

**Terms of reference**

**Call for consultation**

**Consultation for the development of indicators related to Justice for children in Morocco**

<p><b>Mission</b></p>	<p>Consultation for the development of indicators related to Justice for children in the Morocco.</p> <p><b><u>OBJECTIVES OF THE CONSULTATION</u></b></p> <p>The overall objective of the consultation is the development of performance indicators for justice for children in Morocco.</p>
<p><b>Type of contract</b></p>	<p><b>Institutional service or individual contract, national or international contract</b></p>
<p><b>Duration of the mission</b></p>	<p>150 days</p>
<p><b>Preferred start date</b></p>	<p>Fall/winter 2018-2019</p>
<p><b>deadline for proposals</b></p>	<p>October 10, 2018 before midnight (GMT)</p>
<p><b>Selection process</b></p>	<p>Call to national and international consultation</p>

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## 1 THE CONSULTATION

According to the Committee of the rights of the child of the United Nations, "the collection of comprehensive and reliable data on children, disaggregated in a way to make it appear the discrimination and/or existing disparities regarding the exercise of their rights, is an element essential to the implementation of the Convention. [...] The collection of data must also be coordination across the territory to allow for the development of indicators at the national level. [...] It should be not only to establish effective data collection systems, but also to ensure that the data collected are evaluated and used to analyze the progress made in the field of the implementation of the Convention, for identify problems and develop policies on children. The assessment requires the development of indicators for all the rights guaranteed by the Convention." (General comment No. 5 of the Committee on the rights of the child on the measures of general application of the Convention on the rights of the child, para. 48)

A result of a national dialogue on the comprehensive reform and structural justice, the Charter of the reform of the judicial system adopted in 2013 has focused on six main objectives, including that of "modernize the administration of Justice and strengthen its governance" (goal n ° 6) notably to "Establish a professionalized and competent judicial administration" by developing methods of judicial administration through measures to adopt- control tables, centralize statistics and strengthen their services and use performance indicators to evaluate the action of the administration of Justice" (action n ° 298)

In support of the implementation of this Charter to Morocco the project "HIMAYA, for access of children to child friendly justice and respecting their rights " is being implemented through a partnership agreement signed between the European Union and UNICEF in Morocco, with the Ministry of Justice as a leader.

In this context, stakeholders of the Himaya project wish to strengthen the indicators existing justice for children at Morocco.

## 2 OBJECTIVES OF THE CONSULTATION

The overall goal of the consultation is the development of performance indicators for justice for children in Morocco. Indicators of performance include integrating process indicators and outcome indicators (level of outputs, outcomes and impacts).

The specific objectives are the following:

- Identify existing indicators to Morocco on justice for children;
- Develop new indicators on justice for children in correlation with data existing in Morocco collection systems;
- Identify indicators on justice for children whose adoption is recommended at the international level, regional or even national but that collection systems data and monitoring existing in Morocco do not use;
- Development of recommendations on the use of the developed indicators or the new tools for their use.

## 3 CONTENT OF THE CONSULTATION

The object of this consultation study should lead to:

### 3.1. The development of a grid of indicators on Justice for children:

This activity should be carried out by the firm or the consultant in coordination with concerned national institutions and officials of government departments, as a result of meetings and interviews with them. The grid of indicators developed should be fully integrated in the Moroccan context, information systems, needs and existing laws.

