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.

In the context of the implementation of the EU Visa liberalisation Action Plan, the Bureau for Migration and Asylum has embarked, in a very extensive and complex process of data collection, data exchange and data analysis. This process has in particular resulted in the preparation of the Extended Migration Profile and the creation of a special Unit for Data collection and Risk Analysis, as well as the signature of a series of inter-agency agreements on data exchange. During this phase of consolidation, the establishment of a full-fledged system for Personal Data Protection, within the BMA is needed and identified as a priority by the BMA and EUHLPAM Adviser.

Within the framework of Article 13 of the EU/RM Association Agreement, the EU and RM are committed to ensuring a high level of protection of personal data in accordance with the EU, CoE and international legal instruments and standards.

The Republic of Moldova has put into place a comprehensive set of legislation in the area of personal data protection (such as Law 133 of 2011 on Personal Data Protection etc.) but the BMA currently lacks the capacity and the expertise to carry on the task in a sytematic manner. The BMA and EUHLPAM have therefore identified the need in the support of a Short-Term-Expert on Personal Data Protection as a priority for BMA.

The project is seeking to engage the services of a short term local expert on personal data protection.

Position Title: Local short term expert to the Bureau for Migration and Asylum on personal data protection
Duty Station: Chisinau, Republic of Moldova
Type of Contract: Individual Contract
Duration of the Contract: September – October 2014 (up to 30 work days)
Reporting to: EUHLPA to the Bureau for Migration and Asylum and the EUHLPAM project manager

Description of Responsibilities:

The short-term expert on Personal Data Protection would provide support to the BMA in the establishment of a personal data protection system within the existing data creation, collection and exchange frameworks and processes both at central (Central Office of the BMA, Accommodation center for refugees, etc.) and regional levels (regional registration offices etc.).

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

Key Responsibilities:

- Assessment of personal data protection processes and needs, within the existing process of data collection and data exchange (including in regional offices) ;
- Provision of on-the-job expertise to key staff (throughout the working period) and provision of guidance to implementation of data protection legislation within existing systems;
- Sharing EU best practices pertaining to the issue;
- Preparation of a report with concrete recommendations for the establishment of a full-fledged personal data protection system (with identification of further concrete steps, capacity-building needs) and presentation of the findings to BMA key staff;
- Preparation of a structured (theoretical) presentation to staff on EU and international standards, principles relating to personal data protection.
- Other tasks assigned by EUHLPA and/or the project manager.

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

Deliverable/milestone	Indicative timeframe
1. Assessment of personal data protection processes and needs, within the existing process of data collection and data exchange (including in regional offices)	September 2014
2. Provision of on-the-job expertise to key staff (throughout the working period) and provision of guidance to implementation of data protection legislation within existing systems	Throughout the assignment
3. Sharing EU best practices pertaining to the issue	Throughout the assignment
4. Preparation of a report with concrete recommendations for the establishment of a full-fledged personal data protection system (with identification of further concrete steps, capacity-building needs) and presentation of the findings to BMA key staff;	October 2014
5. Preparation of a structured (theoretical)	October 2014

presentation to staff on EU and international standards, principles relating to personal data protection	
6. Final Report	October 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 …. and the project manager.

Qualifications and skills:

I. Academic Qualifications:

- A Masters' Degree in Law, Personal Data Protection, Public Administration or similar or equivalent. A Bachelor's Degree in the same areas combined with 7 years of relevant professional experience 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.
- At least 5 years of proven experience of working with the public administration in Moldova

III. Competencies:

- Excellent knowledge of and experience in European data protection issues and policies
- Practical knowledge of the assessment of the impact of European or national policies in the area of data protection on citizens and / or public administration
- Understanding of the effects of advances in technology on data protection.
- Experience in training/coaching
- 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.