

AFRICAN UNION

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EXPRESSION OF INTEREST

CALL FOR CONSULTANCY/THEMATIC EXPERTS ON CONSTITUTIONALISM

APP REF: AUC/PAPS/CMD/C/018

ORGANIZATION:

The African Union (AU), established in 2002 as a unique Pan African continental body, is charged with spearheading Africa's rapid integration and sustainable development by promoting unity, solidarity, cohesion and cooperation among the peoples of Africa and African States, as well as fostering international cooperation. Its Headquarters is located in Addis Ababa, Ethiopia.

BACKGROUND:

Constitution making, constitution building and constitutionalism are fundamental to the creation and development of sustainable democracies. Member States in the five regions of Africa are at different stages and processes when it comes to constitutionalism. Some States are in the process of drafting and adopting new constitutions, or reviewing their constitutions either as a result of political transitions, post-conflict situations or democratic transformations. Countries that are focused on constitution building engage in long term processes of establishing institutions and procedures for constitution making, giving legal effect to the constitution as well as implementation. Overall, it is important to ensure the legitimacy of a democratic government and enshrine the principles of separation of powers, rule of law and respect for individual rights and freedoms.

The African Charter on Democracy Elections and Governance seeks to "promote the principle of rule of law premised upon the respect for, and the supremacy of, the Constitution and constitutional order in the political arrangements of the State Parties. Furthermore, in Article 5 of the Charter, State parties commit to "...take all appropriate measures to ensure constitutional rule, particularly constitutional transfer of power."

In this regard, Constitutional experts will be required to assess constitutional issues in the relevant regions as well as country specific contexts in order to provide relevant support to the Member States depending on the specific needs.

SCOPE OF THE SERVICE:

The Expert will provide technical support and expertise on issues related to constitutional amendments, constitution drafting processes and the holding of referenda, amongst others.

The Expert will be responsible for the following duties:

- a) Provide technical support in the implementation of constitutional assistance programs in the following areas: amendment of the constitution, complaints and dispute resolution, overall process management, and support to stakeholders involved in the process;
- b) Support the relevant government officials or offices in carrying out their constitutional mandate by sharing comparative experience and knowledge;
- c) Analyze political events related to constitutional amendment processes in Member States with a view to provide early warning advice to the relevant government officials and other stakeholders to anticipate their effect, and proposes solutions, based on comparative experience and best practices, to any issues that may arise in the conduct of the process;
- d) Support capacity building and training programs for all stakeholders involved in the process in order to disseminate knowledge and guidance related to constitution amendment processes and constitutionalism;
- e) Develop timely and efficient communication mechanisms with, and provide regular reports to the Directorate of Governance and Conflict Prevention (DGCP) and the Directorate of Conflict Management (CMD) of the Political Affairs, Peace and Security (PAPS) Department at the AUC;
- f) Conduct special tasks such as research/ assessment reports and studies in line with the AU Peace and Security Council decisions and other AU Organs relating to this consultancy assignment, including the i) effectiveness of AU sanctions regime-enforcement, compliance and impact; ii) UCGs, Democratic Elections and Governance; and iii) impact of social media/new technologies on governance, peace and security etc.
- g) Consider host countries' specific culturally sensitive issues and observe appropriate behavior as an AU Constitutional Expert in the course of performing duty activities;
- h) Perform any other related duties as may be assigned by the direct supervisor.

ORGANIZATIONAL SETTING AND REPORTING:

Working within the framework of the African Union's support to countries in transition, particularly countries in the process of drafting a permanent constitution, the **Constitutional Expert** will be under the direct supervision of the Constitutionalism and Rule of Law (CRL) Unit of DGCP and will also work closely with the AU Liaison Offices, Coordinators of each specific Regional Desk of the PAPS at the AUC Headquarters.

