



REQUEST FOR PROPOSAL (RFP) (For Low-Valued Services)

NAME & ADDRESS OF FIRM	DATE: June 5, 2017
	REFERENCE: UNDP/RFP/08/2017

Dear Sir / Madam:

We kindly request you to submit your Proposal for **Perception Survey on Public Confidence in Justice Sector Institution**.

Please be guided by the form attached hereto as Annex 2, in preparing your Proposal.

Proposals may be submitted on or before **Thursday, June 15, 2017, 1700hrs (Nepal Time)** and via courier mail or hand to the address below:

**United Nations Development Programme
United Nation House
Pulchowk, Lalitpur, Nepal
UNDP Registry
Tel: 5523200 and Fax: 5523991; 5523986**

Your Proposal must be expressed in the English, and valid for a minimum period of 90 days.

In the course of preparing your Proposal, it shall remain your responsibility to ensure that it reaches the address above on or before the deadline. Proposals that are received by UNDP after the deadline indicated above, for whatever reason, shall not be considered for evaluation. If you are submitting your Proposal by email, kindly ensure that they are signed and in the .pdf format, and free from any virus or corrupted files.

Services proposed shall be reviewed and evaluated based on completeness and compliance of the Proposal and responsiveness with the requirements of the RFP and all other annexes providing details of UNDP requirements.

The Proposal that complies with all of the requirements, meets all the evaluation criteria and offers the best value for money shall be selected and awarded the contract. Any offer that does not meet the requirements shall be rejected.

Any discrepancy between the unit price and the total price shall be re-computed by UNDP, and the unit price shall prevail and the total price shall be corrected. If the Service Provider does not accept the final price based on UNDP's re-computation and correction of errors, its Proposal will be rejected.

No price variation due to escalation, inflation, fluctuation in exchange rates, or any other market factors shall be accepted by UNDP after it has received the Proposal. At the time of Award of Contract or Purchase Order, UNDP reserves the right to vary (increase or decrease) the quantity of services and/or goods, by up to a maximum twenty five per cent (25%) of the total offer, without any change in the unit price or other terms and conditions.

Any Contract or Purchase Order that will be issued as a result of this RFP shall be subject to the General Terms and Conditions attached hereto. The mere act of submission of a Proposal implies that the Service Provider accepts without question the General Terms and Conditions of UNDP, herein attached as Annex 3.

Please be advised that UNDP is not bound to accept any Proposal, nor award a contract or Purchase Order, nor be responsible for any costs associated with a Service Providers preparation and submission of a Proposal, regardless of the outcome or the manner of conducting the selection process.

UNDP's vendor protest procedure is intended to afford an opportunity to appeal for persons or firms not awarded a Purchase Order or Contract in a competitive procurement process. In the event that you believe you have not been fairly treated, you can find detailed information about vendor protest procedures in the following link:

<http://www.undp.org/content/undp/en/home/operations/procurement/protestandsanctions/>

UNDP encourages every prospective Service Provider to prevent and avoid conflicts of interest, by disclosing to UNDP if you, or any of your affiliates or personnel, were involved in the preparation of the requirements, design, cost estimates, and other information used in this RFP.

UNDP implements a zero tolerance on fraud and other proscribed practices, and is committed to preventing, identifying and addressing all such acts and practices against UNDP, as well as third parties involved in UNDP activities. UNDP expects its Service Providers to adhere to the UN Supplier Code of Conduct found in this link : http://www.un.org/depts/ptd/pdf/conduct_english.pdf

Thank you and we look forward to receiving your Proposal.

Sincerely yours,



Deepak Shrestha
Procurement Analyst
6/5/2017

Description of Requirements

Context of the Requirement	<p>‘Strengthening the Rule of Law and Human Rights Protection System in Nepal’ (ROLHR) Programme was launched in January 2013 for a 5-year period in a move towards justice reform covering most of the justice sector institutions. The Programme aims to support systemic changes in national legislative, policy and institutional frameworks and structures towards betterment of access to justice and on delivering tangible results at the local level contributing to peace, development and human rights in Nepal. The Programme has achieved several results so far, including but not limited to the following: establishment of Information Centres and Justice Sector Coordination Committee (JSCC) Secretariats in 23 districts which has contributed in better coordination among the justice sector actors and effective justice delivery. So far, about 103,091 people (51,143 women) have accessed these information services. The in-camera hearing guidelines were adopted and are being applied by the courts to integrate the gender equity while handling the GBV related cases. As a result of the establishment of Socio-Legal Aid Centres (SLACs) in 10 districts, around 71,590 members of target groups have directly benefited from preventive legal aid services and 15,448 received remedial legal aid services.</p> <p>As the Programme comes to an end in 2017, UNDP/ ROLHR is planning to commission a perception survey to understand the changes in the public confidence in the justice system resulted from the Programme interventions in 24 districts. The baseline perception survey of the Programme was conducted in five project districts (Kailali, Dadeldhura, Bardiya, Surkhet and Dailekh) from July 2014 to January 2015 to study the public confidence in and perception of the justice system by establishing baseline values for the indicators to make basis for measuring progress.</p>
Implementing Partner of UNDP	Strengthening the Rule of Law and Human Rights Protection System in Nepal Programme (RoLHR)
Brief Description of the Required Services ¹	<p>The perception survey is intended to provide an insight into the impact ROLHR has had in bringing about change in the perception of the public (both court users and non-court users) towards the justice system since the beginning of the implementation of the Programme in April 2013 in 24 Programme supported districts. It also attempts to understand the changes resulted from the Programme implementation by comparing the baseline and end-line data, in the indicators set during implementation in the five of the 24 districts where the baseline survey was conducted. The results of this perception survey will contribute to understand better the impact of the ROLHR in improving public confidence in the justice sector. It will also provide inputs for the final evaluation of the Programme and a new baseline for future efforts in the area of justice reform and rule of law.</p>

¹ A detailed TOR may be attached if the information listed in this Annex is not sufficient to fully describe the nature of the work and other details of the requirements.

List and Description of Expected Outputs to be Delivered	<p>The main output of this assignment is to produce a final report of the perception survey on the public confidence in and perception of the judiciary in Nepal. The key deliverables of the assignment are the following:</p> <ul style="list-style-type: none"> • Inception report: The Service Provider shall deliver an inception report with a clear survey implementation work-plan, including detail methodology to accomplish the task, within two weeks upon signing the contract. • Draft report: A draft report on perception survey will be submitted with the preliminary data analysis as per the 'Dummy output table'. The Service Provider shall submit the draft report within three months upon signing the contract. • Validation Meeting: A validation meeting with all relevant stakeholders shall be conducted no later than two weeks before the draft report is finalized. • Final report: A final edited version of the perception survey report will be submitted with proper analysis and interpretation of data findings. The service provider shall submit the final report within three and a half months upon signing the contract.
Person to Supervise the Work/Performance of the Service Provider	RoLHR Justice Sector Coordinator
Frequency of Reporting	Weekly reports on the progress of the assignment
Progress Reporting Requirements	Service provider will provide a weekly status report, outlining the work completed to date and any impediments to the progress of the assignment.
Location of work	<input type="checkbox"/> Exact Address/es <i>[pls. specify]</i> <input checked="" type="checkbox"/> At Contractor's Location
Expected duration of work	90 working days
Target start date	15 July 2017
Latest completion date	15 November 2017
Travels Expected	<p>The perception survey will focus on the public's confidence towards the justice sector. It will be carried out in 24 districts where the RoLHR has been working with the JSCC Secretariat, including the socio-legal aid centers in some districts.</p> <p>The districts include: Morang, Saptari, Mahottari, Kapilvastu, Salyan, Syangja, Sindhupalchowk, Jhapa, Bara, Kailali, Kanchanpur, Dailekh, Surkhet, Dadeldhura, Myagdi, Dang, Makawanpur, Chitwan, Lalitpur, Bhaktapur, Nawalparasi, Tanahu, Kathmandu and Bardia.²</p>
Special Security Requirements (Not applicable)	<input type="checkbox"/> Security Clearance from UN prior to travelling <input type="checkbox"/> Completion of UN's Basic and Advanced Security Training <input type="checkbox"/> Comprehensive Travel Insurance <input type="checkbox"/> Others <i>[pls. specify]</i>

² The baseline survey had been carried out in five districts: Kailali, Dadeldhura, Bardiya, Surkhet and Dailekh.

Facilities to be Provided by UNDP (i.e., must be excluded from Price Proposal) (Not applicable)	<input type="checkbox"/> Office space and facilities <input type="checkbox"/> Land Transportation <input type="checkbox"/> Others <i>[pls. specify]</i>
Implementation Schedule indicating breakdown and timing of activities/sub-activities	<input checked="" type="checkbox"/> Required <input type="checkbox"/> Not Required
Company Profile	<input checked="" type="checkbox"/> Required <input type="checkbox"/> Not Required
Company Registration	<input checked="" type="checkbox"/> Required <input type="checkbox"/> Not Required
VAT/PAN Registration	<input checked="" type="checkbox"/> Required <input type="checkbox"/> Not Required
Audit reports including income and expenditure statements for the last two years.	<input checked="" type="checkbox"/> Required <input type="checkbox"/> Not Required
Tax Payment certificate	<input checked="" type="checkbox"/> Required <input type="checkbox"/> Not Required
List of similar projects completed within 3 years (Please indicate contract duration and contract value)	<input checked="" type="checkbox"/> Required <input type="checkbox"/> Not Required
List of major clients with detailed contact address for last three years	<input checked="" type="checkbox"/> Required <input type="checkbox"/> Not Required
Contact references (Please provide minimum 2 recent references)	<input checked="" type="checkbox"/> Required <input type="checkbox"/> Not Required
Written self-declaration (please see annex 2)	<input checked="" type="checkbox"/> Required <input type="checkbox"/> Not Required
Proposed Methodology for the completion of services	<input checked="" type="checkbox"/> Required <input type="checkbox"/> Not Required
Names and curriculum vitae of individuals who will be involved in completing the services	<input checked="" type="checkbox"/> Required <input type="checkbox"/> Not Required
Currency of Proposal	<input checked="" type="checkbox"/> United States Dollars (For International Bidders Only) <input type="checkbox"/> Euro <input checked="" type="checkbox"/> Local Currency

Value Added Tax on Price Proposal ³	<input checked="" type="checkbox"/> must be inclusive of VAT and other applicable indirect taxes <input type="checkbox"/> must be exclusive of VAT and other applicable indirect taxes																	
Validity Period of Proposals (<i>Counting for the last day of submission of quotes</i>)	<input type="checkbox"/> 60 days <input checked="" type="checkbox"/> 90 days <input type="checkbox"/> 120 days In exceptional circumstances, UNDP may request the Proposer to extend the validity of the Proposal beyond what has been initially indicated in this RFP. The Proposal shall then confirm the extension in writing, without any modification whatsoever on the Proposal.																	
Partial Quotes	<input checked="" type="checkbox"/> Not permitted <input type="checkbox"/> Permitted <i>[pls. provide conditions for partial quotes, and ensure that requirements are properly listed to allow partial quotes (e.g., in lots, etc.)]</i>																	
Payment Terms ⁴	<table border="1"> <thead> <tr> <th>Outputs</th> <th>Percentage</th> <th>Timing</th> <th>Condition for Payment Release</th> </tr> </thead> <tbody> <tr> <td>Upon submission of the inception report.</td> <td>20%</td> <td></td> <td rowspan="3"> Within thirty (30) days from the date of meeting the following conditions: a) UNDP's written acceptance (i.e., not mere receipt) of the quality of the outputs; and b) Receipt of invoice from the Service Provider. </td> </tr> <tr> <td>Upon submission of draft report as per ToR.</td> <td>50%</td> <td></td> </tr> <tr> <td>Upon submission of final report</td> <td>30%</td> <td></td> </tr> </tbody> </table>				Outputs	Percentage	Timing	Condition for Payment Release	Upon submission of the inception report.	20%		Within thirty (30) days from the date of meeting the following conditions: a) UNDP's written acceptance (i.e., not mere receipt) of the quality of the outputs; and b) Receipt of invoice from the Service Provider.	Upon submission of draft report as per ToR.	50%		Upon submission of final report	30%	
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Person(s) to review/inspect/ approve outputs/completed services and authorize the disbursement of payment	RoLHR Programme Manager																	
Type of Contract to be Signed	<input checked="" type="checkbox"/> Purchase Order <input checked="" type="checkbox"/> Institutional Contract/or <input checked="" type="checkbox"/> Contract for Professional Services <input type="checkbox"/> Long-Term Agreement ⁵ <i>(if LTA will be signed, specify the document that will trigger the call-off. E.g., PO, etc.)</i> <input type="checkbox"/> Other Type of Contract <i>[pls. specify]</i>																	
Criteria for Contract Award	<input type="checkbox"/> Lowest Price Quote among technically responsive offers <input checked="" type="checkbox"/> Highest Combined Score (based on the 70% technical offer and 30% price weight distribution)																	

³ VAT exemption status varies from one country to another. Pls. check whatever is applicable to the UNDP CO/BU requiring the service.

⁴ UNDP preference is not to pay any amount in advance upon signing of contract. If the Service Provider strictly requires payment in advance, it will be limited only up to 20% of the total price quoted. For any higher percentage, or any amount advanced exceeding \$30,000, UNDP shall require the Service Provider to submit a bank guarantee or bank cheque payable to UNDP, in the same amount as the payment advanced by UNDP to the Service Provider.

⁵ Minimum of one (1) year period and may be extended up to a maximum of three (3) years subject to satisfactory performance evaluation. This RFP may be used for LTAs if the annual purchases will not exceed \$100,000.00.

	<p><input checked="" type="checkbox"/> Full acceptance of the UNDP Contract General Terms and Conditions (GTC). This is a mandatory criteria and cannot be deleted regardless of the nature of services required. Non acceptance of the GTC may be grounds for the rejection of the Proposal.</p>
Criteria for the Assessment of Proposal	<p><u>Technical Proposal (70%)</u></p> <p><input checked="" type="checkbox"/> Expertise of the Firm 21%</p> <p><input checked="" type="checkbox"/> Methodology, Its Appropriateness to the Condition and Timeliness of the Implementation Plan 35%</p> <p><input checked="" type="checkbox"/> Management Structure and Qualification of Key Personnel 14%</p> <p><u>Financial Proposal (30%)</u></p> <p>To be computed as a ratio of the Proposal's offer to the lowest price among the proposals received by UNDP.</p> <p>The financial proposal will be opened only for submissions that passed the minimum technical score of 70% (700 points) of the obtainable score of 1000 points in the evaluation of the technical proposals.</p>
UNDP will award the contract to:	<p><input checked="" type="checkbox"/> One and only one Service Provider</p> <p><input type="checkbox"/> One or more Service Providers, depending on the following factors: <i>[Clarify fully how and why will this be achieved. Please do not choose this option without indicating the parameters for awarding to multiple Service Providers]</i></p>
Annexes to this RFP ⁶	<p><input checked="" type="checkbox"/> Form for Submission of Proposal (Annex 2)</p> <p><input checked="" type="checkbox"/> General Terms and Conditions / Special Conditions (Annex 3)⁷</p> <p><input checked="" type="checkbox"/> Detailed TOR <i>[optional if this form has been accomplished comprehensively]</i></p> <p><input type="checkbox"/> Others⁸ <i>[pls. specify]</i></p>

⁶ Where the information is available in the web, a URL for the information may simply be provided.

