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## CALL FOR APPLICATIONS – CFAROSA2022-05 RE-ADVERTISEMENT

### DEVELOP ETHICAL RECRUITMENT GUIDELINES FOR THE SOUTHERN AFRICA REGION

#### POSITION INFORMATION

**Position Title:** Consultant: Development of Ethical Recruitment Guidelines for the Southern Africa Region

**Duty Station:** Home-based

**Type and Duration of Contract:** 4 months

**Period:** 30 August- 30 December 2022

#### 1. BACKGROUND

The Southern Africa Migration Management (SAMM) project is a European Union (EU) funded project being implemented by four United Nations agencies, International Organization for Migration (IOM), International Labor Organization (ILO), United Nations Office for Drugs and Crime (UNODC), and United Nations High Commissioner for Refugees (UNHCR), in coordination with Southern Africa Member States, relevant Regional Economic Communities (RECs), stakeholders and development partners with a purpose to improve migration management in Southern Africa and the Indian Ocean region. The SAMM project collaborates with the following RECs: Common Market for Eastern and Southern Africa (COMESA), the Indian Ocean Commission (IOC) and the Southern African Development Community (SADC); with particular focus on the following sixteen countries in Southern Africa: Angola, Botswana, Comoros, Democratic Republic of the Congo (DRC), Eswatini, Lesotho, Madagascar, Malawi, Mauritius, Mozambique, Namibia, Seychelles, South Africa, Tanzania, Zambia and Zimbabwe.

The proposed interventions under the SAMM project foresee a series of coordinated and simultaneous interventions implemented across two main thematic domains: (i) Mixed migration and (ii) Labour migration. The overall objective of the SAMM project is to improve migration management in Southern Africa and the Indian Ocean region and thereby contribute to the realisation of the 2030 Sustainable Development Goals (SDGs). IOM and its partner implementing organizations under the SAMM project seek to promote fair and ethical recruitment and protection of migrant workers in Southern Africa, by adapting global standards to the Regional Context. The organizations are therefore committed to supporting governments to develop and strengthen effective mechanisms and tools that prevent and address exploitation by unscrupulous labour recruiters. This commitment is outlined in the Global Compact for Safe, Orderly and Regular Migration through its Objective 6: “Facilitate fair and ethical recruitment and safeguard conditions that ensure decent work”.

#### 2. CONTEXT AND SCOPE OF THE CONSULTANCY

IOM seeks to promote ethical recruitment and protect migrant workers in Southern Africa and IOC region; the organization is therefore committed to supporting governments to develop and strengthen effective mechanisms and tools that prevent and address exploitation by unscrupulous labour recruiters. This commitment is outlined in the Global Compact for Safe, Orderly and Regular Migration (adopted by the UN General Assembly on 19 December 2018) through its Objective 6: “Facilitate fair and ethical recruitment and safeguard conditions that ensure decent work” and the Montreal Recommendations on Recruitment: A Road Map towards Better Regulation to ensure that recruiters and employers comply with the same international standards and that exploitative recruiters are not able to profit from undercutting compliant.

IOM’s flagship initiative to promote ethical recruitment is the International Recruitment Integrity System (IRIS). IRIS is a global multi-stakeholder initiative that support governments, civil society, the private sector and recruiters to establish ethical recruitment as the norm in cross-border labour migration with the goal of making international recruitment fair for migrants, workers, employers, recruiters and countries of origin and destination. In 2014, a global ‘Fair Recruitment Initiative’ was launched to help prevent human trafficking and forced labour; protect the rights of workers, including migrant workers, from abusive and fraudulent practices during the recruitment process. Furthermore, the Protocol to prevent, suppress and punish trafficking in persons, especially women and children, supplementing the United Nations Convention Against Transnational Organized Crime (also known as the Palermo Protocol) specifically address the issue of labour exploitation and Trafficking in Persons.

In addition, these commitments have been enshrined in binding international standards such as Convention No 181 on Private Employment Agencies,<sup>1</sup> ILO Convention No 29 and voluntary global guidance such as the ILO’s 2016 General Principles and Operational Guidelines on Fair Recruitment (GPOGs) and 2018 Definition of Recruitment Fees and Related Costs, the latter are complemented by IOM’s guidance published as the Montreal Recommendations on Recruitment: A Road Map towards Better Regulation and the IRIS Standard as well as the newly established IRIS Global Policy Network, a forum for dialogue and exchange between public authorities on recruitment regulation and migrant worker protection. Taken together, these resources seek to ensure that recruiters and employers comply with the same international standards and that exploitative recruiters are not able to profit from undercutting compliant agencies.

