

GENERAL INFORMATION

Title of Consultancy: Financial Intelligence Units cross-border study

Application Closing Date: January 29, 2024.

Consultancy Start and End Date: February 2024 to May 2024. **Dates may vary depending on the type of consultancy. Please review Expected deliveries and timeline section below.*

Location of Consultancy: hybrid: in-person or remote. **Location may vary depending on the type of consultancy.*

BACKGROUND

Transparency International (TI) is the global civil society organisation leading the fight against corruption. Through more than 100 chapters worldwide and an international secretariat in Berlin, Germany, TI raises awareness of the damaging effects of corruption and works with partners in government, business, and civil society to develop and implement effective measures to tackle it.

The Transparency International Secretariat (TI-S) in Berlin is seeking for consultancy services to provide qualified and experienced legal support, as well as technical expertise in comprehensively assessing the functioning of Financial Intelligence Units (FIUs) in targeted jurisdictions: **Brazil, Canada, Chile, China, Colombia, Cyprus, France, Germany, Indonesia, Italy, Mexico, Netherlands, Nigeria, Panama, Singapore, South Africa, Switzerland, United Arab Emirates, United Kingdom and United States.** The countries were selected based on technical criteria including their importance as a financial centre, Financial Action Task Force (FATF) evaluation scores, and regional representation.

This global study will be framed in the *Anticorruption for the many, not for the few (AC4ALL)* Project, jointly implemented by Transparency International Secretariat (TI-S) and TI Mexico with funding from the European Commission (EC). The aim of this project is to apply anticorruption efforts to reduce inequality through fiscal and budgetary reforms and practices particularly in Mexico but also beyond.

This consultancy seeks to facilitate the creation of a comprehensive cross-border study on FIUs. The study aims to gain insights into the functioning of FIUs and identify challenges and opportunities for improvement as well as pinpoint best practices that may be used to contribute to the development of new standards in the future. TI-S aims to complete the analysis and publish the study in November 2024.

TI recognises the critical role played by FIUs in safeguarding the financial system against money laundering and illicit financial activities. As such, we are seeking knowledgeable and experienced consultancy services to conduct an in-depth analysis of FIUs in relevant jurisdictions.

OBJECTIVES

The objectives of the consultancy are related with the following activities:

- **Data Collection and Analysis:** Collect responses, analyse the data outlining the strengths, weaknesses, and potential areas for improvement in the functioning of FIUs. The consultant will be responsible for responding to a questionnaire crafted by TI-S. The questionnaire is designed to provide comprehensive insights into FIU operations, with a focus on core functions. It will involve conducting desk research to examine various aspects, including but not limited to the following: the legal framework, comprising relevant laws, regulations, and norms governing FIUs as well as annual reports and statistical data published by the FIUs.
- **Legal Research:** Evaluate the compliance of FIUs with relevant anti-money laundering (AML) legislation, international standards, and outline best practices. Identify any legal gaps or areas for improvement.
- **Semi-Structured Interviews:** Consultants are expected to conduct semi-structured interviews with key stakeholders, experts, and relevant authorities within their respective countries, including FIU staff. These interviews, that are part of the data collection phase, are crucial for capturing nuanced issues that may not be adequately addressed through a standardized questionnaire.
- **Freedom of Information Act (FOIA) Requests:** In cases where certain information is not available in the public domain, consultants should submit Freedom of Information Act (FOIA) requests to access additional pertinent information. This step is essential to ensure the comprehensiveness of the research.
- **Follow-up advocacy activities:** Provide input into the development of a regional and global advocacy strategy. Contribute to regional and global advocacy in line with the advocacy strategy in coordination with TI-S. *Note: This is only expected for consultancy services provided by Civil Society Organizations (CSOs) that are based in the targeted countries and that have demonstrated outreach with national authorities in the country.*

METHODOLOGY

The support for this consultancy can include but not necessarily be limited to the above. The main methodological approach and tools will be the following: desk review of relevant documents, data collection, legal research, identifying key stakeholders who can provide relevant information on the functioning and challenges of FIUs, qualitative research including conducting semi-structured interviews with key stakeholders and informants, report on findings, and exchange best practices with TI.

In accordance with TI policy, all research and analysis should clearly indicate and acknowledge all sources used and the reader should be able to trace the source of information in footnotes and bibliography.

EXPECTED DELIVERABLES AND TIMELINE

The study analyses the working of FIUs, by examining the legal framework, conducting interviews, and accessing additional information through Freedom of Information Act (FOIA) requests.

The consultant is expected to deliver:

- **FIU questionnaire (desk-review, data collection and legal research):** including submission of FOIA when necessary. Completed questionnaire should be submitted by March 29th, 2024.
- **Freedom of Information Act (FOIA) answers:** while completing the FIU questionnaire, the consultant is expected to send FOIA. Answers from authorities can be incorporated into the questionnaire no later than April 2024. For this reason, we strongly encourage the FOIA to be sent within the month of February.
- **Report of semi-structured interviews held with key stakeholders and FIU officials in targeted jurisdiction:** this should be submitted by April 29th, 2024. *Note: TI will provide a set of questions that should guide the interviews.*

All the deliverables mentioned above are expected to be delivered at the end of April at the latest. The consultant is expected to remain available for comments and clarifications at least until May 2024.

Civil Society Organizations with demonstrated outreach in the targeted jurisdictions are also expected to support:

- **Advocacy and dissemination strategies implemented in partnership with TI by the end of 2024.** These strategies include communication, participation in events and advocacy with relevant stakeholders in the targeted jurisdiction. *Note: this activity will only be implemented if the applicant is a Civil Society Organization (CSO) with demonstrated outreach and advocacy in the targeted jurisdictions. For individual consultants this activity is not relevant.*

The selected consultant has the sole responsibility to conduct the research and meet all deliverables in accordance with the agreed methodology and timeline. The consultant is also expected to work in close collaboration with TI experts throughout the process.

