

### **TERMS of REFERENCE**

<b>Job Title:</b>	Strategic Litigation Consultant (UN Human Rights Office – OHCHR Moldova)
<b>Contract type:</b>	Individual Contract
<b>Duration of assignment:</b>	March – December 2018 with estimated workload of up to 10 working days
<b>Starting date:</b>	1 <sup>st</sup> March 2018

#### **Background**

The UN Human Rights Office (Office of the UN High Commissioner for Human Rights – OHCHR) is a United Nations structure with a unique mandate from the international community to promote and protect human rights universally towards full implementation of the 1948 Universal Declaration of Human Rights and other international human rights standards.

UN Human Rights Office in Moldova, led by the National Human Rights Coordinator, assists the UN RC Office, UN Country Team in Moldova (UNCT), Government and civil society in strengthening human rights and human rights-based approach, working closely with the UN Country Team on capacity building and mainstreaming human rights in their work, as well as providing support in engagement with national actors on human rights, including advising national authorities upon request.

One of the Office's strategic priorities for 2018-2021 is to work towards the effective human rights enforcement nationwide and insure the accountability for human rights violations. In particular, the objective of this work is to advance UN human rights standards in the activity of the justice system and have decisions of the national courts and other adjudicatory bodies grounded on international human rights standards.

#### **Scope of work, duties and responsibilities**

The strategic litigation consultant under these Terms of Reference will work under the guidance and supervision of the National Human Rights Officer and National Human Rights Coordinator.

Under the present Terms of References, the national consultant will deliver legal services in a strategic litigation case on the right to health / rights of persons with disabilities.

The expected deliverables, workload and indicative timeframe:

	Deliverables	Tentative timeframe	Estimated workload
1.	Case assessment	March 2018	1 day
2.	Drafting of the documents to be submitted to the court	March 2018	2 days
3.	Representation of the complainant before the national courts and other relevant authorities	December 2018	5 days
4.	Submission of the complaint at the international level <sup>1</sup> , and subsequent follow-up on the case (follow-up – on pro bono basis)	December 2018	2 days
<b>TOTAL</b>			<b>10 days</b>

The payment will be done in two instalments – first - upon the accomplishment of the first two deliverables, second – upon accomplishment of the remaining last two deliverables under the contract.

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 the OHCHR National Human Rights Officer.

#### *Timeframe*

The timeframe for this assignment is planned tentatively through February - December 2018. The contractor will report 2 times during the reported period upon the accomplishment of first two tasks and at the end of the assignment.

#### **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.

#### **Qualifications Criteria (Skills and Experience Required)**

##### Academic Qualifications:

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

##### Experience and skills:

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<sup>1</sup> In case the plaintiff does not receive the remedy at national level

- At least three years of professional experience as a practicing lawyer especially in the civil proceedings and assisting victims in criminal proceedings;
- Proven experience of work on complaints to at least one of the following institutions:
  - a) Equality Council;
  - b) Constitutional Court;
  - c) UN human rights complaints mechanisms (experience of work in two or all three is a great advantage);
- Practical experience in civil law litigation, in particular receiving remedies for civil damages;
- Experience of work on litigation cases in the field of health and health system (at least 1 case)

Language Requirements:

- Fluency in oral and written Romanian and Russian, English

*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. OHCHR is committed to reasonably accommodate the working environment for the persons with special needs.*

Documents to be included in the proposal

Interested persons should submit the following documents:

1. Proposal explaining why they are the most suitable to work in the field of right to health;
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;
4. Offeror's Letter confirming Interest and Availability.

*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 under-represented groups are particularly encouraged to apply.*