



TERMS OF REFERENCE **FOR INDIVIDUAL CONTRACT**

POST TITLE: Judicial Integrity Consultant
AGENCY/PROJECT NAME: UNDP Bangkok Regional Hub
COUNTRY OF ASSIGNMENT: Home-based, no travel required
Max 180 working days, 19 October 2020 – 30 September 2021

A. Project Title

Judicial Excellence to ensure Justice for All: *Judicial Integrity Network in ASEAN*

B. Project Description

The 2030 Agenda for Sustainable Development emphasizes the critical role of well-functioning justice systems for sustainable development, particularly through Sustainable Development Goal 16 on Peaceful, Just and Inclusive Societies, which include targets like ensuring equal access to justice for all, reducing corruption and bribery, ensuring access to information, and building effective, accountable and inclusive institutions at all levels. Goal 16 is seen as an ‘enabler’ goal (SDG 16+), as peace, justice and strong institutions are all fundamental elements for accelerating progress towards other SDGs and guaranteeing that no one is left behind.

Judiciaries which uphold high standards of integrity and enjoy public trust are the cornerstone for ensuring equal access to justice for all; they are essential in combatting corruption and ensuring accountability. Accordingly, in 2018 UNDP, with support from the US Bureau of International Narcotics and Law Enforcement Affairs, [launched the Judicial Integrity Network in ASEAN](#) in partnership with the judiciaries of Indonesia, Malaysia, Philippines and Thailand. The initiative is aimed at fostering transparency, promoting integrity and increasing public trust through exchange of good practices and peer-to-peer learning.

In the period of implementation between 2017-2019 the project achieved successful results:

- In response to the need of guidance identified by the network members, UNDP and the [International Consortium for Court Excellence](#) produced the [Judicial Integrity Checklist](#), a tool specifically designed to complement the International Framework for Court Excellence (IFCE). The objective of the checklist is to support judiciaries in taking active steps to promote transparency, integrity and accountability within their courts, as part of the broader quality management systems.
- The [tool was piloted in Malaysia](#) and the [experience](#) was shared with the network members at the [Second Meeting](#) organized in March 2019, to reflect on the benefits of its implementation, as well as to identify areas for improvement both in the tool per se and its implementation. Following the conclusion for the self-assessment, UNDP provided technical assistance to incorporate the recommendations and implement the improvement action plan.

In its second phase (2019-2021) the project seeks to continue the peer-to-peer knowledge exchange, strengthen and institutionalize the network and develop collaboration with ASEAN bodies like the Council of ASEAN Chief Justices (CACJ), the ASEAN Intergovernmental Commission on Human Rights (AICHR) and the International Association of Women Judges (IAWJ).

Finally, the initiative seeks opportunities to involve more and more women judges and experts in the network, as well as bring the topic of gender balance and gender inclusion as a way to positively affect judicial integrity, openness and fairness of the courts.

The outbreak of the COVID-19 pandemic has affected the way in which knowledge is exchanged and consultations are held among Network members, with a shift towards online webinars and production of studies and guidance documents to be made available widely.

C. Scope of Work

The International Consultant will lead the regional activities of the *Judicial Integrity Network in ASEAN*, particularly in relation to research, engagement with Network members (knowledge exchange and consultations) and Network management.

✓ Research

The consultant will work mainly on two themes for which members of the Network has expressed interest and need for guidance:

1) Challenges and opportunities of new technologies for judicial integrity: The consultant will develop a knowledge product analysing the increasing trend of digitalization and use of new technologies in the judiciary. This trend was already at the centre of the recent *Global Judicial Integrity Network High Level Meeting*, earlier this year, and it was accelerated by the outbreak of covid-19 pandemic. The application of new technologies to courts operations can, on one side, be an opportunity to accelerate digitalization, with courts shifting operations online, utilizing digital platforms and Artificial Intelligence (AI), and to explore “open justice” application. Nevertheless, new challenges emerge (for example in terms of risks to transparency, fair trial, accessibility to the technologies, demeanour of witnesses) and guidance needs to be developed to ensure that the core values of the [Bangalore Principles of Judicial Conduct](#) are upheld and citizen’s access to justice is not hindered.

