

Call for National researchers for assessment and evaluation of the effectiveness of national human rights institutions in Albania, Bosnia and Herzegovina and Kosovo

TERMS OF REFERENCE

GENERAL INFORMATION

Project:	Evaluating effectiveness of Independent National Human Rights Institutions
Countries:	Albania, Bosnia and Herzegovina, Kosovo
Contracting Party:	Civil Rights Defenders
Reports to:	Goran Miletic, Director for Europe
Number of working days:	20 days
Contract start date:	20 June 2020
Contract end date:	15 November 2020
Type of contract:	Individual Contract

BACKGROUND

Civil Rights Defenders is a human rights organisation that defends people's civil and political rights on four continents. The organisation has worked with different human rights projects in the Western Balkans since 1995. The Civil Rights Defenders' overall goal is to improve people's access to freedom and justice through greater respect for their civil and political rights.

The work of Civil Rights Defenders in the Western Balkans is guided by the Organizational Strategy as well as by a corresponding Strategy for Europe for the period 2017 – 2019 and aims to empower people to claim their human rights; ensure states take better responsibility for the fulfillment of human rights; and to empower local human rights defenders. Our work in the Western Balkans in the past five years has been carried out through programmes focused on supporting mostly human rights organisations and independent media organisations by providing financial assistance and by increasing their organizational capacities and sustainability. Our approach also entails facilitating and striving for co-ordination and coalition-

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building with other NGOs, media organisations, human rights organisations, and other civil society initiatives for the purpose of advancing human rights through research, policy development, advocacy and campaigning.

The regional programme for strengthening European human rights standards in the Western Balkans, implemented by Civil Rights Defenders, aims to improve the EU integration processes in the region and support their sustainability. The particular focus is on Judiciary and Fundamental Rights (Chapter 23) and Justice, Freedom and Security (Chapter 24) thus it is in line with the “fundamentals first” principle adopted by the EU when it comes to integration of the region. The programme aims to augment the civic space and enable greater involvement of civil society in human rights related policy and decision-making processes which is one of the key preconditions for EU accession. Furthermore, it strives to ensure sustained and thorough monitoring of state institutions and alignment of legislation and implementation with the EU standards. In this way, the programme will improve the transparency and openness of the process as well as the quality of the policies, practices and institutional capacities of the relevant stakeholders.

One of the focus points of the programme is supporting the creation of an enabling environment for the independent national human rights institutions¹ in the Western Balkans. They operate in complex contexts when carrying out their activities. They have a paramount role in ensuring independent and impartial protection of human rights while at the same time they face many challenges when conducting their work. It has been assessed so far that to a varying degree, in different countries in the region, the national human rights institutions underperform and/or fail to fulfil their mandate due to different reasons and challenges when it comes to access to resources and ability to work in an enabling environment. It can also be argued that they do not receive sufficient support from state institutions, while their recommendations are neglected because in most cases they are not legally binding. In addition, their work and findings are being increasingly derogated and politically influenced.

In order to assess and evaluate the effectiveness, thus the application of the international standards in the work of the national human rights institutions in Albania, Bosnia and Herzegovina and Kosovo², Civil Rights Defenders is currently seeking to contract national researchers in Albania, in Bosnia and Herzegovina and in Kosovo (one researcher per country).

¹ Within the scope of the assignment, national human rights institutions are independent of government, have broad constitutional or legal mandate for protection and promotion of human rights on national level, focus on all human rights or specific issues such as discrimination, access to information, personal data protection, etc.

² **Albania:** Ombudsman, Commissioner for the Right to Information and Protection of Personal Data, Commissioner for Protection against Discrimination; **Bosnia and Herzegovina:** Ombudsman, Personal Data Protection Agency; **Kosovo:** Ombudsperson, National Agency for Personal Data Protection

PURPOSE OF THE ASSIGNMENT AND METHODOLOGY

The purpose of the assignment is to carry out a research that will assess and evaluate the effectiveness, thus the application of the international standards of national human rights institutions in Albania, Bosnia and Herzegovina and Kosovo.

The research is to be carried out by an established research methodology. Working in collaboration with Civil Rights Defenders, and the regional experts who have developed the methodology, the national researchers will evaluate the existence of conditions which are necessary for national human rights institutions to fulfill their mission, as well as to evaluate their effectiveness.

