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TERMS OF REFERENCE

National Consultant to assist the team of international consultants for the mid-term review of the International Electoral Assistance provided through 2008-2012 to the Central Electoral Commission of Moldova

Job title:	National Consultant
Duty station:	Chisinau, Moldova
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 a National Consultant to provide the necessary local support to 2 (two) international consultants 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, specified at the Annex 3 of this ToR.

The National Consultant will provide the support to the international consultants through:

1. Contribution to the analysis of the available documents ;
2. Desk review of the documents not available in English.
3. Assistance in conducting the analysis as per the scope of the review;
4. Collect relevant data and information;
5. Organize, participate in meetings and interviews;
6. Provide consecutive translations, if needed, during the meetings and interviews;

7. Contribute to the drafting of related parts of the concept note and review report;
8. Contribute to the organization of the round table presentation of the draft Review Report.
9. Assist the Team leader and the International Consultant in finalizing the Draft review report through incorporating suggestions received after the roundtable on draft review report.
10. Other tasks related to the review process.

2. Key deliverables and tentative timetable:

	Key deliverables:	Tentative Timetable /Working days
1.	<u>Preparatory Work.</u> <ul style="list-style-type: none"> • Inception study of available information; • Preparation of a detailed work plan to be applied for respective assignment; 	5 days
2.	<u>Daily assistance to the evaluators provided.</u>	26 days

The timeframe for the work of the National Consultant is tentatively planned through August - September 2013.

The Consultant will be paid in two installments, upon the submission of the initial working plan and the final review report by the review team.

3. Qualifications and Skills required

I. Academic Qualifications:

- Masters degree in Law, Public Administration, International development or related fields; Bachelor and at least 5 years of relevant experience will be also acceptable.

II. Experience:

- At least 2 years of relevant working experience/participation in the review, evaluation and assessment of the development of projects and/or programmes;
- Previous work experience in democratic governance, public administration, development or other related areas;

III. Competencies

- Familiarity with the national context (legal and policy framework) related to the Electoral System in Republic of Moldova
- Ability to analyse, plan, manage diversity of views, adapt to different environments (cultural, economic, political and social);
- Fluency in English, Romanian and Russian languages.

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 amount per working day, including all related costs, e.g. fees, phone calls etc.);
- c. Dully completed and signed P11 Form, personal CV and at least 3 references