



## TERMS OF REFERENCE

### SHORT TERM CONSULTANCY TO UNDERTAKE AN ANALYSIS OF LAWS AND POLICIES THAT ADDRESS SEXUAL AND GENDER BASED VIOLENCE IN ZAMBIA.

#### 1. BACKGROUND

Equality Now, founded in 1992, is an international women's rights organization that works to achieve legal and systemic change that addresses violence and discrimination against women and girls around the world, with a focus on ending sexual violence, harmful practices, sex trafficking, and achieving legal equality. Combining grassroots activism with international, regional and national legal advocacy Equality Now's approach links high level policy advocacy and global activism with support and legal advice to grassroots partners and networks working on specific cases of women and girls in order to promote change at all levels.

In 2008, Equality Now supported a 13 year old girl who had been raped by her teacher. In 2006, R.M (a minor) through her guardian filed a case where she sought accountability from the perpetrator (her teacher) and from her school and the Ministry of Education for their failure to protect her. In 2008, the High Court in Lusaka issued a landmark judgment in favor of the minor. R.M was awarded damages and the Ministry of Education was urged to set regulations that are geared towards stemming such acts. This was a precedent setting judgment and it was cited in **W.J & another v Astarikoh Henry Amkoah & 9 others [2015] eKLR**. Subsequent to the judgment, Equality Now supported partners who formed a coalition *Tisunge Ana Athu Coalition* (TAAC) that worked on addressing the prevalence of physical and sexual violence against girls in Lusaka, Zambia.

In an effort to advance the work by partners in addressing School Related Sexual and Gender Based Violence (SRSGBV), Equality Now seeks to engage a consultant to undertake an analysis of laws and policies that address Sexual and Gender Based Violence (SGBV) in Zambia for the project *Enhancing Access to Justice for Adolescent Girls* that is being implemented in Zambia for a period of two (2) years from October 2018 to- October 2020.

The ultimate goal of this project is to ensure that the government guarantees the human rights of adolescent girls to be free from sexual violence in schools and ensure access to justice for survivors of SGBV. The project also aims at promoting the right to education for girls in Zambia.

## 2. SCOPE OF THE ASSIGNMENT

The Proposed Legal and Policy Analysis seeks to provide an in-depth understanding of the existing laws and policies that currently address SGBV in Zambia and the extent to which these laws and policies are implemented and the existing gaps therein. The Legal and Policy analysis will equally determine the level of investment by state actors to ensure the enforcement of these laws. Additionally, the analysis will outline the prevalence of School Related Gender Based Violence (SRGBV) and whether there exists any reporting procedures/mechanisms in schools for students to report such cases. The Legal and Policy analysis will inform Equality Now and partners on some of the interventions to employ to ensure the rights of adolescent girls in Zambia are protected and promoted.

## 3. OBJECTIVE

To hold the government of Zambia accountable to commitments they have made under national, international and regional frameworks. To identify the gaps (if any) that exist in laws and policies that address SGBV in Zambia.

## 4. TASKS AND DELIVERABLES

In line with the broader scope of this assignment, the successful candidate is expected to focus on the following concerning Zambia:

- a. Undertake a review of the regional and international legal frameworks that Zambia is party to and the obligations therein in as far as addressing Sexual and Gender Based Violence is concerned;
- b. Undertake a desktop review and analysis of national laws and policies that address Sexual and Gender Based Violence;
- c. Review any cases of School Related Gender Based Violence and its prevalence;
- d. Undertake an analysis of the 1997 School Re-Entry Policy, its efficacy and the challenges in implementation;
- e. Identify the gaps in laws and policies in as far as addressing Sexual and Gender Based Violence is concerned and make recommendations.

**The consultant will deliver the following:**

- An initial report detailing a proposed methodology and timeline;
- A draft legal and policy analysis report ;
- A final report, with feedback integrated from Equality Now and its partners and
- A presentation detailing the findings of the analysis and gaps to be made during the validation meeting.

**5. MINIMUM REQUIREMENTS OF THE CONSULTANT**

- a. Master's degree in Law, Gender studies/development studies or related field of study;
- b. An in-depth knowledge and experience working in the field of human rights work focusing on protection of the rights of women and girls;
- c. Vast experience in legal advocacy at national, regional and international levels;
- d. An in-depth knowledge of the Zambia national legal frameworks, legislative processes and the international and regional treaties that Zambia has ratified.
- e. An in-depth knowledge of Adolescent/youth national policies in Zambia;
- f. Knowledge of the African human rights system, the African Union and an understanding of the most common and egregious human rights violations against women and girls in Africa;
- g. A deep and profound understanding of and commitment to gender equality in the law.

**Desirable Skills**

- Strong research skills
- Excellent spoken and written English
- Excellent analytical and writing skills
- Strong organizational skills with attention to details
- Ability to work under pressure and meet tight delivery deadlines

**6. SUBMISSION OF APPLICATIONS**

Equality Now would like to invite interested persons who meet the above minimum requirements to apply via email to Mary Ciugu; [equalitynownairobi@equalitynow.org](mailto:equalitynownairobi@equalitynow.org) and copy [nnyamu@equalitynow.org](mailto:nnyamu@equalitynow.org) on or before **Tuesday 7th May 2019. 5.00 P.M. EAT**

In addition to the application letter, applicants are requested to submit the following:

- CV of the Consultant or CVs of members of the team;
- Proposed methodology and detailed timeline for the assignment;
- A detailed financial offer including time estimates for each task, billing rate and estimation of direct expenses (e.g. phone calls, printing costs).
- A minimum of two samples of written work that demonstrate the experience of the consultant(s) that will draft the report.
- Names and contacts of at least two referees (organizations or individuals)

**Applications that do not include all the above will not be considered. Please note that Equality Now will only be able to respond to short-listed candidates.**