



Roma Integration

Open call for consulting services

Reference number: 057-020

Terms of Reference:	Development of Roadmaps for ending statelessness of Roma in the Western Balkans - Bosnia and Herzegovina, Kosovo* and Serbia
Contracting Authority:	Regional Cooperation Council Secretariat
RCC Department:	Roma Integration Action Team
Reporting to:	Roma Integration Action Team Leader
Timeframe:	12 August – 30 September 2020 (10 days per consultancy/economy)
Reference Number:	057-020
Eligible:	Respective consulting companies and other legal entities /individual consultants or individual consultants within bidding consortia, civil society organizations
Number of consultants:	3 consultancies, one per each economy
Application Deadline:	05 August 2020

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244/1999 and the ICJ Opinion on the Kosovo declaration of independence

I. BACKGROUND

Purpose

The purpose of the consultancy is to develop Roadmaps based on a mapping of existing legal and policy frameworks to provide legal, policy and practice directions towards ending (risk of) statelessness of Roma in the Western Balkans.

The assignment should assess the existing economy-specific civil registration and nationality, legal and policy frameworks and propose changes to relevant law and policy on civil registration and nationality.

The European perspective for the Western Balkans remains a key target to achieve while fulfilling certain benchmarks towards Roma integration, in line with relevant regional and international norms and standards. The Prime Ministers of the region endorsed the Declaration of Western Balkans Partners on Roma Integration within the EU Enlargement Process (Poznan Declaration) committing to implement and follow up targets that lead to Roma integration as efforts towards the European Union enlargement process and regional cooperation.

While significant progress has been made in many areas relevant to Roma integration, when it comes to access to universal civil registration and nationality rights, many Roma are still at risk of statelessness. To be stateless is not to be recognised as a national by any State under the operation of its law. This definition is considered customary international law and is enshrined in the 1954 Convention Relating to the Status of Stateless Persons, the provisions of which all governments in the Western Balkans are bound by as Parties to the Convention. Statelessness is both a cause and a consequence of exclusion and discrimination, and the impact of being stateless - or at risk of statelessness due to a lack of civil documentation or proof of nationality - is to be deprived of many other fundamental rights, including access to education, employment, healthcare, legal identity, and family life (e.g. marriage or civil partnership).

The assignment should be a base for: discussing modification of legislation, finding administrative solutions, and possible models to facilitate access to civil registration documents and recognition - or facilitated acquisition – of nationality.

In order to address the issue in a most effective way and to have an Economy-specific and regional outcome that will help all key actors to follow the process, the consultant/s will develop an economy-specific roadmap to provide guidelines to finding solutions to the obstacles and challenges.

The defining roadmap should focus on economy-specific and if relevant regional actions to achieve the targets that will give directions towards implementation of the concrete, country-specific pledges submitted at the High-Level Segment on Statelessness in Geneva in October 2019.

The roadmap will be proposed for endorsement by the Western Balkans Leaders' at the Summit in Sofia in November 2020 to comply with the target on ensuring universal civil registration of Roma, and the Global Campaign to End Statelessness by 2024.

The consultancy covers Bosnia and Herzegovina, Kosovo* and Serbia.

Background Information

The Roma Integration action is implemented by the Regional Cooperation Council's (RCC) Roma Integration Action Team. It is funded by the European Union and the Open Society Foundations. The action is in line with the EU Framework for National Roma Integration Strategies and the EU accession process.

The overall objective of the Roma Integration action is to contribute to reducing the socio-economic gap between the Roma¹ and non-Roma population in the Western Balkans and

¹ The term "Roma" within the action is used in line with the EU terminology, as an umbrella term which includes groups of people who

Turkey in the areas of employment and housing, as well as education, health and civil registration. Specifically, the action supports the governments in the region to increase the implementation rate and budgetary allocations for Roma integration policies, through:

- direct support and technical assistance to the governments to advance existing institutional and policy mechanisms and policy framework for Roma integration, including promotion of proper budgeting, monitoring and reporting;
- annual assistance to reporting and review of reports in line with the EU reporting;
- direct support and technical assistance to the governments for mainstreaming Roma integration into relevant sectoral policies and reforms, and implementation of effective measures, particularly in employment and housing;
- National Platforms on Roma integration issues;
- regional fact-finding analyses and informed regional discussions through conferences for exchange of knowledge and regional standard setting;
- participation and input at EU level processes related to Roma issues;
- mainstreaming Roma issues within the core work of RCC;
- media dissemination activities challenging negative narratives on Roma integration, as well as action's visibility activities;
- regular high level/task force discussions on Roma issues at regional level.

The consultant's assignment shall be guided by the Roma Integration Action Team with the support of an advisory/reference group consisting of relevant thematic experts.

