**TERMS OF REFERENCES**

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| **Position:** | National Consultant on Judicial sector |
| **Project name:** | “Development Advisory Services”, 00042619 |
| **Contract type:** | Individual Contract (IC) |
| **Duty station:** | Home-based |
| **Duration:** | July 2018 – January 2019  |

**BACKGROUND:**

Since January 2018, the Supreme Court is engaged in the development of the comprehensive programs aimed at improving public trust into the judiciary. The programs address all aspects of justice delivery and focus on fairness, quality, efficiency, transparency and independence of individual judges.

The programs have been developed in cooperation with the international and national experts, specializing in the design and implementation of legal projects. To ensure successful implementation, Supreme Court set up the Project Management Office and Development Board for substantive and organizational oversight of programs.

Specifically, there are seven programs consisting of numerous projects. They are based on the comprehensive problem-oriented analysis and theory of change approach. The Supreme Court is currently seeking cooperation with wide range of stakeholders to ensure that programs are equipped with necessary expert and technical resources for effective implementation.

The current assignment is aimed at providing the Supreme Court with expert assistance in strategic development and implementation of key resulted oriented activities to trigger improvement in quality of justice delivery and policy making.

UNDP has supported important judiciary reforms, including improvement of judicial monitoring, 2014-2016, improving the transparency and accountability of the judiciary, 2009-2012 and introduction of the Institute of Mediation in Kazakhstan, 2012-2014. Considering the high priority of institutional reforms for the Government of Kazakhstan and their alignment with the Sustainable Development Goals (SDGs), and in particular with SDG 16, aimed at creating transparent, effective and accountable institutions, UNDP in Kazakhstan continues to support Kazakhstan's efforts to reform the judicial system.

**OBJECTIVE:**

The objective of this assignment is to provide high quality expertise to the Supreme Court of the Republic of Kazakhstan to support implementation of the new reform vision.

**SCOPE OF WORKS:**

An engaged national consultant within the Terms of Reference will delivery consultancy services in

implementation of key strategic programs of the Supreme Courte encompassing all aspects of the delivery of justice, most importantly selection of judges, public service-oriented courts, efficiency of justice, judges’ role in criminal/civil/administrative procedures, quality of judicial decisions, E-justice and communication strategy. More specifically, within the scope of work the potential national consultant is expected to:

* Develop database on relevant international standards for the Supreme Court on judicial independence and organization of justice delivery;
* Develop recommendations on the strategy for future judicial reform initiatives, based on international standards and design of two future development initiatives by data collection and analysis, development of theories of change, elaborating concrete activities, including their costing, and MNE framework;
* Support organization and implementation of 2 workshops on organizational development for the staff of the Department on Judicial Administration and the Academy of Justice;
* Support organization and implementation of the regional workshop to promote judicial leadership and engagement in developing vision and mission of the Kazakhstan judiciary;
* Set up and conduct evaluation procedures to assess interim and final results of reform programs commenced by the Supreme Court.

The National consultant will carry out tasks specified below and will report to the Programme Analyst of Governance Unit/UNDP Kazakhstan CO.

**DUTIES AND RESPONSIBILITIES**

The expert will fulfill the following duties:

* ensure quality of implementation of all activities;
* support interaction of all stakeholders in the reform effort;
* ensure interaction with other programs of the Supreme Court;
* support organization of events (round tables, conferences, seminars) held within the framework of the program;
* support preparation of relevant presentation materials;
* ensure smooth information flow between and communication;
* regularly report to UNDP CO in Kazakhstan and the Apparatus of the Supreme Court on progress in implementing this assignment.

**EXPECTED RESULTS:**

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| **Deliverables**  |  **Due Dates** | **Review and approvals required** |
| Database on relevant international standards for the Supreme Court on judicial independence and organization of justice delivery |  15 August 2018 | Programme Analyst/Head of Governance Unit / UNDP Kazakhstan CO |
| Report and recommendations on the strategy for future judicial reform initiatives and two future development initiatives by data collection and analysis, development of theories of change, elaborating concrete activities, including their costing, and MNE framework | 28 September 2018 |
| Report about the 2 workshops on organizational development for the staff of the Department on Judicial Administration and the Academy of Justice | 31 October 2018 |
| Report on the regional workshop to promote judicial leadership and engagement in developing vision and mission of the Kazakhstan judiciary | 17 December 2018 |
| Methodology on evaluation of procedures to assess interim and final results of reform programs commenced by the Supreme Court and report on application of the methodology | 31 January 2019 |

A contract with a national consultant will be concluded with UNDP Kazakhstan in accordance with the approved UNDP individual contracting procedures. The payment will be made upon confirmation by the Programme Analyst of Governance Unit/UNDP Kazakhstan CO of the satisfactory delivery of the services specified in the TOR.

