

TERMS OF REFERENCE

Legal Analyst, Election Support Team (EST)

Background

The Afghan Independent Election Commission (IEC) has called Presidential and Provincial Council elections for 20 August 2009. On 2 April, following an invitation by Afghan Foreign Minister to support Afghanistan's election process, the Permanent Council passed Decision 891 which tasks the OSCE/ODIHR to deploy an Election Support Team (EST) to Afghanistan. The OSCE/ODIHR EST will *"assist government and international efforts"* for the upcoming elections and prepare a report *"on the electoral process, based on its findings, including a set of recommendations to the Government of Afghanistan for implementation as appropriate in the post-election period, with a view to enhancing the conduct of future elections and improving Afghanistan's legal framework and procedure."*

Objective

Under the guidance of the Head of the ODIHR EST and in close coordination with the Deputy Head, the Legal Analyst of the ODIHR EST assesses the national legislation and makes recommendations with a view to enhancing the conduct of future elections and improving Afghanistan's legal framework and procedures.

Main tasks

The main tasks will include:

- Acquire knowledge of the electoral legal framework and other any other laws relevant to the elections as well as of the judicial system, constitutional system, electoral situation in the country;
- Analyze the legal framework for elections and provide recommendations for further improvements;
- Follow all election-related disputes, complaints, court cases, and appeals;
- Review and report on election related court cases;
- Attend relevant meetings, security permitting, particularly court meetings and meetings of the national election authorities and report as required;
- Provide advice to the Head of EST on any legal issues as required;
- Analyze women's participation in the elections in your area of responsibilities.
- Analyze national minorities' participation in the elections in your area of responsibilities.
- Contribute to the EST overall reporting;

Education and Experience

- Advanced university degree in international human rights law, or related field with strong knowledge of election laws;
- At least five years of relevant professional work experience in law, national election administration, non-governmental organizations, international organizations, involved in organizing election processes;
- Excellent analytical and drafting skills;
- Strong background in electoral technical assistance;
- Excellent analytical and drafting skills;
- Demonstrated ability to manage and coordinate the work of others;
- Experience conflict or post-conflict situations are highly desirable;
- Demonstrated ability to work under pressure in a sensitive political environment;
- Demonstrated ability to work as a member of a team composed of individuals of different cultural and political backgrounds, while maintaining impartiality and objectivity;
- Excellent written and oral communication skills in English.

Remuneration

Remuneration will depend on qualifications and experience, and will be in accordance with established OSCE rates. Travel expenses will be covered in accordance with OSCE travel policy.