



## **Terms of Reference**

### **Supporting Trócaire and partners to develop and implement durable solutions to return, resettlement and reintegration through a principled, IDP-centred and practical approach**

#### **Purpose**

To provide specific support to advance Trócaire and partners work through several initiatives on Durable Solutions to return, resettlement and reintegration.

To provide specific support to Trócaire Myanmar and local and national CSO and NGO partners to develop a number of initiatives to support the durable solutions process in Kachin, with a specific focus on the return, resettlement and local reintegration of internally displaced people.

#### **Background**

Since the breakdown of the ceasefire in Kachin, Myanmar in 2011 there has been prolonged displacement of IDPs in Kachin and Northern Shan States (NSS). There are over 100,000 IDPs across 172 IDP sites, 37% of which are in non-government-controlled areas. Years of protracted displacement, in crowded camps and limited access to secure and productive livelihoods have fuelled desires of IDPs to move out of the camps into some place they can call their home – whether in their places of origin or elsewhere.

Trócaire in Myanmar has been working on Durable Solutions in Kachin for some time. In recent years, the pace of the formal return and resettlement process has increased. Trócaire Myanmar supports the hopes and ambitions for return and resettlement and is fully committed to facilitating durable solutions for displaced people in Kachin and NSS in line with international standards. This requires a principled process, one that ensures that IDPs' needs, rights and interests are the primary consideration. IDPs must have the ability to return or relocate voluntarily, in safety and with dignity, and the chosen solutions should be feasible and sustainable with a view to sustaining long term peace and development.

There have been facilitated attempts to return, resettle, and locally integrate IDPs in Kachin since 2016. Without a sustained ceasefire and a functioning peace process this creates high levels of risk for IDPs and increases their vulnerability.

A wide range of guidance and policy documents have been developed by the sector on durable solutions, not least the IASC Framework on Durable Solutions for Internally Displaced Persons. In 2019, the Kachin Humanitarian Concern Committee (a coalition of Kachin based civil society and religious groups) announced that it would begin to formally support the return and resettlement of more than 500 families either to their communities of origin, or to new resettlement sites, in early 2020. In October 2019, the Government of Myanmar released a National Strategy on Resettlement of Internally Displaced Persons and Closure of IDP Camps (NSRCC), with the objective of 'closing IDP camps and creating conditions that enable former residents in IDP camps to resume their normal lives in safety and dignity and without further dependency'. The UN Core Team has also developed a concept note on "Durable solutions for internally



displaced persons in Kachin State, possible areas of cooperation between the UN and the Government of Myanmar,” which was submitted to the Ministry of Social Welfare, Relief and Resettlement in September 2019.

Despite this gathering positive momentum, there remain significant barriers to the *realisation* of durable solutions for IDPs in Kachin. Most notably, there is no guarantee of long-term security, with no **peace agreement** in place. The **proliferation of landmines and unexploded ordinance** in both IDP’s current communities and in areas of potential return and resettlement pose a threat to safety. Services such as **schools, medical facilities, and medical clinics** are extremely limited in locations where IDPs are likely to be returned and resettled, and **jobs and livelihoods** opportunities are also restricted. A **complex land tenure** system, coupled with **land grabs** by both military and corporate actors, means that for many the process of returning ‘home’ is coupled with the challenge of identifying their ancestral lands and proving ownership.

The objective of this consultancy is to continue to advance our work on Durable Solutions through supporting several initiatives including:

- Identification of funding opportunities.
- Adaptation of existing durable solutions frameworks and tools to make them accessible and user friendly for national and local organisations providing practical support to those directly engaging with IDPs to ensure that they are able to support a principled, IDP-centred and pragmatic approach to return, resettlement and reintegration and to enable Trócaire programmes to learn and integrate durable solutions into existing and future programming.

### **Specific Objectives**

1. To produce a Trócaire/Myanmar **policy** and framework on Durable solutions to return, resettlement and reintegration for Trócaire and local partners.
2. To develop **funding** proposals to directly support durable solutions to return, resettlement and reintegration.
3. To develop a comprehensive **package of practical tools** and resources to operationalise this policy and ensure minimum standards are rolled out through **trainings** with partners in a locally and culturally appropriate way that is accessible to local partner organisations to deliver a principled and pragmatic approach to return, resettlement and reintegration;
4. Lead on the **integration of** Durable Solutions to return, resettlement and reintegration across different programme areas of Trócaires work in particular Women’s Empowerment, Women, Peace and Security and Livelihoods programming.
5. **Documentation and learning** from Myanmar for Trócaire globally (case studies; adaptable policy and tools etc.)

