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We Are Able! South Sudan - 2023 Research Learning Agenda TOR

Terms of Reference (TOR) for a researcher/consultant to assess the barriers towards implementation of existing legislation to protect and promote the rights of persons with disabilities in South Sudan; and to review strategies to assure respect of and realization of the implementation of existing legislation.

Geographical focus: Bor South, South Sudan

Background

The We Are Able! Programme - funded by the Dutch Ministry of Foreign Affairs - works in six African Countries (Burundi, DR Congo, South Sudan, Sudan, Uganda and Ethiopia) and has as main objective to advance the food and livelihood security of people with disabilities through lobby & advocacy. The overall objective is: 'Co-creating inclusive governance for access to basic resources that leaves no-one behind'.

It is the vision of the We Are Able project for Persons with Disabilities (PWDs) having improved access to their right to land and food security by creating an enabling environment for action at the grassroots level.

In South Sudan the "We Are Able!" programme is implemented by a Consortium of ZOA Dorcas, Light for the World, the African Disability Forum (ADF), The Hague Academy (THA) and Vereniging Nederlandse Gemeenten International (VNGi). The geographical areas of focus is Bor South, more specifically Anyidi, Kolnyang and Makuach Payam.

We Are Able! is being financed by the Dutch Ministry of Foreign Affairs under the Power of Voices subsidiary framework and runs from January 1st 2021 until December 31st 2025.

We Are Able! focuses on lobby and advocacy by and for Persons with Disabilities and other marginalized groups to increase their access to basic resources such as food, land and water as detailed in the Theory of Change for the WAA! programme. We Are Able! will be working with individuals





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directly as well as through their representative organizations, such as organizations of persons with Disabilities (OPDs) and mainstream Civil Society Organizations (CSOs). Formal and informal authorities at local, national and international level are involved to promote dialogue and a conducive enabling environment for change that ensures food security for those most at need in countries affected by conflict as well as by the impact of the COVID19 pandemic.

Background of the assignment

National legislation to protect and promote the rights of persons with disabilities exist in all WaA! Countries, including South Sudan (...Treaty African, UN-CRPD, HI - SS Disability and Inclusion Fact and Accesible School, South Sudan Strategic Planetc). Yet, implementation is either weak or lacking.

At global level, the We Are Able programme is guided by a Learning Agenda which is created to help facilitate learning and decision making within the WaA! program and the partner organisations within the consortium at large.

The Learning Agenda is the "result" of a global Scoping Study undertaken in 2021 on the existing knowledge gaps that would require further investigation so as to address the challenges faced by men and women with disabilities to access services and resources;

The Scoping Studies highlighted the need to investigate;

1. What awareness-raising means contextually, for instance, promoting rights to services and resources, or rather promoting participation in decision-taking?(whose awareness needs to be raised, as well as the possibilities of 'targeted awareness raising')
2. How to change social norms leading to stigmatization in specific communities which is a central concern for the program.
3. Access to basic social services -notably education and health care which is seen as essential for decreasing vulnerability and exclusion. Understanding of what accessibility entails is required among persons with disability, government authorities, and the community.
4. How to strengthen the capacity of OPDs in designing effective advocacy strategies and clear theories of change and, effectively communicating with local authorities





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5. Barriers towards the implementation of the existing legal frameworks need to be investigated, as well as strategies to assure that existing legislation is respected and realized in practices.
6. Reliable data to support efforts of inclusion of persons with disability through having an understanding of different categories of disability, and the particular vulnerabilities associated with these.

Through priority setting, WaA! partners in South Sudan identified recommendation #5 "***Barriers towards implementation of the existing legal frameworks need to be investigated, as well as strategies to assure that existing legislation is respected and realized in practice***" as a key recommendation that would require more attention in South Sudan.

South Sudan has in place various legal frameworks such as South Sudan Call for Action, South Sudan Strategy Plan 2022-2026, Jonglei Disability Bill 2022, Resource park Education, etc South Sudan has not yet ratified xxx and people with disabilities face many institutional barriers in South Sudan. Furthermore, there's been little research on the experience of people with disabilities living in South Sudan and the opportunities as well as barriers towards the effective implementation of existing legislations to protect and advance the rights of people with disabilities.

