



TERMS OF REFERENCE FOR APPLICATIONS TO CONDUCT A REVIEW OF DIASPORA POLICY LEGISLATIVE REVIEW

Duty Station: Lusaka – Zambia
Position: Consultant to Conduct a Diaspora Policy Legislative Review in Zambia
Duration: (60 days)
Estimated Start Date: 20th December 2020

1. BACKGROUND

The Government of the Republic of Zambia (GRZ) recognizes the significant contribution of the Zambian diaspora to national development. In this regard, the GRZ, with technical support from the International Organization for Migration (IOM), formulated the Zambia Diaspora Policy (2019) to provide an enabling framework for diaspora engagement and effective participation of the Zambian diaspora in national development. The GRZ has also developed a Diaspora Action Plan as a means to operationalize the national Diaspora Policy. The Diaspora Policy Action Plan identifies the following six thematic areas, namely: *Diaspora Policy legislation and institutional Coordination Mechanism; Knowledge and Understanding the Diaspora; Harnessing and Leveraging Remittances and the Diaspora Capital; Promotion of Trade, Investment and Tourism; Diaspora Diplomacy, Social Protection and Consular Services Provision; and Building Trust, Confidence and Patriotism.*

In line with the first strategic thematic area (*Diaspora Policy legislation and institutional Coordination Mechanism*), the GRZ has, among others, prioritized the establishment of a diaspora coordination mechanism and provision of a conducive and enabling policy and legal environment for effective engagement and participation of the diaspora in national development. It is noteworthy that the GRZ has already established a dedicated Diaspora Coordination Desk (DCD) in the Ministry of Foreign Affairs to ensure that diaspora engagement and participation is institutionalized and is systematically and centrally coordinated. Furthermore, the GRZ is in the process of finalizing the necessary guidelines for provision of national documents including dual citizenship for its nationals in the diaspora.

In order to ensure policy and legislative coherence and alignment between the Diaspora Policy and the national Constitution, the GRZ, in collaboration with IOM, seeks to conduct a detailed Diaspora Policy Legislative Review whose recommendations will contribute towards promoting policy and legislative consistency between the Diaspora Policy and existing policies and legal frameworks.

The GRZ, in collaboration with IOM, is therefore seeking suitably qualified Consultant(s) to conduct a gender sensitive Diaspora Legislative Review to inform and support the Policy and ensure legislative coherence and consistency with existing policies and the national constitution.

The specific Terms of Reference under this consultancy are to:

- Conduct case studies of selected countries that have successfully implemented diaspora policies and identify international best practices related to institutional, coordination and legal frameworks. Using best practices emanating from the case studies, make practical recommendations applicable within the Zambian context.
- Assess the adequacy and capacity of the diaspora institutional and coordination mechanism in Zambia to fully harness the development potential of the Zambian diaspora,
- Review and assess the coherence and alignment between the Diaspora Policy strategies, objectives and measures and the national Constitution, (*dual citizenship measures and provisions; measures governing acquisition of national documents including birth certificates and NRCs for children born to Zambian parents; gaps and opportunities related to portability of earned social benefits among others*). The process will involve stakeholder consultations including key Government departments, diaspora representatives and associations, international organizations, non-state actors and the private sector,
- Produce a print-ready detailed Diaspora Legislative Report with gender sensitive policy and legislative alignment recommendations. The process will involve technical presentations and validation processes involving key project stakeholders.
- Develop a concise Diaspora Legislative Policy Brief with specific recommendations for policy and legislative amendments and present the same to relevant policy makers
- *N.B. All written deliverables under this consultancy will be drafted in accordance with the IOM Publications Guidelines and validated by the Ministry of Foreign Affairs and other concerned stakeholders. The Final Report and the Policy Brief should be print-ready.*

2. PROPOSED METHODOLOGY

The method will be a combination of a desk study and interviews with relevant stakeholders. It is imperative that the prospective Consultant(s) outline their proposed research methodology in their submitted bids.

3. ESTIMATED DURATION OF ASSIGNMENT

It is expected that the study will be conducted over a period of two months commencing in December 2020. This period will include report writing and presenting the final report to IOM.

4. TANGIBLE AND MEASURABLE OUTPUTS OF THE WORK ASSIGNMENT

The outputs of this assignment will be (i) a **gender sensitive Diaspora Legislative Review Report** and (ii) a **concise Diaspora Legislative Policy Brief** with proposed recommendations on policy and legislative amendments.

The Consultant will be expected to submit two bound copies and an electronic copy of the Report. The Report should contain the following, among other issues:

- a) An executive summary: 3-5 pages that summarize the key points including the Background and Rationale of the legislative review, Methodology, Findings, and Recommendations.)
- b) The main Findings must be explained in detail and limitations associated with the Methodology must be disclosed in the Report. The Findings must be presented as **analysed facts, with evidence and data.**

- c) The Recommendations need to be supported by a specific set of findings and must be action-oriented, practical and specific, with defined responsibility for the action, to the extent possible.

The Policy Brief should be less than 5 pages with specific recommendations for policy and legislative amendments.

One power point presentation on the findings of the legal review to IOM, the Ministry of Foreign Affairs and other relevant line Ministries to be presented during an oral/online debriefing meeting to highlight and explain the observations, findings and recommendations of the study.

At commencement of the assignment, a briefing will be held with the Consultant. This briefing, among other things, will clarify the interpretation of the assignment as well as the practicalities and logistical arrangements for the assignment. This meeting will mark the official commencement of the assignment.

5. PROFILE OF THE CONSULTANT

- A post graduate university degree in law; at least three years in research of which at least 1-2 years must be with international law, human rights law and/or development issues and related experiences in migration
- Professional experience/expertise in social research and legislative reviews
- The consultant must be conversant with gender analysis methodologies
- The Consultant must possess excellent oral communication and report writing skills in English
- Strong interpersonal and networking skills
- Ability to interact with Senior Officials in Government and multilateral agencies and the diaspora community
- The Consultant is expected to adhere to the GRZ, IOM Evaluation Guidelines and UNEG norms, standards and ethical guidelines.

6. REPORTING

The Consultant will work closely with the Diaspora Coordination Desk of the Ministry of Foreign Affairs and report directly to the Migration and Development Unit IOM/Zambia.

7. QUESTIONS AND CLARIFICATIONS

All requests for clarifications and questions should be sent in writing to iomlusakarecruitment@iom.int indicating the vacancy number and title in the subject line.

8. SUBMISSIONS AND CLOSING DATE

- Technical proposal, including a letter of motivation, methodology, detailed curriculum vitae.
- Financial proposal, including all the professional fees and any other cost elements.
- Proof of previous related work - how it was successful to achieving the goals of that institution or programme, and at least three traceable references.
- Provide documentary proof of professional and academic qualification and testimonials

All interested candidates are to submit electronic copies of all required information to IOM Lusaka, Zambia by COB, **18 December 2020** to iomlusakarecruitment@iom.int

Only shortlisted candidates will be contacted.