

## TERMS OF REFERENCE

- A. Job Title:** Team of 7 National consultants to support the National Anticorruption Centre in the elaboration of the National Anticorruption Strategy 2016 – 2020 and its Action Plan in the assigned subject areas
- B. Duty Station:** Chisinau, Republic of Moldova
- C. Project reference:** Strengthening the corruption prevention and analysis functions of the National Anticorruption Center (NAC)
- D. Contract type:** Individual Contract (IC)
- E. Duration and workload:** September – October 2015; up to 30 days for the Team Leader (and also consultant in area 1); up to 16 days for each of consultants in area 2 and 3; and up to 11 days for each of consultants in the rest of subject areas

### **F. Background:**

The National Anticorruption Strategy (NAS) is the main anticorruption policy document currently applied at the national level. The NAS elements are aiming at improving the legal framework and ensuring the enforcement of legislation in view of effectively eliminating factors that contribute to the occurrence of the corruption phenomenon, as well as enforcing the importance of corruption prevention in public institutions and in political process. To this end, NAS has two general objectives: 1) Zero tolerance to corruption; and 2) Transforming corruption from the high-pay and low-risk activity into a low-pay and high-risk activity. 2015 is the last year of the current Strategy implementation, and though it has been not fully implemented, the Government took the decision to develop a new Strategy for the following five years.

The implementation of NAS is overseen by a Monitoring Group, made of representatives of ministries, Parliament, judiciary and civil society, which convenes on a quarterly basis. NAC exercises the role of Secretariat for the Monitoring Group, calling its meetings, compiling progress reports on the implementation submitted by the public authorities into the annual reports on NAS implementation and coordinating the development of subsequent action plans for its implementation. Yearly, The Secretariat organizes the National Anticorruption Conference on the International Anticorruption Day – December 9 – where the progress towards NAS goals' and objectives' achievement is being presented. Progress reports on the NAS Action Plans' implementation are submitted to the Parliamentary Commission for Security and Public Order.

An intermediary assessment of the progress achieved in the implementation of NAS 2011 – 2015 was carried out. NAC will coordinate and oversee the process of the elaboration of the new Strategy based on the findings and recommendations of the assessment process. Elaboration of the new Strategy and its Action Plan will be based on the wide consultations with the stakeholders, including public institutions, local public administration, Civil Society, private sector, development partners, etc. Special consideration will be paid to the process of developing local action plans for the implementation of NAS, and to ensuring their sustainable reflection in the new Strategy. NAC will establish subject working groups comprising representatives of the relevant public institutions for the purpose of the elaboration of the 2016 – 2020 national Anticorruption Strategy and the Action Plan.

To support the participative process of the elaboration of the high quality new National Anticorruption Strategy the project intends to contract a team of national consultants each with a specialisation in a particular area to provide technical expertise, advice and guidance to the NAC's staff and area-specific working groups comprising representatives of relevant public institutions, to provide inputs in the process of the NAS elaboration and to facilitate the consultation process on the draft Strategy and the Action Plan. The subject areas will include:

1. Judiciary, Law Enforcement Agencies and Anti-Corruption Agencies
2. Government and Public Sector
3. Central Electoral Commission and Political Parties
4. Parliament
5. Ombudsman
6. Court of Accounts
7. Private Sector

#### **G. Objective:**

The main objective of the assignment is to provide high quality technical expertise in the assigned subject areas to the staff of the NAC responsible for the elaboration of the National Anticorruption Strategy 2016 – 2018 and the Action Plan and to the members of the subject working group and to ensure that the process is participatory and inclusive.

