



NATIONAL/INTERNATIONAL CALL FOR TENDER

AVOCATS SANS FRONTIERES IS LOOKING FOR A
Consultant for the external evaluation of the project
Contributing to sustainable development goals by improving access to justice-Uganda

Reference Number of the Call: Uganda/2020/ASF/RFQ/001/12/2020

Duty station: Kampala

Status: Consultant

Date and duration of the mission: all deliverables to be handed over by March 31st 2020

Closing of applications: January 31st 2020.

Effective start date: From February 15th 2020

Avocats Sans Frontières

Created in 1992, Avocats Sans Frontières (ASF) is an international NGO specializing in the defence of human rights and support for justice. ASF has field offices in Burundi, Chad, Central African Republic, Indonesia, Morocco, Central African Republic, DRC, Tunisia and Uganda. Website: www.asf.be

Advocates for Natural Resources and Development (ANARDE)

ANARDE is a Ugandan CSO that is active in litigation and legal representation for communities affected by extractive industries. ANARDE works to promote understanding of effective management of natural resources and knowledge about the sustainable use of natural resources within marginalised communities. ANARDE also provides legal assistance for the most vulnerable, organises training on human rights in the context of oil extraction, and represents members of affected communities before the courts

Website: <https://anarde.org/>

The project to be evaluated

Context

In the last two decades, Uganda has witnessed an unprecedented increase in **foreign direct investment** and actual economic activity by both multinational corporations and local business enterprises in its economy. Alongside the infrastructure sector, foreign investment primarily targets the country's natural resources through the development of industrial farms, the exploration of oil deposits and the upscaling of processing, mining and tourism industries. While these trends present opportunities for development, they raise the question of the latter's sustainability, as they also carry potential harmful impacts on individuals, communities and the environment. Corporations' activities have proved a fertile ground for human rights violations and abuses, including child labor, gender-based violence, fraudulent compulsory land acquisition, environmental degradation, workers' rights violations and land grabbing. In a context of widespread corruption, the investment in natural resources also fuels predatory behaviors, often with the involvement of State agents. Research has shown that the development of extractive industries produces a gender-differentiated impact, whereby women

tend to bear the bulk of negative consequences while economic opportunities are more accessible to men.¹

In spite of its obligation to protect the rights of its population, **the Government** is reluctant to adopt policies and legal frameworks that would frame corporate responsibility, in line with the 2011 UN Guiding Principles on Business & Human Rights. In acts and words, the GoU adopts a protective behavior towards international private investors that exempts them from their duties towards human rights. Private actors receive very few incentives to give effect to their due diligence obligations, including the obligation to prevent and mitigate negative impacts on human rights caused by their activities, as well as to provide remedy for resulting harm. Where legal and policy frameworks exist, the governance structures often prove too weak to implement them. In a wider context of shrinking civic space, the GoU stigmatizes the promotion of human rights as a means to undermine the speedy development of the industries, and thus the production of revenues. The Government repeatedly attempted to repeal legal safeguards for human rights in development projects, raising opposition from civil society, technical institutions, local government and the Parliament.

At local level, **district officials** (administrative and political) prove more incline to accommodate industrial development and their constituents' rights but their capacity is weakened by the tight control of central institutions over natural resources management. Districts are often split or merged by virtue of central decision, which not only fuels, often violent, boundaries' disputes to assert control over resources but confuse districts' constituencies about the responsible duty-bearers. As they receive little support from the central government, district structures are unable to protect their populations and have little incentive to fight corruption attempts from private operators. Corporations indeed often compromise local leadership (cultural and administrative) through various practices ranging from enrolment as community liaison agents to outright corruption. At both local and central levels, the collusion between State and companies creates a fertile ground for human rights violations and abuses while blurring respective responsibilities and hindering the efficiency of the legal system to protect populations' rights.

All this adds up on the existing limitations on affected populations' access to justice. The weakness of the State schemes (Local Councils, the Justice Law and Order Sector (JLOS)'s legal aid structures) and the compromised role of local leadership (cultural and administrative) deprive the populations of legitimate and peaceful avenues to claim their rights or solve their conflicts. The population relies on services from Legal Aid Service Providers (LASPs) and Civil Society Organisations (CSOs), which are increasingly constrained in a context of reducing civic space and lack of consideration for human rights

Project description :

- *Direct beneficiaries*
 - Populations affected by human rights violations with a focus on victims of conflicts and populations affected by the management of natural resources
- *Indirect beneficiaries of the project*
 - Civil society organisations
 - Members of legal and paralegal professions
 - Practitioners of Alternative Dispute Resolution
 - Magistrates of the High Court
 - District officials
- *Specific objective of the project*
 - Improve the functioning of justice mechanisms for populations affected by conflicts and natural resources management through the promotion of their rights particularly public participation
- *Expected results*
 - R1: Fostered participation of victims of conflict in Justice mechanisms abiding by international standards

¹ ASF, "Digging for Power: Women empowerment and justice amidst extractive industry developments in Uganda", 2019

- R2: Stronger justice mechanisms for communities affected by the exploitation of natural resources
- R3: Fostered public participation for populations affected by natural resources management
- Implementing partner
 - Advocates for Natural Resources and Development (ANARDE)
- Priority areas of implementation
 - Albertine Graben, Acholi (R1), Karamoja Region, Kamapala City.
- Main activities
 - Legal awareness-raising and community outreach
 - Legal assistance and representation
 - Capacity-building of legal and paralegal professions
 - Research and documentation
- Funding and duration of the project
 - Budget for the project: €1,669,964
 - Donor(s): Belgian Development Cooperation (€1,335,971)
 - Duration and dates of the project: 55 months (1 May 2017–31 December 2021)

Purpose of the evaluation

The mid-term evaluation of the project “Contributing to sustainable development goals by improving access to justice” in Uganda aims to identify and review the status of implementation of results 2 and 3 of the project, their achievements but also the difficulties and obstacles encountered. This evaluation does not concern result 1 of the above described project. The evaluation will also improve the quality of future interventions of the intervention in the country by making recommendations to increase the impact and the impact of the action.

