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TERMS OF REFERENCE National FLA Expert

Title of the Programme:	UNDP Project "Towards a sustainable access to justice for legal empowerment in the Kyrgyz Republic", PID 00104271
Short title of the assignment:	National Free Legal Aid expert
Duty station:	Bishkek, Kyrgyzstan
Contract type:	Individual Contract
Duration:	200 working days (July 2019- June 2020)

BACKGROUND

After the new version of the Law of the Kyrgyz Republic "On the Legal Aid Guaranteed by the State" entered into force, the Coordination Center for free legal aid (hereinafter referred to as the FLACC) was established under the Ministry of Justice. The main functions of the Center are to coordinate the process of providing legal aid guaranteed by the state and ensuring effective interaction between other subjects of the free legal aid (hereinafter referred to as the FLA) system (state bodies, local authorities, the Bar of the Kyrgyz Republic and civil society institutions). Effective implementation of the tasks of the Center will influence the implementation of the relevant law on free legal aid and, accordingly, ensure better access to such aid.

At the moment, the FLACC has just begun its operation and needs expert support in the institutional development, increasing the capacity of newly recruited staff, organizing and conducting coordination platforms with other subjects of the FLA system etc. For the purpose of expert support, the project assisted to the elaboration of the Strategic plan for the institutional development of the FLACC for 2018 - 2021.

Another area of activity of the FLACC is the coordination and methodological guidance of the Free Legal Aid Centers. At the request of the FLACC the project also intends to support the activities of the Free Legal Aid Centers in order to ensure their sustainability and the quality of the aid provided.

In this regard, expert assistance will be provided to the Free Legal Aid Coordination Center by contracting a national expert.

OBJECTIVES

Provide expert assistance to the Center for the FLA Coordination Center in the implementation of the Strategic Plan for Institutional Development for 2018-2021.

SCOPE OF WORK

Under the direct supervision of the Coordinator of the project "Towards Sustainable Access to Justice in the Kyrgyz Republic", the FLA expert will perform the following work:

- Provide expert support to the FLACC in improving the system of legal advice (primary legal advice)
- Provide expert assistance to the FLACC in improving qualified legal assistance (qualified legal assistance)
- Provide expert support to the FLACC in improving the interaction mechanisms of the FLACC with other actors of the State Guaranteed Legal Aid (SGLA) system

FINAL DELIVERABLES

PRODUCTS	Milestones	Payment structure
- One capacity - building training is organized and conducted for the employees of 11 FLA centers in Issyk-Kul, including elaboration of the agenda and LOPs, agree on the participants with the FLACC, logistics support. Report on conducted training in Issyk-Kul with recommendations on the results of the training is prepared.	1 month after contract signing	15%

<ul style="list-style-type: none"> - One meeting of the inter-agency working group on the implementation of the Governmental Resolution "On the procedure for interaction between the subjects of the FLA system in the Kyrgyz Republic" is organized and held within Chui province. This includes elaboration of the agenda, invitations of all the stakeholder involved, LOPs, logistics support resulting on agreed draft implementation plan with inter-agency working group. - A visit for the exchange of experience for the staff of the FLA system of Tajikistan is organized and conducted in Bishkek, including the elaboration of the agenda of the visit, arrangement of the meetings with all main stakeholders involved, logistics support of this visit. 		
<ul style="list-style-type: none"> - Analytical report is provided based on one monitoring visit of the work of 11 FLA centers in the Chui and Osh provinces. - The input of reports from 11 FLA Centers in the database of the FLACC is ensured. -an analysis of reports of the FLA Centers for the period from January to June 2019 is prepared. - One meeting of the working group on drafting the law on amendments to the Law of the Kyrgyz Republic "On Legal Aid guaranteed by the state", in terms of implementing the mechanisms of FLA provision in civil and administrative cases is organized and held in Bishkek. This includes elaboration of the agenda, invitations of all the stakeholder involved, LOPs, logistics support. - The draft of implementation plan for the Governmental resolution "On the procedure of interaction between the subjects of the FLA system in the Kyrgyz Republic" is submitted. -One conference on the balance of the state and non-state system of free legal aid is held in Yssyk Kul province. This includes elaboration of the agenda of the conference, invitations of all the stakeholder involved, LOPs, logistics support. Expert shall prepare the draft declaration and present it during the conference for discussion. Based on the conference the expert shall provide the final declaration of the conference. 	4 months after contract signing	20%
<ul style="list-style-type: none"> - The content for the brochure for law enforcement and judicial officials on the procedure for interaction with the FLACC is provided. -Draft regulation on the details and procedure for the provision of FLA to persons with disabilities is produced. - The content for the brochure "The desk book for the FLA coordinator" is provided. - The report on analysis of reports of the FLA Centers for the period from July to December 2019 is conducted. - One monitoring visit of the work of 11 FLA Centers in the Chui and Osh provinces is conducted and analytical report with the follow up actions is prepared. 	6 months after contract signing	20%
<ul style="list-style-type: none"> - One coordination meeting of the FLACC with non-governmental organizations and legal clinics is held in Bishkek. Recommendations are prepared for inclusion in the work plan of the FLACC for 2020. - The bill on amending the Law of the Kyrgyz Republic "On Legal Aid guaranteed by the state" regarding the introduction of mechanisms for the provision of state and legal aid in civil and administrative cases is drafted. - One training in the capacity of lecturer for employees of the FLACC and its territorial subdivisions on the novelties of the legislation of the Kyrgyz Republic is agreed and conducted in Bishkek. - Based on the coordination platform with the participation of the representatives of the judiciary, law enforcement agencies, prosecutors, lawyers and other entities of the FLA system conducted in Bishkek, the expert provides 	8 months after contract signing	15%

