

## Terms of Reference

<b>Job title:</b>	National Legal Consultant to support the development of a Diagnostic study on electoral corruption and illicit political finance
<b>Duty station:</b>	Chisinau
<b>Project reference:</b>	Resilient Democracy through Anti-Corruption (REDACT) Project
<b>Contract Type:</b>	Individual Contract (IC)
<b>Expected duration of the assignment:</b>	Up to 40 days during September – December 2025
<b>Starting date:</b>	September 2025

### I. Background:

UNDP “Resilient Democracy through Anti-Corruption” (hereinafter “REDACT”) Project is a multi-year institutional development initiative designed to contribute to strengthening institutional capacities, improving inter-agency synergies and legal frameworks, and enabling effective civil society oversight, along with public resilience, to counter corruption risks to democratic integrity, while aligning closely with Moldova’s national and international commitments to rule of law, good governance, and anti-corruption.

Democratic resilience refers to the capacity of a democratic system to withstand internal and external challenges, pressures, and interference, encompassing both the ability to resist threats to democracy and, when these materialize, to recover and restore the integrity and continuity of democratic processes and institutions. In the Republic of Moldova, this resilience increasingly come under pressure due to the persistent threat of corruption, particularly affecting electoral processes through illicit political finance and large-scale vote-buying schemes, which are recognized as major corruption risks to democratic integrity. In 2025, impunity for crimes related to electoral corruption and illicit finance remains a key challenge, as these practices, though persisting since independence, have led to few perpetrators being held accountable. Few election-related crimes are detected by law enforcement, leading to minimal investigations, prosecutions, or convictions, which in turn enables the escalation of illicit activities and further deepens the threat to democratic institutions.

In response, the REDACT Project aims at taking a systemic and multi-dimensional approach by:

- Strengthening institutional capacities – strengthening the ability of police, anti-corruption agencies, prosecutors, and judicial actors to detect, disrupt, investigate, prosecute, and adjudicate corruption cases with a specific focus on electoral integrity and illicit political finance, through the use of specialized tools, methodologies, and technical assistance.
- Enhancing inter-agency coordination, cohesion and synergy and legal frameworks – improving the cohesion between law enforcement, anti-corruption agencies, judicial actors, and other related entities, while facilitating legal and procedural reforms to close enforcement gaps.
- Building public resilience against corruption risks to democratic integrity – supporting civil society, investigative journalism, and public awareness initiatives to expose corrupt practices, increase public scrutiny, and reduce vulnerability to manipulation and coercion.

Acknowledging the importance of ensuring effective detection, investigation, and response to electoral corruption and illicit political finance, the REDACT Project will, as part of its objectives, contribute to developing an Electoral Corruption and Illicit Finance Multi-Institutional Collaborative Diagnostic Study (further referred to as “the Diagnostic Study”), engaging the Project’s four stakeholders: National Anti-Corruption Center (NAC), General Prosecutor’s Office (GPO), General Police Inspectorate (GPI) and Office for Prevention and Fight against Money Laundering (FIU).

The main objective of the study is to provide a comprehensive understanding of the institutions’ mandates, roles and processes, opportunities and required improvements which would contribute to the efficient prevention and investigation of electoral corruption and illicit political finance cases. In the process of “deconstructing” complex

problems into manageable components, the national and international experts contracted by UNDP will apply international best practices, including, but not limited to, five-why's technique and tools like Ishikawa (fishbone) diagrams, to assist in identification of root causes and sub-causes of the problems<sup>1</sup> to carry out the assessment. It will also develop, update, and adapt flow diagrams of information and cases as well as flow charts.<sup>2</sup>

In addition to its primary purpose, the Diagnostic Study will serve as a baseline for the REDACT Project, guiding its multi-year programming and informing institutional reform dialogue, coordination, cohesion and inter-agency synergy. It is not intended as an independent review or evaluation of the institutions, nor their performance. All deliverables, once developed, will be validated in coordination with each of the national institutional partners. The use of any data or inputs will be subject to the confidentiality requirements and access restrictions established by the respective institutions.

