
TERM OF REFERENCE (ToR)

GENERAL INFORMATION

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| Services/Work Description: | National Consultant for Senior Researcher on Transitional Justice and Reconciliation for Ethiopian Reconciliation Commission (ERC) |
| Project/Program Title: | Governance and Democratic Participation Programme |
| Post Title: | Senior Researcher on Transitional Justice and Reconciliation (National) |
| Consultant Level: | C |
| Duty Station: | Addis Ababa, Ethiopia |
| Duration: | Four months |
| Expected Start Date: | Immediately after signing the contract |

I. BACKGROUND / PROJECT DESCRIPTION

In 2018, Ethiopia undertook a serious reform following the coming to power of the Prime Minister Dr. Abiy Ahmed. In addition to lifting the state of emergency; the Prime Minister has taken a number of legal and administrative reforms in the country. The establishment of the national reconciliation commission under the proclamation no. 1102/2018 is one of these significant achievements of the Prime Minister.

The Ethiopian Reconciliation Commission (ERC) was formally established in February 2019 consisting of 41 prominent individual members appointed by the parliament upon recommendation of the Prime minister. The Commission has three years of mandate out of which one year is dedicated to preparation and strategic plan development as well as the installation of necessary infrastructure for reconciliation, data gathering and further investigation. The commission has also organized itself in to five main standing committees and the chairs of these committees constitute the executive committee of the reconciliation added up with the chair and vice chair of the commission appointed by the parliament upon recommendation of the Prime Minister.

In order to enable the ERC to collect testimonies and provide reparations to citizens who have suffered injustices, it will need to partner with local actors who are present at community level throughout the country. Traditional authorities in Ethiopia are the custodians of restorative and reparatory customary justice systems which work in complement to the statutory justice system. Traditional authorities also enjoy the respect of and are perceived as being legitimate actors by their communities to provide redress and compensation when crimes are committed. Therefore, traditional authorities represent a local capacity for reconciliation which the ERC can capitalize on. Research needs to be carried out to determine how compatible the different traditional dispute resolution mechanisms are with international best practices on truth and reconciliation, identify the

gaps, and provide policy recommendations to the ERC for capacitating traditional authorities to support its work.

To ensure the successful implementation of the above-mentioned vision and initiatives, the Ethiopian Reconciliation Commission, with financial and technical support from UNDP-Ethiopia, is seeking to recruit a Senior Researcher on Transitional Justice and Reconciliation on a short-term basis who will be stationed in the Ethiopian Reconciliation Commission Secretariat. The UNDP support fall under our ongoing Inclusive Governance and Democratic Participation Programme.

II. OBJECTIVES OF THE CONSULTANCY

The main objectives of the consultancy are to determine how compatible the different traditional dispute resolution mechanisms are with international best practices on truth and reconciliation, identify the gaps, and provide policy recommendations to the ERC for capacitating traditional authorities to support its work.

The Senior Researcher on Transitional Justice and Reconciliation will be responsible for delivering a policy recommendation to the ERC on how traditional authorities in Ethiopia can support the Truth and Reconciliation process in line with international best practices and laws.

III. Functions / Key Results Expected

Summary of Key Functions:

The appointed consultant will be involved in all PR, media, and communication plans, and follow up implementations, such as managing content of website, through preparation for the events (discussion forum, public debate. etc.) to creating short report on media conferences organized by the ERC.

He/She will be under the supervision of the Chair of the Ethiopian Reconciliation Commission and have an administrative reporting line to the UNDP Peacebuilding and Reconciliation Advisor.

The Senior Researcher on Transitional Justice and Reconciliation will undertake the following activities:

- 1) Produce a synthesis of studies of traditional dispute resolution mechanisms in Ethiopia and subsequently.
- 2) Draft policy recommendations for ERC on how to traditional dispute resolution mechanisms and authorities can assist the ERC in its truth seeking, transitional justice and reconciliation mandate.
- 3) Conduct a joint research on "Reconciliation and Transitional Justice in Ethiopia" with ISS to identify key issues/debates/ approaches on national reconciliation efforts in Ethiopia and explore international best practices which offer insights and policy relevant lessons on enhancing current processes.
- 4) In coordination with the Ethiopian Human Rights Commission, produce a report mapping of historical gross human rights violations in Ethiopia from 1974 up until 2010, listing their source and causes with recommendations of where the ERC could start its investigations.

Specific deliverables:

- (Work with the International Expert on Transitional Justice to produce) Transitional Justice and Reconciliation training package for the ERC secretariat and commissioners.

