



TERMS OF REFERENCE (TOR) FOR A CONSULTANT TO PREPARE AND ORGANIZE A NATIONAL ACTION PLAN MEETING UNDER THE AFRICAN REGIONAL HIV GRANT – REMOVING LEGAL BARRIERS.

General Information

Intervention:	Legal and policy environment assessment and law reform
Work Description:	Consultant to Organize the National Action Plan Meeting
Project Title:	African Regional HIV Grant-Removing Legal Barriers
Duration:	10 days
Expected Start Date:	10 February

1.0 BACKGROUND / PROJECT DESCRIPTION

KELIN is an independent Kenyan civil society organization working to protect and promote health-related human rights in Kenya. We do this by: advocating for integration of human rights principles in laws, policies and administrative frameworks; facilitating access to justice in respect to violation of health related rights; training professionals & communities on rights-based approaches and initiating and participating in strategic partnerships to realize the right to health, nationally, regionally and globally.

KELIN has therefore been at the forefront of championing the rights of persons living with and affected by HIV in Kenya through provision of free legal services and support, training professionals on human rights, conducting research and influencing policy that promotes evidence-based change, engaging in advocacy campaigns that promote awareness of human rights issues and lobbying for policies that facilitate realization of health and other related rights. The organization operates within four main thematic areas: TB and HIV; Women's Land and Property rights; Sexual and reproductive health rights and; Key and affected populations including IDUs, PWDs, Prisoners, MSMs and Sex workers.

Over three decades of experience in addressing the HIV epidemic has confirmed that the promotion of human rights constitute an essential component in preventing the transmission of HIV and reducing the impact of HIV and AIDS. Governments have realized the importance of protecting human rights in order to overcome HIV. They have also committed to achieving concrete, time-bound targets. This is seen through the global consensus on the matter through: The United Nations General Assembly (UNGASS) Declaration of Commitment on HIV and AIDS 2001; The United Nations General Assembly (UNGASS) Declaration of Commitment on

HIV and AIDS 2006; The High Level meeting in June 2011 that led to the adoption of The Political Declaration on HIV & AIDS 2011: “Intensifying our Efforts to Eliminate HIV”; The Paris Principles on Greater involvement of Persons Living with HIV and AIDS (GIPA) 1994; The Political Declaration HIV and AIDS 2016; and The Abuja Declaration on HIV, TB and other opportunistic infections 2001.

The legal environment (laws, enforcement and justice systems) has immense potential to better the lives of all and to help turn the crisis around, but this has not been effectively exploited for various reasons. The existing legal frameworks constituted to protect and safeguard HIV interests and address the issue of violation of the rights of PLHIV remains underutilized. Despite the existence of a progressive legal framework and judiciary, Kenya still has some old punitive laws that hinder the access and provision of HIV services to key and affected populations, specifically, sex workers, men who have sex with men and intravenous drug users.

As part of an Africa Regional HIV Grant for Removing Legal Barriers to Access, a partnership of organizations has been formed to strengthen the legal and policy environment to reduce the impact of HIV and TB on key populations in 10 countries in Africa; Botswana, Cote D’Ivoire, Kenya, Malawi, Nigeria, Senegal, Seychelles, Tanzania, Uganda and Zambia. The project will work at country level in seven of the project countries (Botswana, Cote D’Ivoire, Kenya, Malawi, Nigeria, Senegal, and Seychelles) to assess, strengthen and monitor legal and policy environments for HIV. At regional level, the project will provide intensive capacity strengthening opportunities for key stakeholders and decision makers from all 10 countries. The project will also work at continental and regional levels with the African Union Commission and key regional economic communities (SADC, ECOWAS, EAC) to promote alignment of national laws and policy with regional and international human rights commitments.

UNDP, with a Programme Management Team (PMT) based in the Africa Regional Centre in Addis Ababa is the principal recipient (PR) for this grant and there are four sub-recipients (SRs) – ARASA, ENDA Santé, KELIN and SALC. These organizations have been part of developing the project from its inception. Each partner has a strong technical base in human rights and HIV but has different strengths and comparative advantages. ARASA and ENDA combined, support human rights and key population organizations to engage in law, policy and strategy reform with their governments across all programme countries. SALC is the most experienced organization in Africa in strategic litigation, while KELIN strengthens the judiciary and law enforcement. These strengths combined with UNDP’s direct links and support to HIV/TB and human rights to the AUC, SADC, EAC, ECOWAS and to national governments in collaboration with other UN agencies in programme countries makes for a very strong partnership.

The goal of this programme is to strengthen the legal and policy environment to reduce the impact of HIV and TB on key populations in Africa. The value of the regional grant is approximately \$10.5 million over three years.

