



Terms of Reference

International consultant / team leader for the mid-term review of the International Electoral Assistance provided through 2008-2012 to the Central Electoral Commission of Moldova

Job title: International consultant

Duty Station: Republic of Moldova, Chisinau

Reference to the project: Democracy Programme/Elections

Contract type: Individual Contract (IC)

Expected workload: 31 working days

Indicative starting date: 01 August, 2013

1. BACKGROUND:

The Central Electoral Commission of the Republic of Moldova (hereinafter called CEC) is a permanent and independent state body, managing the electoral process in Moldova, consisting of nine members. One member is appointed by the President of Moldova, the other 8 members are appointed by Parliament, considering the principle of the proportional representation of elected majority and its opposition. The CEC is assisted and supported by an Apparatus (secretariat).

While Moldova has been holding multi-party elections for almost twenty years, there were clear indications that the quality of the electoral process was deteriorating and that there were serious deficiencies in the area of voter registration. In 2005 OSCE-ODIHR concluded that the elections did not meet some essential standards, in particular regarding the electoral code; partisan and non-transparent electoral management bodies; poor planning, guidance and training from the CEC; inaccurate voter lists; little voter information and education and sub-standard out of country voting arrangements.

In April 2009, both the conduct of Parliamentary elections and their subsequent results were highly controversial and sparked civil unrest, during which the premises of the Parliament and the office of the President were substantially damaged. After the July 2009 election a coalition was created, called the Alliance for European Integration, composed of the Liberal Democratic Party, the Liberal Party, the Democratic Party and the Alliance "Moldova Noastră", controlling 53 seats. The Party of Communists took 48 seats. The new ruling majority did not have the 61 seats needed to elect a

President of the Republic. After a constitutional referendum that aimed to re-introduce direct elections for the President failed in September 2010, the Parliament was dissolved and a third Parliamentary election in less than two years was held on 28 November 2010. In the new Parliament the Party of Communists won 42 seats, the Liberal Democratic Party 32 seats, the Democratic Party 15 seats and the Liberal Party 12 seats. The Liberal Democrats, Democrats and Liberals agreed on a new three party coalition - Alliance for European Integration II.

As the new coalition did not itself have the majority to elect a President (only 59 from the necessary 61 seats), the deadlock regarding the presidential election continued. Only in March 2012, the Alliance nominated a non-partisan candidate for the Presidency, Mr. Nicolae Timofti, the president of the Supreme Council of Magistrates, who was elected on March 16, with the support of unaffiliated Members of Parliament, who had left the Party of Communists a few months earlier.

On 5 March 2013 the Parliament of Moldova adopted a motion of no confidence against the current Government. The motion was submitted by the Party of Communists (in opposition since 2009), and got the support of the unaffiliated Members of Parliament and the members of the Democratic Party of Moldova headed by the Speaker of the Parliament.

Following the adoption of the motion of no-confidence the Government resigned and a process of negotiations started. The opposition demanded early parliamentary elections, but on 7 May 2013 the Parliament elected a new Government with support of the Liberal Democratic Party, the Democratic Party, part of the Liberal Party and 4 unaffiliated Members of Parliament. With this early parliamentary elections were avoided. The next regular parliamentary elections are scheduled for early 2015.

Despite the political instability, the electoral process itself has been upgraded and the CEC has improved and modernized itself as an institution, with continuous support from outside. The OSCE-ODIHR report on the 2010 parliamentary elections found that "these elections met most OSCE and Council of Europe commitments. The elections were administered in a transparent and impartial manner by the Central Election Commission (CEC), which enjoyed the trust of most contenders."

Assistance provided

UNDP

The aim of the Electoral Support to Moldova (ESM) Project was to support the CEC in designing and delivering electoral services that can increase citizens' trust in the electoral system and in electoral outcomes. In 2008-2010 ESM provided technical assistance to the Central Electoral Commission (CEC) and other stakeholders (NGOs, Ministry of Foreign Affairs and the former Parliamentary Commission on amendment of the Electoral Code); 2011 and 2012 the Project focused on CEC only. Key results from that period included:

1. Successful support to the unforeseen parliamentary elections in 2009 and 2010, the referendum in 2010,
2. Improvements in the voter register and development of an automated electoral management system,
3. Provision of out of country voting services,
4. Institutional and capacity development, and
5. Extensive media and public relations support.

The ESM Project was during its first years financed by the European Union, the Moldovan Government, the UN Trust Fund for Electoral Assistance and UNDP and implemented by UNDP. The activities related to Out of Country Voting component were coordinated and financed by ESM Project and implemented by the International Organization for Migration.

In June 2012 a new Project, Improving the Quality of Moldovan Democracy through electoral and parliamentary support ('the Democracy Programme') commenced, combining support to both the CEC and the Parliament of Moldova. The programme focuses on strengthening the institutional capacity of the CEC, entrenching gender and human rights considerations in the formal political process, further development of an enabling environment for the delivery of modern and inclusive electoral services. The electoral component of the Democracy Programme is funded by the Government of Sweden.

