Terms of Reference

Position Title: Diaspora Engagement, Policy Development Expert (International Consultant)
Type of Contract: Consultancy service (individual)
Duration of Assignment: 60 working day / July to December 2019 (6 months)

1. BACKGROUND:

In 2018, the International Organization for Migration (IOM) in Lesotho will implement a project entitled “Enhancing Coordination and Strengthening Institutional Capacity to Effectively Engage Basotho Diaspora”. The overall objective of the proposed project is to contribute towards an increased contribution of the Basotho diaspora in the socio-economic development of the Kingdom of Lesotho. In order to realise this objective, the project aims to strengthen the Government of Lesotho’s (GoL) institutional capacity to fully coordinate diaspora affairs and mobilize the Basotho diaspora. The project expected outcomes are; **Outcome 1**: Newly established Diaspora Directorate is able to engage effectively with diaspora members; **Outcome 2**: Active presence and participation of government, Diaspora representatives and key private sector actors during the diaspora outreach forum; and **Outcome 3**: Lesotho National Diaspora Policy is in place.

Despite its importance, there has been limited or fragmented coordination among various stakeholders in Lesotho and until now, there is no single Ministry, sub-Ministry or independent institute with the mandate of coordination, harmonization of engaging with Basotho diaspora abroad. The Ministries and institutes have been meeting diaspora without a unified or harmonized approach. The diaspora outreach should be conducted in a harmonized manner, and should have a clear message or relevant information to the targeted diaspora members. Lastly, Lesotho does not have a diaspora policy. Development of a Lesotho National Diaspora Policy, drafted in an inclusive and participatory manner and fully considering the unique diaspora profile for Lesotho, using a gender mainstreaming approach, is of critical importance.

Furthermore, through the engagement with diaspora, it was noted that a significant number of diaspora members are sceptical about “diaspora mapping” as there is no clear data protection policy in place, or diaspora members are concerned on how their personal information will be shared, and how other institutes may use the data. In this regard, we will not conduct diaspora mapping, but instead, conduct diaspora registration for the time being. It is critical to assess what type of information (for instance, name, gender, location, occupation, etc.) diaspora members are comfortable to share, and how or with what kind of conditions the data on diaspora members should be shared, which institute will compile and update the diaspora registration data for the information sharing, communication and feedback purposes.

2. OBJECTIVE:

The objective of this consultancy is to develop a Lesotho National Diaspora Policy with a view to establish a platform for the strategic framework for mobilizing and integrating Basotho diaspora in the national development as well as harnessing communication links within the Basotho diaspora
community. Also, it has a component of assessing the diaspora related information and propose the ideal data sharing and protection principle among the key stakeholders.

The specific objectives of the assignment are as follows:

- **To conduct a desk review of existing legislation, policies, institutional structures and coordination mechanisms pertaining to diaspora engagement of Lesotho, from the broader perspective of diaspora’s potential contribution to the country, such as, but not limited to, (a) remittance, (b) direct investment, (c) human capital transfer, (d) philanthropy, (e) capital market investment and (f) tourism. The report such as labour migration management assessment report, medical diaspora mapping report, remittance report, Diaspora Engagement Roadmap 2019-2023, as well as diaspora engagement strategy (focusing on investment and trade promotion) developed by LNDC, 2019, would be important sources of information.**

- **To conduct an in-depth interview with Ministry of Foreign Affairs (MoFAIR), Prime Minister’s Office (PMO), Ministry of Finance (MoF), Ministry of Home Affairs (MoHA), Ministry of Health (MoH), Ministry of Development Planning (MoDP), Bureau of Statistics (BOS), Ministry of Trade and Commerce (MoT), Ministry of Tourism, Environment and Culture (MoTEC), Ministry of Education and Training (MoET), Ministry of Labour and Employment (MoLE), Lesotho National Development Corporation (LNDC), Central Bank, World Bank, UNDP, relevant private sector in Lesotho. Consult with partners on the role of Diaspora Directorate and the coordination structure, as well as formulation of diaspora association by diaspora members abroad. In addition, consult with partners what kind of information are needed from diaspora members to facilitate their work or analysis on diaspora contribution, and suggest the principle how the data should be compiled and safely stored ensuring the human rights and data protection principle.**

