



**REQUEST FOR PROPOSALS**  
**FOR TRAINING REGISTRY STAFF ON JUDGMENT DRAFTING, LEGAL WRITING**  
**AND LEGAL RESEARCH**

---

**1. General**

**Post Title:** Consultants (Judgment Drafting, Legal Writing and Legal Research)

**Duration:** 2 months

**Location:** Arusha, Tanzania

**Starting date of advertisement  
For consultancy:** 5 June 2017

**Deadline for submission  
Of consultancy proposals:** 25 June 2017

**Requirements:** Submit a detailed technical proposal including the Curriculum Vitae of consultants and/or trainer(s) and the proposed approach and methodology

**For any clarifications:** Please contact:  
The Procurement Unit  
The African Court on Human and Peoples' Rights  
P.O. Box 6274  
Arusha  
TANZANIA  
E-MAIL: [procurement@african-court.org](mailto:procurement@african-court.org)



Tel: +25527 2970430//2/3/4<sup>1</sup>

## **2. Background of the African Court on Human and Peoples' Rights**

The African Court on Human and Peoples' Rights (AFCHPR/Court) was established on 9 June 1998 by the Protocol to the African Charter on Human and Peoples' Rights on the Establishment of the African Court on Human and Peoples' Rights (Protocol). The Protocol came into force on 25 January 2004 paving the way for the operationalization of the AFCHPR. It is the first continental judicial body charged with ensuring that the provisions of the African Charter on Human and Peoples' Rights, adopted on 27 June 1981, are respected and observed. The Court was launched on 2 July 2006 with the objective of further strengthening the system of human and peoples' rights protection on the continent. The Court complements the protective mandate of the African Commission on Human and Peoples' Rights (Commission). The Court has its seat in Arusha, in the United Republic of Tanzania.

## **3. Programme Information**

In the framework of the Pan-African Programme, "Strengthening the African Human Rights System programme" (PANAF), the European Union is providing support to the i) African Commission on Human and Peoples' Rights in Banjul, The Gambia, ii) the African Court on Human and Peoples' Rights in Arusha, Tanzania, iii) the Pan African Parliament in Midrand, South Africa and iv) the African Committee of Experts on the Rights and Welfare of the Child in Addis Ababa, Ethiopia. The overall objective of the programme is 'to contribute to ensuring a transparent, democratic and accountable environment with respect to human rights and rule of law in Africa'. The programme's specific objective is 'to strengthen the African human rights system in the framework of the African Governance Architecture'.

---

<sup>1</sup> The Court shall endeavor to provide such responses to clarifications in an expeditious manner, but any delay in such response shall not cause an obligation on the part of the Court to extend the submission date of the Proposals, unless the Court deems that such an extension is justified and necessary.



#### **4. Purpose of the Consultancy**

In the context of enhancing the capacity of the Registry to support the Court in the discharge of its judicial mandate, the Registry wishes to receive proposals under the PANAF programme for a consultancy to provide relevant staff of the Court with a training in judgment drafting and legal writing and legal research. In view of the increasing number of cases filed before it, it is essential for Legal Officers of the Court to effectively support the Court in the determination of cases filed. This support includes, drafting decisions such as judgments, rulings and orders to be delivered by the Court, and legal briefs and opinions to be presented to the Court. The purpose of the proposed Consultancy is to provide relevant staff of the Court with a training in judgment drafting, legal writing and legal research. Eligible firms and individuals are invited to apply.

#### **5. Key Objective**

The main objective of the training, is to equip the participants with skills in drafting of judgments and legal briefs and opinions and on how to apply up to date research methods.

#### **6. Content of the training**

##### *Judgment Drafting and Legal Writing*

The content of this part of the training will include theoretical knowledge and practical exercises relevant to equip the staff with judgment drafting and legal writing techniques applied in an international human rights court, with examples taken from the practice of comparable jurisdictions and institutions. The training will place a special focus on practical exercises. Among other relevant questions, the training will address issues including but not limited to the following:

- i. General principles to be applied in legal writing/judgment drafting
- ii. Research for Judgment drafting – identifying the main cases in the area to see how the general principles have been developed and applied
- iii. Steps to be taken in the drafting process
- iv. General rules on formats
- v. Styles of drafting
- vi. What makes a good judgment? –structure, clarity, consistency, coherence, chronology, conciseness



