



International Organization for Migration (IOM)  
The UN Migration Agency

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## REQUEST FOR PROPOSALS

(RFP)

AND

### GENERAL INSTRUCTIONS TO TRAINERS AND EXPERTS

#### ***TRAINING FOR STUDENTS FROM LAW DEPARTMENTS AND LEGAL CLINICS, AND HIGH SCHOOL STUDENTS***

To: experts, professors working in the field of human rights and dignity, migration, counter-trafficking; students from law departments and legal clinics;

Project: *USAID Dignity and Rights Project*

Ref. No.: \_\_\_\_\_

Date: \_\_\_\_\_

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Date of announcement : **September 26, 2018**

Deadline for questions : **05:00 PM, October 6, 2018 (to be emailed at [nomurov@iom.int](mailto:nomurov@iom.int) )**

Submission deadline : **06:00 PM, October 15 2018**

Subject : Project proposals for:  
*Training for students from law departments and legal clinics and high school students*

The International Organization for Migration – A UN Migration Agency (hereinafter called **IOM**) intends to issue a grant Applicant to train students of Law from universities and build their capacity on human rights and counter trafficking to be carried out throughout 10 months within the *USAID Dignity and Rights project* for which this Request for Proposals (RFP) is issued.

IOM now invites NGOs/legal clinics/academia (hereinafter referred to as the Applicants) to provide Technical and Financial Proposal for the following Services:

*Training for students from law departments and legal clinics and high school students*

More details on the services are provided in this RFP.

Proposals from Applicants will be selected under a Quality-Cost Based Selection procedure described in this RFP.

The RFP includes the following documents:

- Section I. Instructions to experts, and students – hereinafter “applicants”
- Section II. Technical Proposal – Standard Forms
- Section III. Financial Proposal – Standard Forms
- Section IV. Terms of Reference
- Section V. IOM Policy on Preventing Sexual Exploitation and Abuse
- Section VI. IOM Policy on Confidentiality and Protection of Personal Data
- Section VII. Use of IOM and Donor Logo in Media
- Section VIII. Standard Form of Contract

Proposals shall be delivered in sealed envelopes with a title in Russian “**Наращивание потенциала студентов юриспруденции/юридических факультетов по защите прав и интересов жертв торговли людьми**” to IOM new Office address in ***Bishkek at Ibraimov St, 103, 6<sup>th</sup> floor, Northern Wing of the Victory Business Center*** on or ***before 6:00 PM, October 15, 2018***. No late proposal shall be accepted.

IOM reserves the right to accept or reject any proposal and to annul the selection process and reject all Proposals at any time prior to contract award, without thereby incurring any liability to affected NGOs

**Very truly yours,**

**IOM Procurement Staff/Focal Point**

Marina Tereschenko

## **Section I - Instructions to applicants**

### **1. Introduction**

- 1.1 Only eligible applicants may submit a Technical Proposal and Financial Proposal for the services required. The proposal shall be the basis for contract negotiations and ultimately for a signed contract with the selected Consultant Firm.
- 1.2 Applicants should familiarize themselves with local conditions and take them into account in preparing the proposal. Applicants are encouraged to visit IOM before submitting a proposal and to attend a pre-proposal conference if it is specified in Item 2.3. of this Instruction.
- 1.3 The Applicants costs of preparing the proposal and of negotiating the contract, including visit/s to the IOM, are not reimbursable as a direct cost of the assignment.
- 1.4 Applicants shall not be hired for any assignment that would be in conflict with their prior or current obligations to other procuring entities, or that may place them in a position of not being able to carry out the assignment in the best interest of the IOM.
- 1.5 IOM is not bound to accept any proposal and reserves the right to annul the selection process at any time prior to contract award, without thereby incurring any liability to the NGOs.
- 1.6 IOM shall provide at no cost to the applicants the necessary inputs and facilities and assist the Firm in obtaining licenses and permits needed to carry out the services and make available relevant project data and report (see Section V. terms of reference).

### **2. Corrupt, Fraudulent and Coercive Practices**

IOM Policy requires that all IOM Staff, bidders, manufacturers, suppliers or distributors, observe the highest standard of ethics during the procurement and execution of all contracts. IOM shall reject any proposal put forward by bidders, or where applicable, terminate their contract, if it is determined that they have engaged in corrupt, fraudulent, collusive or coercive practices. In pursuance of this policy, IOM defines for purposes of this paragraph the terms set forth below as follows:

- Corrupt practice means the offering, giving, receiving or soliciting, directly or indirectly, of anything of value to influence the action of the Procuring/Contracting Entity in the procurement process or in contract execution;
- Fraudulent practice is any act or omission, including a misrepresentation, that knowingly or recklessly misleads, or attempts to mislead, the Procuring/Contracting Entity in the procurement process or the execution of a contract, to obtain a financial gain or other benefit to avoid an obligation;
- Collusive practice is an undisclosed arrangement between two or more bidders designed to artificially alter the results of the tender procedure to obtain a financial gain or other benefit;
- Coercive practice is impairing or harming, or threatening to impair or harm, directly or indirectly, any participant in the tender process to influence improperly its activities in a procurement process, or affect the execution of a contract

### **3. Conflict of Interest**

All bidders found to have conflicting interests shall be disqualified to participate in the procurement at hand. A bidder may be considered to have conflicting interest under any of the circumstances set forth below:

- A Bidder has controlling shareholders in common with another Bidder;
- A Bidder receives or has received any direct or indirect subsidy from another Bidder;
- A Bidder has the same representative as that of another Bidder for purposes of this bid;
- A Bidder has a relationship, directly or through third parties, that puts them in a position to have access to information about or influence on the Bid of another or influence the decisions of the Mission/procuring Entity regarding this bidding process;
- A Bidder submits more than one bid in this bidding process;
- A Bidder who participated as a consultant in the preparation of the design or technical specifications of the Goods and related services that are subject of the bid.

#### **4. Clarifications and Amendments to RFP Documents**

4.1 At any time before the submission of the proposals, IOM may, for any reason, whether at its own initiative or in response to a clarification amend the RFP. Any amendment made will be made available to all short-listed applicants who have acknowledged the Letter of Invitation.

