

TERMS OF REFERENCE

- A. Job Title:** International Consultant on monitoring of implementation of the UPR recommendations and on the reporting within the 2nd UPR cycle
- B. Duty Station:** Home-based with field missions to the Republic of Moldova
- C. Project reference:** Supporting National Human Rights Institutions as per International Treaty Bodies and UPR Recommendations
- D. Contract type:** Individual Contract (IC)
- E. Duration of assignment:** August 2015 – June 2016 (up to 30 working days)

F. Background:

The Republic of Moldova has received 122 recommendations¹ on various human rights issues as a result of the 1st circle UPR. The subject areas of the UPR recommendations include the following: antidiscrimination, children, Roma, persons with disabilities, rights of women and gender issues, domestic violence, rights of stateless persons, human trafficking, economic and social rights, religious issues, linguistic issues and language diversity, national human rights institutions, freedom of expression, assembly and association, fight against torture and ill-treatment, judicial issues, events of April 2009, civil society and UPR, Transnistrian region, and acceding to the bilateral and international instruments. As a result, the Republic of Moldova accepted most of the recommendations and several recommendations were accepted in part. A number of recommendations were incorporated into the amended *National Human Rights Action Plan for 2011-2014*.²

The Ombudsperson Office and the Equality Council are the only two National human rights institutions (NHRIs) in the Republic of Moldova and they play an important role in advancing human rights protection and promotion, including through their submissions to the UPR.

In May 2012, the Parliament of the RM passed the Law on Ensuring Equality,³ stipulating the establishment of the Council on the Prevention and Elimination of Discrimination and Ensuring Equality (Equality Council)⁴ to ensure protection against discrimination and equality of all persons who consider themselves victims of discrimination, as well as review individual complaints and deliver decisions on them. As a new institution established in 2013, the Council is in need of institutional strengthening and capacity building in human rights, equality, case management, as well as maximization of its impact on human rights and diversity. The Council has no experience in the UPR.

¹ UN Human Rights Council, Report of the Working Group on the Universal Periodic Review: Republic of Moldova, Nineteenth session, A/HRC/19/18, 14 December 2011, <http://uhri.ohchr.org/document/index/1d5ef468-1152-4467-b39d-44c6be36b17a?cc=>

² <http://lex.justice.md/viewdoc.php?action=view&view=doc&id=339395&lang=1>

³ <http://lex.justice.md/index.php?action=view&view=doc&lang=1&id=346943>

⁴ <http://egalitate.md/index.php?l=en>

In April 2014, the Parliament of the RM passed a new Law on the Peoples Advocate (Ombudsperson)⁵. As a result of a number of institutional weaknesses, the Ombudsperson Office remains insufficiently known among the public-at-large, and is not sufficiently powerful to act as Moldova's main human rights institution. Therefore it is in need of institutional capacity building and mainstreaming of human rights based approach into its work, as well as requires support towards maximization of its impact on human rights and diversity. Ombudsperson Office (former Centre for Human Rights of Moldova) has made its submission for the Moldova's 1st UPR cycle.⁶

It is expected that the Republic of Moldova will be reviewed within the 2nd UPR cycle in the second part of 2016. In relation to this, the capacities of both NHRIs need to be strengthened to ensure their effective and strategic participation in the reporting within the 2nd UPR cycle.

The Republic of Moldova is a State-Party to the majority UN and CoE human rights treaties. The *National Human Rights Action Plan for 2011-2014*⁷ contains commitments to protect and advance specific human rights taking into account recommendations of the UN treaty bodies and a number of UPR recommendations. Related priorities and commitments are established under the *UN-Moldova Partnership Framework (UNPF) 2013-2017*.⁸

The overall objective of the project "*Supporting National Human Rights Institutions as per International Treaty Bodies and UPR Recommendations*" is to contribute to the effective protection and promotion of human rights, equality and non-discrimination in the Republic of Moldova with particular attention to women, minorities, marginalised and vulnerable groups. The project is funded by the Norwegian Ministry of Foreign Affairs, co-funded and implemented by the UNDP Moldova and the Office of the UN High Commissioner for Human Rights (OHCHR), in cooperation with the Ombudsperson Office and the Equality Council.

G. Objective:

The main objective is to maximize the impact of the Ombudsperson Office and the Equality Council in monitoring of implementation of the UPR recommendations in the Republic of Moldova and reporting for the 2nd UPR cycle.

H. Scope of work and expected outputs:

The **scope of the work** of the International Consultant will consist in providing expertise, training and coaching on monitoring the implementation of the UPR recommendations and UPR reporting for the two NHRIs in Moldova: the Ombudsperson Office and the Equality Council.

