

AFRICAN UNION

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REQUEST FOR EXPRESSIONS OF INTEREST (INDIVIDUAL CONSULTANT SELECTION) – Readvertised

Country: Ethiopia

Name of Project: Digital Transformation for Africa/ Western Africa Regional Digital Integration Program SOP -1

Grant No: P180117

Assignment Title: CONSULTANCY SERVICE TO DEVELOP A MODEL LAW ON CYBERCRIME TO SUPPORT THE HARMONIZED IMPLEMENTATION OF THE MALABO CONVENTION ON CYBERSECURITY AND PERSONAL DATA PROTECTION BY PROVIDING A BLUEPRINT FOR EFFECTIVE CYBERCRIME LEGISLATION – WARDIP PROJECT

Reference No. ET-AUC-486523-CS-INDV

The African Union Commission has received financing from the World Bank toward the cost of DIGITAL TRANSFORMATION FOR AFRICA/ WESTERN AFRICA REGIONAL DIGITAL INTEGRATION PROGRAM (DTFA/ WARDIP) SOP-1.and intends to apply part of the proceeds for consulting services

The consulting services (“the Services”) include Selection of Individual Consultant TO DEVELOP A MODEL LAW ON CYBERCRIME TO SUPPORT THE HARMONIZED IMPLEMENTATION OF THE MALABO CONVENTION ON CYBERSECURITY AND PERSONAL DATA PROTECTION BY PROVIDING A BLUEPRINT FOR EFFECTIVE CYBERCRIME LEGISLATION – WARDIP PROJECT

The Scope of assignment is as follows:

- Undertake a detailed analysis of the articles of the Convention pertaining to cybercrime considering the Malabo Review Report findings and the proposed recommendations of the review process conducted in 2021.
- Review the new UN Treaty on Cybercrime and other related regional treaties.

- Identify and document the potential gaps in the Convention relating to cybercrime.
- Suggest the potential priority areas and pillars for the model law.
- Ensure integration of advanced cyber threats and digital forensics in legal definitions and enforcement mechanisms.
- Incorporate risk-based cybersecurity regulations alongside punitive cybercrime measures.
- Prepare the appropriate and formal legal texts for the proposed cybercrime model law.
- Prescribe practical steps to disseminate and raise awareness around the new cybercrime model law.

Expected Outcomes and Deliverables

- Detail analysis on the articles of the Convention related to cybercrime completed.
- Identification of the gaps and priority areas finalized.
- List of priority areas/ pillars for inclusion in the Model law with revised legal wordings compiled.
- A Model Law on Cybercrime developed.
- List of suggested actions in support of the awareness raising and popularization of the new Model Law completed.

Duration of Assignment: Four (4) Months

The detailed Terms of Reference (TOR) for the assignment are attached to this Request for Expression of Interest.

The African Union Commission now invites eligible individuals (“Consultants”) to indicate their interest in providing the Services. Interested Consultants should provide information demonstrating that they have the required qualifications and relevant experience to perform the Services. The shortlisting criteria are:

Education Qualifications and skills:

- Minimum University Masters in Law
- Excellent Legal writing skills, ability to produce clear and concise recommendations and opinions.

General professional experience:

- At least 10 years of successful international working experience in the area of ICT related laws and Legislations in developed and/or developing countries; Extensive experience in the African context is an added advantage;
- Involvement and understanding of existing ICT related legal frameworks in Africa;
- Active in the Digital Policy discussions at the national, regional or continental level in Africa;
- Ability to work in close collaboration with global and regional stakeholders.

Specific professional experience:

- At least 5 years of working experience in the field of Cyber Law and Digital Rights legislations.
- Extensive experience in the African context is an added advantage

Stakeholder Engagement:

- Excellent communication and negotiation skills to engage with a diverse range of stakeholders.
- Ability to build and maintain relationships with governmental bodies, industry partners, pertinent regional institutions and civil society.

Global Perspective:

- Awareness of international developments and trends in the area of cyber legislation and the related policies and regulations.
- Ability to apply global best practices to the local context.

Problem-Solving Skills:

- Analytical mindset to identify and solve complex challenges in the area of focus;
- Excellent report writing skills in English, ability to produce concise reports.
- Excellent interpersonal, presentation and communication skills, both orally and in writing;
- Proficiency in the use of standard office software packages, email and internet;

Collaboration and Teamwork:

- Ability to work collaboratively within teams and across AU / WB departments.
- Experience in mentoring and guiding junior professionals.

Language Skills:

- Advanced level English or French is required and Proficiency in other official languages of the AU in both spoken and written communication will be considered an added advantage.

The attention of interested Consultants is drawn to Section III, paragraphs, 3.14, 3.16, and 3.17 of the World Bank's "Procurement Regulations for IPF Borrowers" July 2016, revised November 2020 ("Procurement Regulations"), setting forth the World Bank's policy on conflict of interest. A Consultant will be selected in accordance with the Individual Consultant selection method set out in the Procurement Regulations.

Further information can be obtained at the address below during office hours *i.e. 0900 to 1700 hours*.

