Local Legal Consultant on Freedom of Association

Terms of Reference

Transparency Maldives (TM), supported by the International Foundation for Electoral System (IFES), is seeking individuals/parties for technical assistance to lead its Association Act work under its Civic Participation Project (CPP).

I. Organizational Background

Transparency Maldives is a non-partisan organization that endeavors to be a constructive force in society by promoting collaboration and discussion on corruption, transparency and accountability. Our organization seeks to engage with stakeholders from all sectors (government, business, politics and civil society, among others) to raise awareness of corruption’s detrimental effects on development and society, improve transparency and accountability in governance, and to eliminate corruption from the daily lives of people. Transparency Maldives received formal government registration in 2007, and is the National Contact of Transparency International (TI) in the Maldives.

II. Project Summary

The objective of the CPP project is to increase political and civic participation, promote the democratic transition through improved transparency and good governance in the Maldives, and support the consolidation of democratic practices and norms in Maldives through national and local civil society organizations.

The project strategy is to focus on building knowledge and capacity in civil society organizations and Community Based Organizations (CBOs) among a wide variety of stakeholders, and to improve the governance, transparency and functioning of CBOs by addressing the systemic issues in the Associations Act and its regulatory framework.

III. Position Summary

Transparency Maldives is seeking a legal consultant to draft a revised Associations Act of the Maldives. The consultant will review the existing Associations Act 2003 and 2013 draft Law on Associations, draft a position paper, conduct stakeholder consultation meetings, meet with the media, work alongside the international experts in the conduct and facilitation of the multi-stakeholder symposium, conduct advocacy meetings with the Attorney General (AG) and members of Parliament, along with the international experts, and draft a revised Associations Act.

At the symposium, legal consultant will be working with international experts who will bring in their expertise from one of the following key areas of focus: (1) significance of freedom of association as a basic human right, (2) international best practices for an associations act with recommendations for reform of the 2003 Associations Act of the Maldives, and (3) the importance of good governance in the civil society sector.

The consultant will be based in Malé.

IV. Description of Work Responsibilities

The Association Act expert will be responsible for:

1. Reviewing the existing Associations Act 2003 and 2013 draft Law on Associations
2. Producing a position paper for TM addressing the challenges and gaps of the 2003 Associations Act and its regulatory framework, with international best practices and recommendations
3. Conducting stakeholder meetings to identify challenges to the Civil Society under the existing Associations Act 2003 and its regulatory framework
4. Working alongside the three (3) international experts, conduct and facilitate a Symposium on the Associations Act
   - Significance of Freedom of Association as a basic human right
   - Associations Act: International best practices with recommendations for reform of the 2003 Associations Act of Maldives
   - Importance of good governance in the civil society sector
5. Conducting advocacy work including meetings with the Attorney General (AG) and members of parliament, alongside the international experts
6. Drafting a revised Associations Act in line with international best practices
V. Expected Outputs and Timeline

<table>
<thead>
<tr>
<th>Deliverables/Outputs</th>
<th>Deadline</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. A position paper on the existing Associations Act 2003 and 2013 draft Law</td>
<td>Tuesday, 29th May 2014</td>
</tr>
<tr>
<td>on Associations, addressing the gaps and challenges, identifying international</td>
<td></td>
</tr>
<tr>
<td>best practices and recommendations for reform</td>
<td></td>
</tr>
<tr>
<td>2. Conduct stakeholder meetings to identify challenges to the Civil Society of the</td>
<td>Thursday, 5th June 2014</td>
</tr>
<tr>
<td>existing 2003 Associations Act and its regulatory framework</td>
<td></td>
</tr>
<tr>
<td>3. Conduct and facilitate a multi-stakeholder symposium</td>
<td>Tuesday, 10th June 2014</td>
</tr>
<tr>
<td>4. Conduct advocacy meetings with Attorney General (AG) and members of Parliament</td>
<td>Wednesday, 11th June 2014</td>
</tr>
<tr>
<td>5. First draft of the revised Associations Act</td>
<td>Thursday, 31st July 2014</td>
</tr>
<tr>
<td>6. Final draft of the revised Associations Act</td>
<td>Sunday, 24th August 2014</td>
</tr>
</tbody>
</table>

VI. Duration of the Assignment

The legal consultant is expected to start the assignment on 20th of May 2014 and deliver the final deliverable (the final draft of the Associations Act) by 24th August 2014.

VII. Reporting Procedure

The local legal consultant will report to the Senior Project Coordinator of the CPP project on administrative and substantive matters. The legal consultant will work closely with CPP project staff. The legal consultant is also expected to work very closely alongside the three (3) international experts throughout the assignment.

VIII. Qualifications and competencies

1. Minimum of a master’s degree or equivalent in law, public policy, politics, human rights, or a social science, or a related field demonstrably relevant to the position; with a minimum of 5 years of working experience.
2. Experience in law review, in line with international best practices
3. Familiarity with development approaches in developing countries.
4. Demonstrate excellent facilitation skills for consultations
5. Ability to work alongside the local consultant, and with multiple stakeholders
6. Excellent English writing and communication skills
7. Excellent analytical skills

Closing date for applications: Saturday, 17th May 2014
Duration of Contract: 20th May 2014 - 31st August 2014
Application and selection procedures: Email a letter stating clearly why you are suitable for the post, recent curriculum vitae and names of two referees addressed to Ms. Mariyam Shiuna, Executive Director to ahmed.mohamed@transparencymaldives.org. Only short-listed candidates will be contacted for interviews. If you are short-listed you will be notified by either phone or email by Monday, 19th May 2014.