



World Coalition Against the Death Penalty

Terms of Reference

Sri Lanka: A preliminary study on risks, abolitionist civil society and their capacity building needs, people on death row with a focus on gender-based discrimination and the strategy to be pursued to prevent executions and move towards abolition of the death penalty

1. Presentation of the World Coalition Against the Death Penalty

The World Coalition Against the Death Penalty, an alliance of more than 160 NGOs, bar associations, local authorities and unions, was created in Rome on 13 May 2002. The aim of the World Coalition is to strengthen the international dimension of the fight against the death penalty. Its ultimate objective is to obtain universal abolition of the death penalty. To achieve its goal, the World Coalition advocates for a definitive end to death sentences and executions in those countries where the death penalty is in force. In some countries, it is seeking to obtain a reduction in the use of capital punishment as a first step towards abolition.

Mission

The World Coalition Against the Death Penalty's founding mission, as stated in its Bylaws, is **to bring together private, public, international, national, local and regional organizations that share the common objective of universal abolition of the death penalty.**

Goals

The aim of the World Coalition is to strengthen the international dimension of the fight against the death penalty.

Its ultimate goal is the universal abolition of the death penalty.

Guiding Principles

The World Coalition provides a global dimension to the sometimes isolated action taken by its member organizations on the ground. It complements their initiatives, while constantly respecting their independence.

Vision

The World Coalition's vision is that of a reference global network trusted worldwide to coordinate, support and amplify the work of its member organizations towards universal abolition of the death penalty.

Two Main Orientations

Two main orientations emerged following a consultation of membership and were unanimously adopted by the World Coalition's General Assembly in June 2017:

- to **support member organizations**; and
- to **coordinate international advocacy.**

By encouraging networking amongst its members as well as an exchange of experiences, the World Coalition is able to propose common international or regional strategies for the abolition of the death penalty, support abolitionists throughout the world and to provide them with information, awareness-raising and mobilization tools.

In 2018, the World Coalition launched a major campaign to secure and maintain the abolition of the death penalty in countries that are abolitionist in law and practice and where there are known risks of a resurgence of the death penalty.

2. Background

Since the creation of the World Coalition Against the Death Penalty in 2002, significant progress has been made towards ending the death penalty. But, while the progress of the abolitionist cause seems irreversible, abolitionists risk serious setbacks in the years to come. Among two-thirds of the countries in the world that have abolished the death penalty in law or in practice, some wish to resume executions. Such was the case in Sri Lanka in 2019.

The risk was considered very high in the summer of 2019, where, after a de facto moratorium of more than 40 years, the president wanted to resume executions. The risk is now considered as a moderate to high risk,¹ especially given the very high number of people sentenced to death in the country.

3. Objectives

The objectives of this study are as follows:

- a) Identify national civil society actors campaigning against the resumption of executions in their country;
- b) Analyze the risks related to the project;
- c) Support the actors in their approach by carrying out a needs assessment as it relates to capacity building;
- d) Map the situation of people sentenced to death in Sri Lanka with disaggregated data, when available
- e) Draw a strategy to be pursued to prevent executions and move towards abolition of the death penalty in Sri Lanka

The main targets of this study are the Sri Lankan civil society organizations working for the abolition of the death penalty, including organizations of lawyers, judges, parliamentarians, journalists, academics, trade unions, cities, doctors and professionals working on drug policy reform, LGBTIQ communities, disability rights movement, prison reform NGOs...

- Quantifiable Monitoring Indicators:
- A preliminary study on civil society and its context of intervention regarding the death penalty is formalized for Sri Lanka and the preliminary study is disseminated according to the modalities that will be defined with the partners to minimize the risks
 - The needs in terms of capacity building of direct beneficiaries in Sri Lanka are identified, particularly in terms of a gendered approach

¹ <https://worldcoalition.org/threat-levels-of-the-resurgence-of-the-death-penalty-based-on-key-indicators-drawn-from-the-project-experience/>

4. The Study

The study will focus on the following points:

a) Identifying relevant stakeholders

The project will begin with a detailed analysis of the actors already involved and the potential actors to be contacted at the local, national, regional and international levels to prevent the resumption of executions in Sri Lanka (lawyers' organizations, judges, parliamentarians, journalists, academics, trade unions, cities, doctors and professionals working on drug policy reform, LGBTIQ communities, disability rights movement, prison reform NGOs, migrants' organizations, diaspora organizations, etc.)