4.2. Applicants may request for clarification(s) on any part of the RFP. The request must be sent in writing or by standard electronic means and submitted to IOM at the address indicated in the invitation at least *seven (7) calendar days* before the set deadline for the submission and receipt of Proposals. IOM will respond in writing or by standard electronic means to the said request and this will be made available to all those who acknowledged the Letter of Invitation without identifying the source of the inquiry.

#### **5. Preparation of the Proposal**

5.1 Applicants Proposal shall have two (2) components:

- a) the Technical Proposal, and
- b) the Financial Proposal.

5.2 The Proposal, and all related correspondence exchanged by the NGOs and IOM, shall be either in *English or Russian*. All reports prepared by the contracted NGOs shall be in *English or Russian*.

5.3 The applicants are expected to examine in detail the documents constituting this Request for Proposal (RFP). Material deficiencies in providing the information requested may result in rejection of a proposal.

#### **6. Technical Proposal:**

When preparing the technical proposal, applicants must give attention to the following:

6.1 Basic information about the Bidder including experience, Bidder's profile, as well as brief description of current activities, which shall have some relation to the activities required in this RFP.

6.2 Be legally registered (a copy of the registration certificate by the Ministry of Justice;

- 6.3 Previous work experience in relevant field;
- 6.4 Papers verifying the qualifications of the staff to be involved in the project (their CVs with education, skills and work experience relevant to the requirements of this RFP);
- 6.5 A description of the approach, methodology and Detailed work plan for performing the assignment.
- 6.6 The technical proposal shall not include any financial information.

## **7. Financial proposal**

- 7.1 In preparing the Financial Proposal, Bidders are expected to take into account the requirements and conditions outlined in the RFP. The Financial Proposal shall follow the Financial Proposal Standard Forms FPF 1 to FPF 4 (Section IV).
- 7.2 The Financial proposal shall include all costs associated with the assignment, including (i) remuneration for staff (FPF-4) (ii) reimbursable expenses (FPF-5). If appropriate, these costs should be broken down by activity. All items and activities described in the Technical proposal must be priced separately; activities and items in the Technical Proposal but not priced shall be assumed to be included in the prices of other activities or items.
- 7.3 The applicants may be subject to local taxes on amounts payable under the Contract. If such is the case, Financial Proposal shall contain all taxes payable by the Bidder.
- 7.4. Applicants shall express the price of their services in Kyrgyz Soms.
- 7.5 The Financial Proposal shall be valid for *30 calendar days*. During this period, the applicants is expected to keep available the professional staff for the assignment<sup>1</sup>. IOM will make its best effort to complete negotiations and determine the award within the validity period. If IOM wishes to extend the validity period of the proposals, the applicants has the right not to extend the validity of the proposals.

## **8. Submission, Receipt, and Opening of Proposals**

- 8.2 The original Proposal (both Technical and Financial Proposals) shall be prepared in indelible ink. It shall contain no overwriting, except as necessary to correct errors made by the NGOs themselves. Any such corrections or overwriting must be initialed by the person(s) who signed the Proposal.
- 8.3 The Technical Proposal shall be placed in a sealed envelope clearly marked "TECHNICAL PROPOSAL." Similarly, the Financial Proposal shall be placed in a sealed envelope clearly marked "FINANCIAL PROPOSAL" and with a warning "DO NOT OPEN WITH THE TECHNICAL PROPOSAL." Both envelopes shall be placed into an outer envelope and sealed. The outer envelope shall be labeled with the submission address, Lot number and title of the project and the name of the NGOs.
- 8.4 Proposals must be received by IOM at the place, date and time indicated in the invitation to submit proposal or any new place and date established by the IOM. Any Proposal submitted by the NGOs after the deadline for receipt of Proposals prescribed by IOM shall

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<sup>1</sup> For this purpose, the Mission may have the option to require short-listed Consultants a bid security.

be declared “Late,” and shall not be accepted by the IOM and returned to the consultant unopened.

- 8.5 After the deadline for the submission of Proposals, all the Technical Proposal shall be opened first by the BEAC. The Financial Proposal shall remain sealed until all submitted Technical Proposals are opened and evaluated. The BEAC has the option to open the proposals publicly or n

## **9. Evaluation of Proposals**

- 9.1 After the Proposals have been submitted to the BEAC and during the evaluation period, applicants that have submitted their Proposals are prohibited from making any kind of communication with any BEAC member, as well as its Secretariat regarding matters connected to their Proposals. Any effort by the NGOs to influence IOM in the examination, evaluation, ranking of Proposal, and recommendation for the award of contract may result in the rejection of the applicants Proposal.

## **10. Technical Evaluation**

- 10.1 The entire evaluation process, including the submission of the results and approval by the approving authority, shall be completed in not more than *14 calendar days* after the deadline for receipt of proposals.
- 10.2 The BEAC shall evaluate the Proposals based on their responsiveness to the Terms of Reference, compliance to the requirements of the RFP and by applying an evaluation criterion, sub criteria and point system<sup>2</sup>. Each responsive proposal shall be given a technical score (St). The proposal with the highest score or rank shall be identified as the Highest Rated/Ranked Proposal.
- 10.3 A proposal shall be rejected at this stage if it does not respond to important aspects of the TOR or if it fails to achieve the minimum technical qualifying score which is *70%*.
- 10.4 The technical proposals of NGOs shall be evaluated based on the following criteria and sub-criteria:

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<sup>2</sup> The criteria, sub criteria and point system may vary depending on the requirement of the Mission

General criteria of evaluating the technical proposal		Weight of the points	Maximum possible points	Name of the Applicants				
				A	B	C	D	E
1.	Information about the Bidder	50%	50					
2.	Compliance of the proposal to the needs of USAID Dignity and Rights project as described under the Lot Descriptions	50%	50					
<b>Total</b>			<b>100</b>					

*Evaluation of the technical proposal is further detailed. Total amount of points received in this table will be counted towards the weight of the relevant criteria of the technical evaluation table above:*

**Capacity building of law students / law faculties to protect the rights and interests of victims of trafficking in persons "**

**Table 1.1: Information about the Bidder**

Technical Evaluation Form, Criteria 1		Maximum possible points	Name of the Bidders				
			A	B	C	D	E
1.	Provide the proof of the legal status	10					
2.	Relevant experience in the concerned field written in a format of a concept note	10					
3.	Key participants CVs (The Team leader, Project Manager and other direct participants)	20					
4.	The project can be completed in a single year or demonstrates the potential to become self-supporting.	10					
<b>Total:</b>		<b>50</b>					

