

November 3, 2021

## **Call for Proposals**

### **Consultancy: Evaluation of the third cycle of the Universal Periodic Review**

The Rosa-Luxemburg-Stiftung (the “Client”) intends to award the services specified in the enclosed Service Description in a Call for Proposals.

**Please note the following dates:**

**End of the tender submission period:** 11/11/2021 (November 15) 10:00 O'clock CET

**End of the award and binding period:** 15/11/2021 (November 15 2021)

**Contract period:** 15/11/2021 (Nov 11, 2021) - 30/06/2022 (June 30)

**Terms and conditions:**

The contractual conditions of the Client shall apply exclusively. The terms and conditions of the tenderer are excluded. Side offers are excluded!

The present Call for Proposals shall not be construed as an offer, and the bidder shall not have any rights arising thereof.

To participate in the Call, please submit your Application digitally before the end of the offer period. Documents have to be submitted in English.

With kind regards

Eva WUCHOLD, Programme Director Social Rights

**Annexes:**

1. Terms of reference
2. Conditions of participation
3. Price sheet
4. Standard tender form
5. Self-declaration form
6. Self-declaration on rate loyalty, minimum wage, and social security contributions
7. Qualified references form

## Annex 1: Terms of reference

Awarding of a service agreement for:

Consultancy: Evaluation of the third cycle of the Universal Periodic Review

### **1.1. About Rosa-Luxemburg-Stiftung**

Rosa-Luxemburg-Stiftung e.V. (RLS) is one of the six major political foundations in the Federal Republic of Germany, tasked primarily with conducting political education both at home and abroad. The Stiftung's work adheres to the legacy of its namesake, German socialist leader Rosa Luxemburg, and seeks to represent democratic socialism with an unwavering internationalist focus. The Stiftung is committed to a radical perspective emphasizing public awareness, enlightenment and social critique. It stands in the tradition of the workers' and women's movements, as well as anti-fascism and anti-racism. Rosa-Luxemburg-Stiftung e.V. is a registered non-profit organization in Germany. The Stiftung is closely linked to Die Linke, the German Left Party.

The aim of the work of Rosa-Luxemburg-Stiftung is to promote a critical analysis of society and foster networks of emancipatory political, social and cultural initiatives around Germany. Internationally, it will participate in cooperative development projects and advocate for a dialogue between the Global North and South conducted on equal footing. Like other political foundations, Rosa-Luxemburg-Stiftung seeks to develop and expand the concept of political education by emphasizing a critical analysis of society as our central task, further underlined by our namesake.

Based on the firm belief that social change requires a reflective confrontation with today's capitalist society as a whole, the Rosa-Luxemburg-Stiftung strives to develop alternative concepts and approaches for a comprehensive process of social transformation enabling the creation of a more united and just society. Education and training in democratic socialist politics, analysis, information and policy advice are therefore the Rosa-Luxemburg-Stiftung's basic tasks.

### **1.2. Background**

The Geneva office of Rosa-Luxemburg-Stiftung (RLS-Geneva) was founded in 2019. It serves as the liaison office to the UN institutions in Geneva, but as well work thematically towards the issues of global social rights, socio-ecological transformation and transnational organizing.

This call for Proposals is for a Service contract for a consultant to conduct an **evaluation of the third cycle of the Universal Periodic Review (UPR)**. It is being proposed in the context of RLS-Geneva work with the Institute on Statelessness and Inclusion (ISI).

The review will focus on the treatment of the right to a nationality and the rights of stateless people under the third cycle of the UPR, in order to inform and support the work of the [Institute on Statelessness and Inclusion](#) (ISI) and its partners.

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ISI is the only human rights organization dedicated to promoting the right to nationality and the rights of stateless persons globally. The main objective of ISI's global advocacy on the right to nationality and the rights of stateless people is to bring positive changes to laws, policies and practices, which benefit stateless persons and enhance the right to nationality for all. ISI and its partner conduct advocacy before UN Mechanisms, including with the Universal Periodic Review (UPR), Treaty Bodies, Special Procedures and UN agencies to ensure that the focus on statelessness and the right to nationality is maintained and deepened.

As the Third cycle of the UPR comes to a close in early 2022, ISI aims to conduct an in-depth analysis of how the right to nationality and the rights of stateless persons have been addressed during the Third Cycle.

