



Terms of Reference

Consultant to develop action-oriented research on bilateral collaboration between trade unions in selected African-Arab States

Call for proposals by 21 January 2021

Requirement:	Consultant
Duty Station:	Home-based
Approximate budget:	Based on financial proposal
Duration:	10 February – 10 April 2021
Funding:	ILO FAIRWAY Programme
Application:	All applications to be sent to Sophia Kagan (kagan@ilo.org) no later than 21 January 2021, and must include a technical proposal, a financial proposal and the consultant's CV.

Background

Whilst data on the number of workers migrating from Africa to the Middle East is limited, there is indication of a marked increase over the past two decades, including the employment of more African women as domestic workers, especially in Lebanon and the Gulf Cooperation Council (GCC) countries. This is likely to increase further over the coming decades, given the United Nations Department of Economic and Social Affairs (UNDESA) forecasts that 41 per cent of the world's total population growth in the next ten years will take place in Sub Saharan Africa (+301 million). This is a demographic change that poses an enormous challenge in creating (decent) jobs in African countries, which is only further exacerbated by the impact that COVID-19 has had on labour markets across the region. These circumstances will likely push an increasing number of African workers to migrant for employment, including in the Arab States, where despite the goals of nationalization, migrant workers will remain indispensable.¹

Prior to the pandemic, the majority of African workers who migrated to the Middle East were young and low-skilled. Many were engaged in construction work, but as noted above, the composition of migrant workers was becoming more feminized due to the high demand for women in the domestic work sector.² In 2017- 18, the Ethiopian and Ugandan governments lifted bans on domestic workers' employment in the GCC states and Lebanon (the latter, in the case of the Ethiopian government). The number of bilateral labour agreements (BLAs) and Memoranda of Understanding (MOUs) in the Africa – Middle East corridor was growing, particularly for Kenya and Uganda. Whilst it is yet unclear what impact the pandemic and other changes such as the volatile oil price will have on the Arab States, it is likely that low-wage, vulnerable workers will continue to be required in sectors where nationalization is not possible – particularly the domestic work and construction sectors and possibly also hospitality.

Trade unions have a key role to play in supporting and empowering migrant workers, and the collaboration between trade unions in countries of origin and destination can help in protecting

¹ International recruitment has already re-started to most countries in the region, particularly for domestic workers: <https://www.migrant-rights.org/2020/11/overseas-recruitment-resumes-while-migrants-affected-by-the-pandemic-remain-in-dire-conditions/>

² See for example: https://www.ilo.org/beirut/publications/WCMS_736192/lang--en/index.htm

those workers and enable them to enjoy their rights.³ There is mounting evidence showing that African workers face a range of human rights and decent work deficits in the Arab States. This was documented in 2018, by the African Regional Organization of the International Trade Union Confederation (ITUC-Africa) in a report on migration from four African countries (Ghana, Kenya, Nigeria and Uganda) to the GCC.⁴ Problems commonly start in countries of origin with abusive and fraudulent recruitment practices that can lead to irregular migration, smuggling, trafficking and forced labour. At destination, common problems faced by African workers include contract substitution, non-payment or delays in the payment of salaries, low pay generally as compared to other migrant workers, excessive working hours, and confiscation of passports. They can also suffer verbal and physical abuse, including gender-based and racial violence and harassment, particularly in the case of migrant domestic workers. The COVID-19 pandemic appears to have exacerbated many of these issues,⁵ particularly in the case of migrant domestic workers, many of whom have been left homeless and destitute, or trapped in exploitative situations.⁶

The FAIRWAY Programme addresses underlying causes of decent work deficits at their source through national-level interventions in selected countries of origin in East, West and North Africa (Ethiopia, Kenya, Uganda, Nigeria, and Morocco). In the Arab States, the programme provides continuity to interventions in countries of destination across the region by building on the work of the Fairway Middle East project (2016-2019), which targeted low-skilled migrant workers from all regions and focuses on the destination countries of Kuwait, Bahrain, Lebanon and Jordan. With a focus on key sectors where migrant workers in vulnerable situations are engaged—including domestic work and the construction sector—FAIRWAY seeks to address the interlinked structural, behavioural, and practical barriers to improved labour migration governance. To do so, FAIRWAY works with tripartite constituents, including workers' organizations in countries of origin and destination, to help ensure a decent work environment for migrant workers throughout all stages of the migration cycle.