The consultant will develop a product with an overview of the main challenges and opportunities that new technologies bring to judicial integrity globally, based on the current debate and existing articles, publications, blogs, followed by a deep dive on the judiciaries in the ASEAN region. The report will be informed by the case studies collected in the background paper “[Justice in times of covid-19, Measures and responses](#)” which gathered the inputs received by the Courts of Indonesia, Malaysia, Philippines and Singapore, in occasion of the ‘[Justice in Times of COVID-19](#)’ Webinar (May 2020). The consultant will be required to research other case studies from judiciaries members of the *Judicial Integrity Network in ASEAN*, analyse trends and highlight good practices.

2) Gender and judicial integrity: The consultant will conduct research on the intersection between gender equality and judicial integrity, and specifically how to address phenomena such as sexual harassment, sextortion and bullying in the courts. More broadly, ensuring that courts provide equal opportunities for both women and men at every level of judiciaries is a key judicial integrity issue. The Bangalore Principles of Judicial Conduct do not address explicitly these phenomena and little guidance have been provided to date. The consultant will develop a background paper to inform brainstorming, generate discussion, engage in consultations on ways to address this topical issue with members of the Network, which will turn into actions in courts in the region.

The consultant will be responsible of the process from drafting an initial concept note to producing the final draft, conducting consultations with members of the Network and collecting inputs from courts and judiciaries that are part of the Network, as relevant.

✓ Network members engagement

The consultant will lead the engagement of the Network members on the themes above mentioned, from their conceptualization to the organization of informative and consultative sessions, including through the [Judicial Integrity Network Webinar Series](#). The sessions organization includes the identification of the speakers, preparatory meetings and follow-up activities (i.e. dissemination of material). The webinars and online consultative sessions can either be an opportunity to collect data to feed into the knowledge products, or be a platform to present and disseminate the research findings.

✓ Network management

In coordination with the team in UNDP Bangkok Regional Hub (BRH) and the Network Advisory Group, the consultant will support Network management activities, including organization of consultations and joint events

with partner organizations, such as the Council of ASEAN Chief Justices (CACJ), International Association of Women Judges (IAWJ) and the Global Judicial Integrity Network (GJIN). The consultant will also support, as needed, Members' consultations on the set-up of the Network secretariat.

D. Expected Output and Deliverables

	Output	Review and Approvals Required
Research	<p>a. Challenges and opportunities of new technologies for judicial integrity: The consultant will develop a knowledge product analysing the increasing trend of digitalization and use of new technologies in the judiciary.</p> <p>b. Gender and judicial integrity: The consultant will conduct research on the intersection between gender equality and judicial integrity, and specifically how to address phenomena such as sexual harassment, sextortion and bullying in the courts.</p>	<p>Project Specialist Transparency & Accountability and Programme Advisor on Governance, Rule of Law, Access to Justice and Human Rights</p>
Engagement with Network members (knowledge exchange and consultations)	The consultant will lead the engagement of the Network members on the themes above mentioned, from their conceptualization to the organization of informative and consultative sessions, including through the Judicial Integrity Network Webinar Series.	
Network management	In coordination with the team in UNDP Bangkok Regional Hub (BRH) and the Network Advisory Group, the consultant will support Network management activities, including organization of consultations and joint events with partner organizations, such as the Council of ASEAN Chief Justices (CACJ), International Association of Women Judges (IAWJ) and the Global Judicial Integrity Network (GJIN).	

*These outputs will be carried out in parallel

E. Institutional Arrangement

The consultant will report to the Project Specialist Transparency & Accountability and will work under the overall guidance of the Programme Advisor on Governance, Rule of Law, Access to Justice and Human Rights. The consultant will be paid upon submission and approval of monthly timesheets.

F. Duration of the Work

The period of the assignment will cover maximum 180 working days between 19 October 2020 – 30 September 2021.

G. Duty Station

The consultant will be home based with no travel required.

