



## **ANNEX A.1**

**F/SE/10/03**

**Data collection and research services on  
fundamental rights issues**

**TECHNICAL SPECIFICATIONS**

## Table of Contents

<b>1</b>	<b><i>Technical specifications</i></b> .....	<b>3</b>
<b>2</b>	<b><i>Contract Objectives</i></b> .....	<b>4</b>
<b>3</b>	<b><i>General description of obligations</i></b> .....	<b>4</b>
<b>4</b>	<b><i>Procedures for the implementation of the Framework Contract</i></b> .....	<b>4</b>
<b>5</b>	<b><i>Service requirements – Lots, deliverables and tasks</i></b> .....	<b>5</b>
<b>6</b>	<b><i>Language and style</i></b> .....	<b>11</b>
<b>7</b>	<b><i>Page layout for deliverables</i></b> .....	<b>12</b>
<b>8</b>	<b><i>Acceptance of deliverables</i></b> .....	<b>12</b>
<b>9</b>	<b><i>Place of work and delivery</i></b> .....	<b>12</b>
<b>10</b>	<b><i>Project team (Lots 1-30)</i></b> .....	<b>13</b>
<b>11</b>	<b><i>Communication</i></b> .....	<b>17</b>
<b>12</b>	<b><i>Project monitoring</i></b> .....	<b>17</b>

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## 1 Technical specifications

### 1.1 Overview and background information

The European Agency for Fundamental Rights (FRA) and the European Institute for Gender Equality (“the participating Agency”) have collaborated to prepare this technical specifications in order to identify Contractors for the provision of the research and analysis services, as described in the relevant sections below, in accordance with their respective mandate.

The European Union Agency for Fundamental Rights (FRA) was established on 15 February 2007 on the basis of Council Regulation 168/2007<sup>1</sup>.

The objective of the Agency, according to Article 2 of the Regulation, is to provide the relevant institutions, bodies, offices and the Community Agency concerned and the Member States with assistance and expertise relating to fundamental rights in order to support them when they take measures or formulate courses of action within their respective spheres of competence to fully respect fundamental rights.

The European Institute for Gender Equality was established on 20 December 2006 on the basis of Regulation (EC) No. 1922/2006 of the European Parliament and of the Council<sup>2</sup>.

The overall objective of the Institute, according to Article 2 of the Regulation, is to contribute and strengthen the promotion of gender equality, including gender mainstreaming in all Community policies and the resulting national policies, and the fight against discrimination based on sex, and to raise EU citizens` awareness of gender equality by providing technical assistance to the Community institutions, in particular the Commission, and the authorities of the Member States.

In order to fulfil their objectives the FRA and the participating agency conduct research collecting relevant primary and secondary data and contextual information from EU Member States and analyse them comparatively in order to develop policy relevant reports addressed primarily to their main stakeholders, the EU institutions and EU Member States. These tasks are accomplished primarily through the work of their expert staff. In addition, the FRA and the participating agency develop and co-ordinate research networks of experts and organisations across the EU based on Contractual relations.

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<sup>1</sup> COUNCIL REGULATION (EC) No 168/2007 of 15 February 2007 establishing a European Union Agency for Fundamental Rights

<sup>2</sup> Regulation (EC) No. 1922/2006 of the European Parliament and of the Council of 20 December 2006

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## 2 Contract Objectives

The objective of the Contract is to provide the Agency concerned with research related services on fundamental rights issues, as described in the relevant sections below.

## 3 General description of obligations

The Agency concerned produces a number of reports every year based on research involving the collection of secondary data (desk research) or primary data (fieldwork research) and comparative analyses, which are either carried out internally or may also be outsourced. These reports correspond to research projects that are outlined in the FRA's Work Programme and in EIGE's Work Programme, publicly available on their respective websites, allowing potential Contractors to identify in advance the possible assignments that may be outsourced. The Agency concerned may also produce ad hoc reports during the year, as necessary, based largely on data and information systematically collected throughout the year through bulletins or very short ad hoc reports on specific issues. Tenderers should keep in mind that they may be required to produce data and information throughout the year and at relatively short notice, sometimes completing more than one assignment in parallel.