The Diagnostic Study document will be developed by three (3) Consultants: International Expert on Electoral-Corruption and Illicit Political Finance (hereinafter "the International Expert"), National Legal Consultant and National ICT Consultant. Each one of those consultants will be developing specific sections related to their area of expertise. The International Expert will be focusing on the synthesis, comparative evidence and normative sections, while the national consultants will be focusing respectively on a national legal diagnostic and the national ICT diagnostic. Those will form the main sections of the report.

Considering the above, UNDP Moldova is currently seeking to contract a National Legal Consultant (further referred to as "the Consultant") to contribute to the development of a Diagnostic Study on electoral corruption and illicit political finance crimes, as defined in the Penal Code Articles 181<sup>1</sup> - 181<sup>3</sup> and Contravention Code Article 47<sup>1</sup>.

## **II. Scope of Work:**

The expected outcome of the assignment is to provide legal expert support to REDACT Project team and project stakeholders in the context of developing the Diagnostic Study.

Working in tandem with the International Expert and the National ICT Consultant, he/she will contribute to the development of a deeper cross-institutional understanding based on a well-evidenced analysis of how key state institutions can prevent and further counter electoral corruption and illicit political finance.

Under the overall supervision of the Project Management Coordinator/Project Manager, and in close collaboration with the UNDP Chief Technical Advisor, International Expert, as well as National ICT Consultant, the Consultant shall perform the following tasks:

- Carry out in close cooperation with the National ICT Consultant a desk review of the national regulatory framework covering the scope of work, functions and responsibilities of the Project's four stakeholders, relevant to electoral corruption and illicit political finance.
- Conduct the mapping of mandates, procedures, and roles for NAC, GPO, GPI, and FIU, including, but not limited to, their role in the detection, deterrence, investigation, disruption, and prosecution processes.
- Conduct participatory consultations with relevant institutional representatives to assess strengths, existing bottlenecks, challenges and capacity gaps as well as the beneficiaries' expectations and needs for further improvements. For the scope of the assignment a minimum of 4 consultation activities/workshops are envisaged.
- Analyze current inter-institutional coordination mechanisms (formal and informal) related to electoral corruption and illicit political finance.
- Work in close collaboration with the National ICT Consultant to align regulatory and operational findings with institutional technological capacities, data flows, and systems.
- Based on the carried-out review and mapping, develop four institution-specific Analytical Reports, one per stakeholder (NAC, GPO, GPI, and FIU), including actionable, sequenced recommendations, aligned with institutional mandates and reform priorities.
- Conduct participatory consultations with relevant institutional representatives to present and validate findings and collect feedback. The suggestions and inputs collected during the consultation activities shall be used for revision of the Analytical Reports. For the scope of the assignment a minimum of 4 consultation activities/workshops are envisaged.

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<sup>1</sup> See: Andrews, M., Pritchett, L., & Woolcock, M. (2017). Building State Capability: Evidence, Analysis, Action. Oxford University Press.

<sup>2</sup> See: Barber, M. (2016). How to Run a Government: So that Citizens Benefit and Taxpayers Don't Go Crazy. Penguin UK.

- Incorporate in coordination with the International and the National ICT Consultant the Analytical Reports into the distinct thematic chapters and sections of the Diagnostic Study.
- Co-present in collaboration with the International Expert and the National ICT Consultant the legal, regulatory and operational findings and recommendations of the Diagnostic Study to UNDP and institutional partners. For the scope of the assignment, one workshop/event is envisaged.

