

TERMS OF REFERENCE – CONSULTANCY

National expert or team of experts

Capacity Building Consultancy for Justice Actors on Restorative Justice and Peacebuilding

1. Terre des hommes Iraq – Access to Justice Program

Tdh is a leading Swiss child rights agency present in the MENA region since 1973. Currently, Tdh operates in Lebanon, Jordan, Egypt, Palestine, and Iraq. Afghanistan and Pakistan also belong programmatically and operationally to the MENA portfolio at Tdh. Within the region, Tdh has in place 3 specialized programs: (1) Access to Justice for Children and Youth, within which a 'Gender Justice' specialized programmatic theme is carried out, (2) Children and Youth Affected by Migration, and (3) Child and Maternal Health. In addition to the specialized technical staff within each, those programs are supported by a Child Protection Transversal Unit and a Quality and Accountability Unit.

More information can be found here: <https://www.tdh.ch/en>.

Since January 2019, Tdh has been a pioneering actor in justice for children programming in Iraq. Within the current Access to Justice program, Tdh aims at promoting justice practices which incorporates a vital component to provide appropriate solutions to (re)establish the concept of positive and child-friendly justice among offenders, victims, witnesses and their communities, but also towards the stakeholders in country, from authorities to national civil society involved in child justice matters. The complementary objectives are to ensure (1) the application of solid legal principles such as specialized justice systems for children, diversion and alternatives to detention, (2) the best interest of the child at all stages of the judicial procedures, including post-release/aftercare, (3) psychological, sociological and criminological theories that take into account the comprehensive development of children and youth, (4) the setting up of safe and effective reintegration pathways from the first contact with the justice systems till long after their release in order to ensure the continuum of care, sustainability and minimize the risks related to re-offending/recidivism.

Tdh activities mainly focus on providing **specialized support** to foster safe and sustainable reintegration processes for children in contact with the law and their families, **reinforcing the child justice system** through promoting their access to child-friendly legal aid, fostering synergies between formal and informal justice actors, strengthening child protection community-based mechanisms, and **providing specialized capacity building** to juvenile judges about different stages/practices of child justice proceedings.

2. Rationale of the consultancy

The rationale for this consultancy stems from the need to address critical issues within our community related to justice, reconciliation, and social cohesion. There is a recognized gap in the understanding and application of restorative justice principles and alternatives to detention among both informal and formal justice actors. To address these gaps, it is essential to equip these actors with the necessary knowledge and skills to contribute effectively to peacebuilding and reintegrating individuals into the justice system.

Informal justice actors, such as mukhtars, community leaders, and religious leaders, play a pivotal role in local communities. Enhancing their victim empathy and peacebuilding capacity is crucial for fostering social cohesion and countering violent extremism. By shifting the focus towards empowering victims as peacebuilders and agents of change, we aim to transform communities into owners of the reconciliation and reintegration process.

Formal justice actors also have a vital role to play in promoting restorative justice practices. Equipping them with knowledge of victim-perpetrator mediation, conferencing, sentencing, and peace-making circles will contribute to mainstreaming restorative justice within the reintegration pathway. Additionally, understanding the use of non-custodial measures in the context of criminal proceedings is essential for preventing recidivism and promoting social cohesion.

3. Objective of the consultancy

The main objective of this consultancy is to enhance the capacity of informal and formal justice actors at the local level in restorative justice, reintegration, reconciliation, and social cohesion. This will be achieved through the following specific objectives:

- To develop and deliver training modules focusing on victim empathy, restorative justice, and peacebuilding for 25 informal justice actors in Kirkuk.
- To develop and deliver training modules on restorative justice and alternatives to detention for 25 formal justice actors in Kirkuk.
- To develop and deliver training modules on restorative justice and alternatives to detention for 30 formal justice actors in Salah Al-din.
- To increase the knowledge and skills of informal justice actors in facilitating the reconciliatory justice process and promoting social cohesion.
- To empower formal justice actors with the understanding and application of restorative justice practices that can be mainstreamed within the reintegration pathway.
- To promote the use of non-custodial measures, including mediation and diversion, at all stages of criminal proceedings to support children and youth's reintegration and prevent their involvement in violent extremism.

4. Scope of the consultancy and deliverables

The scope of work and expected deliverables are the following:

Scope of the Consultancy:

- **Target Audience :**
 - Informal justice actors include mukhtars, community leaders, and religious leaders.
 - Formal justice actors involved in applying restorative justice principles and alternatives to detention.

➤ **Geographical Focus :**

- Kirkuk Governorate
- Salah Al-din Governorate

➤ **Key Activities:**

- Assessment of current knowledge and skills related to restorative justice and peacebuilding among the target audience.
- Development of training modules tailored to the needs of informal and formal justice actors.
- Facilitation of training sessions and workshops.
- Evaluation of the training's impact and effectiveness.

➤ **Key Topics Covered :**

- Victim empathy and peacebuilding.
- Restorative justice principles.
- Victim-perpetrator mediation, conferencing, sentencing, and peace-making circles.
- Non-custodial measures in criminal proceedings.
- Mainstreaming restorative justice within the reintegration pathway.

Deliverables:

- **Needs Assessment Report:** A detailed document capturing the current understanding, knowledge gaps, and training needs of both informal and formal justice actors.
- **Training Modules:** Customized training materials focused on restorative justice, victim empathy, peacebuilding, and alternatives to detention. These include slide decks, handouts, case studies, and interactive exercises.
- **Training Schedule:** A comprehensive calendar outlining the dates, locations, and agendas for the training sessions for both informal and formal justice actors.
- **Evaluation Tools:** Pre- and post-training assessment tools to gauge the change in participants' understanding and skills.
- **Training Reports:** Summary documents capturing the key outcomes, participant feedback, and recommendations from each training session.
- **Final Consultancy Report:** A comprehensive document detailing the entire consultancy process, outcomes, challenges faced, lessons learned, and recommendations for future interventions in restorative justice and peacebuilding.