**Table 1.2: Compliance of the proposal to the needs of USAID Dignity and Rights project as described under the Lot Descriptions**

Technical Evaluation Form, Criteria 2		Maximum possible points	Name of the Bidders				
			A	B	C	D	E

1	Innovativeness of the project ( <i>activities that have never been done before, activities that have never been done in Kyrgyzstan before</i> )	20					
2	In what way is the proposed project ADVOCACY oriented ( <i>list of advocacy measures for dignity and rights of people, including migrants</i> )	30					
	<b>Total:</b>	<b>50</b>					

The minimum technical score St required to pass is: 70 % Points

### 11. Financial Evaluation

- 11.1 After completion of the Technical Proposal evaluation, IOM shall notify those applicants whose proposal did not meet the minimum qualifying score or were considered non-responsive based on the requirements in the RFP, indicating that their Financial Proposals shall be returned unopened after the completion of the selection process.
- 11.2 IOM shall simultaneously notify the applicants that have passed the minimum qualifying score indicating the date and opening of the Financial Proposal. The BEAC has the option to open the Financial proposals publicly or not.
- 11.3 The BEAC shall determine the completeness of the Financial Proposal whether all the Forms are present and the required to be priced are so priced.
- 11.4 The BEAC will correct any computational errors. In case of a discrepancy between a partial amount and the total amount, or between words and figures, the former will prevail. In addition, activities and items described in the Technical proposal but not priced, shall be assumed to be included in the prices of other activities or items.
- 11.5
- 11.6 The Financial Proposal of applicants who passed the qualifying score shall be opened, the lowest Financial Proposal (F1) shall be given a financial score (Sf) of 100 points. The financial scores (Sf) of the other Financial Proposals shall be computed based on the formula:

$$\mathbf{Sf = 100 \times FI / F}$$

Where:

Sf - is the financial score of the Financial Proposal under consideration,

FI - is the price of the lowest Financial Proposal, and

F - is the price of the Financial Proposal under consideration.

The proposals shall then be ranked according to their combined (Sc) technical (St) and financial (Sf) scores using the weights<sup>3</sup> (T = the weight given to the Technical Proposal = 0.70; F = the weight given to the Financial Proposal = 0.30; T + F = 1)



$$Sc = St \times T\% + Sf \times F\%$$

The firm achieving the highest combined technical and financial score will be invited for negotiations.

***Grant will be provided to an applicant that obtains maximum sum of points for both Technical and Financial Proposals.***

## **12. Negotiations**

- 12.1 The aim of the negotiation is to reach agreement on all points and sign a contract. The expected estimated date for contract negotiation is *October 15, 2018*.
- 12.2 Negotiation will include: a) discussion and clarification of the Terms of Reference (TOR) and Scope of Services; b) Discussion and finalization of the methodology and work program proposed by the applicants; c) Consideration of appropriateness of qualifications and pertinent compensation, number of man-months and the personnel to be assigned to the job, and schedule of activities (manning schedule); d) Discussion on the services, facilities and data, if any, to be provided by IOM; e) Discussion on the financial proposal submitted by the applicants; and f) Provisions of the contract. IOM shall prepare minutes of negotiation which will be signed both by IOM and the applicants.
- 12.3 The financial negotiations will include clarification on the tax liability and the manner in which it will be reflected in the contract and will reflect the agreed technical modifications (if any) in the cost of the services. Unless there are exceptional reasons, the financial negotiations will involve neither the remuneration rates for staff nor other proposed unit rates.
- 12.4 Having selected the applicants on the basis of, among other things, an evaluation of proposed key professional staff, IOM expects to negotiate a contract on the basis of the proposal. Before contract negotiations, IOM shall require assurances that the applicants have relevant expertise, capacity and staff. IOM will not consider substitutions during contract negotiation unless both parties agree that the undue delay in the selection process makes such substitution unavoidable or for reasons such as death or medical incapacity. If this is not the case and if it is established that staff were referred in their proposal without confirming their availability the NGOs may be disqualified. Any proposed substitution shall have equivalent or better qualifications and experience than the original candidate.
- 12.5 All agreement in the negotiation will then be incorporated in the description of services and form part of the Contract.
- 12.6 The negotiations shall conclude with a review of the draft form of the Contract which forms part of this RFP (Section VI). To complete negotiations, IOM and the applicants shall initial the agreed Contract. If negotiations fail, IOM shall invite the second ranked applicants to negotiate a contract. If negotiations still fail, the IOM shall repeat the process for the next-in-rank applicants until the negotiation is successfully completed.

## **13. Award of Contract**

- 13.1 The contract shall be awarded, through a notice of award, following negotiations and subsequent post-qualification to the applicants with the Highest Rated Responsive

Proposal. Thereafter, the IOM shall promptly notify other applicants on the shortlist that they were unsuccessful and shall return their unopened Financial Proposals. Notification will also be sent to those applicants who did not pass the technical evaluation.

13.2 The applicants are expected to commence the assignment on 30 *October 2018*.

#### **14. Confidentiality**

14.1.1 Information relating to the evaluation of proposals and recommendations concerning awards shall not be disclosed to the applicants who submitted Proposals or to other persons not officially concerned with the process. The undue use by any applicants of confidential information related to the process may result in the rejection of its Proposal and may be subject to the provisions of IOM's anti-fraud and corruption policy.

**Section II – Technical Proposal Standard Forms**

**TPF-1: Technical Proposal Submission Form**

*[Location, Date]*

To: *[Chairperson Name and address of IOM Mission]*

Ladies/Gentlemen:

We, the undersigned, offer to provide the Services for *[insert Title of consulting services]* in accordance with your Request for Proposal (RFP) dated *[insert Date]* and our Proposal. We are hereby submitting our Proposal, which includes this Technical Proposal, and a Financial Proposal sealed under a separate envelope.

If negotiations are held after the period of validity of the Proposal, we undertake to negotiate based on the proposed staff. Our Proposal is binding upon us and subject to the modifications resulting from Contract negotiations.

We acknowledge and accept IOM's right to inspect and audit all records relating to our Proposal irrespective of whether we enter into a contract with IOM because of this proposal or not.

We understand you are not bound to accept any Proposal you receive.