⁷ Service Providers are alerted that non-acceptance of the terms of the General Terms and Conditions (GTC) may be grounds for disqualification from this procurement process.

⁸ A more detailed Terms of Reference in addition to the contents of this RFP may be attached hereto.

<p>Contact Person for Inquiries (Written inquiries only)⁹</p>	<p>UNDP Procurement Unit <i>UNDP-Nepal</i> query.procurement.np@undp.org Subject Line of email: UNDP/RFP/08/2017 – Perception Survey on Public Confidence in Justice Sector Institution.</p> <p>Written inquiries must be submitted on or before 5:00pm Nepal Standard Time on 11 June 2017. UNDP shall upload the response of inquiries in the website by 12 June 2017.</p> <p><u>Inquiries received after the above date and time shall not be entertained.</u></p> <p>Any delay in UNDP’s response shall be not used as a reason for extending the deadline for submission, unless UNDP determines that such an extension is necessary and communicates a new deadline to the Proposers.</p> <p>Note: This email address is officially designated by UNDP. The subject line of the email for query should be same as mentioned above.</p> <p>UNDP shall have no obligation to respond nor can UNDP confirm that the query was officially received;</p> <ul style="list-style-type: none"> - When inquiries are sent with the different subject line even to the designated email address. - When inquiries are sent to other person/s or address/es, even if they are UNDP staff. - For queries for which information is already available in the bidding document.
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⁹ This contact person and address is officially designated by UNDP. If inquiries are sent to other person/s or address/es, even if they are UNDP staff, UNDP shall have no obligation to respond nor can UNDP confirm that the query was received.

<p>Other Information [pls. specify]</p>	<p>The Financial Proposal and the Technical Proposal Envelopes <u>MUST BE COMPLETELY SEPARATE</u> and <u>each of them must be submitted sealed individually</u> and clearly marked on the outside as either “TECHNICAL PROPOSAL” or “FINANCIAL PROPOSAL”, as appropriate. Each envelope MUST clearly indicate the name of the Proposer.</p> <p>The outer envelope shall be addressed to:</p> <p>Assistant Country Director (Operations) United Nations Development Programme <i>UN House, Pulchowk</i> <i>Lalitpur, Nepal</i></p> <p>Marked with: UNDP/RFP/08/2017 – Perception Survey on Public Confidence in Justice Sector Institution.</p>
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FORM FOR SUBMITTING SERVICE PROVIDER'S PROPOSAL¹⁰***(This Form must be submitted only using the Service Provider's Official Letterhead/Stationery¹¹)***

[insert: Location].

[insert: Date]

To: [insert: Name and Address of UNDP focal point]

Dear Sir/Madam:

We, the undersigned, hereby offer to render the following services to UNDP in conformity with the requirements defined in the RFP dated [specify date], and all of its attachments, as well as the provisions of the UNDP General Contract Terms and Conditions:

A. Qualifications of the Service Provider

The Service Provider must describe and explain how and why they are the best entity that can deliver the requirements of UNDP by indicating the following :

- a) Profile – describing the nature of business, field of expertise, licenses, certifications, accreditations;*
- b) Business Licenses – Registration Papers (Company, VAT/PAN), Tax Payment Certification, etc. (Must have 5 years of experience in related field)*
- c) Latest Audited Financial Statement – income statement and balance sheet to indicate its financial stability, liquidity, credit standing, and market reputation, etc. (2 years)*
- d) Track Record – list of clients for similar services as those required by UNDP, indicating description of contract scope, contract duration, contract value, contact references (min. 2 recent references);*
- e) Certificates and Accreditation – including Quality Certificates, Patent Registrations, Environmental Sustainability Certificates, etc.*
- f) Written Self-Declaration that the company is not in the UN Security Council 1267/1989 List, UN Procurement Division List or Other UN Ineligibility List.*

B. Proposed Methodology for the Completion of Services

The Service Provider must describe how it will address/deliver the demands of the RFP; providing a detailed description of the essential performance characteristics, reporting conditions and quality assurance mechanisms that will be put in place, while demonstrating that the proposed methodology will be appropriate to the local conditions and context of the work.

C. Qualifications of Key Personnel

If required by the RFP, the Service Provider must provide:

- a) Names and qualifications of the key personnel that will perform the services indicating who is Team Leader, who are supporting, etc.;*
- b) CVs demonstrating qualifications must be submitted if required by the RFP; and*
- c) Written confirmation from each personnel that they are available for the entire duration of the contract.*

¹⁰ This serves as a guide to the Service Provider in preparing the Proposal.

¹¹ Official Letterhead/Stationery must indicate contact details – addresses, email, phone and fax numbers – for verification purposes

D. Cost Breakdown per Deliverable*

	Deliverables <i>[list them as referred to in the RFP]</i>	Percentage of Total Price (Weight for payment)	Price (Lump Sum, All Inclusive)
1	Upon submission of inception report as per ToR.	20%	
2	Upon submission of the draft report as per ToR.	50%	
3	Upon submission of the final report as per ToR.	30%	
	Total	100%	

**This shall be the basis of the payment tranches*

E. Cost Breakdown by Cost Component [This is only an Example]:

Cost Breakdown by Cost Component:

Description of Activity	No. of Personnel	Rate	No. of days	Total
I. Personnel Services				
Team Leader	1			
Legal/Justice Expert	1			
Statistics Expert	1			
Field Supervisor	5			
Data collector (Research assistant)	At least 25			
II. Out of Pocket Expenses				
1. DSA (including Travel, Accommodation, Food and Communication Cost) to 24 selected districts; Morang, Saptari, Mahottari, Kapilvastu, Salyan, Syangja, Sindhuplchowk, Jhapa, Bara, Kailali, Kanchanpur, Dailekh, Surkhet, Dadeldhura, Myagdi, Dang, Makawanpur, Chitwan, Lalitpur, Bhaktapur, Nawalparasi, Tanahu, Kathmandu and Bardia.				
2. Stationery/Materials Cost				
Subtotal (I + II)				
VAT 13% (if applicable)				
Grand total				
Grand total (In words)				

Note:

N.B. Administrative and all other associated costs need to be built into the above headings proportionately.

Proposal will be disqualified if it does not follow the above price schedule format.

Offerors can attach details of the cost breakdown as Annexes

Number of some personnel to deliver the services has been set by UNDP as indicated on the table above.

*[Name and Signature of the Service Provider's
Authorized Person]*

[Designation],

[Contact number/Mobile], [Date]

General Terms and Conditions for Services

1.0 LEGAL STATUS:

The Contractor shall be considered as having the legal status of an independent contractor vis-à-vis the United Nations Development Programme (UNDP). The Contractor's personnel and sub-contractors shall not be considered in any respect as being the employees or agents of UNDP or the United Nations.

2.0 SOURCE OF INSTRUCTIONS:

The Contractor shall neither seek nor accept instructions from any authority external to UNDP in connection with the performance of its services under this Contract. The Contractor shall refrain from any action that may adversely affect UNDP or the United Nations and shall fulfill its commitments with the fullest regard to the interests of UNDP.

3.0 CONTRACTOR'S RESPONSIBILITY FOR EMPLOYEES:

The Contractor shall be responsible for the professional and technical competence of its employees and will select, for work under this Contract, reliable individuals who will perform effectively in the implementation of this Contract, respect the local customs, and conform to a high standard of moral and ethical conduct.

4.0 ASSIGNMENT:

The Contractor shall not assign, transfer, pledge or make other disposition of this Contract or any part thereof, or any of the Contractor's rights, claims or obligations under this Contract except with the prior written consent of UNDP.

5.0 SUB-CONTRACTING:

In the event the Contractor requires the services of sub-contractors, the Contractor shall obtain the prior written approval and clearance of UNDP for all sub-contractors. The approval of UNDP of a sub-contractor shall not relieve the Contractor of any of its obligations under this Contract. The terms of any sub-contract shall be subject to and conform to the provisions of this Contract.

6.0 OFFICIALS NOT TO BENEFIT:

The Contractor warrants that no official of UNDP or the United Nations has received or will be offered by the Contractor any direct or indirect benefit arising from this Contract or the award thereof. The Contractor agrees that breach of this provision is a breach of an essential term of this Contract.

7.0 INDEMNIFICATION:

The Contractor shall indemnify, hold and save harmless, and defend, at its own expense, UNDP, its officials, agents, servants and employees from and against all suits, claims, demands, and liability of any nature or kind, including their costs and expenses, arising out of acts or omissions of the Contractor, or the Contractor's employees, officers, agents or sub-contractors, in the performance of this Contract. This provision shall extend, inter alia, to claims and liability in the nature of workmen's compensation, products liability and liability arising out of the use of patented inventions or devices, copyrighted material or other intellectual property by the

Contractor, its employees, officers, agents, servants or sub-contractors. The obligations under this Article do not lapse upon termination of this Contract.

8.0 INSURANCE AND LIABILITIES TO THIRD PARTIES:

- 8.1** The Contractor shall provide and thereafter maintain insurance against all risks in respect of its property and any equipment used for the execution of this Contract.
- 8.2** The Contractor shall provide and thereafter maintain all appropriate workmen's compensation insurance, or the equivalent, with respect to its employees to cover claims for personal injury or death in connection with this Contract.
- 8.3** The Contractor shall also provide and thereafter maintain liability insurance in an adequate amount to cover third party claims for death or bodily injury, or loss of or damage to property, arising from or in connection with the provision of services under this Contract or the operation of any vehicles, boats, airplanes or other equipment owned or leased by the Contractor or its agents, servants, employees or sub-contractors performing work or services in connection with this Contract.
- 8.4** Except for the workmen's compensation insurance, the insurance policies under this Article shall:
 - 8.4.1** Name UNDP as additional insured;
 - 8.4.2** Include a waiver of subrogation of the Contractor's rights to the insurance carrier against the UNDP;
 - 8.4.3** Provide that the UNDP shall receive thirty (30) days written notice from the insurers prior to any cancellation or change of coverage.
- 8.5** The Contractor shall, upon request, provide the UNDP with satisfactory evidence of the insurance required under this Article.

9.0 ENCUMBRANCES/LIENS:

The Contractor shall not cause or permit any lien, attachment or other encumbrance by any person to be placed on file or to remain on file in any public office or on file with the UNDP against any monies due or to become due for any work done or materials furnished under this Contract, or by reason of any other claim or demand against the Contractor.

10.0 TITLE TO EQUIPMENT:

Title to any equipment and supplies that may be furnished by UNDP shall rest with UNDP and any such equipment shall be returned to UNDP at the conclusion of this Contract or when no longer needed by the Contractor. Such equipment, when returned to UNDP, shall be in the same condition as when delivered to the Contractor, subject to normal wear and tear. The Contractor shall be liable to compensate UNDP for equipment determined to be damaged or degraded beyond normal wear and tear.

11.0 COPYRIGHT, PATENTS AND OTHER PROPRIETARY RIGHTS:

- 11.1** Except as is otherwise expressly provided in writing in the Contract, the UNDP shall be entitled to all intellectual property and other proprietary rights including, but not limited to, patents, copyrights, and trademarks, with regard to products, processes, inventions, ideas, know-how, or documents and other materials which the Contractor has developed

for the UNDP under the Contract and which bear a direct relation to or are produced or prepared or collected in consequence of, or during the course of, the performance of the Contract, and the Contractor acknowledges and agrees that such products, documents and other materials constitute works made for hire for the UNDP.

11.2 To the extent that any such intellectual property or other proprietary rights consist of any intellectual property or other proprietary rights of the Contractor: (i) that pre-existed the performance by the Contractor of its obligations under the Contract, or (ii) that the Contractor may develop or acquire, or may have developed or acquired, independently of the performance of its obligations under the Contract, the UNDP does not and shall not claim any ownership interest thereto, and the Contractor grants to the UNDP a perpetual license to use such intellectual property or other proprietary right solely for the purposes of and in accordance with the requirements of the Contract.

11.3 At the request of the UNDP; the Contractor shall take all necessary steps, execute all necessary documents and generally assist in securing such proprietary rights and transferring or licensing them to the UNDP in compliance with the requirements of the applicable law and of the Contract.

11.4 Subject to the foregoing provisions, all maps, drawings, photographs, mosaics, plans, reports, estimates, recommendations, documents, and all other data compiled by or received by the Contractor under the Contract shall be the property of the UNDP, shall be made available for use or inspection by the UNDP at reasonable times and in reasonable places, shall be treated as confidential, and shall be delivered only to UNDP authorized officials on completion of work under the Contract.

12.0 USE OF NAME, EMBLEM OR OFFICIAL SEAL OF UNDP OR THE UNITED NATIONS:

The Contractor shall not advertise or otherwise make public the fact that it is a Contractor with UNDP, nor shall the Contractor, in any manner whatsoever use the name, emblem or official seal of UNDP or THE United Nations, or any abbreviation of the name of UNDP or United Nations in connection with its business or otherwise.

13.0 CONFIDENTIAL NATURE OF DOCUMENTS AND INFORMATION:

Information and data that is considered proprietary by either Party and that is delivered or disclosed by one Party ("Discloser") to the other Party ("Recipient") during the course of performance of the Contract, and that is designated as confidential ("Information"), shall be held in confidence by that Party and shall be handled as follows:

13.1 The recipient ("Recipient") of such information shall:

13.1.1 use the same care and discretion to avoid disclosure, publication or dissemination of the Discloser's Information as it uses with its own similar information that it does not wish to disclose, publish or disseminate; and,

13.1.2 use the Discloser's Information solely for the purpose for which it was disclosed.

13.2 Provided that the Recipient has a written agreement with the following persons or entities requiring them to treat the Information confidential in accordance with the Contract and this Article 13, the Recipient may disclose Information to:

- 13.2.1** any other party with the Discloser's prior written consent; and,
13.2.2 the Recipient's employees, officials, representatives and agents who have a need to know such Information for purposes of performing obligations under the Contract, and employees officials, representatives and agents of any legal entity that it controls controls it, or with which it is under common control, who have a need to know such Information for purposes of performing obligations under the Contract, provided that, for these purposes a controlled legal entity means:

13.2.2.1 a corporate entity in which the Party owns or otherwise controls, whether directly or indirectly, over fifty percent (50%) of voting shares thereof; or,

13.2.2.2 any entity over which the Party exercises effective managerial control; or,

13.2.2.3 for the UNDP, an affiliated Fund such as UNCDF, UNIFEM and UNV.

13.3 The Contractor may disclose Information to the extent required by law, provided that, subject to and without any waiver of the privileges and immunities of the United Nations, the Contractor will give the UNDP sufficient prior notice of a request for the disclosure of Information in order to allow the UNDP to have a reasonable opportunity to take protective measures or such other action as may be appropriate before any such disclosure is made.

13.4 The UNDP may disclose Information to the extent as required pursuant to the Charter of the UN, resolutions or regulations of the General Assembly, or rules promulgated by the Secretary-General.

