Advancing Business and Human Rights (Initiation Plan)

Title of the Services: Facilitating the Implementation of the National Action Plan on Business and Human Rights Initiative in Nepal (Advancing B+HR initiatives)
Implementing Partners: Non-governmental organizations (NGOs) / Civil Society Organizations (CSOs)
Locations: Kathmandu and Provinces
Project Duration: Oct 2024 to March 2025 (6 months)

I. Background

The initiation to implement the National Action Plan on Business and Human Rights (NAP) in Nepal has scaled up since its adoption in December 2023. Government of Nepal is determined to ensure proper and timely implement the commitments. From the very beginning, UNDP has been closely working with Government of Nepal in promoting business and human rights (B+HR) in Nepal. However, collaboration with NGO/CSOs is expected to further strengthen and amplify advancing the case for B+HR in Nepal.

The United Nations Guiding Principles on Business and Human Rights (UNGPs), adopted by the UN Human Rights Council in 2011, expects to “prevent and address human rights abuses in business operations.” As part of its overall work on governance and human rights, UNDP has supported the implementation of UNGPs in many countries and corporations worldwide. UNDP is recognized as the convener of B+HR discourse through its peer learning activities creating a Global Initiative on Business and Human Rights.

In its commitment to promoting human rights and sustainable development, UNDP Nepal is collaborating with the Swiss Embassy in Nepal (SDC) to strengthen its engagement with CSOs, right holders and businesses, corporations, suppliers, and partners. This strategic cooperation aims to implement comprehensive Human Rights Due Diligence (HRDD) processes within Nepal. By leveraging the expertise and resources of both entities, the initiative seeks to ensure that investments and business activities in Nepal adhere to the highest human rights standards. This collaboration underscores the importance of responsible business practices and aligns with global efforts to foster corporate accountability and respect for human rights in every aspect of their operations. Through this partnership, UNDP Nepal and SDC are committed to creating an environment where economic development and human rights go hand in hand, benefiting the local communities and ensuring sustainable growth.

In this spirit of raising awareness and building the capacity of CSOs and the private sector regarding businesses' responsibility to respect human rights and conduct HRDD, UNDP is eager to collaborate with interested CSOs registered in Nepal with similar goals. The purpose is to support the implementation of the National Action Plan (NAP) on Business and Human Rights (B+HR) in Nepal with growing number of private sectors adopting HRDD. Likewise, it is also expected to enhance the capacity of CSOs to facilitate and increase momentum among human rights defenders to expands the B+HR initiatives. In addition, CSOs role should increase monitoring capacity and set standards working along government counterpart. UNDP is seeking professional and dedicated Civil Society Organizations (CSOs) and Non-Governmental Organizations (NGOs) to serve as local implementing partners. These partners will work together with UNDP in advancing B+HR initiatives in Nepal, meeting the following objectives and requirements.
II Objectives

The initiation plan/project aims at achieving following results:

1) Capacity of concerned government agencies, private sector actors, and CSOs/human rights defenders, including NHRIs, enhanced for implementation of the NAP on Business and Human Rights and Women’s Empowerment Principles:

2) Human rights due diligence system piloted for the private sector and CSOs capacitated to monitor and build awareness raising on business and human rights and on GESI:

3) Remedy mechanisms and grievance handling systems piloted in the private sector to enhance remedy against human rights violations, gender inequality and discrimination:

Accordingly, the Low Value Grant aims at contributing to the above results with the following objectives:

➢ Raise sense making and socialization exercises to build the awareness and capacity building events of business sector and CSOs on promoting and ensuring business and human rights principles and standards, legal standards, NAP on B+HR, UNGP and international human rights instruments.

➢ Support to conduct consultations, meetings and workshops with different thematic private sectors and entrepreneurs, parliamentarians, three tiers of government, CSOs and development agencies to strengthen private sectors, government owned business, and their engagement in adopting HRDD.

