

Terms of Reference

Development of A Report on the ASEAN Comprehensive Recovery Framework: *Locating the Human Rights and Gender Justice Dimension in the Regional Responses to the COVID-19 Pandemic*

1. Background

The Asian Forum for Human Rights and Development (FORUM-ASIA) was founded in 1991 to strengthen movements for human rights and sustainable development through advocacy, capacity development, solidarity actions with human rights defenders and civil society organisations. It is a membership-based non-governmental organisation with 81 members in 21 countries and has the Special Consultative Status with the United Nations Economic and Social Council (ECOSOC) as well as the AICHR consultative status (granted in .

FORUM-ASIA envisions societies in Asia and beyond which are democratic, just, equitable and sustainable, where all human rights of all individuals, groups, and peoples are fully realised, in accordance with international human rights standards and norms.

FORUM-ASIA's specific objectives for 2016-2022 are: (a) to strengthen the capacity of civil society organisations and human rights defenders for the promotion and protection of all human rights; (b) to advocate for inclusive and participatory policymaking in relation to human rights, democratic governance and sustainable development at all levels in particular with human rights mechanisms, systems, and policies at national, regional, and international levels; (c) to respond to human rights challenges in Asian countries through advocacy, solidarity actions, and emergency assistance; and (d) to further strengthen FORUM-ASIA's institutional and operational capacity in order to better serve and effectively represent its constituencies at the national, regional and global levels.

As part of its advocacy on the ASEAN human rights mechanisms, FORUM-ASIA and the Solidarity for ASEAN People's Advocacy (SAPA) produce an annual assessment of the performance of the ASEAN human rights mechanisms: the ASEAN Intergovernmental Commission on Human Rights (AICHR), and the ASEAN Commission on the Promotion and Protection of the Rights of Women and Children (ACWC). Up to 2021, FORUM-ASIA and SAPA have produced eight annual and two ten years assessment of the performance of the ASEAN human rights mechanism with the key summary of performance and recommendation to strengthen the institution.

However, due to the COVID-19 pandemic that affecting ASEAN, FORUM-ASIA is also prioritising the documentation and analysis of ASEAN comprehensive recovery framework (ACRF) in 2021. ACRF articulates ASEAN response through different stage of the recovery which also encompass direction for whole-of-community approach. Nevertheless, human rights and gender justice principles is needed to be part of the ACRF to ensure sustainability and protection of human rights in the region.

2. Objective

Against the background discussed in the first section, the objectives of the assignment are as follows:

- To conduct interviews and participate in the online meeting of an expert group, which consists of representatives of FORUM-ASIA's members, SAPA representatives, academics, activists, and practitioners in order to unpack and analyse the ACRF from human rights and gender justice perspective;
- To conduct desk review and analysis; for the assignment, including comparative analysis with other regional organisations's response/framework on COVID-19 recovery plan, including but not limited to the African Union (AU) and the Organisations of American States (OAS)
- To write a report on the human rights and gender justice assessment for the ACRF; comparative analysis between ASEAN and other regional organisations response toward post-covid era; assessing the role of ASEAN Human Rights mechanism and meaningful CSOs engagement in the development and implementation of ACRF; and consolidate practical and political recommendation for ASEAN member states.

3. Methodology

The Consultant may utilise different research methodologies in preparing the report. The Consultant may collect data both from primary and secondary sources, and draw findings by cross triangulation of information collected from various sources.

- **Primary data collection** will involve interviews with ASEAN human rights mechanisms' representatives, FORUM-ASIA's members, SAPA members, and partners working on ASEAN; select human rights defenders; representatives of national human rights institutions (if relevant); representatives of the donor community; media persons; etc.
- **Data analysis** will involve the analysis of information generated through secondary sources; perspectives, ideas and opinions collected through interviews and interactions with those involved; clustering of information based on research questions; and, drawing conclusions on the basis of evidence.
- **Consolidation and writing** from the findings will include following:
 - Preparation of a draft report. The structure of the draft report is as follows:
 - ❖ Executive Summary
 - ❖ Chapter 1 : Background and methodology (5 pages)
 - ❖ Chapter 2 : Tracking the development of ACRF (including timeline from the ASEAN special summit on COVID-19, to the adoption of ACRF in November 2020)
 - ❖ Chapter 3 : Assessing the involvement of ASEAN Human Rights Mechanisms (AHRM) and CSOs during the development of ACRF
 - ❖ Chapter 4 : Human rights and gender assessment for the ACRF (including the comparative analysis of measures conducted by other regional human rights mechanisms in response to the pandemic)
 - ❖ Chapter 5: Summary and recommendations for monitoring and implementation (3 pages)
 - ❖ Annexes
- **Sharing of the draft report for feedback** with FORUM-ASIA and SAPA; and,
- **Finalisation of the report** after incorporating comments/feedback received from FORUM-ASIA.

4. Duration

The review will take place from **April to August 2021**. The actual duration for the review will be **18 (eighteen) working days** for the maximum sum amount of USD 4,500 USD as remuneration.

5. Deliverables

The consultancy will have following output-related deliverables:

- **A Draft Report** containing responses to all aspects of the assessment objectives as outlined in Section 2 and the methodology as discussed in Section 3 above; and
- **A Final Report** incorporating comments/feedback by FORUM-ASIA's members and partners, between 10-13 pages (A4 size, single spacing, Calibri 12), excluding annexes.
- **Annexes**, including list of interview questions, interviewees, and transcripts.

6. Expertise

The consultant will have at least a master's degree in a relevant field, with proven experience of human rights research and advocacy, particularly in the area of ASEAN and regional human rights mechanisms. The consultant will have proven ability of writing fluently in English.

7. Working relationship and contractual arrangements

- The consultant will be working under the overall supervision of the Programme Manager of the East Asia ASEAN Programme.
- FORUM-ASIA is responsible for contractual arrangements. The Senior Management Team (SMT) of FORUM-ASIA will provide additional guidance on the assignment where needed.
- The consultant is under the obligation of confidentiality. Information, data, database, knowledge resources in the forms of briefings and reports issued by FORUM-ASIA remain the property of the organisation.

8. Budget

The budget for the assignment includes a fee of 4,500 USD. Other costs incurred in relation to fieldwork, *if required*, including costs for economy-class travel, local airport transfers and local transportation in the home and destination countries, standard accommodation costs, phone credit, and per diem, will follow FORUM-ASIA's Financial Rules and Regulation.