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INDIVIDUAL CONSULTANT PROCUREMENT NOTICE

Date: **30 October 2014**

Country: Republic of Moldova

Description of the assignment: Three (3) National Consultants on documentation of cases of torture and incorporating the Istanbul Protocol into the training for relevant professionals

Project name: Strengthening National Capacities to Protect the Most Vulnerable from Torture in Moldova

Period of assignment/services: November 2014 – January 2015 (up to 30 working days with the possibility of extension)

Proposals should be submitted online in person by pressing the "Apply Now" button no later than 9 November 2014, specifying the position candidates apply for.

Requests for **clarification only** must be sent by standard electronic communication to the following e-mail: evghenii.golosceapov@undp.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:

Moldova signed the *EU-Moldova Visa Liberalization Action Plan*, in which it committed to implement the *National Human Rights Action Plan for 2011-2014*,¹ which contains commitments to prevent and combat all acts of torture and ill-treatment. The *Justice Sector Reform Strategy 2011-2016*² was adopted addressing the problem of torture in its Pillar VI. Related priorities and commitments are established under the *UN-Moldova Partnership Framework (UNPF) 2013-2017*,³ which addresses a number of human rights issues, including torture and ill-treatment and a need to secure the rights of the most vulnerable. Additionally, there are a number of international recommendations on combating torture and related ill-treatment in Moldova, many of which still need to be implemented.⁴ In spite of these recommendations and international commitments, torture and related ill-treatment remain to be a grave human rights violation in Moldova with not all of the aspects of this violation addressed properly and impunity for torture and related ill-treatment remaining one of the most acute problems.

The *Istanbul Protocol: Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Istanbul Protocol)* provides international guidelines for the assessment of persons who allege torture and ill-treatment, for investigating cases of alleged torture and for reporting findings to the judiciary or any other investigative body. The *Istanbul Protocol* manual includes principles for the effective investigation and documentation of torture, and other cruel, inhuman

¹ <http://lex.justice.md/viewdoc.php?action=view&view=doc&id=339395&lang=1>

² http://justice.gov.md/public/files/file/reforma_sectorul_justitiei/srsj_pa_srsj/SRSJen.pdf

³ http://www.un.md/news_room/pr/2012/undaf/United_Nations_Republic_of_Moldova_Partnership_Framework.pdf

⁴ The recommendations of the UN Human Rights Committee (2009), the UN Committee against Torture (2009),⁴ and Universal Periodic Review (2011) on the effective prevention, investigation and prosecution of torture, the Report of the Special Rapporteur, Manfred Novak (2009), following his mission to Moldova.

or degrading treatment or punishment. These principles outline minimum standards for States in order to ensure the effective documentation of torture.⁵

The overall objective of the “Strengthening National Capacities to Protect the Most Vulnerable from Torture in Moldova” project is to contribute to the prevention of torture and fighting against impunity on the whole territory of Moldova, including Transnistrian region, especially in respect of the most vulnerable women and men in-line with international human rights standards, Justice Sector Reform Strategy (2011 – 2016) and its Action Plan, and National Human Rights Action Plan (2011-2014). The project seeks to further strengthen the capacities of national stakeholders in monitoring of, reporting on, prevention and combating of torture, especially against women and men with psychosocial and intellectual disabilities in health care facilities.

One of the activities of the project is supporting the National Institute of Justice for the development of curriculum on documentation of torture and related ill-treatment. The National Institute of Justice (NIJ) was formed in 2006 and is responsible for the initial training of future judges and prosecutors, continuous training of judges and prosecutors in office, training of clerks and bailiffs as well as training of other legal professionals (on contractual basis) that contribute to the administration of justice in RM.⁶ Incorporating the principles of documentation of torture and related ill-treatment, outlined in the Istanbul Protocol, into the educating practices of legal and related professionals is an effective step towards effective prosecution and, further, prevention of torture. Ensuring that cases of torture and related ill-treatment are properly documented, investigated and prosecuted contributes towards a more effective, evidence-based justice system and protection of human rights.

The Project «**Strengthening National Capacities to Protect the Most Vulnerable from Torture in Moldova**» is funded by the European Union and co-funded and implemented by the United Nations Development Programme in Moldova in consultations with the Office of the UN High Commissioner for Human Rights, the East Europe Foundation and the Soros Foundation – Moldova. The goal of this Project is to contribute to the prevention of torture and fighting against impunity on the whole territory of the Republic of Moldova, including Transnistrian region, especially in respect of the most vulnerable women and men with psycho-social and intellectual disabilities in mental health facilities. The Project also aims at raising capacities of civil society organisations (CSOs) in monitoring and reporting on the implementation of national anti-torture related strategies, plans and application of legislation.

