



INDIVIDUAL CONSULTANT PROCUREMENT NOTICE

Date: **3 July 2015**

Country: Republic of Moldova

Description of the assignment: International Consultant on monitoring of implementation of the UPR recommendations and on the reporting within the 2nd UPR cycle.

Project name: Supporting National Human Rights Institutions as per International Treaty Bodies and UPR Recommendations

Period of assignment/services: August 2015 – June 2016 (up to 30 working days)

Proposals should be submitted online by pressing the "Apply Now" button no later than 23:59, 20 July 2015.

Requests for **clarification only** must be sent by standard electronic communication to the following e-mail: natalia.voronova@undp.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.

1. 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

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>

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.

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 circle.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.

2. 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.

3. SCOPE OF WORK, RESPONSIBILITIES AND DESCRIPTION OF THE PROPOSED ANALYTICAL WORK:

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;

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

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>

- 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 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.

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

4. REQUIREMENTS FOR EXPERIENCE AND QUALIFICATIONS:

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 details.

5. DOCUMENTS TO BE INCLUDED WHEN SUBMITTING THE PROPOSALS:

Interested individual consultants must submit the following documents/information in English to demonstrate their qualifications:

1. Cover letter:

- Explaining why they are the most suitable for the work, including a list of assignments and/or analytical documents, reports, methodologies, presentations, capacity building activities, or other task related documents the applicant has elaborated or contributed to;
- Providing a brief methodology (max. 3 pages) on how they will approach and conduct the work.

2. Financial proposal as a **lump sum** in US Dollars, preferably split per each deliverable (which includes the fee, and all travel costs for missions to Moldova). For detailed information on travel requirements, please, refer to Annex 1 – Terms of Reference;

3. Personal information as a dully filled in Personal History Form/P11, including records of past experience in similar projects/assignments and concrete outputs obtained, including names and contact details of 3 reference persons.

6. FINANCIAL PROPOSAL:

The financial proposal shall specify a **total lump sum** amount, and payment terms around specific and measurable (qualitative and quantitative) deliverables (i.e. whether payments fall in instalments or upon completion of the entire contract). Payments are based upon output, i.e. upon delivery of the services specified in the Terms of Reference. 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 travel, per diems, and number of anticipated working days).

Payment will be made based on achieved deliverables, including a final report submitted to the UNDP Moldova Justice and Human Rights Programme Analyst.

Travel

All envisaged travel costs (e.g., tickets, accommodation, meals, other relevant expenses) 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.

Two missions to Chisinau, Moldova (first mission for at least 3 days in August-September 2015 and second mission for at least 5 days in October-November 2015) are envisaged under this assignment.

7. EVALUATION:

Initially, individual consultants will be short-listed based on the following minimum qualification criteria:

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

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

The short-listed individual consultants will be further evaluated based on the following methodology:

A two-stage procedure will be used in evaluating the candidates:

1. Technical evaluation (max 300 points) – 60%;
2. Financial evaluation (max 200 points) – 40%.

Technical evaluation will be based on a thorough desk review of applications.

Only candidates obtaining a minimum of 70% score of the technical evaluation (at least 210 points) would be considered for the Financial Evaluation.

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.

Criteria	Scoring	Maximum Points Obtainable
<u>Technical</u>		
Master's Degree or equivalent (5-year university education) in Law, Human Rights, Political Sciences, Public Administration or other relevant field	(Master – 20 pts., PhD – 30 pts.)	30
At least 10 years of proven professional experience in human rights monitoring and reporting in CEE and CIS region;	(10 years – 30 pts., 10-15 years - up to 40 pts., more than 15 years - up to 50 pts.)	50
Fluent knowledge of English for the purposes of the assignment, knowledge of Romanian and/or Russian is a strong asset	(English - 20, Russian, Romanian – 5 pts each)	30
Interview	(Experience and knowledge of UPR related matters – up to 60 pts; experience and knowledge of drafting UPR related reports – up to 40 pts; experience and knowledge of human rights issues in the CEE and CIS region - up to 35 pts; working experience or academic knowledge of National Human Rights Institutions – up to 30 pts; effective communication, strong analytical and reports drafting skills – up to 25 pts)	190
Maximum Total Technical Scoring		300
<u>Financial</u>		
Evaluation of submitted financial offers will be done based on the following formula:		200

<p><u>S = Fmin / F * 200</u></p> <p>S – score received on financial evaluation;</p> <p>Fmin – the lowest financial offer out of all the submitted offers qualified over the technical evaluation round;</p> <p>F – financial offer under consideration.</p>	
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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 REFERENCE (TOR)

ANNEX 2 – INDIVIDUAL CONSULTANT GENERAL TERMS AND CONDITIONS