



Federal MOJCA TOR: Development of Regulations, Implementation Guidelines, and Standard Operating Procedures (SOPs) for the Operationalization of Somalia's Juvenile Justice Act 2026.

Job Code Title	<i>Consultancy service (s)- Development of JJ Act Regulation/SOP</i>
Location	Banadir/Mogadishu, Jubaland/Kismayo, Puntland/Garowe, South west/Baidoa, H/state/Jowhar and Galmudug/Dusomareb, Waqooyi- Bari/Las-anod.
Lead Institution	Federal Ministry of Justice and Constitutional Affairs (MoJCA)
Type of Contract	National Consultant
Languages Required	English, Somali
Duration of Initial Contract	45 working days

Introduction and Background

1. Introduction and Ministry Role

The Federal MOJCA is the lead administrator of Justice in Somalia. It is in charge of legal drafting, correctional services, providing legal advisory services to the government and the community, supporting the legal frameworks for good governance, addressing the public grievances on justice services, and analyzing justice issues in the country. One of the Federal Ministry of Justice's core mandates addresses the child's access to the justice system and promotes child rights. The MOJCA has implemented various projects, including but not limited to the advocacy of vulnerable people, child rights, and child protection, focusing on child justice. The Ministry also coordinates with the line ministries in the FGS and FMS as well as all actors working on these front lines to coordinate national policies regarding the child justice/protection and child rights for those the most vulnerable.

2. Background and Justification

Somalia has taken an important step toward a modern child-sensitive justice system through the enactment of the Juvenile Justice Act 2026. Publicly reported features of the law and related reform agenda indicate that it is intended to establish a juvenile justice approach grounded in dignity, diversion, restorative justice, rehabilitation, reintegration, and clearer child-sensitive safeguards in arrest, detention, legal aid, and sentencing. The broader justice reform agenda also recognizes the need for specialized children's courts, stronger alternatives to detention, better detention standards, stronger case management systems, and more accountable justice institutions.

At the same time, Somalia continues to face serious child protection and justice challenges, including weak formal child justice structures, limited specialized personnel, fragmented or non-digitized case information, weak oversight, and risks that children may still be treated inconsistently across police, courts, detention settings, and customary or informal systems. Concerns have also been raised more broadly about ambiguity around legal age standards and the treatment of children in conflict settings, underscoring the need for practical, uniform implementation guidance.

The purpose of these TOR is therefore to commission the preparation of a full package of regulations, implementation guidelines, and standard operating procedures that explain clearly how the Juvenile Justice Act 2026 will be applied in practice across Somalia.

Against this backdrop, MOJCA seeks to engage a qualified consultant/firm to develop specialised, practical, and context-appropriate Child Legal Aid Guidelines and a Costed Implementation Plan to support national and subnational implementation.

3. Methodology of the assignment

The assignment should be carried out in six stages.

The first stage should be an inception phase, including review of the Juvenile Justice Act 2026, related laws, justice policies, child protection frameworks, and any existing police, court, prosecution, or detention procedures.

The second stage should be a diagnostic mapping of the current juvenile justice pathway in practice, including bottlenecks, informal practices, regional variations, and institutional gaps. This should be informed by the justice strategy's documented issues, such as lack of children's courts, weak databases, limited trained staff, and weak oversight. The third stage should be stakeholder consultation with relevant federal and state institutions, including ministries, judiciary, police, prosecution, bar/legal aid, detention authorities, social affairs actors, child protection agencies, and development partners.

The fourth stage should be drafting of regulations, guidelines, SOPs, and implementation tools. The fifth stage should be validation through workshops and targeted legal review. The sixth stage should be finalization, including a rollout roadmap and training materials.

4. Purpose of the Assignment

The purpose of the assignment is to develop a practical and legally sound framework for implementing the Juvenile Justice Act 2026; so that all responsible institutions understand their mandates, procedures, timelines, documentation requirements, coordination duties, and accountability obligations.

