

## **TOR for the consultant to prepare Dalit Empowerment bill for Province 1 and Gandaki Province**

### **1. Background and Justification**

Dalit NGO Federation (DNF) which is the apex organization of more than 400 Dalit CSOs of the country has been engaged in advocacy and lobbying work at local, national and international level for the Dalit rights over the period of almost three decades. For the last one year it has been implementing a project with the financial support of FHI360/USAID which aims to ensure the constitutional provisions meant for Dalits are implemented effectively in the country. One of the many activities of DNF is to carry out resource mapping which analyzes the plans, policies, program and budgets of all provinces and another activity was to collect feedback on the UPR report on Dalits. While carrying out feedback collection on UPR in Gandaki province in the month of February 2020 a lobby visit was carried out with the chief minister in the support of his chief advisor who belongs to Dalit community and active supporter of DNF and during that courtesy visit he invited DNF to provide support in preparing Dalit empowerment bill of the province. Likewise, the chief advisor to DNF has also been following up with DNF and asking to provide support not just in preparing bill but in other aspect of Dalit empowerment as well.

While carrying out a resource mapping activity in province one, similar lobby visit was carried out with the economic affairs and planning minister and subsequently with the chief minister. The EOAP minister again asked DNF to provide necessary support in preparing bill for province one that would be for Dalits and also asked the delegates to pay separate visit to the chief minister. On the following day a visit was paid to the chief minister of province one and he appreciated the efforts being made by DNF and asked for further collaboration with his office. He also suggested to get the bill originated from the social welfare ministry in which the state minister is from the Dalit community (she is the only one minister in entire 7 provinces from Dalit community).

The support to bill formulation activity was not planned initially in the project, however, the project was extended for another three months and with the support of FHI360/USAID this activity has been incorporated in the extended period. Now DNF is required to put in place a consultant who would not just prepare the two bills for province one and Gandaki province but would raise the awareness of the stakeholders (Dalit CSOs leaders and parliamentarians) so that they could argue and defend in their respective parliaments when the bills are introduced for the discussion, debate and amendments if any.

The consultant is expected to prepare two bills for province one and Gandaki provinces with the background work and supporting data/information which would be used extensively by the Dalit parliamentarians who would be ultimately defending the bills. Likewise a consultation program at the provincial level will be organized in which the consultant will have to present the work for their review and input. Upon finalizing it, DNF will hand it over to the respective ministries of the provinces.

### **2. Scope of Work**

DNF being the apex organization of all Dalit CSOs of Nepal has to ensure that aspirations of the entire Dalit community that of the provinces one and Gandaki have been reflected in the proposed bills. Likewise the proposed bills will have to incorporate the feedback and suggestions provided in the consultations. This is indeed a very good opportunity for DNF and for project to play a vital role in the strategic intervention of the constitutional provisions meant for Dalits to implement at the provincial level. This call for

consultancy service is to hire the service of consultant/s to provide expertise in drafting the bills of Dalit rights promotion under the project '*Effective implementation of fundamental human rights of Dalits*' (EIFHRD) implemented by DND 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 the draft bills 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 two bills related to Dalit Empowerment (Dalit rights Promotion Bill) of province one and Gandaki province.

To contribute in enhancing knowledge and awareness of provincial parliamentarians and Dalit CSOs leaders for the further advocacy and lobbying to get it passed from the parliaments.

#### **A. Desk review and preliminary**

- The expert/s will review the relevant documents related to Dalit bills that includes the constitution of Nepal, CBDU act, Dalit empowerment act of province two and Dalit Empowerment bill of Sudurpaschim province. The expert will also review the bills and guidelines of Gandaki province to make the proposed bill compatible.
- The expert will review the best practices adopted while passing the similar bill, especially that of province two and also look into the implementation aspect of the same.
- The expert will prepare a preliminary draft bill and also supporting document, such as Dalit demographic composition of the two provinces with specific human development information of the provinces based on which the for the bill parliamentarians can discuss and debate. The expert will participate and contribute in the interactions being organized by DNF or the respective ministries of the provinces.

#### **B. Report finalization**

- The expert will incorporate the inputs received from the stakeholders into the final bills from DNF side for the necessary hand over to the respective ministries.

### **4. Deliverables and due dates**

The timeline of this consultancy is

|   |                            |
|---|----------------------------|
| Selection of consultant                               | by last week of November   |
| Preliminary questions and areas of coverage for bills | by first week of December  |
| First draft report                                    | by second week of December |
| Consultations/workshops/ meetings                     | Until report finalization  |
| Final Report (bills)                                  | by Second week of December |
| December 2020   | by fourth 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
- 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 background of social sciences, law will be preferred.
- Having sound writing skill
- Having published journals, books, research paper on Dalit rights in the past, prepared similar bills or reviewed will be added advantage.

**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 as well as provincial based respective line agencies, ministries, Secretariat offices as required to be consulted.

