

## TERMS OF REFERENCE

<b>Job title:</b>	National Consultant to support the elaboration of a GAP Analysis and Roadmap for the reorganization of the CEC Finance and Economics Department
<b>Duty Station:</b>	Republic of Moldova, Chisinau
<b>Reference to the project:</b>	Enhancing democracy in Moldova through Inclusive and Transparent Elections (EDMITE / phase II)
<b>Contract type:</b>	Individual Contract (IC)
<b>Contract duration:</b>	April – July 2021
<b>Expected workload:</b>	27 working days
<b>Indicative starting date:</b>	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 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 GRECO<sup>1</sup> 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 1<sup>st</sup>, 2020.

The important steps that had been taken need to be matched by the internal capacities of the Commission, for the institution to be able to 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 a National Consultant (hereinafter “the Consultant”) 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 Consultant will collaborate with an International Expert contracted by the UNDP Project. The International Expert will act as the Team Leader and will be responsible for the elaboration and submission of all main deliverables. The Consultant will act as the Team Associate and will provide complementary expertise and coordination support for the implementation of the assignment.

Overall, the Consultant shall have the following responsibilities:

- Support and advise the International Expert in collecting the necessary source data/ information;
- Provide the required support for organizing the necessary meetings/ interviews/ presentation sessions and interacting with the relevant institutions and stakeholders;
- Contribute to the assessment of 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 Consultant shall take into due consideration the recommendations and best practices put forward by the Venice Commission, OSCE/ODIHR and GRECO;
- Jointly with the International Expert, 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:

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<sup>1</sup> GRECO - Group of States against Corruption established by the Council of Europe.

- ✓ 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);
  - ✓ 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);
- Provide inputs for the conceptualization of 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.
  - Offer expertise and support for the elaboration of the primary documentation (including proposals for the adjustment of the legal framework) required for the implementation of the institutional upscale Roadmap.

### 3. KEY DELIVERABLES AND TENTATIVE TIMETABLE

Key deliverables	Tentative timetable
<b>Deliverable #1:</b> Detailed Work Plan - developed jointly with the International Expert and approved by the UNDP Project.	by 23 April 2021 1 WD
<b>Deliverable #2</b> Support in the contextual assessment of Moldovan political parties’ and electoral campaign’s financial reporting framework - provided to the International Expert and documented in a brief informative note.	by 05 May 2021 4 WDs
<b>Deliverable #3:</b> Set of consultation meetings, assessments, and interviews with the representatives of CEC and the UNDP Project, relevant public institutions, and other stakeholders – facilitated and conducted jointly with the International Expert.	by 14 May 2021 5 WDs
<b>Deliverable #4:</b> Support in the elaboration of the report on the GAP (As-Is / To-Be) Analysis of the CEC’s Finance and Economics Department – provided to the International Expert and documented in a brief informative note.	by 07 June 2021 6 WDs
<b>Deliverable #5:</b> Presentation of the report on the GAP (As-Is / To-Be) Analysis of the CEC’s Finance and Economics Department – facilitated and delivered jointly with the International Expert to the CEC Management and key institutional stakeholders.	by 16 June 2021 1.5 WDs
<b>Deliverable #6:</b> Support in the elaboration of 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 – provided to the International Expert and documented in a brief informative note.	by 16 June 2021 7 WDs
<b>Deliverable #7:</b> Presentation of the Roadmap, upscale strategy, and main recommendations – facilitated and delivered jointly with the International Expert to the CEC Management and key institutional stakeholders.	by 25 June 2021 1.5 WDs
<b>Deliverable #8:</b> Final Activity Report ( <i>incl. information on lessons learned, conclusions and further recommendations</i> ) – developed jointly with the International Expert and approved by the UNDP Project.	by 01 July 2021 1 WD

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

#### **4. INSTITUTIONAL ARRANGEMENTS**

The timeframe for the work of the Consultant is planned for the period April - July 2021. During this time the Consultant is expected to work up to 27 working days.

The assignment shall be performed in collaboration with the International Expert (to be contracted by the UNDP Project as Team Leader of this assignment) and close coordination with the UNDP Project, CEC Management and Head of the CEC Finance and Economics Department.

The CEC and UNDP Project will provide the Consultant the necessary information (incl. core data) and materials for the fulfillment of the assignment. The Consultant will be responsible for organizing the necessary meetings/ interviews and interacting with the relevant institutions and stakeholders (directly or in partnership with the International Expert).

All activities under this assignment shall be conducted in accordance with the COVID-19 health safety measures. Except the International Expert's potential 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**

Payments will be disbursed in tranches upon submission and approval of deliverables by the UNDP 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 5 years of relevant experience*) in Political Sciences, Public Administration, Law, International Development or another field relevant to the current assignment.

##### **Experience and knowledge:**

- At least 5 (five) years of professional experience in providing consultancy (incl. institutional assessment) and/or strategic planning in the field of democratic governance, rule of law, development, electoral management and/or political parties' financing;
- At least 3 (three) years of professional experience in assessing national and international legal frameworks;
- Experience in participating, as expert/ consultant, in advisory/ assessment assignments undertaken by a multidisciplinary team of consultants (national and/or international) will be a strong advantage;
- Previous professional experience of working with the Central Electoral Commission of the Republic of Moldova will be an advantage;
- Previous professional experience of working with the Government, Parliament of the Republic of Moldova and other relevant public institutions will be an advantage;
- Previous professional experience of working with international organizations, including UN Agencies, will be an advantage.

##### **Competencies:**

- Sound knowledge of strategic planning, policy development, institutional capacity assessment, results-based management, risk analysis and mitigation, and other areas relevant to the assignment;
- Strong understanding of the electoral processes related to the political parties and election campaign financing reporting;
- Knowledge of EU legal framework and international best-practices in electoral field;
- Knowledge of English and Romanian languages is a must. Knowledge of Russian will be considered an advantage.

##### **Personal qualities:**

- 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;
- 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.

## **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 personal 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 - quoted in separate line items*).

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