



TERMS OF REFERENCE

CONSULTANCY TO CONDUCT A BASELINE SURVEY FOR THE PROJECT TITLED "REDUCTION OF CASES OF HUMAN RIGHTS VIOLATIONS AND ABUSES IN SELECTED DISTRICTS OF NORTHERN UGANDA"

1.0. INTRODUCTION

The Human Rights Centre Uganda (HRCU) is a non-profit organization that has operated in Uganda since 2008. HRCU's mandate is to contribute to the protection and promotion of the rights of Human Rights Defenders (HRDs) in Uganda.

The Human Rights Centre Uganda (HRCU), Uganda Human Rights Commission (UHRC), and African Centre for Treatment and Rehabilitation of Torture Victims (ACTV), with support from the Austrian Development Cooperation, are together implementing a two-year project titled "Reduction of cases of human rights violations and abuses in selected districts in Northern Uganda", in selected districts of Lira, Pader, Moroto and Kampala from 1st October 2023 to 30th September 2025.

This overall goal of the project is reduction in cases of human rights violations and abuses in selected districts in Northern Uganda. The overall project objective is to enhance human rights awareness for improved access to justice in Northern Uganda.

The expected results for the project are to enhance capacity of access to justice actors, duty bearers and human rights defenders (HRDs) to apply human rights standards in the implementation of Prevention and Prohibition of Torture Act, the Human Rights Enforcement Act and Public order management, enforcement and implementation; Increased awareness among community members including women and men of the human rights standards to be respected and protected under the Prevention and Prohibition of Torture Act, the Human Rights (Enforcement) Act, and public order management generally and Knowledge creation, dissemination and networking amongst human rights actors.

This is the third phase the tripartite is collaborating to implement and scale up the proposed project interventions. The current intervention builds on the two previous similar interventions earlier executed by the three implementing partners. Phase one 2014-2017 and Phase two June 2018-June 2021 of the projects aimed at promoting human rights awareness and understanding in order to improve the access to and delivery of justice in the Eastern region of the country in the districts of Soroti, Tororo, Mbale and Jinja and later in the Central districts of Kampala, Wakiso, Mukono and Gulu in Northern Uganda achieving a marked positive effect on the relationship between district law enforcement agencies, civil society and the public.



A total of 5,482 (2,349F/3,133M) direct beneficiaries will be targeted in the course of the project. From the above overall total of direct beneficiaries, 1,322 (661F/661M) will be duty bearers and 4,160 will be rights holders. A total of 394,450 (179,725 F/179,725M) are the anticipated indirect beneficiaries of the project.

The project will target members of the public, law enforcement officers, Access to justice implementing agencies, human rights defenders at local level and local government officials in the project districts of Lira, Pader, Moroto and Kampala.

The direct beneficiaries include: Police officers (high ranking, middle ranking and lower ranking police officers including the Director of operations, Director counter terrorism, Director criminal investigation department, District Police Commanders (DPCs), Regional Police Commanders (RPCs), Regional Community Liaison Officers, Regional Public Relations Officers, Criminal Investigation Department officers, the officers from the police Professional Standards Unit and lower ranking officers within the Police Force) Prisons Officers, Magistrates, Judges, Registrars, Officers from the Office of the Director of Public Prosecutions (State Attorneys), Advocates, Local Government Officers (Chief Administrative Officers, Resident District Commissioners, District Community Development Officers), Youth, Human Rights Defenders, journalists, women, indigenous groups, community members including the elderly, children, persons with disabilities, breastfeeding mothers and their assistants, interpreters whose services will be utilized during community dialogues and radio talk shows and radio talk show hosts and moderators. The indirect beneficiaries include all the listeners outside the project district with radios who will be tuned in and listening to the project's radio talk shows and radio programmes and those who have subscribed and follow the Human Rights Centre Uganda's social media Pages like Twitter, Face Book and You Tube.

A total of 359,450 (179,725 F/179,725M) are the anticipated indirect beneficiaries of the project. Moroto has a total population of 118,500¹ people, Pader has 197,300² people and Lira has 403,100³ people.