USAID

Starting June 2008, International Foundation for Electoral Support (IFES) has been assisting CEC, through an elections administration component of the Strengthening Democratic Political Activism (SDPA) program. IFES was designed to strengthen electoral administration and transparency ahead of the 2009 parliamentary elections. Since 2010, USAID assistance through the Moldovan Electoral Administration Capacity Development Programme focused on support of appropriate authorities and institutions in Moldova in their effort to configure an efficient system for voter registration; building of administrative, operational, management and professional capacity of election bodies at local level; foster of public trust in electoral processes; promotion and supporting reform in financing political parties. The activities of the programme were expected to address the long-term capacity challenges of election administration to contribute as a result to sustainably transparent, efficient and democratic electoral process.

Other actors

At various times, especially in response to the electoral events of 2009 (2 parliamentary elections within 4 months), other international actors supported the CEC. The most notable of these actors were the Council of Europe, IOM, OSCE-ODIHR and the OSCE Mission to Moldova. Where possible, the review should study these activities and interventions as part of the review process.

2. OBJECTIVES:

The Programme intends to contract an International Consultant (further referred as "Lead international Consultant") to lead the team of three consultants (two international and one national) assigned to provide a holistic, impartial and trustworthy review of the electoral assistance to CEC, in accordance with the Terms of Reference for the review, attached as Annex 3 to the Procurement Notice.

The Lead international Consultant will have the responsibility for the overall co-ordination of the review and for the overall quality and timely submission of the Review Report to UNDP. He/She is expected to provide leadership to the other two members of the Review team, in the execution of this assignment, in accordance with the abovementioned responsibilities.

The Lead international Consultant will coordinate and contribute to the implementation of the following activities:

1. Organize and coordinate the work of the Review Team as team leader and leading expert.
2. Conduct a comprehensive desk review of all relevant documentation in the period 2008-2012;
3. Carry out interviews with relevant Stakeholders;
4. Identify the planned, principle approaches and strategies that were employed;
5. Assess the design, implementation and results of the assistance provided and specifically examine the relevance, efficiency, effectiveness, impact and its sustainability;
6. Assess the degree to which the assistance has been successful so far, including the extent to which the targeted beneficiaries have benefited from the support;
7. The analysis should differentiate between short and long term effects, with special reference to the CEC institutional capacity development. If results other than the planned ones have been reached, whether they are positive and or negative, these should also be described and analyzed;
8. Assess whether assistance provided and financing arrangements were the most cost-effective to achieve the desired outputs and outcomes.
9. Assess how the management arrangements have been implemented;
10. Identify and analyze the challenges and constraints confronted by implementing projects during the provision of the assistance and draw lessons learnt;
11. Assess the impact or prospects of the assistance provided, enhancing the consideration of cross cutting issues such as gender and human rights;
12. Draft a set of concrete recommendations based on review findings and identified opportunities for intervention, including recommendations on the relevant changes to the Results and Resources Framework and the Risk Log.
13. Prepare and present a comprehensive review report.

2. Key deliverables and tentative timetable:

Key deliverables:	Tentative Timetable
A detailed review methodology developed, discussed and submitted for approval.	By 06 August 2013
First draft Review Report prepared and submitted for comments	By 09 September 2013
One round table presentation of the draft Review Report organized/delivered	By 10 September 2013
Final draft of the review report, based on comments and suggestions received, updated and submitted for approval.	By 16 September 2013

All deliverables should be agreed with CEC and the Programme and be provided in English hard and electronic copy.

Institutional arrangements

Timeframe for the work of the Lead international Consultant is tentatively planned through August – September 2013. Consultancy should involve 31 days of work in Moldova.

The assignment is to be finished no later than 30 September 2013.

4. Qualifications and skills required

- I. Academic Qualifications:
 - Master's degree in Law, Public Administration, International development or related fields; Bachelor and at least 10 years of relevant experience will be also acceptable.
- II. Years of experience:
 - At least 7 years of work experience in the field of democratic governance, public administration, development, including participatory planning, monitoring and evaluation;
 - Previous regional work experience in related areas;
- III. Competencies:
 - Sound knowledge about results-based management (especially results-oriented monitoring and evaluation);
 - Familiarity with the political, economic and social situation in the Republic of Moldova.
 - Ability to analyse, plan, manage diversity of views, adapt to different environments (cultural, economic, political and social);
 - Fluency in English; knowledge of Romanian and/or Russian *would be an advantage*.

5. Documents to be included when submitting the proposals:

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

- a. Proposal: explaining why they are the most suitable for the work including past experience in similar Projects (please provide brief information on each of the above qualifications, item by item);
- b. Financial proposal (in USD, specifying a total requested lump-sum, including all related costs, e.g. fees, per diems, travel costs, phone calls etc.);
- c. Dully completed and signed P11 Form, personal CV and at least 3 references.