

CONSULTANT SERVICES PROCUREMENT NOTICE



Date: 18 September 2014

Country: Republic of Moldova

Description of the assignment: National legal consultant to support the process of revision of the national laws and by-laws in the area of migration, labour & trafficking and develop amendments in line with CEDAW provisions and its recommendations

Project name: UN Women/Women Migrant Workers' Labour & Human Rights Project (WMW)

Period of assignment/services: Up to 90 working days during October 2014 – June 2015

Starting date: October 10, 2014

Technical proposal and **financial proposal** should be submitted **on-line** no later than **September 26, 2014**. Requests for clarification only must be sent by standard electronic communication to the following e-mail: janna.sofroni@unwomen.org. Please notice that this address is for information requests only, please do not send or copy your application package to this address. UN Women staff will respond in writing or 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 consultants.

1. BACKGROUND

Government of Moldova with the support of international community has strongly embarked on promotion of gender equality and undertook specific steps for establishment of an enabling environment to promote and protect women's rights. Several significant results were already achieved regardless of rather concise timeframe.

Thus, on 1st July 1994 the Republic of Moldova ratified the Convention on the Elimination of all forms of Discrimination against Women (CEDAW) and in February 2006 the country acceded to the Optional Protocol to CEDAW. Furthermore, the state undertook specific actions in support of the goal of gender equality, in particular for the enactment of the Law on ensuring equal opportunities for women & men and National Programme on Ensuring Gender Equality during 2010-2015 (2009), including affiliated Action Plans. Other international documents that represent the basis of policies and actions in the field of gender equality of the Republic of Moldova include: the Universal Declaration of Human Rights (1948), the Convention on the Political Rights of Women (1952), the International Covenant on Economic, Social and Cultural Rights (1966), the Beijing Platform and Action Plan (1995), the Millennium Declaration (2000), and corresponding Conventions of the International Labor Organization, etc.

At the same time, *migration* has become another particularly important issue for the fulfillment of women's human rights, including in Moldova. First of all, there is an increasing number of labor migrants which are female, prompting many to refer to the "feminization of migration." Second, women migrant workers are especially vulnerable to discrimination and exploitation that interferes with their fulfillment of many human rights. Thus, women migrant workers face "double discrimination" as women and as non-nationals of the country in which they work.

In December 2013, UN Women entered into agreement with European Commission to implement a regional project „Promoting and Protecting Women Migrant Workers' labour and human rights: Engaging with international, national human rights mechanisms to enhance accountability" (WMW Project) with 3 pilot countries: Mexico (Latin America), Moldova (Eastern Europe), Philippines (South East Asia). This project strives to promote women migrant worker's rights and protect them against exclusion and exploitation at all stages of migration. It aims to contribute to this overall objective by (a) strengthening strategic international human rights mechanisms, national oversight institutions and governments to ensure accountability to women migrant workers at all stages; (b) strengthening women migrant workers' organizations and their support groups to effectively engage with the above stakeholders to ensure greater accountability to them. Thus, the WMW Project is intended to generate a range of results which include changes in the awareness, understanding, capacities and responses of the primary target groups – relevant treaty bodies, special procedures mandate holders, UPR, governments, Parliamentarians/Parliamentary secretariats, national human rights mechanisms/institutions - to women migrant workers in the direction of promoting and protecting the latter's rights, *including through a responsive and coherent national legislation*.

The Government of Moldova made some steps in developing and implementing normative and institutional frameworks in the field of labor, migration and trafficking, including Law on preventing and combating trafficking in human beings (2005) and Law on labor migration (2008), however these do not address specifically women migrants as one of the groups that need special attention, and the current legal framework does not provide legal remedies to protect their rights. National Programme on Ensuring Gender Equality for 2010-2015 approved by the Government in December 2009 stipulates employment and labour migration as one of the areas that need close attention and gender sensitive actions. One of the specific objectives of the Programme is to ensure alignment of national legislation and normative framework to internationally adopted Treaties and Covenants in the area to ensure more efficient regulation of migration processes and prevention and combating of illegal migration and human trafficking.

2. SCOPE OF WORK, RESPONSIBILITIES AND DESCRIPTION OF THE PROPOSED WORK

Under the overall supervision and guidance from UN Women National Programme Officer and direct supervision of the WMW Project Coordinator, and in close coordination with the Department on Migration Policies of the MLSPF and International Migration Research Centre (IMRC) team of international experts based in Toronto, Canada, the selected consultant is expected to provide assistance and expertise in the process of legal and normative review and development of corresponding package of amendments in line with the CEDAW recommendations.

For detailed information, please refer to Annex 1-Terms of Reference.

3. REQUIREMENTS FOR EXPERIENCE AND QUALIFICATIONS

I. Academic Qualifications:

- Advanced Degree in law, public administration, international relations/development studies;
- Specialised formal education/professional training in migration, gender and development policy *is an asset*.

II. Years of Experience:

- At least 3 years of proven experience of legal research and analysis in the human rights protection area, including gender equality, labour & migration, women's human rights as well as national implementation of legislation in the human rights field;
- Proven professional experience in legislative analysis and developing models for alignment of national legislation with international standards with focus on gender equality, labour, migration, human rights and other related areas;
- At least 2 years of proven records of working/collaborating with the Government sectors in assisting/supporting drafting gender responsive policy recommendations/ policy reports;
- Proven experience in working with international organizations (successful experience in working with UN agencies on similar assignments is an asset);
- Good knowledge of the national and international legislation and counterparts working in the area of gender equality, labour, migration and in the broader area of human rights;

III. Competencies:

Excellent analytical skills, ability to synthesize and clearly present complex processes and issues to service the information needs of diverse audiences; *(to be assessed based on the presented sample of completed report/policy paper)*

Excellent writing skills, ability to write in a structured, lucid and concise manner, without losing the depth of the substance; *(to be assessed based on the presented sample of completed report/policy paper)*

Computer literacy and ability to effectively use office technology equipment, IT tools, ability to use Internet and email *(to be assessed based on PHF11 Form)*

IV. Language skills:

Fluency in Romanian, good working command of English is a must *(to be assessed based on PHF11 Form)*;

4. DOCUMENTS TO BE INCLUDED WHEN SUBMITTING THE PROPOSALS

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

- Duly filled Personal History Form (PHF11)/CV including records on past experience in similar projects/assignments and specific outputs obtained;
- Letter of Interest with justification of being the most suitable for the work, vision and working approach;
- Sample of report/policy paper or any other similar working paper produced;
- Financial proposal (in MDL) - specifying an all-inclusive fixed total contract price, supported by a breakdown of costs as per template provided

5. FINANCIAL PROPOSAL

The financial proposal shall be structured around the specific tasks and key deliverables described in the Terms of Reference. Interested individual consultants must specify a total lump sum amount for each task and deliverable, which are to be completed by the deadlines specified in the ToR. Payments shall be made based on delivery of the services specified in the ToR and in accordance with the procedures described in the Remuneration section of the ToR. In order to assist UN Women Moldova Programme in the comparison of financial proposals, the financial proposal will include a breakdown of this lump sum amount.

6. TRAVEL

Any travel under this assignment, including appropriate logistical arrangements shall be ensured/facilitated by UN Women.

7. EVALUATION

For detailed evaluation procedures please refer to Annex 1-Terms of Reference

ANNEX

ANNEX 1 – TERMS OF REFERENCES (TOR)

ANNEX 2 – P11 UN Women

ANNEX 3 – CONDITIONS OF SERVICE –CONSULTANT