The firm or the consultant will base his work on the following texts, recommendations and reports:

- The provisions contained in the United Nations Convention on the rights of the child, the optional protocols ratified by Morocco;
- Other relevant international texts relating to human rights and applicable to children, including the United Nations Convention on the elimination of all forms of discrimination against women;
- The General comments and recommendations of the United Nations committees responsible for the monitoring of the implementation of the above conventions;
- The Note of the Secretary-General of the United Nations of 2008 titled: " *UN Approach to Justice for Children* . »
- Minimum standards and guiding principles of the United Nations in this area:
  - Set of minimum rules of the United Nations on the administration of juvenile justice (rules Beijing, 1985)
  - The UN rules for the protection of juveniles deprived of their liberty (Resolution 45/113 of 14 December 1990)
  - Guidelines of the United Nations for the prevention of juvenile delinquency (guidelines of Riyadh, 1990)
  - Minimum rules of the United Nations for the development of non-custodial measures (the Tokyo Rules),
  - Guidelines to come to children in the criminal justice system (resolution 1996/13, the economic and social Council)
  - Rules of the United Nations concerning the treatment of women prisoners and imposition of non-custodial measures women offenders (Bangkok rules) (resolution adopted by the General Assembly of the UN on December 21, 2010 n ° 65/228)
- The manual measurement of the indicators of justice for minors, UNODC, UNICEF, 2008
- Reports by Morocco to treaty bodies in respect of the implementation of the said convention;
- Regional and national texts applicable to children in Morocco.

Taking into account the aforementioned referential frames, office of studies/consultant will finalise, together with the ministries and institutions concerned indicators.

The grids must specify the unpublished for the Morocco indicators and those already existing indicating respectively the part (s) able to learn new indicators and those responsible for information already existing indicators.

Engineering Department should especially take into consideration regional or international experiences such as:

- *Access to Justice for Children with Mental Disabilities, International Standards and Findings from Ten EU Member States, 2015*
- *Of the Committee of Ministers of the Council of Europe guidelines on child friendly justice*
- *The guidelines on children in contact with the law adopted by the International Association of magistrates for youth and family, 2017*
- Work-in-progress around the world, including those in *the International Society for Child Indicators*.

### 3.2. Consultation of stakeholders in justice on the project and the Organization of a workshop to Exchange on the grid of indicators produced

The grid of indicators produced will be subject to the comments of actors of justice having been heard by the study consultant office. The comments will be analysed and compiled. Proposals for adaptation will be developed to be presented at a workshop.

The workshop will aim:

- to present and share the results of the consultation to the actors of justice having been heard by the study consultant office;
- to present comments received their shares;
- to make proposals for adaptation and improvement as appropriate.

### 3.3 Official presentation of the grid of indicators produced

The final indicator grid, after approval by the Monitoring Committee, will be officially presented through an extension and the description of the terms of use of the grid and intelligence of the indicators.

## 4 DELIVERABLES AND ESTIMATED TIMETABLE BILLING

The consultation will run in one hundred fifty (150) days over a period of four (4) calendar months.

Payment of the consultation will be done by billing partial **after the reception and the final deliverables validation by the follow-up Committee** according to the following schedule:

Activities and deliverables	Planned from the signing of the contract deadlines	% of payment
<b>Desired starting date</b>	Fall/winter 2018-2019	
<b>Deliverable 1: Inception report of the mission including a methodological note and a work Plan detailed (in Arabic, English, or French):</b>	One (1) week after delivery of the purchase order.	20%
In Arabic, English or French about 10-15 pages, detailing the methodology: Methodologies shall include at least a document review and interviews with stakeholders. The work plan will specify the interviews and meetings planned and include a detailed schedule		
<b>Deliverable 2: Interim report on indicators of 60 pages matching the indicators grid contextualized and recommendations proposed. (in Arabic and in English or French)</b>	Five (5) weeks after the validation of the deliverable 1.	20%
<b>Deliverable 3: Summary report of the comments received from stakeholders on the draft grid of indicators (in Arabic and in English or French)</b>	Two (2) weeks after validation of the deliverable 2	30%
<b>Deliverable 4: Final report of the study (in Arabic and in English or French) + final issue + Presentation Powerpoint from the results of the study and Executive summary of the results of the study</b>	Two (2) weeks after validation of the deliverable 3.	30%
<ul style="list-style-type: none"> <li>• <b>Final report of the study with the grid of indicators validated and approved + completed for the previous year.</b> (in Arabic and in English or French) 70 pages</li> <li>• <b>A PowerPoint presentation of the results of the consultation</b> electronically (in Arabic, English and French)</li> <li>• <b>An Executive of the results of the study summary</b> , about 5-10 pages (in Arabic, English and French)</li> </ul> <p>These deliverables be produced in hard copy (4 copies) and electronic WORD or EXCEL.</p>		
<b>TOTAL</b>	<b>150 days of expertise</b>	<b>100%</b>

