

## **Informal Sector Service Centre (INSEC)**

### **Terms of Reference (ToR)**

#### **For a study on Shrinking Civil Society Space in the context of COVID-19 in Karnali Province”**

**Project:** Addressing the protection issue of HRDs focusing on the women and Dalit HRDS in Karnali province (ADHIKAR-II)

**Supported by:** CISU/DCA

**Implemented by:** INSEC

#### **Background Information**

The ongoing COVID-19 health crisis has affected lives across the world. The effects of the pandemic caused economic crisis and hindrance to the marginalized people. Furthermore, the lockdown approach to prevent the spread of pandemics limited social engagement and behaviors. After the cases of COVID-19 started increasing, Nepal government's early response involved a lockdown which ultimately closed the gathering of people and hindered CSOs' mobility. The government became the only actor to work directly against pandemics. During this period, different rights of citizens; right to the free health service, employment, education, free movement, property and even right to the life got directly or indirectly violated. The situation in Nepal is particularly dire, with a deadly second wave of infections sweeping across the country. COVID-19 infected people have reached 979,199 and the death toll has reached 11,952 on June 5, 2022.

CSOs in Nepal have been facing serious restrictions on its freedom of expression and engaged in activism following the pandemic. Even before that, CSOs were already under the pressure as they had begun facing questions about their accountability, transparency and independence ultimately affecting their credibility. Many factors influenced the perceptions of public about CSOs, the increase in advocacy for transitional justice, which was not always in line with the State's attempts toward that end. Another factor was the increased visibility and support for CSOs after the 2015 earthquakes which brought into debate both the governance and accountability of CSOs. Another issue faced by CSOs was the difficulties in obtaining tax exemption certificates, costs of Social Welfare Council (SWC) monitoring and approvals, and most importantly the issue of organizational renewal as most of them had already been in business for over two decades (after 1990), with little or no change in systems and approaches. The pandemic has worsened the situation for CSOs with unwarranted state restriction on civic space.

There is therefore a need for CSOs to reconnect with government, build public trust, legitimacy and to develop technical, advocacy, and management capacity for remaining a trusted party for delivering public services and work to promote and protect the space required for civil society work. However, the COVID-19 situation is normal now. But it is necessary to carry out a fact study of its multidimensional effects on civic space for citizen engagement in public concerns. The study could be an exact reference to respond for the

sake of humanity and human rights during such unpredictable crises like COVID-19 pandemics in the future.

INSEC with support of DanChurchAid (DCA) has been implementing ADHIKAR project in the Karnali province to capacitate HRDs (individuals and CSOs) in raising the voices of women and Dalits, who have been severely hit by the situation unfolding because of the COVID-19 pandemic. The key focus areas of the project are to: a) strengthen the capacity of HRD networks to protect themselves and the rights of women and Dalits, b) accelerate efforts and campaigns to reduce Human Rights Violation (HRV) cases among Dalits and women, and promote affirmative behavioural changes, and c) enhance institutional mechanisms to provide timely and effective services to the survivors of HRV cases and HRDs at the sub-national level (provincial and local), thus enabling HRDs to function effectively and offer a decent life to the women and Dalits, whose rights have been violated and have been affected by or are at-risk of violation.

Learning and experiences so far have shown that a study is imperative to assess the level and extent of shrinking civil society space during the Covid-19 and how it has impacted to the works of CSOs, the human rights defender (HRDs) as their role is highly relevant to contribute to defend the rights of poor and marginalised people, and how the shrinking space has impacted the marginalised women and Dalits in realising their rights. The study has also been important to document the challenges owing to the shrinking space and make recommendations for those concerned including the governments showing the way how the challenges could be addressed and ensured the civic space for the CSOs and HRDs.

Based on the findings and recommendations of the report, a policy advocacy strategy (including a policy brief) will be developed to create pressure on the respective government to address the issue of HRD. Additionally, the findings of the study will contribute to the UPR and treaty reporting and post-reporting advocacy process. The final report will be uploaded to the DCA and INSEC websites for wider dissemination. Furthermore, this study will reflect the actual situation of rights to freedom of association and assembly (scope of civic space) in Karnali Province, which will establish a database for evidence-based advocacy in the days to come. Similarly, the results of the study will share the required framework for future interventions targeting to HRDs and minorities especially women and Dalits in Karnali Province. Therefore, the terms of reference have been developed to carry out a study by an eligible independent expert.

