



INDIVIDUAL CONSULTANT PROCUREMENT NOTICE

Date: **26 August 2015**

Country: Republic of Moldova

Description of the assignment: National Consultant on mediation for National Human Rights Institutions

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

Period of assignment/services: September 2015 – July 2016 (up to 100 working days)

Proposals should be submitted online by pressing the "Apply Now" button no later than 23:59, 6 September 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 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.

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>

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 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.

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

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.

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, 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.

5. DOCUMENTS TO BE INCLUDED WHEN SUBMITTING THE PROPOSALS:

Interested individual consultants must submit the following documents/information in English, Russian or Romanian 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. 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 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.

No travel costs 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, Arbitration, Mediation, Communication, Psychology or other relevant field;
- At least 3 years of proven professional experience in mediation, negotiation or other relevant field.

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, Arbitration, Mediation, Communication, Psychology or other relevant field	(Master – 20 pts., PhD – 30 pts.)	30
At least 3 years of proven professional experience in mediation, negotiation or other relevant field	(3-5 years – up to 30 pts., 5-7 years – up to 40 pts., more than 7-10 years – up to 50 pts., more than 10 years – up to 60 pts.)	60

Knowledge of languages	(Romanian – 15 pts., Russian, English – 5 pts each; Bulgarian, Gagauzian, Romani, Ukrainian or sign language – up to 5 additional points)	30
Interview	(Demonstrable experience in the area of mediation, arbitration and negotiation – up to 60 pts; Demonstrable experience conducting needs assessments – up to 45 pts; Demonstrable experience preparing and leading trainings – up to 45 pts. Demonstrable knowledge of NHRIs in the Republic of Moldova is an asset – up to 30 pts)	180
Maximum Total Technical Scoring		300
<u>Financial</u>		
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.		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