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TERMS OF REFERENCE

Job title:	National Legal and Regulatory Analyst
Duty Station:	Republic of Moldova, Chisinau
Reference to the project:	REDACT – Resilient Democracy through Anti-Corruption
Contract type:	Individual Contract
Assignment type:	National Consultant
Contract duration:	August – December 2026
Expected workload:	40 working days
Indicative starting date:	August 2026

1. Background

The Resilient Democracy through Anti-Corruption (REDACT) project is designed to reduce corruption threats to democratic resilience in Moldova. The project supports national authorities and civil society to detect, disrupt, and reduce impunity for criminal activity that threatens democratic resilience and electoral integrity. A central pillar of this work is strengthening inter-agency coordination, cohesion, and synergy among law enforcement, anti-corruption bodies, prosecutors, and judicial actors – enabling integrated investigations, joint intelligence sharing, and operational cooperation. Under REDACT, UNDP is convening a structured, five-month process to develop a stakeholder-endorsed Visioning Document for an integrated, independent case management system (CMS) for the National Anti-Corruption Centre (CNA) and the Prosecutor General's Office (PGO), including the specialized prosecution offices and the Criminal Assets Recovery Agency (CARA).

The introduction of interoperable case management systems will reduce handover failures between institutions, strengthen the track record of anti-corruption prosecutions, and sustain the improvements in investigative and judicial performance identified in the EU Commission's 2025 Moldova Progress Report.

The EU Commission's 2025 Progress Report specifically identifies three structural gaps that the current initiative is designed to address: the need to improve communication and coordination between CNA, APO, and other law enforcement agencies; the need for an automated case allocation system for prosecutors based on objective criteria; and the need to strengthen interoperability between automated verification systems and state registries, particularly in the context of asset recovery.

Moldova's national eGovernance ecosystem, including MConnect (the interoperability platform), the eGov4Dev shared services stack, and the Unified Design Model (Government Decision 677/2025) – provides a technically mature foundation for a CMS that is distributed, institution-owned, and interoperable with existing systems. The process will produce a Visioning Document that all key stakeholders can endorse and that the E-Governance Agency (AGE) can formally clear under Law 467/2003, providing the authoritative basis for a subsequent technical procurement.

In this regard, UNDP Moldova seeks to contract National Legal Consultant (the Consultant) to provide specialised technical analysis and advisory support to the present initiative.

2. Objective and Expected Outputs

The expected output for the National Consultant's assignment is to provide expert support in the context of developing the Vision Document of the Case Management System (CMS).

The key output of the assignment, the Vision Document shall be the main source of information and ensure a detailed depiction of the scope of the Case Management System (CMS), stakeholders, workflows and chain of coordination and subsequently be used in the development of the Technical Specifications and Technical Concept of the-Case Management System (CMS) -in line with the international best practices and requirements of the national legislation.

The Consultant is expected to:

- Prepare the Inception Report and detailed work plan for the assignment

- Map the current Moldovan legal framework governing data sharing, confidentiality, and inter-institutional exchange in the justice sector, identifying what the CMS can legally do under existing law and where gaps, conflicts, or silences exist;
- Draft specific legislative or regulatory amendments, with legal justification, to give the CMS a solid and durable legal foundation;
- Draft the final technical Concept of the CMS – structured for Government Decision approval, compliant with AGE requirements under Law 467/2003, and ready for formal clearance;
- Draft the Regulation governing the operation of the CMS – structured as a draft Government Decision annex and consistent relevant national informational systems and legislation. ;
- Provide advice and necessary support to the REDACT national and international consultants in the context of development of the CMS, aiming to ensure legally based solutions for the Vision Document on the future CMS and observing the provisions of the national legislation.
- Provide legal analysis and advisory support to the CMS stakeholder workshops, presenting findings and facilitating discussion within the CMS Working Group The consultant shall use the feedback received in the meetings to review the proposals for amendment and complete the package of modifications to the legislation and supporting documents. For the scope of consultation, collection of feedback and coordination it is expected that at least 7 (seven) activities will be carried out, capture and reported to project team as part of formal deliverables;

3. Key Deliverables and Tentative Timetable

The Consultant will produce the following deliverables over the assignment period. All deliverables shall be submitted in both Romanian and English unless otherwise agreed with the supervising Project Analyst. All deliverables shall be submitted in editable format (.docx or equivalent), with annexes where relevant, and shall be considered completed upon submission to and acceptance by the supervising Project Analyst in consultation with the CTA, in line with Section 5 (Financial Arrangements).

