TERM OF REFERENCE
FOR INDIVIDUAL CONTRACT

<table>
<thead>
<tr>
<th>Post Title:</th>
<th>Legal Adviser to theStanding Committee (Decentralization - Committee A and C)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agency or Project Name:</td>
<td>UNDP Timor-Leste</td>
</tr>
<tr>
<td>Period of Assignment/Services:</td>
<td>6 Months (1st September 2020 – 28th February 2021)</td>
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<tr>
<td>Country of Assignment:</td>
<td>Timor-Leste</td>
</tr>
<tr>
<td>Location:</td>
<td>UNDP Governance Unit</td>
</tr>
<tr>
<td>Duty Station:</td>
<td>Dili, Timor-Leste</td>
</tr>
</tbody>
</table>

A. Project Title

The International Consultant in the position of Communication and Engagement Specialist will lead the development and implementation of the communication and advocacy strategy for the UNDP Projects:

- Strengthening integral local development by building the capacities of the municipal authorities in Timor-Leste (00126960)

B. Project Description

I. Strengthening integral local development by building the capacities of the municipal authorities in Timor-Leste

Since the beginning of the country, decentralization has been considered a tool for the nation’s development. Initial steps towards this process began nearly 10 years ago with the territorial administrative division of Timor-Leste and the initiation of the deconcentrating process.

In 2016, progress was seen with the establishment of four Municipal Authorities (Baucau, Bobonaro, Ermera, and Dili) and eight Municipal Administrations (Aileu, Ainaro, Cova Lima, Lautem, Liquica, Manatuto, Manufahi, and Viqueque) in the country. This was further reinforced by the adoption of a new Suco Law in 2016 and the Decree Laws 4/2014 and 3/2016. In 2019, with the Government Resolution N 11/2019, the government reaffirmed its “commitment and determination to implement the Strategy for Decentralization”. To make this process possible and further consolidate local development in the country, new skills and capacities need to be built, particularly in the areas of finance, administration, procurement, management, transparency, as well as data collection and analysis.

In order to address the abovementioned challenges, the Government of Timor-Leste, with the support of EU, has launched a national programme on Deconcentration and Decentralization called “Supporting Programme to Deconcentration and Decentralisation process in Timor-Leste (SPDD-TL).” This project “Strengthening integral local development by building the capacities of the municipal authorities in Timor-Leste”, also supported by EU, is a component of that national programme whereby UNDP will facilitate to provide technical support.

This project will promote informed policy development and capacity building of municipal public servants. The overall objective of the project is to contribute to Timor-Leste’s sustainable development. More specifically, it aims to support the deconcentrating and decentralization process, bringing governance, public administration and services closer to people, for both women and men, giving special attention to the needs and priorities of people living in vulnerable situations.

The project activities were designed around three different components which will contribute to three main expected results:
- Result 1: Strengthened capacity of the National Parliament in Timor-Leste.
- Result 2: Improved capacity of municipal public servants to deliver services at local level.
- Result 3: Improved capacity of local institutions to collect, analyse and use reliable and timely socio-environmental disaggregated data (development of a Municipal Portal).

For the support to the National Parliament (Result 1), UNDP is hiring a Legal Adviser to the Standing Committees (Decentralization). The Legal Adviser will provide technical support to the work of the standing committees, especially Committee A (Constitutional Affairs and Justice) and Committee C (Public Finance Committee), to the discussion and debate of all deconcentrating and decentralization policies and legislation.

In addition, his/her role will include to provide all necessary professional advice, as required, to Committee for and individual members of Parliament in all its portfolio. Additionally, where appropriate, the legal adviser will also support the capacity building of the Secretariat staff assigned to the committees to prepare them to assume full responsibility for functions.

