



## Terms of Reference

### for engagement of Consultancy provider for analysing the trafficking in human beings' trends in the MARRI Participants

Project:	Preventing and Combatting Trafficking in Human Beings in the Western Balkans (PaCT)
Purpose of the contract:	Analysis of the trafficking in human beings' trends in the MARRI Participants
Contract duration:	January – April 2022
Contracting authority	MARRI RC
Location	MARRI Participants

#### I. Project background

“Preventing and Combatting Trafficking in Human Beings in the Western Balkans “(PaCT) is a project financed by the German Federal Ministry for Economic Cooperation and Development (BMZ) and implemented by the Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) and MARRI<sup>1</sup> as Strategic partner. The project builds and expands capacities at local, Participants' and regional levels to create prerequisites for an improved situation of victims of trafficking in human beings. In order to achieve this, the project strengthens the capacities of key actors in the field of resilience, the identification of (potential) victims of trafficking and the protection of victims, especially in the field of psycho-social counselling and mental health.

The project operates through four lines of action (Prevention, Protection, Partnership and Support Services) in order to increase capacities of human trafficking victims to demand and realize their rights and, at the same time, to support relevant institutions in recognizing and fulfilling their human rights obligations. In addition, the project follows a multi-level approach, within the framework of which, experiences and results from measures on the Participants' and regional levels should be used for mutual learning, regional cooperation and exchange of information.

The MARRI Network of Coordinators<sup>2</sup> for fight against Trafficking in Human Beings serves as Steering Group of the PaCT project.

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<sup>1</sup> <http://marri-rc.org.mk/about-us/>

<sup>2</sup> The THB Coordinators of the MARRI Participants

## II. Newly created challenges

After the unprecedented migration flows that occurred in 2015, in April 2016 the so-called Western Balkan migrant route was officially closed. However, the operational and statistical data from all relevant organizations reveals that the route is still active and the numbers of people using it are progressing annually. In the recent reports issued by IOM, FRONTEX, UNODC and others is presented that the migrants on their path to the destinations (mainly the Western Europe countries) more and more use smugglers' services. Having in mind the variety of migrants' profiles and their vulnerability, they often become victims of trafficking.

Assistance to the Western Balkan's administrations dealing with migration management is more than needed, particularly in providing appropriate human and technical resources for caring out activities for proper and timely identification and protection of the (potential) victims of trafficking which can be exploited in different forms (sexual exploitation, labor exploitation and other criminal activities such as begging, selling babies or selling organs).

On the other side, many of the local population or immigrants which are working in the agriculture or construction sector are not aware about their working rights which are part of the fundamental rights about which the employers are obliged to respect (right to refuse handing over personal documents for keep by employer, right on break, protective equipment and safe working environment, minimum salary etc.). Proper and timely detection of the newest trends, challenges and modus operandi used by the criminal groups or exploiters can significantly support law enforcement agencies and all relevant stakeholders to identify and protect (potential) victims of trafficking.

## III. Aim and Objectives of the Assignment

The aim of the assignment is to identify and assess the recent trafficking in human beings' trends and challenges in the Western Balkan region and to develop policy recommendations for the relevant stakeholders, in order to increase the security of the (potential) victims (local population and migrants).

The specific objectives of the assignment are to:

- analyse and assess the impact that migration had on THB in the region and vice versa;
- identify gaps and needs of key THB stakeholders in adapting to the newest trends and forms of trafficking, as well as sharing good practices for efficient and effective implementation of the latest recommendations stated in the reports of the relevant organizations (GRETA, UNODC, TIP reports etc.);
- present the nexus between smuggling and trafficking in the region;
- provide data and recommendations that could be considered by the MARRI participants' administrations and relevant anti-trafficking stakeholders in development of migration and THB strategies and responses;

- provide recommendations for strengthening regional cooperation for addressing the migration and THB challenges.

