
TERM OF REFERENCE (ToR)

GENERAL INFORMATION

Services/Work Description:	National Consultant Senior Expert to develop the Legal Framework for The Secretariat of the House of Peoples' Representatives
Project/Program Title:	Governance and Democratic Participation Programme
Post Title:	National Consultant
Consultant Level:	Level C (Senior Specialist)
Duty Station:	Addis Ababa
Duration:	15 days
Expected Start Date:	Immediately after Signing the Contract

I. BACKGROUND

Among the many key institutions that guarantee citizen's participation and engagement are Democratic Institutions (DIs). Due to the need to strengthen the ability and capability of these Democratic Institutions to discharge their constitutional mandates, supporting measures have been taken in the past including establishment of a Forum that meets twice a year. Similar type of Democratic Institutions Forum (DIF) has also been launched in all regional states, under the support of the Governance and Democratic Participation Programme (GDPP).

The HoPR along the countrywide reforms has begun to revitalize its institutional reform and establish mechanisms in order to make the initiative more effective and sustainable. One of the major areas of reform includes to strengthen its scrutiny and oversight role. A gap that has been identified is, that the House conducts its oversight functions on all government institutions -including over the Democratic Institutions - using similar mechanisms. Whereby, there is no formal or separate mechanism that the House uses to provide support or conduct oversight on these Democratic institutions and institutions (watchdog institutions) that are directly accountable to it - often considered as its arm.

The institutions that are directly accountable to the House include: Federal Auditor General, Ethiopian Human Rights Commission, Federal Anti-Corruption Commission, Ethiopian Broadcast Authority, National Electoral Board, Institution of the Ombudsman, Ethiopian Broadcast Corporation, Ethiopian News Agency and the Ethiopian Press Agency.

With this background, the House of Peoples' Representatives through its secretariat Office, expressed its interest to request recruiting a short-term Individual Consultant that would support the preparation and compilation of an Oversight Standard, together with an ad-hoc committee established for this purpose, by the mentioned institutions. The ad-hoc committee established by drawing members from the above listed institutions which are accountable and report to the House.

II. KEY DELIVERABLES OF THE CONSULTANCY

The main objective of this assignment is to design an Oversight framework/procedure that will govern the relationship between Democratic Institutions and HoPR including a mechanism on how the House may utilize the investigation reports of these institutions through a legal-analysis framework approach. This consultancy service has the following specific objectives:

- Analyse the current relationship between Democratic Institutions and HoPR;
- Analyse other country experiences on the relationship between Democratic Institutions and HoPR and how other parliaments conduct oversight over such institutions;
- Develop a framework/procedure on which the House can provide support and conduct oversight on Democratic Institutions;
- Facilitate discussion on the draft framework with Stakeholders;
- Prepare an end of assignment report including lessons learned and any recommendations;

III. Functions / Key Results Expected

Key Functions:

- Analysing the existing documents produced by the Democratic Institutions Forum including the initial Memorandum of Understanding (MoU), draft operational guideline among the Democratic institutions and regulation/guideline for the forum members;
- Providing technical assistance to the established ad-hoc committee drawn from each Democratic Institutions for the purpose of the assignment;
- Compiling all inputs and contributions of the committee Members as well as other country experiences and draft a complete document in the 15-day period;
- Drafting/preparing an Oversight Framework/Standard document between the House & the Democratic Institutions in Amharic;
- Preparing an end of assignment report including lessons learned and any recommendations;

IV. Competencies

Corporate Competencies:

- ☐ Demonstrates integrity by modelling the UNs core values and ethical standards;
- ☐ Promotes the vision, mission, and strategic goals of the UN;
- ☐ Displays cultural, gender, religious, racial, nationality and age sensitivity;

Functional Competencies:

Knowledge Management and Learning

- ☐ Promotes a knowledge sharing and learning culture;
- ☐ In-depth knowledge on issues of governance in general and media in particular;
- ☐ Ability to effectively engage with senior officials and advocate and provide policy advice;

Development and Operational Effectiveness

- ☐ Result oriented: ability to apply results-based management and reporting;
- ☐ Ability to analyse emerging trends, institutional and governance issues and present practical and actionable proposals and recommendations;

- ❑ Ability to provide evidence-based professional advice and to develop strategic policy options and proposals;
- ❑ Ability to effectively engage and maintain partnerships with key stakeholders;