### **1.3. Aim of the service**

To help deliver the project RLS-Geneva is seeking a mid-level career human rights advocate to work closely with the ISI Human Rights Advocacy team to conduct an in-depth analysis of how the right to nationality and the rights of stateless persons was addressed during the Third Cycle. This will facilitate more targeted and strategic advocacy in the Fourth Cycle, including through targeting recommending states, reinforcing recommendations made through UPR, and seeking entry points for follow-up advocacy at international, regional and national levels.

Services will be contracted by the Rosa Luxemburg Stiftung Geneva (RLS), with the consultant expected to report to RLS-Geneva and the Institute on Statelessness and Inclusion (ISI) respectively on project progress.

### **1.4. Tasks, contract duration and scope**

The contract period for the consultancy is from 15 November 2021 to 30 June 2022. Working closely with the ISI Human Rights Advocacy Team, the consultant will carry out the following tasks:

- a. Develop a methodology to carry out a quantitative and qualitative analysis and evaluation of the treatment of the right to nationality and statelessness under the third cycle of the Universal Periodic Review (2017-2022). The methodology should include the following components:
  - Desk research into the quality and quantity of references to the right to nationality and the rights of stateless persons under the UPR process:
    - State reports;
    - UN and NGO submissions to the UPR; and
    - State recommendations.
  - Qualitative analysis of the treatment of similar issues by the UPR and relevant treaty bodies.
  - Interview questionnaires for key stakeholders (members of the diplomatic community and civil servants, UN actors, NGOs and stateless activists); and
  - Templates for three to five case studies on countries that received relevant recommendations through the UPR process, in order to explore implementation of recommendations and related follow up advocacy at international, regional and national levels.

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- b. Conduct the desk research, field research, case studies and qualitative analysis according to the methodology, in order to conduct the evaluation.
- c. Produce a final Evaluation Report:
  - The report will be publicly accessible for all relevant stakeholders (CSOs, diplomatic community, activists and affected persons, academics, and students) to better understand how issues of statelessness and the right to nationality have been addressed during the UPR Third Cycle.
  - The report includes recommendations for stakeholders on how to better address issues of statelessness and the right to nationality through the UPR 4<sup>th</sup> cycle review process.
- d. Develop, on the basis of the Evaluation Report, a forward-looking guide for civil society partners on how to best engage with the UPR.
- e. Assist in the organizing of a launch event for the Evaluation Report and Civil Society Guide, and be available to speak at the event about the evaluation process and outcomes.

**Suggested timescale**

	<b>Activity</b>
15 Nov – 31 Dec	Developing Methodology for desk research, interviews and case studies and develop a Plan of Action in close collaboration with ISI. Conduct Desk Research: Qualitative analysis UPR 27 – 39. To be updated after the termination of UPR 40 in Jan-Feb 2022.
1 Jan – 28 Feb	Interviews and Desk Research: Quantitative analysis on statelessness under the Third Cycle of the Universal Periodic Review. Debrief with ISI team on outcomes of research phase.
1 Mar – 30 Apr	Analysis and write-up of Evaluation Report and Civil Society Guide, for review by key stakeholders.
1 May – 31 May	Finalise Evaluation Report and Civil Society Guide after receiving inputs from key stakeholders.
1 Jun – 30 Jun	Launch of Evaluation Report and Civil Society Guide. Monitoring and evaluation of project.

**1.5. Expected qualifications**

**Professional:**

- Minimum of 5 years relevant work experience in the wider fields of human rights, advocacy and diplomacy, of which, at least 3 years relates to work on statelessness and the right to nationality.
- Experience engaging with the Universal Periodic Review process through making submissions, engaging with relevant stakeholders (diplomats, UN actors and civil society), and following up on recommendations made. Preference for statelessness and right to nationality specific engagement.

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- Strong analytical skills and experience in carrying out research-based evaluation studies.
- Significant experience in building and maintaining relationships with key partners and new and existing stakeholders.
- Understanding and knowledge of relevant discourses / approaches / demands brought up by politically progressive stakeholders, especially from the Global South.
- Experience with conducting project monitoring and evaluation.

Personal:

- Well-organized and able to work well with minimal supervision
- Flexible and pro-active working approach, taking into account multiple dimensions of the project
- Creative, striving to produce work of the highest possible quality
- Experience with effectively engaging stakeholders in politically sensitive and culturally diverse settings
- Excellent interpersonal skills and demonstrated commitment and ability to work in a participatory and collaborative manner
- Excellent English language (both written and spoken) skills. Additional other UN languages are desirable.
- Demonstrable interest and motivation to work in public /non-profit sector is an advantage.