#### IV. Tasks and responsibilities of the experts

The main scope of work includes:

- conducting a research (a) desk research and b) in person and online interviews, focused on identification and assessment of the latest THB trends and challenges in the region, and
- presenting the research findings and facilitating an exchange on good practices for efficient and effective anti-trafficking responses, at event organised by MARRI.
- developing specific recommendations and responses for addressing the identified challenges and trends and thus improving the current situation.

Specifically, the consultancy provider is expected to manage and deliver the following specific tasks, as described in the work packages:

##### 4.1. Activity package 1: Research and Analysis (up to 45 expert days)

- Gathering and analysing statistical data of identified and potential victims of trafficking in each MARRI Participant for the period of 2018 – 2021, thus providing segregated overview of data and comparisons of the trends, per years (4 years in total);
- The analyses should focus on the most used forms of trafficking, i.e.:
  - Sexual exploitation;
  - Labour exploitation;
  - In fore involved in criminal activities;
  - Fore begging;
  - Force marriages;
  - Trafficking with babies;
  - Trafficking with organs;
  - Other forms.
- Assessing the impact of migration and analysing the nexus between smuggling of migrants and trafficking in human beings;
- Identifying good practices from the region for improving the policies and procedures for combating THB.

The research should include a) a desk research and b) interviews with the **relevant stakeholders in all MARRI Participants**<sup>3</sup> (governmental and non-governmental organizations, academia as well as regional and international organizations), active in the

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<sup>3</sup> Main contact points are the Commissions for prevention and fight against trafficking in human beings in all MARRI Participants. Beside them, at least 2 additional stakeholders from Civil society or regional/international organizations in each MARRI Participant should be involved. The number of interviews cannot be under 18.

MARRI region and working in the field of prevention and fight against trafficking in human beings.

**Expected deliverables:**

- List of stakeholders to be interviewed;
- Developed concept (methodology and questionnaire) for the research phase;
- Drafted Report from the research divided by all forms of trafficking (especially whether the victims are local population or migrants) where all MARRI Participants will be equally presented, including:
  - Identified good practices for management of THB challenges;
  - Identified recommendations for improvement of administrative procedures of actors dealing with THB;
- Drafted policy recommendations, including regional aspects and regional responses;
- Summary of questionnaires in standardised excel format.

**4.2. Activity package 2: Presentation and facilitation of discussion at regional event (up to 4 expert days).**

The regional event will be a forum where the research findings will be presented and discussed. At the event, relevant stakeholders from MARRI Participants' administrations, NGOs and academia will be invited, as well as regional and international organizations that are active in the MARRI region.

The event will be organized in several thematic sessions, following the forms of trafficking, where stakeholders will jointly conclude additional needs and recommendations for further support of proper anti-trafficking responses.

The Consultancy Provider will be responsible for:

- preparing the event's Agenda and Invitation Letter (in close coordination with MARRI);
- presenting the research findings and good practices;
- facilitating exchange and discussions at the regional event.

**Expected deliverables:**

- Agenda and Invitation Letter;
- Detailed moderation scenario.

#### 4.3. Developing Policy recommendations for combating THB (up to 1 expert day)

*The research results, good practices and conclusions are supposed to support MARRI Participants administrations in programming needs-based projects and anti-trafficking responses (policies and procedures to combat THB). Accordingly, in the aftermath of the event, key policy recommendations shall be compiled, as part of the mission report, that will then be disseminated to all relevant stakeholders, by MARRI RC.*

#### Expected deliverables:

- Mission report, including conclusions from the event and a list of clear policy recommendations.

#### V. Deliverables and Time Frame

When?	What?	Deliverable(s)
24 January 2022	Signing of contract	Consultancy contract signed
26 – 28 January 2022	Orientation meeting with the selected consultants	Common ground for successful implementation of the assignment, exchanged and agreed between MARRI and consultants
04 February 2022	Preparing List of stakeholders to be interviewed;	Approved List of stakeholders
10 February 2022	Developing research concept (including description of detailed methodology and questionnaire)	Approved Research concept (methodology and questionnaire)
11 February – 25 March 2022	Conducting research and analyses	- Summary of the data collected/ questionnaires; - Research report, including analysis of data, summary of findings, overview of identified good practices and draft policy recommendations;
28 – 31 March 2022	Reviewing and approving the Report	Approved Research and Analysis Report
01-14 April 2022	Organizing and facilitating regional event	- Approved Agenda and Invitation Letter - presentation for the findings, including the methodology used; - Conference's Minutes
14-22 April 2022	Final Mission Report, including the conclusions and policy recommendations, as a result of the regional event	Approved Final Report

Note: This is a tentative timeline which may be subject to adjustments in case of changing dynamics.

