

OPEN CALL FOR APPLICATIONS

Consultancy title:	Anti-corruption Expert with specific expertise in corruption proofing of legislation (CPL)
Duty Station:	Home-based with travel to beneficiary jurisdictions
Language:	English
Eligibility:	Individual consultants or consortia
Contract type:	Services Agreement
Estimated no. of workdays:	40
Contract Maximum Value:	EUR 16.000
Application deadline:	February 21, 2021
Starting date:	April 1, 2021 or ASAP
Ending date:	October 31, 2023
Applications to be submitted to:	vacancy@rai-see.org (please indicate the position you are applying for in the email subject line)

1. BACKGROUND AND JUSTIFICATION

Regional Anti-corruption Initiative (RAI) is an intergovernmental regional organization comprised of nine member countries from South East Europe (SEE): Albania, Bosnia and Herzegovina, Bulgaria, Croatia, Moldova, Montenegro, North Macedonia, Romania and Serbia; and three observers: Poland, Georgia and Slovenia.

RAI's mission is to lead regional cooperation to support anticorruption efforts by providing a common platform for discussions through sharing knowledge and best practices. RAI acts as a regional hub through which governments of the region combine their efforts to help curb corruption in the SEE.

RAI Secretariat is based in Sarajevo and it is the executive body of the Initiative. It facilitates regional cooperation and efforts in curbing corruption in SEE by building on existing actions, through better coordination of all efforts, and by relying on high level political commitment.

RAI and the United Nations Office on Drugs and Crime (UNODC) commenced implementation of a 3-year regional project titled '*Southeast Europe - Together Against Corruption*' (hereinafter: SEE-TAC), funded by the Austrian Development Agency (ADA). The project implementation period is November 1, 2020 - October 31, 2023. SEE TAC focusses on Albania, Bosnia and Herzegovina, Kosovo**, Moldova, Montenegro, North Macedonia and Serbia. The

** This designation is without prejudice to positions on status, and is in line with UNSCR 1244/1999 and the ICJ Opinion on the Kosovo declaration of independence.

participation of Croatia, Bulgaria and Romania will be considered based on their relevant institutions and organizations' priorities and needs.

The project builds upon the SEE Regional Programme on Strengthening the Capacity of Anti-corruption Authorities and Civil Society to Combat Corruption and Contribute to the UNCAC Review Process (hereinafter: The Phase I), implemented in the 2015-2020 period, funded by the ADA. The SEE-TAC resumes on the previous Programme phase, by acknowledging the level of implementation of outcomes and outputs and achievement of the results, with the special attention being given to follow-on activities to ensure the momentum gained in implementation of the previous phase is sustained.

During the Phase I, RAI experts developed national CPL methodologies for Bosnia and Herzegovina (BiH), Kosovo* and Montenegro. At the end of Phase I, four jurisdictions were implementing the CPL mechanism (Moldova, Montenegro, North Macedonia and Serbia). Legal opinions on national methodologies were provided for Albania, Moldova and Serbia and trainings were carried out in BiH, Kosovo*, Montenegro and North Macedonia. An IT solution for the digitalization of CPL was developed and rolled out for BiH and Montenegro.

For further details on the preceding activities on development of the CPL mechanisms in the SEE through the Phase I, please consult the [Final Evaluation Report of the Programme](#) (Phase I).

The overall SEE TAC project goal is to contribute to strengthened resilience of the SEE societies to corruption by strengthening the capacity of governments, civil society organizations (CSOs), the private sector (PS) and the media to prevent and fight corruption.

To achieve the project goal, the Programme is designed to deliver six results (outcomes). By the end of the Programme, it is expected that targeted jurisdictions will have strengthened their corruption risk assessment (1) and corruption proofing of legislation mechanisms (2); that the regional framework for cooperation on data exchange in asset disclosure will be fully operational (3); that the general public in the region is better informed about prevention of corruption and the work of relevant entities (4); that CSOs and other relevant stakeholders will have increased and furthered their capacities, knowledge and engagement on UNCAC implementation (5) and that CSOs, SMEs and Chambers of Commerce have enhanced their knowledge and cooperation in the areas of collective action and compliance (6). Direct beneficiaries of the Programme are the representatives of national ministries and anti-corruption agencies, civil society, private sector and relevant partner umbrella organizations, such as the SELDI network and the UNCAC Coalition.

