

TERMS OF REFERENCE

Title: “National Short-Term Legal Expert for European Union Advisory Mission Project: Capacity Building Support and Professional Development for Selected Verkhovna Rada Committees”

1. BACKGROUND INFORMATION

Efficient functioning of the Verkhovna Rada (VR), along with high professionalism of MPs, parliamentary staff and optimal organizational capacities of parliamentary committees is an important factor in building accountable, productive and transparent parliament in Ukraine.

Verkhovna Rada needs to strengthen the capacity of its Secretariat and standing Committees, to facilitate work on EU *acquis* approximation in area of rule of law, described in EU-Ukraine Association Agreement. One of the Committees beneficiaries of the Project, Committee on Ukraine’s Integration into the European Union, is tasked to assess compliance of all draft legislation on their conformity with EU standards and norms. This puts an immense burden on Committee and overloads seriously understaffed secretariat.

2. SCOPE OF THE SERVICE

2.1.1. Description of the assignment

This assignment is aimed at filling the gap in expertise and human resources capacity which is currently being faced by the Committee on Ukraine’ Integration with the EU. According to VR Rules of Procedure, Committee on Ukraine’ Integration with the EU has to perform scrutiny of compliance of all legislation with EU standards and norms. This is envisaged by the VR Resolution ‘On the list, quantitative composition and mandates of the Committees of the Verkhovna Rada of Ukraine of the ninth convocation’ from 29.08.2019. The Annex to the Resolution, Part 10, specifies that Committee on Ukraine’s Integration into the European Union is responsible, among other things, for:

- adaptation of Ukrainian legislation to the legislation of the European Union (EU);
- assessment of compliance of the draft laws with Ukraine's international legal obligations in the field of European integration.

The task of National Legal Expert will be assessment of draft legislation in the area of Civilian Security Sector Reform (CSSR), where it falls under the EUAM mandate.

2.1.2. Objective, purpose and expected results

The purpose of the assignment is to assist Committee on Ukraine’ Integration with the EU in assessing and contributing to improving the quality of the draft legislation in area of Civilian Security Sector Reform Ukraine. Main objective is the analysis and recommendations for improvement of the CSSR related draft laws from the EU *acquis* point of view and best EU Member States norms and standards. This will be achieved through drafting legal opinions on draft laws’ compliance with EU standards and performing other tasks required to meet the objective.. The expert will work under the overall supervision of the Chairperson of the Committee and will be accountable to the EUAM Project Management Team.

The National Legal Expert will interact with Committee's staff to receive any information, clarifications and guidance, if needed. The result of expert's activities will be assessment of draft laws containing recommendations for improvement, according to Verkhovna Rada procedures and templates.

2.1.3. Specific activities

The National Legal Expert will perform the following tasks:

- 1) analyse CSSR-related draft laws, amendments, and give opinion on their compliance with EU-Ukraine Association Agreement and DCFTA, as well as with the applicable norms and standards of the EU Members States, where relevant;
- 2) prepare a background information for the purpose of proper performing of task № 1, when an operational need arises;
- 3) follow Verkhovna Rada procedures, legal techniques and instructions during his/her assignment;
- 4) cooperate with Committee's management and staff and report on the activities to the EUAM project's team on monthly basis;
- 5) develop timesheet on a monthly basis and submit it to EUAM project's team;
- 6) prepare final report with annexes, containing all legal opinions and expertise developed during assignment.

2.1.4. Deliverables

During his/her assignment, National Legal Expert has to prepare assessment of legal acts related to CSSR reform in Ukraine. Expert on the monthly basis has to prepare time-sheet, which has to be signed by Committee's Chairperson or a specifically authorized person and has to be submitted to the project's team. In the final stage of the mission, expert will prepare final report containing the main findings of the assignment and annexes with the assessment of draft laws and amendments.

2.1.5. Start/end date and location of the tasks

The timeframe of workload is **90 full-time working days**, starting from the beginning of IV session of the IX convocation. Flexibility of working hours/days is subject to discussion. The 90 full-time working days shall be served outwithin the period of **1 September, 2020 to May 31, 2021**.

According to the operational needs, the expert can be co-located in the premises of the Verkhovna Rada of Ukraine and/or can be requested to work from home.

2.1.6. Project management

The communication and arrangements will be made through the EUAM Project Management Team.

3. REQUIREMENTS

3.1.1. Expert

The National Legal Expert shall possess the following qualifications/skills:

Professional requirements:

- at least Bachelor's degree in law/jurisprudence. Master's degree in legal sciences preferred;
- at least 5 years of work experience in the area of jurisprudence and/or legislation making;
- experience in legislative drafting is a must;
- experience of working with EU legislation is a must;
- familiarity with legislation related to CSSR reform is considered an advantage;
- fluency in Ukrainian and English languages.

In addition to the above:

- ability to work in team;
- ability to work under pressure and meet deadlines;
- familiarity with the Verkhovna Rada practices and good understanding of policy making cycle;
- good interpersonal and time management skills;
- Ukrainian citizenship.

3.1.2. Responsibilities of the expert

The expert shall comply with all applicable national rules (e.g. fiscal declaration, paying taxes, ethics and integrity, etc.). EUAM Ukraine has no duty of care for the expert.

4. LOGISTICS

This contract is a global price contract i.e. the services provided are paid on the basis of the satisfactory delivery of the specified services/outputs and the maximum contract amount is all inclusive (e.g. fees, travel, accommodation, daily subsistence allowance, printing).

The expert is solely responsible for his/her travel and accommodation arrangements/payments under the contract.

5. REPORT

At the end of the assignment the expert shall submit a report, as stipulated in 2.1.3, part 6 on activities conducted within the project to the Project Managers, which shall include the main activities, findings and recommendations. The report has to contain annex with all deliverables – assessment of all draft laws, amendments, etc. The report shall be approved in a written form by the Project Manager.

6. APPLICATION PROCEDURE

Interested candidates are invited to submit their CV and a Motivation Letter, with “**National Legal Expert**” in the subject line, to: vr.project@euam-ukraine.eu, no later than June, 19th 2020, 23:59 Kyiv time.

Only shortlisted candidates will be contacted for an interview.

Selected candidate will be offered a competitive contract fee.