

An analysis of climate and development induced displacement in Kenya: The case of Turkana, Tana River and Nairobi Counties.

Consultancy Terms of Reference (ToR).

1. Project Background:

The Refugee Consortium of Kenya (RCK) is a national non-governmental organisation established in 1998. RCK's mission is to promote and protect the rights and dignity of refugees, asylum seekers, IDPs, and other forced migrants in Kenya and the wider East African region. It was established as a response to an increasingly complex and deteriorating refugee situation in Kenya and the region. RCK's core mandate is to: provide legal aid services and psycho-social counselling; engage in advocacy for policy change by providing technical support towards development of relevant legislations in line with international instruments regulating the management of refugees and other forced migrants; and to raise awareness regarding the plight and rights of the vulnerable groups through research and information dissemination.

The Heinrich-Böll-Stiftung (HBS), a non-profit organization, is part of the Global Green Movement headquartered in Berlin Germany, with a footprint in over 30 countries. The HBS principles are anchored on ecology and sustainability; democracy and human rights; self-determination and justice. They place particular emphasis on gender democracy meaning social emancipation and equal rights for all genders. This particular partnership seeks to advance progressive political and socio-economic transformation through its thematic focus on sustainable development, gender democracy, dialogue and civic spaces.

Despite the existence of the IDP Act, 2012, (which became operational in 2013), legal and policy responses to arising IDP situations in the country, have remained unresolved. To address this policy gap in public awareness and governance, RCK, through funding support from the HBS seeks the services of an expert to carry out an in-depth analysis of climate and development-induced displacement with a specific focus on the counties of Turkana, Tana River and Nairobi.

Contextually, an in-depth analysis of climate and development-induced displacement is a critical first step to sustain peace through conflict transformation approach, to inform more comprehensive and coherent strategies, political engagement, and creation of interventions in a conflict-sensitive way. It provides insights into the causes and consequences of internal displacement, the dynamics supporting or undermining peace efforts, and the needs and interests of diverse stakeholders. Hence, it will serve to provide new knowledge on climate and development-induced displacement for relevant stakeholders, HBS and RCK.

2. Purpose and objective(s) of the consultancy:

2.1 Purpose

This assignment is aimed at understanding the shortcomings of the operationalization of the IDP Act, 2012, and developing recommendations to help realize its full implementation. The in-depth analysis shall include but not limited to social, political, environmental, and economic issues on internally displaced communities, and host communities, in Turkana, Tana River and Nairobi Counties. The analysis will also provide quality inputs on formulation of a white paper with practical policy recommendations that will form the basis for evidence-based advocacy.

2.2 Overall objective

To understand the gap(s) in public awareness and governance issues around the IDP Act, 2012 in relation to climate and development-induced displacement in Turkana, Tana River and Nairobi Counties.

2.3 Specific Objectives

- i. To understand internal displacement in the specific field sites in relation to climate and development displacement;
- ii. To analyze the efficiency and effectiveness of implementation of the IDP Act 2012 and other related law(s) and regulation(s);
- iii. To analyze the IDP Act 2012 regulatory framework, and give possible policy recommendations to effectively implement it;
- iv. To map out the current capacity of the stakeholders for the full implementation of the IDP Act 2012;
- v. To identify the best practices and tools for exhaustively implementing the IDP Act 2012.

3 Methodology:

The consultant applying for this particular role **must** propose designs and methodologies in their submissions which shall be deliberated and agreed upon with RCK at the inception of the consultancy. The methodology shall be developed along this indicative variables:

- i. Proposed policy in-depth analysis design;
- ii. Data sources;
- iii. Proposed data collection methods and analysis;
- iv. Proposed sampling methods;
- v. Field visits; and
- vi. Level of stakeholder engagement.

4. Ethics:

The consultant must commit to ensure that detailed safeguards and procedures are in place to warrant physical and psychological safety of the respondents and those collecting the data. Likewise, the rights of the respondents must be observed and protected without any form of violation during their participation in the study/analysis. The consultant **must** have a policy analysis plan with a blue print in place to:

- i. Protect the rights of respondents, including privacy and confidentiality;

- ii. Elaborate on how informed consent will be obtained and guarantee that the names of individuals consulted during the data collection will not be made public;
- iii. In instances where children (under 18 years old*) are respondents, the consultant must consider additional risks and need for parental consent;
- iv. Data collection tools must be designed in a culturally appropriate manner and should not create distress for respondents.

5. Key deliverables of consultant and timeframe:

The timeframe provided for the deliverables allows for quality assurance by the RCK technical team. The consultant shall be expected to provide the mentioned below deliverables in the table as per the agreement:

No.	Deliverable	Deadlines of Submission to RCK/HBS Team (40 working days)	Timeline
1.	Inception report	5 days	21 st July 2022.
2.	Desk reviews; stakeholder consultations; field work; analysis and reporting (First draft and final report).	25 days	25 th August 2022
3.	White paper	10 days	8 th September 2022

6. Required Competencies:

- Master's degree in social sciences, research, conflict and peace studies or related fields;
- At least 5 years' experience in conducting public policy analysis (candidates **must** submit at least 1 public policy analysis report authored by them as an attachment to their application);
- Proven skills using qualitative and quantitative methods;
- Previous experience of practicing participatory methods for conducting research and planning;
- Proven experience in working in forced displacement settings;
- Demonstrated capacity to analyze and interpret conflict data/statistics;
- Ability to work in a fast paced environment with minimum supervision, meet short and tight deadlines, plan and implement effectively, and be a team leader;
- Prior experience in applying gender and human rights based approaches, peace building, and Do no harm principle is an added advantage;
- Excellent written and spoken communication skills in English and Swahili. An understanding of the local dialects in the identified regions is an added advantage.