QUALIFICATIONS AND EXPERIENCES REQUIRED:

The qualified candidate should have:

- a) A Master's university Degree in Political Sciences, Law, Peace and Security Studies, International Studies, Public Policy, Public Administration, Social Studies, or other related disciplines, with at least 5 years relevant experience. A Bachelor degree in the

above-mentioned fields with at least 7 years relevant experience will be considered in lieu of a Master's degree;

- b) Experience in a related field, especially in constitutionalism, constitution-building and constitution amendment analysis, monitoring and reporting, with Governments, CSOs, NGOs, think tanks, or similar multilateral, regional or international institutions would be desirable;
- c) Additional trainings or certification in the field of constitutionalism, constitution-building and constitutional amendment processes would be an added advantage;
- d) Previous experience in implementing, supporting or advising on constitution amendment and /or constitution-building processes is required;
- e) Experience in a field operation of the AU, other Regional Economic Communities/Regional Mechanisms (RECs/RMs) or the UN would be desirable;
- f) Knowledge or experience in the conflict prevention and management efforts of the AU, other Regional Economic Communities/Regional Mechanisms (RECs/RMs) or the UN would be an added advantage;
- g) Knowledge of the peace, security and governance issues of the duty station.

SKILLS AND COMPETENCIES REQUIRED:

The qualified candidate should have:

- a) Good comparative knowledge and understanding of the national political landscape, stakeholders and developments in the host country, as well as the regional political dynamics influencing/impacting the country;
- b) In-depth understanding of and ability to evaluate the host country's Constitution, and knowledge of all aspects of the constitution-building /amendment process, as well as their technical and political implications;
- c) Strong analytical and evaluative skills;
- d) Ability to process large amounts of data, prepare on-demand analytical reports and formulate evidence-based recommendations to stakeholders;
- e) Ability to work closely with the government, CSOs, NGOs and multi-lateral institutions in involved in constitutions related issues as well as complex political affairs, peace and security;
- f) Ability to foresee risks, identify issues, analyze, allow for contingencies when planning, monitor and adjust plans and actions as necessary and participate in the resolution of problems;
- g) Ability to develop clear goals, establish priorities and plan work assignments;
- h) Excellent communication and writing skills, including sound reporting skills;
- i) Computer literacy, including mastering the use of the Internet, Power Point, Excel and Word;
- j) Ability to work in a multi-cultural environment.

DELIVERABLES:

Weekly and monthly reports of activities undertaken to be submitted to the CRL Unit for administrative purposes. Substantive reports will be submitted on a need basis.

LANGUAGE REQUIREMENT:

Proficiency in one working AU language is required. Knowledge and ability to be fluent in English and French at least, would be an added advantage.

DURATION OF THE ASSIGNMENT:

The appointment shall be for a period of three (3) months, from 18 November 2024 to 17 February 2025.

DUTY STATION:

The duty station for each expert shall be at the AU Commission Headquarters or at the AU Liaison Offices or Missions.

REMUNERATION:

The compensation is a lump-sum of **\$29,721.92, inclusive** of all expenses to be incurred by the Consultant towards the implementation of its mandate.

EVALUATION AND QUALIFICATION CRITERIA:

The African Union Commission now invites eligible Individual Consultants to express their interest in providing the Services. Interested candidates must provide information demonstrating that they have the required qualifications and relevant experience to perform the Services.

For evaluation, the following criteria will be applied:

- a) General Education Qualification and Relevant Training (40)
- b) Experience Related to the Assignment (60)

Interested candidates should submit their Personal Curriculum Vitae (CV), indicating all past experiences in similar projects, as well as their contact details (email and telephone numbers).

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

CVs must be delivered in a written form to the address below not later than 21 October 2024 by 15:00 hours local time.

**African Union Commission,
Head, Supply Chain Management Division
Building C, 3rd Floor; Tel +251 11 551 7700;
P.O. Box 3243, Roosevelt Street.**

or email: Tender@africa-union.org Copy: TizitaT@africa-union.org