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## **Terms of reference for the recruitment of a National Individual Consultant for the development of guidelines on Restorative Justice**

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<b>Duration:</b>	<b>25 working days</b>
<b>Type of contract:</b>	<b>Individual Contract</b>
<b>Location:</b>	<b>Mbabane, Eswatini</b>
<b>Proposed Period:</b>	<b>May - July 2025</b>
<b>Organizational unit:</b>	<b>UNFPA</b>

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### **1.0 Background**

Violence against women and girls continues to prevail in Eswatini despite a conducive legislative and policy environment that protects all citizens against violence. Among adolescents and young women, lifetime sexual violence is the most prevalent form of violence experienced by 8.1% of girls age 13-24 years, followed by lifetime physical violence at 5% of girls of the same age. However, it is worth noting that all types of violence experienced by girls age 13-24 years declined drastically between 2007 and 2022 potentially as a result of the GBV interventions implemented in the country.

Physical violence is common among intimate partners, with 1 in 2 women reporting to have been abused by their current or former partner. Ever married women or in union as well as women who are formerly married or were once in a union, experience the highest levels of physical violence at 66.5% and 71.8% respectively, MICS (2021-2022). Intimate partners, including husbands and boyfriends, are the most common perpetrators of sexual violence against women. Unmarried women have lower levels of physical violence at 36.3%.

Males are more affected by physical violence (23.2% vs. 10.5%), particularly from peers. Recently, there has been a rise in violent incidents, especially in the Shiselweni region, involving the assault and harassment of women by men. Despite over two-thirds of survivors disclosing their experiences, only a quarter seek professional help (VAC 2023). Cultural tolerance and concealment of violence hinder effective response and support for survivors.

Restorative Justice in the context of gender-based violence (GBV) is an approach to justice that focuses on repairing the harm caused by violence through inclusive and participatory processes. The key aspects of restorative justice are: accountability and responsibility, healing and reparation, community involvement, and voluntary participation. Importantly, restorative justice complements the criminal justice process; it does not replace it but seeks to promote the integration of offenders back into society. This approach aims to ensure that offenders take responsibility for their actions while also

facilitating their reintegration into the community, thereby fostering long-term healing and reconciliation.

It is worth noting that the National Strategy to End Violence in Eswatini (2023-2027) noted a gap in the use of Restorative Justice to facilitate healing of GBV survivors and the reintegration of offenders into society.

## **2.0 Purpose of developing the guidelines**

Restorative justice offers a transformative approach to GBV that goes beyond traditional punitive methods. With over 70% of GBV perpetrators being known to survivors (family relatives and intimate partners) it is important that healing is provided for the survivor and rehabilitation for offenders to avoid recidivism. The restorative justice approach prioritizes both survivor healing and offender accountability in a bid to transform and to create safer and more empathetic communities.

## **3.0 Objectives**

### **The guidelines are expected:**

- a. To establish a community centered justice model that values healing for survivors of GBV.
- b. To strengthen the voice and healing for survivors of GBV.
- c. To outline mechanisms that hold offenders accountable in a manner that acknowledges the harm caused as well as encouraging offenders to take responsibility for their actions.
- d. To harmonize traditional and the formal justice systems in ensuring rehabilitation of offenders and healing of survivors.
- e. To strengthen referrals to the formal Justice system and ensure structured referrals to services for both the survivor and perpetrator.
- f. To provide an overview on how healing and reconciliation should be undertaken between survivors and offenders and the involvement of families and communities in the healing process.

## **4.0 Scope of work**

### **The consultant will:**

- a. Conduct a comprehensive literature review on restorative justice practices in neighboring countries and their application in GBV cases so as to leverage on lessons learned.
- b. Engage with multiple stakeholders, including survivors, legal experts, counselors, and community leaders, to gather their insights.
- c. Develop a draft of the Guidelines.
- d. Facilitate workshops and consultations to validate the draft Guidelines.
- e. Finalize the Guidelines based on feedback received during the validation process.

### **5.0 Deliverables:**

- a. Inception report outlining the methodology and work plan.
- b. Draft Guidelines on Restorative Justice for GBV cases.
- c. A set of National Guidelines on Restorative Justice on Gender Based Violence.

### **6.0 Management arrangements**

The Consultant will work closely with the EU Hlonipheka Project Coordinator and UNFPA Programme Analyst, Gender & Youth, in collaboration with the Gender and Family Issues Department to provide day to day support with supervision of the Programme Specialist, SRHR/HIV under the overall guidance of the UNFPA Head of Office.

### **7.0 Qualifications:**

- a. Advanced University degree in Social Sciences, Law, Gender Studies, or a related field.
- b. Proven experience in developing guidelines or policies related to GBV and restorative justice.
- c. Minimum of 5 years work experience in the development field.
- d. Strong understanding of restorative justice principles and practices.
- e. Excellent research, writing, and communication skills.
- f. Ability to engage with diverse stakeholders and facilitate consultations.

### **8.0 To apply**

Interested candidates who meet the above qualifications should submit their applications, including CVs and certified copies of certificates to UNFPA's PA/Human Resources Associate email address, [mlotsa@unfpa.org](mailto:mlotsa@unfpa.org) or hand delivered at UNFPA Offices, UN House, 4th floor, Corner of Somhlolo Street and Madlenya Road, Mbabane, Eswatini.

Deadline for applications: **Friday, 11<sup>th</sup> April 2025.**

**Applications received after the closing date will not be considered.**

**Only shortlisted candidates will be contacted.**