II. DESCRIPTION OF RESPONSIBILITIES

Objectives and scope of the assignment

The objective of the consultancy is to develop Roadmaps on access to universal civil registration and ending (risk of) statelessness of Roma that will give specific directions to discuss the challenges facing the systems and to strategize legal, policy and practice modalities for improvement.

The task entails developing a comprehensive roadmap with clear timelines on setting legal and policy approaches and possible future models to overcome the obstacles to universal access to civil documentation and registration, and recognition or facilitated acquisition of nationality. The following issues should be tackled: Number of excluded Roma and context information;

- Estimate of the number of Roma at risk of statelessness and information on context (causes/consequences/other relevant factors),
- existing legislation and policy to solve and prevent statelessness including through facilitation of civil registration procedures with critical assessment of key barriers for Roma to benefit from existing procedures
- legal and policy solutions to solve the obstacles towards universal access to civil registration and nationality rights of all Roma (factually) resident on the territory, including:
 - children and adults born on the territory whose births are unregistered and/or who lack key identity documents and proof of nationality
 - children and adults born on the territory whose births are registered but who lack other key documents and/or whose nationality status is undetermined
 - children and adults who were born outside the territory but now reside on the territory (with or without birth certificates, residence permits

and/or other key identity documents) and whose nationality status is undetermined

- returnees from the EU (with or without birth certificates, key identity documents) whose nationality status is undetermined or who lack proof of nationality

The assessment should consult existing European and economy-specific documents, strategies, policies, action plans, and standards, as well as relevant international and regional instruments², and authorities and experts on civil registration and nationality rights of Roma.

The consultancy should identify legal and policy frameworks that propose models to modify economy-specific legislation and policy, find administrative solutions, and facilitate access to civil registration documents and recognition - or facilitated acquisition – of nationality.

The consultancy should also examine economy-specific frameworks that are applicable for a regional approach and categorise the type of legal, policy or practice problem.

The consultants are required to work closely with the National Roma Contact Point and the RCC Roma Integration Action Team and the advisory/reference group consisting of relevant thematic experts .

Tasks

- Participate in a project planning/start-up meeting with other experts/consultants participating in the work to agree methodology and core principles
- Assess the existing challenges and obstacles of the economy-specific civil registration and nationality legal frameworks and study the governance infrastructure on civil registration and nationality to gather enough information to develop Economy-specific Roadmaps on universal civil registration of Roma and access to nationality;
- Assess the specific legislative / administrative / procedural obstacles that Roma face in accessing civil registration and nationality (such as language, fees, complexity of procedures, legal aid, etc.).
- Propose changes to the relevant legislation and policy applicable to all Roma factually resident on the territory, including:
 - children and adults born on the territory whose births are unregistered and/or who lack key identity documents and proof of nationality
 - children and adults born on the territory whose births are registered but who lack other key documents and/or whose nationality status is undetermined
 - children and adults who were born outside the territory but now reside on the territory (with or without birth certificates, residence permits and/or other key identity documents) and whose nationality status is undetermined
 - returnees from the EU (with or without birth certificates, key identity documents) whose nationality status is undetermined or who lack proof of nationality
- Assess institutional willingness to realise the implementation of the Roadmap.
- Organise at least one validation meeting per economy, to present draft solutions and assess their feasibility.
- Share proposals for comment with expert advisory/reference group.
- Final proposals should take into account received feedback.

² Relevant international and regional instruments include: Convention on the Reduction of Statelessness, Convention Relating to the Status of Stateless Persons, Convention on the Rights of the Child, Convention on the Elimination of all forms of Racial Discrimination, Convention on the Elimination of all forms of Discrimination against Women, European Convention on Nationality, and the Sustainable Development Goals.

Deliverables

- Developed comprehensive Economy-specific Roadmap on universal civil registration and access to nationality of Roma consisting of :
 - Identified obstacles;
 - Proposed timeline with set changes to the relevant legislation and policy;
 - Information on the administrative procedures towards modifying Economy-specific legislation, administrative solutions, and possible new models;
 - Information on actors and institutions to realise the implementation of the Roadmap, including assessment of their political will/competing interests.
- Consultant's assignment report.

Lines of Communication and Reporting

The consultants will submit all reports and timesheets in English language to the Roma Integration Action Team for review and approval of deliverables. The consultants will work closely with the Action Team, which shall provide guidance to efficiently conduct the work and approve deliverables including with the support of the expert advisory/reference group.

The Action Team shall also ensure the required communication of the consultants with National Roma Contact Points and other designated officials.

