

Terms of Reference: The role of pro bono in SDG 16

1. Background and context

Advocates for International Development's (A4ID) Rule of Law Expertise UK (ROLE UK) programme is seeking a consultant to draft a paper on the role of pro bono in Sustainable Development Goal 16 (SDG 16). The output of the exercise will be published on A4ID's and the ROLE UK Programme's websites and shared with development organisations and legal and judicial pro bono professionals.

1.1. About Advocates for International Development

A4ID is the leading global charity that believes the law can and should be used more effectively to eradicate global poverty. A4ID enables the world's top lawyers to offer free legal support to organisations working to advance human dignity, equality and justice. Through a range of courses, publications and events, A4ID operates as a knowledge and resource hub for lawyers, academics and NGOs exploring how the law can be better used to achieve the Sustainable Development Goals (SDGs). A4ID manages the ROLE UK Programme, a unique collaboration between the UK government, judiciary and lawyers to strengthen the rule of law in Official Development Assistance-eligible countries. Further information on A4ID is available here: www.a4id.org.

1.2. About the ROLE UK Programme

A4ID's ROLE UK Programme, funded by the UK Foreign, Commonwealth & Development Office (FCDO), contributes to building long-term partnerships between the UK pro bono sector and legal and judicial actors in ODA-eligible countries to strengthen the rule of law and facilitate progress towards the SDGs. The Programme focuses on the eradication of poverty; gender equality; reduced inequalities; peace, justice and strong institutions; and partnerships for development.

The Programme provides financial and technical support to rule of law activities, facilitates partnerships and, more broadly, promotes the generation and application of learning and evidence around how to strengthen the UK legal pro bono sector's contribution to rule of law and development.

Activities that the Programme typically supports are short-term technical assistance by UK legal experts, which may include trainings, conferences, workshops and other convenings. Further information on the work the ROLE UK Programme undertakes is available here: www.roleuk.org.uk.

1.3. Rationale for the paper

There is a robust tradition in the UK of legal and judicial professionals providing pro bono services to individuals and organisations who are not able to access legal services or expertise through other means.

With this paper, A4ID wants to interrogate how these pro bono efforts contribute to the achievement of the SDGs and, especially, of SDG 16: 'Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels'.

Since the adoption of the 2030 Agenda, A4ID has put the SDGs at the heart of its strategy. Its pro bono brokerage service is geared towards brokering pro bono support from the world-leading law firms to development partners fighting to achieve the SDGs. In 2020, A4ID's Pro Bono Brokerage brokered 377 pro bono projects contributing to all the SDGs. Amongst them, SDG 16 is the most commonly addressed one with 17.5% of the projects having SDG 16 as their main focus.

Similarly, the ROLE UK Programme seeks a long-term impact of contributing to the SDGs, particularly ending poverty (SDG 1), achieving gender equality (SDG 5), reducing inequalities (SDG 10), promoting the rule of law (SDG 16) and strengthening partnerships (SDG 17). As 'Promotion of the rule of law at the national and international levels' is the focus of SDG target 16.3, it is unsurprising that a large majority (73%) of the partnerships currently supported by the Programme have SDG 16 as their primary SDG.

As part of its work to generate and share knowledge around strengthening the rule of law, the ROLE UK Programme wishes to understand the evidence of how the work it does, and pro bono technical assistance more broadly, positively contributes to the SDG agenda, particularly SDG 16.

The ROLE UK Programme is therefore looking for a consultant to draft a paper examining the contribution of the UK pro bono sector to the achievement of SDG 16.

2. Objectives

The objectives of the exercise are:

- To examine how pro bono technical assistance can meaningfully contribute to the achievement of SDG 16,
- To illustrate the contribution of the UK pro bono sector to SDG 16 with examples drawn from work supported by the ROLE UK Programme and other work in the UK pro bono sector,
- To assess the benefits and challenges of framing pro bono efforts as contributions to the SDGs and to SDG 16 in particular,
- To draw lessons on how pro bono providers and those who support them can best link their efforts with the SDG agenda.

3. Focus and scope

Research and drafting will be carried out taking into account the following guidelines:

- Types of pro bono providers:
 - The paper will focus on the work of pro bono providers based in the UK. When pro bono legal assistance is delivered in partnership or via a network, at least one stakeholder should be established in the UK.
 - The UK pro bono sector is complex and made up of a diverse set of players. The paper will aim at giving an accurate image of the pro bono landscape, using example of different types of pro bono providers (lawyers, barristers, judges, and other legal specialists).
- Types of pro bono assistance:
 - The paper will focus on the delivery of international pro bono assistance, excluding domestic pro bono work, for the benefit of actors from ODA-eligible countries. The list of ODA-eligible countries is available at [DAC List of ODA Recipients - OECD](#).
 - The paper will focus on international pro bono assistance aiming at strengthening the rule of law. The ROLE UK Programme is operating under FCDO's definition of rule of law, i.e. "the rule of law is the framework that underpins open, fair and peaceful societies, where citizens and



businesses can prosper. It is essentially about ensuring that public authority is bound by and accountable before pre-existing, clear, and known laws; citizens are treated equally before the law; human rights are protected; citizens can access efficient and predictable dispute resolution mechanisms; law and order are prevalent".

