



REQUEST FOR EXPRESSION OF INTEREST (Consulting Services – Individual Consultant Selection)

PERIOD OF ADVERTISEMENT: 05th June 2024 – To – 05th July 2024
CLIENT: COMMUNITY COURT OF JUSTICE ECOWAS
SOURCE OF FUNDING: ECOWAS BUDGET

SELECTION OF AN INDIVIDUAL CONSULTANT AS THE LEAD TECHNICAL CONSULTANT FOR THE DEVELOPMENT OF THE COMMUNITY COURT OF JUSTICE 2025 - 2029 STRATEGIC PLAN

1. INTRODUCTION

1.1. Background

The Community Court of Justice, ECOWAS, established pursuant to the provisions of Articles 6 and 15 of the Revised 1993 Treaty of ECOWAS is the sole judicial organ of the community. The court comprises of five judges drawn from the judiciary academia and legal practitioners of the Member States. The preamble to the Courts Protocol provides:- “The essential role of the Community Court of Justice is to ensure the observance of law and justice in the interpretation and application of the Treaty, Protocols and Conventions annexed thereto and to be seized with responsibility for settling such disputes as may be referred to it in accordance with the provisions of Article 56 of the Treaty and disputes between states and the institutions of the Community”

The jurisdiction of the Court at inception was as contained in Articles 9 of the 1991 protocol of the court. Under this provision, the court has no specific human rights mandate and only the Member States and Institutions of ECOWAS have direct access to it. Private individuals or corporations do not have direct access to it. The adoption in January 2005 of the Supplementary Protocol A/SP.1/01/05 greatly expanded the jurisdiction of the Court while at the same time granting individuals direct access to it (in specific causes of action). The 1991 Protocol of the Court under Article 26(2) allows it to sit outside its seat when the circumstances demand.

The Mandate of the Court is to ensure the observance of law and of the principles of equity in the interpretation and application of the provisions of the Revised Treaty and all other subsidiary legal instruments adopted by Community.

1.2. Key Activities

Since the adoption of the supplementary protocol of the Court in 2005, the Court has undertaken a number of activities to achieve its mandate, including the following:

- Open the new juridical legal year ceremony



- Hold internal and external Court sessions
- **Sensitization of stakeholders in ECOWAS Members States:** increase the awareness and understanding of the Community citizens on the role, functions, and services of the Court.
- Training seminars for National Judges, Lawyers, Practitioners of Community Law
- **Organize a annual Conference on Community Law and Justice:** this is aimed to improve legal knowledge and practices among Judges, and legal practitioners to other to better shape community law and practices
- **Develop Moot Court Activities:** Enhance the development of undergraduate law students for the community law, whereby participants are exposed to court hearing and are made to analyse a problem, research the relevant law, prepare written submissions, and present oral argument.
- Harmonization of the Court's basic texts in the 3 working languages and actualisation of its arbitration rules
- **Development of a case management procedures:** to ensure a collaborative approach in managing court cases, where various department can support the administration of a case using the electronic system
- **Dissemination through media Programmes in ECOWAS Members States:** promote sensitization of the citizens on the functions and mandate of the Court using main stream media
- **Court's publications dissemination:** this aims to increase public understanding of the Court by the community citizens, and consequently improve transparency and accountability of the court to the people.

1.3. Strategic Planning Framework and Orientations

The core mandate of the Economic Community of West African States (ECOWAS) is to promote cooperation and integration among its Members States thereby expanding economic opportunities and well-being of the citizens. In furtherance of the stated aim, the Economic community of West African States adopted fundamental principles under Article 4 of the Treaty. Article 4(g) of the Treaty guarantees its peoples: "The recognition, promotion and protection of human and people's rights in accordance with the provisions of the African Charter on Human and Peoples Rights."

ECOWAS recognizes the importance of promotion and protection of the rule of law, and human and people's rights as a key driver to regional integration and promoting them is listed as a priority in the ECOWAS Vision 2050 which was recently adopted by ECOWAS Authority of Heads of State and



President. The objective of this Vision is to achieve “***A fully integrated community of peoples living in a peaceful, prosperous region with strong institutions that respect fundamental freedoms, working towards inclusive and sustainable development.***” Pillar 2 and Strategic Orientation 2 of this Vision aims to Consolidate the rule of law and justice delivery, while Strategic Orientation 3 seeks to Promote the respect for fundamental rights and freedoms in this region.

