

Dalit NGO Federation, Central Office, Chakupat, Lalitpur
TOR for the consultant to prepare Strategy for National Madhesi Commission (NDC)

1. Background and Justification

Nepal has undergone different phases of political development and as adopted the political system of federal republicanism after overthrowing a 240 years of monarchy. After the CPA (Comprehensive Peace Accord) of 2006 the 10 years conflict between state forces and Maoist came into conclusion which was signed between then 7 parties political alliance and Maoist. Though the ten years old conflict was supposed to be over as country accepted the demand of rebel force that of constituent assembly in the mean time Madhes uprising also took place in the leadership of Madhesi Janadhikar Forum which demanded Nepal to adopt federalism. In that uprising out of 68 Madhesi people who got martyrdom 11 were from Dalit community. Besides the federalism the state addressed their demand by promising to form a Madhesi Commission to look after the issues of Madhesi rights. Later on a provision was made in the article 262 of the constitution.

Though there have been a significant contribution of Madhesi Dalits in all the movements carried out for the rights of Madhesi, the concerns and issues of Madhesi Dalits have hardly been heard and or addressed. Madhesi Dalits are spread throughout the country but their concentration is high in province two, province one and province five and they constitute one third of the Dalit population and 4% point from 29% (to be confirmed) of Madhesi population.

The problem and issues of Madhesi Dalits are being addressed within larger Dalit issues by the country and some specific program have been dedicated to them such as scholarship by UGC (University Grant Commission) for the MBBS student from Mushahar, Dom and Chamar community and later on extended to Badi and Gandhava of hills as well. Since it is not sufficient to address the problem of Madhesi Dalits within Dalits and they live in Madhes their problem and issues have to be addressed within the larger Madhsi issues as well.

There is a Madhesi Commission in place with the appointment of one chairperson and staff led by the joint secretary deputed by the Nepal Government. In order to raise the issue of Madhesi Dalits within the larger Madhesi issue, DNF carried out two interactions with the commission, one was in person and another was virtual. In both interaction the Madhesi Commission has agreed to address the issue of Madhesi Dalits and informed that they are going to have their strategy formulated in the near future. DNF advocated for the separate chapter for Madhesi Dalits within the larger strategy of the commission which the Chairman has agreed.

Though this activity was not planned within CS-MAP HRS project being implemented by DNF with the funding support of FHI 360/USAID, in the extended period of the project this strategic work has to be performed. Therefore, a need of hiring a consultant who could formulate the strategy of Madhesi Dalits within Madhesi Commission's larger strategy in consultation with the existing team of staff and DNF team.

The consultant is expected to prepare strategy on Madhesi Dalit which would be finally included in the larger strategy of Madhesi Commission or will stand alone, if they wish. The consultant will have to prepare the draft strategy and put it for further review and input by the different stakeholders and finalize.

2. Scope of Work

DNF as leading organization on Dalit issue and active member of human rights community, has to ensure that Dalit rights are established and implemented. Since National Madhesi Commission has crucial role to play in promoting rights of Madhesi and if they incorporate rights of Madhesi Dalits within their plans, policies and program through their broader strategy the rights of Madhesi Dalits can also be enhanced. This call for consultancy service is to hire the service of consultant/s to provide expert guidance and efficient delivery of a strategy for Madhesi Commission under the project '*Effective implementation of fundamental human rights of Dalits*' (EIFHRD) implemented by DNF as the national advocacy partner of '*Civil Society: Mutual Accountability Project – Human Rights Strengthening (CS:MAP-HRS)*' implemented by FHI 360 and funded by USAID Nepal. The consultant will prepare Dalit strategy to be owned and incorporated by the Madhesi Commission and involve in necessary meetings, consultations and workshops with the stakeholders under the supervision of DNF board and project team.

3. The major objective of this consultancy is

- To prepare strategy for National Madhesi Commission by following entire process of strategy formulation (applying participatory approach as far as possible).
- To contribute in enhancing knowledge and capacity of Madhesi Commission staff so that they can own the strategy and play effective role in its implementation.

To fulfill these objectives the consultant will carry out the following activities:

A. Desk review and preliminary report

- The expert/s will review all the relevant documents related to Dalit that includes constitution of Nepal, Madhesi Commission act, CBDU act, policies human rights reports relevant to Dalits,. The expert will also review the strategic frameworks of different HR organizations, draft fifth NHRAP.
- The expert will review the best practices adopted by different countries in relation to Dalit rights/racial discrimination. The expert will consult with the government and non-government stakeholders as key informant regarding the Madhesi Dalit issue and how that could be addressed. The expert need to take necessary information and reference from province to attorney general office.
- The expert will prepare a preliminary draft report in compliance with the format agreed by the Madhesi Commission and DNF team and put on discussion for its further improvement. The expert will participate and if necessary will facilitate different meetings, consultation and workshop while formulating the strategy.
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B. Report finalization

- The expert will incorporate the inputs received from the stakeholders into a final report adhering to strategic framework.

4. Deliverables and due dates

The timeline of this consultancy is

Selection of consultant November	by last third week of
Preliminary questions and areas of coverage for strategy First draft report	by fourth week of November by second week of December
Consultations/workshops/ meetings Final Report 2020	Until report finalization by third week of December by last week of December

5. Selection criteria

Applicants with the following qualification will be preferred:

- Having past working experience of working on strategy issue of Dalits, Madhesi Dalits would be preferred.
- Having sound knowledge on constitution of Nepal, political and contextual analysis skill, action researches on Dalit rights, Very good understanding of the legal, political and governance dynamics in Nepal in relation to Dalit rights
- Having sound writing skill
- Having published journals, books, research paper on Dalit rights in the past, preferably on Madhesi Dalits as well.
- Having university degree of social sciences and human rights.

6. Duration

This consultancy is of 15 working days between fourth week of November, 2020 – fourth week of December, 2020.

7. Point of Contact

On behalf of DNF, the Advocacy Manager of the project EIFHRD will be the point of contact for this consultancy service. However, the consultant will also be required to coordinate with the Team Leader, Executive Director and Executive Board.

8. Place of assignment:

All Kathmandu based respective line agencies, ministries, Secretariat offices as required to be consulted.

Notice for Consultancy

Dalit NGO Federation (DNF) is the apex organization of more than 400 Dalit CSOs of Nepal and has been engaged in its mission of eliminating caste based discrimination and related intolerance with the process of empowerment of Dalits. In order to advance further its mission it implements various advocacy, lobby and empowerment activities in which it applies Human Rights based approach. It is currently implementing CS:MAP HRS project with the funding support of FHI 360/USAID for the last one year. One of the many activities is preparing strategy for National Madhesi Commission.

In order to carry out the job DNF intends to hire a consultant having, knowledge, skill and expertise on Human Rights issue in general and Dalit Human Rights in particular. A details of the proposed job is given in the attached TOR. All the candidates having the knowledge, skill and expertise on the job suitable to TOR are asked to submit their concept and remuneration within 7 days of the first publication of this notice to following email link. DNF will select the competitive candidate, however, the preference will be given to the members of Madhesi Dalit community.

dnf@dnfnepal.org / ed@dnfnepal.org

Dalit NGO Federation (DNF)

Mitra Galli No. 6

Chakupat, Lalitpur