The study should identify at least four civil society organizations that are not already part of the World Coalition's international member network (see list in point 5).

The study should also do a mapping of government institutions and other regional and international institutions that could be allies.

b) Analysis of Risks Related to the Project

This study will make it possible to identify the project's risks and the prominent points to be monitored. Particularly, points such as human rights defenders who are at risk (protection and security issues for abolitionist organizations and individuals in the target countries) or the restriction of civil society's scope of action (infringement of freedom of association, assembly, expression, etc.). It will conclude with concrete recommendations (by postponing certain actions over time, or by adapting the planned activities according to the country's political situation or the absence of possible dialogue).

The study will also map the risk of resumption of executions and will give detailed answers to the questions available here: <https://worldcoalition.org/threat-levels-of-the-resurgence-of-the-death-penalty-based-on-key-indicators-drawn-from-the-project-experience/>

c) Determining Capacity Building Needs

This study will also allow for identifying the needs of the national and international civil society organizations to contribute more efficiently to the abolition of the death penalty in Sri Lanka.

The World Coalition's capacity building strategy is based on the concepts of reciprocity and exchange of best practices. It is primarily "technical" capacity building aimed at improving the ability of organizations to abolish the death penalty. It can also involve "organizational" strengthening, particularly for national or regional coalitions against the death penalty, or for specific needs (logical framework methodology, financial monitoring tools, good practices in the ethical management of an organization, gender perspective, governance...)

This assessment will be done by way of a questionnaire and during the interviews. It will be an important part of the study, as it will be the basis for the following activities:

- Regional civil society training

This training is planned to take place in Sri Lanka early 2023, with a program defined jointly with all stakeholders. It may take place in another country if the risk assessment identifies a risk to civil society in Sri Lanka.

- Training Manual "Responding to the Risk of a Return to the Death Penalty"

The preliminary study will help define the contours of the Training Manual for Responding to the Risk of Return to the Death Penalty.

In order to empower partners in their advocacy strategy and activities, the World Coalition will share a first draft of the guide ahead of the regional training in the first half of 2023. The regional training program will be inspired by the guide and in turn, the training and its evaluation, as well as the feedback from participants, will allow the guide to be completed and improved.

- Country-specific online trainings

After the regional training, an online training or strategy seminar for Sri Lanka will be held to follow up on the regional training and reach more local civil society organizations that were unable to attend. This e-learning will also be used to disseminate the training manual and test the e-learning modules before they are made available online.

- Financial support to local civil society

The World Coalition plans to award €4,000 to partners in Sri Lanka who are working in collaboration with other partners. These small grants will not necessarily be linked to the World Day against the Death Penalty but can be used in each context as needed. 2 calls for projects will be launched in Phase 2 (early 2022 and early 2023). They will be open to all civil society organizations in Sri Lanka.

- Coordination of International Advocacy

To promote compliance with states' international commitments, and prevent a return to capital punishment, the World Coalition will utilize all UN mechanisms and events relevant to the death penalty in Sri Lanka: regular meetings of the Human Rights Council, Universal Periodic Review, treaty bodies, the UN General Assembly moratorium resolution, the UNODC Commission on Narcotic Drugs and the UNODC Commission on Crime Prevention and Criminal Justice.

- Advocacy with regional human rights mechanisms

Through their participation in the World Congress (November 2022) and the regional training session, civil society in Sri Lanka will be better able to contribute to regional human rights mechanisms. These include, for example, Sri Lanka's Asia Pacific Forum of National Human Rights Institutions and the European Union, as Sri Lanka enjoys GSP+ status, which gives it trade advantages with human rights safeguards.

