

**Annex 1**  
**TERMS OF REFERENCE (TOR)**  
**INDIVIDUAL CONTRACT – INTERNATIONAL CONSULTANT**



**A. POST DETAILS**

<b>Post Title</b>	:	Electoral Legal Specialist-International
<b>Agency/ Project Name</b>	:	UNDP LEARN Project
<b>Country of Assignment</b>	:	Dilli, Timor-Leste
<b>Starting Date</b>	:	01 April 2019
<b>Period of assignment/services:</b>	:	6 Months (15 April 2019 to 30 Sep 2019)

**B. Project Description**

United Nations Development Programme (UNDP) is implementing an Electoral Project- Leveraging Electoral Assistance Regionalized Nation-Building (LEARN) to provide tailored technical assistance to Election Management Bodies (EMBs)- Technical Secretariat for Electoral Administration (STAE) and National Commission for Elections (CNE) to strengthen their capacities through electoral cycle approach, contributing to the process of creating and sustaining an environment for inclusive and responsive electoral and political processes.

Since the successful conduct of national elections in 2017 and 2018, the project is undergoing activities that would pertain to the post-election scenario in relation to building the capacity of EMBs of Timor-Leste. The project is addressing the larger context of the socio-political dynamics especially focusing on the issues of women and youth of Timor-Leste. As the country is in the process of decentralization, conduct of election is imminent to the context. The EMBs will be drafting and reviewing the existing electoral legal framework for Municipality elections as the Government has outlined in their five-year programme. In coordination with CNE and Ministry of State Administration, an integrated electoral legal framework for the national elections.

**C. OBJECTIVE OF THE ASSIGNMENT/SCOPE OF SERVICE**

Under the supervision of the National Project Manager, the consultant is expected to assist STAE in drafting the integrated legal frameworks. The consultant will engage to identify and analyze the electoral legal framework remaining within the scope of advising and providing legal assistance to the EMBs to develop necessary legal framework for the electoral processes of Timor-Leste. The consultant will perform following duties and responsibilities:

- Review available documents/ national legislation, and consult with UNDP senior management, and rule of law and justice team members to better understand the context and objectives of this consultancy;
- Conduct a comprehensive analysis of the existing electoral legal framework;
- Prepare and conduct interviews/discussions with key stakeholders- Ministry of State Administration, CNE, Parliament Members and respective Parliamentary Standing Committees.

- Carry out legal studies on any matters that may be committed to it, within the scope of the activities of competence of STAE;
- Assist in the preparation of proposals for legislation if necessary, regulations and codes of conduct of the matters assigned to STAE's area of competence;
- Develop studies and other documents, as directed by the Director General of STAE and Head of Departments;
- To support in the work of capacity development especially in the legal area;
- Elaborate a plan of activities in the electoral legal matters;
- Conduct study and propose improvements in the electoral system based on the experience and suggestions provided in other publications;

#### Intellectual Property

All information pertaining to this project as well as outputs produced under this contract shall remain the property of the UNDP who shall have exclusive rights over their use. Except for purposes of this assignment, the products shall not be disclosed to the public nor used in whatever format without written permission of UNDP in line with the national and International Copyright Laws applicable.

#### **D. EXPECTED OUTPUTS AND DELIVERABLES**

The successful consultant is expected to deliver the following deliverables:

	<b>Deliverables/ Outputs</b>	<b>Estimated Duration to Complete</b>	<b>Target Due Dates</b>	<b>Review and Approvals Required</b>	<b>Payment %</b>
1	- A concept-note: with a clear methodology and timeline proposal;	1 month	15 April 2019	NPM	20%
2	- A draft report on the status of legal framework	1 month	15 May 2019	NPM	20%
3	- Presentation of the findings	1 month	15 June 2019	NPM	10%
4	- Draft of the legal framework	1 month	15 July 2019	NPM	20%
5	- Final report and suggestions	2 months	15 September 2019	NPM	30%

#### **E. INSTITUTIONAL ARRANGEMENTS**

The consultant will work under the overall supervision of the National Project Manager within the structure of the *LEARN* project. The logistics will be organized by UNDP.