2. OBJECTIVE:

The objective is to support the NIJ and other relevant higher education institutions to strengthen their capacities in training on the international principles of documenting torture and related ill-treatment against the most vulnerable women and men by the relevant professionals.

3. SCOPE OF WORK, RESPONSIBILITIES AND DESCRIPTION OF THE PROPOSED ANALYTICAL WORK:

The 3 National Consultants will be experts in the following areas:

- One will specialise on medical issues and documentation of torture from a forensic/medical perspective (Consultant on Medical Documentation);
- One will specialise on documentation of torture from a psychological perspective (Consultant on Psychological Documentation), and
- One will provide specific expertise on the legal issues related to documentation provided in the Istanbul Protocol (Legal Consultant).

The **scope of work** of the National Consultants will be:

⁵ Istanbul Protocol: Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Istanbul Protocol). <http://www.ohchr.org/documents/publications/training8rev1en.pdf>

⁶ National Institute of Justice: <http://en.inj.md/>

- Providing expertise, including theoretical and practical knowledge for developing a training course on documentation of torture and related ill-treatment for the legal professionals at the National Institute of Justice;
- Conducting a needs assessment and feasibility study on incorporating the provisions of the Istanbul Protocol into the curriculum of the State University of Medicine and Pharmacy “N. Testimetanu”.

In order to achieve the objectives and to implement the abovementioned activities the National Consultants shall work together as a team to:

- Evaluate the existing curricular and training materials of the NIJ related to the documentation of torture;
- Develop a training curriculum for NIJ’s training course on documentation of torture and related ill-treatment for the legal professionals (judges and prosecutors) at the National Institute of Justice, incorporating the provisions of the Istanbul Protocol;
- Make a selection of necessary study materials for the training course on documentation of torture and related ill-treatment for the legal professionals at the National Institute of Justice;
- Analyse the possibility of incorporating the provisions of the Istanbul protocol into the curriculum of State University of Medicine and Pharmacy “N. Testimetanu”, taking into account, but not limited to, the following information and factors:
 - Training curriculum and materials of the relevant existing courses;
 - Categories of students;
 - Types of faculties;
- Develop and present a final report on the consultancy undertaken;
- Undertake other tasks related to the assignment as requested.

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

4. REQUIREMENTS FOR EXPERIENCE AND QUALIFICATIONS:

Qualifications	Consultant on Medical Documentation	Consultant on Psychological Documentation	Legal Consultant
I. Academic Qualifications:			
Master’s Degree or equivalent (5-year university education)	In Medicine, Healthcare, Forensic Medicine or other relevant field	In Psychology, Healthcare or other relevant field	In Law, Human Rights, International Public Law, Medicine or other relevant field
II. Years and sphere of experience:			
At least 3 years of proven professional experience	In forensic medicine, healthcare, medical services provision or other relevant field	In forensic psychology, working with victims of crime, conducting applied research in relation to psychology of	In working on the prevention and investigation of torture and related ill-treatment within

		victimization related to physical and mental torture and related ill-treatment, medical services provision or other relevant field	prosecutor office, implementation of the Istanbul Protocol, judiciary, national torture preventive mechanism (NPM), regional and/or international torture related courts, human rights bodies and NGOs, relevant UN treaty bodies or special procedures or other relevant field
III. Competencies:			
Adheres to the core values of the United Nations; in particular, is respectful of differences of culture, gender, religion, ethnicity, nationality, language, age, HIV status, disability, and sexual orientation, or other status	√	√	√
Professional understanding of the issue of torture and related ill-treatment	In the context of prevention, documentation, forensic investigation, medical examination	Especially in the context of working with victims of torture, documentation of	In the context of prevention, legal proceedings, documentation, investigation and prosecution
Knowledge of the Istanbul Protocol	Would be an advantage	Would be an advantage	√
Experience and knowledge of anti-torture related issues, actors, stakeholders and principles in the Republic of Moldova	√	√	√
Experience in developing training curricula, methodologies and tools for training activities	√	√	√
IT skills including word processing, presentation software and use of other relevant applications	√	√	√
Knowledge of Romanian and Russian languages	√	√	√
Knowledge of English would be a strong advantage	√	√	√
Knowledge of one or more additional languages relevant for Moldova, including Bulgarian, Gagauzian, Romani, Ukrainian or sign language is an asset	√	√	√

IV. Personal qualities:			
Responsibility, creativity, flexibility and punctuality	√	√	√

The United Nations Country Team in the Republic of Moldova is committed to workforce diversity. Women, persons with disabilities, Roma and other ethnic or religious minorities, persons living with HIV, as well as refugees and other non-citizens legally entitled to work in the Republic of Moldova, are particularly encouraged to apply.

