

DRC

Terms of Reference (TOR)

for

Principled Humanitarian Response research

1. Who is the Danish Refugee Council?

Founded in 1956, the Danish Refugee Council (DRC) is a leading international NGO and one of the few with a specific expertise in forced displacement. Active in 40 countries with 9,000 employees and supported by 7,500 volunteers, DRC protects, advocates, and builds sustainable futures for refugees and other displacement affected people and communities. DRC works during displacement at all stages: In the acute crisis, in displacement, when settling and integrating in a new place, or upon return. DRC provides protection and life-saving humanitarian assistance; supports displaced persons in becoming self-reliant and included into hosting societies; and works with civil society and responsible authorities to promote protection of rights and peaceful coexistence.

DRC has been in Ukraine since 2014 and has expanded operations significantly since 24 February 2022 to deliver lifesaving assistance and emergency responses to people affected by the war. Since the escalation of the conflict in 2022, DRC is present in Kyiv, Chernihiv, Sumy, Dnipro, Kharkiv, Sloviansk, Mykolaiv, and Kherson. In Ukraine, DRC currently implements Shelter, Protection (including Legal Assistance), Non-Food Items, Cash, Economic Recovery, as well as HDP sectors of work.

2. Purpose of the consultancy

The Danish Refugee Council based in Ukraine seeks proposals from a consultant to carry out research to examine to what extent stakeholders (Donors, UN, NNGOs, INGOs) pursue principled humanitarian action in the delivery of assistance, and to what extent the humanitarian community is adhering to the core humanitarian principles of Independence, Impartiality, Neutrality and Humanity in Ukraine.

3. Background

The humanitarian community recognizes that humanitarian principles should lie at the heart of any response, particularly in situations of armed conflict. These principles are enshrined in the 'European

Consensus on Humanitarian Aid' adopted in International Humanitarian Law (IHL) and by the institutions of the European Union (EU) and the Member States in December 2007.

In a highly politicized context, the delivery of a principled response in Ukraine is under significant pressure at both national and international level.

NGOs face humanitarian dilemmas in every response worldwide, and a compromise is always necessary to find a solution to these dilemmas. However, while compromises are a necessary part of a principled response, if such compromises remain largely undocumented, with no discussion around potential short-term gain vs. long-term risk, they have the potential to undermine the current and future humanitarian response in Ukraine. At the same time, with a continued global focus on Ukraine, decisions taken around humanitarian principles inside Ukraine have the potential to affect not only the response in-country, but also in other humanitarian contexts worldwide.

As the war continues, funding for the Ukraine response will inevitably start to reduce and political will for support to Ukraine may start to shift (as is **already happening in the US**) - it is likely that a principled, accountable humanitarian response will come under greater scrutiny. There is growing need for a meaningful discussion that includes all stakeholders – INGOs, CSOs, GoU and international donors and actors- that maps the current state of a principled response in Ukraine, includes the voices and perspectives of national actors and weighs short-term gains vs. potential long-term impact, both on the response in Ukraine and the humanitarian response worldwide.

Previous research into a Principled Humanitarian Response has been carried out in Yemen and Afghanistan, initiated by DRC, funded by ECHO and led by a steering group of INGOs, NNGOs and UN in country. Findings and recommendations from both rounds of research have helped to strengthen principled humanitarian action in-country and are now helping to inform a global initiative led by ICVA to develop a decision-making guidance for coordinated principled decision making.

4. Objective of the consultancy

Three years into a rapidly scaled-up humanitarian response in a highly politicised context, this research aims to produce data and analysis to inform a joint and honest discussion by all stakeholders on the challenges of delivering a principled response in Ukraine and a reflection on the impact of decisions taken, both at a national and global level. The focus of the research is the humanitarian sector, including its complex architecture and diverse membership, and the processes for coordinating and delivering aid.

The research will examine to what extent stakeholders (Donors, UN, NNGOs, INGOs) pursue principled humanitarian action in the delivery of assistance, and to what extent the humanitarian community is adhering to the core humanitarian principles of Independence, Impartiality, Neutrality and Humanity in Ukraine. The research will aim to develop an understanding of the challenges and dilemmas encountered, the decisions and compromises taken, and the impact of these decisions on the effectiveness of the humanitarian response in Ukraine. The research will look at these challenges, dilemmas and decisions in relation to existing structures through which aid is funded, coordinated, negotiated, delivered and accessed.

The primary aim of this research is to provide a set of clear, operational recommendations for the HCT to take forward to help strengthen a principled approach in Ukraine, and ultimately contribute to a more timely, effective and accountable humanitarian response. Additionally, the research will build on previous similar research carried out in Yemen and Afghanistan and contribute to a wider discussion on challenges and opportunities related to principled humanitarian response globally.

