United Nations Development Programme

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Terms of Reference

Job title:	Local Consultant to adjust the Anti-Corruption Initiative Assessment (AIA) tool of the Republic of Korea's Anti-Corruption & Civil Rights Commission (ACRC) to the context of Moldova
Duty Station:	Republic of Moldova, Chisinau
Reference to the project:	Curbing Corruption through building Sustainable Integrity in Moldova
Contract type:	Individual Contract (IC)
Contract duration:	April 2019 – April 2020 (up to 32 working days)
Starting date:	April 2019

<u>Job content</u>

1. BACKGROUND

Curbing Corruption through Building Sustainable Integrity in Moldova Project will contribute to achieving a sustainable integrity and anticorruption system in the Republic of Moldova through the strengthened capacities of the public and private sector entities and the civil society for the efficient application and monitoring of national integrity instruments and standards. The project will enhance capacities of the public and private sector actors, as well as of the Civil Society Organisations (CSOs) for the implementation of effective corruption prevention instruments and tools and will strengthen the anticorruption demand side through an increased public awareness on anticorruption and on the means to curb corruption. It will contribute to the progressive implementation of the Sustainable Development Goal 16 that calls for a substantial reduction of corruption and bribery in all their forms and for developing effective, accountable and transparent institutions at all levels. The Project is framed around the National Integrity and Anticorruption Strategy (NIAS) 2017-2020 and responds to the needs of its various actors and stakeholders in addressing the challenges for the effective implementation of NIAS, such as (i) limited capacities of the Secretariat of the Strategy's pillar monitoring groups and reduced involvement of CSOs in the monitoring process; (ii) insufficient capacities within central and local public authorities to ensure the uniform compliance with anticorruption and integrity standards; (iii) lack of mechanisms for enforcing integrity standards in private sector; and (iv) weak anticorruption demand-side explained by the limited awareness of men and women on the available anticorruption tools to be used and on the means of protection in the event of denunciation of corruption.

Although an important progress has been made to put in place efficient anticorruption policies and mechanisms in the Republic of Moldova in the recent years, national opinion polls still attest a low trust in public institutions, while corruption persistently remains among three major issues to be solved during the last four years. According to the May 2018 Survey on the Impact Monitoring of the National Integrity and Anticorruption Strategy commissioned by the UNDP, 24% of population and 33% of business have some trust in Parliament; 27% of population and 38% of business have some trust in Government[1]. The November 2018 edition of the Public Opinion Barometer provides some similar figures: the level of trust to Government is at 18,5%, to Justice is at 15,6% and the level of trust to Parliament is at 13%[2]. According to the 2018 Transparency International Corruption Perception Index (TI CPI), Moldova scored 33 out of 100 points and ranked 117th out of 180 assessed countries, recording two points improvement in the public perception of corruption compared to the 2017 TI CPI.

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[1] http://www.md.undp.org/content/moldova/en/home/library/effective_governance/studiu-de-evaluare-a-impactului-strategiei-naionale-de-integrita.html
[2] http://ipp.md/2018-12/sondajul-sociologic-barometrul-opiniei-publice-noiembrie-2018/

To enhance the corruption prevention and combating efforts, the Parliament of the Republic of Moldova adopted a new National Integrity and Anti-corruption Strategy (NIAS) for 2017-2020. The Strategy's structure is based on integrity pillars methodology developed by the Transparency International. This innovative approach focuses on a strengthened responsibility and accountability of the institutions representing integrity pillars. The policy document focuses on the effective enforcement of the legal and institutional frameworks, rather than legislative modifications and institutional restructuring prioritized in the previous years.

