

Terms of Reference

Study on the Prevention of Torture and Ill-treatment in places of detention in Uganda

Background

DIGNITY – Danish Institute against Torture has been implementing projects in Uganda since 2017 within different areas and with different civil society organizations and the Ugandan Human Rights Commission (UHRC).

The African Centre for Treatment and Rehabilitation of Torture Victims (ACTV) and DIGNITY are currently working on a project aimed at enhancing access to timely and quality rehabilitation to survivors of torture and other forms of violence in the sub-counties of Bwesumbu and Maliba in Kasese District of Uganda through the implementation of ACTV's community model. Additionally, ACTV and DIGNITY implemented a campaign in response to the increase in torture and violence in the run up to the presidential election. The campaign focused on documentation of human rights violations, including medico-legal documentation, delivery of relevant rehabilitation services and advocacy targeting key stakeholders. This awareness raising work has continued.

UHRC and DIGNITY are currently developing a joint project focused on strengthening the capacity of UHRC to monitor places of detention, also during the COVID-19 pandemic, and to build a long-term partnership between DIGNITY and UHRC in order to support efforts to prevent torture and ill-treatment and improve conditions and treatment in places of detention.

Purpose of the study

As indicated above, DIGNITY is working with Ugandan partners on the prevention of torture and ill-treatment but wish to upscale interventions within this field which requires more in-depth knowledge of the national context, legal framework, existing mechanisms and key stakeholders.

In order to narrow down topics to be included in the study the primary focus will be on the prevention of torture and ill-treatment in places of detention including police custody. The study will explore three key areas being:

- 1) The Uganda Prison Service (UPS) and conditions in prison

This theme should focus on understanding prison conditions and the practices of the UPS better especially related to human rights. This can include some general information about prisons, numbers of detainees and pre-trial detainees etc. Furthermore, to assess CSO collaborations with the UPS, trainings of UPS staff, challenges and achievements of the UPS in relation to human rights implementation, existing laws, policies and procedures guiding the UPS, regional challenges and south-south collaboration. Also, to gain a better understanding of priorities, motivation as well as needs going forward defined by the UPS.

- 2) Health care services in prisons and a particular focus on the Initial Medical Assessment (IMA)

This theme should focus on providing information around health care services available in places of detention in Uganda. This can include to understand how the health care service is organized in the facilities but also to understand the structures of responsible Ministries and authorities. Furthermore, to assess the condition of health in prisons / pre-trial detention facilities, what law exists and how it is implemented in practice, how

many health professionals are employed and what different categories and qualifications of health professionals exist. It should be explored whether detainees undergo an initial medical assessment upon arrival and if that is the case assess how this is done.

3) Police Custody

This theme should include to understand the availability of basic legal safeguards in police custody (access to information, access to a lawyer, access to a doctor, notification of a third person) and whether the provision in national law is implemented in practice. The assessment should include a focus on screening and documentation of torture at the level of the police as well as assessing whether there exist health teams and their capacity. Relatedly, identify gaps, challenges and other actors (CSOs, UHRC etc.) supporting this as well as who have access to police facilities. Furthermore, to map relevant state and non-state actors and their work related to police custody and to explain the role of the Police Authority and the Police Council in terms of training of police officers and international inspection mechanisms. Also, assess whether there exist an Independent Police Investigation body that deals with complaints against the police but is independent from the police structures and how it operates.

The themes to be covered in the study will be discussed in more detail with the consultant and the details of *what* to explore and *how* will be decided and explained in more detail during the phase of developing the methodology and plan for the study.

For each topic it should be assessed which relevant mechanisms exist (including referral), what ought to exist following international and national legislation and what are major gaps and challenges leading to a set of recommendations. The recommendations from the study will guide DIGNITY in its future work on the prevention of torture and ill-treatment in close collaboration with existing and potentially new partners in Uganda.

Objective of assignment

The study will have three main objectives:

1. To conduct a qualitative study on the prevention of torture and ill-treatment in places of detention in Uganda including a thorough desk study, stakeholder mapping, interviews and analysis of findings.
2. To identify key stakeholders, challenges, and gaps to be addressed in future programming aiming at upscaling interventions within the prevention of torture and ill-treatment in places of detention in Uganda.
3. To formulate concrete recommendations based on the findings.

Scope of work and activities

The consultancy will address each of the three project objectives, taking into consideration challenges and adaptations made in response to the COVID-19 pandemic and related restrictions.

The specific activities include but may not be limited to:

- ✓ Develop methodology, outline, and plan for the study in coordination with DIGNITY and ACTV.
- ✓ Review and analyse relevant background documents, literature and national/international laws forming the desk study part of the final report.
- ✓ Make a stakeholder mapping.
- ✓ Plan and conduct interviews with relevant stake holders, organizations, experts etc.

- ✓ Analyse and validate data.
- ✓ Ensure a collaborative process between you, ACTV and DIGNITY through regular communication through email and Skype/Teams meetings.
- ✓ Participate in a midway workshop together with DIGNITY and ACTV staff to discuss first draft / initial findings.
- ✓ Draft final report (Approximately 50 pages) including concrete recommendations on the way forward.

Deliverables and timeline

Activity / deliverable	Timeline
Align expectations, make potential edits to the ToR and sign contract	By October 1 st
Finalize methodology and study plan in consultation with DIGNITY and ACTV	By October 15 th
Make desk study including stakeholder mapping and preparation of interviews	By November 15 th
Conduct relevant interviews and analyse data	By December 15 th
Deliver first draft / preliminary findings	By January 1 st
Facilitate a workshop with DIGNITY and ACTV staff to present and receive feed-back on the first draft and discuss the final phase of the study	By January 15 th
Share final report for feed-back	By February 15 th
Study finalized	By March 1 st

Expected profile of the consultant

- An Advanced Degree in Human Rights/ Law/ Public Health/ Health Service Research/ Clinical Psychology or other related fields.
- Proven experience in conducting Human Rights and Health Research, previous work with Uganda Prison Services is an added advantage
- Experience in mainstreaming Human Rights Based Approaches
- Excellent report writing skills and ability to meet deadlines
- Demonstrated expertise and experience in participatory qualitative and quantitative research methods.
- Excellent written and communication skills in English, Proactive and resourceful

APPLICATION PROCESS

Interested candidates who meet the requirements should submit their application with the list of documents below to actv@actvuganda.org or ceo@actvuganda.org not later than 10th September, 2021.

- I. A suitability statement including CV of participating consultant (s) with details of qualifications and experience.
- II. Technical proposal that summarizes understanding of the TOR, methodology and tools to be used.
- III. Financial proposal providing cost estimates and consultancy fees. Contacts of one organization that has recently contracted the consultant to carry out similar assignment.