

**TERMS OF REFERENCE**

**Call for Tenders**

**For the Provision of**

**Advisory Services in the Sphere of Anti-Corruption and the EU enlargement process**

**EU Anti-Corruption Initiative (EUACI)**



# Abbreviations

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| AC | Anti-corruption |
| ACS | Anti-corruption Strategy |
| ARMA | Asset Tracing, Finding and Management Agency |
| CAP | Committee on Anti-Corruption Policy of the Verkhovna Rada of Ukraine |
| DPM | Office of Deputy Prime Minister for European and Euro-Atlantic Integration of Ukraine |
| EU | European Union |
| GOCEEI | The Government Office for Coordination of European and Euro-Atlantic Integration |
| HACC | High Anti-Corruption Court |
| NABU | National Anti-Corruption Bureau of Ukraine |
| NACP | National Agency on Corruption Prevention |
| SAPO | Specialised Anti-Corruption Prosecution Office |
| SFMS | State Financial Monitoring Service |
| SACP | State Anti-Corruption Program |

1. **Background and context**

The EU emphasises the fight against corruption as an important part of its accession process, highlighting the need for a culture of integrity and robust AC measures. In November 2023, the EU recognized Ukraine's progress, recommending opening accession negotiations in its 2023 progress report. This marked a significant step in EU-Ukraine relations, with accession negotiations beginning the following months.

The requirements to progress within the AC field are included in the accession negotiations, mainly chapter 23 and 24, the annual Progress Report and several other framework documents for Ukraine’s wartime and reconstruction support, such as the EU Facility Plan and the IMF Country Report under the IMF Extended Fund Facility.

Based on the significant results of the joint Danish and EU Anti-Corruption Initiative (EUACI) Phase II 2020-2024, Denmark and the EU engaged in a third phase of the programme aimed at supporting Ukraine in its efforts to reduce corruption at the national and local level through the empowerment of citizens, civil society and state institutions. The EUACI Phase III strategic objectives are that: corruption in Ukraine is reduced; Ukraine advances with anti-corruption reform; and the reconstruction in war-affected areas of Ukraine is implemented within a framework that incorporates transparency, accountability and integrity.

Along with the key EUACI beneficiary institutions (e.g. HACC, NABU, SAPO), the EUACI also supports the efforts of several institutions that are responsible for setting up legal and institutional framework for the anti-corruption sphere, especially in the context of the European integration of Ukraine. These are the Office of Deputy Prime Minister for European and Euro-Atlantic Integration of Ukraine (DPM), the Government Office for Coordination of European and Euro-Atlantic Integration (GOCEEI), the Committee on Anti-Corruption Policy of the Verkhovna Rada of Ukraine (CAP), and the Ministry of Justice.

1. **Contracting authority**

The Contracting Authority is the Ministry of Foreign Affairs of Denmark, the EUACI.

1. **Objective**

The objective of this assignment is to provide advisory (policy, coordination, and other) services to the beneficiary institutions involved in the efforts of Ukraine’s EU integration process, namely the DPM and GOCEEI. This will be achieved through concluding a long-term contract with an expert.

1. **Scope of Work and Indicative Outputs and Deliverables**

Commissioned expert is expected to provide advisory (policy, coordination, and other) services, namely:

* Providing advice and conducting peer review of policy and legal documents in the areas of anti-corruption policies, with a particular focus on fulfilment of Ukraine's obligations in the process of EU accession and on alignment of national legislation with EU acquis;
* Assistance in the development of relevant policy briefs, papers, notes, and other documents;
* Coordination of other experts working on the relevant thematic aspect, if requested by the DPM and GOCEEI;
* Coordination of the DPM and GOCEEI with the EUACI;
* Other services related to the sphere of anti-corruption and the EU enlargement processes (accession to the EU) as agreed with EUACI.

The following list of outputs and deliverables is indicative and non-exhaustive. The EUACI reserves the right to request deliverables not explicitly mentioned in the list but related to the field of expertise object of the contract to be concluded.

* Conducting analytics and drafting analytical reports,
* Preparation of assessment reports and technical specifications or other documents as required;
* Drafting policy briefs, opinions, notes, memos or other analytical documents on outstanding matters within the mentioned sphere;
* Developing and delivering presentations to the EUACI and the beneficiary institutions.

During the assignment, the consultant shall work closely with the appropriate EUACI, DPM, and GOCEEI leadership and staff. Language to be used: English and Ukrainian.

1. **Qualifications Required and Assessment**

Tenderers shall demonstrate that they fulfil the following criteria:

* Relevant education at a minimum level of Masters’ Degree / Academic level in Law, Public Policy, International Relations, Political Sciences;
* Minimum 5 years of proven professional experience in either anti-corruption, rule of law, public reform, international relations / development sector;
* Comprehensive insight into EU institutions and relevant *acquis* is required;
* Knowledge about the EU enlargement process an advantage;
* Professional experience of cooperation with international technical assistance projects or international organisations;
* Relevant working experience in Ukraine;
* Excellent public policy and legal drafting skills;
* Strong oral and written communication skills;
* High integrity;
* Fluency in written and oral English and Ukrainian.

**Award criteria**

• Criterion 1: Professional experience (70%), consisting of the length of experience and the proven track record of practical achievements in the given field;

• Criterion 2: Financial offer (30%).

1. **Timing, Estimated Budget and Level of Effort**

The duration of this assignment is estimated to be 35 calendar months to commence in June 2024. The total budget under a contract may not exceed EUR 60,000. We offer a framework contract where the EUACI reserves the right to order selected services under the concluded contracts according to needs identified by the EUACI. For each assignment the EUACI and the service provider will agree on the amount of working hours needed and the duration of the assignment.

The contract presumes to cover direct costs related to service provision, including travel, accommodation, and per diems (in addition to honorarium). Expenses for auditing the services will be also covered.

The fees agreed during the conclusion of the contract are final and not subject to review.

1. **Tender submission and subsequent procedures**

Tenders must be sent to the Ministry of Foreign Affairs of Denmark, the EUACI within the deadlines communicated in the respective tender announcement on the web-portal of the Ministry of Foreign Affairs of Denmark.

The tenderers are expected to submit their interest, after which they will be invited to fill out the official forms to prove their suitability and to declare the statement of joint participation (if relevant).

If eligibility for participating in tender is proved, tenderers will be invited to provide the following documents *within official templates*:

* CV in English of a tenderer;
* Budget (with identifying a daily / hourly rate);

Besides,

* registration documents certifying the status of a tenderer (both for individuals and legal entities),
* 2 referees' contact details.

will have to be submitted.

All documents shall be submitted in English, failure to do so will result in the exclusion of a tender.

Tenders cannot not be considered if:

* submitted in a language other than English, or
* sent to an e-mail account or address not mentioned in the official announcement, or
* missing any of the documents listed above, or
* submitted after a deadline.

A successful tenderer will be informed about being selected. The respective long-term contract will be signed by the EUACI and an expert.

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