recommendations on improving the effectiveness of interaction between the subjects of the FLA system.		
<ul style="list-style-type: none"> - One monitoring visit of the work of 11 FLA Centers in the Chui and Osh provinces is conducted and analytical report is prepared. - A training to build the capacity of FLACC is organized and conducted in Bishkek. The expert shall identify the needs, prepare presentation and provide training. - Based on the public discussion of the draft law "On Legal Aid guaranteed by the state" regarding the introduction of mechanisms for the delivery of FLA in civil and administrative cases the expert shall produce recommendations for the finalization of the draft law. - Draft regulation on the procedure of providing provision of state-guaranteed legal aid assistance to the victims of domestic violence is prepared. - One coordination meeting of the FLACC with non-governmental organizations and legal clinics is conducted in Bishkek. Agenda, LOP and presentations are prepared. 	10 months after contract signing	15%
<ul style="list-style-type: none"> - Draft regulation on providing state-guaranteed legal aid to foreign citizens and stateless persons is prepared. - A training for the FLA lawyers on the novelties in the legislation in the capacity of lecturer is agreed and conducted. - The analysis report on the results of monitoring of compliance with the standards for the provision of qualified legal aid is prepared. - The analytical report on the most common legal issues handled by the employees of the FLACC is submitted. - One meeting with the FLA lawyers of the Osh province to discuss issues of effective interaction with the coordinators of the FLACC is organized and conducted in Osh. - An analytical report based on the analysis of the reports of the FLA Centers from January to June 2020 is submitted. 	12 months after contract signing	15%
Total		100%

REPORTING REQUIREMENTS

Accountability and reporting:

1. The Contractor will report to the Project coordinator of the "Towards a sustainable access to justice for legal empowerment in the Kyrgyz Republic" project
2. Contractor shall submit reports in Russian language based on the results achieved according to set deadlines in agreed format stated all actions taken during the assignment to be approved by Project coordinator, which will serve as a justification for the payments. Analytical documents, reports and notes developed by experts should be attached to the reports as annexes, which will serve as a justification for payment.

QUALIFICATION REQUIREMENTS

- University degree in Law;
- Valid attorney's license issued by the Ministry of Justice;
- At least 2 years of experience in provision of Free Legal Aid.
- Experience in development of laws and bylaws on Free Legal Aid. Please enclose or list the developed laws and bylaws;
- Work experience with international organizations and/or NGO;
- Work experience in the field of expanding access to justice for vulnerable groups;
- Experience in coordinating platforms for interaction between government agencies and the non-governmental sector;
- Language skills: fluency in Russian and Kyrgyz languages.

TRAVEL

This assignment requires travels to following provinces:

- **4visits to Osh region-5 days*each visit= 20 days**
 - a) July 2019 - 5 days
 - b) October 2019 - 5 days

c) March 2020 -5 days

d) June 2020 -5 days

- **4 visits to Chui region-2 days*each visit= 8 days**

a) July 2019 - 2 days

b) October 2019 - 2 days

c) March 2020 -2 days

d) June 2020 -2 days

- **2 visit to Issyk Kul region- 1 visit 4 days+2 visit 3 days= 7 days**

a) July 2019- 4 days

b) September 2019- 3 days

ADDITIONAL REQUIREMENTS FOR THE RECOMMENDED CONTRACTOR

Statement of Medical Fitness for Work.

For an Individual Contractor who is of 65 years of age or older, and on an assignment requiring travel, be it for the purpose of arriving at the duty station or as an integral duty required under the TOR, a full medical examination and statement of fitness to work must be provided. However, this is not a requirement for individuals on RLA contracts

Where there is no UN office nor a UN Medical Doctor present in the location of the Individual Contractor prior to commencing the travel, either for repatriation or duty travel, the Individual Contractor may choose his/her own preferred physician to obtain the required medical clearance.

Inoculations/Vaccinations

Individual Consultants/Contractors are required to have vaccinations/inoculations when travelling to certain countries, as designated by the UN Medical Director. The cost of required vaccinations/inoculations, when foreseeable, must be included in the financial proposal. Any unforeseeable vaccination/inoculation cost will be reimbursed by UNDP.

Security Clearance.

The Consultant should undertake the BSAFE training prior to travelling. These requirements apply for all Consultants, attracted individually or through the Employer.

SCOPE OF PRICE PROPOSAL AND SCHEDULE OF PAYMENTS

Contracts based on lump-sum

The financial proposal shall specify a total lump sum amount and payment terms around specific and measurable (qualitative and quantitative) deliverables. Payments 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 each of the five instalments' amounts.

Payments will be disbursed as per installments based on the table "**final deliverables**" and submission & approval of respective products.

Preferred Currency of Offer: United State Dollars (USD)

UNDP CONTRIBUTION

Security charges are not applicable