

REQUEST OF EXPRESSION OF INTEREST (ROEI)

Malaysia

« *Together against the death penalty in Central Africa and Southeast Asia* »

MALAYSIA PROJECT COORDINATOR (35 months contract)

This ROEI is part of a project “Together against the death penalty in Central Africa and Southeast Asia” whose main objective is to help make progress toward the abolition of the death penalty, and make it a priority of public policy in 4 key countries in 2 regions (Cameroon, the Democratic Republic of the Congo, Malaysia, and Indonesia) by reducing its scope and working to implement official moratoriums with abolition as the ultimate goal.

This action is implemented by a consortium of 6 partner organisations. ECPM, the lead organisation in partnership with local partners. In Southeast Asia the partners are: ADPAN in Malaysia, KontraS in Indonesia and CPJP, in Australia. KontraS and CPJP are both members of ADPAN. ADPAN (Anti-Death Penalty Asia Network) is a regional network based in Kuala Lumpur, founded in 2006 and has 90 member organizations and individuals in the Asia-Pacific region.

Within the framework of this project, ADPAN and ECPM are seeking a consultant who will coordinate ADPAN activities in Malaysia. The consultant will be based in Kuala Lumpur.

Selected profiles will primarily show their ability to work with multiple stakeholders, with different partners located in several countries and understand donors guidelines. They will also show their understanding of the sensitivity of the main issue at hand, i.e the abolition of the death penalty in a society that still largely uses it.

Candidates who are interested shall produce all information showing their skills and experience to fulfil the requested tasks. In this respect, they will justify that they possess experience in recent and similar services.

This experience will be analysed according to:

- Demonstrated experience in project coordination in a non-profit and/or Human Rights related area
- Knowledge of international law, human rights frameworks and surrounding issues in relation to the use of death penalty in Malaysia
- Experience in administrative and financial management for project receiving international funding (such as EU or French Development Agency (AFD)) would be desirable.
- Experience in event organisation – such as conferences, workshops, seminars;
- Knowledge of digital platforms to engage in communications with members including updating ADPAN membership database; maintaining and developing ADPAN’s website and associated platforms
- Demonstrated experience in profile building and communications in order to draft media statements, write regular newsletters and develop ADPAN’s social media profiles.

ADPAN will also review the relevance of the expression of interest according to the following criteria:

- Knowledge of the Malaysian human institutional landscape
- Knowledge of issues related to human rights issues, notably relating to the death penalty;
- Experience in working with multiple stakeholders (SCOs, MPs, NHRIs, international NGOs, donors, etc.)

The submissions must fill the criteria as prescribed on Appendix 2 (information sheet)

Consultants will send in their email the following documents, in English:

- Information sheet (Annex 2)
- Curriculum Vitae
- Statement of integrity, eligibility and environmental and social responsibility signed

ADPAN will shortlist five (5) candidates minimum to whom it will send the Request for proposal for the performance of the required services.

The submission shall be reviewed according to the preselection criteria above mentioned. The preselected candidates will be informed latest 13 July 2020.

For any pre-selected applications, their subsequent examination will be based on receipt of the complete file. The candidate will be able to send the complete file as soon as ADPAN confirms its pre-selection.

The pre-selection of an application does not constitute acceptance of the project.

The REOI must be send to the following email addresses before 30 June 2020.

Candidates must be Malaysians or allowed to work in Malaysia.

Email: sara.kowal@cpjp.org.au and msamuel@ecpm.org

Interested Candidates can obtain further information at the above-mentioned e-mail address.

