



Terms of Reference

For

Conducting a Baseline Study and Mapping of Relevant Stakeholders for a Pilot Approach on Tourism Sector on Child Rights in Business Principles

Project Outcome	Outcome 1 : West African governments (Togo, Guinea, Cape Verde, Guinea Bissau, Gambia, Senegal) have increased engagement with ECOWAS, AU and UN human/child rights monitoring mechanisms
Project Result (Output)	Result 1.3 Children, CSO and the State of The Gambia increasingly hold private sector actors accountable for the implementation of the Geneva Comment 16 among other private sector and CR accountability mechanisms
Project Activity	Activity 1.3.1 Baseline Study on Child Rights and Business in the tourism sector and mapping of relevant stakeholders

Introduction and Project Background

Child Protection Alliance (CPA) is a membership organisation with more than 38 members working for and with children. Since its inception in 2002, CPA has devoted in promoting and protecting the Rights of Children through advocacy and lobbying strategies, strengthening the capacity of civil society and the government as well. Over the years with proactive engagement and networking, CPA has witnessed some positive trends taken by government and other stakeholders in protecting and preserving the rights of children for example, Children’s Act (2005), National Child Protection Strategy 2016 - 2020, Child Safeguarding Policy and the establishment of the Ministry of Women, Children and Social Welfare as well as the Directorate of Children.

Therefore, with support from Save the Children International and the Swedish International Development Cooperation Agency (Sida), to end violence against children and protect and promote children’s rights, Child Protection Alliance intends to engage the private sector especially the business community alongside other stakeholders to promote and advocate for child rights in business which is a new concept in The Gambia. This initiative intends to improve policies and harmonize the approach that will guide its principles on businesses and human rights such as protect, respect and remedy.

Child Rights in Business

In the attempt to recognize the need for explicit guidance on what it means for business to respect and support children’s rights, the United Nations Global Compact, Save the Children and UNICEF joined forces in 2009, to try to identify what the development of the UN Guiding Principles on Business and Human Rights (UNGPs) might mean for children and

children's rights. The work resulted in development of the Children's Rights and Business Principles (CRBP, 2013), as well the Committee on the Rights of the Child's General Comment no. 16 on State Obligations (GC16, 2013) when it comes to protecting the rights of children from adverse impacts from business. These two resources, offers a child rights perspective on the UNGPs, aiming at supporting states and business in understanding how to integrate children's rights into Business and Human Rights instruments, laws and policy. A key aim of this is to move broaden the focus into businesses operationally understanding their impacts on children and their rights, and not only focusing on philanthropic and "giving back".

The CRBP specifically, which points at understanding the business responsibilities towards children in relation to UNGP, and to articulate the difference between the responsibility of business to respect – doing the minimum required to avoid infringing on children's rights; and support – taking voluntary actions that seek to advance the realization of children's rights. Children's Rights and Business Principles call on business to put in place appropriate policies and processes, as set out in the Guiding Principles on Business and Human Rights, including a policy commitment and a due diligence process to address potential and actual impacts on human rights.

Furthermore, the Principles identify a comprehensive range of actions that all businesses should take to prevent and address risks to child rights and maximize positive business impacts in the workplace, the marketplace and the community by ensuring that all business should:

1. Meet their responsibility to respect children's rights and commit to supporting the human rights of children.
2. Contribute to the elimination of child labour, including in all business activities and business relationships.
3. Provide decent work for young workers, parents and caregivers.
4. Ensure the protection and safety of children in all business activities and facilities.
5. Ensure that products and services are safe, and seek to support children's rights through them.
6. Use marketing and advertising that respect and support children's rights.
7. Respect and support children's rights in relation to the environment and to land acquisition and use.
8. Respect and support children's rights in security arrangements.
9. Help protect children affected by emergencies.
10. Reinforce community and government efforts to protect and fulfil children's rights.

As a result a set of practical tools have been documented to help business respect and support children's rights and these include:

- Guidance on implementing relevant policies including how business can include child participation;
- Conducting impact assessments;
- Integrating appropriate programmes and systems;
- Monitoring and reporting on children's rights.

Justification

As Child Protection Alliance embarks on the journey to develop a comprehensive and integrated child protection case management system, an analysis of the current approaches, practices, institutional set ups and policy and legal frameworks in child protection in The Gambia is work on progress. Businesses to a greater extent have an impact in the lives of children, thus the need for constant engagement on issues concerning child rights in every aspect and for this case with special emphasis on the workplace, market, community and the environment within the context of business and child rights. In regards to the recent CPA-ECPAT Report submitted to Universal Periodic Review third cycle (34th Session), incidences such as exploitation of children in prostitution, online sexual exploitation, child sex abuse materials, tracking of children for sexual purposes, sexual exploitation of children in context of travel and tourism, child, early and forced marriage were identified as a common occurrence in The Gambia. Therefore, with stalwart expertise to ensure that all aspects of child protection are fully explored, CPA and Save the Children sought it wise to engage the business communities on Child Rights in Business Principles especially within the Tourism sector (which is a major contributor to the economy accounting for 12 to 16% directly to GDP and even more indirectly) so that protecting, respecting and remedying is introduced and incorporated by the private sector and state policy.

As tourism plays a crucial role in catalyzing growth and employment opportunities, despite being seasonal, the impact of the COVID-19 pandemic as well as prior bankruptcy of Thomas Cook have shown the industry's vulnerability. The 2020 season will be heavily impacted and the financial loss implications for the country will be extremely important. While the focus for all concerned stakeholders is on the support need to safeguard the sector, this is also an opportunity to review issues such as child abuse and exploitation and rebuild its rebound on fresh bases.