The Contractors will carry out the work on the basis of specific guidelines and templates provided by the FRA ensuring the highest scientific quality. The deliverables outlined below constitute background material for the Agencies' EU level report.

All deliverables must be provided in <b>English</b> at international publication standards.
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## 4 Procedures for the implementation of the Framework Contract

When the Agency concerned wishes to procure services under the Framework Contract, it will act in accordance with the provisions of the Framework Contract provided in Annex..

Specific Contracts either on a fixed price basis or on a quoted time and means basis can be concluded between individual agencies and the selected contractors over the total duration of the Framework Contract.

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## 5 Service requirements – Lots, deliverables and tasks

### 5.1 Lots

This call for tender is divided into 30 Lots. Lots 1-28 refer to the EU Member States plus Croatia.

Lot 29 will be required to provide mainly services related to legal and policy information at EU and international level.

Lot 30 will be required to provide mainly services related to scientific comparative social, legal and policy analyses.

<i>Lot 1</i>	<i>Belgium</i>
<i>Lot 2</i>	<i>Bulgaria</i>
<i>Lot 3</i>	<i>Czech Republic</i>
<i>Lot 4</i>	<i>Denmark</i>
<i>Lot 5</i>	<i>Germany</i>
<i>Lot 6</i>	<i>Estonia</i>
<i>Lot 7</i>	<i>Ireland</i>
<i>Lot 8</i>	<i>Greece</i>
<i>Lot 9</i>	<i>Spain</i>
<i>Lot 10</i>	<i>France</i>
<i>Lot 11</i>	<i>Italy</i>
<i>Lot 12</i>	<i>Cyprus</i>
<i>Lot 13</i>	<i>Latvia</i>
<i>Lot 14</i>	<i>Lithuania</i>
<i>Lot 15</i>	<i>Luxembourg</i>
<i>Lot 16</i>	<i>Hungary</i>
<i>Lot 17</i>	<i>Malta</i>
<i>Lot 18</i>	<i>Netherlands</i>
<i>Lot 19</i>	<i>Austria</i>
<i>Lot 20</i>	<i>Poland</i>
<i>Lot 21</i>	<i>Portugal</i>
<i>Lot 22</i>	<i>Romania</i>
<i>Lot 23</i>	<i>Slovenia</i>
<i>Lot 24</i>	<i>Slovakia</i>
<i>Lot 25</i>	<i>Finland</i>
<i>Lot 26</i>	<i>Sweden</i>
<i>Lot 27</i>	<i>United Kingdom</i>
<i>Lot 28</i>	<i>Croatia</i>
<i>Lot 29</i>	<i>EU and International level</i>
<i>Lot 30</i>	<i>Comparative analysis</i>

**Note: Deliverables and tasks are described in the section noted in brackets**

<b>LOTS 1 – 28 (National Level)</b>	
<b>DELIVERABLES</b>	
Bulletin (5.2.1)	
Ad hoc information request (5.2.2)	
Social Thematic Study (5.2.3)	
Social fieldwork research (5.2.4)	
Legal Thematic Study (5.2.5)	
Reports of various sizes (5.2.6)	
<b>TASKS</b>	
Review Service (5.3.1)	
Participation in meetings (5.3.2)	
<b>LOT 29 (EU and International Level)</b>	
<b>DELIVERABLES</b>	
Bulletin (5.2.1)	
Ad hoc information request (5.2.2)	
Legal Thematic Study (5.2.5)	
Reports of various sizes (5.2.6)	
<b>TASKS</b>	
Review Service (5.3.1)	
Participation in meetings (5.3.2)	
<b>LOT 30 (Comparative Analysis)</b>	
<b>DELIVERABLES</b>	
Comparative analysis (5.2.7)	
<b>TASKS</b>	
Review Service (5.3.1)	
Participation in meetings (5.3.2)	

## **5.2 Deliverables**

### **5.2.1 Bulletin (Lots 1-29)**

The Bulletin provides key information on key developments regarding fundamental rights/gender equality issues at national level (Lots 1 – 28) and EU/international level (Lot 29), which inform the Agency concerned on a regular basis on important developments in the Member States. The FRA or the participating agency may each require three Bulletins annually, which will be based on a specific template that will be

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provided by the Agency concerned, when the relevant Specific Contract is signed, together with the deadlines for submission.