Furthermore, whereas the formal adoption, ratification and implementation of statutory legal frameworks has been the subject of debate among policy makers, academia and humanitarian practitioners both in South Sudan and beyond, only very limited attention has been paid to the ways in which customary laws and cultures protect the rights of people with disabilities and possible discrepancies between the statutory and customary systems. This is particularly relevant since South Sudan's legal system is built upon both customary and statutory law and the South Sudan Local Governance Act 2009 recognizes the customary jurisprudence with traditional authorities presiding over cases within their level of jurisdiction. The knowledge gap poses a significant risk towards the success of lobby & advocacy programmes relating to the implementation and advancements of rights of people, especially at grassroots levels where traditional leaders are primarily responsible to see to it that existing legislation is implemented.





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As such, and in line with the South Sudan 2023 learning agenda - the consortium in South Sudan is commissioning a research to unpack this question in the specific context of South Sudan, Bor South County in Jonglei State .

Specific objective / research questions

In line with the WAA! Learning Agenda training, the research study will focus on the following research question:

What are the barriers towards the implementation of existing legislation to protect and promote the rights of persons with disabilities in South Sudan; and to review strategies to assure respect of and realization of the implementation of existing legislation. How rights of PWDs can be promoted is realistic to consider. Geographical focus: Bor South, South Sudan

Specific research questions include:

- *What formal legal frameworks pertaining to the rights of people with disabilities exist in South Sudan?*
- *What customary frameworks - specifically among Dinka Bor communities - exist to protect and promote the rights of people with disabilities?*
- *What are the barriers towards the implementation of the existing legal frameworks as experienced by stakeholders, including i.e. policymakers, practitioners including traditional courts, people with disabilities and the wider communities in South Sudan, and more specifically Bor South?*
- *Which scope exist for additional legal framework and what process steps are recommended for future Lobby & Advocacy, according to the various stakeholders?*
- *What strategies are needed according to the listed stakeholders to ensure that existing legislation is respected and realized in practice, in the specific context of Bor South? What roles and responsibilities are identified?*
- *What scope for additional legislation exist in South Sudan? What strategies are to be employed from a lobby & advocacy angle to support the adoption of such legal frameworks?*





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It is critical for the consultant to properly understand the three key pathways of change for the WaA! Project and how they work to create a synergy in creating effective change. To this end, upon signing of the contract, ZOA Dorcas will share the full project proposal, and other research documents, with the consultant.

The findings shall inform further interventions in South Sudan and the WaA! Consortium learning agenda broadly in 2023 and beyond taking into account country-specific challenges and intervention practices.

Together with WaA! South Sudan MEAL team, the Consortium Coordinator, Consortium members and in consultation with the overall Knowledge Management coordinator (Netherlands), co-organize the discussion on the findings with consortium members, and key stakeholders in WaA! South Sudan to arrive at exchange of experiences and lessons learned; and an identification of key themes for further study in the years to follow.

Activities to be performed

- Design Research study framework and tools in collaboration with the MEAL team for We Are Able South Sudan and Knowledge Management team in the Netherlands
- Conduct data collection in collaboration with We Are Able country team
- Synthesize, analyse and interpret primary and secondary data collected in a report
- Present the results/findings to the South Sudan partners and MEAL-Knowledge Management team in the Netherlands together with the local government actors, SCOs, OPDs through a one day Validation workshop.
- Draw recommendations from the report for informing South Sudan 's Learning Agenda for the WaA! Implementing partners.

Outputs (expected deliverables)

- Notes on interviews; raw datasets
- Comprehensive report on findings relevant to the research questions with key annexes.
- Presentation and discussion of findings during knowledge sharing workshops (including power-point and meeting report)





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- Recommendation for future learning Agenda

Minimum Qualifications:

Education

- Advanced university degree (Master's degree or PhD) in Legal Law, Development studies, Cultural Anthropology, Public Administration, or other relevant field.

Professional experience

- Extensive experience in qualitative research and interviewing; Key Informants & Focus Group Discussions (KI & FGDs).
- At least 5 years' work experience dealing with issues related to access to justice and/or strengthening of the rule of law in plural legal systems.
- Excellent knowledge of the legal and judicial system in South Sudan=; including customary systems
- Good knowledge of the political environment and legal statutes as they pertain to human rights;
- Knowledge of the inclusion of marginalized groups in development programmes and governance in fragile settings;
- Experience with organizing and facilitating interactive research and workshops;
- Knowledge of the socio-cultural context in South Sudan and specifically Bor South County of Jonglei State
- Experience of working with Persons with Disabilities is an advantage

Skills

- Fluent in English both speaking and writing, and fluency in local languages (including Arabic and Dinka is an advantage
- Gender sensitive
- Excellent reporting and presentation skills
- Strong analytical skills
- Excellent facilitating and presenting skills

Approximate number of working days and planning is 18 days and 2 travel days distributed as suggested.





