



Federal Republic of Somalia  
Ministry of Justice

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**TERMS OF REFERENCE (TOR)  
DEFENSE LAWYERS (4 POSITIONS)**

The Complaint & Advisory office under the Directorate of Judiciary affairs of the ministry of Justice is mandated to handle complaints arising at any stage of judicial proceedings: police, prosecution, defense, courts, and prisons. The Office will open cases, evaluate, and attempt to resolve or transfer to proper authority for resolving cases.

The long-term goal of this office is to ensure fair and equitable access to justice for every Somali; rebuild trust in the rule of law institutions; inform and advice the public in all stages of rule of law; and provide swift solution to legitimate public complaints in a fair and transparent manner, while informing and advising public as required.

**DUTIES AND RESPONSIBILITIES**

Working under the direction of and reporting to Public Complaint and Advisory Office Coordinator (PCAOC), the duties and accountabilities of the Defender Lawyers will include, but the following duties and responsibilities:

- Prepare report of each case and its summary
- Prepare court case from start of its procedure as it required in Criminal Procedure Code of Somalia;
- Prepare any document required upon submission to court in every case;
- Review of all cases of prisoner which are either sentenced life imprisons (more than 24 years) or death penalty;
- Prepare each case with due diligence and duty of care;
- Find out the error of fact or the error of law of every case;
- To challenge if there are procedural errors and seek charges dismissed because of inadmissible evidence, wittiness or testimony;
- Any other work to be done and necessary to complete the task assigned
- To defend the defendant of his/her rights and defends those rights to ensure they have not been violated;
- To presents all evidence to rebut the prosecutor's arguments and challenges all questionable assertions of facts by the prosecutor to ensure that the high burden of proof is met;

- To make sure all procedures are in place, those related to the investigation and the arrest of the defendant to ensure all evidence is accurate and that the correct person is charged with a crime;
- Collaborate with the defendant and other witnesses to understand the defendant's version of events and to determine an appropriate defense (e.g., alibi, self-defense, or any helpful defense and,
- Any important task assigned my Ministry

## COMPETENCIES

1. Holds LLB in law specializing defense trails, criminal investigation or law.
2. Minimum of 10-15 years of trail experience in Somalia
3. Demonstrated knowledge of criminal investigation process and chain of evidence
4. High degree of experience on Somali penal code procedures
5. Familiarity with Human rights standards
6. Ability to write clear arguments and succinct reports
7. Well-developed document drafting and editing skills in addition to excellent verbal and written communication skills.
8. Demonstrated experience in complex documentation matters, working independently and assuming higher levels of responsibility over time.
9. Excellent interpersonal skills, including a proven ability to deal sensitively in multicultural environments and build effective working relationships with clients and colleagues.
10. Established reputation for integrity, sound judgment, fairness and discretion in dealing internally and externally.
11. Fluency in Somali and English language is desirable.

## APPLICATION PROCEDURE:

Qualified Somali persons with the required skills and qualifications are invited to submit their detailed Curriculum Vita (CVs), cover letter and academic qualification with 3 reference persons through email; [jobs@moj.gov.so](mailto:jobs@moj.gov.so) or [Info@moj.gov.so](mailto:Info@moj.gov.so), before **25 September 2017**, also you can make hand offer for your Application at MoJ's Human resource office (**MARTINE HOSPITAL ROAD, HAMAR-WEYNE DISTRICT, MOGADISHU**).

Applications sent after the deadline will not be considered. For more information you can see through [www.moj.gov.so](http://www.moj.gov.so).

*Note: Please make sure that the job title you are applying in the mail subject line is clearly indicated.*

*Only short-listed candidates will be contacted. These four positions are equal opportunity for all.*