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TERMS OF REFERENCE

Job title:	Consultant to strengthen the parliamentary oversight function over EU matters
Duty station:	Chisinau, Moldova
Reference to the project:	Strengthening Parliamentary Governance in Moldova Project
Contract type:	Individual Consultant (IC)
Contract duration:	October 2016 – July 2017 (up to 70 working days)
Starting date:	October, 2016

1. BACKGROUND

The goal of the UNDP “Strengthening Parliamentary Governance in Moldova” Project, further on referred to as the SPGM project, is designed to address the main needs of the Parliament of Moldova in the areas of legislation making, oversight and representation during the on-going process of domestic reform spurred by closer relations with the EU. The project is also assisting in making the Parliament’s legislative activity more open, transparent and participatory through establishing tools and mechanisms for the engagement with the Civil Society, professional associations and public. Project interventions will offer and encourage equal opportunity for male and female participation.

In 2014, the Parliament of Moldova ratified the EU-Moldova Association Agreement (AA). The AA places a large emphasize on the approximation and harmonization of Moldovan legislation to European standards. This process significantly increases the amount of draft legislation and policy documents to be considered by the Parliament. In this context the Parliament of Moldova has an important role to provide a qualified contribution into the process, particularly in terms of securing effective legal approximation process and overseeing Government’s progress in implementing AA and Deep and Comprehensive Free Trade Agreement (DCFTA), part of EU-Moldova Association Agreement (DCFTA) obligations.

In March 2016, the Government, jointly with the Parliament prepared and approved the Roadmap for priority reform actions that need to be implemented for speeding up the implementation of the AA. The Roadmap provided a comprehensive list of measures, stakeholders’ engagement and calendar applicable until July 2016.

To manage the implementation of the measures within the scope of the Parliament, the Parliamentary Council for European Integration (PCEI) has been established in April 2016.¹ According to the founding document, the PCEI is composed of the chairpersons of all the parliamentary standing committees and relevant parliamentary staff.² The Chairperson of the parliamentary Committee on Foreign Policy and European Integration (CFPEI) is the Secretary of the Council. The scope of the Council is to ensure coordination, cooperation and communication in the process of harmonization of national legislation with EU legislation towards the implementation of the Legislative program for implementing commitments under the AA³.

Given the leading role of the Parliamentary Council in exercising the legislative, oversight and representative roles of the Parliament, it is essential that the members of the Council ensure qualified contribution into the process of in the process of the implementation of the AA and the DCFTA. This shall be done at the level of the technical legislative approximation as well as at the level of ensuring coordination with government agencies and cooperation with partner parliaments in EU member states and EU institutions. Additionally, given the raising importance of ensuring public awareness on European integration, active communication with citizens and the civil society is a fundamental part of the European integration.

These are in line with the recommendations provided in the Needs Assessment Report of the Committee on Foreign Policy and European Integration and Capacity Development Plan developed within the frames of the UNDP Democracy Programme. The documents provide recommendations for the improvement of the CFPEI and PCEI functioning and refer to necessary actions to upgrade working practices, human resources and instruments for a sustained information flow and outreach towards the EU institutions.

In this context, UNDP SPGM project is seeking to hire a consultant to strengthen the parliamentary oversight function in the context of EU integration process.

¹ <http://www.md.undp.org/content/moldova/en/home/presscenter/pressreleases/2016/04/19/a-avut-loc-prima-ntrunire-a-consiliului-parlamentar-pentru-integrare-european-.html>

² <http://parlament.md/Actualitate/Comunicatedepresa/tabid/90/ContentId/2487/Page/12/language/ro-RO/Default.aspx>

³ In line with the Council Regulation, approved by the Permanent Bureau on April 6, 2016.

2. SCOPE OF WORK AND EXPECTED OUTPUTS

The expected output of the consultant is to provide capacity development aiming at improving the overall functioning of the CFPEI and PCEI. The consultant will also provide training for CFPEI and PCEI staff members in order to carry out their tasks in the areas of legal approximation and government oversight.

It is expected that as a result of the capacity development support, the role of the Parliament in the European integration process will be enhanced. More particularly, the professional skills of the Committees staff working on EU issues will be developed and translated into improved performance of their tasks, enabling the CFPEI and PCEI to exercise its legal approximation and oversight function.

