

Terms of Reference

I. General Overview of the Consultancy

Thematic : Promoting the Rights of Persons with Disabilities to Access Driving Licenses
Country : Cambodia
Timeframe : November 2011 – January 2012

II. Evaluation Context

In July of 2009, the *Cambodian Legislation on the Protection and Promotion of the Rights of Persons with Disability* was signed by His Majesty the King of Cambodia. This milestone legislation provides a legal framework supporting the work of Handicap International in Cambodia. Article 24 of the national law expressly protects the rights of persons with disabilities to acquire a driving license. The article stipulates that “The capacity to drive, as well as the type of vehicles for persons with disabilities, shall be defined by an inter-ministerial Prakas by the Ministers in charge of Public Works and Transport and Health.”

Handicap International is an international solidarity organization specialized in the field of disability. Non-governmental, non-religious, non-political and non-profit making, it works alongside people with disabilities, whatever the context, offering them assistance and supporting them in their efforts to become self-reliant. Our mission is to promote full participation and rights of people with disabilities through rehabilitation, advocacy and capacity building; and to reduce the prevalence of disability in the Cambodian population through prevention.

Handicap International has been present in Cambodia since 1982. Over the past seven years, Handicap International has established two key programmatic areas which will support this consultancy. The Road Safety program works to support and capacity build national stakeholders in road safety, including both governmental and non-governmental entities, to develop policy and laws that will protect the rights of all persons to enjoy a safe transportation environment. The capacity building work is based on a strong research foundation and supported by a dedicated program staff.

Handicap International’s Rights and Inclusion program works to support the full inclusion and participation of persons with disability in all aspects of community life. The program operates by capacity building disabled people’s organizations at all levels of society to engage with peers and decision-makers and to participate in the social, economic, and political dimensions of their communities and nation.

III. Objectives of the Consultancy

Objective 1: Identify global and regional good practices in establishing national guidelines for promoting the rights of persons with disability to access driving licenses.

The consultant will conduct a desk research to collect and analyze relevant legislation from at least three countries (two of which should be from the Asia-Pacific Region). Where possible, s/he should contact relevant international governmental and non-governmental bodies to conduct semi-structured interviews to investigate the methods and procedures that were undertaken to develop the national legislations. S/he will develop a comparative analysis of the relevant legislation and present this analysis as an introductory framework for the development of Cambodian DRAFT Inter-Ministerial prakas as required under Article 24 of the National Law on the Protection and the Promotion of the Rights of Persons with Disabilities.

Objective 2: Develop a series of recommendations related to whether and how Handicap International should proceed to coordinate national stakeholders to develop a DRAFT Inter-Ministerial prakas as required under Article 24 of the National Law on the Protection and the Promotion of the Rights of Persons with Disabilities.

Using the framework developed under Objective One, the consultant will conduct a series of individual interviews with identified key stakeholders from the following governmental and non-governmental organizations: the Ministry of Public Works and Transport, the Ministry of Health, the National Road Safety Committee, the Disability Action Council, the Cambodian Disabled People's Organization, and any other relevant entity which may be identified.

Information gathered through the interview schedule should be compiled into a narrative report outlining levels of interest and commitment of relevant stakeholders, foreseen barriers or challenges identified by relevant stakeholders, and recommendations for continued action on the part of Handicap International and our partner organizations.

Objective 3: Launch the creation of a national working group responsible for developing a DRAFT Inter-Ministerial Prakas to be submitted to the Ministers of Public Works and Transport and Health as required under Article 24 of the National Law on the Protection and the Promotion of the Rights of Persons with Disabilities.

The consultant will facilitate a series of multi-stakeholder workshops (or a single multi-day workshop) with the objective being the development of Terms of Reference and Action Plan for a special working group who will be tasked to finalize the necessary DRAFT Inter-Ministerial prakas as required under Article 24 of the National Law on the Protection and the Promotion of the Rights of Persons with Disabilities.

IV. Background of the evaluator

The ideal evaluator will have:

- Extensive and relevant research experience
- Experience with facilitating multi-stakeholder policy development processes
- Prior knowledge of disability and/or road safety will be considered as significant advantages
- Knowledge of working in the South East Asian context, specific knowledge of Cambodia will be considered an advantage

V. Process of the Mission

- 1.) The consultant will be briefed by the Handicap International Rights and Inclusion and Road Safety Program Managers to discuss extensively the purpose of the mission, to provide an opportunity to review existing programme documents, and to develop a finalized, validated methodological approach (including data collection tools).
- 2.) The desk research period will be assisted by Handicap International's Road Safety Program, which is operational in 3 countries in the South East Asia region, but will require independent investigation and international communications by the consultant. The comparative analysis of the identified country legislations should be completed by the end of November.

- 3.) Following data collection and analysis, the evaluator will finalize a semi-structured interview questionnaire which will be used to conduct a feasibility study on the potentials for developing the Inter-Ministerial Prakas required under Article 24 of the National Law on the Protection and the Promotion of the Rights of Persons with Disabilities. The interview questionnaire must be validated by the Rights and Inclusion and Road Safety Program Manager prior to data collection.
- 4.) A semi-structured interview schedule will be developed by Handicap International. The consultant will be required to interview no more than 20 key stakeholders. The interviews should be finalized prior to the 15th of December.
- 5.) The final feasibility study, including key recommendations for drafting the Inter-Ministerial prakas, should be completed prior to the end of December 2011.
- 6.) The consultant will play a key role in facilitating a series of multi-stakeholder meetings (or a single multi-day workshop) to develop a joint Terms of Reference and Action Plan for the development of the Inter-Ministerial Prakas. An essential aspect of the role of the consultant during this step of the process will be to facilitate a clear definition of roles and responsibilities of each member of the working group and to ensure that roles and responsibilities are clearly outlined in the Terms of Reference of the working group.

VI. Budget and Remuneration

Applicants are expected to produce a working budget and submit along with CV and cover letter. The final budget of the successful applicant will be negotiated and validated by the Rights and Inclusion and Road Safety Program Managers following interviews and final candidate selection.

VII. Administrative Formalities

The procedure for applications is as follows:

- The application can be submitted to : recruitment@hib-cambodia.org
- The application should include:
 - curriculum vitae of the applicant
 - a clearly developed consultancy proposal (including budget plan)
- Only short listed candidates will be notified. If outside of Cambodia, short listed candidates will be interviewed by phone.
- If outside of Cambodia, the successful candidate is expected to come to Cambodia as above mentioned evaluation schedule. Expatriate candidates will not receive additional remuneration for travel costs, insurance, etc.
- The deadline for the submission of the application is the **22nd of November 2011**.