

### TERMS OF REFERENCE FOR INDIVIDUAL CONSULTANTS

<b>Title of consultancy:</b> Individual National Consultant to provide professional technical and implementation support to child protection programme and measures to strengthen child justice	<b>Funding Code</b> WBS 4360/A0/06/883/002/004 Grant: SC 229905	<b>Type of engagement</b> <input checked="" type="checkbox"/> Consultant	<b>Duty Station:</b> Ashgabat, Turkmenistan
<b>Consultant sourcing:</b> <input checked="" type="checkbox"/> National <input type="checkbox"/> International <input type="checkbox"/> Both  <b>Consultant selection method:</b> <input type="checkbox"/> Competitive Selection (Roster) <input checked="" type="checkbox"/> Competitive Selection (Advertisement/Desk Review/Interview)		<b>Request for:</b> <input checked="" type="checkbox"/> New SSA – Individual Contract  <input type="checkbox"/> Extension/ Amendment	
<b>If Extension, Justification for extension: N/a</b>			
<b>Supervisor:</b> Child Protection Officer	<b>Start Date:</b> March 1, 2025	<b>End Date:</b> January 31, 2026	<b>Number of days: 200</b>
<b>Background:</b> <p>Turkmenistan ratified the UN Convention on the Rights of the Child (CRC) in 1994, committing itself to protecting children's rights under international human rights law. The government has approved the National Action Plan on Children's Rights for 2023–2028, which contains the main priorities of state policy aimed at further improving the situation of children, upholding their rights and ensuring their well-being.</p> <p>Over the past decade, Turkmenistan has made significant changes to its legislative framework regarding child protection, prevention and response to violence, and children's interaction with the justice system and is poised for further system improvements.</p> <p>At the same time, the implementation of the legislation requires effective governance structures for coordination across government sectors and agencies, across different levels of government, and between the government and other partners, including CSOs. The Functional Assessment of the Child Protection System in Turkmenistan, conducted in 2021 by UNICEF jointly with the Ministry of Labor and Social Protection of the Population of Turkmenistan, found that the current structural and institutional architecture for child protection is fragmented. Components of the child protection system exist across several ministries; however, they require stronger mechanisms for encouraging the different parts to operate smoothly in a unified system with mandatory instruments for coordination and collaboration.</p> <p>At the operational level child protection statutory bodies coordinate across sectors and collaborate according to their distinct function – the Medical Pedagogical Commission (MPC), the Guardianship and Trusteeship Body (G&amp;T), and the Commission on Minors Affairs (CoMs). However, the statutes of referral bodies such as the CoMs and Regulations of the G&amp;T are outdated, as they have not been changed for more than 50 years, including the part concerning the placement of children in residential care institutions.</p> <p>The Government emphasizes the importance of family-based care for children who cannot live with their parents for various reasons. At the same time, despite legislative obligations to provide family-based care for children, there is a steady increase in the number of children living in residential institutions, by about 4-5% annually. In this regard, and also referring to the CRC Concluding Observations to Turkmenistan (2015 and 2024), UNICEF supports the Government in advancing a family care policy for children and advocates for the need to strengthen the child protection system in the country and revise the outdated legal framework of gatekeeping and referral bodies in line with international standards.</p>			

The Government continues to develop the social services system. In 2021, the country introduced the profession of social work and social services for the most marginalized groups of the population. At the same time, social work is not widespread throughout the country, and the functions of providing social services, as well as their relationship with statutory child protection bodies, especially guardianship and trusteeship authorities and the commission on minors, are not fully defined. In this regard, UNICEF continues high-level strategic advocacy for a nationwide expansion of social services for every community.

Although data on children in the justice system is not published, the government reports that the number of children who commit serious crimes and go through the juvenile justice system in the country is low. The Government continue advancing the justice for children agenda by strengthening child-friendly procedures for the protection of child victims and witnesses and initiating diversion modelling.

