



## **TRAFFIC Terms of Reference**

<b>TITLE:</b>	Legal Consultant
<b>LOCATION:</b>	Kazakhstan
<b>REPORTS TO:</b>	Project Manager – Central Asia
<b>TYPE OF EMPLOYEMENT:</b>	Self employed

### **Organisational Background**

TRAFFIC International is a charity and limited company registered in the UK. TRAFFIC is the leading non-governmental organization working globally on trade in wild animals and plants in the context of both biodiversity conservation and sustainable development, striving to ensure that trade in wildlife is not a threat to the conservation of nature. We actively monitor and investigate wildlife trade and provide information to diverse audiences worldwide as a basis for effective conservation policies and programmes. TRAFFIC works in strategic alliance with IUCN and WWF on wildlife trade issues.

TRAFFIC's head office, based in Cambridge UK, provides worldwide leadership, coordination, cross-regional and corporate functions. TRAFFIC's local engagement is managed through six regional programme offices operating under the auspices of the UK charity, with staff based in a hub office and at other strategic locations where necessary. Programme offices operate within a geographic area of responsibility focused on one or multiple countries where TRAFFIC aims to help deliver priority programme outcomes.

### **PROJECT BACKGROUND**

TRAFFIC, in collaboration with Fauna and Flora International (FFI), the Association for the Conservation of Biodiversity of Kazakhstan (ACBK) and Ekomaktab, will be implementing a two-year Bureau of International Narcotics and Law Enforcement Affairs (INL) funded project entitled "Strengthening Capacity & Fostering the Will to Combat Wildlife Crime in Central Asia". This project aims to build law enforcement capacity and will combat wildlife trafficking (CWT) across major hotspots and trade routes throughout Central Asia, including Kazakhstan, Kyrgyzstan and Uzbekistan.

### **Characteristic Duties**

TRAFFIC is seeking a legal consultant in Kazakhstan to support TRAFFIC's INL project in Central Asia. The successful candidate will conduct a legal analysis of existing laws pertaining to the trade in wild animals and plants in Kazakhstan. The purpose of the analysis will be to determine the gaps between the regulations offered by national legislation relating to the harvest, sale and trade of wildlife and the requirements of CITES and National Red Book in Kazakhstan, as well as barriers to effective enforcement of these laws and regulations. The results of the legal analysis for Kazakhstan, including a set of specific recommendations should be summarised in a report. They will be presented and discussed at national interagency meetings and round table meetings. They will also feed into regional trainings and workshops organized by TRAFFIC and its partner organizations.

The legal consultant will work closely with TRAFFIC's project personnel in Bishkek and other partners in Kazakhstan, Kyrgyzstan, and Uzbekistan.

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## **Specific Duties**

- Review the national legislation relating to the legal and illegal harvest, possession, sale, and trade in wild animals and plants in Kazakhstan, review national regulations implementing and enforcing the provisions of CITES in each country,
- Review the relevant sections of the latest penal code, including rules regarding asset forfeiture
- Review the Eurasian Economic Union's relevant legislation and analyse how EEU's law affect national implementation in Kazakhstan
- Undertake a thorough analysis and identify gaps and weaknesses
- Compile information that will help to (i) assess the compliance of legal procedures and application of penalties under Kazakhstan law, and (ii) identify patterns, strengths, weaknesses and challenges in the way IWT cases are investigated, prosecuted and adjudicated.
- Compile the findings of the review and analysis into a report that identifies areas of weakness or challenges in investigations and prosecutions.
- Write specific recommendations for the national agencies and project partners to better combat the illegal wildlife crime
- Any other duties relevant to the role.

## **Full Requirements / Expectations of the Role holder**

- First-level university degree in law, criminology or related field (required) and a post-graduate degree in the same field (desirable).
- A thorough understanding of Kazakhstan law and law enforcement frameworks, agencies and structure, and detailed knowledge of environmental laws and regulations.
- Strong research and analytical skills, together with the ability to articulate complex issues clearly and to summarise large quantities of information in a clear, concise manner.
- Citizen of Kazakhstan
- Fluency in spoken and written Russian or any local language. Fluency in English will be considered a strong asset.
- Relevant experience in data collection, legal analysis, and drafting of legal documents.
- Strong research and analytical skills, together with the ability to articulate complex issues clearly and to summarize large quantities of information in a clear, concise manner.
- A thorough knowledge and understanding of policy and legislative frameworks in Kazakhstan as well as relevant institutions responsible for the implementation and enforcement of the same, and specially of those related to environmental and anti-corruption issues.
- Highly motivated and results-oriented individual with the ability to work independently, with remote oversight, and under pressure, and to set own work priorities as appropriate with a capacity to meet deadlines.
- Registration as a professional lawyer will be considered a distinct advantage.
- Previous experience in wildlife crime, court monitoring, and/or court process analysis and assessment will be considered an asset.
- Experience and/or demonstrated interest in environmental law, biodiversity conservation, and sustainable development issues will be considered an advantage.
- Experience working in multi-disciplinary teams will be considered an asset.

## **Duration of the appointment**

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The assignment will be for a period of 4 months between 01 December and 30 March 2023. The estimated number of days that the consultant will spend is approximately 25 days. The consultant may move on to support the trainings/presentations at a later stage.

	Activity/deliverable	Deadline
1.	<u>Deliverable</u> : Legal analyses report 1 <sup>st</sup> draft	TBD
2.	<u>Deliverable</u> : Legal analyses report 2 <sup>nd</sup> draft	TBD
3.	<u>Deliverable</u> : Final report on legal analyses in Russian	TBD
4.	Produce bi-weekly progress reports on collection, processing and analysis. <u>Deliverable</u> : 6 weekly progress reports.	Due every other Friday

**Deadline and submission applications:** Send your CV and a cover letter indicating why you are interested in this position to [Sanjar.Kurmanov@traffic.org](mailto:Sanjar.Kurmanov@traffic.org) no later than **December 10, 2022**.