



European Union High Level Policy Advice Mission to the Republic of Moldova

Terms of Reference for the Mission Adviser

Background

The EU High Level Policy Advisory Mission (EU HLPAM) is a project financed by the European Union and implemented by the UNDP. The objective of the project is to support the Government to implement its EU-integration related reform Agenda and in particular to assist the government in developing the capacities required for the implementation of the Association Agreement, including the Deep and Comprehensive Free Trade Area, as well as the Visa Liberalisation Action Plan. Specifically, the project aims at strengthening the policy-making, strategic planning and policy management capacities of selected line Ministries and State Agencies involved in the implementation of the Association Agreement and Visa Liberalization and at enhancing stakeholders' knowledge and awareness of EU policies, legislation and regulations in sectors strategic to the implementation of the Association Agreement including the implementation of visa liberalization.

The project is seeking to engage the services of an EU High Level Policy Adviser for the Ministry of Justice.

Position Title: Adviser to the Ministry of Justice of Republic of Moldova

Duty Station: Chisinau, Republic of Moldova

Type of Contract: Individual Contract (International Consultancy)

Duration of the Contract: 20 March 2014 – 30 June 2015

Reporting to: Principal beneficiary with a reporting line to the EU Delegation to Moldova and UNDP

Description of Responsibilities:

The Adviser will provide consultancy and assistance to the Ministry of Justice, in particular to the Minister of Justice in the area of justice sector reform implementation, other justice public policies. Additionally, he/she will provide relevant support in drafting and promotion of pertinent regulations that would ensure a comprehensive and challenging implementation of Moldova - EU Association Agenda in respect to the justice chapter. The adviser will also assist the Ministry of Justice in improvement and strengthening its institutional coordination capacities in the reform process, due to the fact that Ministry of justice is the leading





European Union High Level Policy Advice Mission to the Republic of Moldova

institution in promoting the justice sector reform and responsible for completing the conditionalities based on EU Moldova Budgetary Support Financing Agreement.

The Adviser will report primarily to the Minister of Justice with a reporting line to the EU Delegation to Moldova, UNDP Moldova and the project manager. The Advisor will work closely with the other members of the team of EUHLPAM Advisors.

Key Responsibilities:

- Raise stakeholders' awareness of the policy implications of the Government's reform agenda and the AA negotiation and implementation processes especially in justice sector;
- Acquaint the national authorities with different policy options in justice area;
- Provide the beneficiaries with examples of EU best practices in providing/implementing comprehensive justice sector reform in particular areas such as: anticorruption measures, disciplinary tools and mechanism to be applied to justice sector actor in order to strengthen their responsibility, dispute resolution mechanisms, constitutional reform, antidiscrimination policies, etc;
- Assist in the identification of policy and legislative priorities in justice sector in line with Moldova's international commitments;
- Assist the national authorities during the policy consultation and implementation processes;
- Strengthen the institutional capacities of the beneficiary institution to design, manage, implement and monitor justice sector policies;
- Support the beneficiary to design and apply risk management principles and tools;
- Advise on the development of formal mechanisms to ensure that feedback from policy implementation is duly taken into consideration during the design phase of future policies;
- Support the national authorities to network with EU institutions through the EU Delegation to Moldova;
- Provide sectorial advice and report to the EU Delegation whenever requested in justice reform;
- Assist the beneficiary to prepare an exit strategy on how the advice will be mainstreamed and consolidated once this phase has elapsed;





European Union High Level Policy Advice Mission to the Republic of Moldova

- Respect and promote EU visibility in accordance with EU visibility and communication manual at all times.

The above responsibilities will be carried out through but not limited to: development of strategy documents, policy papers, advisory notes, methodologies, draft fiches and other relevant documentation as well as provision of technical on-the-job advice, support to networking to the institutions responsible for Government policies in justice sector.

Deliverables, activities, and milestones shall follow this tentative schedule:

Deliverables	Indicative timeframe
1. Inception phase: draft and submit the individual Action Plan for approval.	April 2014
2. Proposal for exit strategy.	April 2014
3. Planning and implementation of sectorial components on justice sector from Moldova's Association Agenda.	April 2014- onward
4. Provide assistance in the development, coordination and promotion the Constitutional reform according to the Justice Sector Reform Strategy 2011-2016.	April 2014- onward
5. Provide assistance in the development, coordination and promotion of the Constitutional Court reform according to the Justice Sector Reform Strategy 2011-2016	April 2014- onward
6. Comprehensive assessment delivered on the disciplinary mechanism and procedures to be improved in the regard to the representatives of legal professions (judges, prosecutors, lawyers, bankruptcy administrators, bailiffs, etc.).	June 2014
7. Amendments to national legal framework to improve disciplinary procedures for the representatives of legal professions (judges,	August 2014





European Union High Level Policy Advice Mission to the Republic of Moldova

prosecutors, lawyers, bankruptcy administrators, bailiffs, etc.) provided.	
8. Assessment of procedural codes (Civil Procedure Code and Criminal Procedure Code) to identify the most risky provisions which could determine a corrupt behaviour of judges and formulate concrete recommendations to improve the legal framework.	October 2014
9. Assist the Ministry of Justice in drafting the concept of civil confiscation and promote it in line with European and international standards.	November 2014
10. Assist the Mediation Council (subordinated to the MoJ) to improve the national legislation and the policies to promote judiciary and extra-judiciary mediation.	November 2014 - onward
11. Assist the Ministry of Justice in a good implementation and coordination of actions provided by the Policy Matrix (Budgetary Support Financing Agreement) including organising Steering Committee' meetings.	April 2014- onward
12. Assist the Anti-discrimination Council to ensure an efficient implementation of the Road Map on implementation of the Law on ensuring quality.	April 2014- onward
13. Other relevant tasks according to beneficiary priorities and objectives.	April 2014- onward
14. Submission of progress activity reports	Monthly
Final report	End of assignment

The advisor is required to have a substantial minimum presence in Moldova according to the budget available and operate according to the Mission's Code of Conduct, which constitutes an



European Union



United Nations Development Programme
is the implementing partner



European Union High Level Policy Advice Mission to the Republic of Moldova

integral part of the contract, and a prioritised work plan. The work plan will be agreed with their counterparts, the EU Delegation to Moldova, the State Chancellery, UNDP and the project manager.

Qualifications and skills:

- A PhD in law or similar or equivalent of professional experience relevant to the assignment/ a Masters' Degree in law combined with 10 years of professional experience in the same area or a bachelor degree combined with 15 year of professional experience in the same area.
- Excellent communication skills.
- Proven report writing skills.
- Computer literacy.
- Fluency in written and spoken English.
- A working knowledge of the Romanian or the Russian language would be an advantage.

General professional experience:

- Preferably 15 years of professional experience

Specific professional experience:

- At least 10 years of professional experience linked to the provision of high level policy advice in justice sector area.
- At least 10 years proven work experience in justice area in EU Member States, current or former EU Candidate States/EaP countries.
- A comprehensive knowledge of EU external assistance programmes and policies targeted at EaP countries.
- Professional experience in constitutional law would be an advantage.
- A comprehensive knowledge of the EU *acquis* and policies in justice sector.
- Previous work experience in Republic of Moldova would be an advantage.
- Academic experience would be an advantage.