To embed an incentive for the effective implementation of NIAS and build a genuine integrity system, the Project will support developing a methodology for conferring Integrity Awards to public institutions and private entities based on the Tool elaborated and applied in South Korea as a result of a partnership between the Korea's Anti-Corruption & Civil Rights Commission (ACRC) and UNDP[3] and will assist in its replication in Moldova. Currently, the Tool - Anti-Corruption Initiative Assessment (AIA) is being implemented or piloted in Vietnam, Malaysia and Uzbekistan. Opposing to the traditional anti-corruption initiatives that often focus on identifying and prosecuting those involved in wrong practices, the Tool is based on the understanding that the integrity policies shift from a narrow focus on deterrence and enforcement towards promoting values-based decisions and provides the substantiated evidence for highlighting success stories to foster greater trust. This responds to the recently enforced anticorruption policies in the Republic of Moldova that represent a paradigm shift from corruption prevention to setting robust integrity systems and their effective implementation. In line with the AIA, the award would be conferred to the institutions that provide the evidence of the highest integrity commitment and accountability. Praising the champions would, on the other hand, put on spot, or "shame" the laggards and will stimulate institutions to perform better on promoting integrity. The Integrity Awards Tool combines qualitative and quantitative assessment with a systematic scoring system through a regularized process, and serves to evaluate how participating organizations apply various institutional mechanisms to prevent corruption and to enhance integrity. The scoring system allows to rank the institutions on an annual basis and to publish the ranking. In this way, the Integrity Award becomes a motivational tool for the heads of public institutions to put in place and improve institutional measures for preventing corruption and ensuring integrity. In this way, a spotlight will be provided for examples of positive action and leadership that boost values and culture.

2. OBJECTIVE AND EXPECTED OUTPUTS

The Curbing Corruption through Sustainable Development Project (further referred the Project) intends to contract a local Individual Consultant (further referred to as "Consultant") to provide support to the NAC, the institution responsible for the coordination of the implementation, monitoring, evaluation and reporting of the NIAS, in adjusting the Anti-Corruption Initiative Assessment (AIA) tool to the context of Moldova. To achieve the stated objective, she/he is expected to:

- Carry out a thorough desk review of the AIA and of the relevant Moldovan legislation and regulations, with the specific focus on the NIAS framework, and based on this review develop a table of the methodological tools used in AIA and describe the degree of their relevance and applicability for the context of Moldova;
- Discuss the findings of the desk review with NAC and establish the most appropriate approach for the implementation of the Integrity Awards programme in Moldova;
- Participate in the webinar with the ACRC and NAC staff members to identify and discuss main challenges related to the implementation of the Integrity Award programme;
- Validate with NAC the approach for developing the methodology for conferring Integrity Awards to public institutions and private entities based on the AIA's relevant mechanisms and recommendations received during the webinar;
- Develop a draft methodology based on the approach approved within the validation meeting with NAC;
- The methodology will include two separate chapters: one for the assessment of public institutions and one for the assessment of private institutions. Methodology shall provide clear guidelines for conferring Integrity Awards to public institutions and private entities so that it can be easily applied and will ensure a transparent and equitable mechanism for the evaluation of the participating entities;
- Validate the draft methodology with NAC;

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[3] http://www.undp.org/content/dam/uspc/docs/AIA%20Resource%20Book%20(English).pdf

- Facilitate a series of validation workshops (up to 5 workshops) with the relevant public and private institutions* and collect recommendations for the final version of the methodology to be applied;
  *All logistical arrangements for the organization of the validation work-shops will be ensured by the Project and NAC.
- Develop the final methodology based on the findings and recommendations received in the validation workshops;
- Provide coaching to NAC and targeted public institutions in the process of piloting the methodology for conferring the Integrity Awards. At the first stage, the Integrity Awards programme will be piloted among the public institutions responsible for the implementation of the 9 Sectorial Anticorruption Action Plans (5 ministries and subordinated institutions, as well as the Public Property Agency for the sectorial anticorruption action plan in the domain of public property) and the local anticorruption action plans (35 District Councils), in line with the NIAS framework;
- Collect a comprehensive feed-back from the participating institutions on their experience of participation in the Integrity Awards programme, including through questionnaires, evaluation forms, group discussion as relevant;
- Draft Final Activity Report, including data and information on the stages passed, resources used, results obtained versus expected, impact of obtained results, risks overcome, problems faced, lessons learned, conclusions and next stage recommendations. The report will also include a thorough analysis of the beneficiary institutions feed-back collected throughout the process.

