



ASEAN PARLIAMENTARIANS FOR HUMAN RIGHTS

APHR Consultancy Notice **Terms of Reference**

A. Project Title: Mapping Legislations related to Freedom of Religion or Belief in Southeast Asia

B. Project Description

APHR is implementing a project on freedom of religion or belief (FoRB) with a view to reduce incidences of religious inequalities and discrimination in Southeast Asia through the repeal or revision of discriminatory laws, policies and practices.

A number of countries in Southeast Asia have laws and regulations that discriminate against religious minorities, and restrict people's right to FoRB. For instance, a number of countries retain blasphemy laws that are often used against religious minorities, in others, laws restrict the use of places of worship, only recognizing certain religions. As long as these laws remain in place, FoRB will continue to be restricted by States. In the meantime many Constitutions of Southeast Asian countries uphold fundamental freedoms and protect FoRB, however the laws in the country often conflict with the principles enshrined in those constitutions.

As an organization of parliamentarians, APHR is in a unique position to mobilize members of parliament (MPs) to use their legislative mandate to further protect the rights of religious minorities in the region and work towards the repeal of such laws.

To determine which laws in which countries to prioritize, and equip APHR's MPs with the relevant information to achieve its objective, it is fundamental that APHR identifies all restrictive legislation in the region and in particular:

- (1) Why and how are they in violation of international human rights law and standards relating to FoRB;
- (2) How has their implementation impacted or restricted the right to FoRB, especially towards women and girls; and
- (3) How can they be either repealed or amended to bring them in line with international human rights law and standards.

It is also important for APHR to identify potential examples of positive legislation from the region that has helped protect the right to FoRB and that could be replicated in other countries.



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C. Scope of Work

To achieve this objective APHR hired an external consultant to conduct a research to analyse existing FORB legislation's compliance with international human rights law and standards, and write an initial report to map out all existing legislation that restrict FoRB in all ASEAN countries + Timor Leste, as well as positive legislative examples.

APHR is now looking to hire a second consultant to:

- (1) Thoroughly review and fact-check the initial findings including the analysis of the laws against the relevant international human rights law and standards;
- (2) Conduct - if necessary - additional interviews with key stakeholders and relevant desk research; and
- (3) Edit and re-draft the report in a format fit for publication in an accessible, pedagogical, concise and accessible language.

The draft report follows the outline below:

- Executive Summary: research methodology, analysis of main findings, and summary of key recommendations.
- Rationale for the report: Explainer on why it is important to bring restrictive legislation in line with international framework / why it matters to the promotion of FoRB and the role of MPs in achieving it.
- Introduction to the international human rights law and standards relating to FoRB
- Country chapters that will include:
 - Short introduction on FORB in this country.
 - List of problematic laws: for each law a short analysis of why it does not comply with international human rights law, an example of how it has been used in practice, and recommendations on how to appeal or amend.
 - List of positive legislations (if any): for each law an analysis of why it is deemed as a best practice, and examples of how it has been used in practice in support of FoRB.
 - List of recommendations on how MPs in the country could advocate for the repeal or amendment of the legislation.

Note: Each country chapter could be a stand-alone report (and be downloaded individually from the website).

- Annex 1: An excel spreadsheet/table of all legislation listing the country, problematic provisions and the recommendation to amend or repeal, including the copy of legislations, when available.
- Annex 2: An excel spreadsheet/table of all positive legislations listing the country, positive provisions, including the copy of legislations, when available.

The Report will be produced in a maximum of 50 pages, Times New Roman, 11 point, single-spacing, title page/copyrights page/contents page/references inclusive, annexes exclusive.



D. Expected Outputs and Deliverables

Below is the timeline of expected outputs and deliverables from the External Consultant.

Expected deliverables	Timeline
1. Inception Meeting	Last week of September/First week of October 2021
2. Review of the initial findings and additional interviews and desk research	October 2021
3. Check-in meeting with APHR	Mid-October 2021
4. First draft of the report	First week November 2021
5. First round of incorporation of APHR's reviews and comments	November 2021
6. Second draft of the report	22 Nov 2021
7. Incorporation of APHR's final reviews and comments	Nov- December 2021
8. Production of the final report ready for publication	10 December 2021

E. Institutional Arrangement

The successful candidate will closely liaise with APHR's Research and Advocacy Director and the Advocacy and Campaigns Officer on FORB in carrying out his/her tasks and responsibilities. They will provide the consultant with background knowledge about the project and guidance on the desk research to conduct, the outline of the report, and language and format expected. They will remain available for any clarifications and guidance sought by the consultant, and the required assistance.

F. Qualifications of the External Consultant

The External Consultant shall have the following desirable qualifications:

The consultant must have proven:

- In-depth expertise in international human rights law and standards relating to FORB (including previous experience in analysing national legislation against international human rights law and standards);
- Sound knowledge of FORB issues across the Southeast Asia region;
- Excellent writing skills for a wide variety of audience as well as proven past publication of reports or briefs for advocacy purposes and a broad audience;
- Excellent proficiency in English both oral and written.



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G. Application

Applicants may submit the following requirements to jobs@aseanmp.org with Subject heading “FORB Consultant on Legislation Mapping” on **Monday 12 September 2021**:

- a) **Cover letter** including why the individual considers him/herself as the most suitable for the assignment, and a methodology, if applicable, on how they will approach and complete the assignment.
- b) **Personal CV** indicating all relevant past experience as well as the contact details (email and telephone number) of the candidate and at least three (3) professional references.
- c) **Writing sample** of a briefer or report on a similar issue published for advocacy purposes or for a broad and wide audience (avoid academic publications.)