C. Scope of Work

The Legal Adviser is expected to work under the supervision of the CTA and in close connection with the Parliamentary Public Outreach Expert, namely in assuming the following responsibilities:

A. Parliamentary Legislative Capacity-Building Responsibilities
- Provide bill drafting/amendment and legal analytical and research expertise to the National Parliament, with primary assignment to assist Committee A and C on the discussion and approval of all draft bills and policies related with the decentralization;
- Provide legal advice and assistance to standing committees other than committee of primary assignment, as work schedule permits and in collaboration with that committee’s specialist international Adviser;
- Provide legal analytical and research expertise to the Committee C during the discussion and debate of the local finance law;
- Assist Committee A with the preparation and implementation of committee annual work plans;
- Conduct legislative research for Committee A and C when related to the Local Finance Law, individual members of Parliament, as required.
- Advise Committee President and members of Parliament on the management of committee workloads and revise committee systems and procedures as required.
- Provide legal advice and consultation to other project staff as requested.
- Assist in skills development training of the staff of the Secretariat’s Committee in bill drafting, legal analysis and committee record-keeping, filing and archiving.
- Participate in negotiations, as requested by Parliament Project management, as a trainer concerning the possibility of offering tailored training courses to Members of Parliament and staff in the techniques of legal drafting and legal analysis.
- Prepare, in collaboration with the other committee Advisers, committee, legal drafting and procedures manuals as necessary.
- Continually work to strengthen the institutional capacity of the Parliament by focusing on fostering a culture of transparency and on the transfer of technical knowledge and skills to national parliamentary staff through mentoring and coaching.

B. Parliamentary Oversight Responsibilities
- Provide program implementation oversight expertise to the National Parliament and in particular to the Committee A, in conjunction with the budget experts;
- Provide technical Advisory services to Committee A in conducting oversight of government ministries and programs within its jurisdictional areas;
- Provide assistance and guidance in the development of standards and mechanisms to enable the Parliament and in particular Committee A to measure policy performance against national goals and the Sustainable Development Goals;
- Provide support for the development of mechanisms and processes to hold public hearings and secure public input from the Timorese citizens in the work of committees;
- Assist Members of Parliament, committees and Secretariat staff in the understanding and effective utilization of the various oversight tools and mechanisms available to the Parliament;

C. Ensuring gender and vulnerability mainstreaming within the project
- Ensure that gender is effectively mainstreamed throughout the activities of the projects, work plans, budgets, reports, researches and, where specifically relevant, analyzed in detail;
- Ensure that gender equality and needs of vulnerable groups are mainstreamed throughout team, consultant and staff management activities.

D. Supervision and reporting
- Responsible for producing quarterly activity reports, providing information on the overall planned activities;
- Available to participate in the activities of the Parliamentary Training Center;
- Liaise regularly with the CTA to discuss project progress and provide advice on challenges and further strategies;
- Capture lessons learnt during project implementation – a lessons learnt log can be used in this regard;
- Ensure full compliance of UNDP rules and regulations.
- S/he shall work in close co-ordination and collaboration with Parliamentary Human Resources department;
- All activities shall be closely coordinated with other parliament advisers.

D. Expected Outputs, Deliverables and Payment Schedule

<table>
<thead>
<tr>
<th>Deliverables/Outputs</th>
<th>Target Due Dates</th>
<th>Review and Approvals Required</th>
<th>Percentage of contract price paid on delivery</th>
</tr>
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<tbody>
<tr>
<td>Deliverable no. 1</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Submission and approval of workplan for the support to Committee A and C on the discussion and debate of the decentralization legislative package</td>
<td>30 September 2020</td>
<td>UNDP Parliament Project CTA</td>
<td>20%</td>
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<tr>
<td>Deliverable no. 2</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>- Submission and approval of a detailed legal</td>
<td>30 November 2020</td>
<td>UNDP Parliament Project CTA</td>
<td>30%</td>
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</tbody>
</table>
### Deliverable no. 3
- Submission and approval of a booklet and power point presentations to facilitate the discussion and debate of the decentralization legislative package  
  - **Date:** 30 January 2021  
  - **Client:** UNDP Parliament Project CTA  
  - **Percentage:** 30%

### Deliverable no. 4
- Submission and approval of a draft book describing the legislative process taken during the discussion and debate (Committee and Plenary) on the decentralization legislative package. Alternatively, and in case the discussion of the decentralization legislative package is not finished, a report should be submitted and approved describing in detail the process up to the moment the contract finishes.  
  - **Date:** 28 February 2021  
  - **Client:** UNDP Parliament Project CTA  
  - **Percentage:** 20%

### E. Institutional Arrangement
The Legal Adviser is expected to work under the supervision of the CTA and in close connection with the Parliamentary Public Outreach Expert and National Parliament of Timor-Leste.

