

TERMS OF REFERENCE

Job title:	International Expert to elaborate a GAP Analysis and Roadmap for reorganization of the CEC Finance and Economics Department
Duty Station:	Republic of Moldova, Chisinau
Reference to the project:	Enhancing democracy in Moldova through Inclusive and Transparent Elections (EDMITE / phase II)
Contract type:	Individual Contract (IC)
Assignment type:	International Consultant
Contract duration:	April – July 2021
Expected workload:	39 working days
Indicative starting date:	20 April 2021

1. BACKGROUND

Electoral support and capacity development are part of UNDP's democratic governance assistance worldwide, through which UNDP helps nations build democratic frameworks to improve representation, accountability, and transparency for the benefit of citizens.

UNDP has a long-standing partnership with the Central Electoral Commission (CEC) aiming at advancing the democratic electoral processes in Moldova by consolidating the transparency and efficiency of elections' management, modernization of electoral IT solutions and enhancing the inclusiveness and participation of voters. This partnership, which spans over 10 years, resulted in the establishment of a strong professional institution, development of a modern State Automated Information System "Elections" (SAISE), the enhancement of the State Register of Voters' accuracy and the design and implementation of effective long-term civic and voter education instruments.

Since 2017, the Project "Enhancing democracy in Moldova through inclusive and transparent elections" supports the Central Electoral Commission to enhance the transparency and inclusiveness of the electoral process in Moldova by ensuring a more independent and credible electoral administration and better informed and pro-active citizens. With the continuous UNDP assistance, the CEC demonstrated a high capacity of carrying out transparent, safe and "well-administered" elections (as attested by OSCE/ODIHR Observation Mission) throughout challenging electoral cycles, particularly the 2020 Presidential Elections, organized in the context of the COVID-19 pandemic.

Building on the sustainable results achieved during its first phase of implementation (2017 – 2020), the objectives of the current Project phase (2020 – 2023) are:

- Enhance the inclusiveness of the electoral process by increasing the functional and technical capacities of the State Automated Information System "Elections" (SAISE);
- Enhance the political participation of citizens by setting up and implementing the voters' information and civic education programs;
- Improve the legal and regulatory framework to respond to the EOM recommendations; and
- Strengthen the capacity for effective and coherent oversight and monitoring on political party financing.

According to the Law on Political Parties' Financing, adopted by the Moldovan Parliament in April 2015, the CEC is the institution responsible for the monitoring and analysis of the political parties' and electoral campaigns' financial reporting – a challenging task requiring strong institutional capacities and efficient mechanism to ensure a transparent process for all actors.

The initial use of the paper-based reporting was a challenge for the CEC, as a big amount of data had to be manually processed by the employees of the Finance and Economics Department. To address this challenge, and to ensure the transparency of the political party finance reporting to external stakeholders, such as political parties and civil society, UNDP Moldova supported the CEC in the development of an informational subsystem, automatizing data collection and analysis, while ensuring public access to all reports submitted to by electoral candidates – the Political Party Finance Reporting and Disclosure module of the SAISE (“Financial Control” Module). The Module has been finalized in February 2019 becoming an integral part of the CEC’s electoral data management infrastructure.

Following a set of post electoral recommendations, Venice Commission and GRECO¹ suggestions, the CEC further progressed in its oversight role of political party and campaign finance reporting and began to review existing regulation to improve the processes as well as the access to the information and data. In June 2019, the Central Electoral Commission adopted a set of amendments to the Regulation on political parties financing, including the major decision on the mandatory online reporting through the “Financial Control” Module of the SAISE by the political parties as of January 1st, 2020.

The important steps that had been taken need to be matched by the internal capacities of the Commission to be able effectively exercise the envisaged oversight as per legislation and international standards. Thus, to further enhance the CEC capacity and ability to fulfill its oversight function, the UNDP Project aims to provide expert knowledge (via international and national expertise) to perform a GAP Analysis (As Is / To Be) of the current institutional framework within the CEC (particularly of the Finance and Economics Department).

The expected result of this support is to define the structure and role of a CEC Department responsible for the financial monitoring and control of political parties, and to identify the actions that would contribute to the full implementation of the Commission’s oversight role in the field of political parties’ and electoral campaigns’ financial reporting, and to fully correspond to international standards.

