



## CENTER FOR DOMESTIC VIOLENCE PREVENTION

### **TERMS OF REFERENCE FOR CONSULTANT TO CONDUCT A BASELINE ASSESSEMENT SURVEY ON THE PROGRESS, GAPS AND STATUS OF IMPLEMENTATION OF THE DOMESTIC VIOLENCE ACT 2010.**

#### **1. Background:**

The Center for Domestic Violence Prevention (CEDOVIP) is a registered local NGO founded in 2003. CEDOVIP works in partnership with communities, institutions, government and civil society to build a movement against violence against women in Uganda.

CEDOVIP is committed to lobbying policy makers from various government sectors to allocate funds for implementation of the Domestic Violence Act to ensure that domestic violence is outlawed in policy and practice in Uganda.

With support from UN Women, CEDOVIP is committed to collaboratively work with government departments to influence policies within national and local government to ensure that women and girls who experience violence are able to access justice.

#### **2. Justification:**

The **United Nations Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)** defines Gender Based Violence (GBV) as *Any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivations of liberty, whether occurring in public or in private life.* GBV is a human rights violation with gross consequences for men, women, children, communities and the nation at large.

Elimination of violence against women and girls continues to be at the top of the agenda of world leaders who are committed to protect women and girls in order to create a better and safer world for all through the Convention on the elimination of violence against women (CEDAW), Protocol to the African Charter on Human and People's Rights on the rights of women in Africa (The Maputo Protocol), and more recently the Great Lakes Protocol on the Prevention and Suppression of Sexual Violence against Women and Children (Kampala declaration 2009) among others.

The U.N.'s Sustainable Development Goals, which came into effect, recognize that gender equality and women's empowerment are prerequisites for development. The main targets for the fifth SDG—gender equality—are to end all forms of discrimination against women and girls everywhere as well as to eliminate all forms of violence against, and exploitation of, women and girls in the public and private spheres.

In Uganda, violence against women and girls (VAWG) manifests in a number of ways, these include: physical abuse such as battery, abandonment, controlling behaviours, rape, defilement, early and forced marriages, sexual harassment and outright physical abuse, trafficking of women and girls for sexual exploitation and female genital mutilation.

According to the 2011 Uganda Demographic and Health Survey, at least 27% of women aged 15-49 years reported having experienced some form of violence during the past one year. Based on Uganda's population of 38.8 million in 2014 (Population Reference Bureau, 2014) this means that approximately 2.2 million women experience some form of domestic violence every year. Also, the annual crime reports by the Uganda Police Force show a consistent increase in the number of reported cases of VAW/G. In Uganda like other countries, domestic violence mainly affects women; indeed, women are six times more likely to be victims of domestic violence than men.<sup>i</sup>

In 2010, the Government of Uganda enacted the Domestic Violence Act (DVA), which for the first time comprehensively provided remedies for domestic violence crimes, defined domestic violence beyond physical harm to cover emotional and economic abuse, and outlawed all forms of domestic violence in Uganda among others. Following the enactment of the law, the regulations were put in place to operationalise the law which became effective in 2011.

It is now five years since the Domestic Violence Law came into effect and questions are;

- Are women and girls better protected?
- Has reporting of VAW/G cases improved?
- Has prosecution of VAW/G cases improved, what is the outcome of these cases?
- What is the turn-around time of VAW/G cases in the justice system vis a vis the 48 hours provided for under the DVA?
- Is the law being used? If not why? What laws are being used instead and why?
- Is there progress in response to VAW/G cases; Is Uganda worse off or better off? (include an analysis of what are the emerging issues that we are learning from this scenario).

Therefore CEDOVIP intends to hire a consultant to carry out a baseline assessment regarding implementation of the Domestic Violence Act 2010 in the following specific sections of the Justice Law and Order Sector including the Uganda Police Force, The Office of the Directorate of Public Prosecutions, and Judiciary in Kampala.

