



Office of the Special Representative of the Secretary-General for **CHILDREN AND ARMED CONFLICT**

Terms of Reference – Consultant

Temporary support to the Office of the SRSG for Children and Armed Conflict

Guidance Note on the Denial of Humanitarian Access (DHA)

A. Background

The Special Representative of the Secretary-General for Children and Armed Conflict (SRSG-CAAC) serves as the leading UN advocate for the protection and well-being of children affected by armed conflict.

The mandate of the SRSG-CAAC was created by General Assembly Resolution A/RES/51/77 following the publication, in 1996, of the report by Graça Machel on the impact of armed conflict on children. Since 1999, the systematic engagement of the UN Security Council has placed the protection of children affected by armed conflict at the heart of its international peace and security agenda. In 2005, the Security Council adopted resolution 1612 which established the Monitoring and Reporting Mechanism (MRM) on six grave violations against children in situations of armed conflict, including:

1. recruitment and use of children
2. killing or maiming of children
3. rape and other forms of sexual violence against children
4. attacks on schools and/or hospitals
5. abduction of children
6. denial of humanitarian access for children.

The SRSG-CAAC regularly reports to the United Nations bodies (Security Council, General Assembly and Human Rights Council) on the situation of children in armed conflict (CAAC). In addition to the Annual Report of the Secretary-General on children and armed conflict presented to the Security Council that covers all country situations on the CAAC agenda, country-specific reports are also regularly submitted to the Security Council Working Group (SCWG) on CAAC, as well as quarterly Global Horizontal Notes covering all situations.

B. Project description and objective

Early in the CAAC agenda, the denial of humanitarian access (DHA) to children was identified as a critical issue affecting children in conflict situations and over the years, cases of the denial of humanitarian access as reported through the MRM have been steadily on the rise. The denial of humanitarian access is one of the six grave violations the UN monitors through the MRM pursuant to the UN Security Council resolution 1612 (2005) and is the only one that does not trigger the listing of parties to the annexes of the Secretary-General's annual reports on CAAC. The Secretary-General's 2023 annual report on CAAC presented at the Open Debate cited 3,931 incidents of the denial of humanitarian access for the reporting year 2022.¹

¹ OSRSG CAAC, Secretary-General Annual Report on Children and Armed Conflict, accessible at: <https://daccess-ods.un.org/access.nsf/Get?OpenAgent&DS=A/77/895&Lang=E>



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To strengthen the protection of children impacted by armed conflict and enhance participation of the broader UN system, including humanitarian actors, there is a need to elaborate and provide further guidance on DHA as a grave violation against children. As such, the OSRSG CAAC is looking for a consultant to assist in the development of a practical and user-friendly guidance note for UN entities participating in the monitoring and reporting of grave violations at the field level. The guidance note is expected to be a reference tool for Country Task Forces on Monitoring and Reporting (CTFMRs) and their partners that provides advice and guidance to support, improve and standardize the documentation and enhance the response to the DHA to children in armed conflict. In line with existing guidance notes for other grave violations against children, including the [Guidance Note on Abduction](#), aimed at strengthening the implementation of the UN Security Council resolution 2225 (2015), as well as the [Guidance Note on Security Council Resolution 1998](#) on protecting schools and hospitals, the Guidance Note on DHA would be developed in collaboration with the Technical Reference Group (TRG) on the CAAC MRM. The TRG is composed of OSRSG-CAAC, UNICEF, the Department of Peacebuilding and Political Affairs (DPPA), and the Department of Peace Operations (DPO).

C. Responsibilities

Under the supervision of the Programme Officer of the Front Office of OSRSG-CAAC, the consultant will:

- Research and collect information pertaining to the challenges, gaps and opportunities in documenting and reporting on DHA within the framework of the MRM as a grave violation against children in armed conflict and the impact on children.
- Consult members of the TRG on the MRM, the CTFMRs on the ground, OCHA and other UN partners and NGOs working on related issues and prepare an analysis of specific issues for clarification on DHA.
- Conduct field-based research through travel to one or more locations identified for the project carefully selected from the situations currently covered by the CAAC agenda.
- Identify opportunities for engagement with parties to conflict and humanitarian partners to address DHA within the framework of the MRM and propose elements and measures to include DHA in comprehensive Action Plans.
- Develop a Guidance Note on DHA within the framework of the MRM for practitioners in the field, including the CTFMRs, UN and NGO partners.
- Revise the draft based on OSRSG CAAC's feedback, up to two rounds of review.



