TECHNICAL ASSISTANCE

TO THE

REPUBLIC OF MALDIVES

FOR

STRENGTHENING LEGAL EDUCATION AND JUDICIAL TRAINING

December 1999
Although the exchange rate of the rufiyaa is determined under a system of managed float, it has been fixed at $1.00 = Rf11.77 since 1994 under a de facto fixed exchange rate policy.

### ABBREVIATIONS

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Description</th>
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<tbody>
<tr>
<td>ADR</td>
<td>alternative dispute resolution</td>
</tr>
<tr>
<td>AGO</td>
<td>Attorney-General's Office</td>
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<tr>
<td>IIS</td>
<td>Institute of Islamic Studies</td>
</tr>
<tr>
<td>ISL</td>
<td>Institute of Shariah and Law</td>
</tr>
<tr>
<td>MCHE</td>
<td>Maldives College of Higher Education</td>
</tr>
<tr>
<td>MOJ</td>
<td>Ministry of Justice</td>
</tr>
<tr>
<td>TA</td>
<td>technical assistance</td>
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### GLOSSARY

<table>
<thead>
<tr>
<th>Term</th>
<th>Description</th>
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<tbody>
<tr>
<td>Mohamee</td>
<td>Arabic word for lawyer</td>
</tr>
<tr>
<td>Qazee</td>
<td>a judge under Islamic law</td>
</tr>
<tr>
<td>Shariah</td>
<td>Islamic law</td>
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### NOTES

(i) The fiscal year of the Government ends on 31 December.

(ii) In this report, "$" refers to US dollars.
I. INTRODUCTION

1. In response to a request from the Government of the Republic of Maldives, the Fact-finding Mission was fielded to the Maldives in September 1999 to gather data for technical assistance (TA) to strengthen legal education and judicial training. The TA is to continue the work of TA 2896, Strengthening the Maldivian Legal System. Under TA 2896, specific components included measures for improving legal education and court administration. Formulation of the current TA is based on the outcomes of the consultants’ reports under TA 2896; a symposium held in the Maldives in March 1998 involving the Government, consultants, private lawyers and the Asian Development Bank (ADB) staff; and subsequent discussions with the Government. The TA is included in the 1999 country program. Follow-up discussions were held with the Government after the fact-finding and an understanding was reached on the objective, scope, cost estimates, and financing and implementation arrangements. The TA framework is presented in Appendix 1.

II. BACKGROUND AND RATIONALE

2. There is presently no postsecondary education institute in Maldives offering legal training, even though the country faces a severe shortage of suitably qualified legal personnel. Presently, there are about 70 legal practitioners (of whom 3 are female) registered with the Ministry of Justice (MOJ). Of these practitioners, about 21 have a law degree from a foreign law school; the others were trained under programs offered by MOJ or the Institute of Islamic Studies (IIS), which is an educational institute that focuses on aspects of Shariah. These programs do not specifically deal with modern commercial and regulatory matters needed by a developing economy. TA 2896 demonstrated the need for lawyers trained in modern commercial law, and underscored the need for indigenous capacity in legal education and training. Further, the decline of present foreign aid assistance to the Maldives has resulted in fewer opportunities for students to undertake foreign tertiary education studies, including legal education.

3. All practicing lawyers in the Maldives are located in the capital city of Malé. They are in short supply, and unable to meet the commercial and social needs of a developing country. Most of these lawyers are attached to government ministries and agencies, and are also actively engaged in private practice on a part-time basis. Legal advice is not readily available to the private and business communities. There is no professional regulation for practicing lawyers in the country. The Law Society of Maldives exists as an informal, voluntary, nongovernment organization. It is open to registered legal practitioners, but membership is not necessary for the practice of law. Control over the conduct of lawyers is provided by MOJ. MOJ’s functions also include overseeing the administration of all courts other than the High Court (which directly reports to the President), registering lawyers practicing before the courts, and carrying out all matters related to the administration of justice not entrusted to the High Court. The functions of the Attorney-General’s Office (AGO) include acting on behalf of the Government in the courts and providing legal advice on matters affecting the Government.

