



INDIVIDUAL CONSULTANT PROCUREMENT NOTICE

NATIONAL CONSULTANT

REF NO: UNDP/ROL/Traditional Formal Justice System Expert /027/2019

Date: 7 August 2019

Duty Station: Monrovia, Liberia

Description of the assignment: Traditional/ Formal Justice System Expert.

Project Name: Recruitment of a National Consultant to as Traditional Formal Justice Systems Expert

Application Deadline: **Wednesday, August 21, 2019**

Duration: 40 WORKING DAYS over a period of two months (August/September 2019)

Starting date: IMMEDIATE

Contract type: Individual Contractor (National)

Languages: English

Proposals should be submitted at the following address: by email to bids.lr@undp.org

(Please include procurement notice number in the subject area) no later than **Wednesday, August 21, 2019**. Any request for clarification must be sent by standard electronic communication to the address or e-mail indicated below: info.lr.procurement@undp.org

UNDP will respond by standard electronic mail and will send written copies of the response, including an explanation of the query without identifying the source of inquiry, to all consultants.

1. BACKGROUND

Despite the huge progress made over the years, the formal system remains constrained by dysfunctional systems, corruption, nepotism and favouritism that continue to undermine public trust and confidence. Bad system also include limited capacity of police to sufficiently collect evidence, cumbersome jury trial procedures, short-court terms, limited logistical capacity to bring witnesses and victims to appear in court, poor capacity of public defenders to hold peers to account, high absenteeism rates of judicial actors during court terms, rudimentary and flawed case management and tracking systems, and lack of accountability for performance the high fees, bribery, the perceived lack of transparency. In recent years, much work and international support has gone into improving the formal

justice system: recruiting and training of judges, magistrates, prosecutors and public defenders; renovating court buildings; and regularizing salaries. But the benefits of these reforms have so far been slow to trickle down to ordinary Liberians, especially those beyond the capital city, Monrovia. In the absence of strong oversight mechanisms, there are no guarantees that corrupt practices will change. Rural Liberians pursue justice almost entirely through traditional means. According to the Public Perceptions of Liberian Justice and Security Institutions February 2019 conducted by Peacebuilding Office Liberia Institute of Statistics & Geo-Information Services supported UNDP and OHCHR, most Liberians still preferred informal justice system, the mechanism for resolving conflicts.

In the effort to support the government of Liberia, the UNDP/OHCHR Joint Programme aims to strengthen the Government of Liberia in its efforts to build a society based on the principles of rule of law, human rights and justice. The programme is geared towards enhancing the capacities of, and public confidence in, rule of law institutions, as well as strengthening access to justice and security, especially for women and girls. These interventions are designed with a view to ensuring sustainability and linking activities to 'system-level' policy development.

Support is designed to be catalytic, increasing public confidence in the sector, strengthening state-society relations and creating an enabling environment for development. As such, the programme is oriented around the following four mutually reinforcing interventions:

- Capacity of justice and security institutions strengthened, and linkages forged
- Civil society contribution to rule of law and community access to justice enhanced
- Gender responsiveness of justice, security and legislative actors strengthened and women and girls' access to justice and security improved
- Capacity of key actors and stakeholders to monitor progress and results in rule of law development increased

UNDP is seeking suitable candidates for the position of Legal Expert to commission a study on society on how Liberians use the formal as well as the informal justice systems and the outcomes they have achieved. The Expert will be under the guidance and direct supervision of the Chief Technical Advisor/Programme Manager - Rule of Law and is expected to work with Ministry of Internal Affairs and the traditional counsel.