As an illustration, the contents of the 'Bulletin' would include:

- Information and relevant data on social and policy developments, highlighting the effects for men and women, including statistics from official and other sources, results of academic research, and reports from national and international NGOs and IGOs, in particular the CoE, UN and Treaty Bodies; relevant good practices must also be included. Media sources may be used, where no other sources of information is available;
- Important legal developments, case law, policies, measures and other initiatives, including good practices, also on gender equality measures; at EU level, particularly developments and activities of the European Parliament, the European Commission, the European Council, the Committee of the Regions, the European Economic and Social Committee, and other relevant EU actors;
- A brief overview of any important public debates on fundamental rights issues;
- The latest publicly available official and non-official statistical justice data.

***Size: approximately 2-5 A4 pages (excluding annexes)***

### **5.2.2 Ad hoc information request (Lots 1 – 29)**

The Agency concerned may require information on particular issues on ad hoc basis and often at a very short notice. The Contractors should deliver such information on the basis of a specific template and guidelines that will be provided by the Agency concerned, when the relevant Specific Contract is signed, together with the deadline for submission. Lots 1-28 would cover the national level and Lot 29 would cover the EU/international level.

As an illustration, the contents of this deliverable could include:

- Information on procedures for lodging a complaint with equality bodies. Data disaggregated by gender could be requested on the persons lodging the complaint, in connection with the area of complaint, if available.
- Information on administrative arrangements for the detention of asylum seekers including gender differentiation;
- Practical information, such as, for example, the identification and contact details of key stakeholders or key experts or journalists covering particular issues, new databases at international, European or national level, networks of cross border information centres as e.g. Libraries covering particular fundamental rights or gender equality issues, etc.

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This deliverable may be expected to be delivered at very short notice, as a minimum within 10 calendar days.

***Size: approximately 1-3 A4 pages (excluding annexes)***

### **5.2.3 Social Thematic Study (Lots 1 – 28)**

A thematic social study on social and policy aspects of fundamental rights and/or gender equality issues would involve the collection through desktop research and presentation in a well structured and appropriately contextualised document of relevant data and information on trends, significant policy developments, other measures, as well as good practices that will serve in the development of policy recommendations at EU level. At least one of the thematic studies is expected to have a special theme related to gender equality topics. The study should contribute to a good understanding of the social and political effects of a particular issue within the specific national, social and political, context by providing robust and objective evidence. The studies should clearly show gender specific differences in the area under investigation.

Thematic social studies will be used as background material for comparative analyses and must be factual, objective, balanced, fully substantiated and referenced. A thematic social study could be commissioned for all or for a number of Lots.

The studies will be based on a specific template and guidelines to be provided later by the Agency concerned in the Specific Contract, where the deadline for submission will be specified. As an indication, social thematic studies should be delivered within three months.

***Size: approximately 30-50 A4 pages (excluding annexes)***

### **5.2.4 Social fieldwork research (Lots 1 – 28)**

The purpose of social qualitative fieldwork research is to gain a rich understanding of processes, events and relationships. Social qualitative field research is especially effective in obtaining specific information about the values, attitudes, views, experiences, perceptions and social behaviour of particular populations. Its strength is its ability to provide complex textual information on how specific target groups experience a situation linked to a fundamental rights issue. Qualitative methods are also effective in identifying intangible factors, such as social norms, socio-economic status, gender roles, ethnicity, age and religion whose role in the research issue may not be readily apparent.