In addition, in 2022, the Management of ECOWAS adopted the 4 x 4 Strategic Objectives 2022 – 2026 + 2 Enablers. Objective 3 of this document is “Good Governance” and the priority of Management under this objective is to support Member States to deepen democracy, by strengthening the ECOWAS Court as a key action.

Over the years, ECOWAS has achieved remarkable achievements in the areas of access to justice, enhancement of the fundamental human rights of the community citizens, adoption of protocols to deepen economic and political integration of the region, notably Protocols on Free Movement of Persons, Goods and Residence, and the Protocol on Democracy and Good Governance. The protocol on democracy and good governance having spelt out the importance of independence of the judiciary and legal profession, proposed for the enlargement of the powers of the Court to allow individuals direct access to it.

The Community Court of Justice, ECOWAS developed the 2016 – 2020 Strategic Plan to actualize its mandate as defined in the treaty and to contribute to the objectives of the ECOWAS Vision 2020. The Strategic Plan aims to achieve the vision of “To remain an independent, reliable, efficient and accessible legal and judicial institution of the Community, playing a strategic role in establishing and sustaining an enabling legal environment for the achievement of Community aims and objectives”. With the adoption of ECOWAS Vision 2050 by the Authority of the Heads of State and Government of ECOWAS, the Court plans to develop a five-year strategic plan to actualize the objectives defined for the Court in the ECOWAS Vision 2050.

Consequently, the Court is seeking to engage a consultant to prepare a 5-year Strategic Plan for the Unit for the period 2025-2029.

2. OBJECTIVES OF THE STUDY

The general objective of this study is to prepare a 5- year comprehensive strategic plan and roadmap that will see the ECOWAS Court of Justice established as one of the top international courts in the world in the next five (5) years, which will serve as the short-term strategic framework to articulate the aspirations of the ECOWAS Vision 2050.

3. SCOPE OF THE ASSIGNMENT

The Consultancy services shall include but not necessarily limited to the following:

Task Area 1: Assessment of the previous strategic plan (2016 – 2020) of the Court



- a) Review the status of implementation of the strategic plan (2016 – 2020) to determine the extent of accomplishment of the goals set for the period
- b) Make inform recommendations for the planning and programming of the next strategic plan

Task Area 2: Development of the next strategic plan

- c) Facilitate the review of existing descriptions of ECCJ's vision and mission in order to arrive at concise and compelling standardized texts. This exercise would aid the conduct of Task d) below. The texts will also be extremely useful, especially, when developing communication materials and project/program documents such as concept notes, appraisals, operational manuals, assessments, evaluations, administrative documents, etc.;
- d) Engage ECCJ's management and staff in identifying/highlighting its long-term (i.e. 2050) goals;
- e) Engage ECCJ's management and staff in defining the Institution's medium-term (2025 –2029) goals. These goals should be further broken down into realistic and achievable outcomes within specific strategic timeframes;
- f) Construct a Theory of Change that shows linkages between ECCJ's purpose (why the Institution was established), the preconditions for achieving this purpose, and identify where the Institution's long-term (2050) and medium-term (2025 – 2029) goals fit in that Theory of Change;
- g) Facilitate ECCJ's decision on strategic interventions that should be implemented between 2025 and 2029 based on the outcomes of Tasks a), b), c), d), e) and f);
- h) Develop a Logical Framework for ECCJ, focusing on the medium-term goals, indicators, data sources, and assumptions
- i) Conduct strategic analyses of the Court and its operations including external environmental scanning and internal input gathering, to determine the effectiveness of the current strategy in achieving the core functions and mandate of the Court, and to propose workable strategies to deliver on the Court's mandate and vision;
- j) Develop a Performance Monitoring Plan that expands the Logical Framework by demonstrating how progress towards the realization of medium-term goals will be measured; frequency of data collection, responsible staff/entities for data collection, baselines, and targets;
- k) Propose an automation tool for the collection of performance data on identified indicators
- l) Propose a summary budget that illustrates the amount of funding that would be required to implement the strategic interventions over the 2025 – 2029 period;
- m) Conduct an on-site internal organizational capacity scan to identify organizational strengths, weaknesses, threats, and opportunities towards carrying out the strategic plan;
- n) Identify risks to the implementation of identified strategic interventions under Task g) and how they can be mitigated;



- o) Develop a draft strategic plan based on information gathered from Tasks a) through m);
- p) Facilitate workshops to validate the draft strategic plan for the period 2025 – 2029; and
- q) Finalize and produce the strategic plan by incorporating the various recommendations from the validation workshops.