Location: the Evaluation can be conducted remotely. However, access to Geneva, to conduct in-person interviews with relevant stakeholders is an advantage (though not essential).

Full details of your skills, knowledge, and experience of relevant work must be included in your application.

The time availability during the contract period must be guaranteed. While the consultancy is deliverables based, it is likely that the Consultant will have to commit a minimum 50 days to deliver the requisite tasks to a high standard.

The consultant will be contracted on a self-employed basis and is solely responsible for payment of all taxes and social security obligations to which they may be subject in connection with the provision of services.

If the applicants are subject to VAT, this must be communicated with the application together with the amount of the applicable VAT. The VAT is then paid in addition. If no communication is made, the price is the gross amount.

#### **1.6. Travel expenses of the contractor**

The travel expenses are covered according to the internal guidelines of the client. This means that the client bears the travel and accommodation costs, regardless of the fee rate. Other costs such as expenses for telephone charges, use of public transport, etc. incurred in connection with the performance of the task will be reimbursed on presentation of appropriate receipts insofar as they are unavoidable and appropriate in the circumstances. All such costs are to be agreed beforehand.

**1.7. Applications**

To apply, please send an expression of interest including (not exceeding four A4 pages) :

- CV and cover letter / outline of your skills, knowledge, suitability, and relevant experience to deliver the project, including a brief 200-300 word example of how you have undertaken a comparable piece of work
- Details of your proposal for how you would approach the consultancy (including number of days allocated to different deliverables and breakdown of your proposed costs)

And the 5 following annexes signed :

- Price Sheet (Annex 3),
- Standard Tender Form (Annex 4),
- Self-declaration Form (Annex 5),
- Self-declaration on rate loyalty, minimum wage, and social security contributions (Annex 6),
- Qualified References Form (Annex 7).

The following points are defined as evaluation criteria for the selection of the offer:

<b>Review criteria :</b>	<b>Weighting</b>
<b>1 Price</b>	50%
<b>2 Performance</b> (experience with regard to the proposed assignment, expertise& knowledge of the subject area, appropriateness and quality of the proposal to address the aim and research objectives)	50%

If you have any questions regarding the call for applications, please send an e-mail to Jeanne Planche, Project Manager Social Rights : [jeanne.planche@rosalux.org](mailto:jeanne.planche@rosalux.org)

Please always use the subject line: Evaluation UPR Cycle

For reasons of transparency and equal treatment, all possible tenderers will be provided with the answers to questions.

**1.8. Award and contract process / time frame**

Negotiations are not allowed in this procurement procedure.

- Publication: 03/11/2021
- End of the offer period: 11/11/2021, 10:00 o'clock CET
- End of the award and binding period: 15/11/2021
- Contract period: 15/11/2021 - 30/06/2022

**Submission (digital) to:**

Please send your submission by email to

Jeanne Planche, Project Manager Social Rights : [jeanne.planche@rosalux.org](mailto:jeanne.planche@rosalux.org)

**by 11/11/2021, 10:00 O'clock Central European Time.**

Rosa-Luxemburg-Stiftung - Chemin de Balxert 7-9 - 1219 Châtelaine - Switzerland

**The receipt of applications will not be confirmed.** A shortlist of potential candidates will be contacted, and online meetings arranged to select a preferred candidate to be confirmed following discussion and agreement of a workplan and timetable.

## Annex 2: Conditions of Participation

### **1. General**

- 1.1. No costs will be reimbursed for processing the tender.
- 1.2. Terms and conditions of the tenderer are excluded. In case the tenderer declares his own terms and conditions as part of the contract, this constitutes an inadmissible amendment or addition to the contract and leads to the exclusion of the tender.
- 1.3. The information distributed in connection with this Call for Proposals may only be used for the preparation of the tender. Any use for other purposes is prohibited.

### **2. Content of the tender**

The following evidence/documents must be submitted with the tender: Completed and signed Price Sheet (Annex 3) ; Completed and signed Standard Tender Form (Annex 4) ; Signed Self-declaration Form (Annex 5) ; Signed Self-declaration on rate loyalty, minimum wage, and social security contributions (Annex 6) ; Completed and signed Qualified References Form (Annex 7) ; CV and/or Work samples.

