



ORGANISATION OF EASTERN CARIBBEAN STATES

INVITATION FOR EXPRESSIONS OF INTEREST

**DEVELOPMENT OF MODEL LEGISLATION ON CHILD PROSTITUTION,
PORNOGRAPHY AND TRAFFICKING**

The Organisation of Eastern Caribbean States (OECS) Commission invites interested eligible Individual Consultants to submit Expressions of Interest for the provision of consultancy services for **Development of Model Legislation on Child Prostitution, Pornography and Trafficking.**

The Terms of Reference and Guidelines for the Submission of Expressions of Interest for this consultancy are provided below.

**Terms of Reference
Consultant
Development of Model Legislation on Child Prostitution, Pornography and
Trafficking**

1. Background

Within the OECS region, school age children (5 to 16 years) constitute, approximately 20.5 percent of the total population¹. This substantial percentage of the region's citizenry, also ranks as one of the most vulnerable groups to poverty and its associated risks of exploitation, abuse, abandonment, and violence. According to statistics collected by UNICEF, the Caribbean has the 'highest rates of homicides among young people aged 15–17'. By sex, boys were found to be six times more likely to be homicide victims and were generally more at risk for receiving beatings at home and school; while girls were most frequently victims of 'sexual harassment and abuse from adult men in the family, school, or work place'. In addition to the increasing number of reported child sexual abuse cases within the region, there is an observed widespread and often times normalised trend of relationships between older men and younger girls and older women and younger boys.

The sexual exploitation of both male and female children through pornography, prostitution and human trafficking is compounded by the fact that a large percentage of young people become sexually active at an early age (10 to 18 years)². Of those numbers, 82 percent of young men and 52 percent of young women in the English speaking Caribbean have engaged in penetrative sex for the first time at age 13. These early ages of sexual initiation represent a major human rights concern given the correlation of the high incidence of non-consensual sexual encounters with early initiation (many of these young people reported that their first sexual experience was forced) as compared to greater reported levels of consensual encounters when the age of sexual initiation is delayed.

Owing to this state of affairs and the ever growing dependence of the region on tourism as a major income generator, children and young people now face a greater danger of falling prey to sex tourism. According to ECPAT (End Child Prostitution, Child Pornography and Trafficking of Children for Sexual Purposes), child sex tourism is 'the sexual exploitation of children by a person or persons who travel from their home district, home geographical region, or home country in order to have sexual contact with children. [It] involves the exchange of cash, clothes, food or some other form of consideration to a child or to a third party for sexual contact'. With this geographic location near countries which are challenged by child sex tourism, and close proximity to the United States of America, the Eastern Caribbean is at risk for child prostitution, pornography and trafficking.

For many of our Member States, the legal framework needed to prosecute perpetrators and protect children from such abuses is at best inadequate. For example, while the OECS Member States have criminal provisions related to one or more elements of the trafficking process, such as procurement,

¹ OECS Education Statistical Digest, 2013

² UNICEF. Fast facts on Adolescents and Youth in Latin America and the Caribbean
www.unicef.org/media/files/Fast_facts__EN.doc

forced detention, prostitution, sexual offences, kidnapping, and abduction, many countries struggle to prosecute traffickers for committing the offence of trafficking in persons. This is also true for areas of overlap such as prostitution and pornography; where particular elements may be captured under criminal codes but a comprehensive look at such crimes is not encapsulated in any one legislative document. In recognition of this, the OECS Commission and UNICEF have partnered together to produce model legislation on child prostitution, pornography and trafficking, which will be in alignment with regional and international laws and conventions on human and child rights.

2. Scope of Services

The consultant is expected to

- Draft model legislation based on the recommendations made in the *Final Report on the Consultancy To Prepare Register Of Laws To Facilitate Development Of Legislation On Child Prostitution, Pornography And Trafficking*
- Facilitate two consultations with stakeholders
- Review current legislation in nine Member States (Anguilla, Antigua and Barbuda, British Virgin Islands, Dominica, Grenada, Montserrat, St Kitts and Nevis, St Lucia, St Vincent and the Grenadines) as it pertains to the relevant areas with a view to identifying, updating and amalgamating the areas which touch on child prostitution, pornography and trafficking
- Produce updated, harmonized draft model bill consistent with regional and international laws and conventions on human and child rights

3. Expected Deliverables

1. An inception report and work plan detailing all activities, methodological approaches, and tools associated with undertaking the consultancy
2. Review the existing register of identified laws per member State which is to be used to develop the Model Bill
3. Report on consultation with Member States
4. Draft model bill on child prostitution, pornography and trafficking

