



TERMS OF REFERENCE

INTRODUCTION

From 1970 to 1998, Cambodia's wealth of audio-visual recordings was nearly completely destroyed after almost three decades of war and genocide. Under the Khmer Rouge brutal regime in particular (1975-79), the country lost over 90% of its artists and intellectuals while the few who managed to escape took refuge abroad. Once peace was established, the surviving audio-visual archives were at high risk and their restoration and preservation was urgently needed.

THE WORK OF THE BOPHANA AUDIOVISUAL RESOURCES CENTER

The Bophana Audiovisual Resources Center (The Bophana Center) is a non-profit organization based in Phnom Penh, which was founded in 2006 by the award-winning filmmaker Rithy Panh and the filmmaker Ieu Pannakar in order to collect, preserve, safeguard and promote the audio-visual memory of Cambodia. For more than 15 years, the Bophana Center has pursued these goals in order to bring Cambodian audiovisual history and culture to a new generation of Cambodian citizens, while also making these resources available to the world. Building on the foundation of this work, the Center develops programs utilizing its archives to educate Cambodians and other people about the country's culture and history, facilitate inter-generational dialogues to initiate healing of genocidal wounds, amplify the voices of indigenous women and other discriminated groups, and provide vocational and film training for young Cambodians.

Youth's capacity building and skills training program on documentary filmmaking and multimedia forms one of the key missions of The Bophana Audiovisual Resources Center. Each individual program starts with a thorough recruitment process that ensures inclusivity, diversity, and equity by means of gender balance, outreach to ethnic minorities and by providing opportunity to people from socially disadvantaged backgrounds who may need a (second) chance to succeed in life. Amongst these training programs, The Bophana Center has implemented a project on youth participation along the Mekong River and a project on elephant conservation and indigenous' lives preservation.

With funding support from the Swedish International Development and Cooperation Agency (SIDA), the Swiss Agency for Development and Cooperation (SDC) and BBC Media Action, The Bophana Center has just completed a twelve-month project (November 2021 – October 2022) on “Visualizing the Mekong: Stimulating Youth’s Participation and Engagement Through Documentary Films”.

One of the main goals of this project was to provide opportunities for young Cambodians to participate in – and engage with – the community through the production of documentary films to deepen understanding and to showcase the lives, traditions, culture, as well as the environment along the Mekong River. Another goal was to promote and disseminate the films produced by the 15 young filmmakers in this project. The films produced by the trainees were used as an innovative tool to encourage and increase the participation of other young members of their community and contribute to the sustainable development of the community’s life.

To achieve these goals, the project provided scholarships to 15 young Cambodians between the ages of 18 and 30 to be trained in documentary filmmaking and multimedia. Participants learnt the entire film production process, which included the phases of pre-production, production and post-production. In order to provide useful inputs to its participants, the Bophana Center collaborated with other organizations and like-minded projects as consulting partners. They included WWF-Cambodia, Oxfam Cambodia, NGO Forum on Cambodia and the Wonder of the Mekong River.

With sponsorship from the UK’s Arts and Humanities Research Council, The Bophana’s Center’s project on “Elephant conservation and indigenous experiences in Cambodia: Shaping environmental awareness through participatory filmmaking with young people” was a collaboration between the University of Bath, The Queen’s University of Belfast, The University of Leeds, and the Elephant Livelihood Initiative Environment (ELIE) based in Mondulhiri province in Cambodia. This project used participatory filmmaking to engage young Cambodian people in the legacies of conflict, post-conflict challenges and the harms inflicted on the physical environment. In particular, it focused on elephant conservation and the daily challenges facing indigenous communities in Mondulhiri. It encouraged young people to become agents and beneficiaries of change and supported them in the creation of films, which raised awareness about local conservation practices and indigenous livelihoods.