1. Needs Assessment		
Tasks		Timing
- Conduct an initial needs assessment. - Develop customized training modules. - Confirm training dates and participants		Week 1-2
2. Curriculum Development		

Tasks	Timing
- Develop training modules focusing on the identified areas of need. - Ensure that the curriculum aligns with international best practices and is adapted to the local context. - Develop materials and resources for the training, including presentations, handouts, and case studies.	Week 3-4
3. Training Delivery & Pre- and Post-Assessment	
Tasks	Timing
- Deliver training to informal justice actors. - Conduct pre-training assessment. - Deliver training to formal justice actors. - Conduct post-training assessment	Week 5-6
Tasks	Timing
4. Evaluation and Reporting	
- Collect feedback from participants regarding the efficacy and impact of the training. - Analyze feedback and assessment data to evaluate the success of the training. - Prepare and submit a comprehensive report outlining the training results, impact, and recommendations for future interventions.	Week 7-8

5. Methodology

The consultancy will employ the following methodologies:

- Needs Assessment: Conduct an initial needs assessment to identify the specific requirements and gaps in the knowledge and skills of justice actors.
- Curriculum Development: Develop customized training modules based on the identified needs and international best practices in restorative justice and peacebuilding.
- Training Delivery: Facilitate interactive and participatory training sessions for informal and formal justice actors, combining theoretical knowledge with practical exercises and case studies.
- Pre- and Post-Assessment: Conduct pre-post training assessments to measure the impact of the training on participants' knowledge and skills.
- Evaluation: Evaluate the effectiveness of the training through feedback from participants and stakeholders.
- Reporting: Prepare a comprehensive report with recommendations for integrating restorative justice practices within the reintegration pathway and criminal proceedings.
- This ToR outlines the key elements required for the consultancy to build the capacity of justice actors in restorative justice and peacebuilding, ultimately contributing to social cohesion and countering violent extremism in our community.

Geographical Coverage

The geographical scope of the consultancy is Kirkuk and Salah Al-din Governorates.

Timeframe

The duration of the consultancy contract shall be for a maximum of 55 working days between Nov 2023 – Jan 2024.

The consultant is expected to use their own computer and other equipment required for the task.

Profile of the Consultant:

- A relevant advanced degree in law, criminology, conflict resolution, peace and justice studies, or a related field. A combination of academic qualifications and practical experience in restorative justice is highly desirable.
- Experience: At least five years of relevant experience in designing and delivering training programs related to restorative justice, reconciliation, peacebuilding, and social cohesion, particularly in the context of justice systems. Previous experience working with informal and formal justice actors, community leaders, and religious leaders is a distinct advantage.
- A deep understanding of restorative justice principles, victim-perpetrator mediation, conferencing, sentencing, peace-making circles, and alternatives to detention is essential.
- Familiarity with the local context and the specific challenges related to justice, reconciliation, and social cohesion in Kirkuk and Salah Al-din Governorates is highly valuable.
- Strong facilitation and training skills are necessary to convey complex concepts to diverse groups of participants effectively. The consultant should have a proven track record of delivering engaging and interactive training sessions.
- Excellent written and verbal communication skills are required in Arabic and Other Relevant Languages such as English. The consultant should be able to prepare comprehensive training materials reports and deliver presentations effectively in Arabic and the final report and evaluation in English.
- The ability to conduct needs assessments, impact assessments, and evaluations of training programs is crucial. Experience in conducting research related to restorative justice and justice system reform is an advantage.
- The consultant should be available to commit to the entire duration of the consultancy, which is expected to span 2 months. Flexibility regarding travel to project locations within Kirkuk and Salah Aldin is required.

Selection Process:

The consultant selection will be based on a competitive process, which may include submitting proposals, interviews, and reference checks. The consultant will be expected to work closely with Tdh Lausanne and adhere to all relevant project guidelines and timelines.

This profile of the consultant section outlines the qualifications and skills necessary for the successful candidate to effectively carry out the consultancy, ensuring that the selected individual or firm is well-equipped to meet the project's objectives.

Application procedure

- Consultants/firms that meet the requirements should submit an expression of interest, which should include the following:

- Updated CV and Cover letter, including the consultant's/firm's suitability for the assignment and current contact information.
- Technical offer: detailed response to the Terms of Reference herein, with a specific focus addressing the purpose and objectives of the assignment, methodology to be used and key selection criteria (max. seven pages)
- Financial offer: detailed budget breakdown based on expected daily rates and initial work plan. (max. two pages)
- Initial draft of the proposed work plan (max. four pages)
- Payment will be in two payments, the first after signing the contract and the second payment upon completion of the deliverable.

CVs are processed on a rolling basis, and interested candidates are highly recommended to apply as soon as possible.

Prerequisites for accepting financial offers:

The Total cost of the consultancy is 5,000 USD and will include the following:

- The Consultancy fees.
- Transportation, logistics and accommodation fees
- Data collection
- Production of the final report, including printing, design, and dissemination

The quotation must be detailed and based on the consultant's proposed work mechanism.

All offers must be e-mailed to irq.tenders@tdh.org no later than 16 November 2023 at 11:59 p.m. (Baghdad time).

Mention in the e-mail object the title of the consultancy:

Capacity Building Consultancy for Justice Actors on Restorative Justice and Peacebuilding KUK/SAD.

Only proposals in English that include all the required documents will be assessed. Only contact short-listed candidates will be contacted.
