

## Call for Expression of Interest

### Legal Researcher for the development of East Africa Law: East Africa's Legal Resource and Human Rights Monitoring Centre

#### Introduction.

The East Africa Law Society in collaboration with the Raoul Wallenberg Institute of Human Rights and Humanitarian Law under the Regional Africa Programme (RAP) is implementing a project that seeks to strengthen implementation of human rights commitments in the East African region. The Project is based on the premise that if the human rights capacity of key regional institutions and related duty-bearers in the region is strengthened then development challenges, including those of a cross-border nature facing the region will be dealt with more effectively. The focus of the project is therefore to ensure that existing institutions and standards are effectively put to use to achieve heightened access to justice and respect for human rights.

Under the project, EALS will seek to build the capacities of the regional judicial system with a focus on the regional Court (East African Court of Justice) and national Courts discharging human rights mandate.<sup>1</sup> It will also undertake high level advocacy with the regional leadership to influence implementation of human rights commitments. The Society will also build the capacity of legal practitioners appearing before regional Courts to enhance quality of jurisprudence. It will also actively act as a resource centre to provide much needed information to members of the public on how to access and implement human rights.

#### Background and Rationale

The East African human rights system faces a myriad challenges emanating from increasing refusal by the region's leadership to respect existing standards, laws and even decisions of Courts (both national and regional). A recent study by the East Africa Law Society and other Partners under the Regional Africa Programme revealed that the region has some of the best laws and Court decisions. However when it comes to implementing these laws and Court decisions, the region lags behind with almost 50% of decisions by the East African Court of Justice going unimplemented. Though varying in levels per country, all East African countries were found to have failed to meet the minimum threshold.

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<sup>1</sup> The focus will be on among others enhanced implementation of decisions of regional Courts and increased implementation of commitments arising from national, regional and international human rights instruments.

Other results of the baseline revealed that regional and sub-regional courts are highly under-utilised owing to lack of knowledge of their existence and functions. Indeed, even in cases where the judicial bodies were utilized, there was palpable lack of effectiveness in their use by litigants owing to little understanding of their operational structures.

On this note the East Africa Law and other Partners under the Regional Africa Programme have undertaken to build capacities of Courts and Court users (including advocates, litigants and even Court officials) to effectively utilize existing judicial frameworks in the implementation of human rights commitments.

One of the focus areas in ensuring effective use of judicial systems is access to information. By enhancing access to information, more people will not only be aware of their rights but also the mechanisms for their enforcement.

On this premise, the East Africa Law Society seeks to build a free access interactive online resource centre to promote universal public access to human rights information in the East African region. This will strengthen interactions, information exchange and peer to peer learning among the various players in the human rights space. It will also be used to monitor and report on the implementation of human rights commitments by EAC Partner States by way of following up on decisions of the EACJ as well as relevant decisions of national level Courts.

### **Scope of work:**

Under the overall guidance of the East Africa Law Society CEO and Programs Manager, the consultant is expected to undertake legal research and develop products that will be used in the development of the online resources centre dubbed **“The East Africa Legal Resource and Human Rights Monitoring Centre.”**

Some of the key research areas and documents to be developed under this consultancy will include:

- A schedule of key decisions of the East African Court of Justice.
- A schedule of relevant human rights decisions from other regional and sub-regional Courts
- A compendium of technical Case Digests – An analysis of decisions/concluding observations/recommendations arising from decisions of the East African Court of Justice and other regional and sub-regional judicial bodies.

- A collection of national decisions in the field of human rights which cite provisions of the African regional human rights instruments;
- A collection of legal instruments and soft laws on human rights from East African Community Partner States, as well as regional and international human rights instruments
- A schedule of studies, papers and other public materials tracking implementation of decisions of human rights Courts as well as comparative and studies from other jurisdictions.
- A brief and outline of the mandate and how to access services of the EACJ including procedures that litigants need to follow to present matters before the Court. This will include training materials, recordings and other materials for litigants.
- A section on State Reports and Concluding Observations of the African Court and African Commission on Human and Peoples' Rights (ACmHPR), in the form of links to the website of the AfCHPR and the AfCHPR <http://www.achpr.org>.
- An up-to-date directory with links to sites of Civil Society Organisations and other human rights institutions advocating for human rights issues in the region and the continent. This will include names and contact persons from those institutions, addresses and links to websites;

### **Required skills:**

Applicants for this Consultancy should possess the following minimum qualifications:

- Minimum of a first degree in law and an advanced university degree with specialisation in human rights or related field;
- A minimum of three years' experience conducting research in the human rights and/or the justice sectors;
- Evidence of publication of papers and other legal research
- Demonstrable ability to handle confidential information
- Experience and/or interaction with national, regional and international human rights and governance issues and mechanisms;
- The consultant should also demonstrate excellent communication skills (including written and facilitation skills); English and Kiswahili proficiency, both written and spoken, is essential.

**Time Line:**

This assignment will be completed within **two (2 months)** from the date of Signing of the Contract with the following steps:

- (1) Submission of initial detailed inception report detailing understanding of the TORs and the plan to completion of the assignment.
- (2) Submission of detailed report with the expected developed products.
- (3) Review by EALS and RWI and correction of submitted items.

**Application Procedure:**

Interested and qualified consultants are invited to submit the following:

1. Technical proposal including detailed firm profile or CV for individuals. Technical proposal should also demonstrate an understanding of the TORs and propose a detailed methodology that will be used to complete the assignment.
2. Expected completion timelines.
3. Evidence of having undertaken similar tasks as well as previous products
4. Financial Proposal/Budget.

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All applications should be addressed to:

**Finance and Administration Officer,**

**East Africa Law Society,**

**EALS House, Plot No. 310/19, PPF AGM Area, PPF Road off Njiro Road,**

**P.O. Box 6240 - Arusha, Tanzania.**

**Mode of submitting:** Hand delivery/postage or email to [dauidsigano@ealawsociety.org](mailto:dauidsigano@ealawsociety.org) copying [info@ealawsociety.org](mailto:info@ealawsociety.org). All applications should reach us by Wednesday, 26<sup>th</sup> August 2020, before 1700hrs East African Time.