As a kick off, it's imperative that a baseline study is initiated to account for and analyzed to provide a complete picture of the current situation and then propose recommendations for a fully integrated business and child protection case that contribute towards reducing child sexual exploitation, abuse and neglect on all children, including those with disabilities.

Objectives

The overall objective of the baseline is to facilitate a mapping and situation analysis of the current practices, processes, institutional arrangements and legal and policy frameworks for child protection coordination and service provision in The Gambia with a view to provide recommendations on the development of an integrated business and child protection case management system in the Tourism sector.

Specific Objectives

1. To assess the current child protection standard operation procedures used in the tourism development areas that have the potential to strengthen the realization of the rights of children.
2. Map and assess existence and of policies and legal frameworks, as well as the efficiency in procedural follow-up
3. To identify the roles of stakeholders in providing services for the realization of children's rights especially in the tourism sector.
4. To establish a qualitative and quantitative database on types of frequent child rights violations in the tourism sector.
5. To do a mapping of relevant stakeholders including youth and child rights organisations in Child Rights in Business principles.

Scope of the baseline

Being a study focusing on the tourism sector, the assignment will target the Gambia Tourism Board, Gambia Hotelier Association, Gambia Chamber of Commerce and Industry, Tourism Security Unit, Official Tourist Guide Association, Fruit sellers Association, Craft Market Association, Tourist Tax Drivers Association, Association of Restaurants and Bar Unions, Media, Coastal area communities, Aircraft and Airport representatives, Bump stars and children in the Coastal Area communities.

Methodological approach

The study methodologies suggested herein is both quantitative and qualitative data supported with in-depth analysis are key requirement and will contribute to enhancing evidenced based results and decision making. The methodologies will be such that they are robust and or innovative enough to collect primary data and combining with analysis of secondary data linked to child rights and business principles. The final study methodology will be confirmed after review from Save the Children International, Child Rights in Business Principle Experts.

Expected Tasks and Deliverables

- Carry out literature review of all related and relevant documents.
- Visit and interview all stakeholders
- Document lessons learnt from other countries and make recommendations that will assist easy project implementation
- Prepare Baseline tools for all stakeholders
- Oversee collection of Field data from respondents in the selected areas and administer the questionnaires, conduct key informant interviews and FGDs etc.
- Child sexual exploitation survivors especially those in tourism sector to be interviewed while consideration child safeguarding procedures
- Assemble findings and present a report.

Deliverables under this assignment will include the following;

- 1) Inception report including baseline methodology;
- 2) Questionnaires and other tools for data collection;
- 3) Draft evaluation Report;

- 4) Final evaluation report;
- 5) Data base used for statistical analysis.

Timeline

A total duration of the assignment is up to 30 working days within period from ... November to 31st December 2020

Budget available for the purpose

The proposed budget allocation is D350,000 and media advert cost of D36,000 excluding cost of inception workshop and validation.

CSG Policies and Other Contractual Mandatory Policies

The responsibilities of the post may require the consultant to have regular contact with or access to children or young people and therefore it's important the consultant understands the rights of children as enshrined in the constitution. Furthermore, the consultant will work closely with CPA secretariat for technical collaboration and facilitation. The documents to be produced will be reviewed and approved by CPA National Coordinator and certified by Save the Children International for technical and compliance and payment purposes.

All the documents remain the property of the CPA and Save the Children International. The consultant will be responsible for data collectors and other use his or her personal laptop and office space. Child Protection Alliance reserves the right to withhold all or a portion of payment if performance is unsatisfactory, if work/output is incomplete, not delivered or for failure to meet deadlines.

The consultant must respect the confidentiality of the information handled during the assignment. Documents and information provided must be used only for the tasks related to these terms of reference.

Profile of the firm or of the consultant we are looking for

- Advanced university degree in Human Rights, Social Sciences, Business Administration, Corporate Social Responsibility, Communications, or related fields is required. Alternatively, a first level university degree in international development or related studies, in combination with qualifying experience may be accepted in lieu of the advanced university degree.
- A minimum of 5 years of work experience in engaging bilateral donors and relevant areas is required.
- Demonstrable understanding of CPA and Save the Children's programming mandate and country office planning processes is desirable.
- Demonstrable experience in working with or familiarity with Bilateral donor organizations is required.
- Demonstrable understanding of Human Rights and business/ Children's Rights and Business is desirable.
- Fluency in English required.

- Experience and demonstrable skills in writing reports and presenting in English is a must.

How to apply:

CPA is committed to gender equality in its mandate and its staff. Well qualified candidates, particularly females are strongly encouraged to apply.

Qualified and experienced candidates are requested to submit a letter of interest detailed enough to be considered as a **Technical Proposal** for the consultancy in which candidates should highlight their previous work experience relevant to the assignment, the attributes that make them suitable, and their proposed road map and approach to undertake the assignment.

Only selected candidates will be requested to submit a Financial Proposal outlining the total costs for this consultancy with payment linked to the main deliverables outlined above.

Child Protection Alliance is committed to diversity and inclusion within its workforce, and encourages all candidates, irrespective of gender, nationality, religious and ethnic backgrounds, including persons living with disabilities, to apply to become a part of the alliance.

CPA has a zero-tolerance policy on conduct that is incompatible with the aims and objectives of the alliance including sexual exploitation and abuse, sexual harassment, abuse of authority and discrimination. CPA also adheres to strict child safeguarding principles. All selected candidates will be expected to adhere to these standards and principles and will therefore undergo rigorous reference and background checks. Selected candidates may be required to provide additional information to conduct a background check.

Baseline Management

The assignment will be supervised closely by Save the Children International CRBP experts based in Dakar and Stockholm.

Remarks:

Only shortlisted candidates will be contacted and advance to the next stage of the selection process.

Applications Close : 31st of December 2020