

TRAFFIC Terms of Reference

TITLE: Legal Research and Data Collection Consultant

LOCATION: Mahajanga, Madagascar

REPORTS TO: INL Project Manager, TRAFFIC Madagascar

PRESENT INCUMBENT: None

ORGANISATIONAL BACKGROUND

TRAFFIC is the leading non-governmental organization working globally on trade in wild animals and plants in the context of both biodiversity conservation and sustainable development.

TRAFFIC International is a charity and limited company registered in the UK. TRAFFIC's head office, based in Cambridge UK, provides worldwide leadership, coordination, cross-regional and corporate functions. TRAFFIC's local engagement is managed through programme offices operating under the auspices of the UK charity, with staff based in a hub office and at other strategic locations where necessary. Programme offices operate within a geographic area of responsibility focused on one or multiple countries where TRAFFIC aims to help deliver priority programme outcomes. TRAFFIC works in strategic alliance with IUCN and WWF on wildlife trade issues. In Madagascar, TRAFFIC operates through a host agreement with WWF.

PROJECT BACKGROUND

Under the LEMUR-CWC project ("Law Enforcement in Madagascar: A United Response to Combating Wildlife Crime"), TRAFFIC is seeking a data collection consultant to collect closed court cases and records within the Boeny region. The LEMUR-CWC project is jointly implemented by TRAFFIC and the Durrell Wildlife Conservation Trust, with support from the U.S. Department of State - Bureau of International Narcotics and Law Enforcement Affairs (hereafter 'INL'). It aims to address illegal wildlife trade (IWT) through targeted training and capacity-building for law enforcement and judiciary personnel. The consultant will support the INL Legal Officer in collecting closed court cases and records and in assessing the criminal justice system's response to IWT offenses based on this information. The consultant will report to the INL Project Manager.

CHARACTERISTIC DUTIES

The consultant will be expected to:

- 1) Compile, scan and file all IWT court cases and records from relevant courts in the Boeny region for the period between 01 January 2009 and 30 April 2021.
- 2) Thoroughly review all court cases and records, analyse the information and enter data using TRAFFIC's templates and protocols.
- 3) Make contributions to a preliminary analytic report, which will seek to (i) assess the compliance of court procedures, resolutions and penalties with legal provisions under Malagasy law, and (ii) identify patterns, strengths, weaknesses and challenges in the way IWT cases are investigated, prosecuted and adjudicated. This preliminary report will be national in scope. It will be developed with inputs from several consultants under the overall guidance and coordination of the INL Legal Officer.

DURATION OF ASSIGNMENT

The assignment will be for an initial period of 3 months between 01 June and 31 August 2021. The contract may be extended further, subject to the availability of funding and to satisfactory performance. The consultant may move on to support the live monitoring of ongoing IWT court cases at a later stage.

SPECIFIC DUTIES

	Activity/deliverable	Number of days	Deadline
1.	Request official permission to access court records (with the support of the INL Legal Officer). <u>Deliverable</u> : authorisation letter issued by the Ministry of Justice.	3	03 June
2.	Hold introductory meetings with court officials and DREDD to present the project and identify the storage location of court records within the relevant courts of the Boeny region (with the support of the INL Legal Officer). <u>Deliverable</u> : list of storage locations with address and opening hours.	5	10 June
3.	Identify and inventory all court records corresponding to IWT cases prosecuted between 01 January 2009 and 30 April 2021 (assign a reference number to each case and record the exact location of court records, including archiving codes and page numbers). <u>Deliverable</u> : one master Excel file (in English) including basic information on all cases and the exact location of court records.	7	21 June
4.	Scan and digitize all court records previously inventoried. <u>Deliverable</u> : one folder per case containing all court records and proceedings.	10	05 July
5.	Thoroughly review all court records, analyse the information and complete data entry sheets using TRAFFIC's templates and protocols. <u>Deliverable</u> : one completed data sheet per case (in English).	20	03 August
6.	Produce weekly progress reports on court record collection, processing and analysis. <u>Deliverable</u> : 13 weekly progress reports (in French).	/	Due every Friday
7.	Make contributions to the preliminary analytic report (with the support of the INL Legal Officer). <u>Deliverable</u> : one draft (in English) aggregating information from all cases collected in the Boeny region and analysing the overall compliance of court proceedings with Malagasy law. The report will identify key patterns, strengths, weaknesses and challenges in the prosecution and adjudication of IWT cases.	20	31 August
	TOTAL WORK DAYS	65	

REQUIREMENTS / EXPECTATIONS OF THE ROLE HOLDER

- First-level university degree in law, criminology or related field (required) and a post-graduate degree in the same field (desirable).
- A thorough understanding of Malagasy law and law enforcement frameworks, agencies and structure, and detailed knowledge of Malagasy environmental laws and regulations.
- IT skills, including experience using databases and experience scanning, filing and managing large amounts of information.
- Strong research and analytical skills, together with the ability to articulate complex issues clearly and to summarise large quantities of information in a clear, concise manner.
- Malagasy citizenship or permanent residential status is essential.
- Willing and able to travel frequently within Madagascar.
- Fluency in spoken and written French and Malagasy. Fluency in English will be considered a strong asset.
- Registration as a professional lawyer will be considered a distinct advantage.
- Previous experience in wildlife crime, court monitoring, and/or court process analysis and assessment will be considered an asset.
- Experience and/or demonstrated interest in environmental law, biodiversity conservation, and sustainable development issues will be considered an advantage.
- Experience working in multi-disciplinary teams will be considered an asset.

SUPERVISION

The Consultant will work under the direct supervision of the INL Legal Officer, with overall guidance from the INL Project Manager.

HOW TO APPLY

Please send a detailed technical and financial offer (2 pages max), alongside a cover letter and CV (in English or French) with a telephone number for quick contact, a photo, and 03 professional references, to damien.wolff@traffic.org with the following subject line: "TRAFFIC consultant based in Mahajanga (Madagascar)".

Deadline for application: 09 May 2021.

* Please note that applicants should make sure prior to applying that they are able to pay the tax and national insurance contributions which shall be due from them in Madagascar in relation to the payments made by TRAFFIC.

[Last Updated April 2021]