

TERMS OF REFERENCE

ASSIGNMENT TITLE: A consultancy assignment to develop a comprehensive combined training manual on trafficking in persons for Law Enforcement and Prosecution

TYPE OF CONTRACT: External Consultancy Firm/Team

TIMING OF ASSIGNMENT: 40 working days

COMMISSIONED BY: IOM Lesotho

INTRODUCTION

The development of training manual for law enforcement and prosecution activity is being supported under a Project titled “Supporting Lesotho in VoT Protection and TiP Prosecution” supported by the US Government. Specifically the activity falls under ***Objective 1: Law enforcement and judiciary strengthen their TiP response, including identification, intelligence gathering, investigation and prosecution.*** In furtherance of the this objective IOM is intending to develop a comprehensive joint training manual tailored to law enforcement and prosecution. This includes categorization of TiP and its related crimes linking with applicable criminal law, checklist for border screening and joint labour inspections amongst other things. It is expected that the training will stress the survivor-centered and trauma-informed approach during the investigation and ensure immediate support and shelter as necessary for the identified victims. In addition, the training manual will also include a component on cross-border collaboration between Lesotho Mounted Police Service and the South African Police Service and how officers can implement the collaboration at the operational level.

ABOUT THE PROJECT

The project titled “Supporting Lesotho in VoT Protection and TiP Prosecution” aims to achieve three (3) objectives, namely, (a) to strengthen law enforcement and judiciary capacities to respond to TIP through identification, intelligence gathering, investigation and prosecution,

(b) Law enforcement, justice and civil society at national and district level to improve information exchange, reporting and collaboration in TiP prosecution and (c) to enhance access to justice and comprehensive survivor-informed, trauma-informed services including obtaining legal identify for Victims of Trafficking (VoTs). IOM has been implementing this Project from 3 August 2023 to 31 January 2024 managed by IOM partnering with Government of Lesotho and NGOs.

The project envisages the development of the training manual to be conducted over a period of 40 days.

2. BACKGROUND & JUSTIFICATION

Despite the significant progress made in TiP response, there are still crucial needs to strengthen victim protection and TiP prosecution in Lesotho. Over the years, Lesotho has achieved a lot in prevention and awareness creation of TiP crimes. However, there remains a limitation to protect all category of VoTs and strengthen the prosecution of perpetrators in a timely manner. The legal review of criminal justice conducted by IOM identified serious legal and institutional gaps, structural barriers leading to the ineffective and often delayed prosecution of TiP cases in Lesotho.

Despite the increasing number of suspected TiP cases and VoTs identified by government and non-government actors such as border monitors deployed by NGOs and Community-Based Protection Committees, efforts towards investigation and prosecution are often compromised due to the lack of effective collaboration, referral, and reporting among the stakeholders. Despite the slight increase of prosecution cases in 2021-2022, law enforcement officers were unable to apprehend those involved in TiP related crimes, such as recruiters, transporters, smugglers, and harbourers complicit with human trafficking syndicate networks.

Based on the current information, there are currently 10 ongoing TiP cases in 4-5 districts. However, due to the weak manual case management system and lack of reporting mechanism

in place, it is unknown exactly how many TiP cases there and their status. To strengthen prosecution efforts, limited understanding of TiP laws by prosecutors, lack of standardized training manual on TiP, ineffective reporting on TiP cases, insufficient collaboration between law enforcement, and strengthening cooperation between inspection team with prosecution during joint labour inspections, need to be addressed. Furthermore, many VoTs opted not to bring their case to court due to lack of witness protection.

3. PURPOSE AND SCOPE

The purpose of the consultancy assignment is to develop a comprehensive training module on Trafficking in Persons with specific modules for police and prosecutors. A capacity assessment will need to be conducted prior to development of modules to inform the development of needs-based, tailored made training modules.

3.1. Scope of work and expected outputs / deliverables:

- Undertake desk research and analyse all the necessary documents/training modules, training materials to fully understand the context/ situation in Lesotho and existing training materials available for training law enforcement officials and prosecutors on Trafficking in Persons (TiP); relevant national and international legislations and policies that have been signed/ratified pertaining to trafficking in persons.
- Carry out stakeholder analysis to bring out the roles and responsibilities of key players and institutions This can be done through workshop or interviews or a combination of both
- Carry out a “capacity Gap” analysis to identify gaps in the trainings being imparted on anti-Trafficking in Persons. Map out the issues and identify the priorities in line with the objectives of the project. This should include consultations and meetings and key informant interviews with relevant stakeholders (Government, UN agencies, NGOs, CSOs etc.) working on Trafficking In Persons Interventions.
- Facilitate a validation workshop

- Produce a well-written and comprehensive training needs assessment report based on the above, including recommendations for: selection of training sites/venues; · schedule for training; · identify key resource persons; · participants; · Post -training evaluation and impact assessment. This should also include a Resource Directory of all the relevant Government Departments / Ministries, NGOs / Academic Institutions with focal points.
- Based on this assessment, develop a comprehensive training module (in English) for (a) law enforcement officials and (b) public prosecutors, with a special focus on identification, investigation, prosecution of trafficking offences and referrals for appropriate treatment and reintegration of trafficking victims including monitoring and follow-up.
- Share the draft module with key experts including government for their review; incorporate comments and finalize the module.
- Work in close collaboration with IOM Project team in training one Training of Trainers (TOT) workshop for training resource persons on Trafficking in Persons using the developed manual.