We remain,

Yours sincerely,

Authorized Signature:

Name and Title of Signatory:

Name of Firm:

Address:

**Section III. Financial Proposal - Standard Forms**

***FPF-1: Financial Proposal Submission Form***

*[Location, Date]*

To: *[Name of Chairperson and address of IOM Mission]*

Ladies/Gentlemen:

We, the undersigned, offer to provide the consulting services for *[insert Title of consulting services]* in accordance with your Request for Proposal (RFP) dated *[insert date]* and our Proposal (Technical and Financial Proposals). Our attached Financial Proposal is for the sum of *[Amount in words and figures]*. This amount is exclusive of the local taxes, which we have estimated at *[Amount(s) in words and figures]*.

Our Financial Proposal shall be binding upon us subject to the modifications resulting from Contract negotiations, up to expiration of the validity period of *[insert validity period]* of the Proposal.

We acknowledge and accept the IOM right to inspect and audit all records relating to our Proposal irrespective of whether we enter into a contract with the IOM as a result of this Proposal or not.

We confirm that we have read, understood and accept the contents of the Instructions to applicants (ITC), Terms of Reference (TOR), the Draft Contract, the provisions relating to the eligibility of applicants, any and all bulletins issued, and other attachments and inclusions included in the RFP sent to us.

We understand you are not bound to accept any Proposal you receive.

We remain,

Yours sincerely,

Authorized Signature:

Name and Title of Signatory:

Name of Firm:

Address:

**FPF– 2: Summary of Costs\***

<b>Costs</b>	<b>Currency</b>	<b>Cost</b>	<b>Tax</b>	<b>Total Amount(s)</b>
I – Remuneration Cost For example: <i>Professional staff</i> <i>Support staff</i>				
II - Reimbursable Cost ** Subsistence Allowance Transportation Cost Communication costs Printing of Documents, Reports, etc Equipment, instruments, materials, supplies, etc Office rent etc.				
<b>Total Amount of Financial Proposal <sup>1</sup></b>				

<sup>1</sup> Indicate total costs, net of local taxes, to be paid by IOM in each currency. Such total costs must coincide with the sum of the relevant subtotal indicated in all Forms FPF-3 provided with the Proposal.

Authorized Signature:

Name and Title of Signatory:

Stamp

*\*This form can be adjusted in accordance with the formats used by the Bidder;*

*\*\*Unforeseen expenses shall be preliminarily framed and indicated in detail in the Financial Proposal. It is likely there will be costs that are necessary for implementing the project, but not indicated in the table above (rental of specialized equipment, translation services, communication, etc.)*

Costs shall be indicated in Kyrgyz soms (KGS). Costs shall be fixed and are not subject to change until the grant is awarded and a grant agreement is signed by both parties.

**Section IV**

## TERMS OF REFERENCE

### SUB-SECTION I: PROJECT DESCRIPTION WITHIN WHICH THE GRANT WILL BE AWARDED

The Mission of the International Organization for Migration (IOM) – A UN Migration Agency in Kyrgyzstan has been implementing **USAID Dignity and Rights Project** since October 2015 in Kyrgyzstan and Central Asia.

The **overall goal** of this project is to advance human rights and dignity in Central Asia, both as an issue of public policy, as well as civic culture. In an effort to achieve this goal, the project focuses to achieve the following objectives for four of the Central Asian Countries, including Kyrgyzstan:

**Objective 1:** Increased citizen knowledge of, and support for, human rights norms;

**Objective 2:** Enhanced support systems for protecting rights and serving those whose rights have been violated;

**Objective 3:** Improved legal and policy framework on human rights issues.

The focus of the project and its activities are raising the awareness of the population, including the migrants, of their rights, and improving their knowledge thereof. The project also contributes to better understanding of IML (International Migration Law) protection framework supported by both governmental and non-governmental actors. The project develops state and non-state capacities in developing and/or improving adequate legislation, national action plans, quality standards for service provision, development of human resource capacity, inter-agency cooperation and coordination, monitoring and feedback, and adequate and transparent state funding. Overall, the project aims to continue addressing counter-trafficking and labor migration issues, through IOM's programs, and to expand IOM's response in order to address more generally human rights challenges in Central Asia.

Within the framework of the project, IOM intends to issue grant for Applicants from non-governmental organizations/legal clinics and/or academia to carry out set of **activities aimed to build capacity among students of Law on human rights and counter trafficking** throughout 10 months within the **USAID Dignity and Rights project**.

The strategic vision of IOM Central Asia is to maximize the potential for migration to contribute to development and economic growth in Central Asia. To achieve this vision and fulfill IOM's mandate to promote humane and orderly migration management, the following objectives have been defined:

- To improve understanding of migration among governments, communities and employers.
- To help establish efficient migration management systems and address issues surrounding irregular migration.
- To promote and protect the rights of migrants.
- To contribute to poverty reduction in Central Asia among migrants, home communities and host communities.
- To help create an enabling environment for decent labour, equal employment opportunities and implementation of best practices.
- To support community stabilization and migrant integration in conflict-prone areas.
- To provide assistance to people on the move.
- To address the many issues associated with human trafficking, including prevention of trafficking and protection of victims.

### **CRITICAL MIGRATION CHALLENGES IN THE REGION**

Central Asia faces several critical issues in migration management. These issues reflect economic, political and social tensions that exist throughout the region. Crucial migration issues in Central Asia include:

- Insufficient inter-state dialogue on migration issues and difficulties in harmonizing international, regional and national migration processes.
- Inadequate national and regional migration policies and an underdeveloped legislative framework.
- Poor data collection, management and sharing, leading to inadequate understanding of the actual scope of migration and irregular migration.
- Underdeveloped capacity to deal with migration challenges. There is a need for more understanding of migration issues among state agencies, as well as building capacity to deal with migration and manage borders.
- Inadequate legal and social framework to protect migrants, particularly their human rights.
- Widespread labour and sexual exploitation of migrants.
- Lack of optimizing remittances: in a context where a high proportion of many Central Asian countries' GDP comes from migrants working abroad. Governments lack the capacity to mainstream migration into the development agenda.
- The political uncertainty and disaster-prone geography that characterizes Central Asia requires community stabilization and disaster risk reduction.

