

Terms of Reference for Legal Services

Title: Legal Services to stateless and undocumented persons

UNHCR launches a tender for project proposals in the field of provision of legal services and counseling to stateless and undocumented persons in Azerbaijan. The tender is open for lawyers, law firms, and other commercial legal entities able to provide legal services.

Background information

The Office of the United Nations High Commissioner for Refugees (UNHCR) has a mandate to work for the identification, prevention, and reduction of statelessness worldwide as well as the protection of stateless persons. On 4 November 2014, UNHCR launched its Campaign to End Statelessness in 10 years. A key component of the Campaign is the Global Action Plan: 2014 – 2024, which comprises 10 Actions for States and others to take to achieve the goal of ending statelessness within a decade. UNHCR is supporting States to pursue measures to prevent and end statelessness.

Azerbaijan acceded to the 1954 Convention on the Status relating to Stateless Persons and the 1961 Convention on the Reduction of Statelessness in 1996. Some 3,585 individuals declared themselves stateless during the 2009 Azerbaijan national census. This figure is being reflected in UNHCR Annual Statistical Report. Once released, the results of the 2019 National Population Census, to which UNHCR contributed by tailoring the census questionnaire, will be used to better map statelessness in Azerbaijan. At the same time, some four hundred stateless persons, who acquired stateless status before 1992, still retain formal stateless status and hold stateless identity documents. The State Migration Service has been proactively identifying undocumented persons at risk of statelessness who are subsequently referred to the Citizenship Commission. At the same time, UNHCR continues to provide legal assistance to persons at risk of statelessness due to their undetermined nationality with their applications for naturalization, as well as birth registration. Persons of undetermined nationality approach UNHCR with requests to provide them with legal counselling and assistance in obtaining proof of their nationality and documentation. Currently 75 persons affected by statelessness are registered with UNHCR for assistance purposes.

In 2022, the Government will continue its identification/nationality campaign, which has already resulted in significant reduction in numbers of persons affected by statelessness and UNHCR will continue to engage the Government to address statelessness. UNHCR will also continue to register persons affected by statelessness and provide them with legal assistance.

Duration or contract:

The duration of the contract is 12 months (01 January – 31 December 2022).

General conditions:

Language: All the reporting and correspondence between the parties will be in English language.

Court representation: The Contractor will have the capacity to represent individuals in courts or before law-enforcement bodies at all stages of the legal proceedings. No additional payments for BAR member fees will be made by UNHCR.

Case Management:

- The Contractor will manage legal cases with professionalism and with client-oriented, rights-based approach throughout the whole duration of the assistance.
- The Contractor will record all activities, actions, correspondence, documents, and outcomes of each intervention in a database or information management system, as well as physical files.
- Upon completion of the project, the Contractor will hand over all collected information, including the compiled database and physical files to UNHCR Office in Azerbaijan.

Reporting:

- The Contractor will share monthly analytical and financial reports in English with UNHCR Azerbaijan no later than 07th of the following month.
- The reports should include financial expenditures, trends, actions taken to address the identified problems, as well as quantitative and qualitative data on the assisted cases.

Scope of work:

Project impact: *In 2022 Persons of Concern continue to enjoy access to rights and services guaranteed by law and implemented in practice*

The Contractor will provide the below mentioned services. The proposal should include the description and detailed budget for the requested services:

I. LEGAL ASSISTANCE**1. Interventions at the administrative level on cases of stateless and undocumented persons**

Representing a case at administrative level (including preparation and submission of the documents to the Civil Acts Registry (CARs), law enforcement bodies, embassies and etc).

Estimated number of cases: **20 cases**

Payment modality: simple partial fee. 50% of the fee to be paid upon submission of application. 50% to be paid upon completion of the case.

Quote price per case**2. Interventions at the 1st instance court level on cases of stateless persons**

Where the Organization considers it necessary to proceed with a legal intervention before the 1st instance court, the Contractor will provide quality legal representation to stateless and undocumented persons.

Estimated number of cases: **15 cases**

Payment modality: simple partial fee. 50% of the fee to be paid upon submission of application. 50% to be paid upon completion of the case.

Quote price per case**3. Interventions at the Appeal Court level on cases of stateless persons**

Where the Organization considers it necessary to proceed with a legal intervention before the Appeal Court, the Contractor will provide quality legal representation to stateless and undocumented persons.

Estimated number of cases: **15 cases**

Payment modality: simple partial fee. 50% of the fee to be paid upon submission of application. 50% to be paid upon completion of the case.

Quote price per case

4. Interventions at the Supreme Court level on cases of stateless persons

Where the Organization considers it necessary to proceed with a legal intervention before the Supreme Court, the Contractor will provide quality legal representation to stateless and undocumented persons.

Estimated number of cases: **10 cases**

Payment modality: simple partial fee. 50% of the fee to be paid upon submission of application. 50% to be paid upon completion of the case.

Quote price per case