant or government official, whose applications are successful, will be required to provide a letter from their employer indicating no objection to paid employment with UNODC for a period of unpaid leave from current employer.

Due to the volume of applications, only candidates under positive consideration will be notified.