



## INDIVIDUAL CONSULTANT PROCUREMENT NOTICE

Date: **10 February 2017**

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**Country:** Republic of Moldova

**Description of the assignment:** OHCHR Human Rights Litigation Consultant

**Project Reference:** Office of the United Nations High Commissioner for Human Rights (OHCHR)

**Period of assignment/services:** March - August 2017 (up to 40 working days indicative)

Proposals should be submitted online only, by following the "Apply online" link, no later than [22 February 2017](#).

Requests for **clarification only** must be sent by standard electronic communication to the following e-mail: [violeta.fetescu@one.un.org](mailto:violeta.fetescu@one.un.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.

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### 1. 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.

### 2. SCOPE OF WORK, RESPONSIBILITIES AND DESCRIPTION OF THE PROPOSED ANALYTICAL WORK

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.

For detailed information, please refer to Annex 1 – Terms of Reference.

### **3. REQUIREMENTS FOR EXPERIENCE AND QUALIFICATIONS**

#### **I. Academic Qualifications:**

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

#### **II. Experience and skills:**

- 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.

### III. Language requirements:

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

## **4. DOCUMENTS TO BE INCLUDED WHEN SUBMITTING THE PROPOSALS**

Interested individual consultants must submit the following documents/information to demonstrate their qualifications:

### 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;

3. Personal CV including past experience in similar projects and the contact details of at least 3 reference persons.

## **5. FINANCIAL PROPOSAL**

The financial proposal shall specify a total lump sum amount, and payment terms around specific and measurable (qualitative and quantitative) deliverables. Payments are made in installments and are based upon output, i.e. upon delivery of the services 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, taxes, mobile phone calls, etc.).

### 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.

## **6. EVALUATION**

Initially, individual consultants will be short-listed based on the following minimum qualification criteria:

- University degree in law, human rights or other relevant discipline;
- At least three years of professional experience at the national and/or international level in human rights, especially human rights litigation;

- Fluency in oral and written Romanian, Russian, and English.

The short-listed individual consultants will be further evaluated based on the following methodology:

**Cumulative analysis**

The award of the contract shall be made to the individual consultant whose offer has been evaluated and determined as:

- responsive/compliant/acceptable, and
- having received the highest score out of a pre-determined set of weighted technical and financial criteria specific to the solicitation.

\* Technical Criteria weight – 60% (300 pts.);

\* Financial Criteria weight – 40% (200 pts.).

Only candidates obtaining a minimum of 210 points would be considered for the Financial Evaluation.

Criteria	Scoring	Maximum Points Obtainable
<b><u>Technical</u></b>		
<ul style="list-style-type: none"> <li>University degree in law, human rights or other relevant discipline (Master's degree – a strong advantage);</li> </ul>	University degree – 40 pts.; Master degree – 50 pts.	50
<ul style="list-style-type: none"> <li>At least three years of professional experience at the national and/or international level in human rights, especially human rights litigation;</li> </ul>	3 years –up to 30 pts.; each additional year - 10 pts., up to maximum 70 pts.	70
<ul style="list-style-type: none"> <li>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);</li> </ul>	Less than 3 years - 5 pts.; 3 years - up to 30 pts.; each additional year - 5 pts., up to maximum 65 pts.	65
<ul style="list-style-type: none"> <li>Experience in capacity building for civil society and/or legal community;</li> </ul>	Less than 3 years - 5 pts.; 3 years - up to 30 pts.; each additional year - 5 pts., up to maximum 50 pts.	50
<ul style="list-style-type: none"> <li>Experience of working with minorities, marginalized or stigmatized groups is a strong asset;</li> </ul>	Large - 40 pts.; to some extent - 20 pts.; No – 0 pts.	40
<ul style="list-style-type: none"> <li>Fluency in oral and written Romanian, Russian, and</li> </ul>	Max - 15 pts. (5 pts each language)	25

English; <ul style="list-style-type: none"> <li>Knowledge of one or more additional languages relevant for Moldova, including Bulgarian, Gagauzian, Romani, Ukrainian or sign language is an asset.</li> </ul>	Max - 10 pts.	
<b>Maximum Total Technical Scoring</b>		<b>300</b>
<b><u>Financial</u></b>		
Evaluation of submitted financial offers will be done based on the following formula: <b><u><math>S = F_{min} / F * 200</math></u></b> 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.		<b>200</b>

#### 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**