- **To reach out to the diaspora members, and High Commission, Consulate representatives and conduct interview physically or telephonically to get their view on their expectation on the diaspora policy. In addition, consult with diaspora members on what type of information can be shared as part of diaspora registration. Based on their inputs, consultant will come up with the registration form which can be used by Consulate and oversee missions by MoFAIR.**

- **To conduct an in-depth analysis of (a) existing data and analysis from diaspora profile for Lesotho; (b) legislative / regulatory frameworks (international, regional and national); (c) diaspora programme (expected outcomes, actions); and (d) institutional framework (management and coordination mechanism); and (e) diaspora registration and data protection principle.**

- **To develop and finalize Lesotho National Diaspora Policy with action plan to operationalize the implementation of the diaspora policy from broader perspective - (a) remittance, (b) direct investment, (c) human capital transfer, (d) philanthropy, (e) capital market investment and (f) tourism.**

To update Diaspora Engagement Roadmap 2019-2023 to ensure coherence with the Lesotho National Diaspora Policy through the Technical Committee for the diaspora engagement project and consider to be used as Annex to the policy.
3. SCOPE:

Under the overall supervision of the Head of Office in Lesotho, the consultant will work closely with the Ministry of Foreign Affairs (MOFAIR) and National Project Officer of IOM Lesotho, and other relevant key stakeholders, such as MoLE, MoHA, MoDP, LNDC and Central Bank.

While Consultant will recommend the contents of the The Lesotho National Diaspora Policy based on his/her interview with the relevant stakeholders, the following elements are some contents that could be included in the policy.

A. Preface (MOFAIR Ministers remark. It will be drafted by MOFAIR)

B. Table of Contents

C. Background

1. Describe the international and regional context and trends in relation to the role of diaspora engagement and remittance plays in the national development discourse
2. Describe the national context and trends in relation to the role of diaspora engagement and remittance plays in the national development such as National Strategic Development Plan (NSDP) and other relevant national documents.
3. Describe the socio-economic importance of Basotho diaspora, for instance, real estate development, knowledge / skills transfer, innovation, cultural diversity, human capital enhancement etc.

D. Overall Guidelines

5. Extract the essence of the documents and specify in relation to the diaspora; such as
   o NSDP II
   o Trade and Investment Strategy
   o National Labour Migration Management Policy
   o Poverty Reduction Strategy Paper
   o Domestic Resource Mobilization Strategy
   o Diaspora Engagement Strategy (LNDC, 2019)
   o Other regional and international documents
6. Any other documents relating to the diaspora policy issue
   o Constitutional Reform
   o Immigration and Citizenship Bill / Policy etc.

E. Rationale of Diaspora Policy

1. Define “Diaspora” for Lesotho
2. Describe the profile of Basotho diaspora and Classification of Basotho diaspora
3. Describe the objective of the Diaspora policy
4. State the Vision, mission and policy principle of the Diaspora Policy
5. Provide explanation on the policy making process
6. Identify the existing challenges in hindering effective diaspora engagement
7. State policies to address the above-mentioned challenges
8. Describe data protection principle, information sharing and communication / outreach

F. Programme (with Action Plan as Annex)
1. Identify potential programme, describe the current situation, good practices, challenges, recommendations including the best practices from other countries, for instance;
   (a) human capital (skills and knowledge) transfer
   (b) remittance
   (c) direct investment
   (d) philanthropy
   (e) capital market investment
   (f) tourism promotion
   (g) emergency service
   (h) labour migration service

G. Institutional Framework

1. Roles and responsibility of Lesotho Diaspora Directorate
2. Roles and responsibility of Ministries, institutes, private sector in engagement of diaspora
3. Formulation, role and responsibility of Basotho Diaspora Association
4. Implementation structure

H. Communication, Information and Outreach

1. Registration of diaspora members abroad
2. Principles in regards to secure confidentiality of the personal information, including data sharing, storing and management
3. Two-way Communication (communication, feedback and information sharing)
4. Diaspora outreach

I. ANNEX: Diaspora Engagement Roadmap 2019-2023 (for the programme to be implemented – timeframe, lead agency, budget)

4. METHODOLOGY

a. Conduct a comprehensive stakeholder’s analysis to identify key role players responsible for diaspora engagement, remittance, trade and investment promotion, and labour migration management in Lesotho.