### **INTEGRATED APPROACH IN CENTRAL ASIA**

The five countries of Central Asia – Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan – are closely linked in terms of history and culture. Migration issues in these countries are therefore also linked and share strong commonalities. In an effort to address these issues, and to support economic and political co-operation among the five Central Asia states, IOM has recently adopted an area-based approach to the five countries of Central Asia with a co-ordination office in Astana, Kazakhstan.

To ensure coherence and long-term sustainable solutions, IOM has implemented a unified management approach to the Central Asian countries. This approach has allowed IOM to increase the capacities of individual missions in terms of fundraising, operability, accountability, transparency and professionalism. It also helps the Coordination Office to manage and oversee programmes, enabling IOM to increase its capacity in Central Asia while decreasing operational costs.

In Central Asia, IOM's integrated approach has created a strong competitive advantage. This advantage arises from three factors. First, IOM's unified management system increases its capacity in the region while decreasing operational costs, allowing efficient management and helping to ensure maximum impact. Second, IOM has a strong focus on teamwork. Not only do IOM missions within Central Asia work closely together on regional projects, but there is also close co-operation with IOM missions outside the immediate cluster area, especially with Russia. Finally, IOM's long-standing presence in the region has allowed it to develop wide expertise. IOM has extensive knowledge about the programmatic, geo-political, cultural and socio-economic dynamics of Central Asia.

IOM's regional programming promotes improved co-ordination and coherence on cross-border issues and leverages the competitive advantage of IOM's field presence in all five Central Asian countries. In addition, IOM's regional programming allows it to engage in close, co-ordinated co-operation with a variety of governments and civil society organizations. This co-ordination has led to a strong track record of delivering results.

For more information on this, please visit: <http://www.iom.kz/en/about-iom/iom-strategy-in-ca>



### SUB-SECTION III: GEOGRAPHIC COVERAGE AND THEMATIC AREA

The projects will be implemented in Kyrgyzstan.

**“Наращивание потенциала студентов юриспруденции/юридических факультетов по защите прав и интересов жертв торговли людьми” or «The capacity building of law students to protect the rights and interests of victims of trafficking in persons”**

**(приблизительный текст на русском языке см. далее на стр. 19)**

#### **Tasks within the project to be proposed\***

The Applicants are expected to work closely with students and IOM staff from the beginning and till the end of the project. There are three main activities that are expected to be performed by the selected Applicant.

#### **GENERAL ILLUSTRATIVE ACTIVITIES**

##### **SECTION I: Training on Counter Trafficking for Law Students**

In coordination with IOM, the Applicant will draft and develop a training concept describing the purpose and need for the training on Human Trafficking and other risks of migration for students. The training agenda, should include the following, but not necessarily limited to the following subjects (this list is not exhaustive and may be expanded):

- o Introduce participants to the countertrafficking as a risk of irregular migration;
  - o Introduce participants to the current situation in the country;
  - o Critical legal aspects in covering cases in migration and countertrafficking;
  - o The role of laws in protection of migrant rights and victims;
  - o Introduce new tools and approaches to cover countertrafficking topics;
  - o Introduce to the experience of other countries in protecting the victims through the legal systems and regulations;
  - o Different possible tools and approaches to present information on countertrafficking to the students;
- Applicant is expected to provide all logistics: hire trainers, organize the venue, participate in the selection of the students, contacting with universities, legal clinics, etc.;
  - Applicant is expected to provide IOM with the report, pictures, and other materials;
  - Applicant is expected to submit on time requested papers for the IOM staff for the contracts required by the regulations of the organizations;
  - The Applicant is expected to design and propose the timeline of work and activities taking into consideration the academic year, the days off of the students. The calendar shall be discussed in coordination with IOM and debated with the partnering academic institution/s;
  - The plan of operations shall not violate the internal regulations of the universities, legal clinics, and other institutions with which the expert/trainer intend to cooperate with;
  - Applicant is expected to approach institutions universities, legal clinics and attend the meetings with professors and supervisors;
  - Applicant is to propose innovative and creative approaches on how to conduct a training with a sustainable outcome would be in an advantageous position during the selection process. By sustainability, in this case, IOM understands that trained students will apply to participate in the monitoring of the Law on counter-trafficking and will gain knowledge about Human Rights and will use it during their studies or internship in legal clinics.
  - Advise and provide expertise for IOM in setting up the training venue so to conveniently accommodate the training participants;

- Training has to include a fair amount of theory and practical hands-on exercises to ensure the participants receive sufficient grasp of the knowledge shared by the trainers;
- Develop pre- and post-training surveys in coordination with IOM and conduct the studies, collect the survey data and provide a report based on the analysis of the survey findings;
- Collect and coordinate the finalization of the training report with other consultants;
- Propose creative approaches to attracting students to participate in the training;

#### **SECTION II: Grants to Law Students to conduct open classes on human trafficking issues for high school students**

- In coordination with IOM, the Applicant will accompany students projects and will guide students to develop their agendas and calendar of activities such as training, meetings, open lessons and workshops for high school students;
- The Applicant shall approach schools and negotiate the agenda of the meetings;
- The Applicant is expected to draft and send all letters and documents for the school;

#### **SECTION III: Grant to Law Students to carry out the monitoring and evaluation of the Kyrgyz National Counter-Trafficking Law (CTIP Law)**

- The Applicant is expected to accompany and guide the group of selected students to perform the analysis of the implementation of the CTIP Law;
- The Applicant is expected to supervise (provide consultations through the meetings and face to face meetings, presentations on methodologies of monitoring) students monitoring the implementation of the CTIP Law;
- In advance, provide IOM with a list of training materials to be purchased (stationery, flipcharts, papers, etc.);
- Monitor the projects of the students after the end of the training, and spend the time to meet, answer questions, etc.
- Other duties relevant to the practice as may be requested by IOM.

**Deadline for questions: October 6, 17:00, 2018 (questions in writing to be addressed at [nomurov@iom.int](mailto:nomurov@iom.int) )**

**The deadline for applications is October 15, 18:00, 2018**

## **“Наращивание потенциала студентов юриспруденции/юридических факультетов по защите прав и интересов жертв торговли людьми”**

### **Задачи в рамках предлагаемого проекта**

Ожидается, что Заявители будут тесно сотрудничать со студентами и персоналом MOM с самого начала и до конца проекта. Заявители планируют выполнить три основных мероприятия.

