

Terms of Reference

Landscape Analysis on the Participation of Young People in Malaysia

1. Background

Child participation is a foundational aspect of the implementation, promotion and monitoring of child rights. It is recognized by the Committee on the Rights of the Child as one of the four key principles underpinning the Convention on the Rights of the Child (CRC). Article 12(1) of the Convention on the Rights of the Child (CRC) states that, “*States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.*” To this end, Article 12(2) states that children must be afforded the opportunity to be heard through administrative or appropriate bodies, consistent with national law.

As a State Party to the CRC, Malaysia is bound to ensure that it takes steps towards realizing children’s rights, including participation in good faith. Over the years, Malaysia has made some strides in ensuring that children are able to express their views freely in matters affecting them. For example, consistent with Article 12(2) of the CRC, the 2024 amendments of the Evidence of the Child Witness Act 2007 eliminated the long-standing rule on corroboration and warning rules applied by the courts in considering the testimony of children. This was a significant step forward in the meaningful consideration of children’s perspectives in the justice process, which had long been treated as suspect.

However, beyond the judicial context, progress in ensuring the participation of young people, including children, in civic engagements in public space has been slow. In its 2007 Concluding Observations on Malaysia, the Committee on the Rights of the Child recommended that the Government ensure that the participation of children is strengthened through legislation, and is systematically heard not just in judicial matters, but in all matters that affect them. This Committee also called on the government to collaborate with civil society in this respect. The topic of child participation more recently emerged in the Committee’s List of Issues to Malaysia’s 2nd to 4th Periodic Report, where it sought clarification on the measures taken by the government to, “***systematize, enhance, geographically expand and ensure inclusivity and follow-up in the work of the Children’s Representative Councils at the national and local levels, the National Council for Children and other consultative councils and mechanisms.***”

At present, several institutional platforms exist to facilitate the participation of children, including:

- a) Children's Representative Council under the Social Welfare Department;
- b) Children's Councils set up as a part of the Child-Friendly Cities Initiative (CFCI), including:
 - i. The Petaling Jaya Children's Council (PJCCC), set up as part of the Petaling Jaya Child Friendly Cities Initiative (PJ CFCI);
 - ii. Children's Councils for the City of Kuching (North), Kuching (South), Miri, Padawan, Bintulu, Kota Samarahan and Sibul;
 - iii. Children's Consultative Council (CCC) under the Human Rights Commission of Malaysia (SUHAKAM); and
- c) Malaysian Youth Consultative Council under the Ministry of Youth and Sports.

Key bottlenecks exist in ensuring that these platforms are capacitated and utilized to their full extent. First, matters relating to young people are often relegated to a handful of line ministries, which means non-traditional government partners do not engage meaningfully with existing platforms. This may be attributed to the absence of a formal and properly socialized mechanism for governmental bodies to consult existing platforms, and a general lack of awareness of the need to conduct meaningful engagements with young people. Second, where groups are consulted, it is unclear whether there are mechanisms to ensure proper safeguards and to assess the quality of consultations that are undertaken, including ensuring a strong feedback loop on whether the opinions expressed are considered by duty-bearers.

The lack of a comprehensive mapping and analysis of the landscape of laws, policies, as well as key platforms, players and quality of practices, as well as a comprehensive identification of capacity building needs have slowed meaningful advocacy on systems change for young people's participation. The Human Rights Commission of Malaysia (SUHAKAM) and UNICEF Malaysia are thus collaborating on a study to identify the platforms for the participation of young people in Malaysia, the quality of engagement through these platforms based on international standards, as well as challenges towards meaningful participation, including any gaps in capacity. The analysis obtained through this study will enable further collaboration towards addressing these gaps and institutionalising the quality participation of young people.

2. Objectives

This study is intended to achieve the following objectives:

- a) To provide a comprehensive map and analysis of existing legal and policy frameworks for young people's participation across the national and sub-national landscape.

- b) To map and provide an overview of key platforms for young people's participation, including offline and online government platforms (ministries, departments, agencies, and committees) and non-governmental platforms at the national and sub-national level.
- c) Drawing from the map and overviews above, undertake an analysis of:
 - i. The quality of existing participation platforms (online and offline), including challenges and opportunities.
 - ii. The capacities of bodies in implementing meaningful young people's participation.
 - iii. The support required from the MWFC, SUHAKAM, UNICEF Malaysia and/or other agencies to enhance the integration of meaningful young people's participation within their institutions and practices.
- d) To make practical legal, policy and other practical recommendations for better integration of inclusive and meaningful systematic young people's participation in Malaysia.

