**TERMS OF REFERENCE**

**International Consultancy supporting the Moldovan stakeholders to enhance and operationalize the newly established recognition /validation mechanism of informal and non-formal skills and competences acquired abroad by Moldovan migrants**

1. **BACKGROUND INFORMATION:**

The mass migration waves, which started in the 1990s has led to an outflow of Moldovan nationals, with almost a quarter of the country’s population currently residing abroad on a temporary as well as more permanent basis. While most often labour migrants have successful migration experiences , many of them are unaware of their rights and the requirements for legal labour migration, thus are often subjected to unethical recruitment practices and employment circumstances that may include exorbitant commission fees for recruitment intermediation, low wages, unreasonable physical and intellectual demands, poor accommodation conditions, inadequate resting periods, lack of access to essential health care and protection in case of accidents/sickness/ disability etc., no accrual of pension rights, particularly if they are in an irregular situation and are victims of the trafficking in persons. Despite the fact that Moldova ratified the ILO 181 Private Employment Agencies Convention, the national regulatory framework is incomplete and poorly enforced, hence market of recruitment abroad services is dominated by informal intermediators. Public institutions have weak capacities to properly monitor the activity of the proper recruitment sector and adequately manage labour migration and has limited capacity and experience in the effective management of temporary labour migration schemes that both respond to identified labour market needs and protect stakeholders throughout the process.

Many migrants return having gained skills abroad, and there is the need to support a framework for recognition/validation of informal and non-formal skills and competences acquired abroad, to ease their professional reintegration and make most productive use of these skills. In this context, the Government of Republic of Moldova (GoM) has set as one of its priorities the development of policies and initiatives aimed at managing the movement and mobility of Moldovan citizens, improve legal and regulatory framework of the private recruitment sector, guaranteeing migrants’ fundamental human rights, access to social security benefits, supporting reintegration of returnees, recognizing their merits and validating their skills and competences obtained abroad, including in informal contexts, as well as capitalizing on their potential for the sustainable socio-economic development of the country. The Ministry of Health, Social Protection and Family is responsible for developing labour migration policies and regulations, and managing specifically outward labour migration. In line with the provisions of the National Strategy on Migration and Asylum for 2011-2020 and the National Employment Strategy for 2017-2021, it has prioritized developing and promoting a more efficient the policy and regulatory framework for circular labour migration, promoting legal and circular/temporary labour migration, extending bilateral cooperation on labour migration, ensuring migrant workers’ rights, recognizing and validating professional qualifications, skills and competences, and recognizing the work experience accumulated abroad etc. At the same time, the National Employment Agency has an extended role in supporting legal and circular migration (as the main public institution in charge of employment reintegration of returnees and information support to workers for legal migration, facilitating circular migration based on bilateral government labour agreements, etc.) needs capacity building and better mechanisms to monitor, coordinate the activity and cooperate with the private recruitment agencies.

Also, in 2012 the GoM established a dedicated government structure, the Diaspora Relations Bureau under the State Chancellery responsible for Diaspora, Migration and Development (DMD) policy formulation, implementation, monitoring and evaluation; and more recently - for coordinating the public policy on reintegration of returned migrants, a mandate implemented in partnership with other stakeholders. In 2017, Moldova strengthened the national mechanism for intra-governmental coordination and multi-stakeholder consultation on Migration and Development (M&D) by establishing the Inter-ministerial Committee on DMD. The network of DMD Focal Points was fostered and extended to the local level and it aims to implement the “whole-of-the-Government” approach in this field, both at national and local level.

Against this backdrop, within the framework of the Swiss Agency for Development and Cooperation (SDC) funded the UNDP project “Migration and local development”, (hereinafter the Project), under which UNDP and IOM are assisting the Moldovan authorities in adjusting and consolidating the legal and institutional framework that would enable Moldovan migrants and their families to have successful temporary/circular migration experiences and facilitated reintegration, hence contributing to the development of their communities of origin. The UNDP and IOM jointed the efforts, making the best use of their comparative advantages and identities, to support effectively and efficiently national stakeholders to:

1. develop an efficient policy and regulatory framework for circular labour migration;
2. consolidate the institutional framework and strengthen the capacity and coordination among public institutions;
3. promote awareness raising campaigns in the country and abroad on the advantages and risks of circular migration.

The Project shall foster participation of all stakeholders, cross-institutional coordination and evidence-based design of circular labour migration policies and regulation, while accounting for human-rights and gender equality principles. The project shall strengthen stakeholders’ capacities to design and deliver human-centered employment services and raise awareness among migrants and their families about the risk and advantages of labour migration, benefits and opportunities of reintegration in Moldova.

