



The Eastern Africa Child Rights Network

## Terms of Reference

### Consultancy to Develop a Legal Analysis and Position Paper on the East African Community Anti-Human Trafficking Bill

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#### About EACRN

The Eastern Africa Child Rights Network of Civil Society Organizations (EACRN) was established in March 2014 to coordinate efforts by civil society organizations in Eastern Africa in advocating for children's rights. Presently, the network's membership constitutes of child-focused national CSOs coalitions from Kenya, Uganda, Tanzania, Rwanda, Burundi, Somaliland, South Sudan, Sudan and Madagascar. The network's mandate is to implement programmes that are focused on the realization of Children rights as contained in the African Charter on the Rights and Welfare of the Child (ACRWC) and the United Nations Convention on the Rights and Welfare of the Child (UNCRC).

#### Background

Trafficking in persons has been reported as a major problem within Eastern African region. Available literature points to the fact that individual characteristics make them prone to human trafficking. These include gender, socio economic status , education, employment which may be related to an individual's likelihood to be trafficked. Other factors such as family size, death of parents and divorce are also considered potentially relevant in susceptibility of persons of human trafficking. Children are particularly vulnerable and it is estimated that over 1.2 million children are annually trafficked externally and internally (UNICEF, 2003) .

The International Labour Organization (ILO) estimates that at any given time, 12 million men, women and children worldwide are deceived or coerced into forced and bonded labour, involuntary servitude and sexual slavery Migration creates social disruption of all age groups and this may be worse for trafficked children. Many children in Africa are moved between relatives for various reasons ranging from cultural practices of traditional fostering in times of need like not having children or orphan-hood or providing children with opportunities and protecting them from all forms of dangers. However, these traditional fostering practices have sometimes led to abuse of fostered children, who are then trafficked. Furtherstill, when parents are economically challenged, they perceive their children as assets and become gullible to tricksters who take their children for forced labour and sexual exploitation.

#### The Project

The Eastern Africa Child Rights Network has been implementing a project supported by the Girls Advocacy Alliance. Through this project, the EACRN has engaged with a cross section of policy makers in Africa towards ending Child Trafficking and Child Sexual Exploitation.



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One of the critical actors that the EACRN has engaged is the East African Legislature and its technical committees towards the adoption of the East African Anti-human Trafficking Bill. This Bill provides an opportunity for the East African regional countries to adopt a harmonized framework on anti-human trafficking legislation. Currently, there exists varying provisions of the Bill amongst East African Countries, with some yet to adopt any legislation on countering human trafficking. This project background will provide an analysis of the current legal context of human trafficking within the East African region including in Kenya, Uganda, Tanzania, Rwanda, Burundi and South Sudan, with a view to laying a basis for the review of the Anti-Human Trafficking Bill.

### **Task and Scope of Assignment**

This consultancy involves a desktop review of the laws within the East African region to ascertain the viability of their application. This background should provide a basis for the review and analysis of the East African Anti-human Trafficking Bill. Finally, the consultant is expected to work with the project team to develop a position paper based on the findings of the review of national laws and the East African Anti-human Trafficking Bill.

### **Consultancy Deliverables**

- Undertake a legal review of the laws and policies on countering Human Trafficking in East African Region
- Review and analysis of the East African Human Trafficking Bill
- Position paper on the status child trafficking and child sexual exploitation within the East African region

### **Qualifications and Competencies**

Consultants/ research institutions interested in conducting this consultancy should have the following qualifications:

- At least a Masters/PhD degree in a relevant discipline, i.e. Law, Political Science or Social Development; A consortium of applicants is highly encouraged, please mention the lead consultant in this case.
- Proven experience in engaging policy makers within Eastern Africa.
- Experience in high level policy research and analysis
- Knowledge of child rights and human rights, particularly in the context of East Africa
- Be fluent in English. Knowledge of French is an added advantage.
- Ability to manage multiple, complex tasks being undertaken concurrently
- Capacity to conduct virtual meetings with relevant policy makers
- Ability to analyse, interpret and synthesize information from several sources



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**Duration and timing of the assignment:**

The consultancy is expected to take a maximum of 30 days. The consultant is expected to work independently and regularly consult with the project team on work progress.

**The consultancy is set to begin on 15<sup>th</sup> July and end on 15<sup>th</sup> August, 2020.**

**Submission of Interest**

Interested Consultancies/companies/firms should submit an expression of interest that will include-

- Company profile/Individual CV indicating past experiences from similar projects
- Updated company profile and curriculum vitae with references
- A detailed proposal (expressing interest in the Consultancy including a detailed work plan)
- A detailed quotation

The expression of interest should be submitted to [anita@eacrn.net](mailto:anita@eacrn.net) and cc. [secretariat@eacn.net](mailto:secretariat@eacn.net). The subject of the appearance of interest should be marked “*EACRN Legal Analysis and Position Paper on EAC Anti-human Trafficking Bill*” (EACRN/OCA). Deadline for submission shall be **12<sup>th</sup> July 2020 at 5.00 p.m.**

**ONLY SHORTLISTED CONSULTANTS WILL BE CONTACTED**

Cover letter should be addressed to:-

**Regional Coordinator**

**The Eastern Africa Child Rights Network  
Cedar Court, Off Timau Road – Kilimani  
P.O. Box 19494-00100 NAIROBI, KENYA**