

**Open to Internal and External Candidates**

Position Title : **Consultant in charge of the Desk Review**  
Duty Station : **Bangkok, Thailand**  
Classification: **Consultancy**  
Type of Appointment : **Consultant Contract, 2-5 months contract**  
Desired Start Date : **As soon as possible**  
Closing Date : **20 February 2022**  
Reference Code : **CFCV001/2022 (EXT)**

Established in 1951, IOM is the leading inter-governmental organization in the field of migration and works closely with governmental, intergovernmental and non-governmental partners. IOM is dedicated to promoting humane and orderly migration for the benefit of all. It does so by providing services and advice to governments and migrants.

**1. ORGANIZATIONAL CONTEXT AND SCOPE:**

**I. Context and rationale**

As key migration destinations in Asia-Pacific, Thailand, Malaysia and Indonesia host a large number of irregular migrants. Returns, readmission and detention of irregular migrants are considered by these governments as necessary tools of migration management. States may use detention for various goals, including identification, refusal, expulsion, deportation or refugee status determination.

States are the primary actors in adjudicating migration governance issues and may or may not uphold international norms and standards, and policies or actions they take may be influenced by political considerations on regional and global geopolitics. When considering policy approaches to irregular migration, states are influenced by potentially conflicting interests including the sovereign authority to govern the conditions of entry, exit and stay; the relationships between countries in the migration corridors; national security concerns, as well as fundamental human rights.

The COVID-19 pandemic has further exacerbated challenges in migration management and migrants' vulnerability, particularly for irregular migrants: border closures, loss of income opportunities, measures targeting migrants in irregular situation, conditions in migrant detention centres have all contributed to highlight the need for stronger gender sensitive protection mechanisms. Migrants' inclusion in governments response to the pandemic, and security measures adopted by government stakeholders further prompt a need to review and strengthen existing administrative systems and practices to adapt them to the new realities of international migration.

In Thailand, the Government of Thailand has taken some commitments regarding the implementation of the GCM, as a Champion Country with a focus on Alternative to Detentions (ATD) of migrants' children. The National Security Council further addresses the need for policy

coherence between the efforts and frameworks of the agencies and branches of government through an Operational Plan for Migration Management 2020-2022.

In Malaysia, the Government's priority in 2021 has been to address the important number of migrants in irregular situation, as exemplified in the 2021 Recalibration Programme to encourage the return of stranded migrants in Malaysia. Its 12th Malaysia Plan 2021-2025 also stresses the commitment to increase cooperation and integration through the services of Immigration.

In Indonesia, the Laws and Standard Operating Procedures passed in the country are targeting the situation of specific profiles of migrants, including the Law #06 of 2011 on Immigration addressing the smuggling of migrants and victims of trafficking. Further Standard Operating Procedures (SOP) on Immigration Detention Centre issued by Directorate General of Immigration (DGI) have been updated in 2020 concerning on Detention, Deportation, Investigation, Prevention and Deterrence. Furthermore, it connects to Indonesia's commitment under the GCM.

Cooperation and partnerships among involved countries is necessary to ensure timely, smooth and orderly processes for case management and the mobility of migrants. Key to successful returns of migrants include establishing formalized administrative support aimed at the identification of the individuals, verification of nationality, organized returns in coordination and agreement by the country of nationality, and full respect of human rights. Such channels may include readmission agreements that define in a reciprocal manner the provisions for one state to promptly and orderly return non-nationals who do not satisfy the conditions for entry or no longer fulfil the conditions to stay on its territory.

To move forward with smooth returns that protect the rights and agency of migrants, further discussion, commitment of resources, research and summoning of political will is required at the state level of both the sending and receiving country. It also requires identifying the legal, administrative and operational challenges that may prevent the return of stranded migrants when they are interested to do so. Returns (assisted, voluntary and forced) also have to abide with the respect the of the human rights of migrants and the principles of non-refoulment.

The 2030 Agenda for Sustainable Development includes several targets related directly or indirectly to migration or migrants, and calls on Governments to "facilitate orderly, safe, and responsible migration and mobility of people, including through implementation of planned and well-managed migration policies" (Target 10.7). The Global Compact for Safe, Orderly and Regular Migration (Global Compact for Migration - GCM), builds on the 2030 Agenda and provides further guidance on migration management issues such as the use of detention (GCM objective #13) and forced return (GCM Objective #21). While recognized as migration management tools, both are seen as practices that present challenges to ensure migrants' fundamental rights are respected. International standards recommend that alternatives to these practices are promoted as a way to ensure migrants rights are respected throughout their migration journey. The Bali Process, an official international forum, established in 2002, further aims to facilitate exchanges and information sharing on these issues and provide platforms to discuss appropriate responses.

In this context, the Regional Support Office (RSO) of the Bali Process and the International Organisation for Migration (IOM) are implementing a Dialogue on the Management of Irregular Migration in South East Asia. With a specific focus on Indonesia, Malaysia and Thailand, this project aims to contribute to these Governments efforts in achieving strengthened migration governance through supporting the knowledge management on the frameworks and practices surrounding the management of irregular migration. The project proposes targeted research,

engagement and dialogue with government stakeholders to create a space for dialogue and technical discussions between government officials on framework of actions and possible challenges and gaps encountered around return, readmission and protection.