13.5 The Recipient shall not be precluded from disclosing Information that is obtained by the Recipient from a third party without restriction, is disclosed by the Discloser to a third party without any obligation of confidentiality, is previously known by the Recipient, or at any time is developed by the Recipient completely independently of any disclosures hereunder.

13.6 These obligations and restrictions of confidentiality shall be effective during the term of the Contract, including any extension thereof, and, unless otherwise provided in the Contract, shall remain effective following any termination of the Contract.

14.0 FORCE MAJEURE; OTHER CHANGES IN CONDITIONS

14.1 In the event of and as soon as possible after the occurrence of any cause constituting force majeure, the Contractor shall give notice and full particulars in writing to the UNDP, of such occurrence or change if the Contractor is thereby rendered unable, wholly or in part, to perform its obligations and meet its responsibilities under this Contract. The Contractor shall also notify the UNDP of any other changes in conditions or the occurrence of any event that interferes or threatens to interfere with its performance of this Contract. On receipt of the notice required under this Article, the UNDP shall take such action as, in its sole discretion; it considers to be appropriate or necessary in the circumstances, including the granting to the Contractor of a reasonable extension of time in which to perform its obligations under this Contract.

14.2 If the Contractor is rendered permanently unable, wholly, or in part, by reason of force majeure to perform its obligations and meet its responsibilities under this Contract, the UNDP shall have the right to suspend or terminate this Contract on the same terms and conditions as are provided for in Article 15, "Termination", except that the period of notice shall be seven (7) days instead of thirty (30) days.

14.3 Force majeure as used in this Article means acts of God, war (whether declared or not), invasion, revolution, insurrection, or other acts of a similar nature or force.

14.4 The Contractor acknowledges and agrees that, with respect to any obligations under the Contract that the Contractor must perform in or for any areas in which the UNDP is engaged in, preparing to engage in, or disengaging from any peacekeeping, humanitarian or similar operations, any delays or failure to perform such obligations arising from or relating to harsh conditions within such areas or to any incidents of civil unrest occurring in such areas shall not, in and of itself, constitute force majeure under the Contract..

15.0 TERMINATION

15.1 Either party may terminate this Contract for cause, in whole or in part, upon thirty (30) days notice, in writing, to the other party. The initiation of arbitral proceedings in accordance with Article 16.2 ("Arbitration"), below, shall not be deemed a termination of this Contract.

15.2 UNDP reserves the right to terminate without cause this Contract at any time upon 15 days prior written notice to the Contractor, in which case UNDP shall reimburse the Contractor for all reasonable costs incurred by the Contractor prior to receipt of the notice of termination.

15.3 In the event of any termination by UNDP under this Article, no payment shall be due from UNDP to the Contractor except for work and services satisfactorily performed in conformity with the express terms of this Contract.

15.4 Should the Contractor be adjudged bankrupt, or be liquidated or become insolvent, or should the Contractor make an assignment for the benefit of its creditors, or should a Receiver be appointed on account of the insolvency of the Contractor, the UNDP may, without prejudice to any other right or remedy it may have under the terms of these conditions, terminate this Contract forthwith. The Contractor shall immediately inform the UNDP of the occurrence of any of the above events.

16.0 SETTLEMENT OF DISPUTES

16.1 Amicable Settlement: The Parties shall use their best efforts to settle amicably any dispute, controversy or claim arising out of this Contract or the breach, termination or invalidity thereof. Where the parties wish to seek such an amicable settlement through conciliation, the conciliation shall take place in accordance with the UNCITRAL Conciliation Rules then obtaining, or according to such other procedure as may be agreed between the parties.

16.2 Arbitration: Any dispute, controversy, or claim between the Parties arising out of the Contract or the breach, termination, or invalidity thereof, unless settled amicably under Article 16.1, above, within sixty (60) days after receipt by one Party of the other Party's written request for such amicable settlement, shall be referred by either Party to arbitration in accordance with the UNCITRAL Arbitration Rules then obtaining. The decisions of the arbitral tribunal shall be based on general principles of international commercial law. For all evidentiary questions, the arbitral tribunal shall be guided by the Supplementary Rules Governing the Presentation and Reception of Evidence in International Commercial Arbitration of the International Bar Association, 28 May 1983 edition. The arbitral tribunal shall be empowered to order the return or destruction of goods or any property, whether tangible or intangible, or of any confidential information provided under the Contract, order the termination of the Contract, or order that any other protective measures be taken with respect to the goods, services or any other property, whether tangible or intangible, or of any confidential information provided under the Contract, as appropriate, all in accordance with the authority of the arbitral tribunal pursuant to Article 26 ("Interim Measures of Protection") and Article 32 ("Form and Effect of the Award") of the UNCITRAL Arbitration Rules. The arbitral tribunal shall have no authority to award punitive damages. In addition, unless otherwise expressly provided in the Contract, the arbitral tribunal shall have no authority to award interest in excess of the London Inter-Bank Offered Rate ("LIBOR") then prevailing, and any such interest shall be simple interest only. The Parties shall be bound by any arbitration award rendered as a result of such arbitration as the final adjudication of any such dispute, controversy, or claim.

17.0 PRIVILEGES AND IMMUNITIES:

Nothing in or relating to this Contract shall be deemed a waiver, express or implied, of any of the privileges and immunities of the United Nations, including its subsidiary organs.

18.0 TAX EXEMPTION

18.1 Section 7 of the Convention on the Privileges and Immunities of the United Nations provides, inter-alia that the United Nations, including its subsidiary organs, is exempt from all direct taxes, except charges for public utility services, and is exempt from customs duties and charges of a similar nature in respect of articles imported or exported for its official use. In the event any governmental authority refuses to recognize the United Nations exemption from such taxes, duties or charges, the Contractor shall immediately consult with the UNDP to determine a mutually acceptable procedure.

18.2 Accordingly, the Contractor authorizes UNDP to deduct from the Contractor's invoice any amount representing such taxes, duties or charges, unless the Contractor has consulted with the UNDP before the payment thereof and the UNDP has, in each instance, specifically authorized the Contractor to pay such taxes, duties or charges under protest. In that event, the Contractor shall provide the UNDP with written evidence that payment of such taxes, duties or charges has been made and appropriately authorized.

19.0 CHILD LABOUR

19.1 The Contractor represents and warrants that neither it, nor any of its suppliers is engaged in any practice inconsistent with the rights set forth in the Convention on the Rights of

the Child, including Article 32 thereof, which, inter alia, requires that a child shall be protected from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical mental, spiritual, moral or social development.

- 19.2** Any breach of this representation and warranty shall entitle UNDP to terminate this Contract immediately upon notice to the Contractor, at no cost to UNDP.

20.0 MINES:

- 20.1** The Contractor represents and warrants that neither it nor any of its suppliers is actively and directly engaged in patent activities, development, assembly, production, trade or manufacture of mines or in such activities in respect of components primarily utilized in the manufacture of Mines. The term "Mines" means those devices defined in Article 2, Paragraphs 1, 4 and 5 of Protocol II annexed to the Convention on Prohibitions and Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects of 1980.

- 20.2** Any breach of this representation and warranty shall entitle UNDP to terminate this Contract immediately upon notice to the Contractor, without any liability for termination charges or any other liability of any kind of UNDP.

21.0 OBSERVANCE OF THE LAW:

The Contractor shall comply with all laws, ordinances, rules, and regulations bearing upon the performance of its obligations under the terms of this Contract.

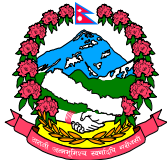
22.0 SEXUAL EXPLOITATION:

- 22.1** The Contractor shall take all appropriate measures to prevent sexual exploitation or abuse of anyone by it or by any of its employees or any other persons who may be engaged by the Contractor to perform any services under the Contract. For these purposes, sexual activity with any person less than eighteen years of age, regardless of any laws relating to consent, shall constitute the sexual exploitation and abuse of such person. In addition, the Contractor shall refrain from, and shall take all appropriate measures to prohibit its employees or other persons engaged by it from, exchanging any money, goods, services, offers of employment or other things of value, for sexual favors or activities, or from engaging in any sexual activities that are exploitive or degrading to any person. The Contractor acknowledges and agrees that the provisions hereof constitute an essential term of the Contract and that any breach of this representation and warranty shall entitle UNDP to terminate the Contract immediately upon notice to the Contractor, without any liability for termination charges or any other liability of any kind.

- 22.2** The UNDP shall not apply the foregoing standard relating to age in any case in which the Contractor's personnel or any other person who may be engaged by the Contractor to perform any services under the Contract is married to the person less than the age of eighteen years with whom sexual activity has occurred and in which such marriage is recognized as valid under the laws of the country of citizenship of such Contractor's personnel or such other person who may be engaged by the Contractor to perform any services under the Contract.

23.0 AUTHORITY TO MODIFY:

Pursuant to the Financial Regulations and Rules of UNDP, only the UNDP Authorized Official possesses the authority to agree on behalf of UNDP to any modification of or change in this Contract, to a waiver of any of its provisions or to any additional contractual relationship of any kind with the Contractor. Accordingly, no modification or change in this Contract shall be valid and enforceable against UNDP unless provided by an amendment to this Contract signed by the Contractor and jointly by the UNDP Authorized Official.



Strengthening the Rule of Law and Human Rights Protection System in Nepal (ROLHR) Programme

Annex 4



*Empowered lives.
Resilient nations.*

Terms of Reference (TOR)

Perception Survey on public confidence in Justice Sector Institutions

June 2017

1. BACKGROUND

‘Strengthening the Rule of Law and Human Rights Protection System in Nepal’ (ROLHR) Programme was launched in January 2013 for a 5-year period in a move towards sector-wide justice reform covering most of the justice sector institutions including the Supreme Court of Nepal, the Ministry of Law Justice and Parliamentary Affairs (MoLJPA), Office of Attorney General (OAG), Justice Sector Training Center, Nepal Bar Association, National Judicial Academy and National Human Rights Institutions. Funding from Denmark, Finland, Norway, UNPFN and UNDP, the Programme aims to support systemic changes in national legislative, policy and institutional frameworks and structures towards betterment of access to justice and on delivering tangible results at the local level contributing to peace, development and human rights in Nepal. To this end, the Programme focuses on two primary areas: First, it supports the rule of law institutions to be more responsive by improving the supply side aspects of the justice delivery. Second, it strives to augment the demand for justice related service delivery by developing institutional capacities of justice sector institutions by improving coordination and, also, supporting women and vulnerable groups to access the rule of law institutions.

The Programme has achieved several results so far, including but not limited to the following: establishment of Information Centres and Justice Sector Coordination Committee (JSCC) Secretariats in 23 districts¹² which has contributed in better coordination among the justice sector actors and effective justice delivery. So far, about 103,091 people (51,143 women) have accessed these information services. The in-camera hearing guidelines were adopted and are being applied by the courts to integrate the gender equity while handling the GBV related cases. As a result of the establishment of Socio-Legal Aid Centres (SLACs) in 10 districts, around 71,590 members of target groups have directly benefited from preventive legal aid services and 15,448 received remedial legal aid services. The Programme has also spearheaded the development of an affirmative legal education programme consisting of scholarships and internships for women and members of disadvantaged communities.

As the Programme comes to an end in 2017, UNDP/ ROLHR is planning to commission a perception survey to understand the changes in the public confidence in the justice system resulted from the Programme interventions in 24 districts. The baseline perception survey of the Programme was conducted in five project districts (Kailali, Dadeldhura, Bardiya, Surkhet and Dailekh) from July 2014 to January 2015 to study the public confidence in and perception of the justice system by establishing baseline values for the indicators to make basis for measuring progress.

2. PURPOSE AND OBJECTIVES

The perception survey is intended to provide an insight into the impact ROLHR has had in bringing about change in the perception of the public (both court users and non-court users) towards the justice system since the beginning of the implementation of the Programme in April 2013 in 24 Programme supported districts. It also attempts to understand the changes resulted from the Programme implementation by comparing the baseline and end-line data, in the indicators set during implementation in the five of the 24 districts where the baseline survey was conducted. The results of this perception survey will

¹² 23 districts include: Morang, Saptari, Mahottari, Kapilvastu, Salyan, Syangja, Sindhuplchowk, Jhapa, Bara, Kailali, Kanchanpur, Dailekh, Surkhet, Dadeldhura, Myagdi, Dang, Makawanpur, Chitwan, Lalitpur, Bhaktapur, Nawalparasi, Tanahu, and Kathmandu.

contribute to understand better the impact of the ROLHR in improving public confidence in the justice sector. It will also provide inputs for the final evaluation of the Programme and a new baseline for future efforts in the area of justice reform and rule of law.

More specifically, this survey aims to:

- Assess the change in public's knowledge of, and perception towards the formal justice system,
- Examine the change in support-seeking behavior of poor and vulnerable people towards the formal justice system, including the identification of reasons for not seeking such support,
- Identify the achievement and progress resulted from the Programme implementation in the indicators against the baseline data and target,
- Analyze both facilitating and hindering factors in improving public perception of justice delivery to better understand current opportunities and challenges, especially at the community level.

The perception survey will particularly focus on the following issues:

- Public perception and knowledge about roles and responsibilities of the various justice sector actors
- Effectiveness of services
- Responsiveness of the justice sector actors
- Level of public confidence and trust in justice system
- Accessibility and affordability of services
- Level of knowledge and awareness about law and legal remedies
- Support seeking behavior
- Gender sensitive behavior within justice institutions
- Discrimination patterns and service delivery to vulnerable groups
- Barriers to accessing justice
- Perception on judicial integrity
- Perception of the court users on the new initiatives of the court and other justice sector actors

The survey will highlight significant as well as important and interesting findings that might inform future similar actions, and establish a baseline for developing new and more focused activities in support of access to justice in Nepal.

3. METHODOLOGY

The perception survey will include collection and analysis of both quantitative and qualitative data. The quantitative component will consist of structured population-based sample survey. In the qualitative component, in-depth case histories, focus group discussion, semi-structured interviews will be conducted. The Service Provider shall develop the methodology of the survey in close consultation with ROLHR/UNDP, UNWOMEN and the Supreme Court (taking as reference the 2014 baseline survey questionnaire and methodology).

3.1. Study sites

The perception survey will focus on the public's confidence towards the justice sector. It will be carried out in 24 districts where the ROLHR has been working with the JSCC Secretariat, including the socio-legal aid centers in some districts. The districts include: Morang, Saptari, Mahottari, Kapilvastu, Salyan, Syangja,

Sindhuplchowk, Jhapa, Bara, Kailali, Kanchanpur, Dailekh, Surkhet, Dadeldhura, Myagdi, Dang, Makawanpur, Chitwan, Lalitpur, Bhaktapur, Nawalparasi, Tanahu, Kathmandu and Bardia.¹³

3.2 Household Survey: sample size and sampling procedures

The household survey will be the key data collection component for this study. This household survey will be used to gather information on the following indicative list of indicators in the study areas, which the Service Provider may further develop.

