



European Union High Level Policy Advice Mission to the Republic of Moldova

Terms of Reference

Short term local expert

Background

The EU High Level Policy Advisory Mission (EU HLPAM) is a project financed by the European Union and implemented by the UNDP. The objective of the project is to support the Government to implement its EU-integration related reform Agenda and in particular to assist the government in developing the capacities required for the implementation of the Association Agreement, including the Deep and Comprehensive Free Trade Area, as well as the Visa Liberalisation Action Plan. Specifically, the project aims at strengthening the policy-making, strategic planning and policy management capacities of selected line Ministries and State Agencies involved in the implementation of the Association Agreement and Visa Liberalization and at enhancing stakeholders' knowledge and awareness of EU policies, legislation and regulations in sectors strategic to the implementation of the Association Agreement including the Deep and Comprehensive Free Trade Area, and to the implementation of visa liberalization.

The project is seeking to engage the services of a short term local expert on corruption prevention.

Position Title: National Consultant for the Ministry of Justice for the development of assessment of procedural codes (Civil Procedure Code, Contraventional Code and Criminal Procedure Code) for identification of the most risky provisions which could determine a corrupt behaviour of judges/prosecutors and formulation of recommendations to improve the legal framework

Duty Station: Chisinau, Republic of Moldova

Type of Contract: Individual Contract

Duration of the Contract: August – December 2014 (up to 40 work days)

Reporting to: the High Level Adviser to the Ministry of Justice and the EUHPAM project manager

Description of Responsibilities:

The local expert on corruption prevention will develop the assessment of procedural codes (Civil Procedure Code, Contraventional Code and Criminal Procedure Code) for identification of the most risky provisions which could determine a corrupt behaviour of judges/prosecutors and formulation of recommendations to improve the legal framework.

The local expert will report primarily to the High Level Adviser to the Ministry of Justice and the EUHPAM project manager.

Key Responsibilities:

- Assessment of the procedural codes (Civil Procedure Code, Contraventional Code and Criminal Procedure Code) in order to identify the most risky provisions which could determine a corrupt behaviour of judges;
- Development of recommendations in order to eliminate the risks of using judges/prosecutors discretion for corruption purposes;
- Preparation of the drafts of the amendments to the procedural codes;





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- Correcting and editing the drafts of the amendments to the procedural codes, according to request of the representatives of the Ministry of Justice;
- Participation at the public debates on the drafts of amendments;
- Perform any other related tasks as assigned by the EUHLPA and/or the project manager.

Deliverables, activities, and milestones shall follow this tentative schedule:

Deliverable/milestone	Indicative timeframe
1.Assessment of the procedural codes (Civil Procedure Code, Contraventional Code and Criminal Procedure Code) in order to identify the most risky provisions which could determine a corrupt behaviour of judges/prosecutors;	September 1, 2014 – October 1, 2014
2.Development of recommendations in order to eliminate the risks of using judges/prosecutors discretion for corruption purposes;	October 2, 2014 – October 15, 2014.
3.Preparation of the drafts of the amendments to the procedural codes;	October 16, 2014 – November 1, 2014.
4.Correcting and editing the drafts of the amendments to the procedural codes, according to request of the representatives of the Ministry of Justice;	November 2, 2012 – November 20, 2014.
5.Participation at the public debates on the drafts of amendments	November 2, 2012 – November 20, 2014.
6.Final Report	December 1, 2014

The local expert is required to operate according to the Mission's Code of Conduct, which constitutes an integral part of the contract, and a prioritised work plan agreed with the adviser to Ministry of Justice and the project manager.

Qualifications and skills:

I. Academic Qualifications:

- A Masters' Degree in Law or equivalent. A Bachelor's Degree in the same areas combined with 7 years of experience in the sector will serve in lieu of a Master's Degree.

II. Years of experience:

- Preferably 7 years of relevant professional experience
- At least 5 years of professional experience linked to the provision of policy advice in the areas relevant to the assignment.



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- At least 5 years of proven experience of working with the public administration in Moldova

III. Competencies:

- Proven knowledge of civil and criminal procedure law, judiciary system and litigation process of the Republic of Moldova;
- Proven knowledge and experience in law making process, law drafting technique in the Republic of Moldova;
- Proven knowledge of EU external assistance programmes and policies targeted at EaP countries.
- Excellent communication skills
- Proven report writing skills
- Computer literacy
- Fluency in written and spoken English
- Fluency in Romanian and Russian languages

Documents to be included when submitting the proposals:

Interested individual consultants must submit the following documents/information to demonstrate their qualifications:

1. Proposal: explaining why they are the most suitable for the work and providing a brief methodology on how they will approach and conduct the work
2. Financial proposal;
3. Personal CV including past experience in similar assignments, the duly filled Personal History Form (P11) and at least 3 names for a reference check.



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