No.	Deliverables	Workload	Tentative deadline
1	Activity 1: Confirm the agreed scope, legal mapping methodology, approach to inter-institutional coordination with the National IT Consultant (Technical Architecture) and Institutional and Process Analyst, key milestones, and assumptions. Deliverable 1. Inception Report and detailed work plan	3 WD	15 August 2026
2	Activity 2: Conduct legal framework analysis and identify gaps covering: the current legal framework governing data sharing, access, and confidentiality in the Moldovan justice sector (CPC Art. 212, Law 133/2011 on personal data protection, Law 142/2018 on data exchange and interoperability, Law 467/2003 on informatization, Law 4/2026 on confiscated asset redistribution); the institutional mandates and data governance responsibilities of CNA, PGO, PCCOCS, CARA, and MAI/IGP; legal gaps, conflicts, or silences that would block or undermine the CMS; and specific proposed legislative or regulatory amendments with legal justification. Deliverable 2. Legal Mapping Report <i>Note: A draft of the final report on this deliverable will be discussed and validated via a Working Group Workshop (#1). The working group will be arranged by the project team. The final report will incorporate feedback received during Working Group Workshop 1 (arranged by the Project) and be submitted in a track changes version reflecting validated adjustments</i>	10 WD	31 August 2026
3	Activity 3: Develop the Concept of the CMS structured for Government Decision approval in compliance with Law 467/2003 and the AGE clearance process. Follows the structure established by Government Decision 714/2024 (e-Dosar Concept) and incorporates: system	15 WD	30 September 2026

	purpose, objectives, and principles; organisational structure and user categories; functional scope (drawing on IPA outputs); information space and data objects; technical infrastructure overview (drawing on Technical Architecture outputs); security and data protection framework; and legal basis for operation. Ready for submission to AGE for technical clearance. Deliverable 3. Final Concept Document for the CMS system <i>Validation: A draft of the final report on this deliverable will be discussed and validated via a Working Group Workshop (#2). The working group will be arranged by the project team. The final report will incorporate feedback received during Working Group Workshop 2 and be submitted in a track changes version reflecting validated adjustment.</i>		
4	Activity 4: Draft Regulation governing the operation of the CMS, structured as a draft Government Decision annex and consistent with Government Decision 267/2025 (e-Dosar Regulation). Covers: rights and obligations of system owner, holder, administrators, data registrars, data providers, and data recipients; data registration, modification, and deletion procedures; user management and access control framework; data security and personal data protection measures; interoperability and data exchange procedures; and control and accountability mechanisms. Deliverable 4. Draft Regulation for the CMS. <i>Note: The draft will be presented at Working Group Workshop 3.</i>	10 WD	31 October 2026
5	Activity 5: Finalize legal and regulatory chapters of the CMS Visioning Document incorporating Workshop 3 consensus and institutional endorsements. Final Activity Report summarising all stages, legal findings, proposed amendments, and the recommended legal pathway for system concept adoption and subsequent procurement. Deliverable 5: Final Legal and Regulatory Chapters and Activity Report	2 WD	30 November 2026

Note: Deliverables and the activity timeline may be amended or further specified for the purpose of the assignment, with the agreement of the supervising Project Analyst and CTA.

4. Institutional Arrangements

The assignment is planned for August – December 2026, covering maximum 40 working days.

The Consultant works under the direct supervision of the UNDP REDACT Project Analyst and under the overall guidance of the Chief Technical Advisor (CTA) for Electoral Support and Democratic Institutions, UNDP Moldova, who leads the process.

The Consultant coordinates directly with the CTA to ensure process analysis and technical architecture outputs are mutually reinforcing and converge into a coherent Visioning Document.

The Consultant will also work in close collaboration with the CMS Working Group, comprising representatives of CNA, PGO, APO, CARA, MAI/IGP, AGE, and the courts system. All working group meetings will be convened and facilitated by UNDP.

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

The UNDP REDACT project will provide administrative and logistical support for the organisation of workshops, meetings, and consultations envisaged under the assignment.

All deliverables shall be approved by the supervising Project Analyst in consultation with the CTA.

5. Financial Arrangements

Payments will be disbursed in several tranches upon the submission and approval of the deliverables, and a certification by UNDP CTA that the services have been satisfactorily performed.

The financial proposal shall specify a total lump sum amount, with payment terms structured around specific and measurable deliverables as outlined in Section 3. Payments will be made upon the successful approval of the deliverables as specified above.