Thanks to the recruitment of twelve young people, who were successfully trained in co-productive and participatory filmmaking methods for twelve months in Mondulhiri province, three documentary films were produced that highlighted traditional elephant conservation practices along with the environmental and cultural resources of a selection of indigenous communities. To conclude the program, film screenings were held in indigenous communities and in villages from which the participants came. They were also events programmed for conservation practitioners and for a broader audience at international film festivals. In addition to encouraging young people’s civic engagement in environmental conservation issues, The Bophana Center aims to build a new generation of empowered, resourceful, and influential Cambodian filmmakers.

BACKGROUND ON THE ASSESSMENT

Following allegations of sexual harassment by three trainees against two of its members of staff on October 26th, the Founder and the Executive Director of the Bophana Center launched an investigation. On November 4th as the investigation's findings upheld the allegations made by the complainants, the contracts of the individuals were subsequently terminated. In response to these incidents, Rithy Panh together with the Board of Directors of the Bophana Audiovisual Resources Center are commissioning a consultant to conduct an assessment of the following issues:

1. The effectiveness of the Bophana Center's current policy and procedures to prevent sexual harassment.
2. Recommendations for change to relevant policies (including the development of a new whistle-blower policy), processes, and training program.
3. Guidance on the expansion of its Human Resources Department.
4. Development of a Code of Conduct that will define acceptable behaviors and social norms that all individuals (staff, students, and visitors of the Bophana Center) should adopt on a daily basis.

SCOPE OF WORK

Key questions that the assessment will address include – but will not be limited to –:

1. What are the current gaps in policies, procedures, and the organization's principles and culture?
2. To what extent do policies, procedures and general awareness need to be reinforced?
3. How can the existing whistle-blowing mechanism be improved?
4. How can current human resources be more effective in prevention, communication, and support?
5. How efficiently did the Bophana management act on the allegations?
6. Has this contributed to a short-term impact on the culture of the organization and current training programs (i.e. the morale of the staff and students)?
7. Will these likely have long-term impacts on the organization?

The consultant will evaluate whether the organization has the appropriate policies, procedures, and internal training in place to ensure that it can work responsibly with its staff, students and partners, covering at a minimum the following issues:

- a) Governance, including around information-sharing, record-keeping, and the appropriate involvement of its Founder as well as its Board of Directors so that the latter can fully meet their legal responsibilities as directors.
- b) Compliance, in terms of meeting all applicable laws, regulations and standards governing its work.

- c) Management practices, e.g., whether the current system, including human resources now in place, is effective, transparent and reliable.

The Consultant will consider how best to develop the organization's policy on sexual harassment as well as a holistic approach to anticipating, identifying and mitigating the full range of risks faced both by The Bophana Center and by its students, with a focus on current training programs (i.e. subject matters, locations, timings/ schedules etc.).

The Consultant will recommend policies, procedures and training to determine how the organization can best work with youth and women with particular attention paid to the most vulnerable groups.

METHODOLOGY

During the assessment the consultant will:

- Conduct one-on-one and group interviews with the three complainants to document all details of their experiences with sexual harassment at the Bophana Center
- Conduct one-on-one and group interviews with all members of the Bophana Center staff to document staff experiences working at the Center and all points of concern
- Conduct one-on-one and group interviews with all students involved with the two projects that the complainants were enrolled in at the time of their experiences to document their experiences studying at the Center and any additional inappropriate behavior or harassment:
 - “Visualizing the Mekong: Stimulating Youth’s Participation and Engagement”
 - “Elephant Conservation and Indigenous Experiences in Cambodia”
- Meet weekly with Rithy Panh, Founder of the Bophana Center, Sopheap Chea, Executive Director, and Phloeun Prim, Chair of the Board of Directors, to provide regular updates on the progress of the assessment.
- Produce a detailed report documenting all findings and conclusion.
- The report will also include detailed recommendations for the Bophana Center to implement going forward, including policy changes, processes, staffing additions and new training programs.
- The final report will also be shared with the organization's partners in the framework of a short workshop involving all relevant stakeholders.

QUALIFICATIONS AND EXPERIENCE

- A master's degree in gender studies, anthropology or relevant disciplines.
- At least 5 years working in the non-profit sector and with international partners.
- At least 5 years' proven experience conducting monitoring and evaluation work focused on issues such as gender inclusion, prevention of sexual harassment or violence against women and gender discrimination.
- Substantial experience working in Cambodia.