2. SCOPE OF WORK, RESPONSIBILITIES AND DESCRIPTION OF THE PROPOSED ANALYTICAL WORK

Under the direct supervision of the Chief Technical Advisor/Programme Manager - Rule of Law and in coordination with the Ministry of Internal Affairs and the traditional counsel, the Legal Expert will be responsible for the follows:

- Develop methodology and methods for the overall study
- Hold consultative meeting/conduct interview with local Government officials, traditional Justice actors, CSOs and community leaders
- Categorize crimes, penalties and punishments under the formal and informal systems

- Provide clarity between the relationship of the formal justice system and informal system and show case the impact on the role and demands place upon the informal mechanisms
- Study how traditional institutions handle cases before them in seven selected counties, how records are made and kept, what procedural rules are applied, what decisions are handed down and how decisions are enforced.
- Hold consultative meetings with justice actors to provide information on the types of decisions or outcome of these processes and the effectiveness of the resolutions/sentences within the informal justice system depending on nature of cases (including specifically cases of gender violence or other gender related subjects)
- Hold meeting with the community dwellers to gather community perceptions (including children, women and marginalized/excluded groups) about the ways in which informal mechanisms constrain and/or facilitate their ability to claim their rights

IV. Deliverables

- In close conjunction with the MIA, Traditional Counsel as well as UNDP and OHCHR, develop inception report which should include a literature review which includes interface between the formal and informal justice systems and methodology and conduct inception meeting. (4 days, 10%)
- Conduct consultations and interviews with stake holders and litigants, and field visits (seven selected counties) to observe traditional dispute processes and make empirical assessments: Submission of completed research template(20 days, 40%)
- Compile reports containing research findings and present same to stake holders for feedback: Draft provided and presented during validation workshop (8 days, 30%)
- Submission of final report in publishable quality (8 days, 20%)

IV. Impact of Results

With the Aim at further strengthening the legal system, UNDP and OHCHR intend to support the government of Liberia in increasing public confidence in the sector, strengthening state-society relations and creating an enabling environment for development. In assisting to map out why most Liberians preferred the frequent used the informal system to the informal will provide answer many questions and gathered community perception for future planning. Most communities outside the capital heavily rely on a customary system, both in the settlement of disputes and for the provision of security.

In trying to deliver the needed support, it is observed that the important link between theory and practice cannot be ignored in the process and care will have to be taken in order to reduce unexpected challenges and avoid insurmountable difficulties. it is hoped that the support will help to strengthen the legal system.

3. REQUIREMENTS FOR EXPERIENCE AND QUALIFICATIONS

VI. Recruitment Qualifications

Education: Bachelor's degree or equivalent, in Law

Experience:

A minimum of 7 years of progressive experience in Research and training

Extensive experience in the design, management and implementation of justice and security sector reform processes and/or capacity development initiatives

Experience of working in government institute CSO as well as traditional leaders and justice actors, CSO and local community

Extensive experience of working with formal and informal system and academic institutions

Knowledge of the Liberian legal system constitutes an advantage

Knowledge of UN/UNDP procedures, rules and regulations for project/programme implementation constitutes an advantage

Language Requirements:

Fluency in English, including excellent writing skills.

4. DOCUMENTS TO BE INCLUDED WHEN SUBMITTING THE PROPOSALS.

CRITERIA FOR SELECTING THE BEST OFFER

Interested individual consultants MUST submit the following documents/information to demonstrate their qualifications by email ONLY to bids.lr@undp.org :

1. Technical Proposal:

- (i) Explaining why they are the most suitable for the work
- (ii) Provide a brief methodology on how they will approach and conduct the work

2. Financial proposal

3. Personal CV including past experience in similar projects and at least 3 references

5. FINANCIAL PROPOSAL

- **Lump sum contracts**

The financial proposal shall specify a total lump sum amount, and payment terms around specific and measurable (qualitative and quantitative) deliverables (i.e. whether payments fall in installments or upon completion of the entire contract). Payments are based upon output, i.e. upon delivery of the services specified in the TOR. In order to assist the requesting unit in the comparison of financial proposals, the financial proposal will include a breakdown of this lump sum amount (including travel, per diems, and number of anticipated working days).

6. EVALUATION

Individual consultants will be evaluated based on the following methodology:

Cumulative analysis

When using this weighted scoring method, 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%*

Only candidates obtaining a minimum of 70 points over 100 would be considered for the Financial Evaluation

ANNEX

ANNEX 1- TERMS OF REFERENCES (TOR)

ANNEX 2- INDIVIDUAL CONSULTANT GENERAL TERMS AND CONDITIONS