



Federal MOJCA TOR: Development of specialized Child Legal Aid Guidelines and a Costed Implementation Plan aligned with Juvenile Justice Act, other national Laws and International Standards in Somalia

Job Code Title	Guidelines Dev.'s consultancy Service (s) – Legal Aid Guidelines for Children
Location	Banadir/Mogadishu, Jubaland/Kismayo, Puntland/Garowe, South west/Baidoa, H/state/Jowhar and Galmudug/Dusomareb, Waqooyi- Bari/Las-anod.
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

Since Somalia ratified CRC in 2015, has been undertaking important justice reforms to strengthen access to justice, institutional accountability, and protection of vulnerable groups. The Provisional Constitution provides that every child has the right to state-funded legal aid if the child might otherwise suffer injustice, and that child detention must be used only as a last resort, for a limited time, in appropriate conditions, and separately from adults. The Constitution also recognises the best interests of the child as paramount in all matters concerning children.

Somalia's Justice Sector Strategy 2025–2029 further commits to a more inclusive and human-centred justice system, including specialized courts for children, expanded legal aid, diversion and alternative sentencing, restorative justice, rehabilitation support, training of justice actors, and implementation oversight through structured planning and coordination mechanisms.

At the same time, upon considering the initial report of Somalia in 2022; the UN Committee on the Rights of the Child has expressed concern that Somalia has lacked a fully functioning specialized child justice system, that children have at times been tried as adults including before military courts, that age determination systems have been weak, and that children may be detained with adults in poor conditions. The Committee urged Somalia to enact the juvenile justice framework, establish a specialized child justice system, ensure detention is a last resort, prohibit trial of children in military courts, and guarantee legal counsel and judicial safeguards arrangements.

Recent policy developments indicate strong momentum for child justice reform. The newly Juvenile Justice Act

approved, establishes a legal framework for arrest, custody, prosecution, rehabilitation and penalties for children in conflict with the law, and also the act embraces free legal aid and legal representation, diversion, restorative justice, rehabilitation and reintegration.

Operationally, Somalia also has practical experience to build on. Access-to-justice programming has shown the value of partnering with local legal aid organizations, universities, community-based paralegals, hotlines, radio outreach, court user committees, and justice mapping to reach women, youth, IDPs, minorities and other underserved groups.

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.

Purpose and objectives of the Assignment

3. Purpose of the Assignment

The purpose of the assignment is to produce a national operational framework for child legal aid in Somalia that translates the recent enacted national laws: Juvenile Justice Act 2026, Legal Aid Act and international standards into practical procedures, service standards, roles, referral pathways, capacity requirements, budgeting, and phased implementation actions.

4. Objectives

The specific objectives are to:

1. Review and analyze the Juvenile Justice Act 2026, Legal Aid Act, constitutional guarantees, related justice and child protection laws, policies, and institutional mandates relevant to child legal aid in Somalia.
2. Develop Specialized Child Legal Aid Guidelines for children in contact with the law, with emphasis on child-sensitive, rights-based, gender-responsive, disability-inclusive, contact and conflict-sensitive approaches.
3. Define clear institutional roles and coordination pathways for police, prosecution, judiciary, legal aid providers, bar associations, university legal clinics, social workers, child protection actors, probation/rehabilitation actors, detention authorities, and community structures.
4. Prepare a Costed Implementation Plan with priorities, sequencing, delivery model, staffing, capacity-building, monitoring indicators, and realistic budget estimates for roll-out at federal and state level.
5. Facilitate stakeholder validation and finalization of the guidelines and implementation plan.

5. Scope of the Assignment/Work

The assignment shall be conducted in a participatory manner to the maximum extent possible. The consultant (s) will lead on the execution of the assignment from inception to final reporting. The geographical study areas that should be covered are: Banadir/Mogadishu, Juba-land Kismayo, Punt-land Garowe, South west/Baidabo and Galmudug/Dusomareb. Through a consultative process, the assessment shall target all relevant groups, including government administrations and non-government organizations through interviews, focus groups and consultations to collect data and information.

