

## TERMS OF REFERENCE

- A. Job Title:** National Consultant on the ratification of the Optional Protocol to the Convention on the Rights of Persons with Disabilities (OP CRPD)  
**B. Duty Station:** Chisinau, Republic of Moldova  
**C. Project reference:** Strengthening Rule of Law and Human Rights Protection in Moldova  
**D. Contract type:** Individual Contract (IC)  
**E. Duration of assignment:** November 2014 – May 2015 (up to 35 working days)

### F. Background:

On 13 December 2006 the UN General Assembly adopted the Convention on the Rights of Persons with Disabilities (CRPD) and the Optional Protocol to the Convention (OP CRPD)<sup>1</sup> which provides the Committee with competence to receive and consider communications, including individual complaints in relation to the scope of the Convention. The Optional Protocol entered into force on 3 May 2008. As of November 2014 there are 92 signatories to the Optional Protocol and it has been ratified by 85 states.<sup>2</sup>

During the first Universal Periodic Review (UPR) of the Republic of Moldova in 2011, the following OP CRPD related recommendations were made:

76.2. Ratify or accede to, as appropriate, the Optional Protocol to ICESCR, CED, ICRMW, and the Optional Protocol to CRPD (Uruguay);

76.3. Sign and ratify the Optional Protocol to ICESCR and CRPD; and ratify CED (Spain).

In December 2012 the Parliament of the Republic of Moldova adopted a revised National Human Rights Action Plan (NHRAP) 2011-2014, aiming to incorporate Moldova's UPR recommendations into the Plan. The revised NHRAP includes, as an action, completion of a feasibility study on possibilities to ratify the Optional Protocol to the CRPD during 2014. The Ministry of Labor, Social Protection and Family, Ministry of Finance, Ministry of Health, Ministry of Education, Ministry of Informational Technologies and Communication, Ministry of Regional Development and Construction, Parliamentary Committee on Human Rights and Interethnic Relations, and Ministry of Foreign Affairs and European Integration are listed as responsible parties for this action. The United Nations Development Programme (UNDP) and the Office of the High Commissioner for Human Rights (OHCHR) have made commitments to support this work.

The Strengthening Rule of Law and Human Rights Protection in Moldova Project is funded by the Federal Ministry for Europe, Integration and Foreign Affairs of Austria, co-funded and implemented by the UNDP Moldova in cooperation with the OHCHR.

### G. Objective:

The main objective is to conduct a comprehensive feasibility study on the ratification of the Optional Protocol to the Convention on the Rights of Persons with Disabilities and to provide recommendations on the necessary adjustments in the national legislation.

<sup>1</sup> General Assembly Resolution A/RES/61/106: [https://treaties.un.org/doc/source/docs/A\\_Res\\_61\\_106-E.pdf](https://treaties.un.org/doc/source/docs/A_Res_61_106-E.pdf)

<sup>2</sup> Further information on the CRPD and its Optional Protocol is available here:  
<http://www.ohchr.org/EN/HRBodies/CRPD/Pages/CRPDIndex.aspx>

#### H. Scope of work and expected outputs:

The scope of work includes:

- Perform a desk research and consultation to identify risks and opportunities for ratification of the Optional Protocol, as well as the identification of any legal or practical impediments to the ratification, as well as proposals to overcome or mitigate any such impediments;
- To study experiences of countries regarding the ratification of the Optional Protocol;
- Draft a clear, accessible and usable report on the findings of the study, including proposals for needed adjustments, evaluation of financial implications of the ratification, and the recommendations for ways forward;
- Hold consultations with the Ministry of Labor, Social Protection and Family Republic of Moldova (MLSPF), other relevant State bodies and civil society on the draft study and integrate their feedback into the report;
- Submit the draft study to the MLSPF, UNDP and OHCHR, factor in feedback, and present and validate the respective study in a multi-stakeholder technical meeting of the public bodies and civil society in view of gathering participants' feedback and advocating for the implementation of the study recommendations;
- Factor in the feedback collected during the validation meeting into a Final version of the Study and submitting it to the MLSPF, UNDP and OHCHR;
- Present the final results of the study at a roundtable workshop and advocate for the implementation of the recommendations of the study.

#### I. Deliverables:

#	Deliverable	Deadline
1.	First draft of the feasibility study and list of consultation meetings held (including online consultations) submitted	25 November 2014
2.	Second draft of the feasibility study and list of consultation meetings held (including online consultations) submitted	10 December 2014
3.	Final draft of the feasibility study and list of consultation meetings held (including online consultations) submitted	15 March 2015
4.	Presentation of the study	29 May 2015

Deliverables can be amended or specified for the purpose of the assignment.

Payment will be made upon the successful completion of the tasks assigned and submission of the feasibility study to the UNDP Moldova Justice and Human Rights Programme Analyst.

#### J. Organizational Setting:

This is a part-time consultancy. The National Consultant can be based in the office of the Ministry of Labor, Social Protection and Family and will work closely with the management and staff persons of the Ministry. The National Consultant will work under direct supervision of the UNDP Moldova Justice and Human Rights Programme Analyst, as well as in close consultation with the OHCHR Human Rights Adviser to the UN Resident Coordinator in Moldova.

#### K. Inputs:

The Ministry of Labor, Social Protection and Family of the Republic of Moldova and the UNDP Moldova Justice and Human Rights Programme Analyst will provide the National Consultant with the necessary