2.0 SCOPE OF THE WORK

The law and policy shape responses to HIV in all countries and where the legal environment is punitive towards key populations, it is difficult to provide the services needed for preventing HIV and for treating those who are already infected. Where punitive legal environments exist, therefore, it will rarely be possible for national responses to be effective – key populations are left behind and there will be no end to AIDS. The National AIDS Control Council (NACC) and KELIN have conducted two legal environment assessments. The assessments look at the legal and policy environment and how these laws and policies affect the AIDS response in Kenya. Both documents gave clear recommendations for law reform including? However we still lack nationally agreed upon action plans for law and policy reform and for strengthening access to justice and law enforcement

It is in this regard that KELIN in partnership with the UNDP regional office will be conducting a National action plan meeting to carry forward the recommendations from both legal environment assessments. The national action plan meeting will bring together various stakeholders including from the law enforcement, Ministry of Health, Council of Governors, National Human Rights institutions, CSOs, members of the health committee from; Senate, National Assembly and County Assembly, to critic recommendations made in the legal environment assessment and formulate action plans and timelines for law reform.

The objectives of the national action plan meeting include;

- To build consensus on priority actions that should guide efforts at strengthening the legal environment for HIV response in
- To establish national accountability mechanisms for strengthening the legal environment for HIV response
- To build strategic partnerships among stakeholders for policy, strategy and law reforms for effective HIV response in Kenya

Duties and Responsibilities:

Under the overall supervision of KELIN's Executive Director, the Consultant will do the following:

- Develop work plan and activity checklist with clear implementation timelines
- Develop a concept note and agenda for the meeting
- Mobilization of participants with recommendations from the Executive Director
- Recommend facilitators to the Executive Director
- Develop a workshop report.

5.0 DELIVERABLES

The key deliverables for the national action plan meeting are as follows:

- a. The consultant will develop a draft concept note and agenda. KELIN will provide comments on the drafts, and the consultant will finalize the drafts in view of these comments;
- b. The consultant will mobilize participants and come up with a participants list of confirmed participants with guidance from KELIN;
- c. The consultant will develop the workshop report. KELIN will provide comments on the draft, and the consultant will finalize the report in view of these comments;
- d. Program for event?

6.0 TIMELINE AND EXPECTED OUTPUTS

No.	Deliverables / Tasks	Estimated Duration	Timelines
1	Notification of Successful Consultant		9 February 2017
2	Inception meeting with the Consultant	1	10 February 2017
3	Development of work plan and activity checklist	1	11 February 2017
4	Share work Plan and check list with planning team for review	1	13 February 2017
5	Develop Concept note and agenda and share the same with planning team for comments	1	14 February 2017
6	Send out invitation letters to participants and facilitators	1	15 February 2017
7	Make calls to confirm attendance	1	20 February 2017
8	Send out polite reminders 1 week to the activity and follow up with calls	1	2 March 2017
9	Participate in National Action Plan meeting	2	8-9 March 2017
10	Develop Activity report		16 March 2017
	Total	10	

7.0 REPORTING RELATIONSHIPS

The consultant will report to the Executive Director

9.0 DURATION OF THE WORK

10 consultancy days

10.0 QUALIFICATIONS OF THE CONSULTANT

Functional Competencies:

- Expert knowledge of human rights, legal framework, health and the law;
- Experience with working with key populations;
- Experience in organizing and conducting high level meetings;
- Expert knowledge of government processes;
- Ability to research and conduct interviews with key informants; and
- Experience in the usage of computers and office software packages (MS Word, Excel, etc.) and advance knowledge of spreadsheet and database packages.

Core Competencies:

- Ability to produce high quality outputs in a timely manner while understanding and anticipating the evolving KELIN needs.
- Strong organizational skills;
- Ability to work independently,
- Sound judgment, strategic thinking and the ability to manage competing priorities;
- Demonstrates integrity by modeling KELIN's values and ethical standards;
- Promotes KELIN's vision, mission, and strategic goals;
- Displays cultural, gender, religion, race, nationality and age sensitivity and adaptability
- Observe all obligations to gender sensitivity and zero tolerance for sexual harassment.

Required Skills and Experience

Education:

- Advanced University degree in Law, Journalism or any of the Social Sciences

Experience:

- Minimum of 7 years of relevant experience is required.

Language:

- Excellent written and spoken English.

11.0 APPLICATION INSTRUCTION:

- Strictly follow the instructions indicated in the Terms of Reference;
- Members of key populations, people living with HIV and women with appropriate skills are encouraged to apply;
- Group of Individuals and/or firms are not eligible for this consultancy assignment as it is open only for individual consultants.

Documents Required:

The application plus CV shall be submitted before the deadline on 9 February 2017 via info@kelinkenya.org. Please note that these shall be submitted to the designated email

into two files but in one email unless both files are greater than 9MB file size. While submitting your application be sure your email subject line is UNDP-GF-RLG-2017 (Your Name)

Important Note:

- A candidate applying only by sending CV to the designated email will not be considered.
- Prospect consultants who fail to submit both files as per the standard format and to the designated secured email will not be further considered for evaluation;
- Please group all your documents into PDF document.
- A signed consultancy agreement and terms of reference will be the main documentation required in consultant contracting. (This term of reference should have details regarding roles and responsibilities of the contractor and the client).
- Consultant rates will be based on rates agreed in SR budget

12.0 FURTHER INFORMATION

Please contact. Allan Maleche (amaleche@kelinkeny.org), or Ted Wandera (twandera@kelinkeny.org)