

TERMS OF REFERENCE

Support to National Institute of Justice in development of specialised components of initial training curricula for judges and prosecutors

- A. Job Title:** A pool of legal consultants
- B. Duty Station:** Chisinau, Moldova
- C. Project Reference:** “Strengthening Institutional Capacity of the National Institute of Justice”
- D. Duration of Employment:** October – November 2008
- E. Context:** National Institute of Justice (NIJ) implements in partnership with UNDP Moldova the above mentioned project, which aims at strengthening NIJ institutional capacity to perform its legal functions in a more transparent and efficient manner, thereby increasing the education, training and competency of judges, prosecutors and other justice representatives. Among other activities, the project contributes to developing systematic curriculum development and effective training modules for candidates at the position of judges, prosecutor and other legal specialists.

The National Institute of Justice was established by the Law nr. 152-XVI of 08.06.2006 on National Institute of Justice¹, which provides for NIJ mission to deliver initial training for candidates to the position of judges and prosecutors, and continuous training for a wide range of legal specialists (judges, prosecutors, enforcement officers and court clerks). The creation of an independent training institution constitutes an essential part of the National Human Rights Action Plan (NHRAP), Strategy for Consolidation of the Judiciary System and EU – Moldova Action Plan and is a key element in improving the overall performance of the judiciary staff thus contributing to the independence of justice.

In 2007 UNDP Moldova provided assistance to NIJ in developing a major part of initial training curricula. Currently there is an urgent need to further continue and finalize the development of the whole curricula. However, due to insufficient resources to develop and deliver the initial training for the judges, prosecutors, clerks etc and to ensure timely and qualitatively implementation of its objective, NIJ requested UNDP to provide assistance and support in developing the remaining parts of training curricula and training materials. The initial training is delivered by NIJ starting with October 2007 for a group of 30 people, including 10 candidates to judge positions and 20 candidates for prosecutor positions. The training programme includes theoretical courses and practical traineeship and has a total length of 18 months. In October 2008 a new group of 40 people will start their training with NIJ.

Objective: To develop the remaining components of the NIJ initial training programme, including moot court (study) cases as per approved NIJ curricula and in compliance with best international and national legal and education standards

Under the present project the following components of the initial training programme are to be developed:

Curricula and training materials (including moot court/study cases) for the following subjects:

- Judicial Expertise;
- Drugs related offences;
- Optional Group I : Protection of consumers' rights;
- Optional Group I : Protection of environment;
- Optional Group II : Legal insolvency procedure;
- Optional Group II : Judicial Psychology.

- F. Organizational Setting:** In order to achieve the given objective, the team of consultants shall comprise **specialists** in fields of law related to the list of subjects indicated under point E. A **Team Leader** shall be appointed prior to implementation of the assignment. The Consultants will work under direct supervision of the NIJ Executive Director, in collaboration with the National Consultant responsible for the methodology of the training programme (methodist) and UNDP Project Manager. The assignment foresees group or individual work. The consultants will work at NIJ premises and participate in all working meetings directly related to his/her activity, as well as outside NIJ premises.

- G. Scope of work and expected output:** In order to achieve objectives the **team of consultants** will:
- Study the NIJ regulations and existing training programmes and materials;

¹ The Law on National Institute of Justice (Nr.152-XVI) was approved by Parliament on 08.06.2006 and is available on www.parlament.md

- Study the international relevant experience (of similar institutions) in developing the curricula and training programmes/materials (including relevant samples) for initial and continuous training for judges, prosecutors and court clerks etc.; UN/EU relevant conventions, the recommendations of the international treaty bodies, best legal education practices (advanced education and adult teaching);
- Study the already developed training curricula and materials;
- Study university Law curricula;
- Given the approved methodology, develop the content of the curricula for initial training as per specific needs of the judiciary representatives (prosecutors, judges);
- Develop the moot court (study) cases for the Law categories (as mentioned above);
- Develop the teaching aids and hand-outs etc.;
- Submit the draft products to NIJ Executive Director, Methodist and Project Manager;
- Participate in joint consultation meetings to discuss and collect the feedback/recommendations for improvement of the draft initial training curricula and materials, as well as moot court cases with NIJ representatives, methodist, consultants and UNDP relevant staff;
- As result of the meetings, introduce the necessary amendments, conclude and prepare the materials for the publication;
- Submit the pre-final draft of for avis by the Scientific Council;
- Pilot the products developed at the sessions organized by NIJ and collect the feedback/recommendations and introduce the necessary amendments;
- Submit the final versions of the products (in both hard and soft copy), as well as the assignment report to NIJ and UNDP.

Inputs: The NIJ Executive Director and UNDP Project Manager will provide the consultants with the necessary information and materials for fulfilment of tasks and will facilitate the necessary meetings.

H. Qualifications:

Education: University or Higher Degree (MA and Ph.D.) in Law.

Experience:

- ú Proven experience (not less then 5 years) of working in justice system/legal education;
- ú Extensive knowledge of international and national legal framework, including human rights standards, systems, instruments and mechanisms etc.;
- ú Proven experience in training of judiciary/prosecution representatives;
- ú Experience in developing methodical, informative and didactical materials;
- ú Have publications in law/justice field (preferably).

Abilities:

- ú Ability to analyze and generalize, to develop methodical and training materials;
- ú Ability/capacity to provide consultancy services;
- ú Ability to work in a team;
- ú Efficient communications and writing skills in legal area;
- ú Extensive PC skills, ability to use Internet;
- ú Fluent in State Language. Knowledge of Russian and English is an asset.

Personal qualities: responsibility, creativity, promptness and punctuality.