



Project on “*Implementing the Abuja Recommendations*”

Subject Matter Expert on Prosecution to Develop Case Study Exercises

The International Institute for Justice and the Rule of Law (IIJ) is an intergovernmental organization, located in Valletta, with 13 International Board Members and the mission to provide rule of law-based training to justice sector stakeholders from North, East, and West Africa, the Middle East, and as appropriate from South and Southeast Asia on how to address terrorism and transnational criminal activities within a rule of law framework. For more information on the IIJ, please visit the IIJ website at www.theijj.org. All interested applicants meeting the qualifications below should submit a cover letter and resume to the IIJ Executive Secretariat at BUNYANM@THEIJJ.ORG by no later than 22 February 2019.

The IIJ requires the services of a Subject Matter Expert to develop case study exercises for a program on “*Implementing the Abuja Recommendations*” for criminal justice sector practitioners from East and West Africa.

BACKGROUND

In 2018, the Global Counterterrorism Forum (GCTF) Criminal Justice and the Rule of Law (CJ-ROL) Working Group, with the support of the International Centre for Counter-Terrorism (ICCT), developed the GCTF Abuja Recommendations on the Collection, Use and Sharing of Evidence for Purposes of Criminal Prosecution of Terrorist Suspects. This set of recommendations “focus on law enforcement and judicial cooperation, and different types of evidence including forensic, digital, military, intelligence and witness evidence,” and their stated aim is “to offer guidance to investigators and prosecutors to build a solid case based on strong and admissible evidence.”¹ After an Expert Meeting held in the Hague, the Netherlands, in March and a Review Meeting held in Abuja, Nigeria, in June, the Abuja Recommendations were endorsed at the Ninth GCTF Ministerial Plenary Meeting in New York in September.

The IIJ, which provided ICCT and the GCTF with input during the development of the Abuja Recommendations, plans to retain the services of two subject matter experts to develop fact-based case study exercises that provide a practical framework for criminal justice sector practitioners to implement and operationalize the recommendations. The IIJ will then convene two regional implementation workshops, for the purpose of using

¹ See <https://www.thegctf.org/Working-Groups/Criminal-Justice-and-Rule-of-Law>.

these exercises to train practitioners from East and West Africa, who may include judges, prosecutors, defense attorneys, policymakers, and law enforcement officers. The training workshops' objective will be enhancing the participating practitioners' knowledge of the recommendations and providing them with practical guidance on how to implement these principles in their ongoing counterterrorism-related work.

DELIVERABLE AND KEY TASKS:

The Subject Matter Expert in Prosecution will collaborate and coordinate closely with a Subject Matter Expert in Forensic Science to develop the case study exercises for use in the Abuja Recommendations implementation workshops. These exercises will be based on fact patterns from actual prosecutions of terrorist suspects, both successful and unsuccessful, adapted into anonymized hypothetical scenarios presenting practitioners with a range of specific challenges that arise in building a solid case based on strong and admissible evidence. In line with the Abuja Recommendations, the scenarios that the exercises address could include some of the following: properly collecting, storing, and using forensic data; obtaining and preserving electronic evidence; protecting witnesses' security and anonymity; and using intelligence information and materials to generate evidence.

The expert will work under the overall guidance of the Executive Secretary and under the direct supervision of the Director of Programs, and under the administrative oversight of the Director of Administration and Outreach.

The Expert services entail the following tasks:

1. Participate in a two-day meeting, to be held in Malta in early March at the latest, including the IIJ Executive Secretary, the Director of Programs, the Program Manager for this initiative, and the Subject Matter Expert on Forensic Science, to generate ideas for the case study exercises.
2. Determine the format and structure of the case study exercises, incorporating input from the IIJ Director of Programs, the Program Manager, and the Subject Matter Expert on Forensic Science.
3. Draw on her/his expertise, including desk research on specific topics as needed, to ensure that the case study exercises can serve as workshop training tools that enhance participating practitioners' knowledge of the Abuja Recommendations and provide them with practical guidance on how to implement these principles, thus assisting them in their day-to-day activities in dealing with terrorism and related crimes.
4. Work with the Subject Matter Expert on Forensic Science to prepare a robust outline of the case study exercises to be presented to the IIJ Executive Secretary, Director of Programs, and the Program Manager for review and comments by no later than 8 April 2019. The IIJ will respond to this outline with comments for incorporation by 19 April 2019.
5. Work with the Subject Matter Expert on Forensic Science to prepare and produce a first draft of the case study exercises, in line with the comments provided by the

IJJ, to be presented to the IJJ Executive Secretary, Director of Programs, and the Program Manager for review and comments by no later than 6 May 2019. The IJJ will respond to this outline with comments for incorporation by 17 May 2019.

6. Work with the Subject Matter Expert on Forensic Science to present the IJJ with the Final Deliverable -- a proof-read text of the final case study exercises -- by 1 June 2019.
7. Provide periodic updates via email, at least bi-weekly, directly to the Program Manager, copying the Director of Programs, the IJJ Executive Secretary, and the Director of Administration and Outreach.

EXPERT PROFILE – SKILLS AND COMPETENCIES REQUIRED:

- At least 10 years of experience as a criminal trial prosecutor handling complex criminal cases involving violent crime, cyber crime, transnational or organized crime, and national security information
- Deep experience with at least one of the following:
 - Using sensitive physical material as evidence (e.g., DNA, blood, human remains, clothing, and other material analyzed by forensic science experts) in prosecuting violent crimes involving victims,
 - Using electronic evidence,
 - Using testimony from witnesses whose security and anonymity must be protected, or
 - Using intelligence information and materials to generate evidence for civilian criminal prosecutions;
- Preferably, direct experience with prosecutions of terrorism crimes, and an excellent understanding of the complexity and challenges involved in adjudicating criminal trials of such crimes;
- Excellent drafting skills;
- Clear understanding of common law and civil law system;
- Strong conceptual thinking and analytical skills;
- Proven organizational and prioritization skills;
- Energetic and adaptable in her/his approach with the ability to work individually and/or as part of a team;
- Able to exercise good judgement and discretion at all times; and
- Efficient in observing deadlines and achieving results.

REMUNERATION

- The expert will be required to dedicate a minimum of 20 days to fulfil the remit. The number of days afforded to this project may vary following consultation with the donor and the administration of the IJJ.
- An attractive remuneration package will be offered to the selected applicant, which will be commensurate with prior work experience and expertise in the required field.