

International Advisor on Constitution Building

Location:	Kathmandu, Nepal.
Application Deadline:	31 December 2014
Type of Contract:	Individual Contract
Post Level:	N/A
Duration of Initial Contract:	90 days over a period of 5.5 months <ul style="list-style-type: none">• 44 days over the period from 15 January 2015 and end of March 2015 in Kathmandu• 5 days home based in April 2015• 41 days between 1 May and end of June 2015 in Kathmandu

BACKGROUND

The UNDP has supported Nepal's constitution building process since 2006. The Comprehensive Peace Agreement (CPA) of 2006 ended a decade long conflict and committed the country to a process of transition and change. The adoption of a new constitution by an elected and inclusive Constituent Assembly (CA) was a key element of the peace agreement. The constitution building process was designed to be inclusive, broadly consultative, supported mainly by Nepali experts and to lay the foundation for a new social contract for a new Nepal for the people of Nepal.

Though substantial progress was made following the election of the first Constituent Assembly in 2008, despite several extensions of its term, it failed to adopt a new constitution by May 2012. After a period of constitutional crisis a political consensus was reached and elections to a second Constituent Assembly conducted in November 2013. The second CA is expected to build on the achievements of the first CA, resolve the contentious issues that prevented consensus during the first CA and draft and adopt a new constitution as a matter of national priority. The adoption of a new constitution in keeping with the commitments to change outlined in the CPA of 2006 and the provisions of the Interim Constitution of 2007 are vital for sustainable peace and democracy.

UNDP's Support to Participatory Constitution Building in Nepal (SPCBN) project has since 2008 worked closely with the Constituent Assembly and civil society to:

- Provide technical and infrastructure support to the CA;
- Provide space for an informed debate on constitutional issues with particular reference to international norms and comparative best practice;
- Facilitate public participation and civil society engagement in the constitution making process;

- Facilitate coordination and policy advice to the international community to support the constitution making process.

The International Advisor on Constitution Building will provide support to the constitution making process in keeping with the commitments made under the CPA 2006 and advice on the effective implementation of the new constitution.

DESCRIPTION OF RESPONSIBILITIES

The International Advisor will have 3 main areas of responsibility:

1. Advise the project and project staff for outputs to remain relevant to Nepal's post peace agreement constitution making process.
2. Provide high quality technical, policy and advisory services to CA members, other national partners, the international community, the Resident Coordinator and UNDP Offices;
3. Facilitate partnership development with key stakeholders, both national and international and support the Resident Coordinator and the UNDP Country Office in coordination, information sharing and dialogue with development partners as well as CA members, key state and non-state actors and political parties.

The International Advisor will report to the UNDP Deputy Country Director (P), while maintaining a close working relationship with the UN Resident Coordinator and UNDP Country Director.

DUTIES AND RESPONSIBILITIES

A. FUNCTIONS/EXPECTED RESULTS

Advice to SPCBN project staff:

- Support the development of the project's strategies and approaches to ensure that the project remains relevant to the constitution drafting and implementation processes.
- Assist SPCBN project in timely project delivery and quality results.

Constitution Support and Strategic Positioning:

- Provide technical, policy and strategic analysis, technical and other assistance for the final stages of the constitution drafting process to the CA, political leaders, political parties and technical advisors.
- Support to the development of a platform for broad based engagement of all key stakeholders that contributes to a transparent, participatory constitution making process
- Identify issues of potential tension or conflict regarding the implementation of the new constitution and, in close coordination with the UN Resident Coordinator, UNDP Country Director, and DPA liaison office contribute to the development of conflict sensitive strategies for addressing such issues.

- Identify UNDP's strategic and comparative advantage in the constitution implementation and state restructuring agenda.
- Contribute to and advice on a strategy for effective implementation of the new constitution is adopted.

Technical, Policy and Advisory Services:

- Provide high level policy and advisory services on the key elements of the constitution to key technical advisors, drafting experts and political stakeholders.
- Provide high level advisory services on the issues of transition to the new constitutional dispensation including state restructuring, to national stakeholders and other development actors.
- Provide advisory services and inputs to the UN Resident Coordinator and UNDP Senior Management on the integration of constitutional topics into the various UNDP programmes.

Partnership and Dialogue: Engage with key actors, both national and international, including DPA liaison office and other agencies of the UN Country team, at all times to:

- Ensure a comprehensive understanding of key on-going and emerging needs of Nepali key stakeholders, country processes with regard to constitutional issues;
- Contribute to the coordination of interventions and support to the constitution drafting and implementation processes to enhance the effectiveness and efficiency of support and reduce duplication.
- Work with other UNDP programmes working on Nepal's transition to promote synergy and an effective coordinated contribution to the consolidation of constitutionalism and state restructuring in Nepal.
- Support the Resident Coordinator and the Country Director in the roles of strategic coordination, information sharing and dialogue with development partners and key Nepali stakeholders.

IMPACT OF RESULTS

- Effective implementation of the project
- Strengthening of UNDP's strategic positioning in constitution building, implementation and state building
- Strengthening role of the RC, UNDP Senior Management and main stakeholders on constitution building, implementation and state building
- Effective interface with UNDP leadership and Project governance structures;
- UNDP is seen as a strong and constructive partner in the adoption and implementation of the new constitution.
- Greater awareness among the various stakeholders with respect to constitutionalism and constitutional implementation.

COMPETENCIES

FUNCTIONAL COMPETENCIES

- In depth knowledge of constitutionalism, constitutional law and state restructuring;
- Knowledge of constitutional reform for conflict resolution;
- Ability to advocate and provide policy advice at high levels;
- Ability to promote a knowledge sharing and learning culture.

MANAGERIAL COMPETENCES

- Ability to work in a multi-cultural environment with sound understanding and capacity to empower and develop the capacity of national counterparts;
- Proven ability to incorporate relevant international and comparative best practices.
- Experience at engaging at high levels with legislators, ministers, government officials and political parties;

CORPORATE COMPETENCIES

- Demonstrates integrity by reflecting the UN's values and ethical standards;
- Promotes the vision, mission and strategic goals of UNDP;
- Treats all people fairly and without favouritism;
- Displays sensitivity with respect to culture, gender, religion and race.

QUALIFICATIONS

- An advanced (Master's or above) degree in law, political science or related social science.
- Excellent English language skills, oral and written.

EXPERIENCE

- At least 10 years experience of senior level experience dealing with constitutional reform, state restructuring or conflict resolution.
- A proven policy, advisory and advocacy experience including engagement with political leaders, civil society and the international community.
- Experience in operating in a complex political environment.
- Nepal and South Asian experience on constitutional development is an asset.