4. Timeframe

The project will have a life cycle of sixty (60) calendar days, from May 21, 2018 to September 30, 2018

5. Selection Requirements

a. Qualifications and Experience

- i. Graduate degree in law and be a practicing Attorney-at-Law in the jurisdiction of an OECS Member State or a CARICOM Member State

- ii. Professional Qualification in Legislative drafting with at least 5-7 years drafting experience
- iii. Good oral and presentation skills

b. Knowledge, Skills and Attributes Requirements

- i. In depth knowledge of the legal systems of the OECS Member States
- ii. An understanding of the legal and social issues surrounding child prostitution, pornography and trafficking in the OECS Member States and the wider English speaking Caribbean;
- iii. Excellent oral and written communication skills.

6. Coordination and Support

During the Assessment, the Consultant will work closely with the Social Development Unit (SDU) and the Legal Unit. The Consultant will be administratively managed and supported by the Head of the Social Development Unit. The staff of SDU and the Legal Unit will be available as required for discussions and providing information.

7. Obligations of OECS Commission

The OECS Commission agrees to:

- a) Along with UNICEF, review and provide feedback on consultancy deliverables;
- b) Provide all necessary technical and logistical support to ensure that the consultancy is undertaken with reasonable efficiency;
- c) Allocate a point person(s) to support consultants during the process;
- d) Meet all the agreed cost related to the consultancy;
- e) Make all necessary contacts that may be needed; and
- f) Guide the consultancy as necessary.

8. Payment Schedule

#	Deliverables	Payment Schedule	Time frame
1.	Work plan and inception report	10%	One week after contract signing
2.	Register of identified laws per Member States which will inform the draft bill	20%	Three weeks after contract signing
3.	Report on stakeholder consultation	20%	Seven weeks after contract signing
4.	First draft Model Bill with draft report	30%	Nine weeks after contract signing
5.	Final revised Model Bill and Final Report	20%	Twelve weeks after contract signing

9. OECS Recourse

The OECS reserves the right to withhold all or a portion of payment if performance is unsatisfactory, if work outputs are incomplete, not delivered or for failure to meet deadlines. Performance indicators against which the satisfactory conclusion of this assignment will be assessed include: quality of submission, timeliness, and responsiveness to OECS and counterpart feedback.

10. Property Rights

The OECS and UNICEF shall hold all property rights, such as copyright, patents and registered trademarks, on matter directly related to, or derived from, the work carried out through this contract with the OECS and the sponsoring agency UNICEF.

GUIDELINES FOR SUBMISSION OF EXPRESSIONS OF INTEREST

Consultancy on the Development of Model Legislation on Child Prostitution, Pornography and Trafficking

Consultants wishing to signify their interest in undertaking the prescribed services are to submit an Expression of Interest (EOI) to include:

1. Information on the Consultant's qualifications and technical competence relevant to the assignment, experience in undertaking similar assignments, including Curriculum Vitae of the Individual Consultant proposed for the assignment;
2. A concept note on the planned framework for undertaking the assignment and a breakdown of the number of days required for each task.

Consultants shall bear all costs associated with the preparation and submission of their Expressions of Interest.

The OECS is not bound to accept any Expression of Interest, and reserves the right to annul the selection process at any time prior to contract award, without thereby incurring any liability to the Consultants.

For more information please contact:

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Organisation of Eastern Caribbean States
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ST LUCIA
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At the following email address:

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Copied to:

procurement@oecs.int

And

Yoshabel.durand@oecs.int

Expressions of Interest can be submitted via email.

An Individual Consultant will be selected in accordance with the Consultant's Qualifications (CQS) Selection method as detailed in the procedures set out in the Procurement Manual of the OECS dated November 2013, revised June 2016.

Expressions of Interest will be evaluated and the Individual Consultant with the most relevant experience, qualifications and technical competence will be selected and requested to submit a proposal which will be the basis for negotiations leading to a contract.

The criteria to evaluate the Expressions of Interests submitted may include:

- 1) Qualifications of the Consultant
- 2) Technical competence in undertaking the assignment
- 3) Related Experience of the Consultant and experience in undertaking similar assignments
- 4) Planned framework submitted for undertaking the assignment

An electronic copy of the Expressions of Interest are to reach the OECS Commission by **Friday April 20 2018**, addressed to:

Procurement Officer

At the following email address:

procurement@oece.int

The email submissions should include the name and address of the Individual Consultant and shall be clearly marked in the subject line as “**Expression of Interest – Consultancy on the Development of Model Legislation on Child Prostitution, Pornography and Trafficking**”