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TERMS OF REFERENCE

National legal consultant to support the GPA in amending its internal regulatory framework

Job title:	National legal consultant to support the GPA in amending its internal regulatory framework
Duty station:	Chisinau, Republic of Moldova
Project:	Strengthening Parliamentary Governance in Moldova Project
Contract type:	Contract for Goods and/or Services
Duration of assignment:	June – October 2019 (up to 50 days)

I. BACKGROUND INFORMATION

The UNDP “Strengthening Parliamentary Governance in Moldova” (SPGM) Project works with the Parliament of the Republic of Moldova (PRM) to strengthen its law-making, oversight and representation functions with a specific focus on the EU integration and the Sustainable Development Goals (SDGs). Project interventions include trainings, technical assistance, easy-to-read publications, exchanges and opportunities for learning from other parliaments, as well as specialized technical equipment. Since 2017, the SPGM project has also been supporting the capacity development of the Gagauz People’s Assembly (GPA) at the request of the Parliament of the Republic of Moldova (PRM).

The Gagauz People’s Assembly is the representative body of the Autonomous Territorial Unit of Gagauzia that was established in 1994 based on the Law on the special legal status of Gagauzia. According to this law, the People’s Assembly comprises 35 members elected for a four-year term in uninominal territorial districts. In its current composition, the Gagauz People’s Assembly started its work on 20th of January 2017.

In 2017, a Functional and Institutional Analysis of the Gagauz People’s Assembly was conducted with the aim of identifying specific areas of intervention and approaches for capacity development. The analysis report defined the strengths and opportunities for the assembly, as well as the weaknesses and challenges that require further institutional strengthening.

One of the main challenges was the lack of a strategic development plan for the GPA to guide institutional development. Based on the findings, UNDP subsequently supported a participatory and inclusive process for the drafting of the GPA’s first Strategic Development Plan 2018-2020, which was approved by the Presidium in July 2018. In line with the GPA priorities announced for 2018-2020, the institution shall undergo a process of institutional reform towards becoming a more efficient organization.

In this context, the review and amendment of the GPA's Rules of Procedure (RoP) and internal normative acts regulating the institutional workflows is necessary to ensure that key processes, roles

and functions of the Assembly are optimized for increased efficiency and compliant with national legislation.

In this regard, UNDP is seeking to contract a legal consultant to support the Gagauz People’s Assembly in updating the RoP and amending existing and drafting new internal regulations as part of the enhancing the institutional efficiency of the assembly.

II. SCOPE OF WORK AND EXPECTED OUTPUT

The expected output for the national legal consultant’s assignment is to support the GPA in updating and drafting its regulatory framework, in order to respond to the new institutional structure of this entity. Currently, work is progressing on the development of a new organigram of the GPA and an analysis report with recommendations for the reengineering of business processes. Therefore, the legal consultant is expected to closely coordinate the development and finalization of deliverables under the assignment with the UNDP consultants engaged for drafting the new structure of the GPA.

In order to achieve the stated objective, the consultant will have the following responsibilities:

- Prepare a detailed work plan and inception report describing the methodology and approach to be applied for this assignment.
- Undertake a comprehensive desk review of the relevant regulatory framework related to GPA’s institutional roles and functions.
- Develop, in close coordination with the other UNDP consultants, a list of exiting GPA regulations which should be modified and new ones to be developed, required to ensure alignment with the structural changes foreseen as part of the new organigram of the GPA. The GPA Rules of Procedure and the Regulation of the GPA Secretariat shall be included in the list of documents which are to undergo review and subsequent amendment. The final list shall be agreed with the GPA management.
- Draft the required amendments and new internal regulations, in line with the applicable national and local normative frameworks, based on the agreed list.
- Organize and conduct at least two validation events to present the proposed amendments, texts of new regulations and collect feedback from the participants for adjustments.
- Develop final drafts of the documents, in line with the received feedback.

III. DELIVERABLES AND TENTATIVE TIMEFRAME

The proposed assignment timeframe is June – October 2019.

Nr.	Deliverables	Tentative timeframe/deadline
1.	Work plan and inception report describing the methodology and approach to be applied for this assignment developed and submitted to the SPGM and GPA.	By 3 June 2019
2.	Comprehensive desk review of the relevant regulatory framework related to GPA’s institutional roles and functions carried out.	By 24 June 2019
3.	List of GPA regulations that need to be modified or newly drafted, to accommodate structural organizational reform,	By 12 July 2019

	developed and submitted for clearance to SPGM and GPA.	
4.	Based on the list cleared at point 3 in the deliverables table, draft the required amendments and new internal regulations, in line with the applicable national and local normative frameworks. The draft regulations prepared by the national legal consultant shall be submitted for clearance to the SPGM and GPA.	By 16 August 2019
5.	Organize and conduct, in close coordination with UNDP SPGM Project consultants engaged in providing support to the GPA, at least two validation events to present the proposed amendments, texts of new regulations and collect feedback from the participants for adjustments.	By 13 September 2019
6.	Amendments and new internal regulations, adjusted to the feedback received during validation events, finalized and submitted to the SPGM and GPA.	By 18 October 2019

IV. INSTITUTIONAL ARRANGEMENTS

The consultant will work under the guidance of the UNDP Technical Specialist for substantive aspects of the assignment and under the direct supervision of the UNDP Senior Project Officer for administrative aspects.

The consultant is expected to cooperate closely with the national and international consultants engaged to develop the new institutional structure of the GPA.

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

V. FINANCIAL ARRANGEMENTS

Payment will be disbursed in three installments upon submission and approval of deliverables by the UNDP Technical Specialist and certification by the Project Manager that the services have been satisfactorily performed.

All envisaged travel costs must be included in the financial proposal. These includes all travel to join duty station/repatriation travel. UNDP does not accept travel costs exceeding those of an economy class ticket. Should the contractor wish to travel on a higher class, he/she should do so using their own resources.

In the case of unforeseen travel (outside of Chisinau/more missions), payment of travel costs including tickets, accommodation and terminal expenses should be agreed prior to travel for reimbursement by UNDP.

VI. QUALIFICATIONS AND SKILLS REQUIRED

The contractor's performance will be evaluated against the following criteria: timeliness,

professionalism, proactiveness, communication, accuracy, and quality of the products delivered.

I. Academic qualifications

- Master's degree in law, public administration, or any other relevant social science

II. Years of experience

- At least 5 years of practical experience in drafting by-laws, normative framework and public policies
- Proven experience (at least 3 proven previous assignments) in drafting regulatory framework
- Previous experience in working with the public entities of the Autonomous Territorial Unit of Gagauzia is an asset
- Experience in working with UN agencies is an asset

III. Competencies

- Strong analytical and writing skills;
- Ability to analyze, plan and communicate effectively orally and in writing
- Demonstrated interpersonal and diplomatic skills, as well as the ability to communicate effectively with stakeholders at all levels and to present ideas clearly and effectively;
- Fluency in Russian. Knowledge of Romanian and/or English is an asset.
- Proven commitment to the core values of the United Nations respecting differences of culture, gender, religion, ethnicity, nationality, language, age, HIV status, disability, and sexual orientation, or other status.

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.