



TERMS OF REFERENCE FOR CONSULTANCY SERVICES

Assessment of the impact of COVID-19 on access to justice for survivors of violence against women in Uganda

Uganda Network on Law Ethics and HIV/AIDS (UGANET)

**Plot 19 Valley Road, Ministers village, Ntinda. P.O Box 70269, Kampala (U). Telephone
0414- 574531 /mobile: +256774199374. www. <https://uganet.org/> Email : info@uganet.org**

Introduction

Formed in 1995, UGANET is a social Justice and law organization that champions women's human rights, and gender equality work in the context of health and HIV/AIDs. UGANET envisions a Uganda free from human rights abuses in the context of Health, HIV and Gender; and her mission is to advocate for social and legal protection of vulnerable persons in context of human rights, Health, HIV, and gender equality. This is done through five strategic goals; Research, advocacy and Strategic litigation; Promoting Gender equality and Prevent Violence against Women; Promote Access to justice and community empowerment; fostering Partnership with Government and key institutions on Human rights frameworks in Uganda and globally. To know more about UGANET, any additional information is accessible on the website via <https://www.uganet.org>.

Background

At the beginning of 2020, WHO declared Corona Virus disease a pandemic. The Covid-19 pandemic is a crisis like no other. On March 18, 2020, the President of Uganda announced a 32-day long lockdown in an effort to manage the spread of the COVID19. The measures were published in the Public Health (COVID19) Rules gazetted on March 24, 2020. Similarly, on 7th June 2021, due to the increasing cases of COVID-19 registered in the country, the government of Uganda instituted a 42days lockdown. During the previous lockdown the media was awash with cases of gender based violence related cases. The Uganda police force, recorded more than 3000 cases of domestic violence with 6 deaths in a space of one month. During the lockdown, bulletin or press briefings by the Police were awash with incidences of domestic violence manifesting in all forms, note that women across the social spectrum have experienced Sexual violence and domestic violence throughout the country. Violence against girls continued soaring as schools continue to be closed. A local newspaper Daily monitor also reported that over 2300 girls were defiled and out of these 128 young girls were pregnant. With the current covid 19 guidelines and restriction the situation is dire and only likely to get worse.

Previously the guidelines generally restricted movement and banned any form of gatherings and emphasized social distancing. Following suit, the Chief Justice of Uganda, on March 19, 2020, issued a circular detailing administrative and contingency measures to prevent and mitigate the spread of COVID19 by the Judiciary. The guidelines suspended all court hearings and appearances among other measures and only those serious cases like bail applications were allowed under strict guidelines. These same guidelines are being followed today with the 42days lockdown.

The measures taken by the judiciary are not unique to Uganda. Across all countries, the efforts to slow the spread of the COVID-19 have massively impacted the functioning of the justice system. The capacities of legal systems even in the most developed countries have been affected, with courts in some places slowing their ability to process cases or even shutting down. The Bangalore Principles of Judicial Conduct require that whatever happens, judges should continue at the service of each citizen whenever an urgent measure must be decided especially in matters that involve fundamental rights or the protection of the more fragile members of our communities, especially older persons, but also, for instance, the victims of domestic violence now heavily pressured by the confinement of families, and, in general, all those in need.

When freedom of movement is restricted and resources are scarce, feelings of stress, anxiety and alienation can exacerbate exclusion, discrimination and social fissures and have a disproportionate impact on people living in extreme poverty, women and girls, the elderly, children, people with disabilities, migrants, refugees and displaced persons, prisoners, and those living in situations of conflict and insecurity. There are widespread media reports of increasing domestic violence, in particular violence against women, due to the added strains of confinement and quarantine, as well as financial distress. An integral part of good governance; particularly in crisis situations, should be the presence of institutions to help couples and families, and to prevent and respond to outbreaks of domestic violence.

When the ability to access services and the fair distribution of public resources can make a difference between life and death, justice institutions must be available to protect the rights of the least powerful among us. Countries and communities around the world in situations of conflict or fragility are particularly vulnerable to the social stresses being brought by the pandemic and must be supported to develop stronger governance systems including justice sector institutions through locally owned and context specific interventions.