2.0. BACKGROUND

According to the 24th Annual Human Rights Report, 2021 published by the Uganda Human Rights Commission, there was increase in violation of human rights in Northern Uganda including violation to the right to a fair hearing, right to freedom from torture or cruel, inhuman or degrading treatment or punishment among

¹Moroto (District, Uganda) Population Statistics, Charts, Map. Also available at https://www.citypopulation.de/en/uganda/admin/northern/028_moroto/Accessed on 27th September 2022

²Pader (District, Uganda) Population Statistics, Charts, Map. Also available at https://www.citypopulation.de/en/uganda/admin/northern/050_pader/ Accessed on 27th September, 2022

³Lira Population _NPHC2014_Projection_2020, Also available at <https://www.lira.go.ug/lira-population-nphc2014projection2020>. Accessed on 27th September, 2022



others. The same report established that due to the influx of guns in Moroto district, among other districts in the Karamoja region, there were several reports of human rights violations against the right to personal liberty, security of persons, freedom from torture, inhuman and degrading treatment⁴ committed by duty bearers like Police and Uganda People's Defence Forces (UPDF). On 19th March, 2021 in Kaloi village, Nakadeli Parish, Rupa sub county, Moroto district, 4 victims were allegedly detained for over a week at the UPDF facility in Moroto because they were suspected of knowing the whereabouts of ammunitions. In addition to the other violations committed, there was clear violation of the 48hour rule in the districts of focus by duty bearers. The right to personal freedom from arbitrary arrest, enshrined in Articles 3 and 9 of the *Universal Declaration of Human Rights*, is one of the most fundamental human rights, affecting as it does vital aspects of an individual's physical freedom. The grounds for deprivation of a person's liberty are circumscribed in law, as stipulated in Article 9(1) of the *International Covenant on Civil and Political Rights (ICCPR)*. As a signatory to the ICCPR, Uganda domesticated the right to personal liberty under Article 23 of the *1995 Constitution*. The circumstances under which this right might be curtailed are also well spelt out, and include reasonable suspicion that a person has committed or is about to commit a criminal offence under the laws of Uganda; execution of a sentence or order of the Court; and prevention of the spread of infectious or contagious disease.

One thing that stands out across the board in the three districts most suspects (approximately 80%) are detained beyond the required 48 hours, despite the fact that the police have the mandate to release a suspect on police bond earlier than 48 hours, with or without a surety. These three districts form the subject of increasing human rights violations and critical reportage, at times exacerbating civil and political strife in Northern Uganda

The Northern districts of Lira, Pader and Moroto have been selected in this third phase of the project focus as focus districts because of the prevalence of various human rights violations committed by both rights holders and duty bearers. These districts have been earmarked by implementing partners of this project because of the high prevalence of human rights violations in those districts. According to ACTV's 2020 Annual Report titled, "Hope Amidst of Uncertainty" the ACTV Northern region reception centre in Gulu which serves the among districts Lira and Pader received and recorded 253 survivors of torture seeking assistance/services from ACTV⁵. These torture cases were perpetrated by both rights holders and duty bearers. The major reasons reported for torture are punishments (suspected criminals). The disarmament process that is currently underway in Karamoja sub-region (focus on Moroto district) was also reported to yield torture by duty bearers

⁴ 24th Annual Report on the State of human rights and freedoms in Uganda by the Human Rights Commission, 2021, page 147

⁵ ACTV Annual Report 2020, Hope in the Midst of Uncertainty, Page 8



like the Police, the army and the Resident District Commissioners. There have been allegations of human rights violations by the Residents District Commissioners in various parts of country and according to the report of the Committee on Human Rights on the state of human rights and human rights violations in the country, by the Parliament of Uganda from January 2020 to-date, the Kole (neighbouring district to Lira) district RDC Omara Olweny and his guards allegedly assaulted and robbed Okot Janan, the Youth Councilor for Ojwina Division in Lira City who later died⁶. Other incidents like rebel atrocities, conflicts among families, land wrangles, Gender Based Violence and violation of the 48-hour rule are some of the common and rampant human rights violations in the three districts selected in Northern Uganda for this intervention⁷.

