



INDIVIDUAL CONSULTANT PROCUREMENT NOTICE

Date: **06 December 2012**

Country: Republic of Moldova

Description of the assignment: National Consultant on legal capacity, DPO empowerment and programme support

Project name: Paradigm Shift: UNCT Moldova Strategic Action Supporting CRPD Implementation

Period of assignment/services: January 2013-December 2013, 12 months

Proposals should be submitted online by pressing the "Apply Now" button or by email to vacancies-moldova@undp.org, no later than [14 December 2012](#).

Requests for **clarification only** must be sent by standard electronic communication to the following e-mail: 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.

1. BACKGROUND

Republic of Moldova ratified the UN Convention on the Rights of People with Disabilities (UN CRPD) on 21 September 2010. Right after the ratification, the Government published the National Strategy on Social Inclusion of Persons with Disabilities 2010-2013 which sets out a detailed programme of action to empower people with disabilities so that they can enjoy their rights, and benefit from full and meaningful participation in society. Also, through adopting the Law on Social Inclusion of Persons with Disabilities on 30th of March 2012, the State has committed to respect, promote and provide the rights of persons with disabilities in all areas of life.

At the request of the Moldovan Government, the UN agencies with extensive experience on the issue of persons with disabilities, namely OHCHR, UNDP, WHO and UNICEF, have jointly agreed to take on an important role in supporting the Government in its efforts to provide, promote and ensure the rights of persons with psycho-social and intellectual disabilities and decided to implement a joint programme with the aim of ensuring effective implementation of the CRPD and of building an inclusive society for all. "Paradigm Shift: UNCT Moldova Strategic Action Supporting CRPD Implementation" programme, funded through the United Nations Partnership for Promoting the Rights of Persons with Disabilities, will have the following provisions of the Convention as entry points:

- Equal recognition before law (article 12 of the CRPD);
- Access to justice for persons with disabilities on an equal basis with others (article 13 of the CRPD);
- The right to live independently and be included in the society (article 19 of the CRPD);
- The right to education (article 24 CRPD);
- National monitoring and implementation (article 33)/ empowerment of PWD (article 29);

The programme focuses on legal and policy reform with parallel efforts at the grassroots level by strengthening the capacities of civil society, including persons with disabilities and their representative organizations, in advocating, monitoring and evaluating the implementation of the CRPD. Throughout the intervention, UNCT Moldova will endeavour to target, where relevant, women with disabilities, older persons with disabilities, as well as persons with disabilities from particular vulnerable groups such as LGBT, Roma, etc.

Implementation of the activities under the Article 12 CRPD intervention is under the OHCHR pillar of the UNCT action. This pillar supports the State's efforts to remove legal and practical obstacles that prevent or limit persons with psycho-social or intellectual disabilities to fully exercise fundamental human rights on equal basis with others and to bring the national legislation in line with the CRPD provisions. In particular to provide policy, expert and technical support to the Inter-ministerial working group in its efforts to abolish legal incapacitation of persons with psycho-social and intellectual disabilities and provide alternatives of support in exercising legal capacity in compliance with the Article 12 CRPD requirements.

The activities designed under the "Equal recognition before law" pillar are primarily designed to support the Ministry of Justice, Ministry of Labour, Social Protection and Family and Central Electoral Commission of Republic of Moldova. Given the fundamental importance of the Government to uphold the rule of law and sustain the harmonization of the national legislation with the international requirements set up in ratified treaties. The indirect beneficiaries of the project will include all persons with psycho-social and intellectual disabilities.

In the aim of fulfilling the above mentioned objectives, the UNPRPD action intends to engage a National Consultant to assist the Inter-ministerial working group in drafting of the new law for support in exercising legal capacity and abolishing discriminatory provisions regarding legal incapacitation of persons with psycho-social and intellectual disabilities, in the scope of the "Paradigm Shift: UNCT Moldova Strategic Action Supporting CRPD Implementation" programme.

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

Under direct supervision of the Human Rights Adviser to the United Nations Resident Coordinator in Moldova, National Consultant will be in charge of providing support in amending national legislation to bring about conformity with Article 12 CRPD and related international and regional law, as well as support actions aimed at the empowerment of (ex)users and survivors of psychiatry, in particular through the development of one or more civil society entities specifically devoted to such empowerment.