3. KEY DELIVERABLES AND TENTATIVE TIMETABLE

Key deliverables	Tentative Deadline
Table of the methodological tools used in AIA and the degree of their relevance and applicability for the context of Moldova developed (5 w/d)	By 30 May 2019
The approach for developing the methodology for conferring Integrity Awards to public institutions and private entities validated by NAC, including as the results of the webinar with the ACRC and NAC staff members (3 w/d)	By 30 June 2019
Draft methodology developed and validated with NAC (7 w/d)	By 20 July 2019
Up to 5 workshops validation workshops with the relevant public and private institutions facilitated and recommendations collected (up to 5 w/d)	By 20 September 2019
Final methodology based on the findings and recommendations received in the validation workshops developed and submitted (3 w/d)	By 30 September 2019
Coaching to NAC and targeted public institutions in the process of piloting the methodology for conferring the Integrity Awards provided (up to 5 w/d)	By 30 January 2020
Final Report on piloting of the Integrity Awards programme, including data and information on the stages passed, resources used, results obtained versus expected, impact of obtained results, risks overcome, problems faced, lessons learned, conclusions and next stage recommendations, detailed analysis of the beneficiary institutions feed-back, submitted (4 w/d).	By 30 April 2020

This is a tentative timeframe, while the final dates for providing the deliverables can be adjusted depending on the actual progress of the grants competition and to ensure an efficient implementation of the assignment.

4. INSTITUTIONAL ARRANGEMENTS

The Consultant will work under the overall guidance and direct supervision of the Project Manager and in close collaboration with the NAC assigned staff for substantive aspects of the assignment. This is a part-time consultancy. The timeframe for the work of Consultant is planned for April 2019 – April 2020.

5. FINANCIAL ARRANGEMENTS

Payments will be disbursed in several instalments upon submission and approval of deliverables, and certification by UNDP Moldova Project Manager that the services have been satisfactorily performed.

6. QUALIFICATIONS AND SKILLS REQUIRED

I. Academic Qualifications:
* Master's Degree or equivalent (5 years of University studies) in Law.

II. Years and sphere of experience:
* At least 7 years of experience related to corruption prevention in a public institution/NGO/international organization;
* At least 7 years of proven professional experience in legal drafting and analysis of legal and normative acts;
* At least 2 records of similar assignments of developing methodologies and/or guidelines for the implementation of anti-corruption tools and instruments

III. Competencies:
* Excellent knowledge of normative and institutional frameworks regulating anticorruption policies and of the framework of the National Integrity and Anticorruption Strategy demonstrated by previous assignments;
* Experience in applying monitoring and evaluation tools demonstrated by previous assignments;
* Strong analytical and report writing skills demonstrated by previous assignments;
* Experience of providing training/coaching to civil servants in the field of anti-corruption policies and law enforcement;
* Strong communication and teamwork/coordination skills demonstrated by previous assignments;
* 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;

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, creativity, flexibility and punctuality, ability to meet deadlines and prioritize multiple tasks

The UNDP 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.

7. DOCUMENTS TO BE INCLUDED WHEN SUBMITTING THE PROPOSALS:
Interested individual consultants must submit the following documents/information to demonstrate their qualifications:

* Offeror's Letter confirming Interest and Availability;
* Proposal: explaining why they are the most suitable for the work including previous experience in similar Projects (please provide brief information on each of the above qualifications, item by item);
* Financial proposal (in USD, specifying a total requested amount per working day, including all related costs, e.g. fees, phone calls etc.);
* Personal CV and at least 3 references.

Note: *Please, refer to the Individual Procurement Notice of this recruitment for a more detailed information on the application and selection process.*