
**Terms of
Reference for
Consultant to
carry out
Technical
Assistance –
Zambia/COMESA**

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| Title of TA intervention | Support the development of a set of recommendations to address the obstacles related to the full implementation of the COMESA Visa Protocol among Member States |
| Request No. | TA/002/2015 |
| 1. Background | <p>The following is a call to carry out technical assistance (TA) for the International Organization for Migration (IOM) in the framework of the ACP-EU Migration Action (hereinafter the “Action”). Background on the Action and its organisational set-up can be found in the Action’s website www.acpeumigrationaction.org.int</p> <p>A request for technical assistance (TA) intervention from COMESA has been received on 20/04/2015 and further approved by the EC and the ACP Secretariat on the 17/08/2015 (see below description). In relation to this, a baseline assessment has recently been written, in light of which the IOM is now looking for a <u>consultant to carry out technical assistance.</u></p> <p><i>Context of TA intervention:</i></p> <p>COMESA recognizes the great importance of free trade and recognizes that in order for this to be fully achieved, citizens of COMESA Member States must be able to move freely in the region in order to provide and enhance services, tourism, labour, cultural activities and others.</p> <p>In this regard, the following Protocols were established: 1) the Protocol on the Gradual Relaxation and Eventual Elimination of Visas (Visa Protocol) which is currently in force and, 2) Protocol on Free Movement of Persons, Services, Labour and Right of Establishment the Residence (Free Movement Protocol).</p> <p>However, COMESA Ministers responsible for Immigration have noted that despite a few Member States attaining full implementation of the Protocol on Gradual Relaxation and Eventual Elimination of Visa Requirements, the majority of Member States are still at low levels of implementation, with some not having begun the implementation process at all. Moreover, the Ministers observed that there has not been much progress on the signing and/or ratification of the Free Movement Protocol. It has not come into force due to a lack of the requisite minimum number of signatories and ratification. Only four countries (Burundi, Kenya, Rwanda and Zimbabwe) have signed the protocol, whereby it has only been fully ratified by Burundi.</p> <p>Consequently, pursuant to the Ministers’ decisions, the COMESA Secretary General commissioned a Task Force on Development of a Road Map for the implementation of the Protocols and Councils Decisions to carryout consultative visits to eight selected Member States (Djibouti, Uganda, Rwanda, Kenya, Seychelles, Comoros, Swaziland and Malawi). This initiative aimed at uncovering the challenges and reasons why member states have been slow in signing and/or ratifying the Free Movement Protocol and fully implementing the Visa Protocol, which is already in force. The Task Force comprised representatives of Chiefs of Immigration from Democratic Republic of Congo, Kenya, Rwanda, Zimbabwe and an officer from COMESA Secretariat. Its brief</p> |

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| | <p>was to interview stakeholders in each of the selected countries, the results of which were summarised in a report to the COMESA Secretariat. The Task force made the following observations:</p> <ol style="list-style-type: none"> a) The level of awareness on the COMESA legal instruments has not been effectively cascaded to the general public; b) All member states visited were committed to the full implementation of the two protocols and to the regional integration agenda in totality; c) Most member states undertook to set up structures aimed at implementing the COMESA legal instruments; d) A majority of the stakeholders interviewed were aware of the COMESA protocol on the Gradual Relaxation and Eventual Elimination of Visa Requirements and respective states obligations towards full implementation of the Protocol. <p>Hence, the technical assistance provided should serve as a timely intervention in supporting the development of an awareness raising strategy to ensure full implementation of the protocol by all COMESA member states.</p> |
| <p>2. Description of the TA assignment</p> | |
| <p>2.1 Objectives</p> | <p>The overall objective of this assignment is to identify the major obstacles to the full implementation of the Visa Protocol and draw up a set of recommendations and an action plan for each Member States to overcome these obstacles.</p> |
| <p>2.2 Specific objectives</p> | <p>More specifically, the assignment aims at achieving the following three objectives, as envisaged by the requesting entity:</p> <ol style="list-style-type: none"> 1. Develop an awareness raising strategy to be roll-out to all Member States who have not fully implemented the Protocol on the Gradual Relaxation and Eventual Elimination of Visa Requirements; 2. Develop an implementation strategy for raising awareness across all Member States; 3. Develop a Terms of Reference (ToR) for the National Committees entrusted with the responsibility of implementation of the Visa Protocol. |
| <p>2.3 Requested services</p> | <p>The TA consultant is envisaged to carry out the following activities:</p> <ul style="list-style-type: none"> - Upon commencement of the assignment, in consultation with IOM Action' Staff in Brussels, Belgium, develop a brief methodology for the TA activities and the steps to be taken, including proposed Action Plan for the delivery of outputs/deliverables; - Closely coordinate and consult with the IOM Action' Staff in Brussels, Belgium, so as to contact the IOM Regional Coordinator (RC) in the region and the IOM Country Offices in the region where the TA intervention is envisaged; - Under the auspice of COMESA Secretariat in Lusaka, Zambia, establish direct contact and collaborate with COMESA Member-States who have not yet implemented the Visa Protocol; - In consultation with COMESA Immigration Unit, review the findings of the |

