

TERMS OF REFERENCE

Service Provider to Develop a Case Confidentiality Policy and Whistle-Blower Protection Procedures for the Specialised Anti-Corruption Prosecutor's Office

General background

The EU Anti-Corruption Initiative in Ukraine (EUACI) is the European Union's technical support programme 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 programme runs till April 2027.

One of the EUACI partners is the Specialised Anti-Corruption Prosecutor's Office (SAPO). According to provisions of Ukrainian legislation, SAPO is responsible for the oversight of compliance with the law during operative and investigative activities and pre-trial investigations carried out by the NABU; supporting public prosecution in relevant proceedings; and the representation of the interests of a citizen or the state in cases provided for by law and related to corruption or corruption-related offences.

SAPO is currently implementing its Institutional [Strategy for 2026-2028](#), which presents the path of SAPO towards further enhancing the effectiveness of its work, strengthening its autonomy and the independence of its prosecutors, and systematically improving the skills and expanding the knowledge of all its staff.

The Strategy is directly linked to Ukraine's Rule of Law Roadmap (the Roadmap), with particular regard to:

- establishing a sustainable practice of effective and impartial prosecution in corruption cases, especially at the highest level;
- ensuring the autonomy, efficiency and adequate resourcing of SAPO;
- active development of digitalisation and consistent use of IT tools in investigations and public prosecution;
- undergoing external assessments (audits) and implementing the recommendations provided;

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- developing this Strategy and implementing its goals (including updating HR policy based on it) as one of Ukraine’s commitments under the Roadmap.

Within this context, EUACI intends to procure expert services (Service Provider) to support implementation of key tasks under **Strategic Goal 2**, specifically:

- **Task 2: Development and implementation of a Case Confidentiality Policy,**
- **Task 3:** Strengthening internal disciplinary mechanisms and ethical oversight within the framework of the law, including **whistle-blower protection procedures and practical guidance for staff.**

These assignments are critical for preventing unauthorised disclosure of case-related information, strengthening integrity standards, enabling effective internal oversight, and ensuring that staff who report wrongdoing in good faith are protected in line with the law. Together, these measures support institutional resilience, procedural integrity, and public trust.

Objective

Overall objective: To enhance the effectiveness and performance of anti-corruption institutions in the implementation of their mandate.

Sub-objective: To support SAPO in strengthening confidentiality safeguards and internal integrity mechanisms by developing key internal policies and procedures related to case confidentiality and prevention of information leaks, and whistle-blower protection, in line with applicable legislation and SAPO’s strategic priorities.

Scope of work

The Service Provider shall perform the following tasks (in close coordination with the EUACI-engaged external expert on strategy and institutional development, EUACI and SAPO contact persons, and within SAPO’s legal mandate):

1. Inception and diagnostic

- Hold an inception meeting with EUACI and SAPO to confirm expectations, stakeholders, approval pathways, and confidentiality requirements.
- Review relevant SAPO internal documents, applicable Ukrainian legal framework, and other relevant materials.
- Produce a concise workplan outlining steps, consultations, and drafting deadlines.

2. Develop a draft Case Confidentiality Policy that, at a minimum, ensures:

- Multi-level access control and the ability to track work with documents and other media, including materials containing official information and state secrets (as applicable within SAPO processes and systems).
- Clear rules on the frequency and manner of information exchange within SAPO between prosecutors and management, including a detailed specification of managerial roles.

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- Provisions aimed at preventing information leaks, including an ethical component dedicated to integrity standards.
 - Practical integration with SAPO's internal awareness and confirmation mechanisms, including that annual online survey tools (will be provided by SAPO) can include questions facilitating better identification of confidentiality risks and, where necessary, improvement of the policy.
3. **Develop draft whistle-blower protection procedures** that, at a minimum, ensures:
 - Measures to prevent pressure, retaliation or discrimination against individuals who report violations in good faith; and clarifying the process for submitting and reviewing reports.
 - An internal communication/briefing approach to ensure SAPO employees are regularly informed of whistle-blower rights and available protection guarantees.
 4. **Develop a draft guidance note (toolkit)** for staff to facilitate practical implementation of whistle-blower protection procedures.
 5. **Conduct validation meetings** with EUACI, SAPO for collecting feedback.
 6. **Finalisation and handover.** Finalise all documents based on consolidated feedback from SAPO and EUACI.
 7. **Reporting.** Submit a final report to the EUACI describing what was delivered, how comments were addressed, and practical next steps for implementation.

