

Terms of Reference



Empowered lives.
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GENERAL INFORMATION

Title: National Consultant for Developing and Delivering Training Programme for Judges

Project Name: Global Maritime Crime Programme

Reports to: Programme Coordinator for Southeast Asia and the Pacific) and UNODC Indonesia Country Manager

Duty Station: Home -Based

Expected Places of Travel: Medan, Yogyakarta, Makassar, Balikpapan. UNODC will arrange the travel of its consultants including booking their tickets and transfer their per-diem.

Duration of Assignment: 40 working days within July – November 2020

REQUIRED DOCUMENT FROM HIRING UNIT

	TERMS OF REFERENCE
5	CONFIRMATION OF CATEGORY OF LOCAL CONSULTANT, please select: (1) Junior Consultant (2) Support Consultant (3) Support Specialist (4) Senior Specialist (5) Expert/ Advisor CATEGORY OF INTERNATIONAL CONSULTANT, please select: (6) Junior Specialist (7) Specialist (8) Senior Specialist
✓	APPROVED e-requisition

REQUIRED DOCUMENTATION FROM CONSULTANT

✓	Completed technical proposal
✓	Completed financial proposal
✓	Filled out and duly signed P11 form with 3 referees
✓	Copy of education certificate

Need for presence of IC consultant in office:

☐ partial (explain): The contractor will be homebased during his/her consultancy. No requirement to attend daily to the office. However, to be available for any meeting requested by the supervisor.

☐ intermittent (explain):

☐ full time/office based (needs justification from the Requesting Unit)

Provision of Support Services:

Office space: ☐ Yes ☒ No

Equipment (laptop etc.): ☐ Yes ☒ No

Secretarial Services ☐ Yes ☒ No

If yes has been checked, indicate here who will be responsible for providing the support services: < Enter name>

I. BACKGROUND

The UNODC Global Maritime Crime Programme (GMCP) supports member states to respond to maritime crime challenges. As part of this work, the GMCP provides expert legal and academic advice through events including capacity building events and printed documentation related to the specialist area of maritime crime and maritime law.

One of Indonesia's greatest challenges and priorities is ensuring that its vast maritime domain is safe, secure from crime threats and viable to ensure economic activity. With a variety of on-water interdicting agencies, investigation becomes complex especially when there is a lack of coordination. The prosecution of maritime crime in Indonesia is another challenge. The diversity of maritime law enforcement entities possess arrest powers deriving from different laws and which are applicable to different offences and in different jurisdictions. This makes the prosecution of maritime criminal cases for prosecutors more complex.

While Indonesia benefits from judicial development cooperation from bilateral partners, there is a need to improve maritime crime-specific judicial skills. Indonesia needs a leading group of judges who are proficient in maritime law and the nuances of maritime criminal law to ensure the on-water interdictions lead to sound legal dispositions.

While significant work is ongoing to support the development of the criminal justice system, there is room to build supplementary specialized knowledge around maritime law and maritime crime. Through opportunities for joint activities with maritime law enforcement actors, procedures and collaboration can also be improved to ensure that perpetrators of maritime crime does not avoid legal sanctions because of deficient investigation, prosecution and adjudication.

In June 2019, the UNODC GMCP published second edition of a manual, "Maritime Crime: A Manual for Criminal Justice Practitioners". It outlines legal regimes and practical considerations related to maritime jurisdictions, maritime law enforcement powers, various maritime crimes (piracy, drugs trafficking, smuggling of migrants, terrorism at sea) and operational tasks such as evidence collection at sea. The manual will be translated into Bahasa Indonesia and will be used as a training for Indonesia's judges, prosecutors and legal advisors.

II. SCOPE OF WORK, ACTIVITIES, AND DELIVERABLES

Scope of Work

The purpose of this assignment is to support the UNODC GMCP in the development and delivery of high-quality training on maritime and maritime crime law for judges.

Specific task to be performed by the national consultant:

Under the supervision of Programme Coordinator UNODC of GMCP for Southeast Asia and the Pacific and overall supervision of the County Manager of Indonesia, the consultant will carry out the following activities:

- *Development of a training module for Judges on domestic and international maritime law*

The national consultant will be required to lead the development of the training module on domestic and international maritime law. She/he will use the UNODC GMCP second edition manual "Maritime Crime: A Manual for Criminal Justice Practitioners" as the main reference when developing the training module. In addition, she/he will refer to relevant national laws, regulations, and international maritime law. The module will examine jurisprudence on this subject from other countries with similar legal heritage. The training will incorporate a strong focus on drafting judgements. When necessary, she/he can also work with judges/lecturers from the Training and Education Center of Judges.

