

TERMS OF REFERENCE

- A. Job Title:** National Consultant in coaching and training the Equality Council of Moldova on application of non-discrimination principles in decision-writing
- 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:** October 2015 – September 2016 (up to 100 working days)

F. Background:

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 ensure equality of all persons who consider themselves to be victims of discrimination, as well as revise individual complaints and deliver decisions on them. Given the Council's recent creation, most of its members and lawyers-staff persons have not previously dealt with individual complaints and case management. Therefore there is room for improvement of case management on the different stages and speeding up the delivery of decisions.

Thus, from the start of its work in September 2013 and up until the middle of September 2014 the Council has received 167 complaints,³ delivered 48 decisions on 76 complaints and is having a backlog of 45 complaints.⁴ 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 techniques, 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

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

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

³ 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.

⁴ The data provided by the Equality Council.

particular attention to women, minorities, marginalized 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 Equality Council.

G. Objective:

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

H. Scope of work and expected outputs:

The **scope of the work** of the National Consultant will consist in assisting and working together with the International Consultant on providing advice, training and coaching of Equality Council members and relevant staff in analysis and legal argumentation of strategic cases on discrimination.

In order to achieve the objective the National Consultant shall:

- Based on the preliminary analysis and needs assessment prepared by the International Consultant, work closely with the International Consultant to support the elaboration of concise, clear and usable guidelines/methodology for the Equality Council on the application of non-discrimination principles in decisions drafting processes and legal analysis taking into account international standards and best practices;
- Assist the International Consultant in elaboration of training materials, preparation, organization and delivery of 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 when necessary;
- Where necessary, assist the International Consultant and accompany her/him in arranging consultation meetings with other relevant governmental bodies and stakeholders;
- 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 application of non-discrimination principles in decisions drafting processes and legal analysis by the Equality Council submitted	1 November 2015 (up to 8 days)
2.	Training materials elaborated and the first 2-day training course for the Equality Council delivered	1 December 2015 (up to 8 days)
3.	Support and coaching provided to the Equality Council	Throughout the assignment (up to 68 days throughout the assignment)
4.	Training materials improved and the second 2-day training course prepared and delivered to the Equality Council	30 March 2016 (up to 8 days)

5.	Activity reports on consultancy undertaken submitted to the UNDP	1 December 2015 15 March 2016 30 June 2016 1 October 2016 (up to 8 days)
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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 office of the Equality Council as relevant for the specific tasks. The Consultant will work closely with the management and staff persons of the Council, and collaborate closely with the International Consultant contracted for the purposes of the task.

The National Consultant will work under direct supervision of the UNDP Moldova Project Manager, as well as in close consultation with the UN National Human Rights Coordinator.

The project will provide the administrative and logistical support in the organisation of the training sessions.

K. Inputs:

The Equality Council and the UNDP Moldova Project Manager will provide the National Consultant with the necessary information and materials for the fulfilment of tasks, with the consultations on the human rights based approach application, 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, Public Administration, Human Rights, Public Law or other relevant field;

II. Years and sphere of experience:

- At least 1 year of proven professional experience in non-discrimination related work, legal research and analysis pertaining to non-discrimination legislation or other relevant field;

III. Competencies:

- Proven experience and knowledge of non-discrimination and equality principles, including trainings on non-discrimination, research, analysis and drafting analytical reports in the area of equality and non-discrimination;
- Knowledge of non-discrimination legislation and international human rights commitments of the Republic of Moldova;
- Experience/knowledge of decision drafting processes within the National Human Rights Institutions, which have a complaint mechanism is a strong advantage;
- Working experience or academic knowledge of National Human Rights Institutions in the Republic of Moldova is a strong asset;
- Effective communication skills;
- Fluency in English, Romanian and Russian;
- 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 detail.

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.