

Dalit NGO Federation, Central Office, Chakupat Lalitpur
TOR for the consultant to prepare interim alternative report for CERD

1. Background

International Convention on Elimination of All Forms of Racial Discrimination (ICERD) is one of the big nine treaties of UN to promote and protect human rights of the people effected by racial discrimination. This convention was endorsed by Nepal in 1969 and ratified in 1971. Under treaty obligation Nepal is supposed to submit periodic reports to the CERD Committee every two years. Though it deals with the issues of racial discrimination, it has been equated with the caste based discrimination in the South Asia. Since 1971 to 1990 Dalits of Nepal did not know such provisions existed and only since 1994 the Dalit Civil Society started to take initiation to send alternative report. In 1994 an alternate report was prepared by the joint initiation of DWO and FEDO with the funding and technical support of Action Aid and Save the Children US. In 1998 Nepal Government sent first report after the reinstatement of multiparty democracy in 1990. The second report was sent in 2000, third report on 2004 and after 14 years the last report was sent in 2018. Dalit NGO Federation (DNF) as the apex organization of Dalit CSOs of the country sent the alternate report in 2018. The CERD committee has provided a comprehensive concluding observation and recommendations to the report of Government of Nepal (GoN) and while doing so it has taken the reference to the reports submitted by different CSOs as well. It clearly shows that work done by DNF and other CSOs has great importance in making the GoN and its reporting more accountable to the affected people.

The next cycle of reporting is 2022 for which GoN may send its report. Prior to that DNF has considered it necessary to prepare an interim report on the CERD assessing the current status of Dalit Rights as well as status of the implementation by the Nepal Government of the recommendations provided by the Committee.

In this regard concluding observations and recommendations needs to be reviewed, assess the human rights situation of Dalits particularly after the covid-19 pandemic. It is also necessary to review the recommendations relating to Dalits rights provided in the Universal Periodic Review (UPR) process. In order to carry out the review of the CERD provisions (articles 1-9) and review the status of the implementation of the recommendations a consultant having knowledge, skill and expertise on human rights issues in general and Dalit human rights in particular is sought.

The consultant is expected to prepare first draft of the report and finalize that addressing the comments and recommendations provided by the organization. The report is expected to be used as advocacy tool to implement the provisions of the CERD and recommendations of the committee.

2. Scope of Work

DNF as leading organization on Dalit issue and active member of human rights community, has to prepare the interim report on Dalit issue and use as advocacy tool to do advocacy

with Government and non-government stakeholders. Also use this report as ground work for the 2022 report. This call for consultancy service is to hire the service of consultant/s to provide expert guidance and efficient delivery of a strategic activity to prepare shadow/alternative report of CERD under the project '*Effective implementation of fundamental human rights of Dalits*' (EIFHRD) implemented by DNF as the national advocacy partner of '*Civil Society: Mutual Accountability Project – Human Rights Strengthening (CS:MAP-HRS)*' implemented by FHI 360 and funded by USAID Nepal. The consultant will prepare civil society interim report on CERD for Dalits through a multistakeholder consultative process at the central level, and under the supervision of DNF board and project team.

The major objective of this consultancy is to

- To prepare the interim Dalit Civil Society report on CERD and contribute on making government mechanisms more accountable towards Dalit issue
- To enhance the capacity of Dalit civil society organizations in understanding the proceedings of CERD and use it as medium to seek the attentions of international communities on Dalit issue.

To fulfill these objectives the consultant will carry out the following activities:

A. Desk review and preliminary report

- The expert/s will review all the relevant documents including the last CERD report sent by the government, alternative reports by civil society, CERD committee recommendation received by Nepal.
- The expert will also review the concluding observations of the committee in general as well as those focused on Dalit.
- The expert will review the recommendations relating to Dalits rights provided in the Universal Periodic Review (UPR) process.
- The expert will collect evidences regarding the implementation status of the concluding observations and recommendations.
- The expert will consult with the government and non-government stakeholders as key informant regarding the implementation status of the concluding observations and recommendations.
- The expert will prepare a preliminary draft report in compliance with the format prescribed by the committee, which will serve as a guiding document for the multistakeholders national consultation.

B. Report finalization

- The expert will engage with stakeholders from Dalit and non-Dalit CSOs, parliamentarians and government bodies at a national level consultation event organized by DNF.
- The expert will incorporate the inputs received from the stakeholders into a final report adhering to OHCHR guidelines.

3. Deliverables and due dates

The timeline of this consultancy is

Selection of report writer/researcher	by last week of August
Preliminary questions and areas of coverage for CERD	by first week of September
First draft report	by fourth week of September
Multistakeholders national level consultation	First week of October
Final Report	by Second week of October

4. Selection criteria

Applicants with the following qualification will be preferred:

- Having past working experience of CERD/other HR report writing
- Having sound knowledge on constitution of Nepal, political and contextual analysis skill, action researches on Dalit rights, GESI, peace and
- Very good understanding of the legal, political and governance dynamics in Nepal and in targeted provinces;
- Having sound writing skill
- Command in both English and Nepali language
- Having published journals, books, research paper on Dalit rights in the past

5. Duration

This consultancy is of 20 working days between fourth week of August, 2020 – second week of October, 2020.

6. Point of Contact

On behalf of DNF, the Advocacy Manager of the project EIFHRD will be the point of contact for this consultancy service. However, the consultant will also be required to coordinate with the Team Leader and Executive Director along with Executive Board of DNF.

7. Place of assignment:

All Kathmandu and the respective line agencies, ministries, Secretariat offices as required to be consulted.