



# **Terms of Reference**

## **Request for Services**

### **Background**

The Regional School of Public Administration (ReSPA) is the inter-governmental organization for enhancing regional cooperation, promoting shared learning and supporting the development of public administration in the Western Balkans. ReSPA Members are Albania, Bosnia and Herzegovina, Macedonia, Montenegro and Serbia, while Kosovo\*<sup>1</sup> is a beneficiary and observer. ReSPA's purpose is to help governments in the region develop better public administration, public services and overall governance systems for their citizens and businesses, and prepare them for membership in the European Union (EU). Since its inception, ReSPA has contributed to the development of human resources and administrative capacities through training programmes and innovative cooperation mechanisms such as the exchange of good practices, peer reviews and development of know-how.

The European Commission (EC) provides directly managed funds for support of ReSPA activities (research, training and networking programmes) in line with the EU accession process. So far, two EC Grant Contracts (GCs) have been implemented by ReSPA during the period 2010-2015. The new EC grant will support the main objective of ReSPA work in 2016-2017: Improving regional cooperation in the field of Public Administration Reform (PAR) and EU integration and strengthening administrative capacities in the beneficiaries. This objective will be achieved through the following three pillars of ReSPA Programme of Work for 2016-2017:

- (1) European Integration Pillar: Increased capacity of public administration in the ReSPA Members necessary for successful conducting of the European Integration process;
- (2) Public Administration Reform Pillar: Facilitated and enhanced cooperation and exchange of experience in Public Administration Reform and European Integration activities in ReSPA Members;
- (3) Governance for Growth Pillar: Ensured effective coordination of the implementation of the Governance for Growth pillar of the SEE 2020 Strategy.

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<sup>1</sup> \* This designation is without prejudice to positions on status, and is in line with UNSCR 1244/1999 and the ICJ Opinion on the Kosovo declaration of independence

## Description of the Assignment

In the line with the Programme of Work (POW) 2016-2017, ReSPA aims to support all related thematic areas framed by the three pillars. The previously established ReSPA working groups will function further within the PAR pillar: Ethics and Integrity, HRM/HRD, Quality Management, Better Regulation, e-Government, Public Private Partnership, Public Procurement and General Administrative Procedures. Having in mind that ReSPA in the next two years will implement a new grant for the European Commission, ReSPA needs to analyse the impact of the work and the achieved results over the last two years as well as to identify and receive advice about how improvements can be made in areas covering all three pillars, including the significant intersection of two very important areas of *fight against corruption* and *use of IT in public administration*, which define completely new area called “Abuse of IT for Corruption”.

In 2014, ReSPA has conducted a Regional Comparative Study “Abuse of IT for Corruption”, which has been translated into 3 local languages and published electronically in October 2014. The findings of the Study “Abuse of IT for Corruption” were presented to the members of working groups on eGovernment and Ethics and Integrity, and shared and disseminated to relevant national public administration institutions and internationally. Study covered new area, as there was a considerable lack of any research on how ICT systems were being abused to facilitate corruption.

Taking previous into account, ReSPA is looking to engage an regional expert to provide support during autumn 2016 in the assessment of the impact of this study i.e. two piloted phases once methodological toolkit developed as a follow up to the study, has been implemented.

## Tasks and Responsibilities

The regional expert shall work closely with ReSPA in performing the tasks foreseen with this document. The expert shall perform the following tasks and responsibilities and provide deliverables from legal perspective:

In close communication with ReSPA beneficiary institutions (face to face meetings, interviews, email communication) the regional expert shall:

- Conduct assessment about:
  - Technically related risks posed by the abuse of ICT to facilitate corruption;
  - Incorporation of ICT corruption awareness measures in anti-corruption strategies and action plans;
  - Inclusion of ICT staff in anti-corruption awareness raising events.
- Prepare (and deliver) the presentation to raise the awareness of the abuse of ICT to facilitate corruption (to the ReSPA selected audience and related event TBC)
- Develop a synopsis for Training-of-Trainers module about the abuse of ICT to facilitate corruption that could be rolled out to ReSPA members or outside the region
- Propose changes and/or amendments to the existing ICT Corruption Check List and finalize the document enabling its further dissemination and utilization as ReSPA product
- Propose recommendations for monitoring and evaluation mechanism that would measure and present the impact of the abuse of ICT to facilitate corruption

- Prepare recommendations for the follow up

The regional expert in legal issues shall take into consideration the comments and suggestions received from ReSPA management and staff and liaise with regional expert .

The final inputs will be subject of approval from ReSPA before the payment is executed.

The engaged expert will liaise directly with ReSPA and take into consideration the instructions received before hand.

## Necessary Qualifications

The regional expert shall possess the following qualifications:

### Qualifications and skills:

- University degree, Legal Studies or Law Sciences, Master's degree would be an advantage

### General professional experience:

- Working experience on public administration reform related activities at national or international level
- Excellent presentation skills
- Ability to work with people of different nationalities, religions and cultural backgrounds
- Excellent written and oral communication skills in English
- Fluency in written and spoken ReSPA members languages would be an advantage

### Specific professional experience:

- At least 3 years of relevant experience in legal aspects of ICT asset acquisition, use and management in public administration would be an advantage
- At least 1 year of relevant experience in an international/European funded projects related to the use of ICT in public administration
- Experience of legal/law research and/or publications related to the use of ICT in public administration would be an advantage

## Timing and Location

The assignment foresees work from home and on the site. The assignment will be performed during October – December 2016 and presented in January 2017.

## Remunerations

The budget for the contract will be based on a daily rate to be agreed upon with ReSPA, with a payment in one instalment. The maximum amount to be paid for the assignment shall not exceed **4500 EUR**. The payment will be conducted following the submission and approval by ReSPA of the final version of the report.

Note: In addition to the expert's fees, ReSPA will cover the cost of travelling and per diem (in case of filed trips required for the assignment, only if deemed necessary by ReSPA).

## Reporting and Final Documentation

The regional expert will be requested to deliver the following documents before the payment is conducted:

### ***Outputs***

- Draft report on conducted assessments with provided inputs and recommendations
- Draft electronic presentation in English
- Draft electronic Training-of-Trainers module in English
- Draft of the latest version of ICT Corruption Check List in English
- Contribution to the final versions of the draft documents

### ***Documents required for payment***

- Invoices (original and signed)
- Timesheets (original and signed)
- Boarding passes (original)