### **3. Exclusion of tenderers**

- 3.1. The Service Agreement will be concluded with knowledgeable, efficient and reliable tenderers only who are professionally carrying out the tendered services.

### **4. Conditions for submitting a tender**

- 4.1. The signed tender documents must be in English or German language. All required additional documents, statements, and samples must be submitted within the tender submission period. Correspondence with the tendering authority must also be conducted in English or German language.
- 4.2. The Standard Tender Form attached to the tender documents is to be used exclusively for the preparation of the tender. The tender has to be submitted document proof, legible, and unequivocal.
- 4.3. The tenderer is obliged to provide all explanations required in the tender documents and to provide all other required information. Incomplete or incorrect tenders are excluded from the evaluation.
- 4.4. Changes to the tenderer's entries must be unequivocal; otherwise, the tender is excluded. An incorrect entry should be crossed out and the correct entry should be added above or beside it. The tenderer's signature or initials should mark changes.
- 4.5. The tender and any other required documents and explanations should be signed by stating the date of conclusion at the given place. The name of the signatory must be recognizable, e.g. full name in block capitals below the signature. Tenders that are not properly signed at the specified place are excluded from the evaluation.
- 4.6. The signed tender form must be submitted with the tender as the included contract conditions are legally binding.

### **5. Corrections, changes, or withdrawal of the tender**

- 5.1. The tender may be amended, corrected, or withdrawn in writing until the expiry of the tender submission period.
- 5.2. Corrections, or changes, or the withdrawal of tenders is to be made in writing.
- 5.3. The award period begins with the expiry of the tender submission period. Until the end of the award period, the tenderer is bound to her / his tender. During this period, the tender can no longer be changed, or withdrawn.

### **6. Prices**

- 6.1. The prices valid for the tender are indicated in the Price Sheet (Annex 4).
- 6.2. Prices are to be offered in EUR and stated without VAT (net).

### **7. Award criteria**

The award criteria are set out in the Terms of Reference (Annex 1).



## Annex 3: Price sheet

### Awarding of a Service Contract: Consultancy: Evaluation of the third cycle of the Universal Periodic Review

Dear Madam or Sir,

We offer you the execution of the services described in the call for application documents at the prices listed below. The application conditions and instructions in the invitation to submit the application (cover letter) are taken into account. We understand that the terms of reference will be part of the contract to be concluded. In such event, the offer encompasses these terms without restriction. In the case of incompleteness, the Client categorically excludes the offer from the evaluation.

Subproject.	Offer in accordance with the above mentioned terms of reference	Approx. number of days	Amount in EUR (net amount)
I	Develop Methodology for desk research, interviews and case studies		
II	Conduct Desk Research and Interviews		
III	Produce the final Evaluation Report		
IV	Develop a forward-looking guide for civil society partners		
V	Assist in the organizing of a launch event		
	<b>TOTAL</b>		

If the applicants are subject to VAT, this must be communicated with the application together with the amount of the applicable VAT. The VAT is then paid in addition. If no communication is made, the price is the gross amount. The prices are fixed prices. The inclusive price contains all expenses of the contractor excluding travel expenses. Until the expiration of the award and binding period on 15/11/2021, I am/we are bound by this offer.

<p>Company name /-address (company stamp if available)</p>   <p>_____</p> <p>Date</p>	<p>The incorrectness of the above information leads to the exclusion of the award procedure. The Client in the event of incorrectness without notice can terminate an awarded contract.</p>
<p>_____</p> <p>Signatures (possibly. digital)</p>  <p>_____</p> <p>(Name of the signatory in block capitals)</p>	<p>If the signature is missing, the tender is considered not submitted and will not be taken into account in the evaluation!</p>  <p>Incomplete offers will be automatically excluded from the award procedure!</p>





## Annex 4: Standard Tender Form

Name of the tenderer (company name / consultant name):
Postal address of the tenderer:
represented by:

To Rosa-Luxemburg-Stiftung Chemin de Balexert 7-9 1219 Châteleine Switzerland
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Email:
Phone No.:
Contact person:
Place and date of issue:

Dear Madam or Sir,

We offer you the execution of the services described in the tender documents at the prices indicated in the Price Sheet (Annex 3). The application conditions and instructions are taken into account. The tender contains all required information, explanations, and proofs. We accept the terms and conditions according to the tender documents without restriction.

