

Terms of Reference

Content Development Consultant - EIDHR Project

Result 2: Reception and Alternatives to Detention

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.
Component:	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.
Duty Station:	Home-based consultancy
Duration:	12 months (part-time) September 2016 – September 2017
Contract Type:	Consultancy ¹

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

As the number of people forcibly uprooted by persecution, serious human rights violations, armed conflict and other volatile and complex situations rises, so does the detention of asylum-seekers and refugees fleeing those events. Detention - including of children and families - has too frequently become a routine rather than exceptional response to the irregular arrival of asylum-seekers and migrants in a growing number of countries.

Refugees, asylum-seekers and migrants detained for immigration related purposes are generally held in places and in conditions that do not meet minimum international human rights standards, oftentimes for prolonged or indefinite periods, including in jails, prisons or other correctional facilities instead of immigration-specific institutions, and/or in remote locations. This is particularly worrisome as detention, even for short periods, causes many negative and lasting effects on individuals, their families and communities; it undermines human dignity and can cause unnecessary

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

suffering, with serious consequences for their health and wellbeing. Furthermore, detention increases anxiety, fear and frustration for an already vulnerable population and can exacerbate past traumatic experiences. Children are particularly affected this situation, and should, in principle, never be detained.

Despite the inherent difficulty to obtain precise figures, UNHCR estimates that thousands of refugees and asylum-seeker children are in detention worldwide every day. Working to provide an appropriate response and alternative to arbitrary instances of immigration detention, involves coordinating efforts with a large number of stakeholders.

Description of the Initiative

The purpose of the EIDHR Project is to support the United Nation High Commissioner for Refugees (UNHCR) to develop a global technical assistance and capacity building programme for national authorities and civil society actors to prevent the detention of children and implement 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 this action.

The specific objectives of the project are to support the improvement of transparency and independent oversight of immigration detention (procedures and facilities) and second, to create new care arrangements and community-based alternatives to detention for children and their families in selected countries in four regions, the Middle East, the Balkans, South East Asia and Central America.

These objectives will be achieved through the following two specific results (or outputs): 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.

The consultancy herewith advertised refers to the second component of the EIDHR Project. Under this initiative, UNHCR will work particularly with the immigration and asylum authorities as well as child protection and welfare authorities, ministries of health, etc., as well as National Human Rights Institutions or other national independent bodies with a mandate to monitor immigration detention in order to promote referral to alternative care arrangements for children and families. National actors will be supported to the creation and implementation of child-sensitive screening and referral mechanisms in order to ensure that children are not detained but appropriately referred to alternative care arrangements.

This initiative is comprised by the following deliverables:

- **Development of the Blended Learning Programme on Alternatives to Detention (hereinafter Alternatives to Detention LP) and training tools on reception and alternatives to detention** (including design, translation into national languages of the 5 participating countries and dissemination). This blended Learning Programme will be designed and developed using adult learning methodologies and a mix of *delivery modalities* (e.g. distance

learning, webinar, peer learning through a community-of-practice, video, face-to-face training, and practice during a visit to community-based alternatives to detention) , chosen depending on what will seem appropriate for the learning objectives during the development phase. 12 months design and development.

- **Delivery of the Alternatives to Detention LP to 1 cohort of UNHCR staff, NGOs and other civil society organisations** from 5 participating countries (5 participants per participating countries).

As a result, a comprehensive blended Learning Programme on reception and alternatives to detention is available to all those interested.

This initiative is an essential component of UNHCR's efforts in implementing at country level its [Global Strategy Beyond Detention 2014-2019](#) (hereinafter "*Global Strategy*"), that aims to work with governments and other partners to address some of the main challenges and concerns around governmental detention policies and practices. Together with the *Global Strategy*, and in the context of the [Second Global Roundtable on Reception and Alternatives to Detention](#) organised in Toronto in April 2016, two Options Papers were produced to the attention of governments and decision-makers: [Options Paper 1: Options for Government on care arrangements and alternatives to detention for children and families](#) and [Options Paper 2: Options for Governments on Reception and Alternatives to detention](#), to provide guidance and support for the implementation of the two first goals of the *Global Strategy*, by providing a large number of practical examples of reception and ATDs models worldwide.

The blended Learning Programme on reception and alternatives to detention here described, its scope, learning description and objectives will be supported by policy documents recently developed such as UNICEF-UNHCR joint document [Safe and Sound](#) and will be developed under the support and technical expertise of the GLC.

