

TERMS OF REFERENCES (TOR)

Georgian Association of Arbitrators (GAA) is making announcement for the position of Short-Term Expert on Arbitration (international) within the framework of its project **Developing accreditation system and curriculum for the training of arbitrators**. The project is supported by the European Union (EU) and United Nations Development Programme (UNDP) in Georgia project **“ENHANCING ACCESS TO JUSTICE AND DEVELOPMENT OF A CHILD-FRIENDLY JUSTICE SYSTEM IN GEORGIA”**.

Position:	International Expert on Arbitration
Project Title:	Developing accreditation system and curriculum for the training of arbitrators
Contract Duration:	10 working days
Location/ Duty Station:	Working remotely, one field mission in Georgia (September-October, 2018)
Type of Contract:	Individual Contract (IC)

1. Background Information

In the last few years significant efforts have been made to improve arbitration framework in Georgia. In 2009 the new Law on Arbitration, based on UNCITRAL Model Law on International Commercial Arbitration was adopted. Later in 2015 amendments to the Law were passed which made arbitration less expensive, more flexible and in compliance with best international practices. The capacity of judiciary was strengthened through workshops and trainings; international and national conferences are being held to raise awareness on arbitration among legal professionals and business representatives in the country. While these efforts have had a positive impact, arbitration remains unpopular in resolution commercial disputes. The recent survey “Legal and Practical Aspects of Arbitration in Georgia” conducted by the CRRC Georgia for the European Union (EU) and UNDP has shown that development of arbitration is mainly hindered due to the lack of trust. The survey further identified the factors causing the lack of trust, among which are, low qualification of arbitrators, lack of ethical standards in arbitration and lack of transparency with respect to the information related to arbitration institutions and arbitrators, close affiliation of arbitration with financial institutions, uninformed engagement of natural persons in arbitration, etc.

The Georgian Association of Arbitrators (GAA) is a non-profit, non-governmental professional membership association, established in 2013. GAA aims to raise public trust in and awareness on arbitration, create accreditation and continuing education system for arbitrators, set standards of professional conduct and establish efficient self-regulatory mechanism for arbitrators. It presently

unites more than 60 members of the arbitration community of Georgia, as well as several foreign-based members.

GAA's 2018-2019 activities shall focus on following 3 dimensions:

- ❖ Raising awareness on Ethical Standards and implementation of its Rules for Disciplinary Proceedings;
- ❖ Developing standards for consumer arbitration;
- ❖ Developing system of accreditation of arbitrators, as well as a training (continuing education) module(s) for arbitrators.

The present call and terms of reference relate to this last component: Developing system of accreditation of arbitrators, as well as a training (continuing education) module(s) for arbitrators.

2. Objectives

Developing Accreditation system and curriculum for the training of arbitrators

One of the objectives of GAA is to put in place the system of accreditation and offer knowledge and skills development opportunities for the members of GAA. For this purpose, GAA shall develop the scheme of accreditation as well as the training (continuing education) module(s) for arbitrators, linked to its accreditation system. As a result, GAA aims to introduce the concept of “accredited” arbitrators, which shall serve as an assurance of professionalism of the GAA “listed” arbitrators for potential parties and/or the courts.

A local working group composed of members of the board and other experienced professionals will develop the draft of intended accreditation system, as well as the draft of the training module(s). The international expert is expected to review and revise both drafts in cooperation with the local working group.

3. Duties and Responsibilities

- Review the draft scheme of accreditation and the training module/curriculum developed by the local WG;
- Suggest feedback, revisions and comments on both activities/drafts;
- Undertake a field mission to finalize the drafts and hold a workshop/presentation with the local WG and the Governing Board of the GAA.

4. Required Qualifications and Competencies

I. Academic Qualifications:

- Law Degree;

II. Experience:

- Strong expertise and minimum 10 years of professional experience in arbitration;
- Knowledge/awareness of professional accreditation systems internationally, including best practices of regulation/self-regulation of arbitrators;
- Experience in creating training modules/curriculums in the field of law; (experience in creating training modules/curriculums specifically on arbitration will be an asset);
- Experience in working in foreign jurisdictions, particularly in countries with relatively new arbitration systems/culture;
- Experience in working on frameworks for the support ethical and professional practice by arbitrators.

III. Competencies:

Core Competencies

- Demonstrated commitment to UNDP's mission, vision and values;
- Sensitivity and adaptability to cultural, gender, religion, race, nationality and age;
- Highest standards of integrity, discretion and loyalty.

Functional Competencies

- Excellent communication skills (spoken, written and presentational);
- Good interpersonal skills and ability to work in and with teams;
- Ability to set priorities and manage time effectively.
- Ability to provide constructive feedback and clear suggestions on materials;
- Ability to grasp and understand local environment/framework for arbitration.

IV. Language Requirements:

- Knowledge of English is must (both written and verbal).

5. Payment modality:

The expert will be paid a fixed honorarium and per diem covering costs of local accommodation & meals. Airplane ticket and local transportation costs will be covered by GAA.

Duration of the assignment

The entire assignment will be undertaken during August – October 2018.

Please submit your expressions of interest with your CV on or before July 24, 2018 to the following email address gaa.arbitration@gmail.com .