



Terms of Reference (External Collaborator)

Background

The International Labour Organization (ILO) is the United Nations specialized agency devoted to advancing opportunities for women and men to obtain decent and productive work in conditions of freedom, equity, security and human dignity. The organisation's main objectives are to promote rights at work, encourage decent employment opportunities for all, enhance social protection and strengthen dialogue in handling work-related issues.

The "Responsible Supply Chains in Asia (RSCA)" project (RAS/16/13/EUR) is a three year project implemented by the ILO and the OECD and financed by the EU. The project contributes to an enhanced respect for human rights, labour and environmental standards by businesses engaged in supply chains in Asia, including Vietnam, in line with international instruments on Corporate Social Responsibility (CSR), Responsible Business Conduct (RBC) and Business and HR. This initiative is one of the expressions of the EU's long-standing commitment to promote human rights, decent work and sustainable development, a pledge underpinned by the EU Treaties and reinforced in the European Commission's trade policy strategy of 2015 "Trade for All". The overarching objective of the project is to promote smart, sustainable and inclusive growth by ensuring that investors and businesses have a better understanding and practical examples of responsible behavior. Under the current circumstances and the shock generated by the COVID-19 pandemic, the RSCA programme gives relevance to the implementation of International Labour Standards and responsible business practices as a way for businesses to address vulnerabilities and risks from the perspective of labour on global supply chains, providing policy advice and technical inputs to support business and policy makers.

The specific objective of the project in Japan is to:

Effectively and sustainably support multi-level partnerships to implement CSR/RBC practices and approaches in Global Supply Chains by giving effect to the recommendations of the ILO MNE Declaration.

Objective and Scope of the Assignment:

The consultant will prepare a report to:

- map out Japanese government actions to promote and enable labour related CSR/RBC, including the labour chapters of trade and investment agreements and the upcoming National Action Plan on Business and Human Rights;

- Map out CSR/RBC related laws, legislation, regulations, strategies and initiatives of selected countries' governments on labour related CSR/RBC¹. This would include recent legislation on due diligence on labour issues along global supply chains², initiatives, policies, including the labour chapters of trade and investment agreements and the National Action Plans on Business and Human Rights ;
- Analyse the differences between CSR/RBC practices/initiatives in the countries selected and those promoted in Japan from the policy and operative perspective.
- assess what are the challenges and opportunities to implement the CSR/RBC framework in response to the current economic disruption in the global supply chain as an approach to building back better after the pandemic.

Key Tasks:

In this assignment, the consultant will perform the following tasks:

1. Draft a report in English that maps out and analyse:
 - o CSR/RBC related actions and policies of the Japanese government, including labour related provisions of the draft National Action Plan (NAP) on Business and Human Rights to be published in 2020 and related clauses in trade and investment agreements, as well as possible legislation to Japanese MNEs;
 - o actions and policies adopted by selected countries regarding the labour aspect of CSR/RBC that reflect internationally recognised standards;;
 - o the policy and operative differences between CSR/RBC practices/initiatives and those promoted in Japan – i.e. comparative analysis or identification of interlinkage between labour CSR/RBC policies and actions adopted by selected countries and those by Japan (what are the main differences in terms of the policy approach; initiatives take the form of policies, NAP, Law, Decree, recommendations, mandatory vs voluntary, etc.?; is it sectoral oriented?; How is it enforced?; Who is involved in the drafting?; Which labour challenges are addressed? Which international CSR/RBC instruments are referred?)
 - o Policy recommendations for Japanese policy makers on how the CSR/RBC framework³ can guide the design and implementation of recovery interventions, initiatives and policies in response to COVID-19
2. Finalize the report in English by reflecting feedback provided by the ILO.
3. Prepare Japanese translations of the report in English.
4. Prepare a policy brief in Japanese and English based on the report with policy recommendations by gathering and reflecting voices of workers'/employers' organizations and other relevant stakeholders. The consultant is expected to prepare and hold a roundtable or individual interview sessions to obtain insights from a range of stakeholders including ILO's tripartite constituents and relevant partners.

¹ The countries can include Austria, Belgium, Denmark, EU, Finland, France, Germany, Italy, Luxembourg, Netherlands, Norway, Sweden, Switzerland, United Kingdom, United States, Australia and New Zealand.

² <https://www.business-humanrights.org/en/national-regional-movements-for-mandatory-human-rights-environmental-due-diligence-in-europe>

³ From the perspective of labour

Deliverables:

1. A methodological approach, a preliminary structure of the document and a time line.
2. A report that maps and analyses actions, initiatives, policies, regulations and/or legislation of the Japanese government and governments of selected countries with policy recommendations for Japanese policy makers in English.
3. Japanese translations of the report.
4. A policy brief and recommendations in English and Japanese based on the report prepared in Deliverable 2.

Confidentiality Statement:

All data and information received from ILO for the purpose of this assignment are to be treated confidentially and are only to be used in connection with the execution of these Terms of Reference (TOR). All intellectual property rights arising from the execution of these TOR are assigned to the ILO. The contents of written materials obtained and used in this assignment may not be disclosed to any third parties without the expressed advanced written authorization of the ILO and the abovementioned partner.

Duration of the Assignment, Contract Value and Payment:

To be discussed with the collaborator subject to the official regulations within the ILO.

Administration, Reporting and Coordination:

The contract for this assignment will be issued by ILO Office for Japan. The office space, equipment and other logistics arrangements in the course of the research will be organized and on the account of the contractor.

The contractor will report to the National Project Coordinator (NPC) of the RSCA project in Japan, who will be liaising closely with the Programme Manager in the ILO ROAP office in Bangkok.

Qualifications and Experience:

Individuals, teams of individuals, consulting/research firms or institutes are invited to apply as long as they meet the following criteria:

- Knowledge of the ILO's mandate
- Demonstrated ability to write and present clearly in English
- Command of Japanese is mandatory

Profile of the contractor

- Advanced education in economics, law, development studies, social science, business management or related field
- Experiences in research with respect to international labour standards and government policies
- At least 7 to 10 years of working experience in CSR and business and human rights

To apply, please send your latest CV to shinohara@ilo.org