

Notice of call for expressions of interest

Revision, update and further development of the EASO Professional Development Series for members of courts and tribunals

1. Objective

The International Association of Refugee Law Judges (IARLJ) is inviting members of courts and tribunals (part-time or retired), judicial assistants, lawyers, law academics, legal consultants, and staff from international organisations with an expertise in EU asylum law to register an interest in being included on a list of experts who wish to be commissioned to provide expert research and didactic services for the revision, update and further development of the European Asylum Support Office (EASO) Professional Development Series (PDS) for members of courts and tribunals.

2. Background

In line with its mandate under its founding Regulation (EU) 439/2010 and in close cooperation with courts and tribunals of EU Member States as well as other key actors, EASO has been developing the Professional Development Series (PDS). The PDS is a set of materials, specifically tailored to the needs of members of courts and tribunals in the EU+ countries, aimed at providing a full overview of the Common European Asylum System (CEAS) on a step-by-step basis. The PDS contains, for each subject, an analysis of the legal situation in the subject at hand; a compilation of relevant sources including, but not limited to, jurisprudence, legislation and academic writings; a guidance note for judicial trainers based on the EASO common professional development methodology to be used during facilitators' workshops and such other didactic tools as may be appropriate, such as case studies, training exercises etc. The materials are intended to be of use both to those with little or no prior experience of adjudication in the field of international protection within the framework of the CEAS as well as to those who are experienced or specialist judges or tribunal members in the field. The aim is to set out clearly and in a user-friendly format the current state of the law.

EASO and IARLJ have agreed a four-year 'Framework Contract for Services' for the provision of expert services for the revision, update and further development of the PDS. The list resulting from this notice is valid for the period the Framework contract remains in force and will be used exclusively for the execution of the services described below.

3. Registration procedure

Interested parties should submit a CV and cover note which sets out how they fulfil the minimum requirements set out below (see point 12) to Liesbeth van de Meeberg (info@iarlj.org) **by 13 July 2018**. Interested persons are requested to ensure they set out their experience and relevant expertise, e.g. by reference to previous contributions to preparation of training materials, judicial decisions, any publications (books or articles) in the field of asylum law etc.

Inclusion on the list entails no obligation on the part of IARLJ concerning the conclusion of contracts.

4. Protection of personal data

The processing of the expressions of interest involves the recording and processing of personal data (such as contact details and CV). Such processing will be performed in accordance with relevant safeguards on the protection of individuals with regard to the processing of personal data.

5. Subjects covered by the call for expressions of interest

- [Introduction to the Common European Asylum System \(CEAS\) for Courts and Tribunals – A Judicial Analysis](#) (produced by IARLJ-Europe under contract to EASO)
- [Qualification for International Protection \(Directive 2011/95/EU\) – A Judicial Analysis](#) (produced by IARLJ-Europe under contract to EASO)
- [Article 15\(c\) Qualification Directive \(2011/95/EU\) – A Judicial Analysis](#)
- [Exclusion: Articles 12 and 17 Qualification Directive \(2011/95/EU\) – A Judicial Analysis](#)
- [Ending International Protection: Articles 11, 14, 16 and 19 Qualification Directive \(2011/95/EU\) – A Judicial Analysis](#)
- Evidence and Credibility Assessment in the Context of the Common European Asylum System (CEAS) – A Judicial Analysis (produced by IARLJ-Europe under contract to EASO)¹

¹ Pending publication and, therefore, not available on the EASO website at time of writing.

- Asylum Procedures and the Principle of *Non-Refoulement* – A Judicial Analysis (produced by IARLJ-Europe under contract to EASO)²
- Judicial Practical Guide on Country of Origin Information³

EASO plans to further develop materials on other subjects. Subjects currently under consideration include:

- Vulnerability in international protection cases.

6. Description of services

The experts will assist IARLJ with the provision of the following services:

- Service 1: Review of EASO professional development material

Provide judicial expertise on the content and quality of the published PDS materials from both a content and didactic perspective and deliver recommendations to EASO in the form of a report on the need for their update including the scope, the extent and the timeliness of a possible update.

- Service 2: Update of EASO professional development material

Provide judicial and didactic expertise to update the content of the materials on specific subjects according to terms of reference defined by EASO in consultation with IARLJ.

- Service 3: Development of EASO professional development material

Provide judicial and didactic expertise to deliver a comprehensive judicial analysis and judicial trainer's guidance note on a new subject for the PDS.