4. The Maldives gained independence from the United Kingdom in 1965. Upon independence, training of judges was provided by MOJ. In 1982, this function was transferred to IIS, which established a qazee course, which is based on Islamic law. This course had some legal topics such as property law, contract law, family law, and succession. A similar course (mohamee) was introduced in 1988 for legal practitioners. In the 1990s, the Government

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1 TA 2896-MLD: Strengthening the Maldivian Legal System, for $150,000, approved on 17 October 1997.
2 The TA first appeared in ADB Business Opportunities in May 1999 (Internet Edition).
realized that increased internationalization and economic development, especially in tourism, required a higher level of training of its judges and lawyers. Partly in response to this need, the qazee and mohamee courses were replaced in 1995 by a three-year diploma course at IIS for students who wish to be judges or lawyers. Under this course, law is taught as a professional discipline rather than merely as a collection of rules to be memorized. This course involves teaching of Shariah and common law. However, there are no full-time law professors; the lecturers are part-time and include the President, the Chief Justice, the Attorney-General, and eminent private practitioners. Twenty-eight students were enrolled in this course; 25 graduated in 1998. A second diploma course commenced in February 1999. No courses were held in 1996 or 1997 due to lack of suitably qualified full-time teachers, space constraints within the existing facility, and constraints already imposed on the existing part-time lecturers.

5. The Government supports the establishment of a law institute in the country as part of its objectives and priorities in the Fifth National Development Plan (1997-2000). The Institute of Shariah and Law (ISL) was established by the Government in August 1999 pursuant to a letter (No. 99/53) dated 16 August 1999 issued by the Office of the President. ISL’s main functions include formulating and conducting courses relating to education and judicial training in Shariah and law, including continuing legal and judicial education, for lawyers and judges; and conducting short-term courses for Government officials, the business community, and the public. In due course, it is planned that ISL will offer programs affiliated with foreign institutions. The Government has taken measures to rationalize the provision of legal education and training in Shariah and law, which is presently also part of IIS’s activities. The Government’s decision to shift the diploma course from IIS to ISL will be implemented shortly.

6. ISL is under the jurisdiction of the Maldives College of Higher Education (MCHE), which commenced operation in October 1998, pursuant to a letter (No. 1-G/22/98/342) dated 31 August 1998 issued by the Office of the President. ADB supports the Government’s decision to establish ISL and has highlighted to the Government the need to ensure that the establishment of ISL is the most effective and least-cost solution for delivering legal education and judicial training, and that ISL is sustainable. ADB agrees with the Government’s decision to locate ISL within MCHE, as MCHE’s primary function is to consolidate and coordinate the administration and academic programs of postsecondary education institutes in the country.

7. The Maldives has a three-tier court system. The lowest tier comprises 201 first instance trial courts that are administered by MOJ. Of these, four are located in Malé (the Malé courts) and the remaining courts (the island courts) are located on all inhabited islands. The Malé courts are separated in jurisdiction by subject matter (civil, criminal, family, and juvenile). The judges in the Malé courts have foreign law degrees, and most of the judges in the island courts have had training in courses run by IIS or MOJ. The island courts have jurisdiction over all claims, and there is no upper limit on the amount claimed; although as a matter of practice, these courts refer every case to MOJ where the claim exceeds Rf 50,000 (about $4,200). Island court cases are usually limited to routine family, property, and criminal cases, with commercial, company, and financial cases for the most part being filed or transferred to the Malé courts. The middle tier is the High Court, which consists of the Chief Justice and four other judges. In accordance with regulations issued by the President, the High Court reviews judgements passed and cases heard by the Malé courts and the island courts. In addition, the High Court adjudicates on cases referred to it by the Government. The highest tier is the President, who is the highest authority on the administration of justice (Article 39 of the Constitution). The President appoints all judges to the courts and formulates the rules of court, either directly or through MOJ. A body appointed by, and reporting to, the President conducts the administration of justice and considers all matters concerning Shariah.
8. In the Fifth National Development Plan, the Government recognizes the need to ensure the efficiency of the judiciary by improving court procedures and providing professional training to judiciary members, particularly in commercial and other laws that address economic development, and in methods of alternative dispute resolution. The Government also recognizes the need to upgrade the skills of the judges of the island courts as they are perceived to not be equipped to deal with complicated commercial and regulatory problems arising from business transactions resulting from increased domestic and foreign investment. As of November 1999, there were 44 vacancies in the island courts, and an annual turnover of 15 percent is expected due to retirement, etc. Also, they generally lack formal training as they were trained by programs offered by MOJ or IIS; these programs have not been adequate or updated to meet present day needs. The Government has expressed an urgent need for training to be provided to new recruits who will fill the current vacancies, and for inservice training for existing judges.

