

# Terms of reference (ToR) for the procurement of services below the EU threshold

CONFIDENTIAL

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<b>Legal Advisory Services on Migration, Return and Reintegration</b>	<b>Project number/ cost centre: S-018285-005</b>
	<b>Tender number 10023247</b>

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## **0. List of abbreviations**

AG	Commissioning party
AN	Contractor
AVB	General Terms and Conditions of Contract for supplying services and work
FK	Expert
FKT	Expert days
KZFK	Short-term expert
ToRs	Terms of reference

## **1. Context**

Since the fall of the Assad regime at the end of 2024, large-scale return movements to Syria have begun in early 2025, fundamentally transforming the country's demographic and institutional landscape. According to current data, more than 1.2 million refugees from the region have returned to Syria. In parallel, more than 1.9 million internally displaced persons (IDPs) have returned to their areas of origin or to other locations, while around 7 million people remain displaced within Syria, many living in temporary shelters. More than 4.5 million Syrians continue to live abroad as refugees. Returns are concentrated primarily in heavily destroyed provinces such as Aleppo, Damascus, Idlib, Homs, Hama and Rural Damascus, where basic service infrastructure functions only to a limited extent and local administrative structures have been significantly weakened by years of conflict.

GIZ Syria is requested to adopt its portfolio to this situation, particularly to relevant questions of voluntary and dignified return and reintegration in Syria to create sustainable impact in this decisive field for the future of Syria which offers many spill-over effects to other development objectives like social cohesion and economic development. One particular focus is given to the engagement with all relevant stakeholders at the German and Syrian side to facilitate knowledge-sharing and strategic advice on the topics of return and reintegration. As promotion of rule of law is one of the overarching objectives of GIZ Syria, another particular focus is given to the legal requirements, both in Syria and Germany.

## **2. Tasks to be performed by the contractor**

The contractor is responsible for providing the following services:

- Advising the German Embassy and the Syrian Ministry of Foreign Affairs and Expatriates with context-specific and international expertise related to voluntary and dignified return and reintegration in Syria;
- Advising GIZ Syria portfolio on a strategic approach on return and reintegration and providing information on specific topics related to return and reintegration in Syria, e.g. legal challenges, legal framework conditions, integration of special needs of vulnerable groups;
- Advising on legal questions concerning GIZ status and work in Syria and supporting negotiation processes with the Ministry of Foreign Affairs of Syria
- Supporting establishing networks for GIZ with public officials and political and communal decision-makers relevant to the various aspects of the project
- Initiating meetings with relevant stakeholders for GIZ staff

- Advising on establishing a network with relevant stakeholders from the political representatives, technical experts and representatives from the community and civil society
- Advise on capacities of (potential) local project partners, advising on their potential roles and on how to support capacity-building in this sector

<b>Milestones/partial works</b>	<b>Date/location/responsibility</b>	<b>Criteria for acceptance</b>
Initial Start-off meeting with GIZ-staff	Within the first 4 weeks after the start of the contract, Online, GIZ staff and consultant	One meeting of at least 2 hours has taken place discussing the situation incl. challenges and legal framework conditions, and a strategic approach of contacting Syrian officials and representatives of civil society.
Meetings with officials	Within the first 4 months after the start of the contract, online, consultant	At least 4 meetings with officials of relevant authorities concerning return and reintegration have taken place and have been initiated, organised and moderated by the consultant. Names and positions of officials have been discussed with GIZ staff before.
Meeting with experts from the civil society	Within the first 4 months after the start of the contract, online, consultant	At least 2 meetings with relevant representatives of civil society relevant to the subject of return and reintegration have been initiated, organised and moderated by the consultant. Names and background of the representatives have been presented to GIZ staff before.
Meetings with German Embassy	Within the first 6 months after the start of the contract, online, consultant	At least 6 meetings with members of the German Embassy have been organised by the consultant.
Final Workshop and recommendations	Last month of the contract, online, GIZ staff and consultant	One meeting of at least 2 hours has taken place to discuss the outcomes of the meetings and the consultant has at least 5 recommendations to GIZ.