2. ASSIGNMENT

The Anti-corruption expert with specific expertise in the field of corruption proofing of legislation (hereinafter: the Expert) will provide expert support to RAI Secretariat in carrying out the development and implementation of a sector-focused corruption proofing of legislation in 2 sectors most prone to corruption, through mapping of relevant national authorities with significant role in the legislative process, develop guidance with checklists and the accompanying tailor-made trainings exercises for the in-depth capacity building in the identified sectors. Building on the Phase I activities, the primary targeted jurisdictions are: Albania, Bosnia and Herzegovina, Kosovo*, Montenegro and North Macedonia, while

interventions in Moldova and Serbia shall be considered based on their needs and expressed interest during implementation.

Through the general support in implementing the CPL mechanisms in the Phase I, the sectoral approach was identified as an appropriate method for strengthening the implementation of these mechanisms in targeted jurisdictions. The target sectors will be identified through the SEE regional dialogue with the beneficiaries allowing them to pinpoint the gaps and decide which sectors would benefit the most from the Regional Programme. Consequently, the two targeted sectors will be identified through regional consultation and consensus among the beneficiaries, facilitated by RAI.

This approach will result in a better understanding among the beneficiaries and an increased sense of ownership of the process and outcomes. In addition to this, gender will be taken into consideration when identifying the most vulnerable sectors. In other words, sector assessment and selection will be supported by gender analysis, whereas the focus will be given to the sectors where women and girls are more affected by corruption and its consequences. The sectoral approach complements both the previous support, and provides the national focal institutions the options for a 'deep dive' into the sectors where tailor-made approach can make a greatest effect.

In parallel, the Expert will identify targeted CSOs interested, or already involved in the topic to enhance their capacities for detecting the corruption risks in the legislation and for establishing closer cooperation with the beneficiaries to promote a consolidated and inclusive legislative process in the targeted sectors, including regional peer-to-peer meetings. Primarily, these peer-to-peer meetings will take place at annual regional workshops on UNCAC and its review mechanism, organized by the UNODC (so-called annual UNODC Multi-stakeholder workshop) and the regional event dedicated to capacity building for CPL. Three annual UNODC Multi-stakeholder workshop will target stakeholders from the SEE jurisdictions that are undergoing their second cycle UNCAC reviews, and will encompass delivery of a session on CPL adapted for the targeted audience. On the other hand, the regional CPL clinic will represent an important opportunity for both the state and civil society actors to expand practical skills in performing CPL and exchange experience and knowledge on the matter.

Additionally, the Expert will closely cooperate with the Monitoring & Evaluation Expert(s) in the process of development of the CPL impact assessment methodology.

All written deliverables developed in the course of the Programme will be gender mainstreamed. Beneficiaries, be it governments or CSOs, will be encouraged to adopt a gender aware approach.

Under this Services Agreement, the expert will contribute to the following outcome, with subsequent output:

Outcome 2: The beneficiary countries have strengthened their capacities for corruption proofing of legislation.

Output 2.1: Sector-specific approach in corruption proofing of legislation implemented.

3. ACTIVITIES AND TIMEFRAME

Although the Regional Programme Outcomes are set, activities will be adjusted based on regional circumstances, beneficiary responsiveness, and methodologies applied.

The Expert will be expected to complete the below tasks with the assigned estimated number of consultancy days and in line with the tentative timeframe:

Tasks	Est. number of days	Tentative timeframe
PHASE I		
1. Mapping of relevant national authorities with significant role in the legislative process and the CSOs involved / interested in the topic in 5 priority jurisdictions	2	April-June 2021
2. Develop sector-specific “Guidance with checklists” ⁱ for the identified corruption-prone sectors	10	June-November 2021
3. Develop training materials for sectoral capacity building	4	September-December 2021
4. Deliver a session dedicated to corruption proofing of legislation tools at annual UNODC Multi-stakeholder workshop	2	May-June 2021
5. Provide input to Monitoring and Evaluation Expert(s) for development of the CPL impact assessment methodology	3	May-September 2021
PHASE II		
6. Prepare and deliver five (5) capacity building events for national authorities and CSOs	10	January-September 2022
7. Deliver a session dedicated to corruption proofing of legislation tools at annual UNODC Multi-stakeholder workshop	2	May-June 2022
PHASE III		
8. Prepare content and deliver a regional one-day peer-to-peer event (CPL clinic) involving national authorities and CSOs	3	January-June 2023
9. Deliver a session dedicated to corruption proofing of legislation tools at annual UNODC Multi-stakeholder workshop	2	May-June 2023
10. Participate at the Final Programme conference to promote the achievements of the Programme outcomes	2	September-October 2023

ⁱ In this specific case, the term “Guidance with checklist” describes a user-friendly tool (document) produced for a specific sector with the aim of outlining the sector-specific risks in the legislative process. Characteristics of this type of document (tool) are: simplicity, clarity, and applicability by different stakeholders for the specified purpose.