b. Conduct a desk review on the Lesotho diaspora engagement from the available reports

c. Conduct an in-depth interview with the key stakeholders to collect information on the relevant policies, practices, structures, legislation, and coordination mechanisms in regards to diaspora engagement in Lesotho

d. Conduct an interview with the diaspora professionals, investors, entrepreneurs, labour migrants, students, business owners / managers, to get their view on the challenges, barriers on the existing legislation, policies, institutional structures and coordination mechanisms pertaining to diaspora engagement of Lesotho. Identify the challenges and provide recommendations in line with international good practices.

e. Based on the desk review and interview, conduct an in-depth analysis of (a) existing data and analysis, definition, and categorization of diaspora; (b) legislative / regulatory frameworks; (c) potential diaspora programme including action plan; and (d) institutional framework (existing .

f. Lead the process of the development of the Lesotho National Diaspora Policy.
g. Conduct a workshop to review the draft Lesotho National Diaspora Policy and Roadmap, and collect inputs, comments and clarification from the stakeholders;

h. Facilitate a second workshop to review the revised policy and roadmap, and collect final inputs and comments from the stakeholders;

i. Finalize the Lesotho National Diaspora Policy;

j. Present, participate, and provide expert advice in technical working group (TWG) meetings and workshops as per request from IOM;

k. Undertake duty travel as necessary to complete the above mentioned tasks; and

l. Perform such other duties pertaining to this assignment as may be assigned by the IOM Lesotho.

5. DELIVERABLES

The Consultancy will submit the following reports within the timeframe. The receipt and approval of each deliverable is subject to approval from IOM.

<table>
<thead>
<tr>
<th>Deliverables</th>
<th>Duration</th>
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<tbody>
<tr>
<td>1 Submit inception report in preparation for the Lesotho National Diaspora</td>
<td>15 July 2019</td>
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<tr>
<td>Policy– after 2 weeks of signing contract</td>
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<tr>
<td>2 Conduct consultations with TWG, relevant stakeholders and IOM Lesotho in</td>
<td>August 2019</td>
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<tr>
<td>preparations for Lesotho National Diaspora Policy</td>
<td></td>
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<tr>
<td>3 Interview with key stakeholders based in Lesotho (IOM Lesotho will make</td>
<td>August 2019</td>
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<td>an appointment for the consultant)</td>
<td></td>
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<tr>
<td>4 Interview with diaspora identified by IOM / MoFAIR (either emails,</td>
<td>August – September</td>
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<tr>
<td>telephone, visit)</td>
<td>2019</td>
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<td>5 Present the first draft to the Technical Committee Members, Maseru</td>
<td>October 2019</td>
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<tr>
<td>6 Revise based on the inputs from TC members</td>
<td>Oct-Nov 2019</td>
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<tr>
<td>7 Present the final draft to the High Level Officials, Maseru</td>
<td>November 2019</td>
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<tr>
<td>8 Submit the final Lesotho National Diaspora Policy to IOM</td>
<td>December 2019</td>
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6. Qualifications and Experience

The successful consultant should have the following qualifications and experience:

a. Advanced university degree in international relations, political science, international economics / development, research, or other relevant field

b. Extensive knowledge of diaspora engagement in the Continent (Africa) and beyond

c. Minimum of 10 years of relevant professional experience in academia, research institutes, think tanks, governmental, inter-governmental, or non-governmental organizations.

d. Proven previous working experience consisting of substantial involvement in assessments, evaluations, and/or reviews in related areas.

e. Working experience with senior officials within government, inter-governmental, and non-governmental organizations.

f. Full computer literacy, including familiarity with research tools.

g. Proven capacity to coordinate all administrative and technical aspects of the consultancy.

h. Excellent written and spoken English.

i. Demonstrated ability to work in a multicultural environment and establish harmonious and effective relationships.
7. Payment Schedule

Total fee, inclusive of all travel and related costs, not subject to any deductions, will be paid to the consultant as follows:

- 30 % upon the satisfactory completion of the deliverable 1
- 50 % upon the satisfactory completion of the deliverable 2, 3, 4 and 5
- 20 % upon the satisfactory completion of the deliverable 6, 7 and 8

8. How to apply

Competent Consultant (Individual) should submit the applications to enishimura@iom.int and tmoheane@iom.int by 7th June 2019. Applications should contain:

- Letter of Motivation
- Detailed Curriculum Vitae
- Technical Proposal
- Financial Proposal
- Proof of previous related work (two strategic documents developed through your consultancy)