

## TERM OF REFERENCE (ToR) FOR THE RECRUITMENT OF INDIVIDUAL CONTRACTOR (IC)

### GENERAL INFORMATION

<b>Services/Work Description:</b>	Recruitment of Consultant to deliver trainings and create awareness for the formal and informal justice providers in Gambella regional Government
<b>Project/Program Title:</b>	<b>Community Safety and Access to Justice</b>
<b>Post Title:</b>	National Consultant (NC)
<b>Consultant Level:</b>	<b>Level C</b> (Senior Specialist- Two National ICs)
<b>Duty Station:</b>	Addis Ababa with travel to Gambella and Mizan
<b>Expected Places of Travel:</b>	<b>Gambella and Mizan</b>
<b>Duration:</b>	40 working days distributed in 2 months
<b>Expected Start Date:</b>	Immediately after Signing the Contract

### I. BACKGROUND / PROJECT DESCRIPTION

The Ethiopian rule of law system is multifaceted. A mixture of civil and common law is used as well as formal and customary laws and practices. There are strong differences among regions both in terms of development indicators and capacity. Socio-economic and political indicators (along with Ethiopia's achievements in international relations and diplomacy) clearly indicate that the government is striving to ensure and maintain accountability and uphold rule of law in the country through different institutions and organizations like the Ethiopia Human Rights Commission (EHRC), Office of the Ombudsman, and the Attorney General. These institutions and the entire organs of justice are contributing their part to ensure accountability and the rule of law are upheld in the country.<sup>1</sup> However, rule of law institutions is still facing lack of strong and accountable human and material capacities, sometimes inconsistent decisions making in relation to the rule of law and lack of good governance. Due to issues related to capacity, low enforcement and other constraints, there is investment into this crucial sector. This has left institutions with even with less capacity.

The fact that refugee and host community governance systems function in parallel of each other poses questions around (cost)-effectiveness, triggers frustration and affects overall rule of law. It is essential that justice is served, and security ensured both in and out of camp, that customary and formal rule of law mechanisms within the refugee and host community are strengthened, increasingly coordinated and cohesive to be able to advance a smooth and peaceful transition towards the successful implementation of the Government Nine Pledges.

<sup>1</sup><http://www.ethpress.gov.et/herald/index.php/editorial-view-point/item/2386-opportunities-and-challenges-for-good-governance-in-ethiopia>

Assessments<sup>2</sup> point out that capacity is lacking throughout the camp governance structures, including in relation to knowledge on Ethiopian laws and human rights, women and children's rights; weak case management and follow up on cases. Zonal Courts, RCC and Shurta report having a tremendous amount of work. The Shurta is at times frustrated due to the risky nature of their work that they perform on a voluntary basis without necessary training, skills.

In response to the above-mentioned challenges, a joint project which is being implemented by UNDP, UNHCR, UNFPA, UNICEF, UNWEOMEN with government counter parts including Agencies for Refuges and Returnees Affairs (ARRA), the Regional Supreme Court, Attorney General of Gambella Region, Region Police Commission, Women, Children and Youth Affairs of Gambella is undergoing in the region.

UNDP through its CSAJ project invests in existing mechanisms including strengthening and respecting the current local state and non-state institutions, including customary structures in the camp and host communities. The project will in principle not foresee new offerings or services but rather focus on strengthening and or expanding the scope what is already there and improving coordination, collaboration and referral among and between formal and traditional and camp and host community institutions. The training aims building their capacity, help identify gaps in each institution and create the field to work together.

## **II. Purpose and Scope of the Consultancy**

The purpose of this consultancy is to facilitate a training for 417 participants from formal justice provider institutions like the police, Justice offices who are under the Attorney General, all Courts under the Regional Supreme Court of Gambella and the Informal and Customary Justice providers in all the project Districts, Refugee Camps and Host Community Sub-Districts/Kebeles/.

In its scope the training is expected to cover 8 round, 5 days training on topics that include Human Right, Refugee Protection, Family Law, Women, Youth and Children Rights, Property ownership/Right, Customary grievance hearing /Alternative Dispute Resolution. The training sites are expected to be in Addis Ababa, Gambella and Mizan reaching relevant institutions in the targeted districts of the project.

## **III. EXPECTED RESULTS AND DELIVERABLES**

After completing the training, participants /institutions in the targeted project districts/kebeles will be:

- Equipped with knowledge and capacity on basics of human right;
- Identify gaps of the formal, informal and customary grievance hearing mechanisms and fill with human right sensitive approach;
- know Refugee protection laws, means and institutional capacities;
- Aware of Women, youth and Children rights
- Develop action plans for concrete actions at their respective institutions and the refugee and host community.

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<sup>2</sup> Access to Justice Gambella, Mission Report, Division of International Protection, UNHCR Geneva, March 2015; Access to Justice Gambella, Assessment, Division of International Protection, UNHCR Geneva, November 2015; Camp Security Gambella, assessment, UNHCR DESS/FSS and DIP, June 2016; Police and Camp Security Assessment Gambella, United Nations Global Focal Point on police, October 2017.

