

**TERMS OF REFERENCE FOR Consultant- DRAFTING OF ANTI GBV BILL FOR SOUTH SUDAN**

<b>TERMS OF REFERENCE (to be completed by Hiring Office)</b>	
Hiring Office:	UNFPA
Purpose of consultancy:	<p>Gender Based Violence (GBV) is any act of violence against women 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 deprivation of liberty, whether occurring in public or private life.</p> <p>GBV remains prevalent in South Sudan. With insecurity increasing in many regions of South Sudan, GBV has become more frequent, and women are now specifically targeted during violent inter-ethnic conflict. However, legislation on GBV remains scattered in the penal code, incoherent and sometimes conflicting. This is coupled with lack of infrastructure, government resources, and personnel to effectively prosecute such cases. Further, records show that out of all the few cases reported to the police only about 5% commence trial in the courts and fewer still are logically concluded. This is due to various reasons such as; withdrawal of cases from the police, late reporting, low confidence in the justice system and insufficient evidence.</p> <p>To address this, the government of South Sudan has embarked on significant changes in order to provide GBV survivors greater access to justice. These include:</p> <ul style="list-style-type: none"> <li>• Training police officers to properly and adequately protect survivors of violence, providing training and resources to improve the accessibility and effectiveness of the court system</li> <li>• Development of manual on the Investigation and Prosecution of Sexual and Gender Based Violence Cases in South Sudan</li> <li>• Establishment of the Special Protection Units in various police stations</li> <li>• Establishment of Women and Children’s Unit at the Directorate of Public Prosecutions in the Ministry of Justice and Constitutional Affairs</li> <li>• On-going plans by the judiciary to establish a special court</li> </ul>

	<p>specifically dealing with GBV.</p> <ul style="list-style-type: none"> <li>• The Ministry of Gender, Child and Social welfare, led a study tour of various partners to Zambia to learn on the Zambia anti GBV act and how it is functioning for possible replication in South Sudan</li> </ul> <p><b>Rationale for a specific Anti GBV Act in South Sudan</b></p> <p>To effectively address GBV and facilitate effective access to justice; the Ministry of Gender, Child and Social Welfare in collaboration with Ministry of Justice and Constitutional Affairs and Judiciary of South Sudan intend to develop a GBV legislation in the country, to address the loop holes that the current pieces of legislation have on ensuring justice and bringing perpetrators to book.</p> <p>Passing of the GBV Act will encourage South Sudan to ensure that the laws against violence and abuse within the family, rape, sexual harassment and any other type of violence against women, protects all women adequately and respects their integrity and dignity. They also indicate the need to provide appropriate protection and support to survivors.</p> <p>A consultant is therefore required to assist Ministry of Gender Child and Social Welfare together with other line Ministries (MoJ, the Judiciary) to develop the Anti GBV bill for South Sudan</p>
<p>Scope of work:</p> <p>(Description of services, activities, or outputs)</p>	<p><b><u>Objective of the Consultancy</u></b></p> <ul style="list-style-type: none"> <li>• To support development of the Anti GBV bill for South Sudan</li> </ul> <p><b><u>Main Tasks and Responsibilities</u></b></p> <p>The overall task of the consultancy is to support drafting of the GBV bill for South Sudan</p> <p>The following are the specific tasks: -</p> <ul style="list-style-type: none"> <li>• Review and analyze existing legal provisions in South Sudan</li> <li>• Lead the state level law development process consultations</li> <li>• Work closely with the Ministries of Gender, Child and social welfare and Ministry of Justice to lead consultation process with other Government line ministries, CSOs both at National and state level</li> <li>• Lead the drafting of the Anti GBV bill in partnership with the ministry of Justice-drafting unit</li> </ul>

	<ul style="list-style-type: none"> <li>• Conduct consultation and validation workshop with relevant partners on the draft bill</li> <li>• Finalisation of the Anti GBV bill</li> </ul> <p><i>Key deliverables</i></p> <ul style="list-style-type: none"> <li>• Consultations report</li> <li>• Draft Anti GBV bill</li> </ul>
Duration and working schedule:	<p>The consultant is expected to fulfil the above tasks over a period of two months (30 days in country and 30 days home based)</p> <ul style="list-style-type: none"> <li>• An agreement on the activities and timeline shall be reached between Ministry of Gender, Child and Social Welfare, Ministry of Justice/ UNFPA, the TWG and the Consultant including field visits, meetings, consultations</li> </ul>
Place where services are to be delivered:	South Sudan -Juba
Delivery dates and how work will be delivered (e.g. electronic, hard copy etc.):	<p>Soft copies of the following</p> <ul style="list-style-type: none"> <li>(i) State consultations report- after the first phase (30<sup>th</sup> day)</li> <li>(ii) Draft Anti GBV Bill- end of phase two (60<sup>th</sup> day)</li> </ul>
Monitoring and progress control, including reporting requirements, periodicity format and deadline:	<p>UNFPA with support from the Technical Working Group (TWG) will be responsible to monitor consultant's work based on agreed Inception report and agreed deliverables.</p> <p>The final deliverables will be cleared by the TWG and approved by UNFPA before final payment</p>
Supervisory arrangements:	UNFPA Gender Specialist
Expected travel:	Juba and selected states
Required expertise, qualifications and competencies, including language requirements:	<ul style="list-style-type: none"> <li>• University Degree in law</li> <li>• 5-10 Years' experience in strategic work related to legislative drafting and in particular GBV related legislation</li> <li>• Proven understanding of the GBV Survivor centred approach and guiding principles of working with survivors</li> <li>• Excellent interpersonal skills and ability to establish effective and working relationship with concerned line Ministries, and other partners</li> <li>• Good knowledge of South Sudan legal framework</li> </ul>

	<ul style="list-style-type: none"> <li>• Excellent written and spoken Communication skills in English</li> </ul> <p><b>Language and other skills:</b></p> <ul style="list-style-type: none"> <li>• Excellent knowledge of written and oral communication in English. Working knowledge of Arabic will be an advantage.</li> <li>• Computer skills: full command of Microsoft applications (Word, Excel, PowerPoint) and other relevant software based on the assignment.</li> </ul>
Inputs / services to be provided by UNFPA or implementing partner (e.g support services, office space, equipment), if applicable:	Office space, Transport to the field, Stationary
Other relevant information or special conditions, if any:	The expert is recruited at equivalent to P4 level
<p><b><u>How to Apply</u></b></p> <p>Applicants are kindly requested to send their application to <a href="mailto:ssco.vacancies@unfpa.org">ssco.vacancies@unfpa.org</a> by COB 25 February 2019. Applications received after this date will not be taken into consideration. All applications should be cleared marked with <u>Subject Line</u> “<b>Anti GBV Bill Consultant (International Post)</b>”.</p> <p>Applicants will be short-listed on the basis of their qualifications and work experience. Only the short-listed candidates will be invited for interviews.</p> <p><b>IMPORTANT:</b> There is NO application processing or other fee at any stage of UNFPA application processes.</p>	