

TERMS OF REFERENCE

Professional Service Support on Strengthening Gender in Mediation in the BARMM and Developing Capacities of Local Women Mediators

I. BACKGROUND

The UN Security Council Resolution 1325 on Women, Peace and Security demands women's participation in peace processes and conflict resolution spaces as one of its four pillars. Its subsequent operationalization in the Philippines through the National Action Plan (NAP-WPS) and the Bangsamoro region through Regional Action Plan on Women, Peace, and Security (RAP WPS) echoes the same sentiment. However, the Bangsamoro mediation practices, particularly rido mediation, remain intransigently male-dominated. This translates into the underrepresentation of women in many formal, informal, and hybrid conflict resolution platforms at the community level.

The Bangsamoro espouses a pluralist, mixed, and sophisticated form of justice system using complex approaches. The DFAT Report "Ways for Women to Participate in Peacebuilding" notes that "Legal hybridity in Mindanao is an outcome of its long history, and ethnic diversity and has been intensified by conflict." The existence of multiple mediation mechanisms, from regular courts to Shari'ah courts to clan mediation to armed-group and state-security sanctioned mediations – this hybridization evolved to meet the challenges of the continued cycles of conflict and violence and emerge from the necessity to provide for individual and community needs – security, preservation of tradition, and provision of basic services.

The endurance of traditional mediation is a testament to its utility and in some ways, a reflection of the inability of formal state justice mechanism to genuinely deliver stability. In fragile areas, state-sanctioned justice mechanism lacks the community ties, resources, and legitimacy necessary to carry out the tasks. The traditional practice of rido mediation is primarily a violence containment approach, as the cost of spiraling clan feud is enormous and expensive. "Traditionally, violence is structured and limited because the logic of the feud threatens an extremely high price for each act of violence. This results in fear-based as well as advantage-based avoidance strategies."

In the Bangsamoro, 43% of people in conflict preferred to be mediated by traditional means. Individuals and communities show a strong preference for these mechanisms, their values and outcomes, despite being aware of state-based forms of dispute resolution. The attributes of justice that are valued in these venues suggest that the twin pressures of conflict and underdevelopment are as, if not more, important in shaping justice preferences as custom, tradition or religion.

In these contexts, women play various roles in mediation, whether as conciliators, go-betweens, documenters, and yes, as mediators. In fact, mediation processes are largely initiated by women members of conflicting parties. In the training for local women mediators organized by the UN Women, Ministry of Public Order and Safety, and the Bangsamoro Women Commission in August 2021, it was clear that women have been mediating for a long time. Bangsamoro women across the social spectrum often draw upon longstanding traditions of women's participation in community conflict resolution and mediation. The women in the workshop shared how their roles are relegated to support functions when men are around. While in some cases women have formally been included in Peace and Order Councils, for some of them there is a tacit agreement that "*I as a woman cannot mediate as long as there are men who can do so.*" Traditionally, to be a woman mediator also means one must belong to a powerful clan or has strong ties to political or NSAG leaders of the community, but there are also issues of trustworthiness, respectability, and having financial and social resources to manage mediation.

In the same workshop, women mediators revealed that they are allowed to mediate when cases involve small-scale disputes but not the major ones. Given the magnitude of the mediation work happening in the region, women find themselves in the periphery of the processes. For them, the engagement of women in mediation mechanisms improves the process especially when the cases involved affect women but including women in mediation is a struggle many of them continue to forge ahead.

Considering these realities, UN Women implements the program “Promoting Conflict Prevention, Social Cohesion and Community Resilience in the Bangsamoro Autonomous Region in Muslim Mindanao (BARMM) in the time of COVID-19” under Peacebuilding Fund Project Phase 3 (PBF 3). Among other things, the program endeavors to support the women mediators in Maguindanao, Lanao Sur, and Special Geographic Areas to strengthen their capacity and support their advocacy to be integrated into conflict mediation mechanisms in their community.

To achieve this, the UN Women seeks to hire a professional service provider to support in organizing the **“Strengthening Gender in Mediation in the BARMM and Developing Capacities of Local Women Mediators”** from 15 March 2022 until 15 August 2022.

II. PROJECT OBJECTIVES

Under supervision of Women, Peace and Security team, the selected service provider will be responsible for providing technical support and organizing the below activities:

1. *Support UN Women on organizing 5 trainings targeting at least 15 women on facilitating mediation and conducting advocacy-dialogue on the inclusion of women in mediation platforms;*
2. *Support UN Women on organizing at least (5) advocacy activities/ dialogues by women in fragile communities conducted towards their representation and participation in conflict resolution mechanisms or bodies at the local levels; and*
3. *Develop “Lessons-Learned on Integrating Women in Conflict Resolution Mechanisms in the BARMM Community” which outlines the approaches and recommendations*

III. SPECIFIC TASKS, EXPECTED DELIVERABLES and TIMELINE

The service provider must ensure timely delivery of following tasks and deliverables at the quality that satisfies UN Women.