In order to achieve the stated objective, the Consultant shall perform the following tasks and activities:

1. Provide general training on EU law approximation and EU law and information databases.
 - 1.1 Develop the concept, agenda and deliver a 2-day training in Chisinau for relevant parliamentary staff on fundamental skills necessary for approximation of domestic legislation to EU law. The training programme will be designed as to ensure the transfer of basic knowledge on EU law approximation and will be followed by practical exercises;
 - 1.2 The training will include an overview and characteristics of EU policies, mechanisms and tools related to parliamentary work, thus increasing the participants' research capacities using the available EU databases. Practical exercises focusing on searching for EU legal information as well as the laws of EU Member States shall be included in the training agenda. The official website of the European Union shall be presented in detail, as well as the other major information sources;
 - 1.3 Develop a brief note on available EU databases and related information sources;
 - 1.4 Facilitate the involvement of relevant guest speakers (international and/or national).
2. Provide training on preparation of tables of concordance and compliance checking of legislation.
 - 2.1 Develop the concept and agenda and deliver a 2-day training in Chisinau for relevant parliamentary staff focusing on technicalities of the law approximation process. The training shall enhance the capacities of parliamentary staff to conduct compatibility check of the legislation at the parliamentary stage of the legislative process.
 - 2.2 Facilitate the involvement of relevant guest speakers (international and/or national).
3. Roundtable discussions on strategic leadership in the context of the European integration process.
 - 3.1 Develop the concept and agenda and facilitate the organisation of a 1-day roundtable discussions event in Chisinau for MPs on the strategic leadership approach in the context of the EU negotiations. The issues to be addressed during the discussions should focus on the vision and roles of the national state actors in the context of the EU integration process, the notion of strategic leadership and use of this approach in the relationship with the civil society, citizens, private sector and counterparts;
 - 3.2 Facilitate the involvement of relevant guest speakers (international and/or national).
4. Provide training on monitoring and evaluation of the implementation of the European integration process and subsequent impact assessment;
 - 4.1 Develop the concept and agenda and deliver a 1,5-day training in Chisinau for relevant parliamentary staffers focusing on the monitoring and evaluation of the implementation progress of activities carried out in the context of European integration process. Additionally, the participants shall be trained to conduct impact assessment of the activities implemented.
 - 4.2 Facilitate the involvement of relevant guest speakers (international and/or national).
5. Provide support to the PRM in monitoring and reporting its progress related to the activities carried out in the context of EU integration and the AA and DCFTA implementation:
 - 5.1 Support to the Parliament in executing the Action Plan for Implementation of the AA for the period September-December 2016 and for the period between 2017-2019;
 - 5.2 Develop clear description of the scope of work and roles of the PCEI, CFPEI and EU-Moldova Parliamentary Association Committee in implementing the Parliamentary Action Plan;
 - 5.3 Conduct an analysis of the participation of the Parliament of the Republic of Moldova (MPs and parliamentary staff) in activities of the European Parliament (EP) and develop recommendations on enhancing the participation of PRM in the activities of the EP;
 - 5.4 Support to the Parliament in developing templates for reporting the progress related to the implementation of the Parliamentary Action Plan;
 - 5.5 Support to the Parliament in developing templates for submitting its input in the process of developing the inter-institutional scheme on European Integration, which is periodically reported to the European Union by the Government of Moldova.
 - 5.6 Support to the Parliament in designing and establishing a system of indicators for monitoring and evaluation of the European integration process within the legislative institution. This would allow uniform reporting by the Parliament and the Government of Moldova and subsequently track parliament's progress in the process European integration.