The consultant is expected to maintain communication with TI-S and remain available to clarify additional doubts or clarifications as it pertains to the data collection, as well as to address possible additional feedback, received by TI-S, to improve the quality of the data in the survey throughout the whole consultancy.

We value open communication and collaboration throughout the project. It is imperative that consultants maintain regular contact with TI-S to provide updates on progress, provide clarification, address feedback, discuss challenges, and seek guidance as needed. We encourage active participation and transparency in consultancy planning and execution.

All documents and reports should be submitted in English, in electronic form, in accordance with the deadlines stipulated above. The Consultant is responsible for editing and quality control of language. The TI Secretariat retains the sole rights with respect to all distribution, dissemination, and publication of the deliverables.

SELECTION CRITERIA

This consultancy will allow for applicants to include individual consultants and/or non-profit civil society organisations that follow EC contracting guidelines. Depending on the type of applicant, the following selection criteria will be taken into consideration:

For non-profit organisations:

- Geographical location in one of the countries of the targeted jurisdictions mentioned above will be considered an advantage. This will also ensure prompt access to information and documents on-site, as well as the ability to perform in-person interviews, without incurring in travel costs.
- Proven track-record of working and being able to operate in the country of jurisdiction is considered a strong asset.
- Strong expertise in working in anti-corruption and transparency in the relevant jurisdiction.
- Proven experience on legal research, particularly in the context of AML laws and regulations.
- Previous relevant investigations, research, analysis, projects or initiatives in the relevant jurisdiction on the topics mentioned above.
- Proven track-record in producing studies, reports and analysis in the relevant topics.
- Alignment with the values of TI to promote financial integrity and anti-money laundering policies.

For individual consultants:

The successful candidate for this consultancy should possess the following qualifications and experience:

- Knowledge of the official language and/or familiarity with the legal system of one of the countries in the targeted jurisdictions, will be considered an advantage.
- A minimum of 2 years of experience in anti-money laundering (AML) legislation and regulations.
- Strong expertise in legal research, particularly in the context of AML laws and regulations.
- Excellent research and analytical skills.
- Strong communication and report writing skills.
- Proficiency in English.
- Demonstrated ability to work independently and meet deadlines.
- Alignment with the values of TI to promote financial integrity and anti-money laundering.

REMUNERATION AND COSTS

- Organizations and/or consultants strategically positioned to contribute to both research and advocacy activities will receive financial support for up to 7,000 EUR.
- For individual consultants exclusively focused on supporting the research aspect of the project, kindly submit your daily fee for conducting the research.

For candidates based in the EU, EEA, UK, and Switzerland

Transparency International e.V. (Secretariat), (TI-S) is registered as a Business Entity in Germany with VAT identification number DE273612486. EU reverse charge applies. Service providers should issue invoices with zero VAT.

Candidates who are based in Germany and do not charge German VAT must confirm their small entrepreneur status.

HOW TO APPLY

The application should include the following documents in English:

For CSOs:

- Organisation mission statement with objectives.
- Two-page document that highlights relevant experience in the topics mentioned in the selection criteria. Please include links to relevant studies, reports and documents in the document.
- Organisation procurement policies.

For individual consultants:

- Consultant CV, highlighting relevant experience. Please include links to relevant studies, reports and documents.
- A short motivation letter (ca 500 words).
- Consultant's daily rate (this can be included at the end of the motivation letter).

For all consultants:

Please indicate “[**Financial Intelligence Unit study in COUNTRY OR JURISDICTION**]” in the subject line of your email application. Applications should clearly state the country/jurisdiction for the consultancy. **Applications must be submitted in English by email at fiustudy@transparency.org by close of business of 29/01/2024.**

Please note that only shortlisted applicants will be contacted.

The Transparency International Secretariat is committed to creating an inclusive work environment where diversity is valued and where there is equality of opportunity. We actively seek a diverse applicant pool and therefore welcome applications from qualified candidates of all regions, countries, cultures, and backgrounds.

Selection of candidates is made on a competitive basis, and we do not discriminate based on national origin, race, colour or ethnic background, religious belief, sex, gender identity and expression or sexual orientation, marital or family status, age, or ability. We kindly ask applicants to refrain from including in their application information relating to the above as well as from attaching photos.

Data protection

When you respond to this tender and submit your application, you provide consent that Transparency International e. V. keeps your application materials for the period of ten years according to German legal requirements. Afterwards Transparency International will delete your application and any personal data included in it. If you have any questions, please reach out to dataprotection@transparency.org.

Guidelines for handling overhead and travel expenses

Overhead

Regular overhead expenses associated with the Consultants maintaining their place of business, such as rent, telephone, utilities, or stationery, are included in the Consultant's professional fee, except where explicitly agreed otherwise in the contract.

Travel

Travel and accommodation expenses will as far as possible, and where applicable, be recovered from the institutions and companies hosting events or using the outputs provided by the Consultant.

Where such cost recovery is not possible, all travel is subject to prior approval by TI-S staff responsible for the financial management of the Project or TI Budget Line that will support the costs of travel. TI shall not issue travel advances to the Consultants. For accommodation or travel by air, rail, or coach, they will instead have to contact TI-S that will make travel arrangements on the Consultant's behalf.

All travel booked by TI-S will include **travel health and accident insurance** with worldwide coverage and Economy class only; accommodation will aim to achieve best value for money up to a 4-star category.

Consultants shall be entitled to invoice TI-S **only** for local transportation and visa cost (if applicable).

Subsistence allowance (per diems) and expenses for individual meals cannot be claimed. These are part of Consultant's business expenses.