

## TERMS OF REFERENCE (TOR)

### Researcher Consultant for the African Union Commission on International Law (AUCIL)

#### AUC/AUCIL/C/005

#### **I. Background**

The African Union Commission on International Law (AUCIL) was established as an advisory organ on International Law to the Union pursuant to Assembly Decision *Assembly/AU//Dec.209(XII)*, adopted in February 2009, AUCIL is charged, *inter alia*,

- To undertake activities leading to codification and progressive development in international law on the African continent and with particular reference to laws of the African Union as embodied in Treaties, policy organs discussions and African customary international law arising from the practice of Member States.
- To ensure the teaching, publication and dissemination of International and continental law.

Specifically, Article 6 (13) of the Statute of the AUCIL, “the AUCIL shall consider mechanisms for making evidence of customary international law more readily available, through the collection and publication of documents concerning State practice.....and shall submit a report to the of its work in this regard to the Assembly through the Executive Council.”

In seeking to achieve this objective, the AUCIL intends to publish a series of digests to comprise the Digest of African States Practice in International Law. Volume one is intended to be largely commemorative with historical antecedents leading to the creation of the Organization of African Unity and the African Union.

Ultimately as a work-in-progress, over five years, the Digest may be expanded to incorporate even ancient legal systems and writings of Africa. There exists a number of great libraries in Africa, in Egypt, Ghana and Mali, to name a few States. Immediately accessible and specialized for these reasons, is The George Padmore Library of African Affairs in the Republic of Ghana. The Padmore Library was established by OAU protagonist, late President Kwame Nkrumah, in June 1961. The purpose of the Library was to gather all documents pertaining to Africa and the Diaspora, where relevant, for the purpose of research and as a record for posterity.

Upon making two tours of the Library and engaging with its curators, the Special Rapporteur was briefed that it holds some 77,000 documents/books on African Affairs alone. In addition there are rare documents, being mostly presidential papers, initially collated by late George Padmore, a Trinidadian advisor on African Affairs to Nkrumah, and by the erstwhile Bureau of African Affairs of Ghana's first Republic. It is anticipated that some of these records will provide an insight to the underpinnings that led to the legal creation of the OAU in 1963 and subsequently, AU.

## **II. Objectives**

A researcher, resident in Ghana for the duration of the assignment, is required to assist the AUCIL Special Rapporteur in the identification, selection and transmission of approved copies to the Secretariat of AUCIL. (No original documents may be removed from the premises). Ultimately the selected documents from the Padmore Library will be incorporated into the remaining entries to comprise Volume One. In that regard, it is anticipated that this Padmore phase will be a one-time process.

## **III. Scope of work**

The successful researcher will be required to perform the tasks as follows:

1. Retrieve all lists or inventory regarding the archives on African affairs (including diaspora);
2. Select germane materials from the list;
3. Retrieve all documents shortlisted for relevance and legal probity;
4. Work alongside the Special Rapporteur to refine further those; documents that could be eligible for inclusion in the commemorative Digest;
5. Record list of agreed materials with brief description;
6. Prepare all such selected materials for ultimate transmittal to the Secretariat of the AUCIL, whether by scan or other electronic means.

## **IV. Deliverables**

The researcher is expected to submit an inventory of archives on African Affairs and monthly progress reports on work done. She or he will also be expected to submit documents, and their brief description, to be included in the Digest.

## **V. Duration of the assignment**

The consultancy is required for a period of three (3) months with the possibility of extension upon approval of funds.

## **VI. Consultancy Fee**

The African Union shall pay the Researcher a monthly fixed sum not exceeding USD\$2,800 as professional fees. This amount includes all the consultant's fees, profit, any tax and obligation that may be imposed on the consultant. The researcher will be paid in three (3) installments, in accordance with the established payment schedule, based on approval of reports.

## **VII. Assignment Management and Administration**

The assignment will be managed by the AUCIL Secretariat/OLC. However, the Researcher is placed under the supervision of the Special Rapporteur. The Researcher works according to the instructions received from the Special Rapporteur. He/She submits his/her reports to the AUCIL Secretariat through the Special Rapporteur.

The Consultant may also be subject to the administrative direction of the Library staff at George Padmore Library.

### **VIII. Support by the African Union and Government of Ghana**

The role of the Special Rapporteur and AUCIL Secretariat will be to:

1. Evaluate and categorize documents retrieved by the Researcher regarding the preparation of Digest Volume One;
2. Ensure accurate transmittal of such findings to AUCIL Secretariat;
3. Provide limited office equipment necessary to perform the tasks, e.g. scanner, laptop, gloves, masks, pen drives, etc;
4. Collaborate with Digest Consultant to reconcile format and incorporate into Volume One;
5. Obtain any approvals or certification of authenticity necessary from Ghana Government.

The Government of Ghana will support the work of the Researcher. This will include:

1. Support the exercise by providing and releasing staff to guide researcher to various locations of materials;
2. Allow access by Special Rapporteur and Researcher to the premises at reasonable hours;
3. Provide sufficient space for the discharge of the duties to be performed and safeguard any materials selected for final review and equipment provided by the AU pending completion of exercise;
4. Provide reasonable photocopying support, if necessary, to aid transmittal of selected materials;
5. Provide electronic communications support (internet).

### **IX. Location**

The Consultant will be based in Accra, Ghana, at the George Padmore Library.

Documents may not be removed from the Premises.

### **X. Qualifications and required Skills**

The consultant to undertake the assignment is expected to have the following qualifications:

- Citizen of any AU Member but resident in Accra, Ghana;
- Holder of a university degree in Library studies, history, liberal arts degree, African affairs, journalism, and/or law;
- Six (6) years' experience with research and knowledge of African political affairs;
- Familiarity with review and selection of archived materials, advanced expertise in use of electronic communication for preservation and transmittal;
- Have ability to summarize, categorize and label items selected;
- Preferred language: English (majority of documents in that language).
- Comfort with using email/Skype/instant messaging and good computer skills, including knowledge of Word and Excel.
- Be subject to Ghana Government approval/clearances

## **XI. Evaluation criteria**

The African Union Commission now invites eligible Individual Consultants to indicate their interest in providing the Services. Interested candidate must provide information demonstrating that he/she has the required qualifications and relevant experience to perform the Services.

For evaluation of the expressions of interest the following criteria will be applied:

- a) General Education Qualification (30 points)
- b) Experience Related to the Assignment (50 points);
- c) Language (20 points)

Further information can be obtained at the address below during office hours 8:00-13:00hrs and 14:00-17:00 hours Local Time.

Proposal must be delivered in a written form to the address below not later than 15:00 hours local time, 29<sup>th</sup> October 2019.

**African Union Commission,**

**Attn: Carine Toure Yemitia (Mrs.)**

**Head of Procurement Travel and Store Division**

**Building C, Room 327**

**P.O. Box 3243, Roosevelt Street**

**OR**

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