

Joint Integrated Local Development Programme

Terms of Reference

Job title:	National Consultant to develop the policy document and assist the working group in elaboration of the public policies on property decentralization
Duty Station:	Chisinau Moldova
Section/Unit:	Joint Integrated Local Development Programme
Type of Contract:	Individual Contract
Starting Date:	16 September 2013
Duration of Assignment:	September - November, 2013

Job Content

I. BACKGROUND

The Government of Moldova explicitly acknowledges that decentralization represents an essential item on the reform agenda of the country. The goal is to provide quality services to women and men equitably - including the rights of persons from vulnerable groups - through building autonomous and democratic local governments, able to manage efficiently their responsibilities. Thus, on April 5, 2012 the Parliament of the Republic of Moldova adopted the National Decentralization Strategy that represents the main policy document in the field of local public administration and establishes the national mechanisms to ensure genuine local autonomy.

Prior to the approval of the Strategy, the Government has benefited from the support provided by the Joint Integrated Local Development Programme/JILDP implemented by UNDP and UN Women and funded by the Government of Sweden and UNDP. Given the stringent need to further advance the implementation of the Decentralization Strategy, and building on the successful cooperation with the Joint Integrated Local Development Programme, the State Chancellery together with United Nations have designed a new Programme phase to support the implementation of the Decentralization Strategy at policy and local levels.

The Overall Objective of the Programme is to support better and equitable service provision and sustainable local development, facilitated by the improved legal and institutional framework resulting from the implementation of the National Decentralization Strategy. The Immediate Objectives of the Programme are:

- To support the Government in improving the policy and legal framework as mandated by the National Decentralization Strategy to ensure local autonomy, availability of resources, and more effective local management for better and equitable service provision.
- To improve the capacity of Local Public Authorities (LPAs) to deliver efficient, equitable and accessible local public services, to facilitate sustainable development and foster social inclusion.

The National Decentralization Strategy is the main policy document on local public administration that offers a general strategic framework, the main principles and the national mechanism for decentralization and ensuring local autonomy in Moldova. At the same time, apart from the specific objectives, the process of decentralization in Moldova applies a human rights based approach, promoting gender equality and

human rights for women, man and communities, social inclusion for vulnerable and marginalized groups, as well as ensuring equal chances and dignity for all.

For a successful implementation of the decentralization reform, the action plan of the National Decentralization Strategy envisages the development of the sectorial strategies for decentralization that will guide the decentralization reform in various domains. According to the decision of the Parity Commission from July 2, 2013 all sectorial strategies have to be developed by the end of 2013.

In this context, a working group for decentralizing public services in property sector was created under the auspices of the Parity Commission. The working group is hosted by the Ministry of Economy which ensures the secretariat and facilitates the activity of the working group, as well as ensured the correlation of the decentralization policy with other relevant documents in this field. The property decentralization assessment was elaborated in 2011-2012 by the team of experts. The draft of the property decentralization Strategy, as well as normative acts related property designed, including draft of the public property Law.

II. SCOPE OF WORK

JILDIP is seeking National Consultant, who will provide assistance to the working group on property decentralization in developing and awareness of the policy documents and draft of normative acts, including clarification of the competences and formulation of the actions for decentralization.

III. TASKS AND ESTIMATED WORKLOAD

The national consultant will assist the working group on property decentralization to adjusting the policy document and normative acts the property field based on the human rights based approach and gender equality principles. The main tasks are:

1. Provide assistance to the working group on property decentralization in data collection and systematization, competencies clarifications and policy document adjustment
2. Provide assistance to the working group on property decentralization in adjustment of the legal and normative acts regarding property decentralization
3. Participate in the debates of the working group on decentralization, including elaborate and hold presentations of the policy document and normative acts and ensure continuous communication with the working group on decentralization and all involved stakeholders.

