

Terms of reference

Job title:	National Consultant for developing the policy document for territorial administrative structure
Duty station:	Chisinau, Moldova
Reference to the project:	Joint Integrated Local Development Programme
Contract type:	Individual contract
Expected workload:	30 days
Duration:	November 2014 – February 2015

I. BACKGROUND

The Government of Moldova explicitly acknowledges that decentralization represents an essential item on the reform agenda of the country. The goal is to provide quality services to women and men equitably - including the rights of persons from vulnerable groups - through building autonomous and democratic local governments, able to manage efficiently their responsibilities.

The National Decentralization Strategy approved by the Parliament in 2012, is the main policy document that gives the framework for local government reform and provides direction to the Government of Moldova, with clear goals, objectives and an action plan, where most important measures are to be taken and implemented in the period of 2012-2015 in the following areas: 1) allocation of responsibilities; 2) fiscal decentralization; 3) decentralization of property; 4) local economic development, urban and regional planning; 5) administrative capacity (territorial-administrative organization); 6) institutional capacity; 7) democracy, participation and ethics. Clarification of competences, fiscal decentralization and territorial-administrative consolidation are the determining factors in the reform process. While activities on the clarification of competences and fiscal decentralization have started, the territorial-administrative reorganization issue remains open.

Prior to Strategy's approval, the Government has benefited from the support provided by the Joint Integrated Local Development Programme/JILDP implemented by UNDP and UN Women and funded by the Government of Sweden and UNDP. Given the stringent need to further advance with the implementation of the Decentralization Strategy, and building on the successful cooperation with the Joint Integrated Local Development Programme, the State Chancellery together with United Nations have designed a new Programme phase to support the implementation of the Decentralization Strategy at policy and local levels.

The current administrative-territorial organization of the Republic of Moldova is characterized by a very fragmented system: 898 first level administrative-territorial units (towns and villages) and 32 second level districts. The average number of population in first level local governments is 2850. Although the Law on Administrative-Territorial Organization sets a minimum required number of residents for an administrative territorial unit (1500 people), almost a third of local units have less than 1500 inhabitants, while 86% of them have less than 5000 residents. In addition to insufficient financial resources, the limited size of localities is negatively affecting

the administrative capacity of LPAs to fulfill their functions. Thus, the majority of local governments has merely a representation function, rather than provide services.

Territorial-administrative structure remains a key aspect of the reform, with high fragmentation leading to inefficient use of human and financial resources, hindering development and access to local public services. Although absolutely indispensable, territorial administrative reorganization is a difficult political subject. The government needs to find a rational solution, which will also be politically acceptable. If it is to be done, it can only be done before the 2015 local elections, since the law prohibits interrupting the mandates of local elected officials. The next chance for a territorial administrative restructuring would be in 2019 – 6 years from now.

With UNDP's support an analytical Study on optimal territorial-administrative structure has been elaborated in 2010, in preparation for the Decentralization Strategy. The study proposes 3 options for reorganizing the country's territory: (1) single-tier model, which requires abolishing the district' level and entrusting municipalities with providing a significant amount of public services and a much higher level of fiscal autonomy, (2) two-tier model: abolishing the current system of districts and transforming the Development Regions¹ into a regional level of government, and (3) inter-municipal cooperation model - a (short-term) alternative to reorganization.

This major reform needs preparation, an analysis of options and their impact, including on most vulnerable groups, as well as evidence based public debate to increase understanding and political pressure on the need of the reform. The State Chancellery (the body responsible for leading and coordinating the Decentralization Reform, formally led by the Prime Minister) has requested UNDP's support, highlighting the criticality of the timing for it to succeed.

II. SCOPE OF WORK AND EXPECTED OUTPUTS

JILDLP seeks National Consultant (hereinafter Consultant) in order to provide assistance to the international expert in designing and developing a public policy document on the territorial administrative reform in the Republic of Moldova.