In order address these issues, the project has designed three outputs which include:

Output 1: *Enhanced capacity of Justice actors, other duty bearers and HRDs to apply human rights standards in the implementation of Prevention and Prohibition of Torture Act, the Human Rights Enforcement Act and Public order management enforcement and implementation.* Under this output, the project will build the capacity of Police, Prisons (high, middle and lower rankings police officers), State Attorneys, Magistrates, Judges, journalists, HRDs .The trainings will enhance their knowledge and skills on implementation of public order management, human rights standards and principles and application of the laws like the Human Rights Based Approach to implementation of the PPTA and HREA for them to effectively implement these laws hence reducing human rights violations committed by access to justice actors.

Output 2: *Increased awareness among community members including women and men of the human rights standards to be respected and protected under the Prevention and Prohibition of Torture Act, the Human Rights Enforcement Act, and public order management generally.* Under this output, the project will create awareness among rights holders through: community dialogues, radio talk-shows and a radio programme. These programmes will create public awareness and increase knowledge on human right violations and abuses, mechanisms/ where to report, perpetrators, the laws.

Output 3: *Knowledge creation, dissemination and networking amongst human rights actors.* Under this output, the project will produce different research studies like: Thematic reports, Bi-Annual issues papers on human rights context in the country, Posters, Compendiums, disseminate the Mobile App, training manuals, guide booklets, newspaper supplements, issues papers and thematic reports.

⁶ Report of The Committee on Human Rights on the state of human rights and human rights violations in the country Parliament of Uganda from January 2020 to-date, Page 79

⁷ Ibid, page 14



These will inform the discussions during the district public dialogues. These issues/outcomes will be discussed at the national level during the round table discussions which will discuss challenges and take up recommendations emerging from the grassroots for positive action and contribution to a reduction of human rights violations and improved access to justice

This project therefore directly contributes to the Austrian Development Cooperation (ADC) Country strategy 2019-2025 Indicator 1.2.1 which measures the percentage of decisions against Access to justice institutions to total cases concluded by UHRC and Indicator 1.1.3 which measures the proportion of JLOS institutions with functional JLOS desks under Thematic focus 1 on Access to Justice.

The project's focus on improved access to justice as well as a strengthened observance of human rights will benefit the selected districts in Northern Uganda, Access to justice actors and members of the public). Given the still existing regional disparities and needs within this region, focus on the three districts in Northern Uganda within this project will ensure reduction of human rights violations and improved access to justice in Northern Uganda through enhancing JLOS actors capacity responsible for administering justice, maintaining law and order and promoting the observance of human rights.

3.0. THE OBJECTIVE OF THE BASELINE SURVEY

The overall objective of this baseline survey is to establish the state of; human rights violations and abuses in selected project districts at the beginning of the project. It's intended to provide an information base against which to monitor the progress, implementation of the project and its impact upon completion.

The specific objective of the baseline is to provide a snapshot of perception, knowledge and prevalence, and response to human rights violations and abuses in selected districts of Lira, Moroto, Pader and o.

4.0. PROJECT OBJECTIVE AND INDICATORS

The overall project objective is to enhance human rights awareness for improved access to justice in Northern Uganda by August 2025.

Below is the project objective and the related indicators to monitor the extent the project objective has been achieved



Intervention Logic⁸	Indicators⁹ Indicate a target value for each indicator
<p>Impact</p> <p>Reduction in cases of human rights violations and abuses in selected districts of Northern Uganda</p>	<p>Target Value(s): 15% decrease of victims of human rights violations in the previous 12 months who reported their victimization to competent authorities or other officially recognized conflict resolution mechanisms in the project districts of Lira, Moroto and Pader.</p> <p><i>Disaggregated by: Gender, Age, Disability, Geographical location</i></p> <p>Baseline: To be determined at the project onset by the Baseline survey</p>
<p>Outcome</p> <p>Enhanced human rights awareness for improved access to justice in Northern Uganda</p>	<p>Target Value(s): 40% increase of citizens that reported improvement in accessing justice and respect for human rights by JLOs actors as a result of ADC/ HRCU intervention in the project districts of Lira, Moroto and Pader.</p> <p><i>Disaggregated by: Gender, Age, Disability, Geographical location</i></p> <p>Baseline: To be determined at the project onset by the Baseline survey</p> <p>Target Value(s): 80% of JLOS institutions with functional human rights Desks.</p> <p>Contributes to ADA Indicator 1.1.3¹⁰</p> <p><i>Disaggregated by: Institution, Geographical location</i></p> <p>Baseline: To be determined at the project onset by the Baseline survey</p>

⁸ Please provide reference to relevant SDG targets and EU Gender Action Plan (GAP)II objectives, and indicate contribution to the respective indicators.