More specifically, the national consultant will perform the following tasks and activities but not limited to them, for an estimated workload as specified below:

Tasks and activities	Estimated Workload
1. Provide assistance to the working group on property decentralization in data collection and systematization, competencies clarifications and policy document adjustment	10 days
1.1 Conduct desk review (collect and analyze data and primary and secondary sources (research reports, etc), competencies clarifications, institutional arrangements etc	
1.2 Assist the working group in adjusting the property decentralization policy document including with regard to inclusiveness, HRBA and GE dimensions	
1.3 Ensure the compliance of the decentralization policy document with the national requirements for elaborating the strategic planning documents, the National Decentralisation Strategy, and the specifics of the public property sector	
2. Provide assistance for the activity of the working group in adjustment of the legal and normative acts regarding property decentralization	10 days

2.1 Provide the necessary assistance in adjustment and institutional coordination of the draft of Governmental decision regarding assets inventory	
2.2 Provide the necessary assistance in adjustment and institutional coordination of the draft of public property Law	
2.3 Provide assistance in adjusting the policy documents to the feedback and requirements of the working group on property decentralization	
3. Participate in the debates of the working group on decentralization, including elaborate and hold presentations of the policy document and normative acts	10 days
3.1 Participate in the public consultations organized by the State Chancellery, Ministry of Economy and CALM on the public property topics	
3.2 Provide assistance in adjusting the policy documents to the feedback and requirements of the working group on property decentralization	
3.3 Ensure continuous communication with the working group on decentralization, Ministry of Economy, State Chancellery, and JILDIP and for performing the tasks under these terms of reference	
Total estimated number of working days:	30 days

All studies and analysis will be performed using a human rights based and gender equality approach, which implies: a) analysis of the existing situation with regard to the access of women and men from all vulnerable groups to the public services mentioned above; b) needs assessment, including the special needs assessment, of women and men from all social groups, including the most vulnerable, in this field; c) gender impact analysis on vulnerable groups of the decentralization policy options; d) facilitating access and/or women and vulnerable groups empowerment

IV. DELIVERABLES AND TIMEFRAME:

The assignment should be carried out within a period of 3 months, not exceeding the working days specified below:

	Outputs/Deliverables	Deadline
1.	Inception Report which will include the methodology to be applied for the tasks, the conceptual framework of the policy document in the property decentralization.	September 20, 2013
2.	Progress Report which will include: 1. Results of the desk review, chart of competencies, property delimitation criteria, institutional arrangements etc 2. Adjusting of the property decentralization policy document including with regard to inclusiveness, HRBA and GE dimensions 3. Minutes/Summary of the discussions of the working group when the research results were presented.	October 15, 2013
3.	Progress Report on: 1. Policy document on property decentralization, including the Action Plan 2. The draft of Governmental decision regarding assets inventory and the draft of public property Law institutionally coordinated with CPAs and	November 15, 2013

	LPAs and adjusted 3. Minutes/Summary of 3 public debates (including 2 outside of Chisinau) where the policy document and the Action Plan was presented and debated 3. Summary of the policy document on property decentralization, information notes of the draft of legal acts in both English and Romanian version.	
4.	Final Activity Report	November 25, 2013

All reports will be developed in English. The deliverables (methodologies, conceptual framework, problem analysis and prioritization, and Policy document) will be developed in Romanian and shall be endorsed by the JILD Policy Technical Adviser, representatives of the working group on property decentralization, and the State Chancellery of the Republic of Moldova.

V. QUALIFICATIONS AND SKILLS REQUIRED

Academic Qualifications:

- MA and/or PhD in Public Administration, Public Policy, Economics, Legal, Public and Administrative Law, or other relevant fields

Experience:

- At least 3 years of proven experience of analysis and research in the field of public administration, multi-disciplinary studies, decentralization, inter-governmental relations, property, cadaster etc
- Experience with the Moldovan development context, specifically with regard to the decentralization reform, Central Public Administration and Local Public Administration sector reforms
- Experience with international organization/companies
- Knowledge of the decentralization reforms, particularly related to public property, in the Central Eastern European countries will be an asset
- Knowledge and understanding of the National Decentralization Strategy of Moldova

Competences:

- Robust analytical and writing skills
- Demonstrated capacity of team work
- Ability to produce deliverables in due time and within cost and quality standards
- Proficiency in computer applications (Windows, MS Office, IE, Outlook)
- Strong interpersonal and communication skills
- Sensitivity and respect for human rights and gender equality
- Fluency in Romanian and working knowledge in English.

The United Nations Development Programme in 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.