



TERMS OF REFERENCE

Job title:	National Consultant for drafting the Concept on the prevention of the conflicts of interest and un-justified income
Duty station:	Chisinau, Moldova
Reference to the project:	“Strengthening Capacity of the National Integrity Commission of the Republic of Moldova”
Contract type	Individual Contract
Duration:	35 working days, April –June 2015

1. BACKGROUND:

The National Integrity Commission of the Republic of Moldova (hereinafter called - NIC) was established in 2011 to ensure an effective control over the incomes and properties of holders of public office and the compliance of the latter with the legal regime of conflicts of interest and incompatibilities. NIC started working in March 2012 and represents an independent and autonomous central public authority, which is part of the overall state anticorruption framework. As a recently established institution, NIC faces many challenges that have a negative impact on its effectiveness and credibility.

The “Strengthening Capacity of the National Integrity Commission of Republic of Moldova” Project aims to enhance the capacity of the NIC so that this institution becomes able to ensure integrity, transparency and objectivity in the public sector. As a result, the NIC will evolve into a genuine corruption prevention institution as a strong part of the national system of monitoring and control of income and property of high officials and public servants, and the investigation of conflict of interests within the public sector. Moreover, it will be able to support anti-corruption efforts undertaken by Republic of Moldova in various strategic policy documents and international agreements.

The necessity to increase the efficiency of the system of declarations of assets, personal interests and conflict of interest for holders of public office and ensure effective functioning of the National Integrity Commission was set forth as a priority under the National Anticorruption Strategy for 2011-2015 and its Action Plan. Furthermore, the latter clearly regards the elaboration of a Concept on prevention of conflicts of interest and un-justified incomes (hereinafter called - Concept) as a way to increase the efficiency of both NIC’s activity and the existing system of the declaration of assets and of personal interests of public office holders. The above mentioned Concept shall later on serve as a basis for the elaboration of internal rules and regulations and should be elaborated through an inclusive process, thorough assessment of the NIC’s role in the process

of prevention of the conflict of interest and of un-justified incomes, and to advance further the development of the NIC as an effective corruption prevention institution.

2. SCOPE OF WORK AND EXPECTED OUTPUT:

The objective of the assignment is to provide the necessary technical support for the development of the Concept. In this way, the Project intends to contract a National Consultant that will provide NIC the high level support in strengthening its capacity in implementation of the conflict of interest standards across the public sector.

The task of the National Consultant will consist of providing the NIC's management and staff with the necessary guidance, advice and support in the elaboration of the Concept.

In order to achieve the stated objectives, the National Consultant will have the following responsibilities:

- analyse international recommendations and relevant positive experience in other countries in regard to the prevention of conflict of interests and un-justified incomes;
- suggest a methodology for the process of Concept's elaboration;
- in collaboration with the NIC design a detailed work plan;
- draft the initial version of Concept;
- organise a participative and inclusive process of discussions of the draft with NIC;
- revise the Concept based on received comments and proposals;
- present final version of the Concept.

3. DELIVERABLES AND TIMEFRAME:

<i>Deliverable</i>	<i>Tentative timeframe</i>
1. Presented methodology for the elaboration of Concept existent legal guidelines	5 days, April, 2015
2. Detailed work plan for the Concept elaboration	
3. Presented first draft of the Concept based on consultations and discussions with NIC senior management and staff, as per the established methodology	20 days, April-May, 2015
4. Revised draft of the Concept based on received comments and proposals	3 days, May, 2015
5. Presented final version of the Concept	7 days, May-June, 2015
Total:	35 days

All the deliverables have to be coordinated and agreed by NIC's leadership and provided in Romanian, hard and electronic copies.

Kindly note that Consultant's availability to work with UNDP and NIC during the indicated/approved period is compulsory.

4. MANAGEMENT ARRANGEMENTS:

The National Consultant will work directly with the NIC's senior management and staff for substance aspects and under the direct supervision of the Project Manager – for administrative aspects. National consultant will report to the NIC appointed representative and the Project Manager.

The National Consultant will work closely with the NIC's staff and, upon the need, will be located in the premises of the NIC.

5. FINANCIAL ARRANGEMENTS:

The financial proposal shall specify a total lump sum amount, and payment terms around specific and measurable (qualitative and quantitative) deliverables (i.e. whether payments fall in installments or upon completion of the entire contract). Payments are based upon output, i.e. upon delivery of the services specified in the TOR. In order to assist the requesting unit in the comparison of financial proposal, the financial proposal will include a breakdown of this lump sum amount (including travel, per diems and number of anticipated working days).

Travel

All envisaged travel costs must be included in the financial proposal. This includes all travel to join duty station/repatriation travel. In general, UNDP should not accept travel costs exceeding those of an economy class ticket. Should the IC wish to travel on a higher class he/she should do so using their own resources.

In the case of other travel, payment of travel costs including tickets, lodging and terminal expenses should be agreed upon, between the respective business unit and Individual Consultant, prior to travel and will be reimbursed.

During the contract period no travel is required.

6. REQUIREMENTS FOR EXPERIENCE AND QUALIFICATIONS

I. Academic Qualifications:

- A Masters' Degree in law, public administration, international relations, political science or related area.

II. Experience:

- At least 5 years of professional experience, including substantial participation, in analytical works, research or studies (participation in analytical works, research or studies in anti-corruption field *is an asset*);
- Proven professional experience in policy/strategy development in/for governmental institutions in anti-corruption field;
- Proven professional experience of working with international organizations (successful experience in working with UN agencies *is an asset*).

III. Competencies and knowledge:

- Demonstrated knowledge of the functioning of NIC, mechanism of monitoring and control of assets of high officials and public servants and of the legal regime applicable to the conflict of interests within the public sector;
- Strong analytical and drafting skills;
- Demonstrated interpersonal and diplomatic skills, as well as the ability to present ideas clearly and effectively;
- Fluency in Romanian is compulsory. Knowledge of Russian and English languages will be an advantage.