



DEVELOPING A TRAINING HANDBOOK FOR PARALEGALS AND CIVIL SOCIETY ORGANISATIONS:

NAVIGATING AND RESPONDING TO RESTRICTIONS ON THE CSO OPERATING ENVIRONMENT

CALL FOR CONSULTANCY SERVICES

1.0 INTRODUCTION

Over the years, the Legal Aid Service Providers Network (LASPNET) with support from various Development Partners has contributed towards enhancing standards and improved quality of legal aid service delivery by Paralegals and LASPs in the access to justice arena. The Network boasts of several knowledge capacity development products such as the Paralegal Training Manual and Handbook; Whistleblower Manual; Child Friendly Service Legal Aid Practitioners Manual, and the Simplified Manual on Execution of Court Orders, amongst others.

In the same vein LASPNET in partnership with the International Center for Not-for-Profit Law (ICNL); Chapter Four Uganda; National Coalition for Human Rights Defenders (NCHRD); and Collaboration on International ICT Policy in East and Southern Africa (CIPESA) and with support from the East West Management Institute (EWMI), is implementing a program in Uganda titled **“Civil Society Strengthening Activity (CSSA).”** The CSSA aims to promote a more supporting enabling environment that sustains a vibrant civil society. Under this project, the partners will develop a handbook that civil society organizations (CSOs) and Paralegals can use to protect and promote an enabling space in which civil society can exercise their fundamental rights to freedom of association, peaceful assembly, expression and participation.

To this end, LASPNET seeks to identify a potential Consultant to develop a Training Handbook that will act as a reference document for Paralegals and CSOs on CSO enabling environment for CSOs and Paralegals.

2.0 BACKGROUND

Despite the positive contributions of Civil society and existing legal protections, CSOs continue to face new barriers to their existence and operations, as well as to the constitutionally guaranteed right to participation in governance and promoting accountability in Uganda as per Article 38 (2) of Constitution of Uganda 1995. While “traditional” regulatory laws such as the NGO Act 2016 and the Public Order Management Act 2013 impede the right to associate and assemble, CSOs face more frequent restrictions through laws such as the Uganda Communications Act of 2013 and the Anti-Money Laundering Act, 2013. Regulatory authorities use their powers to issue regulations and directives that can impose invasive and burdensome financial disclosure and

reporting requirements, or which otherwise broadly restrict the freedoms of association, assembly, expression and access to information for CSOs and the media. Finally, as digital technology advances, so has the threat of increased regulation and targeting of online space.

In view of the emerging threats to the CSO enabling environment in Uganda, it is important to document in the form of a training handbook, how CSOs and Paralegals who oftentimes represent the grassroots community structures, can understand the implications of such restrictions and respond to such dynamic attacks. To enrich this handbook, all partner organizations will contribute modules focusing on different aspects that affect the enabling environment, including access to justice; digital technology, digital rights and civic space; and legal and regulatory issues affecting association, assembly, expression and participation rights of CSOs and human rights defenders (HRDs).

3.0 PURPOSE OF THE CONSULTANCY

The consultancy is to develop a Training Handbook for use by CSOs and Paralegals. The Handbook will help them to navigate and respond to legal, policy and practical restrictions on civil society.

3.1 Specific Objective

To provide practical, actionable and clear guidance on assessing and responding to enabling environment issues for use by Paralegals and CSOs.

4.0 DURATION OF CONSULTANCY

The consultancy will last for 40 days from date of contracting.

5.0 METHODOLOGY AND SCOPE OF WORK

The consultant will provide a methodology and timeline in the inception report; however, he/she will be expected to adhere to the structure and content of the handbook as described below;

The handbook should have 3 sections;

- a) Freedom of Association and Peaceful Assembly
- b) Freedom of Expression and Access to Information
- c) Right to public participation

For each section, there should be an analysis of the following:

- Existing legal and regulatory frameworks for civil society in Uganda at National Regional and International level, including guidelines by United Nations and African Commission on Human and Peoples' Rights mechanisms.
- Case law on restrictive legislation and its implementation.
- Procedures on Access to Justice.

- Restrictions of operating environment for CSOs and Paralegals e.g. NGO regulatory laws, Anti Money Laundering, Countering the Financing of Terrorism Policy, Public Order Laws for Freedom of Association & Assembly; Media Laws, digital rights and civic space; Cybercrimes, etc. that affect expression and Access to Information) and;
- Citation of case studies and practical guidelines to navigate the restrictions.

In presenting information in the Handbook, the consultant is required to use simplified language as well as infographics and animations appropriately to make it user friendly. Further, the consultant will ensure practicality of the content in the handbook to ensure that it is a resourceful material for the CSOs and paralegals especially those that face restrictions in their work in Uganda.

