



## INDIVIDUAL CONSULTANT PROCUREMENT NOTICE

Date: **18 May 2017**

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**Country:** Republic of Moldova

**Description of the assignment:** OHCHR Consultant on gender issues in criminal / criminal proceedings law

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

**Period of assignment/services:** June - September 2017, with a workload of up to 30 working days indicative

Proposals should be submitted online only, by following the "Apply online" link, no later than [28 May 2017](#). The applicant, following the job application process, should receive a confirmation e-mail.

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.

OHCHR is continuously engaged in monitoring of court cases with heavy human rights implications. As part of its mandate to counter discrimination the Office is interested in promoting gender equality with an emphasis on women belonging to the most vulnerable groups.

Following our monitoring of relevant court cases, in particular cases related to gender-based sexual violence, it appears that Moldovan law enforcement has weak protection tools for the

victims of sexual abuse. Moreover, even the existing provisions are not always used to the benefit of the victim, and towards full protection of her rights.

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

The Consultant on gender issues in criminal law and criminal proceedings law is expected to undertake a comprehensive analysis of the law and practices in the field of investigation and prosecution of sexual abuse cases from the perspective of the rights of victims of those cases. As a result of this work the consultant should finalize the draft of a study in this field started by OHCHR earlier.

As a follow up to the study the consultant will also have to develop recommendations for the amendment of the legal framework and practice in the field of protection of victims of sexual abuses and other sexually related gender biased crimes.

In order to ensure the sustainability of the study, the consultant is expected to develop a guide for law enforcement in protecting the victims of gender-biased sexual abuse crimes.

He/she will also have to elaborate, on the basis of the study a draft curricula for continuous education of the prosecutors and judges as well as adapted curricula for info sessions/trainings for 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;
- Master's degree or PhD degree/current PhD studies in law or other related fields - strong asset;

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

- At least three years of professional experience in providing legal assistance and/or legal research;
- At least two years of experience in developing educational curricula in field such as law or human rights;

### **III. Language requirements:**

- Fluency in oral and written Romanian (knowledge of Russian and English would be an asset);
- 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 for each deliverable 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 paid in equal 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;
- At least three years of professional experience in providing legal assistance and/or legal research;
- Fluency in oral and written Romanian.

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:

- 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.

\* 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>		
• University degree in law (Master's degree	University degree – 60 pts.; Master	100

or PhD degree/current PhD studies in law or other related fields) – a strong advantage);	degree – 80 pts.; PhD – 100 pts.	
• At least three years of professional experience in providing legal assistance and/or legal research;	3 years –up to 40 pts.; each additional year - 10 pts., up to maximum 90 pts.	90
• At least two years of experience in developing educational curricula in field such as law or human rights;	2 years - up to 30 pts.; each additional year - 10 pts., up to maximum 70 pts.	70
• Fluency in oral and written Romanian (knowledge of Russian and English would be an asset);	Max - 15 pts. (5 pts –each language);	15
• Knowledge of one or more additional languages relevant for Moldova, including Bulgarian, Gagauzian, Romani, Ukrainian or sign language is an asset;	Max - 10 pts. (2 pts –each language);	10
• Belonging to the under-represented groups within the UN Moldova (persons with disabilities, Roma and other ethnic, linguistic or religious minorities, persons living with HIV, refugees and other noncitizens as self-declared).	No – 0 pts, to one group – 10 pts, to two or more groups – 15 pts.	15
<b>Maximum Total Technical Scoring</b>		<b>300</b>
<b><u>Financial</u></b>		
<p>Evaluation of submitted financial offers will be done based on the following formula:</p> <p><b><u>S = Fmin / F * 200</u></b></p> <p>S – score received on financial evaluation;</p> <p>Fmin – the lowest financial offer out of all the submitted offers qualified over the technical evaluation round;</p> <p>F – financial offer under consideration.</p>		<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**