Timeframe

The Roma Integration Action Team will engage one consultant per economy in the period from **12 August to 30 September 2020**, the latter being the final deadline for submitting the listed deliverables. A draft Roadmap should be submitted by 15 September 2020, while the final Roadmap should be delivered by 30 September 2020.

PROFILE AND COMPETENCIES

Qualifications

Education:	Advanced degree in law, public administration, social sciences, human rights, or other areas directly related to the subject of work.
Experience:	Minimum of 7 years of relevant experience; Proven record of theoretical knowledge, practical experience and expertise in reporting and monitoring on legislative frameworks or public policy, (both quantitative and qualitative), on Roma integration, civil registration, nationality rights, minority rights or/and another relevant policy area; Previous experience in working in the respective economy and in-depth knowledge of the economy is essential; Proven analytical skills and ability to conceptualise and provide advice concisely and clearly; Proven ability to provide hands-on situation analysis; Experience in working on policies for marginalised groups; Experience in working on statelessness and nationality rights; Proven communication, monitoring and reporting skills and ability to work in an environment requiring liaison and collaboration with multiple actors including government representatives, international organisations, civil society institutions and other stakeholders; Proven writing abilities, argumentation and negotiation skills; Proven writing skills, precise and concise expression in written; Belonging to a disadvantaged group, primarily Roma, shall be considered an advantage.
Language requirements:	Fluency in English, as the official language of the RCC. Fluency in the language of the given participating economy. Knowledge of Romani will be considered an advantage.
Other:	Familiar with MS Office applications.

Core Values

- Demonstrates integrity and fairness by modelling RCC values and ethical standards;
- Displays cultural, gender, religion, race, nationality and age sensitivity and adaptability.

Core Competencies

- Demonstrates professional competence to meet responsibilities and post requirements and is conscientious and efficient in meeting commitments, observing deadlines and achieving results;
- Result-oriented; plans and produces quality results to meet the set goals, generates innovative and practical solutions to challenging situations;
- Communication: Excellent communication skills, including the ability to convey complex concepts and recommendations clearly;
- Team work: Ability to interact, establish and maintain effective working relations in a culturally diverse team;
- Ability to establish and maintain productive partnerships with regional and national partners and stakeholders, understand different concepts and approaches, assess risks and challenges and extract and articulate various ideas, ability for negotiations and reconciliation – consensus building ability;
- Ability and integrity to perform the tasks impartially and objectively, without any conflict of interests (subject to written declaration during the contracting procedure).

III. QUALITY CONTROL

The consultants should ensure an internal quality control during the implementing and reporting phase of the assignment. The quality control should ensure that the deliverables comply with the agreed requirements and meet adequate quality standards. Deliverables are a result of the joint work of relevant stakeholders on Roma integration, for which the consultant provides technical support. Thus, the content of the deliverables should reflect the views of the stakeholders and is owned by them. The support of the Roma Integration action must be recognised in the deliverables, and the support of the consultants may also be recognised.

IV. APPLICATION RULES

The application needs to contain the following:

- Technical Offer;
- Financial Offer.

Technical offer:

For individual consultants:

- Letter of Interest, with reference to a Roma Integration participating economy for which candidate is applying for;
- CV outlining relevant knowledge and experience as described under Profile and Competencies;
- Work plan outlining the proposed action, sources of information to be used, timeline and tools to be employed by the consultant;
- Reference list including contact details (e-mail addresses) of referees;
- Submission Form (Annex I);

For legal entities and consortia of individual consultants:

- Legal entities' profile, including a brief description (up to 2 pages) of the entity. In case of a bidding consortium, the team leader should submit the profile of the consortium;
- Copy of Legal Entity's Registration Certificate (in case of consulting companies/legal entities). In case of a bidding consortium, a corresponding written authorisation, power of attorney is treated accordingly;
- Financial records - balance sheet and profit-and-loss statement for the past 2 years (only in case of bidding of consulting companies);
- CV of an expert, with reference to a Roma Integration participating economy the candidate is applying for, outlining relevant knowledge and experience as described in the Terms of References, along with contact details (e-mail addresses) of referees;
- Work plan outlining the proposed action, sources of information to be used, timeline and tools to be employed by the consultant;
- List of references for relevant activities implemented over the past 7 years demonstrating relevant experience in the subject matter;
- Submission Form (Annex I);
- Signed Statements of Availability (Annex III).

Applicants can apply for one, several or all of the economies, but must demonstrate expertise across the geographies.

Financial Offer, Annex II Budget

When preparing the financial offer, the applicant should take into account the following:

- All figures should be expressed in EUR;
- The proposed budget should include daily fee rate for consulting services broken down by tasks; the fee rates should be broadly consistent with the framework rates applicable in the region for these types of professional services.