The consultant needs to submit the first draft of the module for supervisor review and inputs. The first draft will contain at least objectives and outputs of the training, table of content of the module

and training methodologies will be used. Final training module will be submitted in Bahasa Indonesia and English incorporating the inputs from supervisor and also appointed judges/lecturers from Training and Education Center for Judges.

- *Conduct four trainings to judges on domestic and international maritime law.*

As lecturer, the consultant will lead the delivery of four trainings on domestic and international maritime law. A maximum of 25 participants will be participating per training event. Furthermore, the consultant, when requested by UNODC GMCP, will give inputs regarding the participants that will be invited to attend the training events.

- *Report on Training Delivery.*

The consultant will prepare and submit four training reports following the completion of all four training events. The report will contain the number of participant (disaggregated by gender), the delivery of the training and the process, highlights and observations, inputs from participants and recommendations. Template for the report will be provided by UNODC GMCP.

Expected Outputs and Deliverables

- Training module on domestic and international maritime law is developed. Training module is submitted in English and Bahasa Indonesia;
- As lecturer, conduct four training events targeted to 100 judges; and
- Develop and submit four training reports on four training events delivered following the completion of the training events.
- A final report on four training events conducted. Submitted in English and Bahasa.

III. WORKING ARRANGEMENTS

Institutional Arrangement

The consultant will perform its work under the supervision and report directly to the Regional Programme Coordinator of Southeast Asia and the Pacific of the Global Maritime Crime Programme of UNODC. In addition, the UNODC Country Manager of Indonesia will provide overall guidance and supervision to the consultant. Additional support will be provided under the guidance of National Programme Officer of Global Maritime Crime Programme.

Duration of the Work

40 working days within July – September 2020

Deliverable	Description of task (deliverable)	Working days	To be accomplished by	Reviewed and Monitored By
A	- Training Module on Domestic and International Maritime Law for judges. Submitted in English and Bahasa Indonesia	22	September 2020	NPO GMCP; Regional Programme Coordinator GMCP.
B	- Results of pre and post-test and training evaluation form from four training programme for 100 Judges are analyzed.	12	October 2020	NPO GMCP; Regional Programme Coordinator

				GMCP.
C	Draft four training reports on training events conducted. Submitted in English and Bahasa.	4	November 2020	NPO GMCP; Regional Programme Coordinator GMCP.
D	Final report on four training events conducted. Submitted in English and Bahasa.	2	November 2020.	NPO GMCP; Regional Programme Coordinator GMCP.

Travel Plan

UNODC will arrange the travel of its consultants including booking their tickets and transfer their per diem.

Location	Number of days	Frequency
Medan	3	1
Yogyakarta	3	1
Makassar	3	1
Balikpapan	3	1

Duty Station

The consultant will be home based during this consultancy with periodic meetings in UNODC offices as requested.

IV. REQUIREMENTS FOR EXPERIENCE AND QUALIFICATIONS

Academic Qualifications:

- Master's degree in law.

Years of experience:

- Minimum of 8 years of relevant experience in developing and delivering training modules for the judiciary or prosecutors.
- Extensive experiences in applying adult learning methodologies.
- Proven experience in dealing with law enforcement agencies from various cultural backgrounds.

Competencies and special skills requirement:

- Demonstrated ability to work in harmony with person of different ethnicity and cultural background;
- Ability to work under pressure and handle multi-tasking situations; and
- Excellent English and national language written and spoken skills;
- Strong motivation and good team player.

V. EVALUATION METHOD AND CRITERIA

Individual consultant 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 point would be considered for the Financial Evaluation

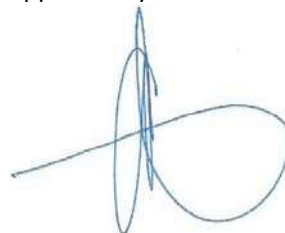
Criteria	Weight	Maximum Point
<u>Technical</u>		
Criteria A: qualification requirements as per TOR:	60%	60
1. Master degree in Law.	20 %	20
2. Minimum of 8 years of relevant experience in developing and delivering training modules for the judiciary or prosecutor.	20 %	20
3. Extensive experiences in applying adult learning methodologies.	15%	15
4. Proven experience in dealing with law enforcement agencies from various cultural backgrounds.	5%	5
Criteria B: Brief Description of Approach to Assignment.	40%	40
• Understand the task and applies a methodology appropriate to the task as well as strategy in a coherent manner.	15%	15
• Important aspects of the task addressed clearly and detailed.	15%	15
• Logical, realistic planning for efficient project implementation.	10%	10
Criteria C: N/A	-	-

Prepared by



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Approved by



Collie Brown
Country Manager