- a. % population who are satisfied with court/prosecutor/legal aid/police services
- b. % justice sector workers who community feels are “responsive” to their needs (broken down by type of worker: Prosecutors, Baitanik wokil and other legal aid providers, judges, etc.)
- c. % victims and witnesses who do not report cases to the police and/or % of female victims who feel safe reporting cases to the police
- d. % vulnerable groups who “trust” state justice and rule of law institutions
- e. % population who report that they cannot access legal aid locally
- f. % households who demonstrate awareness of rights and responsibilities
- g. % of people who feel comfortable to file the cases and appear in the courts
- h. % of people who perceive that the court is responsive in addressing their issues and cases
- i. % of people who are satisfied with the rate of court judgment implementation and execution
- j. % of cases correctly referred from informal mechanism to district court
- k. # of filed SGBV, caste based discrimination and corruption cases which results in conviction
- l. No. of court users benefited from court help desks
- m. Change in perception of the court users on the new initiatives of the court and other justice sector actors (service provided by the information desk, continuous hearing, victim protection room, JSCC mechanism, court behavior, judgment execution, legal aid support)

The respondents in the household survey will be selected from the various socio-ethnic attributes: Dalits, Tharu, Hill/Terai Janajati, Madhesi (including Muslim) and Hill High Caste, taking into consideration the cultural acceptance, gender, age sensitivity, and discrimination aspects.

3.3. Sample size, sampling procedures and survey questionnaires

The total sample size for the household survey in 24 districts will be determined according to specific methodology taking as reference the methodology prepared for the 2014 baseline (see Annex I). The survey sample size for each district will be determined based on the population size per stratum and socio geographic strata.

The Service Provider shall apply the survey design, questions, sample size and sampling procedures corresponding to the original baseline survey and methods to compare the information to draw conclusions in the five districts where the baseline survey was carried out. For the remaining 18 districts, survey design, questions, sample size and sampling procedures will be developed for court users and non-

¹³ The baseline survey had been carried out in five districts: Kailali, Dadeldhura, Bardiya, Surkhet and Dailekh.

court users to understand the perception of the public towards justice system, taking reference of the baseline survey information.

3.4. Focus Group Discussions

At least 1 Focus Group Discussions (FGD) will be conducted in each district with the concerned stakeholders after the household survey to validate the survey findings.

3.5. Semi-structured interviews

10 key informant interviews (KII) in each district will be carried out with the district level justice sector actors (including Judge, Prosecutor, Legal aid/paralegal service provider, Police, Rural municipality/Municipality member, CDO, WCO Officer, Nepal Bar Association, and CSO). In-depth case studies will be collected from each district to emphasize detailed contextual analysis of a limited number of events or conditions and their relationships with other conditions. Of the total sample size, 50% will be male and 50%, female to the extent possible/ available.

3.6. Developing questionnaire and Methodology for Survey

The questionnaires will be developed to address the views of the women and vulnerable groups. The survey should provide the disaggregation of data as much as possible by gender and ethnicity.

The questionnaire survey will aim at identifying both non-court users and court-users in the 24 districts, making the separate analysis of their perception on the justice system compared to the baseline in the case of court users (See indicative questionnaire prepared to conduct the baseline in Annex II).

For the five districts Kailali, Dadeldhura, Bardiya, Surkhet and Dailekh, the earlier developed questionnaire for the baseline survey will be used to present achievements against project targets, and make a comparison of the end-line data with the baseline survey data to analyse change in the perception of the people across five districts.

For the rest of the districts, the different set of questionnaire will be developed, including more extensive questions for court users and non-court users to understand the perception of the people towards the justice sector/ system. The disaggregated data based on sex and ethnicity will be generated through the data analysis.

4. EXPECTED OUTPUTS/KEY DELIVERABLES/TIMEFRAME

The main output of this assignment is to produce a final report of the perception survey on the public confidence in and perception of the judiciary in Nepal. The key deliverables of the assignment are the following:

4.1 Inception report: The Service Provider shall deliver an inception report with a clear survey implementation work-plan, including detail methodology to accomplish the task, within two weeks upon signing the contract.

4.2 Draft report: A draft report on perception survey will be submitted with the preliminary data analysis as per the 'Dummy output table'. The Service Provider shall submit the draft report within three months upon signing the contract.

4.3 **Validation Meeting:** A validation meeting with all relevant stakeholders shall be conducted no later than two weeks before the draft report is finalized.

4.4 **Final report:** A final edited version of the perception survey report will be submitted with proper analysis and interpretation of data findings. The service provider shall submit the final report within three and a half months upon signing the contract.

The final report should include the following:

- ☐ Front cover, table of contents, acronyms
- ☐ Executive Summary (maximum 2 pages)
- ☐ Introduction - Basic project data, map(s), background, purpose and methodologies used
- ☐ Findings and summary of results – including progress toward targets and comparison of end-line measures to baseline for the five districts where baseline survey was conducted; and perception survey findings for the other 18 districts.
- ☐ Conclusion and Recommendation (maximum 4 pages) – highlighting issues from the data that may be of importance, interest or significance, including the recommendations for reform.

5. EXPERTISE

The consultancy agency/ Service Provider should have a study team comprising of a multidisciplinary group of experts for this assignment:

1. Team Leader -1,
2. Legal/Justice Expert -1,
3. Statistic Expert - 1
4. Field Supervisor - 5
5. Data collector (Research assistant) – (at least 25)

1) **Team Leader:** The team leader must hold advanced degree (at least Master's or equivalent) in Statistics, Business Administration, Management, Social Science or related field from a recognized university with more than 10 years of professional experience at the managerial level including survey design and conducting research, baseline and end-line surveys along with designing sampling frame including sample size, sampling technique & tools for varied and integrated set of indicators. Previous work experience in the judicial and legal field would be an advantage. The team leader shall be a team player with strong inter-personal coordination skills. S/he shall be responsible for the overall design of the study framework and ultimate delivery of the outputs in stipulated time frame. S/he shall develop necessary TOR for the team members to accomplish the assignment.

2) **Justice Expert:** The expert shall have at least Master's degree in Law with over 10 years of work experience in the areas of rule of law, access to justice, and legal and justice system. Previous work experience in conducting research and survey is desirable.

3) **Statistics Expert:** The expert shall have at least Master's or equivalent degree in Statistics or related field from a recognized university with over 5 years of work experience in survey design,

specifically on designing sampling frame including sample size, sampling technique & tools for varied and integrated set of indicators. S/he should have proven experience in handling large data sets, data entry and doing quantitative analysis.

- 4) **Field Supervisor:** The Field Supervisor shall have at least Bachelor's degree in Social science, Statistics or Law with at least five years of experience working in the field of research, survey preferably in social, legal and justice issues.
- 5) **Data Collectors (research assistants):** The data collectors shall have at least Bachelor's or equivalent degree, preferably in Social science and Law.

6. ELIGIBILITY CRITERIA/REQUIREMENTS

- Interested institutions/NGOs (Service Provider) must be legally constituted and registered under the law of Nepal.
- Must have 5 years of experience in related field.
- The Service Provider must have sufficient technical expertise, human resource and infrastructure as specified in the TOR.
- The Service Provider must be registered in VAT/PAN.
- The Service Provider must submit the document of past association in conducting similar survey assignment.

7. DURATION OF ENGAGEMENT

The duration of the consultancy is from 15 July to 15 November 2017 for conducting the perception survey. All work including literature review, questionnaire design, pilot testing of questionnaires in the field, enumerator training, field survey, data cleaning, data analysis and report writing must be completed and deliverables submitted within the stipulated time frame.

8. GUIDANCE

The necessary administrative and operational guidance will be provided to implementing institution by the ROLHR.

ROLHR will provide the following inputs, project data and reports to facilitate preparation of the Proposals:

- (a) Baseline Survey Report along with all the annex documents (on methodology and questionnaires)
- (b) ROLHR Programme document, with revised RRF

9. PAYMENT

ROLHR shall make payments to the Contractor after acceptance by ROLHR of the invoices submitted by the contractor, upon achievement of the corresponding milestones. 20% of the agreed amount will be paid upon the submission of the inception report; 50% upon submission of the draft report and consultation meeting; and the last tranche 30% upon submission of finalized and edited version of the report.

10. EVALUATION CRITERIA

A two-stage procedure is utilized in evaluating the proposals, with evaluation of the technical proposal being completed prior to any price proposal being opened and compared. The financial offers of the proposals will be opened only for submissions that passed the minimum technical score of 70% of the obtainable score of 1000 points in the evaluation of the technical proposals.

The technical proposal is evaluated on the basis of its responsiveness to the Term of Reference (TOR).

In the Second Stage, only the Financial Proposals of those Proposers who achieve the minimum technical score will be opened for evaluation for comparison and review. The Financial Proposal Envelopes corresponding to Proposals that did not meet the minimum passing technical score shall be returned to the Proposer unopened. The overall evaluation score will be based either on a combination of the technical score and the financial offer, or the lowest evaluated financial proposal of the technically qualified Proposers.

Technical Evaluation Criteria

Summary of Technical Proposal Evaluation Forms		Score Weight	Points Obtainable	Company / Other Entity				
				A	B	C	D	E
1.	Expertise of Firm / Organisation submitting Proposal	30%	300					
2.	Proposed Work Plan and Approach	50%	500					
3.	Personnel	20%	200					
Total			1000					

Program Proposal Evaluation Form 1		Points available	NGO				
			A	B	C	D	E
Expertise and experience in conducting research and drafting reports of a similar nature of institutions/NGO submitting Proposal							
1.1	Reputation of Institution/NGO: The Institution/NGO has shown positive performance in recently implemented activities and/or does have detail profile on adequate experience in conducting the household survey and research in the area of access to justice and rule of law in Nepal.	50					

1.2	General organizational capability and commitment which affect implementation <ul style="list-style-type: none"> The Institution/NGO has committed leadership and technical expertise on household survey The Institution/NGO has an established network of institutional relations among justice sector institutions at local level. The Institution/NGO is involved in activities that supplement and complement this end-line perception survey 	50					
1.3	The Institution/NGO has proven experience with conducting household surveys, and the Institution/NGO has a proven track-record of working with the GON, civil society and communities.	50					
1.4	The Institution/NGO has a clear statement of principles and/or values regarding human rights based approach, neutrality	50					
1.5	The Institution/NGO has existing district-based grassroots networks for the activities proposed.	50					
1.6	Presence in Regions: The Institution/NGO has a regional or district presence where it is involved in community organization and consultation.	50					
Total Form 1		300					

Proposal Evaluation Form 2		Points Available	NGO				
			A	B	C	D	E
Proposed Work Plan and Approach							
2.1	The proposal provides a good understanding of the issues and challenges and recommends suitable human rights based approaches.	100					
2.2	The proposal sets out the key activities, approach and methodology to achieve the objective in an appropriate, participatory and field-based manner.	50					
2.3	The components of the project plan have appropriately scheduled the timeline with the required outcome.	50					
2.4	The proposal shows clear knowledge of and experience conducting the perception survey related to this issue.	100					

2.5	The conceptual framework proposed for the survey and implementation is appropriate for the activity.	50					
2.6	The objectives are defined according to clear and succinct means of measurement (SMART) as defined in the TOR.	50					
2.7	The work plan is sufficiently detailed and appropriate sequenced (<i>planned logically, realistically</i>).	50					
2.8	The proposed program modality ensures a widespread inclusion of diverse community voices in the planned submission and addresses coordination with stakeholders.	50					
Total Form 2		500					

Proposal Evaluation			Points Available	NGO				
				A	B	C	D	E
Form 3								
Project Staff								
3.1	Team Leader							
		Sub-Score						
	Advanced degree (at least Master's or equivalent) in Statistics, Business Administration, Management, Social Science or related field from a recognized university	15						
	- Experience at the managerial level, working in survey design and conducting research, including baseline and end-line surveys, designing sampling frame, including sample size, sampling technique & tools for varied and integrated set of indicators.	20						
	- Experience working in the judicial and legal field	15						
	- Experience working with the community organization	15						
	- Knowledge of the region, culture, languages	15						
		80						

3.2	2) Justice Expert							
		Sub-Score						
	At least Master's degree in Law.	24						
	- Experience in the areas of rule of law, access to justice, and legal and judicial system.	18						
	- Experience working in the area of research and survey.	18						
		60						
3.3	3) Statistics Expert:							
		Sub-Score						
	- At least Master's or equivalent in Statistics or related fields from a recognized university.	18						
	- Experience working in survey design and conducting research, including baseline and end-line surveys, designing sampling frame including sample size, sampling technique & tools for varied and integrated set of indicators.	18						
	- Experience in handling large data sets, data entry and doing quantitative analysis.	24						
		60						
	Total Form 3		200					

11. AWARD CRITERIA, AWARD OF CONTRACT

The procuring UNDP entity reserves the right to accept or reject any Proposal, and to annul the solicitation process and reject all Proposals at any time prior to award of contract, without thereby incurring any liability to the affected Offer or any obligation to inform the affected Offer or Offer of the grounds for the Purchaser's action.

Prior to expiration of the period of proposal validity, the procuring UNDP entity will award the contract to the qualified Offer whose Proposal after being evaluated is considered to be the most responsive to the needs of the organisation and activity concerned.

Sample Design for (ROLHR) Perception Survey (Baseline)

The basic purpose of the baseline public perception survey of ROLHR is to assess the perspective of the public the important aspects of the legal system connected with rule of law and human rights situation in the five districts of mid and far western Nepal now, and present indicators that can provide basis for (i) designing ROLHR 's programme implementation, (ii) for measuring progress of indicators obtained from similar survey at the end of intervention. Even the minimum essential sample size for this ROLHR survey has to be quite large since there are many thematic areas for the survey each containing several variable some of which are connected with rare cases. This ROLHR sample design has been proposed taking in consideration such sample size need and also the necessity of

- ☐ convenience to use for selecting household sample and for computing indicators
- ☐ having M&E baseline indicators of good accuracy at different disaggregation
- ☐ fulfilling requirements set for sampling, data collection, and estimation with efficient use of available information, resource and time

Household population

Districts taken for implementing ROLHR (called here as ROLHR districts for convenience) are Surkhet and Dailekh in the mid western hill, and Dadeldhura in far western hill (called all of them together as ROLHR hill for convenience); and Bardia in the mid western tarai, and Kailali in far western tarai (called these two together as ROLHR tarai for convenience) . The figure in braces beside each district shows the number households in the district from population census.

Table 1: Districts for implementation of ROLHR and their respective household population

Ecological Region	Far western	Mid Western	Total households	Total Population
Mountain				
Hill	Dadeldhura (27045)	Surkhet (72863) Dailekh (48919)	148827	754668
Tarai	Kailali (142480)	Bardia (83176)	225656	1202285
Total	169525	204958	374483	1956953

Source: National Population and Housing Census (Volume 01, NPHC 2011)

The households of the ROLHR districts form the household population for this survey.

Constructing sample frame

The lowest units of the national population census for enumerating households are rural or urban wards. In the national population census, provision is already there for desegregating households according to their location in mountain/hill/tarai, five development regions, 14 zones, 75 districts, VDCs/municipalities, and urban/rural wards, and by religion, mother-tongue, caste, race, and sex of their household head. The sample frame for selecting households belonging to concerned social groups can be obtained from the households listed in the census by rural/urban wards of the VDCs/municipalities of ROLHR districts lying

in mid and far western hill and tarai, making use of the provision for desegregating them into these social groups with the adopted definition of hill/tarai Dalit, hill/tarai Janajati, hill/tarai high caste, Madhesi, Tharus and Muslims etc.

