

Annex 2: Terms of Reference

Essentials of Humanitarian Negotiation (EHN) Workshops

29 January 2018

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1 Introduction

1.1 Background

1.1.1 Introduction

The BIHR workshop is a core UNHCR Regional Centre for Emergency Preparedness | eCentre event, which focuses on the basics of negotiation, applied to the international humanitarian context, where a number of complexities emerge. The workshop explores various negotiation strategies, but emphasizes interests-based negotiation

This workshop is focused on building partnerships with NGO and Government authorities working in the area of emergency preparedness and response through building their capacity to negotiate a better solution for affected population. It is intended to be highly participatory, emphasizing hands-on application of tools and skills. Participants will discuss real-life cases, best practices and lessons learned from the humanitarian and development fields.

1.2 Statement of Purpose & Objectives

1.2.1 Purpose and objectives

This consultancy will comprise the review and updating of the current content, methodology and training materials related to the Essentials of Humanitarian Negotiation (EHN) workshop.

The overall objective of the EHN workshops is to provide to UNHCR *external partners* including government representatives, implementing and operational partners the basics of negotiation, applied to the international humanitarian context and inter-agency coordination.

1.2.2 Scope and focus

This workshop focuses on the skills and techniques of negotiation, applied to situations where humanitarians must use them: negotiating with government interlocutors, non-state and irregular actors (including armed elements), inter-agency coordination context, partner agencies, fellow staff members and sometimes beneficiaries. Above all it applies these skills to protection-oriented situations where access, respect for human rights and humanitarian space are at stake. It emphasizes techniques of reaching mutually beneficial (“win-win”) solutions, such as correctly analyzing your own and the other’s negotiation position, using active listening, inventing options for mutual gain and reducing anger and hostility.

The workshop is intended to be highly interactive, spending at least half the course time actually negotiating — e.g., in exercises, role plays and simulations. Real-life case studies will also be discussed, and video replay of exercises will be used to examine and critique results.

In addition, the workshop offers UNHCR partners a unique opportunity to exchange experiences and lessons learned while undertaking action planning for building a stronger partnerships in the area of preparedness for refugee/IDP response while taking into account the dynamic context of inter-agency humanitarian operations. Main content areas of the workshop:

- Negotiation analysis: evaluating your position and that of your counterpart
- Protection, humanitarian principles and legal frameworks
- Exploring options for mutual gain

- Managing interpersonal dynamics and reducing hostility in others
- Cultural and gender aspects of negotiation
- Recognizing unfair or “hardball” tactics, and how to respond to them as well as and other areas relevant to negotiations in humanitarian context.

1.2.3 Workshop details

- **Scheduling:**

This workshop will typically be conducted one-two times per year. Pending available funding it may be conducted additional times in some years. The workshop is currently 5 days in length, but may be lengthened or shortened slightly depending on content requirements and other factors.

- **Materials utilized:**

- Visual aids (PowerPoint, video, others);
- Printed materials (workshop book, handbooks, manuals, handouts);
- Exercise materials (instructions, props); field equipment (telecommunications, first aid, other).

- **Participants:**

This workshop is intended for a diverse range of people involved in humanitarian operations: non-governmental organizations (international and national), and governmental partners dealing with humanitarian, refugee, IDP, human rights and development issues as well as staff of the United Nations, other intergovernmental organizations. It is intended that majority of participants will be coming from UNHCR partner organizations. Number of participants is normally 28-35.

- **Venue**

The workshop will take place in various locations throughout the Asia-Pacific Region.

Planned timing and location of this workshop are subject to change; therefore, a degree of flexibility is required from the contractor.

2 Requirements

2.1 *Tasks and Obligations of the contractor*

Task 1: Develop Workshop Objectives, Content and Methodology

- In close coordination with the eCentre Coordinator, provide input and advice to determine overall objectives of course, key content areas and strategy and methodology for presentation;
- Prepare draft agendas, course outlines and similar planning materials.

Timeframe: approximately 12 to 3 months prior to workshop

Outputs: draft agendas, course outline and similar planning materials

Task 2: Evaluate, Research and Gather Information

- Review existing course training materials to evaluate whether they adequately cover the objectives of the course
- Conduct research and gather materials from wide-ranging sources to ensure course content reflects the latest developments within the international community on the subject matter;
- Conduct research and gather material to ensure content reflects the latest policy and practice developments within UNHCR and the UN.