Purpose

UNHCR Offices and its implementing partners need further guidance to advocate for higher standards relating to reception and alternatives to detention that are both compliant with human rights standards and take into consideration the specific needs of persons of concerns. There is a need also to better understand across the organisation the various possibilities of alternatives to detention and their successful factors. This Learning Programme aims to support the creation of context specific alternatives to detention, and ensure reception and alternatives to detention are an integral component of protection planning.

This Learning Programme is directed primarily towards UNHCR legal and protection staff and its implementing partners engaged in strategic and operational protection planning and delivery. Alternatives to detention (ATD) are any legislation, policy or practice that allows asylum-seekers to reside in the community subject to a number of conditions or restrictions on their freedom of movement. Alternatives to detention must not become alternative forms of detention, nor be imposed where no conditions on release or liberty are required. They should respect the principle of minimum intervention and pay close attention to the situation of particularly vulnerable groups. As liberty and freedom of movement for asylum-seekers are always the first options, enhancing the comprehension of successful reception system will be an important part of the programme.

Learning objectives

It is expected that through the course of this Learning Programme, participants will:

- Get to know the key components to manage the reception process (detention reviews, maximum time limits in detention, legal stay and documentation, access to basic services, documentation, access to legal aid and legal representation, etc.);
- become familiar with the definition of alternatives to detention and its success factors;
- become familiar about care arrangements for children and alternatives to detention, including child-sensitive screening and referral and key safeguards pertaining to child protection (independent representative or guardian, child friendly information, legal representation and advice, etc.);
- build practical skills to evaluate reception processes and existing alternatives to detention;
- exchange good practices on successful reception models and alternatives to detention;
- acquire advocacy skills to promote ending the detention of children; and
- have the confidence to support governments in the set-up of reception systems and alternatives to detention.

Description of responsibilities

Under the supervision of the EIDHR Project Coordinator, and in close consultation with related focal points in the GLC Protection Unit and the UNHCR Division for International Protection (DIP), Protection Policy and Legal Advice Section (PPLA), the consultant will:

- develop all the learning materials for the blended Learning Programme on reception and alternatives to detention in a timely manner and in accordance with design specifications (as per description in the previous section) and in close coordination with the instructional design expert working under GLC supervision;
- in collaboration with thematic experts and in consultation with identified focal points, gather key background documents, policies, strategies etc. to inform the development of learning materials;
- deliver the Learning Programme on reception and alternative to detention to 1 cohort of 25 participants each (25 persons with previous reception and/or ATDs knowledge and skills) from UNHCR and NGOS and other civil society organizations from (but not limited to) the five participating countries in the EIDHR project, based on the curriculum developed. This includes provision of feedback to any assignments during the distant phases as well as workshop and webinar facilitation.
- in close coordination with the Project Coordinator carry-out consultations with all relevant stakeholders, and ensure follow-up for timely contributions and feedback;
- solve content challenges as they arise; and
- provide recommendations for further development of additional learning materials on reception and alternatives to detention.

Expected end-result

Deliver the learning material content for the blended Learning Programme on reception and alternatives to detention, fully proofread, and ready for publication. Delivery of the Learning Programme to 1 cohort of 25 participants.

Report on the Learning Programme with findings and recommendations.

Timeline for implementation

September 2016 – September 2017.

Monitoring and progress control

Achievements will be measured against the LP review project plan.

Ensure regular, timely updates (monthly and quarterly updates) on progress, achievements, timeline, obstacles, and any necessary course-corrections to inform overall project planning and implementation.

Qualifications

- Advanced university degree preferably in international law/human rights/refugee law or related degrees in political or social sciences.

Experience

- Minimum 5 years of relevant professional working experience of which minimum 2 years should be in an international environment.
- Knowledge of UNHCR's strategies, policies, operations and procedures.
- Extensive knowledge of current detention related challenges in the context of managing immigration processes as well as alternatives to detention.
- Knowledge on current protection challenges in mixed migration situations, in particular in relation to child protection.
- Experience in coordinating multi-stakeholder projects, including consultations, contributions, feedback and timely delivery.
- Experience in writing and/or publishing protection materials.
- Experience in developing materials in line with learning objectives.
- Experience in the education and/or adult learning sectors, preferably within a humanitarian context is a plus.

Required Competencies

- High proficiency in drafting/writing skills
- High proficiency in using human rights/refugee terminology
- IT skills: Microsoft Office and Internet

Languages

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

Working arrangements

The consultancy will be home-based. 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 B 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.