



INDIVIDUAL CONSULTANT PROCUREMENT NOTICE

Date: **12 February 2018**

Country: Republic of Moldova

Description of the assignment: Strategic Litigation Consultant

Project Reference: UN Human Rights Office (OHCHR) via UNDP Moldova

Period of assignment/services: March – December 2018 with estimated workload of up to 10 working days

Proposals should be submitted online only, by following the “Apply online” link, no later than [26 February 2018](#). The applicant, following the job application process, should receive a confirmation e-mail. Confirmation of successful application should be forwarded to the following e-mail: liudmila.iachim@one.un.org.

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

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.

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

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.

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

3. REQUIREMENTS FOR EXPERIENCE AND QUALIFICATIONS

Academic Qualifications:

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

Experience and skills:

At least three (3) years of professional experience as a practicing lawyer especially in the civil proceedings and assisting victims in criminal proceedings;

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);

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 both oral and written Romanian and Russian is a must. Working 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. OHCHR is committed to reasonably accommodate the working environment for the persons with special needs.

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 including relevant past experience;
 - (ii) Provide a brief methodology on how they will approach and conduct the work.
2. Financial proposal (fee per day and total amount);
3. Personal CV including past experience in similar assignments and the contact details of at least 3 reference persons;
4. Offeror's Letter confirming Interest and Availability.

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 (Master's degree – a strong advantage);
- At least three (3) years of professional experience as a practicing lawyer especially in the civil proceedings and assisting victims in criminal proceedings;

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
<u>Technical</u>		
University degree in law, human rights or other relevant discipline; (Master's degree – a strong advantage);	University degree – 50 pts.; Master degree – 60 pts.;	60
At least three (3) years of professional experience as a practicing lawyer especially in the civil proceedings and assisting victims in criminal proceedings;	3 years – up to 40 pts.; each additional year - 10 pts., up to maximum 80 pts.;	80
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);	No-0; 1 case- 10 pts., 2 cases – 20 pts., 3 cases– 30 pts., 4 cases– 40 pts.; 5 cases and more -50 pts.;	50
Practical experience in civil law litigation, in particular receiving remedies for civil damages;	No-0; 1 case- 10 pts., 2 cases – 20 pts., 3 cases – 30 pts., 4 cases and more – 40 pts.;	40
Experience of work on litigation cases in the field of health and health system;	No-0; 1 case- 10 pts., 2 cases – 20 pts., 3 cases and more - 30 pts.;	30

Fluency in oral and written Romanian and Russian is a must;	Max - 20 pts. (10 pts –each language);	20
Working knowledge of one or more additional languages relevant for Moldova, including Bulgarian, Gagauz, 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 – 5 pts, to two or more groups – 10 pts.	10
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