## **ОБЩАЯ ИЛЛЮСТРАТИВНАЯ ДЕЯТЕЛЬНОСТЬ**

### **РАЗДЕЛ I: Тренинг по борьбе с торговлей людьми для студентов юриспруденции/юридических факультетов по защите прав и интересов жертв торговли людьми”**

В сотрудничестве с MOM Заявители будут разрабатывать концепцию обучения, описывающую цель и необходимость в обучении торговле людьми и других рисках миграции для студентов. Учебная повестка дня должна включать следующее, но не обязательно ограничиваться следующими темами:

- представлять участникам о защите прав и интересов жертв торговли людьми как риск нелегальной миграции;
  - ввести участников в текущую ситуацию в стране;
  - Критические правовые аспекты при рассмотрении дел в области миграции и борьбы с торговлей людьми;
  - Роль законов в защите прав мигрантов и жертв;
  - Внедрение новых инструментов и подходов для охвата вопросов борьбы с торговлей людьми;
  - ввести опыт других стран в защиту жертв через правовые системы и правила;
  - Различные возможные инструменты и подходы к представлению информации о борьбе с торговлей людьми;
- Заявители должны обеспечить всю логистику: нанять тренеров, организовать место проведения, принять участие в отборе студентов, связаться с университетами, юридическими клиниками и т.д.;
  - Предполагается, что Заявители предоставят MOM отчет, фотографии и другие материалы;
  - Предполагается, что Заявители будут предоставлять по запросу запрашиваемые документы для персонала MOM по контрактам, требуемым правилами организаций;
  - Предполагается, что Заявители будут разрабатывать и предлагать график работы и мероприятия, принимая во внимание учебный год, выходные дни студентов. Календарь будет обсуждаться в координации с MOM и обсуждается в партнерском учебном заведении;
  - План действий не должен нарушать внутренние положения университетов, юридических клиник и других учреждений, с которыми намерен сотрудничать эксперт / инструктор;
  - Предполагается, что Заявители будут обращаться к вузам, юридическим клиникам и посещать встречи с профессорами и руководителями;
  - Заявители, предлагающие инновационные и творческие подходы к тому, как проводить обучение с устойчивым результатом, будут в выгодном положении во время процесса отбора. Благодаря устойчивости в этом случае MOM понимает, что обученные студенты будут участвовать в мониторинге Закона о борьбе с торговлей людьми и будут получать знания о правах человека и будут использовать его во время учебы или стажировки в юридических клиниках.

- Консультирование и предоставление экспертных знаний МОМ в создании учебного места, чтобы удобно разместить участников обучения;
- Обучение должно включать в себя достаточное количество теоретических и практических упражнений, чтобы участники получили достаточное количество знаний, которыми пользуются тренеры;
- Разработать опросник до и после тренинга в координации с МОМ и проводить исследования, собирать данные обследований и представлять отчет на основе анализа результатов обследования;
- Собирать и координировать завершение подготовки доклада с другими консультантами;
- Предложить творческие подходы к привлечению студентов к участию в обучении;

#### **РАЗДЕЛ II: Гранты для студентов юриспруденции/юридических факультетов по защите прав и интересов жертв торговли людьми, для проведения открытых занятий по вопросам торговли людьми для учащихся старших классов**

- В координации с МОМ Заявители будут сопровождать студенческие проекты и будут помогать студентам в учебных программах и расписания мероприятий, таких как обучение, встречи, открытые уроки и семинары для старшеклассников;
- Заявители должны обратиться в школы и обсудить повестку дня мероприятий;
- Ожидается, что Заявители подготовят и отправят все письма и документы для школы;

#### **РАЗДЕЛ III: Проведение мониторинга и оценки Закона Кыргызской Республики «О предупреждении и борьбе с торговлей людьми»**

- Ожидается, что Заявители будут сопровождать и направлять группу отобранных студентов для проведения анализа Закона;
- Предполагается, что Заявители будут контролировать (проводить консультации через совещания и встречи с лицами, представляющими собой вопросы, связанные с мониторингом), по вопросам борьбы с торговлей людьми;
- Делиться со студентами различными возможными инструментами и подходами к представлению информации о борьбе с торговлей людьми;
- Заблаговременно предоставлять МОМ список учебных материалов, которые необходимо приобрести (канцелярские принадлежности, флипчарты, документы и т. Д.);
- Контролируйте проекты студентов после окончания обучения и проводите время, чтобы встретиться, ответить на вопросы и т. Д.
- Другие обязанности, связанные с практикой, которые могут быть запрошены МОМ;

**Крайний срок для вопросов: 6 октября 17:00, 2018 ( вопросы в письменном виде адресовать: [nomurov@iom.int](mailto:nomurov@iom.int) )**

**Крайний срок подачи заявок: 15 октября 18:00, 2018**

#### SUB-SECTION IV: ENVIRONMENTAL CONSIDERATIONS

IOM Internal Policy on Compliance with Environmental Norms, implemented worldwide and coordinated with all Member States, requires an assessment of environmental sustainability to be systematically integrated into the design, implementation and monitoring of project activities. In accordance with these activities, it will be necessary to assess compliance with environmental norms. IOM and its partners, sub-grantees will comply with all standards of environmentally sound work, in particular by reducing the number of paper editions and switching to electronic means to inform the public and to train beneficiaries, both governmental and non-governmental.

#### SUB-SECTION V: GENDER MAINSTREAMING INTO THE PROJECT<sup>4</sup>

Ensure equal opportunities for men and women in improving their skills and participating in the project. Such efforts include, but may not be limited to institutionalizing of gender mainstreaming into all aspects of project interventions which are implemented and/or funded by IOM. This compliance may be achieved via equal allocation of the duties and responsibilities between men and women, ensuring such an approach becomes a daily practice of all the departments and employees involved in implementing the project.

Within this project gender mainstreaming is not only about considering specific needs of men and women equally, but also implementing projects and relevant interventions that shall not harm and/or strengthen the existing prejudices towards various vulnerable groups, including LGBTI persons (lesbians, gays, bisexuals, transgender and intersex persons), people with disabilities, sex workers, etc. Avoid implementing activities that promote stigmatization, gender stereotypes and initiating discriminative actions. Avoid sexism (discrimination based on sex) and ageism (discrimination based on age).

