



Call for Expression of Interest

Experts' Terms of Reference for Development of Status of Rule of Law Report for the East African Community, 2021.

Project Name:	Creation of a comprehensive, credible, high-level EALS report on the status of the Rule of Law in East Africa.
Short title of Assignment:	Constitutionalism/Human Rights/Rule of Law Experts.
Contract Type:	Individual contract.
Duty Station:	East African Community States.
Duration of Contract:	90 days (30 th July to 30 th October 2021)

Background

The East Africa Law Society ('EALS') is the premier regional bar association for the East African region. It comprises over 20,000 individual lawyers across Burundi, Kenya, Rwanda, South Sudan, Tanzania, and Uganda and seven National Bar Associations; being the Burundi Bar Association, the Law Society of Kenya, Rwanda Bar Association, South Sudan Bar Association, Tanganyika Law Society, Uganda Law Society; and Zanzibar Law Society.

One of EALS' core mandates is to monitor and enhance the Rule of Law within the East African Community. To that end, EALS engages in numerous activities aimed at achieving that goal, including the conduct of public interest litigation, engaging key stakeholders

within East African Community Governments and the Civil Society to promote the Rule of Law, regular publications and seminars on the Rule of Law among others.

Further to the above mandate, EALS is desirous of commissioning the development of a Status of Rule of Law Report for all countries within the East African Community, for the period **January 2020 to July 2021**.

This Rule of Law Report is intended to take stock of developments and progress or regression in the status of the Rule of Law across the State Parties of the East African Community. A clear understanding of the prevailing situation, discernible trends and patterns and a reliable predictor of the future is essential to guiding EALS, its constituent bar associations, and EALS partners on the appropriate course of action to take in furthering the Rule of Law in East Africa.

The period under review has been an eventful one, seeing the transpiration of many high profile and deeply impactful happenings including:

- i) The COVID-19 Pandemic and East African states' reaction to it;
- ii) General elections in Burundi, Tanzania and Uganda;
- iii) Change in the presidency of Burundi following the general elections of May 2020;
- iv) The total internet shutdown in Uganda and other internet restrictions in Burundi and Tanzania;
- v) The BBI process in Kenya and its subsequent quashing by the High Court of Kenya;
- vi) Power transition in Tanzania as a result of the death of President John Pombe Magufuli; and very many other events.

These events, their causes, impacts and nature are of importance to EALS and indeed to the people of East Africa and ought to be carefully documented, analysed, and utilised to

inform appropriate policy reforms and program initiatives to improve the rule of law in the target EAC countries.

To undertake this project/consultancy, EALS requires the services of **six** experts/professionals with long-standing and demonstrable competence in research, analysis and consultancy in the field of constitutionalism and the Rule of Law.

These Terms of Reference are therefore intended to guide successfully appointed consultants/experts in the process of executing this project.

Expected Outcome

It is desired that at the end of the project, EALS will be able to launch and publicise a comprehensive, high level expert Rule of Law Report covering Burundi, Kenya, Rwanda, South Sudan, Tanzania (including Zanzibar), and Uganda for the period **January 2020 to July 2021**.

It is also intended that this Report will be circulated with EALS members and partners and inform strategic policy formulation and program designs and implementation aimed at consolidating Rule of Law gains, halting further regression, and facilitating positive transformation of the Rule of Law landscape in East Africa.

Scope of Work

1. Conducting research on the status and progress of the Rule of Law in the East African countries of Burundi, Kenya, Rwanda, South Sudan, Tanzania (including Zanzibar) and Uganda.
2. Compiling and synthesizing data relevant to the Rule of Law in the above-mentioned East African Countries.
3. Analysing the data and other information to discern supported conclusions on the state of the Rule of Law in the above-mentioned East African Countries;
4. Authoring an authoritative, accurate and comprehensive Report on the state of the

Rule of Law in East Africa;

5. Making policy, legal and other recommendations for action at the Government, donors, EALS, and National Bar Association levels in order to enhance the Rule of Law within East Africa;
 6. Presenting the above-mentioned Report and the findings of the study before the EALS Governing Council, Secretariat, members and partners;
- And other functions relevant to and incidental to the above.

Deliverables

1. A draft Rule of Law Report (due on 30th September 2021);
2. A final Rule of Law Report (due on 30th October 2021);
3. Records of all raw and other data collected in the course of the study/project;
4. A presentable summary of the Report findings and recommendations.

Required Expertise

1. At least a Master of Laws degree from a reputable institution;
2. At least 5 years' demonstrable experience researching, analysing and advising on the status of constitutionalism and Rule of Law in Africa;
3. Demonstrated experience in social research;
4. Demonstrated experience in the field of policy review and implementation;
5. Excellent report writing and communication abilities. Experience in drafting reports, notes and informative documents.
6. A doctorate in any social sciences or similar field shall be an added advantage.

Duration

The studies to be undertaken are expected to be undertaken and completed within three months, from **30th July 2021 to 30th October 2021**.

Reporting

The successful experts shall report to the Programmes Officer and CEO of the EALS.

Budget and Remuneration

- i) Each expert shall submit a financial proposal for consideration by EALS. Upon agreement, the following terms of pay shall apply.
 - a) 30% upon appointment;
 - b) 50% upon delivery of the first approved draft report;
 - c) 20% upon delivery of a final report and its acceptance by the client (EALS).
- ii) EALS shall fund all pre-approved, reasonably necessary travel and accommodation expenses to be incurred by the successful experts.

Application Process

Interested applications should send a proposal (3 pages maximum) together with their Curriculum Vitae and writing samples to info@ealawsociety.org with a copy to ceo@ealawsociety.org on or before 1700 hours (EAT) on 23rd July, 2021.