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REQUEST FOR PROPOSALS. REF NO AUABC/CONS/2022/02

INDIVIDUAL CONSULTANCY SERVICES TO DEVELOP A MODEL CODE OF CONDUCT FOR PUBLIC OFFICIALS

a) Background

The Member States of the African Union adopted the African Union Convention on Preventing and Combating Corruption (The Convention) at the Second Ordinary Session of the Assembly of the Union, held in Maputo (Mozambique), on 11th July 2003. The Convention entered into force on 5th August 2006, thirty (30) days after the deposit of the fifteenth (15th) instrument of ratification. To date Forty-Eight (48) countries have ratified the Convention and are States Parties to it.

The African Union Advisory Board Against Corruption (AUABC) emanated from the Convention, and it was created under Article 22 (1) of The Convention with a mandate to promote and encourage the adoption of measures and actions by State Parties to prevent, detect, punish and eradicate corruption and related offences in Africa as well as to follow-up on the application of those measures.

The Advisory Board Against Corruption has the broad mandate to:

1. Document and analyze corrupt activities;
2. Advise the AU and Member States on all matters relating to corruption;
3. Monitor and report on implementation and compliance with the Convention through receipt and analysis of State Party Reports; and
4. Engage in advocacy and outreach activities to prevent corruption.

Recognizing that a Code of Conduct is an important pillar in the establishment of good governance and ethical conduct of public servants as it raises issues such as respect for human rights, the rule of law, accountability, transparency in government, personal conduct and private interests, the AUABC 2018-2022 Strategic Plan prioritized among others the need for Member States to adopt Codes of Conduct. The first pillar of the AUABC Strategic Plan which focuses on enhancing the legal framework to combat corruption stipulates in one of the strategic objectives calls for the adoption of harmonized Code of Conduct for Public Officials by State Parties. The key activities under the strategic objective are as follows;

- Develop and adopt a harmonized Code of Conduct for Public Officials;
- Conduct a study to identify State Parties with existing gaps in Code of Conduct for Public Officials and State Parties without a Code of Conduct for Public Officials;
- Engage State Parties on aligning existing Code of Conduct with the proposed harmonized Code of Conduct for Public Officials; and

- Engage State Parties without Code of Conduct for Public Officials to adopt proposed the harmonized Code of Conduct for Public Officials.

It is against this background that the Board would like to engage the services of a consultant to facilitate the development of a model Code of Conduct for Public Officials of the African Union Member States.

b) Objective of the Consultancy

The objective of the consultancy is to undertake an analysis of availability of codes of conduct within African Union Member States and to develop a Model Code of Conduct on which State Parties to the African Union Convention on Preventing and Combating Corruption can base their respective national Codes of Conduct.

c) Scope of the Consultancy

The Consultant is expected to

1. Conduct a scoping study in order to identify the availability of existing Codes of Conduct within AU Member States with focus on the following:
 - a. Identification of the legal frameworks supporting Code of Conduct;
 - b. Identification of the institutional framework supporting Code of Conduct; and
 - c. Identification of general practices on implementation of Code of Conduct.
2. Analyse and identify common principles and values on ethics and integrity of public officials;
3. Prepare a model Code of Conduct; and
4. Consult with Member States on the draft model Code of Conduct.

The above activities that constitute the scope of work will be carried out mainly using desk research and interviews with stakeholders virtually. The Consultant will work closely with AUABC Secretariat and designated Board Members throughout the process.

d) Deliverables, Reporting Requirements and Time Frames

It is estimated that the consultancy shall take 30 days spread over 60 days. The final deliverable is expected to be submitted by 30th December 2022. Consultant will be required to submit an inception report including proposed work plan and methodology of work 7 days after signing contract. Once the inception report is approved, the consultant shall proceed to develop the scoping study as well as start developing the model code of conduct. The consultant shall also be consulting with Ministries/Departments and Agencies responsible for Code of Conduct/Ethics within AU Member States.

e) Experience and Educational Qualifications

The consultant is expected to have the following experience and educational qualifications.

i. Experience

- To have developed at least two or more Codes of Conduct/Ethics for organisations with verifiable references;
- At least 10 years demonstrable experience working on compliance, ethics and integrity within the public service of an African Union Member States;
- Good understanding of the role of Codes of Conduct in promoting the fight against corruption;
- Good understanding of regional and global legal and policy normative frameworks on Anti-Corruption in Africa;
- Training experience in Codes of Conduct will be an added advantage;
- The Consultant must be a national of an African Union Member State.

- Proficiency in English or French. Knowledge of any other AU language would be an asset.

ii. Educational qualifications

A minimum of Bachelor of Laws or Honors in Law (LLB), Development Studies, Economics, International Relations and Public Policy or other related social sciences.

f) Selection Method and Deliverables

Consultant will be selected under the Quality and Cost Based Selection (QCBS) method. The first tranche of 20%, will be paid after submitting the inception report. The second tranche of 40 percent will be paid after submitting the first draft of the scoping study and the draft Code of Conduct. The 40% of the contract sum shall be paid after the submission and approval of final scoping study and the model Code of Conduct.

The consultant is expected to submit the following deliverables:

- A scoping study report on Code of Conduct for Public Officials in Africa; and
- Model Code of Conduct for Public Officials.

g) Evaluation Criteria

Selection of a suitable consultant will be based on the following:

- Proposed methodology and understanding of the TOR: 20
- Experience in Ethics, Integrity : 30
- Experience in working on similar assignments: 40
- Educational Qualifications: 10

Total points is hundred (100) and the minimum technical score required to pass is seventy (70).

h) Submission

Interested Consultants are requested to submit the following documents for AUABC's consideration:

- Detailed Technical Proposal (including work-plan, technical approach and methodology to carry out the consultancy;
- Financial proposal; and
- Two reference letters from previous clients.

Request for proposal documents must be submitted to: auabcregistry@africa-union.org with copy to munthalim@africa-union.org

The Title of the Assignment and Procurement reference number should be clearly indicated in the subject matter of the email. The deadline for submission is 25th October 2022 at 17:00hrs East Africa Time (GMT +3).