3. Scope of research

This research is defined by the following scope:

- a) **Age group:** This research will focus on young people's participation, covering the age range of 10 to 24 years old. However, to understand the extent of meaningful participation via the identified platforms historically, the consultants may engage with those beyond this age group who had previously been a part of these platforms. Further, no age limit is necessary for respondents consulted from key agencies.
- b) **Geography:** The research covers the whole of Malaysia, including platforms established at the sub-national level.
- c) **Modalities:** The research covers both online and offline platforms, and those established by government and non-government entities.

4. Desired qualifications, specialized knowledge and experience

This research must be undertaken by a partnership of international and national consultants, led by the national consultants, with substantive technical review and reference provided by the international consultants. The following are the prerequisites of the consultants:

- a) **National consultant**

- Advanced degree in social sciences, law, public policy, human rights, child development, social sciences, or related fields.
- Proficiency in both English and Bahasa Malaysia.
- Minimum 7 years of professional experience in child rights, child and/or young people's participation, civic engagement, or policy analysis.
- Relevant training in child safeguarding and demonstrated skills in consulting children and youth to inform decision-making.
- Excellent understanding of meaningful participation and civic engagement of young people in Malaysia and the local and cultural nuances.

b) International consultant

- Advanced degree in social sciences, law, public policy, human rights, child development, social sciences, or related fields.
- A minimum of 8 years of solid professional experience in child rights, children and/or young people's participation, civic engagement, or policy analysis.
- Demonstrated experience and understanding of meaningful child participation, including the standards, approaches, tools, mechanisms and safeguarding protocols.
- Demonstrated experience in conducting multi-stakeholder research, landscape analysis, or policy reviews.
- Good understanding of the CRC and its application in national contexts.
- Excellent analytical and writing skills, with a proven ability to synthesize complex information into actionable recommendations.
- Demonstrated capacity for engaging with government agencies, civil society, and/or international organizations on child or youth-related issues, including the facilitation of consultations.
- Capacity handling large quantitative and qualitative data sets.
- Commitment to ethical research practices, including safeguarding and meaningful participation of children and young people.

5. Deliverables

The consultants undertaking this study are required to deliver the following:

| No. | Deliverable | Contents | Timeline |
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| a) | Deliverable 1: Inception report | <ul style="list-style-type: none"> • Review of both primary and secondary sources on child participation in Malaysia. This includes a gap analysis of key legislation, administrative procedures, as well as literature and data on the participation of young people. • Provide a preliminary list of platforms that exist for young people’s participation. • Design the methodology, materials and primary data collection tools (quantitative and qualitative) for consulting key stakeholders for the study (government, young people, civil society, academicians). The tools utilized in consultations, including frameworks, must be validated by young people before circulation to the sample groups and be subjected to an ethical review process. • Develop a framework for the analysis of existing participation platforms drawing from General Comments No. 12: The Right of the Child to be Heard, CRC/C/GC/12, 2009, which includes UNICEF’s 9 basic requirements for ethical participation (para 134), and the essential features of participation in The Lundy Model of Child Participation. • Framework to assess the capacity of government and non-governmental bodies to promote and | First draft: Mid-June 2026 Final draft (including ethics approval): End June 2026 |

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| | | implement young people's participation, including the capacity to utilize existing participation platforms. | |
| b) | Deliverable 2: Interim report | <ul style="list-style-type: none"> • A preliminary overview of the key findings from the data collection process with key actors utilizing the assessment frameworks, including preliminary causality analysis of the gaps that exist. | First draft: Mid-September 2026 Final draft: Early October 2026 |
| c) | Deliverable 3: Final report | <ul style="list-style-type: none"> • Map, gap analysis, as well as recommendations to address the gaps in legal, policy, procedures and capacities for young people's participation in Malaysia. • Map of key platforms for young people's participation, and an analysis of the quality, capacities and support required by bodies accountable for the participation platforms. This includes the final causality analysis on key barriers to meaningful participation and documenting best practices that promote and enable the meaningful participation of young people. • Before finalization, this draft must be validated by key stakeholders, including young people. | First draft: Mid-October 2026 Final draft (with report validated by relevant stakeholders): Early November 2026 |
| d) | Deliverable 4: Corresponding dissemination tools i) presentation deck ii) infographics | <ul style="list-style-type: none"> • The dissemination tools must be in both English and Bahasa Malaysia and must also be paired with a corresponding child-friendly, inclusive and accessible version of the report for people with disabilities. • This brief must draw from the findings from the desk review and data collected on the quality, capacity and support required by key bodies. | First draft: Mid-October 2026 Final draft: Early November 2026 |

