1. BACKGROUND OF THE ASSIGNMENT:

The UNODC Global Programme against Money-Laundering, Proceeds of Crime, and the Financing of Terrorism (GPML) is an experienced global provider of anti-money-laundering (AML) training and technical assistance and, since September, 2001, also counter-financing of terrorism (CFT) training and technical assistance. Drawing on this experience and expertise, GPML is helping to develop the capacity of countries belonging to the Asset Recovery Interagency Network of Southern Africa (ARINSA) to counter the financing of terrorism.

UNODC supports the ARINSA Network, which is an informal network of law enforcement and prosecution agencies established in March, 2009 that tackles the proceeds and instrumentalities of crime. The aim of ARINSA is to increase the effectiveness of members’ efforts, individually and collectively, on a multi-agency basis, in depriving criminals of instrumentalities of crime and illicit profits.

Through technical assistance and capacity building, UNODC aims to bolster the efforts of ARINSA member countries to prevent the financing of terrorists and to prevent terrorist organisations and terrorist financiers from raising, moving and using illicit funds. UNODC’s efforts in this regard support efforts of ARINSA countries to meet their obligations under various UN Security Council Resolutions (UNSCR), including resolutions 1267, 1373 and 1988, UN Conventions and Financial Action Task Force (FATF) Recommendations.

2. PURPOSE OF THE ASSIGNMENT:

The purpose of the assignment is two-fold and is to:

(a) develop a Manual for hearing and management of confiscation of assets cases by the Malawi Judiciary; and

(b) train a select team of trainers from the Malawi Judiciary on how to understand and use the Manual.
3. **SPECIFIC TASKS TO BE PERFORMED BY THE CONSULTANT:**

Under the overall guidance and supervision of the GPML AML/CFT Adviser, the consultant will carry out his or her assignment as follows:

a) Conduct preparatory activities for the assignment, including an initial meeting with the Taskforce on the Establishment of the Financial and Economic Crimes Court/Division (hereinafter, the “Taskforce”), identifying key laws and documents to be used for the assignment such as the Financial Crimes Act (Cap. 7:06) and attendant regulations; the Corrupt Practices Act (Cap. 7:04); the Penal Code (Cap. 7:01); laws/regulations relating to court procedure and other documentation that would be relevant to the assignment;

b) Prepare a first draft of the Manual for comment by the Taskforce, the UNODC and key stakeholders identified by the Taskforce;

c) Refine the first draft Manual based on the received comments and submit the second draft Manual to the Taskforce the UNODC and key stakeholders identified by the Taskforce;

d) Facilitate a meeting with the Taskforce to present the second draft and receive comments on the draft;

e) Prepare and submit the final draft of the Manual;

f) Prepare materials for training (in consultation with the Taskforce) for a select team of trainers from the Judiciary and key stakeholders as identified by the Judiciary on how to understand and use the Manual; and

g) Conduct the training.

4. **EXPECTED OUTPUTS**

The individual contractor is expected to deliver:

(1) An Inception Report from the initial meeting with the Taskforce to obtain additional information of reference documents, establish times lines and general working arrangements.

(2) The first draft Manual (submitted for comments).

(3) The second draft of the Manual.

(4) Report of the assignment containing the final draft Manual.

(5) Materials developed and delivered for the training of trainers workshop.

(6) Report outlining the outcomes of the train the trainer workshops.