### III. Expected Deliverables:

No.	DELIVERABLES	Estimated Workdays	Estimated Delivery Date
1.	<b>Deliverable 1. Inception Report:</b> <ul style="list-style-type: none"> <li>▪ Conduct a desk review of the national regulatory framework covering the scope of work, functions and responsibilities of the Project's four stakeholders: NAC, GPO, GPI, and FIU, relevant to electoral corruption and illicit political finance.</li> <li>▪ Conduct the mapping of mandates, procedures, and roles for NAC, GPO, GPI, and FIU, including, but not limited to, their role in the detection, deterrence, investigation, disruption, and prosecution processes.</li> <li>▪ Prepare the detailed workplan for this assignment.</li> <li>▪ Develop and submit the Inception Report reflecting the above inputs for UNDP review.</li> </ul>	2 WDs	By 5 September 2025
2.	<b>Deliverable 2. Four Analytical Reports – Draft Versions:</b> <ul style="list-style-type: none"> <li>▪ Conduct four participatory consultations with relevant institutional representatives to assess strengths, existing bottlenecks, challenges and capacity gaps as well as the beneficiaries' expectations and needs for further improvements.</li> <li>▪ Analyze current inter-institutional coordination and synergy mechanisms, both formal and informal.</li> <li>▪ Prepare four drafts of Analytical Reports (one per stakeholder) each with actionable, sequenced recommendations, aligned with their mandates and reform priorities.</li> <li>▪ Submit the draft reports for UNDP review.</li> </ul>	20 WDs (5 WD per report)	By 30 September 2025
3.	<b>Deliverable 3. Four Analytical Reports – Final Versions:</b> <ul style="list-style-type: none"> <li>▪ Participate in four consultations/workshops with the participation of the relevant institutional representatives and UNDP Project team to present the Analytical Reports, collect feedback, suggestions, and clarifications.</li> <li>▪ Document and consolidate the feedback received and submit the final revised Analytical Reports for UNDP review and approval.</li> </ul>	8 WDs (2 WDs per report)	By 15 October 2025
4.	<b>Deliverable 4. Contributions to the Draft Consolidated Diagnostic Study:</b> <ul style="list-style-type: none"> <li>▪ Incorporate the Analytical Reports into the distinct thematic chapters and sections of the Diagnostic Study in close collaboration with the International Expert and National ICT Consultant.</li> <li>▪ Co-present the legal, regulatory and operational findings to institutional partners and UNDP during one (1) workshop/event.</li> </ul>	5 WDs	By 30 October 2025
5.	<b>Deliverable 5. Final Diagnostic Study:</b> <ul style="list-style-type: none"> <li>▪ Integrate the revised inputs into the Final Diagnostic Study, after addressing the comments and incorporating the feedback received, for UNDP approval.</li> </ul>	5 WDs	By 15 November 2025

### IV. Institutional Arrangements:

The timeframe for the work of the Consultant is tentatively planned between September – December 2025. During this time, the Consultant is expected to work a total of up to 40 working days.

The Consultant will work under the overall guidance and direct supervision of the UNDP Project Management Coordinator/Project Manager with technical oversight by the Chief Technical Advisor. All deliverables shall be technically reviewed and endorsed by the UNDP Chief Technical Advisor before submission and approval by the Project Management Coordinator/Project Manager.

The Consultant is expected to work closely with UNDP International Senior Expert on Anti-Corruption and Illicit Political Finance and National ICT Consultant and provide necessary substantive support as well as engage in the process of organizing and conducting required tasks in the context of the assignment.

All communications and documentation related to the assignment will be in English.

Written interactions with the national partners, stakeholders and actors related to the assignment must be coordinated in advance with the supervisor, and the Project Management Coordinator/Project Manager must be copied (in cc) on all related email correspondence.

No reports or documents should be published or distributed to third parties without the approval of UNDP Project Management Coordinator/Project Manager.

***No travel is envisaged under the current assignment.***

#### **V. Financial arrangements:**

Payments will be disbursed in tranches upon the submission and approval of the deliverables, and a certification by UNDP Project Management Coordinator/Project Manager that the services have been satisfactorily performed.