⁹ Indicators should be disaggregated in terms of gender and social determinants (e.g. age, disability, majority / minority), where relevant and feasible. In case the required

¹⁰ ADA Uganda Country strategy (2019-2025) Indicator 1.3.1 is the Proportion of JLOS institutions with functional JLOS desks



<p>Output 1</p> <p>Enhanced capacity of Justice actors, duty bearers and HRDs to apply human rights standards in the implementation of Prevention and Prohibition of Torture Act, the Human Rights (Enforcement) Act and Public order management, enforcement and implementation</p>	<p>Target Values:</p> <ul style="list-style-type: none"> • 15% decrease of citizens subjected to physical, psychological or sexual violence in the previous 12 months by Law enforcement officers in the project districts of Lira, Moroto and Pader. <p>Contributes to SDG Goal 16 Indicator 16.1.3¹¹.</p> <ul style="list-style-type: none"> • 40% of female justice actors trained <p>Baseline: To be determined at the project onset by the Baseline survey</p> <p>Disaggregated by: Gender, Age, Disability, Geographical location, access to Justice institution</p>
<p>Output 2</p> <p>Increased awareness among community members including women and men of the human rights standards to be respected and protected under the Prevention and Prohibition of Torture Act, the Human Rights Enforcement Act, and public order management generally</p>	<p>Target Values:</p> <ul style="list-style-type: none"> • 80% of the targeted local community members including women and men aware of at least three human rights standards to be respected and protected under the POMA, PPTA and the Human Rights Enforcement Act. • 40 % women and girls participated in community dialogues • 10% representatives of other marginalised groups/special interest groups participated in the HRCU events <p>Baseline: To be determined at project onset by the Baseline survey</p> <p>Disaggregated by: Gender, age, Disability, minority, Geographical location</p>
<p>Output 3</p> <p>Knowledge creation, dissemination and</p>	<p>Target value(s):</p> <ul style="list-style-type: none"> • 15 human rights issues taken up by the human rights actors, policy makers and implementers for positive action

¹¹ SDG 16-Indicator 16.1.3 measures Proportion of population subjected to physical, psychological or sexual violence in the previous 12 months



networking amongst human rights actors	Disaggregated by: <i>Geographical location, Justice Institution, sector</i> Baseline: 0
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5.0. SCOPE OF WORK

In light of the scope, the baseline survey will cover the following:

- (a) Establish the baseline information/values for each indicator in [4.0]. The indicator values will provide a base against which to monitor the progress of implementation of the project and its impact upon completion.

In addition, the baseline survey will establish a basis of understanding of the political, social-economic and cultural environment in which a project will be delivered and level of the JLOs stakeholders' capacity gaps in areas of human rights and access to justice as follows;

- (b) A review and analysis of policies and traditional practices affecting human rights and access to justice in Northern Uganda.
- (c) The state of human rights and access to justice in Northern Uganda
- (d) The most prevalent human rights violations, the perpetrators, how the violations manifest and the most violated rights
- (e) A conflict analysis to understand the social, cultural and religious beliefs in the districts of intervention and the key drivers
- (f) Assessment of knowledge of duty bearers on human rights standards, Human Rights Based Approach, HREA, public order management and the PPTA in Northern Uganda.
- (g) Assessment of the knowledge, skills and attitude/perception and practices of the Justice actors and security enforcement officers regarding protection, promotion of human rights but also their ability to support and other community members in seeking access to justice within their communities.
- (h) Assessment of knowledge levels on cross-cutting issues including environment and climate change and gender equality.
- (i) Assessment of the capacity of Justice actors, other duty bearers and HRDs on application of human rights standards in the implementation of Prevention and Prohibition of Torture Act, the Human Rights Enforcement Act and Public order management enforcement and implementation
- (j) Awareness levels among community members including women and men of the human rights standards to be respected and protected under the



