

## ANNEX C: CALL FOR EXPRESSION OF INTEREST [TO BE ISSUED BY UNHCR]

**Note:** The purpose of the [Call for Expression of Interest](#) is to solicit interest from existing or prospective partners that wish to participate in a UNHCR operation and contribute complementary resources (human resources, knowledge, funds, in-kind contributions, supplies and/or equipment) to achieving common objectives as agreed in a [Project Partnership Agreement](#).

[UNHCR Offices](#) are required to provide a brief description and background of the [Project](#) and selection criteria for the [Project](#). A sample template for a [Call for Expression](#) of interest is below.

| CALL FOR EXPRESSION OF INTEREST No.<br>21/INSJA/HCR/30292   |  |
|---|--|
| Project title and Identification:   | Project Location:                                      |
| Understanding Statelessness Situation in Indonesia through Baseline Survey  | Indonesia (Islands of Java, Sumatera, Sulawesi, Papua) |
| Brief Background of the Project:  |  |
| <p>One of the UNHCR's Actions to End Statelessness is to ensure birth registration for the prevention of statelessness. Birth registration is a process conducted by the government authority to record the birth of a child in the civil register. It provides the first legal recognition of the child. Children without birth certificates face a heightened risk of statelessness, child marriage, child labour, trafficking, and other abuses due to the lack of proof of age. In addition, these children often have limited access to basic services such as education and healthcare and may face difficulties in obtaining legal employment later in life.</p> <p>It was previously reported that in 2014, 40 million Indonesian children—47% of children in the country—do not have birth certificates.<sup>1</sup> Many of the children without birth certificates are from marginalized groups including children in low-income families, orphans, street children, children born abroad to undocumented parents, and the children of mixed marriages.</p> <p>In May 2020, UNICEF Indonesia issued a document regarding the State of Children in Indonesia, some progress has been made that 86 per cent of children in Indonesia now have a birth certificate. However, a significant proportion of children in Indonesia's archipelago still do not have over 31 per cent of children under age four in rural areas, and 14 per cent under age 18. This translated to over 11 million children in Indonesia without a birth certificate in 2019.<sup>2</sup> This was consistent with a statement made by the Official from the Civil Registry made a statement that more than 80% of Indonesia's population have birth certificates during the Regional Statelessness Preparatory Meeting in Bangkok in May 2019 hosted by the Thai Government and UNHCR Regional Office for Asia and Pacific.</p> |  |

<sup>1</sup> AIPJ Baseline Study on Legal Identity Indonesia's Missing Millions, 2014 at page 13.

<sup>2</sup> <https://www.unicef.org/indonesia/sites/unicef.org.indonesia/files/2020-06/The-State-of-Children-in-Indonesia-2020.pdf>, page 43

Any report that was previously issued or launched regarding access to birth certificates in Indonesia rarely included children in the context of migration, including refugee children or children born from mixed marriages of an Indonesian and a refugee or asylum seeker parents.

The constraints in obtaining birth registration for the marginalized populations and for Indonesians generally lies in the complication of providing the required documents. In order to obtain a birth certificate which stated the names of both parents; the identity cards for both parents (or passport and visa in the case of foreigners) must be presented. Along with it, the birth notification letter, family card, and in most cases; a civil marriage certificate must also be presented. Marginalized individuals are unlikely to be able to provide the required documents as many of them are not in possession of identity documents. Moreover, in comparison to the general population, marginalized groups often lack the knowledge and resources to approach the right government agencies in order to obtain the required documents.

In the year 2013, the Government of Indonesia introduced the Law No. 24/2013 regarding the Amendment of Law no 23/2006 on Population Administration. The law stipulates that Recognition shall apply to a child whose parents have married according to the religious law, and have not registered their marriage to the State.<sup>3</sup> This signifies that the names of both parents can be stated in the child acknowledgment certificate issued by the civil registry; which is the prerequisite for issuing the birth certificate. Unfortunately, this provision has not been well understood by the public nor by government officials.

