



## TERMS OF REFERENCE FOR

### **A CONSULTANCY TO EXTRACT AND PRODUCE SIMPLIFIED CHARTS OF NGO REGISTRATION PROCESSES, DOCUMENTS REQUIRED AND STATUTORY FEES.**

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#### **1.0. INTRODUCTION**

The Human Rights Centre Uganda (HRCU) was established in November 2008 as a non-profit organization contributing to the promotion and protection of the rights of Human Rights Defenders (HRDs) in Uganda. HRCU strives to achieve a society in which every individual fully enjoys their universally recognized human rights and freedoms.

National NGO Bureau (NGO Bureau) is a semi-autonomous body under the Ministry of Internal Affairs. It was established under the NGO Act 2016 to register, regulate, coordinate, inspect, monitor, and oversee the operations of NGOs in Uganda.

Uganda National NGO Forum (UNNGOF) is an independent and inclusive national platform for NGOs in Uganda. UNNGOF works to realize a coherent, respected, well-informed NGO sector in Uganda that actively contributes to citizens' wellbeing and safeguard their rights.

The Human Rights Centre Uganda (HRCU), in partnership with The Uganda National NGO Bureau and Uganda National NGO Forum (UNNGOF) with support from the Embassy of Ireland in Uganda, are implementing a project entitled "Enhancing a Sustainable relationship between the National Bureau for NGOs and the Civil Society Sector in Uganda through Dialogue." The project is being implemented in the 7 key districts of Arua, Lira, Moroto, Gulu, Fort Portal, Kabale and Mbale.

The primary beneficiaries of this project are the District/City/Sub county NGO Monitoring Committees, the National Bureau for NGOs, NGOs, Government Ministries, Departments and Agencies, Security agencies and communities. This project therefore, seeks to: - (i). Operationalise section 6(f) of the NGO Act, 2016; (ii). Establish a platform for sustained dialogue between the civil society sector and government through the Ministry of Internal Affairs. (iii). Improve the understanding of NGOs regulatory framework through capacity building of NGO monitoring committees and NGOs.



Through a series of dialogues, reflection meetings, and the production and dissemination of laws, policies and procedures that regulate the operation of NGOs, the project is expected to realize; (i) an improved understanding of the NGOs regulatory framework amongst stakeholders; (ii) regular and sustainable dialogue between CSOs and the Ministry of Internal Affairs; (iii) an enhanced understanding by the NGO Monitoring Committees and Ministries, Departments and Agencies about their roles and responsibilities; (iv) well informed communities about the contribution and role of CSOs.

## **2.0. BACKGROUND**

The 1995 Constitution of Uganda guarantees the right of every Ugandan to engage in peaceful activities to influence the policies of Government through civic organizations. The Government of Uganda recognizes the important role of Non-State actors in accelerating the country's development process.

The contribution of NGOs in the areas of service delivery, advocacy, democracy and good governance as well as community empowerment has been commendable in Uganda. However, the process of NGO sector development, methods of work and the impact of NGO program activities, among other issues, have continued to generate varied and sometimes contradictory views and experiences.

Since the introduction of a new regulatory framework for NGOs, relations between government and NGOs have been strained by mutual mistrust and suspicion between NGO leaders and implementers of the regulatory framework. Institutional autonomy from Government is constitutionally-guaranteed under Objective II of the 1995 Constitution and Articles 29, 38, and 42 respectively. From the NGO perspective, provisions such as the requirement to file annual operational and financial reports, or divulge the content of agreements with donors (at the pain of closure or suspension for non-compliance) were seen to epitomize state overreach. However, where NGO leaders interpreted sections of the regulatory framework as clawing back space for civic expression and organization, Government argued that the contested provisions were measures to identify national security threats hiding within the sector.

There is also a lack of knowledge and awareness about the NGO regulatory framework by the Government, NGOs, and communities. This has continued to fuel mutual mistrust among the above stakeholders as government officials especially at the local level carry out actions against NGOs outside the provisions of the NGO Act, 2016. In some regions, NGOs continue to report cases of illegal fees being charged on several NGOs in the form of licenses and operational fees,

unjustifiable denial of recommendation letters and arbitrary halting of their activities.

