

Terms of Reference (ToR) for conducting a study on ‘Situational Analysis of Legal Justice for Victimised Women and Girls with Disabilities (PLWD)’

The task is for the Ekota (Unity) project implemented by the Manusher Jonno Foundation (MJF), Supported by USAID.

Context and understanding of the assignment

The USAID Ekota (Unity) Project has been designed by MJF with the objective of enhancing all basic quality services for PLWD¹, particularly for women and girls. This project on **Disability Rights and Justice Initiative** will create a space for PLWD to claim their rights and justice and an accountability mechanism for relevant duty-bearing institutions to render better services to PLWD. Under the Ekota Project, MJF would like to facilitate a study on **Situational Analysis of Legal Justice for Victimised Women and Girls with Disabilities**.

This study will be conducted by MJF, by hiring a consultant having expertise in VAWG (Violence against Women and Girls), Legal Justice and disability issues. It is expected that the study will be conducted in project locations of Ekota. The study findings will be utilized in implementing Ekota Activity both at grassroots and national levels for future planning and advocacy. The study is expected to uncover the barriers that disabled women and girls face when seeking legal justice after experiencing any form of violence. One such study will be conducted with 12 DPO² members and respective communities.

MJF is implementing this project along with three sub-grantees in four districts: Chuadanga, Dhaka, Jamalpur and Manikganj. Prattasha Samajik Unnayan Sangstha (PSUS) is implementing this project in Chuadanga, The Centre for Disability in Development (CDD) is implementing this project at Jamalpur and The Centre for the Rehabilitation of the Paralyzed (CRP) is implementing this project at Dhaka and Manikganj district. The direct beneficiary of this project is 4600.

In Bangladesh, Women Living with Disabilities (WLWD)³ generally belong to the lower status in the family and community due to the influence of negative gender norms and roles. Women and girls living with disabilities, Dalit WLWD, Adivasi WLWD and transgender are more vulnerable to sexual violence, abuse, rape and other types of gender-based violence. Visual-impaired, speech-impaired, autistic and women and girls with physical disabilities are the worst victims of sexual violence and abuse. Women, men, girls and boys of different age groups of different socio-economic and political statuses and different geographic locations face different types of sexual violence and Rights violations.

MJF’s working experience with People Living with Disabilities (PLWD) shows that WLWD have less access to Justice including the Government Legal Aid Fund and other public services though there are many laws and provisions, which promote the rights of PLWD. Bangladesh Constitution Article 28(3) states: No citizen shall, on the grounds only of religion, race, caste, sex or place of birth be subjected to any

¹ People Living with Disabilities

² Disabled People’s Organisations

³ Women Living with Disabilities

disability, liability, restriction or condition concerning access to any place of public entertainment or resort, or admission to any educational institution.

Institutional patriarchy hampers a lot in getting WLWD's access to services. Challenges with PLWDs are always analysed in a general sense and also in a more or less gender-neutral perspective. Families, organizations and the State consider PLWD as dependent, but never consider that male PLWD and female PLWD have different challenges and they need separate action plans to address their fundamental rights, to ensure access to services and strategic needs. Ekota would like to enhance access to services including Access to Justice for WLWD by influencing service-providers and local actors.⁴

Objective:

- The study is expected to unearth rights violation issues against women and girls living with disabilities by involving PLWD, service-providers, local actors, men and boys.
- The study is expected to uncover the barriers that disabled women and girls face when seeking legal justice after experiencing any form of violence.
- The study will utilize study findings in implementing Ekota Activity both at grassroots and national levels for future planning and advocacy.

Scope of work:

- To revisit the project activities and incorporate new elements in addressing GBV (Gender-based Violence) and disability at the grassroots.
- To identify the effective and ineffective strategies and explore causes in relation to the reduction of violence incidence, prevent or protect girls and women with disabilities from sexual abuse and exploitation.
- To identify the barriers that disabled women and girls face when seeking legal justice after experiencing any form of violence.
- To explore what works and what does not work well to make the government more responsive to the problems and challenges faced by women and girls violence survivors (considering intersections and inclusive approach) to get legal services.

Time Period: Final deliverable should be submitted within 30 calendar days, after issuing the work order.

Methodological Consideration and Choice:

The consultant should employ qualitative data analysis i.e. Focus group discussions, Key Informants Interviews/In-depth interviews, literature review and government website review as tools for the assignment.

Deliverables:

- i. The Consultant should identify types of barriers disabled women and girls face when seeking legal justice and provide recommendations on how the Justice System Mechanism may be accessible for women and girls living with disabilities.

