



This project is funded by the European Union.

TERMS OF REFERENCE

NATIONAL CONSULTANT - EIDHR PROJECT

Project Title: 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: Mexico

Duration: 7.5 months (15 July 2018 – 28 February 2019).

Contract Type: Local Consultancy

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 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.

UNHCR in Mexico is working since 1982. According to its mandate, the office in Mexico seeks to guarantee that all persons with international protection needs have effective access to the territory and access to the asylum procedure. For this purpose, UNHCR is working closely with Mexican authorities, in particular with the Mexican Refugee Commission (COMAR) and Immigration Authorities to build up their capacity to allow fast-track processing of at-risk cases, including unaccompanied children and individuals in detention.

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 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.

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.

Description of the Initiative

The purpose of the EIDHR Project (European Instrument for Democracy and Human Rights) is to support 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.

Under this initiative, UNHCR will work particularly with the immigration and asylum authorities as well as other national authorities, such 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 adequate monitoring mechanism are put in place and appropriate training materials and a comprehensive blended Learning Programme on monitoring immigration detention is available to all those interested. The consultancy

will also encompass close working relations with these stakeholders to promote referral to alternative care arrangements for children and families, and generally better reception conditions for all persons of concern. Furthermore, 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 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*, a [Monitoring Immigration Detention: Practical Manual](#) (hereinafter "*Monitoring Manual*") was produced jointly by UNHCR, the Association for the Prevention of Torture (APT) and the International Detention Coalition (IDC) in order to provide guidance and support the implementation of the third goal of the *Global Strategy* at national/country level and to strengthen and professionalise UNHCR capacity to monitor locations/facilities where immigration detention take place.

In the particular case of Mexico, the national consultant for the EIDHR Project will be fundamental to develop and implement a monitoring strategy of detention facilities. This will also include following up the release of asylum seekers from these facilities in order to identify challenges, obstacles and work with immigration authorities to strengthen practices in line with UNHCR *Global Strategy Beyond Detention*.

Purpose and scope of the assignment

The implementation of this project requires the support of a national consultant with knowledge on immigration and asylum procedures, including reception and monitoring of immigration detention. Previous experience in child protection is desirable. The candidate should have good management, advocacy, drafting and organizational skills. The candidate will have overall responsibility for the implementation of all actions at country level as described in the section below.

Description of responsibilities

Under the supervision of the Senior Protection Officer and in close coordination with the Project Coordinator for EIDHR project, the consultant will perform the following tasks:

I. Implementation of activities, coordination and reporting

- Support the design and implementation of all EIDHR project initiatives at country level in line with UNHCR *Global Strategy Beyond Detention*.
- Responsible for the overall coordination and management of the activities implemented at the national level, ensuring timely delivery of all activities and deliverables at agreed quality standards, and delivery according to plans.
- Responsible for the liaison at the national level to ensure shared understanding of the project objectives and the smooth implementation of all deliverables.
- Develop and maintain coordination mechanisms at the national level to ensure the effective coordination and full engagement of all stakeholders in the project.

- Responsible for the coordination and overall management of financial expenditures related to the project implementation at the local level.
- Responsible for the preparation of the narrative and financial intermediary reports, as necessary.

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 national level and with the EIDHR Project Coordinator at global level.
- Preparing background papers, briefing notes, talking points and presentations related to the implementation of the project.
- Implementing a communication and visibility plan for the project, in accordance with the EU and UN visibility guidelines as well as UNHCR brand. Support all national stakeholders in ensuring EU visibility in all activities.

III. Monitoring, evaluation and reporting on the EIDHR project

- Responsible for regular reporting to the EIDHR Project Coordinator on progress and challenges to reach planned target levels.
- Responsible for the monitoring of the implementation and for measuring the impact of the project at the national level.
- Report on progress of the project and its impact, including to relevant UNHCR documents as appropriate.

IV. Advocacy and awareness raising

- Prepare and organise meetings, workshops and roundtables at the national level to ensure the effective participation of all relevant stakeholders.
- Organise work sessions with members of REDODEM (network of shelter) providing care arrangements for asylum-seekers
- Follow-up on the work undertaken by FM4 to support shelters at the southern border (Oluta, Coatzacoalcos and Palenque)
- Support and review the assessment of the overall immigration detention context and national child protection initiatives and policies.
- Follow-up on the advocacy strategy for adoption of public policy on Alternatives to Detention and organise coordination sessions on the programme of releasing asylum-seekers from detention, alternative care arrangements and community-based care for families and children with authorities and shelters.
- Support the development of information material for asylum-seekers and refugees in detention and at the airports (in coordination with the Mass Information Unit).
- In cooperation with the EIDHR Project Coordinator and UNHCR staff, and in line with UNHCR policies related to detention and alternatives to detention, support the establishment of technical assistance measures to improve detention situation and encourage new or expansion of alternatives to detention.

- Ensure that best practices are identified and documented.
- Reach out to specific stakeholders such as National Human Rights Commissions, Ombudsman and/or child protection agencies for advocacy efforts. In particular, organise a training session for the National Human Rights Commission in Reynosa, Tamaulipas, and another training session for observers (*visitadores*) visiting airports.
- Support immigration monitoring detention carried out at the national level, defining goals and objectives, setting the timeframe for the implementation of the programme, selecting places to visit, and determining the nature and duration of the interventions (visits).

Timeline for implementation

15 July 2018 – 28 February 2019.

Monitoring and progress control

The performance of the consultant will be evaluated at the end of each year, in December. 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

- University degree in Law, Political Science, Social Studies, or related field.

Experience

- Minimum 4 years work experience relevant to the role.
- Experience in project management, in the area of refugee protection, international migration or child protection.
- Experience in policy development and public advocacy is highly desirable.
- Knowledge of UNHCR's strategies, policies, operations and procedures.
- 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.

Required Competencies

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

Languages

- Essential - High proficiency in English.
- Good working knowledge of other UN languages and the local language highly desirable.

Working arrangements

The consultancy will be based in Mexico but will require travel to field locations to make consultation with key stakeholders.

Remuneration

Remuneration will be based according to the criteria for national consultants according to the prevailing local market rates, normally using the UN National Professional Officer salary scale and adjusted according to proven candidate's relevant experience.

Recruitment Process

Candidates are requested to send an expression of interest in English no later than **July 1st, 2018** along with their CV and P11, (available at <http://www.acnur.org/fileadmin/Documentos/Vacantes/2017/P11-English.docm>) to mexmevac@unhcr.org.

The expression of interest should contain the following elements in English:

- Professional experience relevant to the position
- Brief explanation why the candidate considers he/she is the person suitable to fill this position
- What is the interest in the subject?

The email should contain as subject: **LAST NAME**/Alternative to Detention Consultancy

UNHCR is not in a position to provide any support related to work permits in Mexico. Applications from expatriate candidates are welcome, but the applicant must be in possession of a permanent residence card or a valid permit to work in Mexico.

Note: Interviews with eligible candidates will be held after finalization of the initial selection process. Only selected candidates for interview will be contacted