

MIGRANT SMUGGLING AND HUMAN TRAFFICKING EXPERT

TERMS OF REFERENCE

COOPERATION PROJECT COLOMBIA

1	<p>Background and justification</p> <p>PADF seeks to build a roster of qualified, experienced, and interested candidates in preparation for an anticipated project that will increase the quality and effectiveness of investigations, prosecutions, and adjudication of crimes of migrant smuggling, human trafficking and forced recruitment of youth by criminal organizations. For this task, PADF seeks to hire an international migrant smuggling and human trafficking expert.</p>
2	<p>Objective</p> <p>The general objectives of the project are:</p> <ul style="list-style-type: none"> • Assess Colombia’s investigation and prosecution efforts into migrant smuggling, human trafficking and youth forced recruitment, including institutional policies, strategies, and thematic stakeholder responsibilities • Increase the capacity of the Colombian justice sector to investigate and prosecute national cases of migrant smuggling and human trafficking and those crimes of youth forced recruitment committed in Tumaco, Norte de Santander and Caceres/Caucasia effectively and efficiently • Increase the capacity of the Colombian justice sector to seize and forfeit criminal assets used in or derived from migrant smuggling, human trafficking and youth forced recruitment effectively and efficiently • Design and develop a detailed Monitoring, Evaluation and Learning plan.
3	<p>Responsibilities and activities of the international migrant smuggling and human trafficking expert</p> <ul style="list-style-type: none"> • Working as part of a specialist team of additional experts that will conduct a thorough assessment of the Government of Colombia’s response to crimes of migrant smuggling, human trafficking that will: <ul style="list-style-type: none"> ○ Review prior assessments conducted on the topic. ○ Identify the main stakeholders involved in investigating and prosecuting such cases in Colombia and analyze their roles and responsibilities. ○ Identify the institutional features, challenges, and operational needs of justice sector institutions involved in efforts to investigate these offenses. ○ Conduct an analysis of the impact of using plea bargains, prosecutorial discretion, international evidence sharing and other tools to prosecute migrant smuggling and human trafficking. ○ Conduct an analysis on the procedural and legal challenges that could prevent investigations with compelling evidence from resulting in convictions. ○ Identify the specific gaps in current inter-agency and international cross border collaboration. ○ Contribute to and advise on crime mapping and victim risk matrix development activities for offenses of migrant smuggling and human trafficking.

	<ul style="list-style-type: none"> ○ Evaluate and recommend critical investigation nodes in the end-to-end value chain represented in the migrant smuggling and human trafficking illicit economies. ○ Conduct a caseload analysis review for identification of bottlenecks, best practice, and process flow trends. ○ Analyze investigative policies and mechanisms for prosecution and adjudication of cases and forfeiture of criminal assets. ○ Conduct a review of Colombia’s current policy framework (including UN and OAS obligations) and bodies, their operations, efficacy, and efficiency with a focus on their interaction with justice sector actors, including revising prior and ongoing assessments on these matters. ○ Collect baseline data related to the past and current number of migrant smuggling and human trafficking investigations, prosecutions, convictions, and asset forfeiture orders. ○ Collect baseline data related to the methodologies of smuggling and trafficking and risks that both males, females and children are subjected to ○ Evaluate past and current border cooperation mechanisms with Ecuador and Panama including operating policies and procedures, nation state capabilities, methodologies, and resources allocated for shared interdiction, investigation and prosecution strategies and objectives. ○ Assess current investigative and prosecutorial standard operating policies and procedures (SOPPs) and respective challenges that prevent investigations from producing convictions and resulting in asset seizures, in addition to capabilities, methodologies, and resources that prosecutors, investigators, border/maritime patrols and crime analysts use. ○ Consider the issue of the use and development of inter-agency investigation teams and other cooperation mechanisms how this affects the efforts to address and reduce the incidence of the migrant smuggling and human trafficking. ○ Conduct a review of other donors and organizations focused on improving the justice sector response to migrant smuggling and human trafficking and explain deconfliction efforts between those initiatives and this proposed project. ○ Provide a SWOT (strengths, weaknesses, opportunities, and threats) matrix analysis for the four key Colombian institution roles in combatting migrant smuggling and human trafficking criminal organizations. ○ Produce an assessment report with a set of recommendations on how to address challenges to achieve efficient and successful investigations and prosecutions of migrant smuggling and human trafficking cases in Colombia within two months of the beginning of the contract.
4	<p>Candidate profile</p>
	<p>The successful candidate will possess a deep knowledge of migrant smuggling and human law enforcement issues including UN and OAS obligations and implementation of internationally recognized best practice and standards. He/she will also have extensive experience in working with governments and law enforcement agencies at a high level and across different ministries, on issues related to the enforcement of migrant smuggling and human trafficking laws. The candidate will also bring substantial analytical skills, and experience in delivering high quality diagnostic study reports to policy makers either nationally or internationally.</p> <p>The ideal candidate will also possess the following:</p> <ul style="list-style-type: none"> • An advanced university degree (Master’s degree or equivalent) in law, criminology, or social science (international relations, management, public administration, political science, or economics, etc.) or in a subject closely related. A first level university

