



USAID | AFGHANISTAN

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Solicitations open to: Afghan Nationals Only
Position Title: Legal Specialist
Type of vacancy: Single
Opening date: April 23, 2016
Closing date: May 08, 2016
Work hours: 40 hours (Full time)
Position Grade: FSN-10
Vacancy announcement #: USAID/306/16/38/RLO

The United States Government (USG), represented by the U.S. Agency for International Development (USAID) Mission in Afghanistan, is seeking applications from qualified Afghan Nationals to provide personal services as **Legal Specialist** under a personal services contract, as described in the attached solicitation.

BASIC FUNCTION OF THE POSITION:

This position is located in the Kabul Office of USAID/Afghanistan, under the direct line supervision of the Senior Resident Legal Officer (RLO), a Direct Hire Foreign Service Officer. The primary focus of this position is to provide legal and ethics advice and counsel on matters of the U.S, international, and local law in Afghanistan. The incumbent represents the Resident Legal Office (comprised of two Direct Hire Foreign Service Officer attorneys, two Afghan National attorneys, and an administrative assistant) as a member of various Strategic or Development Objective teams.

The incumbent's duties/responsibilities involve the full range of consultative, advisory, monitoring, management, data collection and analysis, and evaluative aspects of providing legal advice and counsel to USAID/Afghanistan on a variety of legal particularly local law matters relating to Mission programs and operations (i.e. labor law, contractual matters, etc.), taxation of assistance and other bilateral issues arising with the Government of the Islamic Republic of Afghanistan (GIRoA).

The incumbent counsels, collaborate and coordinate with Mission colleagues in Kabul, Afghanistan. The incumbent works with U.S. Embassy colleagues regarding matters of local law and privileges and immunities under international law including issues related to taxation and customs duties. The incumbent also collaborates with colleagues from the donor community, USAID partners, the national government in Afghanistan and non-governmental organizations. Some travel will be required. Additional duties may be assigned by the two RLOs as necessary (i.e. additional program management responsibilities, office support, and/or advising).

Based on the technical nature of the responsibilities/duties of this position, the incumbent receives technical guidance, work objectives, and assignments from the RLOs. The incumbent assists in: providing legal and ethics advice to the Mission and its staff and Embassy on local legal matters relating to USAID, USAID/Afghanistan programs and operations affecting the United States Government (USG) generally; liaising with donors, high-level government officials in Afghanistan, partners; and, identifying and resolving legal and ethical issues affecting overall USG operations and USAID program performance throughout Afghanistan.

The incumbent works collaboratively with USAID/Afghanistan's multiple implementing partners to resolve issues affecting their operations including customs or taxation issues and business registration problems. The incumbent is required to coordinate and attend meetings, including high-level meetings with the mission and embassy management and high-level government officials from Afghanistan, recommending solutions to legal, ethical and programmatic issues identified. The incumbent is also expected to draft legal opinions and briefs and articulate in written memoranda what she/he did in the aforementioned capacities. The incumbent assists the program and technical offices, as requested.

The incumbent is closely supervised and monitored in the performance of the duties during the authorized three months probationary period, in compliance with the guidance contained in the Locally Employed Staff Handbook and established Mission practices.

MAJOR DUTIES AND RESPONSIBILITIES:

A. Legal Advice and Ethics Counseling Responsibilities:

1. Provides legal advice and counsel to the Mission and its staff on local law matters relating to USAID and USAID/Afghanistan programs and operations. Writes legal opinions and briefs regarding questions of GIRoA (local) laws and reviews program material for soundness and accuracy with respect to local laws. The Legal Specialist assists the program and technical offices, as requested, in the design and implementation of activities.
2. Tracks legislative and regulatory initiatives and prepares reports on executive and legislative activities/developments affecting USAID/Afghanistan or its partners for the RLOs, senior Mission management and the technical offices.
3. Assists the RLOs on all legal aspects of taxation of assistance and registration; and represents the Mission in meetings with the GIRoA and other donors regarding legal issues. Participates in working groups to develop implementing procedures for tax and customs exemptions including, as necessary, analyzing and drafting modifications to local laws.
4. Assists in the creation, review and analyses of memoranda of understanding, interpretation of bilateral agreements, and other legal documents. Participates in negotiations on proposed memoranda and agreements. Drafts or reviews for legal sufficiency local leases and contracts, including contracts for procurement of goods and services funded by USAID.
5. Obtains information through direct liaison with senior Government officials including key ministries and Parliament. Maintains contacts with members of the private bar and judicial officials on matters of local law. As requested by the RLOs, provides legal assistance to other US Government agencies including the Embassy when questions of local law are involved.
6. Stays current with the laws and regulations of Afghanistan. Maintains familiarity with the laws of the United States (including the Foreign Assistance Act of 1961, and annual appropriations acts), regulations affecting USAID programs and operations (including the FAR, AIDAR and OMB Circulars), USAID's worldwide Automated Directive System (ADS), the Foreign Affairs Manual (FAM) and the Standard Rules of Ethical Conduct for Employees of the Executive Branch.
7. Assists the RLOs in reviewing various issues for compliance with US law including disposition of assets/property issues, source, origin, nationality, participant training, bilateral issues, waivers and tax and customs questions.
8. Analyzes and evaluates policies affecting USAID program activities including tax issues as they pertain to the USAID/Afghanistan objectives and prepares analytical reports for key officials of the Mission. Drafts proposed letters to Ministry officials and advises on political ramifications. Advises Mission personnel on their proposed contacts with government officials and donors, e.g., what approach to use, and what to look for or to avoid.

9. Assists the RLOs on developing ethics training. Provides training to locally employed staff and counsel on routine ethics issues.