The ILO FAIRWAY programme, and the Bureau for Workers' Activities (ACTRAV) are seeking a consultant to develop an action-oriented research on bilateral collaboration between trade unions in selected African-Arab States, with a view to supporting specific interventions at a corridor level.

Objectives of the research

There are many examples of the ways in which trade unions from origin and destination countries work with each other to support and organize migrant workers, including informal/ad-hoc collaboration on specific issues or cases which arise, as well as more formal collaboration through Memoranda of Understanding (MOUs).

³ ILO (2008) *In Search of Decent Work: Migrant Rights*. Available at: https://www.ilo.org/actrav/info/pubs/WCMS_115035/lang--en/index.htm

⁴ ITUC-AFRICA (2018) *African Labour Migration to the GCC States: The Case of Ghana, Kenya, Nigeria and Uganda. An African Trade Union Overview*. Available at: https://www.ituc-africa.org/IMG/pdf/ituc-africa_study-africa_labour_migration_to_the_gcc_states.pdf

⁵ See for example: <https://www.migrant-rights.org/2020/09/migrants-in-bahrain-face-an-eviction-crisis-amid-covid-19-pandemic/>

⁶ This particularly affected domestic workers in Lebanon - both 'live-out' domestic workers who lost their livelihood, but also 'live-in' domestic workers, whose employers left them at the entrance of their embassies, saying they could no longer pay their salary due to the economic crisis. <https://idwfed.org/en/updates/lebanon-idwf-statement-in-support-of-the-kenyan-migrant-domestic-workers2019-sit-in-action-for-repatriation-and-free-of-abuses>. Similar issues of migrant domestic workers from Sierra Leone and Nigeria have been documented in GCC countries including Oman: <https://www.migrant-rights.org/2020/12/freetown-to-captivity/>

Already there have been bilateral initiatives within trade unions in several of the corridors between countries covered by FAIRWAY, including MOUs between the Kuwait Trade Union Federation (KTUF) and COTU-K (Kenya); and the National Federation of Worker and Employee Trade Unions in Lebanon (FENASOL) and Confederation of Ethiopian Trade Unions (CETU). Additionally both the General Federation of Bahraini Trade Unions (GFBTU) and KTUF signed a number of bilateral MOUs with partners in other countries of origin in Asia (including Nepal).

The immediate goals of this action-oriented research are to:

- (a) map previous or existing labour migration corridor initiatives between trade unions in FAIRWAY countries including the role of trade unions (if any) in the formulation, implementation and monitoring/evaluation of bilateral agreements/MoUs (and related initiatives) concluded between governments;
- (b) compile/assess the lessons learnt through these initiatives, as well as interregional collaboration in selected other corridors (eg. in Asia, Latin America);
- (c) identify priorities for each of the trade unions in countries of destination (Kuwait, Bahrain, Lebanon and Jordan) in supporting migrants from the FAIRWAY countries of origin (Nigeria, Kenya, Uganda and Ethiopia); as well as the priorities for trade union in the FAIRWAY countries of origin to the Arab States;
- (d) identify ways forward in terms of collaboration at a corridor level between trade unions in FAIRWAY countries.

The overall objective of the research is to provide strategic advice to the ILO (FAIRWAY Programme/ACTRAV) and the trade unions in countries covered by FAIRWAY, on how best to establish and support bilateral (and interregional) collaboration.