Management and Leadership

- ❑ Focuses on impact and results for the client and responds positively to feedback and guidance;
- ❑ Understands and applies appropriate team roles effectively and shows conflict resolution skills;
- ❑ Consistently approaches work with energy and positive and constructive attitudes;
- ❑ Demonstrates strong oral and written communication skills;
- ❑ Builds strong relationships with clients and external partners and actors;
- ❑ Remains calm, in control and diplomatic even under pressure;
- ❑ Demonstrates ability to manage complexities and to deliver under pressure;

V. Required Qualifications

Education:

- Advanced law degree with at least 10 years of experience in legal research and preparing legal documents;
- Sound understanding of the Ethiopian Federal Constitution, Parliamentary democracies and the work of other Democratic Institutions;

Experience:

- At least 10 years for LLM, and 12 years with LLB Degree of experience in law and legal research;
- Experience in working in multi-stakeholders' environment;
- Experience in the usage of computers and office software package (MS Word, Excel, etc.);
- At least 10 years of professional work experience in law- rendering services in research, preparing legal documents, consultancy setting;
- Strong understanding of and analytical skills in law related issues, and parliamentary and Democratic Institutions' work;
- Ability to thrive in fast-moving, start-up environment with emphasis on high-performance, teamwork, accountability and results;
- Ability to build relationships with all kinds of people;
- Strong set of personal values including integrity, honesty and desire to be of public service;

Language requirements: Fluency in English and Amharic.

VI. INSTITUTIONAL ARRANGEMENT / REPORTING RELATIONSHIPS

The IC will be based in Addis Ababa. Functionally, s/he will be reporting to the Chairperson of the ad-hoc Technical Committee of the Democratic Institutions of the House. The reports on achievement of the expected deliverables and performance of the IC will be submitted to the Governance Team Leader within UNDP for performance appraisal purpose and to trigger payment of professional fee.

VII. DURATION OF THE ASSIGNMENT

The engagement of the IC will be for a maximum of 15 days.

VIII. CRITERIA FOR SELECTING THE BEST OFFER AND CANDIDATE

Upon the advertisement of the Procurement Notice, interested Consultants are expected to submit both Technical and Financial Proposals. An Individual Consultant will be evaluated based on Cumulative Analysis as per the following scenario:

- Responsive/compliant/acceptable, and
- Having received the highest score out of a pre-determined set of weighted technical and financial criteria specific to the solicitation. The respective weight of the proposals is as follows:
 - a. Technical Criteria weight is **70%**
 - b. Financial Criteria weight is **30%**

Selection Criteria:

Criteria	Weight	Max.
Point Technical Competence (based on CV, proposal & Interview (if required))	70%	100
• Criteria a: Minimum educational background	20	
• Criteria b: Experience in similar assignments such as research, preparing briefs/proceedings/reports in the area of law and/or constitutional issues	20	
• Criteria c: Quality of Proposal (understanding the Scope of Work and comprehensiveness of the Approach & Methodology)	15	
• Criteria d: Analytical and writing/communication Skills	15	
Financial (Lower Offer/Offer *100)	30%	30
Total Score= Technical Score *70% + Financial Score * 30% =100%		

IX. PAYMENT MILESTONES AND AUTHORITY

Payment will be made by UNDP at once at the end of the short-term consultancy assignment and achievement of all expected deliverables that specified in this ToR, which should be verified in writing by the partner – in this case the Secretariat of the House of Peoples' Representatives;

Key milestones	Payment plan
Achieving and delivering all the expected deliverables as stipulated in the ToR	100%

X. RECOMMENDED PRESENTATION OF TECHNICAL PROPOSAL

Interested consultants with the required qualification and expertise must submit the following documents/information to demonstrate their qualification and experience:

1. Technical Proposal explaining why the applicant is the most suitable candidate for the work and providing a brief methodology on how they will approach and conduct the work (including a break-down of working days). The applicant must attach CV including experience in similar projects and at least 3 references;
2. Financial proposal, all included, such as professional fee, communication costs

RECOMMENDED PRESENTATION OF TECHNICAL PROPOSAL

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 /P11

XI. ETHICAL CONSIDERATIONS, CONFIDENTIALITY AND PROPRIETARY INTERESTS

- The consultant needs to apply standard ethical principles during the consultancy assignment. Some of these must deal with confidentiality of statements of stakeholders and/or participants in the process of constitutional interpretation, when necessary; refraining from making judgmental remarks about stakeholders and participants.
- 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 the Secretariat of the House of Peoples Representatives (HoPRs).

XII. HOW TO APPLY

Interested consultant with required qualification and experience must submit their applications **through:**

<https://etendering.partneragencies.org> UNDP/ETH10/Event ID: **ETH1863**