

TERMS OF REFERENCE

Junior Professional Officers (JPO)

Please indicate if this ToR supersedes a previously submitted ToR: No

I. General Information:

Title: Associate Associate Legal Officer, Department of Legal Affairs, UNRWA

Sector of Assignment: Legal Affairs : International Public Law; International Humanitarian Law; General Law (Commercial, administrative, Institutional); Litigation.

Country: OpT (*State of Palestine*)

Location (city): Jerusalem

Agency: United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA)

II. Supervision:

Name of Supervisor: Stephen Margetts

Title of Supervisor: OIC, Department of Legal Affairs (DLA).

Content and methodology of supervision:

(Describe in detail type and manner of supervision, e.g., timing and number of meetings with supervisor; feedback sessions on performance against established work plan)

The Associate Legal Officer (JPO) will be working closely with me and under my direct supervision on a daily basis. This will entail, to the extent possible, (i) full immersion into the Department's daily work and activities, cutting across both the General Law Unit (handling international administrative law, commercial and institutional issues, along with litigation) and the International Law Unit (handling all issues pertaining to privileges and immunities, protection, neutrality, international human rights mechanisms, international humanitarian law etc); (ii) handling a portfolio of cases cutting across both Units, under my direct supervision; (iii) participation in official meetings with me as Director/DLA and full involvement in any subsequent action required; (iv) gaining a thorough understanding of the mandate of the Agency (from a legal perspective) in a highly politicised context; (v) gaining exposure to other legal divisions in the UN system through legal advisers' coordination mechanism.

Given the above tasks, meetings will be held on an almost daily basis for the purpose of provide clear and appropriate tasks, guidance and feedback. The Department has a yearly workplan under my direct responsibility which will form the basis for Associate Legal Officer's own workplan in terms of substantive activities.

III. Duties, Responsibilities and Output Expectations:

Please include percentages for each duty:

(Please include percentages for each duty. Describe briefly the main tasks specific to this assignment and output expectations during the first and second year of assignment)

(i) Full immersion into the Department's daily work and activities, cutting across both the General Law Unit and the International Law Unit:

This is an ongoing, daily duty which means that the Associate Legal Officer, by the end of their assignment, will have a full and thorough understanding of the breadth and depth of the work of the Legal Department of UNRWA. As DLA is tasked with providing authoritative legal advice to UNRWA leadership and all Directors of Divisions/Departments, the Associate Legal Officer, working under the direct supervision of the Director/DLA will be uniquely positioned to gain thorough legal knowledge on all aspects of the work handled by the Department especially with regards to more sensitive matters which are directly handled by the Director. This will take 30% of the day's activities.

(ii) Handling a portfolio of cases cutting across both Units, under my direct supervision:

In addition to the above-mentioned full exposure, the Associate Legal Officer (JPO) will also be assigned their own portfolio of cases and/or issues to handle, cutting across both Legal Units, and bearing in mind their preferences in terms of interest and learning plans. These cases will range from litigation within our own internal justice system to handling note verbales, producing opinions on a wide array of international law issues, reviewing commercial contracts, being exposed to procurement practices etc. This task will take 30% of the day's activities. As part of this task, the Associate Legal Officer (JPO) will also be assigned specific projects under their direct remit which, when completed, will have a direct beneficial impact on the Agency in terms of best legal practices (e.g. developing agreements templates with partners).

This task also entails building a relationship with and having almost daily contact, under the Director's guidance and supervision, with many other stakeholders within the Agency, ranging from Human Resources to Partnership Departments, and including the Executive Office.

(iii) Participation in official meetings with me as Director/DLA and full involvement in any subsequent actions required:

The Associate Legal Officer (JPO) will be involved in many of the Director's daily meetings as well as those meetings handled by the Principal and Senior Associate Legal Officers in the Department, across the General and International Law Units. The meetings will not only deal with substantive high level issues but will also provide an opportunity to the Associate Legal Officer (JPO) to be exposed and understand the way the Agency – and the UN at large – works, generally speaking in terms of management structures and in relation to stakeholders (including governments, beneficiaries, partners and other stakeholders). This task will take 25% of the Associate Legal Officer's daily time.

(iv) Gaining a thorough understanding of the mandate of the Agency (from a legal perspective) in a politically charged context:

UNRWA is unique in the UN system in terms of its mandate, size and reach, with government-like services being offered to over 5 million Palestine Refugees across 5 Fields of Operation (West Bank, Gaza, Lebanon, Syria and Jordan), with 28,000 staff members often working in complex, sensitive and difficult circumstances. Through the legal lens, the Associate Legal Officer (JPO) will also gain a good understanding of UNRWA services which are both humanitarian and development in nature, showing again, quite a unique feature of the Agency. This task will pervade the entire working day and as such.

(v) Gaining exposure to other legal divisions in the UN system through legal advisers' coordination mechanism.