- Report briefly documenting the different traditional dispute resolution mechanisms in Ethiopia, analysing how compatible they are with international best practices on truth and reconciliation, identifying the gaps, and providing policy recommendations on how they could support the work of the ERC to collect testimonies and provide redress to victims.
- Jointly with ISS produce a report on international best practices in Truth and Reconciliation with policy recommendations on which ones are most relevant for the Ethiopian context. *Research questions: What are the key approaches and mechanisms for national reconciliation efforts in Ethiopia? What lessons and insights international best practices offer in enhancing different aspects of national reconciliation efforts in Ethiopia?*
- Mapping and data base of contacts of the different traditional authority representatives in Ethiopia.
- Presentation of findings to specialized audience in Ethiopia (donors, UN, INGOs, justice and rule of law actors, academics, etc).
- (Work with the International Expert on Transitional Justice to produce) Policy on Transitional Justice for Ethiopia specifying the role traditional authorities.
- Report mapping of historical gross human rights violations in Ethiopia up until 2010, their source and causes with recommendations of where the ERC should start its investigations. The mapping should be done via desk review and interviews of key informants (academics, experts).

Partners support and coordination:

- Collaborate with International Expert on Transitional Justice hired by UNDP to support the ERC.
- Collaborate with academic institutions and I/NGOs who have produced research on traditional dispute resolution systems and authorities in Ethiopia (IPSS, ISS, LPI, PDC, RVI).
- Collaborate with the Regional Councils, Regional Security Bureaus and Regional Culture Centers.
- Collaborate and share data with UNDP and other actors involved in the Justice Sector assessment.

Knowledge Management, Communication and Outreach:

- Mapping and data base of contacts of the different traditional authority representatives in Ethiopia.
- Presentation of findings to specialized audience in Ethiopia (donors, UN, INGOs, justice and rule of law actors, academics, etc).
- Ensure that all materials produced are translated in English and Amharic and available on the website of the ERC.

IV. Impact of Results

The key results of the consultant are expected to have an impact on the overall work of the Ethiopian Reconciliation Commission creating a better understanding of its mandate and work as well as establishing the basis for it to carry out its investigations, collect testimonies and provide reparations. As such, the consultant's professional input should result in improved operational capacity of the ERC to initiate the phase of collection of testimonies and investigations into past crimes.

V. Competencies

Corporate Competencies:

- Demonstrates integrity by modelling the UN's values and ethical standards;
- Promotes the vision, mission and strategic goals of UNDP;
- Displays cultural, gender, religious, race, nationality and age sensitivity and adaptability;
- Treats all people fairly without favouritism.
- Understand Ethiopian Government Policies and strategies and demonstrate value to the same.
- Promote the vision mission strategic goals of the ERC and demonstrate integrity by modelling the ERC values.

Core Competencies:

- Creates new and relevant ideas and leads others to implement them;
- Models high professional standards and empowers team members to innovate and deliver;
- Understands personal and team roles, responsibilities and objectives;
- Gains trust of peers, partners, and clients by demonstrating substantive and technical abilities including presenting authoritative advice to partners and other stakeholders.

Functional/ Technical Competencies:

- Excellent leadership, coordination and relationship building skills;
- Current knowledge of development issues, strategies, as well as programming policies and procedures in international development cooperation;
- Proven ability to conceptualize, innovate, plan and execute ideas, as well as to impart knowledge and teach skills;
- Demonstrated engagement with diverse donors and development partners;
- An effective and energetic team player, with the ability to work in a multidisciplinary and multicultural environment;
- Strong self-motivation and innovative skills, with capacity to work independently and meet deadlines.

Client Orientation:

- Ability to anticipate and manage the needs and interests of multiple stakeholders and balance often contradictory expectations from national partners;
- Works towards creating an enabling environment for a smooth relationship between the clients and service providers.

Analytical Abilities:

- Knowledge of conflict and peacebuilding concepts and the ability to apply to strategic and/or practical situations;
- Knowledge of the interaction between political actors, political processes and peace in a society, including the impact of power distribution on political stability and economic outcomes;
- Capacity to assess scope of request for advisory services, prepare detailed TORs, regular brief and engage and support a variety of technical consultants; assess quality of services provided by technical consultants and make recommendations as might be required

Partnership and Networking:

- Engages and fosters strategic partnerships with other stakeholders and UN agencies, funds and programs;
- Shares UNDP knowledge and activities (at UN and other venues)

Innovation, Outreach and Communication:

- Communicates within and at large, participates in peer communities and engages substantively;
- Makes the case for innovative ideas, documenting successes and building them into the design

of new approaches and tools;

- Demonstrates effective presentation and report-writing (both in English and Amharic), and strong analytical and strategic skills.

Gender and Institution Development:

- Demonstrates knowledge of systems and tools for gender mainstreaming;
- Applies gender dimension to strategic and/or practical situations, including analysis of projects from a gender perspective;
- Demonstrates knowledge of Women's Rights and Political participation/empowerment issues and concepts and applies these in strategic and/or practical situations.

Teambuilding:

- Works effectively with diverse groups of professionals towards common goals;
- Able to manage different personalities and motivate others while ensuring team coordination and spirit;

VI. Required Qualifications

Education:

Advanced university degree (PhD or master's degree) in above in the field transitional justice, conflict resolution, mediation, anthropology, international relations or related studies;

Experience:

A minimum of at least ten years of relevant work experience, with at least five years in a senior role in the international development sector.