Stratification of population households for sampling purpose

Household Survey have to be conducted for collecting baseline perception statistics of the M&E indicators just before implementing ROLHR from the five districts Dadeldhura, Surkhet, Dailekh, Kailali, and Bardia of the mid and far western regions. This ROLHR intervention is expected to produce some positive impact in a reasonable time, which is going to be of different levels on different social groups such as Dalits, Hill Janajatis, Tharus, Muslims, etc. As such, it is desirable to monitor precisely the progress of (per-household / per-person) indicators in each social group. Looking at the socio-ethnic nature of settlements in ROLHR hill and tarai, it should be adequate to consider the five social-groups: (hill/tarai) Dalit, Tharu, (hill/tarai) Janajati, all other Madhesi (including Muslim), and hill high-caste for the purpose of this perception survey.

Since in general the urban households enjoy more facilities, have better security, economically better and are exposed to higher level of information in comparison to rural ones, it is reasonable for the urban and rural households, in general, to have different perceptions regarding rule of law, access to justice, and citizen security. So it is not enough to only measure perception of households desegregated in different social groups. It is also necessary to measure their perception according to the physical division of rural and urban areas.

Stratification: For the purpose of the ROLHR baseline perception survey, the household population of all ROLHR hill/tarai districts will be stratified by the criteria of urban/rural physical location and belonging to social group: (hill/tarai) Dalit, Tharu, (hill/tarai) Janajati, all other Madhesi, and hill high-caste. Any such social group of urban/rural areas of all ROLHR districts of each ecological region forms a (urban/rural) social group stratum (or simply social stratum if the context is clear) for the purpose of this survey. There are 20 social strata in this case, 10 arising from hill and 10 from tarai.

Other options for stratification could be to further classify households of above social stratum into the social strata of different development regions or ROLHR districts, or into separate social strata by splitting joined social group into separate social groups (example: hill/tarai dalit into hill-dalit and tarai-dalit etc). In the above set up of social groups and rural/ urban criteria, only classifying strata further by far-western and mid-western location of households adds further 20 strata, or splitting only social strata of a joined social group into separate strata for each social sub-group creates additional four strata for each split. Such increases of social strata will be accompanied by decrease in stratum population sizes which are already small for some of the strata as can be seen from table 3 given below. Such process will increase chances for creeping in more non-sampling errors, decrease need for sampling in some of the strata and excess sampling in others in order to keep sample size the same, and will also decrease the process of further homogenization of stratum with increase in the strata. In view of all such factors, it is wise to restrict into the above stratification.

To detect precisely the progress of the indicators in each social stratum, it is necessary to draw household sample of adequate size independently from the social stratum. The adequate size of stratum household sample is determined below.

Sample size determination

Usually an indicator for estimation is a percentage of household population having an attribute. Such a population percentage is estimated by some sample percentage. Other things remaining the same, a larger sample size leads to a better accuracy in the estimate.

In the selection of sample from a large population with simple random sampling, if a sample percentage is wanted to be within an error margin of **(100 d) %** of population percentage with confidence coefficient 95% then size of the household sample is given by : $n = [(1.96)^2 PQ] / d^2$ where $P = 1 - Q$ stands for population proportion.

The safer sample size can be obtained with that value of **P** which maximize **PQ**, viz **P = 0.5**. Taking an error margin of **d = 0.05** which is suitable in such survey it can be seen that,

$$n = 1.96^2 \times 0.5 \times 0.5 / 0.05^2 = 384 \quad \dots \dots (i)$$

So, sample percentage computed from a household sample of size 384 drawn from a domain of estimation by **srs** is expected to be within 5% of population percentage of the domain with 95% confidence coefficient. Such domain of estimation will be ecological region mountain/hill/tarai or a social group hill Dalit, Tharu, upper-caste, Other Janajati (except Tharu) etc.

However, it is impractical to use simple random sampling (srs) in this survey for mainly two reasons. First of all, households are transforming phenomena because of different influencing factors – such as family split/disputes/divorces, migration, environmental or other hazards, poverty effect etc – and it may be impossible to trace some of the households after two years from census. Secondly, sample households drawn by srs are scattered far and wide, especially in the hills and mountains – making field-work difficult, expensive, and time consuming.

Thus, (at least) in hill, srs should not be used for drawing household sample directly from a social stratum. Instead, a two stage probability sampling that draws a number of PSUs from a social stratum with probability proportional to size in first stage, and a simple random household sample of equal size from every selected PSU of the stratum in the second stage will be used to draw a household from the stratum – where PSU is rural if the stratum is rural, and urban ward if urban.

Because of addition of a stage and selection of household clusters in the first stage, this design does not use sample size as effectively as srs. As a result, the effective size of the sample in this design becomes smaller than the actual size. To get an effective size of sample having accuracy equal to that of simple random sample of size n , this design has to use the actual size n_h of the sample given by

$$n_h = n \times deff \quad \dots \dots (ii)$$

Since the domain of estimation is relatively homogenous because of households being of one social group of the areas that is totally rural or totally urban, we can expect the design effect as

$$deff = 1.5 \quad \dots \dots (iii)$$

To get effective size of sample corresponding to a srs of size **384**, the actual size needed in the two-stage sampling from a social stratum is

$$n_h = n \times deff = 384 \times 1.5 = 576$$

As pointed out above, for estimating a population percentage in a large population up to an error margin of 5% with 95% confidence coefficient, the size of the household sample in simple random sampling (**srs**) should be **384**. If the population is of finite size, then a smaller sample size can be used in srs for estimating

population percentage with the same level of accuracy. The proper size of household sample to be drawn from a social stratum having a household population of finite size N_h is then given by:

$$n_h = 384 / [1 + (384/N_h)] \dots \dots \dots (iv)$$

Example: If $N_h = 2550$, then $n_h = 384 / [1 + (384/2550)] = 334$.

Since we will be estimating public perception of some of the qualities, such as percent of users of court who think the system work without tendency to seek bribe by any court employee, or legal-service users of civil cases getting quality service, which are quite rare in our context, the sample size should be quite large. For this reason, it is desirable to take sample size for estimating the perception of caste/ethnic group from stratified two stage random sampling around 575, and from srs around 400.

(Option I) Sample Design: A stratified two-stage probability sampling will be used to draw household samples independently from different social strata, rural or urban. In the first stage a number of PSUs will be drawn with probability proportional to size independently from every physical (i.e. urban/ rural) stratum of ROLHR hill/tarai – where PSUs are rural wards if the stratum is rural, and urban sub-wards if urban. In the second stage, a simple random sample of households will be drawn from every social group of each selected PSU – where household samples of a social group drawn from different selected PSUs of a rural/urban stratum add up to the sample size allocated for the social group in that stratum.

(Option II) Sample Design: Everything as in option (I) except in the first-stage, the sample of PSUs will be done using simple random sampling. This option is better if the PSUs are, of more or less, of similar size or can be made so by lumping adjoining PSUs that are small, and breaking up the very large one. This case seems to me viable because of involvement of very few neighboring districts in the hill, which may have possibly similar VDC and ward sizes.

(Option III) Sample Design: simple random sampling (srs) will be used to draw directly a household sample from each (rural/urban) stratum if, in case, it is convenient to construct a reliably usable sample frame for this purpose, and the two-stage stratified probability sampling described in Option I will be used for drawing household samples from the remaining strata. This arrangement for sampling may be preferable as the srs provides the benefit of reduced sample size and better standard error estimation technique.

Allocation of sample sizes

The allocation of sample sizes required recent information on the hill/tarai castes and ethnic communities constituting the population of the five districts at rural/urban levels. The following table is obtained by taking guide from the figures given by the Central Bureau of Statistics on rural/urban constituents of different castes and ethnic communities at national level and caste-ethnic composition of the population on eco-development regions, and percent shares of main caste/ethnic groups in each district given in the district profile published by the CBS from the previous census.

Table 2: Estimating caste/ethnic household composition in urban and rural areas of five districts

Social Group	Kailali		Bardia		Surkhet&Dailekh		Dadeldhura		All
	urban	rural	urban	rural	urban	rural	urban	rural	
Dalit (hill/tarai)	3281	15496	825	7469	2328	25927	706	5808	61840
Tharu	9000	47001	3360	32023	105	1300	13	115	92916
Janajati (hill/tarai)	2157	5038	1451	6246	4393	23985	131	533	43932
Other Madhesi	387	1270	1533	9217	51	401	26	147	13033

Hill high-caste	17873	40977	4061	16991	9849	53443	3911	15656	162762
All Social Groups	32698	109782	11230	71946	16726	105056	4786	22259	374483

The domains for accurate estimation for this baseline perception survey will be each of these social groups: Dalit (hill/tarai); Tharu; Janajati (hill/); all Other Madhesi; and Hill High Caste, and each of the residential areas: rural hill; urban hill; rural tarai; urban tarai. The sample size required for having the estimates of the desired accuracy discussed above will be given to each of these domains. Since urbanization level is very low in the country, urban household population is relatively much smaller than rural households in each social stratum, giving rise to the need for restricting to somewhat smaller sample in urban areas in comparison to rural areas. Then, how is it possible to maintain size of the given level of accuracy in estimate in urban areas? We can take advantage of hill domains having few Madhesi households and transfer excess sample size from such domain to other urban domain. Beside, in urban areas we can use srs for selecting sample by taking time to prepare a good sample frame for each social group. One can take advantage of such things to minimize sample in urban areas. To have a clear picture of how our domains look like, and how can we allocate sample sizes consider the following table.

Table 3: Allocation of household sample sizes in (rural/urban) social stratum on the basis of estimated household population to facilitate accurate degree of estimation in domains

Domain of Estimation	(Hill/tarai) Dalit	Tharu	(Hill/tarai) Janajati	all other Madhesi	Hill high-caste	Urban/rural Sample size
Rural Hill Sample size	31735 175	1415 100	24517 175	548 100	69099 150	700
Urban Hill Sample size	3034 125	118 75	4523 125	77 50	13760 125	500
Rural Tarai Sample size	22965 175	79023 175	11284 125	57968 175	181728 175	825
Urban Tarai Sample size	4106 125	12360 150	3607 125	21935 175	43928 150	725
Social group Sample size	600	500	550	500	600	2750

The argument applies only to this table. If figures from national population census or thorough field come out differently later then what has been said here has to be revised accordingly. The rate of sampling in hill high-caste stratum is much smaller in comparison to other social group. Even then total sample size for hill high-caste is larger than that of any other group. Tharu, and other Madhesi, have relatively very few households in hill rural and urban strata, and may possibly be accessed easily. It may be easy to trace their location by enquiring in municipalities and relevant offices in district head quarters of the hill. In which case srs can be used, or even covered all of them easily. So, lower sample size allotted to each of these groups should not be of much concern.

Selection of sample

Sampling technique proposed for the perception survey ensures independent household samples from each social group of any stratum, rural or urban, in the ROLHR hill/tarai. It selects independent samples of urban wards and rural wards from municipalities/VDCs of ROLHR hill/tarai in the first stage, then independent household samples of each social group from every selected urban/rural ward in the second stage. Because very small presence of Madhesi households in hill urban and rural strata,

it may be possible to know where most of them are through inquiries in relevant district offices. If so, their search can be narrowed down – saving from extra trouble.

First-stage selection: (The procedure given below can be modified in the line described in stage 2 selection to use srs to select 25 PSUs from each physical stratum)

A preparation of the mapping of PSUs in well defined order together with their respective household sizes and accumulated household sizes is necessary before first-stage draw can be made from any physical stratum, rural or urban, using systematic selection scheme with probability proportional to size. It can be done so in rural ROLHR hill/tarai by starting to put first the VDCs of the western most district Dadeldhura in west to east serpentine order with north south zig zag and placing wards within each VDC also in such serpentine order, and moving on to do the same to the VDCs (and their wards) of the district Surkhet and then completing this process when the same is done in Dailekh also. Then these VDC-wards are listed in the order they come with their rural household population sizes. After that these household VDC-ward sizes are accumulated starting from first VDC-ward in the list and showing corresponding to each VDC-ward the accumulated household size. Note that it may be necessary to split unusually larger wards, or to lump too small wards with adjoining ones before beginning the above process of ordering wards – taking care that rural ward sizes in hill may be from around 100 to 300 households, and in tarai they may be naturally larger.

The municipal sub-wards or Toles of all the municipalities in ROLHR hill (and separately all in tarai) may have to be well defined taking help of the ward member and other available information on household head names and addresses. Such information may be obtained from municipality, water/electricity supply offices, voter registration lists, population census publications, women health volunteers etc, and ward and Tole maps of municipalities. If reliable ward household lists are available and can be desegregated to five social groups of whole ROLHR hill municipal region (and separately for whole ROLHR tarai municipal region) then, usable sample frame can be constructed and household sample can be obtained from each region by using srs (or systematic selection scheme described later when such frame facilitates households to be in 'random' order). If it is not possible to make usable sample frame covering all households of all municipalities ROLHR hill, or ROLHR tarai then the Toles or sub-wards should be well defined ordered and made ready for first-stage selection.

When PSUs in a physical stratum, urban or rural, are sequentially ordered (together with their respective accumulated PSU sizes) then choose that size of the PSU sample which fits well to meet the allocated household sample size requirements of all social groups in the stratum, and which is in the larger side so that the sample will be well spread in the ROLHR hill.

Example: Consider ROLHR hill urban stratum in table 3.

Here, allocated household sample sizes are: 175 for dalit; 100 for Tharu; 175 for Janajati; 100 for other Madhesi; and 175 for hill high caste.

The a fitting PSU size which give same number of household sample per PSU within each social group is 25.

On the whole we may then have 7 households per PSU for Dali; 4 per PSU for Tharu; 7 per PSU for Janajati; 4 per PSU for other Madhesi; and 6 per PSU for hill high-caste.

In fact for the allocation of the household sample size in table 3, it can be seen that 25 is PSU sample size that fits well in all four rural and urban strata.

So, 25 PSUs have to be drawn from ROLHR hill/tarai with probability proportional to size. A general procedure for achieving this is described below.

Let h stand for physical stratum:

- $h = 1$ for ROLHR hill rural,
- $= 2$ for Rolhar tarai rural,
- $= 3$ for Rolhar hill urban, and
- $= 4$ for Rolhar tarai urban.

Let there be N_h PSUs in the physical stratum h , urban or rural, and n_h many PSUs have to be drawn in the sample from among these N_h PSUs with pps.

Suppose all N_h PSUs of this stratum are listed with respective sizes and accumulated sizes in the manner described above.

Let these PSUs in this sequential order have the accumulated sizes

$$M_1, M_2, \dots, M_{N_h}$$

Then for selecting n_h PSUs in the sample from N_h PSUs of this stratum obtain sampling interval: $I = \frac{M_{N_h}}{n_h}$

And find a random number: $R \leq I$ for random start.