III. THE TECHNICAL ASSISTANCE

Objective

9. The objective of the TA is to assist the Government in strengthening the institutional capacity of ISL to deliver legal education and judicial training. The TA will have two components: legal education and judicial training. The legal education component accords with the Government's desire to enhance ISL's capacity to deliver legal education and to build indigenous capacity in the delivery of legal education. The judicial training component addresses the Government's need to provide suitable training for judges to improve efficiency of the judiciary, and to provide a special judicial training program for new recruits who will fill the existing 44 vacancies for island court judges.

Scope

10. The legal education component will include (i) provision of consulting services as key professional staff in the first two years of ISL's operation to develop curriculum and provide a minimum number of staff pending the creation of indigenous capacity; (ii) provision of training to a cadre of professional staff, including law lecturers and a librarian, in ISL to enhance its capacity to deliver legal education (including continuing legal education) to students, lawyers, Government employees, the business community, and the public; and (iii) provision of local resource persons to present lectures or courses. Fellowships of about one year each will be provided for three lecturers and a librarian from ISL. Equipment and materials, including four computers and printers, three photocopiers, training equipment (such as overhead projectors), and books and publications (with Internet connection), will also be provided. The equipment and materials will also be used under the judicial training component. Under this component, ISL's capacity will be enhanced through preparation of programs of continuing legal and judicial education, organization and participation in public legal education programs for the benefit of the general community, and a linkage arrangement with a suitable foreign institution.

11. The judicial training component will include (i) provision of consulting services; (ii) provision of training to selected judges on the organization and delivery of judicial training and on commercial law; (iii) production of benchbooks to be distributed to the judges, and provision of training on the use of the benchbooks; (iv) provision of a special judicial training program for 44 new judges for the island courts to be appointed by the Government; and (v) provision of local resource persons to present lectures or courses. The TA will provide overseas study tours for four judges (about three months each) on the organization and delivery of judicial training, and commercial law.
C. Cost Estimates and Financing Plan

12. The TA is estimated to cost $1,395,000 equivalent, with a foreign exchange cost of $887,000 and a local currency cost of $508,000 equivalent. ADB will finance $995,000 equivalent, including the entire foreign exchange cost and $108,000 equivalent of the local currency cost. The TA will be financed by ADB on a grant basis from the ADB-funded TA Program. The Government will finance the balance of the local currency cost of $400,000 equivalent. The Government will finance the items specified in Appendix 2. The detailed cost estimates and financing plan are provided in Appendix 2.

Implementation Arrangements

13. The Executing Agency for the TA will be the Ministry of Finance and Treasury, with MCHE, acting through ISL, as the Implementing Agency. MCHE will carry out the TA activities in coordination with AGO for the legal education component and with MOJ for the judicial training component. The TA will require 70 person-months of consulting services (50 person-months international and 20 person-months domestic). The consultants will be engaged by ADB in accordance with ADB’s Guidelines on the Use of Consultants and on other arrangements satisfactory to ADB for the engagement of domestic consultants. Individual consultants are expected to be recruited for the legal education component and a firm or institute for the judicial training component. The simplified technical proposal procedure will be used for consultant selection for the judicial training component.

