SUPPORT TO EFFICIENT PREVENTION AND FIGHT AGAINST CORRUPTION

EU funded Project Europe Aid / 138640/DH/SER/MD

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TERMS OF REFERENCE:

JUNIOR NON-KEY EXPERT
LAW-MAKING OFFICER

Two positions

Component 1: activity 1.3: assistance to the Ministry of Justice on legislative/regulatory initiatives strengthening the justice sector improving efficiency, credibility and trust in the judicial institutions.

General Background:

Moldova adopted an ambitious Justice Sector Reform Strategy (JSRS) for 2011-2016 (extended to 2017). The Strategy seeks to modernize and upgrade seven pillars: justice system; criminal justice; access to justice and enforcement of court decisions; integrity of justice sector actors; role of justice in economic development; respect for human rights in the justice sector; and a well-coordinated, well-managed and accountable justice sector. Nevertheless, its implementation was impeded by challenges such as insufficient high-level commitment to actual actions, low technical capacity and poor donor coordination. In 2017, the MOJ, with contributions from justice sector stakeholders, began to design the next Justice Sector Reform Strategy for 2018-2021, but the announcement of elections to be held in early 2019 has put this work on hold. Finally, it was decided to develop only a “small-scale justice reform” document, taking into consideration that the legislators had only one year of mandate left and that the new Parliament would assume the implementation of the JSDS for
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2019-2020 following the parliamentary elections set for the spring 2019. Among the objectives of the Strategy, the JSDS aimed to consolidate and continue the reforms implemented during 2011-2017, to build a modern justice sector, including a new legal and institutional framework and increasing efficiency, quality and access to justice, in particular in strengthening justice actors’ independence, self-governance and responsibility. The government following the elections of May 2019 has engaged an important reform package in the Justice Sector which leads the Ministry of Justice to set up a dense and deep legislative work, notably to implement a legislation to prevent and combat corruption

**Specific objectives of the mission of the expert.**

The "Law-making Officer" is expected to support the Ministry of Justice on a broad range of issues, including but not limited to providing legal advice that comprises all the aspects of the analysis, investigation and drafting law and by-law process. He/she is responsible for providing support in discrete legal issues by advising the Ministry’s Departments, drafting laws and by-laws for the relevant issues. Some of the responsibilities that need to be handled by him/her:

1- Conduct legal analysis and research on legal matters related to the drafting-law plan elaborated by the Ministry of Justice

2- Provide advice on different legal issues and assist in drafting legal opinions, memoranda and other legal documents upon requests of the Ministry of Justice

3- Be actively involved in preparing different acts, legal submissions and draft laws and by-laws

4- Conduct legal research by utilising various resources and selecting the relevant material to analyse the legal information
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5- Assist in reviewing the legal material and any other relevant documents and to identify the most important issues that need to be sorted out on a priority basis.

Scope of the assignment:

The work of the JNKE will be supervised by the Project Team Leader in close relation with Mrs. Veronica Mihailov-Moraru, State Secretary. For his/her substantial work, he/she will liaise with the Ministry of Justice who will provide guidelines and directions, and who will brief him/her at the beginning of his/her mission.

The expert will deliver a report with his/her assessment of the mission at the end.

Duration-Timing-Location.

The table below represents an indicative timetable

<table>
<thead>
<tr>
<th>Location</th>
<th>Tasks</th>
<th>WD</th>
<th>Month</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chisinau</td>
<td>1</td>
<td>80</td>
<td>Starting from October 2019</td>
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</tbody>
</table>

- The mission should start not earlier than 14/10/2019 and should be completed at the expiration of the 80 working days.
- The expert will provide at the end of each month a timesheet listing person-days undertaken by him/her in accordance with the template provided by the Project

QUALIFICATION REQUIRED

* JUNIOR NON-KEY EXPERT *
- Master’s degree in law with experience in the Justice sector and a proven experience in legislative support, legal research and/or justice policy implementation.

- Excellent written and spoken Romanian; knowledge of English, Russian and French is an asset.