⁴ USAID-Ekota Gender Relation Analysis

- ii. The Consultant should provide an analysis of how accessibility issues are linked with enhancing access to justice for women and girls living with disabilities.
- iii. The Consultant should provide an analytical report on how patriarchy hampers/influences access to justice for women and girls living with disabilities and possible ways to overcome the barriers.
- iv. The Consultant should submit primary data sources, database/qualitative data notes, etc to MJF.
- v. Consultant shall provide soft (Word, PDF and PPT) and hard copy of the report.

Remuneration and mode of payment:⁵

MJF will pay the following instalments to the consultant/organization upon receiving the following satisfactory deliverables. All the payments will be made through account payee cheque or bank transfer according to MJF procedure.

SI#	Instalment	Deliverables
1	1 st instalment (30%)	Inception report
2	2 nd instalment (50%)	Draft report submission
3	3 rd instalment (20%)	Submission of final report

Preparation and submission of the proposal:

- i) The consultant/organization shall bear all costs associated with the preparation and submission of the proposal.
- ii) The consultant/organization shall affix the financial proposal along with the technical proposal. The financial proposal must be developed in MS Excel indicating column heading i.e. Particulars, Unit name, Unit number, Unit price, Total price and Remarks. All costs should be quoted in BDT
- iii) The technical and financial proposals should be marked properly and should include the name and detailed contact address of the consultant/organization.

The proposal contents:

A. Technical proposal:

- i) Cover page including contact details
- ii) Introduction
- iii) Working experience on integrating disability issues in accessing justice for women and girls justice seekers
- iv) Methodology
- v) Concluding remarks
- vi) List of annexures:
 - a. Annex i: Previous experience (similar work report, preferably USAID-funded project.)
 - b. Annex ii: CV of the consultants (each CV should contain MAX three pages)
 - c. Annex iii: Draft Work plan/ Gantt chart;

⁵Tax and VAT will be deducted at source as per govt. rules and regulations.

B. Financial proposal:

- i) Financial proposal/Detailed budget with **a signature of the focal person** (should be mentioned: Particulars, Unit name, Unit number, Unit price, Total price, and Remarks)

C. Budget:

The financial proposal should not exceed the amount of BDT 500000 (five lacs). However, lowest financial proposal does not guarantee to be awarded.

1. Proposal Evaluation criteria:

- ✓ Quality of past performance of a similar task (10%)
- ✓ Organization and key consultant(s) relevance and expertise to this task (30%)
- ✓ Technical approach and understanding of the ToR (30%)
- ✓ Gender inclusivity of the Applicant/the team (15%)
- ✓ Proposed budget in line with efficiency (15%)

- 2. Interested consultants/teams/firms are requested to submit a technical and financial proposal on or before **18 May 2024** to jasim@manusher.org. MJF may conduct interviews or may choose to make awards based on the quality of the proposal.

3. General Terms and Conditions:

- i) The following legal documents should be submitted along with the proposal, (1) Updated Trade License, (2) TIN Certificate, (3) BIN Certificate, (4) Income Tax deposit slip of last FY, (5) Bank information (Branch name, A/C name, A/C number, routing number). **Failure to submit any of these documents will result automatically cancellation of the proposal.**
- ii) The consultant will review the proposal as per the recommendation of MJF prior to starting the assignment;
- iii) The consultant must be agreed with MJF safeguard policies;
- iv) Either party can terminate this agreement with a written notice within 15 (fifteen) days from the date of signing this agreement. MJF reserves the right to unilaterally terminate the contract if:
 - a. The External Consultant/organization cannot fulfil any clause of the Terms of Reference.
 - b. The External Consultant/organization cannot submit their reports within the specified time.
- v) Any document, information or data entrusted to or produced by the External Consultant/organization in connection with this assignment shall be strictly confidential and cannot be used by the external consultant/organization for any other purpose without the written consent of the MJF authority. This provision shall remain valid even after the completion of this assignment.
- vi) There will be a provision for a fine for delaying report delivery (MJF Procurement Committee will set the %, whatsoever, it would not be more than 5%)
- vii) In the event of a major natural disaster, war or major civil or political unrest this agreement may be renegotiated and jointly revised between the two parties recognizing any consequent change in the environment for implementation.
- viii) Proposals (technical and financial) should be submitted in non-editable mode with the signature of the authorized person.
- ix) Manusher Jonno Foundation reserves the right to accept/reject any/all the proposal/s fully/partially at its own discretion. Manusher Jonno Foundation is not bound to accept the lowest bid.