Applications need to be submitted by **5 August 2020** to the following address ProcurementforRcc@rcc.int

Please make sure that the application is submitted in two separate folders one containing Technical Offer and the other Financial Offer. The documents should be submitted in a form of copies of the originals.

V. EVALUATION AND SELECTION

The application is evaluated on the basis of the profile and competencies of the candidate and the responsiveness to the Terms of Reference (ToR).

1. Profile and Competencies
2. Financial evaluation based on Annex II

The applications are evaluated following these criteria:

EVALUATION GRID	Maximum Score
A. Technical Offer (A.1+A.2+A.3)	100
A.1. Work experience, references list: Relevant work experience; evidence of other contracts of the size comparable with that of the tender; experience with clients comparable to the Contracting Authority.	35
A.2. Quality and professional capacity of the consultant: CV satisfies the criteria set forth in the Terms of Reference, education and experience demonstrate professional capacity and experience required.	35
A.3 Quality of the work plan: Concept note describing the main issues, information, data sources, research and analytical tools to be employed by the author, as well as the timeline.	30
B. Financial Proposal/ lowest price has maximum score	100

Score for offer X =

A: [Total quality score (out of 100) of offer X / 100] * 80

B: [Lowest price / price of offer X] * 20

In addition to the results of the technical and financial evaluation, competency-based interview will be held with the selected bidder.

Information on selection of the most favourable bidder

The RCC Secretariat shall inform candidates and bidders of decisions reached concerning the award of the contract as soon as possible, including the grounds for any decision not to award a contract for which there has been competitive tendering, or to recommence the procedure.

Standard letter of thanks for participation to unsuccessful bidders shall be sent within 15 days after the contract is signed with the awarded bidder.

The candidates and bidders wishing to receive a feedback may send a request within 15 days after receipt of the standard letter of thanks.

The request may be sent to the e-mail address ProcurementforRcc@rcc.int or to the address of the RCC Secretariat:

Regional Cooperation Council Secretariat
 Attention to: Administration Department
 Building of the Friendship between Greece and Bosnia and Herzegovina
 Trg Bosne i Hercegovine 1/V
 71000 Sarajevo
 Bosnia and Herzegovina

Appeals procedure

Bidders believing that they have been harmed by an error or irregularity during the award process may petition the RCC Secretariat directly. The RCC Secretariat must reply within 15 days of receipt of the complaint.

The appeal request may be sent to the e-mail address ProcurementforRcc@rcc.int or to the address of the RCC Secretariat:

Regional Cooperation Council Secretariat
Attention to: Administration Department
Building of the Friendship between Greece and Bosnia and Herzegovina
Trg Bosne i Hercegovine 1/V
71000 Sarajevo
Bosnia and Herzegovina

ANNEX I:**SUBMISSION FORM****REF: 057-020**

One signed copy of this Call for Consultancy Submission Form must be supplied.

1 SUBMITTED by:

	Name(s) and address(es) of the bidder submitting this tender
Full Entity Name	

2 CONTACT PERSON (for this Call)

Name	
Surname	
Address	
Telephone	
Fax	
e-mail	

3 DECLARATION

[Company Name or Name of the entity] , hereby declares that we have examined and accepted without reserve or restriction the entire contents of the Call for Consultancy Ref: 057-020.

And we are not in one of the following situations:

- (a) Bankrupt or being wound up, are having their affairs administered by the courts, have entered into an arrangement with creditors, have suspended business activities, are subject of proceedings concerning those matters, or are in any analogous situation arising from a similar procedure provided for in national legislation or regulations;
- (b) Have been convicted of an offence concerning their professional conduct by a judgment which has the force of res judicata;
- (c) Have been guilty of grave professional misconduct proven by any means which the Contracting Authority can justify;
- (d) Have not fulfilled obligations relating to the payment of social security contributions or the payment of taxes in accordance with the legal provisions of the country in which they are established or with those of the country of the Contracting Authority or those of the country where the contract is to be performed;
- (e) Have been the subject of a judgment which has the force of res judicata for fraud, corruption, involvement in a criminal organisation or any other illegal activity.
- (f) Are civil servants or other agents of the public administration of the RCC Participants, regardless of the administrative situation, excluding us from being recruited as experts in contracts financed by the RCC Secretariat.

We offer to provide the services requested in the call for experts on the basis of supplied

documentation subject of this call, which comprise our technical offer and our financial offer.

Name and Surname	
Signature	
Date	

ANNEX II: BUDGET BREAKDOWN

REF: 0 5 7 - 0 2 0

No	Cost categories	Daily fee rate	Total Cost
2	TOTAL COSTS		
3	VAT (if applicable):		
	GRAND TOTAL (2+3):		

The fee rates should be broadly consistent with the framework rates applicable in the region for these types of professional services.

