



International Organization for Migration (IOM)

The UN Migration Agency

TERMS OF REFERENCE FOR INTERNATIONAL CONSULTANT FOR THE DEVELOPMENT OF AN ETHICAL RECRUITMENT ASSESSMENT IN CABO VERDE

1. **Duty Station of the Consultancy:** IOM Cabo Verde.
2. **Duration of the Consultancy:** 4 months, from June to September 2023.
3. **Nature of the Consultancy:** The consultancy contributes to the Regional project "*West And Central Africa: addressing multisectoral protection needs of people on the move on the Central Mediterranean route*" which aims to contribute to addressing the multi-sectoral protection needs of migrants in West and Central Africa, through evidence-based and comprehensive policies, through: strengthened protection of migrants on the move along the CMR through informed policy formulation and implementation (Governance) and effective mechanisms to ensure better migration management and coherent operational responses (Management).

The overall objective of this consultancy is to provide an up-to-date, comprehensive country assessment to analyse the policy and legislative frameworks around ethical recruitment and migrant workers' protection mechanisms in Cabo Verde, highlight the gaps and shortcomings, and propose solutions and actionable recommendations accordingly. This country assessment will serve as a baseline for stakeholders to establish a national action plan on ethical recruitment.

4. **Project Context and Scope:**

In line with GCM Objective 6 on recruitment and decent work, SDG 8 on decent work and economic growth, and in complementarity with the global, regional, and national labour migration governance frameworks, IOM promotes ethical recruitment as defined by the IRIS: Ethical Recruitment standards.

Fair and ethical recruitment means hiring workers lawfully (in compliance with laws in the countries of origin, transit and destination), and in a fair and transparent manner that respects their dignity and human rights.

Recruitment is an essential part of business, making it necessary for enterprises committed to meeting their responsibility to respect human rights to integrate fair and ethical recruitment considerations into their broader human rights' due diligence. A business enterprise's fair and ethical recruitment due diligence should take the diversity of its workforce and the complexity of business relationships into account and give special attention to

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the recruitment of certain worker categories, such as migrant workers, that often are more vulnerable to human rights abuses than other groups of workers.

While most migrant workers have positive migration and employment experiences, they remain vulnerable to exploitation and abuse. In 2021, the ILO, IOM, and Walk Free Foundation estimated that the prevalence of forced labour among adult migrant workers was more than three times higher than that of adult non-migrant workers.¹ Migrant workers are particularly vulnerable to human and labour rights abuses due to several factors, including their limits on effective representation and lack of adequate legal labour protection in their country of destination. The procedures to recruit migrant workers across international borders are complex, often requiring the participation of several actors, such as labour recruiters. A lack of transparency in the recruitment process can make it challenging for enterprises to ensure that no abusive and fraudulent practices take place, especially in higher-risk contexts. The potential involvement of unscrupulous actors – ranging from those that knowingly profit from poor recruitment practices to criminal organizations involved in trafficking – further increases the vulnerability of migrant workers to exploitation and various forms of abuse. That said, international recruitment is a high-risk activity and enterprises involved in the recruitment and/or employment of migrant workers are likely to cause, contribute, or be directly linked to adverse human and labour rights impacts on migrant workers. Implementing fair and ethical recruitment due diligence that is fully cognizant of the risks and vulnerabilities of migrant workers should help enterprises prevent and mitigate these adverse impacts. The exercise of fair and ethical recruitment due diligence may in turn help enterprises promote migrant voices, improve their stakeholder relationships, ensure their compliance with relevant laws, and protect their reliability.

In Cabo Verde, although the Labour Code establishes that all non-nationals authorized to work have the same rights as national citizens, there are no laws specifically promoting the ethical recruitment of migrant workers in the country, which in turn may favour undesirable recruitment practices, with a considerable risk of migrants experiencing sub-standard working conditions, low wages, and different forms of vulnerability, such as abuse and deception from employers, due to the recruitment process and sometimes complex regularization processes. This is a reality affecting millions of migrant workers from the West and Central Africa region., where Cabo Verde is located and thus participates in the Free Movement of Persons regime, which states that citizens can enter the national territory of all ECOWAS member states without a visa, only with a valid travel document. This mechanism, which has been facilitating the migration of people in this region, requires even more special attention to the issue of ethical recruitment.

Therefore, the need of an assessment to understand the policy landscape from the perspective of Ethical recruitment of migrant workers and address the identified gaps through a multi-stakeholder process engaging public authorities, private sector (recruiters, employers, etc.) and civil society organizations, as well as the need to build the capacity of these key stakeholders to meet the IRIS Standard, which is a global standard developed by IOM and a coalition of like-minded partners, to operationalize already existing international frameworks on

¹ ILO, IOM, and Walk Free Foundation, Global Estimates of Modern Slavery, Forced Labour, and Forced Marriage (2022).

international recruitment (international human rights instruments, the UN Guiding Principles on Businesses and Human, international labour standards and related ILO instruments). The Standard is used to verify labour recruiters' compliance with ethical recruitment principles.