APPENDIX 1 TO THE REQUEST OF EXPRESSION OF INTEREST

(To be signed by the candidate, unamended)

Statement of Integrity, Eligibility and Environmental and Social Responsibility

Reference name of the bid or proposal _____ (the "Contract")

To: _____ (the "Contracting Authority")

1. We recognise and accept that *Agence Française de Développement* ("AFD") and the European Union ("UE") only finance projects of the Contracting Authority subject to its own conditions which are set out in the Financing Agreement which benefits directly or indirectly to the Contracting Authority. As a matter of consequence, no legal relationship exists between both AFD and the UE and our company, our joint venture or our suppliers, contractors, subcontractors, consultants or subconsultants. The Contracting Authority retains exclusive responsibility for the preparation and implementation of the procurement process and performance of the contract. The Contracting Authority means the Purchaser, the Employer, the Client, as the case may be, for the procurement of goods, works, plants, consulting services or non-consulting services.
2. We hereby certify that neither we nor any other member of our joint venture or any of our suppliers, contractors, subcontractors, consultants or subconsultants are in any of the following situations:
 - 2.1 Being bankrupt, wound up or ceasing our activities, having our activities administered by the courts, having entered into receivership, reorganisation or being in any analogous situation arising from any similar procedure;
 - 2.2 Having been:
 - a) convicted, within the past five years by a court decision, which has the force of *res judicata* in the country where the Contract is implemented, of fraud, corruption or of any other offense committed during a procurement process or performance of a contract (in the event of such conviction, you may attach to this Statement of Integrity supporting information showing that this conviction is not relevant in the context of this Contract);
 - b) subject to an administrative sanction within the past five years by the European Union or by the competent authorities of the country where we are constituted, for fraud, corruption or for any other offense committed during a procurement process or performance of a contract (in the event of such sanction, you may attach to this Statement of Integrity supporting information showing that this sanction is not relevant in the context of this Contract);
 - c) convicted, within the past five years by a court decision, which has the force of *res judicata*, of fraud, corruption or of any other offense committed during the procurement process or performance of an AFD/EU-financed contract;
 - 2.3 Being listed for financial sanctions by the United Nations, the European Union and/or France for the purposes of fight-against-terrorist financing or threat to international peace and security;

- 2.4 Having been subject within the past five years to a contract termination fully settled against us for significant or persistent failure to comply with our contractual obligations during contract performance, unless this termination was challenged and dispute resolution is still pending or has not confirmed a full settlement against us;
 - 2.5 Not having fulfilled our fiscal obligations regarding payments of taxes in accordance with the legal provisions of either the country where we are constituted or the Contracting Authority's country;
 - 2.6 Being subject to an exclusion decision of the World Bank and being listed on the website <http://www.worldbank.org/debarr> (in the event of such exclusion, you may attach to this Statement of Integrity supporting information showing that this exclusion is not relevant in the context of this Contract);
 - 2.7 Having created false documents or committed misrepresentation in documentation requested by the Contracting Authority as part of the procurement process of this Contract.
3. We hereby certify that neither we, nor any of the members of our joint venture or any of our suppliers, contractors, subcontractors, consultants or subconsultants are in any of the following situations of conflict of interest:
- 3.1 Being an affiliate controlled by the Contracting Authority or a shareholder controlling the Contracting Authority, unless the stemming conflict of interest has been brought to the attention of AFD and the UE and resolved to their satisfaction;
 - 3.2 Having a business or family relationship with a Contracting Authority's staff involved in the procurement process or the supervision of the resulting Contract, unless the stemming conflict of interest has been brought to the attention of AFD and the EU and resolved to their satisfaction;
 - 3.3 Being controlled by or controlling another bidder or consultant, or being under common control with another bidder or consultant, or receiving from or granting subsidies directly or indirectly to another bidder or consultant, having the same legal representative as another bidder or consultant, maintaining direct or indirect contacts with another bidder or consultant which allows us to have or give access to information contained in the respective applications, bids or proposals, influencing them or influencing decisions of the Contracting Authority;
 - 3.4 Being engaged in a consulting services activity, which, by its nature, may be in conflict with the assignments that we would carry out for the Contracting Authority;
 - 3.5 In the case of procurement of goods, works or plants:
 - a) Having prepared or having been associated with a consultant who prepared specifications, drawings, calculations and other documentation to be used in the procurement process of this Contract;
 - b) Having been recruited (or being proposed to be recruited) ourselves or any of our affiliates, to carry out works supervision or inspection for this Contract.
4. If we are a state-owned entity, and to compete in a procurement process, we certify that we have legal and financial autonomy and that we operate under commercial laws and regulations.
5. We undertake to bring to the attention of the Contracting Authority, which will inform AFD and the EU, any change in situation with regard to points 2 to 4 here above.
6. In the context of the procurement process and performance of the corresponding contract:
- 6.1 We have not and we will not engage in any dishonest conduct (act or omission) deliberately intended to deceive others, to intentionally conceal items, to violate or vitiate someone's consent, to make them circumvent legal or regulatory requirements and/or to violate their internal rules in order to obtain illegitimate profit;