14. For the legal education component, 44 person-months of international and 10 person-months of domestic consulting services are needed. The two international consultants, one as advisor, ISL (24 person-months) and the other as senior lecturer, ISL (20 person-months), will be required to have expertise in legal education and the legal profession, legal and judicial training, law and Shariah, curriculum development, and management and running of a law institute or faculty. They will assist the Director, ISL in carrying out day-to-day operations of ISL, and will organize fellowships for a cadre of professional staff under arrangements satisfactory to ADB. The domestic consultant (textbook and teaching materials specialist) will have expertise in producing textbooks and teaching materials, and in translating legislative materials from Dhivehi into English, and will be a legal practitioner preferably with experience in teaching law. These consultants will select local resource persons to present lectures or courses, and organize the presentations, all under arrangements satisfactory to ADB.

15. For the judicial training component, an internationally recruited consultant (6 person-months) and a domestic consultant (10 person-months) will be needed. The international consultant (judicial training coordinator) will have expertise in judicial training and preparation of legal manuals or benchbooks. The domestic consultant (judicial training assistant coordinator) will have expertise in application of court procedures, and will have demonstrated the ability to write in English and Dhivehi. These consultants will organize overseas study tours for the judges and carry out a special judicial training program, all under arrangements satisfactory to ADB. The consultants will select local resource persons to present lectures or courses, and organize the presentations, all also under arrangements satisfactory to ADB. The outline terms of reference for the TA consultants are in Appendix 3. The advisor will act as overall consultant leader, coordinate with the other consultants on their activities, and prepare and submit to ADB a consolidated inception report within six weeks after commencement of assignment, and consolidated quarterly, draft final, and final reports. The equipment and materials provided under the TA will be procured by the consultants in accordance with arrangements satisfactory to ADB. The TA is expected to commence in April 2000 and be completed by April 2002.
16. The Government has provided specific assurances on the operationalization of ISL (e.g., acquiring premises, appointment of a minimum number of staff, and provision of adequate budgetary allocations). The Government has identified the physical premises of ISL and has assured that renovation work has commenced on a priority basis. The Government has agreed that the diploma course will be transferred from IIS to ISL upon commencement of ISL's teaching activities. The Government has also agreed that cooperation between ISL and IIS in the sharing of faculty for Shariah and library resources will be ensured. The Government has agreed that payments to be made by the staff of AGO and MOJ for courses held in ISL will be obtained from the training budgets of AGO and MOJ, respectively.

17. The Government will set up a faculty advisory committee before the consultants are fielded, and will ensure that this committee has representation from the judiciary (MOJ and the High Court), the Ministry of Education, AGO, the judiciary, the legal profession, and IIS. This committee will determine curriculum and policies of ISL (e.g., admissions and recruitment of faculty members). Before the consultants are fielded, the Government will ensure that ISL is functioning with a core team of professional staff members comprising a full-time Director and a full-time Head of Administration handling administrative matters, and that ISL is adequately staffed by full-time support personnel. The Government has identified candidates for the positions of full-time Director, ISL and full-time Head of Administration, ISL. The Director, ISL will be a person with at least an undergraduate degree in law and knowledge of Shariah or a degree in law and Shariah, and will preferably have teaching experience. The Government will appoint the Director, ISL and Head of Administration, ISL shortly. At the time the consultants are fielded, the Government will appoint three faculty members, with degrees in law and knowledge of Shariah or degrees in law and Shariah, and a librarian, so that the consultants can carry out the fellowship arrangements. The Government will keep ADB informed of the progress on renovating the school facilities allocated for the setting up of ISL and will complete the renovation when the core team of professional staff members and the support staff are appointed.

18. The Government will provide adequate and timely budgetary allocations for ISL, including staffing, and operation and maintenance costs, during and after TA implementation. The Government will recruit one Assistant Director for ISL, in the second year of TA implementation, to be responsible for organizing judicial training programs. The Government will provide use of ISL, including training facilities and office accommodation, remuneration of counterpart and support staff, and miscellaneous TA administration costs (including library resources and office equipment beyond those provided under ADB financing).

