TERMS OF REFERENCE

**For a Team-Leader to assist in the Development of the Institutional Strategy for the Specialized Prosecutor's Office of Ukraine**

1. Background and context

The European Union Anti-Corruption Initiative in Ukraine (EUACI) is the biggest European Union (EU) programme 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. Based on the significant results of the joint Danish and EU efforts during the EUACI Phase II in 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 reconstruction in war-affected areas of Ukraine is implemented within a framework that incorporates transparency, accountability, and integrity.

One of the key beneficiaries of the EUACI is the Specialized Anti-Corruption Prosecutor's Office (SAPO). Established in 2015, SAPO is a prosecutorial agency with a primary mandate to prosecute top-level corruption, including criminal offences committed by senior public and local officials and cases that threaten national security. The Law “On Prosecution” determines SAPO’s status, mandate, powers, and organization, while the Criminal Procedure Code of Ukraine defines its investigative jurisdiction.

As SAPO became a separate legal entity in 2024, the Head of SAPO recently made a formal request to the EUACI for assistance in developing an institutional strategy, as SAPO currently does not have one. Furthermore, the need for SAPO to adopt an independent institutional strategy was highlighted in The Shadow Report to the European Commission’s 2023 Report on Ukraine, produced by the Agency for Legislative Initiatives. The institutional strategy is expected to provide a framework for future capacity building support to SAPO provided by the EUACI.

To ensure the sustainable institutional development of SAPO, the EUACI will provide consultancy assistance to help SAPO develop its institutional strategy and an accompanying implementation action plan. This process will be led by SAPO and facilitated by the EUACI. The main outcomes of the exercise are twofold:

1. The development of a draft institutional strategy (tentatively for 2025–2027, however period is subject to final agreement with SAPO);
2. Enhancement of SAPO’s internal capacities to ensure the agency is fully equipped to implement the strategy.
3. Scope and method of work

The assignment is recommended to be implemented in the following approximate stages, in full coordination with SAPO and the EUACI. These stages are not exhaustive and may be adjusted based on proposals from service providers:

1. Study the relevant legislation and key documents that regulate and assess SAPO’s work, including existing recommendations.
2. Organise and conduct a series of interviews and strategic discussions with SAPO leadership, employees, and key stakeholders (e.g., NABU, HACC, donor community, and civil society) to identify priorities, challenges, and potential pathways for SAPO’s institutional development.
3. Develop the draft SAPO institutional strategy and an accompanying implementation action plan in close collaboration with SAPO and the EUACI to ensure institutional ownership of the document.
4. **Deliverables (outputs)**

The key outputs include the following:

1. A proposed methodology, to be submitted to the EUACI as part of the application.
2. A draft plan for workshops/bilateral meetings, to be submitted to the EUACI (and SAPO) within two weeks of the beginning of the assignment.
3. The first draft of the SAPO institutional strategy document and an accompanying implementation action plan, to be submitted within two months of signing the contract.
4. A final institutional strategy document and an accompanying implementation action plan, to be developed within three months of signing the contract.
5. Presentation of the institutional strategy and an accompanying implementation action plan (if required) after adoption.

The Team-Leader will lead the process of SAPO institutional strategy development and will have the following responsibilities (including, but not limited to):

* Define the strategy development methodology.
* Manage the overall strategy and an accompanying implementation action plan development process and direct the work of the local expert on national law and the adviser on strategic development.
* Apply international experience to guide and manage the development process.
* Draft the initial version of the strategy and an accompanying implementation action plan and provide final revisions.
* Ensure clear and consistent communication with SAPO.

The Team-Leader is expected to undertake at least **one visit to Ukraine** to facilitate live communication with key stakeholders. Logistics costs for this visit (e.g., travel, accommodation, etc.) will be covered separately by the EUACI in accordance with its internal policies. Therefore, these costs should not be included in the financial proposal.

The Team-Leader will collaborate closely with **two local experts** (one specialising in national law and the other in strategy development), as well as with responsible personnel from SAPO and the EUACI.

1. **Requirements for the Service Provider**

The key qualifications of the Team-Leader shall include the following:

* A relevant education up to Master’s degree level, or an academic qualification demonstrating the ability to perform the specified duties and responsibilities.
* At least **5 years of experience** in leadership, capacity building or institutional strategy development and implementation planning for law enforcement, anti-corruption agencies, or similar institutions.
* At least **7 years of experience** in the fields of rule of law, good governance, and, preferably, anti-corruption.
* Fluency in written and spoken English.
* Previous experience working in Ukraine or the wider region would be an advantage.
1. **Timing**

The intended commencement date is the date of contract signing by both parties. The activities and deliverables outlined under Scope of Work and Deliverables shall be completed within four months following the contract signature.

The selected Service Provider will approve the actual timeline and coordinate it with SAPO and the EUACI.

1. **Estimated budget and inputs**

The requested indicative input for the assignment is a total of 40 person-days.

The EUACI will cover translation and interpretation Ukrainian-English-Ukrainian costs and they should not be included in the financial proposal.

1. **Reporting and management**

The main counterpart for the Service Provider is the European Union Anti-Corruption Initiative in Ukraine (EUACI), based in Kyiv (www.euaci.eu), to whom the Service Provider will report.

The performance of the Service Provider will be evaluated based on the achievement of the deliverables outlined in this document.

The EUACI and SAPO will provide all relevant background documents necessary for the assignment. The EUACI will cover reasonable translation and interpretation costs.

1. **Special requirements**

By signing the contract, the Service Provider agrees to hold in trust and confidence any information or documents ("confidential information"), disclosed to the Service Provider or discovered by the Service Provider or prepared by the Service Provider in the course of or as a result of the implementation of the contract, and agree that it shall be used only for the purposes of the contract implementation and shall not be disclosed to any third party. The Service Provider also agrees not to retain copies of any written information or prototypes in their own archive and for their own use.

1. **Contracting authority**

The Contracting Authority is the Ministry of Foreign Affairs of Denmark, European Union Anti-Corruption Initiative in Ukraine (EUACI).

**HOW TO APPLY**

**The deadline for submitting proposals is 24 January 2025, at 12:00 Kyiv time.**

Qualified service providers should submit the following documents:

* Proposed methodology outlining approach to development of SAPO institutional strategy, max 2 pages;
* A financial proposal including the daily rate and total number of days, excluding travel and translation costs;
* A detailed CV with the portfolio of similar assignments.

Documentation must be provided **in English.**

Applications should be sent to **sashamiroshnik12@gmail.com** and **euaci@um.dk** , with the subject line: “**Team-Leader for the Development of the Institutional Strategy for SAPO**.”

Please note that the applicant will receive an auto-reply from euaci@um.dk when the proposal is received. If this is not the case, then please contact the EUACI before the deadline.

Bidding language: English.