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| | | <ul style="list-style-type: none"> • Extract key relevant points for advocacy to be used in communication and infographic materials. | |
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6. Consultant’s scope of work

The consultants engaged in this work are required to undertake the following tasks and responsibilities:

| No. | Task | International consultant | National consultant | Anticipated number of days |
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| a) | Mapping and analyzing laws, policies, procedures, and platforms on and/or connected to the participation of young people in Malaysia | <ul style="list-style-type: none"> • Substantive technical review of analysis and report to address information gaps, as well as to ensure alignment with the objectives of this study and child rights norms. | <ul style="list-style-type: none"> • Conduct a comprehensive mapping of the available laws, policies, procedures, and mechanisms which govern and/or impede the participation of young people in Malaysia. This must cut across both national and subnational levels, and consider diversifying factors, such as gender, citizenship and/or migration status, ethnic minorities and geography. • Conduct a gap and causality analysis in the present legal, policy and procedures and make recommendations for | <p>National consultant: 7 days</p> <p>International consultant: 5 days</p> |

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| | | | <p>improvement based on best practices that are culturally and contextually relevant to Malaysia.</p> <ul style="list-style-type: none"> • Conduct a mapping of key governmental and non-governmental platforms for the participation of young people. This includes platforms run by civil society organizations and platforms that are both online and offline. | |
| b) | <p>Develop a framework for evaluating the quality of child participation in instances where government and non-government bodies have engaged with children in matters that affect them.</p> | <ul style="list-style-type: none"> • Technical support to the national consultant in the development of the framework. | <ul style="list-style-type: none"> • Develop a framework for evaluating the quality of child participation. • This framework must include an assessment of whether the platforms have reached the intended outcomes and ethics under meaningful participation in line with international frameworks, including: General Comments No. 12: The Right of the Child to be Heard, CRC/C/GC/20012, 2009, | <p>National consultant: 7 days</p> <p>International consultant: 5 days</p> |

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| | | | <p>which includes UNICEF’s 9 basic requirements for ethical participation (para 134), and the essential features of participation in The Lundy Model of Child Participation.</p> <ul style="list-style-type: none"> • Where necessary to facilitate effective consultations, the framework should be translated into appropriate languages and/or formulated in a version that is child-friendly, inclusive and accessible for people with disabilities. | |
| c) | <p>Develop a framework for assessing the capacity of government and non-government bodies to engage with children in matters that affect them.</p> | <ul style="list-style-type: none"> • Technical support to the national consultant in the development of the framework. | <ul style="list-style-type: none"> • This framework must identify the bottlenecks which have affected how effectively existing platforms are engaged. Consideration must be made of the UNICEF’s Conceptual Framework for Child and Adolescent Participation. • Where necessary to facilitate effective | <p>National consultant: 7 days International consultant: 5 days</p> |

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| | | | consultations, the framework should be translated into appropriate languages and/or formulated in a version that is child-friendly, inclusive and accessible for people with disabilities. | |
| d) | Ethical review | <ul style="list-style-type: none"> Support the national consultant in obtaining ethics approval. | <ul style="list-style-type: none"> Obtain ethical approval of methodology, data collection tools and all required documents, through submission for ethical review, subject to UNICEF's Procedure Ethical Standards in Evidence Generation 2021. | National consultant: 2 days International consultant: 2 days |
| e) | Organize and conduct validation of research tools with young people | <ul style="list-style-type: none"> Guide the national consultant in validating the research tools with young people to ensure efficacy in data collection methods. | <ul style="list-style-type: none"> Develop activities for validating research tools for young people with consideration towards safeguarding and ensuring that there are feedback mechanisms for young people to ensure that they are updated on the progress of data collection and the outcome of the research. | National consultant: 7 days International consultant: 5 days |