## 5 STAKEHOLDERS OF THE CONSULTATION

Stakeholders of the study are: the Ministry of Justice, requesting the study; UNICEF, which provides technical support as part of its cooperation programme, the Monitoring Committee for the follow-up and the consultant.

**Role and responsibility of the consultant:** The consultant or the firm will assume overall responsibility for the process of the state of affairs in the preparation of deliverables expected until the production of the final report; it will be the guarantor (e) of the quality of different deliverables of the consultation. It must work closely with the Ministry of Justice, the public prosecutor's Office and the Superior Council of the Judiciary and of the UNICEF Child Protection section.

**Role and responsibility abilities of the Ministry of Justice:** . The Ministry of Justice will ensure the overall coordination of the realization of this consultation, in cooperation with the Public prosecutor's Office and the Superior Council of the Judicial Power. It will facilitate meetings and field visits of the / of the consultant and will provide the necessary information so that the work can be done in the best conditions.

**Role and responsibilities of the monitoring of the study Committee:** Follow-up Committee in place for tracking and quality assurance of this study will be the main task to review and validate the deliverables of the consultation: the proposed methodological note by the consultant and give an opinion on the report intermediary to be submitted by the consultant after the phase of collection and analysis of data. The composition of the Committee will be communicated later.

**Role and responsibilities of UNICEF:** UNICEF will accompany the consultant and will provide technical support to the conduct of the study. UNICEF will ensure the logistics and the mobilization of actors and will make available to the consultant the information and resources required.

## 6 PROFILE SOUGHT/ CONSULTANT OR FIRM

The consultant/e or the firm will be able to drive on time all the services defined in the present terms of reference.

The studies must have expertise in the field of the human rights, strategic planning in terms of the human rights, including the rights of the child and present the following minimum requirements:

- Postgraduate degree in human rights, social sciences, legal, or relevant areas for the consultation in question and mastery of the relevant tools and statistical data and the development of indicators
- Proven experience of at least seven (7) years in areas in line with this consultation;
- Good knowledge of the conventional practice of the Morocco and the institutional environment of the rights of the child to the Morocco;
- Skills in communication and facilitation;
- A very good knowledge of the United Nations Convention on the rights of the child, protocols are;
- A very good knowledge of the law and of the Moroccan judicial system applicable to children
- A good knowledge of conceptual and methodological indicators of human rights developed by the Office of the human rights (OHCHR) and the objectives of sustainable development (ODD);
- Good experience in drafting, synthesis and presentation of contributions and data;
- An excellent understanding of the working documents available in Arabic or French.

If the consultant or the firm does not include Arabic speakers, the presence of an Arabic interpreter would be required.

## 7 APPLICATION

This consultation is a national or international consultation. It is open to consultants and firms from Morocco or abroad.

The consultant (s) / firm will include in the application a technical proposal and financial offer.

### 7.1. Technical offer:

The technical offer must imperatively understand and explicitly include the following parts:

1. A methodological note of 5 pages maximum and a calendar proposed for the realization of the study with deliverable 4 no later than April 30, 2019.
- 2 The curricula vitae of the principal consultant candidate in the present competition and his team,
- 3 The P11 form the principal consultant completed, including three names of references (form P11 is available in annex )
- 4 A description of the structure (for offices)
- 5 A presentation form of the material means and human resources (for offices)
- 6 References from studies / similar investigations in the legal field or the protection of the child conducted by consultants/engineering

### 7.2. Financial offer:

The consultant (s) / firm will have to provide a detailed financial note including all fees (including transport, accommodation, translation, per diem) to complete the entire project.

