

Terms of reference - Consultant to support the development of a state of play report on criminalization of aid

1. Background

2025 was one of the deadliest year affecting humanitarian personnel worldwide and resurgence of conflicts since the beginning of 2026 may likely continue to impact civilians and humanitarian personnel. According to [Insecurity Insight](#), since the adoption of S/UNSC/2730 “**375 aid workers were arrested or detained in 180 incidents in 20 countries**. Many arrests and detentions appear linked to efforts to control, intimidate, or exert leverage over humanitarian actors and access. Arrests often occurred in the context of movement restrictions, such as arrests at checkpoints, during travel, or following curfew enforcement. In other cases, aid workers were arrested over issues related to permits, registration, visas, coordination requirements, or authorisation to operate. In several contexts, arrests coincided with heightened political tension, protests, or active military operations”

Detention, prosecutions, harassment of humanitarian worker are manifestations of a broader trend toward the criminalization of humanitarian action. It is not an incidental risk, it has become a key feature of the shrinking humanitarian space globally. Humanitarian actors operate increasingly in politicized environment where legal, administrative and narrative dynamics are converging to undermine their protection and restrict their principled action.

Many legislative frameworks and practices hinder the delivery of principled humanitarian action, exposes humanitarian personnel to risks such as detention, arrest, and harassment. In particular, domestic counterterrorism measures, measures in link to countering financing of terrorism or declaration of emergency States or military measures taken by some States or *de facto* authorities could criminalize activities of impartial humanitarian organizations, undermining the protection of humanitarian workers and ultimately being in contradiction with International Humanitarian Law and the provision of principled humanitarian action.

2. HOPES project

The **Humanitarian Opportunities: Protect, Engage and Stand for (HOPES)** project aims to strengthen awareness and political will to address the growing threats facing humanitarian actors and operations—whether arising from harmful information or criminalization— and to support the humanitarian community in formulating and advancing practical, evidence-based recommendations.

The project will be offering a critical analysis of key political drivers of insecurity, helping humanitarian actors protect themselves from laws, policies, and actions that endanger their work—including threats linked to disinformation. It will support and engage with peer NGOs, both local and international, as well as networks, to develop shared tools and messaging that enhance preparedness and response to the most pressing threats.

The project is led by a consortium, including Action Against Hunger (France and Spain), Humanity & Inclusion - Handicap International (HI), Médecins du Monde (Mdm), the Norwegian Refugee Council (NRC) and Insecurity Insight and funded by DG ECHO.

One of the output of the project is the production of a state of play report on criminalization of aid. The report will aim to provide an overview of the various contexts in which humanitarian personnel are at risk of being criminalized due to the core mandate of their work. More precisely we will aim at studying the **use or misuse of laws, policies, administrative and regulatory measures**— whether at

local, national, regional or international level – that exposes humanitarian actors to criminal liabilities that could lead to prosecutions, detentions, asset freezes or other penalties. For this study, humanitarian personnel will refer to humanitarian workers for international and national non-governmental organization and volunteers.

3. Objectives of the consultancy

The purpose of the consultancy is to support the HOPES advocacy coordinator to develop a State of play report on criminalization of humanitarian workers. The consultant will provide a detailed legal analysis of the environment in which aid workers deliver principled humanitarian assistance.

4. Main tasks

In collaboration with the HOPES advocacy coordinator, the consultant will:

- Review existing literature, legal frameworks, and national practices to map legal constraints across countries.
- Conduct a legal analysis of the key frameworks regulating humanitarian work, including access in 8 agreed countries with a focus on possible criminalization
- Carry out key informant interviews to better understand the practical impact of these legal frameworks at the country level.
- Contribute to the drafting and overall development of the report.

The consultant will provide feedbacks on the advancement of the research to the steering committee every 2 months.

5. Timeline

We are expecting the consultant to work with the HOPES advocacy coordinator 1 or 2 days a week (flexible), from May to October 2026.

6. Deliverables

- Inception note developing the agreed methodology, workplan and interview guide
- Mapping of the legal framework that are used or mis used to criminalize humanitarian workers
- For 8 agreed countries studied: 4 pages' document that includes: legal environment directly criminalizing humanitarian workers / legal environment indirectly criminalizing humanitarian workers / cases and impacts on humanitarian workers
- Key informant interview summary
- A summary note with the key drivers / categories of criminalization of humanitarian workers
- Annotated power point presentation with key findings

7. Required experience and skills

- Advanced university degree (Master's or PhD) in law, international law, human rights law, or a related field.
- Minimum of 5 years of relevant professional experience in legal analysis, with a strong focus on humanitarian law, human rights law, or legal frameworks affecting humanitarian action.
- Demonstrated expertise on issues related to the criminalization of aid, counter-terrorism legislation, restrictions on humanitarian access, protection of humanitarian workers
- Proven experience in leading complex research assignments and producing high-quality analytical reports for policy, advocacy, or operational purposes.
- Strong track record of engaging with stakeholders, including NGOs, international organizations, and potentially governmental actors.
- Solid experience in qualitative research methodologies, including the design and conduct of key informant interviews.

- Excellent analytical, drafting, and synthesis skills, with the ability to translate complex legal concepts into clear, policy-relevant messages.
- Prior experience supporting advocacy initiatives and contributing to strategic positioning is a strong asset.
- Excellent command of English (written and spoken); knowledge of additional relevant languages is an asset.

8. How to apply?

Interested consultant should submit to lsalavert@actioncontrelafaim.org before the 3rd of May 2026, 11pm (Paris time).

1. Technical proposal including: experience, proposed approach and understanding of the assignment, availability according to the above mentioned timeline
2. Financial proposal
3. Updated CV
4. Sample of previous similar work

Please include this reference in the title of your email : FR-PA-DEP-PLAI 2026 24