Then PSUs are selected in sample using the selection numbers

$R, R + I, R + 2I, \dots, R + 2(n_h - 1)I$
as follows:

The first PSU selected is the PSU s in the list such that

$$M_{s-1} < R \leq M_s$$

In general, the i th PSU selected is the PSU j in the list such that

$$M_{j-1} < R + (i - 1)I \leq M_j$$

This process will be continued until all n_h PSUs are selected in the sample; in our case $n_h = 25$.

Second-stage selection

In the ideal situation in the second stage selection, we want to have household sample of the size specified for every group in every physical stratum in the table given below from every selected PSU. This table is made taking into consideration of the PSU sample of size 25 in every physical stratum, rural or urban. But this may not be achieved since households of different groups may not be available in abundance in every selected PSU. So a safer way may be to prepare household sample frame for every selected PSU and collect these sample frames in one place and study to find how many of which group can be selected and, accordingly, should be selected from different sample frames. It helps to make the best decision regarding how the allocated sample sizes for each group in the relevant physical stratum can be achieved.

Table 4: Showing desirable household sample size per PSU in ideal situation

Domain of Estimation	(Hill/tarai) Dalit	Tharu	(Hill/tarai) Janajati	all other Madhesi	Hill high-caste
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Rural Hill Sample size	7	4	7	4	6
Urban Hill Sample size	5	3	5	2	5
Rural Tarai Sample size	7	7	7	7	7
Urban Tarai Sample size	5	6	5	7	6

After selecting a PSU, the task of segregating households in five different groups and preparing a sample frame for every social group becomes more or less manageable. Then household samples can directly be drawn from selected PSUs when no confusion arises in the sample frame. If some confusion arises, it can be verified or corrected from field visit. Often it is helpful to use systematic sampling scheme of selection when the population exhibits random order.

If there are N households in a PSU and n are to be taken in sample then compute interval $I = N/n$, and chose random start: $r \leq I$.

Then r^{th} household of the ordered list and every I^{th} after that are in the sample. This means the households selected in the sample are:

$r, r+I, r+2I, r+3I, \dots, r+(n-1)I$
in the ordered listing.

Estimation

We need per household estimate and per person estimate in this perception survey.

Note that the formulas given below for estimating the standard error of estimates are appropriate because the numbering of the households in the frame of any social group is in 'random' order.

Here h stands for physical stratum: $h = 1$ for ROLHR hill rural,
 $= 2$ for Rolhar tarai rural,
 $= 3$ for Rolhar hill urban, and
 $= 4$ for Rolhar tarai urban.

And, k for social group stratum: $k = 1$ for Dalit
 $= 2$ for Tharu
 $= 3$ for Janajati
 $= 4$ for all other Madhesi
 $= 5$ for hill high-caste

Suppose

- N_h PSUs are present in the sample frame of physical stratum h and n_h PSUs are drawn in the sample from the N_h PSUs of physical stratum h ,
- P_h, P_{hi} , are number of households present respectively in all PSUs of physical stratum h , and in the i^{th} sampled PSU of this stratum h ,

- G_{hik} is number of households of social group k present in i^{th} sampled PSU of stratum h , and g_{hik} is the size of actual household sample drawn in the second stage by using srs from the G_{hik} households of social group k present in i^{th} sampled PSU of stratum h ,
- X_{hikj} and Y_{hikj} are observations taken on two household variables X and Y respectively at the j^{th} sampled household drawn from the G_{hik} households of social group k present in i^{th} sampled PSU of stratum h , and
- \bar{x}_{hik} and \bar{y}_{hik} are respectively sample-averages computed from observations made on X and Y from household sample drawn in second stage from the G_{hik} households of social group k present in i^{th} sampled PSU of stratum h .

Total, per household, and per person estimates of Y:

Case (Option II: Sample Design): Simple random sampling is used to select n_h PSUs from N_h PSUs in the first stage

Estimate of total of Y for all ROLHR hill and tarai is

$$\hat{y} = \sum_{h=1}^4 \frac{N_h}{n_h} \sum_{i=1}^{n_h} \sum_{k=1}^5 G_{hik} \bar{y}_{hik} \quad \dots\dots\dots (1)$$

Dividing this estimate for total of Y by number of households in ROLHR hill and tarai (called hereafter as total ROLHR households for convenience), one can obtain per household estimate for Y in ROLHR hill and tarai.

If we are not satisfied with the population census figure, we can use the following estimate for total number of households in ROLHR hill and tarai:

$$\text{Estimate for total ROLHR households, } \hat{t} = \sum_{h=1}^4 \frac{N_h}{n_h} \sum_{i=1}^{n_h} \sum_{k=1}^5 G_{hik} \quad \dots\dots\dots (2)$$

$$\text{Per household estimate for } Y \text{ in all ROLHR hill and tarai, } \hat{r} = \hat{y} / \hat{t} \quad \dots\dots(3)$$

In order to get per person estimate, we can use household variable X , where X_{hikj} is the number of eligible persons taken from the j^{th} household of the household sample drawn from the G_{hik} households of social group k present in i^{th} sampled PSU of stratum h .

$$\text{Then ratio estimate is } \hat{R} = \frac{\hat{y}}{\hat{x}} \quad \dots\dots\dots (4)$$

$$\text{Where } \hat{x} = \sum_{h=1}^4 \frac{N_h}{n_h} \sum_{i=1}^{n_h} \sum_{k=1}^5 G_{hik} \bar{x}_{hik} \quad \dots\dots\dots (5)$$

Case (Option I: Sample Design): When PSUs in the first stage are selected with probability proportional to size as described before

Estimate for Y-total,
$$\hat{y} = \sum_{h=1}^4 \sum_{i=1}^{n_h} \frac{P_h}{n_h P_{hi}} \sum_{k=1}^5 G_{hik} \bar{y}_{hik} \dots \dots \dots (1)^*$$

Estimate for total ROLHR households,
$$\hat{t} = \sum_{h=1}^4 \sum_{i=1}^{n_h} \frac{P_h}{n_h P_{hi}} \sum_{k=1}^5 G_{hik} \dots \dots (2)^*$$

Then ratio estimate is
$$\hat{R} = \frac{\hat{y}}{\hat{x}} \dots \dots \dots (4)^*$$

Where
$$\hat{x} = \sum_{h=1}^4 \sum_{i=1}^{n_h} \frac{P_h}{n_h P_{hi}} \sum_{k=1}^5 G_{hik} \hat{x}_{hik} \dots \dots \dots (5)^*$$

Note: For estimating proportion of households having an attribute, replace \bar{y}_{hik} by proportion p_{hik} of households with the attribute, computed from household sample drawn in second stage from the G_{hik} households of social group k present in i^{th} sampled PSU of stratum h .

Note: We can get estimate for some desired physical strata by restricting to only particular value or values of h in the above formula (1) to (5).

Example: To get rural estimate, restrict to $h = 1, 2$; to get urban estimate, restrict to $h = 3, 4$; to get hill rural and urban, restrict to $h = 1, 3$; to get only tarai urban, restrict to $h=4$; and so on.

Note: We can get estimate for desired social group in any physical stratum by restricting to only particular value or values of k and/or h in the above formula (1) to (5).

Example: The expression $(\sum_{h=1}^4 \frac{N_h}{n_h} \sum_{i=1}^{n_h} G_{hi1} \bar{y}_{hi1}) / (\sum_{h=1}^4 \frac{N_h}{n_h} \sum_{i=1}^{n_h} G_{hi1})$ is obtained by putting $k=1$ in (3), which is the per household estimate for Dalit in all ROLHR hill and tarai.

Example: The expression $(\sum_{h=1}^2 \frac{N_h}{n_h} \sum_{i=1}^{n_h} G_{hi1} \bar{y}_{hi3}) / (\sum_{h=1}^2 \frac{N_h}{n_h} \sum_{i=1}^{n_h} G_{hi3})$ is obtained by putting $k=1$ and restricting to $h = 1, 2$ in (3). It is the per household estimate for all other Madhesi in ROLHR rural hill and tarai.

ANNEX II

Draft Questionnaire for ROLHR Baseline Perception Survey

All able Institutions in the world have become so by continuously seeking feedback from public on their services, and evaluation of the impact of their services from research institutions, and refining themselves accordingly. This baseline perception survey to be conducted before implementing the ROLHR programme in the five districts – Bardia, Surkhet, Dailekh, Dadeldhura, and Kailali – of mid and far western hill and tarai of Nepal is a part of the larger effort to strengthen the Rule of law and Human Rights Protection in Nepal, and for that matter, to better our legal institution.

This questionnaire is prepared with the intention of helping research institution to develop an appropriate questionnaire of better quality and higher standard – improving upon it at the time of baseline public perception survey.

Security, justice, Rule of Law, and human right

1. In the normal situation, which of these institutions are legally responsible for looking after the security of citizen?
(i) school ; (ii) VDC/municipality ; (iii) police force; (iv) village elder ; (v) CDO office
2. If you feel that somebody is encroaching upon your rights where would you go to seek justice?
(i) CDO ; (ii) party office (iii) newspaper office ; (iv) court ; (v) police office
3. Name any three institutions that are looking after the day to day maintenance of rule of law.
4. Which of the following are playing important role in the protection of human rights in Nepal?
(i) Attorney General ; (ii) the Media ; (iii) Civil Societies ; (iv) Parties ; (V) Nepal Bar Association
5. Which of the following describes best the present day performance of the institutions that are responsible for protecting the right of the people in the country? Ask all grown up members of HH.
 - a. very good (labeled as 4)
 - b. above satisfaction (labeled as 3)
 - c. just satisfaction (labeled as 2)
 - d. below satisfaction (labeled as 1)
6. How many members of your household have trust on the state justice and security institutions?
Male and female
7. What are the factors that usually discourage people to go to use the service of the following rule of law institutions? (Rank factors from highest to lowest discouraging order)

a) Police

- Fear of reprisal from lacuna in protection afterwards (i)
- Lack of trust in getting justice because of tendency to work for powerful ... (ii)
- Fear of being humiliated from indecent treatment or disclosure of secret ... (iii)
- Fear of not getting service in time due to slow system of operation (iv)
- Tendency to seek reward or favour for the service given (v)

b) Court

- Waste of many hours of waiting in procedural delays(i)
- Lack of trust in getting justice because of tendency of some to seek bribe ... (ii)
- Hassle for moving work from step to step without favours or kickbacks (iii)
- Anticipation of years to be spent in courts once the case starts (iv)
- Waste of savings made for future of children on fees and buying services ... (v)

Intra-family differences/disputes (Q 8-Q13)

8. Almost every family encounters differences within its members. Most are minors and easy to handle and others are sometimes threatening to the unity of the family. Which of the following issues or incidents causing differences in the family are held as minors and which as breach of laws in general?

- (i) Verbal altercations between members of household
- (ii) Scowling older children with threat that they will be subjected to physical punishment if not careful
- (iii) Incest
- (iv) Verbal altercations between members, followed by physical assaults and fights
- (v) Drunken brawls between members
- (vi) Alcohol addiction
- (vii) Physical attack on wife by husband
- (viii) Physical attack on children
- (ix) Drug-addiction
- (x) rape

9. How would you deal with the issues and incidents outlined in (Q.8) that could cause different levels of disputes within a family?

- a) The members holding disputes are encouraged to come into workable terms themselves
- b) The matters are reported to the most respected member of the family, who can mediate a settlement
- c) The matters are reported to a person outside the household who is a good friend of the household and commands obedience from all members of the household
- d) Mediation of community level
- e) Mediation of VDC/Municipality level

- f) Separation of family
- g) Bringing into play the higher forces of spirituality
- h) Seek the help of police
- i) Seek the help of CDO
- j) Seek the help of district court

10. **(Not reporting cases under excesses)** Have you found some family members within your household magnanimously forbearing the excesses done to them by some other family members, the causes of which if made public may possibly lead to prosecution of the family members doing excesses and bring shame to the family?

[If yes answer the following questions and If not, go to Q 12]

How many members of your family have tolerated such cases in the last four years?

- (i) Are they Adult male or female, or children? Specify their relation with household head.
- (ii) Do all grown up members of the family know these excesses? If not, specify how many know.
....
- (iii) Are these matters discussed in the family in order to make amends?

11. **(Not reporting cases under excesses)** Actually, what is the main reason for the family members not to expose the excesses subjected upon them by their own family members?

- a) Fear of harming family
- b) Fear of getting reprisal from the family members if such matters were to be taken outside household, because the usual places of lodging complaint, such as police, VDC, village leaders are usually reluctant to move the matters against dominant members of the family and apply pressure for reconciliation
- c) Fear of stepping outside household on such matters because of lack of existence of an independent external support mechanism in case of 'fall'.
- d) Fear of stepping outside household on such matters because of shaky belief on the existing security and rule of law institutions
- e) Lack of mechanism to help a struggling family member to cross threshold and seek legal aid
- f) Absence of information on security institutions for approaching on delicate family matters
- g) Absence of wings of service-oriented (non-political) family/ child/woman security institutions in VDCs, which can deal with such matters of the family without harming sanctity of family
- h) Other(Specify)

12. **(Reporting cases under excesses)** If you have found that some members of your family subjected to bear violence done upon them by other members, have exposed the deeds of these members in the concerned place demanding justice from there, how many members of your family have been subjected to violence in the last four years?
- (a) Are they grown up male or female, or children? Specify their relation with household head
- (b) Where did each of these members subjected to violence go to demand justice?
- (i) Respected member of the household
- (ii) A person outside the household who is a good friend of the household and commands obedience from all members of the household
- (iii) The party office
- (iv) The police office
- (v) The local government office
- (vi) The CDO office
- (vii) The district court
- (viii) Other(Specify)
- (c) Did any other grown up members of the family (including you) reported these cases to the police, or persuaded the victims to report their case to the police? How many did so.
- (d) Did some such grown up members (including you) persuaded the victims to file their case to court? How many did so.
13. Suppose excesses committed in the future by some members of your family upon others (including you) are of the level of requiring the following action:
- (a) Report the cases to police
- (b) File the cases and appear in the courts
- (a) Would how many members of your family (including you) subjected to excesses undertake the action? Answer: action (a) ; action (b)
And how many won't? Answer: action (a) ; action (b)
- (b) How many members of your family (including you) witnessing the excesses that require action (a) would report the action to the police? Answer:
And how many won't? Answer:

Police service (Q14-Q18)

14. Have you or member of your family ever sought police help or been taken into police office/custody in connection with a malevolent incident/episode in the last four years? Yes [] No []

[If no, go to Q 15]

- a) If yes, number of times such incidents have taken place under different circumstances in the last four years

- b) Number of times you had sought police help?
- c) What are the main reasons for involving police?
 - (i) dispute/violence within your family
 - (ii) abuses/harassment/threat to your family member(s) including you from outsiders
 - (iii) dispute between members of your family and others
 - (iv) family feuds
 - (v) threat to your house by some calamities
 - (vi) theft/burglary
 - (vii) drunken brawls
 - (viii) other(specify)

[Go to Q 16]

15. **[Police non-users (ii)-(iv)]** None from your household ever been to police office/ custody in the last four years, was it because

- (i) Incidents that invite police intervention never occurred with you or your household member(s)?
- (ii) There was case affecting you and/or your household very badly, but you could not report it to Police because that could have invited even greater harm to your family. **[followed in no court user and in legal aid section]**
- (iii) occurred incidents but not reported to police because of doubt of being tricked or pressured to making compromises with the perpetrators who are powerful
- (iv) occurred incidents but not reported to police because they lack good training for handling them well even when they have good intentions
- (v) other(Specify)

16. How do you rate the performance of police?

- (i) well above satisfactory
- (ii) above satisfactory
- (iii) just about satisfactory
- (iv) not satisfactory
- (v) Other(Specify)

17. If you or your household member is harassed/attacked/raped/robbed/threatened by an individual or group from outside your family, how many members (including you) would you report it to the police? And how many won't?

