



TERMS OF REFERENCE

International Consultant

Regional Project “Anti-corruption Practitioners Network Phase 2”: Capacity Assessment of the Directorate for Anti-Corruption Initiative of Montenegro.

| | |
|------------------------------|---|
| Duration | (estimated) 15 days in the period between October 1 st and December 31 st , 2008. |
| Beginning of contract | ASAP |
| Duty Station | Home Based. Possible short term travel may be required |
| Supervisor | Dan Dionisie, PAR & AC Policy Specialist, Democratic Governance |

BACKGROUND

The Anti-Corruption Practitioners Network (ACPN), launched by UNDP Bratislava Regional Centre (BRC) in cooperation with UNODC in early 2006, is the main tool of the UNDP BRC for knowledge management in the field of anti-corruption as well as for the delivery of technical assistance to AC agencies. The Network is also a useful source of information and expertise for providing assistance to UNDP Country Offices implementing AC programmes. The ACPN involves in its activities UNDP/UNODC staff from the region, practitioners working in anti-corruption agencies and international experts.

Information: <http://anticorruption.undp.sk>

Principal knowledge management activities of the Network are:

- Facilitation of knowledge sharing among AC Agencies to address specific requests for technical assistance and to update the members about best practices and technical means for fighting corruption and for the implementation of the UNCAC.
- Maintenance of a database containing: information on the AC institutional and legal frameworks in place in the countries of the region; contact details of AC practitioners and agencies in the region; documents and toolkits useful for the work of AC agencies.
- Support to programming activity of UNDP Country Offices (COs) in the area of anti-corruption through technical advice, sharing of information and referral of international experts.

At the beginning of 2008 the project “ACPN Phase2” was launched. The project aims at upgrading the ACPN to a mechanism delivering capacity development assistance to corruption prevention agencies. The project uses the ACPN's outreach infrastructure – the contacts established with many anti-corruption experts and practitioners from the region and the cooperation already developed

with some anti-corruption agencies – to assess the needs for capacity development and identify possible resources for the project activities. A key strength of the project is the utilization of expertise from well-established anti-corruption agencies in the region to deliver training and technical assistance to the targeted agencies.

Project activities are expected to include **capacity assessments of selected corruption prevention agencies in the Eastern European and the CIS region.**

UNDP defines capacity as “The ability of individuals, organizations and societies to perform functions, solve problems, and set and achieve objectives in a sustainable manner”, Capacity Development (CD) is thereby the process through which the abilities to do so are obtained, strengthened, adapted and maintained over time¹. The process entails 5 steps, namely:

(i) engage stakeholders on CD process; (ii) assess capacity assets and needs; (iii) formulate CD strategies; (iv) implement CD strategies; and (v) evaluate CD. Capacity Assessment is the second step of this process² and it can be defined as the analysis of desired future capacities against current capacities for the formulation of development strategies.

In line with the UNDP global development strategy, the capacity development process has to be led and owned by the primary clients and by the stakeholders. UNDP’s role is to promote the assessment, propose activities and facilitate their implementation; the clients are the ones ultimately taking all the decisions concerning the implementation of the process. All the activities are designed and developed in strict consultation and cooperation with the clients and endorsed by them as well as discussed with the stakeholders.

The project activities have been designed along the lines of the capacity development process and taking into consideration the peculiarities of anti-corruption agencies. The capacity assessment phase is currently ongoing;

Project activities for 2008 are the following:

1. Selection, in cooperation with country offices, of the agencies that will participate to the capacity development activities. Identification of the partner agencies that will provide the expertise and other knowledge resources needed.
2. Capacity assessment:
 - (first phase) Workshop with practitioners from the selected agencies, UNDP COs involved in the project and external experts to initiate the assessment of the capacity development needs;
 - (second phase) Desk review of documentation concerning the selected agencies and field missions to the agencies for the development of effective response strategies, self assessment toolkits and benchmarking systems.
3. Development of a Toolkit for COs on supporting ACAs containing: a methodology for capacity assessment of ACAs; a series of experiences, cases studies and lessons learned in supporting ACAs in the region.