Period of assignment: from August 2026 until 31. March 2027.

### **Security precautions:**

The overall security context in Syria can be characterized as fragile and volatile. This can manifest in terrorist attacks, or armed conflicts between ethnic and denominational groups. The political landscape is fragmented, and power constellations can be uncertain. Furthermore, tensions involving external actors and escalation of conflicts in neighbouring countries, could exacerbate existing tensions and instability within Syria.

Therefore, the tenderer is obliged to make itself familiar with the national guidelines and procedures and plan accordingly. GIZ also has its own operative Risk Management Office (RMO) in place which will share limited advice in the implementation process, therefore a timely contact with GIZ's RMO is recommended. Specific details will be shared with the tenderer once the contract is concluded.

However, GIZ is not liable for the safety and security of staff of other organisations. Any information-sharing is to be understood as non-binding and information will only ever be shared without any claim to be complete or guarantee of completeness or that the information is of use to the recipient.

- All international staff travelling to Syria is to inform the RMO when entering or departing Syria.
- All international staff based in or deployed to Syria on a permanent basis or for duty travel must register with the GIZ-own Emergency Mass Notification System (EMNS) while in Syria.
- Should the BMZ or GIZ Country Directors order an evacuation or suspension of duty travels for GIZ and or contractors, such orders are to be complied with (see section 2.2.7 of the General Terms and Conditions).
- Prior to arrival in Syria, contractors are required to attend a security briefing from the GIZ Risk Management Office (RMO).
- The winning tenderer should inform the GIZ Risk Management Office of any Security Incidents should they affect their personnel while in Syria.

At any given time, no more than six GIZ contracted international personnel may be present in Syria simultaneously. Accordingly, the contractor must coordinate in advance with GIZ Syria before any deployment and planning of a trip to Syria.

### 3. Concept

In the tender, the tenderer is required to show *how* the objectives defined in Chapter 2 (Tasks to be performed) are to be achieved, if applicable under consideration of further method-related requirements (technical-methodological concept). In addition, the tenderer must describe the project management system for service provision.

Note: The numbers in parentheses correspond to the lines of the technical assessment grid.

#### Technical-methodological concept

**Strategy (1.1):** The tenderer is required to consider the tasks to be performed with reference to the objectives of the services put out to tender (see Chapter 1 Context) (1.1.1). Following this, the tenderer presents and justifies the explicit strategy with which it intends to provide the services for which it is responsible (see Chapter 2 Tasks to be performed) (1.1.2).

The tenderer is required to present the actors relevant for the services for which it is responsible and describe the **cooperation (1.2)** with them.

The tenderer is required to present and explain its approach to **steering** the measures with the project partners (1.3.1) and its contribution to the **results-based monitoring system** (1.3.2).

The tenderer is required to describe the key **processes** for the services for which it is responsible and create an **operational plan** or schedule (1.4.1) that describes how the services according to Chapter 2 (Tasks to be performed by the contractor) are to be provided. In particular, the tenderer is required to describe the necessary work steps and, if applicable, take account of the milestones and **contributions** of other actors (partner contributions) in accordance with Chapter 2 (Tasks to be performed) (1.4.2).

### **Project management of the contractor (1.6)**

The tenderer is required to explain its approach for coordination with GIZ Syria. In particular, the project management requirements specified in Chapter 2 (Tasks to be performed by the contractor) must be explained in detail.

### **Further requirements: Security Concept (1.7)**

The security concept, which is part of the technical proposal, should include the following:

For activities in Syria, the tenderers are required to adhere to all rules and regulations under GIZ's Security Risk Management (SRM) concept (will be shared with the winning tenderer only). The contractor is required to prevent any behaviour that could frustrate GIZ's SRM concept. If the tenderer chooses to manage its own security, then the tenderer is required to develop a safety and security risk management concept that follows international norms such as 31000ff or the Humanitarian Security Risk Management approach. An outline of the concept must be submitted with the technical and financial bid. GIZ will require the winning tenderer to elaborate its concept.

