



Terms of Reference (ToR) for a National Short-Term Assignment

Technical assistance requested:	Sectoral national short-term experts to review and update the draft Code of Administrative Offences
Project Title:	Consolidation of the Justice System in Armenia
Reference:	EuropeAid/165867/DD/ACT/AM
Activity	C.1.02.06
Content of the assignment:	Sectoral assessment of the draft Code of Admin Offenses
Expert category	National Short Term Experts
Duration of assignment	32 man-days

1. Project Background

The overall objective of the Consolidation of the Justice System in Armenia project (hereinafter: the Project) is to enhance the quality of justice. Through the project, the justice system will be improved to meet the quality requirements of independence, efficiency, integrity, accountability and transparency in line with the priorities of CEPA and EU best practices.

The project should achieve the following results:

- The Strategy of Judicial and Legal Reforms is being updated and implemented in line with EU standards and best practices.
- Functional judiciary meeting the standards of independence, efficiency, integrity, accountability, and transparency.
- Strengthened integrity and capacity of judges, motivated and skilled judicial personnel.
- A comprehensive system of court assessment and performance evaluation, empowered stakeholders capable to identify the ways of improvement of performances and judicial services and implement them.

2. Description of the assignment

a. Specific objectives

A group of experts under the auspices of the MoJ and funded by various donors developed a draft Code of Administrative Offenses back in 2015-2016 with a view to replacing the last Soviet code with a modern Armenian Code of Administrative Offenses in line with European standards. Since the drafting of the Code, sectoral legislation has changed and developed, such as in the areas of tax and customs law, health law, road safety law etc. Those

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developments are not currently reflected in the draft Code. The specific objective is therefore to recruit a group of local experts specialized in various areas of administrative law to review and update the relevant chapters of the Code in line with new developments.

b. Requested services

Sectoral revision and update of the draft Code of Administrative Offences in line with legislative developments in each relevant sector of regulatory law.

c. Outputs

The outputs delivered by the STE shall consist of:

- (1) the reviewed/revised Chapter(s) of the Draft Code of Admin Offences,
- (2) justification for the revision proposed.

d. Reporting

The STE shall provide a Mission Report, no later than 1 week after the end of the mission using the template of the Project. This report will include a description of the activities carried out and other relevant information.

e. Assignment lots

As the MoJ requested sectoral update of the draft Code, and the latter contains various areas requiring specific expert knowledge, the available 32 man-days must be distributed among the group of specialist experts. The preliminary assessment of the draft Code by the project team revealed the following estimate, based on which the assignment lots are created, and man-days distributed:

Lot 1: public order, governance, justice, electoral offences 5 man-days

Lot 2: telecommunication, radio, TV, advertising offences 5 man-days

Lot 3: health, sanitary, educational, labor offences 5 man-days

Lot 4: construction, property, housing offences 5 man-days

Lot 5: tax, customs, economic offences 5 man-days

Lot 6: land, environmental, cultural offences 3 man-days

Lot 7: traffic offences 2 man-days

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Lot 8: energy offences 2 man-days

3. Expert input

Total man days	32-man days
Period of the assignment	June – July 2022
Starting day	June 2022
Location of the assignment	Yerevan, Armenia
Working language	English
Contract	Service Contract
Remuneration	<ul style="list-style-type: none">All-inclusive fee-rate of 130 EUR / man-day.

4. Expert profile

Qualification & skills	<ul style="list-style-type: none">University degree in law or other relevant fieldExcellent analytical, interpersonal and communication skillsProficiency in English and Armenian languagesComputer literacy, including MS Office applications
General professional Experience	<ul style="list-style-type: none">At least 5 years working experience in legal professionAt least 2 years working experience in the field of criminal law and/or the law of administrative offenses
Specific professional experience	<ul style="list-style-type: none">Proven significant experience in legislative assessment and legislative drafting, preferably in the field of criminal law and/or law of administrative offensesExperience in conducting comparative legal research

5. Tender

Experts interested in a short term assignment mentioned above are asked to hand in their offer in an open tender procedure. Offers should be send in English by **21 June 2022 12:00 CET** by e-mail to armenia@irz-projects.de. The email must refer to the assignment title and enclosures must include a motivation letter and a CV preferably in the EuropeAid format. The tender is divided into eight lots. The applicants who meet the professional requirements can apply for one or more lots and in case the highest score is achieved in several lots , the evaluation of professional expertise will be taken into consideration and the tender will be awarded to the candidate who can prove the highest professional expertise for the corresponding lot. Please note that the number of lots that a single bidder can be awarded is limited to two (max. 10 working days in total) . Applicants are requested to indicate in their application the exact designation of the lot/lots, for which they apply .

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The awarding criteria are as follows: 50 % Qualification & skills, 50 % Professional experience; 10 points for each category. 10 points are awarded in case the bidders offer exceeds the requirements of the Project, 8 points are awarded for an offer rated as “very good”, 6 points are awarded for an offer rated as “good”, 4 points are awarded for an offer rated as “satisfactory”, 2 points are awarded for an offer rated as “sufficient”. Offers, which either do not meet the minimum requirements of the Project or are rated 0 points in one or both categories for being inadequate will be expelled from the awarding procedure.

By handing in an offer the bidder declares his/her consent with the conditions of the tender and the remuneration being paid.

Candidates have to fulfil the minimum requirements mentioned below to be considered suitable. References must be available upon request.

The binding period of the offers is 30. June 2022.

For more information, please contact the Team Leader at gjortler@irz-projects.de.

6. Eligibility Requirements

In order to participate in the selection procedure, on the date of sending the offer the candidate must have the following eligibility requirement and provide proof upon request.

Sending an offer is considered confirmation of fulfilling the following requirements:

- No criminal convictions and no measures concerning the application of preventive measures, civil decisions and administrative measures registered in the criminal record or for any crime;
- Not subjected to criminal proceedings;
- Fulfil the requirement of independence and no condition of incompatibility or conflict of interest (financial, business, work or other relations) with the Project Stakeholders or Armenian Justice Sector institutions;
- No Armenian civil servants.

Please find more details on data protection and how the German Foundation for International Legal Cooperation (IRZ) processes your personal data and which rights you have under the data privacy law here: <https://www.irz.de/index.php/en/data-privacy-notice-en>

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