The region has made significant improvements in the ratification of ILO’s Convention No. 29 and the Abolition of Forced Labour Convention, 1957 (No. 105) and the institutionalization of regional and national legislation to enhance the protection of migrant workers. Similarly, some progress has been made in adhering to some global standards on the recruitment of migrant workers, including the operationalization of the IOM IRIS and commitment to global practices such as the IOM’s Global Policy Network on Ethical Recruitment. Despite these efforts, a significant gap still exists in the development and implementation of guidelines on the recruitment of migrant workers for the region to guide the Member States on the recruitment of all workers, including migrant workers, whether directly by employers or through intermediaries.

### **3. OBJECTIVE OF THE ASSIGNMENT**

IOM within the SAMM Project, in conjunction with the Member States, undertook the Regional Baseline Assessment on Forced Labour, Unfair and Unethical Recruitment Practices in Southern Africa

to identify challenges, issues and best practices and to determine how the Member States are progressing in this regard. As a follow up to this report, IOM will support the RECs and the Member States to develop operational guidelines from binding and non-binding global instruments for fair and ethical recruitment practices specific to the Southern Africa Region in alignment with the UN global standards and specifically to the region's labour migration dynamics and trajectory relating to the recruitment of (migrants) workers, for the Member States.

This consultancy aligns with the decision of the SADC Employment and Labour Sector (ELS) to prioritize fair and ethical recruitment in the region and the priority activities from the SADC LMAP (2020 – 2025) on technical assistance to the Member States to strengthen regulations on recruitment of migrant workers and their capacity to monitor the enforcement of recruitment regulations.

### **Specific Objectives**

- i. Carry-out mapping and analysis of the existing legislations, standards and regulations on the recruitment of migrants' workers at the regional and the Member States level, identify best practices and the opportunities that can be leveraged upon
- ii. In consultation and coordination with the Member States and the RECs, facilitate the development of operational guidelines from the UN standards and guidance, for fair recruitment practices specific to the Southern Africa Region.
- iii. Provide recommendations for the Member States to adopt and implement the operational guidelines in the recruitment of migrant workers in strengthening the national legislations and regulations on the recruitment of migrant workers
- iv. Develop a tool-kit to be utilised by governments on the operational guidelines for Southern Africa
- v. Facilitate a capacity development workshop on the operational guidelines for Southern Africa for participants from governments in the Member States
- vi. Conduct a regional assessment and review of REC commitments and relevant standards and continental decisions relating to the recruitment practises
- vii. Provide recommendations for the RECs to improve REC commitments and relevant standards

### **4. PROPOSED METHODOLOGY**

The method for this study will be a combination of a desk study and a capacity building initiative conducted with the Member States at the Regional level. The prospective Consultant must outline their proposed research methodology when submitting their expression of interest. Overall, the methodology for the assessment will be agreed upon by the consultant in consultation with IOM. However, the design should include:

- Desk review
- Development of a toolkit to be utilised by governments
- Facilitate an in-person capacity building initiative with participants from the Government in the Member States

### **5. DELIVERABLES AND TIMEFRAMES**

The Consultancy will be for a period of four months (15 August- 15 December 2022). The expected main activities and deliverables are indicated below. The Consultant may be requested to perform other duties relevant to the completion of this assignment as may be assigned.

Inception Phase: During this phase, the consultant(s) will gain a deeper understanding of the assessment expectations. This phase will include a joint Inception Meeting with the RECs and the Member States where a joint review of the TOR will be conducted to: ensure that all parties are clear on roles, responsibilities, expectations, budget and timeline; provide the evaluator with relevant documents, information on IOM, and contextual information on the project and project implementation etc.; and introduce the consultant(s) to the project teams. Following this meeting, the consultant(s) will develop the Draft Inception Report which will provide a detailed description of their understanding of the TOR and how they will conduct the assessment.

The Draft Inception Report will also specify: (a) the criteria being assessed by the assessment; (b) the questions and sub-questions that will be answered to assess each criterion; (c) the list of stakeholders to be interviewed during the assessment, (d) the indicators that will be measured during the assessment; (d) the sources of data; and (e) the data collection tools.

Once the Draft Inception Report has been reviewed and revised (if necessary) and accepted by the Member States and other stakeholders including the IOM regional office, the data collection phase of the assessment can begin. Detailed fieldwork implementation plans will be developed by the consultant(s) during this phase and included as part of the Inception Report.