**INSTITUTIONAL ARRANGEMENT:**

* National consultant agrees the actions with the Programme Analyst/Head of Governance Unit;
* National consultant ensures the timely and rational planning, performance of works scope and achievement of deliverables according to the ToR;
* National consultant ensures unconditional performance of requirements of the Terms of References and Individual Contract;
* National consultant is responsible for quality of documents prepared as scheduled above;
* Final documents to be submitted in English language in MS Word (2007 or later). Used font: Calibri, size: 12. The presentations to be made in Power Point (2007 or later).

**DURATION OF THE WORKS:**

The Individual Contract (IC) is awarded for period of July 2018 – January 2019 to perform all expected deliverables as specified in the «Expected Results».

**DUTY STATION:** Home-based.

**COMPETENCIES**

Corporate competencies:

• Displays cultural, gender, religion, race, nationality and age sensitivity and adaptability;

• Shares knowledge and experience;

• Provides helpful feedback and advice;

• Displays strong analytical skills;

• Plans and produces quality results to meet established goals in a timely manner;

• Generates innovative, practical solutions to challenging situations;

• Conceptualizes and analyzes problems to identify key issues, underlying problems, and how they relate.

Functional competencies:

• Demonstrates substantive and technical knowledge to meet responsibilities and post requirements with excellence;

• Demonstrates strong oral and written communication skills;

• Demonstrates openness to change and ability to manage complexities;

• Responds positively to critical feedback and differing points of view.

• Demonstrates extensive research planning and implementation skills;

• Demonstrates commitment to human development principles and values;

**QUALIFICATIONS OF THE SUCCESSFUL INDIVIDUAL CONTRACTOR**:

Academic Qualifications/Education:

* Master’s degree or equivalent in social sciences, law, political sciences, international development, international relations, economics or another related field.

Experience:

* At least 15 years of professional experience in judicial sector;
* Proven experience in developing strategic documents and initiatives in the field of Justice Sector Reform;
* Proven knowledge and strong understanding of the best international practice in Justice Sector Reform;
* Excellent knowledge of Kazakhstan legislation, overall development context and specifically institutional reforms in justice sector;
* Experience in designing and producing knowledge products in different formats is a requirement;

• Strong organizational, analytical, research, data gathering and writing skills;

* Prior involvement in similar studies, consultancies;
* Experience with the UN or international organizations is an asset.

Language skills:

* Excellent command of oral and written English and Russian. Kazakh is an asset.

**SCOPE OF PRICE PROPOSAL AND SCHEDULE OF PAYMENTS**

The financial proposal in KZT shall specify a total lump sum amount, and payment terms around specific and measurable (qualitative and quantitative) deliverables (i.e. whether payments fall in instalments or upon completion of the entire contract). Payments are based upon output, i.e. upon delivery of the services specified in the TOR. To assist the requesting unit in the comparison of financial proposals, the financial proposal will include a breakdown of this lump sum amount.

Payment will be made in installments after the submission of the required reports by each deliverable, upon approval and signing certification of payment by the Programme Analyst/Head of Governance Unit.

**RECOMMENDED PRESENTATION OF OFFER**

The following documents to be attached to the Offer:

1. Duly accomplished Letter of Confirmation of Interest and Availability using the template provided by UNDP;
2. Personal CV and/or UNDP P11, indicating all past experience from similar projects, as well as the contact details (email and telephone number) of the Candidate and at least three (3) professional references;
3. Brief description of why the individual considers him/herself as the most suitable for the assignment;
4. Financial Proposal that indicates the all-inclusive fixed total contract price, supported by a breakdown of costs, as per template provided;

**CRITERIA FOR SELECTION OF THE BEST OFFER**

1. Individual consultants will be evaluated based using *cumulative analysis approach -*  the award of the contract should be made to the individual consultant whose offer has been evaluated and determined as:

*a) Responsive/compliant/acceptable, and*

*b) Having received the highest score out of a pre-determined set of weighted technical and financial criteria specific to the solicitation:*

*\* Technical Criteria weight: 70%*

*\* Financial Criteria weight: 30%*

**APPROVAL**

**This TOR is approved by**:

Signature

Name and Designation Konstantin Sokulskiy, Programme Analyst/Head of Governance Unit

Date of Signing 10.07.2018