6. Provide technical support to the Parliament Secretariat in amending the job descriptions of the standing committees' advisers and other parliamentary staffers, involved in the work of the PCEI. The consultant shall describe their roles and responsibilities related to the work of the PCEI under the cooperation mechanisms to be implemented by Parliament and Government.
7. Provide advice to the Parliament in developing a functional mechanism on coordination, communication and cooperation between:
 - 7.1 Parliament and Government in the context of the EU integration process, with a particular focus on the following stakeholders: CFPEI, PCEI, EU-Moldova Parliamentary Association Committee (PAC), General Legal Department, Parliamentary Documentation General Department and government institutions involved in the European integration process. The consultant shall perform the following tasks:
 - i. Conduct an assessment of the interaction between Parliament and the Government, bearing in mind the inter-institutional scheme on European Integration;
 - ii. Develop recommendations for improving the interaction between the Parliament and the Government.
 - 7.2 EU-Moldova Parliamentary Association Committee (PAC) and the Parliament (with the participation of the following stakeholders: PCEI, CFPEI, General Legal Department and Informational-analytical Department). The consultant shall perform the following tasks:
 - i. Conduct a desk review of existing practices and experiences of associated and EU candidate countries from the perspective of the role, capacities and coordination mechanisms within national Parliaments and cross-institutional cooperation related to the functioning of PACs;
 - ii. Undertake interviews with key stakeholders involved in the activity of the EU-Moldova PAC, MPs, parliamentary staffers, governmental officials and development partners;
 - iii. Carry out a capacity needs assessment and develop recommendations for an enhanced functioning of the EU-Moldova Parliamentary Association Committee.
 - 7.3 Draft Report that shall include findings and recommendations following the reviews carried out at point 7.1 and 7.2 of the TOR.
 - 7.4 Following consultations with the key stakeholders, the consultant shall develop the draft concept of the mechanism and facilitate its approval with the key stakeholders.
8. Support to the Parliament in better outreach in the context of the EU integration process.
 - 8.1 Develop a parliamentary public awareness and outreach roadmap on EU integration-related issues, taking into account the best practices of the EU Member States.
 - 8.2 Develop draft Terms of Reference for the design of European Integration Parliamentary Information System (EIPIS), which will facilitate the mapping of all European integration activities and updates on the work carried out within the Parliament. The EIPIS is going to be integrated in the e-Parliament information system.
 - 8.3 Provide support to the design and functioning of the EU-Moldova Civil Society Platform (CSP)⁴.
9. If required, the consultant will have to undertake eight Missions to Moldova (tentatively) in the period between October 2016 – July 2017:
 - Second half of October 2016
 - Second half of November 2016
 - Second half of January 2017
 - First half of March 2017
 - First half of April 2017
 - First half of May 2017
 - Second half of June 2017
 - First half of July 2017

3. KEY DELIVERABLES AND TENTATIVE TIMETABLE

	Key deliverables:	Tentative timeframe/deadline
1.	A detailed Inception Report with suggested methodology and Work Plan developed, based on desk review of relevant documents and initial consultations with UNDP Moldova project staff and relevant Parliament of Moldova staff, submitted to and reviewed by UNDP	October 13, 2016
2.	A 2-day training on law approximation and EU information databases carried out. Training materials and hands-out developed.	October 28, 2016

⁴ <http://www.csdialogue.eu/news/first-meeting-eu-moldova-civil-society-platform>

3.	Brief note on available EU databases and EU related information sources developed and submitted for feedback to UNDP and relevant parliament stakeholders. Relevant amendments carried out to reflect the feedback received. The document shall be distributed during the training described above.	
4.	A 2-day training on preparation of tables of concordance and compliance checking carried out. Training materials and hands-out developed.	November 17, 2016
5.	Roundtable discussions on strategic leadership in the context of the European integration process carried out.	
6.	Description of the scope of work and roles of the PCEI, CFPEI and EU-Moldova Parliamentary Association Committee in implementing the Parliamentary Action Plan developed and submitted for feedback to UNDP and relevant parliament stakeholders.	November 30, 2016
7.	Analysis of the participation of the Parliament of the Republic of Moldova (MPs and parliamentary staff) in activities of the European Parliament carried out and recommendations provided	
8.	Templates for reporting on the progress related to the implementation of the Parliamentary Action Plan for Implementation of the AA developed and submitted for feedback to UNDP and relevant parliament stakeholders. Relevant amendments carried out to reflect the feedback received.	
9.	Templates for submitting PRM input in the process of developing the inter-institutional scheme on European Integration developed and submitted for feedback to UNDP and relevant parliament stakeholders. Amended document to feedback submitted.	
10.	System of indicators for monitoring and evaluation of the European integration process within the legislative institution designed and submitted for feedback to UNDP and relevant parliament stakeholders. Relevant amendments carried out to reflect the feedback received.	January 13, 2017
11.	A 1,5-day training on monitoring and evaluation of the implementation of the European integration process and subsequent impact assessment carried out. Training materials and hands-out developed	January 27, 2017
12.	Report containing findings and recommendations for capacities enhancement and cooperation improvement, based on the operational review of the PAC and assessment of interaction between the Parliament and the Government in the context of the EU integration process, developed and submitted for feedback to UNDP and relevant parliament stakeholders	March 10, 2017
13.	Functional mechanism that includes the coordination, communication and cooperation within the Parliament and at the interinstitutional level in the context of EU integration process developed and submitted for feedback to UNDP and relevant parliament stakeholders.	March 24, 2017
14.	Subsequent amendments to the functional mechanism following the feedback, carried out and amended document submitted to UNDP	April 25, 2017
15.	Job descriptions for the standing committees' advisers and other parliamentary staffers, involved in the work of the PCEI, amended and submitted for feedback to UNDP and relevant parliament stakeholders. Relevant amendments carried out to reflect the feedback received.	
16.	Draft Terms of Reference for the European Integration Parliamentary Information System (EIPIS) developed and submitted for feedback to UNDP and relevant parliament stakeholders. Relevant amendments carried out to reflect the feedback received.	May 26, 2017
17.	Communications roadmap for the Parliament aiming to increase public awareness and parliamentary outreach on EU integration-related issues, taking into account the best practices of the EU Member States developed and submitted for feedback to UNDP and relevant parliament stakeholders. Relevant amendments carried out to reflect the feedback received.	June 16, 2017
18.	Support to the design and functioning of the EU-Moldova Civil Society Platform.	