To assist in the comparison of financial proposals, the financial proposal shall include a breakdown of the lump sum amount, including daily fee, taxes, communication costs, and the number of anticipated working days per deliverable.

The assignment does not envision travel within or outside the country. In the event such travel will be deemed required, travel costs will be covered by the project. For any travel undertaken independently by the Consultant to fulfil individual tasks or deliverables, the associated costs are the responsibility of the consultant.

6. Confidentiality

All materials provided to the Consultant and all proceedings within the consultancy contract shall be regarded as strictly confidential, both during and after the consultancy. This includes all institutional data, case workflow documentation, and stakeholder consultation outputs. Violation of confidentiality requirements may result in the immediate termination of the contract.

7. Qualifications and Skills Required

Academic qualifications

- Bachelor's Law degree in law, public law, administrative law, or a related legal field. A Master's degree (*or equivalent 5-year university degree*) or higher in Law, Public Administration or another relevant field is an advantage.

Experience (mandatory)

- At least seven (7) years of progressively responsible experience in Moldovan public law, administrative law, regulatory drafting, or developing processes and procedures in the field of e-Governance, data exchange and Governmental cloud platforms;
- Demonstrated experience drafting Moldovan legislative instruments – laws, Government Decisions, regulations, ministerial orders, or normative acts including experience navigating the formal adoption process;
- Proven experience in conducting comprehensive legal analysis related to the improvement or implementation of e-services and/ or associated governance processes;
- Previous professional experience in dealing with data exchange and interoperability will be an asset;
- Previous professional experience with respect to the Moldovan e-Governance framework will be an asset.

Competencies:

- Demonstrated knowledge of Moldova's data protection and informatisation legal framework, including Law 133/2011 on personal data protection, Law 142/2018 on data exchange and interoperability, and Law 467/2003 on informatisation and state information resources;
- Knowledge of Moldova's criminal procedure framework (CPC), including data confidentiality provisions (Art. 212) and the legal basis for inter-institutional data exchange between law enforcement, prosecution, and anti-corruption bodies;

Experience and knowledge (advantage)

- Experience with justice sector legal reform, including work with or within prosecution bodies (PGO, PA, PCCOCS), anti-corruption institutions (CNA, CARA), law enforcement (MAI/IGP), or courts;
- Familiarity with Moldova's eGov regulatory ecosystem, including Government Decision 714/2024 (e-Dosar Concept), Government Decision 267/2025 (e-Dosar Regulation), and Government Decision 677/2025 (Unified Design Model);

- Experience working with AGE, the Ministry of Justice, or Parliament on the drafting or adoption of regulatory instruments governing state information systems;
- Previous experience working with international organisations or international management consultancies in a legal, regulatory, or governance reform context.

Other competencies

- Legal rigour: ability to conduct systematic analysis of complex normative frameworks and identify gaps, conflicts, and reform pathways with precision;
- Drafting quality: demonstrated ability to produce clear, legally sound, and technically accurate normative instruments in Romanian;
- Coordination: ability to translate legal constraints and requirements into practical guidance for non-legal colleagues working on technical architecture and institutional process design;
- Communication: ability to present legal analysis clearly to institutional leaders, technical specialists, and multi-stakeholder working groups;
- Commitment to gender equality and social inclusion, with demonstrated ability to consider gender and equity dimensions in legal and regulatory design.

Languages

- Fluency in Romanian (verbal and written) is mandatory;
- Knowledge of English is an advantage.

8. Documents to be Included When Submitting Proposals

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

- Offeror's Letter to UNDP confirming interest and availability for the Individual Contractor (IC) assignment, incorporating the Financial Proposal (Annex 2). The signed version of the filled-in Offeror's Letter shall be uploaded. Annex 2, incorporating the Financial Proposal, shall be filled in mandatorily and include 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 the Offeror's Letter match the offer in the system.
- Duly completed and updated personal CV and at least three (3) professional references. The CV must include sufficient detail to enable evaluation against the criteria in Section 9, specifically: (a) academic qualifications and field of study; (b) total years of experience in drafting Moldovan normative acts or developing processes and procedures, with dates and roles; (c) justice sector institutions worked with or within in Moldova, with description of engagement; (d) specific work experience in drafting or adoption of regulatory instruments governing state information systems; (e) any experience in digital transformation or case management reform in justice or governance contexts; and (f) where applicable, international organizations or management consultancies engaged with, and nature of engagement;
- Technical proposal, including a brief description of relevant experience, proposed approach, and methodology for the completion of the assignment.

