



INDIVIDUAL CONSULTANT PROCUREMENT NOTICE

Date: **13 August 2015**

Country: Republic of Moldova

Description of the assignment: International Consultant for coaching and training the Equality Council of Moldova on application of non-discrimination principles in decision-writing

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

Period of assignment/services: September 2015 – October 2016 (up to 50 working days)

Proposals should be submitted online by pressing the "Apply Now" button no later than 23:59, 27 August 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 Equality Council is a newly established institution tasked with the revision of the individual complaints about discrimination and delivering of decisions on them. Most of the members and lawyers-staff persons of the Council do not have previously dealt with individual complaints and case management. Therefore there is a room for the improvement of the case management on the different stages and speeding up the delivery of decisions. Since the start of its work in September 2013 and up until the middle of September 2014 the Council has received 167 complaints,¹ delivered 48 decisions on 76 complaints and is having a backlog of 45 complaints.² In addition to this, the Council is becoming more well-known in the Republic of Moldova and it is expected that more people will address the Council and the amount of complaints will grow. Therefore the Project will support the Council in strengthening its case management also through training and coaching consultancy in legal technics, analysis, argumentation, and Equality Council decision drafting skills.

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

¹ Out of the 168 complaints, 38 complaints were inadmissible, 5 complaints were called back by the applicants, 3 complaints were forwarded to other State institutions according to their competency.

² The data provided by the Equality Council.

Commissioner for Human Rights (OHCHR), in cooperation with the Ombudsperson Office and Equality Council.

2. OBJECTIVE:

The main objective is to strengthen the capacities of the Equality Council in delivering well drafted decisions on individual complaints regarding discrimination.

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

The **scope of the work** of the International Consultant will consist in provision of advice, training and coaching of Equality Council members and relevant staff in analysis and argumentation of strategic cases on discrimination.

In order to achieve the objective the International Consultant shall:

- Make a thorough analysis of how non-discrimination principles are applied in decisions and separate opinions drafted by the Equality Council;
- Identify the needs for improvement of application of non-discrimination principles in decisions drafting processes and legal analysis by the Equality Council;
- Draft a concise, clear and practical report on the findings and recommendations on the improvement of application of non-discrimination principles in decisions drafting processes and legal analysis by the Equality Council;
- Elaborate a concise, clear and usable guidelines/methodology for the Equality Council on the application of non-discrimination principles in decisions drafting processes and legal analysis by the Equality Council taking best international practice into account;
- Elaborate training materials, prepare, organise and lead two 2-day training courses for the Equality Council on the application of the guidelines/methodology;
- Provide support and coaching to the relevant Equality Council staff on applying the guidelines/methodology;
- Work closely with the Equality Council members and relevant staff for the purposes of the assignment;
- Where necessary, hold consultation meetings with relevant actors and stakeholders;
- Where relevant, work closely with other Consultants contracted within the project;
- Undertake other related tasks for the purposes of the assignment;
- Develop and provide regular activity reports and other narrative progress reports as specified in the deliverables for the assignment.

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

4. REQUIREMENTS FOR EXPERIENCE AND QUALIFICATIONS:

I. Academic Qualifications:

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

II. Years and sphere of experience:

- At least 5 years of proven professional experience in legal research and analysis pertaining to non-discrimination legislation, human rights and equality or other relevant field, including experience in the CEE/CIS region;

III. Competencies:

- Proven experience and knowledge of non-discrimination and equality principles, including research, analysis and drafting analytical reports in the area of equality and non-discrimination;
- Knowledge and experience working with National Human Rights Institutions, especially non-discrimination bodies with a similar mandate to Equality Council in Moldova;
- Experience/knowledge of drafting decisions processes within a National Human Rights Institution with a complaint mechanism is a strong advantage;
- Knowledge of non-discrimination legislation and international human rights commitments of the Republic of Moldova is an asset;
- Effective communication, strong analytical skills including training and coaching skills;
- 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.

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:

- (i) 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;
- (ii) 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 mission to Moldova). For detailed information on travel requirements, please, refer to Annex 1 – Terms of Reference;

3. Personal information (as a detailed CV or as a 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 Project Manager.

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.

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, Public Administration, Human Rights or other relevant field;
- At least 5 years of proven professional experience in legal research and analysis pertaining to non-discrimination legislation, human rights and equality or other relevant field, including experience in the CEE/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
Technical		
Master's Degree or equivalent (5-year university education) in Law, Public Administration, Human Rights or other relevant field	(Master – 20 pts., PhD – 30 pts.)	30
At least 5 years of proven professional experience in legal research and analysis pertaining to non-discrimination legislation, human rights and equality or other relevant field, including experience in the CEE/CIS region	(5 years – 30 pts., 5-7 years - up to 50 pts., more than 7 years – up to 70 points)	70

Fluent knowledge of English for the purposes of the assignment, knowledge of Romanian and/or Russian is an asset	(English – 10 pts, Russian, Romanian – 5 pts each)	20
Interview	<p>(Proven experience and knowledge of non-discrimination and equality principles, including research, analysis and drafting analytical reports in the area of equality and non-discrimination – up to 50 pts;</p> <p>Knowledge and experience working with National Human Rights Institutions, especially non-discrimination bodies with a similar mandate to Equality Council in Moldova – up to 50 pts;</p> <p>Experience/knowledge of drafting decisions processes within a National Human Rights Institution with a complaint mechanism – up to 30 pts;</p> <p>Knowledge of non-discrimination legislation and international human rights commitments of the Republic of Moldova –up to 20 pts;</p> <p>Effective communication, strong analytical skills including training and coaching skills – up to 30 pts).</p>	180
Maximum Total Technical Scoring		300
<u>Financial</u>		
<p>Evaluation of submitted financial offers will be done based on the following formula: $S = F_{min} / F * 200$ 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.</p>		200

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