#### **Financial proposal:**

The financial proposal shall specify a total **lump sum** amount, and payment terms around specific and measurable (qualitative and quantitative) deliverables (i.e. whether payments fall in installments or upon completion of the entire contract). Payments are based upon output, i.e. upon delivery of the services specified in the TOR. In order to assist the requesting unit in the comparison of financial proposals, the financial proposal will include a breakdown of this lump sum amount (including the daily fee, taxes, and number of anticipated working days).

#### **VI. Confidentiality:**

Materials provided to the Consultant and all proceedings within the consultancy contract shall be regarded as confidential, both during and after the consultancy. Violation of confidentiality requirements may result in immediate termination of contract.

#### **VII. Qualifications and skills required:**

##### **I. Academic Qualifications:**

- Master's degree in Law, Public Administration, Political Science, or a related field. Bachelor's degree may be accepted if accompanied by at least 5 years of relevant work experience in the field of legal advisory and institutional reforms.

##### **II. Years and sphere of experience:**

- Minimum of 7 years of professional experience in the areas of rule of law, justice and and/or government institutions.
- Minimum of 5 years of working experience in development of legal and regulatory documents and strategic documents.
- Proven previous similar assignments (*at least 2 track records*) related to development of institutional needs assessments, gap analyses, feasibility studies, and/or analytical reports.
- Experience in law enforcement, anti-corruption, including electoral corruption and illicit political finance, will be a strong asset.
- Previous working experience with international organizations, including UN Agencies, USAID, World Bank, EU-funded projects, etc. will be an asset.

##### **III. Competencies:**

- Strong analytical, communication and coordination skills.
- Excellent drafting and report-writing abilities.
- Ability to work collaboratively with diverse stakeholders.
- Fluency in Romanian and English. Knowledge of Russian will be an asset.

#### IV. Personal qualities:

- Demonstrates integrity, impartiality, and professional ethics in conducting analytical and advisory work.
- Strong sense of responsibility and ability to deliver high-quality outputs within tight deadlines.
- Demonstrates diplomatic communication, and political neutrality, especially in multi-stakeholder environments.
- Proven ability to work in a multidisciplinary team, with openness to diverse perspectives and feedback.

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 noncitizens legally entitled to work in the Republic of Moldova, are particularly encouraged to apply. **Please specify in CV, in case you belong to the group(s) under-represented in the UN Moldova and/or the area of assignment.**

#### VIII. Documents to Be Included When Submitting the Proposals

Interested individual consultants must submit the following documents/ information to demonstrate their qualifications:

- Personal updated CV, indicating all past positions held and their main underlying functions, their durations (month/year), the qualifications, as well as the contact details (email and telephone number) of the Candidate, and at **least three (3)** the most recent professional **references** of previous supervisors. References may also include peers.
- Proposal (Motivation Letter, maximum length: 1 page): 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, including information, links/copies of documents for similar projects*);
- Offeror's letter to UNDP confirming interest and availability for the individual contractor (IC) assignment, incorporating financial proposal in Annex 2.

*Upload the signed version of the filled-in Offeror's letter to UNDP confirming interest and availability for the individual contractor (IC) assignment. Annex 2 to the Offeror's letter, incorporating the Financial Proposal, shall be filled in mandatorily and includes the detailed breakdown of costs supporting the all-inclusive financial proposal.*

*The Financial Proposal shall be additionally submitted directly in the system. Please ensure there are no mathematical errors and that amounts from Offeror's Letter to UNDP Confirming Interest and Availability match with your offer in the system.*

***Incomplete applications will not be considered.***

**Important notice:** The applicants who have the statute of Government Official / Public Servant prior to appointment will be asked to submit the following documentation:

- a no-objection letter in respect of the applicant received from the Government, and;
- the applicant is certified in writing by the Government to be on official leave without pay for the entire duration of the Individual Contract.

#### IX. Evaluation:

Initially, individual consultants will be short-listed based on the following minimum qualification criteria:

- Master's degree in Law, Public Administration, Political Science, or a related field. Bachelor's degree may be accepted if accompanied by at least 5 years of relevant work experience in the field of legal advisory and institutional reforms.
- Minimum of 7 years of professional experience in the areas of rule of law, justice and and/or government institutions.
- Minimum of 5 years of working experience in development of legal and regulatory documents and strategic documents.
- Citizenship of the Republic of Moldova.

