

Term of Reference (ToR)
Policy Draft on Refugees Handling in Aceh
December 2021 – March 2022 (Tentatively)

Background

Aceh has served as a location of transit for refugees since 2006. In 2015, Aceh accepted the largest arrival of Rohingya refugees, consisted of 1,500 people located in three different districts. Later on, in 2020, Aceh accepted nearly four hundred Rohingya refugees in two disembarkations in Lhokseumawe city. Indonesia is not a party to the 1951 Refugee Convention or its 1967 Protocol, nor does it have a national refugees status determination system. Nonetheless, several district governments in Aceh Province took the initiative to assist the refugees, following the local wisdom known as “*Pemulia Jamee Adat Gautanyo*” (welcoming guests is our custom) that is commonly applied in Aceh Province.

In 2016, the central government of Indonesia took a step forward by issuing a regulation on refugees handling through the Presidential Regulation Number 125 of 2016. The regulation instructs local governments to take a role in handling refugees residing in their districts. However, there is no specific policy on refugees handling applied in provincial level up to now. The lack of policy clarity in provincial level often placed the local governments in district level in challenging situation when it comes to the acts and available budget to assist the refugees in their territories.

As a province with broad autonomy status, Aceh has privileges that provide opportunity to issue certain policies concerning to the refugees handling. The empirical experiences from several local governments in refugees handling can be taken as lessons and best practices to contribute to the process of formulating policies for refugees handling in Aceh Province. By providing a clear role division of governments in various levels (national, provincial, and district) along with coordination mechanisms among stakeholders, it is anticipated that Aceh will be able to provide and issue a comprehensive law that can be used as a guideline for refugees handling.

Objective

The objective of the program is to produce policy draft on refugees handling to be proposed to the local government and related stakeholders in Aceh. On completion of the activities, selected Supplier Institution will be able to:

1. Produce policy draft on refugees handling in Aceh.
2. Ensure the policy draft reaching the highest quality standard of writing.
3. Ensure the policy draft is not against Indonesian constitution and law.
4. Submit the good quality of policy draft / academic script on refugees handling to the Government of Aceh and related stakeholders.

Scope of Work of The Supplier Institution

Under the overall supervision and guidance of the UNHCR, Supplier Institution will perform the following specific tasks:

1. Selecting the highly qualified writers to produce the policy draft on refugees handling.
2. Conducting one Focused Group Discussion (FGD) with Governments of Aceh in Banda Aceh
3. Conducting one Focused Group Discussion (FGD) with Non-Governmental Organizations (NGOs) and Civil Society Organizations (CSOs) in Banda Aceh
4. Conducting one public consultations in Banda Aceh
5. Conducting one public consultations in Lhokseumawe City.
6. Conducting one public consultation in East Aceh.
7. Conducting informal discussion with Government of Aceh and related stakeholders.
8. Producing Policy Draft on Refugees Handling in Aceh
9. Submitting the Policy Draft on Refugees Handling in Aceh to the Parliament of Aceh and other related institutions.

Expected Deliverable and Action

Deliverable

1. The FGDs and Public Consultations are designed properly, documented, and delivered.

Outcome

1. Submission of good quality policy draft on refugees handling that is expected to encourage the Government of Aceh to include refugees handling in regional regulations, or in Aceh is also known as QANUN and Governor Regulation.

Participants

1. Six Writers for writing of policy draft. A female writer should be included.
2. 25 Participants for FGD with Government of Aceh
3. 25 participants for FGD with NGOs and CSOs
4. 25 participants for each Public Consultation in each area
5. 30 participants for informal discussion in Banda Aceh

Activities Durations

The activities are expected to be completed in 3 months.

The details of activities can be broken down as follows:

Activity	Duration	Output	Participants
Selecting six writers to concept and write policy draft on refugees handling	1 week	Six Selected Writers.	Academicians and Practitioners, Supplier Institution
Writing the Policy Draft	10 weeks	Final Policy Draft.	Academicians and Practitioners, Supplier Institution
Conducting FGD with Government of Aceh in Banda Aceh	1 day	Receiving insights from Government of Aceh on the issue of refugees handling.	Government of Aceh, including Parliament member, Supplier Institution

Conducting FGD with NGOs and CSOs in Banda Aceh	1 day	Receiving insights from NGOs and CSOs who were involved in refugees handling in Aceh.	NGOs and CSOs, Supplier Institution.
Conducting Public Consultation for the Policy Draft in Banda Aceh, Lhoksumawe, and Langsa	3 days	Receiving feedback before submitting Final Draft.	Government, NGOs, CSO, Local Community, Supplier Institution
Conducting Informal Discussion with Government of Aceh and Related Stakeholders in Banda Aceh	3 days	Placing the same perception on refugees handling with the stakeholders.	Supplier Institution, Government of Aceh, Academics, Supplier Institution
Submitting the Policy Draft to the Parliament of Aceh	1 day	Policy Draft is ready to be taken to the plenary meeting of Aceh Parliament.	Supplier Institution, Parliament Member of Aceh Parliament

Starting Timeline for the Activities

The activities are tentatively expected to start on 13th December 2021, or after the contract is signed by the UNHCR and Supplier Institution. The Policy Draft is expected to be submitted to Aceh Parliament within three months after the signed contract issued.

Additional Information

- Grant disbursement:
 - Phase 1: 40 per cent of the grant will be disbursed after signing the agreement.
 - Phase 2: 60 per cent of the grant will be delivered after the submission of Policy Draft to the Aceh Parliament.

Methodology

1. FGDs and Public Consultations will be delivered offline by following health protocol of COVID19.
2. The FGDs and Public Consultations will be delivered in Indonesian (Bahasa Indonesia).
3. Supplier Institution will lead the FGDs, Public Consultations Workshops, and Informal Discussions with the Government of Aceh. Supplier Institution will identify the participants and resource / support persons required for each event.
4. Supplier Institution will contact and deliver the invitation to the participants, resource and support persons for each event. The UNHCR will provide the logistic of the events, including the hotel rooms for the participants coming from other districts; meeting rooms; meals during the

events; the fee of resource persons, moderators, facilitators and notetakers; transport fees, and organization visibilities.

5. The UNHCR will provide a car to facilitate the project for the Supplier Institution through Car Service Provider.
6. The Final Policy Draft will be produced in Indonesian that will be delivered to related Government Offices and the UNHCR Indonesia.

Budget

The budget for this project will include cost for writers, Project Management Service (including the service cost for Project Manager, Project Officer and Administrative Officer), stationeries and documentations, and producing the policy drafts in several required bundles.