Any incomplete record will be considered as inadmissible \*.

The consultant (e) / Engineering Office will be recruited (e) on the basis of a service contract concluded with the UNICEF Office in the Morocco.

## 8 CRITERIA FOR ASSESSMENT OF APPLICATIONS

The final evaluation of the offers will be made based on a weighting of the technical evaluation criteria and financial.

### 8.1 Evaluation of the technical proposal (weighting of 80% of the overall score)

**A technical score (St)** with a maximum of 100 points is assigned to the technical proposal

An offer that does not meet the criteria of eligibility of the TOR (section 6 and 7) or that does not reach the minimum technical qualification of 70 out of 100 points will be rejected at the end of this first stage. Shortlisted candidates may be invited to an interview to further technical assessment.

**The technical score (St)** will be awarded according to the table below:

Technical evaluation (max. 100 points)		Maximum points to be awarded
<b>1</b>	<b>Overall response (15 Points)</b>	
1.1	Completeness of the response and the understanding of the needs of the sponsor	10
1.2	Overall consistency between the requirements of terms of reference and the proposal	5
<b>2</b>	<b>Overall experience of key personnel and the ability to complete this project in time appropriate (40 Points)</b>	
2.1	Profile and relevance of the experience and qualifications <b>of the senior consultant or team proposed</b>	25
2.3	Experience in the conduct of studies and other related areas as described in the terms of reference	15
<b>3</b>	<b>Methodology and approach (45 Points)</b>	

3.1	Methodology proposed - tools	35
3.2	Proposed schedule	10
<b>TOTAL TECHNICAL SCORE</b>		<b>100</b>

### 8.2 Evaluation of the financial offer (weighting of 20% of the overall score)

The financial proposal of the economically the cheapest offer (**Om**) appreciated by Global price and consistency in the breakdown of the overall price will receive a **financial (Sf) score** of 100 points.

<b>FINANCIAL EVALUATION (max. 100 points)</b>	
Total estimated cost of the contract (including travel expenses and all other expenses related to the realization of benefits)	100
<b>FINANCIAL assessment - Total Points</b>	<b>100</b>

Financial (F) offers scores will be calculated according to the following formula:

$$SF = 100 \times Om/F$$

**OM** : the economically the cheapest offer **F** : bid price

### 8.3 Final assessment of the global offer

The final evaluation of the offer will be made based on a weighting of the technical evaluation criteria and financial:

The **technical score (St)** and each offer **financial score (Sf)** will be then combined into an **overall score (Sg)** by offer according to the following distribution:

$$St = 80\% \text{ of the overall score } Sf = 20\% \text{ of the overall score.}$$

The overall score awarded to the offers will allow a ranking of offers by the application of the formula, which will determine the offer the best in terms of the selection criteria proposed for the mission:

$$SG = (St \times 80\%) + (FS \times 20\%)$$

**The contract will be awarded to the tender the overall score (Sg) the highest.**

## 9 PROCEDURE FOR THE SUBMISSION OF PROPOSALS

This consultation is open to studies and consultant (s) national and international offices. The submission process must follow the rules relating to the constitution of the application in the appendices.

Bidders are invited to submit their offers in format electronic **exclusively** to the following address: [Rabat@UNICEF.org](mailto:Rabat@UNICEF.org), **no later than October 10, 2018 at midnight (GMT)**, deadline for receipt of offers.

The financial proposal must be submitted in a separate message of the technical proposal. The prices or rates must appear in no other part of the offer.

Any incomplete file will be considered to be inadmissible.

Questions concerning this consultation, (**only for information and not for submissions**), should be addressed to Mr. Benyounes Moh at the address:

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