The short-listed individual consultants will be further evaluated based on the following methodology:

#### **Cumulative analysis**

The award of the contract shall be made to the individual consultant whose offer has been evaluated and determined as:

- a) responsive/ compliant/ acceptable, and
- b) having received the highest score out of a pre-determined set of weighted technical and financial criteria specific to the solicitation.

\* Technical Criteria weight – 60% (300 pts);

\* Financial Criteria weight – 40% (200 pts).

Only candidates obtaining a minimum of 210 points would be considered for the Financial Evaluation.

Criteria	Scoring	Maximum Points Obtainable
<b>Technical evaluation criteria</b>		
Master's Degree in Law, Public Administration, Political Science, or a related field. Bachelor's Degree may be accepted if accompanied by at least 5 years of relevant work experience in the field of legal advisory and institutional reforms.	Master's –25 pts., PhD – 30 pts.	30
Minimum of 7 years of professional experience in the areas of rule of law, justice and and/or government institutions.	(7 years – 30 pts., each additional year – 10 pts., up to 50 pts.)	50
Minimum of 5 years of working experience in development of legal and regulatory documents and strategic documents.	(5 years – 20 pts., each additional year – 10 pts., up to 50 pts.)	50
Proven previous similar assignments ( <i>at least 2 track records</i> ) related to development of institutional needs assessments, gap analyses, feasibility studies, and/or analytical reports.	None – 0 pts, two assignments – 25 pts, each additional assignment - 10 points, up to 45 pts.	45
<b>Interview evaluation criteria</b> (demonstrated technical knowledge and experience; communication/ interpersonal skills; initiative; creativity/ resourcefulness). <b>Only the first 5 applicants that have accumulated the highest technical score shall be invited to the interview.</b>		
Experience in law enforcement, anti-corruption, including electoral corruption and illicit political finance, will be a strong asset.	(3 years of experience – 5 pts. each year – 5 pts, up to a maximum of 25 pts.)	25
Previous working experience with international organizations, including UN Agencies, USAID, World Bank, EU-funded projects, etc. will be an asset.	(each assignment – 5 pts., up to 15 pts.)	15
Strong analytical, communication and coordination skills.	(Strong – 20 pts., satisfactory –15 pts., limited – 5 pts., no – 0 pts.)	20
Excellent drafting and report-writing abilities.	(Strong – 20 pts., satisfactory –15 pts., limited – 5 pts., no – 0 pts.)	20
Ability to work collaboratively with diverse stakeholders.	(Strong – 20 pts., satisfactory –10 pts., limited – 5 pts., no – 0 pts.)	20
Fluency in Romanian and English. Knowledge of Russian will be an asset.	(Romanian, English, Russian 5 pts. each)	15
Belonging to under-represented groups.	No – 0 pts, to one group – 5 pts., to two or more groups – 10 pts.)	10

Maximum Total Technical Scoring	300
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<b>Financial</b>	
<p>Evaluation of submitted financial offers will be done based on the following formula:</p> <p><b><math>S = F_{min} / F * 200</math></b></p> <p><b>S</b> – score received on financial evaluation;</p> <p><b>F<sub>min</sub></b> – the lowest financial offer out of all the submitted offers qualified over the technical evaluation round;</p> <p><b>F</b> – financial offer under consideration</p>	<b>200</b>

*\* Under-represented groups in UN Moldova are persons with disabilities, LGBTI, ethnic and linguistic minorities, especially ethnic Gagauzians, Bulgarians, Roma, Jews, people of African descent, people living with HIV, religious minorities, especially Muslim women, refugees and other non-citizens.*

#### Winning candidate

The winning candidate will be the candidate, who has accumulated the highest aggregated score (technical scoring + financial scoring).