Incomplete applications will not be considered.

Important notice: Applicants who have the status of Government Official or Public Servant prior to appointment will be asked to submit: (a) a no-objection letter from the Government; and (b) written certification from the Government that the applicant is on official leave without pay for the entire duration of the Individual Contract.

9. Evaluation

Individual consultants will be assessed based on the following methodology.

Minimum qualification criteria

- Bachelor's degree in law, public law, administrative law, or a related legal field.
- At least seven(7) years of progressively responsible experience in Moldovan public law, administrative law, regulatory drafting, or developing processes and procedures in the field of e-Governance, data exchange and Governmental cloud platforms.
- Citizenship of the Republic of Moldova

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, and acceptable; and (b) having received the highest aggregate score from the pre-determined set of weighted technical and financial criteria.

- Technical Criteria weight – 60% (300 pts)
- Financial Criteria weight – 40% (200 pts)

Only candidates obtaining a minimum of 210 points on the technical evaluation will be considered for the Financial Evaluation.

Criteria	Scoring	Maximum Points
<u>Technical Evaluation Criteria (190 pts)</u>		
Academic qualifications in law, public law, administrative law, or related legal field.	Bachelor's degree – 10 pts; Master's degree or higher – 15 pts	15
Minimum seven (7) years of progressively responsible experience in Moldovan public law, administrative law, regulatory drafting, or developing processes and procedures in the field of e-Governance, data exchange and Governmental cloud platforms;	7 years – 50 pts; each additional year – 5 pts; up to max. 80 pts	80
Demonstrated experience drafting Moldovan legislative instruments – laws, Government Decisions, regulations, ministerial orders, or normative acts including experience navigating the formal adoption process	1 assignment– 20 pts; each additional – 10 pts; up to max. 50 pts	50
Experience with justice sector legal reform, including work with or within prosecution bodies, anti-corruption institutions, law enforcement, or courts in Moldova – advantage criterion	1 engagement – 10 pts; each additional – 1 pts; up to max. 15 pts	15
Experience working with AGE, the Ministry of Justice, or Parliament on the drafting or adoption of regulatory instruments governing state information systems – advantage criterion	1 engagement – 5 pts; each additional – 1 pts; up to max. 10 pts	10
Proven experience in conducting comprehensive legal analysis related to the improvement or implementation of e-services and/ or associated governance processes – advantage criterion	1 engagement – 5 pts; each additional – 1 pts; up to max. 10 pts	10
Previous experience working with international organisations or international management consultancies in a legal, regulatory, or governance reform context – advantage criterion	each engagement – 2.5 pts; up to max. 5 pts	5
Belonging to groups under-represented in UN Moldova (persons with disabilities, LGBTI,	No – 0 pts; one group – 2.5 pts; two or more groups – 5 pts	5

ethnic/linguistic minorities, people living with HIV, religious minorities, refugees and other non-citizens) – please specify in CV		
<u>Interview evaluation criteria (110 pts.)</u> Only the first 5 applicants that have accumulated the highest technical score shall be invited to the interview.		
Demonstrated knowledge of Moldova's data protection and informatization legal framework, including Law 133/2011 on personal data protection, Law 142/2018 on data exchange and interoperability, and Law 467/2003 on informatization and state information resources	Strong – 60 up to pts., satisfactory – up to 40 pts., limited – up to 10 pts., no – 0 pts	60
Knowledge of Moldova's criminal procedure framework (CPC), including data confidentiality provisions and the legal basis for inter-institutional exchange between law enforcement, prosecution, and anti-corruption bodies	Strong – 25 up to pts., satisfactory – up to 15 pts., limited – up to 5 pts., no – 0 pts	25
Familiarity with Moldova's eGov regulatory ecosystem, including Government Decision 714/2024 (e-Dosar Concept), Government Decision 267/2025 (e-Dosar Regulation), and Government Decision 677/2025 (Unified Design Model) – advantage criterion	Strong – 20 up to pts., satisfactory – up to 15 pts., limited – up to 5 pts., no – 0 pts	20
Language proficiency: Fluency in Romanian (mandatory) and English	2.5 pts each	5
Maximum Total Technical Score: 300 pts		
Financial Evaluation Evaluation of submitted financial offers will be done based on the following formula: S = Fmin / F × 200 S – score received on financial evaluation; Fmin – the lowest financial offer out of all the submitted offers qualified over the technical evaluation round; F – financial offer under consideration.		

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