COMPETENCIES

- Personal integrity and transparency.
- Outstanding communication skills, both verbal and written.
- Strong technical and analytical skills and demonstrated ability to collect, analyze and interpret data.
- Quantitative and qualitative data management skills.
- Excellent ability to synthesize, understand and communicate sensitive and complex issues effectively to non-English speakers.
- Ability to work in a team, develop synergies and establish effective working relations.
- Ability to work under pressure and meet deadlines.
- Excellent organizational skills and proficient time management skills.
- Fluency in Khmer is preferable.

EVALUATION ETHICS AND CONFLICTS OF INTEREST

The consultant selected must be independent of the Bophana Audiovisual Resources Center and its management, and not have been in a strategic / advisory/ supervisory position at Bophana, with direct oversight of the training programs during the past decade. The consultant is expected to operate under the ethical guidelines listed below.

The Evaluator:

- Must present information that is complete and fair in its assessment of strengths and weaknesses so that decisions or actions taken are well founded.
- Must disclose the full set of evaluation findings along with information on their limitations and have this accessible to the Founder, the Executive Director and the Chair of the Board of Directors as well as all affected by the evaluation.
- Should protect the anonymity and confidentiality of individual informants. He/ she should provide maximum notice, minimize demands on time, and respect people's right not to engage. The Evaluator must respect people's right to provide information in confidence and must ensure that sensitive information cannot be traced to its source.
- Evaluations sometimes uncover evidence of wrongdoing. Such cases must be reported without delay to the persons commissioning the assessment.

- Should be sensitive to beliefs, manners and customs and act with integrity and honesty in his/ her relations with all stakeholders.
- He/ she should avoid offending the dignity and self-respect of those persons with whom he/ she comes in contact in the course of the evaluation. Knowing that the evaluation might negatively affect the interests of some stakeholders, the Evaluator should conduct the evaluation and communicate its purpose and results in a way that clearly respects the stakeholders' dignity and self-worth.
- Is responsible for his/ her performance and deliverables. He/ she is responsible for the clear, accurate and fair written and/or oral presentation of assessment limitations, findings and recommendations.

DURATION OF ASSIGNMENT

The assignment entails a maximum of 60 days of work to be undertaken between January and March 9th 2023 at the latest. The assignment may involve short travels. Specific dates and locations will be developed jointly with the Bophana Center's Founder, Executive Director and Chair of the Board of Directors.

DELIVERABLES / SPECIFIC OUTPUTS EXPECTED FROM THE EVALUATOR	
Working closely with the management team at the Bophana Center, the following deliverables are expected from the selected evaluator:	
Deliverables	Tentative timeframe
Phase 1	
1.1 One-on-one and group Interviews with the three female students	2-3 days
1.2 One-on-one and group interviews with Bophana staff members	1 week
1.3 One-one and group interviews with the students from the following training programs: <ul style="list-style-type: none"> • <i>Visualizing the Mekong: Stimulating Youth's Participation and Engagement</i> • <i>Elephant Conservation and Indigenous Experiences in Cambodia</i> 	3 weeks
Phase 2	

2.1 Detailed documentation of all interviews conducted in Phase 1.	7-10 days
2.2 Detailed final report to include recommended: <ul style="list-style-type: none"> • policy changes • training program(s) • staffing additions • additional recommendations based on the evaluator’s experience and expertise. 	7-10 days
Phase 3	
Workshop presenting the results of the assessment to all relevant stakeholders followed by a group discussion on how all parties can actively contribute to improving the culture in the sector.	1 day
<p>The search for the Evaluator will commence immediately; to be identified and contracted no later than December 21, 2022.</p> <p>Work to commence no later than January 9, 2023 and to conclude no later than March 9, 2023.</p> <p>In addition to the retainer, all travel, accommodation and meal costs will be provided by Bophana Center.</p>	

To apply, please send a detailed cover letter and a CV to the following address:
sopheap.chea@bophana.org indicating “Bophana Assessment” in the email subject line.