- Mobilization on World Day (10 October 2021)

Every year, the World Coalition organizes the World Day Against the Death Penalty around October 10. It sends packages to all its members and partners containing all the tools prepared for the World Day.

d) Map the situation of people sentenced to death in Sri Lanka with disaggregated data, when available

Based on existing reports and data from interviews, the study will give a precise overview of the situation of people sentenced to death in Sri Lanka, with disaggregated data by sex, age, disability, nationality and race, as applicable, and other applicable criteria, with regard to their use of the death penalty, inter alia, the number of persons sentenced to death, the number of persons on death row, the exact location of the prisons where people are known to be on death row, the number of death sentences reversed or commuted on appeal or in which amnesty or pardon has been granted, as well as information on any scheduled execution.

If not all data is available, identify gaps in knowledge that need to be addressed.

e) Draw a strategy to be pursued to prevent executions and move towards abolition of the death penalty in Sri Lanka

Based on the four previous points and on recommendations from interviewees, suggest a strategy to prevent executions in the future.

Technical Constraints

The study will not exceed 50 pages (200 000 words).

It may be written in English, French or in the national language.

This study will follow the model of the study conducted in phase one for the Philippines, while drawing lessons on how this study was conducted (recruitment of a local expert, consultation with all local partners, analysis of capacity building needs for local civil society beyond the death penalty field, mapping of local actors to a broader understanding of local civil society and government institutions that could be allies, special attention to dissemination so as not to put anyone at risk, ...)

It will be carried out in the first year of the project (2022) and published to be shared with all abolitionists involved in the project.

It will conclude with concrete recommendations and a short-term, step-by-step strategy for Sri Lanka.

5. Methodology and the Implementation Timetable

Coordination

The study will be conducted by an Sri Lankan expert based in Sri Lanka (the Author) who will work under the direction of the Director of the World Coalition, and under the supervision of the Sri Lanka working group set up by the Coalition's Steering Committee to implement the project.

The Author will work in collaboration with the World Coalition's member organizations that are partners in the project. He/she will benefit from their support, in particular through accessing existing working documents and research.

The main partners are the international member organizations of the World Coalition Against the Death Penalty and who are active in Sri Lanka:

- *Amnesty International (International Secretariat in London)*
- *Anti-Death Penalty Asia Network - ADPAN*
- *FIDH*
- *Harm Reduction International*
- *International Commission of Jurists (Bangkok Office)*
- *Parliamentarians for Global Action -PGA*
- *Reprieve*
- *CPJP*
- *Sant'Egidio*
- *The Advocates for Human Rights*

As well as their members and OSC networks in the area that are active in the fight against the death penalty

- *Human Rights Office Kandy*
- *Action for Peace and Human Rights (APHR)*
- *Right to Life Human Rights Centre*

Finally, the study will also rely on the contribution of other potential newly identified actors (in point 4 a).

Resources

This study will be carried out on the basis of:

- research carried out by the Author, with the assistance of the members of the World Coalition and the staff
- individual interviews with international and national civil society organizations

- questionnaires sent to civil society organizations in Sri Lanka

Implementation Timetable

- End of January 2022: Meeting with the World Coalition Sri Lanka Working Group
- February-March 2022: Research, interviews and questionnaires
- 1st April 2022: Validation of the study's detailed plan
- 30 April 2022: Submission of the project's study
- 15 May 2022: Comments from the World Coalition
- 31 May 2022: Submission of the final study
- June 2022: Translation and publication

6. Working Conditions and Salary

Consultancy fees for the writing of the study of € 3,000.

7. Candidates' Profile

- Graduate degree (Master's or equivalent) in law or political science with significant experience in project management;
- An excellent understanding of the national context and of the civic space in Sri Lanka;
- Proven professional experience in drafting studies of at least 5 years;
- Previous experience in a human rights project in Sri Lanka would be highly valued;
- A good competence in report writing and analytical skills;
- Fluency in English and Sinhalese;

Candidates should be independent and transparent about any pre-existing relationship to political entities or civil society organizations within Sri Lanka.

Application Timeline

20 January 2021: Deadline for receipt of bids

20-25 January: Analysis of offers and selection of consultant

How to apply

The documents to be submitted are:

- CV
- A 3-page memo with proposed methodology for the study

Applications should be sent to [recrutement \[at\] worldcoalition.org](mailto:recrutement@worldcoalition.org) by 20 January 2021, midnight Paris time.