Should the bidder concept include the services of a private security provider, the security provider should meet the following requirements:

- Possession of international certificates through full membership with the International Code of Conduct Association or a similar qualified institution such as PSC1.
- Well-established in Syria with at least ten years of auditable service in the region
- Established liaison with the Syria authorities, security actors, and community leaders
- High level of discretion, professionalism, and dependability, proven in crisis situations.
- 24/7 operations room in Damascus or Beirut.
- Threat and risk management assessment component that informs a detailed highly accountable journey management process, including where required, a comprehensive context and actor mapping.
- All vehicles armoured outside Syria with international certificates provided.
- It is strongly recommended to use B6 armoured vehicles for all movements of international personnel.

For the implementation of the security concept and necessary trainings (e.g. HEAT Training), the tenderers are expected to include the relevant budget in their financial bid (see below).

Moreover, GIZ strongly recommends international consultants have completed a “Hostile Environment Awareness Training” within the last 5 years before deploying to Syria. Up to 1.500 EUR per key expert will be reimbursed against evidence (see below).

#### **4. Personnel concept**

The tenderer is required to provide personnel who are suited to filling the positions described, on the basis of their CVs (see Chapter 7), the range of tasks involved and the required qualifications.

The below specified qualifications represent the requirements to reach the maximum number of points in the technical assessment.

##### **Key expert**

###### Tasks of key expert

- Advising the German Embassy and the Ministry of Foreign Affairs of Syria with context-specific and international expertise related to voluntary and dignified return and reintegration in Syria
- Advising GIZ Syria portfolio on a strategic approach on return and reintegration and providing information on specific topics related to return and reintegration in Syria, e.g. legal challenges, legal framework conditions, integration of special needs of vulnerable groups
- Advising on legal questions concerning GIZ status and work in Syria and supporting negotiation processes with the Ministry of Foreign Affairs of Syria
- Supporting establishing networks for GIZ with public officials and political and communal decision-makers relevant to the various aspects of projects
- Initiating meetings with relevant stakeholders for GIZ staff
- Advising on how to best establish a network with relevant stakeholders from the political representatives, technical experts and representatives from the community and civil society
- Advise legal situation on returnees
- on the systematic mainstreaming of cross-cutting issues such as gender equality, conflict sensitivity, environmental sustainability, and social cohesion throughout design and implementation of measures concerning return and reintegration.

###### Qualifications of key expert

- Education/training (2.1.1): Completed university degree in Law (German Diplom or Master's degree), with successful completion of the First and Second State Examinations, and admission to the German bar
- Language (2.1.2): Language skills in English (C2 of the Common European Framework of Reference for Languages: 3/10 points), Arabic (C2 equivalent) (4/10 points) and German (C2 equivalent) (3/10 points)
- General professional experience (2.1.3): 15 years of documented professional experience in asylum and residency law, migration law, including substantial professional engagement related to the Syrian displacement crisis and the Syrian legal, institutional and socio-political context.
- Specific professional experience (2.1.4): 10 years of experience in leading and coordinating civil society networks operating in humanitarian assistance and integration contexts, with a substantive focus on Syria and Syria-related programming, and sustained collaboration with German federal authorities and international development actors such as the Federal Foreign Office (AA), BAMF and GIZ, as well as documentation of renowned expertise on Syria & Migration law
- Regional experience (2.1.6): proven record of 10 years of working on the Syrian migration context.

## 5. Costing requirements

### Assignment of personnel and travel expenses

Per diem allowances are reimbursed as a lump sum up to the maximum amounts permissible under tax law for each country as set out in the country table in the circular from the German Federal Ministry of Finance on travel expense remuneration (downloadable from the [German Federal Ministry of Finance – tax treatment of travel expenses and allowances for international business travel as of 1 January 2026 \(GERMAN ONLY\)](#)). Alternatively for security reasons, the consultant can be accommodated in a from GIZ whitelisted accommodation at no additional costs instead of a lump sum payment.