- Prevention and Prohibition of Torture Act, the Human Rights Enforcement Act, and public order management generally
- (k) Rights Holders' understanding of their rights and obligations and whether they engage in collective advocacy activities and meaningfully participate in state-led initiatives.
 - (l) The public knowledge levels on human right violations and abuses, mechanisms/ where to report, perpetrators, the laws.
 - (m) Review and analyse the extent to which JLOS actors, duty bearers and other legal service providers in the project districts engage in dispensing justice services as well as address justice needs.
 - (n) Document the challenges, barriers and needs faced when accessing justice and promotion of human rights in the project districts

6.0. TASKS

The consultant will be required to lead on all the tasks below, in consultation with HRCU

- i) Preparation and Presentation of an inception report
- ii) Managing and implementing the work plan and all related study team activities
- iii) Leading the development of tools and collection of data
- iv) Data collection of both qualitative and quantitative data.
- v) Analyze and synthesize data; and prepare a report
- vi) Preparation of a draft report
- vii) Discussion of the draft report with HRCU staff and ADA Team to address all comments
- viii) Organizing a validation meeting with Justice, Law and Order Sector (JLOS) stakeholders
- ix) Make info graphics PowerPoint Presentation at Validation Workshop and the validation feedback incorporated in the Final report
- x) Presenting findings during briefings, and final presentations.
- xi) Report preparation
- xii) Submission of the final report (two hardcopies alongside the soft copy)

7.0. METHODOLOGIES AND APPROACHES

The Baseline survey will follow a highly participatory and consultative process. It will adopt a mixed-methods approach involving quantitative and qualitative techniques of research.

Key documents including the Project proposal, project reports, Project log frame and Project work plans will be reviewed to understand the context within which the project shall be implemented.



A representative sample will be selected from the study population including duty bearers and JLOs actors such as Police, Prisons, Magistrates, Judges/Registrars, State Attorneys (Office of the Director of Public Prosecutions), Advocates, Local Government (District Leaders and Community Leaders e.g. LC 1, LC2, LC3) among others. Other category of study population includes Rights holders such as youth, Human Rights Defenders, Journalists, community members including Women and elderly, PWDs, Indigenous Groups among others from the project Districts.

Moroto has a total population of 118,500¹² people, Pader has 197,300¹³ people and Lira has 403,100¹⁴ people. The Baseline survey shall target persons within the age bracket of eighteen (18) and sixty (60) years.

Reliability will be ensured through use of open-ended questions structured around the subject.

The findings will be based on collected evidence which will indicate the source, field observations, views and opinions from HRDs, Access to justice actors/duty bearers and other beneficiaries.

The interviews will ensure the participation of all targeted respondents, and where relevant, encourage equal participation of women and men in focus group interviews.

The methods of Data collection will include key informant interviews, Interviews, Case study, Focus Group Discussions (FGDs), Observation, the survey of a representative sample size of key stakeholders randomly sampled from the project Districts.

The approach will be also based on the consultant's personal experience. HRCU is open to innovations and other approaches but specifically to applications that have a combination of qualitative and quantitative approaches for data collection and analysis.

To enhance likelihood of achieving the study objectives stated above, the consultants shall work closely with the M&E desk at HRCU to steer and coordinate the process and ensure effective coverage of the project area. It is expected that the consultants will develop and institute an in-field quality control. In order to objectively achieve the purpose above, the survey methodology will be guided by the following ethical rules/considerations:

¹²Moroto (District, Uganda) Population Statistics, Charts, Map. Also available at https://www.citypopulation.de/en/uganda/admin/northern/028_moroto/Accessed on 27th September 2022

¹³Pader (District, Uganda) Population Statistics, Charts, Map. Also available at https://www.citypopulation.de/en/uganda/admin/northern/050_pader/ Accessed on 27th September, 2022

¹⁴Lira Population _NPHC2014_Projection_2020, Also available at <https://www.lira.go.ug/lira-population-nphc2014projection2020>. Accessed on 27th September, 2022



Openness – of information given, to the highest possible degree to all involved parties

Broad participation – the key stakeholders should be involved when relevant/possible

Reliability and independence – the study should be conducted so that findings and conclusions are correct and trustworthy.

