

TERMS OF REFERENCE

- A. Job Title:** National Consultant on Individual Complaints to UN Treaty Bodies
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: July 2015 – September 2015 (up to 15 working days)

F. Background:

Strengthening the democratic governance and human rights protection mechanisms in the Republic of Moldova is a priority for both the Austrian Development Agency enshrined in its Country Strategy 2011-2015¹ and for the UNDP Moldova enshrined in the United Nations Partnership Framework 2012-2017.²

The National Human Rights Action Plan 2011-2014,³ revised in December 2012, was elaborated and adopted by the Parliament of the Republic of Moldova to ensure human rights promotion and protection in the country, including the gradual progress of joining international human rights protection treaties and mechanisms, strengthening the national legal framework, and implementation of UPR recommendations for Moldova. The government of the Republic of Moldova needs to be supported in the implementation of reforms using and applying best international practices and experiences.

The revised NHRAP includes an action related to the implementation of the UN treaty body decisions. The Ministry of Justice and the 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 adjustment of national legislation to ensure the enforcement of decisions of the UN treaty bodies.

H. Scope of work and expected outputs:

In order to achieve the objective, the National Consultant shall:

¹ See Area 2.1.3: http://www.entwicklung.at/uploads/media/CS_Moldova_2011-2015_01.pdf

² See Pillar 1: Democratic Governance, Justice, Equality and Human Rights: <http://www.un.md/publicdocget/42>

³ <http://lex.justice.md/viewdoc.php?action=view&view=doc&id=339395&lang=1>

- Study the national and international legislation and experiences of other States on enforcement of decisions of UN treaty bodies on individual communications (complaints);
- To draft a clear, accessible and usable report on the findings of the study, including proposals for needed adjustments of national legislation, evaluation of financial implications, and the recommendations for ways forward;
- Hold consultations with the Ministry of Justice and Ministry of Foreign Affairs and European Integration, other relevant State bodies, civil society, relevant UN agencies and other relevant international and national organizations on the draft study and integrate their feedback into the report;
- Submit the draft study to the the Ministry of Justice and Ministry of Foreign Affairs and European Integration, 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 submit it to the Ministry of Justice and Ministry of Foreign Affairs and European Integration, 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	20 July 2015 (up to 7 working days)
2.	Second draft of the feasibility study and list of consultation meetings held (including online consultations) submitted	03 August 2015 (up to 3 working days)
3.	Final draft of the feasibility study and list of consultation meetings held (including online consultations) submitted	17 August 2015 (up to 3 working days)
4.	Presentation of the study	10 September 2015 (up to 2 working days)

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 will work closely with the management and staff persons of the Ministry of Justice and Ministry of Foreign Affairs and European Integration. 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 and relevant consultants.

K. Inputs:

The Ministry of Justice and Ministry of Foreign Affairs and European Integration and the UNDP Moldova Justice and Human Rights Programme Analyst will provide the National Consultant with the necessary information and materials for the fulfilment of tasks and will provide support in facilitation of the meetings where necessary.

L. Qualifications and skills required:

I. Academic Qualifications:

- Master's Degree or equivalent (5-year university education) in Law, Human Rights, International Public Law, International Relations or other relevant field;

II. Years and sphere of experience:

- At least 3 years of proven professional experience in a legal area, legal analysis or other relevant field;

III. Competencies:

- Demonstrable extensive knowledge of international human rights law, in particular as concerns to UN Treaty Bodies;
- Knowledge of the UN treaty bodies individual communications (complaints) mechanisms is a strong advantage;
- Extensive demonstrated experience in drafting human rights and legal related studies and reports;
- Effective demonstrable communication and strong analytical skills;
- Excellent demonstrable public speaking and presentation skills;
- Previous successful experience of working with UN agencies is an advantage;
- Knowledge of English, Romanian, Russian languages for the purposes of the assignment;
- Knowledge of one or more additional languages relevant for Moldova, including Bulgarian, Gagauzian, Romani, Ukrainian or sign language is an asset;

IV. Personal qualities:

- 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;
- Responsibility;
- Flexibility;
- 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.