

**Puntland State Police**



**MOS&DDR**



## **PUNTLAND POLICE STATE**

### **TERMS OF REFERENCE (TOR) FOR RECRUITMENT OF CONSULTANCY FIRM TO DRAFT Puntland STATE POLICE LAW.**

#### **Preamble**

This Puntland State Police Plan (PSPP) has been developed by the Puntland Technical Committee, which was set up following the agreement on the “New Policing Model (NPM)” for Somalia signed by the Minister of Internal Security of the Federal Government of Somalia and his counterparts, who represent today’s Federal Member States of Galmudug, Puntland Hirshabelle, Jubbaland, and South-West State on 23 March 2016 in Nairobi/Kenya. The agreement was endorsed by the National Leadership Forum on 24 June 2016 in Baidoa, and confirmed by the agreement on Somalia’s National Security Architecture of the Federal Government of Somalia and the Federal Member States on 16 April 2017 in Mogadishu. New Partnership for Somalia and Security Pact were agreed and endorsed on 11 May at the London Conference on Somalia.

This plan serves as organizational guidance for any activity related to the buildup of the Puntland State Police throughout the upcoming years and as basic concept for any international support towards the Puntland State Police.

However, the Puntland Police State was established in 1999 and under the MOS&DDR for oversight but the Police State of Puntland works Independently and the services the community of Puntland and now the Police needs indeed the laws to work in order to fill full its mandate, so we want Legal firm to develop Puntland Police ACT.

## **I. Background:**

The Joint Police Programme is five years programme led by the Federal Government of Somalia, with funding from the European Union, UK Aid, and the German Federal Foreign Office.

Coordinated through the JPP Secretariat under the leadership of the UN Office of Project Services (UNOPS), the JPP is implemented by the United Nations Development Programme (UNDP) and UNOPS, in partnership with the African Union Mission to Somalia (AMISOM) and United Nations Police (UNPOL).

The main goal of the JPP is to support peace, security, and bring back the rule of law in Somalia by increasing coordination under the Comprehensive Approach to Security plan, in alignment with the New Partnership for Somalia for Peace, Stability and Prosperity agreement, and the New Policing Model -- a key pillar of the new National Security Architecture.

In addition to this, the JPP aims to increase police visibility, presence, capability, and accountability, the JPP supports state and federal police and the judicial system by providing non-lethal support, infrastructure, stipends, basic and specialized training, legal framework and policy development support, and institutional coordination assistance toward development and reform of Somali police and judicial systems.

One of top priorities of JPP Activities is developing and review a legal framework of Somali Federal Police Force and State Police of Federal Members of Somalia namely, Jubaland, Southwest State, HirShabelle, Galmudug, and Puntland.

Based on Puntland Police Development Plan, lack of state police law and regulations are recognized as major challenges faced by the state police to undertake its legal mandates. Therefore, to response this needs with technical and financial support from UNDP, the MOS of PL is planning to develop a new state police act.

In collaboration with the Ministry of Security, and Puntland State Police, a local consultancy firm will facilitate, coordinate and draft the State Police Act which is reflecting the Somali Federal Police Act and Regulations on the basis of the current Provisional Constitution of Federal Government of Somalia.

The Contractor will have responsibility for the below tasks and will work closely with the MOS technical advisor, head of internal security Department and Legal Advisor to ensure high quality and timely delivery of the proposed State Police Act.

## II. Scope of the Work:

The Contractor will be responsible for the preparation and development and translation of a draft State Police Act with a list of names of those who were consulted during the Consultation process of the Act.

The specified tasks to this assignment are provided below:

In reference to the Provisional Constitution and in-line with the New Policing Model conduct research on legal issues and recommend adequate strategies for the development of the Puntland State Police Act and Regulations.

- Based on the articles of the NPM prepare a workplan for the development of the State Police Act within one week of signing of the contract.
  - The Consultant shall develop the TOR for the technical team working on the Police Act and ensure that the team has a workplan within 10 days of the establishment of the technical team.
  - Prepare a short analysis on the existing State or FEDERAL? Police Act and why it does not address the requirements of the New Policing Model (NPM) within two months of signing of the contract.
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- Provide technical support to thematic discussions on the preparation of the Puntland State Police Act to the Council of Ministers, committees of the FMS Parliament, Civil society and women's groups including Bar Association and other stakeholders in answering questions raised by them and other institutions or agencies.
  - Plan, organize and implement activities by transferring skills to the MOS&DDR Legal Department, especially to the legal drafters and interns through training sessions, workshops, joint completion of the tasks, peer review, mentoring mostly related to legal and legislative drafting skills.
  - Within the contract period perform other duties as required and entrusted by the Ministry of Security
  - Interim and Final Reports: An interim progress report will be submitted by the Consultant prior to the midterm review to the Supervisor and to the funding UN partner.

