



Somali Federal Republic
House of the People
Office of the Speaker

Ref: ____/____/____

Date: 06/10/2019

**Terms of Reference (ToR) of Legal Expert for Parliamentary
Human Rights Committee**

| 1. General Information | |
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| Consultancy title: | Legal Expert |
| Institution: | House of the People, Somali Federal Parliament |
| Duration of assignment: | 2 months |
| Duty Station: | Mogadishu, Somalia |
| Job Category: | Individual Contract |
| Opening application Date: | 06/10/2019 |
| Closing application Date: | 12/10/ 2019 |
| Application submission process: | Interested candidates should submit their CV along with their application letter via e-mail to info@parliament.gov.so , abdikarimbuh@parliament.gov.so and copying mohamed.hadi@undp.org no later than 12/10/2019 . Only shortlisted candidates will be contacted for an interview |

1. Background information of the Joint Programme on Human Rights

The Joint Programme on Human Rights (the Joint Programme) aims to entrench human rights, including the rights of women and children, in national processes, especially the National Development Plan (NDP) and the Comprehensive Approach to Security (CAS), through enhanced capacity and delivery of Somalia's key ministries, institutions, and mechanisms on human rights protection and accountability, and enable Somali civil society and communities to understand and appreciate human rights-based security and justice institutions, use them, monitor them, and hold them accountable through well-functioning civil society networks. The focus on women as active partners in human rights, security, and protection will enhance Somalia's delivery on Women Peace and Security commitments under SCR 1325.

The Joint Programme on Human Rights will also focus on the main priorities and commitments under the Universal Periodic Review and the Human Rights Roadmap which have been considered in the NDP. The activities to establish and strengthen institutions that protect and promote human rights as well as the oversight and monitoring enable them deliver effectively in their roles towards the defence of the rights of citizens, particularly women and Children. An enhanced role of these institutions will contribute in strengthening the compliance of human rights and the rule of law in the country, which has suffered as a result of more than two decades conflict. The Joint Programme facilitates a dedicated intervention on major areas that have direct relevance to the conflict, including the creation of awareness and training for security, justice and legislative

institutions and the establishment of the Human Rights Commission and the relevant Committees of Parliament. Interventions to strengthen the civil society organisations will facilitate monitoring and oversight both at the grassroot and national level. Overall, the programme will further the implementation of the national and international human rights commitments which Somalia has pledged to implement.

The support to the Human Rights Committee is an essential component of the Joint Programme on Human Rights under Activity Result 1.2: Federal and State Parliamentary Committees are able to ensure that legislation complies with international and domestic human rights standards and are able to effectively hold the executive to account on its human rights commitments especially for women and children:

2. Description of the position

With the support from UN Joint Programme on Human Rights, the House of the People of the Federal Parliament seeks to hire legal expert to support the Parliamentary Human Rights Committee in building its capacity and assisting them to review and formulate systems and mechanisms to examine bills, legislations, government policies to ensure their compliance or alignment with human rights standards. The expert will provide training and guidance on how to scrutinize and determine whether the country's bills and laws are compatible with human rights provisions enshrined within the Provisional constitution and the international human rights obligations of the Federal Republic of Somalia.

The expert will assist the Committee to review priority draft bills for Sexual Offence Bill, FGM bill, Penal Code, Citizenship Act and other draft bills requested by the committee and the House of the People. The expert will also help the committee to explore opportunities to improve human rights in the country through legislative oversight on human rights issues. The duration of the post will be 2 months but may be renewed subject to the performance and availability of funds. The consultant will be reporting to the House of People and in close coordination with UN and Ministry of Women and Human Rights Development.

Objectives of Assignment:

The overall objective of the assignment is to provide legal advice to the Human Rights Committee and technical support through desk review of the bills, research and preparing and policy advisory papers and facilitate trainings to the committee staff. The expert will ensure that the functions outlined below, and the scope of work is satisfactorily carried out.