5. Overall Objective

The overall objective is to translate the Juvenile Justice Act 2026 into operational rules and practice guidance that ensure fair, child-sensitive, rights-based, and consistent treatment of children in contact with or in conflict with the law across all federal and state institutions.

5.1. Specific Objectives

The assignment shall pursue five linked objectives.

1. To align implementation practice with the Juvenile Justice Act 2026, the Constitution, Somalia's justice reform priorities, and applicable international child rights standards.
2. To produce clear procedures for arrest, referral, diversion, bail or release, legal aid, social inquiry, adjudication, disposition, rehabilitation, reintegration, and case closure.
3. To clarify the roles and relationships of all institutions involved, including the Ministry of Justice, judiciary, prosecution, police, legal aid providers, social welfare actors, detention authorities, probation or case management structures, and community-based service providers.
4. To establish minimum standards for child safeguarding, detention conditions where detention is unavoidable, alternatives to detention, confidentiality, data management, complaint handling, and independent oversight.
5. To create tools for implementation, including SOPs, forms, checklists, referral pathways, monitoring indicators, and training materials.

6. Scope of the Assignment

The assignment shall cover the full child justice pathway from first contact through reintegration.

6.1 Legal and Institutional Mapping

The consultant or drafting team shall review the final text of the Juvenile Justice Act 2026 and map all provisions that require subordinate regulations, procedural rules, administrative guidelines, judicial practice directions, police instructions, detention standards, or inter-agency SOPs. This should include identifying where the Act is self-executing and where further rules are needed to make implementation possible in practice.

6.2 Definition of Institutional Roles

The assignment shall define the operational roles, powers, and responsibilities of each actor in the juvenile justice chain. This should include the police, arresting officers, child protection desks or juvenile units where they exist, prosecutors, judges or specialized children's courts, legal aid lawyers, social workers, probation or case management personnel, detention officers, diversion panels, restorative justice actors, ministries, and community service providers. Because Somalia's justice strategy specifically notes the need for children's courts and stronger institutional accountability, the role-definition section should be highly practical and authority-specific.

6.3 Arrest, Referral, and Intake Procedures

The assignment shall draft procedures for how a child is identified, apprehended, notified of rights, separated from adults, referred for legal aid, screened for age and vulnerability, and brought before the competent authority within the legally required time. The procedures must set out prohibited practices, mandatory notifications to parents or guardians where appropriate, documentation requirements, and immediate diversion screening.

6.4 Age Determination and Child Status Assessment

Given Somalia's broader concerns around age standards and legal ambiguity, the regulations/guidelines must establish a clear, child-protective approach to age determination, including what evidence is acceptable, what happens if age is uncertain, who decides disputes, and how the presumption of minority is applied pending determination.

6.5 Diversion and Restorative Justice

Public reporting indicates that the new law embraces diversion and restorative justice. The assignment shall therefore develop detailed criteria and procedures for diversion eligibility, decision-making authority, victim participation safeguards, informed consent, record keeping, case monitoring, program completion, and consequences of non-compliance. Diversion options should include counseling, warning, mediation, family conferencing, apology, community service where lawful and appropriate, and referral to social support.

6.6 Bail, Release, and Alternatives to Detention

The guidelines shall operationalize the principle that detention is a last resort and for the shortest appropriate period. They shall establish decision criteria for release to parents or guardians, supervised release, community placement, shelter placement, and other non-custodial measures. This is consistent with Somalia's broader justice reform direction, which calls for more non-custodial sentencing and stronger diversion frameworks.

6.7 Court Procedures and Case Management

The assignment shall draft child-sensitive court procedure guidance covering first appearance, privacy, legal representation, social inquiry reports, interpreters, participation of the child, case scheduling, adjournment control, sentencing or disposition options, and review procedures. If specialized juvenile benches or children's courts are to be created or designated, the guidelines shall specify their functioning, staffing, and referral rules. Somalia's justice strategy explicitly highlights the need to put children's courts in place.

