

## TERMS OF REFERENCE

<b>Job title:</b>	International Consultant on anti-corruption
<b>Duty station:</b>	Chisinau, Moldova
<b>Reference to the project:</b>	"Improving the quality of Moldovan democracy through parliamentary and electoral support"
<b>Contract type:</b>	Individual Contract (IC)
<b>Expected duration of the assignment:</b>	35 working days within a 4 months assignment
<b>Starting date:</b>	June, 2015

### Job content

#### I. Background

The UNDP Programme "Improving the quality of Moldovan democracy through parliamentary and electoral support" aims to enhance parliamentary capacity in carrying out its core functions, thus contributing to viable democracy and open society in Moldova. The project adopts a comprehensive, long-term approach to parliamentary development including strengthening of the legislatures law-making, representation and oversight roles.

The issue of corruption constitutes a permanent concern in the Republic of Moldova. According to the Corruption Perception Index (CPI), in 2014 Moldova was ranking 105<sup>th</sup> out of 175 countries. Therefore, the public authorities, socially active groups and NGOs shall support the processes and mechanisms aimed at preventing and fighting the phenomenon of corruption. The importance that has been given to the topic is reflected by statements and reports of European Union, as well as by the documents that set out the cooperation framework with the Council of Europe, UN and other international organizations.

The Global Organization of Parliamentarians Against Corruption (GOPAC) and UNDP recognize that parliamentarians play a critical role in the first global legally binding international anti-corruption instrument, The United Nations Convention against Corruption (UNCAC) implementation and fighting corruption, both in enacting appropriate laws to counter corruption and in seeing, through its committees, that these laws are enforced.

Moldova has signed the United Nations Convention against Corruption on 28 September 2004 and it has been ratified by the Parliament of the Republic of Moldova on the 01 October 2007. Being party to UNCAC, Republic of Moldova is required to align its anti-corruption policies, procedures and legislation with the measures prescribed in UNCAC articles.

In this context UNDP and GOPAC produced an Anti-corruption Assessment Tool for parliamentarians that focuses on their role in ensuring effective UNCAC implementation. In the light of the responsibilities undertaken by the Republic of Moldova under UNCAC and the EU – Republic of Moldova Association Agreement, the results of the expected expertise will strengthen the capacity of the Parliament in conducting the Anti-corruption Self-Assessment process thus evaluating its own effectiveness in combating corruption in the Republic of Moldova and in developing a plan addressing the gaps identified.

## II. Scope of work and expected outputs

The expected output for the international consultant's assignment is to guide the anti-corruption Self-Assessment process in the Parliament of the Republic of Moldova and evaluate the effectiveness of the Parliament in combating corruption in the Republic of Moldova.

Subsequently, the international consultant, on the basis of best international practices, shall develop a Report that identifies the gaps in Parliament's internal procedures from anti-corruption perspective.

The consultant, in collaboration with the Parliament's designated focal point, will also elaborate an Action Plan to strengthen Parliament's own capacity to prevent corruption, with targeted improvements in legislation, executive oversight and budgetary control.

To assure the capitalization of the recommendations, the international consultant will also develop a draft Code of Conduct for the Members of the Parliament, based on best international practices and experience of national Parliaments in Europe.

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

- 1.1 Prepare a detailed work plan to be applied for respective assignment:
  - Undertake a comprehensive desk review of the relevant national legal framework, policies and strategies on anti-corruption. Get acquainted with Parliament Rules of Procedures and other internal and national regulations;
  - Conduct initial meetings with relevant Standing Committees to present the Anti-corruption Toolkit and plan the process of anti-corruption self-assessment.
- 1.2 Carry out the Anti-corruption Self-Assessment process for the Parliament of the Republic of Moldova focusing on the role of Parliament in combating and preventing corruption in general, and in assisting the Republic of Moldova to comply with UNCAC provisions.
  - Determine the stakeholders that are best placed to take part in the assessment;
  - Carry out the self-assessment that will focus on Parliament's role in:
    - anti-corruption planning and monitoring, including cooperation with the main anti-corruption bodies;
    - financial oversight, including the authorisation of all revenues and expenditures; the effectiveness of the Parliament's budget oversight committee; the oversight of executive financial instruments; monitoring of the independent audit institution and its reports; the Parliament's capacity for financial analysis and control over its own budget;
    - ensuring parliamentary accessibility and availability of information for interested publics - including constituents, civil society organisations and mass-media.
  - Develop recommendations on appropriate actions to improve the Parliament's anti-corruption effectiveness, with specific advice regarding the changes in procedures, enhancement of staff support, training for members, improved resources, and better communication with and from the executive.
  - Develop an action plan for strengthening Parliament's effectiveness in fighting corruption in the Republic of Moldova, containing actions to be undertaken based on its own capacity and those requiring cooperation from other bodies.
  - Conduct briefing in order to present the findings of the anticorruption self-assessment and finalize the assessment report and draft Action Plan.
- 1.3 Develop a Draft Code of Conduct for Members of the Parliament.
- 1.4 Organise and conduct one-day training on scrutiny of legislation from anti-corruption perspective for parliamentary staff, presenting the best regional and international practices and lessons learned in the area of anti-corruption.
- 1.5 Undertake two Missions to Moldova:
  - 22 June -3 July, 2015
  - 21-25 September, 2015

