



Terms of Reference (ToRs) for the Recruitment of a Consultant to Conduct Training for Judges on Professional Ethics

GENERAL INFORMATION

Services/Work Description: Recruitment of a consultant to conduct training on professional ethics for judges

Project/Program Title: Interim Support for Justice Sector Institutions

Post: National Consultant

Duty Station: Addis Ababa

Duration: 25 Working Days

Expected Start Date: Immediately after Signing the Contract

I. BACKGROUND / PROJECT DESCRIPTION

Since April 2018 the Government of Ethiopia has launched a series of bold and comprehensive reforms in the country. New initiatives aimed at broadening democratic participation, strengthening justice and the rule of law, creating accountable systems of governance have been undertaken. Legislative and Institutional reforms have been introduced in the justice system. Legislative reforms include the revision of the Charities and Societies Proclamation, Electoral Laws, the Anti- Terrorism Proclamation, Federal Courts Proclamation, the Judicial Administration Commission Proclamation, the Media Law, Criminal Procedure and Evidence Code and new legislation on Hate Speech. The Federal Supreme Court revised the Federal Courts Establishment Proclamation and the Judicial Administration proclamations. Institutional changes were made through the appointment of new leadership and structural changes. The Prison Administration and Federal Police Commissions were set-up under the structures of Attorney General and the (newly established) Ministry of Peace, respectively. Direct administration of non-judicial staff of the Federal Supreme Court as opposed to previous arrangement under the Civil Service Commission has been approved by the parliament and transition is underway.



Justice sector institutions are mainly entrusted with the responsibility of ensuring respect for the rule of law, protection of human rights and delivery of justice to citizens. Coordination, collaboration, and harmonization of efforts among justice institutions is an important factor that contributes to the achievement of the goals of the justice sector reform. At Federal level, the Justice Sector Steering Committee (JSSC/ Abiy (Main in Amharic) Committee) comprising of the Federal Supreme Court, the Office of the Attorney General, the Federal Police Commission, the Addis Ababa Police Commission and the Federal Prison Administration, has developed a 'Common Agenda of Institutions of Justice', with a view to carrying out justice related operations in a coordinated manner. The Common Agenda outlines issues of common concern across the justice sector institutions. The Common Agenda is expected to be translated into a Comprehensive Justice Sector Program which will be implemented as of January 2022. The Interim Support to the JSSC focuses on implementing short term activities. Among these activities is a capacity building on professional and judicial ethics for Judges.

The FDRE constitution states that the nation will be built on the community founded on the rule of law. The judiciary has an indispensable role to play in efforts to maintain rule of law in the country. As such, it is when the judiciary is independent at an institutional and individual level that it can best accomplish its role of upholding the rule of law and dispensing justice. Judges are expected to manifest highest moral standard and integrity and to observe generic as well as judicial ethical standards in handling parties and proceedings. As part of its reform program, the Federal Supreme Court developed a Judicial Code of Conduct and provided training on the content of the Code of Conduct. In 2021/22 the FSC announced its priority focus to be on re-enforcing judicial accountability. This among others, require continuous capacity building of judges on professional and judicial ethical standards.



Therefore, the United Nations Development Programme (UNDP) in partnership with the JSSC, is commissioning assignment on capacity building activities for judges on professional and judicial ethics. To this end, UNDP is recruiting a consultant to prepare training module and conduct two rounds of training on professional and judicial ethics for judges.

II. OBJECTIVES OF THE SERVICE / WORK

The primary objective of this assignment is to build the capacity of judges in observing professional and ethical standards. The assignment also aims at: -

- Ensuring effective justice delivery through the observance of ethical standards;
- Strengthening judicial accountability with the end goal of upholding the rule of law.

III. SCOPE OF THE WORK

The scope of the consultancy work will cover the following: -

- Prepare and present an inception report consisting of a detailed work plan and methodology on the development of the training module and delivery of training.
- Develop the training module paying due regard to the comments and feedbacks shared on the inception report.
- Provide two rounds of the professional ethics training for judges.

IV. EXPECTED OUTPUTS AND DELIVERABLES

No.	Deliverables / Outputs	Estimated Duration to Complete for each consultant in days	Review and Approvals Required
i.	Inception Report (preparation, presentation to Focal Persons Committee, & incorporating comments)	6	Focal Persons Committee
ii.	Training module (preparation, presentation to Focal Persons Committee, & incorporating comments)	15	



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iii.	Conduct two rounds of training	4	
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Unless otherwise provided, all deliverables shall be produced in **Amharic**.

