



TERMS OF REFERENCE (TORs)

TO CONDUCT A COUNTRY WIDE SURVEY ON THE STATUS OF LAND RIGHTS VIOLATIONS AS A RESULT OF GUIDELINES TO CONTROL SPREAD OF COVID 19 IN UGANDA

About Food Rights Alliance (FRA)

Food Rights Alliance is a coalition with over 40 members spread out in all regions of Uganda. It's driven by a vision of a world free from hunger and malnutrition and promotes a mission; to promote the realization of the right to food in Uganda through strengthening sustainable farming systems and improving food and nutrition Justice.

FRA achieves her mission through a number of strategies, including; building a formidable, strong in numbers and competence and diversity network of members and stakeholders that influences policy and practice at different levels: developing and profiling champions on critical issues of the agenda of realizing the right to adequate food, equipped with knowledge and information and credible to flag the agenda in policy and practice.

FRA is implementing an 18 months project Funded by the Democratic Governance Facility (DGF). The project seeks to **promote an inclusive, equitable land governance in Uganda that fosters optimum land use and upholds people's land rights**".

Under this project, FRA would like to conduct a survey to establish the status of land rights violations as a result of guidelines to control spread of COVID19. The evidence and data generated will be used to inform the ongoing plans, and policy conversation on enabling the lands sector in Uganda respond effectively to the effects of covid-19 and other pandemics. The Data collected will provide an insight on the actual impact of the outbreak to land rights violations which will be used to inform current and future government policy and programs on disaster and pandemic management that priorities effective land management.

Background

Globally there has been a general lockdown in different countries due to a new disease known as COVID 19. This disease has led instilling of emergency actions by many countries in the World to curb its spread with the World Health Organization declaring it a global pandemic. In Uganda the first case was reported on the 22/March 2020 and the government declared a number of emergency actions to reduce the spread of the deadly virus. Such measures were: closure of

schools, suspension of public and private transports, ban on large gatherings and curfews and this is to keep up with the guidelines on social distancing.

Whereas these measures are meant to help reduce the spread of the virus, the effects of some of these measures have had an impact on the livelihoods of Ugandans since this pandemic is altering the fabric of society and economy.

Additionally, different government ministries undertook different measures to safeguard the public. In particular the Ministry of Lands Housing and Urban Development put up guidelines such as “No land transactions (Searches, transfers, subdivisions, Caveats, assessment and payment of Stamp duty) to be handled by any Land office during this lockdown, no one should be evicted from their bibanja or the land they are in possession of during the current COVID 19 lockdown period, for any reason including non-payment of Ground rent and all Court Orders on evictions, whether issued before or during this period must not be enforced until after the COVID 19 quarantine is lifted. This was all aimed at protecting the land rights if the people.

Whereas all these measures were put to ensure that dubious people do not hide under the cover of lock down to use illegitimate measures to wrongfully evict vulnerable people during this period there were reports coming in that land rights violations were still ongoing in the communities with Kiryandongo¹, Kasanda² as some of the cases.

It is Important to note that the Government of Uganda is committed to addressing the multiple social, cultural, economic, ecological and political functions of land; and is further committed to ensuring that land transactions reflect equity and justice. The Government further highlights the need for strong institutions and procedures for resolving land conflicts and disputes. This is premised on the fact that land is source of livelihood for many Ugandans and for national development. These protections are manifested through the different legal framework within the country including; the 1995 Constitution of Uganda, the land Act 1998, the National Land Policy 2003 among others.

Objective of the Assignment

The main objective of the assignment is to document land rights violations as a result of lock down operations of the COVID19 pandemic.

Specifically, the assignment seeks to;

- Find Evidence of occurrence of land rights violations during the lock down period
- Find out drivers of land rights violations during the targeted period.

¹ <https://witnessradio.org/multinationals-use-covid-19-crisis-to-violently-grab-land-of-poor-communities-with-impunity/>

² <https://nilepost.co.ug/2020/04/12/four-police-officers-arrested-for-frustrating-investigations-into-abid-alams-gruesome-acts/>

- Document community response towards land rights violation during the COVID-19 lockdown
- Develop a policy brief on the impact of the violations on the affected community and provide policy recommendations for better management for the sector during Disasters and Pandemics.

Expected Outputs

1. A report clearly detailing the status of land rights in Uganda during the lockdown as a result of the COVID 19 pandemic.
- 2) A Policy brief on the impact of the violations on the affected community and provide policy recommendations for better management of the sector during disasters and pandemics.
- 3) A power point presentation for national level policy advocacy meeting. This should highlight background of the assignment, objectives, methods and tools used, findings and recommendations.

Role and responsibilities of lead consultant

- Produce a clear outline of the work plan for carrying out the assessment;
- Produce the first draft and amended draft (incorporating comments from relevant reviewers) of the draft report;
- Participate in a validation workshop of the report with selected stakeholders in the land sector;
- Produce the final draft of the report according to the agreed timeframe;

Responsibilities of the Contracting Organisation

- FRA will be responsible for commissioning and managing the consultant/s and contract and finalizing details of the work schedule
- FRA will provide supervisory support to the consultant/s

Contact person

The contact person for the consultancy shall be FRA's Project Officer – Land Rights and Food Security.

Duration

The consultancy will be for a maximum period of 21 working days that must be strictly adhered to.

Time Frame

1. Submission of EOI – 03rd /07/2020

2. Review of EOI by FRA - 7th/07/2020
3. Signing of contract with Consultant by 17th/07/2020
4. Submission of 1st draft by – 17th /08/2020
5. Validation meeting – 26th /08/2020
7. A Final Draft should be delivered to FRA –3rd /09/2020

Qualifications for a lead consultant

A suitable consultant shall have the following qualifications;

1. Minimum of a Masters’ degree of Laws, social sciences or any other relevant field of study;
2. Demonstrable experience in assignments of similar nature, including understanding the current trends in the land sector;
3. Professional experience in conducting research (desk review of documents& analysis);
4. Good analytical skills;
5. Excellent documentation and writing skills, attested by past written papers;
6. Capacity to meet project deadlines.

Contents of the bid

Information that is needed while submitting expression of interest include;

1. Letter of interest.
2. Inception report (clearly showing the methodology, plan of action and interpretation of Terms of Reference).
3. Any comments/suggestions in relation to this consultancy
4. Financial implication of the undertaking of the assignments of the bid.
5. Detailed profile of the applicant, indicative of previous relevant experience.

Statement Of Safeguarding:

According to Food Rights Alliance organizational value of accountability, it is our policy to safeguard all individuals involved in Food Rights Alliance work against risks of exploitation and abuse. Food Rights Alliance will not tolerate exploitative or abusive behaviors by anyone associated with the implementation of Food Rights Alliance work.

Submission of proposal

Interested consultants (individuals and firms) with experience in executing similar assignments are invited to submit their expression of interest / bids by close of business on 3rd Jul, 2020 with the subject field “Expression of Interest to conduct a survey on land rights violations as a result of guidelines to control the spread of COVID 19” addressed to; Executive Director Email: frauganda@gmail.com, agneskirabo@frauganda.org and copied to forochoi@frauganda.org, gacayo@frauganda.org

Only complete bids submitted by mail will be considered.