



## INDIVIDUAL CONSULTANT PROCUREMENT NOTICE

Date: **13 June 2014**

**Country:** Republic of Moldova

**Description of the assignment:** National Consultant to support revision of the NHRAP 2004 – 2008/2011-2014 and proposed amendments to National Human Rights Action Plan (NHRAP) 2011-2014 to incorporate the Universal Periodic Review and other international human rights recommendations and to develop its extension for period 2014-2016.

**Project name:** Office of the United Nations High Commissioner for Human Rights (OHCHR)

**Period of assignment/services:** 1 July 2014 - 31 December 2014, (up to 42 working days)

Proposals should be submitted online only, by following the “Apply online” link, no later than [26 June 2014](#).

Requests for **clarification only** must be sent by standard electronic communication to the following e-mail: [violeta.fetescu@one.un.org](mailto:violeta.fetescu@one.un.org). UNDP will respond by standard electronic mail and will send written copies of the response, including an explanation of the query without identifying the source of inquiry, to all applicants.

### 1. BACKGROUND

The Office of the United Nations High Commissioner for Human Rights (OHCHR) represents the world's commitment to universal ideals of human dignity. We have a unique mandate from the international community to promote and protect all human rights. We have an office at United Nations headquarters in New York and offices in numerous countries and regions. To implement our comprehensive mandate, we employ 1085 staff (as of 31 December 2013) based in Geneva, New York and in 13 country offices and 13 regional offices or centres around the world, as well as a workforce of 689 international human rights officers serving in UN peace missions or political offices.

In July 2008, OHCHR has deployed a Human Rights Adviser, based in the Office of the United Nations Resident Coordinator (UN RC) in the Republic of Moldova. The Human Rights Adviser supports and advises the UN RC Office, United Nations Country Team (UNCT) in Moldova, Government, National Human Rights Institution (NHRI) and civil society in strengthening human rights and human rights based approaches. OHCHR, in partnership with UNCT Moldova, also supports UNCT Moldova to implement the recommendations of UN Senior Expert Thomas Hammarberg as concerns human rights in the Transnistrian region of the Republic of Moldova. Thematic priorities for work in the Republic of Moldova for 2014-2017 include: (1) Countering discrimination, in particular racial discrimination, discrimination on the grounds of disability, religion, sexual orientation and other criteria; (2) Combating impunity and strengthening accountability and the rule of law; (3) Strengthening the effectiveness of international human

rights mechanisms and the progressive development of international human rights law and standards.

OHCHR has signed commitments with the Council of Europe to undertake joint work and common action in those countries where both entities are active, inter alia with a view to strengthening the complementarity of human rights mechanisms in Europe. These commitments were reaffirmed at a Workshop on Developing and Implementing National Human Rights Action Plans, held in Strasbourg in March 2014.

The Universal Periodic Review (UPR) is a unique mechanism of the United Nations which started in April 2008 and consisting of the review of the human rights practices of all States in the world, once every four years. However, the follow-up of the UPR recommendations is the most critical and important phase of the whole UPR process as it is the one leading to the realization of the UPR objective that is the "improvement of the human rights situation on the ground". The success of this phase will also determine the efficiency and credibility of the mechanism and demonstrate States' engagement in the promotion and strengthening of human rights. This is also directly linked to the next cycle of UPR process which is commencing in 2012.

Implementation of the UPR recommendations represents a strategic priority of the Moldovan Government. The UN-Moldova Partnership Framework 2013-2017 (UNMPF), the Outcome 1.3 of the UNPF – "State bodies and other actors effectively promote and protect human rights, gender equality and nondiscrimination, with particular attention to the marginalized and the vulnerable" will be measured, inter alia, against the number, and quality of implemented recommendations within reasonable timeframes.

In October 2011 the Republic of Moldova was reviewed by the Human Rights Council under the Universal Periodic Review (UPR) Mechanism. The Government of the Republic of Moldova took note of the Report of the Working Group on the Universal Periodic Review and further actions to be taken in order to improve the human rights situation in the country. The UPR recommendations were carefully examined and they will be taken into account during the amendment process of the National Human Rights Action Plan (NHRAP) for 2011-2014. In January 2012, a Monitoring Commission for the Implementation of the National Human Rights Action Plan (Monitoring Commission) was established under the Deputy Prime-Minister's Office. In December 2012, the NHRAP was amended to incorporate actions involving implementation of many of the UPR recommendations, as well as other recommendations made with a view to improving human rights in the Republic of Moldova.