8.0. CONSULTANCY OUTPUT AND DELIVERABLES

- Technical proposal
- Financial proposal
- Inception report and presentation of the same to HRCU and ADA Team
- Data collection tools
- Draft Baseline Survey report/Findings
- Qualitative information available and all the data sets of the Study
- Power point presentation of the draft report presented
- A comprehensive final baseline report (two hard copies alongside the soft copy)

9.0. QUALIFICATIONS AND EXPERIENCE

- The applicant must have proven experience and background in completing similar assignments or tasks within the required timeframe
- The applicant should possess appropriate technical, professional, academic and working experience in relevant fields of Monitoring and Evaluation, Human Rights, Public policy, Development studies among others.
- It is preferable that the team composition required to execute the assignment should include a Lawyer/Human Rights Specialist, a Data Analyst, Monitoring & Evaluation specialist, a gender expert, a team leader with over five (5) years of experience in conducting in field-based evaluations and research and a good understanding of human rights defenders' and access to justice issues in Uganda
- Excellent written and oral communication skills in English

10.0. FEES AND COSTS ESTIMATE

The total charge to be paid for the consulting assignment will depend on the consultant's experience and application submitted. Each applicant is expected to quote an estimated cost (in Ugandan shillings) for this particular work.



11.0. DURATION OF THE ASSIGNMENT

This assignment is scheduled to take not more than Forty (40) working days from the date of signing the contract between HRCU and the successful consultant. Refer to the summary below for details;

KEY DELIVERABLE	TIMELINE
Application submission	Within seven (7) working days of running the advert
Signing of the contract	Within two (2) days of notice of award of contract
Submission of the Inception report and approval (Review inception report, data collection tools)	Within seven (7) days after signing the contract
Submission and presentation of Baseline survey report (Recruit, orient, Data collection, Data analysis and report writing, Review and Feedback by HRCU, ADA and selected stakeholders)	Within thirty (30) working days after approval of inception report and signing of the contract between HRCU and the successful candidate/consultant in relation to execution of the assignment
Preparation & submission of the approved final Baseline survey report (in English language)(2 hard copies in addition to the soft copy)	Five (5) working days after receiving comments from implementing partners and ADA Team

12.0. PROPOSED STRUCTURE OF THE TECHNICAL PROPOSAL

1.0. QUALIFICATION OF THE SERVICE PROVIDER AND TEAM MEMBERS

1.1. About the applicant and their Team

1.2. Past Experience (s)

2.0. UNDERSTANDING OF THE TERMS OF REFERENCE/TECHNICAL PROPOSAL

2.1. Introduction

2.2. Appreciation and Interpretation of Terms of Reference

2.3. Rationale of the assignment

2.4. Purpose of the assignment

2.4.1 Specific Objectives



2.4.2 Consultant's comment on the assignment

2.5. Key Questions

2.6. Key Deliverables

3.0. APPROACH AND METHODOLOGY

3.1. Technical approach of the assignment

3.2. The Study Design

3.3. Sampling Design

3.4. Scope of Study

3.5. Sampling and sample size determination

3.6. Organization of Methodology

3.7. Tools and Techniques

3.8. Data Collection and Analysis

3.9. Quality Control, Ethical Standards and Safeguarding Considerations

4.0. WORK PLAN & SCHEDULE OF ACTIVITIES

5.0. TEAM COMPOSITION

5.1. Task Assignment

6.0. KEY CONSULTANT(S)' PROFILES AND CVs

ANNEXES

Annex 1: Recent Similar Work/Report executed

Annex 2: Eligibility Documents for firms

Interested applicant(s) should send their detailed technical indicating how they would achieve the project indicators and financial proposals (in Ugandan shillings) with a copy of the recent similar work /report and a CV by email to snalukwago@hrcug.org and copied to info@hrcug.org not be later than Thursday 1st February 2024 by 5:00pm.