

Terms of Reference (TOR)
for engaging a Consultant to undertake the development of a Standard Operating Procedure (SOP) for Investigation of Human Trafficking Cases by Law Enforcement Agencies

Post Title: Consultant (Development of a Standard Operating Procedure (SOP) for Investigation of Human Trafficking Cases by Law Enforcement Agencies)

Project Title: Enhance Government and Civil Society Responses to Counter TIP in Bhutan

Project Number: BHUZ13

Organization: United Nations Office on Drugs and Crime (UNODC)

Duty Station: Home based (South Asia)

Duration: Two working months between October 2014 – April 2015

Type of Contract: Contract under IC modality

1. TERMS OF REFERENCE (TOR)

Project Title: Enhance Government and Civil Society Responses to Counter TIP in Bhutan

A. Background

The UNODC Regional Office for South Asia is located in New Delhi (India) and covers six countries of the region: Bangladesh, Bhutan, India, Maldives, Nepal and Sri Lanka. Its Regional Programme for South Asia "Promoting the rule of Law and countering drugs and crime in South Asia (2013-2015)" has five sub-programmes relating to (1) countering transnational organized crime, (2) countering corruption, (3) terrorism prevention, (4) promoting efficient, fair and humane justice systems and (5) drug use prevention and treatment and HIV.

As part of sub-programme 1 of the Regional Programme, the Office is implementing a national project in Bhutan titled "Enhance Government and Civil Society Responses to Counter Trafficking in Persons in Bhutan (BHUZ13)" in collaboration with the National Commission for Women and Children (NCWC). While the overall drugs and crime situation in Bhutan seems relatively light, there have been growing incidences and evidence of forms of transnational organized crime. In the absence of any concrete evidence of trafficking in persons, the NCWC in 2011 undertook an exploratory study on TIP in Bhutan. The situational analysis recommends amongst others the need to develop and formalize a Standard Operating Protocol for investigating trafficking cases by law enforcement agencies through inter-agency and cross-border collaboration. In February 2013, a four-day workshop for law enforcement officers and other key stakeholders was conducted in Phuntsoling, Bhutan. The workshop was organized by UNODC in partnership with the National Commission for Women and Children, Royal Government of Bhutan and NGO NEDAN Foundation (located in Assam,

India). This training brought about sharing of experiences between Bhutanese and Indian counterparts working at borders and one of the key recommendations was the need to develop a Standard Operating Protocol for investigating trafficking cases by the law enforcement agencies and institute proper documentation through interagency collaboration.

To this end, UNODC in collaboration with the NCWC will engage a Consultant to undertake the development of a SOP (in English) for investigating trafficking cases by law enforcement agencies in line with relevant legal and policy framework with respect to trafficking in persons.

Objective

The objective is to develop and formalize a Standard Operating Protocol for investigating trafficking cases by law enforcement agencies through inter-agency and cross-border collaboration.

B. Scope of Work and Expected Outputs

The scope of work and expected outputs/deliverables will be the following:

1. Collect, review and analyze all the necessary documents to fully substantiate all stages of investigation on crimes of trafficking in persons.
2. Collect, review and analyze all the necessary documents to fully understand the administrative framework for all investigation initiatives.
3. Collect, review and analyze the international and national level approach for investigation on crimes of trafficking of persons.
4. Carry out stakeholder analysis to bring out the roles and responsibilities of key players and institutions that play a vital role in investigation of human trafficking cases and develop recommendations to strengthen linkages between agencies (internal and cross-border).
5. Documentation and analysis of current intervention models at Source-Transit-Destination areas, with regard to investigation on crimes by citing case examples, which highlight a) the law enforcement role in conducting investigation on crimes of human trafficking and b) the role of stakeholders including NGOs, survivors, social activists, academics, media, grass root workers/agencies, UN agencies etc.
6. Based on the processes mentioned above and in consultation with the Project Team, prepare a comprehensive list of contents to be included in the SOP to ensure that all the required contents are included.
7. Draft specific, detailed and practical steps (including specific models for specific circumstances or places) for investigation on crimes of human trafficking to stop trafficking with rights-based, gender-responsive and victim centric interventions.
8. Facilitate two working group consultations (organized by UNODC) and present the draft SOP to the key stakeholders including agencies from across the border (India). Finalize the SOP incorporating all the inputs.
9. Produce a well-written and comprehensive SOP highlighting:
 - Current responses by key stakeholders in investigating cases of human trafficking – recommendations for strengthening responses.
 - Recommendations to strengthen linkages between organizations involved in the process.
 - Resource Directory of all the relevant Government Departments / Ministries / NGOs with focal points.