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| | <p>Task Forces report on the eight selected countries and other relevant reports (e.g. Meeting of the Chief of Immigration 23rd – 24th June 2015), and evaluate each country’s challenges;</p> <ul style="list-style-type: none"> - Conduct consultations with the 11 Member States who have not fully implemented the Protocol in order to identify the obstacles to full implementation of the protocol; - Organize meetings or telephone interviews with the key stakeholders/informants identified in the BA report in the various COMESA MSs. When necessary and approved by the IOM Action’s Staff in Brussels in close coordination with the COMESA Immigration Unit, carry out necessary field visits; - Consult with countries which have already set up National Committees and Inter-ministerial Committees to request for input in the draft of the ToR for the implementation of the Visa Protocol; - Presentation of the work developed and of the recommendations to the Task Force responsible for the development of a road map for implementation of Protocols and Council decisions on the movement of persons and labour as well as harmonization of laws whose membership comprises DRC, Kenya, Rwanda, Sudan and Zimbabwe; - Provide the TA Intervention - related deliverables (as per point 2.4 below and the agreed methodology) by the deadlines set in the work-plan; | |
| <p>2.4 Required deliverables</p> | <p>As detailed in the TA Fiche for the intervention (to be shared with the selected TA expert), the TA expert is required to provide the following deliverables as per designated templates:</p> <ol style="list-style-type: none"> 1) The Expert will develop and deliver both a <u>brief methodology</u> for the TA activities and the steps to be taken in the form of an Action Plan, as per point 2.3.1 2) Prepare a <u>document with concrete recommendations</u> for full implementation of the Visa Protocol from noncompliant Member States; each country should be advised on the feasible and sustainable actions to fully implement the Visa Protocol; 3) The Expert will compile a <u>TA Intervention Report</u> as per designated template and by no later than the deadline set in this ToR, under point 5.2 and also reflected on the Contract. This should include the results of the consultations carried out, as well as the recommendations proposed for each country in coordination with COMESA Immigration Unit. It should also include photographic documentation of events, meetings, conferences, etc. organized during the implementation of the TA. <u>And present the final TA Intervention report</u> and the recommendations to a meeting of the Task Force responsible for implementation of Protocols and Council decisions; | |
| <p>3. Consultant’s profile</p> | | |
| | <p>Days</p> | <p>Key qualifications</p> |

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| 3.1 | <p>- It is envisaged that the assignment will take around 45 to 55 working days with possible field trips. However, the exact number of working days is to be confirmed with the expert based on the submission of a workplan and a methodology.</p> | <ul style="list-style-type: none"> - A minimum of a Bachelor's, preferably a Master's or above university degree, in social sciences or another field related to the services; - Proven track-record of professional experience on migration and visas - At least 7 years of professional experience in a field related to migration governance; - Demonstrated experience in carrying out technical assistance interventions; - Professional experience in ACP countries Members of COMESA, preferably working in close cooperation with national authorities/institutions about migration issues and, specifically, on visa issues. Experience working directly with the Secretariat a distinct advantage - Expertise in the migration sector with experience in the topic of visa at international level and visa harmonization - Proven experience in working in international settings - Experience in drafting regulations and /or formulating related recommendations conducting rapid assessments, compiling research and liaising and communicating with national and/or international counterparts; - Demonstrated ability to deliver quality work under tight timeframes; - Excellent communication and report writing skills and fluent command of English and French. Knowledge of Arabic another languages of COMESA Member States is an asset ; |
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4. Location and duration

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| 4.1 Start Date | The assignment will start as from 5th October 2015 . |
| 4.2 End Date | The assignment should be completed by 21st March 2015 . |
| 4.3 Location and Foreseen Field Visits | <p>It is foreseen that part of this assignment will be performed in the HQ of COMESA in Lusaka, Zambia. Field travels to previously agreed Member-States is also foreseen. Another part will be from the home-based station of the baseline assessment consultant.</p> <p>This exact distribution of the work (field and home-based) will be further detailed in the work plan and methodology. Should field visits be necessary, their schedule will be detailed in the methodology and work-plan.</p> |

5. Reporting

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| 5.1 Language | All reports and communications towards IOM Action's Staff in Brussels under this assignment will be in English . |
| 5.2 Submission timing | The <u>draft</u> TA Intervention Report is due on 11th March 2016 and the final report is due on or before 21st of March 2016 . |
| 5.3 Format | The draft and final TA Intervention Reports should be submitted electronically by email to ACPEUmigrationaction@iom.int . |