Led by the consortium coordinator, ZOA Dorcas will constitute a research reference committee which will be responsible to review and overseeing the quality of the research.

S/N	Key assignment	Proposed number of days
1	Travel to Bor	1 day
2	& Briefing and Introduction to the relevant Authorities	1 day
3	Literature / Desk review	2 days
4	Finalization of topic guide/tools:	2 days
5	Develop a framework to support the data collection:	2 Days
6	Planning and organization of the interviews incl field work in Bor	5 days
7	Consolidation of information and Data Analysis:	2 days
8	Travel back to Juba	1 day
9	Writing report on findings incl. (at least) 2 review rounds:	4 days
	Total	20

Division of Roles and Responsibilities:

Roles and Responsibilities of ZOA Dorcas/Consortium Partners

- Provide relevant (background) documents and data for the desk study
- Inform the Consultant about the program area, project and security situation
- Provide guidance and technical support as required throughout the research processes
- Facilitate all arrangements required for the assignment including providing logistical support
- Effect Payments of the services as per the contract agreement





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- Review and approve inception reports, proposed research methods and tools, report other relevant documents/Requirements
- Review the draft report and provide timely feedback to the consultant
- Facilitate and logistical arrangements for the Consultants
- Approve all final deliverables as per the contract agreement

Roles and Responsibilities of the Consultant/Consulting Firm

- Submit the technical and financial proposal with clear proposed study methodologies
- Review documents and submit an inception report with detailed data collection methodology and design including data collection tools
- Develop the field work schedule
- In consultation with ZOA Dorcas, the Consultant will train and manage enumerators for data collection
- Administer and supervise data collection, data entry and analysis
- Provide regular progress to ZOA Dorcas South Sudan Consortium Coordinator
- Seek comments and feedback from program technical team regularly to incorporate in the final report
- Provide all deliverables and final report to ZOA Dorcas South Sudan as per the agreed timeframe

Management of the Consultant:

The hired consultant will work directly with ZOA Dorcas South Sudan with the direct supervision of the Consortium Coordinator, Supported by the Program/Area Manager and any applicable Consortium Partner organization. The Consultant team will assign its team leader who will be responsible for the communication and coordination until the data collection is completed and reported.

Payments

1. The first instalment (40%) equivalent to 10 days of work will be paid after the submission and approval of the draft research report.
2. The second (final) payment (10 days) will be made upon the completion of final report and dissemination

Period of the Assignment:

The 20 days' work can be spread over this period.





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Place of the Assignment

Bor South County - Jonglei State, South Sudan

Time frame

- Sign ToR: -February South Sudan
- Briefing meeting with ZOA Dorcas technical team (Programme Manager and Manager of Programme Quality (MEAL Team) and the Consortium Coordinator - March 2023
- Preparation of the consultancy - March 2023
- Conducting interviews/Reviews- March/April 2023
- Delivery of report of findings and presenting findings to partners for input to knowledge sharing event -April/May 2023

Financial Proposals:

- All Financial Proposals submitted must comply with the requirements in the Request of Proposal and shall list all costs associated with the assignment.
- Total; budget in USD, including a breakdown of the proposed activities
- Breakdown of fees (based on # days), and other associated costs.
- The Financial proposal should clearly indicate, as separate amount, the local taxes applicable. This Includes 20% withholding tax on the professional fees.

Applications

- Interested applicants should be a South Sudanese-based consultants, researchers with relevant experience in conducting studies, and writing policy papers.
- Applicants must be available for the period of the assignment, and be able to conduct desk-based research and carry out interviews and online meetings with stakeholders and key informants.
- Applicants should have their own laptop/phone/internet access for the assignment.
- Interested applicants should submit:
 1. CV (no more than 2 pages) showing relevant experience
 2. Cover letter explaining suitability for the role





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3. Outline a proposal not exceeding 5 pages, inclusive of a work plan, based on the above schedule, including any additional suggestions or considerations to support the study and 1 sample KII interview guide
4. Proposed budget for the assignment, based on a day rate calculation (only working days are to be considered)

Please send your proposal to: procurement.southsudan@zoadorcas.ngo not later than 06th March 2023 or Hand deliver in sealed envelop to ZOA Dorcas office in Juba in Nyakuron west, Juba - South Sudan or Bor Field office located at Lambar C Area, Bor town,

Please Mention **"Application for Research consultant for We Are Able !"** in the email subject.