The findings will be presented in various forums – sub-nationally and nationally within Ukraine and globally, linked to existing research. The following list includes proposed forums, but is not exhaustive:

1. National and sub-national coordination platforms
2. Humanitarian Country Team
3. HAWG
4. AWG
5. ICVA
6. Multi-stakeholder roundtable discussions in Geneva, Brussels, New York

The purpose of the study is not to review a specific organization's programme or operations. The purpose is to engage various partners representing a significant sample of the Ukraine humanitarian architecture and to determine whether existing coordination mechanisms and implementation modalities are effective in enabling principled responses and achieving "do no harm" outcomes. Findings and feedback of specific organizations will be anonymized when determined necessary by the steering committee (see section on Coordination and Management of the Research).

The study will review existing efforts and accountability frameworks for the operationalization of humanitarian principles in contexts such as Ukraine, characterized by a politicisation and a narrowing humanitarian operating space. The research report will be influenced by reflections on the extent to which established modes of programme implementation and delivery of humanitarian aid in Ukraine enables or hinders principled response. This reflection will entail interfacing with organizations that cut across the Ukraine humanitarian response, whose diverse mandates and operations have culminated in a multifaceted approach to needs in the country.

In addition, the study will reflect upon findings from similar studies conducted in Afghanistan and Yemen, making relevant comparisons and drawing recommendations to the benefit of the humanitarian response, beyond Ukraine. The research should include broader lessons learnt and best practices to be presented in global forums with explicit interest in strengthening the capacities to implement principled humanitarian interventions.

5. Scope of work and Methodology

Specifically, the research will look at:

- (a) The implementation of programmes/projects at the field level including funding, targeting and selection, delivery, accountability and structures/modalities through which aid is delivered in all areas of Ukraine.
- (b) Coordination of the overall response including sub-national and national levels as well as global humanitarian platforms such as the Senior Officials Meetings.
- (c) How decisions relating to humanitarian principles are collectively taken within the response to address humanitarian dilemmas.
- (d) The varying challenges related to principled delivery faced by national and international organisations and how these can be taken into account as part of localisation and coordination with national actors

Additionally, comparative analysis with similar studies conducted in Yemen and Afghanistan will allow reflection and recommendations on broader issues enabling or impacting agencies' capacity to deliver humanitarian assistance in contexts characterized by severe yet different access impediments. The research will conclude with a set of clear, operational recommendations to promote principled

humanitarian programming in the Ukraine humanitarian response and an accountability framework, led by the HCT.

Methodology:

DRC seeks a researcher with demonstrable experience of similar research. The research should primarily be conducted in-country with an emphasis on in-person data collection wherever feasible. To answer the research's lines of enquiry, DRC would like the research/research team to submit:

- a proposal with study design and methodology, which focuses on participatory methods to assess the key humanitarian principles and their operationalization within the Ukraine's humanitarian response strategy.

As a minimum, the methodology should include:

- a desk review of secondary data including key documents such as the Joint Operating Principles for Ukraine, previous research into principled response in Yemen and Afghanistan
- a research approach which includes interviews with key informants (INGOs staff including both management and field staff, NNGOs staff including both management and field staff, different types of beneficiary group leaders, UN agency staff etc.) as well as consideration of appropriate research methods to collect information from beneficiaries, with an emphasis on their views and perceptions of various stakeholders.
- Consideration of geographical area of coverage that assess the different humanitarian approaches applied in different geographical areas considering different level of coherence with humanitarian principles.

The proposal should engage with existing related existing initiatives, including the Humanitarian Access Working Group (HAWG) and its members and review studies by external researchers that have been conducted in Ukraine.

Research Principles

The views expressed in the report shall be based on the independent and professional opinion of the research team, grounded in the outcomes of the data collection and analysis conducted. The research should be conducted in a transparent and independent manner. The research will be guided by the following ethical considerations:

- Openness - of information given to the highest possible degree to all involved parties
- Confidentiality and data protection - measures will be put in place to protect the identity of all participants and any other information that may put them or others at risk.
- Public access - to the results when there are not special considerations against this
- Broad participation - the relevant parties should be involved where possible
- Reliability and independence - the research should be conducted so that findings and conclusions are correct and trustworthy

Verification

The research organization will be expected to respect data collection ethics, and a consent process should be proposed and agreed upon with DRC which ensure privacy of interviewees, but also upholds the integrity of the research. This verification exercise will be crucial to ensure the protection of informants and protect against any unfounded claims of misrepresentation in the final report.

Dissemination:

CT Consultancy 01 – Terms of References RFP-UKR-00321276

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The preliminary findings will be presented to the Steering Committee for feedback and inputs before final publication. In addition, one working session will be conducted to review the report.

In addition to the circulation of the findings, presentations on the findings co-facilitated by members of the Steering Committee and the research team will be essential to communicate and discuss the research. These will include:

- In-country validation workshop
- At least four in-country presentations (HCT, HAWG, ICCG, Donors group and other if deemed appropriate)
- Three international presentations (for example, Brussels, Geneva, New York)

The research team would be required to co-facilitate and attend such events, to share findings, experiences etc.

