

## CONSULTANCY SERVICES ON DESIGN OF THE STUDY FOR PROVISION OF REASONABLE ACCOMMODATION FOR PERSONS WITH DISABILITIES REQUIRED

### **Request for Qualifications:**

The Lesotho National Federation of Organisations of the Disabled (LNFOD) seeks a consultant to conduct a comprehensive study on the Lesotho laws, case law, procedures, and rules administering courts proceedings which could be used to argue and support the provision of reasonable accommodation for persons with disabilities who directly become witnesses in cases before the courts of law.

Reasonable accommodation is defined under article 2 of the UN Convention on the rights of persons with disabilities (CRPD) as “necessary and appropriate modification and adjustments not imposing a disproportionate or undue burden, where needed in.

A particular case, to ensure to persons with disabilities the enjoyment or exercise on an equal basis with others of all human rights and fundamental freedoms."

The Convention on the Rights of Persons with Disabilities applies the right to access to justice in the context of disability. Article 13 of the Convention specifically addresses access to justice, directing State parties to ensure effective access to justice for persons with disabilities on an equal basis with others, including through the provision of specified accommodation, in order to facilitate their effective role as direct and indirect participants (art.13(1)). It further prescribes positive measures to be taken for the fulfillment of the rights of persons with disabilities in relation to justice. For example, State parties are to promote appropriate training for those working in the field of administration of justice, including police and prison staff (art. 13(2)).

Access to justice is a fundamental right, as well as a prerequisite for the protection of all other rights. Norms and standards on access to justice for persons with disabilities are set out in a series of regional and international human rights instruments to which Lesotho is a party. Across

Lesotho, persons with disabilities particularly persons with mental disabilities encounter considerable legal and attitudinal information and communication barriers in terms of access to justice. Available at [www.unenable.org](http://www.unenable.org).

**Purpose:**

The purpose of the study is to improve access to justice for people with disabilities.

Objectives and activities

The objective is to strengthen the capacity of the law enforcement agencies and courts to better accommodate people with disabilities.

The key envisaged activity of this consultancy is to conduct a comprehensive study on the Lesotho laws, procedures and courts rules to determine the provisions of different legislations which could be used to argue for the provision of reasonable accommodation to witnesses with disabilities.

**DURATION:**

The qualified consultant will be engaged for a period of six weeks from the signing of the contract between the parties.

**REPORTS AND SCHEDULE OF DELIVERABLES:**

- Inception report
- Draft report
- Final draft report

**SCOPE OF WORK:**

Undertake review of the laws of Lesotho including, Constitution 1993, Sexual offences Act 2003, Criminal Procedure and Evidence Act no 9 1981, courts rules and practice and any other procedural law to determine provisions which could be used to argue for the provision of reasonable accommodation for witnesses with disabilities.

1. Consult with the Ministry of law, Constitutional affairs and Human rights and the Ministry of Justice and Correctional services to determine legal barriers faced by people with disabilities in terms of access to justice.
2. Liaise with the courts, organisations of persons with disabilities including human rights civil society organisations to find out the barriers facing people with disabilities in terms of access to justice and propose means through which reasonable accommodation can be provided.
3. Facilitate validation workshop whereby the findings of the study will be validated.
4. Submit the first and final draft to the management of LNFOD for approval.
5. Reporting: The consultant shall be supervised by the program officer working on access to justice.

### **SERVICES AND FACILITIES:**

The consultant will provide own resource and facilities for undertaking the assignment save for the validation workshop in which hall hire and meals participants' costs will be borne by LNFOD.

### **KEY QUALIFICATIONS AND ATTRIBUTES:**

Master's degree in disability rights or any other equivalent qualification plus five years' experience in research in the disability sector.

In-depth knowledge of the sector and issues therein and a good understanding of the issues in the context of Lesotho or region. The consultant must have excellent writing skill, good research and analytical skills. Fluency in both Sesotho and English is a requirement.

## **SELECTION PROCESS AND CRITERIA:**

A Consultant will be selected for contract award in accordance with the LNFOD Procurement Guidelines, and is open to all eligible consultants and firms as defined in the guidelines.

The criteria and sub- criteria for selection of the consultant shall be as detailed below:

### **General Qualifications**

Experience and expertise to do the assignment

Experience in the region and language requirements

## **SUBMISSIONS:**

Interested applicants should submit a proposal demonstrating applicants understanding of the terms of reference and outlining a methodology for conducting the work under the consultancy, a proposed work plan, CVs of the individual consultant to undertake the assignment, and an itemized budget and indication of the total cost of the proposed work plan and number of days. Applications and supporting documents must be submitted in English at the address below.

## **ATTENTION:**

The Executive Director

LNFOD

P.O. Box 9988

Maseru 100

Applications can be hand-delivered to the LNFOD office house no. 22 Mabile RD. Old Europa Maseru.

The application **deadline** is on the **28 February 2019**.

Interested candidates are required to access the full terms of reference for this consultancy from LNFOD website at [www.lnfod.org.ls](http://www.lnfod.org.ls)