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| | | | <ul style="list-style-type: none"> • Organize and conduct validation of research tools with young people. • The logistics of the validation activity, including venue sourcing, coordinating participants' attendance, including consent and assent forms, invitations and facilitation, and safeguarding, must be led by the national consultant. | |
| f) | <p>Organize and conduct data collection (KII, FGD, surveys)</p> | <ul style="list-style-type: none"> • Support in identifying relevant stakeholders. • Technical support to the national consultants to develop activities for collecting data from young people, with consideration towards safeguarding. • Technical support in developing KII and FDGs with relevant stakeholders. | <ul style="list-style-type: none"> • Identifying all relevant stakeholders at the national and subnational levels for: <ul style="list-style-type: none"> - Validating the mapping of existing platforms for the participation of young people; - Understanding practices related to young people's participation; - Identifying the capacities of both institutional and non-institutional | <p>National consultant: 10 days</p> <p>International consultant: 7 days</p> |

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| | | | <p>stakeholders in implementing child participation; and</p> <ul style="list-style-type: none"> - Understanding how meaningfully the views of children are considered. • At the minimum, the informants will include key governmental representatives and young people who have participated in the engagements by the government. | |
| g) | Organize and conduct validation of data | <ul style="list-style-type: none"> • Technical support in conducting validation of research with key stakeholders. | <ul style="list-style-type: none"> • Organize and conduct validation of research with key stakeholders, including young people, ensuring proper safeguarding and feedback mechanisms. | <p>National consultant: 5 days</p> <p>International consultant: 3 days</p> |
| h) | Engage with the Steering Committee | <ul style="list-style-type: none"> • Technical support to the national consultant in preparing materials for presentations with the Steering Committee. • Attend Steering Committee meetings. | <ul style="list-style-type: none"> • Present findings for deliverables 1-4 for the Steering Committee. • Obtain the feedback from the Steering Committee meetings with the necessary adjustments. | |
| i) | Develop tools for advocacy | <ul style="list-style-type: none"> • Support the national consultants in developing | <ul style="list-style-type: none"> • As appropriate, develop tools to assist in the | <p>National consultant: 3 days</p> |

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| | | dissemination materials in both English and Malay. | dissemination of the findings. This may include a presentation deck and/or infographics, in English and Bahasa Malaysia, and corresponding child-friendly versions. | International consultant: 3 days |
| j) | Participation in dissemination activities | <ul style="list-style-type: none"> Support the national consultants in presenting the research as part of a dissemination activity. | <ul style="list-style-type: none"> Deliver presentations to socialize the research as necessary. | National consultant: 2 days International consultant: 2 days |

7. Duration

April 2026 – November 2026 (7 months)

8. Timeline

This study is anticipated to run for a period of 7 months, spanning from **April 2026 to November 2026**, including the period for dissemination. Subsequently, MWFC, SUHAKAM and UNICEF Malaysia will undertake joint dissemination activities:

| No. | Tasks | Timeframe | | | | | | | |
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| | | April | May | June | July | August | September | October | November |
| a) | SUHAKAM tender process | | | | | | | | |
| b) | <ul style="list-style-type: none"> Inception report Steering Committee Meeting #1 | | | | | | | | |
| c) | Validation of tools with young people | | | | | | | | |
| d) | Ethical review | | | | | | | | |
| e) | Data collection, including KII, FGD and surveys | | | | | | | | |
| f) | <ul style="list-style-type: none"> Interim report Steering Committee Meeting #2 | | | | | | | | |
| g) | Validation of findings, including engagement with | | | | | | | | |

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| | stakeholders and young people | | | | | | | | |
| h) | <ul style="list-style-type: none"> • Final report • Steering Committee Meeting #3 | | | | | | | | |
| i) | <ul style="list-style-type: none"> • Dissemination tools (English and Bahasa Malaysia) – includes child-friendly versions • Steering Committee Meeting #4 | | | | | | | | |
| g) | Report launch and dissemination | | | | | | | | |

G. Governance, Oversight and Reporting

The consultancy is commissioned and managed by SUHAKAM, with the support of UNICEF Malaysia. SUHAKAM will serve as the consultants' main reference for logistical matters, as well as contract and financial administration.

Steering Committee

A Steering Committee will be established for the following objectives:

- To ensure compliance with the necessary processes, timelines and resource utilisation.
- To provide technical oversight over working and final iterations of the deliverables, and all ancillary materials and activities, for quality assurance and continued compliance with ethical standards.
- To advise on the dissemination and distribution of research outputs.