6.8 Sentencing, Disposition, Rehabilitation, and Reintegration

The regulations/guidelines shall define the menu of lawful juvenile dispositions and establish decision criteria emphasizing rehabilitation, proportionality, education, family support, psychosocial care, and reintegration. They shall also set procedures for follow-up, case review, school re-entry, vocational reintegration, and post-release support.

6.9 Detention Standards

Where deprivation of liberty is unavoidable, the assignment shall prepare minimum standards for admission, age verification, separation from adults, accommodation, sanitation, health care, education, family contact, complaints, discipline, protection from abuse, religious access, case review, and release planning. This responds to the reform agenda's concern with prison law revision, detainee rights, humane conditions, and rehabilitation.

6.10 Child Safeguarding and Protection from Violence

The package shall include child safeguarding rules applicable across police stations, courts, transport, legal aid settings, detention facilities, diversion programs, and contracted service providers. It shall define reporting duties, incident response, referral to medical and psychosocial services, confidentiality standards, and protection from retaliation.

6.11 Customary, Religious, and Formal Justice Interfaces

Because Somalia's justice environment includes interactions among formal, customary, and religious systems, the assignment shall set clear rules on which cases must remain within the formal juvenile justice system, what referrals are allowed, what safeguards are mandatory, and what practices are prohibited. The Ministry's strategy identifies the lack of clear protocols between justice systems as a serious gap.

6.12 Data, Records, and Information Management

The package shall establish a unified minimum case record, referral forms, diversion tracking forms, court registers, detention registers, and outcome reporting templates. This is especially important because Somalia's justice strategy identifies the lack of a shared digitized criminal database as a major institutional weakness.

6.13 Complaints, Oversight, and Accountability

The assignment shall develop mechanisms for children and families to make complaints safely, and for inspections, audits, incident reviews, judicial oversight, administrative supervision, and independent monitoring. Since the justice strategy also notes weak oversight arrangements, the final package should specify who inspects, how often, using what tool, and what remedial action follows non-compliance.

6.14 Capacity Building and Rollout

The package shall include a practical rollout plan for training judges, prosecutors, police, prison officers, legal aid actors, social workers, and service providers. It shall identify priority districts, sequencing, resource needs, and supervision arrangements.

7. Ethical Consideration Required

Ethical considerations required.

The consultant/team must comply with all applicable safeguarding, confidentiality, and data protection requirements. No direct consultation with children shall be undertaken unless specifically authorized by the MOJCA and supported by approved child safeguarding protocols, consent procedures, referral pathways, and ethical clearance where required.

8. Institutional Arrangements

- The Consultant will report to the Ministry of Justice FGS and UNICEF.
- Contractually the consultant will report to MOJCA for final signing of the deliverables and processing of fees.
- The Consultant's work shall be undertaken through field-based work and desk review.
- The MOJCA FGs and FMS-MOJCA CPUs will be responsible for liaising with the Consultant to set up interviews with key actors, including line government entities, UN, CSO and children.
- The consultant, to provide a summary overview of the main objectives and deliverables identified by the partners during the consultations to the whole stakeholders.

9. Main Deliverables

Deliverables	Description	Review and approvals Required	Target Due dates
Inception Report	setting out methodology, workplan, stakeholder map, consultation approach, and detailed outline of the regulatory package.	MOJ FGS, FMF MOJ, UNICEF	1 week
A Diagnostic and Gap Analysis Report	identifying the practical, legal, and institutional issues that the regulations/guidelines must solve.	MOJ FGS, FMS, UNICEF	1 week
A Draft Regulation / Guideline Package	containing proposed regulations, operational guidance, and institutional SOPs.	MOJ FGS, FMF MOJ, UNICEF	3 days
A Toolkit Annex	containing forms, registers, model decisions, checklists,	MOJ FGS, FMF MOJ, UNICEF	4 days

	referral pathways, detention inspection tools, and complaint templates.		
A Training and Orientation Package	containing facilitator notes, slides, quick-reference guides, and role-specific summaries.	MOJ FGS, FMF MOJ, UNICEF	3 days
A Final Consolidated Package	revised after consultation and legal review.	MOJ FGS, FMF MOJ, UNICEF	3 days

