



## Terms of Reference

Position: Consultant

Location: Remote

Expected start date: June 2023

### Summary

The World Bank Group's Compliance Advisor Ombudsman (CAO) is seeking consultant(s) to support its Dispute Resolution (DR) team in developing a Capacity Strengthening Toolkit for use by CAO mediators and staff. The toolkit is expected to strengthen the capacities of parties involved in dispute resolution processes, including IFC clients and complainants, project teams, government representatives, supporting civil society organizations, and other stakeholders. The consultant(s) will facilitate the production of the toolkit based on DR best practices, under the leadership of the Dispute Resolution team and with guidance from CAO's Communications and Outreach team.

### About the Office of the Compliance Advisor Ombudsman (CAO)

The Office of the Compliance Advisor Ombudsman (CAO) is the independent accountability mechanism for the International Financial Corporation (IFC) and the Multilateral Investment Guarantee Agency (MIGA), members of the World Bank Group. CAO's mandate is to address complaints regarding environmental and social concerns from people affected by IFC/MIGA projects in a fair, objective, and equitable manner and to enhance the outcomes of those projects. A detailed description of CAO's mandate, functions, and procedures can be found in CAO's Policy<sup>1</sup>. CAO consists of three functions: Dispute Resolution, Compliance, and Advisory. In its Dispute Resolution role, CAO uses dispute resolution tools to resolve issues raised in complaints about IFC/MIGA projects. For more information, visit <https://www.cao-ombudsman.org/>

### Background information

A realistic, culturally relevant, and needs-based capacity-strengthening process is essential to resolving conflict situations. Hence, identifying and understanding the existing capacities of the parties and stakeholders involved in these processes—and assisting them in co-designing methods sensitive to their conditions is key. The chances of reaching an agreement increase exponentially when all parties and stakeholders have the necessary conceptual tools for resolution. In 2023, CAO hired the Concentric Alliance, an Africa-based conflict resolution and development practitioner firm, to evaluate the efficiency and effectiveness of the CAO's Assessment and DR processes. The findings of this report emphasized the importance of capacity-building work within the DR Process because it increases community confidence in the process, fosters equality among parties by reducing power imbalances, and increases the likelihood that the parties will settle.

The Capacity Strengthening Toolkit should: a) provide support for mediators to have a tool to use, b) have a standardized approach that provides some level of consistency, and c) be adaptable enough to fit different contexts.

Furthermore, this toolkit should help develop cultural awareness, considerations sensitive to the parties and stakeholders involved, which may impact their effective participation in the process, and strategies for process adaptation to local needs for higher efficiency and impact. The toolkit is envisioned to provide tools for mediators to assist the parties and stakeholders in effectively participating in all stages of CAO processes: assessment, DR, and monitoring.

### **Project Outline**

This project involves the development of a toolkit. The consultant(s) should have experience in Adult Learning and be familiar with Adult Basic Education and Training (“ABET”) concepts, the development of cultural awareness, and implementation of multicultural and multistakeholder dispute resolution processes, preferably in the context of Independent Accountability Mechanisms (IAM) of Development Finance Institutions (DFIs).

The project will be carried out in three phases:

- a. **Phase 1 - Needs Assessment:** The consultant(s) will be expected to assess the needs of CAO processes, all ongoing and 35% of closed case parties, and stakeholders regarding capacity strengthening. The consultant's assessment will consider needs in all stages of the processes: assessment, DR implementation—including the preparatory phase, dialogue and negotiation phase, agreement conclusion—and monitoring agreement implementation.

Deliverable: A scope document to include the assessment of CAO process parties' and stakeholders generally observed needs, a list of tools to be developed to meet these needs as part of an overall toolkit, and a work plan for the consultant's work.

Timeframe: Should not exceed four months.