The current NHRAP will end at the end of 2014. However, not all UPR recommendations made to the Republic of Moldova will be implemented as of that date. A consultant is therefore sought to support work to assess the actions and impact of the NHRAP 2004-2008 and the current NHRAP 2011-2014, including via desk and other research, as well as broad consultation including representatives of local administration authorities responsible to implement the documents, and with a view to supporting the extension of the NHRAP to 2016, with a view to incorporating and acting on all of the UPR and other relevant international human rights recommendations pending with respect to the Republic of Moldova.

## **2. SCOPE OF WORK, RESPONSIBILITIES AND DESCRIPTION OF THE PROPOSED ANALYTICAL WORK**

In order to achieve objectives the contractors shall support the work of international experts, including in particular an international expert to be named by the Council of Europe, as well as the UN Human Rights Adviser (OHCHR) to:

- Thoroughly analyze the Report of the Working Group on the Universal Periodic Review from 17 October 2011 and the corresponding responses of the Government;

- Undertake comprehensive examination of Human Rights Treaty Body Concluding Observations and Special Procedures recommendations to the Republic of Moldova;
- Conduct a detailed analysis of the National Human Rights Action Plan 2004 -2008 and 2011-2014 (NHRAP) in cooperation with relevant national institutions. Assess the implementation results and impacts at national level of both documents taking into consideration institutional capacities of responsible stakeholders, financial resources allocated and used, achievements, progresses and backlogs in human rights filed in Republic of Moldova according to NHRAP implementation.
- Meet with representatives of various institutions which are of relevance for the UPR recommendations, including National Commission responsible to implement NHRAP, Ministry of Justice, Ministry of Foreign Affairs and European Integration, Ministry of Internal Affairs, Ministry of Labour, Social Protection and Family, General Prosecutor's Office; Ombuds Institution, Council on Preventing and Combating Discrimination and Ensuring Equality, local public administration bodies responsible to implement NHRAP, relevant civil society NGOs, religious entities, etc.;
- Assess which international recommendations will continue to require action after the end of 2014 in the framework of the National Human Rights Action Plan and;
- Develop amendments to current NHRAP to its extension for next period 2014 – 2016.
- Otherwise advise as to rendering the National Human Rights Action Plan an effective instrument;
- Work with the relevant parties to develop and submit NHRAP draft amendments;
- Facilitate and support inclusive consultations around the proposed amendments;
- Incorporate relevant recommendations into the NHRAP;
- Work with the relevant parties to support final amendments to the NHRAP;
- Assist the relevant parties in informing and briefing the UN RC Office, UNCT and other relevant agencies in matters related to UPR implementation.

### **3. REQUIREMENTS FOR EXPERIENCE AND QUALIFICATIONS**

#### **I. Academic Qualifications:**

- University degree in law, human rights, social sciences, or other relevant field; MA or advanced degree in these areas preferred.

#### **II. Experience and skills:**

- 3 years of practical professional experience in human rights, including familiarity with relevant international and regional human rights law; Experience in drafting policy frameworks in the area of human rights;
- Demonstrated experience in comparative analysis, research, monitoring, assessment/evaluations in the area of human rights;
- Familiarity with the human rights situation in the Republic of Moldova; Knowledge of the national and international institutional, legal and policy frameworks in the area of human rights;

- Knowledge of policies, laws, strategies, action plans and factual scenarios in the Republic of Moldova relevant for human rights action; Advanced law, policy and professional document drafting abilities;
- Excellent communication and teamwork skills;
- Strategic thinking ability; Good PC skills, ability to use the Internet;

### III. Language requirements:

- Fluency in Romanian and English. Knowledge of one or more additional languages relevant for Moldova, including Bulgarian, Gagauzian, Romani, Russian, Ukrainian or sign language is an asset.

## **4. DOCUMENTS TO BE INCLUDED WHEN SUBMITTING THE PROPOSALS**

Interested individual consultants must submit the following documents/information to demonstrate their qualifications:

1. A detailed curriculum vitae of relevant experience or P11.
2. A written statement of not more than 1000 words:
  - (i) Explaining why you are the most suitable for the work;
  - (ii) Providing a brief methodology on how you would approach and conduct the work.

## **5. FINANCIAL PROPOSAL**

The financial proposal shall specify a total lump sum amount, and payment terms around specific and measurable (qualitative and quantitative) deliverables. Payments are paid in installments and are based upon output, i.e. upon delivery of the services specified in the TOR. In order to assist the requesting unit in the comparison of financial proposals, the financial proposal will include a breakdown of this lump sum amount (including fees, taxes, mobile phone calls, etc.). The travel expenditures are to be approved in advance by the Project Manager and shall be covered from the Project budget.