It is not possible, at this stage, to state the precise services that EASO may commission IARLJ to undertake or the concerned subjects as these will be specified in the specific contract(s) which are yet to be agreed.

² Pending publication and, therefore, not available on the EASO website at time of writing.

³ Pending publication and, therefore, not available on the EASO website at time of writing.

7. Responsibilities of researchers and didactic experts

Service 1: Review of EASO Professional Development Series material

Researcher

IARLJ will engage a researcher to undertake preparatory background research and judicial analysis of the quality of EASO PDS materials (Judicial Analysis and Judicial Trainer’s Guidance Note) on a specified subject from both a content as well as a didactic perspective. The terms of appointment will require him/her to carry out his/her tasks according to a specified time limit. The research will be designed to establish whether the PDS materials on a specified subject require updating and to what extent; and to deliver draft recommendations in the form of a report on the need for updating the PDS materials including the scope, the extent and the timeliness of a possible update.

The researcher will conduct and deliver his/her work under the guidance of an Editorial Team of judges and members of tribunals.

Service 2: Update of EASO Professional Development Series material

Researcher

IARLJ will engage one or more researchers, depending on the level of updating required, to prepare draft updated content for EASO PDS materials (Judicial Analysis and Judicial Trainer’s Guidance Note) on a specified subject in consideration of the necessity to ensure a judicial approach and high standards of didactic expertise, in accordance with the terms of reference defined by IARLJ and EASO. The terms of appointment will require his/her/their tasks to be carried out according to a specified time limit.

The researcher(s) will conduct and deliver his/her/their work under the guidance of an Editorial Team of judges and members of tribunals.

Didactic expert

IARLJ will engage a didactic expert to provide expertise in the update of a Judicial Analysis and Judicial Trainer’s Guidance Note (JTGN) with regards to the didactic content, for example, the inclusion of checklists, flow-charts, tables, diagrams, decision-trees, links, case studies, training exercises and other such didactic tools as appropriate given the subject-matter and the use of the materials. The didactic expert will also carry out specified editorial and proof-reading tasks and ensure that the updated Judicial Analysis and JTGN are presented in a format and style which adhere to the EASO Style Guide.

The terms of appointment will require him/her to carry out his/her tasks according to a specified time limit. The didactic expert will conduct and deliver his/her work under the direction of an Editorial Team of judges and members of tribunals.

Service 3: Development of EASO Professional Development Series material

Researcher

IARLJ will engage a team of up to six researchers (and didactic experts) to prepare draft content to form part of a comprehensive judicial analysis for a specified subject in the EASO PDS consisting of an analysis of the legal situation in the subject at hand; a compilation of relevant sources including, but not limited to, jurisprudence, legislation and academic writings; a Judicial Trainers Guidance Note that incorporates an updated guidance note of possible professional development methodology to be used during facilitators' workshops and such other didactic tools as may be appropriate, such as case studies, training exercises etc. Their terms of appointment will require them to carry out their tasks according to a specified time limit.

The researcher will conduct and deliver his/her work under the guidance of and in line with a 'research methodology' agreed by an Editorial Team of judges and tribunal members.

Didactic expert

IARLJ will engage a didactic expert who will be one of the up to six experts working within a drafting team as mentioned above. The terms of appointment will require him/her to carry out his/her work according to specific time limits. He/she will have responsibility:

- To prepare a specialised bibliography and compilation of relevant jurisprudence to accompany the Judicial Analysis.
- To coordinate with the experts in the drafting team to ensure the collation and consolidation of their draft texts into a Judicial Analysis and Judicial Trainer's Guidance Note ready for delivery to the Editorial Team in accordance with the deadlines set out in the stated schedule.
- To ensure that the Judicial Analysis and Judicial Trainer's Guidance Note are presented in a format and style which adhere to the EASO Style Guide.
- To provide the didactic content of the Judicial Analysis and Judicial Trainer's Guidance Note, for example, the inclusion of case studies, checklists, flow-charts, tables,

diagrams, decision-trees, links etc. as appropriate given the subject-matter and the use.

8. Copyright and acknowledgement

Expert researchers and didactic experts will be commissioned on the condition that they assign their copyright to IARLJ. However, their role in authoring the drafts will be fully acknowledged in the final publication which will be undertaken by EASO. The ownership of the results shall be fully and irrevocably acquired by EASO including copyright and other intellectual property rights. The rights will be acquired by EASO from the moment the results are delivered by IARLJ. The precise basis of the agreement relating to copyright and acknowledgement will be set out in the specific service contract between EASO and IARLJ.

