

# Terms of Reference

Legal Expert

## 1. INTRODUCTION

MARRI Regional Centre requires the services of an Legal Expert to assist the national authorities of the MARRI Participants to align national legislation and policies for creation of joint interpretation capacities for rare languages, within the Project “Improvement of the Procedures for Establishing Identity of the Irregular Migrants in the MARRI Region”.

### 1.1. Background

Illegal migration is an increasingly prominent security threat in the Western Balkans. The Frontex Annual Risk Analysis for the past years show continuous growing trend of irregular migrants using this region as a transit route towards the European Union member states. The European Commission in the Progress Reports for 2014 for the MARRI Participants points out the need for improvement of the existing resources and establishing effective mechanisms for better management of the rapid grow of the irregular migration flows.

Migration Asylum Refugees Regional Initiative (MARRI) is a regional initiative that offers a comprehensive approach to asylum and migration related issues with a specific focus on the Western Balkan region. Its particular value lies in its regional ownership which allows the Participants to set a flexible agenda that reflects the real concerns and challenges they are facing in practice.

The project “Improvement of the Procedures for Establishing Identity of the Irregular Migrants in the MARRI Region”, implemented by the MARRI Regional Centre and supported by the British Embassy Skopje, aims to develop and adopt a regional legal framework which will be used as a platform for establishing joint database of interpreters for rare languages thus standardise the measures on MARRI Participants level in determining the personal identity of irregular migrants.

The regional legal framework should align the MARRI Participants’ national legislation and policies and should create the foundation for use of joint interpretation capacities for rare languages as well as harmonisation of the procedures for establishing identity of irregular migrants.

Based on this, a database of interpreters for rare languages will be created to be used by national immigration services to effectively respond to the expansion of irregular migrants and speed up the identification process.

Overall, the project intends to reinforce the existing mechanisms that link institutions at the regional level increasing the opportunities to better identify and respond in time to migration management issues.

The following Terms of Reference are designed in the direction to support the achievement of these objectives.

## **2. FRAMEWORK OF THE TASKS**

### **2.1. Purpose of the assignment**

General objective is to support the national authorities of the MARRI Participants to align national legislation and policies for creation of joint interpretation capacities for rare languages.

The overall assignment includes detailed analysis of the national legislation, existing interpretation capacities and procedures for establishing identity of irregular migrants and developing a regional legal framework which creates the foundation for use of joint interpretation capacities for rare languages and harmonisation of the procedures for establishing identity of irregular migrants.

Specific goal of this assignment is to prepare Analysis Paper, Guidelines for establishing identity of irregular migrants, Standard Operating Procedures and document for agreement on cooperation for alignment and use of the database of interpreters of rare languages.

### **2.2. Expected Results and outputs**

The expert is expected to deliver the following:

- 2.2.1. To prepare Analysis Paper on the national legislation, interpretation capacity and existing procedures for establishing identity of irregular migrants of the MARRI Participants;
- 2.2.2. To facilitate workshops with the national authorities of the MARRI Participants in order to develop the regional legal framework;
- 2.2.3. To develop document for agreement of cooperation, which will be signed by the Ministers of Internal Affairs of the MARRI Participants;
- 2.2.4. To prepare Standard Operating Procedures (SOPs) for joint use of the interpretation capacities by MARRI Participants;
- 2.2.5. To develop Guidelines for establishing identity of irregular migrants.

### 2.3. Activities and timeframe

Activity	When	Days	Location	With whom	Submission of outputs
Review of the Assessment Reports on the national legislation, interpretation capacity and existing procedures for establishing identity of irregular migrants of the MARRI Participants and other relevant documents for preparation of the Analysis Paper	August 2015	4	Home-based	MARRI Officials Project Officer	Final analysis Paper mid August 2015
Preparation and delivery of 4 workshops to develop the legal framework for establishing joint database of interpreters for rare languages and harmonise the operating procedures for establishing identity of irregular migrants.	Mid August 2015 – end of January 2016	16	Home-based preparation (8 days)/ Facilitating workshops in the beneficiary country (8 days)	MARRI Officials Project Officer	
Development of document for agreement of cooperation	August/September 2015	2	Home-based	MARRI Officials National authorities of MARRI Participants Project Officer	Final document by end of September 2015
Development of Standard Operating Procedures (SOPs) for joint use of interpretation capacities by MARRI Participants	October 2015 – February 2016	4	Home-based	MARRI Officials Project Officer National authorities of MARRI Participants	Final Standard Operating Procedures by end of February 2016
Development of Guidelines for establishing identity of irregular migrants to be used by national immigration officers	October 2015 - February 2016	4	Home-based	MARRI Officials Project Officer National authorities of MARRI Participants	Final Guidelines by end of February 2016
Overall assignment		30			

The overall assignment should take place in the period from 1 August 2015 – 1 March 2016.

Any changes to the dates and period of availability will be made in consultations with the MARRI RC Director and Project Officer.

### **3. ORGANISATION**

#### **3.1. Implementation of the tasks**

The tasks will be implemented by one expert, in close cooperation with the Director and Officials of the MARRI Regional Centre and the Project Officer throughout the assignment.

#### **3.2. Required expertise and qualifications**

##### General Qualifications

- A post-graduate or equivalent qualification/degree in Law or any other relevant discipline;
- Required knowledge of English language;
- Computer literacy.

##### Professional Experience

- At least 5 years of prior work experience in dealing with legal and immigration issues;
- Proven experience in working on international projects in the area of illegal migration;
- Acquaintance with Regulations, Directives and other EU legislative acts in the area of irregular migration;
- Acquaintance with the internal affairs procedures;
- Relevant regional and international experience will be an added advantage.

##### Skills

- Analytical and data processing skills;
- Strong oral and written communication skills, including presentation skills;
- Ability to meet deadlines and dates and to prioritize multiple tasks;
- Culturally sensitive. Ability to work effectively and harmoniously with colleagues from varied cultures and professional backgrounds.

#### **3.3. Logistics and payments**

##### *3.3.1 Logistics:*

Throughout the expert's assignment MARRI RC and the project will provide the following support:

- Availability of the MARRI Officials and the Project Officer for consultations during the assignment
- Inputs from the MARRI Officials and the Project Officer in preparation of the output documents
- Logistical support in organization and delivery of the workshops by the Project Officer

##### *3.3.2 Payment:*

Payment will be made in two tranches, 30% after the completion of the first output document and 70% after delivery of the other expected outputs. Total fee (output-based) for the overall assignment of the expert is € 4,000. All other costs related to field visits to the beneficiary country, such as travelling expenses, meals and accommodation will be covered by the project.

### **4. TO APPLY**

Interested candidates should e-mail their application letter, CV and references to [info@marri-rc.org.mk](mailto:info@marri-rc.org.mk). Deadline for application is 13 July 2015.

Only shortlisted candidates will be contacted for an interview.

The selected expert will be asked to sign Declaration of Availability for the specified timeframe in this Terms of Reference.