5. **DATES AND DETAILS OF DELIVERABLES/PAYMENTS:**

<table>
<thead>
<tr>
<th>Deliverable</th>
<th>Output</th>
<th>Working Days</th>
<th>To be accomplished by (date)</th>
</tr>
</thead>
<tbody>
<tr>
<td>A.</td>
<td>Meeting with the Taskforce and preparation of Inception Report</td>
<td>Four (4) days</td>
<td>Four working days after signing the contract</td>
</tr>
<tr>
<td>B.</td>
<td>Development of first draft of the Manual</td>
<td>Twenty-five (25) days</td>
<td>Twenty-nine working days after signing the contract</td>
</tr>
<tr>
<td>C.</td>
<td>Circulation of first draft of the Manual to the UNODC, the taskforce and other stakeholders and incorporation of comments</td>
<td>Two (2) days</td>
<td>Thirty-one working days after signing the contract</td>
</tr>
</tbody>
</table>
D. Validation meeting with taskforce and other stakeholders to present second draft and finalization of the Manual | One (1) day | Thirty-two working days after signing the contract
---|---|---
E. The third and final draft of the Manual | Five (5) days | Thirty-seven working days after signing the contract
F. Prepare materials on the Manual for train the trainer workshops in consultation with the Judiciary | Three (3) days | Forty working days after signing the contract
G. Conduct train the trainer workshops in the 3 regions of the country | Nine (9) days | Forty-nine working days after signing the contract
H. Prepare and submit final report of assignment | Two (2) days | Fifty-one working days after signing the contract

| Total | 51 days |

**The payment fee will be paid as per the common UN rules and procedures and in two instalments:**

- The first instalment amounting 40% of the total cost of the contract will be paid after delivery of the deliverable number A (Four (4) days) and B (Twenty-five (25) days).
- The second instalment amounting 30% of the total cost of the contract will be paid after delivery of the deliverable number C (Two (2) days), D (One (1) day), E (Five (5) days) and F (Three (3) days).
- The third and final instalment amounting 30% of the total cost of the contract will be paid after delivery of the deliverable G (Nine (9) days), H (Two (2) days) and after final report has been submitted, assessed and approved by UNODC ROSAF.

6. INDICATORS TO EVALUATE THE CONSULTANT'S PERFORMANCE:

All outputs should be submitted in English and meet the satisfaction of UNODC according to the following indicators:

- Quality of the report produced;
- Quality and adherence to the international framework;
- Technical competence;
- Timeliness of the delivery.

**EVALUATION CRITERIA/EXPERTISE SOUGHT (REQUIRED EDUCATIONAL BACKGROUND, YEARS OF RELEVANT WORK EXPERIENCE, OTHER SPECIAL SKILLS OR KNOWLEDGE REQUIRED):**

**Academic qualifications:**

- A postgraduate university degree in the fields of law, crime prevention or law enforcement is required;
- Postgraduate qualification in legislative drafting is required; and
- Certification or experience in training design and delivery is an advantage.

**Experience:**
(a) At least ten years of professional experience in legislative drafting is required;  
(b) Experience in asset recovery processes in connection with financial crimes  
(c) Previous experience in design and delivery of training is required;  
(d) Experience in providing training or presenting to public institutions is an asset.

Language:

English and French are the working languages of the United Nations Secretariat. For the post advertised, fluency in oral and written English is required.

APPLICATION REQUIREMENTS

A completed application must include: Financial and technical proposal, Cover letter, CV with three contactable referees, and Personal History profile (UNDP P11 Form). Personal History profile must include past work experiences, information on computer skills, samples of knowledge products (guides, toolkit, etc.) and include three contactable referees.

Interested candidates may send their completed application with the subject line “Malawi GPML Consultant” to the UNODC-ROSAF Procurement at unode-rosaf.procurement@un.org (incomplete applications will not be considered). For enquiries, please contact Takalani Godobedza at the provided email.

These TOR’s will also be available on UNODC website: [https://www.unodc.org/southernafrica/en/consultancies-and-opportunities.html](https://www.unodc.org/southernafrica/en/consultancies-and-opportunities.html)

UNODC reserves the right not to make an appointment.

CLOSING DATE FOR APPLICATIONS: 10 October 2021

UNODC/UNDP is committed to achieving workforce diversity in terms of gender, nationality and culture. Individuals from minority groups, indigenous group and persons with disabilities are equally encouraged to apply. All applications will be treated with the strictest confidence.

UNODC/UNDP does not tolerate sexual exploitation and abuse, any kind of harassment, including sexual harassment, and discrimination. All selected candidates will, therefore, undergo rigorous reference and background checks.

Note: Failure to submit supporting documents as specified in the advertisement will result in an incomplete application. Applicants who submit incomplete applications will NOT be considered. Due to the high volume of applications, correspondence will be limited to shortlisted candidates only. UNODC reserves the right not to make an appointment.

******************************************************************************