B. Partner Communications and Liaison:

The incumbent is required to liaison with partners on behalf of USAID in relation to legal and ethical issues affecting the USG and USAID. To fulfill this responsibility, the incumbent must be proactive in facilitating communications amongst and between USAID/Afghanistan's cooperating agencies and their local partners in a timely manner. These communications will be carried out in English, Dari, and/or Pashto as the situation requires. Communication can be in person, by phone or written communications. The purpose of contact will be: 1) to maintain dialogue to determine if legal or ethical issues arise in relation to U.S.G., USAID, or implementing partner operations program implementation; 2) in support of legal reforms, rule of law issues, corruption issues, and human rights issues; 3) to maintain regular communications regarding any issues that arise; 4), if required, to collect, obtain, and verify factual information pertaining to program/activity planning and implementation (e.g. statistics, activity progress reports, and proposals); 5) to actively monitor and evaluate whether the legal or ethical issues have been resolved.

C. Official Interaction and Association:

The incumbent is required to build and maintain a productive professional working relationship with the following parties: all categories of Mission employees (e.g., USAID/Afghanistan, other US Government agencies at the US Embassy as assigned, US partners and their local partners); GIRoA officials as assigned and coordinated through the RLOs, USAID/Washington's Office of General Counsel, the Office of Afghanistan and Pakistan Affairs (OAPA), and the Department of State. Reform/rule of law programs and activities. Possible gender, anti-corruption, or other sector- specific work may also be assigned as appropriate and in accordance with the incumbent's relevant experience and expertise.

QUALIFICATIONS REQUIRED FOR EFFECTIVE PERFORMANCE:

Education: A Bachelor's degree in Law (LL.B.) is required. (Bachelor's degree must be obtained at the time of application.)

Work Experience: A minimum of five (5) years progressively responsible experience as a legal advisor, a lawyer, advocate with a bi-lateral/multi-lateral/uni-lateral international organization, a law firm or government institution is required. (Full level experience requirement must be met at the time of application).

Language: Level IV (Fluent) speaking/reading English and Level IV (Fluent) speaking/reading Dari and/or Pashtu is required. (English language ability will be tested).

Knowledge: A comprehensive knowledge and understanding of the concepts, principles, techniques and practices in the Afghan law is required. Past work experience with and knowledge of taxation, labor law, contracts, and business and non-profit organizations, structures and registration requirements in Afghanistan is required. Knowledge of appropriate government and non-government entities is critical to the successful performance of the duties assigned to this position and therefore, required. In addition, the incumbent should have, after completing a six month probation period, a good understanding of USAID's policies, procedures and strategic goals.

Skills and Abilities: The incumbent is required to be able to: (1) obtain, analyze, and evaluate a variety of legal data; (2) organize and present legal and technical information in concise written and oral form; (3) identify, explain and resolve important and complex legal issues independently; (4) furnish information and advice/counsel in assigned areas objectively; (5) follow oral instructions, and organize, prioritize and follow through on all assignments with minimal oversight; (6) type accurately; (7) edit documents, (8) focus on details; and, (9) demonstrate proficiency in word processing, spreadsheets, databases and other computer applications (i.e. Microsoft Office, Excel, PowerPoint, etc.).

Given the nature of the position, effective written and oral communications are absolutely critical to perform successfully. Incumbent must be able to communicate effectively and accurately with (1) all categories of the Missions' employees; (2) GIRoA officials at the Senior Minister level and lower (as applicable); (3) numerous international and local partner, NGOs, organizations, donors and other embassies; (4) the USAID/Washington Office of General Counsel and the Office of Afghanistan and Pakistan Affairs; and, (5) the general public. The incumbent is required to be able to prepare briefing documents (as/when required), including legal memoranda, legal opinions, and Memoranda of Understanding. The incumbent must also be able to prepare reports, correspondence, and documents in a professional and competent manner requiring little or no editorial changes (in English).

HOW TO APPLY:

Applicants are requested to submit a complete application package which must include all required documents to AFPAKjobs@usaid.gov with a **Subject line: Legal Specialist (RLO 1638)**.

ANY/ALL application submissions after the closing date of May 08, 2016 will not be considered.

REQUIRED DOCUMENTS:

- 1. Cover memo/email outlining your qualifications and experience against the selection criteria.**
- 2. Application for Employment (AE) as a Locally Employed Staff (DS-174)**
http://kabul.usembassy.gov/job_opportunities2.html and/or
<http://www.state.gov/documents/organization/136408.pdf>.
- 3. A current resume or a curriculum vita that provides the same information found on the DS-174 form.**

(We understand that not all applicants are able to download the application from the internet. Please state this in your cover memo/email if this is the case. For candidates who are short listed, a DS-174 will be required in order to advance in the process.)

Note:

- Ø Only short-listed candidates will be notified.
- Ø This vacancy is open only to Afghan Nationals.
- Ø Applications with insufficient, incomplete and inconsistent information to make a determination will not be considered.
- Ø No in-person appointments or telephone calls will be entertained.
- Ø Female candidates are strongly encouraged to apply.
- Ø Applications submitted as .RAR file will not be accepted by the system
- Ø Candidates who are applying for this position must fully meet the education requirement (graduated and degree and/or diploma already received) as specified. At the time of applications, candidates must also meet in full the experience requirement. There is no exception for these requirements.
- Ø Short-listed candidates will be requested to provide educational documents such as degrees, diplomas, certificates and other pertinent documents as needed. Failure to provide the required documentation will result the rejection of their application from further consideration.
- Ø The Agency retains the full right to cancel or amend the solicitation and associated actions.

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ALL ETHNIC GROUPS AND BOTH GENDERS ARE URGED TO APPLY**