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

### III. Deliverables and Timeframe

Nr.	Deliverables	Tentative timeframe/deadline
1.	A detailed Work Plan developed	By 19 June, 2015
2.	Anti-corruption Self-Assessment process for the Parliament of the Republic of Moldova carried out	By 3 July, 2015
3.	Report on anti-corruption self-assessment developed. A set of recommendations for appropriate action based on the findings drawn up An action plan to strengthen Parliament's anti-corruption capacity elaborated and distributed for comments to the Parliament and other relevant stakeholders	By 10 July, 2015
4.	Draft Code of Conduct for Members of Parliament developed	By 21 July, 2015
5.	A one-day training on scrutiny of legislation from anti-corruption perspective for parliamentary staff conducted	By 21 September, 2015
6.	Analyse comments and suggestions regarding the draft Report, Action Plan and Code of Conduct for MPs. Complete and present the final documents	By 30 September, 2015

All communications and documentation related to the assignment will be in English or Romanian. The Parliament will provide consultant with working space, access to Internet, printer and telephone line. Before submission of the final report, the consultant will discuss the draft documents with the parties involved (i.e. Parliament, UNDP and other stakeholders) so that final products reflect their comments.

The timeframe for the work of consultant is tentatively planned through June – September 2015.

**Management Arrangements:** The consultant will work under the guidance of UNDP's counterpart at the Parliament of Moldova and in close cooperation with the UNDP Parliamentary Specialist for substantive aspects of the assignment, and under the direct supervision of the Senior Project Officer – for administrative aspects. The consultant will report to the Parliament appointed representative and the Parliamentary Specialist of UNDP Democracy Programme.

The consultant will work closely with the Parliamentary senior management and parliamentary Committee on National Security, Defence and Public Order. A national consultant will support the international consultant to carry out his assignment.

**Financial arrangements:** Payment will be disbursed in two instalments upon submission and approval of deliverables and certification by the Programme Manager in cooperation with the Parliamentary Committee on National Security, Defence and Public Order that the services have been satisfactorily performed.

#### **IV. Qualifications and skills required:**

##### **I. Academic Qualifications:**

- Master's Degree in Law

##### **II. Experience and knowledge:**

- At least 7 years of relevant professional experience in the field of governance and anti-corruption;
- At least 5 years of established experience in designing and implementing anti-corruption assessments;
- At least 3 years of proven experience in organizing, facilitating and conducting seminars, trainings and workshops with state institutions/agencies/organizations, on anti-corruption issue;
- Previous experience in conducting anticorruption assessments in Parliaments is a strong asset;
- In-depth knowledge and understanding of the United Nations Convention against Corruption and the GOPAC anticorruption assessment tool for parliamentarians;
- Experience of advisory work on parliamentary development or practical experience as Member of Parliament or parliamentary staffer is a strong advantage;
- Experience in comparative analysis, research, assessment on the implementation of the international legislation and policies.

##### **III. Abilities:**

- Strong analytical and drafting skills;
- Ability to analyze, plan, communicate effectively orally and in writing, draft report, organize and meet expected results, adapt to different environments (cultural, economic, political and social);
- Ability to engage stakeholders in anti-corruption efforts, including knowledge of informal and emerging actors as well as knowledge of cross-cutting governance and anti-corruption issues;
- Excellent writing and speaking skills in English. Knowledge of Romanian or Russian languages will be an asset.

##### **IV. Skills:**

- Computer literacy and ability to effectively use office technology equipment, IT tools.

#### **Documents to be included when submitting the proposals:**

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

1. Proposal:
  - i. Explaining why they are the most suitable for the work including past experience in similar assignments;
  - ii. Providing a brief information on each of the above qualifications, item by item and a brief methodology on how they will approach and conduct the work (if applicable);
2. Financial proposal (in USD), specifying a fee per day and total requested amount including all related costs, e.g. fees, per diems, travel costs, phone calls etc.;
3. Duly filled in and signed Personal History Form (P11) and at least 3 names for a reference check.