

TERMS OF REFERENCE

A. Job title: A pool of 4/5 National Consultants to develop training modules and delivery of trainings to law enforcement agencies, judges and lawyers in the area of preventing and fighting torture and other cruel, inhuman or degrading treatment or punishment (SSA contract).

B. Location: Chisinau, Moldova

C. Reference to the project: “Torture Prevention Project”

D. Duration: 15 September 2010 – 30 June 2011

E. Context:

As a joint initiative of the European Commission and UNDP, the project aims to contribute to progressive prevention of the prevalence/incidence of torture and other cruel, inhuman or degrading treatment or punishment by strengthening Moldova’s National Preventative Mechanism (NPM) in compliance with the requirements of the International Convention for the Prevention of Torture and Other Forms of Cruel and Degrading Treatment or Punishment, including its Optional Protocol (OP-CAT), and within the framework of Moldova’s national human rights protection and promotion system. The project focuses on strengthening the institutional capacity of prosecutors, police officers within the Ministry of Internal Affairs, officers within the Department of Penitentiary Institutions, judges and lawyers to better prevent and combat torture. The project also aims to create and foster partnerships between public institutions to provide effective responses to cases of torture.

The tasks involve 5 professional groups, as follows:

1. Prosecutors (Torture Combating Department within the General Prosecutors’ Office);
2. Police officers (Ministry of Internal Affairs);
3. Officers within the Department for Penitentiary Institutions;
4. Judges (Superior Council of Magistracy);
5. Lawyers (National Bar Association);

The purpose of the trainings is to improve professional knowledge and functional capacities of the targeted professional groups to deal with the institutional, procedural set-up of national system of preventing and combating torture and other cruel, inhuman or degrading treatment or punishment based on national and international standards.

Output: It is expected that after the provision of training program the trainees will achieve complex set of theoretical knowledge and practical skills to participate actively and efficiently in preventing and combating torture and other cruel, inhuman or degrading treatment or punishment. Participants in Trainings of Trainers shall be able to deliver professional qualification courses to their colleagues.

F. Objective of the assignment:

To develop specific training training modules, including ToT Modules where applicable, and deliver corresponding trainings on preventing and combating torture for the following professional groups: prosecutors, police officers within the Ministry of Internal Affairs, officers within the Department of Penitentiary Institutions, judges and lawyers.

G. Tasks and responsibilities:

- Develop 5 training modules on combating and prevention of torture and other cruel, inhuman or degrading treatment or punishment (including agenda, working methods and procedures, background materials and evaluation forms of participants);
- Compile the agenda and all trainings materials to be approved and printed and submit the final version to the Project Manager in due time;
- Prepare and provide information materials (legislation in force, reports, studies, assessments, articles etc.) regarding the combating and prevention of torture;
- Prepare the handouts for participants at the trainings;
- Deliver 6 trainings on preventing and combating torture;
- Organize debriefing on each training day and adjust the training agenda and sessions if needed;
- Prepare the evaluation forms for the participants at the training on covering combating and prevention of torture;
- Provide to the project manager the evaluation forms filled in by training participants;
- Develop and submit to the Project Manager reports after each training delivered;

The method of instruction through experience with interactive techniques (not less than 30 %) will be used during the learning sessions; every training being finalized with an evaluation.

The training provider will apply modern and interactive methods of teaching and adopt a “learning by doing” approach.

The duration of each training will not exceed 3 days. The duration of the ToT will not exceed 5 days.

The trainings will be coordinated with the UNDP Team and will be adjusted according to the specific training needs of participants.

The consultants will develop a set of comprehensive support materials/handouts for the trainings’ subjects.

The trainings will be held in Chisinau. The working language of the events will be Romanian (Translation services will be provided where necessary). UNDP will cover the cost of all needed logistics for the development of training modules and for training delivery.

The training reports should be provided not later than five days after completion of each training module. The contractor shall present to the Project Manager the electronic version of the Report (after each training module).

