

Terms of Reference for Research on S and Gender-Based Violence Impact on Women Access to Justice

I. Background of Cordaid

Cordaid was established in 2000, when several Dutch aid organizations joined forces. But our history goes back more than a century. Cordaid has changed over the years and is more than a donor now.

Working in some of the world's most challenging environments and inspired by compassion, solidarity, and subsidiarity, Cordaid's mission is to reduce fragility and the vulnerability of people where it is most needed and most difficult. To do this effectively we seek funds, start partnerships, and compete on a global market.

We recognize that the overriding challenge in fragile and (post-)conflict countries is restoring trust and social cohesion, at community level and between communities and the state. This is what Cordaid does, right in the heart of communities, by mobilizing global networks, resources and knowledge. By doing this, we help people move beyond survival and live-in dignity.

Cordaid does this by promoting equality and social inclusion, by increasing the resilience of people and communities and by strengthening the social contract between citizens and their governments. Wherever we can, we combine lifesaving humanitarian aid with the longer-term improvement of health care systems, economic opportunities and resilience, and the promotion of security and justice.

II. Background Information - Afghanistan Country Office

Cordaid has been active in Afghanistan since 2001, aiming at a stable and peaceful country. We work on 6 thematic areas, supported by lobby and advocacy activities: health care, extractives, security and justice, humanitarian aid, resilience, and private sector development. We provide programmatic leadership and require that our operations and those of our local partners are implemented to the highest standards complemented with knowledge generation that incorporates best practices and lessons learned.

III. Project overview

Violence against women is one of the most serious human rights issues in Afghanistan. This is especially challenging since women are not treated equally to men nor can they fully exercise their rights to obtain justice. Violence against women include different forms such as domestic violence, sexual assault, and exploitation and punishment or imprisonment for running away from home.

The Just Future program, funded by the Dutch Ministry of Foreign Affairs will contribute, amongst others, to empower the most excluded constituencies to realize their rights and

manage disputes non-violently through diverse pathways to justice, and to strengthen the accessibility (including affordability), responsiveness and accountability of justice providers. When women are able to claim and enforce their rights, obtain remedies for grievances, and resolve conflicts non-violently, within a framework of rule of law, they have access to justice. Justice seekers should be able to resolve their problems using the pathways quickly and affordably to justice they view as most relevant and legitimate.

IV. Definition:

The United Nations defines **Violence against Women** as "any act of gender-based violence that results in, or is likely to result in, physical, sexual, or mental harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life."

(Sexual) and Gender-based violence ((S)GBV) will be defined as "Any form of violence perpetrated against an individual based on their sex, gender, sexual orientation and other identity markers as a result of gender norms and unequal power relationships. (S)GBV includes physical, sexual, verbal and psychological harm, as well as economic exclusion, and can occur across different spaces including domestic, public and organizational spaces.

V. Objectives

1. To assess the impact of (S) and Gender-Based violence on women access to justice in 8 provinces Herat, Balkh, Nangarhar, Kandahar, Kunduz, Bamyan, Khost and Parwan of Afghanistan.
2. To produce insights with Afghan communities on how access to justice and rule of law can prevent or mitigate (the effects of) (S) Gender-Based violence?

VI. Methodology of Research

Though the consultant is expected to present their own methodology, we highlight the importance of using participatory and inclusive approaches to achieve the stated objectives by using mixed method research, including qualitative (questionnaires, focus group discussion) and quantitative (desk research) aspects.

A sample size of 50 interviews from justice providers (formal and informal) and survivors of S and gender-based violence from each province (in total 400) considering the diversification in terms of gender, age, level of education, elders, justice service providers, authorities, research will focus on 3 key questions:

1. What are the barriers to access to justice for the survivors of (S) and gender-based violence?

2. How is the interplay, collaboration and referral system between different mechanisms and institutions for justice works in dealing with (S) and gender-based violence in Afghanistan?
3. What kind of justice do women seeks in such cases? Formal or informal justice?

VII. Deliverables

- Research design and methodology (deadline: 25.05.2021).
- A comprehensive but concise assessment report on the impact of (S) Gender-Based violence on women access to justice including recommendations. **Make sure to include one page information as desk review on where the targeted provinces stand from the S/GB point of view.**
- Report on collaboration and referral system legal institutions and mechanisms.
- Draft research report for validation, internal reflection (deadline:25.06.2021).
- Final report, including research findings, guidance on adapted justice interventions, and policy recommendations (deadline: 30.06.2021)
- Discuss with partners for L&A recommendations.

VIII. Qualification and Criteria

Consultancy/consultant with relevant experience could apply.

- Five years' experience in assessment, research, and evaluation
- Working experience with women projects/ gender is essential.
- Strong skills and experience in qualitative research
- Gender-sensitive team for data collection
- Strong writing skills with the ability to present in an accessible style.
- Fluent in English, Dari and/or Pashtu
- Have access or ability to travel to eight provinces (Herat, Balkh, Nangarhar, Kandahar, Paktia, Bamyan, Khost and Kabul)

IX. Bid Evaluation Criteria (marks)

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| – Qualification of the consultant/consultancy | 30 marks |
| – Explanation of the methodologies & approach | 20 marks |
| – Relevant experience | 30 marks |
| – Financial proposal | 20 marks |

X. Proposals Submission Guideline

- Proposals should be submitted in hard copies to the address given below.

- Proposals (Technical & Financial proposals) should be sealed and stamped each in a separate envelop.
- Proposals received later than the deadline will not be accepted/considered.

Note: Due to large number of applicants Cordaid will only contact the shortlisted consultancy firms/consultants.

Address: Kolola Postha, Next to Municipality Residentials, Qomandan Gada road, House number# 45.

Closing date: 22 May 2021

E-mail: caf-procurement@cordaid.org