The legal system provides some elements of a justice system for children in line with international standards, including a commendably high minimum age of criminal responsibility (14 or 16 years depending on the type of crime), broadly defined fair trial rights, restrictive criteria for the use of pre-trial detention, and the availability of alternatives to trial and imprisonment.

UNICEF supports the Ministry of Internal Affairs, the Prosecutor General's Office and the Ministry of Labor and Social Protection of the Population to undertake the necessary steps for improving the practice of diversion with a restorative justice model. Together the Guidelines on Application of Diversion with Restorative Justice Approach in Turkmenistan was developed in pursuance of the National Action Plan for the implementation of children's rights of Turkmenistan for 2023-2028, to further strengthen diversion measures for minors from the formal justice system and restorative justice approaches in accordance with the Concluding Observations of the UN Committee on the Rights of the Child to Turkmenistan (2015) and in order to implement Turkmenistan's obligations under the UN Convention on rights of the child. Child-friendly interrogation rooms have been established in two police departments and a methodology for interviewing child victims and witnesses of crimes has been developed.

Despite these efforts, some gaps remain, as detailed in the CRC Concluding Observations, including the lack of specialized children's courts and judges; lack of inclusion of diversion or disposition mechanisms in national legislation; limited availability of community-based social services for adolescents at risk of contact with the criminal justice system; limited number and availability of rehabilitation and reintegration programmes for these children.

To advance child protection issues, including the latest CRC recommendations to Turkmenistan (October 2024), the Country Office seeks a technical specialist (consultant) with national experience to support implementation of critical workstreams of the child protection programme.

**Scope of Work/ Work Assignments:**

**Purpose of Assignment:**

Under the overall guidance of the Child Protection Officer, consultant provides technical and operational support in the development and implementation of child protection programmes, including collection, analysis and synthesis of information, working with UNICEF colleagues and partners in implementing the programme.

**Scope of Work:**

The National Consultant is expected to perform the below specific tasks in collaboration with the UNICEF team and international experts:

1. Provide technical guidance and support to the national partners in strengthening child protection in the country:
  - Support in developing the Child Protection system architecture, inter-agency coordination mechanism, and referral and service delivery mechanism at all levels in line with the UNCRC Recommendations – **20 working days;**

- Support in strengthening the gatekeeping mechanism of the statutory referral bodies (Commission on Minors, Guardianship and Trusteeship bodies, Medical-pedagogical Commission) in collaboration with UNICEF international consultants– **15 working days**;
  - Support in strengthening family-based alternative care for children. Support UNICEF international experts in reviewing current adoption and guardianship practices and examining the reasons for placing children in all types of residential institutions– **15 working days**;
  - Support in further strengthening special measures to protect children in contact with the law, including participation in advocacy for the introduction of special courses for police investigators and prosecutors on a child-friendly approach into the curriculum and in-service training– **10 working days**;
  - Support in piloting diversion measures in the Kopetdag district of Ashgabat, including monitoring visits and support for the UNICEF international expert in developing recommendations based on the results of the pilot– **15 working days**;
2. Provide technical guidance and implementation support to the UNICEF TCO Child Protection section:
- Support in collecting, analyzing, verifying and synthesizing information to support programming, designing and preparing child protection programmes– **15 working days**.
  - Technical and implementation support throughout all stages of the programming processes by executing and administering a variety of technical programme transactions, preparing materials and documentation, and complying with organizational processes and management systems, to support programme planning– **20 working days**.
  - Support in organizing and conducting meetings, workshops, trainings and round tables to implement planned programmes. Prepare the necessary documentation for this purpose– **20 working days**.
  - Assistance in organizing study tours on international best practices in the field of child protection– **10 working days**;
  - Undertake field visits and organise events in the regions, including with the involvement of local communities– **5 working days**.
  - Participation in raising awareness among bodies implementing policies to provide state support to children in difficult life situations. Participation in the development of information printed materials for consultations– **15 working days**.
  - Work closely and collaboratively with UNICEF colleagues and UN sister agencies on the implementation of child protection programmes. Submit proposals to inform relevant stakeholders on interventions and/or solutions– **15 working days**.
  - Participate in review, monitoring and evaluation activities of ongoing programmes with national partners and prepare minutes/results reports for follow-up by UNICEF management and other stakeholders. Follow up on unresolved issues in programme implementation and propose solutions– **15 working days**.
  - Prepare inputs for programme reporting– **10 working days**.

