



Terms of Reference

GENERAL INFORMATION

Services/Work Description:	National consultant to conduct professional ethics training for public prosecutors
Project/Program Title:	Interim support for Justice Sector Institutions
Post:	National Consultant
Duty Station:	Addis Ababa, Ethiopia
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 under the Civil Service Commission is 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 for prosecutors on professional and prosecutorial ethical standards.

The Attorney General is responsible for the protection of public and government interests, enforcing rule of law, and ensuring laws are respected. Public prosecutors are the primary officers of the Attorney General responsible for executing its powers and functions. The law that establishes the attorney general provides that public prosecution has to be governed by professional, institutional and public accountability and exercise transparency in order to win public trust. International and national ethical standards for public prosecutors requires prosecutors to seek justice within the bounds of the law, not merely to convict, to act with integrity, to pursue appropriate criminal charges of appropriate severity, to protect the innocent and convict the guilty, consider the interests of victims and witnesses, and respect the rights of all persons, including suspects and defendants. Capacity building on ethical standards is a prerequisite to ensure observance of these ethical standards and to establish accountability in case of breach.

Therefore, the United Nations Development Programme (UNDP) in partnership with the JSSC, is commissioning assignment on enhancing greater understanding for prosecutors on international and national ethical standards. To this end, UNDP is recruiting a consultant to prepare a training module and conduct trainings on professional and prosecutorial ethical standards for federal public prosecutors.

II. OBJECTIVES OF THE SERVICE / WORK

The primary objective of this assignment is: -

- Increasing awareness on applicable international and national standards for prosecutors;
- Strengthening the accountability of prosecutors in discharging their duties;
- Enhancing respect for human rights in the administration of criminal justice.



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 the training.
- Develop the training module incorporating international and regional practice, applicable national codes of conduct, and in consultation with relevant justice sector institutions.
- Provide two rounds professional ethics training for public prosecutors.

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	
iii.	Conduct two rounds of training	4	

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.

All logistical arrangement related to the training will be covered by UNDP and in case of any travel out side of duty station UNDP will cover.

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 manual in such way that it encompasses the main international and national legal instruments and practices related to prosecutors' code of conduct and professional ethics.
- The issues to be raised in the training shall as much as possible be practical by, among other things, incorporating practical case studies.
- The training is expected to be delivered by paying due regard for adult training methodology.



VIII. QUALIFICATIONS

Functional Competencies:

- In-depth understanding of domestic as well as international legal frameworks and practices on prosecutors' code of conduct and professional ethics.
- In depth understanding of the Ethiopian legal and judicial system
- Sizable experience in preparing training manual and delivering training.
- 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;
- Fulfils all obligations to gender sensitivity and zero tolerance for sexual harassment.

Education

- Minimum of Master's degree in law.

Experience

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

Language Requirements

The consultants shall demonstrate proficiency in English and Amharic.

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
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 ETB' **all-inclusive lump-sum contract amount** when applying for this consultancy. The consultants will be paid 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	UNDP	30%
2 nd Installment	Upon submission, presentation and approval of the Training modules .	"	30%
3 rd Installment	Upon delivering the training	"	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.



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
- 1.7 Academic Credentials

SECTION II. ANNEXES

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

Annex b. Duly Signed Personal CV's/P11 (use the template hereto) – use separate pdf file

Annex c. Financial Proposal–BREAKDOWN OF COSTS Template (use the template hereto) use separate pdf file

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.

XII. HOW TO APPLY

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

<https://etendering.partneragencies.org> UNDP/ETH10/Event ID: **ETH2921**