7. Management Arrangement of the Analysis:

The assignment shall be managed by the consultant who shall be identified through a competitive process. In addition to this, the Consultant shall further be supported by the RCK technical team as highlighted below:

7.1. Refugee Consortium of Kenya (RCK)

RCK, through its technical advisors, shall provide overall supervision of the data collection, analysis and reporting. In addition, RCK will support the consultant by obtaining consent(s) from the relevant authorities in order to access the respondents. RCK will also form part of the stakeholders in the validation workshop to ascertain the accuracy of the data submitted by the consultant and make recommendations where possible for a cogent and verifiable final report. Finally, RCK will provide the required logistical and administrative support.

7.2. Consultant

The consultant will be responsible for undertaking the analysis from start to finish; managing the research assistant(s) (if applicable); collecting and analysing data; and drafting and presenting the final report in English, under the overall supervision of RCK. This will also compound a one-day validation workshop. In addition, the consultant shall be expected to deliver the below:

- i. Develop the methodology, including developing a list of key informants in close consultation with the RCK technical team;
- ii. Conduct a desk review of relevant secondary data and literature;
- iii. Conduct focus group discussions and key informant interviews in close consultation with the RCK technical team;
- iv. Analyse the collected data and develop a report;
- v. Present the findings in a validation workshop.

8. Deliverables and timeline:

During the assignment, the consultant will deliver:

Stage of Conflict Analysis	Key Task	Responsible	Number of working days required	Timeframe
Inception stage	Briefing of consultant to orient them	RCK technical team	6 working days	8 th , July 2022.
	Desk review of key documents	Consultant		
	Finalizing the analysis design and methods	Consultant		
	Submit draft inception report	Consultant.		
	Review of inception report and provide feedback	RCK technical team	3 working days	13 th , July 2022

	Incorporating comments and revising the inception report	Consultant	3 working days	18 th , July 2022
	Submitting final version of inception report	Consultant		
	Review of final inception report and approval	RCK technical team	3 working days	21 st July 2022.
Data collection and analysis stage	Desk research	Consultant.	10 working days	4 th August 2022.
	Site technical mission for data collection (visits to the field, key informant interviews etc.)	Consultant.		
Synthesis and reporting stage	Analysis and interpretation of findings	Consultant	5 working days	11 th , August 2022
	Preparing a first draft report	Consultant		
	Review of the draft report for quality assurance	RCK technical team	3 working days	16 th , August 2022
	Incorporating comments and preparing second draft of in-depth analysis of IDP Act 2012 report	RCK technical team	2 working days	18 th , August 2022
	Final review and approval of report	RCK technical team	3 working days	23 rd , August 2022
	Final edits and submission of the final report	Consultant	2 working days	25 th , August 2022
White paper	Submitting first draft for comments	Consultant	4 working days	31 st August, 2022
	Submitting final draft	Consultant	4 working days	8 th September, 2022

9. Other provisions:

9.1. Budget

The budget shall be discussed with the selected candidate who may need an indication of the budget proposal for the consultancy fees. *RCK will cater for the logistical aspects of the assignment including travel and accommodation based on its internal policies and donor requirements.*

9.2. Terms and Conditions

This work will be undertaken by an external consultant. Proposals should include and adhere to the time frame set to complete the work at a costed rate. Additionally, the consultant will submit all the original document(s) to RCK through its focal person. The consultant shall not re-produce

information of this exercise in any form (electronic, hard copies, etc.) to third party without written permission from RCK.

10. Application process:

10.1. Submissions of the Proposals

Interested applicants who meet the required profile are invited to present an expression of interest by submitting both technical and financial proposals (separately) in PDF format with the subject clearly marked “**An analysis of climate and development induced displacement in Kenya: The case of Turkana, Tana River and Nairobi Counties**” on or before **June 27th, 2022**, via email to procurement@rckkenya.org. For further information, please see www.rck.org.

All applications must have the following:

1. **Cover letter;**
2. **Technical proposal:** Summarizing the understanding of the TOR (written submission); method and tools to be used; suitability statement of the individual or company, including CVs of consultant and other participating consultant(s)/ research assistant(s) (if applicable) with details of qualifications and experience in this and/or similar assignments; work-plan clearly indicating the activity schedule; and a risk analysis and mitigation strategy;
3. **Financial proposal:** providing cost estimates (costs per activity line, and staff, etc.) and technical consultancy fees; and
4. **Testimonials and contacts** of three organisations that have recently contracted you to carry out similar assignment. In addition to this, submit at least 1 public policy analysis report authored by yourself as an attachment to the application.

Only shortlisted candidates will be contacted.