#### **H. Scope of work and expected outputs:**

##### **As the national consultant for the assigned subject areas:**

- Conduct the desk review of the intermediary assessment of the progress in the implementation of 2011 – 2015 NAS, of the annual reports on the implementation of the NAS, monitoring and analytical reports drafted by the civil society, including but not limited to the National Integrity System Assessment Moldova 2014 by Transparency International Moldova, with a particular focus on the recommendations contained in these documents, as well as the recommendations coming from the assessment of the implementation of the United Nations Convention against Corruption carried out in 2014 relevant to the assignment subject area;
- Conduct the desk review of national strategic policy documents that include anticorruption measures – National Development Strategy Moldova 2020, Association Agreement between the Republic of Moldova and the European Union and the National Plan for its implementation, Government Program 2015 – 2018, Justice Sector Reform Strategy, and other documents, as relevant;
- Consult with the members of the Monitoring Group for the implementation of NAS and with relevant CSOs in order to collect information, views and needs for drafting the relevant parts of the NAS;
- Facilitate meetings of the working group on the subject area for the development of the NAS and the Action Plan, collect and record the information and the recommendations, as relevant;
- In collaboration with the assigned NAC staff compile the relevant parts of the draft NAS;
- Present the relevant parts of the draft NAS in a multi-stakeholder technical validation meeting(s) with the participation of public institutions, private sector representatives and the civil society and collect and record the recommendations and feedback received;
- Assess relevance of the NAS 2011 – 2015 indicators for the purpose of monitoring the progress in implementation of the relevant to the subject area parts of the NAS and for subsequent evaluation of the implementation and propose necessary adjustments of the indicators in the new Strategy that need to be relevant and measurable and would facilitate the assessment of the delivery of results;
- Factor the feedback collected during the validation meeting(s) into the final version of the Strategy;
- In collaboration with the assigned NAC staff, members of the working group elaborate the draft activities, baseline and indicators to measure progress in the subject area for NAS Action Plan 2016 – 2020, including a sound monitoring mechanism.

**Team Leader:**

- Elaborate an Activity Plan for the process of the NAS and the Action Plan elaboration indicating responsible area experts, staff/institutions and setting clear deadlines;
- Coordinate the efforts of the national consultants assigned for the subject areas;
- Ensure a single methodological approach in drafting the NAS subject areas;
- Present the draft NAS 2016-2020 in a multi-stakeholder validation meeting with the participation of the assigned expert team, public institutions, private sector representatives and the civil society and collect and record the recommendations and feedback received;
- Present the draft NAS Action Plan in a multi-stakeholder validation meeting with the participation of public institutions, private sector representatives and the civil society and collect and record the recommendations and feedback received;
- Ensure a uniform correlated structure and style of the final draft NAS and the Action Plan documents;
- Present the final drafts of the NAS and the Action Plan at a roundtable with the participation of relevant public institutions, SCOs, private sector and development partners.

**Important note:** National consultants shall clearly indicate the position/SUBJECT AREA they are applying for. The combination of related areas as presented in this ToR has to be respected. Candidates applying for one of the single announced areas (Parliament; Ombudsman Institution; Court of Accounts; Private Sector) are encouraged to apply for two positions/areas if possessing demonstrated competence.

**I.1. Deliverables and expected timeline for the Team Leader - consultant in area 1. Judiciary, Law Enforcement Agencies and Anti-Corruption Agencies:**

#	Deliverable	Deadline
1.	Activity Plan for the process of the NAS elaboration	By September 11
2.	Inputs to the draft NAS 2016 – 2020 related to the relevant areas submitted	By September 18
3.	A multi-stakeholder validation meeting to present the draft NAS 2016-2018 organized and relevant recommendations collected	To be determined
4.	Inputs to the draft NAS Action Plan, including baselines and indicators related to the relevant areas submitted	By October 1
5.	Meetings of the working group on the subject area for the development of the NAS and the Action Plan facilitated, relevant information and recommendations collected	To be determined
6.	Inputs to the Final draft NAS and the Action Plan related to the relevant areas submitted	By October 8
7.	A multi-stakeholder validation meeting to present the draft NAS 2016-2018 and the Action Plan organized and relevant recommendations collected	To be determined
8.	The final draft NAS and the Action Plan document including the established subject areas submitted by the team of national consultants is submitted ensuring a uniform correlated structure and style of the final document	By October 15
9.	Report on the execution of the assignment as per the contract submitted	By October 20

Expected workload for the assignment up to 30 days

**I.2. Deliverables and expected timeline for each of consultants assigned for area 2.Government and Public Sector and area 3.Central Electoral Commission and Political Parties:**

#	Deliverable	Deadline
1.	Inputs to the draft NAS 2016 – 2020 related to the relevant areas submitted	By September 17
2.	Inputs to the draft NAS Action Plan, including baselines and indicators related to the relevant areas submitted	By September 28
3.	Meetings of the working group on the subject area for the development of the NAS and the Action Plan facilitated, relevant information and recommendations collected	To be determined
4.	Inputs to the Final draft NAS and the Action Plan related to the relevant areas submitted	By October 7
5.	Report on the execution of the assignment as per the contract submitted	By October 15