#### **F. DURATION OF ASSIGNMENT**

The expected duration of the work is for 6 Months (15 April October 2018 to 15 September 2019)

#### **G. DUTY STATION**

Dili, Timor-Leste.

## **H. QUALIFICATIONS OF THE SUCCESSFUL INDIVIDUAL CONTRACTOR**

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

A Master's degree in international law, human rights or any other relevant field.

### **II. Years of experience:**

- Should have a minimum of 8 years of proven experience in electoral legal framework
- Demonstrable experience in developing countries; Knowledge of Timor-Leste social context and/or rule of law, electoral legal framework is strongly desirable;
- Understanding of Timor-Leste's socio-political context especially of women and youth
- Understanding of international development and governance issues is desirable.
- Acquaintance and involvement with development programs/projects/activities, especially with UNDP is desirable;

### **III. Language requirements**

- Fluency in Portuguese (both oral and written)
- Proficiency in Tetum is considered an advantage

### **IV. Competencies:**

- Exceptional interpersonal and communication skills with an ability to motivate people.
- Ability to work and communicate in a team environment with good problem-solving and organizational skills
- Capacity to deal with different cultural backgrounds and overcome language barriers.
- Capacity to state ideas in more than one way, demonstrating creativity and flexibility.
- Good writing and analytical skills and demonstrated ability to present complex information in a concise and attractive manner are critical.

## **I. QUALIFICATIONS OF THE SUCCESSFUL INDIVIDUAL CONTRACTOR**

### **Lump sum**

The financial proposal must be expressed in the form of an all-inclusive<sup>1</sup> Lump Sum Amount, following the scheduled payment percentage described on the Expected Outputs and Deliverables section, supported by a breakdown of costs as per the template provided by UNDP.

### **Schedule of payment:**

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<sup>1</sup> The term "All inclusive" implies that all costs (professional fees, travel costs, living allowances, communications, consumables, etc.) that could possibly be incurred by the Contractor are already factored into the final amounts submitted in the proposal

Payment will be made in one installment contingent upon delivery and approval of deliverables stated under Section E of the TOR. An IC Time Sheet must also be submitted by the successful contractor, duly approved by the Individual Contractor's supervisor, as proof of the number of days worked which shall also serve as the basis for the payment of fees.

**J. RECOMMENDED PRESENTATION OF OFFER**

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

- a) Duly accomplished **Letter of Confirmation of Interest and Availability and Submission of Financial Proposal** using the template provided by UNDP;
- b) **Personal CV or P11**, indicating all past experience from similar projects, as well as the contact details (email and telephone number) of the Candidate and at least three (3) professional references;

**K. CRITERIA FOR SELECTION OF THE BEST OFFER**

**Cumulative analysis**

*When using this weighted scoring method, the award of the contract should 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; 70%*

*\* Financial Criteria weight; 30%*

*Only candidates obtaining a minimum of 49 points of the technical criteria would be considered for the Financial Evaluation*

**DETAIL EVALUATION CRITERIA**

<b>A. Technical Criteria</b>	<b>Weight</b>	<b>Max. Point</b>
	<b>70%</b>	<b>70</b>
EDUCATION: A Master's degree in international law, human rights or any other relevant field.	10	10
Should have a minimum of 8 years of proven experience in electoral legal framework	15	15
Previous Experience in developing countries; Knowledge of Timor-Leste social context and/or rule of law, electoral legal framework;	15	15

Acquaintance and involvement with development programs/projects/activities, especially with UNDP;	15	15
Understanding of Timor-Leste context of Timor-Leste's including socio-political context especially of women and youth	5	5
Language requirements: • Fluency in Portuguese (both oral and written)	10	10
<b><u>Total Technical Score</u></b>	<b>70%</b>	<b>70</b>
<b><u>B. Financial Proposal</u></b>	<b>30%</b>	<b>30</b>

**L. Approval**

**This TOR is approved by:** [indicate name of Approving Manager]

Signature



Name and Designation Tito De Jesus Filipe Da Costa, Project Manager, Learn Project

Date of Signing 13 - March - 2019