### **Travel**

All envisaged travel costs must be included in the financial proposal. This includes all travel to join duty station/repatriation travel. In general, UNDP should not accept travel costs exceeding those of an economy class ticket. Should the IC wish to travel on a higher class he/she should do so using their own resources.

In the case of unforeseeable travel, payment of travel costs including tickets, lodging and terminal expenses should be agreed upon, between the respective business unit and Individual Consultant, prior to travel and will be reimbursed.

## **6. EVALUATION**

Initially, individual consultants will be short-listed based on the following minimum qualification criteria:

- University degree in law, human rights, social sciences, or other relevant field; MA or advanced degree in these areas preferred.

- Minimum 3 years of practical professional experience in human rights, including familiarity with relevant international and regional human rights law; Experience in drafting policy frameworks in the area of human rights;
- Fluency in Romanian and English.

The short-listed individual consultants will be further evaluated based on the following methodology:

#### Cumulative analysis

The award of the contract shall be made to the individual consultant whose offer has been evaluated and determined as:

- a) responsive/compliant/acceptable, and
- b) having received the highest score out of a pre-determined set of weighted technical and financial criteria specific to the solicitation.

\* Technical Criteria weight – 60% (300 pts.);

\* Financial Criteria weight – 40% (200 pts.).

Only candidates obtaining a minimum of 210 points would be considered for the Financial Evaluation.

Criteria	Scoring	Maximum Points Obtainable
<b>Technical</b>		
<ul style="list-style-type: none"> <li>• University degree in law, human rights, social sciences, or other relevant field; MA or advanced degree in these areas preferred;</li> </ul>	University degree – 40 pts.; MA degree – 50 pts.;	50
<ul style="list-style-type: none"> <li>• Minimum 3 years of practical professional experience in human rights, including familiarity with relevant international and regional human rights law; Experience in drafting policy frameworks in the area of human rights;</li> </ul>	3 years - 50 pts.; >3 years – up to 60 pts.;	60
<ul style="list-style-type: none"> <li>• Demonstrated experience in comparative analysis, research, monitoring, assessment/evaluations in the area of human rights;</li> </ul>	Large - 60 pts.; to some extent - 30 pts.; No – 0 pts.	60
<ul style="list-style-type: none"> <li>• Good PC skills, ability to use the Internet;</li> </ul>	Max – 10 pts.;	10
<ul style="list-style-type: none"> <li>• Fluency in Romanian and English. Knowledge of one or more additional languages relevant for</li> </ul>	Max - 10 pts.	10

Moldova, including Bulgarian, Gagauzian, Romani, Russian, Ukrainian or sign language is an asset.		
<ul style="list-style-type: none"> <li>Interview: <ol style="list-style-type: none"> <li>1. Familiarity with the human rights situation in the Republic of Moldova;</li> <li>2. Knowledge of the national and international institutional, legal and policy frameworks in the area of human right;</li> <li>3. Knowledge of policies, laws, strategies, action plans and factual scenarios in the Republic of Moldova relevant for human rights action; advanced law, policy and professional document drafting abilities;</li> <li>4. Excellent communication and teamwork skills; strategic thinking ability.</li> </ol> </li> </ul>	<p>Familiarity with the human rights situation in the Republic of Moldova- 35 pts.;</p> <p>Knowledge of the national and international institutional, legal and policy frameworks in the area of human rights- 30 pts.;</p> <p>Knowledge of policies, laws, strategies, action plans and factual scenarios in the Republic of Moldova relevant for human rights action; advanced law, policy and professional document drafting abilities- 35 pts.;</p> <p>Excellent communication and teamwork skills; strategic thinking ability- 10 pts.</p>	110
<b>Maximum Total Technical Scoring</b>		<b>300</b>
<b>Financial</b>		
<p>Evaluation of submitted financial offers will be done based on the following formula:</p> <p><b><math>S = F_{min} / F * 200</math></b></p> <p>S – score received on financial evaluation;</p> <p>Fmin – the lowest financial offer out of all the submitted offers qualified over the technical evaluation round;</p> <p>F – financial offer under consideration.</p>		<b>200</b>

### Winning candidate

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

### **ANNEXES:**

#### **ANNEX 1 – TERMS OF REFERENCES (TOR)**

#### **ANNEX 2 – INDIVIDUAL CONSULTANT GENERAL TERMS AND CONDITIONS**