**Work Assignment Overview**

The consultancy will cover 200 working days between 01 March 2025 and 31 January 2026. The Child Protection Officer of the UNICEF Turkmenistan Country Office will provide day-to-day supervision. The consultant is expected to work in Ashgabat and travel to velayats upon request.

Tasks/Milestone:	Deliverables/Outputs:	Duration/Timeline:
1. Provide technical guidance and support to the national partners in strengthening child protection in the country	Report on delivery of technical guidance and support to the national partners in strengthening child protection	75 working days

<p>2. Provide technical guidance and programme implementation support to the UNICEF TCO Child Protection section.</p>	<p>Report on delivery of technical and programme implementation support to the UNICEF TCO Child Protection section</p> <p>Final report with recommendation</p>	<p>125 working days</p>
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### Reporting requirements

All reports will be submitted in e-copies during the assignment in English. UNICEF will regularly communicate with the selected consultant and provide formats for reports, feedback, and guidance on performance and all other necessary support to achieve the objectives of the exercise, as well as remain aware of any upcoming issues related to the expert performance and quality of work.

### Performance Indicators.

Evaluation of performance will be based on the following indicators:

- Quality of work (timely submission of the relevant documents to UNICEF);
- Quantity of work (completing the assignments as indicated in Tasks);
- In addition, such indicators as work relations, responsibility, and communication will be taken into account during the evaluation of the consultant's work;

### Work conditions and Payment Schedule linked to deliverables

The payment will be made in installments, according to the following schedule.

- The first instalment: end of April 2025, upon satisfactory provision of tasks # 1 and 2. The instalment will include 40 consultancy days.
- The second instalment: end of June 2025, upon satisfactory provision of tasks # 1 and 2. The instalment will include 40 consultancy days.
- The third instalment: end of August 2025, upon satisfactory provision of tasks # 1 and 2. The instalment will include 40 consultancy days.
- The fourth instalment: end of October 2025, upon satisfactory provision of tasks # 1 and 2. The instalment will include 40 consultancy days.
- The fifth instalment: end of December 2025, upon satisfactory provision of tasks # 1 and 2. The instalment will include 40 consultancy days.

UNICEF reserves the right to withhold all or a portion of payment if performance is unsatisfactory, work/outputs are incomplete, or if not delivered for failure to meet deadlines. Fees will be rendered upon written approval by the UNICEF Supervisor and contingent upon the quality of deliverables.

### Administrative Issues

Travel arrangement: The consultant will make his/her arrangements for the travel. Travel costs for velayat trips in this consultancy should be included as a lump sum in the financial proposal. Travel costs will be calculated based on economy class travel, regardless of the length of travel; costs for accommodation, meals, and incidentals shall not exceed applicable daily subsistence allowance (DSA) rates, as promulgated by the International Civil Service Commission (ICSC).

Support provided by UNICEF: Resources and facilities for online consultation with partners to be provided by UNICEF, including introduction and informational facilitation of online meetings with key counterparts in the office space and access to office resources, translation, and other costs, if applicable, etc.

UNICEF's general terms and conditions will apply to the contract awarded to the vendor. Please note that, in the evaluation of the technical merits of each proposal, UNICEF will take into consideration any proposed amendments to the UNICEF General Terms and Conditions. Proposed amendments to the UNICEF general terms and conditions may negatively affect the evaluation of the technical merits of the proposal.

UNICEF directive on Ethical Standards will be shared with the contractor and should be strictly followed.