3.2. DELIVERABLES AND TENTATIVE TIMELINES

This will be an external independent assignment. IOM requires a well-established consultancy firm/team with extensive experience in this area.

The expected deliverables of the assignment are:

- One Training Needs Assessment meeting completed and report submitted, the report should include desk review, situation report, stakeholders and gap analysis.
- Comprehensive training module, with a three to five days training curriculum for (a) law enforcement officials and (b) prosecutors.
- One TOT workshop completed and reports submitted, including post-training evaluation and impact assessment.

3.3. ROLES AND RESPONSIBILITIES

The Consultancy Firm/Team will be responsible for finetuning the methodology and creating a shared agreement of the proposed approach and protocol; designing the various data collection tools; carrying out data collection and analysis; developing a draft and submission of a final deliverables and accompanying documents.

The Consultancy Firm's team will work closely with IOM Lesotho Project Management Team for the Project and the Regional Thematic Specialist for Protection and by extension the Chief of Mission (CoM) of Lesotho who will ensure technical and administrative support is provided for the assignment. The role of the Project Management team is to provide ongoing assignment's technical and quality assurance support as well as supporting the Project Manager in coordinating the exercise.

The project team on the ground will be responsible for providing all logistical support required for the execution of the assignment including but not limited to introducing the assignment, its purpose and the consultancy firm to the different identified participants in advance and acquiring their early consent to participate in the assignment, making appointments in time for virtual or physical interviews or discussions; arranging for transport and other related arrangements for consultancy team where necessary; following up and reminding participants of agreed appointments, required documentation or information and ensuring that Project Management Team members provide inputs/comments to the various deliverables on time

3.4. REQUIREMENTS FOR EXPERIENCE AND QUALIFICATIONS

The successful Lead consultant should have the following qualifications and experience:

- A post-graduate or equivalent qualification/ degree in Law, Criminology, Human rights, Political Science, Development Study, Humanities, or any other relevant discipline.
- At least 5-7 years of prior work experience in the field of training, trafficking in persons, human rights etc. especially in the regional and international context.
- Demonstrated knowledge and experience in conducting need assessments and developing training modules/curriculum, training materials etc.
- Demonstrated experiences and skills in facilitating stakeholder/working group consultations and training.
- Relevant regional and international experience will be an added advantage.
- Excellent writing, editing, and oral communication skills in English.

The project seeks to identify experts that fulfill the above criteria and have demonstrated ability of involving key stakeholders (judiciary, prosecution, police, immigration, labour, civil society etc.) to provide relevant expertise and bring a wider perspective in development of the training manual.

6. INDICATIVE TIMEFRAME

The assignment will be conducted between December 2023 and February 2024. The below is an indicative timeframe to undertake this assignment. Interested applicants are invited to include in their proposal a proposed timeline of activities and consulting days that ensures finalization by the stated dates. The ability to deliver comprehensive and quality work within a realistic timeframe and budget will meet favourable consideration.

	Deliverables	Duration
1	Inception Meeting with IOM officials to discuss the next step for the evaluation	15 January 2024
2	Submit draft inception report with includes the methodology and the workplan and incorporate IOM's inputs	20 January 2024
3	Submission of Draft training needs assessment Report and draft manual for IOM Inputs	15 February 2024
4	Submission of the final report and training manual that has incorporated IOM inputs	28 February 2024

7. ASSIGNMENT AND TIMELINE

The evaluation is expected to start from 15th January 2024 and should have been finalized by 28 February 2024.

8. APPLICATION PROCEDURE

Interested candidates should submit their proposal (both technical and financial proposal) **not exceeding 20 pages**. The technical Proposal should outline the proposed methodology and list of tools to conduct the assignment, a short bio of the consultancy team and any other individual to be involved in the assignment directly or indirectly demonstrating their experience, qualifications and suitability against the requirements above. It would be advantageous if a list or samples of similar assignments conducted in the past are provided to support your application with references. The proposal should also have a suggested tentative timeline of key activities. Candidates who demonstrate ability to deliver quality work within reasonable time and cost will be highly considered. The financial proposal should indicate the daily consulting fee charged, the number of consulting days proposed, any other costs and the grand total amount for your application (in US Dollars).

Full proposals to be submitted via email to lesothoadmin@iom.int by 10th December 2023. Only shortlisted applicants will be contacted.

Applications should contain:

- Cover Letter
- Technical Proposal
- Financial Proposal
- Detailed Curriculum Vitae of lead and team members if applicable
- Proof of previous related work e.g. links to previous assignments, reports; sample written work etc