Interested consultants shall provide and submit detailed **Operational Plan** for each set of activities with respective actions corresponding to the time frame provided in the Table above.

All above listed activities and delivery of the expected outputs are envisaged to take place between 20 January and 22 April 2022.

All deliverables will be a subject of approval by the Contracting authority.

## VI. Important notes regarding the research, analyses and findings

The research should be conducted in a period of 6 weeks and should cover the main forms/types of trafficking. The findings and analysis should be presented in a report, that will also include conclusions policy recommendations. The consultants should respect the conceptual and methodological aspects that are crucial to assure quality.

The regional event will be also thematically divided in several thematic sessions, following the forms of trafficking, where it is expected that the consultants/ present the findings for each form of trafficking in each MARRI Participants.

## VII. Team of experts

### 7.1. Structure of the Team of Consultants

The Consultancy provider should offer at least **3 Experts** – Subject Matter Experts (SME) who will be responsible for development, preparation and carrying out research and analyses as well as presentation and reporting of findings in the designated topic.

### 7.2. Team Leader

The Consultancy provider should appoint one of the proposed experts of the team in a capacity of Team Leader. The Team Leader will perform as focal point between the MARRI and the team of experts. Direct communication of MARRI with the experts will be established, too.

### 7.3. Expert days

Considering the above-mentioned sets of activities (IV. Responsibilities and tasks of the experts), the maximum number of days projected for the entire assignment is **up to 50**.

## VIII. Experts' Profile

The SME experts are expected to be highly experienced, with hands-on knowledge about the security challenges, organized crime and migration flows in the MARRI region, migration management, processes and procedures. In addition, experts should have sufficient knowledge of anti-trafficking systems in each of the MARRI Participants, the current status and needs for capacity development, opportunities, specifics, trends and challenges for each of the forms of trafficking.

### Professional experience

The experts should have at least 7 years of working experience in the MARRI region from which at least 4 years in the area of the assignment.

Each of the experts should demonstrate that s/he have been involved in at least 3 research and analytical projects related to the assignment.

The experts should demonstrate professional experience in activities implemented in South-East Europe, preferable in the MARRI region. Experience in working with public institutions and local authority stakeholders will be consider as asset.

The professional experience in the areas of expertise shall be proved with corresponding references.

### Education

The experts should have a University Degree in an area relevant to the improvement of public administration and social services (e.g. social sciences, political science, public administration, pedagogy, human resource management or another relevant field).

Successfully completed trainings in the area of the assignment will be considered as an asset.

### Language skills

Fluent proficiency in English. Knowledge of at least one of the MARRI local languages (Albanian, Bosnian/Croatian/Montenegrin/Serbian, Macedonian) would be an asset.

### IT skills

MS Office (Word, Excel, PowerPoint).

### Other

Promptness, high flexibility, ability to work under tight deadlines, readiness to travel.

## IX. Proposal

The Consultancy provider (Company, CSO or Consortium) is asked to submit a proposal, by **20 January 2022, 16:00 (CET)**. The proposal has to be submitted in English language by e-mail, at [info@Marri-rc.org.mk](mailto:info@Marri-rc.org.mk) and shall contain the following sections:

## 1. Technical component

### 1.1. Consultancy provider Profile

- 1.1.1. Cover page, showing provider's name, address and contact information;
- 1.1.2. Presentation of the provider and its suitability for assignment;
- 1.1.3. Detailed interpretation of the assignment and its objectives, including critical analysis of potential challenges during implementation;
- 1.1.4. A document for registered activity as evidence that the provider is registered as a legal entity (Company, CSO) for performing the activity related to the subject of the Services or evidence that belongs to appropriate professional association in accordance with the regulations of the country where the company is registered;
- 1.1.5. Documents confirming the financial capability of the company;

Note: please group all your documents from point 1.1.1 and 1.1.5 into one (1) single text-searchable PDF document.