UNICEF retains the right to patent and intellectual rights, as well as copyright and other similar intellectual property rights for any discoveries, inventions, products, or works arising specifically from the implementation of the project in cooperation with UNICEF. The right to reproduce or use materials shall be transferred with the written approval of UNICEF based on the consideration of each separate case. Consultants should always refer to UNICEF Turkmenistan's support in developing the materials when publishing the results of the research conducted in Turkmenistan in academic journals, books, and websites.

In the event of unsatisfactory performance, UNICEF reserves the right to terminate the Agreement. In case of partially satisfactory performance, such as serious delays causing a negative impact on meeting the programme objectives, low quality or insufficient depth and/or scope of the assignment completion, UNICEF is entitled to decrease the payment by the range from 30% to 50% of the contract value as decided jointly by the Contract Supervisor and Operations Manager.

Submission of applications. The submissions should contain two proposals: Technical Proposal and Financial Proposal. Interested individuals are kindly requested to apply and upload the required documents accordingly..

**Assessment Criteria**

<p><b>Minimum Qualifications required:</b></p> <p><input type="checkbox"/> High school diploma</p> <p><input checked="" type="checkbox"/> Bachelors</p> <p><input type="checkbox"/> Masters</p> <p><input type="checkbox"/> PhD</p> <p><input type="checkbox"/> Other</p>	<p><b>Knowledge/Expertise/Skills required:</b></p> <ul style="list-style-type: none"> <li>• University Degree in international development, human rights, psychology, sociology, social sciences, law, economics, or other related fields. Advanced University degree in Social Sciences will be an asset (20 pts).</li> <li>• At least two years of professional experience in the area of social development, law, planning and management in child protection-related areas (15pts);</li> <li>• Fluency in Russian and Turkmen is required; working knowledge in English language is asset (15 pts).</li> </ul>
<p><b>Technical Proposal:</b></p>	<ul style="list-style-type: none"> <li>- A cover letter (20 pts), including             <ul style="list-style-type: none"> <li>o Assessment of suitability vis-à-vis the requirements of this ToR;</li> <li>o A summary of experience in similar assignments;</li> <li>o Links to/attachments of examples of similar work;</li> </ul> </li> <li>- CV of the candidate (including qualifications and experience)</li> <li>- Contacts of three references</li> </ul>

**Evaluation Criteria:**

Each proposal will be assessed first on its technical merits and subsequently on its price. In making the final decision, UNICEF considers both technical and financial aspects to ensure best value for money. The Evaluation Team first reviews the technical aspects of the offer, followed by a review of the financial offers of the technically compliant candidates. After adding the scores for the technical and financial proposals together,

the proposal obtaining the highest overall score that offers the best value for money will be recommended for the contract award.

A cumulative analysis will be used to evaluate and award proposals. The evaluation criteria associated with this TOR is split between technical and financial as follows:

- 70 % Technical, including knowledge, expertise and skills;
- 30 % Financial.

1. Technical proposals: the total amount of points allocated for the technical component is 70. Technical proposals failing to reach a score of 50 in total will not be considered for the Financial Evaluation.

2. Financial proposal shall indicate the total budget estimated in USD and a detailed breakdown of budget items. Payments will be based on outputs, i.e. upon delivery of the services specified in the TOR.

Items	Quantity	Unit cost	Total in USD
Consultancy Fee	200 working days		
Travel costs: to 2 velayats, 1 time during the contract period.	5 working days		

The ratio between the technical and the financial criteria established in the RFPS depends on the relative importance of one component to the other 70/30 (technical/financial). The sum of technical and financial must always equal 100 points.

**Remarks:** Individuals engaged under a consultancy or individual contract will not be considered “staff members” under the Staff Regulations and Rules of the United Nations and UNICEF’s policies and procedures and will not be entitled to benefits provided therein (such as leave entitlements and medical insurance coverage). Their conditions of service will be governed by their contract and the General Conditions of Contracts for the Services of Consultants and Individual Contractors. Consultants and individual contractors are responsible for determining their tax liabilities and for the payment of any taxes and/or duties, in accordance with local or other applicable laws.