

TERMS OF REFERENCE

LEGAL COORDINATOR

FOR THE INTERNATIONAL MARITIME ORGANIZATION AUDIT PROJECT MANAGEMENT OFFICE

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| ToR Date of Issuance: | Apr 27, 2017 |
| Due Date for Applications: | May 12, 2017 |

PRSM is committed to providing equal employment opportunity without regard to race, color, religion, gender, sexual orientation, national or ethnic origin, age, disability or status as a veteran with respect to policies, programs, and activities.

Background

The Professionals for Reform Support Mechanism (PRSM) provides human resource support – from managers to technical experts - to critical reform initiatives undertaken by national governmental agencies. PRSM is a multi-donor platform, which improves coordination of donor efforts for greater impact and avoids overlap of donor funding. It does not support routine work of the Government of Ukraine that is normally managed by the civil service. To do this, PRSM:

- **Selects initiatives** based on clearly defined links to reform initiatives
- Ensures transparent **recruitment** of human resources
- Manages the **contracting** and payment of human resources
- Provides financial **reports** for donors
- **Monitors** initiatives for results.

Reform Initiative

A comprehensive needs assessment jointly undertaken by the Ministry of Infrastructure (MoI) and Transport Canada was completed in January 2017. The focus of the assessment was Ukraine's maritime safety and security. The findings of the assessment identified the upcoming International Maritime Organization (IMO) Member State Audit (MSA) as a key reform priority. The audit is scheduled for March 2018 and preparation will require considerable effort and support. To support the MoI in this preparation effort, it was jointly determined that an IMO Audit Project Management Office, to be staffed by a mix of MoI personnel and external experts, would be the most efficient and effective mechanism. A draft road map for this preparation process has been developed and this road map will become the focus of the work of this Office.

The road map includes the following tasks:

- Translate and implement IMO instruments within a National Legislative framework;
- Establish a data base/baseline as guidance prior to developing a National Maritime Safety Strategy;
- Draft a National Maritime Safety Strategy;
- Develop a new organizational chart;
- Delegate authorities where applicable
- Designate and assign stakeholder roles and responsibilities;
- Develop a Quality Management System;

- Undertake risk assessments;
- Develop policies, procedures and work instructions;
- Establish performance, control and monitoring systems;
- Create compliance and enforcement regimes;
- Create an evaluation and assessment group;
- Call for a preliminary Member State (white) Audit;
- Based on the white audit outcomes, review and fix the nonconformities;
- Call for the IMO Member State Audit.

Position Summary

The Legal Coordinator will be responsible for addressing day to day legal requirements for the office; providing legal advice including the full spectrum of legal/regulatory/legislative analysis, investigation and drafting processes. He/she will provide advice and recommendations on discrete legal issues by advising the PM Office, drafting and structuring remedies for key relevant/regulatory/legislative issues relevant to the IMO Audit requirements. The position may also be required to assist with evidence collection, analysis and scheduling staff hearings.

The Expert will work under the supervision of the Project Manager and in close cooperation with the project team and the Ministry of Infrastructure of Ukraine.

Preferred Qualifications and Skills

- Master degree or equivalent in Law;
- 5 years of relevant work experience, including specific experience in maritime/marine safety and security laws and regulations;
- Knowledge of the key issues in the relevant area;
- Proven ability to draft, edit and produce written proposals and results-focused reports;
- Team player with a proven track record of working with multi stakeholder community;
- Strong interpersonal, communication and presentation skills;
- Proven experience working with Government, civil society, international organizations and donors;
- Advanced PC user;
- Fluent Ukrainian, Russian and English.

Indicative duties and responsibilities

- Conduct legal analysis and research on various legal matters;
- Provide advice on different legal issues and assist in drafting legal opinions, memoranda and other legal documents;
- Be actively involved in preparing different acts and legal submissions and draft the authoritative legal opinions;
- Conduct legal research by utilizing various resources and selecting the relevant material to analyze the legal information;
- Assist in reviewing the legal material and any other relevant documents and to identify the most important issues that need to be sorted out on a priority basis;

HUMAN RESOURCE SUPPORT FOR CRITICAL REFORM INITIATIVES

- Draw up formalities regarding the settlement of disputes and monitor the implementation of the legal clauses.

Contract Duration and Timing:

The total duration of the consultancy is expected to be 9 months, with possible extension, based in Kyiv.

To apply:

Submissions must be prepared in English and delivered electronically by 17:00 Kyiv time on May 12, 2017 to the following address: prsm@fsr.org.ua. We do not welcome unsolicited phone calls.

All submissions must include:

- 1) Applicant's CV (in English);
- 2) Applicant brief letter of interest indicated related experience and achievements.

Please ensure to state **Legal Coordinator** in the e-mail subject line.

Applications received after the indicated deadline or without letter of interest will not be reviewed and considered.

Shortlisted candidates will be contacted after May 15, 2017.