The Director/DLA works closely with other colleagues at a senior level in the UN system, particularly the Office of Legal Affairs and through working directly with the Director, the Associate Legal Officer (JPO) will benefit from exposure and will gain a good understanding of the type of coordination mechanisms set up by the UN for all legal issues. This will occupy 15% of the Associate Legal Officer's time on a daily basis.

IV. Qualifications and Experience:

Education (only Master's degree or equivalent):

(Indicate Master's degree or equivalent in specified development-related discipline, and desired emphasis, if applicable)

A Masters Degree or equivalent in law, with a preference for a specialisation in international law. Admission to practice at a national Bar. At least 2 years professional experience in the legal field, with an exposure to development and humanitarian activities of international organisations being an asset.

Key Competencies of the assignment:

(Indicate technical knowledge, professional/language skills)

- Ability to communicate both orally and in writing very clearly: excellent drafting skills;
- Ability to work in an international and multicultural environment
- Fluent in English, knowledge of Arabic or other UN language an asset.
- Demonstrated analytical skills,
- Some experience of litigation an asset
- Specialisation in public international law and /or the law of international organisation an asset
- Experience of international administrative law an asset.

- Ability to maintain confidentiality and discretion in all circumstances.

V. Learning Expectations:

Upon completion of the assignment, the JPO will have / be able to...

(Indicate training / learning activities, based on which learning programme will be structured. Indicate what the incumbent will learn during the assignment, defined in measurable results and broken down by year. Specify what subjects will be taught in the course of the orientation briefing upon JPO's arrival at the duty station.)

The following learning activities will be provided to the Associate Legal Officer:

Year 1 – Months 1 to 3: Full induction spearheaded by the Director, which will include also personalised induction with the Principal and Senior Associate Legal Officers in both Units. An extensive 'welcome pack' of critical reading material will be provided to the Associate Legal Officer for their perusal and reference. The welcome pack contains key documents on international law and general law as referenced above.

Mandatory on line training courses will also be made available, these are self-paced. These go beyond legal issues, to include ethics, prevention of harassment and SEA, gender sensitivity etc.. in line with UN values.

Year 1 – Months 4 to 6: Completion of all mandatory on-line courses. Further in-depth reading may be required on some legal issues under the guidance of the Director. The Associate Legal Officer will benefit from daily 'on the job' learning through working closely with the Director.

Year 1 – Months 7 to 9: The Associate Legal Officer will by then gradually have developed their own 'portfolio' of activities and tasks which will inform further training needs as required. Travel to a couple of Field Operations, particularly West Bank and Gaza may be organised then.

Year 1 – Months 10 to 12: A stock taking exercise of what the Associate Legal Officer has learnt will be undertaken, to identify further training or development needs as required and to ascertain also the Associate Legal Officer's areas of preference in terms of work, taking into account the overall needs of the Agency and of the Department too. A plan for Year 2 will be drawn up.

It is clear that the Associate Legal Officer will have an opportunity to learn a lot not only in terms of legal work given the breadth of issues handled by DLA in UNRWA, in a unique context, but also in terms of the overall mandate and organisation of the Agency, through working directly with the Director and thus be also exposed to the work of all other Departments through the legal lens.

In Year 2, Months 1 to 6 – it is time also for the Associate Legal Officer to be exposed to the way DLA 'trains' other Departments in legal issues and participate in such training sessions. The Associate Legal Officer's own portfolio of cases will gradually increase and so will their substantive contributions to the work handled by the Director directly. This involves sensitive and confidential issues through which the Associate Legal Officer can also learn management tools and techniques.

Year 2, Months 7 to 12: This will be a time of consolidation but also reflection for the Associate Legal Officer (JPO) about their future – whether a career in the UN is a path they want to follow, and if so whether as a Associate Legal Officer or in any other capacity. Of note, the Director/DLA, to whom the Associate Legal Officer will report, has had several posts as UN Representative in a number of countries, and has thus split her entire career into partly a legal career, partly a 'development and humanitarian work' career, rising to the level of Representative in crisis countries mostly. Such experience can also be shared with the Associate Legal Officer (JPO) to really inform their future career choices.

VI. Background Information:

(Briefly give background/outline of the programme/projects the JPO will be working on, e.g., history, recent developments, and briefly describe planned developments concerning the programme/projects. Provide some basic information about the office: number of international and national staff in the whole office and in the unit where the JPO will be working, etc.)