No.	Activities	Deliverables	Target date
1	Develop an inception Report on Strengthening Gender in Mediation in the BARMM and Developing Capacities of Local Women Mediators and a workplan	Inception Report, Work Plan	20 March 2022
2	Support UN Women on organizing and facilitating a training on mediation and facilitating advocacy-dialogue of inclusion of women in mediation platforms in the community	Activity Design, training modules, materials to be used and Training Report	05 April 2022

No.	Activities	Deliverables	Target date
3	Support UN Women on organizing and facilitating advocacy-dialogues bridging mediators with key duty bearers and other key stakeholders in the community	Activity Report	30 June 2022
4	Final report on lessons-learned on integrating women in mediation mechanisms in the BARMM community put forward recommendations how gender can be strengthened in these practices	Final Report with policy and advocacy recommendations	15 August 2022

IV. QUALIFICATIONS OF THE ORGANIZATION

- Registered entity based in the Philippines
- Possess minimum of three years working on peacebuilding, conflict prevention and resolution, and building social cohesion in the BARMM.
- Has proven track record on works relating to conflict mediation; and
- Has established networks of local mediators in the BARMM particularly in Maguindanao, Lanao Sur, and Special Geographic Areas

V. TEAM COMPOSITION AND QUALIFICATIONS

The team composition is expected to include at least an overall team leader and team members.

The Overall Team Leader should:

- Be a Filipino national
- Have Master's Degree related to Peace Studies, Gender Studies, Women and Development, Social Development and or related field.
- Minimum of 5 years of experience managing programs with strong gender components. Knowledgeable about mediation theories, discourses, and practices.
- Experience in gender programming is a must; and
- Fluent in Filipino and any dialect of the BARMM is an advantage.

The Project Team Members should:

- Be Filipino nationals
- Have minimum of two (2) years relevant experience in peacebuilding, social cohesion and gender in security programming.
- Experience in implementing women-focused project is desirable
- Has relevant trainings on themes of mediation, conflict resolution and peacebuilding
- Fluent in any dialect of the BARMM

VI. CONTRACT DURATION

The total duration of the engagement is for a period of **March 15, 2022- August 15, 2022.**

VII. ROLES AND RESPONSIBILITIES OF THE PARTY

UN Women will provide technical guidance as needed. The service provider is required to bear all the costs such as travel-related costs, logistics and administrative costs incurred for operating hotlines, activities, etc. and work independently to successfully achieve the end results.

The service provider will be responsible for the following costs:

- Professional fee must be quoted in the lump-sum amount per deliverable. The lump-sum amount must be detailed on how the professional fee of each team member is calculated.
- Indirect costs such as printing, stationeries, communications in relation to the scope of work of services must be included in the financial proposal.
- Travel costs for technical team members of service providers: all envisaged travel costs such as most direct and most economic local travel, living allowance, terminal expenses, etc. must be included in the financial proposal. In the case of unforeseeable travel, payment of travel costs including tickets, lodging and terminal expenses shall be agreed upon, between UN Women and Service provider, prior to travel and will be reimbursed upon Contract Amendment.
- Logistics arrangement for operating hotlines, trainings for staff, volunteers and interpreters, etc.
- All costs related to the development of the report including logistics arrangements for data collection, field visits, interviews, etc.
- All costs related to quality assurance, data entry, data cleaning and data processing.
- All cost related to compliance to COVID health protocols in conducting in person activities.

VIII. COMMUNICATIONS AND REPORTING OBLIGATIONS

The service provider will report to Programme Manager – Women, Peace and Security through Programme Analyst of UN Women based in Cotabato as the main focal point of the project. Programme Analyst will be responsible in the quality assurance of the deliverables and in monitoring the timely delivery of the project outputs.

In case the service provider is unable to submit deliverables within agreed dates, Programme Manager and Programme Analyst of the project must be immediately communicated in writing so that alternative course of action can be established accordingly.

IX. SUBMISSION PACKAGE

Entities meeting the above qualifications may submit the following documents to the UN Women e-procurement portal not later than **February 15, 2022**.

- Organizational Profile with copies of legal registration.
- CVs of the Team Leader and Team Members.
- Technical Proposal showing the workplan, strategies and activities.
- Financial proposal/ quotation with breakdown of budget lines as per required deliverables. The quotation shall specify a lump sum amount breaking down the professional fee for each deliverable, travel and other related cost.
- Three names of references, including one from a non-profit, government, academe or UN agency from contracts performed within the last three (3) years.

Evaluation Method

Quotations will be evaluated based on UN Women "Lowest priced, technically compliant offer methodology". The contract will be awarded to the organization who meet the requirements and provided

the lowest price.