A better understanding of and stronger evidence base around this phenomenon is key to develop programmes aiming at protecting migrants and preventing or minimizing the risks which they are exposed to, and thus the motive for IOM and the Government to conduct this Ethical Recruitment Assessment.

5. **IOM Project to which the Consultancy is contributing:** *"West And Central Africa: addressing multisectoral protection needs of people on the move on the Central Mediterranean route"*

6. **Tasks to be performed under this contract:** Under the supervision of the Head of Office of IOM Cabo Verde the consultant will undertake the following tasks:
 - a) Develop the consultancy work plan, outlining schedule of activities to be conducted and proposed timelines;
 - b) Prepare a detailed inception report describing the research tools and process to be used to undertake the consultancy;
 - c) Conduct exploratory research on international recruitment practices in Cabo Verde, and their alignment to ethical recruitment principles (including IRIS Standard);
 - d) Submit a draft assessment report, on the findings of the exploratory research, providing an overview of the policy landscape from the perspective of Ethical recruitment of migrant workers, identifying constraints/challenges and recommendations to respond to it;
 - e) Design the agenda, methodology and materials for the national validation workshop (including summary of the assessment in the form of a powerpoint presentation);
 - f) Conduct a virtual workshop to present the Ethical Recruitment Assessment draft report to key stakeholders;
 - g) Incorporate inputs from the virtual workshop and finalize the Ethical Recruitment Assessment report;
 - h) After finalizing the report, present it for final endorsement by the Government of Cabo Verde, IOM and other key stakeholders, during a validation meeting;
 - i) Produce an info-sheet with a summary of the assessment report, key finds and recommendations;
 - j) Produce a guidance manual with recommendations for policymakers, employers and potential migrants on do's and don'ts and FAQs on international recruitment issues.
 - k) Collaborate with the designer hired for the assessment report layout, providing clarifications, instructions, and supporting the edition of graphics, tables, figures and any other resources, and

ensure that the publication follows the IOM standards and quality.

- l) Prepare an action plan to address the identified gaps in the assessment and support ethical recruitment through a multi-stakeholder process engaging public authorities, private sector and civil society organizations.
- m) Prepare the formal presentation of the Ethical Recruitment Assessment report and Action Plan, and make necessary adjustments to the Action Plan according to input received in the presentation by the counterparts.

7. **Performance indicators for evaluation of results**

Perceived quality, appropriate language and delivery on time will be key performance indicators.

8. **Qualifications and professional experience**

- Masters degree in Social Sciences, Migration studies, Business, Economics, Statistics or related field;
- Minimum of 10 years relevant professional experience in research and migration related issues;
- Strong background and experience in data collection and analysis;
- Technical expertise in assessing issues of ethical recruitment, and the ability to draw strong and valid conclusions;
- Sound knowledge of initiatives relating to ethical recruitment in Cabo-Verde or another country from the West Africa region is a distinct advantage;
- Excellent oral and written communication skills and competence in basic IT packages including PowerPoint, MS Word, MS Excel and internet;
- Excellent Knowledge of Portuguese and English.

9. **Travel required**

If necessary, the consultant shall undertake duty travel as necessary to complete the contracted tasks.

10. **Core competencies and values**

Values

- **Inclusion and respect for diversity:** respects and promotes individual and cultural differences; encourages diversity and inclusion whenever possible.
- **Integrity and transparency:** maintain high ethical standards and act in a manner consistent with organizational principles/rules and standards of conduct.
- **Professionalism:** demonstrates the ability to work in a composed, competent and committed manner and carefully evaluates and responds to day-to-day challenges.

Core competencies - behavioral indicators

- **Teamwork:** develops and promotes effective collaboration within and across units to achieve shared objectives and optimize results.

- **Delivering results** produces and presents quality results in a timely and service-oriented manner; is action-oriented and committed to achieving agreed results.
- **Knowledge management and sharing:** continuously seeks to learn, share knowledge and innovate.
- **Accountability:** takes responsibility for achieving the priorities of the Organization and takes responsibility for his/her own action and delegated work.
- **Communication:** encourages and contributes to clear and open communication; explains complex issues in an informative, inspiring and motivating way.

11. How to apply:

Interested candidates are invited to submit their applications via email to iomcapeverde@iom.int referring in the subject: "CC.PX.0351.CV10.2023-001: Application for International Consultancy – Name of the Consultant".

For applications to be considered valid, IOM will only accept applications with a **cover letter** addressed to the Head of the IOM Cabo Verde Office no longer than one page, specifying the motivation for the application and a **Curriculum Vitae** detailing the candidate's academic background and professional experience (including relevant references), knowledge of languages, and any other skills or activities that are relevant to the position. Both the cover letter and the Curriculum Vitae can be written in Portuguese or English and should be submitted in a unique file.

Please note that only short-listed candidates will be contacted.

Posting period from 09/05/2023 to 23/05/2023.