

TERMS OF REFERENCE

Title of the position: Consultant: Counter Smuggling of Migrants in the Caribbean
Workplace: Barbados or remote
Type: Consultancy
Starting date: 17 February 2023

Objective: Build capacities of relevant government officials of CARICOM Member States in countering the smuggling of migrants through the development of tailored and contextualized tools and advocating for the adoption of legislation on the prevention and counter-smuggling of migrants.

1. BACKGROUND:

Since 2010, the International Organization for Migration (IOM) has been implementing the Western Hemisphere Capacity-Building Program on Migration in Mesoamerica and the Caribbean, which main objective is to contribute to the development and implementation of effective and humane migration policies.

CARICOM IMPACS, based on consultations with Member States, has requested IOM support in providing further capacity building in counter-smuggling to its Member States. The proposal to hold one regional meeting on counter-smuggling, in conjunction with IMPACS, was very well received and supported by IMPACS. Specifically, IMPACS has provided the following needs as expressed by its Member States:

- Conduct country assessments of existing national laws and policies in keeping with the Migrants Smuggling Protocol in 15 Member States, supplementing the Convention against Transnational Organized Crime and other related instruments and list any outstanding obligations pursuant to Migrant Smuggling Protocol and under any related Convention.
- Develop a comprehensive set of standard operating procedures on SoM which could be adopted by Member States utilizing a human rights-centered approach to guide police, immigration authorities, and other relevant stakeholders.
- Provide technical assistance to Member States in the development of national action plans to combat or deal with irregular migration, to include migrant smuggling and all its facets.
- Conduct one regional training workshop to:
 - Promote interagency coordination to assist victims of related crimes to migrant smuggling.
 - Raise awareness of Member States on SoM protocol, the rights of migrants and States' obligations pursuant to the Convention and Migrant Smuggling Protocol.

In 2021 and 2022, IOM and CARICOM developed a model legislation, *The Prevention and Countering of the Smuggling of Migrants Act*, including through assessments of national laws and policies and through national, and multi-lateral consultations. This collaboration also resulted in the recommendation for the development of a model Standard Operating Procedures that will provide States the resources to more confidently move towards adapting and adopting their national counter-smuggling legislation.

2. NATURE OF THE CONSULTANCY

The consultant, over the course of the project, will contribute to the capacity building of government officials and stakeholders of CARICOM countries through the development of a model standard operating procedures (SoPs) for the implementation of the model legislation developed in 2022. This would be accomplished through facilitation of national and multi-lateral consultations, in coordination with CARICOM IMPACS, for Member States. The consultant will undertake research on national, regional, and global counter-smuggling standard operating procedures, and ensure the inclusion of guidelines and good practices from international organizations like IOM and UNODC. The consultant will also undertake one validation/review consultation with CARICOM Members States of the proposed Standing Operating Procedures.

3. MAIN TASKS/FUNCTIONS

Over the course of the project the consultant will

- Work under the direct supervision of the Program Support Officer for the Caribbean of the Western Hemisphere Program, and in coordination with the IBG Regional Thematic Specialist and the WHP Migration Specialist,
- Work on behalf of IOM with CARICOM IMPACS in all related areas where necessary,
- Develop the methodology and agenda for all data/information collection including consultations, interviews, validations, and virtual workshops,
- Conduct a desk review of existing standard operating procedures around the world on counter-smuggling
- Facilitate consultation sessions in coordination with IOM, UNODC and CARICOM IMPACS,
- Develop a summary final report including main points discussed, conclusions and recommendations from the consultations,
- Conduct a final consultation for review/validation of the draft document then final presentation of the SOPs to the Member States,
- Provide a complementary final report on the consultancy, including summary of meetings, expected outcomes, and recommendations for future implementation of the standard operating procedures,

4. ACADEMIC REQUIREMENTS

A graduate, post-graduate or law degree accredited degree in social sciences, law, international relations, human rights or related field is preferred.

5. EXPERIENCE LEVEL REQUIREMENTS

- This consultancy requires academic and technical capacity and professional experience in knowledge and management of migration issues in the Caribbean,
- Excellent ability to summarize, write and explain complex content in a simple manner,
- Ability to develop innovative educational proposals using technological resources,
- Experience in research working with government officials and international organizations.

6. DESIRABLE SKILLS

- Motivated and able to work independently,
- Ability to use legal vocabulary and terminology about migration related issues,
- Ability to work under pressure and for results (products) and meet deadlines, while being adaptable to delays,
- Ability to organize activities for the collection of inputs (virtual multidisciplinary workshops, technical meetings, development of collection instruments, tests, and surveys, using electronic platforms),
- Knowledge and management of qualitative and quantitative resources in English, online databases, websites, search portals, international and IOM sites,
- Ability to write reports, policy briefs, and draft policies.

7. LANGUAGES: English.

8. DURATION: 4 months.

9. WORKPLACE: Home-based.

10. Instructions for Applying

Those companies or organizations interested must send:

- A letter of interest.
- A methodological proposal that includes a detailed schedule of activities, including interviews with allied counterparts, proposal for study structure and research protocol
- Organizational proposal: CVs of each team member and structure of the proposed team, detailing each team member's functions.
- U.S. dollar budget proposal. The budget should include the costs of staff, travel (if applicable, with associated costs), and all other costs deemed necessary to conduct the research.

This must be sent to the email iomsanjoseprocurement@iom.int. The limit date for application is march 27th.

11. PRODUCTS OF THE CONSULTANCY AND FORM OF PAYMENT:

The total remuneration for the services provided, as well as the products to be delivered for this consultancy will be as follows:

- a. 1st payment of 25% of the total will be paid upon the delivery of a workplan and methodology for the entirety of the consultancy.
- b. 2nd payment of 25% will be paid upon the completion of the desk review, consultations and delivery of the notes and meetings summary.
- c. A 3rd payment of 50% will be paid upon the completion of the validation sessions, delivery of the final report and recommendations from consultations, and draft Standard Operating Procedures for the Prevention and Countering of the Smuggling of Migrants.

TASKS	DELIVERABLES
February-March 2023	
Develop initial materials to plan and outline the consultancy in coordination with IOM	Methodology for data gathering and consultations List of sources referenced Work plan Validated contact list for consultation invitations Draft invitation
Payment	25%
March-April 2023	
Gather data and information from stakeholders: <ul style="list-style-type: none"> • Develop agendas • Schedule consultations • Develop and provide relevant materials to participants • Facilitate consultations • Develop report 	Summary of meetings and data and information collected, including list of attendees (disaggregated by gender, sector, ministry, and department, etc.)
Payment	25%
May-June 2023	
Draft, validate and finalize SoPs	Draft SoP

<ul style="list-style-type: none"> • Write and submit draft • Receive and respond to feedback from IOM • Revise SoP • Schedule, organize and facilitate virtual validation session • Finalize the SoP and submit to IOM for IMPACS final review. 	<p>Second draft SoP</p> <p>Virtual validation session with consultation participants</p> <p>Final SoP</p> <p>Recommendations for next steps</p>
<p>Payment</p>	<p>50%</p>