

Terms of Reference

Project Coordinator - EIDHR Project

Project Title: EIDHR Project - UNHCR's Global technical assistance and capacity building programme to prevent detention of children and to protect children and other asylum-seekers in detention.

Duty Station: Budapest, Hungary

Duration: 28 Months (September 2016 – December 2018)

Contract Type: Consultancy¹

UNHCR, the UN refugee agency, is mandated to lead and coordinate international action to protect and assist displaced people around the world and to help find lasting solutions for them. Set up with modest goals in 1950, UNHCR has since helped tens of millions of people, winning two Nobel Peace Prizes along the way for its vital humanitarian work. For those forced to flee their homes to escape war or persecution, the UN refugee agency is often the last hope for a return to a normal life. Today a staff of over 8,000 professionals is working in 126 countries, as the number of displaced people worldwide – 51 million – is at the highest level since the second World War.

Background

Globally, countless hundreds of thousands of asylum-seekers, refugees and migrants are at risk of immigration detention each year. The use of unnecessary immigration detention is on the rise and indeed already endemic in the management of complex asylum and migration processes in some countries. The detention of asylum-seekers, refugees and migrants represents a growing human rights challenge, despite only being permitted as a matter of international law where it is necessary, reasonable, and proportionate to a legitimate purpose, and then only after less coercive alternatives to detention have been explored in each individual case. As a result, asylum-seekers, refugees and migrants are often subjected to arbitrary or unlawful detention and are in a position of particular vulnerability with regard to immigration detention. Globally, immigration detention remains far less regulated, reviewed and monitored than criminal or other forms of administrative detention, and many countries are using a one-size-fits-all immigration detention model, where people are detained regardless of individual circumstances, age, protection needs or particular vulnerabilities. Many human rights violations can and do occur in these circumstances and the physical and psychological impacts of even very limited immigration detention are well documented. Women and children are especially vulnerable to violence and abuse in places of immigration detention, and studies have

¹ This consultancy position is subject to the confirmation of funding for the project.

shown that even short periods of immigration detention can have life-long mental and physical health impacts.

The United Nations High Commissioner for Refugees (UNHCR) remains concerned about this worrying trend, in particular, when it affects asylum-seekers and refugees as well as stateless persons and, in some cases, others of concern. Seeking asylum is not an unlawful act; on the contrary, it entails the right to access open and humane reception arrangements. Research shows that even the most stringent detention policies do not deter irregular migration or discourage persons from seeking asylum. Moreover, the often severe physical and psychological consequences of detention are well-documented. Recent research on alternatives to detention, commissioned by UNHCR, shows that a greater than 90 per cent compliance rate with conditions of release can be achieved simply through community-based supervision arrangements.

To address this situation, UNHCR has been actively developing tools and partnerships in the field of detention and alternatives to detention over the last few years. With the release of the new *Guidelines on the Applicable Criteria and Standards relating to the Detention of Asylum-seekers and Alternatives to Detention*, in October 2012, UNHCR has clarified its legal position on the detention of asylum-seekers and the standards it expects States to adhere to. The Guidelines inform the interventions taken by UNHCR at national, regional and international levels. Amongst other initiatives, UNHCR has also signed a Memorandum of Understanding with International Detention Coalition (IDC) in 2013, to strengthen the partnership of the two organizations, out of which many fruitful joint initiatives have been developed at global and regional level since. Furthermore, in 2014, in new partnership with the Association for the Prevention of Torture (APT) and IDC, UNHCR launched the joint *Monitoring Immigration Detention: Practical Manual*, and signed a further MoU with APT to continue developing our partnership in the field of detention monitoring worldwide. In 2014, as well, UNHCR launched its first ever *Global Strategy – Beyond Detention 2014-2019, A global Strategy to support governments to end the detention of asylum-seekers and refugees*. The Global Strategy has three main goals: (i) end the detention of children; (ii) ensure that alternatives to detention are available in law and implemented in practice; (iii) ensure that conditions of detention where detention is necessary and unavoidable meet international standards by, *inter alia*, securing access to places of immigration detention for UNHCR and/or its partners and carrying out regular monitoring. The Strategy is a five-year initiative (June 2014-June 2019), through which UNHCR is working with governments and other relevant stakeholders to address some of the main challenges and concerns around detention policies and practices. The Global Strategy provides a framework to guide UNHCR Offices on how to intervene and to develop plans of action in this area.

In that context, in 2015, with the aim to further strengthen all stakeholders' capacities in the area of alternatives to detention and monitoring detention, UNHCR introduced a project proposal to the European Instrument for Democracy and Human Rights at the European Commission. The purpose of this project is to support UNHCR for a global technical assistance and capacity building programme for national authorities and civil society actors to prevent detention of children and develop and/or strengthen alternatives to detention for asylum-seeking children and other asylum-seekers. The protection and promotion of children's rights, including children in situations of particular vulnerability (unaccompanied children, asylum-seeking children in families) is at the core of the project.

