



## ASF East Africa is looking for:

### A national consultant to compile decisions from national, sub-regional and regional courts on civil liberties (Tanzania)

#### Background

As part of the project "Protecting Civic Space: A Public Interest Litigation Approach" (2022-2024), funded by the Belgian Directorate-general for Development Cooperation and Humanitarian Aid (DGD), ASF is developing an online, open access **Database of key judicial decisions on civil liberties in East Africa.**

The primary objective of this activity is to make case law on public freedoms easily available to East African lawyers to reinforce the use of regional and national case law when it comes to legal proceedings on civic space. This will strengthen lawyers' legal resources and knowledge of important legal precedents that exist on civil liberties.

The secondary objective is to strengthen ASF's advocacy work on the protection of civic space in East Africa through the dissemination of the case database and a short policy brief which will be produced internally by ASF

#### Objectives of the assignment

1. Identify decisions rendered by the Court of Appeal, the East African Court of Justice and the African Court on Human and Peoples' rights in relation to freedom of association, freedom of peaceful assembly and freedom of expression in Tanzania.
2. Collect a soft copy (or, if not available, a hard copy to be scanned) of the final judgment.
3. Report key information about the case (court, parties, date, civic freedom affected, outcome, brief facts, etc...) as well as a short legal analysis in an online tool provided by ASF.

#### Outputs

- All relevant cases for Tanzania are documented using the tool provided by ASF.

#### Profile and qualifications

The consultant will have to show the following qualifications and abilities:

1. A masters' degree in law (required)
2. Excellent knowledge of national, sub-regional and regional legal framework on civic space, particularly freedom of association, freedom of peaceful assembly and freedom of expression (required)
3. Experience in legal research and legal analysis (required)
4. Excellent English speaking and writing skills (required)
5. Access to a laptop or computer, and ease with technology (required)
6. Ability to access court judgements (required)
7. Experience as a practicing advocate (desirable)

### **Length and budget of assignment**

The assignment will take place over the month of December 2023 and will have to be delivered by 31st December 2023.

It is estimated to take between five and ten working days, depending on the profile of the consultant and the quantity of cases identified.

The budget available for this assignment is 1360 euros.

### **How to apply**

Applications must be submitted before Tuesday 5<sup>th</sup> December 2023. The following documents must be sent :

- A CV detailing the applicant(s) relevant qualifications and experience, including the name of at least two referees.
- A short technical proposal detailing the applicant's understanding of the assignment, his/her proposed method to access the relevant judgments, as well as a proposed timeline.
- A financial proposal detailing the activity's anticipated costs, including the applicant(s) daily fees (within budget indicated above).

The applicant(s) should also kindly declare their availability in December 2023.

Applications must be submitted to Lucie Benaiteau ([lbenaitau@asf.be](mailto:lbenaitau@asf.be)) and Nicole Kaneza ([nkaneza@asf.be](mailto:nkaneza@asf.be)) with the following subject line: **Civic Space Research – Name of Applicant**

## **About Avocats Sans Frontières (ASF)**

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Established in Brussels in 1992, Avocats Sans Frontières (ASF) is an international NGO specialising in defending human rights and access to justice. From Kinshasa to Tunis, from Jakarta to Kampala, our teams inform people about their rights, help civil society and lawyers to provide them with better assistance, and promote legislative reforms designed to increase respect for human rights.

ASF intervenes in situations where the full and effective realisation of rights and individual and public freedoms is seriously endangered. These situations are mainly characterised by: structural dysfunctions of the justice institutions, a lack of independence of these institutions, the manipulation of the law by political, military or economic groups, at the expense of the general interest, shortcomings in terms of willingness and/or capacity of the State to ensure the provision of basic public services, including the public service of justice; economic development prospects severely compromised; or significant social tensions.

All our activities are carried out in partnership with local entities: organisations and civil society groups, lawyers, bar associations, local institutions and authorities, community leaders, paralegals, social workers, international NGOs and other institutions... Our activities fall into three categories: provision of legal aid services, capacity building, and advocacy.

## **The project**

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The project entitled "Protecting Civic Space: A Public Interest Litigation Approach" (2022-2024), funded by the Belgian Directorate-general for Development Cooperation and Humanitarian Aid (DGD), aims to contribute to the advancement of the rule of law and human rights in East Africa through public interest litigation, as well as regional cooperation and networking between local and regional civil societies organizations. The project is focused on three interconnected result areas: (i) the establishment of a regional Community of Practice; (ii) the pursuit of public interest litigation; (iii) the strengthening of collective advocacy in order to influence decision-makers at national and regional levels.

The research study will focus on decisions rendered by national courts in Uganda, Tanzania, the East African Court of Justice, and the African Court on Human and Peoples' Rights in relation to the three core freedoms (the freedom of association, freedom of peaceful assembly and freedom of expression).

## **Methodology**

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This assignment will be conducted in close collaboration with ASF's Research and Learning Manager (RLM) and Litigation Manager (LM), both based in Kampala. At the outset of the assignment, an inception meeting will take place between the ASF team and the consultant to agree on expectations. The consultancy is expected to progress as follows:

Day 1: Inception meeting with the ASF team and introduction to the reporting tool

Day 2: Identification of relevant cases at national, sub-regional and regional level

Day 3 to 7: Gathering of court judgments and reporting of cases into the tool, and responses to requests for further information by ASF (if any).

## Deliverables

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- All relevant cases for **Uganda** are documented using the tool provided by ASF.

## Timeline

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Dates	Steps
Week c/ 4 <sup>th</sup> December 2023	Selection and contractualisation of consultant
Week c/ 11 <sup>th</sup> December 2023	Inception meeting with ASF team
11 <sup>th</sup> December until 31 <sup>st</sup> December	Data collection