- b. **Phase 2 – Toolkit Development:** The consultant(s) will develop a draft toolkit for CAO review and guidance. The toolkit should include considerations for different levels of literacy, cultural context and awareness, gender issues, resources needed to strengthen capacities for Dialogue/mediation/facilitation, and assess stakeholders' needs on capacity strengthening, among others. It should be innovative and capture people's attention from different educational backgrounds. Interaction with mediators and staff is crucial to determine the most used and needed tools during CAO's cases. The development phase may involve the pilot use of toolkit components in a CAO case for party and CSO input before drafting is completed and validation takes place.

Activities:

- Develop drafts and final documents on capacity strengthening, including a complete set of training materials and exercises.
- Carry out a validation workshop with mediators, CAO's staff, and civil society organizations (CSO), if necessary.

Deliverable: A complete Capacity Strengthening Toolkit (Final document in Word format, including training materials, exercises, and other practical tools).

Timeframe: Should not exceed four months. If a pilot use takes place, the timeline can be extended by a month.

- c. **Phase 3 - Dissemination and Training:** The consultant(s) will develop workshops to present the toolkit to the CAO mediators' panel and CAO DR staff. The consultant will seek their feedback and incorporate it when necessary.

Activity: Develop and conduct targeted workshops (one for mediators and one for CAO DR staff) to present the toolkit and get feedback.

Deliverable: Presentations on Capacity Strengthening, incorporating inputs and comments from CAO mediators and staff.

Timeframe: Should not exceed one month.

- d. **Phase 4 - Promotional Strategy Development:** The consultant(s) will develop a promotional strategy to raise awareness over the tool's existence and uses: the consultant(s) will develop a strategy to promote the toolkit to parties, advisors, and observers participating in CAO dispute resolution processes as well as to other stakeholders (i.e., EDs, the IFC Board, project teams and financiers). They will suggest methods and tools of effective promotion and messaging approaches to adapt the promotion and effectively communicate the information to the different target groups. Activities: Develop drafts and a final strategy document on promotion and messaging, including promotional materials and messaging samples per target group.

Deliverable: A complete dissemination and promotional strategy document.

Timeframe: Should not exceed one month (Phase 4- Promotional Strategy Development could be implemented simultaneously with Phase 3 – Dissemination and Training).

## **Selection Criteria**

### **Essential qualifications**

- Advanced degree in social sciences, knowledge management, education, administration, or other relevant fields.
- Proven experience and understanding of conflict in diverse cultures.
- Experience delivering adult training and familiarity with Adult Basic Education and Training (“ABET”) concepts in the 21<sup>st</sup> century.
- Experience in delivering conflict resolution, communication, and negotiation skills training is an asset.
- Ability to teach cultural awareness and strategies for enhancing it.
- Ability to maintain objectivity and work with issues of ethics and integrity at the forefront of work.
- Excellent interpersonal and teamwork skills; ability to work effectively in sensitive environments.
- Advanced problem-solving skills and ability to manage conflicting priorities under pressure.
- Outstanding written and oral communication skills, including significant experience in writing for publication and strong presentation skills.
- Fluency in oral and written English required.

### **Preferred qualifications:**

- Demonstrated experience in dispute resolution, particularly in complex contexts and conflicts with high power imbalances with a solid intercultural component.
- Proven experience in promoting Dispute Resolution and ability to design promotional campaign strategies and the suggested ways to promote the tool to parties and other stakeholders.

If the selected candidate(s) is a firm, the above criteria need to be cumulatively met by the members of the firm selected to work on the project.

## **Application Process**

Please send an expression of interest with your CV and a 2-page maximum proposal to [CAO@worldbankgroup.org](mailto:CAO@worldbankgroup.org) by **June 16th, 2023**. The research proposal should summarize the proposed approach, methodology, budget for the development of tools, and the timeline for the project (preferably completed by June 2024). It should also include any anticipated challenges and relevant mitigation strategies. Please include two references in your CV, ideally from people

who can attest to your experience in the fields of work indicated in these terms of reference. Please submit these documents in English. After reviewing applications, CAO will contact qualified candidates regarding next steps.

For questions regarding this project, contact the CAO Dispute Resolution team at [CAO@worldbankgroup.org](mailto:CAO@worldbankgroup.org) with “CAO Dispute Resolution Capacity Strengthening” in the subject line.