

UNITED NATIONS DEVELOPMENT PROGRAMME

Project “Building Institutional Capacity of the Ministry of Foreign Affairs and European Integration”

Terms of References

National Consultant to support development of Organizational Plan on new Agreement between Moldova and European Union

Background:

On 27th May 2008, when the Cooperation Council meeting between the European Union and the Republic of Moldova was held, European Commission confirmed its readiness to start reflections on a new Agreement with the Republic of Moldova.

The European Union welcomed good progress made by the Republic of Moldova in the most areas of the European Neighbourhood Policy Action Plan. At the same time, the EU underlined the need for further reforms efforts, in particular as regards the strengthening of democracy, the rule of law, respect for human rights, media freedom, the fight against corruption, and the business and investment climate.

On 3rd of October 2008, the Council of the European Union adopted conclusions on the Republic of Moldova and confirmed the intention to negotiate a new and ambitious agreement with Moldova. The new Agreement will go beyond the current Partnership and Cooperation Agreement and will include the aim of comprehensive and deep free-trade area, to be put in place when the Republic of Moldova is ready sustain the effects of full liberalization of its trade with the European Union. The aim of the agreement will be gradually to bring the Republic of Moldova and the EU closer together. The Council recalled in this connection, the facilitation agreement on visas which lays down the introduction of a visa-free travel regime for the citizens of the Republic of Moldova as a long-term perspective.

Taking into consideration that Republic of Moldova will negotiate for the first time during last 15 years, a New Agreement with European Union, following needs could be identified:

- Improvement of the decision making process during the process of negotiations;
- Training of experts (negotiations skills and sector policies);
- Organization of study visits for experts in order to familiarize with experience on negotiation process;
- Involvement in the negotiation process of :
 - international and national consultants that will provide support to the national experts during the negotiation process;
 - representatives of NGOs, Trade Unions;
 - international donor community (to provide specific support in the negotiation process);

The United Nations Development Programme (UNDP) Moldova, through its project “Building Institutional Capacity of the Ministry of Foreign Affairs and European Integration” will employ a short-term National Consultant who will assist Ministry of Foreign Affairs and European Integration/Department of European Integration to undertake an assessment of the Ministry’s capacity to negotiate a New Agreement with European Union. The Consultant will be responsible particularly for an analysis of needs in terms of negotiation of New Agreement and preparing of an Action Plan on negotiation process.

The Consultant will work in Chisinau in close, daily contact with designated senior official in the Ministry of Foreign Affairs and European Integration (MFAEI) and his team, who will themselves participate in the process of analysis, assessment and review under guidance from the Consultant. The process will be partly, one of self-assessment, for which the Consultant will need to provide an appropriate framework. It will need to be designed to lay the foundations for taking decisions by the Ministry leadership on future negotiation process.

Objectives:

The expected output for the National Consultant’s assignment is to provide assistance and coaching to the Ministry of Foreign Affairs and European Integration/European Integration Department in evaluation of needs for negotiation of New Agreement between Moldova and European Union in order to effectively executing their pre-negotiations roles and functions in the thematic areas.

Key activities:

The National Consultant is expected to contribute to strengthening of the Ministry’s capacity for negotiation of New Agreement with European Union by fulfilling the following specific tasks:

- 1) Analyze the policy documents regulating the Ministry’s sector/activity and the short and medium-term objectives that have to be achieved by the ministry (including documents on European Integration of the Republic of Moldova);
- 2) Provide SWOT-analysis, evaluation of needs at the national/ministry level in order to prepare the Moldovan side for the negotiations of the new Agreement with the European Union;
- 3) Based on evaluation of needs, SWOT-analysis, prepare report/plan with detailed recommendations for organization of negotiating process;
- 4) After the internal review of the general needs for the negotiations of the New Agreement, identify and make proposals on best mechanism for coordinating the communication method at the technical level between the employees of the European Integration Department of the Ministry of Foreign Affairs and European Integration as leading factor vis-à-vis other institutions;
- 5) Identify the sectors (ministries) that require most of expertise in terms of collecting and processing information and its submittal to European Commission during negotiations;
- 6) Coach and advise Ministry’s staff/ Department for European Integration (know-how transfer) on planning the activities for the negotiation process (including advise on principles and mechanism of work of the negotiations team) ;

- 7) With the support of the Ministry of Foreign Affairs and European Integration/European Integration Department, prepare the first draft of database of consultants and institutions. The consultants/institutions database should comprise consultants and institutions from Moldova and EU member that are ready to assist the Moldovan delegation in the negotiation process;
- 8) Provide additional information for decision-making;
- 9) Facilitate meetings with key stakeholders.

Deliverables and Timeframe

The National Consultant is responsible for delivering of the following results/output:

Results/output	Timeframe (target date)
1. <u>Inception Report</u> : The consultant shall produce an inception report outlining initial observations and detailed work plan to be applied for respective assignment;	January 24, 2009
2. <u>Draft report</u> on SWOT-analysis, evaluation of needs on the national/ministry level for the negotiations of the New Agreement with European Union;	February 12, 2009
3. <u>Draft Plan</u> outlining concrete conclusions and recommendations as it concerns setting up negotiation process (including identifying the sectors (ministers)) that require most of the expertise in terms of collecting and processing information and its submittal to European Commission during negotiations.	February 27,2009
4. Prepared first <u>draft of database</u> of experts and institutions.	March 20, 2009

Qualifications and Experience:

The consultant will have the following qualifications:

- Proven expertise and experience in capacity assessment, in public administration, especially in area of foreign relations and European Integration processes;
- Modern approach to delivery of coaching and policy advice, and experience of working with ministers and senior officials in a process of administration reform;
- Analytical skills and experience in diagnostic/analytical studies of public institutions, benchmarking and comparative analysis;
- Experience of planning and introduction of performance-related assessment;
- Excellent communication skills, facility in working with teams and capacity to compose clear and readable narrative reports in Romanian (English if necessary);
- Demonstrated interpersonal and diplomatic skills, as well as the ability to communicate effectively with all stakeholders and to present ideas clearly and effectively;
- Advanced degree in the area(s) of public administration, law, management, political science, development economics, sociology, or other related social science backgrounds;
- Operational experience in or in-depth study of Foreign Affairs sector of public administration within the current social, economic, political, and conflict circumstances in the greater Central and Eastern Europe region, or equivalent professional experience, over a period of five to ten years;
- Fluency in both oral and written English and Romanian.