



TERMS OF REFERENCE

Reference Number: TI-K/PLIF/015/2020 (Re-advertisement)

Description: A consultancy to review the effects of COVID-19 pandemic on justice chain actors' mandate

Posting Date: 21/10/2020

Deadline for Submission: 30 /10/2020

ORGANISATIONAL PROFILES

Transparency International Kenya (TI-Kenya) is a not-for-profit organisation founded in 1999 in Kenya with the aim of developing a transparent and corruption-free society through good governance and social justice initiatives. TI-Kenya is one of the autonomous chapters of the global Transparency International (TI) movement that are all bound by a common vision of a corruption-free world. The vision of TI-Kenya is a corruption free Kenya. The mission is to champion the fight against corruption by promoting integrity, transparency and accountability. TI-Kenya's work is currently organized around four strategic focus areas namely, Public Accountability, Policy, Legal and Institutional Frameworks, Social Justice and Economic Accountability and Institutional Development.

Mzalendo Trust is a non-partisan entity that keeps an eye on Kenyan Parliament with a mission to facilitate public participation in Parliamentary processes through Information Sharing, Research and Networking. As a key actor in the governance sector, Mzalendo Trust also facilitates discourse on good governance, accountability, inclusion and transparency in political processes.

APNAC is Africa's leading network of parliamentarians working to strengthen parliamentary capacity to fight corruption and promote good governance. The network aims to coordinate, involve and strengthen the capacities of African parliamentarians to fight corruption and promote good governance.

Project Background

Transparency International Kenya, Mzalendo and APNAC Kenya are implementing the Safeguarding Democratic Spaces Kenya. The project focuses on among other areas,



enhancement of transparency and accountability in both prosecution and adjudication of corruption and economic crimes cases and advocacy for policies and legislations that offer citizens a platform to engage in combating graft. The projects aims to effectively reform and strengthen Kenya's governance architecture.

Corruption in Kenya has become a matter of great concern, both domestically and internationally, primarily because it can no longer be said to be limited to a few rogue officials at the top. The culture of corruption has grown roots in society at large and as a result, become endemic.

Besides the proactive approach such as investigations initiated by government authorities for corruption detection, public participation such as reports from citizens provide an additional approach. However, citizens have remained bystanders rather than active actors, and consequently fail to report corruption due to fear of reprisals and inadequate policy and legislative mechanisms to bring perpetrators to justice. With the high-profile arrests and prosecutions, public expectations become higher and there is a need to regularly update the public since they may not appreciate the legal rigors involved in a case.

During the year 2020, the world has been experiencing an outbreak of the COVID-19 pandemic that has seen most government operations grind to a halt. This in turn meant that most government institutions were not able to execute their mandate accordingly. The project therefore seeks to understand sector specific challenges that face institutions charged with the mandate to investigate, prosecute and adjudicate corruption and economic crime cases

Scope of work and deliverables

TI-Kenya will carry out a review of the response by the EACC, ODDP and the Judiciary; how their specific mandates in combating graft were affected by the pandemic. The report will highlight the gaps in response and recommendations of key areas of strengthening to prepare for future eventualities. The report will be validated and disseminated among CSOs, Judiciary and the Multi Agency team members among other stakeholders.



Specific deliverables

1. Presentation of the report findings in a validation forum organized by the partners
2. A report highlighting gaps in response to COVID 19 and recommendations of key areas of strengthening to prepare for future eventualities

Duration

The consultant will be expected to carry out the assignment within 60 working days. The work is expected to start as soon as a contract is awarded.

Qualifications and attributes required

Individuals interested in this assignment must meet the following minimum requirements:

- Master's Degree in Law, public administration or equivalent experience
- At least 10 years of experience in policy and legislative work especially around legal research.
- Experience in providing professional advice concerning constitutional implementation, litigation and generally governance issues.
- Ability to establish priorities, and to plan, coordinate and monitor own work.
- Good inter-personal skills, ability to work in a consultative and collaborative manner.
- Ability to establish and maintain effective partnerships and working relationships in a political environment

Application process

Qualified candidates are requested to submit one document of not more than 10 pages as an attachment (combining the application letter, CV, technical proposal including the methodology for the assignment, and financial proposal). Do not attach your testimonials or certificates. Only shortlisted candidate/s will be contacted.

Submission of Bids

The deadline for submission of expressions of interest is **30/10/2020**. Applications should be sent by email to **procurement@tikenya.org**. Please indicate **“TI-K/PLIF/015/2020 review**



effects of COVID 19 pandemic on justice chain actors’ mandate” in the subject line of your email application.

Complaints Process

This call for Expression of Interest does not constitute a solicitation and TI-Kenya reserves the right to change or cancel the requirement at any time during the EOI process. TI-Kenya also reserves the right to require compliance with additional conditions as and when issuing the final solicitation documents. Submitting a reply to a call for EOI does not automatically guarantee receipt of the solicitation documents when issued. Invitations to bid or requests for proposals will be issued in accordance with TI-Kenya rules and procedures. Any grievances and or complaints arising from the evaluation process and final tender award can be addressed, in writing, to the Executive Director and the TI-Kenya Tender Complaints Committee.

The Executive Director
Transparency International Kenya
Kindaruma Road, Off Ring Road Kilimani
Gate 713, House No. 4
P.O. Box 198- 00200, Nairobi

Or Email,
complaints@tikenya.org