6. The priority areas covered.

Task 1. Inception and Work Planning

Prepare an inception report setting out the methodology, workplan, consultation plan, deliverable structure, analytical framework, and quality assurance approach. The inception phase shall clarify assumptions relating to the final text/status of the Juvenile Justice Act 2026 and identify any legal or policy documents still required from Government.

Task 2. Desk Review and Legal/Institutional Analysis

Undertake a comprehensive review of:

- The Juvenile Justice Act 2026;
- Legal Aid Act
- the Provisional Constitution of Somalia;
- relevant criminal, procedural, child protection, legal aid, prison/corrections, police, and court administration laws;
- the Justice Sector Strategy 2025–2029;
- relevant Federal Member State frameworks where applicable;
- existing legal aid schemes, pro bono mechanisms, clinical legal aid, community paralegal models, and NGO service models;
- applicable international and regional standards, including the CRC, General Comment No. 24, the African Charter on the Rights and Welfare of the Child, and the UN Principles and Guidelines on Access to Legal Aid in Criminal Justice Systems.

This review shall identify legal and operational gaps, duplication risks, resource needs, and practical entry points for implementation.

Task 3. Stakeholder Mapping and Consultations

Conduct structured consultations with relevant stakeholders, including as appropriate:

- Federal Ministry of Justice and Constitutional Affairs;
- Ministry of Women and Human Rights Development;
- Judiciary and court administration;
- Attorney General / prosecutors;
- Police and child protection desks;
- Prison/corrections and detention authorities;
- legal aid providers, bar associations, law faculties and legal clinics;
- child protection actors, social welfare departments, probation/rehabilitation actors;
- civil society, including child rights and disability organisations;
- selected Federal Member State representatives;
- development partners and UN agencies.

Consultations should identify current practice, service bottlenecks, referral pathways, capacity gaps, geographic access constraints, financing realities, and context-specific safeguards.

Task 4. Draft specialized Child Legal Aid Guidelines

Prepare draft guidelines covering at minimum:

A. Guiding principles

- best interests of the child;
- non-discrimination;
- child participation and informed consent/assent as appropriate;
- confidentiality and privacy;
- dignity, safety and do-no-harm;
- gender responsiveness;
- disability inclusion;
- cultural and linguistic accessibility;
- conflict sensitivity.

B. Scope of child legal aid

- Children in contact with Justice system
- children alleged as, accused of, or recognized as having infringed penal law;
- children deprived of liberty;
- children associated with armed groups where relevant child justice or protective proceedings arise;
- where directed by the commissioning authority, child victims and witnesses requiring legal assistance in related proceedings.

C. Access to legal aid

- early access from first contact with police or security actors;
- eligibility and entitlement rules;
- appointment procedures;
- emergency/24-hour referral arrangements;
- outreach to rural, displaced, minority, and hard-to-reach populations;
- use of hotlines, legal awareness, mobile outreach, school/community awareness, and detention visits.

D. Service delivery standards

- first interview and child-friendly communication;
- legal representation at arrest, questioning, pretrial, bail, diversion, trial, sentencing, appeal, and release/reintegration stages;
- case management, documentation, and follow-up;
- coordination with caregivers, social workers, and child protection services;
- use of interpreters and disability accommodations.

E. Diversion and alternatives

- eligibility criteria and decision points;
- safeguards for informed participation;
- role of defense/legal aid providers in diversion decisions;
- restorative justice considerations;
- non-custodial measures and community-based options.

F. Deprivation of liberty safeguards

- legality review;
- separation from adults;
- access to family, lawyer, doctor, and education;
- prohibition of torture, coercion, and solitary confinement for children;
- regular review of detention necessity;
- complaints and monitoring mechanisms.

G. Age assessment / age determination

- procedures where age is uncertain;
- presumption in favour of minority where doubt exists;
- documentation and review safeguards.

H. Quality assurance

- accreditation / panel requirements;
- competency standards for lawyers and non-lawyer providers;
- supervision, mentoring, peer review, and complaints handling;
- ethics and safeguarding; file standards and data protection

I. Human resources and training

- competencies for lawyers, paralegals, legal aid officers, law students, social workers and justice officials;
- training curriculum and certification approach;
- continuing professional development.