The price information in the Price Sheet (Annex 3) are fixed prices for the period mentioned in the Terms of reference. Price changes are only possible based on legal requirements.

Until the expiration of the award period on 15/11/2021, this tender binds us.

In addition, we confirm the following components of the tender documents, which become part of the contract in the case of the award :

- Terms of reference (Annex 1),
- Conditions of Participation (Annex 2),
- Price Sheet (Annex 3),
- Standard Tender Form (Annex 4),
- Self-declaration Form (Annex 5),
- Self-declaration on rate loyalty, minimum wage, and social security contributions (Annex 6),
- Qualified References Form (Annex 7).



We are aware that proofs of self-declaration that (on special request of the awarding authority) are not considered as provided even if they are mentioned in the tender or in accompanying statements.

By signing the tender, we confirm the content of all explanations and evidence, even if submitted in separate attachments.

Further requests by the tenderer:

- In case of non-consideration of the tender, please inform us about the rejection of the tender.
- With the additionally requested tenderer declaration (see explanation in box below) signed by all tenderers it is confirmed that the lead company is authorized to represent all tenderers before the awarding authority. All tenderers are jointly and severally liable for the contractual execution of the services by their signature.

Company name / address
_____
Date
Signature(s)
_____
_____
Name of the signatory in block capitals

The incorrectness of forgoing or attached explanations, information, or documents leads to the exclusion from the award procedure. An already awarded contract may be terminated without notice for important cause in cases of violation of contractual secondary obligations.

The adjacent signature covers all explanations, information, and evidence of this tender, even if attached in a separate Annex.

An additional separate signature is required in the tenderer declaration only for joint tenderers!

If the signature is missing, the offer is deemed not to have been submitted, and is not considered in the evaluation.

Incomplete offers can be excluded from the award procedures!

## Annex 5: Self-declaration Form

1. The tenderer declares that

- no person who's behaviour is attributable to her or his company has been issued with a final sentence for or that his company has been fined with financial penalties according to administrative offence acts;
- her or his company's obligations to pay taxes, duties, or contributions to the social security have been met, and that in this regard no judicial or administrative decision exists, or that her or his company has fulfilled its commitments by paying taxes, fees and social security contributions including interest or penalties.

2. The tenderer declares that her or his company

- did not violate environmental, social, or employment obligations in the execution of public contracts;
- is not insolvent, and that no insolvency proceedings or comparable proceedings have been initiated against her or his company and its assets, that the opening of such proceedings has not been rejected due to a lack of assets, and that the company did not enter into liquidation nor has it ceased its activity;
- has not been guilty of serious misconduct in professional matters which question the integrity of the company.

3. The tenderer declares that there are no reasons for her or his company to be excluded due to undeclared work and illegal employment.

The tenderer undertakes to ask subcontractors to comply with the above statements 1 to 3.

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Date, stamp (if available) and legally binding signature

## Annex 6: Self-declaration on rate loyalty, minimum wage, and social security contributions

The tenderer agrees

- to comply with the respective statutory minimum wage.
- to commit her or his subcontractors or distributors commissioned by him to comply with the respective statutory minimum wages.

If the tenderer or one of his subcontractors violate the above-mentioned obligations culpably, the awarding authority and the tenderer agree on a contractual penalty of 1 per cent of the contract amount for every culpable violation, in several cases of up to 5 per cent of the contract amount. The tenderer is also liable for the payment of a contractual penalty in case the obligations were violated by a subcontractor appointed by her or him or a subcontractor employed by the subcontractor.

The culpable non-fulfilment of the above mentioned obligations by the tenderer or its subcontractors entitle the awarding authority to a termination without notice.

I declare / we declare

- with my / our signature(s) to comply with the specific rate loyalty, minimum wage, social security contributions as listed above;
- to pay my / our employees the same remuneration for the same or equivalent work in the execution of the services.

I am / We are aware that a violation of this statement may result in my / our exclusion from further contract awards.

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Place, date

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Signature, company stamp (if available)



## Annex 7: Qualified References Form

### Reference 1

Contracting authority with address	
Contractual object	
Contact person	
Phone number	
Contract period	

### Reference 2

Contracting authority with address	
Contractual object	
Contact person	
Phone number	
Contract period	

### Reference 3

Contracting authority with address	
Contractual object	
Contact person	
Phone number	
Contract period	

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Date, stamp (if available) and legally binding signature