Through this call for consultancy, IOM is looking specifically for **a Lead Researcher to conduct a Desk Review aimed at reviewing existing policies, frameworks, research and/or evaluations to identify best practices in the region as well as lead stakeholders' engagement to identify possible gaps or areas of collaboration between the participating countries in the area of return, reintegration readmission and ATD.**

## **II. Desk Review's objectives**

The aim of this Desk Review is to review existing policies, frameworks, research and/or evaluations to identify best practices in the region as well as to identify possible gaps or areas of collaboration between Indonesia, Malaysia and Thailand, and other countries in the area of return, reintegration readmission and Alternatives to Detention (ATD).

Based on a review of the existing literature, policies, and frameworks this research proposes to answer the following research questions:

1. What are the existing policies, legal frameworks and operational mechanisms to manage return, readmission and reintegration of vulnerable migrants in Thailand, Malaysia and Indonesia, and address gender-related needs?
2. What are the challenges in the implementation of protection measures for vulnerable migrants stranded in Thailand, Malaysia and Indonesia?
3. How can states, in collaboration with civil society actors, enhance their collaboration to address operational challenges related to return, readmission and reintegration and gender related needs whilst at the same time promote the protection of migrants along the migration continuum?

## **III. Desk Review's scope and methodology**

The Review will analyse the relevant national and global frameworks guiding the issues highlighted in the research question, as well as the national plans, policies and initiatives adopted by the targeted countries. The lead researcher will undertake a comparative analysis of the international norms, standards, relevant frameworks and practices on return, readmission and ATD in these countries, including the following relevant frameworks:

- The international conventions and commitment taken by the targeted governments, such as the Global Compact on Migration, and priorities outlined as by Indonesia and Thailand under their commitment as Champion Countries and the 2000 Protocol to Prevent, Suppress and Punish Trafficking in Persons;
- Laws and legal texts adopted at national level regarding the management of migration, including border management, immigration, security and labour policies;
- National strategies adopted for the implementation of the Sustainable Development Goals (SDGs) and the economic development of the countries, such as the 12<sup>th</sup> Malaysia Plan;
- Protocols guiding the implementation of migration laws, such as National Referral Mechanisms for Victims of Trafficking and smuggled migrants, MOUs and cross-border agreements signed with countries for labour migration, readmission agreements, Standards Operating Procedures guiding ATDs, Thailand's Operational Plan to the

- Evaluation and case studies covering the implementation of the legal and operational frameworks relevant to migration management

The review of existing and available materials on these issues will be used as a baseline for dialogue between the main government stakeholders at national level in charge of migration management. As some materials may not be publicly available, such as standard operating procedures, targeted engagement, consultation and/or interviews may be needed to respond to the research questions. The consultant is expected to contribute with technical guidance and inputs for the stakeholder engagement required to complement the limited availability of information, such as strategic approaches, targeted questions and relevant areas of focus based on the comparative analysis, to bring to national stakeholders' attention. Based on the initial findings of the Desk Review, the research will propose case studies focusing on thematic issues specific to each country. These focuses aim to bring attention to concrete procedures and measures to ensure the Desk Review contributes to the priorities of national stakeholders, and support national stakeholders' efforts in strengthening and promoting best practices for management of irregular migration.

A Steering Committee or formal consultations will be conducted in each country. It will be composed of relevant government stakeholders to review the methodology, present and validate the findings. The validation of the findings of the review will accompany the discussions with these stakeholders to identify their main priorities and gaps, and further the exchange of information. It will also contribute to a regional discussion between government stakeholders of the targeted governments, under the Bali Process, to review common practices and challenges in the management of irregular migration, and share best practices.

## 2. ORGANIZATIONAL DEPARTMENT / UNIT TO WHICH THE CONSULTANT IS CONTRIBUTING:

Migrant Protection and Assistance Unit, IOM Thailand

## 3. TANGIBLE AND MEASURABLE OUTPUTS OF THE WORK:

The consultancy is expected to be completed within a period of two and a half months from the date of contact signing. The consultant is responsible for the following deliverables as follows in the tentative timeline below:

#	Deliverable	Estimated Working Days	To be completed by	Instalments
1	Initial calls with IOM team, methodology of research and framework of analysis for the Desk Review;	7 working days	15/03/2022	1st instalment 50%
2	Submission of methodology to IOM team and coordination on targeted engagement needed for the research	3 working days	21/03/2022	
3	Presentation of the methodology to the National Steering Committees as relevant;	3 working days	31/03/2022	
4	Regional Desk Review analysing the existing policies, frameworks, research	15 working days	10/05/2022	

	and/or evaluations in the three targeted countries;			
5	Three Country Case Studies / Thematic Issue Reports on initiatives or strategies as priorities by the National Steering Committee or as identified through consultations, with analysis of strengths, best practices and challenges;	10 working days	10/05/2022	
6	Presentation of the Desk Review and Case Studies to IOM and, following IOM approval, to the National Steering Committees / consultations;	4 working days	31/05/2022	
7	Submission of consolidated and final Desk Review, including the list of recommendations and priorities highlighted by the National Steering Committees/consultations;	10 working days	15/06/2022	2 <sup>nd</sup> and last instalment – 50%
8	Presentation of the Desk Review and Recommendations during a Regional Round Table under the Bali Process on Management of Irregular Migration.	3 working days	15/06/2022	