### **Support to be provided by the Mos. &DDR of Puntland State during this consultancy:**

- The Ministry of Security shall establish a Technical Working Group (which shall be inclusive representing government, civil society, interest groups such as Bar Association, women's and youth groups) on the Police Act to ensure that the Consultant is able to work consistently with a technical team. This shall be undertaken prior to the initiation of the consultancy.
- The State Police Act shall be developed based on the draft Federal Police Act.

- The logistic support for the preparation of the meetings and workshops shall be provided by the Police Desk of the MOS&DDR
- Mid-Term Review: There will be a mid-term review of the assignment between the Consultant, the beneficiary institution, and the UN to discuss progress of the assignment and feedback on performance.

### III. Expected Outputs and deliverables:

During this period the following key deliverables shall be undertaken:

1. A work plan shall be developed and translated into Somali within the first week of assignment, which will provide clear and time bound activities to successfully implement the outputs of the assignment.
2. Prepare a TOR for the technical team who are working on developing of the Police Act.
3. Within 2 months from the signing of the contract the consultant shall prepare a short analysis on the existing Federal Police Act and why it does not address the requirements of the New Policing Model (NPM).
4. The Consultant shall make virtual presentations at the State working group on Police, Security and Rule of Law, and to Federal Level working groups on first and final drafts on the Police Act.
5. The consultant shall brief the legal advisor and technical advisor who are responsible the security sector reform, including police reform and Technical Committee of the State Security Council on the progress made on the State Police Act.
6. The final report will be provided at the end of assignment which shall include the draft Police Act with a list of names of those who were consulted during the Consultation process of the Act.

#### Final Deliverables/Products

Deliverables/Outputs	Estimated Duration to complete	Target Due dates	% of total professional fee
Work plan shall include design of the consultation meetings, participation list and <b>TOR for technical committee</b>	7 working days		50%
The following 4 consultations shall be should be undertaken: a. Consult with Ministeries of Internal Security, Justice, Minsitry of Women and Human Rights Development; b. Members of Technical Committee of NPM; c. State Police Commissioner and Senior Police Officers; d. Civil Society Organizations in the State, Clan Elders, women and youth groups and local NGOs	15 working days		

Deliverables/Outputs	Estimated Duration to complete	Target Due dates	% of total professional fee
Draft Police Act to discuss with Parliamentary committee of Puntland State	3 working days		50%
<b>Translation and the Final Report on results of consultations and</b> Final draft Police Act submitted	7 working days		
<b>Total</b>	<b>32 days</b>	<b>100%</b>	

#### IV. Qualifications:

Area of Study:	Master's Degree in law, Public Administration or a related field.
Years of work experience in what area(s):	<ul style="list-style-type: none"> <li>➤ At least 5 years of relevant experience in legal drafting and governance.</li> <li>➤ Demonstrated experience in policy analysis, policy development, strategic planning and/or high-level public sector management.</li> <li>➤ Experience in drafting reports, briefings and training materials.</li> <li>➤ Sound demonstrated understanding of gender issues and principles.</li> </ul>
Languages needed:	<ul style="list-style-type: none"> <li>➤ Fluency in Somali and English.</li> </ul>
General Skills / Other Requirements:	<ul style="list-style-type: none"> <li>➤ Strong communication and drafting skills.</li> <li>➤ Experience in researching and analyzing security, political and social issues in Somalia is an asset.</li> <li>➤ Ability to work under tight schedules, stressful environment and multi-cultural context.</li> <li>➤ Ability to monitor and to undertake research in Somalia, in collaboration with other institutions, is required;</li> <li>➤ Highly motivated with a positive attitude and pro-active problem-solving approach.</li> <li>➤ Proficiency in the use of computer with common software and internet; good knowledge of Microsoft Office Applications.</li> <li>➤ Willingness and ability to work closely with</li> </ul>

	<p>governments, international institutions/agencies and communities.</p> <ul style="list-style-type: none"> <li>➤ Knowledge of procedures, reporting requirements and ethical practices of the Ministry and UNDP.</li> <li>➤ Demonstrated drive for continuous improvement and incorporation of lessons learned and best practices into business process routines.</li> <li>➤ Demonstration of professional behavior and personal ethics, transparency, and openness to encourage respect and similar behavior from colleagues in the workplace.</li> <li>➤ Experience of working successfully with a variety of stakeholders, particularly governments, think-tanks, media, and non-governmental organizations;</li> </ul>
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**V. Criteria for selection:**

It is expecting that the consultant firm will submit both technical and financial proposal and the following points shall be evaluated or scored:

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| • A technical proposal on drafting police act        | 60% |
| • A financial proposal                               | 20% |
| • Work experience on legislative and policy drafting | 10% |

**Duration of the Assignment:** shall be for 1 months.

Please send your application documents to this Emails. [dg.mosddr@plstate.so](mailto:dg.mosddr@plstate.so)  
[Farateebbada@gmail.com](mailto:Farateebbada@gmail.com)