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<sup>4</sup> It is welcomed if the Bidder's staff have certificates proving their participation in trainings on gender issues. Gender trainings. Online Gender Trainings are available at <https://trainingcentre.unwomen.org/course/description.php?id=2> Please note that the training at this link is available only in English, the Russian version is expected to developed soon.

**NARRATIVE: (текст на русском языке см. далее)**

- Description of the innovativeness (700 – 1000 words)
- Information about the Bidder and its previous and current experience relevant to proposal requirements;
- Demonstrate how your project complies with IOM’s environmental considerations;
- Demonstrate how your project meets with gender equality and equity;
- Declare your commitment to IOM Policy on Preventing Sexual Exploitation and Abuse;
- Declare your commitment to IOM Policy on Confidentiality and Data Protection.

**ANNEXES:**

- Preliminary agenda plan;
- Provide the detailed explanation of how your project will be innovative (700 – 1000 words), demonstrate that activities you propose are entirely new, demonstrate that activities you offer have never been implemented in Kyrgyzstan before, other ways of proving your project idea is innovative;
- Technical Proposal Submission Form according to the Section II template;
- Financial proposal according to the template in Section III or an Applicant is free to use their templates (Financial Proposal must be submitted in a separate sealed envelope);
- Proof of Legal Entity (for organizations only);
- CVs of NGO Director and Project Manager
- At least two reference contacts (other than IOM).

**ОПИСАТЕЛЬНАЯ ЧАСТЬ:**

- Описание инновационности (700 - 1000 слов)
- Информация об участниках тендера и его предыдущем и текущем опыте, относящемся к требованиям заявки;
- Продемонстрировать, как ваш проект соответствует экологическим соображениям МОМ;
- Продемонстрировать, как ваш проект соответствует гендерному равенству и справедливости;
- Продемонстрировать, о своей приверженности политике МОМ по предотвращению сексуальной эксплуатации и злоупотреблений;
- Заявите о своей приверженности политике IOM в области конфиденциальности и защиты данных.

**ПРИЛОЖЕНИЯ:**

- Предварительный план программы;
- Предоставьте подробное объяснение того, как ваш проект будет инновационным (700 - 1000 слов), продемонстрируйте, что предлагаемые вами действия являются совершенно новыми, демонстрируют, что предлагаемые вами мероприятия никогда ранее не были реализованы в Кыргызстане, другие способы доказать, что ваша идея проекта является инновационной ;
- Форма представления технического предложения в соответствии с шаблоном раздела II;
- Финансовое предложение в соответствии с шаблоном в Разделе III или Заявителем может свободно использовать свои шаблоны (Финансовое предложение должно быть представлено в отдельном запечатанном конверте);
- Доказательство юридического лица;
- Резюме Руководителя проекта и других ключевых участников
- По меньшей мере два рекомендательных письма(кроме IOM).

## Section V

### IOM POLICY ON PREVENTING SEXUAL EXPLOITATION AND ABUSE

IOM is unequivocally committed to a policy of absolute rejection of sexual exploitation and abuse and requires the same commitment from its partners. Humanitarian assistance and services should be provided in a manner that prevents and protects employees and beneficiaries of the organization from sexual harassment, exploitation and abuse. Exploitative and abusive sexual actions by employees and partners are absolutely prohibited, and those responsible will be prosecuted. Any compulsory sexual activity, including those acquired by threatening or retaining humanitarian assistance or services, is by definition exploitative and violent, particularly in camps, when the beneficiaries are in the most vulnerable position. Since sexual exploitation and violence are based on gender inequality and lack of respect for human rights, staff should strive to ensure that humanitarian activities are gender-sensitive, and the beliefs, perspectives and needs of women, girls and all vulnerable groups are adequately taken into account.

It is expected that the applicant will strictly follow these principles and promote them in their activities. Thus, the applicant's commitment to a policy of absolute rejection of sexual harassment and violence will be reflected in their principles and activities.

**In their application, applicants must reflect their agreement with IOM's policy on preventing sexual exploitation and abuse.**



## **Section VI**

### **IOM POLICY ON CONFIDENTIALITY AND DATA PROTECTION**

The following IOM principles of confidentiality and data protection shall be followed by the Applicant without exceptions.

#### **1. LAWFUL AND FAIR COLLECTION**

Personal data must be obtained by lawful and fair means with the knowledge or consent of the data subject.

#### **2. SPECIFIED AND LEGITIMATE PURPOSE**

The purpose(s) for which personal data are collected and processed should be specified and legitimate and should be known to the data subject at the time of collection. Personal data should only be used for the specified purpose(s) unless the data subject consents to further use or if such use is compatible with the original specified purpose(s).

#### **3. DATA QUALITY**

Personal data sought and obtained should be adequate, relevant and not excessive in relation to the specified purpose(s) of data collection and data processing. Data controllers should take all reasonable steps to ensure that personal data are accurate and up to date.

#### **4. CONSENT**

Consent must be obtained at the time of collection or as soon as it is reasonably practical thereafter, and the condition and legal capacity of certain vulnerable groups and individuals should always be taken into account. If exceptional circumstances hinder the achievement of consent, the data controller should, at a minimum, ensure that the data subject has sufficient knowledge to understand and appreciate the Specified purpose(s) for which personal data are collected and processed.

#### **5. TRANSFER TO THIRD PARTIES**

Personal data should only be transferred to third parties with the explicit consent of the data subject, for a specified purpose, and under the guarantee of adequate safeguards to protect the confidentiality of personal data and to ensure that the rights and interests of the data subject are respected. These three conditions of transfer should be guaranteed in writing.

#### **6. CONFIDENTIALITY**

Confidentiality of personal data must be respected and applied at all stages of data collection and data processing and should be guaranteed in writing. All IOM staff and individuals representing third parties, who are authorized to access and process personal data, are bound by

confidentiality.

#### **7. ACCESS AND TRANSPARENCY**

Data subjects should be given an opportunity to verify their personal data and should be provided with access insofar as it does not frustrate the specified purpose(s) for which personal data are collected and processed. Data controllers should ensure a general policy of openness towards the data subject about developments, practices and policies with respect to personal data.

#### **8. DATA SECURITY**

Personal data must be kept secure, both technically and organizationally, and should be protected by reasonable and appropriate measures against unauthorized modification, tampering, unlawful destruction, accidental loss, improper disclosure or undue transfer. The safeguard measures outlined in relevant IOM policies and guidelines shall apply to the collection and processing of personal data.

