1. Background

On November 20, 1989, the General Assembly of the United Nations approved the Convention on the Rights of the Child. The preparatory work lasted more than ten years in order to ensure that the contribution of different religious beliefs and cultures were taken into account. It was worth the effort. The Convention became the most broadly accepted human rights treaty in history. Enshrined in the Convention is the obligation for committed countries to conduct periodic reviews to identify issues affecting children and to consider and implement appropriate state responses.

Among the issues of concern to the Caribbean, a region noted for high international migration, is the impact of the phenomenon on children. As elsewhere, migration is often driven by politically unstable environments and by economic hardship, adults often making the choice to leave in search of safety and/or livelihood, for themselves and their family. Whatever the reason, the issue of migration has gained greater importance on the political agendas of both the source and destination countries in the Caribbean. Children and adults who migrate have a right to basic social services, in line with international human rights principles. Access to such services is complicated by a number of factors. The migration process and the numbers of people arriving into the Caribbean United Kingdom Overseas Territories (UKOTs) varies, with some processes more formalized than others. The situation is made more complex by the considerable number of Spanish-speakers arriving from the Dominican Republic and patois-speaking persons arriving from Haiti, into the English-speaking UKOTs.

Furthermore, the UKOTs (governed by the UK Nationality Act), along with the Bahamas, the Dominican Republic and Haiti, are the only countries in the CARICOM region that do not provide unrestricted *jus soli* (birth-place citizenship) acquisition of nationality. With the acquisition of nationality granted through *jus sanguinis* (citizenship by descent) principles, the interplay between migration and nationality policies can result in some areas of discrimination in the country of settlement of some children and their families.

Children in situations of migration, or born of parents through who nationality cannot be automatically transferred, can become a particularly vulnerable group. They may face barriers to accessing social services (e.g. housing, education, health care), challenges to the rights to citizenship and identity, lack of freedom of movement due to parents’ economic insecurity, and/or social and cultural dislocation.

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1 Anguilla, Montserrat, Turks and Caicos islands, Virgin islands (UK)
2. **Objectives of the Consultancy**

The objectives of this consultancy are to:

1. Explore and enhance understanding of the scale, nature and characteristics of inward migration and disparities between migrant and non-migrant children.
2. Assess the impact of national policies on children in the Caribbean UKOTs, and inequities stemming from the normative and policy frameworks and social norms.
3. Identify the bottlenecks and barriers to realizing the rights to basic social and health services by:
   a) children in situations of migration
   b) children who are stateless
4. Identify short and long term programmatic, policy and legislative recommendations to ensure the realization of children’s rights with a particular focus on implementation of key international and regional normative frameworks relevant to this area.

3. **Major Duties and Responsibilities / Scope of Work**

The Consultant will:

1. Review all relevant documentation including existing administrative, census and survey data to document the scale and characteristics of migration and inequities, to provide new insights and build on the 2009 UNICEF ECA study on “The Impact of Migration on Children in the Caribbean”.
2. Assess the laws and policies on the impact of inward migration and children in the UKOTs, and national policies for their compliance with international child rights principles.
3. Through focus group discussions, and key informant interviews, analyze the bottlenecks and barriers to access to basic social services by children in situations of migration and children who are stateless, and estimate the scale of the phenomenon.
4. Consult with the relevant state and non-state actors, including service providers in each country to gather and analyse national perspectives on the bottlenecks and barriers encountered, as well as information on current and/or planned initiatives that address the phenomena.
5. In line with UNICEF’s “Guidance for Ethical Research Involving Children” (available at [https://www.unicef-irc.org/research/278/](https://www.unicef-irc.org/research/278/)), collect the information and prepare case studies to demonstrate the impact of the issues on individual children.
6. Provide UNICEF with a full report comprising 4 Country Reports, a Comparative Analysis, an accompanying Comparative Matrix and PowerPoint Presentation of the findings in electronic and hard copy.

4. **Deliverables and Timeframe**

The Consultant will produce 4 Country Reports each no longer than 15 pages; a Comparative Analysis not exceeding 5 pages; an accompanying Comparative Matrix and PowerPoint Presentation, all of which are written for both informed and broader audiences.

**Proposed Country Report Structure**
PART 1: Provide a contextual background for the Study: i.e. information on the drivers of inward migration and statelessness, including analysis of the major source countries, scale of issue, and demographics and economic status of the affected population.

PART 2: Provide an analysis of how migrant status and statelessness affect children’s access to basic social services, with a focus on inequities/disparities and gaps.

PART 3: Assess compliance with the current international policy framework in this area, identifying opportunities and gaps with regards to protecting children’s rights.

PART 4: Identify short term and long term policy recommendations for relevant authorities.

Include in each section, case studies to illustrate the impacts on children. In addition, examples of good practice that exist, should be captured.