In February 2016, the Ministry of Home Affairs issued Regulation No. 9 of 2016 on Acceleration to Increase Birth Certificate Ownership Coverage. Among others, this regulation has reduced the number of documents needed to obtain a birth certificate. It has also allowed for certain documents to be replaced with letters of declaration from the child's parent. The regulation is strengthened by Circular Letter no. 471/1768/SJ by the Ministry of Home Affairs addressed to all governors, heads of regency and mayors on the Acceleration of the Issuance of Identity Documents and Birth Registration. These reforms allowed the guardians of orphans and children living in orphanages to register their births by providing a Statement Letter of Absolute Responsibility (*Surat Pernyataan Tanggung Jawab Mutlak*) from the Head of the Orphanage rather than an investigation report from the police, which is much more difficult to obtain.

Despite that, the reforms do not simplify the birth registration scheme. Many of the reforms were introduced by the Ministry of Home Affairs and are not binding to other ministries. Implementation of the laws at national level are often inconsistent if not inadequately understood by the government officials as well as by the public.

To facilitate birth registrations for Indonesians and the marginalized persons, further simplification of the birth registration process is required. This shall involve the reduction of documents to be presented by the parent and the guardians, which in turn would lessen the number of government agencies they need to interact during the birth registration process.

On 27 September 2019, Presidential Regulation No.62/2019 on the National Strategy to Accelerate

<sup>3</sup> Law No 24 year 2013 Amendment to Law No. 23 2006 at article 49; Presidential Regulation 25 of 2008 concerning Registration Requirements and Procedures for Population and Civil Registration, Article 82.

Population Administration for Civil Registration and Vital Statistics was enacted. For the very first time, it recognized refugees and asylum seekers as marginalized groups in Indonesia and a special arrangement was needed and to include them in any planning, resources' allocation, development and other public services in the context of civil registration and vital statistics.

In addition to the above, Indonesia's Citizenship Law (Law No.12/2006) is thought of being sufficient to deter statelessness to some populations at risk of statelessness in Indonesia. Statelessness issues in Indonesia, is not limited to birth registration and birth certificates. There are other populations at risk of statelessness in the archipelago including children of Indonesian migrant workers, indigenous population and possible other marginalized groups in Indonesia including people live in border areas near to the Philippines and Malaysia and last but not least, failed asylum seekers who remain in Indonesia undocumented, asylum seekers and refugees who are also stateless such as the Rohingyas. There are provisions under the Indonesia's Citizenship Law that could potentially break the chain of statelessness for children who were born from stateless parents that is clearly stated in the Article 4 (5) and (11).<sup>4</sup> The Citizenship Law, however, does not define the terms 'stateless' or 'statelessness', and there have been varying perceptions and understanding of relevant issues among different Government personnel.

In view of the above, UNHCR Indonesia is planning to conduct activities that could help to map the statelessness situation in Indonesia, the population at risk of statelessness and the national and international legal framework that could potentially be used to address the root cause of statelessness in Indonesia and provide protection for stateless persons in Indonesia including persons and children who are seeking international protection in Indonesia.

#### Goal/Objective, Expected Outcome and Main Activities:

In line with the *UNHCR Action to Address Statelessness: A Strategy Note*, UNHCR's statelessness strategy in Indonesia has been focus on ensuring birth registration for the prevention of statelessness and on supporting access to nationality for those who are entitle to it. Prior to this, a mapping activity to know the current situation of statelessness in Indonesia will also be conducted.

#### Key Objectives of this project:

1. Improved understanding of the scale and scope of statelessness issues in Indonesia.
2. Mapping of the existing legal framework on statelessness in Indonesia.
3. Identification of populations at risk of statelessness as well as possible identification of individual stateless persons who are Persons of Concern (POCs) to UNHCR.