4. INSTITUTIONAL ARRANGEMENTS

The consultant will work under the direct supervision of the UNDP Parliament Specialist for substantive aspects of the assignment, and under the guidance of the Senior Project Officer – for administrative aspects. The consultant will report to the Parliament appointed representative and the Parliament Specialist of UNDP SPGM project

The Parliament will provide consultant with working space, access to Internet, a printer and a telephone line.

Timeframe

The timeframe for this assignment is planned tentatively through October 2016 – July 2017. The Consultancy should involve about 70 days of work. The exact schedule of missions in Moldova, as well the dates of trainings shall be coordinated in advance.

Language

All communications and documentation related to the assignment will be in English. Before submission of the deliverables, the consultant will discuss the draft documents with the parties involved (i.e. Parliament, UNDP and other stakeholders) so that the final products reflect their comments.

5. FINANCIAL ARRANGEMENTS

The payment of the Consultant will be made following the certification by UNDP that the services related to the Deliverables, as described in the Terms of Reference, have been satisfactorily performed and the Deliverables have been achieved by or before the specified due dates.

6. QUALIFICATIONS AND SKILLS REQUIRED

I. Academic Qualifications:

- Master degree or equivalent (5-year university degree) in political sciences, public administration, law, social sciences or other related fields.

II. Work experience:

- A minimum of 7 years of working experience as an officer and/or consultant for the parliament/government at national and/or international level with the special focus on European affairs and EU integration
- At least 5 years of experience in approximation of the domestic legislation with the EU law and strengthening parliamentary oversight in EU integration process;
- At least 5 years of working experience in developing and delivering trainings/seminars on EU legal harmonization and other EU integration topics;
- Strong knowledge of EU affairs, including EU enlargement history, policies and instruments, and ENP partnership framework;
- Working experience in/for the EU Member States of 2004, 2007 and/or 2013 accession wave and/or in the Eastern Partnership Countries is an asset;
- Experience in conducting complex legal and policy analysis, drafting strategies, institutional development plans/action plans, including for parliament and/or government;
- Proven experience in working with the international organizations and donor funded projects;

III. Competencies:

- Strong analytical and drafting skills;
- Excellent writing and oral communication;
- Leadership skills and ability to work with teams;
- Knowledge of UN system and UNDP will be considered a strong asset;
- Fluency in English. Knowledge of Romanian and Russian will be an asset.

Proven commitment to the core values of the United Nations, in particular, respecting differences of culture, gender, religion, ethnicity, nationality, language, age, HIV status, disability, and sexual orientation, or other status.

7. DOCUMENTS TO BE INCLUDED WHEN SUBMITTING THE PROPOSALS:

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

1. Methodological Proposal that should contain:
 - i. A brief methodology on how they will approach and conduct the assignment.
 - ii. Explain why they are the most suitable for the work including experience in similar assignments and the relation to the above-required qualifications.
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.