Functions/Scope of work will include:

- Provide legal advice to the Human Rights Committee and the leadership of the House of the People
- Provide capacity building training and guidance to the Human Rights and other relevant Committees
- Working with and support the Human Rights Committee throughout the legislative process to ensure effective Committee functions including Committee meetings and public hearings on draft legislations, as well as effective consultations with the Executive and civil society

- Support the Committee on oversight of matters pertaining to human rights in the country and assist them to set up scrutiny mechanisms including the measures to ascertain constitutionality of proposed legislations and the extent in which these legislations enhance human rights in the country.
- Support the Committee on Conduct focused research, policy review on the bills and help prepare comparative analysis and reports for the Committee in line with International Human Rights, Sharia and the Constitution
- Work with the Committee with reviewing and passing priority laws including Sexual Offence Bill, FGM bill, Penal Code and Citizenship Act in line with International Human Rights practices
- Support the Committee with advice on different legal issues and assist them in drafting legislation, parliamentary resolutions and other legal documents relating to human rights
- Carry out desk review of the new bills as well as existing laws and recommending any amendments in line with human rights standards.
- Provide monthly and quarterly reports on all Committee sessions and undertakings.
- Support the Committee on translation of draft bills, resolutions and other documents as required
- Participate and co-facilitate trainings and workshops with international experts and UNDP
- Submit a written monthly report on deliverables including updates on the agenda and programs of the Human Rights Committee

Expected Outputs and Deliverables

Below is the expected deliverables/outputs for the legal experts to the Human Rights Committee for a period of two months from 01 November – 30 December 2019.

| Deliverables/ Outputs | Target Due Dates | Deliverables verification |
|--|-------------------------|--|
| Action plan with detailed timetable on the technical expert assistance to the Human Rights Committee | Oct – Dec 2019 | Secretary General of the House of the People (HOP) |
| Capacity Building training for the Human Rights Committee Support given to Committee to review their roles and responsibilities Technical assistance given to the Committee to formulate policies and procedures (standards, guiding principles, compliance with the parliamentary procedures, decision making processes, transparency and accountability) Expertise shared with the Committee to set up scrutiny mechanisms (Committee meetings and hearings on Human rights, Human rights | Oct – Dec 2019 | Secretary General of the House of the People (HOP) |

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| compatibility tests for draft and existing laws, draft legislation review processes, organizing expert opinion and public consultations) | | |
| Desk review and amendment of bills conducted Focused legal research, analysis of legislations conducted, and reports prepared | Oct – Dec 2019 | Secretary General of the House of the People (HOP) |
| Committee supported on legal issues and assisted on the review of bills and drafting of parliamentary resolution Support the Committee on translation of documents in both languages English/Somali as required | Oct – Dec 2019 | Secretary General of the House of the People (HOP) |
| Committee staff trained to undertake research, policy reviews and preparing briefing papers on Human rights | Oct – Dec 2019 | Secretary General of the House of the People (HOP) |
| Legal opinion given to the Committee on matters pertaining to Human rights and reports prepared | Oct – Dec 2019 | Secretary General of the House of the People (HOP) |
| Committee supported on consultations with relevant stakeholders on draft bills and report prepared | Oct – Dec 2019 | Secretary General of the House of the People (HOP) |
| Prepare final report at end of consultancy assignment | Dec 2019 | Secretary General of the House of the People (HOP) |

Reports to be provided:

- Monthly narrative report for completed activities and deliverables with documents developed, training and workshop reports.
- Final report.

Institutional Arrangement

The legal expert shall work under the direct supervision of Committee Chairperson and Secretary General of the House of the People. Achievement of deliverables will be approved by the Chairperson of Human Rights Committee. Payment will be made upon certification of both the Chairperson and Secretary General of the House of time sheets for actual dates of work and expert performance in accordance with activities and deliverables as reported in the activity report.

Duration of the Work

The contract is for 2 months starting from Nov – 30 Dec 2019.

Duty Station

Duty station of the legal expert will be at the Office of the Human Right Committee at Villa Hargeisa in Mogadishu.

Qualifications and Experience.

- University degree in Law (LL. B), Master's degree in Law (LL.M.) with at least five years of experience, preferably with legislative bodies and very good understanding of functions and procedures of legislatures.
- Experience in legislative reviews and drafting legislations.
- Familiarity with laws of Somalia and its Provisional Constitutions.
Knowledge and experience on Human rights laws
- Experience in post-conflict settings highly preferred.
- Displays cultural, gender, religion, race, nationality and age sensitivity and adaptability
- Proficiency in Somali and fluent in writing and spoken English

Core competencies:

- Strong knowledge of the field of expertise with good analytical skills and ability to solve problems
- Ability to plan work and manage conflicting priorities
- Have good communication skills, including the ability to liaise with technical staff and present information
- Good interpersonal skills and ability to establish and maintain effective partnership and working relationships with relevant government institutions

Gender mainstreaming

The House of the People is an equal opportunity employer. Qualified women are strongly encouraged to apply.

Other information

The legal expert will need to bring her/his own laptop.