



TERMS OF REFERENCE

Job Title:	UN Human Rights Office (OHCHR): National Consultant to strengthen Ombudsperson Office capacity to petition the Constitutional Court
Project Title:	Supporting National Human Rights Institutions as per International Treaty Bodies and UPR Recommendations.
Contract type:	Individual Contract
Duration of assignment:	15 April 2015 - 30 December 2015, up to 100 working days
Starting date:	15 April 2015

A. Background:

Since July 2008, OHCHR has deployed a Human Rights Adviser (HRA) 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 Institutions (NHRI), and civil society in strengthening human rights and applying the human rights based approach to their respective activities.

The Project “Supporting National Human Rights Institutions as per International Treaty Bodies and UPR Recommendations” is implemented during 2015 and 2016 by OHCHR HRA jointly with UNDP and in cooperation with the Ombudsperson Office and Equality Council and with the financial support of the Norwegian Government. The overall goal of the project is to contribute to the effective protection and promotion of human rights, equality and non-discrimination in the Republic of Moldova. The project seeks to catalyze the emergence of the strongest possible independent national human rights institutions for Moldova – Ombudsperson Office and Equality Council – and to increase their focus around core strategic human rights goals to maximize their impact.

B. Scope of work and expected outputs:

As provided by art.25 of the Law on the Constitutional Court and art.38 of the Code of Constitutional Jurisdiction the Ombudsperson has legal authority to lodge complaints to the Constitutional Court – as the highest judiciary body for the protection of human rights and fundamental freedoms in Moldova and in conformity with art. 4 of the Constitution which secures supremacy of the international human rights law.

OHCHR is recruiting a National Consultant to strengthen Ombudsperson Office capacity to petition the Constitutional Court, with solid knowledge in international human rights law and experience in national legal field, with knowledge related substantive and procedural aspects, to support the Ombudsperson Office in preparing and submitting written complaints to the Constitutional Court.

The incumbent's task will be related to the identification of systemic human rights violations and strategic and important legal barriers conducive to these infringements to be challenged at the Constitutional Court.

The National Consultant to strengthen Ombudsperson Office capacity to petition the Constitutional Court is sought to work under the supervision of the UN Human Rights Adviser (OHCHR), OHCHR Projects Coordinator and the Ombudsperson Office, by fulfilling the following tasks:

- Conceptualize and set up a mechanism for identification of human rights issues serving as ground for petitions to the Constitutional Court;
- Assist the Ombudsperson Office in identification of human rights issues, object to petitions at the Constitutional Court;
- Conducting trainings and offering guidance to Ombudsperson Office relevant staff on elaboration of petitions concerning the interpretation and correct application of Constitutional Court jurisprudence;
- Assist the Ombudsperson Office relevant staff in the process on elaboration of petitions to the Constitutional Court;
- Assist the Ombudsperson Office in submitting the petitions to the Constitutional Court and support in monitoring the petitions through different stages of the proceeding from admission to final adjudication by the Constitutional Court;
- Facilitate the creation of expert groups within the Ombudsperson office as provided by art 34 (5) of the Law on Peoples Advocate (Ombudsperson).

C. Deliverables:

	Deliverable	Deadline
1.	Identification and elaboration of minimum 8 memorandums on human rights issues serving as ground for petitions to the Constitutional Court.	30 April 2015 (2) 30 June 2015 (3) 30 September 2015 (3)
2.	The relevant staff trained and a guide on elaboration of petitions concerning the interpretation and correct application of Constitutional Court jurisprudence drafted;	30 May 2015
3.	Support offered to a minimum 6 petitions drafted, prepared for submission and further submitted to the Constitutional Court;	15 June 2015 30 August 2015 30 November 2015
4.	Minimum of 2 expert groups set up and first meeting held;	30 October 2015
3.	Provided necessary support and assistance to the Ombudsperson Office throughout the adjudication process as regards the petitions addressing human rights issues.	Throughout the duration of the contract

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

D. Organizational settings:

This is a part-time consultancy. The National Consultant will be based in the Ombudsperson Office and will work closely with the relevant management and staff persons. The National Consultant will work under the direct supervision of the OHCHR Human Rights Adviser and Anti-discrimination and National Human Rights Institutions Projects Coordinator.

E. Qualifications:

I. Academic Qualifications:

- Master degree or equivalent (5-year university education) in Law, Human Rights, Social Sciences, Political Science or other relevant field.

II. Years and sphere of experience:

- At least 4 years of practical experience in human rights, conducting legislative analysis and research;
- At least 3 years of experience in working procedures of the Constitutional Court.

III. Competencies:

- Deep knowledge and understanding of international norms and standards related to human rights;
- Knowledge of the Constitution of the Republic of Moldova, Law on the Constitutional Court, the Code of Constitutional Jurisdiction, and national legal framework in the Republic of Moldova;
- Knowledge on the functioning of the Ombudsperson Office, especially the procedure related to submitting the petitions to the Constitutional Court;
- Commitment and high identification with the human rights cause;
- Excellent analysis and drafting skills;
- Knowledge of Romanian, Russian and English languages;
- Proven commitment 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.

IV. Personal qualities: responsibility, creativity, flexibility and punctuality.

The UN 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.

F. Documents to be included in the proposal:

Interested persons should submit the following documents:

1. Proposal:

- (i) Explaining why they are the most suitable for the work;
- (ii) Provide a detailed methodology on how they will approach and conduct the work.

2. Financial proposal (fee per working day and the total amount);

3. Personal CV including past experience in similar projects and the contact details of at least 3 reference persons.