

TERMS OF REFERENCE of the EU Expert on Human Rights and International Humanitarian Law in the International Monitoring Team

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Humanitarian and human rights law specialist.....	Error! Bookmark not defined.

1. BACKGROUND

In recognition of its support in advocating dialogue, the Moro Islamic Liberation Front (MILF) and Government of the Philippines (GPH) ("the Parties") invited the European Union (EU) to take part in the International Monitoring Team (IMT) with a letter on 9 December 2009. In that regard, the EU has fielded one EU Expert to lead the IMT's Humanitarian, Rehabilitation, and Development Component, with a focus on monitoring and reporting on Human Rights and International Humanitarian Law issues as well as on implementation of the Annex on Normalization.

2. OBJECTIVE

The overall objective of the assignment is to support the MILF-GPH peace process in the southern Philippines by promoting the Parties' respect for their commitments under International Human Rights Law, International Humanitarian Law, and the Annex on Normalization (attached hereto) with a view to ultimately bringing about lasting peace, security, and development to the people of Mindanao.

Specifically, the EU Expert will carry out the mandate of the EU in International Monitoring Team as the Coordinator of the IMT's Humanitarian, Rehabilitation, and Development Component (HRDC), as described in the IMT Terms of Reference in effect during the EU Expert's period of employment. The current IMT ToR is attached hereto; the IMT ToR is subject to change based on the mutual agreement of the Parties.

3. SCOPE OF THE WORK

3.1 Specific activities

The EU expert will:

- In close coordination with the IMT Head of Mission, the Parties, and other concerned agencies, identify the priority issues and geographic areas which will be the focus of monitoring and develop a strategy to implement their work;
- Maintain close and continuous contact with organizations involved in civilian protection activities;
- Conduct field visits to establish their own contact with conflict-affected populations as a primary source of information;
- Establish contact with secondary sources of information of information including key informants amongst the parties, armed groups, the media, academia, civil society, religious groups, humanitarian, and development organisations;
- Review available reports and other publications as a third source of information;
- Identify specific cases of violations and abuses of human rights and international humanitarian law, identify potential responsibility of the parties or others for confirmed violations, and maintain a database of violations to provide an overall picture of the nature, pattern and scope of violations and abuses. As appropriate, report on specific cases of violations under the reporting framework outlined in the IMT ToR in effect during the EU Expert's tenure;

-Make recommendations for measures to prevent, end, and address the consequences of specific violations and abuses of human right and international humanitarian law and the consequences of delayed or incomplete implementation of the Annex on Normalization;

-Evaluate the overall progress and commitment made by the parties towards greater respect, protection and fulfilment of humanitarian and human rights law and their obligations under the Annex on Normalization, and report on that progress and commitment under the reporting framework outlined in the IMT ToR in effect during the EU Expert's tenure;

-Contribute, under the supervision of the IMT Head of Mission, to the drafting of the IMT's monthly report to the Peace Panels on activities and developments relating to human rights, international humanitarian law, and the Annex on Normalization;

-Draft other reports as required under the reporting framework outlined in the IMT ToR in effect during the EU Expert's tenure;

-Reach out to third parties and/or civil society organisations and encourage them to support and assist in the monitoring process;

-Undertake advocacy and information activities in support of the peace process and other programs approved by the IMT HoM;

-In no case is the EU Expert to report on his/her tasks without having consulted the IMT HoM.

Geographical area to be covered

The expert will be posted in the IMT mission Headquarters in Cotabato City, Mindanao, with frequent travel within the areas of coverage of the IMT. Some travel to Manila is also foreseen to debrief the EU Delegation on matters agreed with the IMT HoM and to meet with interlocutors.

3.3 Scope of the assignment

The predominant scope of the work of the EU Expert shall pertain to the GPH-MILF peace process and the obligations of GPH and MILF towards human rights and international humanitarian law and the Annex on Normalization. However, should violations or abuses occur that impact the peace process between the Parties (e.g., rido or violations committed in pursuit of lawless elements), the EU Expert, upon permission and guidance of the IMT HOM, shall perform his/her functions in relation to those events as well.

4. LOGISTICS AND TIMING

4.1. Location

The location of execution of the assignment will be Cotabato City and other areas of Mindanao as well as Manila.

4.2. Commencement date & Period of implementation of tasks

The date for commencing implementation shall be May 1st and not later than May 31st, 2021.

4.3. Transportation

The EU expert will be provided with a vehicle and driver for the execution of his/her assignment. The vehicle is intended to support the EU expert alone. Any derogation to this stipulation must be discussed with the EU Delegation in Manila, the EU expert, and the HoM.

4.4. Accommodation

The EU expert will cover the cost of her/his accommodation in Cotabato City.

5. REQUIREMENTS

Qualifications and skills

- Masters-level university degree in international humanitarian law, international human rights law, peace and conflict studies, or a related field.
- Excellent command of English. Knowledge of Philippine languages would be an asset.
- Computer literacy.
- Excellent diplomatic, communication, and inter-personal skills.

General professional experience

- Minimum 7 years of experience in human rights, international humanitarian law, or related field.
- International field experience is required. Experience in conflict or post-conflict settings is strongly preferred.

Specific professional experience

- Good experience in the design and implementation of monitoring systems.
- Experience cooperating with state authorities, non-state actors, international organisations, and non-governmental organisations.
- Some experience in conducting trainings on conflict mediation, human rights, international humanitarian law, and/or related topics.
- Previous experience in the Asian region would be an asset.

This document is intended as a working document internal to the IMT. In case of dispute, the signatories of this document will be guided by the Terms of Reference of the IMT and by a sense of cooperation and common purpose.

Should a dispute arise, the signatories will strive to settle it internally.

Signed this day _____ in Cotabato City.

THE EU EXPERT

THE IMT HoM