As an indication the qualitative field research may involve one or a combination of the following qualitative methods:



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- **In-depth interviews** (semi-structured or structured interviews, life-stories), which are optimal for collecting data on individuals' personal histories, perceptions and experiences, particularly when sensitive topics are being explored;
  - **Focus group interviews**, which are effective in eliciting data on the attitudes, behaviours and norms of a particular group sharing some common characteristics and in generating broad overviews on issues related to such groups;
  - **Observation** (direct or unobtrusive), which is appropriate for collecting data on social behaviours in their usual contexts;
  - **Case studies**, which typically involve an in depth examination of a particular issue.

The research will be carried out on the basis of specific guidelines to be provided by the Agency concerned in the Specific Contract, where the deadline for submission will be specified. The research could be commissioned for all or a number of Lots.

**Size: variable**

#### **5.2.5 Legal Thematic Study (Lots 1 – 29)**

A thematic legal study on a fundamental rights issue would involve the collection and presentation in a well structured and appropriately contextualised document of relevant legal provisions and legal practice, case law, as well as relevant good practices. The legal analysis should also use and reference any publicly available official statistical data related to the application of laws. The study should contribute to a good understanding of the issue within the specific national, social and political, context. It also needs to evaluate the various impacts which laws and directives might have on women and men and to assess their non-discriminatory nature towards any category of women or men. Lots 1-28 would cover the national level and Lot 29 the EU/international level.

Thematic legal studies will be used as background material for comparative analyses and must be factual, objective, balanced, fully substantiated and referenced. A thematic legal study could be commissioned for all or for a number of Lots.

The studies will be based on a specific template and guidelines to be provided later by the Agency concerned in the Specific Contract, where the deadline for submission will be specified. As an indication, legal thematic studies should be delivered within three months.

**Size: approximately 30-50 A4 pages (excluding annexes)**

### **5.2.6 Reports of various sizes (Lots 1-29)**

The Contracting Authority may require in the course of the work data and information, as well as analyses, on an ad hoc basis regarding a variety of fundamental rights and/or gender equality issues, occasionally of a very specific and/or technical nature, often at short notice. As an illustration this could involve the collection of information on the medical effects of the use of body scanners, or a literature review of research on the effects of the participation in social networking through the internet, or an outline of examples of migrant integration policies, or an assessment of barriers faced by women in accessing decision-making positions, or on discrimination based on sex, etc. Lots 1-28 would report at national level, Lots 29 at EU/international level, depending on the nature of the report.

The studies will be based on a specific template and guidelines to be provided later by the Agency concerned in the Specific Contract, where the deadline for submission will be specified.

This deliverable may be expected to be delivered at short notice, as a minimum within 30 calendar days.

**Size: variable**

### **5.2.7 Comparative analysis (Lot 30)**

A comparative analysis would be based primarily on background material provided by the Agency concerned. Its aim would be to produce a good understanding of the situation at EU level on a particular fundamental rights issue that will allow robust conclusions to be drawn on the basis of which the Agency concerned will develop its opinions. The analysis should be policy relevant, since it will be used in the Agency concerned reports that aim primarily to provide assistance and expertise relating to fundamental rights to EU institutions and Member States, when implementing Community law, in order to support them when they take measures or formulate courses of action within their respective spheres of competence.

It may, depending on its thematic scope, involve a comparative analysis of legislation and legal practice in the EU Member States; a comparative analysis of national policies, action plans and measures; a comparative analysis of the social situation in the EU Member States based on national data and contextual information; or a combination of the above.

The analysis should take into account recent developments in relevant European and international law and policy, significant relevant national and EU/international case law; important EU and national strategies and action plans, highlighting also good practice.

The comparative analysis will be based on a specific template and guidelines to be provided later by the Agency concerned in the Specific Contract. The Agency concerned will define the specific deadline for submission of the comparative thematic studies in the relevant Specific Contract.

As an indication, comparative analyses should be delivered within four months.

**Size: approximately 100-140 A4 pages (excluding annexes)**

### **5.3 Tasks**

#### **5.3.1 Review Service (Lots 1-30)**

The Agency concerned may require in the course of its work Contractors to review its reports adding, amending and/or updating information within them to ensure that they are correct, up to date and complete. This will normally be done through track-changes on existing documents that will be provided by the Agency concerned.