The Consultant will submit the above-mentioned deliverable in the following stages, within the stipulated timeframe:

<table>
<thead>
<tr>
<th>#</th>
<th>Deliverables</th>
<th>Deadline</th>
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<tbody>
<tr>
<td>1</td>
<td>An Inception Report, detailing an elaborated outline of the proposed country report structure flagging the issues relevant to the assignment and the research tools (focus group discussions, interview forms).</td>
<td>30 October 2016</td>
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<tr>
<td>2</td>
<td>Two Draft Country Studies</td>
<td>15 December 2016</td>
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<tr>
<td>3</td>
<td>Two Draft Country Studies, draft Comparative Analysis and draft Comparative matrix</td>
<td>15 February 2017</td>
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<tr>
<td>4</td>
<td>Four final Country Studies, A Comparative Analysis, Comparative matrix, PowerPoint presentation</td>
<td>15 March 2017</td>
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All deliverables will be reviewed by UNICEF and the respective Governments and the comments will be incorporated by the Consultant.

5. Qualifications of successful candidate
   - Advanced university degree in social sciences or similar field, international development, human rights, migration, social & economic development.
   - A minimum of 8 years relevant work experience in applied research, development cooperation, and/or policy;
   - Proven experience in the area of the migration global policy agenda and international processes related to migration and displacement, nationality law with particular knowledge of how these relate to vulnerable groups in particular;
   - Expertise on children’s rights would be an advantage.

6. Competencies
The Consultant must demonstrate:
- Ability to analyse and integrate diverse and complex quantitative and qualitative data from a wide range of sources;
- Experience in gathering qualitative data/information and analysis;
- Excellent analytical and writing skills, and experience in producing research and policy report;
- Advocacy and presenting skills;
- Ability to communicate complex concepts clearly to both informed and broader audiences;
- Ability to work harmoniously in a multi-cultural environment and establish effective working relationships both within and outside an organization;
- Familiarity with UNICEF or UN mission, programme policies and goals an asset;
- Fluency in English.

7. Duration
The contract will be for the period 15 October 2016 to 15 March 2017.

8. Official Travel / Work Arrangement
The successful candidate will be required to travel to the study sites, the costs of which will be covered by the contract.

9. Estimated Budget:
The fee for this assignment is negotiable within standard UNICEF range for professionals at the P4/NOD level based on consultant’s qualifications and experience. The Consultant’s fees will be paid in agreed phases based on specified deliverables.

10. Payment Schedule:

<table>
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<tr>
<th>Amount</th>
<th>Deliverable</th>
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<tr>
<td>30 % mobilization fee</td>
<td>Upon submission of inception document</td>
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<tr>
<td>20%</td>
<td>Upon submission of draft reports for two countries</td>
</tr>
<tr>
<td>20%</td>
<td>Upon submission of draft reports for two countries, draft comparative analysis, and draft comparative matrix</td>
</tr>
<tr>
<td>30%</td>
<td>Upon submission of Final Report comprising the Comparative Analysis, Four Country Studies, Comparative Matrix and PowerPoint Presentation</td>
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11. Conditions of Service:
Prior to commencing the contract, the Individual Consultant will be required to submit a statement of good health, accompanied by a recent Medical Certificate which indicates that the Consultant is fit for work and travel. In addition, the Consultant is required to certify in the Health Statement that he/she is covered by medical/health insurance. The statement includes confirmation that he/she has been informed of any inoculation required for the country or countries to which travel is authorized. He/she takes full responsibility for the accuracy of the statement.

Institutional contractors or corporate entities will be required to submit certificate of registration or certificate of incorporation. Medical certification is not required for corporate entities.
12. Recourse:
UNICEF reserves the right to withhold all or a portion of payment if performance is unsatisfactory, if work/outputs is incomplete, not delivered or for failure to meet deadlines. Performance indicators against which the satisfactory conclusion of this contract will be assessed include: timeliness/quality of submission and responsiveness to UNICEF and counterpart feedback.

13. Property Rights
UNICEF shall hold all property rights, such as copyrights, patents, and registered trademarks on matters related to, or derived from the work carried through this contract with UNICEF.

14. How to Apply
Proposals should be sent by e-mail to pklopez@unicef.org with a copy to bridgetown@unicef.org no later than COB (EST) on 30 September 2016, indicating “Children, Migration and Nationality Policies in the UKOTs” in the subject line of the email. The proposal package should include the following:
   a. A cover letter
   b. A detailed curriculum vitae or background of the corporate entity in English
   d. A technical proposal indicating how the Consultant/Institution proposes to prepare the study
   e. A financial proposal, outlining number of consultant days and detailed travel budget
   f. Written sample of previous work including research and/or reports relevant to the focus of this Terms of Reference

Please address applications to:
   The Representative
   UNICEF Office for the Eastern Caribbean Area
   UN House, Marine Gardens
   Christ Church
   BARBADOS

ONLY SUITABLY QUALIFIED CANDIDATES WILL BE ACKNOWLEDGED