



Terms of Reference for the situational Analysis on human rights, conflicts and climate change and how they impact food security on pastoralists

1. About CEMIRIDE

CEMIRIDE is a not for profit organisation that supports minorities & indigenous peoples/ communities (marginalised communities) to secure their rights. CEMIRIDE's Climate Change programme works on involvement of the indigenous communities in climate action, and ensuring their concerns, priorities & rights taken into account in any Climate Change response.

2. Project Background

CEMIRIDE, through a consortium, is implementing a project titled "*Rights-based and Agroecological Initiatives for Sustainability and Equity in Peasants Communities (RAISE)*". The project's goal is to contribute to the realisation of the United Nations Declaration on the Rights of Peasants and Other People Working in Rural Areas (UNDROP) by strengthening the right to food and other human rights in food systems, thereby, enhancing sustainable access to healthy, safe and nutritious food for the most marginalised groups affected by hunger and malnutrition. RAISE's focus is on enhancing the awareness, capacities, governance, monitoring and accountability of the rights of peasants in regard to food, land, seed, biodiversity, participation, as well as other human rights relevant to peasants¹ at local, national, regional and international level. RAISE uses a human rights-based approach as well as participatory and inclusive approach. The project's approach and formulation are based on an analysis of power relations around human rights. To somehow equilibrate this relationship, participation is required from rights-holders in the decision-making processes of the duty bearers, and that duty bearers are accountable to rights-holders regarding human rights obligations under national and international laws. The principle of accountability also addresses transparency in decision-making processes, fair and legally supported rules, and an open process for monitoring their implementation.

The project seeks to build the knowledge and capacities of the participants, being the different gender groups of peasants including women, youth, children, the elderly and PWDs, and empower them to demand their rights. The project also seeks to create a mechanism to monitor the coherent and inclusive implementation of international frameworks on peasants' rights on national and local levels.

3. The scope

Against the foregoing background CEMIRIDE intends to conduct a situational Analysis/ Baseline Survey on human rights (specifically indigenous peoples' rights with a particular focus on pastoralists), conflicts and climate change and how they impact on food security on pastoralists

¹ Peasants, according to the Declaration refer to indigenous peoples and local communities working on the land, transhumant, nomadic and semi-nomadic communities. In Kenya these include communities engaged in pastoralism, fishing, forestry, hunting or gathering, and handicrafts related to agriculture

in Baringo and Kajiado counties, Kenya. The baseline survey will also include mapping of stakeholders who are involved in Indigenous Peoples oriented climate change actions in Kajiado and Baringo counties, Kenya, as well as at the national level. The organisation also intends to induct pastoralist representatives on their civic roles and duties in relation to UNDROP.

4. Specific Tasks

The specific tasks for the survey will include;

- Establish the right to food security and land, well as other interrelated rights, and the interplay with climate change for indigenous peoples with specific emphasis on pastoralists in Kenya. Examine food security implications of climate change on women, youth, children, the elderly and PWDs' food security in pastoralist communities. Interrogate climate change induced changing roles of different gender groups from peasant communities in food security.
- To map out human rights, including right to land and food, security and climate change policy, legislative and institutional frameworks and identify the responsiveness to pastoralist's rights in Kenya and gender specific needs.
- To identify opportunities, gaps/ challenges and divergences in the land, conflict and climate change policy, legislative and institutional frameworks on food systems and integrate pastoralists rights and concerns/issues needs and interests including participation and involvement in decision making and actions.
- To identify and interrogate strategies employed of involvement and participation of the different gender groups among the indigenous peoples, particularly pastoralists in formulation and implementation of the land, conflict and climate change regulatory frameworks and natural resource management including the capacities of duty bearers to comprehend indigenous peoples' rights, with reference to pastoralists.
- Assess the impact of climate induced conflict and food insecurity on pastoralists livelihoods and the specific effects of this on different gender groups.
- Examine and identify the capacities of duty bearers to effectively engage with indigenous peoples, including pastoralists in effectively from a rights-based approach, in formulating and implementing policy, legislative and programmes on food systems based on pastoralists' rights, needs and interests
- To map out the CBOs, international and national NGOs, academia, experts, private sectors, government agencies and departments, and platforms that are involved in Indigenous Peoples oriented food security, resource based conflict management and climate action in Kajiado and Baringo counties, as well as at the national level.
- To identify the stakeholders' focus areas and how they relate to the UNDROP with specific focus on land, food security, gender and security nexus.
- To identify opportunities for CEMIRIDE to collaborate with the stakeholders in promoting and implementing UNDROP.
- Explore and make recommendations on practical ways for pastoralists, including women, youth, children, the elderly and PWDs in involvement and participation in land and climate change governance actions.