J. Monitoring, data and accountability

- service standards and indicators;
- case tracking and referral tracking;
- quality and outcome monitoring;
- reporting templates.

Task 5. Develop a Costed Implementation Plan

Prepare a realistic implementation plan for an initial **3-year** period, with optional extension to **5 years**, including:

- implementation vision and objectives;
- phased roll-out strategy;
- institutional responsibilities;
- federal and state-level implementation architecture;
- priority actions by year/quarter;
- staffing model;
- training and mentoring plan;
- legal aid panel/pro bono/clinic/paralegal deployment model;
- communications and legal awareness strategy;
- monitoring, evaluation and learning framework;
- risk analysis and mitigation plan;

- detailed budget and costing assumptions.

The costing should distinguish, where possible:

- one-off set-up costs;
- recurring operational costs;
- training and accreditation costs;
- travel/outreach and detention monitoring costs;
- translation/printing/dissemination costs;
- IT/data management costs;
- validation and governance costs;
- state-level roll-out costs;
- partner-supported versus government-financed elements.

Task 6. Validation and Finalization

Facilitate at least one national validation workshop and targeted technical review sessions, revise the drafts based on comments, and submit final deliverables ready for approval and use.

Methodology of the assignment

Indicative Methodology

The assignment should use a **participatory and mixed-methods approach**, including desk review, key informant interviews, focused technical consultations, limited field validation where feasible, and iterative drafting.

The methodology should ensure that the final products are:

- legally accurate;
- operationally practical;
- fiscally realistic;
- adapted to Somalia's federal and plural justice context;
- aligned with both formal justice institutions and referral realities on the ground.

The consultant should apply recognized child-friendly legal aid approaches, including attention to access, developmental appropriateness, participation, quality control, geographic reach, and the practical use of trained non-lawyer actors alongside lawyers where legally and institutionally appropriate.

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.

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.

Main Deliverables

Deliverables	Description	Review and approvals Required	Target Due dates
1. Inception Report	Methodology, workplan, stakeholder map, consultation tools, annotated outline of outputs	MOJCA FGS, FMS MOJCA, UNICEF,	1 week
2. Situational and Legal Analysis Brief	Concise review of legal/institutional context, gaps and recommendations shaping the guidelines	MOJ FGS, FMS MOJ, UNICEF,	
3. Draft Specialized Child Legal Aid Guidelines	First full draft with annexes, SOPs/templates as needed	MOJ FGS, FMF MOJ, UNICEF	1 week
4. Draft Costed Implementation Plan	Phased implementation matrix with budget, assumptions and M&E indicators	MOJ FGS, FMS, UNICEF	1 week
5. Validation Workshop Materials	PPT, agenda, participant package, summary of comments	MOJ FGS, FMF MOJ, UNICEF	3 days
6. Final Guidelines	Revised final version, publication-ready	MOJ FGS, FMF MOJ, UNICEF	4 days
7. Final Costed Implementation Plan	Final approved version, including costing workbook/table	MOJ FGS, FMF MOJ, UNICEF	3 days
8. Final Consultancy Report PPT with infographics to illustrate findings and recommendations	Summary of process, findings, consultations, and final recommendations	MOJ FGS, FMF MOJ, UNICEF	3 days

The interested qualified consultants/firms are expected to submit a technical and financial proposal, CVs of key experts, Valid Licence and CTC for this consultancy.

Payment terms

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

Competencies

Core Competencies

- 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 the Team Leader / Lead Consultant

- Advanced university degree in law, child rights, criminology, public policy, or related field.
- At least 10 years of relevant professional experience in child justice, legal aid, juvenile justice reform, or justice sector programming.
- Demonstrated experience drafting legal/policy frameworks, guidelines, SOPs, or implementation plans.
- Strong knowledge of international child justice standards.
- Prior experience in Somalia or comparable fragile/federal contexts is highly desirable.

For Other Team Members (if firm/team)

- Expertise in legal aid systems, child protection/social work, justice sector budgeting/costing, and facilitation/research.
- 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 and,

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