Payment terms

Payment will be made in 3 instalments and upon delivery of the services specified in the TOR

Core Skills and Competencies

Core Competencies

- Technical Skills
- Coordination and Facilitation Skills
- Analytical & Research Skills
- Displays cultural, gender, religion, race, nationality and age sensitivity and adaptability
- Treats all people fairly without favoritism
- Excellent analytical and organizational skills

Functional Competencies

- Demonstrates strong oral and written communication skills
- Builds strong relationships with clients and external actors
- Demonstrates ability to manage complexities
- Communicates effectively with staff at all levels of the organization & children/families.
- Acts with tact and diplomacy
- Proves outgoing and comfortable in handling external relations at all levels
- Demonstrates compelling communication skills and cross-cultural effectiveness
- Possesses the ability to convey difficult issues and positions to senior officials and counterparts

Experience and qualification requirements

For Team Leader / Lead Legal Expert (Juvenile Justice Specialist)

The consultancy firm shall propose a multidisciplinary team with the following minimum qualifications and experience:

- Advanced university degree (Master's or higher) in **Law, Criminal Justice, Human Rights, or related field.**
- Minimum **10 years of relevant professional experience** in legal drafting and justice sector reform.
- Demonstrated expertise in **juvenile justice, child rights, and criminal procedure.**
- Proven experience drafting **laws, regulations, guidelines, and SOPs.**

- Strong knowledge of **international child rights standards** (CRC, Beijing Rules, Havana Rules, Riyadh Guidelines).
- Experience working with **government institutions and high-level stakeholders**.
- Excellent leadership, coordination, and report-writing skills.

For Other Team Members (if firm/team)

- Technical Experience: Juvenile Justice & Child Protection, Legal Drafting & Regulatory Frameworks, Criminal Justice System Expertise, Institutional & Systems Strengthening;
- Context Experience: working in **Somalia or similar fragile, conflict-affected, or low-capacity contexts**. Understanding of: **Customary and religious justice systems** and their interface with formal systems.
- Expertise in legal aid systems, child protection/social work, justice sector budgeting/costing, and facilitation/research.
- Training and Capacity Building Experience: developing: Training manuals and toolkits & Roll-out plans and capacity-building strategies
- Experience in stakeholder consultation and policy validation processes.
- Strong report-writing skills in English; Somali language capacity is a strong asset.

Languages

- Fluency in English; Somali language is considered an asset.

MOJCA is committed to achieving workforce diversity in terms of gender, nationality and culture, Individuals from minority groups, indigenous groups and persons with disabilities are equally encouraged to apply. All applications will be treated with the strictest confidentiality.

Assessment Process and Methods

The interested qualified consultants/firms are expected to submit a technical and financial proposal for this consultancy.

The consultant firm will be selected pursuant to a review based on below criteria:

- Team composition and experience/CV or consultancy Firm Profile & experience background
- Each proposal will be assessed first on its technical merits and subsequently on its price.
- The Evaluation Team first reviews the technical aspect of the offer followed by the review of the financial offer of the technically compliant vendors. (70% technical aspect and 30% for financial aspect)
- The proposal obtaining the overall highest score after adding the scores for the technical and financial proposals is the proposal that offers best value for money and will be recommended for award of the contract.

VIII. How to apply

Qualified Consultants/Firms with the required skills and qualifications are invited to submit:

- ✓ CVs for the team composition and experience
- ✓ Consultancy Firm Profile & experience background
- ✓ Technical and Financial Proposal for the study
- ✓ Government Registration (Valid Licence and TCC)

- ✓ Latest Tax clearance Certificate (TCC) within Quarter 2026
- ✓ 3 Reference with their details.

Interested candidates should submit their applications via e-mail procurement@moj.gov.so

Prop. Date: 01/Sept 2026 not latter than 14/sept 2026 at 12:00AM in Somalia time.