More specifically, the assignment will require the completion of the following tasks:

1. Provide assistance to the international consultant (collect and analyze data and primary and secondary sources (researches reports etc) in:
 - Reviewing of the existing relevant studies and assessments on the territorial-administrative reorganization in the Republic of Moldova, and available options of territorial-administrative restructuring
 - Conducting of the impact analysis of the proposed options, evaluate the cost, risks, advantages and disadvantages related to a territorial administrative reform
 - Designing the draft public policy document on the most efficient territorial administrative structure and the roadmap for sequencing the reform based on the most optimal scenario
 - Provide recommendations for improving the legal, regulatory and institutional framework required for the implementation of the new territorial-administrative structure.
2. Ensure the compliance of the policy document with the national requirements for elaborating the strategic planning documents, the National Decentralisation Strategy, and the specifics of the field.

¹ According to the Regional Development Strategies, Republic of Moldova consists of six development regions – North, Center, South, Chisinau, Territorial Administrative Unit of Gagauzia and Transnistria. However, these do not have administrative functions; the Regional Development Agencies (functioning in North, Center and South only) are mostly used as implementers in the Regional Development Fund.

3. Ensure the quality of translation of all deliverables into Romanian language.
4. Participate in discussions on the public policy and legal recommendations with all interested stakeholders on the most feasible options that have the best chance to be implement.

III. DELIVERABLES, ESTIMATED WORKLOAD AND TIMEFRAME:

The assignment should be carried out within a period of 4 months, not exceeding 30 working days.

	Deliverables	Deadline and workload
1	Assistance in conducting the impact analysis of the proposed options	November 10, 2014, 10 days
2	Draft public policy document on efficient territorial-administrative structure developed in Romanian language	November 30, 2014, 4 days
3	Roadmap for sequencing the reform based on the optimal scenario developed	December 10, 2014, 3 days
4	Recommendations for improving the legal, regulatory and institutional framework	January 15, 2015, 10 days
5	Participation in and develop minutes from at least 2 public discussions	January 20, 2015, 3 days
6	Final Activity report	January 25, 2015

IV. MANAGEMENT AND INSTITUTIONAL ARRANGEMENTS:

All deliverables will be developed in both Romania and English. The deliverables shall be endorsed by the JILDP Programme manager and representatives of the State Chancellery of the Republic of Moldova. The Consultant will report directly to the JILDP programme manager. The Consultant with support of the PM will obtain the appropriate national policy documents and access the appropriate stakeholders for consultation on the project implementation. The Consultant will be assisted in performing the above-mentioned tasks by a national consultant. The tentative time-frame for this assignment is tentatively planned for November 2014 – January 2015.

.FINANCIAL ARRANGEMENTS:

Payment will be disbursed in six instalments upon submission and approval of the final documents as specified under 'Deliverables and Timeframe' section and certification by the Programme Manager, and UNDP Portfolio Manager, that the services have been satisfactorily performed.

V. QUALIFICATIONS AND SKILLS REQUIRED

Academic Qualifications:

- MA and/or PhD in Public Administration, Public Policy, Economics, Finance Studies, Public and Administrative Law, or other relevant fields.

Experience:

- At least 5 years of proven experience of analysis and research in the field of public administration, multi-disciplinary studies, decentralization, inter-governmental relations, territorial administrative reorganization etc)
- Sound knowledge of the relevant public service, proven by policy analysis and studies, experience in implementation of reforms, or of management of the relevant service.
- Experience in the Moldovan development context, specifically with regard to the

decentralization reform, Central Public Administration and Local Public Administration sector reforms

- Knowledge of gender equality and human rights concerns, gender-sensitive, human-centered / human rights based approach and best practices particularly related to public administration, local public administration and local development
- Proven successful experience in working with the international organizations.

Abilities and skills:

- Robust analytical and writing skills
- Demonstrated capacity of team work
- Ability to produce deliverables in due time and within cost and quality standards
- Proficiency in computer applications (Windows, MS Office, IE, Outlook)
- Strong interpersonal and communication skills
- Sensitivity and respect for human rights and gender equality
- Fluency in English (written & oral) and Romanian are required.

The United Nations Development Programme in Moldova is committed to workforce diversity. Women, persons with disabilities, Roma and other ethnic or religious minorities, persons living with HIV, as well as refugees and other non-citizens legally entitled to work in the Republic of Moldova, are particularly encouraged to apply.