2. OBJECTIVE AND EXPECTED OUTPUTS

UNDP intends to contract an experienced International Consultant (hereinafter “the Expert”) to support the CEC in elaborating a GAP Analysis and Roadmap for the reorganization of the Finance and Economics Department.

For the purposes of this assignment, the Expert will collaborate with a National Consultant contracted by the UNDP Project. The Expert will act as the Team Leader and will be responsible for the elaboration and submission of all main deliverables. The National Consultant will act as Team Associate and will provide complementary expertise and coordination support for the implementation of the assignment. Overall, the Expert shall have the following responsibilities:

- Assess the Moldovan political parties’ and electoral campaign’s financial reporting framework, covering the relevant legal and organizational aspects, as well as comparing the current status with international standards. For this activity, the Expert shall take into due consideration the recommendations and best practices put forward by the Venice Commission, OSCE/ODIHR and GRECO;
- Consult the CEC and relevant public institutions (including the Moldovan Parliament as a partner in the legal review) by means of on-site meetings, assessments and interviews and elaborate a GAP Analysis (As-Is / To-Be report) for the reorganization of the Finance and Economics Department. The emphasis of the analysis should be on:
 - assessing the CEC’s overall institutional structure, internal administration and procedures governing the oversight of the political parties’ financial reporting;
 - identifying potential bottlenecks on administrative, financial, HR and legal levels;
 - determining potential duplicated or missing institutional responsibilities, as well as shortcomings related to follow-up actions (e.g. control proceedings, collaboration with other authorities, court proceedings and sanctions);

¹ GRECO - Group of States against Corruption established by the Council of Europe.

- analyzing how potential shortcomings are related to each other and how they could be efficiently addressed on different organizational and institutional levels;
 - offering expertise and recommendations for the optimization of the CEC’s oversight and control work on the political parties’ and electoral campaign’s financial reporting (including from the perspective of the recent EOM recommendations and international best practices);
- Conceptualize the Roadmap for the reorganization of the CEC’s Finance and Economics Department and establishment of a new Department responsible for the financial monitoring and control of political parties, based on the findings of the GAP Analysis, feasibility options and requirements of the CEC (with due consideration to the integrity and transparency of the oversight and monitoring on political party financing). The Roadmap shall include / line out (but is not limited to):
- the overall Action Plan for the reorganization of the Finance and Economics Department;
 - the key functions of the Department(s) and the corresponding changes;
 - the corresponding adjustment of the legal framework, including of the internal CEC regulations;
 - the revised personnel structure and job descriptions;
 - the budgetary estimates of the new institutional structure.
- Elaborate the primary documentation (including proposals for the adjustment of the legal framework) required for the implementation of the institutional upscale Roadmap.

Note: for the purposes of the assignment, it is suggested that the Expert conducts on-site assessments and interviews with the representatives of relevant public institutions, beneficiaries and other stakeholders. In this sense, the Expert is recommended to undertake 1 (one) mission to the Republic of Moldova, tentatively in May 2021 (up to 5 days).

3. KEY DELIVERABLES AND TENTATIVE TIMETABLE

Key deliverables	Tentative timetable
Deliverable #1: Detailed Work Plan - developed jointly with the National Consultant and approved by the UNDP Project.	by 23 April 2021 2 WDs
Deliverable #2 Contextual assessment of Moldovan political parties’ and electoral campaign’s financial reporting framework - developed and submitted for approval by the CEC and UNDP Project	by 05 May 2021 5 WDs
<i>Mission to Moldova</i> Deliverable #3: Set of consultation meetings, assessments, and interviews with the representatives of CEC and the UNDP Project, relevant public institutions, and other stakeholders – conducted jointly with the National Consultant.	by 14 May 2021 5 WDs
Deliverable #4: Report on the GAP (As-Is / To-Be) Analysis of the CEC’s Finance and Economics Department – developed and submitted for approval by the CEC and UNDP Project.	by 07 June 2021 10 WDs
Deliverable #5: Presentation of the report on the GAP (As-Is / To-Be) Analysis of the CEC’s Finance and Economics Department – delivered jointly with the National Consultant to the CEC Management and key institutional stakeholders.	by 16 June 2021 1.5 WDs
Deliverable #6: Roadmap for the reorganization of the CEC’s Finance and Economics Department and establishment of a new Department responsible for the financial monitoring and control of political parties – elaborated and submitted for approval by the CEC and UNDP Project.	by 16 June 2021 12 WDs
Deliverable #7: Presentation of the Roadmap, reorganization strategy, and main recommendations – delivered jointly with the National Consultant to the CEC Management and key institutional stakeholders.	by 25 June 2021 1.5 WDs
Deliverable #8: Final Activity Report (<i>incl. information on lessons learned, conclusions and further recommendations</i>) submitted and approved by the UNDP Project.	by 01 July 2021 2 WDs

