



UNITED NATIONS DEVELOPMENT PROGRAMME JOB DESCRIPTION

I. Position Information

Job Title:	Legal Consultant (2 positions)
Contract Type:	IC/National
Reports to:	Chief Technical Advisor/Programme Manager
Duty Station:	Monrovia, Liberia
Duration of Contract:	4 Months
Contract start date:	Oct. 15

II. Organisational Context

UNDP is committed to long-term, sustainable support to democratic governance, including support to key democratic institutions and processes. In line with its Governance Portfolio and Sustainable Development Goal 16 – Peace, Justice, and Strong Institutions, UNDP supports the National Elections Commission (NEC) in the implementation of its constitutional mandate to plan, manage and organize elections in compliance with the national legal framework, international standards, and best practices.

As NEC prepares for the Special Senatorial Elections and Constitutional Referendum on December 8, 2020, critical challenges need to be overcome to ensure that the elections are credible, transparent, inclusive, and peaceful. NEC's legal capacity and capacity of its relevant sections and departments have improved during the past processes, including through the UNDP and other partners' support and training. Nevertheless, full capacity yet remains to be built. As such, NEC continues facing challenges in dealing with legal matters that arise from the electoral process.

A key recommendation from the 2017 elections observers' reports called for strengthening the capacity of the legal and hearing sections to avoid legal lapses and irregularities observed during the 2017 elections. These recommendations also mirror in the NEC 2018 – 2024 Strategic Plan that commits to legal offices' long-term capacity development. Therefore, UNDP is seeking two national Legal Specialists (Consultants) to support the legal and hearing teams of NEC during the electoral process. Under the lead of the International Legal/EDR Specialist, the Consultant will also help NEC design and implement electoral disputes resolution (EDR) training for NEC Magistrates, hearing officers, lawyers, political parties and relevant electoral stakeholders and draw lessons learnt from the 2020 elections.

III. Scope of Work/Duties and Responsibilities

Under the direct supervision of the International Legal/EDR Consultant, overall supervision of the UNDP Chief Technical Adviser for the Elections Project, and in

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close collaboration with the NEC / Hearing and legal Sections, the National Legal Advisor(s) shall perform the following:

- Assist in revising, and where required (re)drafting regulations, guidelines, and other legal documents;
- Assist with reviewing, and where needed (re)drafting or developing the relevant training materials, modules, and information on Electoral Disputes for NEC staff and electoral stakeholders;
- Support preparation and holding of a comprehensive practical refresher training for Hearing Officers and lawyers to ensure enhanced capacity in the effective administration of election complaints cases and to avoid such matters becoming unduly burdened and delayed with unnecessary legal formalities;
- Support the design and conducting workshops for political parties' and civil society monitoring and observing elections, on EDR;
- Advise on legal matters and election related complaints;
- Build capacity of NEC Magisterial Offices in the matter of complaints and legal tracking system (cascade training, Training of Trainers, on-the-job training);
- Draw lessons learned and identify legal reform areas, formulating these into a detailed legal analysis identifying international and regional standards, outlining reasons for reform proposal, and options for new or revised legislative or regulatory provision.
- Review observer recommendations and provide support in converting them into legal amendments;
- Alert NEC and UNDP of any possible legal and complaints issues resulting from the electoral process;
- Prepare Legal memorandum on legal issue before the NEC;
- Support NEC in preparing cases and legal representation in election matters on appeal before the Supreme Court of Liberia;
- Assist the NEC to interpret, review and act on all challenges and appeals in front of the Supreme Court of Liberia; prepare organize and submit case files to the Supreme Court;
- Perform other related duties as directed by the CTA, International Legal/EDR Consultant, and NEC.

IV. Deliverables

Deliverable	Due date	Payment
All regulatory provisions related to elections are reviewed against regional and international standards, and where needed revised and updated. Election magistrate training manual and procedures are reviewed and recommendations drafted.	15 December	30%
Training for magistrates, lawyers, and hearing officers on EDR for 2020 elections conducted. Workshop for political parties and civil society		

conducted.		
Complaints are resolved in a timely manner and in line with the national law and international standards and best practices. Legal memorandums prepared for cases in front of NEC during the electoral process. Case briefs submitted to the Supreme Court by NEC. Analysis and summaries prepared on complaints received by NEC.	15 January	35%
Lessons learnt are drawn from the process; input provided into the NEC lessons learnt workshop. Input provided into the compendium of legal and regulatory recommendations by electoral observers and stakeholders, Compilation of recommendations provided to the NEC on inconsistencies observed in the hearing procedures and regulations. Evaluation of capacity-needs of the magistrates and electoral stakeholders in the counties conducted. Compendium of Supreme Court Cases updated and ready for publication.	15 February	35%

Payments are subject to submission of regular reports by the Consultant, duly approved and certified by the UNDP Chief Technical Adviser for the Election Project and UNDP Project Management and Support Unit.

V. Impact of Results

The consultancy is designed to mitigate legal challenges during the 2020 elections and build the NEC's long-term sustainable capacity, notably its legal and hearing offices and electoral stakeholders. It is expected to also mitigate electoral violence through the promotion of legal ways to resolve electoral disputes. These short-term consultancies aim to contribute to the Liberia Electoral Support Project's key outcome, which will further develop its interventions based on the capacity-building strategy and action plan to be presented by the consultant.

VI. Recruitment Qualifications

Education:

Advanced Degree in Law

Required skills and experience:

A minimum of five (5) years of experience practicing law in Liberia

The successful applicant must be a member of the Supreme Court Bar of Liberia (Counselor -at- Law) and license to practice law in Liberia

Experience in drafting legal opinions and briefs for the Supreme Court is required

Experience in drafting or reviewing laws and regulations and specific experience in EDR is an asset

United Nations experience or positions in similar international organisation is an asset

Competencies:



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- Strong organizational, analytical and writing skills;
- Ability to work strategically to realize organizational goal;
- Result oriented, strong team player with good interpersonal and organizational skills;
- Ability to work independently and under pressure and to meet deadlines;
- Ability to handle multiple tasks without compromising the quality of work.

This TOR is prepared by:
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07-10-2020

Anthony K. Sengbe
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Elections

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10/10/2020
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This TOR is cleared by:
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James Monibah
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Signature: Violet Baffour

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