



EAST AFRICAN COMMUNITY

REQUEST FOR EXPRESSIONS OF INTEREST (EOI)

FOR

ADVANCED TRAINING IN MEDIATION AND NEGOTIATION PROCESS DESIGN: SIMULATION EXERCISE FOCUSING ON THE CARANA CASE STUDY FOR THE EAST AFRICAN COMMUNITY

TERMS OF REFERENCE

Consultancy for Facilitating Mediation and Negotiation Simulation Exercise – CARANA SCENARIO

I. Background

One and a half decades since the coming into force of the Treaty for the establishment of the East African Community (EAC), significant achievements have been made toward the realization of the goal of regional integration and the ultimate objective of political federation.

Among others, the establishment of the Customs Union, the Common Market, the Protocol on the Monetary Union, the Strategy on Regional Peace and Security, the Protocol on Peace and Security, the Regional Strategy on Counter-terrorism, the Conflict Prevention, Management and Resolution Mechanism, the Early Warning Mechanism and the process leading to the EAC Political Federation are some of the key achievements.

However, progress in the region towards these objectives continues to be inhibited by persistent peace and security challenges, most of which today exhibit a significant transnational dimension. These complex threats include violent and radical extremism, terrorism, identity and resource-based violent conflicts, governance challenges, inter-state disputes, proliferation of rebel groups/negative forces, trans-national and cross-border crimes, genocidal ideologies, human trafficking and wildlife poaching among others. These and many other challenges affecting the EAC region impinge on peace and security which according to article 124 of the EAC Treaty is a prerequisite to the achievement of the objectives of the Community. They also stand in the way to regional social-economic and political progress. To this effect, the revised Strategy on Regional Peace and Security under Goal 14 operationalises the East African Community Conflict Prevention, Management and Resolution Mechanism, calls for the development of capacities to anticipate, **mediate, negotiate and mitigate disputes and conflicts.**

In a bid to further advance the EAC Secretariat's role in the prevention, management and resolution of violent conflicts, and in particular strengthen its role in **preventive diplomacy and mediation**, the Peace and Security Department through its Conflict Prevention, Management and Resolution Mechanism (CPMR Mechanism) has planned a series of capacity-building trainings for Partner States' Officials as well as its staff.

A first introductory workshop on mediation was convened by the Secretariat of the EAC on 14-15 December 2012 in Ngurduto, Arusha, Tanzania and facilitated by Dr. LAURENCE NEILL NATHAN, Director of the Centre for Mediation in Africa. Following from this introduction, a five (5) day training on mediation and preventive diplomacy took place from 27-31 May 2013 at the Centre for Mediation in Africa, University of Pretoria, South Africa facilitated by Dr. Andries Odendaal and Dr. Clever Nyathi both of the Centre for Mediation in Africa at the University of Pretoria. The overall objective of this training was to support the initiative of the EAC to build its mediation capacity, including enhancing participants' knowledge of mediation, contributing to conceptual clarity and analytical skills of participants, sharpen the practical skills of participants in the area of mediation and deepen understanding of the various practical and political dilemmas faced by mediators.

As a follow-up to the Pretoria training, the EAC Secretariat implemented a follow-up "Advanced Training on Mediation Process Design" which was held at Sarova Whitesands Resort Hotel in Mombasa, Kenya from 27 June to 1 July 2016 and facilitated by Prof. Joao Porto Gomes and Dr. Martha Mutisi, both of Institute for Peace and Security Studies, Addis Ababa University.

The first part of the Advanced Training on Mediation and Negotiation Process Design: Simulation Exercise focusing on Carana Case Study took part in Entebbe, Uganda from 27th June to 1st July 2017. It afforded participants to apply skills such as problem solving, strategy design, cultural sensitivity, inclusivity and promotion of local ownership as well as gender transformation in undertaking mediation and negotiation processes. The training provided a platform for participants to develop and design strategies for mediation and negotiation, and furthered their skills in issue presentation, bargaining as well as identification of solution.

