



## INDIVIDUAL CONSULTANT PROCUREMENT NOTICE

Date: **23 March 2015**

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**Country:** Republic of Moldova

**Description of the assignment:** OHCHR National Consultant to strengthen Ombudsperson Office capacity to petition the Constitutional Court

**Project Reference:** Supporting National Human Rights Institutions as per International Treaty Bodies and UPR Recommendations, Office of the United Nations High Commissioner for Human Rights (OHCHR)

**Period of assignment/services:** 15 April 2015 - 30 December 2015, 8.5 months

Proposals should be submitted online only, by following the “Apply online” link, no later than [1 April 2015](#).

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.

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### 1. 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.

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

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.

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

### **3. REQUIREMENTS FOR EXPERIENCE AND 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. Experience and skills:**

- 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;
- 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.

#### **III. Language requirements:**

- Knowledge of Romanian, Russian and English languages;
- Knowledge of one or more additional languages relevant for Moldova, including Bulgarian, Gagauzian, and Ukrainian, Romani 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. 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;**

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

### **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 equal 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.).

## 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:

- Master degree or equivalent (5-year university education) in Law, Human Rights, Social Sciences, Political Science or other relevant field;
- At least 4 years of practical experience in human rights, conducting legislative analysis and research;
- Fluency in Romanian, Russian 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><u>Technical</u></b>		
• Master degree or equivalent (5-year university education) in Law, Human Rights, Social Sciences, Political Science or other relevant field;	Master degree – 40 pts.; PhD – 60 pts.	60
• At least 4 years of practical experience in human rights, conducting legislative analysis and research;	4 years –up to 40 pts.; each additional year - 5 pts., up to maximum 60 pts.	60
• At least 3 years of experience in working procedures of the Constitutional Court;	up to 3 years – 0 pts.; 3 years –up to 30 pts.; each additional year - 5 pts., up to maximum 50 pts.	50
• Excellent analysis and drafting skills;	Max- 20 pts.	20
• Knowledge of one or more additional	Max – 10 pts.	10

languages relevant for Moldova, including Bulgarian, Gagauzian, Ukrainian, Romani or sign language is an asset.		
<ul style="list-style-type: none"> <li>Interview (demonstrated competences as specified in the annex 1- Terms of reference).</li> </ul>	30 pts.- Deep knowledge and understanding of international norms and standards related to human rights; 30 pts.- 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; 25 pts. - Knowledge on the functioning of the Ombudsperson Office, especially the procedure related to submitting the petitions to the Constitutional Court; 15 pts. - Commitment and high identification with the human rights cause.	100
<b>Maximum Total Technical Scoring</b>		<b>300</b>
<b><u>Financial</u></b>		
Evaluation of submitted financial offers will be done based on the following formula: <b><u><math>S = F_{min} / F * 200</math></u></b> 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.		<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**