The methodology will further consider a participatory approach to include consultative meetings with partners under the enabling environment for their input in the different thematic areas that will be highlighted in the Handbook who include:

- Collaboration in International ICT Policy for East and Southern Africa (CIPESA) - on the digital space and CSO operations in Uganda;
- National Coalition for Human Rights Defenders - on the state of HRDs in Uganda;
- Chapter Four Uganda - on the legal and regulatory issues for CSOs, including the impact of the Anti-Money Laundering Act on CSO operations and
- Legal Aid Service Providers Network (LASPNET) - on the area of Access to Justice and Human rights.
- International Centre for Not-for-Profit Law (ICNL) will also provide technical assistance in relation to international legal standards and good practices.

The consultant will also conduct interviews with several stakeholders such as CSOs that are working in different sectors, and prioritize marginalized groups, for information on the legal, policy and practical restrictions that they face. The Consultant will also meet, where possible, with relevant government actors such as NGO Bureau, Financial Intelligence Authority, among others.

6.0 KEY DELIVERABLES

The following are the expected deliverables during the consultancy period:

6.1 Inception report: The selected Consultant will be expected to prepare an inception report within 2 days of being awarded the contract. The inception report must include a clear understanding of the Terms of Reference, description of the methodology detailing how the Training Handbook, detailing the process of how the training handbook will be developed and a work plan with a clear timetable proposed to execute the assignment with draft outline of the Handbook.

6.2 Draft Handbook: The selected Consultant will present the draft handbook to selected users to pretest its applicability. The Consultant will also present a draft handbook within

30 days of approval of the inception report for review and validation by the various stakeholders.

6.3 Tested and useable Final Handbook: The Consultant will incorporate feedback from the reviewers and validation process and prepare a final draft of the handbook which will be submitted within 7 days of the validation exercise.

7. REPORTING

The Consultant reports to the Chief Executive Officer in the day-to-day undertaking of the assignment. Furthermore, he or she will work hand in hand with the **Project Coordinator @ LASPNET** who will provide the necessary support, guidance and coordination.

8. QUALIFICATIONS AND EXPERIENCE

- Master's degree in Law or Human Rights, Development Studies and Social Sciences, Business and or Public Administration or any other relevant academic qualification. A doctorate will be an added advantage.
- A minimum of five (5) years of progressive experience of undertaking consultancies with proven hands-on experience in developing standard Handbooks, legal procedure, training and curriculum developments.
- In-depth of understanding of Access to Justice in the following topics; roles of paralegals and CSOs, operating environment for CSOs, compliance procedures in the NGO sector and its regulations.
- Relevant experience and knowledge of civil society, freedoms of association, assembly and expression, Access to Information.
- Ability to communicate using simple language during the delivery to enable participants understand easily.
- Excellent interpersonal and communication skills required to undertake research, train /coach and give occasional presentations.
- Strong analytical skills including analysis of both quantitative and qualitative data.

9. PRINCIPLES

- **Respect:** The Consultant should respect the views of all stakeholders and participants engaged during the assignment.
- **Equality:** The Consultant is expected to provide equal participation and ensure reflection of the views as gathered from the participants.
- **Acknowledgement:** All opinions and beliefs expressed by participants are valid. The Consultant should not show preferences for one opinion or belief over another.
- **Investigation:** Focus group discussions and interviews are designed to obtain an in depth understanding about the relevant issues. Hence, opinions and beliefs expressed by participants should be investigated beyond the surface level. Investigation should be flexible and continue until further responses provide no new information.

- **Unbiased:** The Consultant should lead the discussion without pre-conceived ideas about what the participants will say, or worse, what they want the participants to say. The Consultant should avoid using leading questions.
- **Confidentiality:** All information provided by participants should be held in confidence. The Consultant will protect the anonymity and confidentiality of all participants, and this communication should be made available on start to build the confidence of the participants.

10. PROCUREMENT AND SELECTION PROCESS

The process of identifying the most suitable consultant will include sending out an Expression of Interest where the interested persons which will be internally considered by the Procurement Committee based on qualifications, experiences and appreciation of Terms of Reference.

11. APPLICATION PROCESS


The interested Consultants are requested to submit a proposal, including the following:

- Cover letter
- An outline of the proposed structure of the research
- Estimated budget and work plan
- Curriculum Vitae
- Two letters of reference
- A copy of a knowledge product or research paper similar to what we expect to produce under this project.

Applications and relevant information outlined above is to be submitted to:

Chief Executive Officer LASPNET, Plot 10 Block 75 Balintuma Rd, Mengo, Tel 0392513733 on email ceo@laspnet.org with a copy to secretariat@laspnet.org.

All Applications must be submitted by close of business on 6th July 2021.

Approved

28/06/21