10. A detailed presentation has to be made by the consultant after the completion of the SOP on the salient features of the SOP at a national consultation (Bhutan) which will be organized by UNODC.

Expected Deliverables /Outputs:

- **Facilitate two working group consultations to discuss and finalize the SOP.**
- **Produce a well written and comprehensive SOP for Investigation of Human Trafficking Cases by Law Enforcement Agencies (in English).**

C. Methodology

The consultant will strictly follow the work plan and the time schedule agreed with UNODC/NCWC in undertaking the contract assignment.

- a) An appropriate methodology will have to be determined by the consultant in consultations with the UNODC and NCWC;
- b) The consultant will work in close collaboration with the UNODC and NCWC;
- c) The consultant will undertake collection of all the required data/information from various sources, including Government departments, Ministries and other relevant sources;
- d) The UNODC/NCWC shall facilitate in collection of the data/information with required official letters and contact with focal person(s) wherever required (in Bhutan and India);
- e) The consultant will undertake review, assessment and judgment of the data/information in close consultation with the UNODC/NCWC;
- f) The consultant will facilitate in presentations and coordination of the stakeholder workshops/consultations organized as per the agreed work schedule;

D. Duration of the Work

- a) The duration of contract shall be for a maximum of **two working months** between October 2014 – April 2015.
- b) The consultant will work closely with the UNODC Project Team and NCWC and will from time to time submit and share the progress of activities as agreed.

E. Duty Station

- a) The consultant will undertake a mix of in-country and distance mode of working (overseas and in Bhutan) based on the agreed work-plan and methodology.
- b) The consultant is expected to use own computer and other equipment required for the task.

F. Required expertise and qualifications

- A post-graduate or equivalent qualification/ degree in Law , Criminology, Human rights, Political Science, Development Study, Humanities or any other relevant discipline.
- At least 5-7 years of prior work experience in dealing with legal and prosecution issues especially in the regional and international context.
- Demonstrated knowledge and experience in undertaking research especially in the area of human trafficking.
- Demonstrated experiences and skills in facilitating stakeholder/working group consultations.
- Relevant regional and international experience will be an added advantage.
- Demonstrated knowledge and experience in developing SOPs especially in the area of trafficking

The project seeks to identify experts that fulfill the above criteria and have demonstrated ability of involving key stakeholders (judiciary, prosecution, police, civil society etc.) to provide relevant expertise and bring a wider perspective in developing the SOP.

G. Scope of financial Proposal and Schedule of Payments

- a) The consultant will be offered a lump sum fee inclusive of travel costs (include travel costs for 2 working group consultations in Bhutan).
- b) The payments will be made in installments based upon outputs/deliverables specified in the TOR (under payment schedule) and upon certification of satisfactory work as per work plan and endorsed by UNODC.

Payment Schedule

- 20% on signing the contract and submission of a blueprint including methodology for drafting the SOP (in English).
- 40% on completion of two working group consultations and submission of consultation report (in English).
- 40% on submission of final SOP (incorporating all the input from the key stakeholders including from agencies across the border) (in English).

