

TERMS OF REFERENCE

- A. Job Title:** National Consultant on mediation for National Human Rights Institutions
- B. Duty Station:** Chisinau, 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:** September 2015 – July 2016 (up to 100 working days)

F. Background:

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 in the Republic of Moldova. Both NHRIs have some degree of mediation involved in their work.

In May 2012, the Parliament of the RM passed the Law on Ensuring Equality,¹ stipulating the establishment of the Council on the Prevention and Elimination of Discrimination and Ensuring Equality (Equality Council)² 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 mediation.

In April 2014, the Parliament of the RM passed a new Law on the Peoples Advocate (Ombudsperson)³. 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 capacity building in mediation.

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

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

² <http://egalitate.md/index.php?l=en>

³ 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>

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 strengthen the capacities of the Equality Council and the Ombudsperson Office to maximize their impact on strategic and individual cases of human rights violations or discrimination by building their capacities to use mediation.

H. Scope of work and expected outputs:

The **scope of the work** of the National Consultant will consist in the identification of needs of both institutions in using mediation, provision of training, coaching and follow-up consultation for the Equality Council and Ombudsperson Office staff in using mediation in their respective work.

In order to achieve the objective the National Consultant shall:

- Conduct an analysis and needs assessment of both institutions in relation to the specific needs related to using mediation in their respective work;
- Draft a concise, clear and practical report on the findings and recommendations (for both institutions separately should the need be) on using mediation in their respective work;
- Based on the report and recommendations, elaborate concise, clear and usable guidelines/methodology for the Equality Council and for the Ombudsperson Office on mediation;
- Consult and test the guidelines with the Equality Council and Ombudsperson Staff in a one-day interactive session and incorporate their inputs in the final guideline;
- Elaborate training materials, prepare, organise and lead 1 one-day interactive training session for both institutions on the application of the guidelines/methodology on mediation;
- Provide support and coaching to the relevant staff on applying the guidelines/methodology of mediation on individual cases;
- Work closely with the Equality Council and the Ombudsperson Office staff members for the purposes of the assignment;
- Where necessary for the assignment, 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.

I. Deliverables:

	Deliverable	Deadline
1.	Report (max 20 pages) on the needs assessment submitted	01 October 2015 (up to 10 working days)
2.	First draft Guidelines/methodology elaborated and submitted	15 October 2015 (up to 10 working days)
3.	One one-day interactive session to test the guidelines conducted	01 November 2015

		(up to 8 working days)
4.	Feedback from interactive session incorporated into the Guidelines/methodology and final document submitted	15 November 2015 (2 working days)
5.	Training materials developed and submitted	25 November 2015 (up to 15 working days)
6.	Interactive 1-day training course prepared, organised and delivered	20 February 2015 (up to 10 working days)
7.	Support and coaching provided to the Equality Council and for the Ombudsperson Office on the application of the guidelines/methodology	Throughout of the assignment (up to 40 working days)
8.	Periodical narrative activity reports on consultancy undertaken submitted to the UNDP	2 October 2015 16 November 2015 17 February 2015 1 July 2015 (up to 1 working day for each report)
9.	Final narrative activity report on consultancy undertaken submitted to the UNDP	01 September 2016 (up to 1 working days)

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

J. Organizational setting:

This is a part-time consultancy. The National Consultant will be based in the offices of the Equality Council and for the Ombudsperson Office and will work closely with the management and staff persons of the Equality Council and for the Ombudsperson Office. The National Consultant will work under the direct supervision of the UNDP Moldova Project Manager, as well as in consultation with the OHCHR Human Rights Adviser to the UN Resident Coordinator in Moldova.

K. Inputs:

The Equality Council, the Ombudsperson Office and the UNDP Moldova Project Manager 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:

I. Academic Qualifications:

- Master's Degree or equivalent (5-year university education) in Law, Arbitration, Mediation, Communication, Psychology or other relevant field;

II. Years and sphere of experience:

- At least 3 years of proven professional experience in mediation, negotiation or other relevant field;

III. Competencies:

- Demonstrable experience in the area of mediation, arbitration and negotiation;
- Demonstrable experience conducting needs assessments;
- Demonstrable experience preparing and leading trainings;
- Demonstrable knowledge of NHRIs in the Republic of Moldova is an asset;

- Fluent knowledge of Romanian for the purposes of the assignment. Knowledge of English and Russian is a strong asset. 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, respecting differences of culture, gender, religion, ethnicity, nationality, language, age, HIV status, disability, and sexual orientation, or other status;
- Responsibility;
- Punctuality;
- Attention to details.

The UNDP 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.