19. The candidates for the fellowships and overseas training will be competitively selected by the Government in accordance with arrangements satisfactory to ADB. The Government will ensure that the candidates selected for the fellowships will return upon completion of studies to work full-time in ISL for a minimum five-year period. The Government will ensure that the judges selected for the special judicial training program have at least a basic secondary education and adequate proficiency in English. The Government will also ensure that the judges selected for training will return upon completion of training to resume their positions for a minimum two-year period with a commitment to work with ISL in developing judicial training programs.

IV. THE PRESIDENT’S DECISION

20. The President, acting under the authority delegated by the Board, has approved the provision of technical assistance, on a grant basis, to the Government of the Republic of Maldives in an amount not exceeding the equivalent of $995,000 for the purpose of Strengthening Legal Education and Judicial Training, and hereby reports such action to the Board.
## Technical Assistance Framework

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<th>Performance Targets</th>
<th>Monitoring Mechanisms</th>
<th>Assumptions and Risks</th>
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<tbody>
<tr>
<td>1. Goal</td>
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<tr>
<td>- Assist the Government in strengthening the institutional capacity of the Institute of Shariah and Law (ISL) to deliver legal education and judicial training.</td>
<td>- Enhance ISL’s institutional capacity to deliver legal education and judicial training.</td>
<td>- Feedback from stakeholders, including the faculty advisory committee</td>
<td>- Commitment by the Government, the Attorney-General’s Office (AGO), and the Ministry of Justice (MOJ) to ensure an environment conducive for operationalizing ISL and for strengthening the institutional capacity of ISL</td>
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<td></td>
<td></td>
<td>- Institutionalize preservice and inservice training to judges.</td>
<td>- Technical assistance (TA) review missions</td>
</tr>
<tr>
<td>2. Purpose/Objective</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>2.1 Enhance ISL’s capacity to deliver legal education and judicial training.</td>
<td>- Identification of Director, ISL and Head of Administration, ISL</td>
<td>- TA progress reports</td>
<td>- Continuing commitment by the Government, AGO, and MOJ</td>
</tr>
<tr>
<td>2.2 Train judges to improve efficiency and effectiveness of the judiciary.</td>
<td>- Provision of consulting services for key professional staff (advisor, senior lecturer, and textbook and teaching materials specialist) to assist ISL with day-to-day operations</td>
<td>- TA supervision through ongoing communications with consultants and stakeholders</td>
<td>- Continuing participation of civil society</td>
</tr>
<tr>
<td></td>
<td>- Provision of consulting services (judicial training coordinator and judicial training assistant coordinator) to carry out preservice judicial training for new recruits and inservice training for existing judges</td>
<td>- TA review missions</td>
<td>- Effective functioning of the faculty advisory committee</td>
</tr>
<tr>
<td>3. Components/Outputs</td>
<td></td>
<td>- TA completion report</td>
<td>- Ability of the consultants to accurately and realistically analyze the existing problems, and suggest recommendations suited to indigenous conditions</td>
</tr>
<tr>
<td>3.1 Legal Education Component</td>
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<tr>
<td>- Provide consulting services (advisor, senior lecturer, and</td>
<td>- Director, ISL able to carry out day-to-day operations of ISL and manage operationalization of ISL</td>
<td>- TA progress reports</td>
<td>- Effective functioning of the faculty advisory committee</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- TA supervision</td>
<td>- Full support from the Government, AGO, and the</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- TA review missions</td>
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<tr>
<th>Design Summary</th>
<th>Performance Targets</th>
<th>Monitoring Mechanisms</th>
<th>Assumptions and Risks</th>
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</thead>
<tbody>
<tr>
<td>textbook and teaching materials specialist</td>
<td>• Fellowships (i.e., each about 12 months) completed</td>
<td>• Workshops to allow further feedback from stakeholders</td>
<td>judiciary (MOJ and High Court)</td>
</tr>
<tr>
<td>• Select personnel for fellowships (three lecturers and one librarian)</td>
<td>• Provision of lectures or courses by resource persons</td>
<td>• TA completion report</td>
<td>Selection of candidates for fellowships based on merit</td>
</tr>
<tr>
<td>• Select resource persons to present lectures or courses</td>
<td></td>
<td></td>
<td>Fellowship holders return and stay employed in ISL</td>
</tr>
<tr>
<td>• Provide equipment (also to be used for the judicial training component)</td>
<td></td>
<td></td>
<td>Suitability of resource persons in presenting lectures or courses</td>
</tr>
<tr>
<td>3.2 Judicial Training Component</td>
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<tr>
<td>• Provide consulting services (judicial training coordinator, and judicial training assistant coordinator)</td>
<td>• Overseas study tours for the judges completed</td>
<td>• TA progress reports</td>
<td>Trained judges return and continue as judges, and provide training to other judges</td>
</tr>
<tr>
<td>• Select four judges for overseas study tours on the organization and delivery of judicial training</td>
<td>• Special judicial training program completed</td>
<td>• TA supervision</td>
<td>Full support from the Government, the judiciary (MOJ and High Court), and ISL</td>
</tr>
<tr>
<td>• Select about 44 judges for the special judicial training program</td>
<td>• Production of benchbooks for use by the judges</td>
<td>• TA review missions</td>
<td>Suitability of resource persons in presenting lectures or courses</td>
</tr>
<tr>
<td>• Select resource persons to present lectures or courses</td>
<td>• Training to judges on the use of benchbooks completed</td>
<td>• TA completion report</td>
<td>Appointment of Assistant Director, ISL</td>
</tr>
<tr>
<td>4. Activities</td>
<td></td>
<td>• Before and after training surveys of judges</td>
<td></td>
</tr>
<tr>
<td>Consultants</td>
<td>Cost ($ equivalent)</td>
<td></td>
<td></td>
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<tr>
<td>Fellowsips</td>
<td>669,000</td>
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<tr>
<td>Overseas Study Tours</td>
<td>110,000</td>
<td></td>
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<tr>
<td>Equipment</td>
<td>48,000</td>
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<tr>
<td>Resource Persons</td>
<td>40,000</td>
<td></td>
<td></td>
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<tr>
<td>Contract Negotiations—Cost of One Government Representative</td>
<td>16,000</td>
<td></td>
<td></td>
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<tr>
<td>Asian Development Bank</td>
<td>4,000</td>
<td></td>
<td></td>
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<tr>
<td>Contingency</td>
<td>108,000</td>
<td></td>
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<tr>
<td>Government Contribution</td>
<td>400,000</td>
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<tr>
<td>Total</td>
<td>1,395,000</td>
<td></td>
<td>Consultants are competent</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Suitability of resource persons</td>
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<tr>
<td></td>
<td></td>
<td></td>
<td>Counterpart staff are available</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Government provides adequate resources and support</td>
</tr>
</tbody>
</table>
### COST ESTIMATES AND FINANCING PLAN

