



International Institute
for Nonviolent Action



Legal technical services

TERMS OF REFERENCE



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for Nonviolent Action



Region: Middle East

Beneficiary Country: Palestine

Contract number: 2014/PRYC/006907

Project title: “Enhancing the protection of protected people in the Gaza Strip and the West Bank by promoting respect for International Humanitarian Law (IHL)”

Within the framework of the Spanish Cooperation program, Nova is implementing “Enhancing the protection of protected people in the Gaza Strip and the West Bank by promoting respect for International Humanitarian Law (IHL)”.

The expected results from this project are:

- ER.1. Improved the quality of law enforcement by the Israeli authorities upon its citizens and/or ISFP engaging in criminal activity in the West Bank Area C, East Jerusalem and the Gaza Strip by compelling the State of Israel to uphold its duties under Israeli and international law.
- ER.2 Promoted adherence to international IHL, focused on observing, monitoring, documenting and analysing IHL violations and duty-bearers accountability
- ER.3. Strengthened coordination mechanisms between the legal departments of NGOs working on promotion of IHL and HHRR protection in the West Bank and in the Gaza Strip.

Project Implementation Period: 20 months – 21st January 2015 to 20th September 2016.

1. BACKGROUND

The project aims to contribute to the creation of a climate that would allow the end of the impunity IHL and IHRL violations. The action will be structured in 3 pillars combining the experience of the partners involved, because of this it has been created a coalition formed by a Palestinian organization, the Palestinian Center for Human Rights (PCHR) and an International, Nova-NOVACT. The three-axis of the project are: 1) Improve the mechanisms of accountability for criminal activities and/or crimes in the Area C of the West Bank, East Jerusalem and the Gaza Strip, committed by Israeli citizens or security forces, forcing the State of Israel to comply with its duties under Israeli law, the IHL and the IHRL. (2) The promotion of compliance with international humanitarian law focused on observation, monitoring, documentation and analysis of violations of IHL and responsibility of holders of obligations. (3) Strengthening the coordination mechanisms between the legal departments of the NGOs working in the promotion of the International humanitarian law and the protection of human rights in the West Bank and the Gaza Strip.

2. SERVICE CONTRACT OBJECTIVE'S AND ACTIVITIES

The service contract for legal assistance will start after the signature of the contract with the implementing NGO and last until the project finished (20th of September 2016) unless both parties agree on any modification. The geographical area of intervention of the legal services will be area C in the West Bank.

The main activities will be:

1. To provide legal representation for victims of settler violence, harassment, criminal trespassing and property violations in the West Bank Area C
2. To provide legal representation, file cases and follow the investigations conducted by the Military Police Criminal Investigation Department, for Palestinian victims of crimes committed by ISFP in the West Bank.
3. To monitor investigations of cases and correspond with authorities as they investigate the alleged crime

3. OUTCOMES

The specific outcomes foreseen are at least:

- 15-20 appeals to open investigations based on the merits of the case.
- 2 Criminal investigations opened.

- Legal monitoring of 15-20 complaints filed each month.
- 1 principled legal action directly addressing wide-reaching patterns of ISPF impunity or law enforcement.

4. METHODOLOGY

The contract will include all the cost related to the above-mentioned activities as:

- Lawyers fees
- Legal expenses

5. RESPONSIBILITIES AND ROLES

Of Nova:

- Coordinate with the local partners
- Receipt, analysis and approval of the summaries and reports
- Provide project information and documents to the consultant.

Of the legal consultant:

- Sign the consulting contract.
- Provide legal counsel and representation.

6. THE LEGAL TEAM

The legal services will include at least 2 expert lawyers with the following profiles and qualifications:

Common features:

- A solid experience and knowledge in IHL and IHRL.
- Experience in legal advice and legal representation in the West Bank, including the Israeli law and Israeli military law.
- Membership in the Israeli BAR.
- Full working knowledge of English and Hebrew.
- At least one of the lawyers proposed should have solid knowledge of and practical experience with gender issues.



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7. THE PROPOSAL SUBMISSION

The proposal must include:

- Experience of the law office on legal defence of victims of settler and ISPF violence including success stories.
- CV of the legal team.
- Budget.

The main criteria for the evaluation of the proposal will be:

- Experience in the legal assistance and representation (15 points)
- Budget (10 points)

The proposal must be submitted by email by the 25th of August 2015 to admin@novact.org with the subject **“TOR Legal Assistance OPT”** and a jury formed by the Country representative, the Administrator and a member of the coordination team of NOVACT will evaluate the proposal received and will request some clarifications by the 28th of August 2015 and communicate the final decision by the 4th of September 2015.