The study will be led by the Lead Researcher and can be supported by IOM Focal Points in the three countries to facilitate introductions with relevant stakeholders as well as to gathering information on the case studies. The methodology proposed by the Lead Researcher will need to reflect the approach to gathering relevant documents and information and targeted engagement needed to complement the gaps of information or information that may not be publicly available. The Lead Researcher is also expected to provide advice and suggestions, based on the initial findings regarding the case studies most relevant to support governments' priorities and targeted dialogues on the highlighted issues.

The Lead Researcher can be home-based, but able to commit to flexible working hours based on business hours in Indonesia, Malaysia and Thailand, when required.

#### 4. PERFORMANCE INDICATORS FOR THE EVALUATION OF RESULTS:

Satisfactory submission of the aforementioned deliverables as will be assessed by country office and regional office specialists based on the approved methodology. Proper coordination with IOM team will be needed in each country, in order to ensure the relevant engagement and clear definition of the Case Studies to be developed. These technical indicators will be defined by the Lead Researcher and IOM team based on the validated methodology.

#### 5. DESIRABLE COMPETENCIES:

##### Values

The incumbent is expected to demonstrate the following values and competencies:

- Inclusion and respect for diversity: respects and promotes individual and cultural differences; encourages diversity and inclusion wherever possible.

- Integrity and transparency: maintains high ethical standards and acts in a manner consistent with organizational principles/rules and standards of conduct.
- Professionalism: demonstrates ability to work in a composed, competent and committed manner and exercises careful judgment in meeting day-to-day challenges.

## **Core Competencies**

- Teamwork: develops and promotes effective collaboration within and across units to achieve shared goals and optimize results.
- Delivering results: produces and delivers quality results in a service-oriented and timely manner; is action oriented and committed to achieving agreed outcomes.
- Managing and sharing knowledge: continuously seeks to learn, share knowledge and innovate.
- Accountability: takes ownership for achieving the Organization's priorities and assumes responsibility for own action and delegated work.
- Communication: encourages and contributes to clear and open communication; explains complex matters in an informative, inspiring and motivational way.

## **6. EDUCATION AND EXPERIENCE:**

Interested parties should demonstrate the following qualifications and submit documentation and references as follows:

- Minimum of 5 years work experience in research or management of migration, particularly on issues of return, readmission and reintegration as well as protection programming;
- Proven experience in conducting assessments, audits, or evaluations and promoting gender mainstreaming;
- Proven experience leading consultations with senior/high-level officials in Government.
- Experience working with international organizations, international non-government organizations, or UN agencies;
- Proven knowledge of gender-related needs and protection approach to management of migration;
- Knowledge or experience in Asia-Pacific, especially in South-East Asia, is an asset;
- Excellent writing and communication skills;
- Strong organizational and time management skills;
- Ability to work as part of a multicultural, multilingual team.

## **7. LANGUAGES**

**Required:** English (Fluent)

**Desirable:** Working knowledge in Thai, Malay or Indonesian.

**Other**

Any offer made to the candidate in relation to this vacancy notice is subject to funding confirmation.

*Appointment will be subject to certification that the candidate is medically fit for appointment, accreditation, any residency or visa requirements, and security clearances. Subject to certain*

*exemptions, vaccination against COVID-19 will in principle be required for individuals hired on or after 15 November 2021. This will be verified as part of the medical clearance process.*

Appointment will be subject to certification that the candidate is medically fit for appointment and verification of residency, visa and authorizations by the concerned Government, where applicable.

***How to apply:***

Interested candidates are invited to submit required documentation and references to the IOM Bangkok Human Resources Unit at e-mail [bkkrecruitment@iom.int](mailto:bkkrecruitment@iom.int) by **February 20, 2022** at the latest. Kindly indicate the reference code **CFCV001/2022 (EXT)** followed by your full name in the subject line.

Applications should include:

- a) Duly completed IOM Personal History Form (may be downloaded from <https://thailand.iom.int/sites/g/files/tmzbd11371/files/Vacancies/Form/iom-personal-history-form-270122.xls>).
- b) Cover letter and CV;
- c) Proposal, five pages maximum, including background, methodology, data collection methods and preliminary tools, methods of analysis as well as a work plan and timeline for completing the assignment;
- d) Name and contact details of three references;
- e) Example/s of similar work, such as a report, undertaken by the consultant;
- f) Financial proposal presenting a total price, in USD, based on consultant daily rate.

Only shortlisted candidates will be contacted.

***Posting period:***

From 11.02.2022 to 20.02.2022