($)000

<table>
<thead>
<tr>
<th>Source</th>
<th>Foreign Exchange</th>
<th>Local Currency</th>
<th>Total Cost</th>
</tr>
</thead>
</table>

### A. ADB Financing (Technical Assistance Special Fund)

#### 1. Legal Education Component

- **Consultants**: 475
  - **Remuneration and Per Diem**
    - International Consultant (advisor): 265
    - International Consultant (senior lecturer): 180
    - Domestic Consultant (textbook and teaching materials specialist): 40
  - **International Travel**: 20
  - **Communications and Reports**: 10
- **Fellowships**: 110
- **Equipment**: 40
- **Resource Persons (per diem and honoraria)**: 8
- **Contingency**: 73

#### 2. Judicial Training Component

- **Consultants**: 112
  - **Remuneration and Per Diem**
    - International Consultant (judicial training coordinator): 90
    - Domestic Consultant (judicial training assistant coordinator): 40
  - **International Travel**: 12
  - **Local Travel**: 2
  - **Communications, Reports and Printing**: 10
- **Overseas study tours**: 48
- **Resource Persons (per diem and honoraria)**: 8
- **Cost of Government Representative at Negotiations**: 4
- **Contingency**: 25

**Subtotal (A)**: 887 108 995

### B. Government Financing

1. **Office Accommodation, Administration Support and Transport**: 50 50
2. **Remuneration of Counterpart and Support Staff**: 150 150
3. **ISL Premises/Training facilities**: 130 130
4. **Miscellaneous TA Administration Costs**: 20 20
5. **Contingency**: 50 50

**Subtotal (B)**: 400 400

**Total**: 887 508 1,395

(Reference in text: page 4, para. 12)
OUTLINE TERMS OF REFERENCE

1. The Technical Assistance (TA) will require 70 person-months of consulting services (50 person-months international and 20 person-months domestic) for the two components. Individual consultants will be recruited for the legal education component, and a firm or institution is expected to be recruited for the judicial training component.

