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COUR DE JUSTICE

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COMMON MARKET FOR EASTERN AND
SOUTHERN AFRICA



COMESA



COURT OF JUSTICE

السوق المشتركة للشرق
والجنوب الأفريقي
محكمة العدل

COMESA Centre
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OFFICE OF THE REGISTRAR

**TERMS OF REFERENCE FOR A CONSULTANT TO DEVELOP
A RESOURCE MOBILISATION STRATEGY FOR THE COMESA
COURT OF JUSTICE**

ANNEX 1: TERMS OF REFERENCE

INTRODUCTION

1. The Court of Justice of the Common Market for Eastern and Southern Africa (COMESA Court of Justice or the Court) was established in 1994 under Article 7 of the COMESA Treaty (the Treaty) as one of the Organs of the Common Market. Its primary function is to uphold the rule of law, in the operation of the COMESA Treaty, by ensuring adherence to law, in the interpretation and application of the Treaty. Its general jurisdiction is to adjudicate upon all matters, which may be referred to it under the Treaty.

2. The Court is comprised of two Divisions, five Judges in the Appellate Division and seven Judges the First Instance Division. One Judge of the Appellate Division is appointed as President of the Court whereas one of the Judges of the First Instance Division is appointed as Principal Judge of the First Instance Division.

3. The Court sits on ad hoc basis. Article 41 of the Treaty provides that the day-to-day operations of the Court are coordinated through a Court Registry headed by a Registrar who is the Chief Executive Officer of the Court.

OBJECTIVE OF THE CONSULTANCY

4. To improve the financial position of the Court, there is a need to develop a Resource Mobilisation Strategy as per the Court's Medium-Term Strategic Plan (MTSP) 2021-2025. The objective of this consultancy is therefore to develop a Resource Mobilisation Strategy that will guide the identification and solicitation of resources to support the Court's effort of ensuring diversification of income as well as decreasing full dependence on Member States contributions.

TASKS OF THE CONSULTANT

5. In developing a Resource Mobilisation Strategy, the Consultant will:
- (i) Consult with Court' team to understand the vision, mission and focus areas of the Court.

- (ii) Review the Court's current Medium-Term Strategic Plan and Annual Work Plans to better understand the needs and help position the Court for resource mobilisation.
- (iii) Map the Court's services to identify funding gaps.
- (iv) Develop objectives for fundraising, methods, strategies and focus.
- (v) Identify priority areas to be targeted for resource mobilisation.
- (vi) Conduct a comprehensive analysis of potential donors based on geographic interest and thematic funding and assess the feasibility of securing multiyear and thematic funding.
- (vii) Recommend strategies to develop and maintain strategic partnerships and engagement with key donors.
- (viii) Draft master fundraising proposals aligned with the current strategic plan.
- (ix) Develop fundraising guidelines.

DOCUMENTATION

6. The documentation to be provided to the Consultant by the Court of Justice shall include the following:

- (i) the COMESA Treaty.
- (ii) the COMESA Court of Justice Finance Rules, 2022.
- (iii) the COMESA Court of Justice MTSP 2021- 2025.
- (iv) any other relevant document on need basis.

DELIVERABLES

7. The Consultant shall deliver:

- (i) A comprehensive resource mobilisation strategy that includes an overview of the situation and outlines a timebound action plan to systematically research and raise funds.
- (ii) An annex that maps donor interests, priorities, funding windows, typical funding amounts, focal points, samples of successful project applications, and points to clear actions that should be taken to mobilise resources and develop and maintain relationships with donors.

- (iii) An annex that outlines a series of fundraising materials, both print and digital, to secure funding and raise the profile of the Court, including web content.
- (iv) Master proposals to potential donors (number to be determined).
- (v) Institutional fundraising guideline.

REQUIRED EDUCATION, EXPERIENCE AND COMPETENCIES

8. The qualifications for the interested consultant shall be the following:
- (i) Advanced university degree in Social Sciences, Development, Planning, Business Administration, Communication, or a related field.
 - (ii) At least fifteen years' experience in the development sector and proven experience and success in developing business models and mobilising funds for inter-governmental organisations.
 - (iii) Excellent knowledge of key donors focused on regional integration.
 - (iv) Experience of working in multicultural contexts.
 - (v) Strong analytical, strategic thinking and planning skills and ability to work under tight deadlines.
9. The consultant shall be from the COMESA region.

DURATION OF THE ASSIGNMENT

10. The assignment shall be completed within two months of being awarded the contract, with planning and scheduling of specific activities carried out in consultation with the Registrar and in accordance with an agreed schedule.