In case of none reporters, how many would have which main reason?

- (i) Fear of great reprisal later for lacuna in security (Number =)
- (ii) Pressure for reconciliation instead of justice (Number =)
- (iii) Fear for comprising honor for both family and self for rape victim (Number =)
- (iv) Other (Specify) (Number =)

18. If you or your family member witnessed an incident of attack/robbery/killing/etc on someone from outside your household, how many members (including you) would report it to the police? And how many won't?

In case of none reporters, how many would have which main reason?

- (i) Fear of great reprisal later for lacuna in security (No.=)
- (ii) Unnecessary trouble and sometime even possibility of being blamed as culprit (No.=)
- (iii) Fear for comprising honor for both family and self for rape victim (No.=)
- (iv) Other (Specify) (No.=)

Court services

19. Have you or any member of your household participated in a court case in the last four years?

[If yes, answer the following, if not go to Q20]

(a) If yes, in which of the following capacity you have participated in the last case that is completely settled?

- (i) Plaintiff
- (ii) Defendant
- (iii) Witness
- (iv) Judge/Prosecutor/Lawyer/bailiff/etc

(b) If participated in the case as plaintiff/defendant, which year and in which court was the case started?

(c) How many tiers of courts did the case went through before it was finally settled?

(d) Was the settlement made through mediation (i) referred by court (ii) by others?

(e) How much time it took to finalize the case?

(f) What do you say about the time spent: Is it fast, or too slow, or just about right?

(g) What was the final verdict: won/lost/mediation/NA

(h) Were you satisfied with the verdict

(i) Did your opponent use 'other channel' to buy verdict in his favor? Was he successful?

(j) Did you use 'other channel' to buy verdict in your favor? Were you successful?

(k) What is the main reason for you or your family member(s) for going to or being drawn in court:

- (i) Family feud
- (ii) fight between you or your family member with outsiders
- (iii) rape charge
- (iv) theft/burglary charge
- (v) charge made by GOs
- (vi) Other (Specify)

[go to Q 21]

20. **[Non-user of court (ii) – (iv)]** You did not participate in court case because of one of the following:

- (i) There occurred no case whatsoever for you to lodge complain with (or be witness in) court.
- (ii) There was a case affecting you and/or your household very badly, but sadly you could not go to court for want of dependable and lasting support to overcome the obstacle you would face by going to court **[followed in legal aid section]**
- (iii) There were cases for lodging complain with court but you didn't take them to court to avoid troubles involved in court procedures.
- (iv) There were cases for lodging complain to court but you didn't take them to court to avoid embarrassment coming from failure to get fair justice.
- (v) Other (Specify)

21. How many members of your household know that the Supreme Court has made some efforts to improve the rate of execution of court cases in the last few years? Can you say what some of these efforts are?

22. How many of you in your family are satisfied with current rate of court judgment implementation and execution?

23. How do you rate the overall performance of the courts in our country?

- (i) Well above satisfactory
- (ii) Above satisfactory
- (iii) just about satisfactory
- (iv) not satisfactory
- (v) Other

24. Interviewer should fill the following table by getting information from household head and member irrespective of whether or not they have been to court. Investigator should help HH-head and members recall the court sessions and the number of justice sector workers by their post/position in different courts through which the case pass if they had been in court.

Court	Justice sector workers			
	Position/Type	Number	Truly responsive to HH-type community needs	
District Court			Number	Percent
	Judge			
	Prosecutors/ Lawyers			
	Baitanik wokil			
	Other legal aid providers			
	Court senior staff			
	Court Junior staff			
	Other			
Appellate	Judge			
	Prosecutor/ Lawyers			
	Baitanik Wokil			
	Other legal Providers			
	Court senior staff			
	Court Junior staff			
	Other			
Supreme	Judge			
	Prosecutor/ Lawyers			
	Baitanik Wokil			
	Other legal providers			
	Court senior staff			
	Court Junior staff			
	Other			

25. How many of you in your family feel that the court is responsive in addressing your issues and cases?

26. If case for filing to court ever occur to you or your family members, how many of you in family would feel comfortable to file the case and appear in court now?

27. Which one of the following actions can remove the hesitation of people the most to approach and file cases to court?

- (i) Simplifying and making court procedures free of hassles, transparent and attractive with drastic reduction of waiting time in court
- (ii) Removing uncooperative tendency of court-staff for giving free service through public auditing
- (iii) Employing more and more women at all levels of court service to generate confidence in women and vulnerable groups to approach to court
- (iv) Developing initiative and motivation in court service providers through a system of judicious extra-pay to all – from the increased net income of the court – when there is a clear indication of increased income from higher work performance in the previous month

(v) Popularizing and making transparent court services by increasing cooperative participation of VDC/Municipality executives in court service management at district level

(vi) Other (Specify)

28. In your opinion which of the following activities is most harmful for the image of court system?

(i) Delaying court procedures

(ii) Inaction

(iii) Serving powerful to get favour

(iv) Taking bribes

(v) Impunity

(vi) Submission to pressure

(vii) Other (Specify)

Legal Aid

29. Have you or your family member(s) ever sought legal aid for resolving a legal issue or seeking justice in the last four years?

Yes [] No []

If no, which of the following is the reason?

(i) you didn't need legal aid.

(ii) you didn't know that legal aid can be obtained

30. If yes precisely at what stage, you started to seek legal aid the last time when you did so.

(i) After the incident that affected you/family very badly, and you needed support and advice whether to seek police help or file case to court

(ii) When you or a member of family was being taken in police custody in connection with an unfortunate incidence

(iii) After you were being drawn in a court case involving your family member(s)

(iv) Other

31. Could you obtain legal aid locally? Yes [] No []

If no, what factors deterred you or became obstacle to you in your search for legal aid?

(i) Absence of legal aid operating NGOs, Baitanik wokil, and other legal aid providers locally

(ii) Busy schedule or unwillingness of existing legal aid providers

(iii) No reach of the information system that keeps addresses on legal aid providers who are locally employed by NGOs operating from big cities

(iv) Pressure from influential persons not to provide legal aid to you or your family

(v) Financial constraints for securing legal aid providers from other districts

(vi) other

32. If yes, you could obtain legal aid locally, what factor(s) helped you in your search for legal aid?

(i) Net work that you had kept through your mobile

(ii) Information that you could obtain from VDC/Municipality and district offices

- (iii) Information obtained from district court junior staff
- (iv) Information that you could obtain from Women organizations, and community leaders
- (v) other

33. Who provided or is providing you legal aid?

- (i) Baitanik wokil
- (ii) NGO lawyer
- (iii) Nepal Bar Association lawyer
- (iv) Community lawyer
- (v) Other..... (specify)

34. Are you satisfied with the quality of legal aid for you or your family?

- (i) Very well satisfied
- (ii) Well satisfied
- (iii) Just about satisfied
- (iv) Not satisfied
- (v) Other

35. Is there room for improving the legal aid provided to you or your family?

36. Can you suggest ways for improving legal aid service?

Prosecutor

37. (a) How many member of your household think the lawyer pleading for you in the court worked sincerely in your favour?

(c) How satisfied were how many members of your household with the preparation and presentation of your case in the court by the prosecutor?

- (i) Very well satisfied
- (ii) Well satiesfied
- (iii) Just about satisfied
- (iv) Not satisfied

ANNEX III

Draft Dummy tables

Tables 1 to 4 give typical illustrations how the use of HH roster can be used in table formation. And the rest of the tables envisaged the use of Questionnaire together with HH roster.

Table 1: Composition of informants in sample by Ethnicity/Caste, Sex, District, Urban/Rural, and Hill/Tarai

Number of informants		Social Group					
		Dalit	Tharu	Janajati	Other Madhesi	Hill high caste	All
Dailekh	male						
	female						
	Total						
Surkhet	male						
	female						
	Total						
Bardia	male						
	female						
	Total						
Dadeldhura	male						
	female						
	Total						
Kailali	male						
	female						
	Total						
Urban	male						
	female						
	Total						
Rural	male						
	female						
	Total						
Hill	male						
	female						
	Total						
Tarai	male						
	female						
	Total						
Five districts	male						
	female						
	Total						

Table 2: Estimated household composition and standard error of estimates by Ethnicity/Caste, District, Urban/Rural, and Hill/Tarai

Estimates of total HHs and s.e.		Social Group						Total HHs in Census
		Dalit	Tharu	Janajati	Other Madhesi	Hill high caste	All	
Dailekh	Est. of HHs							
	s.e							
Surkhet	Est. of HHs							
	s.e							
Bardia	Est. of HHs							
	s.e							
Dadeldhura	Est. of HHs							
	s.e							
Kailali	Est. of HHs							
	s.e							
Urban	Est. of HHs							
	s.e							
Rural	Est. of HHs							
	s.e							
Hill	Est. of HHs							
	s.e							
Tarai	Est. of HHs							
	s.e							
Five districts	Est. of HHs							
	s.e							

Table 3: Police user and non-user in the immediate past by Ethnicity/Caste, District, Urban/Rural, and Hill/Tarai

Percent of police user and non-user adults		Social Group					
		Dalit	Tharu	Janajati	Other Madhesi	Hill high caste	All
Dailekh	user						
	non-user						
Surkhet	user						
	non-user						
Bardia	user						
	non-user						
Dadeldhura	user						
	non-user						
Kailali	user						
	non-user						
Urban	user						
	non-user						
Rural	user						

	non-user						
Hill	user						
	non-user						
Tarai	user						
	non-user						
Five districts	user						
	non-user						

Note: Similar tables can be obtained for court user/non-user and legal-aid user/non-user

Table 4: Police non-user in the immediate past by ethnicity/caste, urban/rural, hill/tarai, and education level

[Education level are E1 for illiterate; E2 for literate up to class two completed; E3 for class five completed, i.e. primary completed; E4 for SLC completed and above]

Percent of police non-user adults		Social Group					
		Dalit	Tharu	Janajati	Other Madhesi	Hill high caste	All
Hill urban non-user	E1						
	E2						
	E3						
	E4						
Tarai urban non-user	E1						
	E2						
	E3						
	E4						
Hill rural non-user	E1						
	E2						
	E3						
	E4						
Tarai rural non-user	E1						
	E2						
	E3						
	E4						
Five districts non-user	E1						
	E2						
	E3						
	E4						

Note: Similar tables can be obtained for police user, court user/non-user, legal-aid user/non-user.

Table 5: Number of legally responsible security institutions identified by households from among five institutions, two of which are not from security sector, by level of education E1 to E4 of HH-respondent

Social group		Percent of households that correctly identify the following number of legally responsible security institutions from among five institutions with two not from security sector			
		None	Only one	Only two	All
Dalit	E1				
	E2				
	E3				
	E4				
Tharu	E1				
	E2				
	E3				
	E4				
Janajati	E1				
	E2				
	E3				
	E4				
Other Madhesi	E1				
	E2				
	E3				
	E4				
Hill high caste	E1				
	E2				
	E3				
	E4				
All	E1				
	E2				
	E3				
	E4				

Note: This technique of utilizing level of education of HH-respondents can be used in tables 6 to 8 given below.

Table 6: Institutions where households go to seek justice if felt encroachment upon their rights

Social group	Percent of households that go to seek justice in the institutions given below if encroached					Estimated households
	CDO	Party office	Newspaper	Court	Police office	
Dalit						
Tharu						
Janajati						
Other Madhesi						
Hill high caste						
All						

Table 7: Households which could name three institutions looking after maintenance of rule of law

Social group	Percent of households that could name three institutions maintaining rule of law					
	Hill			Tarai		
	Urban	Rural	Total	urban	Rural	Total
Dalit						
Tharu						
Janajati						
Other Madhesi						
Hill high caste						
All						

Table 8: Households that correctly identify institutions playing important role in protection of human rights from among five institutions, two of which have questionable records

Social group	Percent of households that correctly identify the following number of institutions protecting human rights from among five, three of which in this category			
	None	Only one	Only two	All
Dalit				
Tharu				
Janajati				
Other Madhesi				
Hill high caste				
All				

Table 9: Perception of people on the performance of institutions responsible for protecting the right of people in the country

People in the country									
Social group	Percent of people by level of satisfaction on performance of institutions protecting right of people								Estimate of total population
	Hill				Tarai				
	1	2	3	4	1	2	3	4	
Dalit									
Tharu									
Janajati									
Other Madhesi									
Hill high caste									
All									

Table 10: Perception of people on the performance of institutions responsible for protecting the right of people in the country

Social group	Percent of people by level of satisfaction on performance of institutions protecting right of people							
	Urban				Rural			
	1	2	3	4	1	2	3	4
Dalit								
Tharu								
Janajati								
Other Madhesi								
Hill high caste								
All								

Table 11: People having trust on state justice and security institutions

Social group		Percent of people who have trust on state justice and security institutions					
		Hill			Tarai		
		urban	Rural	Total	urban	Rural	Total
Dalit	Male						
	Female						
	Total						
Tharu	Male						
	Female						
	Total						
Janajati	Male						
	Female						
	Total						
Other Madhesi	Male						
	Female						
	Total						
Hill high caste	Male						
	Female						
	Total						
All	Male						
	Female						
	Total						

Table 12: Households' perception of factors that discourage them to use police service

% of HHs ranking factor		Highest	2 nd highest	3 rd highest	4 th highest	5 th highest	Rank sum
Dalit	(i)						
	(ii)						
	(iii)						
	(iv)						
	(v)						
Tharu	(i)						
	(ii)						
	(iii)						
	(iv)						
	(v)						
Janajati	(i)						
	(ii)						
	(iii)						
	(iv)						
	(v)						
Other Madhesi	(i)						
	(ii)						
	(iii)						
	(iv)						
	(v)						
Hill high Caste	(i)						
	(ii)						
	(iii)						
	(iv)						
	(v)						
Male	(i)						
	(ii)						
	(iii)						
	(iv)						
	(v)						
Female	(i)						
	(ii)						
	(iii)						
	(iv)						
	(v)						

Table 13: Households' perception of factors that discourage them to use court service

% of HHs that rank the factor		Highest	2 nd highest	3 rd highest	4 th highest	5 th highest	Rank sum
Dalit	(i)						
	(ii)						
	(iii)						
	(iv)						
	(v)						
Tharu	(i)						
	(ii)						
	(iii)						
	(iv)						
	(v)						
Janajati	(i)						
	(ii)						
	(iii)						
	(iv)						
	(v)						
Other Madhesi	(i)						
	(ii)						
	(iii)						
	(iv)						
	(v)						
Hill high Caste	(i)						
	(ii)						
	(iii)						
	(iv)						
	(v)						
Male	(i)						
	(ii)						
	(iii)						
	(iv)						
	(v)						
Female	(i)						
	(ii)						
	(iii)						
	(iv)						
	(v)						