Note: Deliverables and the activity timeline can be amended or further adjusted for the purpose of the assignment.

4. INSTITUTIONAL ARRANGEMENTS

The timeframe for the work of the Expert is planned for the period April - July 2021. During this time, the Expert is expected to work up to 39 working days.

The assignment shall be performed in collaboration with the National Consultant (to be contracted by the UNDP Project as a complementary support in the framework of this assignment) and close coordination with the CEC Management and Head of the CEC Finance and Economics Department.

The CEC and UNDP Project will provide the Expert the necessary information (incl. core data) and materials for the fulfillment of the assignment. The UNDP Project and the National Consultant will provide support for organizing the necessary meetings/ interviews and interacting with the relevant institutions and stakeholders, as well as will offer the required logistical support for organizing the presentation sessions with the participation of public institutions and service providers.

All activities under this assignment shall be conducted in accordance with the COVID-19 health safety measures. Except the on-site mission to the Republic of Moldova (tentatively scheduled for May 2021), priority shall be given to remote collaboration and online meetings / interaction.

5. FINANCIAL ARRANGEMENTS

The Expert shall reflect in his/her financial proposal one (1) mission to Moldova as specified above. However, in case of increased restrictions due to the COVID-19 pandemic, the approach for the Deliverable 3 will be tailored to the online/remote framework. Payments will be disbursed in tranches upon submission and approval of deliverables by Project Manager certifying that the services have been satisfactorily performed.

6. QUALIFICATIONS AND SKILLS REQUIRED

Academic Qualifications:

- Master's degree or equivalent (University degree with 7 years of relevant experience) in Political Sciences, Public Administration, International Development or another field relevant to the current assignment.

Experience:

- At least 7 (seven) years of professional experience in providing consultancy (incl. GAP Analysis) and/or strategic planning in the field of democratic governance, development, electoral management or political parties' financing in Central and Eastern European Region and/or CIS region;
- At least 3 (three) Strategic Development Plans or other relevant strategic policy documents developed for public institutions;
- Proven working experience with election management bodies in the Eastern European Region and/or CIS region will be a strong advantage;
- Previous relevant professional experience of working with Moldovan public institutions will be a strong advantage;
- Previous professional experience of working with international organizations, including UN Agencies relevant to the current assignment will be an advantage.

Competencies:

- Sound knowledge of strategic planning, policy development, results-based management, risk analysis and mitigation, and other areas relevant to the assignment;
- Certification(s) in Project Management (e.g. PMP, PRINCE2, etc.) will be considered an advantage;
- Knowledge of English language is a must. Knowledge of Romanian and/or Russian will be considered an advantage.

Personal qualities:

- Proven commitment to the core values of the United Nations, in particular respecting differences of culture, gender, religion, ethnicity, language, age, HIV status, disability, and sexual orientation, or other status;

- Excellent research, analytical and writing skills;
- Demonstrated interpersonal and diplomatic skills, as well as the ability to communicate effectively with all stakeholders and to present ideas clearly and effectively.

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 for the Individual Contractor assignment;
- Duly updated CV with at least 3 references;
- Proposal, explaining why he/she is most suitable for the assignment, including past experience in similar assignments, providing a brief information on above qualifications, and methodology on how he/she will approach and conduct the work;
- Financial proposal (LUMP SUM) (in USD, specifying a total requested amount per working day, including all related costs, including daily fee, travel expenses and per diems - quoted in separate line items). *The travel costs to Moldova shall be indicated separately and will be covered only if the travel will be allowed in the COVID-19 context.*

Incomplete applications will not be considered.

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