

**United Nations Development Programme****Terms of Reference**

**Post title:** Acting Prosecutor and Advisor for Prosecutors  
**Number of Vacancies:** 2 Posts  
**Post level:** Band 3 - (equivalent to P4)  
**Host institution:** The District Prosecution Services - Dili, Baucau, Suai, Oecussi  
**Organization:** The United Nations Development Programme (UNDP)  
**Initial appointment:** 6 months with possible extension to 1 year  
**Duty Station:** Dili, Baucau, Suai, Oecussi - Timor-Leste  
**Application Deadline:** 31 of March 2006  
**Desirable Starting Date:** 22 of May 2006

The incumbent will report to the UNDP Resident Representative or his designated official through the Chief Technical Adviser of the Justice System Programme.

**Background:**

*In 2003 the Minister of Justice, the President of the Superior Council of the Judiciary and the Prosecutor-General of Timor-Leste agreed to form a Council of Coordination for the Justice System (CoC) to oversee a comprehensive UNDP-supported US\$3.12m, 3-5 year development plan for the key justice system institutions in the formative years of the new country (The Justice System Project). This plan was recently revised and expanded in budget, scope and duration (\$10 million for 2006/2008)*

*Aiming at the courts, the prosecution service and the justice ministry (which oversees the Public Defenders Office, the Prisons Service and the Legal Training Centre), the project undertakes to improve institutional capacities (systems, processes, skills, ethics) through a sequence of support measures (advice, training, infrastructure, equipment). The project is implemented by a Chief Technical Adviser provided by UNDP.*

*A key project component is aimed at promoting service delivery of the courts, improve the administration of justice country wide and prepare the national probationary judges, prosecutors and public defenders and clerks to be able to deliver justice according to the fundamental principals and rights of the Constitution of RDTL.*

*The incumbent will work as an prosecutor and prosecutor advisor in the district prosecution services and courts and give on job or formal training to the national judges as requested under the substantive direct supervision of the Prosecutor General and under the overall supervision of the Justice System Programme, reporting to the Chief Technical Adviser.*

*The incumbent must be able to serve in either capacity, as trainer/mentor and practitioner. In any case, the incumbent will be expected to transfer skills and professionalism and assist in the introduction and consolidation of routines, systems and processes for the efficient delivery of justice.*

### I. Job Summary:

#### Overall Duty:

- Contribute to the successful implementation of the Justice System Programme under the overall direction of the Council of Coordination (CoC) or its designated institutional representative through the Chief Technical Adviser;
- The Incumbent will be required mainly to act as a district prosecutor, provide on job or formal training in the district prosecution services or other relevant assigned legal institution aiming to provide effective, efficient, and productive results while administering standards and procedures as set by the Judiciary.

### II. Description of Main Advisory duties:

Under the Direct Supervision of the Prosecutor General and the overall guidance of the CoC the incumbent performs the following functions:

- Acts as a Public Prosecutor at the district prosecution services in all cases in which the Prosecution Service is required to intervene according to the law of Timor-Leste;
- Assist the daily work of the Prosecution, performing as prosecutor in hearings, directing the enquiries, supervising the investigating police for criminal investigations, analysis of cases, render timely decisions and performing in trials
- Advise the Prosecutor-General and Superior Council for Public Prosecution on all matters of decisions, legal resolutions and actions related to the execution of their authority according to the law of Timor-Leste;
- Provide on job training and mentoring to the East Timorese prosecutors working at the prosecution services and provide technical assistance as required for the best performance of their tasks
- If and when requested assist in the implementation of training programmes organized by the Legal Training Centre
- Perform other related duties as required for the effective functioning of the judicial system.

### III. Competencies

#### (1) ESSENTIAL REQUIREMENTS FOR TRANSFER OF SKILLS AND KNOWLEDGE TO TIMOR-LESTE'S STAFF:

*List the knowledge/skills that the Timor-Leste incumbents are expected to acquire through on-the-formal training- and-job training, coaching and mentoring by the Advisor.*

- Sound working knowledge and experience as prosecutor in civil legal system procedures
- Knowledge of Civil and Criminal laws applicable to Timor-Leste;
- Internationally recognized legal principles and human rights law;
- Minors, family and specific gender based violence legislation applicable in Timor-Leste
- Knowledge of general court and prosecution jurisdiction, administration and management
- Experience in formal or practice judicial training

#### (2) REQUIREMENTS FOR SYSTEMS AND PROCESSES TO BE DEVELOPED

*List all legal and managerial systems and processes to be developed by the Advisor.*

- Development of criminal directives, critical analysis of cases, execution of prosecution process, analysis of evidence, in the conduct of the criminal investigations and criminal indictments;
- Assist the establishment and performance of the Superior Council of Prosecution
- Proceedings in Prosecution Services and Courts including assistance to registries and development of prosecution statistics;

- Organization and delivery of legal or judicial training

### **(3) REQUIREMENTS FOR ATTITUDES AND BEHAVIOR TO BE DEVELOPED**

*List all desired attitudes and behaviors to be developed by Counterparts through interaction with the Advisor.*

- Self-sufficient, honest, detached and independent
- Impartial and objective;
- Professional dignity and ethic;
- Low profile behavior in public and private life, act with dignity and prestige fit for a judge;
- Courteous and respectful towards others.

### **(4) AUTHORITIES OF THE ADVISOR (IN CASE OF LINE FUNCTION)**

*List the authorities to be delegated to the Advisor.*

- Act as a Prosecutor
- Conduct criminal investigations and make criminal indictments on cases on first instance and appeal level ;
- Act as a Prosecutor in the hearings and trials in the cases in District Courts and Court of Appeal;
- Authorize, delegate tasks for the prosecution staff.
- Assist administration and management of the prosecution services, according to the applicable law of Timor-Leste
- On job or formal training and mentoring of national prosecutors and prosecution clerks including their performance evaluation as requested by the national supervisory bodies

## **IV. REQUIRED QUALIFICATIONS AND EXPERIENCES**

- Advanced University degree in law from a civil legal system with specialization in Judiciary Studies
- Minimum 7 years of relevant experience as a prosecutor in a civil legal system on criminal and civil law, preferably with experience in minors, family and other legal nature subjects
- Strong experience in teaching or training preferably on courses for prosecution magistrates and court staff
- Ability assist with organizational and prosecution management if required
- Ability to impart knowledge and skills to Timorese prosecutors;
- Ability to communicate effectively with colleagues from all backgrounds
- Working experience in a developing country;

## **V. Other Desirable Qualifications and Skills**

- Enthusiasm for personal commitment to increase skills and knowledge of national staff through any method of technical advice, mentoring or on job training;
- Transfer of experience in coordination of seminars or workshops, development of summaries or legal publications;
- High level of probity and confidentiality.
- Overtime maybe required.
- Knowledge of legal system in Timor-Leste

### **Languages:**

Proficiency in Portuguese is required. Working knowledge of English and Tetum is highly desirable

Please submit your applications together with curriculum vitae or P11 form and relevant supporting documents to the following address and contacts:

Human Resources Unit  
UNDP Dili,  
UN House Caicoli Street,  
Dili, Timor Leste  
[personnel.tp@undp.org](mailto:personnel.tp@undp.org)

Only short-listed candidates will be notified. Women candidates are strongly encouraged to apply.