



INDIVIDUAL CONSULTANT PROCUREMENT NOTICE

Date: 17 October 2016

Country: Republic of Moldova

Description of the assignment: National Consultant on legal training methodology for the National Institute of Justice

Project name: Strengthening Technical Capacities of the National Institutions for the Human Rights Protection and Promotion

Period of assignment/services: November 2016-June 2018 (up to 150 working days)

Application instructions: Proposals should be submitted online by pressing the "Apply Online" button no later than 23:59, 26 October 2015.

Requests **for clarification only** must be sent by standard electronic communication to the following e-mail: alexei.ghertescu@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 **Strengthening Technical Capacities of the National Institutions for the Human Rights Protection and Promotion Project**, financed by the Ministry of Foreign Affairs of Denmark and implemented by **UNDP Moldova**, is seeking to support the implementation of the human rights reforms, plans and commitments in Moldova by ensuring that the capacities of the national institutions with a mandate in human rights field are strengthened, so that they are able to perform their key functions on the human rights monitoring, reporting, promotion and protection. The overall objective of the project is to improve human rights protection and rule of law, including effective national implementation of European and international instruments in the Republic of Moldova, and in-line with the national priorities, strategies and plans.

For these purposes the Project also seeks to develop the capacities of the National Institute of Justice (NIJ)¹ in the provision of the up to date training services for future and actual judges and prosecutors and other actors of the justice sector, to ensure curricular correspondence with the substantive and procedural international and national human rights law; to mainstream the international and regional human rights instruments and standards (including on gender equality, equality and non-discrimination, racism, intolerance and hate speech, anticorruption and professional ethics) into the NIJ curricula.

¹ The National Institute of Justice of Moldova was founded in 2007 as a centre for the initial training of candidates for positions of judges and prosecutors as well as continuous/in-service training for the judges and prosecutors holding the office and representatives of other professions involved in the delivery of justice in Moldova.

In 2016 a report was prepared by an international consultant with the evaluation of the existing NIJ's training programmes and educational activities. The report provided a number of suggestions and recommendations as to reforming the NIJ's curriculum, strengthening the practical character of NIJ's training programmes and further mainstreaming of human rights therein. It was concluded that the effective development of human rights training is impossible without implementing and developing new teaching methods at the NIJ.

The practical value of the initial training should be enhanced by clearly distinguishing it from the studies at the university level. In order to achieve this goal, the initial training should focus on the development of practical skills of future judges and prosecutors relying on moot court/simulation techniques and practical tasks. Therefore, more case-scenario based trainings and assignments should be introduced into the curriculum and more interactive methods employed in order to enforce ethics and anticorruption standards and to teach practical legal skills to the NIJ trainees. For continuous/in-service training the amount of practical training activities should also be increased.

International human rights standards should also be integrated into the practical scenarios rather than taught separately. It is important to show human rights in action through their application in national legal framework and legal practice. Therefore, it is important to include human rights issues and standards into practical tasks, moot trials/simulations of the substantive legal disciplines, thus reducing the theory of human rights to the necessary minimum. That way the attendees will clearly see how human rights can be applicable in practice.

In addition to this, the UN-Moldova Partnership Framework 2013-2017 (UNPF)² sets the target of amending the NIJ's curriculum with modules on each of the international treaties, mechanisms and instruments (ICESCR, ICCPR, CAT, ICERD, CEDAW, CRC, CRPD and 1951 Refugee Convention) by 2017.

In order to achieve the aforementioned tasks UNDP will hire an international consultant who will identify key competences that should be developed at the NIJ, design and test 2 complex simulation modules (covering the main stages of criminal and civil procedures), and work with NIJ's trainers and management in order to enable them to use effectively applied and interactive teaching and training methods and techniques in their activities. To support the activities of the International Consultant UNDP will hire a national consultant with whom they will work together to accomplish the set tasks.

2. OBJECTIVE:

The main objective of this consultancy is to provide support to the international consultant whose task will be to implement interactive and practical methods of training at the National Institute of Justice (NIJ) aimed at developing practical skills of the NIJ's trainees, to develop and test complex pilot training modules based on simulation and mootings methods, and to act as a mentor for the NIJ trainers and management on issues of training methodology.

3. SCOPE OF WORK AND EXPECTED OUTPUT:

The support provided by the National Consultant will consist of performing the following tasks:

- 1) Provide analytical support (provide analysis of the relevant Moldovan legislation and case law, collect the data relevant for the assignment, identify and provide inputs on specific problems, particularly referring to human rights situation and national standards, diversity, gender issues, etc.);
- 2) Provide assistance to the International Consultant during his/her working missions to Moldova;
- 3) Participate in and facilitate the activities performed by the International Consultant while in mission in Moldova;

² <http://www.un.md/publicdocget/44> (see Outcome 1.2, p. 26).