The first phase of the project was completed with the selection of the ACAs in the region to be supported. Three agencies have been identified so far: the Agency of State Financial Control and Fight against Corruption of the Republic of **Tajikistan**, the **Kosovo** Anti-Corruption Agency, and

¹ UNDP Practice Note on Capacity Development, the document can be downloaded at: <http://www.capacity.undp.org/index.cfm?module=Library&page=Document&DocumentID=5599>

² See on this the UNDP Practice Note on Capacity Assessment, the document can be downloaded at: <http://www.capacity.undp.org/index.cfm?module=Library&page=Document&DocumentID=5510>

the Directorate for Anti-Corruption Initiative (DACI) of **Montenegro**. The selection was made considering the type of support that can be provided through the project, the prospects for future effectiveness of the agencies and the possibility of the respective UNDP COs to support the initiative in the long run. The participation of other agencies at a later stage of the project is not excluded.

The first phase of the capacity assessment has also been completed with the organization of a workshop, held in Bratislava on the 10-11 July 2008. The workshop resulted in the development of three tailored work-plans for the conduction of the capacity assessment of the three agencies involved in the project. The first agency that will undergo the assessment will be the DACI of Montenegro.

As first step of the Capacity Assessment UNDP BRC will develop and send to the Directorate a Self Assessment Questionnaire aiming at:

- Better identifying the problems to be addressed by the Capacity Development project
- Gathering detailed data on the existing capacities of the Agency

UNDP BRC will then analyze, summarize and interpret the results of the self assessment questionnaire. On the basis of the findings of the questionnaire, UNDP will develop a proposal for a field Mission that will aim at discussing identified problems and shortages with the staff of the Directorate and with stakeholders in order to finalize the assessment.

By the end of 2008 The field mission will be carried out. The mission is expected to result in a document containing the results of the assessment and concrete recommendations for the capacity development strategy (that will be further developed subsequently).

TASKS

The consultant will have the general task of supporting the UNDP BRC in the development of the capacity assessment for the DACI.

In particular the consultant will be requested to:

- Review documentation concerning the DACI and the institutional and legal framework in which the agency operates;
- Familiarize himself/herself with the capacity assessment framework of UNDP;
- Review and comment on the draft methodology for capacity assessment of preventive AC agencies developed by the project;
- Analyze the documents produced so far by the project and the results of the capacity assessment questionnaire received from the DACI and provide comments;
- Contribute to the preparation of the capacity assessment mission;
- Participate to the field mission and processing of the information collected, as appropriate;
- Provide input and comments in developing the final report of the capacity assessment, as requested.

SPECIFIC DELIVERABLES

The consultant will be requested to:

- 1) provide specific comments on the capacity gaps highlighted by the capacity assessment questionnaire and indications on possible reforms to be introduced as well as recommendations on priority focus areas of the capacity assessment to be analyzed during the field mission.

- 2) provide advice for the organization of the field mission, in particular with regard to the stakeholders to be consulted, appropriate modalities to engage them and strategy for interviews;
- 3) participate as requested to the capacity assessment field mission with UNDP staff; provide substantive input for the capacity assessment report.
- 4) provide substantive comments on the draft methodology for capacity assessment of preventive AC agencies developed by the project

NECESSARY QUALIFICATIONS

The consultant should have the following qualifications:

- a post-graduate degree in a relevant discipline from a recognized university;
- at least 7 years of direct practical experience in providing technical assistance to anti-corruption agencies, and/or relevant work experience in anti-corruption agencies; specific experience of assistance for capacity development of anti-corruption agencies in the field of corruption prevention would be considered particularly valuable;
- familiarity with operational problems and solutions encountered by specialized anti-corruption institutions, especially in the Western Balkans.
- fluency in English (spoken and written), with strong drafting skills;
- Serbo-Croatian a plus.

SUPERVISORY ARRANGEMENTS

The consultant will report to the Public Administration Reform and Anti-Corruption Policy Specialist in the UNDP Bratislava Regional Center. The Public Administration Reform and Anti-Corruption Policy Specialist will be the focal point for all queries regarding the assignment as it progresses, as well as for coordinating the distribution of the documentation produced by the consultant to other colleagues within UNDP and for overall quality assurance.

DUTY STATION

Mostly home-based, but regular collaboration with UNDP BRC will be essential, including travel to Bratislava as necessary and participation to a field mission in Montenegro.

TERMS AND CONDITIONS

The number of working days is an estimate. Consultancy fees will be paid in one installment as a lump sum upon completion of the assignment and approval by UNDP BRC of the deliverables. In addition, travel expenses and incidental expenses related to the assignment will be covered in accordance with UNDP regulations.

APPLICANTS ARE REQUESTED TO SEND

- Cover Letter (in English) stating their interest in and qualifications for the post
- CV/P11 (in English)
- Price quotation