5. DOCUMENTS TO BE INCLUDED WHEN SUBMITTING THE PROPOSALS:

Interested individual consultants must submit the following documents/information in Romanian, Russian or English to demonstrate their qualifications:

1. Personal information (as a detailed CV or as a Personal History Form /P11) including records on past experience in similar projects/assignments and concrete outputs obtained, including names of 3 reference persons and their contacts;
2. Cover letter, which should include:
 - (i) A list of capacity building activities/trainings, reports, analysis documents, or other task related documents the candidate has elaborated or contributed to, as well as experience working for or with relevant institutions;
 - (ii) Financial proposal (in USD, specifying a total **lump sum** amount taking into account anticipated number of working days).

Applications should be submitted specifying the type of consultancy applied for.

6. FINANCIAL PROPOSAL:

The financial proposal shall specify a total **lump sum** amount, and payment terms around specific and measurable (qualitative and quantitative) deliverables (i.e. whether payments fall in instalments or upon completion of the entire contract). Payments 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 travel, per diems, and number of anticipated working days).

Payment will be made upon acceptance of deliverables by the UNDP Moldova Justice and Human Rights Programme Analyst.

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.

No travel costs are envisaged under this assignment.

7. EVALUATION:

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

- Master's Degree or equivalent (5-year university education) in a field relevant to each consultant:

- In Medicine, Healthcare, Forensic Medicine or other relevant field for **Consultant on Medical Documentation;**
- In Forensic Psychology, Healthcare or other relevant field for **Consultant on Psychological Documentation;**
- In Law, Human Rights, International Public Law, Medicine or other relevant field for **Legal Consultant.**
- At least 3 years of proven professional experience in a field relevant to each consultant:
 - In forensic medicine, healthcare, medical services provision or other relevant field for **Consultant on Medical Documentation;**
 - In forensic psychology, working with victims of crime, conducting applied research in relation to psychology of victimization related to physical and mental torture and related ill-treatment, medical services provision or other relevant field for **Consultant on Psychological Documentation;**
 - Working on the prevention and investigation of torture and related ill-treatment within prosecutor office, implementation of the Istanbul Protocol, judiciary, national torture preventive mechanism (NPM), regional and/or international torture related courts, human rights bodies and NGOs, relevant UN treaty bodies or special procedures or other relevant field for **Legal Consultant.**

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

A two-stage procedure will be used in evaluating the candidates:

1. Technical evaluation (max 300 points) – 60%;
2. Financial evaluation (max 200 points) – 40%.

Technical evaluation will be based on a thorough desk review of applications.

Only candidates obtaining a minimum of 70% score of the technical evaluation (at least 210 points) would be considered for the Financial Evaluation.

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.

Criteria	Scoring	Maximum Points Obtainable
Technical		
Master's Degree or equivalent in a relevant field for each of the Consultants	(Master – 20 pts., PhD – 30 pts.)	30
At least 3 years of proven professional experience in a relevant field for each of the Consultants	(3 years – up to 30 pts., 3 – 6 years – up to 35 pts., 6 – 10 years – up to 50 pts., more than 10 years – up to 60 pts.)	60
Professional understanding of the issue of torture and related ill-treatment	(no – 0 pts., to some extent – up to 25 pts., yes – up to 50 pts.)	50
Knowledge of the Istanbul Protocol	(no – 0 pts., to some extent – up to 25 pts., yes – up to 50 pts.)	50
Experience and knowledge of anti-torture related issues, actors, stakeholders and principles in the Republic of Moldova	(no – 0 pts., to some extent – up to 20 pts., yes – up to 40 pts.)	40

Experience in developing training curricula, methodologies and tools for training activities	(no – 0 pts., to some extent – up to 20 pts., yes – up to 40 pts.)	40
Knowledge of Romanian, Russian, English and other languages relevant for Moldova	(Romanian, Russian – 10 pts. each, English or other language – 5 pts. each up to 10 additional pts.)	30
Maximum Total Technical Scoring		300
<u>Financial</u>		
Evaluation of submitted financial offers will be done based on the following formula: $S = F_{min} / F * 200$ S – score received on financial evaluation; Fmin – the lowest financial offer out of all the submitted offers qualified over the technical evaluation round; F – financial offer under consideration.		200

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 REFERENCE (TOR)

ANNEX 2 – INDIVIDUAL CONSULTANT GENERAL TERMS AND CONDITIONS