The Associate Legal Officer will be working on a wide-range of legal issues, ranging from general law (commercial, institutional, and international administrative law), to international law (including international humanitarian law, international human rights law, international public law), as well as procurement and other operational matters, in so far as these raise legal issues. There are no 'projects' as such, in the traditional 'development work' sense but there are initiatives which the

Department of Legal Affairs is keen to roll out, and in which the Associate Legal Officer may be required to participate. These are, inter alia:

- (i) An ongoing review of the internal justice system in the Agency with a view to making it more efficient, effective and improve its overall functioning in the interest of justice. This entails working closely with the Internal Justice Council (IJC, of which the Director/DLA and direct supervisor of the Associate Legal Officer/JPO is an active member), as well as coordinating the work closely with other Departments such as Human Resources, Ethics, Ombudsman and Investigations. This also entails carrying out comparative research with other UN organisations' systems, to understand best practices and to what extent these could be applied in the UNRWA context. Through this initiative, led directly by the Director/DLA from many points of view, the Associate Legal Officer/JPO will have the opportunity to be directly exposed and involved in a number of strategic issues for the Agency.
- (ii) A review of all contractual modalities templates including financing agreements, Memoranda of Understanding, Service level Agreements etc. In its workplan for 2022 and likely 2023, the Department intends to carry out an in-depth review of all its contractual modalities with a view to streamlining them, and defining agreed-to Templates to be used with all relevant stakeholders, whether donors or other partners. This is again interesting reform work, that calls for comparative work with the contracts of other Agencies, inter-departmental coordination and collaboration (particularly with the Partnership and Communication Department) and expertise/knowledge on the UN's General Contracts Conditions (or Terms and Conditions).
- (iii) A review of various critical policies, including the "Detained Staff" Policy and the "Data Disclosure and Privacy" Policy, which in UNRWA fall under the work of the International Law Unit and both require updating or revisiting in light of new considerations or recent cases informing their updating. This requires working with the Field Offices a lot, particularly the Field Legal Offices, and brings together aspects of international human rights law, privileges and immunities, commercial and administrative law. These reviews also already feature in DLA's workplan for 2022, going into 2023.

The above are but a few of the planned and intended 'projects' or 'initiatives' which the Department needs to work over the next year – noting that implementation will also take us through a second year.

The Department of Legal Affairs is structured as follows:

In terms of management:

The Director (D2), and two Principal Associate Legal Officers both at the P5 level who head the General Law and International Law Units respectively, reporting directly to the Director.

The General Law Unit is thus composed of a Head (P5), two P4 Senior Associate Legal Officers; and three P3 Associate Legal Officers, whose work cuts across commercial and international administrative law.

The International Law Unit is composed of a Head (P5) and one P4 Senior Associate Legal Officer and two P3 Associate Legal Officers. Consultants are also on board at times in both teams, along with interns.

All professional staff / consultants are internationally recruited and the Department is diverse in terms of geographical and gender balance and representation.

There are 3 positions of Administrative Assistants, with one post currently being vacant. One Administrative Assistant is the Personal Assistant to the Director. These are locally-recruited personnel.

VII. Information About Living Conditions at the Duty Station:

(Indicate briefly the main characteristics of the place of assignment)

The JPO will reside in Jerusalem, which is a family duty station. It is currently at UNDSS security level MODERATE. As is the case for UN staff and partners, the JPO will make his/her own arrangements for housing and transportation to and from work. International UN personnel rent furnished or unfurnished apartments found using agents or by word-of-mouth through colleagues. Personnel in Jerusalem and its vicinity usually use their own cars for transportation. Internationals who want to arrive or leave the country can either enter through Queen Alia International Airport in

Amman and cross King Hussein/Allenby Bridge, or Ben Gurion Airport in Tel Aviv. Work travel into the West Bank is only permitted in a UN vehicle, and no overnight stays are permitted.

The JPO will work in Jerusalem and the West Bank. The West Bank is currently at UNDSS security level MODERATE and the JPO will be required to conduct regular field trips within refugee camps, urban areas and rural villages in the West Bank. The JPO will be exposed to communities living in an insecure environment with high levels of poverty.

Jerusalem has a Mediterranean climate with hot, dry summers and short, wet, cool winters; temperature and rainfall vary depending on altitude and location. The Palestinian dialect is common to Jordan, Syria, Lebanon, Egypt, and parts of Iraq. In Jerusalem, both English and Hebrew are also common. The Israeli shekel (NIS) is the currency of the occupied Palestinian territory and Israel. The time zone is GMT +2 hours.

The health care sector is divided into public health services and private ones. The public health sector is accessible to all. Better health services can be found in private clinics and hospitals which are spread out mainly in larger cities. Sophisticated medical care, including for children, is available throughout Jerusalem. Primary and secondary education is available for the children of international personnel in Jerusalem, which includes several schools such as the Anglican International School of Jerusalem and the Lycée Français de Jerusalem.

Approved by:

Name: Natalie Boucly

Title: Director, Department of Legal Affairs

Duty Station: Jerusalem

Agency / Unit: UNRWA, Department of Legal Affairs

Submitted by:

Name: Stephen Margetts

Title: Principal Legal Officer (General Law)

Duty Station: Jerusalem

Agency / Unit: UNRWA, Department of Legal Affairs

Date of Submission: 25 September 2023