The effectiveness will be assessed in four domains:

1. Independence and ability to work without pressure,
2. Availability of resources and capacities,
3. Information, accessibility and cooperation with other relevant actors,
4. Mandate and powers

The assessment will be based on a previously defined set of indicators which are tied to scores, derived from relevant international standards. Both quantitative and qualitative indicators will be applied in this research. All indicators will refer to the year 2018, which is taken as baseline. The only exceptions are indicators on public opinion polls, which can be dated three years back, as it was recognized that such polls are generally lacking in the region. This methodology was applied in 2019 on the countries of Serbia, Montenegro and North Macedonia. The comparative report “(What is behind and) Beyond the average?” is available [here](#).

The national researchers will be provided training on the methodology, as well as mentoring and input from the regional experts and Civil Rights Defenders during the course of the research.

KEY TASKS

When conducting the assignment, the researchers are expected to evaluate the effectiveness of national human rights institutions based on the previously developed methodology and indicators. Based on the findings they will draft policy briefs that will analyze the systemic challenges and shortcomings that hinder the work of national human rights institutions and develop recommendations for all relevant stakeholders. More specifically, the researchers are expected to:

1. Apply the previously developed comprehensive methodology for assessing and evaluating the effectiveness of national human rights institutions, including indicators and instruments for data collection.
2. Collect, analyze data and provide ranking that will enable regional comparability.
3. Draft one national policy brief on the country, subject to review by the regional experts and Civil Rights Defenders.
4. Cooperate and coordinate with the regional experts in order to contribute to the consistent application of the methodology across the region.
5. Strictly comply with the given deadlines in order to ensure that both the national and the regional study are completed within the agreed timeframe.

EXPECTED OUTPUTS AND DELIVERABLES

Deliverables	Tentative dates (2020)
1. Participation in a one-day online methodology training	1 July
2. Final draft scores for each indicator and each independent body (in English)	15 September
3. Final national policy brief (in English) and contribution to regional recommendations	15 October
4. Final report to CRD, with overview on activities undertaken, results, challenges, and recommendations (in English).	15 November

Payment schedule

The payment will be done in two instalments:

- First payment: 50% of the total amount after successful submission of deliverables 1 and 2;
- Final Payment: Payment of the remaining 50% after successful submission of deliverables 3 and 4.

REQUIRED COMPETENCIES AND QUALIFICATIONS

Competencies

- Shows strong analytical skills;
- Demonstrates good oral and written communication skills;
- Demonstrates excellent organizational skills and proven ability to deliver consultancy products within deadlines;
- Ability to synthesize research and draw conclusions on the related subject;
- Writes clearly and convincingly, and is able to adapt the style and content to different audiences;
- Experience of working with supervisors and implementation of reviews.
- Proficiency in filling out and analysing spreadsheet data.

Qualifications

Education: A master's degree in Law and or Political Sciences, or related discipline is required. A PhD is a strong asset.

Experience:

- At least 5 years of research experience particularly including policy analysis and research related to human rights and independent institutions, such as ombudspersons and independent bodies for anti-discrimination, data protection and right to information. It should also include experience in conducting research assessments based on indicators.
- Excellent understanding of national and international legal/policy frameworks as well as institutions, mechanism and processes relevant for the work of National Human Rights Institutions
- **Languages:** Excellent language proficiency in both written and oral English.

DOCUMENTS TO BE SUBMITTED

Interested offerors are invited submit the following documents/information to be considered:

1. **Offeror's letter of interest** elaborating the qualifications, experience and competences not exceeding 500 words.
2. **Most updated CV** with focus on required qualification supported by copies/links to previous research works, preferably as a sole author;
3. **A Financial Proposal** expressed in the form of a lumpsum all-inclusive gross cost, in **EUR**.



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The financial proposal must take into account various expenses that will incur during the contract, including: the daily professional fee; cost of communications, any other expenses related to this assignment.

Qualified candidates should send their application at the following address:
damjan.zdravev@civilrightsdefenders.org, **by June 10 2020 the latest.**

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Head Office
Sergels Torg 12/12 Phone +46 8 545 277 30
SE-111 57 Stockholm info@crd.org

Europe Office
Kralja Milana 10/5 Phone +381 11 268 1455
11000 Belgrade, Serbia belgrade@crd.org