V. INSTITUTIONAL ARRANGEMENT / REPORTING RELATIONSHIPS

The consultant has dual reporting responsibility to the chair of the JSSC and UNDP.

VI. DURATION OF THE WORK

The overall consultancy period for all activities is 25 working days

VII. METHODOLOGY

- The consultant is expected to prepare the training module encompassing the main international and national legal instruments and documents related to judicial code conduct, federal judicial code of conduct, and in consultation with relevant justice sector institutions
- The training shall be practical as much as possible by, among other things, incorporating practical case studies.
- The training is expected to be delivered by adopting adult training methodology.

VIII. QUALIFICATIONS

Functional Competencies:

- In-depth understanding of domestic as well as international legal frameworks on professional ethics and integrity for judges and judicial independence and accountability;
- In depth understanding of the Ethiopian legal and judicial systems;
- Sizable experience in preparing training manual and delivering training for senior officials.
- Good communication and presentation skills;
- Good assessment and analytical skills;
- Be a team player and ability to work/liaise with various counterparts.

Core Competencies: -

- Exhibits professionalism;
- Demonstrates integrity by modelling UN's values and ethical standards;
- Promotes the vision, mission, and strategic goals of UNDP;
- Displays cultural, gender, religion, race, nationality and age sensitivity and adaptability
- Treats all people fairly without favoritism;



- Fulfills all obligations to gender sensitivity and zero tolerance for sexual harassment.

Education

- Minimum Master's degree in law.

Experience

- Minimum of ten years professional experience in the substantive area with considerable experience as a judge, preferably in federal courts.
- Extensive relevant experience in teaching, training and training manual preparation.

Language Requirements

The consultant shall demonstrate proficiency in **English and Amharic**.

Important Note:

Only the applicants who hold the above qualifications will be shortlisted and contacted.

IX. CRITERIA FOR SELECTING THE BEST OFFER

Upon the advertisement of the Procurement Notice, qualified Individual Consultant is expected to submit both the Technical and Financial Proposals. Accordingly; the 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. In this regard, the respective weight of the proposals is:
 - a. Technical Criteria weight is **70%**
 - b. Financial Criteria weight is **30%**

Criteria	Weight	Max. Point
Technical Competence (based on CV, Proposal and interview (if required))	70%	100
<ul style="list-style-type: none"> ▪ Criteria a. Understanding the Scope of Work (SoW); comprehensiveness of the methodology/approach; and organization & completeness of the proposal 		50 pts*
<ul style="list-style-type: none"> ▪ Criteria b. Expertise in the areas of assignment including previous experience and team composition 		20 pts



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Financial (Lower Offer/Offer*100)	30%	30
Total Score	Technical Score * 70% + Financial Score * 30%	

X. PAYMENT MILESTONES AND AUTHORITY

The prospective consultants will indicate the cost of services for each deliverable in US dollars' **all-inclusive lump-sum contract amount** when applying for this consultancy. The consultant will be paid based on the effective UN exchange rate (where applicable), and only after approving authority confirms the successful completion of each deliverable as stipulated hereunder.

The qualified consultant shall receive his/her lump sum service fees upon certification of the completed tasks satisfactorily, as per the following payment schedule:

Installment of Payment/ Period	Deliverables or Documents to be Delivered	Approval should be obtained	Percentage of Payment
1 st Installment	Upon submission, presentation and approval of Inception Report		30%
2 nd Installment	Upon submission, presentation and approval of the Training modules.	"	30%
3 rd Installment	Upon delivering the training in two rounds.	"	40 %

XI. RECOMMENDED PRESENTATION OF TECHNICAL PROPOSAL

For purposes of generating quotations whose contents are uniformly presented and to facilitate their comparative review, prospective Consultant are given a proposed **Table of Contents**. Therefore, prospective Consultants Proposal Submission must have at least the preferred contents which are outlined in the IC Proposal Submission Form incorporated hereto.

XII. CONFIDENTIALITY AND PROPRIETARY INTERESTS



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. Proprietary interests on all materials and documents prepared by the consultants under the assignment shall become and remain properties of FSC.

These TORs are approved by:

Name: Shimels Assefa

Designation: UNDP, Democratic Governance and Peace Building Unit

Signature: Shimels Assefa

Date Signed: 25-Aug-2021

Name: Cleophas Torori

Designation: UNDP, Deputy Resident Representative (Programme)

Signature: Cleophas Torori

Date Signed: 27-Aug-2021