➢ Organize and collaborate for national consultations and validations meetings on various initiatives such as developing manuals, ToRs, SoPs, guidelines on human rights due diligence, research activity and policy documentations.

➢ Conduct policy dialogues on various thematic issues such as gender, labour rights, non-discrimination based on caste, indigenous peoples.

➢ Develop communication strategy and knowledge products for mass communication on the subjects. Engage in small scale research initiatives to ensure projection of journals/print media, audio/video media, and case studies documentations.

The proposal is expected to clearly define how it intends to contribute to the overall output of the project through the planned activities.

III Scope of Work and Key Deliverables

➢ Strengthening the capacity of Civil Society Organization

• The Civil Society support is a crucial part of the UNDP commitment to sustainable development. UNDP will closely engage and work with the organizations and provide training on institutional capacity development or gender justice related thematic training, where needed.

UNDP holds strong commitment towards GESI integration in each of its deliverables. It is to be ensured that the deliverables are analyzed on the basis of inclusive participation, diversity and beneficiary disaggregation. For example, ensure gender and minority representation in dais call, panel discussion, group formations, mass communication materials, and participation invitations in events and more.

➢ Project Management

• The contractor will report directly to the Portfolio Manager, Governance and Rule of Law, UNDP in a specified manner for quality assurance.

• The project shall be managed in accordance with the contractual arrangements as well as rules and procedures applicable therein.
• Close communication shall be maintained with UNDP on implementation progress, results, challenges, and emerging issues.
• The Offeror bears full responsibility for the overall management of activities and bears all substantive, operational, financial, monitoring, and evaluation responsibilities.
• Likewise, it is expected that the incumbent organization engages with other activities of UNDP to ensure that B+HR initiatives are facilitated, coordinated and communicated in collaborative approach.

➤ **Human Resource and Finance Management**

• Assign a Project focal person (coordinator) and project a support associate to implement day to day activities and liaise among community, government, and other stakeholders on business and human rights.

➤ **Data Monitoring and Reporting**

• UNDP will provide an orientation to its results reporting requirements and templates. Likewise, the offeror will have to arrange an orientation prior to HRDD training. The Offeror and UNDP will agree on data-collection and monitoring and reporting tools and formats.
• Monitoring and reporting should align with the objectives, targets and specified results in the proposals
• Analysis of risks and mitigation strategies shall be discussed between UNDP and CSO at the orientation.
• The Final Report with data, narratives and financial summary shall be submitted to UNDP within 15 days following the end of the project.

➤ **Organize at least 3 workshops in Provinces on the Business and Human Rights National Action Plan (NAP) implementation and their engagement in HRDD adoption**

• The three workshops should focus promoting the six key thematic pillars of the NAP, namely, Migration, Labour, Consumer, Environment and Indigenous peoples, Gender equality, non-discrimination based on caste, & Women and Children.
• Identify appropriate stakeholders and collaborators for the event; Provincial lawmakers, Provincial governments, Private sectors, trade unions, consumer rights groups, CSOs, and HRDs working different thematic issues.
• Document the proceedings of the workshops and develop it into a report contributing towards NAP implementation.
• Ensure that the events have dedicated sessions on GESI and non-discrimination promotional discussions

➤ **Organize two capacity building training for CSOs and Private sectors and follow up coaching and mentoring**

• Identify participants (50-60) CSO and private sectors working in Nepal for their capacity building.
• Conduct rapid assessment about the human rights in the hospitality, tourism and entertainment sector.
• Make sure that the target groups are diversified, and participation selection includes those that promote GESI and HRDs.
• Engage with a wider population virtually for training sessions if and where possible to outreach more audience on B+HR promotions.
• Work to develop standards in conducting B+HR training, develop SoPs and guidelines.
Organize consultation and dialogue events

- Coordinate with the Ministry of Labour, Security and Employment and key stakeholders to conduct consultation and dialogue events.
- The event should pave ways for NAP implementation and facilitation. It should sanitize the community and create sense making dialogues to promote ethical business practices and sustainability.
- Develop proceedings and policy briefs/reports aiming at recommendations for policy formulation.
- These events should contribute towards drafting manuals, SoPs and guidelines for B+HR promotional activities and implementation of HRDD.