- 4) Act as liaison and ensure effective communication between the International Consultant, the NIJ and its staff involved in the project, as well as other relevant institutions;
- 5) Provide relevant inputs for the reports and other documents prepared by the International Consultant;
- 6) Perform other assignment related activities.

Please refer to the Terms of Reference for the full list of activities of the International Consultant to which the National Consultant shall provide support and assistance.

4. REQUIREMENTS FOR EXPERIENCE AND QUALIFICATIONS

I. Academic Qualifications:

- Master's Degree or equivalent (5-year university education) in Law, Human Rights, Pedagogy, Social Sciences, or other relevant field; PhD degree is an asset;

II. Years and sphere of experience:

- At least 3 years of proven professional experience in developing and delivering professional legal training programmes (initial or continuous), developing training curricula for legal professionals;
- Previous experience of working as a legal professional (judge, prosecutor, or lawyer);
- Previous experience of conducting trainings for trainers and/or acting as a mentor is an asset;
- Previous working experience related to the National Institute of Justice of Moldova is an asset;

III. Competencies:

- Knowledge of interactive and applied teaching methods and techniques in professional legal training, understanding of the specific nature of such training;
- Knowledge of the human rights situation and human rights, diversity and gender related problems and challenges in the Republic of Moldova and the region;
- Proven knowledge of the UN human rights protection mechanisms and standards is an asset;
- Knowledge of Romanian and English languages for the purposes of the assignment;
- Knowledge of one or more additional languages relevant for Moldova, including Bulgarian, Gagauzian, Romani, Russian, 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, creativity, flexibility and punctuality.

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 noncitizens 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 to demonstrate their qualifications:

1. Technical Proposal:

- a. explaining how applicant responds to each of the qualification requirements and why he/she is the most suitable for the work (particularly providing details on the previously implemented similar projects and assignments and previous experience in the fields related to this consultancy as described in the terms of reference);
 - b. describing a short vision on achievement of tasks;
2. Personal information (Personal History Form /P11) including records of past experience in similar projects/assignments and concrete outputs obtained with three references;
3. Financial proposal (in USD, specifying the **total lump sum** amount as well as **the requested amount of the fee per day**).

6. FINANCIAL PROPOSAL

The financial proposal shall specify a **total lump sum** amount (**as well as the requested amount of the fee per day**), and payment terms around specific and measurable (qualitative and quantitative) deliverables (i.e. whether payments fall in installments or upon completion of the entire contract). Payments are based upon output, i.e. upon delivery of the services specified in the TOR. Payments will be performed in installments upon the delivery of the outputs specified in the TOR.

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 fees and taxes, and number of anticipated working days).

Travel

All envisaged travel costs 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, Human Rights, Pedagogy, Social Sciences, or other relevant field;
- At least 3 years of proven professional experience in developing and delivering professional legal training programmes (initial or continuous), developing training curricula for legal professionals.

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 and interviews with the short-listed candidates. 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, Human Rights, Pedagogy, Social Sciences, or other relevant field; PhD degree is an asset;	<i>(Master – 15 pts, PhD – 20 pts)</i>	20
At least 3 years of proven professional experience in developing and delivering professional legal training programmes (initial or continuous), developing training curricula for legal professionals;	<i>(3 years of experience – 35 pts, more than 3 years – 5 pts. for each additional year up to a maximum of 15 additional points)</i>	50
Previous experience of working as a legal professional (judge, prosecutor, or lawyer);	<i>(up to 3 years of experience – 25 pts, more than 3 years – 5 pts for each additional year up to a maximum of 15 additional pts)</i>	40
Previous experience of conducting trainings for trainers and/or acting as a mentor is an asset;	<i>(no – 0 pts., up to 3 yrs – up to 15 pts, more than 3 years– up to 25 pts)</i>	25
Previous working experience related to the National Institute of Justice of Moldova is an asset;	<i>(no – 0 pts., up to 1 year – 5 points; 1-2 years – up to 10 pts, more than 2 yrs.– up to 15 pts)</i>	15
Interview	<ul style="list-style-type: none"> • Knowledge of interactive and applied teaching methods and techniques in professional legal training, understanding of the specific nature of such training – up to 70 pts; • Knowledge of the human rights situation and human rights, diversity and gender related problems and challenges in the Republic of Moldova and the region – up to 30 pts; • Proven knowledge of the UN human rights protection mechanisms and standards – up to 25 pts; • Knowledge of Romanian – 10 pts; • Knowledge of English – 10 pts; • Knowledge of one or more additional languages relevant for Moldova, including Bulgarian, Gagauzian, Romani, Russian, Ukrainian or sign language – 5 pts. 	150
Maximum Total Technical Scoring		300
Financial		
Evaluation of submitted financial offers will be done based on the following formula: <u>$S = F_{min} / F * 200$</u>		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.	
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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 REFERENCES (TOR)

ANNEX 2 – INDIVIDUAL CONSULTANT GENERAL TERMS AND CONDITIONS