Expected results

The consultant will submit, at the end of her mission, a report establishing:

- The status of implementation of the project;
- Achievements and results obtained;
- The difficulties and obstacles encountered in the implementation of the project;
- Particular emphasis will be placed on axis considered as priorities, in this regard, the consultant will pay particular attention to:
 - the project’s results as concern pre-existing community-based access to justice mechanisms;
 - the unique added value of the training programme delivered to community paralegals and community-based mediators;
 - the handling of Public Interest Litigation cases in the project;
 - the efficiency of the referral mechanisms from the project partners to other Legal Aid Service Providers (LASPs).

Mission Statement

The evaluation mission will be carried out in the geographical areas where the project is being implemented: Karamoja region (districts of Kotido, Moroto, Nakpipirit and Abim) and the Albertine Graben (districts of Bulissa and Hoima).

All deliverables of the evaluation mission will be handed over and finalized before March 31st 2020. The length of the field mission is determined by the applicants to this call for applications. The field mission should be maximum 15 days in Uganda, for which at least 50% are spent in the areas of direct implementation of the project.

Following his field visits, the consultant will debrief the project staff on his main conclusions.

Under the supervision and following the general instructions of ASF, the consultant will perform the following tasks:

At the beginning of the mission ASF and the consultant will hold a start-up briefing to:

- Validate the schedule and work plan proposed by the consultant
- Identify the support needs for the execution of the mission.
- Agree on a methodology.
- Agree on a list of data/documents available and necessary for the successful execution of the evaluation mission, to be provided by ASF.

In the absence of available data, the consultant should identify the sources of verification and recommend the measures to be taken by ASF to collect them.

During the field trip

The evaluation will be based on an analysis of relevant documents, on the one hand, and on the other hand on the collection of data in the field based on interviews, focus groups, focus groups, meetings and using monitoring and evaluation data.

The consultant will be responsible for

- Verify and assess the stated criteria (relevance, effectiveness, efficiency, viability and induced/impact effect) against the indicators of the specific objective and results.
- Analyze and assess the impact of the project on the sector concerned.
- Assess the results achieved by the project in relation to the specific objective defined when it was formulated.
- Evaluate the quality of the project's actions.
- Identify problems (institutional, administrative, organisational..) and constraints related to the implementation of the project.

Methodology and methodology

The methodology will be defined jointly by the consultant and the research coordinator within ASF, on the basis of a note to be submitted by the consultant.

This will take over from us:

- The type of methodology chosen and the justification for the choice in relation to the evaluation mission and the project.
 - o The field investigation strategy;
 - o The choice of the sample of respondents;
 - o Type of actors from whom the information will be collected.
 - o The place where the information will be collected.
 - o The place and type of use of project documents.
 - o The place of the data collected as part of the monitoring and evaluation carried out by the project team.
 - o The method of data analysis.
 - o The planning of the field mission.

In order to collect the data necessary for the successful implementation of the evaluation, the implementing partners of the project undertake to make themselves available during the duration of the mission in order to assist the consultant in collecting information relevant to his mission.

The consultant will have at her disposal in this regard:

- Programmatic documents.
- Terms of reference and activity reports.
- Data collected as part of the monitoring and evaluation mechanism.

In addition to the partners, he or she will also be able to meet with representatives of civil society and community-based organizations, local government officials and representatives of local interest groups who are active in the project's environment. The consultant will also be invited to meet in advance with the relevant persons in the ASF office in Brussels.

Terms and Conditions

This call for application is open to both national and international service provider. The total budget for this evaluation is **9,000 euros (Nine thousand euros only)**, inclusive of:

- International transport (if necessary);
- Visas and insurance (if necessary);
- Transport in Kampala;
- Accommodation and per diems in Kampala;
- Local communication;
- Printing and miscellaneous;
- Professional fees.

Applicants must offer, in an Excel sheet, a breakdown of these costs in their financial proposal (see below "to apply").

In addition, ASF will cover expenses of the field mission(s), i.e.:

- Transport to and from the field (departure from Kampala);
- Accommodation in the field;
- Per diems
- Per diems/ refreshments/allowances for participants to data collection and district officials;

These costs must not be included in the financial proposal submitted by applicant.

Payment method

- All payments will be made directly into the bank account of the consultant upon deducting all applicable taxes according to Uganda tax law.
- 50% of the amount will be made to the supplier on the date of the contract and 50% upon delivering the final report to ASF.

Validity period of the offer

- The offer will remain valid for a period of 30 days

Required profile

- A solid and diversified experience in the specific field required, including project evaluation experience.
- Work experience in the region.
- A university degree in law at master's or higher level or in other relevant fields.

- 5 years' experience in development project management, preferably in the access to justice sector.
- Excellent knowledge of project evaluation methods and techniques.
- A good knowledge of the roles and functions of different actors involved in the <matter(s) of the field of intervention> in the context of a post-conflict country.
- A good command of French and an excellent ability to write reports in that language. Proficiency in <local vehicular language> is an asset.

To apply for a job

To apply, send your application by email before January 31st to consultances@asf.be, and Romain Ravet, Country Director for Uganda (rravet@asf.be) and Liliane Umubyeyi, Research Coordinator (lumubyeyi@asf.be), with the following documents:

- CV;
- Cover letter;
- Three references;
- Technical and methodological proposal;
- Financial proposal;
- Indicative timeline for the completion of the mission.

Any incomplete application will be dismissed.