**Size: variable**

#### **5.3.2 Participation in meetings (Lots 1-30)**

During the implementation of the Framework Contract, the Agency concerned can request the participation of Contractors to meetings at its own premises (location of each of the participating Agency concerned). The participation at these meetings will be mandatory for one or more members of the Contractor's team. The Agency concerned is entitled to request the presence of a specific member of the Contractor's team.

Participation including travel and accommodation and any other cost must be covered by the Contractor and included as a service in the Price Offer.

## **6 Language and style**

The working language of the Agency concerned is English. The English language shall be used throughout the project duration for all deliverables and communication. All deliverables must be submitted in English at international academic publication standard. Any reports must be written in a clear, unambiguous and straightforward way, providing information and analysis that can be readily understood by non-academics. The style and presentation must be, as far as possible, simple and clear, and free of jargon that obscures rather than promotes meaning to readers unfamiliar with it. The

reports should also be balanced, written in neutral language and contain no unsubstantiated statements. Deliverables should be written according to the FRA guidelines for the submission of written material (FRA Style Guide). Deliverables should, if possible, contain tables and other graphic presentations to improve readability.

## **7 Page layout for deliverables**

The size of each deliverable is defined in terms of A4 pages. All deliverables must be **PC-compatible MS-Word electronic files**. The layout must follow strictly the FRA or EIGE relevant style guide and rules.

## **8 Acceptance of deliverables**

The procedure for accepting the deliverables shall be the following:

- The Agency concerned receives the deliverables according to the Contract deadlines;
- The deliverable is evaluated (within sixty [60] calendar days);
- Further actions which, in the opinion of the Agency concerned, would be necessary for the acceptance of the deliverables will be implemented by the Contractor without delay. A new deliverable which takes into account comments or suggestions made by the Agency concerned will have to be re-submitted within fourteen (14) calendar days. If requested, further comments or suggestions need to be implemented within seven (7) calendar days.
- The deliverable is considered as a final deliverable only after final acceptance by the Agency concerned.

## **9 Place of work and delivery**

The Contractors shall undertake the implementation of the services at their premises. All deliverables must be sent electronically by e-mail to the Agency concerned.

## 10 Project team (Lots 1-30)

The overall responsibility for the execution of the Contract, including the implementation of all measures necessary to provide to the Agency concerned the requested services on time and ensuring the highest quality lies with the Contractor and has to be demonstrated in their Technical Offer in accordance to the Technical Specifications and Tender Specifications.

Tenderers must present in their Technical Offer the proposed team providing relevant CVs valid as a minimum, for the following profiles:

1. Project Manager, who will coordinate the project team and have the overall responsibility for the timely execution of the Contract.
2. Senior Expert, who will be responsible for the scientific quality of all deliverables.
3. Experts (legal, social, gender studies and expert in qualitative social fieldwork research), who must have, collectively, a proven ability to carry out the tasks, as described above.
4. English language editor

Profile	Lot	Minimum educational qualifications to be proven by supplying a CV (in EUROPASS form)
Project Manager	All Lots	<ul style="list-style-type: none"> <li>• University degree</li> <li>• Proven excellent knowledge of English (level B2)</li> <li>• 5 years of proven experience as project manager in managing research projects</li> </ul>
Senior Expert	Lots 1-28	<ul style="list-style-type: none"> <li>• Postgraduate university degree in law or social sciences</li> <li>• Proven excellent knowledge of English (level C1)</li> <li>• At least seven years of experience in fundamental rights relevant for the country/Lot applied for, gained by research and/or teaching in universities</li> </ul>