In order to achieve the objective the International Consultant shall:

- Review the UPR recommendations to Moldova in light of other recommendations and commitments;
- Work closely with the relevant staff of the Ombudsperson Office and the Equality Council to identify their specific needs in developing the guidelines/methodology on the monitoring of implementation of the UPR recommendations and on the UPR reporting (hereinafter Guidelines);
- Draft clear, accessible and usable Guidelines, in consultation with the relevant staff of the

⁵ Law on Peoples Advocate (Ombudsperson), passed on 03 April 2014, published on 09 May 2014:

<http://lex.justice.md/viewdoc.php?action=view&view=doc&id=352794&lang=1>

⁶ <http://lib.ohchr.org/HRBodies/UPR/Documents/session12/MD/CHRM-CenterHumanRights-eng.pdf>

⁷ <http://lex.justice.md/viewdoc.php?action=view&view=doc&id=339395&lang=1>

⁸ <http://www.un.md/publicdocget/42> and <http://www.un.md/publicdocget/44>

- Ombudsperson Office and the Equality Council, and other involved authorities, if necessary;
- In cooperation and consultation with both NHRIs, identify the set of UPR recommendations and new human rights issues to be monitored and reported for the 2nd UPR cycle on Moldova;
- Prepare, organize and lead one two-day hands-on, interactive training (based on the Guidelines) on monitoring and reporting of the implementation of the selected set of UPR recommendations and on the new human rights issues for the purposes of the NHRIs reporting for the 2nd UPR cycle on Moldova;
- Provide support to relevant staff of the Ombudsperson Office and the Equality Council on applying the Guidelines for the monitoring of implementation of the selected UPR recommendations and new human rights issues and drafting of the NHRIs UPR submissions;
- Where necessary, hold consultation meetings with relevant governmental bodies and stakeholders;
- Work closely with the National Consultant contracted for the purposes of the assignment;
- Where relevant, work closely with other Consultants contracted within the project;
- Develop and provide activity reports and other narrative progress reports as specified in the deliverables for the assignment;
- Undertake other related tasks for the purposes of the assignment.

I. Deliverables:

	Deliverable	Deadline
1.	Guidelines/methodology on the monitoring of implementation of the UPR recommendations and on the UPR reporting drafted, feedback from NHRIs collected and incorporated. Final Guidelines presented to the UNDP and NHRIs (max 10 pages)	01 October 2015 (up to 10 working days)
2.	Set of UPR recommendations and new human rights issues for monitoring and reporting for the 2 nd UPR cycle on Moldova identified, and 2-day training on the NHRIs reporting for the 2 nd UPR cycle organised	15 November 2015 (up to 9 days)
3.	Provide support to the NHRIs for the purposes of NHRIs reporting for the 2 nd UPR cycle on Moldova	01 March 2016 (up to 10 days)
4.	Final report on consultancy undertaken submitted to UNDP	15 March 2016 (up to 1 day)

The deliverables can be amended or specified for the purposes of the assignment.

Payment will be made in three instalments:

- 1) First instalment following the completion of the 1st activity based on the Guidelines submitted to the UNDP Moldova Justice and Human Rights Programme Analyst;
- 2) Second instalment following the submission of 2nd deliverable;
- 3) Third instalment following the delivery of 3th deliverable and presentation of the final narrative report submitted to the UNDP Moldova Justice and Human Rights Programme Analyst.

J. Organizational setting:

This is a part-time consultancy. The Consultant will work under the direct supervision of the UNDP Moldova Justice and Human Rights Programme Analyst, as well as in consultation with the OHCHR Human Rights Adviser to the UN Resident Coordinator in Moldova.

The International Consultant will undertake two missions to Moldova:

- First mission for at least 3 days in August-September 2015 for the purposes of discussions of the needs of the Ombudsperson Office and Equality Council, meetings with relevant stakeholders and presenting the draft methodology;
- Second mission for at least 5 days in October-November 2015 for the purposes of delivering the training.

The rest of the assignment will be completed home-based for the amount of days specified in the deliverables.

K. Inputs:

The Equality Council, Ombudsperson Office and the UNDP Moldova Justice and Human Rights Programme Analyst will provide the International Consultant with the necessary information and materials for the fulfilment of tasks and will provide support in the facilitation of meetings where necessary.

L. Qualifications:

I. Academic Qualifications:

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

II. Years and sphere of experience:

- At least 10 years of proven professional experience in human rights monitoring and reporting in CEE and CIS region;

III. Competencies:

- Demonstrable experience and knowledge of UPR related matters;
- Demonstrable experience and knowledge of drafting UPR related reports is a strong asset;
- Demonstrable experience and knowledge of human rights issues in the CEE and CIS region;
- Working experience or academic knowledge of National Human Rights Institutions is an asset;
- Effective communication, strong analytical and reports drafting skills;
- Fluent knowledge of English for the purposes of the assignment, knowledge of Romanian and/or Russian is a strong asset;

IV. Personal qualities:

- Proven commitment to the core values of the United Nations, in particular, respecting differences of culture, gender, religion, ethnicity, nationality, language, age, HIV status, disability, and sexual orientation, or other status;
- Responsibility;
- Punctuality;
- Attention to detail.