- 6.2 We have not and we will not engage in any dishonest conduct (act or omission) contrary to our legal or regulatory obligations or our internal rules in order to obtain illegitimate profit;
- 6.3 We have not promised, offered or given and we will not promise, offer or give, directly or indirectly to (i) any Person who holds a legislative, executive, administrative or judicial mandate within the State of the Contracting Authority regardless of whether that Person was nominated or elected, regardless of the permanent or temporary, paid or unpaid nature of the position and regardless of the hierarchical level the Person occupies, (ii) any other Person who performs a public function, including for a State institution or a State-owned company, or who provides a public service, or (iii) any other person defined as a Public Officer by the national laws of the Contracting Authority's country, an undue advantage of any kind, for himself or for another Person or entity, for such Public Officer to act or refrain from acting in his official capacity;
- 6.4 We have not promised, offered or given and we will not promise, offer or give, directly or indirectly to any Person who occupies an executive position in a private sector entity or works for such an entity, regardless of the nature of his/her capacity, any undue advantage of any kind, for himself or another Person or entity for such Person to perform or refrain from performing any act in breach of its legal, contractual or professional obligations;
- 6.5 We have not and we will not engage in any practice likely to influence the contract award process to the detriment of the Contracting Authority and, in particular, in any anti-competitive practice having for object or for effect to prevent, restrict or distort competition, namely by limiting access to the market or the free exercise of competition by other undertakings;
- 6.6 Neither we nor any of the members of our joint venture or any of our suppliers, contractors, subcontractors, consultants or subconsultants shall acquire or supply any equipment nor operate in any sectors under an embargo of the United Nations, the European Union or France;
- 6.7 We commit ourselves to comply with and ensure that all of our suppliers, contractors, subcontractors, consultants or subconsultants comply with international environmental and labour standards, consistent with laws and regulations applicable in the country of implementation of the Contract, including the fundamental conventions of the International Labour Organisation (ILO) and international environmental treaties. Moreover, we shall implement environmental and social risks mitigation measures when specified in the environmental and social commitment plan (ESCP) provided by the Contracting Authority.
7. We, as well as members of our joint venture and our suppliers, contractors, subcontractors, consultants or subconsultants authorise AFD and the EU to inspect accounts, records and other documents relating to the procurement process and performance of the contract and to have them audited by auditors appointed by AFD and the EU.

Name: _____ In the capacity of: _____

Duly empowered to sign in the name and on behalf of¹: _____

Signature: _____

Date

¹ In case of joint venture, insert the name of the joint venture. The person who will sign the application, bid or proposal on behalf of the applicant, bidder or consultant shall attach a power of attorney from the applicant, bidder or consultant.

APPENDIX 2
Candidate information sheet

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| Name | |
| Postal address | |
| Phone number : | |
| Email address : | |
| Nationality (please provide copy of your IDCard) | |
| If foreigner, please provide proof of work permit allowing consultancy work in Malaysia | |

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|--|---|
| Work experience | (please develop your experience) |
| Non-profit organizations | |
| Human rights | |
| Project management | |
| Event organization | |
| Digital platforms, update and maintenance | |
| Producing communication tools | |

| | |
|------------------------------------|--|
| References | |
| Nom, position, organisation | |
| Nom, position, organisation | |
| Nom, position, organisation | |

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| Monthly fee proposal (in MYR or EUR) | |
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