The Steering Committee will be comprised of representatives from three key stakeholders:

- **SUHAKAM:**
 - One Children's Commissioner, as designated with the consensus of the three Children's Commissioners.
 - The head of division from the Office of the Children's Commissioner or any division within SUHAKAM assigned the portfolio of child rights policy and law.
 - A senior officer/officer from the Office of the Children's Commissioner or any division within SUHAKAM assigned the portfolio of child rights policy and law.
- **UNICEF Malaysia**
 - Three representatives with expertise on adolescent development, civic participation of young people, child rights or child rights monitoring.
- **MWFCD**
 - Three representatives, who may comprise a head of division, senior officer or officer of the MWFCD and/or related agencies as determined by the MWFCD. This would encompass at least one representative from the Social Welfare Department.

SUHAKAM, with the support of UNICEF, will act as the secretariat to the Steering Committee.

Steering Committee members are required to assign an alternate for meetings, and the alternate member is deemed to possess similar decision-making ability in the Steering Committee meetings. The Steering Committee may convene and make decisions where all representatives of at least two of the above institutions are present.

The Steering Committee will convene for reviewing Deliverable 1-4 as reflected in the timelines above.

Notwithstanding the above, the designated Children's Commissioner representing SUHAKAM in the Steering Committee shall have the authority to determine the final version of the research report on behalf of the OCC. The finalized report may thereafter be tabled directly to the full Commission of SUHAKAM for notification, without the necessity of further deliberation by all Commissioners.

10. Ethics Review

This study is subject to the UNICEF ethics review process, consistent with UNICEF's Procedure Ethical Standards in Evidence Generation 2021. With the support of UNICEF Malaysia, the consultant is required to submit the study design, methodologies and tools to a UNICEF-approved ethics reviewer, consistent with the study timeline above. All fees of the ethics reviewer will be borne by UNICEF Malaysia.

11. Travel Requirement

All consultations with young people, including validation, must be conducted in person. The international consultant is required to be present in person for the data collection activity with children. All travel arrangements, including insurance and visa, must be managed and paid for by the consultant. The cost for air travel must be based on economy class rates, regardless of the length of travel, and the cost for accommodation, meals and incidentals must meet SUHAKAM's internal rules and procedures.

12. Payments

All payments made in connection with this study are inclusive of consultancy fees and all other costs incurred for the deliverables. All costs related to ethical review, logistical costs, connected to workshops for consultation or validation, and launch events are borne by UNICEF Malaysia.

13. Proposed Payment Schedule

Upon satisfactory completion of Deliverable 1: 30%

Upon satisfactory completion of Deliverable 2: 30%

Upon satisfactory completion of Deliverable 3-4: 40%

14. Evaluation of Proposals

Proposals must contain both technical and financial components. All proposals will be reviewed by an evaluation panel comprising:

- **SUHAKAM:**
 - One Children’s Commissioner, as designated with the consensus of the three Children’s Commissioners.
 - The head of division from the Office of the Children’s Commissioner or any division within SUHAKAM assigned the portfolio on child rights policy and law.
 - A senior officer/officer from the Office of the Children’s Commissioner or any division within SUHAKAM.

- **UNICEF Malaysia**
 - Three representatives with expertise on adolescent development, civic participation of young people, child rights, and child rights monitoring.

The evaluation will be conducted through the joint review of proposals based on the following selection criteria:

| Criteria for Selection | Points Allocated |
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| Overall understanding of the consultancy | 20 |
| Profile of the vendor (in the case of a group of consultants, the main team members) | 20 |

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| Proposed strategy for completing the deliverables, which includes: <ul style="list-style-type: none"> • Overall relevance, efficiency, and effectiveness in meeting the objectives • Framework of tools, target respondents and safeguarding and feedback mechanisms, as it concerns young people • Proposed mechanism for analyzing data and ensuring the accuracy of information | 30 |
| Clear division of responsibilities between international and local consultants | 10 |
| Financial quotation <ul style="list-style-type: none"> • Cost efficiency and avoidance of unnecessary or excessive expenditure. • Clarity and completeness of the budget breakdown (e.g. professional fees, days). • Alignment between the financial proposal and the technical proposal, including consistency with the proposed workplan and methodology. | 20 |
| Overall | 100 |

Proposals must attain a minimum score of 75/100 to be eligible for selection. In cases where multiple proposals meet the minimum threshold, selection will be based on the highest overall score.

15. Submission of Proposal

All proposals must be submitted as a joint document between the national and international consultants to SUHAKAM by **24th April 2026, 5.00 pm (MYT)**.