

TERMS OF REFERENCE FOR THE DEVELOPMENT OF LNFOD ADVOCACY ARTICLE /PAPER FOR PARTICIPATION OF PERSONS WITH DISABILITIES IN THE ANTICIPATED CONSTITUTIONAL, PUBLIC SECTOR AND PARLIAMENTARY REFORMS

A CALL FOR EXPRESSION OF INTEREST

The Lesotho National Federation of Organisations of the Disabled (LNFOD) seeks consultancy services from the constitutional law expert to draw a strategic advocacy article guiding LNFOD on how to ensure full and effective participation of persons with disabilities in the anticipated reform agenda of Lesotho.

BACKGROUND

Lesotho has had a tumultuous political order that has of late resulted in the conduct of a snap election which recently ushered in a new government. This was Lesotho's second general elections within a period of 5 years due to a failed coalition governance which was started in 2012. The coalition governments have been characterised with political instability, security challenges and most importantly, snap elections which often do not lead to the political solutions. This high political uncertainty has resulted in the regional trading block which the Southern African Development Community (SADC) is establishing an oversight committee following the adoption of the SADC commission of inquiry report into the political instability of Lesotho which has recommended the review of the current Constitution to accommodate the recent developments in Lesotho.

The intervention of SADC in trying to arrest the political upheavals in Lesotho has resulted in what is called the Phumaphi report which contains a number of recommendations which are aimed at quelling the political tensions that the country often times found itself faced with. Principal to these, is the need for a review of the current constitution to arrest the political uncertainty that previous elections have brought.

Lesotho is one of the countries where living conditions of people with disabilities are certainly not ideal and they are infect invisible in the national development agenda. However, she is a

state party to the UN Convention on the Rights of Persons with Disabilities (CRPD), which requires member states to consult with people with disabilities in decisions affecting their lives. Informed by this fact, and also guided by its own organisational strategy of 2015-2019 which calls for self-representation in parliament of persons with disability by 2019 through which they intend to promote and protect the rights of people with disabilities, the Lesotho National Federation of Organisations of the Disabled (LNFOD) intends to exploit this opportunity brought about by the intended constitutional review. LNFOD seeks to facilitate a process that will ensure the full and effective participation of persons with disabilities in the upcoming constitutional, parliamentary, and public sector reforms.

Taking a cue from article 29 of the (CRPD), which obliges member states to take concrete steps to ensure that persons with disabilities enjoy the right to participate in the decision making processes and partake in the political life on an equal basis with others, with article 4 additionally requiring the member states to consult with people with disabilities and their representatives in all decisions which may affect their lives, LNFOD is of the view that ample opportunities exist for it to take this work forward.

OBJECTIVES AND ACTIVITIES OF THE CONSULTANCY

To provide for the strategic engagement of persons with disabilities in the anticipated reforms.

To outline key clusters of the processes in which the focus should be in order to ensure disability inclusive reform process.

To justify the self-representation of persons with disabilities in the reform process of Lesotho.

DURATION

The consultancy is expected to take five (5) weeks.

REPORTS AND SCHEDULE OF DELIVERABLES:

Inception report

Draft advocacy article

Final advocacy article

SCOPE OF WORK

Conduct a desktop research to determine the extent to which the Constitution of Lesotho, Public sector and parliament systems reflect on the rights of persons with disabilities in terms of self-representation.

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Engage the disabled peoples' organisations in the consultations aimed at influencing the reform's agenda to be inclusive of persons with disabilities.

Draw lessons from other countries on how their Constitutions articulate on disability rights; parliamentary laws reflect on self-representation including the means through which the public sector can promote engagement of people with disabilities.

Write up advocacy article to guide LNFOD on how persons with disabilities can strategically be represented in the reforms' agenda right from the initiation stages.

REPORTING

The consultant will be supervised by the Advocacy and Human rights Coordinator at LNFOD. Duration of the consultancy will be for 5 weeks, consultancy is expected to commence immediately after contract award/ signing.

SERVICES AND FACILITIES

The consultant will provide own resource and facilities for undertaking the assignment.

KEY QUALIFICATIONS AND ATTRIBUTES

Advanced degree in public law or equivalent, and at least 5years of experience in research. 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 short proposal briefly 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 on or before the 30th November 2017 not later than 5:00

Attention:

The Executive Director

LNFOD

22 Mabile Rd

Old Europa

Maseru 100

Email address: admin@Infod.org.ls