H. Criteria for Selection of the Best Offer

The evaluation of the consultant will be based on *Combined Scoring method* – where the qualifications and methodology is given 70% weightage and financial offer will be given 30% weightage. Only consultant meeting a minimum of 50 points under technical evaluation would be considered for the financial evaluation. Following specific criteria would be assessed:

Criteria	Weight (%)	Max. Point
<u>Technical (70 %)</u>		
• Demonstrated knowledge on Human Trafficking issues, Laws, Human Rights and UN human rights mechanisms/instruments	15	15
• Experience and skills in conducting research and documentation, especially in the field of TIP/Human Rights	25	25
• Demonstrate experience and skills in facilitation/consultation and coordination skills among relevant stakeholders	15	15
• Methodology, activities, Work plan, experience and skills etc.	15	15
<u>Financial (30 %)</u>		
Total	100	100

I. Documents

While submitting the **Technical Proposal**, the Applicant shall, in particular, ensure to attach the following:

1. Profile of the consultant (max 1 page) explaining why they are the most suitable for the work.
2. Relevant Experience (max 2 page).
3. Detailed methodology and conceptual framework with expected deliverables and timelines, team composition, man days required (3-5 pages).
4. Recent CV

The **financial proposal** shall specify a total lump sum amount (including a breakdown of costs for fee, travel and number of working days). Payments will be made in installments based upon key outputs/deliveries (mentioned under payment schedule above).

J. Annexes

Annexure 1: Process/How to submit the Bid

Interested eligible bidders may submit their proposal in a sealed envelope (only technical and financial proposal) detailing the individual costs for carrying out the assignment as well as the consolidated cost along with documents to support qualification and experience.

LANGUAGE OF BID:

The bid, as well as all correspondence and documents relating to the bid shall be written in English language. Supporting documents and printed literature furnished by the Bidder may be in another language provided they are accompanied by an accurate translation of the relevant passages in the English language

CURRENCIES OF BID:

All financial quotes should be in USD only.

PERIOD OF VALIDITY OF BIDS:

Bids shall remain valid for the period of 90 days after the date of bid submission. A bid valid for a shorter period shall be rejected by the Purchaser as non- responsive.

FORMAT AND SIGNING OF BID:

The Bidder shall prepare one original and one copy of the bid, clearly marking each one as "ORIGINAL BID" and "COPY OF BID," as appropriate. In the event of any discrepancy between them, the original shall govern.

The original and all copies of the bid shall be typed or written in indelible ink and shall be signed by the Bidder or a person or persons duly authorized to bind the Bidder to the Contract. Any interlineations, erasures, or overwriting to correct errors made by the Bidder should be initialled by the person or persons signing the bid.

SEALING AND MARKING OF BIDS:

The bidder is expected to submit the proposal both in hard copies and electronically.

Electronically (only the technical and financial proposal) with subject : UNODC/ BHUZ13/SOP/ Enhance Government and Civil Society Responses to Counter Trafficking in Persons (TIP) in Bhutan to Ms. Nidhi Mehrotra at nidhi.mehrotra@unodc.org.

Hard copy (technical and financial proposal including annexures): The bidder shall enclose the original and a copy of the bid in separate sealed envelopes, duly marking the envelopes as "ORIGINAL" and "COPY." The envelopes containing the original and copy shall then be enclosed in another envelope

The inner and outer envelopes shall:

- (a) bear the **name and address of the Bidder**;
- (b) be addressed to UNODC at the address given below:

**Ms. Nidhi Mehrotra
Admin and Finance Assistant
Anti Human Trafficking
UNODC, Regional Office for South Asia
EP 16/17, Chandragupta Marg, Chanakyapuri, New Delhi**

- (c) bear the specific identification number and title i.e. **UNODC/ BHUZ13/SOP/ Enhance Government and Civil Society Responses to Counter Trafficking in Persons (TIP) in Bhutan**

If the outer envelope is not sealed and marked the Purchaser will assume no responsibility for the misplacement or premature opening of the bid.

DEADLINE FOR SUBMISSION OF BIDS:

Bids must be received by UNODC at the address specified above **no later than 6 October 2014**. Late bids will be rejected.

MODIFICATION AND WITHDRAWAL OF BIDS:

The Bidder may modify or withdraw its bid after submission, provided that written notice of the modification, or withdrawal of the bids duly signed by an authorized representative, is received by the Purchaser prior to the deadline prescribed for submission of bids.