



TERMS OF REFERENCE (TOR)

For Research Assistants/Consultants for African union Commission on International Law (AUCIL)

AUC/AUCIL/C/004

I. Background

The African Union Commission on International Law (AUCIL) is an advisory organ of the Union. The AUCIL is composed of eleven (11) Members elected by the Executive Council of the African Union for a period of five (5) years. The Office of the Legal Counsel (OLC) in the AU Commission act as the current Secretariat for AUCIL.

AUCIL's mandate includes:

- To undertake activities relating to codification and progressive development of international law in the African continent with particular attention to the laws of the Union as embodied in the treaties of the Union, in the decisions of the policy organs of the Union and in African customary international law arising from the practice of Member States;
- To propose draft framework agreements, model regulations, formulations and analyses of emerging trends in States' practice to facilitate the codification and progressive development of international law
- To assist in the revision of existing treaties, assist in the identification of areas in which new treaties are required and prepare drafts thereof;
- To conduct studies on legal matters of interest to the Union and its Member States; and
- To encourage the teaching, study, publication and dissemination of literature on international law in particular the laws of the Union with a view to promoting acceptance of and respect for the principles of international law, the peaceful resolution of conflicts, respect for the Union and recourse to its Organs, when necessary.

As one of the mandates of AUCIL is to strengthen and consolidate the principles of international law and to agree on common approaches to international legal development, as well as to continue to work towards maintaining standards in important areas of international law, research activities are needed to effectively assist in the various studies being conducted by the AUCIL. Additionally, in highlighting the striking inconsistency between the Policy Organ's repeated

decisions endorsing the strengthening of the staff of AUCIL it is important to fill the gap within the secretariats.

II. Objectives

The Research Assistants/Consultants positions will primarily involve work on two areas, namely a publication of AUCIL Yearbook and research activities on undertaking studies. The positions will include conducting a review of available scholarly and technical knowledge related to the African Union. Research will be conducted through a systematic search of academic and non-academic literature produced both from within and outside the continent. The positions will also include assisting in coordinating the AUCIL Ordinary Sessions Organized twice in a year and the forum that is organized once a year. The studies that are being undertaken are as follows:

- African Convention Against Slavery
- Development of an African Convention on Judicial Cooperation and Mutual Assistance
- Developing a Study and a draft African Convention on Avoiding Double Taxation
- Study on Piracy and Maritime security
- Digest of African States Practice in International Law (AUCIL Digest)
- Study and recommendations on the Teaching, Study and Dissemination of International Law
- Study and recommendations on delimitation and Demarcation of Boundaries
- Study on an area of law with extensive state practice, precedent and doctrine among member states in Africa for codification (Principle on the intangibility of borders)
- Development of a continental legal framework on Migration in Africa
- Study on the Draft Model Law for the domestication of the African Charter on the Rights and Welfare of the Child
- The African Mining Vision – Study and codification of comparative mineral and petroleum law in Africa
- Study on Immunities and privileges
- Study on the fight against terrorism
- Study and recommendations on International Environmental Law
- Comparative study of the developed jurisprudence of regional integration among the 8 Regional Economic Communities (RECs)

III. Scope of Work

The successful Research Assistants/Consultants will be required to carry out the following activities/tasks:

1. Undertake desk review and/or interview with various stakeholders to get first hand practical experiences at national, regional and continental legal systems.

2. Prepare the AUCIL journal.
3. Conduct desk research on the relevant matters of the studies, academic research, historical research and other relevant materials.
4. Identify and consult with experts (Member States, RECs, Intergovernmental organizations, academia, government and other relevant bodies) to develop the content the studies.
5. Handle substantive and logistical matters for the convening of the forthcoming AUCIL Ordinary Session and the Forum.
6. To assist in preparing the report of the Session and Forum
7. Developing a questionnaire to contribute to the reports and studies.
8. Attend and lead the in-person consultation meeting, using the input to shape and feed the final report of the studies.
9. Perform other tasks as assigned by the supervisors.

IV. Deliverables

The final deliverable of this assignment shall be the final report of the research. The Research Assistants/Consultants will also be expected to deliver the yearly report of the activities of the AUCIL, Reports of the upcoming Ordinary Session of AUCIL and the Forum. The Research Assistants/Consultants will be paid in three (3) installments, in accordance with the established payment schedule, based on approval of reports. The Research Assistants/Consultants will submit the inception report on the studies and AUCIL digest which will be followed with a progress report after consideration of comments on the inception report and lastly the final report will be submitted with the findings of the research.

V. Duration of the Consultancy Service

The Research Assistants'/Consultants' services are required for a period of three (3) months with the possibility of extension, subject to financial approvals.

VI. Consultancy Fee

The African Union shall pay the Research Assistants/Consultants a monthly fixed sum not exceeding USD\$3500 per researcher as their professional fees only. This amount includes the Research Assistant's/Consultant's professional fees, profit, any tax obligation that may be imposed on them. The flight tickets, accommodation costs and other logistical expenses shall be purchased by the AU in accordance with the AUC Rules and Regulations.

VII. Assignment Management and Administration

These assignments will be managed by the AUCIL Secretariat/OLC. The Research Assistants/Consultants will report to the AUCIL Secretariat/OLC pertaining to the assignment.

VIII. Documents for Review

All relevant researches undertaken regarding the studies of AUCIL and reports.

IX. Governance and Support by the African Union.

The African Union is respectfully expected to

1. Provide office space for the Research Assistants/Consultants whenever necessary, in the performance of their duties
2. Pay the Consultants their fees in accordance with the payment schedule established.

X. Location

The Research Assistants/Consultants shall be based remotely in the performance of their research and within the AUCIL Secretariat, in Addis Ababa, Ethiopia, where necessary. Any travel necessary for the successful completion of the assignment, duly authorized in advance by the Commission will be paid in accordance with the AUC Rules and Regulations.

XI. Qualifications and Required Skills

The Research Assistants/Consultants to undertake the assignment are expected to have the following qualifications:

- Citizen of any AU Member State;
- Holders of an advanced University degree in Law;
- Working Experience of at least three (3) years within international organizations, research institutes, government, or other relevant organizations;
- Demonstrated knowledge in the work of the AUCIL;
- Excellent research writing and editing skills;
- Excellent analytical skills;
- Self-motivated, able to work under pressure;
- Team-oriented, possess a positive attitude and works well with others;
- Flexible and willing to travel as required
- Excellent verbal and written communication skills in English or French;
- Ability to work efficiently and promptly with team members and stakeholders spread throughout the world in different time zones (project staff and partners are based all across Africa; and
- comfort with using email/Skype/SMS/instant messaging as a primary means of communication is a must - Good computer skills, including knowledge of Word and Excel

XII. Evaluation Criteria

The African Union Commission now invites eligible **Individual Research Assistants/Consultants** to indicate their interest in providing the Services. Interested candidates 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.

Proposals must be delivered in written form to the address below not later than 15:00 hours local time, 29 **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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