### 1.2. Exposure of applicants' expertise

- 1.2.1. List and CVs of proposed experts;
- 1.2.2. Reference for relevant assignments, presented in the CV;
- 1.2.3. Proposed Operational plan (time line, milestones, meetings etc.) with proposed expert days for each work package/activity and each involved expert(s) (if applicable);

Note: please group all your documents from this part (1.2.) into one (1) single text-searchable PDF document.

## 2. Financial component

2.1. Financial offer shall contain the total amount and proposed experts' daily rate, VAT shown separately.

## X. Evaluation Criteria and Scoring

The selection of the Consultancy provider will be made in accordance with the quality-cost based selection method (70 % technical component and 30% financial component).

## XI. Reference

The reference for this assignment is MARRI Regional Centre, email address: [info@Marri-rc.org.mk](mailto:info@Marri-rc.org.mk)



## **XII. Contract Negotiation**

MARRI reserves the right to negotiate specific terms of the contract with the short-listed proponents prior to the final award of the contract.

MARRI also reserves the right to negotiate specific terms of the contract with the Contractor as the contract progresses.

## **XIII. Acceptance and Rejection of Proposals**

MARRI may not necessarily accept the lowest priced proposal or any proposal. At its sole discretion, MARRI reserves the right to reject any or all proposals received and to accept any proposal which it considers advantageous, whether or not it is the lowest priced proposal.

MARRI is not under any obligation to award a contract and reserves the right to terminate the request for proposal process at any time, and to withdraw from discussions with all or any of the consultancy providers who have responded.

MARRI reserves the right to accept the proposed offer in total or in part, to reject any or all offers, to waive any minor informalities, irregularities, or technicalities, and to accept the offer deemed most favourable.

## **XIV. Ownership**

All materials, documents and information prepared, developed or adjusted by the Consultancy provider and used for the purposes of preparation, realization and facilitation of the research and analyses, as well as reporting, remain the property of MARRI.

The Consultancy provider agree that no part of the materials, documents and information may be reproduced or distributed in any form, or by any means, or stored in a database or retrieval system, for any other purposes and objectives than those related to this ToR, without the prior permission of MARRI.

## **XV. Reporting**

The Research and Analytical Report should be submitted by 25 March 2022. The Assignment Report, together with overall debriefing and feedback from the regional event (including conclusions and way beyond) shall be submitted by 22 April 2022.

## **XVI. Terms and Payment**

The Consultancy provider (and resource person(s), if any), will be hired under Service Contract, signed by MARRI and will be paid in instalments upon submission and approval of the deliverables listed above.

## **XVII. Performance indicators**

The indicators reflecting the expert's performance are: Timely presentation of results and outputs, quality of analytical reports in line of prescribed methodology and format, participants' evaluation results and quality of the reports to be provided to the reference person of this assignment (namely MARRI). The expert's performance will be evaluated by MARRI at the feedback session with the Consultancy provider, following the realization of the research.

## **XVIII. Evaluation of work**

The performance of the tasks will be assessed by the MARRI in coordination with GIZ staff.

## **XIX. Amendments, Modification or Variation**

Some changes are possible during implementation of the assignment as a result of COVID 19 and measures undertaken by MARRI Participants administrations. The selected company/ experts will be in regular contact with MARRI and will change activities, if necessary, based on the assessment of the situation.

Some tasks might be a subject of discussion and review, which can lead to slight adaptations, based on the experiences, lessons learnt and the actual needs, as a result of the progress and its achievements. The work schedule might also be adapted according to the progress, so a flexible approach is expected from the contractor.

The Terms of Reference may be amended, varied or modified in writing after mutual discussions, consultations and agreement between MARRI and the Contractor.