

19 May 2025

**TERMS OF REFERENCE**

**Legal and Policy Advice on Corruption Repression and Related Aspects (National Experts)**

**General background**

The EU Anti-Corruption Initiative in Ukraine (EUACI) is the European Union’s technical support program in the area of anti-corruption in Ukraine, co-funded and implemented by the Ministry of Foreign Affairs in Denmark. The overall objective of the EUACI is to achieve significant progress in preventing and countering corruption, ensuring the coherence and systemic anti-corruption activities of state and local self-government bodies, and to empower civil society and citizens to contribute to the combatting of corruption, as well as the proper process of Ukraine’s post-war recovery. The program runs till April 2027.

EUACI provides policy and legal advice on various aspects of the fight against corruption.

To meet the increasing needs for legal and policy analysis of Ukrainian partners and the European Commission, EUACI is seeking a team of national experts to provide such advice on request of EUACI. A particular focus of advice would be corruption repression, track record of corruption cases and related aspects, which is important elements of measures needed for Ukraine’s accession to the EU.

# Objective

Overall, this assignment is aimed to contribute to the achievement of the program objective “1. Anti-corruption institutions perform according to their mandate with enhanced effectiveness and improved track record”. Particularly, the team of national experts would contribute to improving the performance of specialized anti-corruption agencies responsible for detection, investigation, prosecution and adjudication of corruption cases by providing legal and policy advice. Given that track record of corruption offenses is one of the European Commission’s recommendations and effective performance of anti-corruption institutions is broadly covered in the draft Rule of Law Roadmap, assistance in this area would also contribute to Ukraine’s accession to the EU.

# Scope of work

The Service Provider in close coordination with the EUACI expert will fulfil the following tasks:

* Preparing legal and policy analysis on draft laws, policy documents, other documents affecting anti-corruption policy, with a particular focus on corruption repression and related aspects (such as criminal law and criminal procedure; financial investigations; detection of corruption offenses; criminal intelligence and operative work; functioning of specialized anti-corruption bodies dealing with detection, investigation, prosecution and adjudication of corruption cases; inter-agency cooperation; track record), on request and upon the guidance of EUACI.
* Contribute to draft laws, amendments to draft laws, supplementary documents on request and upon the guidance of EUACI.
* Assisting with the implementation of the measures defined in the Rule of Law Roadmap, Fight Against Corruption, with a particular focus on corruption repression aspects (as described above), on request and upon the guidance of EUACI.
* Preparing information notes (such as statistics, reviews and updates on legislative and other developments over the specific period of time, case-law on specific aspects) on request and upon the guidance of EUACI.
* Other related activities, as requested by EUACI.

**Deliverables**

The Service Provider will provide the following deliverables within the scope of work as part of a framework agreement:

* Notes and other documents with the legal and policy analysis on anti-corruption, with a particular focus on corruption repression and related aspects (as described above).
* Draft laws, supplementary documents to them (such as explanatory notes, comparative tables etc.), amendments to the draft laws.
* Participation in the meetings with EUACI and/or national authorities, as agreed by EUACI.
* Monthly reports outlining main activities performed in the reporting period (max 2 pages, in English).
* Detailed final report providing main achievements and challenges, as well as possible recommendations for follow-up activities (max 5 pages, in English).
* Other deliverables, as agreed by EUACI.

Documents with the policy and legal analysis on request of EUACI should comply with the requirements on the agreed format (language, maximum number of pages, structure, aspects to be covered mandatorily), if these requirements are outlined for the particular request. Tentative number of working days for each assignment would be indicated by EUACI.

**Qualifications**

The Service Provider should meet the following criteria:

* Registration as a legal entity, or private entrepreneur or NGO according to Ukrainian legislation.
* Availability of at least two key experts with previous experience in corruption repression, each of them meeting the following requirements:
* at least 5 years of professional experience in the aspects relevant for corruption repression and related aspects (as consultant, expert, practitioner), as described above;
* previous experience in providing legal and policy advice, particularly in the framework of international technical assistance;
* previous experience as a practitioner in criminal justice system (judiciary, prosecution service, pre-trial investigation bodies, public authorities involved in the detection of corruption) is a strong advantage;
* previous experience in drafting laws, legal acts, amendments and/or supplementary documents is an advantage;
* fluency in Ukrainian and English.
* Commitment of confidentiality and conflict of interest resolution.

**Budget, timeframe, and location**

The total budget for this assignment should not exceed EUR 30,000. The daily fee for the individual experts involved in the implementation of the contract should reflect the qualifications and experience of the experts and cannot exceed EUR 300 per working day.

The duration of this assignment is estimated to be 6 months starting from the signing of the contract.

The total number of working days of key experts are estimated at not less than 120.

The total level of effort depends on the intensity of requests of the EUACI, with the approximate estimation of 15-20 working days per month in total for all the involved experts.

Prior to the start of implementation of an assignment, EUACI would define the tentative number of working days (hours) for the particular assignment in consultation with the service provider as well as the expert(s) to perform the assignment.

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

Payments will be made on a monthly basis and in accordance with the agreed working days, the delivered products and after assessing the quality thereof.

The contract does not presume covering travel, accommodation, or per diems.

**Reporting and management**

The performance of the Contractor will be judged upon reaching the purpose of this contract as well as obtaining its results, as indicated in the section “Objective” and “Deliverables” herein respectively. Moreover, the performance of the Contractor will be judged upon the successful implementation of all the specific activities indicated in Section “Scope of work” of this document.

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

**How to apply**

The deadline for submitting the proposal is 2 June 2025**,** 18:00 Kyiv time.

All interested candidates should submit:

* Confirmation of bidder’s registration as a legal person, NGO or individual entrepreneur in accordance with Ukrainian legislation.
* CV of the experts to be involved in the assignment, indicating the compliance of proposed experts with the individual requirements outlined in the ToR.
* Financial offer, including:
* daily rate for each expert;
* total number of working days assigned to each expert during the implementation of the contract;
* other related expenses (administration costs, etc.).

The proposal shall include the aforementioned information and should be submitted within the above deadline to EUACI@um.dk cc to antmar@um.dk indicating the subject line: “Legal and Policy Advice”.

You will receive an auto-reply from the EUACI@um.dk mailbox when the offer has been received. If you do not receive an auto-reply, your offer was not received and you should contact the EUACI by phone.

Bidding language: English.

Any clarification questions regarding the terms of reference should be addressed to antmar@um.dk, not later than 28 May, 18:00 Kyiv time.

**Evaluation criteria**

The Service Provider will be selected based on the following criteria: 80% - previous experience, skills and knowledge, relevance for the assignment; 20% - financial offer.