

SUPPORTED BY



PARTNERS



Terms of Reference (ToR)

On

“Assessing Access to Justice of Children Victim of Commercial Sexual Exploitations in Bangladesh”

1. Overview of CCSEC Project

Terre des Hommes-Netherlands Netherlands (TdH NL), in collaboration with 3 implementing partners – SEEP runs 2 Drop in Centres (DiC) in Dhaka, SSS maintains 1 shelter home in Tangail and BTS provides psychosocial counselling supports to the victims and at risk children - are piloting the Combating Commercial Sexual Exploitation of Children (CCSEC) project. Embarked on 1 January 2016, CCSEC is a 42 months project supported by the Delegation of the European Union in Dhaka. The project aims to contribute to the elimination of commercial sexual exploitation of children (CSEC) in Bangladesh. The specific objective of the project is to protect and promote the rights of survivors & at risk children¹ of CSEC through facilitating implementation of ILO Convention 182 (ILO-C182) and UNCRC Optional Protocol 2 (UNCRC-OP-2) in Bangladesh. The objective is intertwined with 2 results: **Result #1:** 1000 survivors and at risk children of CSEC have been protected from commercial sexual exploitation or similar practices and to guarantee their rights by applying holistic and integral care; and **Result #2:** Survivors & at risk children of CSEC influence policy & implementation of ILO-C182 and UNCRC-OP-2 in Bangladesh through engaging civil society & media. TdH-NL is seeking to hire individual consultant to carry a research to assess access to justice of children victim of commercial sexual exploitation under the project “*Combating Commercial Sexual Exploitation of Children (CCSEC) in Bangladesh.*”

¹ CSEC defines sexual exploitation by an adult of a child that involves transaction, and thus abusing the vulnerability and trust of a child for sexual purposes. It pertains trafficking, prostitution and pornography

2. Brief on the Research

2.1 Objective:

The main objective of the study is to find out gaps and challenges faced by the child victim of CSEC in accessing justice through existing policy and law of Bangladesh. Specific objectives are:

1. To assess prevalence of sexual exploitation court cases limited to district courts;
2. To identify the determinants that hinder children access to justice;
3. To identify barriers to justice as well as policy and service provision gaps;
4. To draw policy recommendations improving access to justice.

2.2 Scope of Works:

- Review existing laws and policies and compare with global standard dealing with CSEC issues.
- The project has already collected qualitative data aligned with the aforesaid objectives that include 13 KII involving the Judges, Public Prosecutors, lawyers, related government official and CSOs. Besides, 2 FGDs with survivors and at risk children in 2 working areas and 13 cases under relevant laws across the country. The consultant will verify those and generate more data if needed.
- In addition to already generated data, collect information related with child trafficking, pornography and prostitution issues from police stations, respective courts, department of social welfare and NGOs.
- Identify gaps between supply side and demand side regarding case file to court procedure.
- Analyse role of duty bearer including police station, courts, victim support centre, OCC and government run shelter homes.
- Case analysis with representative sample (FIR, investigation, court procedures) related with child trafficking, pornography, and child prostitution.
- Finalize the analysis plan and reporting outline in consultation with project personnel.
- Finalize the report after incorporating feedback received from the project personnel.

2.3 Deliverables and Milestones:

The consultant has to prepare the timetable for completing the assignment. In total of 30 working days is currently estimated for this assignment.

Deliverables:

- Inception report detailing out research methodology, work plan and outline of complete report to be agreed kick off meeting;
- Complete list of cases studied;
- Final transcripts of qualitative data with recording;
- Analysis matrix in excel file with qualitative findings;
- Draft report and feedback from CCSEC team;
- Share and present findings through national level dissemination workshop;
- Final report incorporating feedback (both soft copy in DVD and hard copy).

2.4 Duration of assignment: 30 working days effective from the date of contract signing.

2.5 Parameters for selection of Consultant:

The lead consultant will prepare the evaluation team comprising at least 3 members:

- Law background, a minimum of ten year experiences and expertise in dealing child rights, sexual abuse and exploitation.
- Knowledge on country situation on child sexual abuse and exploitation in Bangladesh and the globe.
- Experience in providing consulting services and excellent track record of completion of task in time.
- Good liaison with district BAR Associations and Courts.
- Having experience of writing professional report.

2.6 Evaluation Criteria:

Criteria	Weightage (%)
Understanding of ToR	10
Methodology	30
Work Breakdown Structure (Gantt Chart)	10
Previous experience on other tracking similar assignments	25
Budget	25

2.7 Preparation of proposal

The proposal will be divided into two parts and should be submitted in two separate folders i.e. technical and financial. The technical part of the proposal should not exceed 10 pages and will contain the following:

- Detailed methodology of the study;
- Detailed time frame (including dates for submission of first draft, sharing findings and final report);
- Account of experience of conducting survey and employing quantitative and qualitative methods;
- CVs of the team leader and members of the study team which reflect relevant experience to conduct the study;
- Copy of valid TIN certificate and bank account detail.

The financial proposal should clearly identify, item wise summary of cost for the assignment with detail breakdown. The budget should not contain income tax as a separate head; it can be blended with the other cost as it will be deducted from the source. However, VAT can be mentioned in the budget as per government regulation. The organisation will deduct VAT and Tax at source according to the GoB rules and deposit the said amount to government treasury. The consultant/consulting firm is expected to provide justified budget, which is consistent with technical proposal.

2.7 Payment:

The consultant will propose a reasonable budget including all costs. 30%, 40% and remaining 30% of the budgeted amount will be disbursed upon signing agreement, submission of draft report and acceptance of final report respectively. Payment will be done through accounts payee cheque with submission of the invoice and reports.

2.8 Contact to:

Programme Specialist (Research and Knowledge Management), TdH Netherlands.

E-mail: k.mandal@tdh.nl

2.9 Submission of proposal

The technical and financial proposals should be submitted electronically to the email address: k.mandal@tdh.nl with “Access to Justice of Children Victim of CSEC in Bangladesh” as subject. Two different folders i.e. technical and financial are requested to be submitted into

one zip folder with a cover letter. The proposals (both financial and technical) including CV are requested to submit in pdf format.

2.10 Child Safety Measures:

The individual shall comply the Child Protection Policy of TdH-Netherlands. Any violation /deviation in complying with TdH-NL's said policy will result in termination of the agreement.

2.11 Ethical Considerations:

There will be nothing in the study which may be harmful for the respondents in terms of legal or ethical ground. No one would be forced to provide information for the study. The research objectives will be clearly explained to all the respondents of the study before collecting data from them. The consultant/ firm will be abstained from data collection from any person who will deny or show any reluctance in providing information. Written consent with signature or thumb impression of the respondents, therefore, would be taken before collecting data. The researchers will be highly committed to the respondents to keep the privacy of their information and source of data as well as will put heartiest endeavour to be unbiased in collecting data. The research report will not reveal the identity of the respondents.

2.12 Termination and withdrawal

During the period of contract either party may terminate the contract by giving written notice. However, TdH Netherlands reserves the rights to unilaterally terminate the contract, if the consultant fails to submit the report timely, no payment will be made thereof.