Accommodation allowances are reimbursed as detailed in the specification of inputs below.

With special justification, additional Accommodation costs up to a reasonable amount can be reimbursed against evidence.

All business travel must be agreed in advance by the officer responsible for the project.

### Sustainability aspects for travel

GIZ has undertaken an obligation to reduce greenhouse gas emissions (CO<sub>2</sub> emissions) caused by travel. When preparing your tender, please incorporate options for reducing emissions, such as selecting the lowest-emission booking class (economy) and using means of transport, airlines and flight routes with a higher CO<sub>2</sub> efficiency. For short distances, travel by train (second class) or e-mobility should be the preferred option.



CO<sub>2</sub> emissions caused by air travel must be offset. GIZ specifies a budget for this, through which the carbon offsets can be settled against evidence.

There are many different providers in the market for emissions certificates, and they have different climate impact ambitions. The [Development and Climate Alliance \(German only\)](#) has published a [list of standards \(German only\)](#). GIZ recommends using the standards specified there.

#### Specification of inputs

Fee days	Number of ex-perts	Number of days per ex-pert	Total	Comments
Designation key expert	1	40	40	
Travel expenses	Quantity	Number per ex-pert	Total	Comments
Fixed travel budget	1	13.000 Euro	13.000 Euro	<p>A budget is earmarked for travel to the following countries: Syria.</p> <p>A fixed budget of EUR <b>13.000</b> is earmarked for settling travel expenses against evidence.</p> <p>This budget includes:</p> <ul style="list-style-type: none"> <li>- 4 flights (round trips) to Syria</li> <li>- 32 per-diem allowance Syria</li> <li>- 32 Overnight allowance Syria</li> <li>- Transportation (airport transfer in home country)</li> <li>- Other travel expenses (e.g. visa)</li> </ul>
CO <sub>2</sub> compensation for air travel	8	50 Euro	400 Euro	A fixed budget of EUR <b>400</b> is earmarked for settling carbon offsets against evidence.
Other costs	Number	Price	Total	Comments
Flexible remuneration	1	4.000 Euro	4.000 Euro	A budget of EUR 4.000 is foreseen for flexible remuneration. Please incorporate this budget into the price schedule.

				Use of the flexible remuneration item requires prior written approval from GIZ.
<b>Implementation security concept</b>	1	60.000 Euro	60.000 Euro	<p>A budget of EUR 60.000 is foreseen for the implementation of the security concept (see above) including of security trainings (up to 1.500 Euro) where needed and reimbursed against evidence.</p> <p>The costs of the security concept will only be reimbursed if the transport in the country of assignment is not carried out by GIZ (see below).</p>

## 6. Inputs of GIZ or other actors

GIZ and/or other actors are expected to make the following available:

Transportation on site with GIZ vehicle can be arranged (Alternatively, if the transportation is organized by the contractor (see Security Concept), the associated costs will be covered by the Security Concept budget.)

## 7. Requirements on the format of the tender

The structure of the tender must correspond to the structure of the ToR. In particular, the detailed structure of the concept (Chapter 3) should be organised in accordance with the positively weighted criteria in the assessment grid (not with zero). The tender must be legible (font size 11 or larger) and clearly formulated. It must be drawn up in english.

The complete tender must not exceed 10 pages (excluding CVs). If one of the maximum page lengths is exceeded, the content appearing after the cut-off point will not be included in the assessment. External content (e.g. links to websites) will also not be considered.

The CVs of the personnel proposed in accordance with Chapter 4 of the ToRs must be submitted using the format specified in the terms and conditions for application. The CVs shall not exceed 4 pages each. They must clearly show the position and job the proposed person held in the reference project and for how long. The CVs can be submitted in German or English (language).

Please calculate your financial tender based exactly on the parameters specified in Chapter 5 Quantitative requirements. The contractor is not contractually entitled to use up the days, trips, workshops or budgets in full. The number of days, trips and workshops and the budgets will be contractually agreed as maximum limits. The specifications for pricing are defined in the price schedule.