TERMS OF REFERENCE

**Senior Legal Anti-Corruption Experts**

**Background**

The European Union Anti-Corruption Initiative in Ukraine (EUACI) Phase II is the biggest European Union (EU) support program in the area of anti-corruption in Ukraine, co-funded and implemented by the Ministry of Foreign Affairs of Denmark on behalf of the EU. It is a four-year program (2020-2024) building on a flagship Phase I of the EUACI, funded by the EU, implemented and co-funded by Denmark in 2017-2020.

The overall objective of EUACI Phase II is the reduction of corruption in Ukraine at the national and local levels through the empowerment of citizens, civil society, business, and state institutions. In particular, EUACI provides support to key anti-corruption institutions, among them are the following:

National Agency on Corruption Prevention (NACP)

The National Agency on Corruption Prevention is a central executive body with a special status. It is responsible for the development of anti-corruption policy and prevention of corruption. The National Agency was established in accordance with the Law of Ukraine on the Prevention of Corruption and works in the following main areas: conflict of interest, asset disclosure, protection of whistleblowers of corruption, anti-corruption policy formation and implementation, oversight over political party financing, corruption prevention in the public sector, awareness raising, etc.

Parliamentary Committee on Anti-Corruption Policy (CAP)

The Verkhovna Rada (the Ukrainian Parliament) Committee on Anti-Corruption Policy (CAP) facilitates the work of the Parliament in terms of its legislative, oversight, and representation functions. The CAP is responsible for scrutinizing draft laws in the area of anti-corruption policy, corruption proofing of draft laws and parliamentary oversight over the implementation of anti-corruption reforms.

National Anti-Corruption Bureau of Ukraine (NABU)

The National Bureau is a central executive body with a special status, a pre-trial investigation agency, which is vested with the prevention, detection, suppression, and investigation of corruption offenses under its competence. The objective of NABU is to counter criminal corruption offenses committed by senior officials authorized to perform the functions of the state or local self-government and which threaten national security.

Specialized Anti-Corruption Prosecutor Office (SAPO)

The specialized Anti-corruption Prosecutor’s Office (SAPO) is a special unit in the structure of the General Prosecutor's Office of Ukraine, responsible for supporting and overseeing criminal investigations conducted by the National Anti-Corruption Bureau of Ukraine (NABU).

**Objectives and results**

The objective of this assignment is to provide legal support to the beneficiaries of the EUACI. A senior legal anti-corruption expert will ensure the provision of legal expertise, legal opinions, and analysis on anti-corruption issues in line with the requirements of Ukrainian legislation, international standards and best national practices.

**Scope of work:**

The scope of the assignment includes activities necessary to provide legal support to the CAP, NACP, NABU, SAPO, but not limited to:

* Providing legal assistance in streamlining and developing legislative framework for NACP, NABU, SAPO, ARMA, etc;
* Drafting legal acts, supplementary documents and amendments to the primary and secondary legislation;
* Providing analysis and legal opinions of the new legislative initiatives;
* Contribution to the development of the secondary legislation in the asset management area;
* Providing legal advice in order to eliminate obstacles and loopholes of legal proposals having influence on the EUACI beneficiaries;
* Assisting other EUACI anti-corruption beneficiaries if needed.

**Deliverables:**

* Legal assessment, opinions, notes, memos or other analytical documents on different aspects of anti-corruption policy, asset management, functioning of specialized anti-corruption institutions, asset disclosure, conflict of interests, etc.;
* Draft laws and by-laws, amendments, comparative tables, explanatory notes and other relevant documents for legislative amendments on different aspects of anti-corruption policy;
* Policy and legal advice on different aspects of anti-corruption policy with due attention to international standards and best practices;
* Legal assessment and legal analysis of asset management draft laws/regulations provided;
* Other work products on request of EUACI and with the agreement with the expert;
* Time-shits indicating time spent on the assignment;
* Short final report (max 2 pages) with a description of provided services and methodology used.

#### **Start date and period of implementation of tasks**

The intended commencement date is the date of signature of the contract by both parties and the period of implementation of the contract will be up to 5 months, with a maximum duration of 45 working days starting from November 2023 to March 2024.

**Requirements for the Service Provider**

* Master’s degree in law, public administration, or political science.
* Minimum 8 years of proven professional experience in the judiciary and/or anti-corruption sector, preferably in the area of complex legislative drafting and legal analysis;
* Experience with the reform process in the justice and/or anti-corruption sectors, very good knowledge and understanding of judicial and anti-corruption reform agenda in Ukraine;
* Minimum of 6 years of professional experience working as a legal consultant with international technical assistance programs and projects or organizations in the area of anti-corruption reform;
* Excellent organizational skills to meet deadlines;
* Language: Fluency in written and spoken Ukrainian and English is essential.

**Adequacy for the assignment**

* Outstanding expertise on different aspects of anti-corruption policy.
* Excellent legal drafting skills.
* Proven experience on the anti-corruption reform process in Ukraine (at least 20 previous assignments are required).
* Strong analytical skills.
* Strong oral and communication skills.

**Monitoring and evaluation**

Definition of indicators

The performance of the Service Provider will be judged upon reaching the purpose of this contract as well as obtaining its results, as indicated in the section” Objective and results" herein, respectively. Moreover, the performance of the Service Provider will be judged upon the successful implementation of the specific activities indicated in the section" Scope of work” of the present document.

**How to apply**

Provide the CV and expected daily rate in EUR no later than 8 November 2023 to the Anti-Corruption Expert Viktoria Popyk, the e-mail: viktorypopyk@gmail.com with the title Senior Legal Anti-Corruption Expert.

Bidding language: **English**.

**Clarification questions:**

Questions for the Request for Bid should be addressed to viktorypopyk@gmail.com no later than 5 November 2023, 18:00 Kyiv time.