Timeframe: approximately 12 to 2 months prior to workshop

Outputs: Gathered documents and other materials from wide-ranging sources

Task 3: Prepare Workshop Materials

- Based on materials gathered in task 2, prepare presentation material, including PowerPoint slides, audio-visual aids and lesson plans/lecture notes for each presentation;
- Based on materials gathered in task 3, prepare standard materials for participants, such as a workshop guidebook and/or binder with all related handouts and other materials;
- Assume responsibility for copying and assembling all course and related materials for participants and resource persons, and transporting these to the training location;
- Prepare other props and audio-visual aids;
- Prepare standard briefing kits for the presenters of each course topic.

Timeframe: approximately 12 months to 1 month prior to workshop

Output: workshop materials as described above

Task 4: Design Interactive Exercises

- Design a range of realistic interactive exercises, including table-top exercises and field-based simulations, to support course content and objectives;
- Revise and update existing exercises and simulations as needed;
- Prepare exercise maps, instructions, role descriptions and other materials.

Timeframe: 12 months to 1 month prior to workshop

Outputs: exercise maps, instructions, role descriptions and other materials

Task 5: Liaise with Partners and Service Providers *(note: eCentre Coordinator will have primary responsibility for this task, but the contractor should provide support as described below):*

- As necessary and in coordination with the eCentre Coordinator, help to identify, contact and brief the resource persons for the workshop. The resource persons selected are subject to approval by UNHCR;
- Ensure that the resource persons are fully aware of the workshop objectives, content and methodology;
- As necessary and in coordination with the eCentre Coordinator, liaise with external partners to coordinate simulation exercises and other course events;
- As necessary and in coordination with the eCentre Coordinator, advise on venue requirements and liaise with venue staff to ensure needs are appropriately met.

Timeframe: approximately 12 months to immediately before the workshop

Output: effective coordination among partners and service providers

Task 6: Act as Lead Facilitator for the Course

- Ensure that administrative norms such as schedule, breaks, timeliness etc are understood and adhered to;
- Ensure that the workshop sessions are linked together and integrated into a coherent whole;
- Coordinate day-to-day activities of the workshop, including briefing, supporting and coordinating other workshop resource persons and facilitators;
- Facilitate and run various exercises relating to the subject material;
- Facilitate and lead group discussions related to the workshop material;
- Establish and maintain a learning atmosphere characterized by intellectual inquiry and openness, mutual respect and fun;
- As necessary, and in cooperation with UNHCR staff, liaise with venue staff to ensure appropriate standards of facilities and troubleshoot minor problems;
- Facilitate a final session designed to evaluate participant learning in the course, and/or collect participant evaluation (both qualitative and quantitative) input relating to the course.

Timeframe: during workshop

Output: successfully conducted workshop

Task 7: Act as Presenter/Subject Matter Expert as Needed

- In consultation with UNHCR staff, and in accordance with the facilitator's skills and experience, be prepared to act as a presenter and provide subject matter expertise for certain topics;
- Provide subject matter expertise and input for other specific subjects in a supporting role.

Timeframe: during workshop

Output: successfully presented sessions

Task 8: Submit Evaluation Report

- Submit an evaluation report upon completion of each workshop;
- The report should analyze and assess participant evaluations both quantitative and qualitative;
- The report should identify problem areas and make suggestions for improvement;
- The report should assess the workshop's overall success in meeting objectives, and is considered an essential part of evaluating the curriculum and pedagogical approaches.

Timeframe: normally within 15 days of completion of workshop

- *Output: report*

2.2 Other responsibilities of the contractor

The selected company will be responsible for:

- Identifying by name at least two individuals, a primary and secondary, to be focal persons responsible for the terms of reference above. Both persons should have the background, qualifications and skills required to accomplish these terms of reference, in terms of both facilitation skills and familiarity with the subject matter.
- Ensure resource persons are fully aware of the workshop objectives, content and methodology;
- Providing facilitators to conduct each workshop. (UNHCR reserves the right to specify which facilitator and whether one facilitator or two will be needed for the workshop, and to include a further co-facilitator arranged independently by the eCentre if deemed appropriate. These details will be

determined during the planning stage of each workshop with consultation occurring with the contractor at as early a stage as possible).

- Producing the training materials (colour printing, copying and binding the manuals) and transporting of the manuals to the training location
- Submitting receipts for travel expenditures for the workshops as well as the preparatory missions if requested (to be invoiced separately). The company will therefore not be responsible in any way for payments to hotels/training centres other than own travel costs (unless otherwise arranged).