The overall goal of CEDOVIP is to assess levels of progress, and gaps in the implementation of the Domestic Violence Act within the Justice, Law and Order Sector and its impact on prevention and response to violence against women in Uganda. The findings will be used to inform CEDOVIP programming and engagement with JLOS institutions in advocacy for access to justice for women.

### **3. Scope of work:**

The terms of reference for the baseline assessment are as follows;

1. Draft an inception report involving key stakeholders in order to inform the methodology, stakeholders to be consulted to gather their inputs into the baseline assessment and outcomes of the consultations.
2. To conduct a review of domestic violence cases that have been handled through the justice system since 2010 when the law came into force; assess the judgments, the turn-around time for a case to be disposed, and if the law is being used?

3. Conduct in-depth interviews with select key stakeholders from the various JLOS institutions to ascertain whether; (i) there is progress in prosecution of the VAW/G cases in Uganda; (ii) the DVA is being used and if not what are the reasons? What other laws are being used and why?
4. Assess whether there any procedural matters challenging that survivor of domestic violence to access justice.
5. Assess whether there is progress in terms of access to justice for women since the law came into force in 2010 and make specific recommendations on how to overcome the challenges.

### **Methodology**

The consultant (or team of consultants) will manage and undertake the assessment process and produce the final report. The consultant will propose a feasible research methodology for approval by CEDOVIP before the commencement of the assessment.

It is expected that the assessment will be carried out over a period of 30 working days (two months).

### **Expected Deliverables/Outputs**

- High quality assessment report not exceeding 25 pages (plus annexes) with concrete and realistic recommendations to guide future programme direction.
- Analyze, prepare and submit a report (at least 25 pages including references)

It is expected that the assessment will be carried for a period of 30 working days (one month).

The consultant will deliver on the following:

Deliverables	Time frame/ number of days
Prepare and submit an inception report clearly specifying the design, methodology and data collection tools, expected outcomes of the assignment and draft reporting format	5
Collect data on the specific objectives through desk reviews, key informant interviews, Focus group discussions and case studies.	15
Submit to CEDOVIP a draft report	6 <sup>th</sup> February,2017
Present the draft report to key stakeholders to validate the findings	10 <sup>th</sup> February,2017
Submit a high quality assessment report not exceeding 25 pages (plus annexes) with concrete and realistic recommendations. Submit a power point presentation of the summary of the key findings.	17 <sup>th</sup> February 2017

### **TIMEFRAME:**

The assessment will commence on 16<sup>th</sup> January, 2017 and should be completed by 17<sup>th</sup> February, 2017 with a draft report submitted to CEDOVIP for review and feedback. A

consultancy agreement with the terms will be signed between the consultant and CEDOVIP.

**Application process for the Consultant (s):**

CEDOVIP is inviting suitably qualified consultant (s) with the following skills:

- Master degree in Law with a Diploma in Practicing Law and over 10 years experience in the field of women's rights and the formal justice system.
- Experience of carrying out gender analysis on judicial rulings.
- Proven knowledge and analysis in relation to rights-based approach and women's rights, needs and perspectives
- Proven knowledge and understanding of the dynamics of violence against women and girls.
- Experience and knowledge of Uganda's Legal and Judicial System and Procedures.
- Experience and knowledge in working in partnership with Civil society organizations
- Ability to easily communicate with stakeholders from all social economic backgrounds.

Submit your application and proposal in sealed envelopes clearly marked '**Provision of consultancy services for CEDOVIP; A baseline assessment survey**' and should include the following information:

A CV of the applicant(s) including details on how they meet the person specification and a detailed proposal including the following:

- The proposed methodology
- The proposed work plan
- The proposed budget
- Proven experience and contactable references of past credible NGO organizational and baseline rapid assessments surveys.

Must be delivered to the address below not later than **Friday 13<sup>th</sup> January, 2017; 5:00pm.**

**Executive Director  
Center for Domestic Violence Prevention  
Plot 16 Tufnell Drive, Kamwokya  
P.O BOX 6770, Kampala.**

***NOTE: Only successful consultancy application and proposal will be contacted.***

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<sup>i</sup>2011 Uganda Demographic and Health survey. UBOS