Legal Education Component

2. The two international consultants, one as advisor, Institute of Shariah and Law (ISL) and the other as senior lecturer, ISL, will be required to have expertise in legal education and the legal profession, legal and judicial training, law and Shariah, curriculum development, and management and running of a law institute or faculty. They will assist the Director, ISL in carrying out day-to-day operations of ISL and will organize fellowships for a cadre of professional staff under arrangements satisfactory to the Asian Development Bank (ADB). The domestic consultant (textbook and teaching materials specialist) will have expertise in producing textbooks and teaching materials, and in translating legislative materials from Dhivehi into English, and will be a legal practitioner preferably with experience in teaching law. These consultants will also select local resource persons to present lectures or courses, and will organize the presentations, all under arrangements satisfactory to ADB.

1. Advisor (international, 24 person-months)

The responsibilities of the advisor will include the following:

(i) Support the Director, ISL in carrying out the day-to-day operations of ISL, including curriculum development and planning on legal education, allocation of human resources and planning, budgeting, and administration.

(ii) Set up a curriculum department, and oversee the functioning and operation of this department, and set up curriculum suited to indigenous conditions, including business law and environmental law.

(iii) Advise on the establishment of entrance qualifications to ISL and induction courses.

(iv) Liaise with the faculty advisory committee, Government ministries and agencies, the business community, and the public on the running of ISL, and organize workshops with stakeholders on the running of ISL, including the establishment of teaching programs in law and legal awareness, and courses to be offered for the legal profession, judges and the general public.

(v) Work on a linkage arrangement with a suitable foreign institution.

(vi) Assist in recruiting staff for ISL.

(vii) Assist in establishing examination regulations and standards of performance.

(viii) Assess the needs of ISL, and provide advice as necessary, including developing means to achieve financial self-sufficiency after the TA period.

(Reference in text: page 4, para. 15)
(ix) Assist in acquiring library resource materials and computing equipment.

(x) Organize fellowships for a cadre of professional staff under arrangements satisfactory to ADB.

(xi) Institutionalize a system of career counseling and job placement for students.

(xii) Assist in preparing programs of continuing legal and judicial education.

(xiii) Organize and participate in public legal education programs for the benefit of the general community.

(xiv) Select local resource persons to present lectures or courses, and organize the presentations, all under arrangements satisfactory to ADB.

(xv) Provide public lectures and press interviews on issues of public importance.

(xvi) Prepare and deliver courses of instruction as necessary.

(xvii) Carry out any other related tasks as may be required by ADB.

(xviii) Prepare and submit to ADB an inception report within one month after commencement of assignment, and quarterly, draft final, and final reports.

(xix) Act as overall consultant leader, coordinate with the other consultants on their respective activities, and prepare and submit to ADB a consolidated inception report within six weeks after commencement of assignment, and consolidated quarterly, draft final, and final reports.

2. Senior Lecturer (international, 20 person-months)

The senior lecturer will have the following responsibilities:

(i) Assist the advisor in carrying out the tasks outlined in para. 3 as necessary.

(ii) Prepare and deliver courses of instruction, including business law and alternative dispute resolution.

(iii) Develop course and training materials together with the junior faculty at ISL.

(iv) Review drafts of course and training materials produced by junior faculty staff.

(v) Under the supervision of the advisor, work with the junior faculty to carry out teaching of courses.

(vi) Provide inputs on curriculum development and planning on legal education.

(vii) Provide training and development for junior faculty of ISL.