Expressions of interest must be delivered in a written form to the address below (in person, or by mail, or by e-mail) by **4 August 2025**

African Union Commission,
Attn: Head of Supply Chain Management Division
Building C, 3rd Floor,
P.O Box 3243, Roosevelt Street
Addis Ababa, Ethiopia
Tel: +251 (0) 11 551 7700 – Ext 4305
Fax: +251 (0) 11 551 0442; +251 11-551-0430
E-mails: tender@africanunion.org

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UNION AFRICAINE

UNIÃO AFRICANA

UNIÓN AFRICANA

P. O. Box 3243, Addis Ababa, ETHIOPIA Tel.: (251-11) 5182402 Fax: (251-11) 5182450
Website: www.au.int

**Department of Infrastructure and Energy
Information Society Division**

**TERMS OF REFERENCE TO DEVELOP A MODEL LAW ON CYBERCRIME TO
SUPPORT THE HARMONIZED IMPLEMENTATION OF THE MALABO CONVENTION
ON CYBERSECURITY AND PERSONAL DATA PROTECTION BY PROVIDING A
BLUEPRINT FOR EFFECTIVE CYBERCRIME LEGISLATION – WARDIP PROJECT**

Procurement Ref: ET-AUC-486523-CS-INDV

**June 2025,
Addis Ababa**

Introduction

The convention was drafted following the request of the Extra-Ordinary Conference of African Union Ministers in charge of Communication and Information Technologies held in 2009 to develop jointly with the United Nations Economic Commission for Africa, a convention on cyber legislation based on the Continent's needs and which adheres to the legal and regulatory requirements on electronic transactions, cybersecurity, and personal data protection.

The Convention¹, that aims at promoting effective harmonization of African legal instruments in the area of electronic transactions, personal data protection and cybersecurity, was adopted in June 2014 by the AU Heads of State and Government. It calls upon AU Member States to recognise the need to protect critical infrastructure, personal data and to encourage free flow of information through a unified regulatory framework. So far only 17 instruments of ratification have been deposited. The Convention entered into force in June 2023 as per Article 36 of the Convention by reason of ratification from the required fifteen (15) African States.

In order to get more countries to ratify the Malabo Convention, the African Union Cybersecurity Experts Group (AUCSEG) carried out in 2021 a comprehensive review of the Malabo Convention with a view to recommend elements of the Malabo Convention to be considered for revisions and amendment. A Malabo Review Report culminated out of this process which was eventually endorsed by the AU Organs in 2023.

A cybercrime model law shall support the harmonized implementation of the Malabo Convention and get additional countries to ratify the Malabo Convention. To this end, a Cybercrime model law is urgently required to augment / clarify related Articles of the Convention and to ensure that it shall align with recently adopted UN Cybercrime treaty, among others. The model shall also aspire to provide a standardized framework (blueprint) for legislation on Cybercrime by AU Member States when they wish to create their own laws with the view of promoting consistency, best practices and harmonization across the various legal systems on the continent.

Aim and Objectives

The aim is to recruit a legal expert to draft a model law on Cybercrime in support of the harmonized implementation of the Malabo Convention with respect to Cybercrime legislations across the continent. The proposed model law shall also aspire to further shed more light on/ explain some overlooked aspects of the Convention in relation to Cybercrime to enable African countries to draft / update their own Cybercrime legislations.

The overall objective of developing the Model Law is to ultimately incentivize more AU Member States to ratify the Malabo Convention.

Scope of work

1. Undertake a detailed analysis of the articles of the Convention pertaining to cybercrime considering the Malabo Review Report findings and the proposed recommendations of the review process conducted in 2021;
2. Review the new UN Treaty on Cybercrime and other related regional treaties;
3. Identify and document the potential gaps in the Convention relating to cybercrime;
4. Suggest the potential priority areas and pillars for the model law;
5. Ensure integration of advanced cyber threats and digital forensics in legal definitions and enforcement mechanisms;
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7. Prepare the appropriate and formal legal texts for the proposed cybercrime model law;
8. Prescribe practical steps to disseminate and raise awareness around the new cybercrime model law.

In line with the above the consultant shall:

1. Attend a kick off meeting of the study to be held upon awarding of the contract;
2. Prepare an inception report;
3. Participate in internal meetings with AUC / WB if required;
4. Present the draft cybercrime model law to the Taskforce members and incorporate their comments and contributions;
5. Service the validation workshops of the draft model law;
6. Write a final version of the Model Law;
7. Translate the finalized model law into AU formal languages for presentation and consideration by AU organs.

Expected Outcomes and Deliverables

- Detail analysis on the articles of the Convention related to cybercrime completed;
- Identification of the gaps and priority areas finalized;
- List of priority areas/ pillars for inclusion in the Model law with revised legal wordings compiled;
- A Model Law on Cybercrime developed;
- List of suggested actions in support of the awareness raising and popularization of the new Model Law completed.

Duration of Assignment

The duration of the assignment is FOUR Months

Expert profile

To carry out the assignment, the expert should meet the following requirements:

Qualifications and skills:

1. Minimum University Masters in Law.
2. Excellent Legal writing skills, ability to produce clear and concise recommendations and opinions.

General professional experience:

- At least 10 years of successful international working experience in the area of ICT related laws and Legislations in developed and/or developing countries; Extensive experience in the African context is an added advantage;
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