Term of Reference Request for ‘Proposal to Consultancy-Land Rights

REFERENCE NUMBER 22/07/2019’

1. BACKGROUND/INTRODUCTION

1.1. Introduction Forum Syd

Forum Syd is a Swedish non-profit member based civil society organization that contributes to strengthening a pluralistic civil society and empowering people using a human rights-based approach and comprises of 150 Swedish civil society organizations. Forum Syd’s operations consists of actions in four main areas: development cooperation, sub-grants, advocacy and capacity development. In these areas, Forum Syd engages hundreds of projects around the world and its work is guided by its rights-based theory of change. Organized rights-holders, civil society and duty-bearers are supported to use human rights instruments, analysis of power relations, context knowledge, and strategic partnership to address change in attitude, behavior, relation and work methods, to achieve its vision for a just and sustainable world where all people have the power to affect change.

Forum Syd has more than 20 years of experience of peacebuilding and post conflict work in countries such as Nicaragua, Colombia, Guatemala, Cambodia, Liberia, Somalia, and the Balkans, to name a few countries. Forum Syd is a strong niche for pro-poor and rights-based participation in development, including tools for genuine participation. From its partnership with CSOs in Africa, Asia, Europe, and Latin America, Forum Syd has built experience in participation and influence of civil society actors and to build trust and create constructive communication channels between rights-holders, institutions of state, and other duty-bearers. This experience is vital to the Liberian context.

Forum Syd has since 2001, provided a total of SEK 13 million to cooperation projects between Swedish and Liberian civil society organizations (CSOs) in the areas of Human Rights and Democracy, Gender equality, HIV/AIDS, Education, Culture, Health, as well as support to the UN Association in Liberia.

In 2012, the Embassy of Sweden in Monrovia and Forum Syd began a dialogue to involve Forum Syd in the support to civil society in Liberia. This dialogue resulted in the Embassy supporting Forum Syd with a 12-month pre-study in 2016-2017 with the overarching objective to expand Forum Syd’s operations in supporting civil society development in Liberia through a multi-annual, rights-based programme and long-term strategic presence. Forum Syd conducted the study in closed dialogue and collaboration with key CSOs, including community-based organizations (CBOs), and other stakeholders in nine of Liberia’s 15 counties: Bomi, Bong, Gbarpolu, Grand Bassa, Grand Cape Mount, Grand Gedeh, Margibi, Montserrado (rural), and Nimba Counties.

Based on the results of the study, Forum Syd has for the first time started direct operations and support to civil society in Liberia. This will be done through working with and strengthening CSOs under the programme: “Sustainable ownership, empowering communities and civil societies in Liberia”.


1.2. Description of concerned activities

Liberia’s land administration and management system has negatively impacted the socioeconomic and political well-being of all Liberians. Property rights in land need to be more secure and characterized by strong governance, including policies, laws and regulations, institutions with more institutional coordination, and accountability; all of which creates a stable and working environment, reduces conflicts over land, and addresses corruption in the land sector. The institutional framework for land is fragmented among a variety of government agencies, which has led to ineffectiveness, considerable confusion, poor delivery of services, and corrupt practices.

In many parts of Liberia, there are numerous land conflicts that are having grave effects on the wellbeing of the people and their ability to survive. These conflicts are among individuals, families, communities, clan and districts, counties, etc. The conflicts range from wrongful acquisition of land to double sale of the same parcel of land; from boundary issues between communities, counties, and districts to several other irregularities.

In 2018, President George M. Weah made history when he signed into law both the Local Governance Act (LGA) and the Liberia Land Rights Acts (LLRA). The Land Rights Act seeks to strengthen rights over customary land. Lands without deeds are classified as public land, a practice which has been used by government to give large swathes of land to private investors as concessions.

Under the law, a community’s claim of ownership of customary land will be established by evidence including oral testimonies of community members, maps, signed agreements between neighboring communities and any other confirming documents.

The new law requires that a nationwide survey be undertaken to confirm the boundaries of all customary lands.

This survey is to be conducted by the Liberia Land Authority within 24 months of the effective date of the Act. Under the law, a maximum of ten percent of customary lands in each community will be set aside and allocated as public land.

1.3. Context and Problems addressed

At the end of 2018, Forum Syd secured additional support from the Swedish International Development Agency (SIDA) to support programming which promote the implementation of the recently approved Land Rights Act in Bong, Bomi and Grand Gedeh Counties.

Forum Syd has set up a satellite office in Monrovia to ensure coordination and networking on Land Rights with relevant partners as well as relevant institutions of Forum Syd in Stockholm, Sweden.
The Land rights component of the programme: “Sustainable ownership: empowering communities and civil society in Liberia” needs to be further developed to ensure relevance and guarantee that it contributes to addressing those challenges that may serve as a barrier to the full exercise of the rights that are outline in the new law by communities and marginalized individuals.

This support also seeks to contribute to defining of the roles of CSOs and to further identity and strengthen their abilities to fully support the enforcement of the implementation of the Land Rights law.

Forum Syd is therefore seeking a national consultant who will serve as the Lead and work with Forum Syd’s Land Rights Team for the development of the Land Rights aspect of the ongoing program.