Additionally, the expert could be consulted on implementation of the Output 2.2 “IT tool on corruption proofing of legislation introduced / upgraded in line with the beneficiaries’ needs”, should the need arise.

In case the non-priority jurisdictions show interest in activities and in case there is need for additional effort by the Expert, the number of envisaged days will be reconsidered.

4. SUPERVISION, REPORTING AND QUALITY CONTROL

The Expert will operate under the overall supervision of the Head of RAI Secretariat and the immediate supervision of the Senior Anti-corruption Advisor. The Expert is expected to closely cooperate with Chief Finance and Operations Officer and Chief Programme and Communications Officer in order to ensure compliance with RAI and donor rules and regulations.

All deliverables should be submitted to the Senior Anti-corruption Advisor. The deliverables should be written in English in a concise and user-friendly language. Deliverables must be gender mainstreamed.

The Expert should ensure an internal quality control during the implementing and reporting phase of the assignment. The quality control should ensure that the deliverables comply with the above requirements and meet adequate quality standards before sending them to RAI Secretariat. The quality control should ensure consistency and coherence between findings and recommendations. It should also ensure that findings reported are duly substantiated and that solutions are supported by relevant judgment criteria.

5. LOCATION AND PERIOD OF ASSIGNMENT

The Expert will be home-based and travel for purposes of stakeholder consultations and capacity building, once restrictions caused by the outbreak of COVID-19 are lifted. It is expected that the selected expert is engaged as soon as possible, not later than April 30, 2021. The Services Agreement shall be signed for the period until October 31, 2023.

6. BUDGET AND OTHER ARRANGEMENTS

The maximum value of the Services Agreement is EUR 16,000.00, encompassing a maximum of 40 consultancy days. The gross daily rate offered is EUR 400.00.

In addition to the above amount, RAI Secretariat shall organize and provide the following:

- Organize and cover for travel expenses related to implementation of above listed activities;
- Organize and cover for accommodation related to implementation of above listed activities;
- Organize and cover for, or reimburse for expenses related to meals when on official missions related to implementation of above listed activities;
- Organize and cover for, or reimburse for expenses related to local transportation when on official missions related to implementation of above listed activities;
- Provide simultaneous/consecutive interpretation, as needed for implementation of the above listed activities;
- Provide written translation, as needed for implementation of the above listed activities.

7. REQUIREMENTS FOR EXPERIENCE AND QUALIFICATIONS

I. Education:

University degree in law is required (alternatively Bachelor's degree in public administration, economics or a similar field supported by relevant experience in corruption proofing of legislation may be accepted). An advanced university degree (Master's or Ph.D.) is an advantage.

II. Experience and skills:

- Proven record of expert knowledge in the area of anti-corruption;
- At least 5 years of professional experience in corruption proofing of legislation;
- Demonstrated experience in developing corruption proofing of legislation tools;
- Demonstrated experience in working with different stakeholders: government institutions, public officials, international organizations, and civil society in the SEE region;
- Expert-level experience working with international organizations or bodies with anti-corruption competences;
- Demonstrated experience in the development of training materials and educational tools, as well as in the delivery of training and assessing the impact of the trainings;
- Demonstrated analytical skills for producing clearly formulated and well-argued assessments reports or similar papers;
- Familiarity with the political, social, economic and security landscape in South East Europe;
- Fluency in English is required. Knowledge of other language(s) of the region will be considered an advantage.

III. Values:

- Demonstrates integrity, fairness and high ethical standards.
- Demonstrates professional competency and is conscientious and efficient in meeting commitments, observing deadlines and achieving results.
- Displays sensitivity and adaptability to culture, gender, nationality, race, religion and age.

