

TERMS OF REFERENCE

Legal Analyst, Election Assessment Mission (EAM)

Background

The OSCE/ODIHR is the leading agency in Europe in the field of election observation. It co-ordinates and organizes the deployment of several observation missions with thousands of observers every year to assess the compliance of elections in OSCE participating States in line with OSCE commitments, other international standards for democratic elections and national legislation. Its unique methodology provides an in-depth insight into all elements of an electoral process, and permits to make concrete recommendations to further improve electoral processes. More recently, the OSCE/ODIHR started to deploy Election Assessment Missions (EAMs) in order to follow specific electoral issues in a broader range of OSCE participating States.

Objective

Under the guidance of the Head of the OSCE/ODIHR Election Assessment Missions (EAM) and in close coordination with the Election Department, the Legal Analyst of the OSCE/ODIHR EAM assesses the extent to which the national legislation and its implementation comply with OSCE commitments and other international standards for democratic elections.

Main tasks

- Acquire knowledge of the judicial system, constitutional system, political and electoral situation in the country;
- Acquire detailed knowledge of the electoral legal framework and other any other laws relevant to the elections (media regulations, judicial system, electoral procedures, etc.);
- Become familiar with relevant OSCE/ODIHR publications such as Election Observation Handbook, and Existing Commitments for Democratic Elections in OSCE Participating States, Existing Commitments for Democratic Elections in OSCE Participating States, and the Handbook for Resolving election Disputes;
- Analyze the election law and assess its compliance with OSCE commitment and international standards;
- Establish contacts with the judicial bodies in charge of electoral issues;
- Follow election-related disputes, complaints, court cases, and appeals;
- Attend and participate in any other relevant meetings with election stakeholders necessary to cover issues deemed necessary by the OSCE/ODIHR Election Adviser and the Head of the EAM.

Reporting

- Prepare an analytical report including recommendations for the Head of EAM about the legal framework, the role of the judiciary in the election process, election dispute resolution and on any other issues covered by the Analyst for inclusion in the final report;
- Remain available for consultation (phone or email) until the final report is published.

Education and Experience

- Advanced university degree in international human rights law, or related field with strong knowledge of election laws
- Two to three years of relevant professional work experience in law, national election administration, non-governmental organizations, international organizations, involved in observing and/or organizing election processes
- Excellent analytical and drafting skills
- 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.
- PC literate; familiarity with word-processing;
- Excellent written and oral communication skills in English with particular knowledge of technical legal terminology used in the field of elections. Knowledge of local languages is an asset.

Deliverables

- Analytical report including recommendations for the Head of EAM about the legal framework, the role of the judiciary in the election process, election dispute resolution and on any other issues covered during the EAM.