Methodology

The proposed methodology for the research is as follows:

1. **Desk research:** The consultant will review relevant documents relating to interregional migration between African countries and Kuwait, Bahrain, Lebanon and Jordan, including the ITUC-Africa report (2018), reputable media reports and publications provided by the ILO.
2. **Development of research questionnaire:** The consultant will develop a semi-structured questionnaire for information gathering with selected trade unions, including the GFBTU, KTUF, FENASOL and the General Federation of Jordanian Trade Unions (GFJTU) in countries of destination. The list of trade unions on the country of origin will be determined in consultation with the ILO prior to the start of the consultancy and may include: in Ethiopia with the Confederation of Ethiopian Trade Unions (CETU); in Kenya with the Central Organisations of Trade Unions - Kenya (COTU-K) and its affiliates; in Uganda with the National Organisation of Trade Unions (NOTU) and the Central Organisation of Free Trade Unions (COFTU); in Nigeria with the Nigerian Labour Congress (NLC) and the Trade Union Congress of Nigeria; in Morocco, Union Marocaine du Travail (UMT); Confédération Démocratique du Travail (CDT), Union Générale des Travailleurs Marocains (UGTM), and Union Nationale des Travailleurs Marocains (UNTM).
3. **Information gathering with selected trade unions:** the consultant will carry out interviews with focal points from the above-mentioned trade unions through virtual communication as well as focal points from the regional trade union organizations including the Arab Trade Union Federation (Arab TUC), Africa- ITUC and any sub-regional trade union organizations

in Africa. In order to gather lessons learnt from other corridor initiatives, the consultant will also connect with unions outside of the region, who will be identified in consultation with the ILO.

The ILO will facilitate introductions between the consultant and the trade unions, and the consultant will be required to set up an interview schedule and manage all logistics for the interviews. All interviews will be held virtually and no travel is expected of the consultant.

4. **Development of report:** the consultant will develop a strategic report based on the information gathered, which:
 - a) maps existing corridor initiatives between trade unions in countries covered by FAIRWAY and also where trade unions play a role in the formulation, implementation and monitoring/evaluation of bilateral labour agreements/MoUs and related initiatives concluded between governments of relevant countries of origin and destination;
 - b) assesses the lessons learnt in bilateral trade union engagement to support migrant workers, both between countries covered by FAIRWAY, as well as interregional collaboration in other corridors;
 - c) identifies the needs and priorities for trade unions interviewed, and locates specific areas of mutual interest, synergy and political will;
 - d) identifies the specific and concrete ways that the FAIRWAY Programme can support collaboration at a corridor level (as noted in (c), where there is mutual interest and political will by the trade unions in both country of origin and destination to work together).

In addition to the body of the report, the consultant should include an Annex covering brief information regarding each trade union covered in the research, including available services/structures and kind of support offered to migrant workers, and engagement with government initiatives relating to labour migration governance.

Deliverables

The deliverable will be a final report of approximately 25-30 pages (not including Annexes), which succinctly presents and analyses the information gathered in the desk research and interviews, and provides actionable recommendations, interventions and strategies for the ILO and specific trade unions to implement through the FAIRWAY Programme at a corridor-level.

Qualifications

The consultant should meet the following requirements:

- Excellent oral skills in Arabic and English, and written skills in English;
- Outstanding communication and analytical skills;
- Good knowledge of trade unionism and labour relations, particularly in the context of labour migration to the Arab States. Previous experience of researching or collaborating with trade unions in either Africa or the Arab States would be advantageous;
- Proactive attitude and ability to work with minimal supervision, to ensure on-time delivery.

Selection process

Applications for this call to proposals should include:

- Technical proposal – 1-2 page summary for how the consultant will carry out this assignment;
- Financial proposal – number of days required and daily rate;
- CV.

All applications to be sent to Sophia Kagan (kagan@ilo.org) with the subject 'Consultancy: trade union collaboration in African-Arab States', no later than 21 January 2021. Any applications received after this date will not be considered.