Expected workload for the assignment up to 16 days

**I.3. Deliverables and expected timeline for each of consultants assigned for area 4. Parliament, area 5.Institution of Ombudsman, area 6.Court of Accounts and area 7.Private Sector:**

#	Deliverable	Deadline
1.	Inputs to the draft NAS 2016 – 2020 related to the relevant areas submitted	By September 16
2.	Inputs to the draft NAS Action Plan, including baselines and indicators related to the relevant areas submitted	By September 25
3.	Meetings of the working group on the subject area for the development of the NAS and the Action Plan facilitated, relevant information and recommendations collected	To be determined
4.	Inputs to the Final draft NAS and the Action Plan related to the relevant areas submitted	By October 7
5.	Report on the execution of the assignment as per the contract submitted	By October 15

Expected workload for the assignment up to 11 days

**Note:** Deliverables and final timeline can be amended or specified for the purpose of the assignment.

Payment will be made upon the successful completion of the tasks assigned and submission of the new NAS and Action Plan for adoption.

**J. Organizational Setting:**

This is a part-time consultancy. The expert will report to the Team Leader and will work with the management and staff of the National Anticorruption Centre for substantive aspects of the assignment, and under the direct supervision of the UNDP Project Manager – for administrative aspects. The consultant will submit the Report on the execution of the assignment as per the contract to UNDP Project Manager.

**K. Inputs:**

The National Anticorruption Centre will provide the expert with the necessary information and materials for the fulfilment of tasks. UNDP will provide administrative and logistical support in organisation of the public consultations, as necessary.

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

### **For the Team Leader - consultant in area 1.**

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

- Master's Degree or equivalent in Law.

#### **II. Years and sphere of experience:**

- At least 5 years of proven professional experience in policy drafting and analysis, strategic planning and monitoring;
- At least one year of proven experience in drafting anti-corruption legislation and policies

**Note: the candidate will submit together with the CV a list/samples of relevant publications.**

#### **III. Competencies:**

- Proven extensive knowledge of the corruption phenomenon in the area of judiciary, law enforcement agencies and anti-corruption agencies, efficient mechanisms for its prevention, as well as policy drafting, monitoring and evaluation skills;
- Strong analytical and report writing skills;
- Strong communication, teamwork/coordination and presentation skills;
- Previous successful experience in development assistance or related work for a donor organization, in particular UNDP, governmental institutions, NGO/think-tank or consulting firm is a strong advantage;
- Knowledge of English, Romanian, Russian languages for the purposes of the assignment;
- Knowledge of one or more additional languages relevant for Moldova, including Bulgarian, Gagauzian, Romani, Ukrainian or sign language is an asset;

#### **IV. Personal qualities:**

- Proven commitment to the core values of the United Nations; in particular, is respectful of differences of culture, gender, religion, ethnicity, nationality, language, age, HIV status, disability, and sexual orientation, or other status;
- Responsibility;
- Flexibility;
- Punctuality.

### **For consultants in areas 2, 3, 4, 5, 6 and 7**

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

- Bachelor's Degree or equivalent in Law, Public Administration, Human Rights, International Public Law, Economics, International Relations or other relevant field; Master's Degree in one of this fields will be an asset.

#### **II. Years and sphere of experience:**

- At least 3 years of proven professional experience in policy drafting and analysis, strategic planning and monitoring;

**Note: the candidate will submit together with the CV a list/samples of relevant publications.**

#### **III. Competencies:**

- Proven extensive knowledge of the corruption phenomenon in the assigned subject areas, efficient mechanisms for its prevention, as well as policy drafting, monitoring and evaluation skills;
- Experience in drafting policies and analytical studies in the area of anticorruption;
- Strong analytical and report writing skills;

- Strong communication and presentation skills;
- Previous successful experience in development assistance or related work for a donor organization, in particular UNDP, governmental institutions, NGO/think-tank or consulting firm is a strong advantage;
- Knowledge of English, Romanian, Russian languages for the purposes of the assignment;
- Knowledge of one or more additional languages relevant for Moldova, including Bulgarian, Gagauzian, Romani, Ukrainian or sign language is an asset;

IV. Personal qualities:

- Proven commitment to the core values of the United Nations; in particular, is respectful of differences of culture, gender, religion, ethnicity, nationality, language, age, HIV status, disability, and sexual orientation, or other status;
- Responsibility;
- Flexibility;
- Punctuality.

The United Nations Country Team in the Republic of 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.