

TERMS OF REFERENCE FOR THE DEVELOPMENT OF A CHILD SAFEGUARDING POLICY FOR THE AFRICAN UNION

Background

1. The African Union Commission, as a regional intergovernmental organization, undertakes various operations for the rights and welfare of children. It comes in touch with children in various occasions in delivering its mandate. Its various Departments have elements of child rights, and they engage with and involve children. Children take part in various workshops, and the Departments and Organs of the African Union interact with children in their country visits, studies, deployments, and other aspects. The Peace and Security Council deploys troops who provide peace support operations in areas where children live; and the Center for Disease Control deploys health officers who provide health services to communities including children. Moreover, various events hosted and organized by the African Union Commission such as the Day of the African Child, Girls' Summit and others bring children together. It is therefore important that the African Union has a policy that protects children with regards to its operations.
2. Furthermore, staff of the African Union Commission and its various organs have to be required to ensure the protection and promotion of children's rights even in their private sphere. Accordingly, Staff should be required to commit to respect child rights and refrain from any undertakings that might compromise the rights and wellbeing of children in their works as well as their private life. Ensuring that such requirements exists conveys the message that the African Union is committed to the protection and promotion of children's rights. The Union should embrace a policy that ensures that its undertakings and its staff adhere to international principles of child safeguarding.
3. The African Committee of Experts on the Rights and Welfare of the Child (Committee), according to its establishing treaty, the African Charter on the Rights and Welfare of the Child (Charter), is mandated to undertake various activities to promote and protect children's rights in the continent. Pursuant to Article 42(a)(ii) of the Charter, the Committee has the mandate to formulate and lay down principles for the protection and promotion of children's rights. As the Committee is the main child focused organ of the African Union, it assumes the mandate of leading child rights initiatives for the Union. Therefore, the Committee would like to develop a Child Safeguarding Policy for the African Union which will be presented to the policy organs of the Union for adoption.

Objectives

4. The main objectives of the development of the Child Safeguarding Policy include:
 - Identifying the main areas in which children are involved in the works of the African Union Commission and Organs of the African Union, including areas in which children are directly participatory and where staff come in touch with children in undertaking their official duties;
 - Identifying the main aspects of child safeguarding and child protection that should be included in the Policy;
 - Ensure that the African Union and its Staff are committed to the protection of children from any harm and ensuring that their right to survival and development is upheld;
 - Providing guidance to the African Union and its Staff on measures that should be undertaken to ensure the safe and effective care of children;
 - Providing guidance on how children who are engaged by the African Union Commission are protected from any harm and are provided with their rights to privacy, freedom of expression, and freedom from any abuse and torture;
 - Determining the main child safeguarding elements that should be addressed by the African Union Commission and its staff in laying down programs, action-plans and activities; and
 - Identify measures that should be taken against those who violate the Child Safeguarding Policy.

Scope of the Study

5. The Child Safeguarding Policy is intended to be used by the African Union and its Organs. It is intended to be an obligatory policy which staff and other personnel working for the African Union and its Organs should adhere to. Therefore, the Policy should be able to address the wide variety of activities given the nature and mandate of the African Union and its various Organs.

Methodology

6. The Consultant is expected to undertake the Study by collecting both qualitative and quantitative data from primary and secondary sources. Information for the Study will be collected from desk review as well as interviews and discussions. The Consultant will review the existing various policies of the African Union to ensure that there is no repetition, and no issue is left out. Moreover, the Consultant is required to look at already existing child safeguarding policies of other international organizations and international non-government organizations.
7. The data collection and development of the Study will be conducted under the leadership of the Secretariat of the Committee.

Reporting and deliverables

8. The following are the main deliverables of the Study:
- i. Inception report which provides for a clear understanding of the assignment; the methodology it will be used including the tools of the data collection such as questionnaire, list of interviewees, and list of key informants for discussions; outline of the main study among others;
 - ii. Draft Child Safeguarding Policy;
 - iii. Presentation of the Draft Safeguarding Policy during a validation workshop and the Session of the Committee;
 - iv. Final Child Safeguarding Policy by incorporating the Comments collected from the Committee, and other stakeholders;

Qualifications and experience

9. The Consultant who will be recruited for this task must have the following qualifications and experience:
- Advanced university degree in law, human rights, children's rights, social studies and related fields;
 - At least 10 years of experience working directly on children's rights, drafting legislative documents;
 - Demonstrable understanding of the concept of child safeguarding;
 - Demonstrable knowledge of the African Union and its mechanisms;
 - Demonstrable understanding of the African Charter on the Rights and Welfare of the Child, and other child rights instruments;
 - Experience working on child safeguarding issues at national, regional, or international level;
 - Demonstrable analytical and writing skills and ability to share previous works; and
 - Fluency in English or French is required, knowledge of additional African Union working languages is desirable.

Application

10. The Committee invites eligible individual consultants to indicate their interest in providing the Service. Interested candidates must provide information demonstrating that he/she has the required qualifications and relevant experience to perform the Services. The application document should consist of the following:
- i. A cover letter summarizing the background of the applicant;
 - ii. A Customized Curriculum Vitae not exceeding 3 pages;
 - iii. Technical Proposal on:
 - understanding and interpretation of the TOR
 - methodology to be used in undertaking the assignment
 - time and activity schedule
 - iv. Financial proposal including

- Consultant's daily rate in US\$
 - Other costs e.g. travel and Daily Subsistence Allowance
 - Total cost
- v. Financial proposal should be sent separately in a PDF format and it shall be password protected. However, the password shall be submitted by the Consultant to the Committee upon request and after concluding the evaluation of CVs and the Technical Proposal. Candidates who fail to provide a financial proposal that is locked with password will automatically be disqualified.
- vi. Evidence of educational background and professional experience;
- vii. Samples of publications, professional undertakings or related activities which demonstrate the applicants' expertise on the areas stated above; and
- viii. Names and contacts of three references.

Evaluation Criteria

11. For evaluation of the expressions of interest the following criteria will be applied:
- a) General Education Qualification and Relevant Training (20 points);
 - b) Experience Related to the Assignment (25 points);
 - c) Technical approach and methodology (45 points)
 - d) Work plan (10 points)

Duration

12. The estimated duration of the consultancy is 30 working days which will be spread up to December 2023.

Consultancy fee

13. The Consultant will be paid a fixed fee of **USD 15,000** (Fifteen Thousand USD) for the assignment. The payment will be effected in accordance with the various deliverables as indicated above, and is inclusive of all costs and profits as well as tax obligations that may be imposed on the Consultant.

Application deadline

14. Qualified candidates should send their applications comprising an abridged resume (no more than three pages), a technical and financial proposal, and a writing sample or previously developed document or tool in children's rights, to ACERWC-SECRETARIAT@africa-union.org. The Deadline for submission is 28 April 2023 at 17:00 hours South African Time. Late applications will not be considered.