- A minimum of 10 years of experience with a proven professional record in working in the field of transitional justice, truth and reconciliation, peacebuilding and/or traditional dispute resolution systems.
- An experience on working, writing, reporting, researching or facilitating training on transitional justice, peace and conflict issues is an advantageous.
- A specialized knowledge transitional justice, reconciliation and traditional dispute resolution systems in Ethiopia is preferred.
- Willingness to travel as and when required;
- Able to work both independently and within teams;
- Able to work under pressure; and
- Excellent oral and written communication and reporting skills
- Experience working in Ethiopia and knowledge of Ethiopia's political historical development and current situation
- Experience in liaising and engaging different stakeholders in a complex environment and in managing partners expectations;
- Experience in designing and implementing, capacity building initiatives
- Experience working within a UN agency and/or other international organizations would be added advantage,
- Experience in the use of computers and office software packages, including experience in handling web- based management platforms and systems; and
- Familiarity with web publishing and interactive social media

Language requirements:

Fluency in English and Amharic.

VII. INSTITUTIONAL ARRANGEMENT / REPORTING RELATIONSHIPS

The IC will be based at the Ethiopian Reconciliation Commission Secretariat. Functionally, s/he will be reporting to the Chair of the ERC and to the Governance Team Leader, and closely working with the Peacebuilding and Reconciliation Adviser within UNDP.

VIII. DURATION OF THE ASSIGNMENT¹

The engagement of the IC will be for four months.

IX. CRITERIA FOR SELECTING THE BEST CANDIDATE

Applicants are expected to submit their CVs, Academic credentials, Work Certifications, Produce Two sample publications on peace and conflict related issues; and any other relevant credentials.

Qualified Individual Consultants (ICs) are expected to submit both the Technical and Financial Proposals. The technical proposal should include how the IC will deliver the expected key deliverables listed below. The financial proposal should show how the IC's proposed rate by deliverables and spread over 12 months.

The following criteria will be followed in selecting the best candidate.

| Criteria | Weight | Max. Point |
|--|---|------------|
| Technical Competence (based on Credentials and technical proposal) | 70% | |
| Criteria a. [Experience and skills mix] | | 20 |
| Criteria b. [Methodology for undertaking assignment] | | 40 |
| Criteria c. [Motivation] | | 10 |
| Financial (Lower Offer) | 30% | |
| Total Score | Technical Score (70%) + Financial Score (30%) | |

X. ETHICAL CONSIDERATIONS, CONFIDENTIALITY AND PROPRIETARY INTERESTS

- The consultant needs to apply standard ethical principles during the course of the evaluation. Some of these must deal with confidentiality of interviewee statements when necessary, refraining from making judgmental remarks about stakeholders.
- The 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 by the contracting authority. Proprietary interests on all materials and documents prepared by the consultants under this assignment shall become and remain properties of ERC and of UNDP.

XI. DELIVERABLES

- A short monthly brief report on progress be submitted to UNDP Peacebuilding and Reconciliation Advisor.
- A report documenting the different traditional dispute resolution mechanisms in Ethiopia, analyzing how compatible they are with international best practices on truth and reconciliation,

¹ 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.

identifying the gaps, and providing policy recommendations on how they could support the work of the ERC to collect testimonies and provide redress to victims.

- A report on international best practices in Truth and Reconciliation with policy recommendations on which ones are most relevant for the Ethiopian context
- A mapping and data base of contacts of the different traditional authority representatives in Ethiopia.
- A presentation of findings to specialized audience in Ethiopia (donors, UN, INGOs, justice and rule of law actors, academics, etc).

XII. PAYMENT TERMS

- Payment will be made on monthly basis based on the report submitted and accepted by UNDP.

XIII. ANNEXES TO THE ToR

- Existing literature or documents that will help Offeror 's gain a better understanding of the assignment and the work required would be provided as annex to the ToR, especially of such literature or documents are not confidential.

XIV. HOW TO APPLY

Interested consultant with required qualification and experience must submit their applications **through:**
<https://etendering.partneragencies.org> UNDP/ETH10/Event ID: **ETH1634**

XV. 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.

TECHNICAL PROPOSAL COVER PAGES

Cover Page

Cover Letter

SECTION I. TECHNICAL PROPOSAL SUBMISSION FORM

- 1.1 Letter of Motivation
- 1.2 Proposed Methodology
- 1.3 Past Experience in Similar Consultancy and/or Projects
- 1.4 Implementation Timelines
- 1.5 List of Personal Referees
- 1.6 Bank Reference

SECTION II. ANNEXES

Annex a. Duly Signed Offeror's Letter to UNDP Confirming Interest and Availability (use the template hereto)

Annex b. Duly Signed Personal CV's