#### **9. RETENTION OF PERSONAL DATA**

Personal data should be kept for as long as is necessary and should be destroyed or rendered anonymous as soon as the specified purpose(s) of data collection and data processing have been fulfilled. It may however, be retained for an additional specified period, if required, for the benefit of the data subject.

#### **10. APPLICATION OF THE PRINCIPLES**

These principles shall apply to both electronic and paper records of personal data, and may be supplemented by additional measures of protection, depending, inter alia, on the sensitivity of personal data. These principles shall not apply to non-personal data.

#### **11. OWNERSHIP OF PERSONAL DATA**

IOM shall assume ownership of personal data collected directly from data subjects or collected on behalf of IOM, unless otherwise agreed, in writing, with a third party.

#### **12. OVERSIGHT, COMPLIANCE AND INTERNAL REMEDIES**

An independent body should be appointed to oversee the implementation of these principles and to investigate any complaints, and designated data protection focal points should assist with monitoring and training. Measures will be taken to remedy unlawful data collection and data processing, as well as breach of the rights and interests of the data subject.

#### **13. EXCEPTIONS**

Any intent to derogate from these principles should first be referred to the IOM Office of Legal Affairs for approval, as well as the relevant unit/department at IOM Headquarters.

#### **14. KEY TERMS**

**Anonymous data** means that all the personal identifiable factors have been removed from data sets in such a way that there is no reasonable likelihood that the data subject could be identified or traced.

**Consent** means any free, voluntary and informed decision that is expressed or implied and which is given for a specified purpose

**Child** means an individual below the age of 18 years

**Data controller** means an IOM staff or an individual who represents a third party who has the authority to decide about the contents and use of personal data.

**Data processing** means the manner in which personal data are collected, registered, stored, filed, retrieved, used, disseminated, communicated, transferred and destroyed.

**Data protection** means the systematic application of a set of institutional, technical and physical safeguards that preserve the right to privacy with respect to the collection, storage, use and disclosure of personal data

**Data protection focal point** means any IOM staff who is appointed by IOM regional representatives to serve as a contact or reference person for data protection and who is responsible for monitoring the data protection practices in the region to which he or she is assigned.

**Data security** means a set of physical and technological measures that safeguard the confidentiality and integrity of personal data and prevent unauthorized modification, tampering, unlawful destruction, accidental loss, improper disclosure or undue transfer.

**Data subject** means an IOM beneficiary who can be identified directly or indirectly by reference to a specific factor or factors. Such factors may include a name, an identification number, material circumstances and physical, mental, cultural, economic or social characteristics

**Data awareness** – capability to fully understand and appreciate the indicated goal of collecting and processing data.

**Electronic record** means any electronic data filing system that records personal data.

**IOM** means the International Organization for Migration.

**IOM Field** means the operational areas outside IOM Headquarters.

**IOM Headquarters** means IOM offices in Geneva, Switzerland.

**IOM Field Office** means IOM offices in operational areas outside IOM Headquarters.

**IOM partner** means any stakeholder that has a pre-existing agreement to work in cooperation and coordination with IOM, including governments, United Nations agencies, international organizations, nongovernmental organizations, research institutions, businesses and private companies.

**IOM staff** means all persons who are employed by IOM, whether temporarily or permanently, including formal and informal interpreters, data-entry clerks, interns, researchers, designated counselors and medical practitioners.

**IOM unit/department** means the structure at IOM Headquarters responsible for IOM activity areas

**Non-personal data** means any information that does not relate to an identified or identifiable data subject.

**Paper record** means any printed or written document that records personal data.

**Personal data** means all information that could be used to identify or harm data subjects; it is any information relating to an identified or identifiable data subject that is recorded by electronic means or on paper.

**Third party** means any natural or legal person, government or any other entity that is not party to the original specified purpose(s) for which personal data are collected and processed. The third party that agrees in writing to the transfer conditions outlined in principle 5, shall be authorized to access and process personal data.

**Vulnerable groups** means any group or sector of society that is at higher risk of being subjected to discriminatory practices, violence, natural or environmental disasters, or economic hardship, than other groups within the State; any group or sector of society (such as women, children, the elderly, persons with disabilities, indigenous peoples or migrants) that is at higher risk in periods of conflict and crisis.

**Vulnerable data subject** means any IOM beneficiary who may lack the legal, social, physical or mental capacity to provide consent

**Applicants shall indicate their consent and compliance with IOM Policy on confidentiality and data protection.** IOM may provide a template of the form to express consent and compliance with IOM policy on confidentiality and data protection.

## Section VII

### USE OF IOM LOGO AND DONOR LOGO IN MEDIA

#### Approval of visibility materiel

All visibility materiel (including publications) shall be agreed with IOM prior to publication and distribution to ensure compliance of their content with IOM and Donor visibility and publication rules and requirements.

**I. Mention in electronic and print materials published and distributed within the project:** All researches, reports, publications (online and print), informational and promo materials shall include the following information in three languages:

- **In English:** This study/report/web site is made possible by the support of the American people through the United States Agency for International Development (USAID). The contents are the sole responsibility of the IOM and do not necessarily reflect the views of USAID or the United States Government.
- **In Russian:** Данное исследование/отчет/веб-сайт стало возможным благодаря помощи американского народа, оказанной через Агентство США по международному развитию (USAID). IOM несет ответственность за содержание публикации, которое не обязательно отражает позицию USAID или Правительства США.
- **In Kyrgyz:** Бул (басылма – публикация, исследование – изилдөө, проект – **долбоор**, отчет, вебсайт, макала – статья) Америка Кошмо Штаттарынын эл аралык өнүктүрүү агентствосу (USAID) аркылуу Америка элинин жардамы менен ишке ашырылды. Басылманын мазмуну үчүн IOM жооптуу жана ал USAID же Америка Кошмо Штаттарынын өкмөтүнүн көз карашын сөзсүз түрдө чагылдыруусу шарт эмес.

#### II. Title of the project (all banners shall contain this title)

In English: USAID Dignity and Rights Project.

In Russian: Проект USAID «Достоинство и права».

In Kyrgyz: USAIDдин "**Адамдын укугу жана кадыр-баркы**" регионалдык долбоору

#### III. Logo

Use of IOM and USAID Logo will be coordinated with IOM.