		<p>and/or other entities conducting research</p> <ul style="list-style-type: none"> <li>• At least five scientific publications (e.g. articles in peer reviewed academic journals or books or peer reviewed books by academic publishers) relevant for the country/Lot the tenderer applies for. Titles, dates, type of publication, publisher, place of publication, ISBN number (if available) must be provided. A minimum of two such publications (abstract and full text) must be provided in English (i.e. translated, if necessary)</li> </ul>
Senior Expert	Lot 29	<ul style="list-style-type: none"> <li>• Postgraduate university degree in law or social sciences</li> <li>• Proven excellent knowledge of English (level C1)</li> <li>• At least seven years of experience in fundamental rights relevant for the Lot applied for, gained by research and/or teaching in universities and/or other entities conducting research.</li> <li>• At least five scientific publications (e.g. articles in peer reviewed academic journals or books or peer reviewed books by academic publishers) with a particular EU/international focus. Titles, dates, type of publication, publisher, place of publication, ISBN number (if available) must be provided. A minimum of two such publications (abstract and full text) must be provided in English (i.e. translated, if necessary).</li> </ul>

Senior Expert	Lot 30	<ul style="list-style-type: none"> <li>• Postgraduate university degree in law or social sciences</li> <li>• Proven excellent knowledge of English (C1)</li> <li>• At least seven years of experience in fundamental rights relevant for the Lot applied for, gained by research and/or teaching in universities and/or other entities conducting research</li> <li>• At least five scientific publications (e.g. articles in peer reviewed academic journals or books or peer reviewed books by academic publishers) with a particular EU comparative analysis focus. Titles, dates, type of publication, publisher, place of publication, ISBN number (if available) must be provided. These publications should document the expertise of the senior expert to do comparative work. A minimum of two such publications (abstract and full text) must be provided in English (i.e. translated, if necessary).</li> </ul>
Legal Expert(s)	All Lots	<ul style="list-style-type: none"> <li>• University degree in law.</li> <li>• Proven excellent knowledge of English (level C1)</li> <li>• At least two scientific publications (e.g. articles in peer reviewed academic journals or books or peer reviewed books by academic publishers) relevant to the Lot the tenderer applies for. Titles, dates, type of publication, publisher, place of publication, ISBN number (if available) must be provided. A minimum of one such publication (abstract in English and full text in any EU language) must be</li> </ul>

		provided.
Social Expert(s)	All Lots	<ul style="list-style-type: none"> <li>• University degree in social or political sciences</li> <li>• Proven excellent knowledge of English (level C1)</li> <li>• At least two scientific publications in any EU language (e.g. article in peer reviewed academic journals or books or peer reviewed books by academic publishers) relevant to the Lot the tenderer applies for. Titles, dates, type of publication, publisher, place of publication, ISBN number (if available) must be provided. A minimum of one such publication (abstract in English and full text in any EU language) must be provided.</li> </ul>
Social Expert on qualitative fieldwork research	Lots 1-28	<ul style="list-style-type: none"> <li>• University degree in social sciences</li> <li>• Proven excellent knowledge of English (level C1)</li> <li>• Proven evidence of participation in at least two research projects, where the expert was responsible for or carried out qualitative fieldwork research. The final report of at least one such project in any EU language and an abstract in English must be provided.</li> <li>• At least two scientific publications in any EU language (e.g. article in peer reviewed academic journals or books or peer reviewed books by academic publishers) relevant to the Lot the</li> </ul>



		tenderer applies for or proven experience in qualitative social research documenting that the expert meets the profile relevant for the Lot. Titles, dates, type of publication, publisher, place of publication, ISBN number (if available) must be provided. A minimum of one such publication (abstract in English and full text in any EU language) must be provided
Language Editor	All Lots	<ul style="list-style-type: none"> <li>• Proven excellent knowledge of English (level C2)</li> <li>• 3 years proven experience as English language editor; a minimum of two examples of edited work in English must be provided</li> </ul>

## 11 Communication

Communication between the Contractor and the Agency concerned shall be possible by phone during the Agencies working days and hours and through fax, electronic, and surface mail. Any written communication sent by the Agency concerned shall be answered within two (2) working days. The Contractors should ensure that questions for clarification regarding any deliverable are addressed, if requested by the Agency concerned by e-mail within three (3) working days.

## 12 Project monitoring

The Agency concerned will monitor the execution of the Framework Contract and Specific Contracts in technical and administrative terms. The Contractors should report immediately to the Agency concerned in writing any problems encountered during the implementation of the Contract.