2. ASSIGNMENT

2.1. Assignment purpose, aims and objectives

Overall Objective

To provide leadership and provide technical guidance to Forum Syd team to structure the Land Rights Component under the Sustainable Ownership, Empowering Communities and Civil Society Organizations in Liberia achieves its expected results.

Specific Objective

- Lead the development of Forum Syd's Land Rights intervention
- Review all necessary and available land rights related documents
- Provide technical support to Forum Syd Land Rights program team
- Develop an Outreach and Advocacy Strategy and Plan for use by Forum Syd
- Produce Capacity development plan for CSOs and relevant stakeholders
- Prepared a well-structured, and realistic annual work plan and budget

The consultants should demonstrate expertise and experience in Land tenure security, Community based natural resource management/community forestry management, Legal empowerment/paralegal training and supervision, Community land rights, advocacy (both with governments and bilateral agencies), etc.

2.2. Scope, Focus and limitations

The consultants shall be mostly based at Forum Syd’s Country office in Gbarnga, Bong County. But they shall also use remote communication means where necessary to speak to relevant stakeholders across the country. The Consultant will work with Forum Syd’s Land Rights programme staffs and the networks and the Land Rights working groups in Bong, Bomi, and Grand Gedeh Counties.
There will also be strong links with all of the relevant agencies of government and partners whose work are relevant to the Land Rights-including the Liberia Land Authority, USAID funded Land Governance Support Activity, Forestry Development Authority (FDA), and all other necessary institutions and authorities.

METHODOLOGY

2.3. Methodology

It is expected that 50% of this consultancy will be based on field consultation with all parties that are important to Land Rights issues, 30% will be for Desk Review and 20% will be used for reporting and capacity building for key program staffs.

The consultant will spend their time evenly between Gbanga, Bong County and Monrovia, Montserrat. At the close of the consultancy, the consultants are expected to produce a set of deliverables that correspond to the overall objective of this study.

3. OUTPUTS AND REPORTING

3.1. Outputs

The consultants shall be responsible to produce the following deliverables:

- Produce Advocacy and Awareness and Outreach Strategy and Plan
- Prepare Capacity Development Plan for Civil Society Organizations
- Produce Annual costed work plan detailing areas for intervention
- Produce Consultancy Report hold a validation workshop for Forum Syd Team

4. TIME SCOPE

Forum Syd has estimated that the volume of the assignment amounts to a total of 30 days. The total scope of work will be aligned in consultancy with the winning tenderer accordingly.

The assignment shall be undertaken between 29th July and the 29th of August 2019.

5. BUDGET

5.1. Fees

The consultants shall specify the fee per working day including all taxes and social costs but excluding VAT.
5.2. **Reimbursable**

The Consultant are to specify anticipated reimbursable costs. If per-diem costs are included, he/she shall be specific and follow the thresholds from the Swedish Tax Agency (or equivalent). The details of the budget for reimbursable costs shall be indicative only. Revisions and re-allocations will be decided in a dialogue with Forum Syd, along the course of work.

6. **BACK STOPPER QUALIFICATIONS**

The Consultants are to meet the following expectations:

- Master or equivalent qualification in any of Social Sciences/Land Rights or a related field (Legal background is highly advantageous)
- At least 5 years of very relevant experience in a senior management role working on Land Rights issues in Liberia with an INGO
- Experience working with line Ministries and Multi-Actor Stakeholders
- In-depth understanding of the Land Governance and Land Tenure System in Liberia

7. **PROCUREMENT TECHNICALITIES**

7.1. **Tender Procedure**

The assignment is subject to an open tender procedure, handled directly by a Forum Syd assessment group. The tenders will be assessed considering the following aspects;

- The contents of the tender (that all the required information is enclosed)
- The qualifications and experience of the tenderer
- Experience from working with CSOs and in rural Liberia
- The methodology and approach proposed
- The cost for the tender

Questions concerning the tender can be posed to the contact persons indicated below until July 15-25, 2019. Forum Syd reserves the right not to accept any of the tenders submitted. In addition Forum Syd reserves the right to take references on the proposed candidate.

Forum Syd is not covered by the Swedish Public Procurement Act (LOU). This means that it is not possible to appeal against the decision of choosing a supplier and that Forum Syd is not obliged to disclose the procurement documentation after completion of procurement.
7.2. **Documentation and information required**

Tenders shall

- State the methods they intend to use to implement the assignment and to guarantee the quality of their work.
- State the qualifications and experience that are in line with the portfolio required to undertake this assignment and attach a CV.
- Confirm that they will be able to meet all expectations outlined in this call.
- State the total cost of the assignment, specified in the form of the hourly fee, reimbursable costs, and any other costs and possible discounts. All costs shall be given in United States Dollars, excluding VAT.
- Propose a time schedule for the assignment.

7.3. **Final date of Submission**

The tender, including all required information is to be submitted to Forum Syd by e-mail (Address as per below) at the latest **22nd July 2019**

7.4. **Validity of the Tender**

Tenders shall remain valid for a period of thirty (30) days.

7.5. **Submittal of tender**

The tender should be submitted via email to the following addresses;

Job.liberia@forumsyd.org

The Subject should be “Tender – **Proposal to Consultancy-Land Rights**

8. **CONTACT DATA**

For further information, kindly contact;

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