It is against this backdrop that UGANET with support of UN WOMEN Uganda seeks the services of a team of consultants made up of academicians and practical legal aid officers to assess the impact of COVID-19 on access to justice for survivors of violence against women in Uganda

A. Objective

The main objective of this consultancy is to assess the impact of COVID-19 on access to justice for survivors of violence against women

B. Scope of work

In order to achieve the above objective, the team of Consultants shall perform the following tasks:

1. Conduct a preliminary desk review.
2. Adopt a consultative and participative approach. This will include interviews with key stakeholders and conduct a few workshops with judicial officers, legal practitioners, legal academia and other important stakeholders. The consultant will conduct the analysis of the findings. This will be done in consultation with UGANET and partners in this program. The team of Consultants will conclude with the submission of a draft report based on the findings.
3. Produce regular progress reports; The team of Consultants will submit regular progress reports that would provide details on the progress of the assignment, activities performed, any issues and problems identified and solutions proposed.
4. Perform other assignment related tasks.

C. TIME FRAME

The consultancy will run for a period of 6weeks, starting from September 20, 2021.

D. DELIVERABLES

The team of consultants will produce and submit to UGANET Executive Director the following list of deliverables

- (a) A well thought through inception report that confirms full understanding of this TOR
- (b) A highly analytical and well researched Issues paper as described in B (1)
- (c) All well written stakeholder workshops and consultative reports and photographs

E. REPORTING ARRANGEMENTS

The team of consultants will report to the UGANET Executive Director.

This consultancy has been commissioned by the UNWOMEN country office through UGANET. The team of consultants will maintain direct coordination with UGANET technical staff.

F. QUALIFICATION OF THE CONSULTANTS

It is envisaged that this exercise will be conducted by a highly competent team of researchers made up of academicians and legal aid practitioners given that it's focus is on access to justice for violence against women survivors and as such; will demonstrate highly intelligible skills and expert understanding of this subject as described in the desired functional competencies below:

Required Skills and Experience

Academic Qualifications:

- Master's Degree or equivalent (5-year university education) in Law; PhD degree is an added advantage.

Working experience:

- At least 10 years of previous professional experience as a legal practitioner lawyer and an academician with the experience of working on issues of judicial reasoning or related areas.
- At least 3 years of previous experience in teaching law on academic or professional training levels; providing professional trainings to judges is an advantage;
- Previous experience in teaching legal/judicial reasoning or related area is an advantage;

Competencies:

- A demonstrated understanding of social justice adjudication particularly on issues of violence against women and gender equality
- very good knowledge and understanding of various tools, techniques and methods of legal/judicial reasoning and their practical application by courts;
- Knowledge of differences in techniques and approaches to judicial reasoning in various legal systems and countries;
- Current or previous working experience related to Uganda judicial system, courts and judges is an advantage;
- Knowledge/well-grounded on court users' needs is a strong asset;

Corporate Competencies:

- Demonstrate integrity by modeling the UN values and high ethical standards

- Demonstrate excellent understanding of post-conflict contexts and institutional development
- Promotes the vision, mission and strategic goals of UNWOMEN
- Displays cultural, gender, religion, race, nationality and age sensitivity and adaptability
- Treats all people fairly without favoritism
- Excellent analytical and organizational skills

Consulting team qualities:

- Proven commitment to the core values of the human rights principles, in particular, respecting differences of culture, gender, religion, ethnicity, nationality, language, age, HIV status, disability, and sexual orientation, or other status;
- Responsibility, creativity, flexibility and punctuality.

. Scope of Proposal Price and Schedule of Payments

- The contract price will be a fixed output-based price regardless of extension of duration;
- The potential consultant should submit an all-inclusive bid with detailed costing for professional fees, operational costs, travel costs anticipated etc.
- Payment will be made by UGANET upon achievement of the corresponding milestones identified and outlined in this TOR (Data sheet) in accordance with an approved work plan and budget.
- 50% payment of the agreed amount will be paid on submission and approval of the inception report.
- The final payment will be made when the final handbook is submitted to UGANET and approved.
- All payments will be subject to statutory deductions as per the laws of Uganda in force at the time.
- All payments will be made by cheque or any other means as may be convenient upon submission of an invoice by the Consultancy

G. APPLICATION INSTRUCTIONS:

Interested individual consultants must submit the following documents/information to demonstrate their qualifications:

1. Offeror's Letter confirming Interest and Availability;
2. Technical Proposal:
 - Explaining how the applicant responds to each of the qualification requirements (particularly providing details on the previously implemented similar projects) and why he/she is the most suitable for the work;
 - Shortly describing methodology for developing the manual and all required outputs
3. Personal information (as a detailed CV) with at least three referees;
4. Financial proposal.
5. Interested persons are encouraged to send their expression of interest with all the required documents to applications@uganet.org copying grace.nayiga@uganet.org not later than 17th September,2021. Only successful candidates will be contacted.

All applications should be addressed to;

The Executive Director,

UGANET

Plot 19, Valley Road Ministers' Village Ntinda- Kampala.

Office Telephone: +256-41457453