## Proposed methodology

1. **Conduct a desk review** of relevant literature and tools to date on durable solutions, with a particular focus on information on Kachin, Northern Shan and elsewhere in Myanmar, as well as internal documents of Trócaire and its partners, including policies, position papers and project documents.
2. **Develop or adapt a policy on Durable Solutions to Return, Resettlement and Reintegration (Trócaire Myanmar and global)**. This should build on work already developed by Trócaire and include minimum standards around durable solutions which can be operationalised by partners working on Durable Solutions.
3. **Proposal development** – Support the development of proposals for Trócaire to directly assist the returns process. This will entail a comprehensive scoping of donors and partners for the development of specific proposals. Particular consideration for opportunities to build on Trócaire's Women Peace and Security work and through our Women's Empowerment programmes should be explored.
4. **Develop tools and guidance on how to operationalise the Durable Solutions policy and standards** through consultation with Trócaire partners for assessments, consultations, monitoring, accountability, and surveys that are adapted to the local context and capacities.
5. **Develop a training package and facilitate online trainings** with Trócaire staff and local partners on operationalising minimum standards for return resettlement on durable solutions. The aim of these online trainings is to increase understanding, acceptance and ownership of durable solutions principles and the relevance to the local context, and to jointly develop and gather consensus on shared tools to enable organisations to be able to practically apply the relevant principles and standards.
6. **Provide remote support** to help adapt, adjust and improve the related tools based on piloting following the workshops and provide guidance for overcoming challenges encountered in the field.
7. **Through the documentation of learning** and based on existing research, develop recommendations for Trócaire on how to integrate Durable Solutions to Returns, Resettlement and Reintegration in our programmes. Reflecting on what is working and what is not in existing processes and approaches with specific focus on how to integrate this learning and research into our programmes.

## Deliverables

- **Inception plan** which will set out agreed approaches, methodologies and deadlines
- At least **3 Proposals** finalised
- **Policy** document finalised (Myanmar + Global)
- **Training package** developed with a minimum of **4 practical tools** that can be used by Trócaire and partners as part of the Durable Solutions, Return, Recovery and Reintegration process, e.g. assessments, consultations, monitoring, accountability and surveys.
- Minimum of **2 online trainings** with Trócaire staff and partners
- Guidance on how to **integrate** Durable Solutions, Return, Recovery and Reintegration recommendations/action points.
- A key **learning report** and at least 2 Case studies and from Trócaire/partner/community experience of Durable Solutions, Return, Recovery and Reintegration documented
- **Remote support** to fine tune tools and problem solving.



### **Time frame and Management:**

The consultancy will take place from 15th of November 2020 to 29th February 2021. The duration of the consultancy is expected to be 30-40 working days.

Line managed by Trócaire's Myanmar Country Director with link to Humanitarian Manager – Operations in HQ, Ireland

### **Consultant Expertise:**

- Proven successful experience in engaging practically on refugee or IDP return, resettlement or reintegration, as well as strong knowledge of durable solutions principles, policies, guidance and frameworks
- Proven successful experience in proposal development and
- Significant experience in project design and implementation
- Strong facilitation and training skills and experience guiding collaborative workshops
- Demonstrated skills and experience in designing and engaging in gender sensitive assessment and consultation tools
- Minimum of three years of field experience.
- Knowledge of complexities of working in protracted displacement crises, with understanding and experience within Myanmar an asset
- Experience/understanding of working in a partnership approach
- Excellent participatory facilitation, communication and writing skills
- Excellent written and spoken English language skills; Burmese or Jing paw language an asset

### **Submission of Expression of Interest:**

Prospective consultants are requested to submit technical and financial proposals using the following format:

- Profile of the consultant / consultancy firm
- Understanding and interpretation of the Terms of Reference
- Approach and methodology: If more than one consultant will be involved, provide information on responsibilities and expected roles of each consultant. If the lead consultant is planning to recruit national consultants in Myanmar to support the work, please state this and provide details (costs, expertise required)
- Overview of work plan
- Proposed budget
- Annexes: CVs of all proposed evaluation team members (including detailed work experience and education) and references

### **Deadline for Expression of Interest:**

The deadline for expression of interest is **11<sup>th</sup> November 2020, 23:59, Yangon time.**

Expression of Interest should be submitted to Trócaire at [deirdre.mcardle@trocaire.org](mailto:deirdre.mcardle@trocaire.org)

Shortlisted consultants/firms will be requested to present a detailed work plan that will include description of methodology & further refinements and elaboration to the terms of reference.



Trócaire will review applications as they arrive and reserve the right to select a candidate.  
before the closing date.

### **Safeguarding Programme Participants Policy**

Trócaire is committed to Safeguarding Programme Participants from Exploitation and Abuse and has specific policies on this commitment (including a Global Code of Conduct) which outlines the expected behaviour and the responsibility of all staff, consultants and other organisational representatives. Any candidate offered a job with Trócaire expect to sign Trócaire's Safeguarding Policies and Global Code of Conduct as an appendix to their contract of employment and agree to conduct themselves in accordance with the provisions of these documents.