D. Expected outcome/Performance Indicators

Reporting to the Programme Officer of the Front Office of OSRSG CAAC, the consultant will utilize information gathered from the consultations, desk research, surveys, interviews with relevant experts, to produce a Guidance Note on the DHA which should contain approximately 10,000 words and comprise of:

1. A summary of the existing legal concepts and highlighting their potential application with the aim of refining those concepts to bring to the fore the scope of the applicable law, and all relevant legal frameworks and the need to ensure their comprehensive application to DHA.
2. A definition of DHA as a CAAC violation for the purpose of the MRM, including relevant examples.
3. Detailed Monitoring and Reporting process of DHA, with guidance on information to gather and an elaboration on the links to other grave violations for increased capacity for effective investigations.
4. Guidance on intersectional and gender dimensions of DHA.
5. Practical tools for MRM monitors in the field, including:
 - Further direction for conducting dialogue and advocacy with parties to conflict to end and prevent the denial of humanitarian access as a violation.
 - An annex of examples to help provide clarity to colleagues monitoring and reporting on cases of DHA for actual or alleged association with parties to conflict.
 - An annex of sample of measures to be included in an action to end and prevent DHA in armed conflict.
6. Guidance on the inclusion of DHA in comprehensive Action Plans.
7. A discussion addressing the existing participation of UN humanitarian actors in the MRM on monitoring and reporting on DHA and recommendations on ways to enhance it on the country-level.

E. Location

The Consultant is expected to work remotely and will be expected to be available for regular consultations with OSRSG CAAC during its working hours, namely Monday to Friday, 9:30am to 5:30pm New York, USA, time.

F. Duration of Work

The work is expected to take place between December 2023 and May 2024 and the project will be divided into two phases as noted below.

Phase one	Activities undertaken by the consultant
December 2023	Establish the project methodology, being undertaking research interviews, a desk based review, and interview key informants.
December 2023	Submit a draft outline of the guidance note



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CHILDREN AND ARMED CONFLICT

Phase two	
January - April 2024	Prepare the final draft of the guidance note and submit for the review process
May 2024	Submit the final draft of the guidance note based on the review process

G. Qualifications

Functional competencies

- Knowledge and experience of application of International Humanitarian Law, International Criminal Law, International Refugee Law and International Human Rights Law related to CAAC.
- Proven ability to conduct complex research, including expertise in monitoring and documenting grave violations against children during armed conflict and understanding of child protection concerns and humanitarian access issues.
- Familiarity with the UN system and knowledge of the children and armed conflict mandate and its Monitoring and Reporting Mechanism.
- Understanding of the gender and child rights dimensions of DHA.
- Ability to share knowledge and pass on expertise, including on very complex issues.
- Excellent research, writing, communication, and analytical skills.

Education

- Advanced degree (Master's or equivalent) in law, political science, international relations or other disciplines related to human rights and international law. A first level university degree in similar fields in combination with five additional years of qualifying experience may be accepted in lieu of the advanced university degree.

Experience

- Minimum 10 years of progressively responsible experience working on issues of human rights monitoring and reporting and/or child protection is required.
- Track record of producing studies and recommendations on issues relating to CAAC, preferably in the context of monitoring and reporting grave violations against children in armed conflict, is required.
- Experience of working with the UN or other international organizations is an asset.
- Experience of working in or on conflict situations is an asset.

Languages

- Fluency in English is required.
- Knowledge of French or another UN language is desirable.



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H. Applications

Applications should be sent to Randall Tilson, randall.tilson@un.org as below and include:

1. Candidate Profile or (P11), go to www.inspira.un.org to register and create an account and candidate profile, if you do not already have one.
2. Motivation Statement (which is part of the Candidate Profile)
3. One writing sample unedited by others

Please refer to “**Consultant Guidance Note on DHA**” in the subject line of your email.

Application deadline is 26 November 11:59PM New York time