2.3 Responsibilities of UNHCR (eCentre)

- Identification of overall planning factors (anticipated workshops, dates, locations and facilitators needed) at the earliest stage possible;
- Determining overall course objectives (in consultation with the contractor)
- Determining course participation;
- Determining expert resource persons needed (in consultation with the contractor);
- Providing overall coordination and liaison among resource persons, partners and service providers (with contractor providing advice and support);
- Identifying suitable facilities for conducting the workshops (in consultation with the contractor).
- Making payments for meeting facilities. The selected contractor will not be responsible for payments to hotels and other training venues.

Facilitation and production of materials will be in English.

Specific timing and venue of each workshop will be determined in consultation with the contractor at the earliest stage possible.

2.4 Other important points

- Deliverables

Development and facilitation of 1-2 workshops per year of 5-day duration conducted in the Asia Pacific region.

A written evaluation report containing recommendations for improvements submitted within 15 days following conclusion of the workshop.

- Proposed period of contract:

3 years extendable with further 1 + 1 year

- Presentation of Offer:

Offers must clearly state and include a detailed breakdown of activities, timeframe and costs. The attached form should be used.

- UNHCR reserves the right to cancel any proposed workshop; in this event the contractor will be apprised as early as possible

3 Content of the Technical Offer

3.1 Company Qualifications

A description of your company with evidence of your company's capacity to perform the services required, including:

- Company profile, registration certificate and last audit reports;
- If a multi-location company, please specify the location of the company's headquarters, and the branches that will be involved in the project work with founding dates;
- Three or more letters of reference, with contact information and supporting proposals for learning activities or exercises.
- Familiarity with humanitarian standards and indicators (Sphere) and with UNHCR's Emergency Handbook (www.emergency.unhcr.org) - for information purposes

3.2 Proposed Services

- A sample training agenda conforming to adult learning techniques and modalities with examples of interactive exercises;
- A no more than 8 minute video highlighting core aspects of humanitarian negotiations applied in emergency context.

3.3 Personnel Qualifications

- A copy of the company organigram;
- Qualifications/CV of each individual proposed for facilitation and training development (please highlight language skills especially relating to capacity in delivering English, French, Spanish, Russian and Arabic)

3.4 Vendor Registration Form

If your company is not already registered with UNHCR, please complete, sign, and submit with your Technical Proposal the Vendor Registration Form (Annex 12).

3.5 Applicable General Conditions

Please indicate your acknowledgement of the UNHCR General Conditions of Contract for the Provision of Services by signing this document (Annex 13) and including it in your submitted Technical Proposal.

4 Evaluation

4.1 Technical Evaluation

The **Technical offer** will be evaluated using inter alia the following criteria and percentage distribution: **70%** from the total score.

	Technical Evaluation Criteria	Max Rating
Company qualifications	<ul style="list-style-type: none"> Service provider has proven and relevant knowledge, experience and familiarity in the field of Emergency and/or Security training related consultancy services. 	10
	<ul style="list-style-type: none"> Service provider has knowledge, experience and familiarity with the international humanitarian system, UNHCR operations, and the UN security system, including UN and UNHCR policies, practices and operating norms 	15
	<ul style="list-style-type: none"> Service provider has demonstrated experience and ability to conceive and organize training, produce materials and provide facilitation at highest quality standards, especially the development and management of interactive exercises and complex field simulations, and conduct evaluations and surveys. 	5
Proposed Services	<ul style="list-style-type: none"> The proposal for training and workshop facilitation is conceived using relevant methodologies and facilitation approaches prioritizing intellectual openness, learning, mutual respect, exchange of information and network-building applicable also in complex political and/or cross-cultural environments 	35
Personnel Qualifications	<ul style="list-style-type: none"> Service Provider has diverse personnel of different cultures and language skills (English, French, Spanish, Russian and Arabic) with demonstrated knowledge and experience in the subject matter treated in the workshops or events, in addition to the personal qualities, cross-cultural skills and technical ability to implement such initiatives. 	5
		70

The passing score of the Technical Evaluation is 40 out of 70 points.

5 Key Performance Indicators

5.1 Performance Evaluation

UNHCR expects to monitor the performance of the selected supplier.

Emphasis will be on the quality of the final report and provided clear inputs to assist UNHCR in the delivery of Emergency Workshops.