

Terms of Reference For International & Local Legal Experts

Activity: Assist the Ministry of Justice (MoJ) to review the legal package in the area of the penitentiary system with the view of aligning the Albanian penitentiary system with EU and international standards, consult the relevant stakeholders, and completing the final legal package for approval/voting in the Parliament of the Republic of Albania.

Keyword for this expertise: Assistance to the MoJ in regards to prisons reform with a particular emphasise to 4 below-mentioned draft laws/amendments in the area of the penitentiary system, aiming to improve the quality and standards of legal framework in the prisons sector.

The legal package is compounded by respective draft laws/amendments on the:

- Law on "The treatment of the prisoners in compliance with the *Acquis*"
- Law on "The prisons' police"
- Law on "The internal control service"
- Law on "The probation"

A. Project background

The Prison system in Albania faces significant structural, legal and logistical problems in an environment where the prison system falls short of the standards required for accession by the EU. The project shall support the wider prison reforms process including legislative changes which aims at improving the quality of proposed draft laws/ amendments in respect of human rights, law enforcement, oversight capacities and diversification of detentions. This current initiative is a follow up of the current fruitful cooperation between British Embassy in Tirana and Council of Europe (CoE) to support MoJ on the treatment of prisoners under which a comprehensive need assessment is carried out.

In addition, this call for application falls under the current CSSF programme providing support for monitoring and development of policies in the key development areas as well as strengthening the administrative capacities of the Albanian institutions to ensure proper implementation of the policies.

B. Expert assignment background and scope of work

The responsibility of the (3) international and local legal experts will be to support MoJ to adjust the legal package of the penitentiary system with the

international standards and practices. The primary focus will be on legal review of the draft laws/ amendments according to the *Acquis Communautaire*, European prisons rules and best international practices. Experts are required to demonstrate proven experience in law drafting in one or more of the areas of expertise indicated below:

- Human rights in prisons system;
- Law enforcement;
- Anti – corruption, inspection and controlling mechanisms;
- Execution of sentence and alternatives to detention.

The experts will support any activity in related areas of intervention, as needed.

C. Required expert profile

- Advance studies in law, social science or relevant fields;
- Working experience as a Professor of Criminal Law will be a strong asset;
- Excellent knowledge of Albanian legal system with a consolidated and distinguished knowledge/experience in the penitentiary system, in particular;
- Proven experience in one or more of the expertise areas such as : human rights in prisons system; law enforcement; anti – corruption, inspection and controlling mechanisms; execution of sentence and alternatives to detention;
- Sound experience in law drafting and legal review. Experience in EU legal approximation will be an distinguished advantage;
- At least a minimum of 5 years of practical working experience in the justice sector. Working experience in the penitentiary system will be an advantage;
- Excellent oral and written communication skills in presentation skills, sensitive to political environment, good in brainstorming and argumentation, open to discussions;
- Sound analytical skills;
- Fluency in English;

Application Process

- Deadline for applications: **15 October 2018 / midnight**
- Please send your CV and cover letter via e-mail to: british.embassytirana@fco.gov.uk
- Exclusively shortlisted candidates will be contacted and might be requested to attend interviews and/or other methods of assessment.
- The selection will be based on the professional background, relevant work experience, gender equality and other criteria according to the requested qualifications.