1. **OBJECTIVE OF THE CONSULTANCY:**

Against this background, the **overall objective** of the foreseen consultancy is to provide support to the relevant national stakeholders to develop and implement a coherent and evidence-based legislative, policy, coordination and institutional framework in the area of labour migration, including for an efficient management of circular and temporary migration and the protection of migrants’ rights.

In order to reach this overall objective, IOM Moldova will be contracting an international consultant to support the national stakeholders to enhance and operationalize the newly established recognition /validation mechanism of informal and non-formal competences acquired abroad by Moldovan migrants, by developing and pilot-testing practical guidelines on specific procedures to support the actual implementation of the recognition and validation mechanism. In addition, the commissioned international consultant, in close cooperation with a selected national consultant, will provide capacity building support to relevant stakeholders in Moldova, hence contributing to the enhancement of the Moldovan legislative, policy, coordination and institutional framework in the area of labour migration and facilitating the professional reintegration of migrant workers upon their return to Moldova.

1. **TASKS TO BE PERFORMED WITHIN THE CONSULTANCY:** 
   1. Under the present Terms of Reference, IOM Moldova is seeking one qualified and experienced international expert on labour migration management to perform the following tasks:Analyze the international experience and provide an assessment of the best and most relevant practices for Moldova on existing recognition and validation mechanisms of informal and non-formal skills and competences acquired abroad by labour migrants;
   2. Conduct, together with the national expert, consultations with national stakeholders on the priority actions for defining specific procedures to implement and promote the mechanism for recognition and validation of informal and non-formal skills and competences acquired abroad by Moldovan migrants;
   3. Develop, together with the national expert, practical guidelines on specific procedures for recognition and validation of informal and non-formal skills and competences, mainstreaming most relevant international practices;
   4. Draft, together with national expert, a proposal for a training program consisting of 2 (two) capacity building sessions of 2 (two) days each to enhance knowledge and capacity of national stakeholders and relevant staff from 4 (four) Centers for Validation of Professional Qualifications in Chisinau and Balti on implementation of the specific procedures for recognition and validation of informal and non-formal skills and competences in such fields as construction, food processing, silviculture / ecology, preschool education;
   5. Deliver a presentation on the best and most relevant practices for Moldova on existing recognition /validation mechanisms in the framework of one of the above-mentioned capacity building sessions and provide relevant input and expertise during the capacity building intervention;
   6. Develop monitoring and evaluation tools and guide the National Consultant and national stakeholders during the monitoring and assessment process of the piloting exercise of the skills and competence recognition and validation mechanism in two Centers for Validation of Professional Qualifications located in Chisinau and Balti. The monitoring and evaluation processes shall be duly documented and shall lead to identifying the bottlenecks, means to optimise and increase efficiency of the process, additional necessary tools/materials to be further developed, repercussions on other connected processes/policy documents, etc. Analyse the monitoring and evaluation results, formulate recommendations and specific amendments proposals to further enhance the implementation of the mechanism for recognition and validation of skills and competences.
   7. Support the relevant authorities during pilot-testing of the developed guidelines in two Centers for Validation of Professional Qualifications located in Chisinau and Balti and contribute to the drafting of recommendations to further enhance the implementation of the mechanism for recognition and validation of skills and competences.
2. **TIMETABLE AND DELIVERABLES:**

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| **TIMELINE** | **DELIVERABLE** |
| **31.05.2019** | **Deliverable 1:**   * Assessment report of the best and most relevant practices for Moldova on existing recognition and validation mechanisms of informal and non-formal skills and competences acquired abroad by labour migrants.   **Deliverable 2:**   * Report on conducted consultations with national stakeholders on the priority actions for defining specific procedures to implement and promote of the mechanism for recognition and validation of informal and non-formal skills and competences acquired abroad by Moldovan migrants.   **Deliverable 3:**   * First draft of practical guidelines on specific procedures for recognition and validation of informal and non-formal skills and competences |
| **30.09.2019** | **Deliverable 4:**   * Report on the contribution to the final draft of practical guidelines on specific procedures for recognition and validation of informal and non-formal skills and competences, subsequent to the validation workshop of the first draft guide;   **Deliverable 5:**   * The training program for 2 (two) capacity building sessions of 2 (two) days each to enhance knowledge and capacity of relevant staff from 4 (four) Centers for Validation of Professional Qualifications in Chisinau and Balti on implementation of the specific procedures for recognition and validation of informal and non-formal skills and competences.   **Deliverable 6:**   * The monitoring and evaluation tools for monitoring and assessment of the piloting exercise of the skills and competence recognition and validation mechanism developed and cleared by implementing partners. |
| **15.12.2019** | **Deliverable 7:**   * Report on the participation in one capacity building training of 2 (two) days to enhance knowledge and capacity of relevant staff from the Centers for Validation of Professional Qualifications in Chisinau or Balti on implementation of the specific procedures for recognition and validation of informal and non-formal skills and competences, including the Agenda, PPTs, hand-out materials.   **Deliverable 8:**  - Monitoring and evaluation report on the piloting-testing of the developed guidelines in four Centers for Validation of Professional Qualifications located in Chisinau and Balti, including specific recommendations and amendments proposals for enhancing the actual implementation of recognition/validation mechanism. |