The Consultant will perform the following tasks:

- Assist the Inter-ministerial working group in drafting the law on support to exercising legal capacity, and otherwise provide support and methodological guidance in this regard.
- Support relevant law- and policy-makers in working toward amendment as relevant of Civil Code provisions regarding incapacitation on grounds of psycho-social and intellectual disability.
- Collaborate with relevant authorities and stakeholders in amending the Electoral Code in order to ensure full electoral rights for persons with psycho-social and intellectual disabilities.
- Support policies and law reforms formulation in line with the CRPD requirements related to private and family life.
- Prepare materials for training local authorities on identifying persons who require support in decision making and mechanism of referral to the relevant services and ensuring the voting rights of persons with psycho-social and intellectual disabilities.

- Carry out training sessions for the local public authorities and persons with psycho-social and intellectual disabilities on the CPRD provisions.
- Provide capacity building support to organizations of (ex) users and survivors of psychiatry to effectively and efficiently claim their fundamental human rights.
- Provides effective support to the program implementation, focusing on achievement of the following results, primarily in the areas of:
 - a) Providing daily support on timely execution of program approved work plans;
 - b) Providing substantial inputs to the preparation of quarterly, semi-annual and annual reports;
 - c) Assisting in monitoring the progress throughout the program phase;
 - d) Collecting and gathering required information, data for program activities/initiatives throughout the program phase;
 - e) Assisting the Human Rights Adviser in managing the program's financial matters of the program;
 - f) Assisting the Human Rights Adviser in coordinating the exchange of information among the program partners;
 - g) Supporting other programme-related activities as required by the programme management;

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

3. REQUIREMENTS FOR EXPERIENCE AND QUALIFICATIONS

I. Academic Qualifications:

- University degree in law, social sciences, human rights or other relevant field; post-graduate degree would be an advantage.

II. Years of experience:

- At least 2 years of proven professional experience in the area of the rights of persons with disabilities.

III. Competencies:

- Commitment to human rights; advanced knowledge of human rights law and practice;
- Detailed understanding and experience of working on the issues that concern the lives of people with intellectual disabilities and/or people with psycho-social disabilities.
- Detailed understanding of anti-discrimination law as set out under international, European and domestic law;
- Detailed understanding of the UN CRPD
- Understanding of human rights and discrimination documentation methodologies; previous experience with human rights documentation work a strong asset.
- Ability to work independently;
- Experience with mission planning and execution;
- Competence in English- and Romanian-language report writing;
- Demonstrated competence cultural sensitivity and work in a multi-cultural environment;

IV. Language requirements:

- Fluency in Romanian and English. Knowledge of Romani or Russian a strong asset. Knowledge of one or more additional languages relevant for Moldova, including Bulgarian, Gagauzian, Ukrainian 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 (if applicable);

2. Financial proposal;

3. Personal CV including past experience in similar projects and at least 3 references.

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.).

6. EVALUATION

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

- University degree in law, social sciences, human rights or other relevant field.
- At least 2 years of proven professional experience in the area of the rights of persons with disabilities.

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
<u>Technical</u>		
<ul style="list-style-type: none"> University degree in law, social sciences, human rights or other relevant field. 	University degree – 40 pts., Master degree – 50 pts.	50
<ul style="list-style-type: none"> At least 2 years of proven professional experience in the area of the rights of persons with disabilities. 	2 years - 50 pts.; >2 years - 60 pts.	60
<ul style="list-style-type: none"> Detailed understanding and experience of working on the issues that concern the lives of people with intellectual disabilities and/or people with psycho-social disabilities. 	Yes - 60 pts.; to some extent - 30 pts.; No – 0 pts.	60
<ul style="list-style-type: none"> Commitment to human rights; advanced knowledge of human rights law and practice; 	Yes - 50 pts.; to some extent - 30 pts.; No – 0 pts.	50
<ul style="list-style-type: none"> Understanding of human rights and discrimination documentation methodologies; previous experience 	Max -50 pts.	50

with human rights documentation work a strong asset.		
<ul style="list-style-type: none"> Fluency in Romanian and English. Knowledge of Romani or Russian a strong asset. Knowledge of one or more additional languages relevant for Moldova, including Bulgarian, Gaguzian, Ukrainian or sign language is an asset. 	Max - 30 pts.	30
Maximum Total Technical Scoring		300
<u>Financial</u>		
Evaluation of submitted financial offers will be done based on the following formula: $S = F_{min} / F * 200$ 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.		200

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