

TERMS OF REFERENCE

Electoral Legal Advisor

Recognizing that the legal framework, institution and processes relating to the election in South Sudan will require strengthening with a view to making these more transparent, participatory and independent, it is appropriate to establish an element of electoral assistance at the earliest stage to support the RoSS and the future National Elections Commission (NEC) in achieving these goals.

Among the more significant:

- Support in structuring the NEC upon its creation through comprehensive internal regulations;
- Support in achieving a complete regulatory and procedural framework encompassing all operation steps of the electoral process as defined in the National Elections Act.
- Support the active engagement of the NEC towards the political parties and the civil society through training sessions, production of information material and participation in public forums. This also includes participation in a transparent public consultation process on the regulatory/procedural framework.

In order to address the above issues, advisory services are required to support the NEC to identify the best legal/procedural solutions, to facilitate the consultation process and to encourage a political consensus over the legal and regulatory and procedural frameworks.

Duties of the Electoral Legal Advisor

1. In close cooperation/consultation with the NEC, support the preparation of initial the internal regulations of the NEC as well as the regulatory framework necessary to carry out its mandate as prescribed by the National Elections Act 2011 with a view to strengthen national ownership.
2. Promote and facilitate the public consultation process with relevant stakeholders on all regulations and procedures to be adopted by the NEC.
3. Provide legal and policy advice to the NEC regarding the preparation of by-elections and other issues relating to democratization.
4. To work in close cooperation with the electoral experts deployed by IFES and/or UNDP in support to the capacity building of the NEC.
5. Participate in meetings, workshops, round table discussions and provide necessary technical legal advisory support to the any technical working group and the NEC and to help the formulation of policies to foster the development of democratic institutions in South Sudan.
6. Fostering strategic cooperation between the NEC and key stakeholders (local and international NGOs, Donors, political parties, and other regional Electoral Management Bodies) to encourage the development of the democratic space in South Sudan.
7. Report and provide advice, inputs or feedback on the progress and results achieved to UNMISS on all issues impacting on democratic institutions.

Qualifications and Experience:

- Comprehensive knowledge and expertise in the legal aspects of electoral processes in a developing country and international context. Experience in the conception and development of electoral regulatory framework.
- At least 10 years of demonstrated experience in related fields.
- A Master or PHD degree in law.
- Very strong analytical abilities, communication, interpersonal and advocacy skills
- Ability to interact with high ranking officials and network with key stakeholders including government, civil society, grass roots and international community.
- Familiarity with South Soudan or its region would be an asset.
- Demonstrated, well-developed ability to write clear and comprehensive reports
- Fluency in English; knowledge of Arabic is an asset
- Computer literacy and IT knowledge are requirements.