1. **MANAGEMENT ARRANGEMENTS**

The selected consultant shall sign a contract with IOM for stipulated assignment. The consultant will work under the direct supervision and guidance of the IOM and UNDP assigned staff. The submitted deliverables, which should be provided in English, shall be endorsed by the IOM’s Migration and Development Program Coordinator, Project Assistant and UNDP’s Policy Component Manager.

All over the respective activities, the International Consultant will be seconded by 1 (one) national consultant who will assist the international expert to better understand the local context, will facilitate his/her access to relevant national legislation, practices and various stakeholders, will organize together the capacity building intervention and will streamline the international-based legislative proposals into concrete legislative and institutional amendments.

1. **PERIOD OF CONSULTANCY AND REMUNERATION:**

The Consultancy and its tasks hereunder shall be performed during **15 April 2019 – 30 November 2019**. Starting with day of the consultancy contract signing, the Consultant will be given up to **24 working days** to carry out the entire assignment. The fee will be paid to the Consultant in 3 (three) instalments, according to the established delivery schedule, upon completion by the Consultant of all tasks specified in these terms of reference.

*Note:* The 24 number of working days have been estimated as being sufficient/feasible for the envisaged volume of work to be completed successfully and is proposed as a guideline for the duration of the assignment. It cannot and shall not be used as criteria for completion of work/assignment. The provision of envisaged deliverables approved by the IOM and UNDP, shall be the only criteria for international consultant’s work being completed and eligible for payment/s.

1. **TRAVEL**

It is expected that during his assignment the International Consultant will travel to Moldova during two instances, specifically:

* To conduct in Moldova, together with the national expert, consultations with national stakeholders on the priority actions for defining specific procedures to implement and promote the mechanism for recognition and validation of informal and non-formal skills and competences acquired abroad by Moldovan migrants;
* To participate in Moldova, together with the national expert, at the execution of one capacity building training of 2 (two) days to enhance knowledge and capacity of relevant staff from one Center for Validation of Professional Qualifications in Chisinau or Balti on implementation of the specific procedures for recognition and validation of informal and non-formal skills and competences.

1. **QUALIFICATIONS AND COMPETENCIES FOR THE CONSULTANCY:**

*a. Education:*

* University degree in public education, law, public policies/affairs and/or other social science related areas relevant for the assignment (PhD or MA will be an advantage);
* Complementary studies in economics, human rights, and/or international development will be an advantage;
* Other formal education relevant for the assignment;

*b. Experience:*

* At least 3 years of proven experience in contributing to development of public education or labour market or labour migration strategies/policy papers/legislation, action plans, assessment reports in the field;
* At least 3 years of proven experience in providing capacity building interventions to public administration agencies on public education or labour market or labour migration policy issues, skills recognition;
* At least 3 years of proven experience in developing analytical work in public education or labour market or labour migration-related fields;
* Experience in collaborating with public administration agencies, international organizations and IOM and/or UN agencies in particular;

*c. Competencies, skills and other requirements:*

* Strong analytical, writing and communication skills;
* Strong knowledge of migration regulatory and legal framework at the international level required;
* Knowledge of the Moldovan migration regulatory, legal and institutional framework would be an asset;
* Advanced knowledge of European experience and of the best practices on skills validation;
* Familiarity with IOM’s mandate;
* Excellent oral and written English;
* Knowledge of Romanian and/or Russian will be an advantage;
* Availability for the envisaged period and high mobility and flexibility.

*d. Diversity:*

* IOM adheres to the core values of the United Nations; in particular, is respectful of differences of culture, gender, religion, ethnicity, nationality, language, age, HIV status, disability, and sexual orientation, or other status.