The specific objectives of this project are to support the improvement of transparency and independent oversight of immigration detention and to create new care arrangements and community-based alternatives to detention for children and their families in Indonesia, Iraq, Former Yugoslav Republic of Macedonia, Malaysia and Mexico. This will be achieved through the following two specific results: 1) Implementation of country-wide immigration detention monitoring and capacity building programmes focused on children and families and other persons at risk in detention, along with technical assistance and awareness raising activities on international standards. 2) Support to the creation of new care arrangements and community-based alternatives to detention for children and families, through technical assistance to national authorities and civil society actors. This project intends to support the new [EU Action Plan on Human Rights and Democracy "Keeping human rights at the heart of the EU agenda"](#) adopted on 20 July 2015.

Purpose and scope of the assignment

The implementation of this project requires the support of a qualified and dedicated consultant with expertise in both technical and practical aspects of managing immigration and asylum procedures, including reception and care-arrangements for children, experience in monitoring immigration detention and expertise in the design and implementation of alternatives to detention. The candidate should also have strong management, advocacy, and organizational skills.

Description of responsibilities

Under the supervision of the Division for International Protection (DIP)'s focal point on detention and the Global Learning Centre (GLC)'s focal point for this project, the consultant will perform the following tasks:

i) Coordination of the EIDHR project:

- Responsible for the overall coordination and management of the project at the global level and in the five participating countries, ensuring timely delivery of all activities and deliverables at agreed quality standards, and delivery according to plans.
- Responsible for the overall liaison at global, regional and national levels to ensure shared understanding of the project objectives and the smooth implementation of all deliverables.
- Develop and maintain coordination mechanisms at the global, regional and national levels to ensure the effective coordination and full engagement of all stakeholders in the project.

ii) Information management, communication and visibility of the EIDHR project:

- Responsible for the seamless and timely communication of the project with and amongst all relevant internal and external stakeholders at global, regional and country levels.
- Develop and maintain mechanisms for internal information sharing, to ensure good coordination with colleagues involved in the implementation of the project, including, but not limited to, the protection officers and resources managers in the 5 participating country operations.
- Organise the twice-yearly meetings of the steering group for the implementation of the project, gathering UNHCR departments engaged in the project (GLC, DRRM and DIP) and other detention experts.

- Prepare background papers, briefing notes, talking points and presentations related to the implementation of the project, to support UNHCR's participation at relevant meetings, consultations, conferences and roundtables and disseminate the project outcomes, as appropriate.
- Establish and implement a communication and visibility plan for the project, in accordance with contractual engagement with the EU and UN visibility guidelines as well as UNHCR brand. Support all stakeholders in ensuring EU visibility in all activities.

iii) Monitoring, evaluation and reporting on the EIDHR project

- Responsible for regular reporting to the DIP and GLC focal points on progress, challenges and to advice on any corrective actions required to reach planned target levels.
- Responsible for the monitoring of the implementation and for measuring the impact of the project in the participating countries.
- Set up and monitor indicators related to target groups and direct beneficiaries of the project, in line with EU requirements and UNHCR result-based management framework.
- Report on progress of the project and its impact, including to relevant UNHCR documents [Global Appeal, Note on International Protection, etc.] as appropriate.

Under the supervision of the GLC focal point, the consultant will perform the following tasks:

iv) Coordination of the design, development and implementation of the blended learning programmes

- Prepare and organise the Curriculum Mapping workshop to ensure the effective participation of all relevant stakeholders, decision-making in line with the learning needs analysis and timely follow-up.
- Project manage the design, development and implementation of the learning activities, to ensure the timely delivery of the two blended learning programmes, any eLearning courses to be produced if identified through the design processes and the global, regional and national related workshops.
- Coordinate the two content and one instructional design consultants to ensure they are working as a team, as well as their smooth communication, and the timely delivery of all related outputs.
- Set up and maintain, in consultation with all GLC and DIP stakeholders, a mechanism for effective communication to ensure regular updates and progress monitoring on the design and development of the learning programmes. Ensure timely follow up on decisions.
- Provide guidance and support to the GLC project Admin staff for the support to and administration of the learning programmes.
- Report regularly to the GLC focal point on progress, challenges and advice on any corrective actions required to reach planned target levels.