(viii) Assist in acquiring library resource materials and computing equipment.
(ix) Assist in collecting Maldivian legislation to make such legislation more readily available to the general public.

(x) Assist in computerizing Maldivian law.

(xi) Help the textbook and teaching materials specialist translate Maldivian legislation into English.

(xii) Participate in legal research projects of importance to the Maldives.

(xiii) Based on the programs and courses organized by the advisor, assist in implementing measures by contributing papers and participating at seminars.

(xiv) Carry out any other related tasks as may be required by ADB.

(xv) Prepare and submit to the advisor and ADB an inception report within one month after commencement of assignment, and quarterly, draft final, and final reports.

3. Textbook and Teaching Materials Specialist (Domestic, 10 person-months)

5. The textbook and teaching materials specialist will undertake the following activities:

(i) Produce textbooks and teaching materials, based on the curriculum developed by the international consultants, in Dhivehi.

(ii) Translate legislative materials from Dhivehi into English.

(iii) Work with the senior lecturer to develop course materials in Dhivehi.

(iv) Work with the senior lecturer to provide training and development for the other junior faculty members.

(v) Assist the advisor and the senior lecturer in carrying out their respective tasks as necessary.

(vi) Carry out any other related tasks as may be required by ADB.

(vii) Prepare and submit to the advisor and ADB an inception report within one month after commencement of the assignment, and quarterly, draft final, and final reports.

B. Judicial Training Component

6. An internationally recruited consultant and a domestic consultant will be required. The international consultant (judicial training coordinator) will have expertise in judicial training and preparation of legal manuals or benchbooks. The domestic consultant (judicial training assistant coordinator) will have expertise in application of court procedures and will have demonstrated the ability to write in English and Dhivehi. These consultants will organize the overseas study tours for the judges and carry out a special judicial training program, all under arrangements satisfactory to ADB. These consultants will also select local resource persons to present lectures or courses, and will organize the presentations, all also under arrangements satisfactory to ADB.
1. Judicial Training Coordinator (International, 6 person-months)

The judicial training coordinator will have the following responsibilities:

(i) Organize the overseas study tours for the judges under arrangements satisfactory to ADB.

(ii) Supervise the design and preparation of suitable benchbooks, taking into account best international practices and indigenous conditions.

(iii) Develop curricula and training materials on core areas for judicial training, with the core areas to include ADR techniques, court administration, case processing, case management, and delay reduction.

(iv) Provide training of judges (e.g., through workshops) in adult education techniques, judicial education pedagogy, international judicial education standards, and judicial training (integration of training with service rules) in collaboration with the judicial training assistant coordinator.

(v) Organize workshops for judges on the use of the benchbooks (including using the methodology in benchbooks) in collaboration with the judicial training assistant coordinator.

(vi) Provide inservice training to existing judges to upgrade the skills of the judiciary.

(vii) Carry out a special judicial training program (e.g., through workshops), under arrangements satisfactory to ADB, in collaboration with the judicial training assistant coordinator.

(viii) Carry out before and after training surveys of judges.

(ix) Select local resource persons to present lectures or courses, and organize the presentations, all under arrangements satisfactory to ADB.

(x) Carry out any other related tasks as may be required by ADB.

(xi) Prepare and submit to the advisor and ADB a consolidated inception report on the judicial training component within one month after commencement of assignment, and consolidated quarterly, draft final, and final reports on the judicial training component.

2. Judicial Training Assistant Coordinator (Domestic, 10 person-months)

The judicial training assistant coordinator will undertake the following activities:

(i) Assist the judicial training coordinator in carrying out the tasks outlined in para. 7 as necessary.

(ii) Produce suitable benchbooks in Dhivehi for use by judges in the Malé courts and the island courts under the supervision of the judicial training coordinator.
(iii) Assist the judicial training coordinator with the training of judges on the use of the benchbooks and in the special judicial training program.

(iv) Carry out any other related tasks as may be required by ADB.

(v) Prepare and submit to the judicial training coordinator and ADB an inception report within one month after commencement of assignment, and quarterly, draft final, and final reports.