AC02800P
FIELD LEGAL SUPPORT

Level 12

Reports to (Hierarchical)
Head of Mission / Head of Programmes

Reports to (Functional)
Intersectional Legal Department (ILD) referent

Job Family
Legal

Main Purpose
Under the hierarchical supervision of the HoM and under the technical supervision of the ILD referent Unit, the Intersectional Legal Support provides technical expertise in support of the mission. He/She identifies the legal constraints and obligations applicable to MSF, assesses the risks for MSF and provides recommendations adapted to MSF activities.

Accountabilities
In cooperation with and under the technical supervision of the ILD referent, the Field Legal Support is in charge of (non-exhaustive):

CENTRALISING LEGAL ISSUES AND PROVIDING LEGAL ADVICE

- He/She provides reasoned legal opinions – based on a thorough legal analysis of the applicable le-gal framework - and practical solutions, adapted to MSF specificities, on all issues submitted to her/him particularly in the areas of social law, contract law, fiscal law and administrative law appli-cable to NGOs.
- He/She takes into account the positioning of the different sections within the country.
- He/She ensures consistency in the responses given by the different MSF sections to legal problems in the country, in collaboration with the section's ILD officer at HQ level;
- He/She identifies and assesses appropriate external lawyers, supports team to mutualize resources, capitalizes on lessons learned and consultations with external lawyers; prepare recommendations to address recurring issues, and develops/updates the applicable Legal/Administrative/Fiscal guidelines of the different sections;
- He/she is in charge of communicating with all stakeholders about the internal organisation of the ILD, disseminating relevant ILD tools to coordination teams and ensuring the liaison between field teams and the relevant ILD advisor. Any request related to legal areas not covered by the Inter-sectional Legal Advisor (in particular issues related to international humanitarian and forensic law) will have to be referred to the relevant ILD advisor.

DRAFTING/REVISING DOCUMENTS, CONTRACTS AND CORRESPONDENCE

- Under the supervision of his/her hierarchical and technical superiors, he/she drafts/revises the mis-sion’s HR documents (employment contracts, HR policies, dismissal notices, etc.), administrative documents (applications for registration, answers to inspections/audits, etc.), contracts (services, purchase, agreements, lease agreements, etc.),

correspondence, etc.
- He/She uses, promotes and when necessary adapts the templates developed by the ILD according to the applicable local requirements.

ENSURING THE FOLLOW-UP OF LITIGATION FILES He/She ensures the follow-up of the litigation files, which implies in particular that:

- He/She knows the files, drafts a « Matter file » for each of them;
- He/She communicates the relevant information and documents of the file to the lawyers;
- He/She checks that the lawyer performs his job correctly: observance of procedural deadlines, rep-resentation at hearings, and receipt of the minutes of the hearings in order to include them in the file;
- He/She ensures that the strategy proposed by the lawyer is in the best interest of MSF, alerts his/her superiors if this is not the case, assesses the risks and proposes alternatives solutions;
- He/She reviews/comments/proposes the necessary amendments to the pleadings drafted by the lawyer;
- He/She ensures that the lawyer complies with the terms of the agreement, particularly in terms of fees and charges;
- He/She reports regularly to his/her superiors and to the HR or Finance teams (depending on the na-ture of the case) on the progress of the cases and the quality of the lawyer's services;
- He/She collects and archives file/procedural documents.

MANAGING INDIVIDUAL RISK (ILD Unit 3)

- He/She provides legal support to HR teams, in particular by proposing risk analysis including possible response op-tions;
- He/She monitors developments in social law applicable to MSF and provides updates to the coordination teams;
- He/She provides accurate support for disciplinary cases, according to modalities to be defined with his/her superi-ors and the HR teams;
- He/She provides support in the context of redundancies, according to modalities to be defined with his/her superi-ors and the HR teams;
- He/She coordinates the liaison among sections or directly liaises with relevant authorities involved in HR team management and ensures an appropriate and coherent networking with, including but not limited to, Labour Of-fice/Ministry of Labour, MOH partner and Medical Order;
- He/She develops an appropriate risk assessment and coordinates with all sections present in the country to find a common positioning among sections on a specific labour law issue, when necessary.

MANAGING LEGAL AND ADMINISTRATIVE FRAMEWORK RELATED RISKS (ILD Unit 4)

- He/She provides appropriate support to follow-up registration/operational licenses of all MSF sec-tions and provides legal advice on framework and project MOU;
- He/She provides legal support to ensure the facilitation of administrative procedures (work per-mits, taxes, import, registration, etc.); he/she ensures as far as possible that procedures are con-sistent and identical for all sections present in the country;
- He/She monitors the evolution of laws and regulations applicable to MSF and provides regular up-dates to his/her superiors and to the coordination teams;
- He/She provides accurate support for audits/controls (fiscal, custom, other), according to modalities to be defined with his/her superiors and the relevant teams (Fin, Log);
- He/She coordinates the liaison among sections or directly liaises with relevant administrative authorities and en-sures an appropriate and coherent networking with, including but not limited to, Tax Office, Social Security Office, Customs, Registrar and MOH partner;
- He/She prepares and updates a risk analysis including all the legal and administrative blockages that MSF could face in the country due to laws and regulations and that could result from the economic and political scenario;
- He/She develops, guides and implements (in a consistent and coordinated manner across all MSF sections) recommendations and risk mitigation strategies to ensure effective and unimpeded im-plementation of MSF operations;
- He/She develops an appropriate risk assessment and coordinates with all sections present in the country to find a common positioning among sections on a specific administrative issue, when necessary.

TRAINING / PROJECT VISITS

- At the request of his/her hierarchical/technical superior, he/she visits the coordination and/or pro-jects to provide legal support if necessary (e.g.: complex disciplinary proceedings, redundancies, audits, etc.).
- He/She briefs (directly or by sending appropriate documentation) the relevant Coordination team members (Logistics, Finance, Human Resources) upon arrival on the legal framework of the mis-sion, the ILD internal organisation and current important legal issues;
- He/She ensures the training of the Coordination teams (Logistics, Finance, Human Resources) by organising training sessions on all necessary legal issues.

REPORTING

- He/she reports regularly on his/her activities to his/her hierarchical and technical superiors, according to modalities to be defined by them (interviews, monitoring sheets, sitrep, etc.) and follow up the roadmap defined by his/her ILD referent.
- At the end of the mission, establishes a typology of recurring risks / incidents / legal issues and propose relevant mitigating strategies, and provides a complete end of mission report.

MANAGEMENT (when applicable)

- He/she recruits and manages legal officer(s) and/or legal assistant(s) when applicable.

Education

Lawyer (law degree), ideally with a specialisation in Labour Law; knowledge of tax and/or commercial law is an asset.

Experience

At least 4 years’ experience as an in-house lawyer or as an attorney, including an experience in an NGO.

Languages

- Excellent knowledge of mission language– written/oral – mandatory
- English

Knowledge

- Knowledge of a foreign administrative context
- Good computer skills: Word, power point, etc.

Competencies

- Dynamic, rigorous, with good analytic skills
- Self-starter, solution-oriented and ability to learn and adapt
- Good oral and written communication skills, negotiation skills and ability to provide user-friendly tools
- Good interpersonal skills, patience, diplomacy, flexibility
- Capacity to work in a complex bureaucratic environment
- Compliance with confidentiality and MSF rules

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