Section 6(f) of the NGO Act 2016 mandates the NGO Bureau to coordinate the establishment of a national NGOs consultation and dialogue platform. Given the pivotal role played by NGOs as a complement to Government in service delivery, civic education, and promoting democratic practice, HRCU and UNNGOF joined forces with the NGO Bureau to develop a program to bridge communication gaps between the two sectors.

Although the third project phase monitoring reports revealed that the understanding of NGO laws and regulations has improved among NGOs and District NGO Monitoring Committees where the project has been implemented, it does also reveal that this knowledge has not been able to substantially trickle down to sub county NGO monitoring committees and the community based organisations working at this level. Furthermore, discrepancies in the rates to pay for registration and where to pay the same continue to hinder the work of NGOs. It also remains the case that newly formed cities have yet to harmonize operations with their parent districts, which has resulted in improper payments and regulation of NGOs in these new cities.

It is against this background that HRCU seeks to hire a consultant to extract and produce simplified charts containing NGO registration processes, documents required and statutory fees to be paid. 200 copies of the charts shall be printed and disseminated with the specific target of reaching SNMCs and grass root NGOs.

### **3.0. THE OBJECTIVES OF THE PROJECT**

- I. To create a better understanding of the CSO regulatory framework.
- II. To build sustainable dialogue between CSOs and the Ministry of Internal Affairs.
- III. To enhance the understanding by NGO Monitoring Committees about their roles and responsibilities.
- IV. To increase knowledge and awareness in communities about the contribution of CSOs.

### **4.0. PURPOSE OF THE ASSIGNMENT**

The purpose of this assignment is to develop and produce simplified charts containing NGO registration processes, documents required and statutory fees to be paid.

### **5.0. METHODOLOGIES AND APPROACHES**

The assignment will follow a highly participatory and consultative process. The methodology will involve a review of key project documents including; Project

proposal, Project log frame, NGO Act, 2016, NGO Regulations, NGO policy, to obtain relevant information. The approach will be also based on the consultant's personal experience. HRCU is open to innovations and other approaches but specifically approaches leading to the effective implementation of this exercise.

## **6.0 SCOPE OF WORK**

In light of the scope, this exercise will cover the following:

The consultant will be required to study and analyse the NGO Regulatory Framework materials including the NGO Act, NGO Policy, NGO Regulations and NGO registration processes, documents required and statutory fees to be paid in order to extract the relevant information and produce simplified charts.

## **7.0. TASKS**

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

- i) Preparation and Presentation of an inception report
- ii) Extract and produce simplified charts containing NGO registration processes.
- iii) Extract and produce simplified charts containing documents required for registration.
- iv) Extract and produce simplified charts containing statutory fees to be paid

## **8.0. CONSULTANCY OUTPUT AND DELIVERABLES**

- Technical proposal
- Financial proposal
- Inception report and presentation of the same to HRCU and the project implementing partners.
- Simplified charts containing NGO registration processes.
- Simplified charts on documents required for registration.
- Simplified charts on the statutory fees to be paid.

## **9.0. QUALIFICATIONS AND EXPERIENCE**

- The applicant must have proven experience and background in completing similar assignments
- The applicant should possess appropriate technical, professional, academic and working experience in relevant fields including law, Human Rights among others.

- It is preferable that the team composition required to execute the assignment should include a Lawyer/Human Rights Specialist as a team leader with over five (5) years of experience in undertaking similar work.
- 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 (21) 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).	Within seven (5) days after signing the contract
Submission and presentation of simplified charts	Within fifteen (10) 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 charts	Six (6) working days after receiving comments from implementing partners and ADA Team

## 12.0. QUALIFICATION OF THE SERVICE PROVIDER AND TEAM MEMBERS

***Interested applicant(s) should send their detailed technical proposal indicating how they would successfully and effectively extract and produce the simplified charts 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](mailto:snalukwago@hrcug.org) and copied to [info@hrcug.org](mailto:info@hrcug.org) not be later than 1<sup>st</sup> March 2024 at 5:00PM E.A.T***