4. APPROACH AND METHODOLOGY

The development of the Strategic Plan of the Community Court of Justice of ECOWAS and its associated implementation tools and M&E framework will be based on a participatory and inclusive approach. All staff of the Court must be fully involved in visioning and target setting process.

The methodology will combine qualitative and quantitative tools, and will include:

- Kick-off and scoping meetings, to clarify the scope of the assessment;
- Preliminary document review;
- Preparation and submission of an inception report
- Data collection which may include, but is not limited to:
 - ✓ Interviews (face-to-face or by telephone or Skype) with management and staff of Court, donors/development partners, and other beneficiaries of the Court's programme
 - ✓ Focus group discussion;
 - ✓ Surveys, questionnaires or any other relevant quantitative and/or qualitative tools that can be used to collect data.

5. DURATION AND INDICATIVE TIMELINE

The duration of the assignment shall be for a period of 50 working days and is detailed as follows:

S/No	ACTIVITIES/DELIVERABLES	Anticipated business days (excluding weekends)
1.	Preparation and presentation of the workplan at the inception meeting	6 days
2.	Desk review of relevant documents including previous strategic plan, annual reports, work program,	11 days
3.	Deliverable 1: Preparation and submission of inception report	2 days



S/No	ACTIVITIES/DELIVERABLES	Anticipated business days (excluding weekends)
4.	Consultation with Management of the Court and the Strategic Plan Development Committee	3 days
5.	Consultation with the technical staff of ECCJ	5 Days
6.	Consultation with technical partners	2 days
7.	Deliverable 2: Report on key findings from SWOT analysis and, identified risks and their mitigation measures	2 days
8.	Deliverable 3: Preparation and submission of the draft strategic plan	11 days
9.	Presentation of the draft strategic plan at validation workshops	2 days
10	Refinement of the draft strategic plan based on key stakeholders' inputs and submission of final Strategic Plan	5 days
11	Deliverable 4: Preparation and submission of the final report, including a summary version of the report, data collection tool for indicators, and a PowerPoint presentation of the plan.	1 day
	Total	50 days

6. EXPECTED DELIVERABLES

The consultant is expected to produce the following deliverables:

- a) An Inception report and a work plan - The work plan should detail the methodology for conducting the assignment, a draft set of key information/data to be collected, a draft Table of Contents for the strategic plan and, a schedule for consultations with stakeholders, etc.;
- b) A report on key findings from
 - i. Evaluation of the previous strategic plan (2016 – 2020)
 - ii. The internal organizational capacity scan to identify organizational strengths, weaknesses, threats, and opportunities towards carrying out the strategic plan; and



- iii. The risks to the implementation of identified strategic interventions under Task g) of Section 3 and how they can be mitigated
- c) A Draft Final Report: This report will contain the consultant's recommendations on the Strategic Plan including associated annexes on Resource Mobilization, capacity building, Communication, implementation plan, and Monitoring and Evaluation framework;
- d) Final Report: Containing revised Strategic Plan including associated annexes on Implementation plan, Resource Mobilization, Communication, Logical Framework, capacity building plan, Risk assessment/ Management plan taking into account comments from the validation of the Draft Final Report, as well as a data collection tool for indicators;
- e) Summary and PowerPoint slide of the final strategic plan and other implementation documents.