	<p>degree in similar fields in combination with five additional years of qualifying experience may be accepted in lieu of the advanced university degree.</p> <ul style="list-style-type: none"> • Having previously published reports on migrant smuggling and/or human trafficking to government institutions, international organizations, non-government organizations or academically. • A minimum of 10 years of work experience in the field of law enforcement, justice, or criminal policy, with experience of migrant smuggling/human trafficking threats is required. • Professional experience in Latin America would be desirable. • Experience around developing training needs analysis to law enforcement authorities is desirable. • Fluency in English and Spanish. • Demonstrated sound judgment and team working skills. • Proven ability to provide high level subject matter expertise on issues related to migrant smuggling and human trafficking. <p>In addition to the foregoing qualities, the successful candidate will demonstrate strong organizational development and interpersonal skills as well as experience and comfort operating in a fast-paced, multicultural, and self-directed environment.</p>
5	<p>Proposal Documents to Include</p> <ul style="list-style-type: none"> a. Please attach your CV to demonstrate how you meet the minimum requirements b. A cover letter that includes descriptions of similar projects or assignments, your daily/monthly rate for equivalent services (in USD\$), and at least three client references.
6	<p>Term of the contract</p> <p>Estimated start date of contract: Late Summer/Early Fall, 2022. The contract will have a 3-month duration.</p>
7	<p>Submission Details</p> <ul style="list-style-type: none"> a. Deadline. Proposals must be received no later than June, 30th 2022, 11:59 pm EST. Proposals must be submitted via email to bquintero@padf.org. All proposals are to be submitted following the guidelines listed in this Terms of Reference. b. Validity of the bid: 120 days from the submission deadline. c. Amendments. At any time prior to the deadline for submission of proposals, PADF may, for any reason, modify the Terms of Reference document by amendment which will be posted to the PADF website and/or communicated via email.
8	<p>Terms and Conditions</p> <p><u>Resulting Award</u></p> <p>This TOR does not obligate PADF to execute a contract, nor does it commit PADF to pay any costs incurred in the preparation or submission of the proposals. Furthermore, PADF reserves the right to reject any and all offers, if such action is considered to be in the best interest of PADF. PADF will, in its sole discretion, select the winning proposal and is not obligated to share individual evaluation results.</p> <p><u>Confidentiality</u></p> <p>All proprietary information provided by the bidder shall be treated as confidential and will not be shared with potential or actual applicants during the solicitation process. This includes but is not limited to price quotations, cost proposals and technical proposals. PADF may, but is not obliged to, post procurement awards on its public website after the solicitation process has concluded, and the contract has been awarded. PADF’s</p>

	evaluation results are confidential and applicant scoring will not be shared among bidders.
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