Table 14: Information on households in which intra-family excesses of the level leading to prosecution are tolerated without reporting outside

Social group	Percent of households in which intra-family excesses are not reported by members subjected to them				Total such families
	Members tolerating excesses			% of them in which matters discussed	
	Adult Male	Adult female	children		
Dalit					
Tharu					
Janajati					
Other Madhesi					
Hill high caste					
All					

Table 15: Information on Households with main reasons for members for not reporting intra-household excesses subjected upon family members

Percent of households according to main reason for not reporting intra-family excesses subjected upon HH-members	Social Group					
	Dalit	Tharu	Janajati	Other Madhesi	Hill high caste	All
Fear of harming family						
Fear of getting reprisal from dominating members						
Fear of stepping outside without external support mechanism in case of 'fall'						
afraid to step outside with shaky belief on state security and rule of law institutions						
No mechanism to help a struggling family member cross threshold and seek legal aid						
No information for approaching security institutions on delicate family matters						
No service-oriented (non-political) family/ child/woman security wings in VDCs						
Other						

Table 16: Information on households in which intra-family excesses are reported by members subjected to excesses to seek justice

Social group	Percent of households in which intra-family excesses are reported by members subjected to excesses			Total such families
	family members subjected to excesses			
	Adult Male	Adult female	children	
Dalit				
Tharu				
Janajati				
Other Madhesi				
Hill high caste				
All				

Table17: Information on households telling where victims of intra-family excesses report to seek justice

Percent of households according to where victims of intra-family excesses reported to	Social Group					
	Dalit	Tharu	Janajati	Other Madhesi	Hill high caste	All
Respected member of the household						
A person outside the HH commanding respect from all HH-members						
Fear of stepping outside without external support mechanism in case of 'fall'						
The party office						
The police office						
The local government office						
The CDO office						
The district court						

Table 18: Information on households in which family member(s) sought police help or been taken into police office/custody

Social group	Information on HHs in which family member(s) sought police help or been taken into police office/ custody in last four years			Total such families
	% of such HHs	Average no. of such incidences per HH	Average no. of police help sought per HH	
Dalit				
Tharu				
Janajati				
Other Madhesi				
Hill high caste				
All				

Table 19: Information on households in which family member(s) sought police help or been taken into police office/custody

Percent of households according to reasons for police being involved	Social Group					
	Dalit	Tharu	Janajati	Other Madhesi	Hill high caste	All
dispute/violence within family						
abuses/harassment/threat to your HH-members from outsiders						
dispute between members of your family and others						
family feuds						
threat to your house by some calamities						
theft/burglary						
drunken brawls						
other						

Table 20: Information on households in which none from HH ever been police office/custody in the last Four years

Percent of HHs with no members ever been to police by main reason for being so		Social Group					
		Dalit	Tharu	Janajati	Other Madhesi	Hill high caste	All
Incidents that invite police intervention never occurred in HH	Urban						
	Rural						
	Total						
Occurred cases affecting your HH very badly, but could not go to Police for fear even greater harm	Urban						
	Rural						
	Total						
occurred incidents not reported for fear being pressured to make compromises	Urban						
	Rural						
	Total						
occurred incidents not reported for police lacking training to handle them	Urban						
	Rural						
	Total						
other	Urban						
	Rural						
	Total						

Table 21: Information on performance of police according to rating of HHs

Percent of households according to rating of police performance		Social Group					
		Dalit	Tharu	Janajati	Other Madhesi	Hill high caste	All
Well above satisfactory	Urban						
	Rural						
	Total						
Above satisfactory	Urban						
	Rural						
	Total						
Just about satisfactory	Urban						
	Rural						
	Total						
Not satisfactory	Urban						
	Rural						
	Total						
Other	Urban						
	Rural						
	Total						

Note: Similar table can be made using Hill/Tarai for Urban/Rural; and using Hill urban, Hill rural, Tarai urban, and Tarai rural.

Table 22: Information on victims/witnesses who don't report incidents to police

Percent of victims/witnesses who don't report Incidents to police			Social Group					All	Such population size
			Dalit	Tharu	Janajati	Other Madhesi	Hill high caste		
Victims not reporting to police	Hill	Urban							
		Rural							
		Total							
	Tarai	Urban							
		Rural							
		Total							
	Five districts	Urban							
		Rural							
		Total							
Witnesses not reporting to police	Hill	Urban							
		Rural							
		Total							
	Tarai	Urban							
		Rural							
		Total							
	Five districts	Urban							
		Rural							
		Total							

Table 23: Information on not-reporting victims/witnesses by reason

Percent of not-reporting victims/witnesses by main reason		Social Group					
		Dalit	Tharu	Janajati	Other Madhesi	Hill high caste	All
Victims not reporting to police	Fear of great reprisal later for lacuna in security						
	Pressure for reconciliation instead of justice						
	Fear for comprising honor for both family and self for rape						
	Other						
Witnesses not reporting to police	Fear of great reprisal later for lacuna in security						
	Unnecessary trouble and sometime even possibility of						
	Fear for comprising honor for both family and self for rape						
	Other						

Table 24: Information on HHs which have participated in the court case in last four years

Percent of HHs which have participated in court case in last four years		Social Group						Total HHs in last case
		Dalit	Tharu	Janajati	Other Madhesi	Hill high caste	All	
Hill	Urban							
	Rural							
	Total							
Tarai	Urban							
	Rural							
	Total							
Five districts	Urban							
	Rural							
	Total							

Table 25: information on households involving plaintiff/Defendant/ etc in last court case

Social group	Percent of HHs involved the following in the last case that is settled				Total HHs in last case
	Plaintiff	Defendant	Witness	Judge/Prosecutor /Lawyer/bailiff/etc	
Dalit					
Tharu					
Janajati					
Other Madhesi					
Hill high caste					
All					

Table 26: information on households involving plaintiff/Defendant/ etc in last court case

Social group	Percent of HHs in which the following happened in the last case settled							
	mediation		used 'other channel'		Verdict			
	Court referred	By others	Plaintiff	Defendant	won	lost	mediation	
							Satisfied	unsatisfied
Dalit								
Tharu								
Janajati								
Other Madhesi								
Hill high caste								
All								

Table 27: Information on time spent by households and the number of courts the last case went through before it is settled

Social group	Average no. of courts last case went through	average time taken by last case	% of HHs that say the following on time spent		
			too slow	Just about right	fast
Dalit					
Tharu					
Janajati					
Other Madhesi					
Hill high caste					
All					

Table 28: Information on HHs with its member(s) encountering court case in the last four years by its reason

Percent of HHs with its member(s) being in court by main reason		Social Group					
		Dalit	Tharu	Janajati	Other Madhesi	Hill high caste	All
Family feud	Urban						
	Rural						
	Total						
fight between you or your family member with outsiders	Urban						
	Rural						
	Total						
rape charge	Urban						
	Rural						
	Total						
theft/burglary charge	Urban						
	Rural						
	Total						
charge made by GOs	Urban						
	Rural						
	Total						
other	Urban						
	Rural						
	Total						

Table 29: Information on HHs with its member(s) encountering no court case in the last four years by its reason

Percent of HHs with its member(s) not being in court by main reason		Social Group					
		Dalit	Tharu	Janajati	Other Madhesi	Hill high caste	All
Occurred no case whatsoever for you to lodge complain with (or be witness in) court	Urban						
	Rural						
	Total						
	Urban						
	Rural						

Occurred cases affecting HH badly but couldn't go to court for want of dependable lasting support	Total						
Occurred cases but didn't take them to court to avoid troubles involved in court procedures	Urban						
	Rural						
	Total						
Occurred cases but didn't go to court to avoid embarrassment coming from failure to get justice	Urban						
	Rural						
	Total						
	Total						
other	Urban						
	Rural						
	Total						

Table 30: Percent of people who know efforts made by Supreme Court to improve the rate of execution of court cases in the last few years by hill/tarai and urban/rural location

Percent of people who know the efforts made by Supreme Court to improve the rate of execution of court cases		Social Group					
		Dalit	Tharu	Janajati	Other Madhesi	Hill high caste	All
Hill	Urban						
	Rural						
	Total						
Tarai	Urban						
	Rural						
	Total						
All five districts	Urban						
	Rural						
	Total						

Table 31: Percent of people who are satisfied with current rate of court judgment implementation and execution by hill/tarai and urban/rural location

Percent of people who are satisfied with current rate of court judgment implementation and execution		Social Group					
		Dalit	Tharu	Janajati	Other Madhesi	Hill high caste	All
Hill	Urban						
	Rural						
	Total						
Tarai	Urban						
	Rural						
	Total						
All five districts	Urban						
	Rural						
	Total						

Table 32: Percent of households by their rating of courts' performance and urban/rural location

Percent of households by their rating of courts' performance		Social Group					
		Dalit	Tharu	Janajati	Other Madhesi	Hill high caste	All
Well above satisfactory	Urban						
	Rural						
	Total						
Above satisfactory	Urban						
	Rural						
	Total						
Just about satisfactory	Urban						
	Rural						
	Total						
Not satisfactory	Urban						
	Rural						
	Total						
Other	Urban						
	Rural						
	Total						

Note: Similar table can be made using Hill/Tarai for Urban/Rural; and using Hill urban, Hill rural, Tarai urban, and Tarai rural.

Table 33: Percent of justice sector workers who are responsive to the needs of social group by worker-type

Percent of justice sector workers according to their type who are responsive to the needs of social group		Social Group					
		Dalit	Tharu	Janajati	Other Madhesi	Hill high caste	All
Judge							
Prosecutors/ Lawyers							
Baitanik wokil							
Other legal aid providers							
Court senior staff							
Court Junior staff							
other							
Total							

Table 34: Information on people who feel that court is responsive in addressing their issues and cases by location and sex

Percent of people who feel that court is responsive in addressing their issues and cases by urban/rural & hill/tarai location,			Social Group					
			Dalit	Tharu	Janajati	Other Madhesi	Hill high caste	All
Male	Hill	Urban						
		Rural						
		Total						
	Tarai	Urban						
		Rural						

		Total						
Female	Hill	Urban						
		Rural						
		Total						
	Tarai	Urban						
		Rural						
		Total						
Male/Female	Hill	Urban						
		Rural						
		Total						
	Tarai	Urban						
		Rural						
		Total						

35. Percent of people who feel comfortable to file the case and appear in the court by location

Percent of people who feel comfortable to file the case and appear in court by urban/rural and hill/tarai location,			Social Group					
			Dalit	Tharu	Janajati	Other Madhesi	Hill high caste	All
Male	Hill	Urban						
		Rural						
		Total						
	Tarai	Urban						
		Rural						
		Total						
Female	Hill	Urban						
		Rural						
		Total						
	Tarai	Urban						
		Rural						
		Total						
Male/Female	Hill	Urban						
		Rural						
		Total						
	Tarai	Urban						
		Rural						
		Total						

Table 36: Percent of households according to most preferred action for removing the hesitation of people the most to file cases to court by urban/rural location

Percent of households by action to remove hesitation of people the most for filing cases to court		Social Group					
		Dalit	Tharu	Janajati	Other Madhesi	Hill high caste	All
(i) Simplifying and making court procedures free of hassles,	Urban						
	Rural						
	Total						
	Urban						

(ii) Removing uncooperative tendency of court-staff for	Rural						
	Total						
(iii) Employing more and more women at all levels of	Urban						
	Rural						
	Total						
(iv) Developing initiative and motivation in court service	Urban						
	Rural						
	Total						
(v) Popularizing and making transparent court services by	Urban						
	Rural						
	Total						
(vii) Other	Urban						
	Rural						
	Total						

Note: Similar table can be made using Hill/Tarai for Urban/Rural; and using Hill urban, Hill rural, Tarai urban, and Tarai rural.

Table 37: Percent of households according to most harmful activity for the image of court system by urban/rural location

Percent of households by most harmful activity for courts		Social Group					
		Dalit	Tharu	Janajati	Other Madhesi	Hill high caste	All
Delaying court procedures	Urban						
	Rural						
	Total						
Inaction	Urban						
	Rural						
	Total						
Serving powerful to get favour	Urban						
	Rural						
	Total						
Taking bribes	Urban						
	Rural						
	Total						
Impunity	Urban						
	Rural						
	Total						
Submission to pressure	Urban						
	Rural						
	Total						
Other							

Note: Similar table can be made using Hill/Tarai for Urban/Rural; and using Hill urban, Hill rural, Tarai urban, and Tarai rural.

Table 38: Percents of HHs who didn't need legal aid; percent who didn't know that legal aid can be obtained; percent who sought legal aid; and percent who could obtain legal aid locally in last four years

Social group	Percent of HHs of the following types in the last four years			
	Who didn't know that legal aid can be obtained	Who didn't need legal aid	Who sought legal aid	Who could obtain legal aid locally
Dalit				
Tharu				
Janajati				
Other Madhesi				
Hill high caste				
All				

Table 39: Percent of HHs who have obtained legal aid in last four years by type of legal aid provider

Social group	% of HHs who had legal aid in the last four years by type of legal aid provider				
	Baitanik Wokil	NGO lawyer	NBA Lawyer	Community Lawyer	Other
Dalit					
Tharu					
Janajati					
Other Madhesi					
Hill high caste					
All					

Table 40: Percents of households that have obtained legal aid in last four years by level s of satisfaction with the legal aid quality

Percent of households by their rating of courts' performance			Social Group					
			Dalit	Tharu	Janajati	Other Madhesi	Hill high caste	All
(vi) Very well satisfied	Urban							
	Rural							
	Total							
(i) Well satisfied	Urban							
	Rural							
	Total							
(i) Just about satisfied	Urban							
	Rural							
	Total							
Not satisfied	Urban							
	Rural							
	Total							
(i) Other	Urban							
	Rural							
	Total							

Note: Similar table can be made using Hill/Tarai for Urban/Rural; and using Hill urban, Hill rural, Tarai urban, and Tarai rural.

Table 41: Percent of people who think the lawyers pleading for them in the court worked sincerely in their favour

Social group	% of people who think that the lawyers pleading for them in the court worked sincerely in their favour
Dalit	
Tharu	
Janajati	
Other Madhesi	
Hill high caste	
All	

Table 42: Percents of people who are satisfied up to a level with the court prosecutor by the level of satisfaction

Percents of people who are satisfied up to stated level with the court prosecutor			Social Group					
			Dalit	Tharu	Janajati	Other Madhesi	Hill high caste	All
(vii) Very well satisfied	Urban							
	Rural							
	Total							
(ii) Well satisfied	Urban							
	Rural							
	Total							
(ii) Just about satisfied	Urban							
	Rural							
	Total							
Not satisfied	Urban							
	Rural							
	Total							
(ii) Other	Urban							
	Rural							
	Total							

Note: Similar table can be made using Hill/Tarai for Urban/Rural; and using Hill urban, Hill rural, Tarai urban, and Tarai rural.