No.	Deliverables / Outputs	Estimated Duration to Complete	Review and Approvals Required
1.	Inception report outlining methodology and approach for the assignment and the presentation and adoption of plan to UNDP CSAJ Project Team Leader	3 days	CSAJ Project Coordinator/Governance Specialist/ GCD Unit Team Leader
2.	Training material preparation	5 days	CSAJ Project Coordinator/Governance Specialist/ GCD Unit Team Leader
3.	Training Delivery for 5 days, 8 rounds, for 417 participants Deliver basics of Ethiopian Family Law, property rights and ownership	30 days	CSAJ Project Coordinator/Governance Specialist/ GCD Unit Team Leader
4.	Training report that include initial participant knowledge assessment of the topics and improvement made after the training with their commitment and readiness to the action plan drawn by them selves	2 days	CSAJ Project Coordinator/Governance Specialist/ GCD Unit Team Leader
5.	Total No of Days	<b>40 Working days</b>	

### III. INSTITUTIONAL ARRANGEMENT / REPORTING RELATIONSHIPS

- a. The consultant will be engaged by UNDP and will be directly supervised on the day to day basis by the Governance Unit of UNDP and The RoL project Manager at the field office;
- b. The CASJ Project TL will be the focal point for the consultant for the overall delivery of the tasks, and as such the consultant shall work collaboratively with the TL. The consultant will meet regularly with the TL, the UNDP Programme Specialist and other members of the team as well as the RoL project Manager to review progress and make joint decision on any issue;
- c. UNDP will cover per diem and transportation costs for participants and costs of training venue;
- d. The consultant is responsible to all costs including preparation of training materials, travel to and from Gambella and woredas (air and land transportation) and per diem to deliver the full package training to and from all the training sites**

## V. **QUALIFICATIONS OF THE SUCCESSFUL INDIVIDUAL CONTRACTOR (IC)**

### a. **Education:**

- Advanced University Degree in Law

### **Experience:**

- A minimum of five years of experience in delivering trainings on the above topics
- Experience as a Judge, public prosecutor, Lecturer at Universities and who knows the refugee protection law and context especially South Sudanese Refugee context and the Gambella town host community context
- Experience in mainstreaming gender equality and human rights in analysis
- Have legal license to practice law or Training consultancy firm who gives similar trainings;
- Strong experience in participatory training tools
- Must provide a renewed license, VAT registered and provide government tax clearance document for this fiscal year

### b. **Language:**

- Excellent knowledge of English and Amharic language, including the ability to set out a coherent argument in presentations and group interactions;
- Additional knowledge of either of the Gambella region would be an advantage
- Capacity to communicate fluently with different stakeholders (civil society, government authorities, local communities, project staff)

### c. **Functional Competencies:**

- Ability to build strong relationship with clients, focuses on impact and results for the client and responds positively to the feedback;
- Approaches the work with energy, positive and constructive attitude
- Ability to anticipate and manage the needs and interests of multiple stakeholders and balance often contradictory expectations from stakeholders and actors;
- Excellent public speaking and presentation skills
- Computer skills: full command of Microsoft applications (word, excel, PowerPoint) and common internet applications will be required

### d. **Core Competencies:**

- Demonstrates integrity by modelling the UN's values and ethical standards
- Promotes the vision, mission, and strategic goals of UNDP;
- Displays cultural, gender, religion, race, nationality and age sensitivity and adaptability
- Treats all people fairly without favouritism;
- Fulfils all obligations to gender sensitivity and zero tolerance for sexual harassment.

## VI. DURATION OF THE WORK<sup>3</sup>

- a. The consultancy is for a period of 40 working days excluding travel days within a period of 40 days. Tentatively, it is expected that all key results would be delivered before October 10, 2019.
- b. The consultancy is expected to start by immediate
- c. Any submitted document from the consultant to UNDP will be reviewed within 5 working days
- d. This is an important priority to the CSAJ project and thus no delay is accepted except by a force major, any possible delay or change of plan from the consultant must be discussed and agreed with UNDP.

## VII. PAYMENT MILESTONES AND AUTHORITY

The qualified consultant shall receive his/her lump sum service fees upon certification of the completed tasks satisfactorily, as per the following payment schedule:

Instalment of Payment/ Period	Deliverables or Documents to be Delivered	Approval should be obtained	Percentage of Payment
1 <sup>st</sup> Instalment	Inception report outlining methodology and approach for the assignment and the presentation and adoption of plan to UNDP	UNDP	20 %
2 <sup>nd</sup> Instalment	Final report submitted, evaluated and feedback given	UNDP	80%
<b>Total</b>			<b>100%</b>

## VIII. RECOMMENDED PRESENTATION OF TECHNICAL PROPOSAL

Interested consultants should submit cover letter expressing their interest and outlining their qualification and motivation for the consultancy together with CV and brief proposal on the methodology and approach for the assignment to the UNDP.

## IX. CONFIDENTIALITY AND PROPRIETARY INTERESTS

The Individual Consultant shall not either during the term or after termination of the assignment, disclose any proprietary or confidential information related to the consultancy service without prior written consent. Proprietary interests on all materials and documents prepared by the consultants under the assignment shall become and remain properties of UNDP.

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<sup>3</sup> The IC modality is expected to be used only for short-term consultancy engagements. If the duration of the IC for the same TOR exceeds twelve (12) months, the duration must be justified and be subjected to the approval of the Director of the Regional Bureau, or a different contract modality must be considered. This policy applies regardless of the delegated procurement authority of the Head of the Business Unit.