Deliverables:

- Desk Review
- Virtual/Face to face Inception Meeting in Pretoria
- Draft Inception report
- Final Inception Report

Field Work Phase: The fieldwork will span approximately two months and will take place concurrently across the 16 countries and the RECs. Consultant(s) are strongly encouraged to include a local consultant(s) and/or an academic institution/research institute as part of each country's assessment team. In order to ensure that local and regional knowledge and expertise play a key role in the decision-making and implementation of the assessment; fieldwork will be conducted in partnership with the REC focal points and IOM, ILO, UNODC and UNHCR staff and include systematic consultations with IOM and ILO thematic specialists at key intervals. An exit debriefing PPT presentation of preliminary findings will be held upon completion of the fieldwork.

Deliverables:

- Consultations with REC focal points and stakeholders in the REC MSs.
- Consultations with the SAMM project team from IOM, ILO, UNODC and UNHCR and relevant colleagues at the Regional Offices and Headquarters.
- Debrief meeting (including PPT presentation) on preliminary findings with IOM and other stakeholders.

Reporting and dissemination phase: The consultant(s) will analyze the data collected during the desk review and the fieldwork, conduct final consultations with stakeholders where required, and draft the final reports. The consultant is expected to draft ONE regional report highlighting the proposed guidelines and share it with IOM and other partners for review and further improvement if any.

Deliverables:

- Draft regional guidelines on recruitment of migrant workers for the Southern Africa region.

Follow-up & Dissemination Phase: The draft regional guidelines will be shared with the RECs and the

relevant stakeholders in the MSs and presented during the regional validation workshop. If necessary, a follow-up validation would be organized based on the decision reached during the first workshop.

Deliverables:

- Organize a regional workshop (virtual or in-person) to present the regional guidelines to the RECs and the Member States for review and validation

## **6. QUALIFICATIONS AND COMPETENCY**

- i. **Education:** Advanced university degree in Social Sciences, Development Studies, or Demography.
- ii. **Experience:** A minimum of 10 years' experience in migration management, development, research, analysis and facilitating capacity building initiatives. Experience working with RECS is preferred.
- iii. **General skills:** Demonstrated analytical skills, excellent communication and report writing skills.

## **7. MANAGEMENT ARRANGEMENTS AND CONDUCT OF WORK**

The Consultant will work under the overall supervision of the IOM Regional Project Coordinator and with technical guidance from the Regional Thematic Specialist and direct supervision from the Regional Migration Research Officer in IOM Regional Office for Southern Africa based in Pretoria. The consultant will ensure adequate consultation and engagement with ILO and other UN partners in executing his/her assignment. The Consultant will be expected to work remotely and make use of their own facilities. The Consultant will be expected to travel to undertake data collection and the capacity building initiative, subject to COVID-related travel restrictions.

## **8. PERFORMANCE INDICATORS FOR THE EVALUATION OF RESULTS**

- i. **Engagement:** The Consultant should avail themselves for at least two meetings per month with the IOM team.
- ii. **Quality:** All documents should be of professional language and of quality that can be published in accordance with IOM Publishing Guidelines.
- iii. **Timeliness:** The Consultant should display professionalism, attend meetings on time and keep to appointments as scheduled. The Consultant should ensure timely submission of deliverables, and ensure that the project is completed in time.

## **9. REMUNERATION AND PAYMENT SCHEDULE**

The Consultant will receive an all-inclusive fee. The all-inclusive consultancy fee covers consultation fee, communication, travel, allowance and accommodation costs. The fees will be paid in accordance with deliverables in the following proportions:

- i. 30% upon submission and acceptance of Inception Report.
- ii. 50% upon submission and acceptance of the final draft Report.
- iii. 20% upon validation and submission of final validated Report.

## **10. APPLICATIONS AND SPECIFICATIONS**

Interested candidates are invited to submit their applications in English, with:

- i. Detailed curriculum vitae, including three referees (preferably former direct supervisors) and email addresses.
- ii. Technical proposal, not more than 5 pages, comprising detailed methodology and workplan.
- iii. All-inclusive financial quotation/proposal relating to this assignment in USD.
- iv. Example of a writing sample.

This position is open to both national and international Consultants. All applications indicating the position title in the subject line must be submitted on or before **19 August 2022** via e-mail to [pretoriacvs@iom.int](mailto:pretoriacvs@iom.int). Please note that only shortlisted candidates will be contacted.

Candidates who already submitted their applications do not need to reapply.