H. Qualifications of the Successful Individual Contractor

I. Academic Qualifications:

- Master's Degree, preferably in law, political science, or other relevant social science or development studies

II. Experience:

- At least 7 years of experience in the legal profession or as a judge, academic or international expert in judicial reforms
- Experience with research or development projects and programming in the area of court excellence, judicial integrity and gender equality in the judicial sector
- Knowledge of different judicial systems in the Asia-Pacific region would be an asset
- Experience working with international organizations in development context is considered as an asset

III. Language:

- Fluent in spoken and written English

IV. Competencies:

- Excellent communication and writing skills
- Demonstrated excellence in research and analysis
- Ability to work effectively as part of a team, despite being located remotely
- Ability to organize effectively online events
- Leadership to build strategic partnerships

I. Price Proposal and Schedule of Payments

Consultant must send a financial proposal based on **Daily Fee**. Consultant shall quote **an all-inclusive Daily Fee for the contract period**. The term "all-inclusive" implies that all costs (professional fees, communications, consumables, etc.) that could be incurred by the IC in completing the assignment are already factored into the daily fee submitted in the proposal. If applicable, travel or daily allowance cost (if any work is to be done outside the IC's duty station) should be identified separately. Payments shall be done on a monthly basis based on actual days worked, upon verification of completion of deliverables and approval by the IC's supervisor of a **timesheet indicating the days worked in the period** (which shall be in accordance with the monthly work plan agreed with the Project Manager).

In general, UNDP shall not accept travel costs exceeding those of an economy class ticket. Should the IC wish to travel on a higher class he/she should do so using their own resources

In the event of unforeseeable travel not anticipated in this TOR, payment of travel costs including tickets, lodging and terminal expenses should be agreed upon, between the respective business unit and the Individual Consultant, prior to travel and will be reimbursed.

Travel costs shall be reimbursed at actual but not exceeding the quotation from UNDP approved travel agent. The provided living allowance will not be exceeding UNDP DSA rates.

J. Recommended Presentation of Offer

Interested individuals must submit the following documents /information to demonstrate their qualification, experience and suitability to undertake the assignment. **All supporting documents (a-g) must be part of the detailed CV and uploaded as one document**

- a) Duly accomplished Letter of Confirmation of Interest and Availability using the template provided by UNDP;
- b) Personal CV or 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;
- c) Brief description of why the individual considers him/herself as the most suitable for the assignment (motivation letter);

- d) Description of the proposed methodology for the research assignments described under session C: Scope of work;
- e) Writing samples demonstrating their writing skills, research, and analytical work;
- f) Financial Proposal that indicates the all-inclusive fixed total contract price supported by a breakdown of costs, as per template provided (in USD currency);
- g) Highest Educational Certificate.

Incomplete proposals may not be considered. Only shortlisted candidates will be considered for the interview.

K. Criteria for Selection of the Best Offer

Individual consultants will be evaluated based on the **Cumulative analysis**. The award of the contract shall 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 set of weighted technical criteria (70%) and financial criteria (30%). Financial score shall be computed as a ratio of the proposal being evaluated and the lowest priced proposal received by UNDP for the assignment. Only shortlisted candidates will be considered for the interview.

Technical Criteria for Evaluation (Maximum 70 points)

- **Criteria 1 Education:** Master's Degree, preferably in law, political science, or other relevant social science or development studies (Maximum 10 points);
- **Criteria 2 Experience:** At least 7 years of experience in the legal profession or as a judge and/or international expert in judicial reforms and in research projects and writing samples (Maximum 15 points);
- **Criteria 3 Methodology:** Proposed methodology for the research assignments (20 points);
- **Criteria 4 Interview:** to assess experience, competencies and ability to contribute to the team needs (Max 25 points).

Only candidates obtaining a minimum of 70% of the total technical points would be shortlisted and considered for the interview and the financial evaluation.

L. Annexes to the TOR

Useful background on the *Judicial Integrity Network* project include:

- The *Judicial Integrity Network in ASEAN* project documents: [Phase 1](#) (2017-2019), [Phase 2](#) (2019-2021)
- [Measures and Responses, Country Overviews](#): Background document for [Justice in Times of COVID-19 Webinar](#)
- [Judicial Integrity Network in ASEAN Inception Meeting](#), March 2018
- [Judicial Integrity Network in ASEAN Second Meeting](#), March 2019