



TERMS OF REFERENCE (TORs)

HUMAN RIGHTS IMPACT ASSESSMENT (HRIA) OF THE KENYA–UAE COMPREHENSIVE ECONOMIC PARTNERSHIP AGREEMENT.

Introduction

EcoNews Africa is a non-governmental organization dedicated to promoting ecological sustainability, human rights, and social justice through evidence-based research and advocacy. Founded in the early 1990s, Econews has built a strong reputation as a convener and knowledge hub for African civil society on issues of trade justice, climate change, biodiversity, and governance. The organization engages in policy research, regional advocacy, and coalition-building to influence public policy and promote equitable and sustainable development outcomes. Econews works closely with national governments, regional economic communities, and international development partners to integrate human rights and environmental justice principles into Africa's trade and development frameworks through evidence-based research and advocacy.

Based in Nairobi, Kenya, Econews Africa works across the African continent to empower civil society, support inclusive policymaking, and advance environmental and trade justice. The organization has a track record of supporting human rights impact assessments (HRIAs), public interest litigation, and civic engagement in regional and international trade processes.

The Assignment

Econews Africa, in collaboration with the Danish Institute for Human Rights (DIHR) and with funding from SIDA, is implementing a project to strengthen the application of human rights in trade and investment processes in Kenya. As part of this initiative, a Human Rights Impact Assessment (HRIA) of the Kenya–United Arab Emirates (UAE) Comprehensive Economic Partnership Agreement (CEPA) will be undertaken to evaluate the agreement's implications on human rights, particularly for vulnerable and marginalized populations.



The HRIA will assess the potential and actual impacts of the Kenya–UAE trade agreement on the enjoyment of human rights in Kenya, particularly economic, social, and cultural rights. The assessment will inform advocacy and policy dialogue towards aligning trade policy with Kenya’s constitutional and international human rights obligations. This initiative supports Kenya’s National Action Plan on Business and Human Rights, aiming to ensure that trade agreements promote sustainable and equitable development outcomes. Econews Africa is therefore seeking the services of a qualified and experienced consultant to conduct a Human Rights Impact Assessment (HRIA) of the Kenya–UAE CEPA.

Objectives of the Assignment

The primary objective of the assignment is to undertake a comprehensive HRIA of the Kenya–UAE CEPA, focusing on its potential and actual impacts on civil, political, economic, social, and cultural rights in Kenya. The analysis will also identify mitigation measures, policy recommendations, and human rights-based approaches to trade policymaking.

Specific Objectives:

- Map the provisions of the CEPA and assess their alignment with Kenya’s human rights obligations.
- Identify sectors, populations, and groups most likely to be impacted by the agreement.
- Analyze potential adverse or beneficial human rights outcomes of the agreement.
- Propose strategies for strengthening the agreement's human rights outcomes, including policy recommendations and corrective actions.

Scope of Work

The consultant will:

- Conduct a desk review of the Kenya–UAE CEPA and related legal/policy documents.
- Review existing studies, assessments, and literature on HRIA in trade agreements.
- Map the agreement’s provisions against human rights standards and Kenya’s constitutional and international obligations.



- Engage with stakeholders (civil society, business, government, labor, and affected communities) through interviews and consultations.
- Prepare a full HRIA report including:
 - ✓ Contextual analysis.
 - ✓ Methodology.
 - ✓ Key findings (risks and opportunities).
 - ✓ Recommendations.
- Support dissemination of findings through a validation workshop and targeted advocacy briefs.

Methodology

The study will be guided by the Human Rights-Based Approach (HRBA) and incorporate the OHCHR HRIA methodology. It will include:

- Legal and policy review.
- Qualitative data collection through stakeholder consultations.
- Intersectional and gender-sensitive analysis.
- Risk mapping and scenario building.

Consultant Qualifications

The consultant must meet the following criteria:

- a) Demonstrated experience conducting human rights impact assessments and/or evaluations of trade/investment agreements.
- b) Strong legal expertise in international trade and human rights law.
- c) Proven capacity to apply qualitative and quantitative research methods.
- d) Familiarity with Kenya's constitutional and policy framework on trade and human rights.
- e) Excellent communication and writing skills.
- f) No conflict of interest related to the UAE agreement or affiliated parties.
- g) Preference for demonstrated experience with international HRIA standards and guidelines (e.g., OHCHR).



Deliverables

- a) Inception report; Including methodology and work plan.
- b) Stakeholder consultation report.
- c) Draft HRIA report; For internal review and stakeholder validation.
- d) Stakeholder workshop: Validation of findings.
- e) Final HRIA report ; Incorporating feedback.
- f) Policy brief; Summary of key findings for advocacy.
- g) Final presentation; to DIHR and Econews Africa and their respective stakeholders.

Timeline

The HRIA process will take place over 12 months from August 2025 to July 2026. A detailed work plan should be submitted as part of the expression of interest deliverables.

Management and Reporting

The assignment will be managed by Econews Africa through its programmes team, under the supervision of the Executive Director. The consultant will liaise with Econews and DIHR as needed and ensure compliance with reporting guidelines under the cooperation agreement.

Ethical Considerations and Confidentiality

The consultant will:

- Uphold principles of transparency, participation, accountability, and non-discrimination.
- Ensure data confidentiality and respect the rights and dignity of stakeholders consulted.
- Comply with DIHR's anti-corruption and anti-terror policies and SIDA's ethical standards.

Expression of Interest

Interested firms or individuals are invited to submit an expression their interest through a technical proposal as well as a financial proposal to procurement@econews-africa.org on or before 25th July 2025 at 1200HRS.