6. Deliverables

All material collected in the undertaking of the research process shall be submitted to the Chair of the Steering Committee prior to the termination of the contract. The language used for the deliverables will be English – presentation materials, executive summary, recommendations and accountability framework should be in both English, Ukrainian.

The research team will agree with DRC on a timetable of deliverables to be utilized throughout the research period, such that the data and observations collected can be instrumentalized in real time in appropriate in-country forums. Ultimately, the research team will submit three reports, as well as four in country presentations; the deadlines to be agreed with the consultant.

Deliverable	Timeline
<ul style="list-style-type: none"> • <u>Inception report</u>: Following the desk review and prior to beginning fieldwork, the consultant will produce an inception report subject to review by the Steering Committee. • This report will detail a draft work plan with a summary of the primary information needs, the methodology to be used, and a work plan/schedule for field visits and major deadlines. • The the consultant should provide a description of how data will be collected and a sampling framework, data sources, and drafts of suggested data collection tools such as questionnaires and interview guides, preferably against the research questions (not generically stated). • Once the report is finalised and accepted, the consultant must submit a request for any change in strategy or approach to the Steering Committee. 	7 working days
<ul style="list-style-type: none"> • <u>Draft research report</u>: Following data collection, a draft research report should be 	Data collection: 15 working days

submitted to the Steering Committee, with a presentation on key findings; feedback will be provided to the researcher by day 75. The research report should include an executive summary with clear, operational recommendations. It should also include an accountability framework based on the recommendations for HCT follow-up.	Draft report: 10 working days
<ul style="list-style-type: none"> • <u>Validation workshop</u> where the researcher will present the main findings and recommendations to a range of stakeholders and provides an opportunity for participants to contribute to tailoring the recommendations to ensure they are accurate, relevant and operational. 	<ul style="list-style-type: none"> • 3 working days (including 2 working days preparation)
<ul style="list-style-type: none"> • <u>Final Research report</u>: Final research report must reflect review from the Steering Committee and findings from the validation workshop. 	<ul style="list-style-type: none"> • 5 working days
<ul style="list-style-type: none"> • <u>In-country presentations</u>: Four in country presentations (may be virtual, but attendees will be Ukraine-level attendees) which will invite relevant stakeholders to present the findings, lessons learned and follow up. 	<ul style="list-style-type: none"> • 5 working days (including 1 working day preparation)

7. Duration, timeline, and payment

The total expected duration to complete the assignment will be no more than **45 working days**.

The consultant shall be prepared to complete the assignment no later than **120 days from the start of the contract period**.

Payment will be provided in tranches according to the provision of deliverables as stated:

Deliverables	Tranche
<ul style="list-style-type: none"> • Inception Report • Draft Research Report • Validation workshop 	Payment 1
<ul style="list-style-type: none"> • Final research report • In-country presentations 	Payment 2

8. Proposed Composition of Team

- Project Manager
- Assistance Project Manager
- Analyst/ Reporting Specialist
- Team Leader
- And, for example, Enumerators (depending on the proposed methodology of conducting research)

9. Eligibility, qualification, and experience required

Experience:

- Consultant(s) or consultancy firm must have a minimum 4 years of experience in conducting large-scale external research in humanitarian access/principles in fragile/emergency contexts
- Experience working in conflict zones with similar research and experience of managing research of humanitarian projects
- Proven experience in presenting and disseminating research to internal and external stakeholders
- Extensive experience and engagement with operational policy and advocacy in complex humanitarian contexts
- Experience with UN, INGO, donors and coordination forums.

Competencies:

- Comprehensive understanding of the understanding of the political and humanitarian context in Ukraine, preferably through in-country experience
- Solid understanding of humanitarian principles and some of the global challenges related to the delivery of a principled humanitarian response

Language:

- The consultants must be fluent in English and the enumerators (if any) must be in fluent in Ukrainian

10. Technical supervision

The research team will be supported by Steering Committee. The Steering Committee members will be invited to a kick-off meeting with the selected consultant to review and finalize the research lines of inquiry prior to the start of data collection. The steering committee will make decisions based on the majority, not based on consensus building, to ensure the committee can drive decisions and be valuable contributors to the research.

The Steering Committee comprised of UN, INGOs, NNGOs and donors will oversee the administration and overall coordination, including monitoring progress of the research.

11. Location and support

Address of Consultancy: Danish Refugee Council, 17/52 Bohdana Khmelnytskoho Str. 01054 Kyiv, Ukraine

Remote work is also acceptable, providing the consultant is available to carry out in-person data collection.

The Consultant will provide her/his own computer and mobile telephone, including required software for data collection, analysis, and reporting.

12. Travel

Data collection will be required in Ukraine, with travel across the country. The consultant will therefore be expected to arrange transportation, accommodation, insurance, food, and to make adequate provision in the financial proposal.

13. Submission process

Please refer to Invitation letter **RFP-UKR-00321276** for detailed instructions on the submission process for your proposal.

14. Evaluation of bids

Please refer to the related section of Invitation Letter **RFP-UKR-00321276**