5. Project Site

The survey will be conducted in Baringo and Kajiado counties.

6. Methodology

An appropriate qualitative method will be used to gather data/information, to diverse perspective to the study, and to promote participation of different groups of stakeholders. All data, must be disaggregated by location, age, sex, disability. All raw data collected will be shared with CEMIRIDE. The consultant must propose a methodology and plan for the study which will be approved by CEMIRIDE Program and Monitoring and Evaluation staff.

The consultant (s) will be expected to:

- Participate in briefing and consultation meetings to discuss the assignment, become familiar with the RAISE Project and to collaborate with the CEMIRIDE project and partner staff on the development of the study design and implementation plan.
- Develop a detailed data collection and analysis plan, including plans for pre-testing tools, meaningful participation of partners and community, sampling methodology, implementation of data collection in the field; quantitative data analysis and reporting.
- Develop rigorous and robust, qualitative and quantitative data collection tools that can gather reliable and replicable data on each of the project indicators (sample tools to be developed, shared and approved by CEMIRIDE prior to data collection).
- Collect data through focussed group discussions and Key Informant Interviews.
- Analyse data in a rigorous, robust manner using appropriate analysis techniques.
- Draft a high-quality study report. The report must be written in good quality English and must include robust and detailed analysis of data findings.
- Lead the report validation process.

7. Expected Outputs (Deliverables)

The Consultant is expected to produce the following key outputs

- An inception report with a detailed methodology, tools to be used to gather data/information, quality assurance mechanism of data collection, sampling, pilot testing, ethical considerations, roles and responsibility of team members, key milestone, detailed work plan and budget.
- Original and cleaned data sets including field notes, audio tapes and transcribed material
- Draft report to CEMIRIDE for discussion and comments.
- Case studies incorporated in the report on the impact of climate induced insecurity on food security among different groups of gender of peasants.
- Final report incorporating feedback from CEMIRIDE and other stakeholders.
- A simplified report for dissemination

8. Duration of the assignment

The consultant is expected to carry out the exercise within 20 working days spread over 60 calendar days from 2nd June, 2022 with the final report not later than 8th August, 2022. The consultant will be responsible for the overall management of the assignment and the production of the final report.

9. Qualifications of the Consultant

The consultant (s)/consultancy firm must have the following qualifications and experience to be eligible for this assignment:

- The lead consultant must have a technical background in Climate Change, Food Security, Peace and Conflict, and Social Inclusion (at a minimum of master's degree level).
- The lead consultant (s) must have demonstrated experience and expertise in designing and managing such studies for similar projects and in delivering agreed outputs on time and within budget.
- Demonstrated experience and expertise in implementing rigorous research using qualitative evaluation methodologies.
- Understanding and experience working on Climate Change governance in Kenya is a key requirement for this assignment.
- Demonstration of good knowledge of the context in Baringo and Kajiado County is an added advantage.
- Demonstrated ability to understand indigenous peoples' human rights in Kenya

10. Reporting

The consultant will report to the Programme Officer and will work closely with the M&E Expert.

11. Protection of beneficiaries and other participants

CEMIRIDE has a Code of Conduct which intends to avoid possible conflicts of interest and ensure maximum protection of CEMIRIDE's participants. The consultant will be expected to sign the Code of Conduct as an appendix to their contract. By doing so, candidates acknowledge that they have understood the contents and agree to conduct themselves in accordance with its provisions.

12. Mode of application

Consultants who wish to express interest in undertaking the prescribed assignment are requested to send softcopies of the following to mail.admin@cemiride.org

- i. A technical proposal containing:
 - a) An understanding and interpretation of the TOR.
 - b) Methodology to be used in undertaking the assignment.
 - c) Time and activity schedule.
 - d) Evidence of relevant experience and samples of products related to the assignment.
 - e) Curriculum vitae of the lead consultant(s) to undertake the assignment and of the team member(s) and their roles in the achievement of the assignment.
 - f) Names and contact information of three references who can be contacted regarding relevant experience
- ii. A financial proposal including:
 - a) Consultant's daily rates/professional fees in Kenya Shillings.

13. Deadline

Bids are supposed to be submitted by 23rd May, 2022.