The proposed second part of the Advanced Training on Mediation and Negotiation Process Design: Simulation Exercise focusing on Carana Case Study will complete the first part as it was not possible to do it within the confine of the resources available at the time. Through this training, it is envisaged that the EAC will create a corpus of effectively qualified personnel who can provide thoroughly grounded mediation support services to political leaders and diplomatic mediators in the region.

II. Rationale of the "Advanced Training On Mediation and Negotiation Process Design: Simulation Exercise Focusing on the CARANA Case Study"

Understanding the underlying dimensions, environments and dynamics of mediation and negotiation processes and decision-making lays the first foundation for effective behavior in the field. It is recognised that negotiation and mediation skills are generic skills which are often applied in complex political and conflict environments. Against this background, the "Advanced Training on Mediation and Negotiation Process Design: Simulation Exercise focusing on the Carana Case Study" is designed to address some of the key recommendations made by participants that attended the Mombasa training in 2016. In particular, the "Advanced Training on Mediation and Negotiation Process Design" addresses the following key recommendations made by participants at the Mombasa training with regards to follow-up processes:

- i) Participants highlighted that a follow up workshop Negotiation and Mediation Strategy Design was recommended, particularly one which would get deeper in the processes of developing an agenda, strengthening confidence building, breaking deadlocks, facilitating shuttle diplomacy, knowing when to call for a break and when to promote caucusing, among others.
- ii) Participants expressed keenness to get a step-by-step outline of activities which technical experts can use towards developing a communication strategy for mediation, engaging in outreach during the mediation process.
- iii) Participants requested a simulation exercise which is case study based which allows them to link more clearly the conceptual and practical issues of negotiation and mediation, and will ensure that there is stronger engagement technical experts in hands-on processes of negotiation and mediation support;
- iv) Another key recommendation was the need to focus more deeply on conflict analysis and assessment in mediation and negotiation.

III. DESCRIPTION OF THE ASSIGNMENT

Overall Objective

In light of these recommendations, the “Advanced Training in Mediation and Negotiation Process Design: Simulation Exercise focusing on the CARANA Case Study” has the following main objective:

To deepen participants’ advanced understanding and skills required for the design and conduct of mediation interventions (including operational and strategic mediation planning, pre and post mediation) in the context of regional and sub-regional organisations in Africa, through the use of a detailed simulation exercise that allows them to live the experiences of actors in the mediation and negotiation landscape.

Specific Objectives

Moreover, the “Advanced Training in Mediation and Negotiation Process Design: Simulation Exercise focusing on the CARANA Case Study,” has the following specific objectives:

- (i) Refresh participants’ understanding of mediation and negotiation process design by allowing them to utilise the skills and expertise that were derived from previous training processes;
- (ii) Deepen participants’ appreciation and application of the substantive content of mediation to a reality that is manufactured, with a view to strengthening their dialogue convening, problem-solving as well as communication skills;
- (iii) Deepen participants’ appreciation of the role and importance of conflict analysis in mediation, including in mediation strategy design by enhancing their conflict analysis skills/capacities;
- (iv) Enable participants to appreciate, in a simulated setting, the operational and strategic requirements and challenges of mediation planning;
- (v) Provide participants with the opportunity to apply the guidelines and guidance on mediation which are derived from the United Nations, African Union and East African Community, while ensuring that their mediation strategy is context-responsive;
- (vi) Enable participants to make decisions on mediation and negotiation processes, which reflect that they have thought through the context in which they are operating

- vii) Provide a platform for participants develop specific and concrete proposals in the area of strengthening mediation support in the context of the East African Community;
- (viii) Provide participants with the opportunity to display evidence that they have effectively and comprehensively reflected on current issues on the African peace-making agenda such as gender and the role of women in mediation; mediation and violent extremism/terrorism; the role of civil society in mediation and the financing of mediation.

IV. METHODOLOGY

It is widely recognised that professional and targeted simulation training is an ideal methodology for advanced negotiation and mediation skills development. To this end, this training will be based on a tailor made adaptation of the Carana Base Scenario. Participants will be provided with the Carana Base Scenario Package as well as all relevant materials, including the Carana Country Study. Carana has been developed in detail, the adjacent states in detail sufficient to support specific scenario development. The Base Scenario Package provides information pertaining to Carana and the other states, including a range of potential issues that might contribute to national or regional crises.