Mass communication on B+HR

- Ensure to develop strategic communication materials for wider population on B+HR topics.
- Engage in small-scale research initiatives for journals/print media, audio/video media, and case studies documentations for evidence-based advocacy.

IV. Key Deliverables

By the end of March 2025, it is expected but not limited to achieve following targets:

- One National workshop/Policy Dialogue on business and Human Rights organized in Kathmandu
- Three Provincial events on Business and Human Rights for better implementation of NAP covering wider stakeholders, mainly Provincial and Local government, CSOs and Private Sectors. A total number of inclusive 210 individuals reached during the event.
- Two Trainings for 50-60 participants (maintain substantive level of diversity) from CSO and private sector to enhance their capacity to promote B+HR and HRDD
- Produce 2-3 mass communication materials/media for B+HR promotion and CSO engagements
- Engage with UNDP in its initiatives to promote B+HR and support in necessary facilitation and documentation assignments such as developing manuals, SoP, and guidelines

Along with the deliverables, apart from the minimum expectations that are mentioned, it is expected that indicators are clearly identified and expected target results are set in the proposals.

V Procedures for the Selection of Potential Partner Organization

- The Expression of Interest (EoI) will be assessed based on pre-defined selection criteria
- Final selection of the organization will be carried out following UNDP procedure and contract will be awarded accordingly
- Detailed proposals, budget and implementation plans will be developed with selected organization

VI Expertise and Requirement for Submission of Expression of Interest (EOI)

- CSO/ NGO should be legally registered and working in the respective provinces
- Should have at least 5 years of experience in the field working with SMEs, Private Sectors, Human Rights, Sustainability, CSR, Business and Human Rights and/or on issues such as business and labour rights, business and environment, as well as on environmental safeguards including Human Rights Due
Diligence (HRDD), with cross-cutting thematic focus on gender equality and social inclusion and youth engagement and volunteerism.
➢ Should have the province level presence in all the provinces.
➢ Should have working experience with wide range of stakeholders including federal and local government agencies, civil society organizations, youths, women and other marginalized and vulnerable social groups including Dalit, Janjati, Muslim, Madhesi, LGBTQI+, and other minority groups
➢ Prior working experience with UNDP on business and human rights will be an asset
➢ Should have completed annual financial audit in the last recent fiscal year without major critical findings
➢ Should have renewed the organization until current fiscal year from concerned government agency

VII. Proposed Staff composition

➢ Project Coordinator (focal person) and an Associate -2 no.
  • At least 5-year experience in project management, coordination, and experience in managing governance and human rights project social science or law/human rights (master’s degree will be given preference)
  • Working experience with the private sector, business community leadership
  • Able to work independently with innovative ideas for engagement with wide range of stakeholders.
  • Able to organize workshop, orientation, focus groups discussion in national and province level
  • Able to plan and implement activities and prepare financial reports.
  • Should have good coordination and report writing skills.

VII. Documents to be submitted:

➢ Technical proposal including the methodologies, a detailed action plan, log frame against targets, indicators and organizations comparative advantage to implement the project
➢ Budget estimates and allocations in details within the given timeframe
➢ Risk identifications, monitoring plans and quality assurance
➢ Organizational profile should also include organization structure, board members/executive committee members
➢ Valid registration certificate, affiliation certificate, and last two years’ audit reports
➢ PAN/ VAT Registration certificate and latest tax clearance certificate
➢ Copy of organizational constitution and other policies (i.e Human Resource/Finance/Operational and others)
➢ Evidence of working experience (such as recommendation letter, contract copy) with development partners, including UN agencies and government
➢ CV of the key personnel to be involved in project implementation, including finance personnel.

VIII. Time Frame of EoI Submission:

Expression of Interest (EoI) should be submitted through email at: registry.np@undp.org by 31st August 2024.