7. QUALIFICATION, SKILLS AND EXPERIENCE

The Consultant should meet the following qualifications, skills and experience:

Qualifications, Skills and Experience

- An minimum of a Master's Degree or equivalent in Social Sciences, Development planning, Development Studies, Law, Public policy, Economics, Management, Engineering or other relevant fields;
- At least ten (10) years of experience in leading a consulting team to conduct related assignments, strategic planning, business development/management, especially, in the areas of good governance and rule of law;
- A minimum of five years of experience in organizational assessment or program development;
- A minimum of five years of experience in collecting, analysing, and interpreting both qualitative and quantitative data;
- Experience in results-based management and, monitoring and evaluation of development interventions;
- Demonstrated experience in the execution of at least three similar assignments in business / strategic plan development;
- Experience in working with multilateral agencies or international development organizations;
- Knowledge of the ECOWAS institutional architecture, operations, and relationships between the various ECOWAS entities;
- A minimum of three years of experience in working within the ECOWAS region
- Good communication and facilitation skills, including analytical and report writing skills; and
- Must be fluent in one of the official languages of ECOWAS (English, French or Portuguese). A working knowledge of another would be an advantage.



8. APPLICATION

A prospective consultant should submit:

- a) A Technical Proposal containing:
 - i. an understanding of the requirements for the assignment;
 - ii. proposed approach, methodology, tool and instruments alongside a detailed work plan;
 - iii. Information on similar assignments that have been executed by the Consultant in the last ten (10) years. This should include:
 - Name of client
 - Location / year of project
 - Title of the project
 - Brief description the project, outputs delivered and results
 - Reference / contact details (email and telephone)
 - iv. A detailed CVs of the Consultant should be accompanied by a summary sheet with the following information:
 - Name of the consultant
 - Educational qualification
 - Years of experience
 - Areas of expertise
 - v. Two samples of similar strategic planning that he/she had produced or extensively participated in their production.

9. LANGUAGE

The Individual Consultant shall be fluent (reading, writing, speaking) in English and French languages. The Practical knowledge (reading, writing, speaking) of the Portuguese language would be an advantage.

NB: The attention of interested Individual Consultants is particularly drawn to **Article 118 of the ECOWAS Revised Procurement Code (“Infringements by Candidates, Bidders and Awardees”)**, providing information on corrupt or fraudulent practices in competing for or executing a contract. In addition, please refer to the following specific information on conflict of interest related to this assignment as per **“Article 119 of the ECOWAS Revised Procurement Code.**

The Eligibility criteria, the establishment of a shortlist and the selection procedure shall be in conformity with the ECOWAS Revised Procurement code for consultant selection. Please note that interest expressed by a consultant does not imply any obligation on the part of the Community Court of Justice ECOWAS to include it in the shortlist. The Community Court of Justice ECOWAS



reserves the right to reject any and all expression of interest, to amend the request for expression of interest and the process itself, or to discontinue the process at any time.

All Intending Consultants will not be reimbursed for any costs incurred relating to the preparation or submission of their response to this request for expression of interest. All such costs are solely the responsibility of the Consultants.

Interested Consultants may obtain further information at the email addresses below during office hours:

Monday to Friday from 10.00 am GMT+1 to 4.00 pm GMT+1.

Email: osafolabi@courtecowas.org with wtowah@courtecowas.org and gejowoh@courtecowas.org in copy

The Expression of Interest comprising of a detailed curriculum vitae and a narrative letter describing this consultancy service. The Expressions of Interest (1 Original and 3 Copies) must be delivered in sealed envelopes and clearly marked "Selection of an Individual Consultant as the lead technical consultant for the development of the ECOWAS Community Court of Justice 2025 - 2029 Strategic Plan" to the address below latest by 5th July 2024 at 17.00 (GMT+1), Nigerian Time.

Directorate of Administration and Finance, Procurement Unit 1st Floor Community Court of Justice ECOWAS, Plot 1164 Joseph Gomwalk Street, Gudu District, P. M. B. 567 Garki, Abuja Nigeria.

From the date an interested Consultant's expression of interest is received through the date a contract is awarded no intending consultant may make substitutions, deletions, additions or other changes in the configuration of their submitted expression of interest without ECOWAS' consent.

Please note that in order to ensure a level playing field, electronic submissions are not accepted and will therefore not be considered.

The Consultancy is lump sum contract for a duration of the assignment based on deliverables.

This request for expression of interest can also be viewed on the following website;

<http://www.courtecowas.org>

Director Administration and Finance