Indeed, the Carana Base Scenario has successfully been used for African Standby Force training, the Amani Africa Project as well as training to the African Union Continental Early Warning System. Based on a realistic, sophisticated and tested scenario exercise, the proposed training will enable participants to apply key negotiation and mediation skills in a controlled environment. These include problem-solving, strategy and operational design, cultural sensitivity, inclusivity and promotion of local ownership as well as gender transformation in undertaking mediation and negotiation processes. The training will provide a platform for participants to develop and design strategies for mediation and negotiation, and will further their skills in issue presentation, bargaining as well as identification of solution. Through this training, it is envisaged that the EAC will create a corpus of effectively qualified personnel who can provide thoroughly grounded mediation support services to political leaders and diplomatic mediators in the region. Understanding the underlying dimensions, environments and dynamics of mediation and negotiation processes and and decision-making lays the first foundation for effective behavior in the field.

Indeed, the use of simulation (and in this case the Carana Exercise) will place participants in a situation where they will be able to appreciate the requirements and challenges of mediation and associated forms of third party interventions. As noted above this will reinforce participants' understanding of the practice of mediation in a controlled environment, deepening their understanding and appreciation of the specific mandates, powers and functions of Africa's regional and sub-regional organizations in peacemaking, and finally, enable participants to improve their presentation and communication skills.

V. EXPECTED OUTCOMES/DELIVRABLES

The intensive 5-days Mediation Simulation Exercise is expected to give participants with practical skills and knowledge for a better understanding of the key steps in mediation and negotiation which will enable them to practice activities such as assessment, planning and deployment, both strategic and operational as well as the crafting of peace agreements and post-agreement implementation arrangements through linking more clearly the conceptual and practical issues of negotiation and mediation.

III. PARTICIPANTS

Participants will include Partner States Officials who attended previous mediation trainings and selected EAC Staff involved in the implementation of the CPMR Mechanism.

IV. TASKS AND RESPONSIBILITIES OF THE TRAINER/FACILITATOR

The training is expected to be developed and conducted by a team composed of a Lead Trainer and a Facilitator who should have previous proven experience in facilitating similar simulation mediation and negotiation training exercises.

The **Lead Trainer** is assigned by the EAC to complete the following assignment:

- Design and plan the training with the Facilitator and in consultation with the EAC;
- Provide the EAC with the training syllabus containing a detailed description and agenda of all training activities in advance of the training;
- Collect and provide all required training materials (reading materials, task-sheets, audio-visuals, etc);
- Conduct the training jointly with the Facilitator in Entebbe, Uganda, from 21st to 25th May 2019 (inclusive);
- Provide a short evaluation report latest 10 days after the training (reporting structure will be provided by the EAC).

The **Facilitator** is assigned by the EAC to complete the following assignment:

- Support the Lead Facilitator in the design and planning of the training in consultation with the EAC;
- Support the Lead Facilitator in preparing the training syllabus containing a detailed description and agenda of all training activities in advance of the training;
- Collect and provide all required training materials (reading materials, task-sheets, audio-visuals, etc);
- Conduct the training jointly with the Lead Trainer by facilitating plenary sessions, working groups, and support participants' during the training;
- Present, as appropriate, plenary sessions;
- Support the Lead Trainer in the preparation of a short evaluation report latest 10 days after the training (reporting structure will be provided by the EAC)

The Lead Trainer and the Facilitator will work closely with the EAC Secretariat during the preparation of the simulation exercise. The EAC Secretariat will provide administrative and organizational support for the training and the Lead Trainer is asked to kindly let the EAC Secretariat know in time where he/she will need support.