Under the supervision of DIP's focal point on detention, the consultant will perform the following tasks:

v) Country level engagement:

- Undertake missions to participating countries operations for guidance and support throughout the project, as defined in the implementation plan of the project.
- Support country offices to develop and customize country level activities with relevant partners and stakeholders, for the achievement of the results of the project and the maximisation of their impact. In particular:
 - Support and review the assessment of the overall immigration detention context and national child protection initiatives and policies with colleagues in the participating country operations.
 - Identify training needs and support trainings/capacity building activities for staff, NGOs and government officials in participating country operations, in close collaboration with UNHCR's Global Learning Centre and the Division of International Protection. Contribute to the development and design of training materials as appropriate.
 - Support the establishment of technical assistance measures to improve detention situation and encourage new or expansion of alternatives to detention.
 - Support country/regional workshops, awareness raising activities and roundtables as part of the implementation of the project, in dialogue with Bureaux and regional/country operations.
- Ensure that best practices are identified and documented in the 5 participating countries, and widely disseminated across UNHCR, as part of the [Global Strategy - Beyond Detention 2014-2019](#) objectives.

vi) Development of materials in the area of child protection, protection of vulnerable groups and monitoring immigration detention:

- Prepare and review awareness raising tools and resources as well as guidance for technical assistance measures on detention, monitoring detention and alternatives to detention, ensuring mainstreaming of child rights.
- Prepare and review advocacy activities in the area of detention monitoring, accession to the Optional Protocol to the *Convention against Torture* and set up of National preventive mechanism. Support reach out to specific stakeholders such as National Human Rights Commissions, Ombudsman or child protection agencies.
- Prepare and review detention monitoring programs to ensure their implementation is in line with UNHCR [HC's Policy on Monitoring Detention](#): defining goals and objectives, setting the timeframe for the implementation of the programme, selecting places to visit, determining the nature and duration of the interventions (visits).

Under the supervision of DIP's focal point on detention and in close partnership with resources managers located in DIP, GLC and DRRM, the consultant will perform the following tasks:

- Responsible for proper co-ordination of activities between DIP, GLC and 5 participating countries to ensure that implementation is in line with the terms and conditions of the contribution agreement, as well as UNHCR policies and procedures, and to advise on any corrective actions required to reach planned target levels.

- Responsible for the supervision and overall management of financial expenditures related to the project in partnership with the resource managers in the various locations of the project in particular in DIP, GLC and in the 5 participating countries
- Responsible for the preparation of the financial intermediary reports and final reports to the EU on the project.
- Responsible for provision of updated and timely financial information on the expected carry-overs.

Timeline for implementation

01 September 2016 – 31 December 2018.

Monitoring and progress control

The performance of the consultant will be evaluated at the end of each year, in December. Every 6 months, the consultant will prepare regular progress report of activities achieved, including any challenges faced and measures taken to overcome them. An overall state of play of the situation of detention and alternatives to detention will be made at the end of the implementation of the project.

The key results that are expected are outlined under section *description of responsibilities* above.

Qualifications

Given that the implementation of the European project calls for intensified country-level engagement, the consultancy will include travel components with financial implications, including missions as appropriate to the countries where the project is implemented.

- Advanced university degree (Masters or equivalent) in Law, Political Science, Social Studies, or related field, with specialization or studies in refugee law, migration, detention, child protection and/or human rights.

Experience

- Minimum 5 years work experience relevant to the role - demonstrated experience in project management, in the area of refugee protection, international migration or child protection.
- Previous experience in managing EU funded projects is required.
- Experience in policy development and public advocacy is highly desirable.
- Knowledge of UNHCR's strategies, policies, operations and procedures.
- Extensive knowledge of current detention related challenges in the context of managing immigration processes.
- Experience in alternatives to detention and monitoring immigration detention is a strong asset.
- Experience in coordinating multi-stakeholder projects, including consultations, contributions, feedback and timely delivery.
- Experience in writing and/or publishing protection materials.

Required Competencies

- Excellent English drafting skills.
- Excellent legal research and analytical skills.
- Excellent organizational, coordination, planning, project management, advocacy, and inter-personal and communication skills.

Languages

- Essential - High proficiency in English.
- Good working knowledge of French or Spanish is a plus.

Working arrangements

The consultancy will be based in Budapest, Hungary. The assignment will entail frequent consultation with content providers, content focal points and learning experts and will entail travel requirements (Geneva and Budapest). A more detailed work plan will be arranged upon hire.

Remuneration

Remuneration will be based according to the criteria for a Level 2 International Consultant and adjusted according to proven candidate's relevant experience.

Recruitment Process

Candidates are requested to send an expression of interest ASAP and no later than 30 June 2016 along with their CV to Ariel Riva, (riva@unhcr.org), Legal Officer, Protection Policy and Legal Advice Section, Division of International Protection, UNHCR.

Interviews will eligible candidates will be held after finalization of the initial selection process.