



LITIGATION COUNSEL – RULE OF LAW AND GOVERNANCE

About Katiba Institute

Katiba Institute (KI) is a research and litigation institution established in 2011 with the mission of supporting the implementation of Kenya's 2010 Constitution, helping to resist efforts to undermine the Constitution, and developing a culture of constitutionalism in Kenya. It undertakes constitutional research, comments on policy and laws from a constitutional perspective, and publishes books and other material on the Constitution. Much of its work involves litigation to enforce rights under the Constitution and ensure the proper performance of constitutional duties and responsibilities. KI also fosters the spirit of constitutionalism in the East African region by promoting the exchange of academic discourse on constitutional issues and working with like-minded organisations to secure greater freedoms in the region.

KI is registered as a company limited by guarantee. An Executive Director heads it and has a distinguished Board. It has a Public Interest Litigation Unit that conducts KI's litigation in-house. The Unit comprises accomplished litigators and scholars in constitutional and human rights law. KI will offer the successful applicant a unique opportunity for personal growth in research, writing, and litigation within the area of their employment and other areas within KI's mandate at local and regional levels.

About the Position

The Litigation Advocate will be responsible for providing legal advice to members of the public, supporting local organisations, communities and community partners through capacity building, and providing technical and other support to civil society partners. The Litigation Advocate will be expected to conduct research on constitutional matters, share research findings with stakeholders at relevant meetings and workshops in Kenya, and develop and litigate strategic litigation cases on behalf of KI. They will also be responsible for forming and maintaining good working relationships with partners, including communities, constitutional commissions, government entities, and donors.

KI also seeks an individual who will devote their time and attention during business hours to discharging their duties and promoting KI's interests. The Litigation Advocate will be expected to commit to KI's values and objectives, comply with KI's

policies, fulfil instructions given by supervisors, and maintain the confidentiality of KI's information during and beyond the tenure of their employment contract.

Key duties and responsibilities

- Engage in policy, advocacy, and strategic litigation in defence of the Constitution and furtherance of human and peoples' rights in Kenya.
- Conduct KI's litigation matters before Courts and Tribunals.
- Undertake legal research, write submissions, and provide opinions on legal questions on matters of which KI is seized.
- Provide high-quality legal advice to KI on existing and potential litigation matters.
- Provide high-quality legal advice and support to KI community partners.
- File and follow up on cases as may from time to time as determined by KI.
- Review new and existing litigated files to create, update, or amend litigation plans.
- Assist Senior Litigation Counsels and Directors by providing advice and recommendations on emerging issues.
- Disseminate and communicate PIL strategies and outcomes to the stakeholders and the public to ensure the most significant impact of KI's PIL work.
- Educate stakeholders and the public on the Constitution and other applicable human rights frameworks in conjunction with the programs department.
- Form and maintain good working relationships with all key partners, including communities, constitutional commissions, government entities, and donors.
- Assign and supervise the work of legal assistants, interns, and any other subordinate litigation staff as may be assigned by the Litigation Manager.
- Identify and pursue fundraising opportunities under the guidance of the Litigation Manager.
- Undertake all other functions as directed by the Litigation Manager that are within the mandate of the organisation and complementary to the above responsibilities.

Qualifications

Legal Expertise

- An undergraduate law degree and a current practising certificate - a graduate degree will be an added advantage.
- At least five years of work experience, post admission to the bar, with good knowledge of constitutional and human rights law and the ability to learn new information quickly.
- Excellent understanding of the Constitution and constitutional principles.

- Experience writing and speaking on constitutional issues, human rights, and the rule of law.
- Experience in conducting and managing litigation confidently with limited supervision and a sound understanding and awareness of litigation processes.
- Conviction in and commitment to constitutionalism and principles of human rights.
- Ability to review and analyse proposed legislation and policies.
- Strong oral and written communication skills.

Analytical and research skills

- Ability to analyse problems rigorously and from all angles, showing sound practical judgement.
- Ability to grasp quickly and accurately new and complex concepts.
- Ability to develop policy and advocacy ideas and proposals based on research findings and analysis.
- Practical organisational skills to manage multiple tasks, prioritise work, and meet deadlines in a fast-paced research environment.
- Problem-Solving Abilities: Proven ability to identify challenges, propose innovative solutions, and adapt research methodologies.

Writing and communication

- Exceptional writing skills with the ability to convey complex legal concepts, ideas, and issues clearly and concisely for a diverse audience. Demonstrated experience in producing well-structured and articulate documents on legal and constitutional matters.
- Ability to accurately summarise and paraphrase legal texts, translating intricate legal language into clear and accessible content.
- Experience conducting primary and desktop research and preparing clear and analytical reports (preferably proof of published work).
- Excellent interpersonal and communication skills, with the ability to effectively collaborate within multidisciplinary teams and present research findings to diverse audiences.

Software Proficiency

- A strong command of Microsoft Word, including advanced formatting and style features, to produce well-structured and visually appealing documents. Proficiency in Microsoft Excel, including working with complex formulas, analysing data, and extracting meaningful insights.
- Demonstrated experience with PDF editing software, including the ability to perform Optical Character Recognition (OCR), reduce file sizes, and prepare

documents for publication—familiarity with tools and techniques for ensuring document quality and professionalism.

- A proactive approach to learning and utilising new software tools relevant to research and writing. The ability to quickly grasp and integrate new technologies into the research and writing process.
- Meticulous attention to detail when preparing documents and data, ensuring accuracy, consistency, and adherence to established guidelines.

Language proficiency

- Fluency in English and Kiswahili.

Submission of application:

Please email a cover letter, curriculum vitae and names and contacts of three referees to careers@katibainstitute.org. The application must reach us by **11 pm** on Tuesday, **19 September 2023**. Please use *Litigation Counsel – Rule of Law and Governance* as the subject of your email.

Katiba Institute is an equal opportunity employer. Only shortlisted candidates will be contacted.

Katiba Institute does not solicit fees for any job advertisement.