## **Objective**

The overall objective of the study, which will be more of qualitative in nature and have a strong gender focus, will be to understand the level and extend of shrinking civil society space (CS) in the Covid-19 context. It will have the following specific objectives:

- To analyze the consequences faced by women and Dalit Human Rights Defenders and community people due to the shrinking CS space during the COVID-19 pandemic.

- To assess the level and extend to how the civic space is shrunk and the challenges faced by the CSOs and HRDs to function and continue their works for/with the poor and marginalized people.
- Make relevant recommendations with innovative ideas and approaches to address the challenges and barriers in defending civic space in Karnali.

### **Scope of Work/Assignment**

The study will cover both the HRDs, CSOs and service providers/government representing different roles and socio-economic backgrounds from selected Rural/municipality from the districts where ADHIKAR – II project is being implemented. The expert will collect and analyse the views and perspectives of selected HRDs, CSO representatives, and community people regarding the contemporary civic space, its concerns, challenges and barriers in the Covid-19 context, and its impact on HRDs and poor women and Dalits. The consultant will work under the technical support of INSEC. The primary topic of the study is **“Shrinking Civil Space in (Karnali Province)” in the context of COVID-19**. Specifically, the consultant will do the following tasks:

- Coordination with the concerned organization as per need.
- Literature review in the areas of shrinking civil space in the context of COVID-19 in Karnali province and Nepal.
- Submit a detailed proposal with the budget breakdown as mentioned.
- Documentation management and carrying out data analysis using valid data software.
- Submit a final study report within a given time.

### **Methodology**

The expert has to share the complete methodology of the study for ensuring the quality as mentioned in this terms of reference. The fundamental methodological requirements are followed as below;

- This study is based on the primary source which ensures the triangulation of the views of individuals from CSOs, the targeted population, and governing authorities.
- The relevant literature to be reviewed, reflected, and mentioned properly to present the comprehensive status of shrinking civic space during COVID-19 in Karnali Province.
- The study design must incorporate the methodological tools (FGD, KII, and survey), sampling method, and quality standards for ensuring the reliability and validity of the study.

### **Implementation and Management of task**

The assignment will be monitored by the project coordinator from INSEC in proper communication with the selected expert. The filed proceeding for data collection, sampling, tolls finalization and required works to ensure the deliverables are the

liability of the consultant. The selection procedure will be competitive and decided by INSEC through a transparent process. INSEC will facilitate the process to assist study and the expert has their accountability to complete the assignment as per the terms of reference. The quality criteria for the anticipated expert;

- The consultant should be MA in social science or a relevant field
- The consultant having at least five years of relevant experience in the field of the research study will be given priority.
- The consultant abides by gender sensitivity and the rule of INSEC during the assignment.
- Previous experience in the field of similar studies will be prioritized during the selection process.

### **Key deliverable**

The key deliverables of this assignment follow as below;

<b>Actions</b>	<b>Deadline</b>
Proposal of the study with study design (including the methodology, tools, sample, and location)	Within the duration of public notice
Final study design/Inception report (including the methodology, tools, sample, and location)	Within 5 days after the contract was completed between both the parties
Field plan and tolls for data collection	Within 7 days after the contract was completed between both the parties
Draft report	Within 25 days after the contract was completed between both the parties
Final report	Within 35 days after the contract was completed between both the parties

### **Cost plan for the assignment**

The experts (individuals or companies) are requested to apply for the task by proposing the required budget which is subject to compliance with the Nepal Government's tax regulations. The budget includes overall logistics requirements such as (Field visits, group discussion, stakeholder meetings, communication, FGD/KII, stationery, and resources fee).

### **Duration of study**

The duration of the assignment is expected to be 25 working days over a period of 35 days from the contract signature date.

### **Application Procedures**

Interested candidates should submit a proposal with a cover letter and all required documents mentioned in the ToR. The proposal with required documents can be submitted either hard copy or electronic copy through email: [insec@insec.org.np](mailto:insec@insec.org.np)