V. QUALIFICATIONS AND COMPETENCIES

The **Lead Trainer** should have:

- An Advanced degree in Political Science, International Relations, Peace Studies, Conflict Resolution or International Law;
- At least ten (10) years relevant work experience in the Diplomatic Service, the UN or UN Agencies, the AU or a REC, a policy research think tank; or as a professor/senior lecturer at a University on one of the disciplines mentioned above;
- Proven experience in the design and conduct of advanced/professional training in Mediation, Negotiation and associated forms of conflict resolution;
- Excellent communication and presentation skills;
- Ability to coordinate a training team; creativity, initiative as well as capacity to work under pressure;
- Excellent command of English and proficiency in both written and spoken English – the official EAC language;
- Relevant publication record (academic or policy oriented) is a distinct advantage.

The **Facilitator** should have:

- An Advanced degree in Political Science, International Relations, Peace Studies, Conflict Resolution or International Law;
- At least ten (5) years relevant work experience in the Diplomatic Service, the UN or UN Agencies, the AU or a REC, a policy research think tank; or as a lecturer at a University on one of the disciplines mentioned above;
- Excellent analytical and writing/drafting skills as well as good communication and presentation skills;
- Creativity, initiative as well as capacity to work under pressure;
- Excellent command of English and proficiency in both written and spoken English – the official EAC language; working knowledge of French is a distinct advantage;
- Publication record (academic or policy oriented) is a distinct advantage.

VI. DURATION AND CONSIDERATION OF THE EXPERT SERVICES

The Expert's services for the Lead Trainer and the Facilitator shall be for a nine (9) days, including four (4) days for preparation and report writing and five (5) days for conducting the mediation and negotiation simulation exercise.

VII. TIME SCHEDULES

The following time-frame will define the implementation of the consultancy:

- 1) 28th February 2019; commence the preparation of the training;
- 8th March 2019; submit the agenda, program and training material to EAC Secretariat;
- 3) 19th May 2019; travel to Mombasa, Kenya to conduct the mediation and negotiation simulation exercise from 16th to 20th April 2019;
- 4) 31st May 2019; submit the Mediation and Negotiation Simulation Exercise Report to EAC.

VIII. CONTRACT

The **Lead Trainer** and the **Facilitator** will enter into a written contract for the delivery of the above mandate, which includes the duties and responsibilities of the Lead Trainer/Facilitator and the **Client** (EAC Secretariat) and remuneration among other things.

PROPOSAL SUBMISSION

The selection will be based on ability to meet minimum relevant requirements, and proven relevance of experience, qualifications, and capability to carry out the assignment.

Interested and qualified consultants are invited to submit their expression of interest proposal(s) comprising of the following:

- An understanding of the consultancy requirements, elaborate methodological approach and work-plan for performing the assignment.
- Copies of their CVs and evidence of academic credentials.
- Detailed reference list indicating the scope and magnitude of similar assignments successfully executed.

Qualified and experienced consultant will be recruited through a competitive process according to EAC Rules and Procedures for procurement of service providers.

SELECTION OF THE EXPERT

The selection will be based on the following broad criteria:

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| a) | General qualification and suitability for the task to be performed based on the CV: | 30% |
| b) | Experience in the specific assignment described in the Terms of Reference: | 40% |
| c) | Work plan and proposed methodology: | 25% |
| d) | Knowledge of the region (EAC): | 5% |

ADDRESS FOR SUBMISSION OF THE PROPOSAL

Interested individual consultant may Express their Interest and provide the following information in the EOI. General and specific experience in the field of the assignment over the last 3 years provide a detailed list of similar consultancies previously done in the past three (3) years; provide evidence of at least previous copies of contracts / orders of similar assignments.

Interested individual consultant may obtain further information at the address below during office hours 08:00hrs – 16:00hrs (East African Time). No liability will be accepted for loss or late delivery and late submissions will be rejected.

Expressions of interest must be delivered to the address below by **21stFebruary, 2019 at 11:00hrs** labelled “**Expression of Interest for the (Description)**”.

Attn: Secretary, Procurement Committee
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For more information or clarification, please contact us on the address above or through e-mail: eacprocurement@eachq.org. E-mail submissions will be accepted.

Any changes or modifications or updates will be communicated on the EAC Website: www.eac.int.