The Reports will include the following information:

- Concise presentation of the content of each training sessions and applied methods, including the most important ideas proposed by the participants during the training;
- Conclusions and recommendations for future interventions, based on lessons learnt;
- Evaluation forms, completed by participants;
- Other relevant materials as necessary;

Tentative schedule:

1. Module for **Professional Group I (Prosecutors, Torture Combating Section within the General Prosecutors' Office)** - Module developed and **2 trainings** delivered by **15 December 2010** (participants will be divided in two working groups since there will be approximately 50 participants in total).
2. Module for **Professional Group II (Policemen, Ministry of Internal Affairs)** – Module developed and one ToT delivered by **30 March 2011** (approx. 25 participants).
3. Module for **Professional Group III (Officers within the Department of Penitentiary Institutions)** - Module developed and one ToT delivered by **30 April 2011** (approx. 25 participants).
4. Module for **Professional Group IV (Judges, Superior Council of Magistracy)** - Module developed and one ToT delivered by **30 May 2011** (approx. 25 participants).
5. Module for **Professional Group V (Lawyers, National Bar Association)** - Module developed and one ToT delivered by **30 June 2011** (approx. 25 participants).

H: Qualifications and skills required:

- University degree in law, social sciences, pedagogy, medicine or other relevant fields;
- **At least 3 years of proven professional experience in dealing with:**
 - **Extensive knowledge of human rights standards at European and International level;**
 - **Extensive knowledge in criminal investigation, justice system, national and European human rights case law;**
 - **Extensive knowledge in national and international judiciary and forensic expertise;**
 - **Proven experience in methodical development of training modules.**
- Advanced ability to analyze, generalize and draft comprehensive training modules with accurate information and qualitative recommendations;
- Knowledge about human rights observance in Moldova and requirements of the UN/EU treaty bodies, as well as implications of relevant counterparts (Government, NGOs, UN agencies, donor community);
- Familiarity with the UN Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT), the Optional Protocol to the CAP (OPCAT), European Convention of Human Rights and Fundamental Freedoms, and other relevant human rights legislation;
- Experience in delivering trainings, ToT, other types of focused discussions;
- Proven experience in working with the international organizations (successful experience in working with UN agencies is an asset);
- Excellent (diplomatic) communication presentation skills, ability to facilitate discussions;
- Excellent self-organization abilities;
- Ability to work in a team;
- Proven PC skills, ability to use the Internet;
- Extensive knowledge of Romanian and Russian languages.
- Personal qualities: responsibility, creativity, flexibility

I: Evaluation criteria:

The candidates will be evaluated in two stages: technical evaluation and financial evaluation.

Technical evaluation criteria:

Criteria	Maximum points	Weight (%)in overall tech. score
1. Relevant University Degree (Master's – 30 pts, PhD's – 40 pts.)	40	14%
3. Good knowledge and understanding of the UN Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT) and the Optional Protocol to the CAP (OPCAT), European Convention of Human Rights 'and Fundamental Freedoms, and other relevant human rights legislation;	75	25%
4. Advanced ability to analyze, generalize and draft comprehensive training modules with accurate information and experience in delivering trainings and ToT	75	25%
5. Previous experience in working with the international organizations (successful experience in working with UN agencies is an asset) (each year of such work – 10 pts)	25	8%
6. At least 3 years of proven professional experience in requested area;	25	8%
7. Knowledge of MS Office skills, ability to use the Internet; (basic – 20 pts, advanced – 30 pts)	30	10%
2. Proficiency in written and spoken Romanian and Russian	30	10%
Maximum total technical scoring:	300	100%

Only candidates who will pass over the mandatory criteria and will accumulate at least 210 points under technical evaluation will qualify to the next round of financial evaluation.

Evaluation of financial proposal

Evaluation of submitted financial offers will be done based on the following formula:

$$S = F_{\min} / F * 200$$

S – score received on financial evaluation;

F_{min} – the lowest financial offer out of all the submitted offers qualified over the technical evaluation round;

F – financial offer under consideration.

Note: Financial offer will be considered (“aggregated financial offer” is the total sum of all financial claims of the candidate for accomplishment of the task, including fees,).

Winning candidates

The winning candidates will be the consultants, who accumulated the highest aggregated score (technical scoring + financial scoring).