

## TERMS OF REFERENCE

### 2 National Consultants

#### to revise the legal, regulatory and institutional framework for digital signature

<b>Job Title:</b>	<b>National Consultant</b>
<b>Duty Station:</b>	Chisinau, Moldova
<b>Project Reference:</b>	“Building e-Governance in Moldova-2”
<b>Duration of Employment:</b>	15 March –31 June 2010/ 20 working- days

#### **Job content**

##### *Background:*

Through this project UNDP is assisting the Government of Moldova in implementing the e-Governance component of the National Strategy “e-Moldova”. With the overarching goal of strengthening democracy in the country, the Project aims to support the Government in advancing e-government solutions for a better public service delivery and more transparent decision making. The project will advance the use of ICT by public administration for a more transparent and efficient exercise of its functions. It covers four main areas of intervention including:

- i) Policy support,*
- ii) development of electronic public services,*
- iii) training,*
- iv) e-democracy and public awareness.*

The e-Development Report 2009 specifies that, in spite of the progress in access of citizens to computers (33% of households have computers, 42% of population use computers) and Internet (penetration rate 37%), Moldova is still lagging behind the global average of e-development progress and is far behind the EU average. Also, few content applications and services (especially in e-health) are available on-line and a range of information systems are not implemented because of lack of sufficient government funding. The digital signature effective implementation is a barrier in accelerating the development of e-business and e-commerce applications. The developed/developing information systems of public authorities are more control/monitoring oriented than citizen-centered. Lack of coordination “Agency - Architect of the e-Governance system” is believed to be an important barrier for further e-Development. To accelerate the progress the e-Moldova Strategy 2.0 was drafted and is being revised by national and international experts.

There is common understanding among interested stakeholders including through such platforms as the World Bank lead Policy Dialogue on “Transforming Moldova with ICT: Sharing Singapore Experience”<sup>1</sup> held on 15-17 December 2009 on the creation of e-Governance Implementation Agency. The Government supports such an approach. Although in Moldova 8 services for citizen are available on-line, only 3% of public authorities are involved in on-line service provision and there is a week implementation and use of digital signature. The revision of the legal, regulatory and institutional framework for digital signature is set to be undertaken by experts in the field and endorsed by the Ministry of ICT, which currently has limited capacities to undertake such an exercises on its own. Therefore, based on the request from the Moldovan Public Authorities, the UNDP “e-Governance” Project seeks a Team of Consultants to assess the legal, regulatory and

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<sup>1</sup> A MoU between the Government of Moldova and IDA International, Singapore has been signed to cooperate in building e-Government in Moldova. The Working Group has been created to implement the Singapore model. The MoU provides to implement 2-3 e-services in June –August 2010 based on Singapore model.

institutional framework in the field of digital signature and prepare draft Law, Regulations amendments and propose institutional framework to improve the implementation of digital signature and alternative authentication procedure for expanding the e-Government services.

**Objective:** Propose the necessary amendments to legal and regulatory and institutional framework on digital signature and authentication procedure to boost e-services development.

**Organizational Setting:** The Team of Consultants is expected to work under the direction of the Project Manager, in a close cooperation with the Ministry of Information Technologies and Communications and other involved Government institutions.

**Scope of work and expected outputs:**

In order to achieve objectives **the Team of Consultants will:**

- Analyse the Moldovan legal, regulatory and institutional framework on use of digital signature (Law on electronic document and digital signature, other laws and relevant regulations) gaps
- Propose necessary adjustments to easier use of digital signature digital signature and alternative authentication procedure for expanding the e-Government services

**Deliverables:**

<b>Division of tasks</b>	<b>Deliverables</b>	<b>Deadline</b>
National Consultant 1	Report on legal and regulatory on use of digital signature framework Analysis gaps. Presentation of the Report findings and Recommendations in one roundtable discussion.	10 May 2010 17 May 2010
National Consultant 2	Draft amendments to relevant Laws and regulations; Proposed institutional framework.	15 June 2010

**Reports**

Weekly Progress Reports

**Qualifications for local consultants:**

*Education of consultants:*

University or Higher Degree (MA and Ph.D.) in legal field, ICT or other relevant fields.

*Experience:*

- Proven experience in developing draft Laws, regulations, other Government documents;
- Extensive knowledge of legal and regulatory framework digital signature use area;
- Proven experience in developing and delivering Government documents ;
- Overall knowledge about Public Administration management tools.

*Abilities:*

- Ability to analyze and generalize, to develop legal, regulatory and methodical materials;
- Ability/capacity to provide consultancy services;
- Ability to work in a team;
- Efficient communications and writing skills in legal area;
- Extensive PC skills, ability to use Internet;

*Personal qualities:* responsibility, creativity, promptness and punctuality.