### F. Duration of the Work
The assignment will be for a period of 6th Month, starting on September 1st, 2020, until February 28th, 2021.

### G. Duty Station
Dili, Timor-Leste

### H. Qualifications of the Successful Individual Contractor

<table>
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<th>Recruitment Qualifications</th>
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<tbody>
<tr>
<td><strong>Education</strong></td>
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<tr>
<td>✓ Bachelor or master's degree in Law and qualification in, or/and experience of working in a municipality or regional government desirable.</td>
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<tr>
<td>✓ Background in Civil Law highly desirable</td>
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</tbody>
</table>

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1. The IC modality is expected to be used only for short-term consultancy engagements. If the duration of the IC for the same TOR exceeds twelve (12) months, the duration must be justified and be subjected to the approval of the Director of the Regional Bureau or a different contract modality must be considered. This policy applies regardless of the delegated procurement authority of the Head of the Business Unit.
| Experience | ✓ Minimum ten (10) years of professional of relevant experience or other relevant activities which demonstrate a deep understanding of the nature of parliamentary legislative and oversight responsibilities;  
✓ Substantial work experience in a government context essential;  
✓ Work experience in Timor-Leste in a government institution is an asset;  
✓ Work experience and a municipality or/and regional government is highly desirable;  
✓ Experience of working in developing and post-conflict country environment and rural areas is highly desirable;  
✓ Excellent drafting and communication skills; good editorial capacity;  
✓ Experience in staff development preferably in a developing country environment a plus;  
✓ Ability to work under pressure in a multicultural and complex environment; |
| Language requirements | ✓ Excellent command of written and spoken Portuguese  
✓ Knowledge of English;  
✓ Preparedness to learn Tetum is essential. |

I. **Scope of Price Proposal and Schedule of Payments**
   The proposal shall consist of a Lump Sum Amount cost for each deliverable.

J. **Presentation of Offer**
   – Duly accomplished Letter of Confirmation of Interest and Availability  
   – P11 Form, indicating all past experience from similar projects;  
   – Financial Proposal that indicates the all-inclusive fixed total contract price, supported by breakdown of costs, as per template provided.

**RECOMMENDED PRESENTATION OF OFFER**

- Duly drafted Letter of Confirmation of Interest and Availability, and Submission of Financial Proposal, in the template provided by UNDP;  
- Personal CV and P11 Form, indicating all experience from similar projects, as well as the contact details (email and telephone number) of the candidate and at least three (3) professional references;  
- Brief description of why the individual considers him/herself as the most suitable for the assignment.  
- Financial Proposal that indicates the all-inclusive fixed total contract price, supported by a breakdown of costs, as per template provided.

**CRITERIA FOR SELECTION OF THE BEST OFFER**

Combined scoring method – where the qualifications and methodology will be weighted a max. of 70%, and financial offer will be weighted to a max of 30%.  
Note: Only candidates obtaining a minimum 49 points of the technical criteria will be considered for the financial evaluation.
<table>
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<th>Maximum obtainable points</th>
<th>Weight Percentage</th>
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<td><strong>Years of Experience and Knowledge of Sector:</strong></td>
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<td>✓ Minimum ten (10) years of professional of relevant experience or other relevant activities which demonstrate a deep understanding of the nature of parliamentary legislative and oversight responsibilities</td>
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<tr>
<td><strong>Total technical score</strong></td>
<td>70</td>
<td>70%</td>
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<tr>
<td><strong>Financial:</strong></td>
<td>30</td>
<td>30%</td>
</tr>
<tr>
<td><strong>Final Score</strong></td>
<td>100</td>
<td>100%</td>
</tr>
</tbody>
</table>

M. Approval

This TOR is Review by:

Decentralisation Project Manager
Signature

Name and Designation  Bernardino Da Costa Pereira, National Project Manager

Date of Signing  03-09-2020

Head of Democratic Governance Unit

Signature

Name and Designation  Youngchan Kim, DGU Analyst

Date of Signing  03-Sep-2020