Deliverables

The Service Provider will be responsible for delivering the following outputs:

#	Deliverable/Output	Timeline	Note
1	Inception note with workplan	Within 5 working days after contract signing	Submitted to EUACI by email; subject to EUACI/SAPO review.
2	Draft Case Confidentiality Policy	Within 20 working days after Deliverable 1	English or Ukrainian language.
3	Draft whistle-blower protection procedures	Within 15 working days after Deliverable 2	Includes anti-retaliation safeguards, reporting/review workflow, and staff-facing explanations.
4	Draft guidance note (toolkit) for staff on whistle-blower rights and procedures	Within 15 working days after Deliverable 2	Practical, concise, and user-friendly.

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5	Final package (final versions of all documents)	Upon completion of assignment	Ukrainian version required; If English versions were presented as draft, translation should be provided.
6	Final report to the EUACI on work performed	Upon completion of assignment	In English for EUACI final approval.

Level of effort (indicative):

The assignment is expected to require approximately **20-22 working days** in total (subject to the agreed workplan and the timely availability of inputs/feedback).

Qualifications

Eligibility

- The Service Provider may be a legal entity or a private entrepreneur (or a team thereof). In the case of a team, the contract shall be concluded with one lead contractor.
- Fluency in English or Ukrainian (written and spoken) is mandatory.

Qualifications Required

The Service Provider shall demonstrate that they fulfil the following criteria:

- Relevant education up to Masters' Degree / Academic level in Law, Public Policy, International Relations, International Security / Development, Political Sciences;
- Minimum 10 years of proven professional experience in either of anti-corruption, law enforcement and judiciary;
- Proven professional experience of cooperation with international technical assistance projects or international organisations;
- Good understanding of reform processes in Ukraine;
- Strong written communication skills;
- Fluency in written and oral English and/or Ukrainian.
- Experience with reform processes in the anti-corruption, law enforcement, and judiciary sectors is desirable.
- Experience with or within EU/EU Member State law enforcement agencies is an advantage.

Payment:

The Service Provider may request an advance payment of up to 30% of the total contract value. The remaining 70% shall be paid upon satisfactory completion of the deliverables and their formal acceptance by EUACI. If a Ukrainian expert is engaged, payment shall be made

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in UAH in the equivalent amount of the agreed EUR value, calculated in accordance with the official exchange rate of the National Bank of Ukraine (NBU) applicable on the date of payment. For international experts, there is an option to receive payments in EUR.

Timeframe: Two calendar months, commencing April-May 2025. The Service Provider is expected to start work immediately upon signing the contract.

Location: Kyiv or online. If an international expert applies and the need for in-person meetings arises, the EUACI will cover transportation costs of the Service Provider.

Reporting and management

The Service Provider's performance will be assessed based on whether the contract purpose is achieved and the required deliverables are produced, as set out in the "Objective" and "Deliverables" sections. Performance will also be assessed based on the proper completion of all activities listed in the "Scope of work" section.

By signing the contract, the Service Provider undertakes to keep confidential all information and documents obtained, created, or identified during the implementation of the contract. Such information may be used only for contract purposes and may not be disclosed to any third party. The Service Provider also undertakes not to keep any copies of written materials or prototypes after completion of the contract.

The **Case Confidentiality Policy and Whistle-blower Protection Procedures**, together with all associated reports, analyses, recommendations, and other materials produced under this Contract (the "Deliverables"), shall vest exclusively in SAPO, which shall hold full and unencumbered ownership rights thereto. SAPO shall have full rights to use, implement, distribute, and amend the Deliverables as it deems necessary to achieve its institutional objectives, without requiring further consent or approval from the Service Provider.

How to apply

The deadline for submitting the proposal is **18 May 2026 17:00 Kyiv time**.

Interested applicants shall submit:

- 1. CV(s) of the proposed expert(s);**
- 2. A financial proposal, including daily fee in EUR, number of working days/hours, and any additional direct costs;**
- 3. A short technical proposal (2-3 pages) describing: understanding of SAPO's context and activities, approach and methodology; proposed structure/chapters of the key documents; stakeholder consultation plan.**

The proposal shall include the aforementioned information and should be submitted within the above deadline to EUACI@um.dk and olemir@um.dk, indicating the subject line

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“Confidentiality Policy and Whistle-blower Protection Procedures for SAPO”.

You should 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**.

Should the submitted documentation fail to meet the requirements set forth above, the bid shall not be considered.

Any clarification questions regarding the terms of reference should be addressed to EUACI@um.dk, **no later than 15 May 2026 12:00 Kyiv time**.

Please note that the name of the tender winner will be published on the website of the EUACI.

Evaluation criteria

Bids will be evaluated under the criteria provided below:

#	Criteria	Weight
1	Criterion 1: Qualifications and technical proposal (experience, approach, relevant expertise)	70%
2	Criterion 2: Financial offer	30%

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