9. Place and mode of work

The work will be carried out at the expert's own premises through electronic communication. The team of researchers and didactic experts working on the development of a Judicial Analysis and Judicial Trainer's Guidance Note on a new subject will attend a face to face 'kick-off meeting' with some members of the Editorial Team and the Project Manager at the beginning of the contract period. Attendance at this meeting may require travel within the EU. Such meetings typically take place in one afternoon and do not require an overnight stay. In addition, the Editorial Team may invite a designated lead expert from the team of researchers to attend an Editorial Team meeting. Attendance at this meeting may require travel within the EU. Such meetings typically take place over two days and require an overnight stay. IARLJ will cover travel, accommodation (if necessary), and subsistence costs, in accordance with EU guidelines, incurred in the attendance of project meetings.

The working language is English.

10. Duration of assignments

The work will be carried out within four years of the entry into force of the Framework Contract on 18 April 2018⁴. However, the specific contract(s) will specify the type of services required, the subject in the EASO PDS concerned, and the timeframe (starting date and duration) of the assignment. Therefore, a schedule of work for services for specified subjects can only be drawn up once specific contract(s) are concluded. Based on the EASO Tender Specification, the approximate duration for the completion of services per subject are as follows:

⁴ The Framework Contract is concluded for a period of 24 months with effect from the date of entry into force on 18 April 2018, automatically renewable one time for a further 24 months unless there is formal notification by one of the parties to the contrary.

Review of materials per subject: 5 months
Update of materials per subject: 8 months
Development of materials per subject: 12-14 months

It should be noted that when duly justified, these periods may be extended.

Researchers and didactic experts commissioned for a service on a specified subject must be able to commit to the relevant above-mentioned period for that service, bearing in mind that period may be extended when justified and in consultation with the researchers and didactic experts.

It should be noted that, where possible and considered appropriate by the Editorial Team, the researcher who carried out the review service for the PDS materials on a specified subject may be appointed to carry out any update of those materials given that, having carried out the review, s/he will have knowledge of the relevant legislative and jurisprudential developments, and the feedback from EASO's network of court and tribunal members and the judicial trainers piloting the relevant materials. As such, IARLJ welcomes expressions of interest from persons able to commit to both review and, if contracted by EASO, update services on a specified subject.

Work for researchers and didactic experts within these service timeframes will be phased, as there will be periods during these timeframes when the draft set of materials are under review by the Editorial Team. Applicants must be in a position to commit to carrying out the requisite work (which may require as much as approximately 70-100 hours, depending on the service) and to do so within stipulated time-limits.

11. Selection process

Please note that, at this stage, IARLJ only wishes to establish a list of expert researchers/didactic experts who are interested in being commissioned to provide review, update and/or development services under specific contracts to be concluded under the framework contract. The number of experts to be recruited will be dependent on the contracted services.

Once a specific contract is concluded with EASO, IARLJ will proceed to make a selection from the list (it may be that a request for further information is made at this stage).

Selection will be undertaken by the Editorial Team. IARLJ may decide at this point to request further information. Selection will be on the basis of expertise (either legal/academic and/or didactic) and availability.

12. Selection criteria

Experts shall be selected on the basis of their professional and technical experience and ability to perform the tasks described in this call according to the following criteria:

Minimum requirements for researchers

- University degree, master's level minimum
- Minimum of three years of experience in research in the field of migration and asylum.
- Very good knowledge of spoken and written English (at least C1 level).
- Relevant IT skills.

Minimum requirements for didactic experts

- University degree, master's level minimum
- Minimum of three years of experience in developing didactic content (e.g. training materials, manuals, handbooks).
- Editing and proof-reading experience.
- Very good knowledge of spoken and written English (at least C1 level).
- Relevant IT skills.

13. Terms of payment

Those commissioned as researchers/didactic experts will be paid a lump-sum payment. The amount will be specified in any offer made, but will be calculated on the basis of an assessment of the number of hours required to carry out the work at an hourly rate of €55 Euro.

Researchers and didactic experts will only be paid once the deliverable has been approved by EASO and payment for the service received by IARLJ from EASO.

14. Date of publication of notice

6 June 2018