

TERMS OF REFERENCE

Job Title:	Human Rights Litigation Consultant
Hiring Unit	UN Human Rights Office (OHCHR) via UNDP Moldova
Contract type:	Individual contract
Duration of assignment:	March 2017 - August 2017 (up to 40 working days)

Background

The Office of the United Nations High Commissioner for Human Rights (OHCHR) represents the world's commitment to universal ideals of human dignity. It has a unique mandate from the international community to promote and protect all human rights.

OHCHR in Moldova led by the National Human Rights Coordinator supports and advises the UN RC Office, United Nations Country Team (UNCT) in Moldova, Government, National Human Rights Institutions (NHRIs), civil society and community groups in strengthening human rights and human rights based approach to development. The National Human Rights Coordinator is assisted in the accomplishment of his mandate by a National Human Rights Officer.

According to the Country Note for the Republic of Moldova 2014-2017, the thematic priorities for interventions include: (1) countering discrimination, in particular racial discrimination, discrimination on the grounds of disability, religion, sexual orientation and other criteria; (2) combating impunity and strengthening accountability and the rule of law; (3) strengthening the effectiveness of international human rights mechanisms and the progressive development of international human rights law and standards.

Scope of Work, Duties and Responsibilities

The litigation consultant under these Terms of Reference works under the guidance and supervision of the National Human Rights Officer and National Human Rights Coordinator. The national consultant works in close collaboration with project partners, beneficiaries and stakeholders for the effective achievement of results, anticipating and resolving complex program-related issues and information delivery.

Under the present Terms of References, the national consultant will:

Task 1: Assist the office in its interaction with potential victims of human rights violations through:

- 1.1) Screening the incoming human rights complaints and meeting with the complainants;
- 1.2) Providing orientation advice to the complainants and redirecting complaints to the relevant national bodies;
- 1.3) Responding to the complaints addressed to the RC or OHCHR Office related to human rights violations;
- 1.4) Assisting in setting up a structured system of dealing with individual complaints in the Office;
- 1.5) From the above-mentioned complaints identify the cases with potential success in strategic litigation, assist the beneficiaries in drafting the necessary documents and provide the necessary consultancy in this respect;

Task 2: Continuously interact with lawyers having in their portfolio cases of strategic interest for the Office mainly focused on the rights of groups vulnerable to human rights violations. Hold the records of the office regarding the cases of particular strategic interest to OHCHR.

Task 3: Coordinate and manage OHCHR's work on strategic human rights / discrimination cases by:

- 3.1) Following-up on national and international cases earlier dealt with by OHCHR Moldova;
- 3.2) Facilitating initiation of new strategic litigation cases before the national Equality Council and the Constitutional Court;
- 3.3) Facilitating transformation of promising strategic cases at the national level into individual complaints under the UN human rights mechanisms (under treaty bodies and special procedures).

Task 4: Assist the Office in coordinating and implementing its work on capacity building for Moldova's legal professionals (judges, prosecutors, lawyers, police officer, law students), through:

- 4.1) Planning and implementing human rights and non-discrimination capacity building activities for the legal professionals;
- 4.2) Assist the lawyers in deciding the strategy for strategic litigation cases;
- 4.3) Coordination of advocacy activities of the Office and dedicated practicing lawyers.

Specific deliverables, expected workload and indicative timeframe and workload for the above tasks are presented below:

	DELIVERABLE	DUE DATE	WORKLOAD	INSTALLMENT
1.	10 complaints to the RC and OHCHR office fully dealt with (finalized)	March – August 2017	5 days	
	4 complaints	May 2017	2 days	1 (first)
	6 complaints	August 2017	3 days	2 (second)
2.	Structured system of dealing with individual complaints set up and the current information updated	March 2017	1 day	1 (first)
3.	At least 2 coordination meetings with lawyers working on strategic litigation organized	August 2017	2 day	
	First coordination meeting	May 2017	1 day	1 (first)
	Second coordination meeting	August 2017	1 day	2 (second)
4.	Running of at least 5 strategic litigation complaints to the Constitutional Court (2) and the Equality Council (3)	May 2017	10 days	1 (first)
5.	At least 3 cases with international litigation prospects assessed and complaints drafted	August 2017	12 days	
	1 case	May 2017	4 days	1 (first)
	2 cases	August 2017	8 days	2 (second)
6.	Program for capacity development of legal professionals developed	May 2017	2 days	1 (first)
7.	At least 4 meetings and capacity development activities with the relevant stakeholders in the capacity building of legal professionals organized and held	August 2017	8 days	
	2 meetings / activities	May 2017	4 days	1 (first)
	2 activities	August 2017	4 days	2 (second)

	TOTAL		40 days	
<i>First installment: 24 days – 60%</i> <i>Second installment: 16 days – 40%</i>				

A final report on implementation of the above listed tasks shall be submitted by the last day of the current assignment based on the submitted progress reports and a time-sheet.

INSTITUTIONAL ARRANGEMENTS

The contractor will work in close cooperation with and will be directly supervised and evaluated by OHCHR National Human Rights Officer.

Timeframe

The timeframe for this assignment is planned tentatively through March-August 2017. The contractor will report 2 times during the reported period according to the timeframe of the Terms of References.

FINANCIAL ARRANGEMENTS

The consultant will write reports indicating the tasks performed and shall be paid based on the number of deliverables actually worked. The reports will be certified by OHCHR and will attest that the services relate to the Deliverables, as described in the Terms of Reference.

Required Skills and Experience

Education:

- University degree in law, human rights or other relevant discipline (Master's degree – a strong advantage);

Experience:

- At least three years of professional experience at the national and/or international level in human rights, especially human rights litigation;
- Experience of work on complaints to at least one of the following a) Equality Council; b) Constitutional Court; c) UN human rights complaints mechanisms (experience of work in two or all three is a great advantage);
- Experience in capacity building for civil society and/or legal community;
- Experience of working with minorities, marginalized or stigmatized groups is a strong asset.

Language Requirements:

- Fluency in oral and written Romanian, Russian, and English.
- Knowledge of one or more additional languages relevant for Moldova, including Bulgarian, Gagauzian, Romani, Ukrainian or sign language is an asset.

Diversity Clause: Applicants from under-represented groups (persons with disabilities, Roma and other ethnic, linguistic or religious minorities, persons living with HIV, refugees and other noncitizens) will have an advantage during the selection process.

Documents to be included in the proposal

Interested persons should submit the following documents:

1. Proposal:

- (i) Explaining why they are the most suitable for the work;

- (ii) Provide a brief methodology on how they will approach and conduct the work;
- 2. Financial proposal (fee per day and lump sum);
- 3. Personal CV including past experience in similar projects and the contact details of at least 3 reference persons.

The United Nations Organization is committed to diversity and inclusion. Women, persons from vulnerable groups, such as persons with disabilities, Roma and other ethnic, linguistic or religious minorities, persons living with HIV, refugees and other noncitizens legally entitled to work in the Republic of Moldova, as well as persons from other underrepresented groups are particularly encouraged to apply.