The findings of the baseline study will inform UNHCR's future programming and interventions, including additional targeted activities to address the factors contributing to heightened risk of statelessness, help to strengthen existing partnerships and expand into new partnerships. The recommendations that come out of the research will also inform UNHCR's advocacy strategy and initiatives on statelessness in Indonesia.

<sup>4</sup> <https://www.refworld.org/pdfid/4538aae64.pdf>

**Main activities:**

The activities will be carried out under these projects will involve 3 areas:

1. Identification
2. Reduction
3. Protection

Specific activities will include:

1. Mapping of existing legal framework in Indonesia and administrative hurdles to implementation of the laws. This will involve comprehensive legal studies on the existing legal framework in Indonesia in relation to statelessness, citizenship and access to birth registration and birth certificates and to identify different actors, both government and non-government, that could address the statelessness situation in Indonesia.
2. Consultation with government stakeholders, including but not limited to the Ministry of Home Affairs.
3. Consolidation of a catalog of identity documentation in Indonesia.
4. Consultations, including Focus Group Discussions and interviews with populations at high risk of statelessness, including:
  - Individuals lacking documentation
  - Populations in locations with high rates of children lacking birth registration
  - Migrant workers
  - Indigenous populations
  - Populations living in border areas
  - Failed asylum seekers
- 5) Leading advocacy efforts toward the adoption of universal birth registration in Indonesia
- 6) Facilitating birth registration procedures for the children of refugees, asylum-seekers, and potentially stateless persons in Indonesia
- 7) Assisting the Government of Indonesia in the formation and implementation of an effective national civil registration and vital statistics (CRVS) strategy.
- 8) Field visits to Lhokseumawe (Aceh) and border areas with other countries such as Malaysia, the Philippines, and Papua New Guinea to meet the targeted population, government, and non-government counterparts.

The above activities are expected to support birth registration for the children of refugees, asylum-seekers, and stateless children born within the territory in line with national CRVS programs and civil registration law, policy, and administrative reforms. UNHCR plans to support the Government of Indonesia in identifying legal, procedural, and practical obstacles to the issuance of nationality documents to those who are entitled to it.

The activities will also include (but not limited to) field visits, meetings, focus group discussion, workshops and recruiting additional staff.

#### Intended Population of Concern:

As per 31 January 2021, there are 13,744 individuals registered as refugees and asylum seekers with UNHCR Indonesia. They are originally from 49 different countries. UNHCR recorded 3 refugee children were issued birth certificates in 2019 while in 2020 there were no birth certificates issued to UNHCR's people of concern.

For the past 5 years there has never been consistent result when it comes to access to universal birth registration and birth certificates for UNHCR's people of concern as well as the other marginalized groups in Indonesia. UNHCR's people of concern, however, are facing even greater obstacle as UNHCR ID card is not recognized country wide as a legitimate document in lieu of passport, or residency permit (KITAS/KITAP).

In view of the above, the project's activities will target UNHCR's people of concern, stateless refugees such as the Rohingya refugees, as well as other marginalized groups in Indonesia, especially those who are married to refugees or asylum seekers and people living in border areas.

#### Project Period [estimated start and end dates of project]:

May 2021 – 31 December 2021

| Submission Deadline:     | Date Decision Results to be Communicated to Applicants: |
|--------------------------|---|
| 14 April 2021 17:00 hrs. | 5 May 2021  |

#### Selection Criteria

| Choose relevant criteria | Criteria Description   | Assigned Weighting (optional) |
|--------------------------|--|-------------------------------|
| ✓                        | <b>Sector expertise and experience:</b> the required specific skills, sector specialists, knowledge, and human resources.  | 25 percent                    |
| ✓                        | <b>Project management:</b> ability to deliver project objectives, accountability mechanisms and sound financial management, considering the audit results of the previous UNHCR-funded projects, past performance, and the external audit of partners' financial statements, where applicable.   | 20 percent                    |
| ✓                        | <b>Local experience and presence:</b> ongoing programme in the area of operation; local knowledge; engaging refugees and other people of concern; trust from local communities; local presence; partner policy on community relations; complaint mechanisms for people of concern; self-organized groups of people of concern; and other factors that would facilitate access to and better understanding of the people of concern | 10 percent                    |