IV. Competencies:

- Ability to develop and maintain partnerships, internally and outside the organization;
- Be able to act proactively and to respond positively, creatively, and constructively to changing situations and new demands;
- Have strong organizational skills and be capable of initiative and innovation;
- Work well independently and in teams to achieve collective goals through active participation;
- Ability to integrate gender mainstreaming and human rights policies.

8. APPLICATION REQUIREMENTS

Eligibility – Individual consultants or consortia. Consortium – a group of two or more physical persons or a legal entity represented by a group of individuals.

Interested applicants must submit the following documents/information in English to demonstrate their qualifications:

- Curriculum Vitae (CV),
- Cover Letter stating how applicant's experience and competencies match those required by the Open Call, and
- Information on availability/commencement date.
- In case the applicant is a Legal Entity, they must supply the Signed Statement of Exclusion (Annex 1 of this Open Call).

In case of consortium, the Team Leader should be indicated. The Team Leader should meet the Education Criteria and minimum experience criteria (at least 5 years of professional experience in CPL). Other experience and skills criteria can be met by other team members.

9. EVALUATION OF APPLICATIONS

RAI applies a fair and transparent selection process that takes into account both the technical qualification of the potential consultants as well as the performance at the interview. Candidate applications will be evaluated using a cumulative analysis method taking into consideration the combination of the applicant's education, qualifications and experience. The contract will be offered to the applicant whose offer has been evaluated and determined as: responsive/compliant/acceptable, and having received the highest score during the evaluation based on the criteria defined below.

Top 3 candidates (with highest number of points in the technical evaluation) will be invited for an interview.

Evaluation criteria

- Technical evaluation (documents-based) – 60%:
 - Education – qualifying criteria (no points to be allocated);
 - Proven record of expert knowledge in the area of anti-corruption– qualifying criteria (no points to be allocated);
 - At least 5 years of professional experience in corruption proofing of legislation– qualifying criteria (no points to be allocated);
 - Demonstrated experience in developing corruption proofing of legislation tools (substantiated by published papers, reports, etc.) - 25%
 - Demonstrated experience in the development of training materials and educational tools, as well as in the delivery of training and assessing the impact of the trainings - 10%
 - Demonstrated experience in working with different stakeholders: government institutions, public officials, international organizations, and civil society in the SEE region - 10%
 - Demonstrated analytical skills for producing clearly formulated and well-argued assessments reports or similar papers - 5%
 - Expert-level experience working with international organizations or bodies with anti-corruption competences - 5%
 - Familiarity with the political, social, economic and security landscape in South East Europe - 5%.
- Interview – 40%.

10. HOW TO APPLY

Potential applicants may send in questions. Questions shall be sent in English no later than five (5) days before the submission deadline to vacancy@rai-see.org. Answers will be provided no later than three (3) days before the deadline for submission. All questions received and related answers will be published on the RAI website in order to give a fair, transparent and equal treatment to all Applicants. Information on senders will not be disclosed.

Full applications with supporting documents shall be sent by midnight of February 21, 2021 (23:59 CET) by email to RAI Secretariat (vacancy@rai-see.org).

Consultancy Title needs to be indicated in the email subject line.

Late and incomplete applications will not be taken into consideration. Only the candidates who are shortlisted for an interview will be notified.

RAI is committed to achieving workforce diversity in terms of gender, nationality and culture. Qualified women, individuals from minority groups and persons with disabilities are equally encouraged to apply. All applications will be treated with the strictest confidence.

Annex 1

Statement of Exclusion

As part of their application each legal entity must submit a signed declaration using this format

We have examined and accept in full the content of the dossier for Open Call Title

We hereby accept its provisions in their entirety, without reservation or restriction.

This application is valid for a period of < ... >days from the final date for submission of tenders.

We are not in any of the situations excluding us from participating in procurement procedure, namely;

- we are not bankrupt or being wound up, or having our affairs administered by the courts, or are in any analogous situation arising from a similar procedure provided for in national legislation or regulations;
- we have not been convicted of an offence concerning our professional conduct by a judgment of a competent authority;
- we have fulfilled obligations relating to the payment of social security contributions and the payment of taxes
- we have not been the subject of a judgment which has the force of res judicata for fraud, corruption, involvement in a criminal organization, money laundering or any other illegal activity.

If required, we can provide the proof usual under the law of the country in which we are established that we do not fall into these exclusion situations.

LEGAL ENTITY AUTHORIZED REPRESENTATIVE

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