- vii. Judicial/Legal Language -The use of language/words,
- viii. Framing/phrasing the reasoning
- ix. Use of Precedents
- x. Distinguishing Cases- on the facts and on the law
- xi. Judicial Law-Making( Addressing gaps in the applicable law)
  
- xii. Editing Judgments – Rereading, Revising, Redrafting
- xiii. Drafting Legal Briefs and Opinions
- xiv. Drafting exercises
- xv. Other relevant discussions and exercises

### *Legal Research*

Legal research is evolving rapidly, particularly with regard to methods, sources and techniques. There is increasing digitization of books and libraries, development and expansion of electronic databases and lately, of specialized blogs on different areas of law that discuss developments and topical issues. The content of the training on legal research will address issues, including, but not limited to the following:

- i. Identifying the issues for research
- ii. Research strategies
- iii. Identifying the sources for the research
- iv. Search techniques
- v. Types of reasoning
- vi. Setting out conclusions of the research

## **7. Format of the training**

The training will combine presentations, discussions, exchange of experiences and various practical exercises in research and drafting techniques. The consultants will prepare presentations and drafting exercises. The training will refer to best practices used in other international human rights judicial institutions.

## **8. Scope of Work**

The consultants will undertake the following tasks:

- i. Prepare the Consultancy Inception Report
- ii. Draft the Programme for the Training in collaboration with the Registry of the Court (taking into consideration the jurisprudence of the Court)



- iii. Prepare necessary working documents, training materials and presentations
- iv. Provide the training for the staff
- v. Prepare the report at the end of the training
- vi. Prepare the Final Consultancy report

## **9. Key Outputs/Deliverables**

- i. Inception Report for the Consultancy
- ii. Programme for the Training
- iii. Working Documents, training materials and presentations
- iv. Training Report
- v. Final Consultancy report

## **10. Consultancy Period**

The consultancy will be for a period of two months, running from July 2017 to August 2017. The training will be delivered during a five day workshop at the seat of the Court, in Arusha, Tanzania with at least 35 training hours to be carried out in 5 days.

## **11. Language**

The training will be held in the working languages of the Court, that is, in English and French. Simultaneous interpretation will be provided in English, French and Portuguese. The working documents, training material and presentations will be prepared in either English or French and translated by the Court. The consultants will submit to the Court the documents to be translated at least 10 days prior to the start of the training.

## **12. Consultants' Profile/Qualifications**

The consultants/trainers should possess the following qualifications:

- a) At least a Bachelor's Degree in Law; Specialisation in Public International Law or Human Rights Law or in Judgment Drafting and Legal Writing will be an added advantage



- b) Knowledge of the African human rights system, particularly African human rights jurisprudence will be preferable
- c) At least two technical references for similar work
- d) Experience in institutional and organizational analysis related to capacity building would be desirable
- e) Fluency in one of the working languages of the Court, either English or French, ability to work in both languages will be an advantage. .

### **13. Reporting Line**

The consultants will report to the Deputy Registrar of the Court.

### **14. Payment**

The Court shall pay the consultants a lump-sum of United States Dollars (\$) 25, 000 as per the following schedule

- i. 30 per cent after submission of Inception Report
- ii. 30 per cent upon submission of Programme for the Training, Working Documents, training materials and presentations
- iii. 40 per cent upon submission of the Training Report and Final Consultancy Report.

This fee excludes air tickets which will be procured by the Court for the consultants on economy class basis. Local transportation will be provided by the Court in Arusha. The consultants will be responsible for their Daily Subsistence while providing the training.

### **15. Confidentiality**

The consultants will not reveal or publish any information that comes to his or her knowledge in the course of this consultancy to any unauthorized person without the prior written consent of the AFCHPR.

### **16. Copyright**



The copyright of all instruments, data and reports produced as part of the exercise undertaken under this consultancy shall vest in the Court.

## 17. Notes

- The Court shall avail all relevant documents within its possession and reach and that are not subject to confidentiality, for analysis by the consultant.
- The consultants shall deliver all materials in hard and soft copies in MS Office formats (Word, Excel and Power Point as applicable).
- The Court will be responsible for the logistical arrangements for the training.