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|  | and that would reduce administrative difficulties. |  |
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|---|--|------------|
| ✓ | <b>Contribution of resources:</b> evidenced and documented contribution of resources to the Project in cash or in-kind (e.g. human resources, supplies and/or equipment) by the partner that are presently available (or potentially mobilized by the partner) in order to supplement UNHCR resources.   | 15 percent |
| ✓ | <b>Cost effectiveness:</b> level of direct costs and administrative costs imposed on the Project in relation to project deliverables.  | 10 percent |
| ✓ | <b>Partner's capacity to undertake procurement:</b> ability to undertake large scale procurement, prior procurement experiences and value of procurement. Functioning procurement unit in the country of operation. Established effective internal-controls and PQP status (when procurement is US\$100K and above).   | 10 percent |
| ✓ | <b>Experience working with UNHCR:</b> global and/or local partnerships including knowledge of UNHCR policies, practices and programmes, including an understanding of and ability to work within UNHCR's funding limitations and associated inherent risks. Partners that have three consecutive qualified audit opinions for UNHCR-funded projects may not be considered. | 10 percent |
|   |  |            |

#### Other information

##### **Concept Note**

NGOs are invited to submit a Concept Note and proposed budget no later than **17:00 hrs on 14 April 2021**

The Concept Note is primarily for the partner to express its unique advantage and added value in line with the project objectives. The Concept Note is intended to allow the partner to:

- Articulate its objectives in undertaking the project.
- Briefly describe the implementation approach for realizing the desired outcome of the project.
- Demonstrate the unique advantage it brings to the partnership for realizing the desired outcome of the project; and
- Demonstrate its complementariness to UNHCR's capacities and resources for the project.

It is important that the selected partner participates in the design and detailed budgeting of the project and concluding Partnership Agreement. Therefore, the Concept Note should not be a fully developed project proposal and should be concise, contain clear information, and not exceed three pages.

UNHCR reserves the right to accept the proposal in whole or in part. It is at the discretion of the

UNHCR Office whether the name of the selected or retained partners is announced to all applicants.

A UNHCR Implementing Partner Selection Committee will review all Concept Notes received by the above deadline in accordance with pre-defined criteria reflected above. All responding organizations will receive written notification of the outcome of the assessment by at the latest. Instructions for any necessary follow-up will be provided in UNHCR's response.

#### **UNHCR Partner Portal**

All Concept Notes must be submitted by email to [INSJA@UNHCR.ORG](mailto:INSJA@UNHCR.ORG) and later followed by submission through the UNHCR Partner Portal, which can be accessed at <https://partner.unhcr.org>. No submissions in hard copy will be accepted.

Interested partners are required to register in the Partner Portal if they have not already done so by following a few simple steps. As part of the registration process, a new partner will be required to submit the following documents:

- Its statute or constitutional document, establishing the entity as a non-profit organization.
- Its legal registration with the national authorities of the country of origin for the establishment of the entity as a non-profit organization; and
- Two recommendation letters that verify a good collaboration history with reputable organizations such as UN system organizations, donors (ECHO, DFID, USAID etc.) or a governmental entity.

#### **Further Information**

Requests for additional information or clarification on this Call for Expression of Interest can be directed to [insja@unhcr.org](mailto:insja@unhcr.org).

Additional guidance on the process of preparing a Concept Note can be found on the UNHCR Partner Portal: <https://partner.unhcr.org>.

Issuing UNHCR Office  
Contact Address

Signature, Head of Office

Full name and title, Head of Office  
Name of UNHCR Office  
Date

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Ann Maymann, Representative  
UNHCR Representation in Indonesia  
24 March 2021