- Pro bono work brokered and supported by A4ID will serve as illustration of the impact of pro bono in the achievement of the SDGs. However, the paper should not be limited to work supported by A4ID and will examine other work as long as it meets the conditions set out above.
- SDG 16:
 - The paper will focus on SDG 16 which official wording is "Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels". SDG 16 has 12 targets, measured by 23 indicators, to be achieved by 2030.
 - Given the broad range of SDG 16's 12 targets, the paper may limit itself to some of the targets that are the most likely to be impacted by pro bono work. Specifically, A4ID suggests the following targets:
 - Target 16.2: End abuse, exploitation, trafficking and all forms of violence against and torture of children.
 - Target 16.3: Promote the rule of law at the national and international levels and ensure equal access to justice for all.
 - Target 16.5: Substantially reduce corruption and bribery in all their forms.
 - Target 16.6: Develop effective, accountable and transparent institutions at all levels.
 - Target 16.10: Ensure public access to information and protect fundamental freedoms, in accordance with national legislation and international agreements.
 - Target 16.b: Promote and enforce non-discriminatory laws and policies for sustainable development.

The final choice of targets will be discussed and agreed with the consultant.

A4ID expects the consultant to submit a methodology note and a proposed outline for the paper, which should elaborate on these guidelines and further define the focus and scope of the paper.

The final paper should be complimentary to the following resources:

- [Improving the rule of law: mapping the UK legal pro bono sector](#): this report describes the members of the UK pro bono sector that carry out international work.
- [Pro bono and the Sustainable Development Goals: a guide for international law firms working with NGOs](#): This report provides guidance for pro bono providers on how to articulate, monitor and report on the ways in which their pro bono support is contributing to international development, with the aim of assisting firms in maximising this contribution.
- [Aligning pro bono with the SDGs: lessons from the field](#): This report reflects upon, summarises, and develops some of the key discussion points arising out of a roundtable titled "Developing an SDG-centric pro bono Programme: Opportunities and Challenges" which gathered representatives from global law firms, businesses, NGOs and government.
- [A legal guide to the SDGs – Chapter on SDG 16](#): Soon to be published, this guide will be a unique resource that provides a foundational analysis of the role the law can and should play in the achievement of the SDGs. Developed in collaboration with lawyers and development practitioners, it is made up of 17 chapters specific to each of the 17 goals. The chapter on SDG 16 will be published in June 2021, a draft version will be shared with the consultant.



A4ID will provide the consultant with these resources, as well as materials documenting work that could serve as examples and illustrations.

4. Methodology

4.1. Location

The exercise will be desk-based. All meetings with A4ID team will be organised via an online conference tool (Microsoft Teams).

4.2. Management

The exercise and the consultant will be managed by the A4ID Learning and Development Manager. Final approval of the paper will be given by the ROLE UK Programme Manager.

4.3. Timeline, activities and deliverables

The exercise is to be undertaken in March and April 2021 with a final deliverable by **30th April 2021**. It is anticipated that this will be up to 15 days work.

Timeline	Activities	Deliverable
Week commencing the 22 nd March 2021	Meeting with A4ID team to clarify objectives, finalise methodology, discuss the structure of the paper and build understanding of the Programme.	
31 st March 2021	Consultant to submit methodology note and outline for the paper	Methodology note and outline
Week commencing the 5 th April 2021	Meeting with A4ID team to agree on the methodology and outline proposed by the consultant.	
April	Desk based research. Drafting the paper.	
20 th April 2021	Consultant to submit draft paper to A4ID team for comments.	Draft paper
23 rd April 2021	<i>A4ID team to provide comments. If necessary, a meeting will be organised to discuss feedback.</i>	
30 th April 2021	Consultant to submit final paper for approval.	Final paper

4.4. Output

This exercise will result in a publicly available paper of approximately 20 pages, including an executive summary and a bibliography.

5. Desired competencies

- Knowledge of the rule of law, evidenced by work experience as an academic, a researcher or a consultant in this field.
- Understanding of the UK international pro bono sector, evidenced by previous work experience and publications.
- Knowledge of international development and of the Sustainable Development Goals, evidenced by previous work experience and publications.
- Excellent research, analytical and written communication skills, attested by a list of publications.
- Degree at master's or PhD level in relevant subject area.
- Interest in the role of international legal pro bono work as a way of strengthening rule of law.
- A commitment to and understanding of FCDO key priorities, promoting the rule of law and encouraging access to justice.

6. Application process

Deadline for submission of applications: **14th March 2021**.

Applications are to be submitted to thomas.istasse@a4id.org (copied to roleuk@a4id.org) with the subject line "Pro bono and SDG 16" and to include:

- CV (maximum 3 pages)
- 1-2-page cover letter, which includes how you meet the criteria outlined above (please address the criteria in turn, in the order provided above)
- Your availability in March and April 2021
- A list of publications (if not included in the CV)
- An example of relevant previous written work
- Proposed costings
- Name and contact details of two referees.

Interviews are expected to take place via Microsoft Teams between **16th and 19th March 2021**.

Proposals will be evaluated on the basis of quality, experience and value for money. Proposed costings should take into account that the ROLE UK Programme is a publicly funded non-commercial venture.