

GENERAL INFORMATION

Title of Consultancy: Assessment of UNCAC implementation reviews of Article 13

Project: EU System for an Enabling Environment

Application Closing Date: 15/01/2024

Consultancy Start and End Date: approx. 1/02/2025 – 15/04/2025

Location of Consultancy: Remote

BACKGROUND

Transparency International is a 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.

Transparency International (TI) is seeking the services of a consultant to undertake an analysis of UNCAC reviews of implementation of Article 13.

UNCAC Article 13 imposes an obligation on States Parties to promote the active participation of civil society in anti-corruption efforts, among other measures. There is a corresponding right of civil society to participate in anti-corruption efforts grounded in the human right to participation in public affairs codified in numerous international instruments, including Article 25 of the International Covenant on Civil and Political Rights (ICCPR). The 2021 Special Session of the UN General Assembly against corruption (UNGASS) adopted a political declaration calling on States Parties to provide a safe and enabling environment to those who expose, report and fight corruption, an obligation grounded in international human rights law.

This consultancy is funded by the EU System for an Enabling Environment (EUSEE) project. EUSEE aims to shed light on both progress and obstacles affecting the ability of civil society to do its work. As part of this project, Transparency International seeks to strengthen the engagement of international anticorruption fora on issues related to the enabling environment for civil society – which is an essential pre-condition for civil society to contribute to anti-corruption efforts.

OBJECTIVES

The main objective of the assignment is to produce an assessment of whether and to what extent UNCAC reviews of Article 13 capture the challenges that civil society face when participating in anti-corruption efforts, and whether they help foster an enabling environment for civil society's participation in anti-corruption efforts.

Specifically, the assignment seeks to:

1. Understand the scope of the reviews of implementation of Article 13 by the UNCAC Implementation Review Mechanism, particularly:
 - a. whether they consistently identify the challenges faced by civil society groups engaged in anti-corruption efforts and their causes.
 - b. whether reviews consider the measures suggested by Article 13, including access to information, as mandatory or optional.
 - c. whether the reviews refer to, or assess the implementation of Article 13 in the context of, international human rights law, for example the right to freedom of expression, association and to participation in public affairs.
 - d. whether the reviews go beyond addressing technical compliance and assess implementation in practice.
2. Assess whether the recommendations made in the reviews respond to the challenges faced by civil society groups engaged in anti-corruption efforts and help foster an enabling environment for civil society consistently with state obligations under international human rights law.
3. Outline any other issue or challenge affecting the reviews of Article 13 emerging from the desk review.

4. Make recommendations on how reviews of implementation of Article 13 could be improved.

METHODOLOGY

The consultant will undertake a desk review of country reviews of implementation of Article 13 by the UNCAC Implementation Review Mechanism (IRM) for 30 countries, to be agreed with the TI Secretariat (TI-S).

To help address objective 1.a and 2 above, the consultant will analyse the reviews against the findings of international human rights bodies and mechanisms – such as the UN Human Rights Council and its Special Procedures, OHCHR, UN human rights treaty bodies or relevant regional mechanisms – as well as UNCAC civil society parallel reports for the same countries.

A small number of key informant interviews with civil society actors involved in country reviews may be included.

Recommendations on improving reviews of the implementation of Article 13 will be informed by the assignment, a review of CoSP and subsidiary bodies' guidance and other relevant documentation related to Article 13, and will incorporate TI policy positions as relevant.

EXPECTED DELIVERABLES AND TIMELINES

The Consultant is expected to deliver:

1. An inception report outlining the agreed scope, methodology, outputs and timeframe, including a list of countries to be reviewed, agreed with TI-S (15 February 2025)
2. A draft report for TI-S feedback (20 March 2025)
3. A final report, not exceeding 15 pages (15 April 2025)

The report should offer an analysis responding to the overall and specific objectives outlined above

The report should be submitted in English, in electronic form, in accordance with the deadlines agreed upon and according to TI Communications and style guidelines. The Consultant is responsible for editing and quality control of language. TI-S retains the sole rights with respect to all distribution, dissemination, and publication of the deliverables.

SELECTION CRITERIA

The Consultant should meet the following requirements:

- A degree in a relevant field, e.g. law, public policy, human rights or other relevant discipline;
- Over five years of experience in anti-corruption, human rights, policy analysis or advocacy;
- Familiarity with UNCAC and its Implementation Review Mechanism;
- Knowledge of human rights and international human rights bodies;
- Understanding of civic space and the challenges impacting on civil society's ability to operate safely and independently;
- Experience with similar assignments;
- Excellent English writing skills.
- Highly motivated and committed to the values of transparency and integrity.
- Availability from February to April 2025

APPLICATION PROCESS

Interested candidates can submit their technical and financial proposals, including an unedited sample of original writing, to eusee-consultants@transparency.org not later than **15 January 2025**.

Applications should also include:

- Short motivation letter, outlining how the candidate meets the requirements outlined above and including a quote/daily rate
- CV

- A sample of relevant previous work
- Completed VAT Form for Tenders (only for Consultants based in the EU, EEA and Switzerland)

Please indicate “Consultant – UNCAC reviews Article 13” in the subject line of your email application.

Only shortlisted candidates will be contacted. Unfortunately, it will not be possible to provide individual feedback on applications.

TI-S 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.

REMUNERATION AND COSTS

The Consultants should provide their estimated total fee as a lump sum for the whole project (estimated at **15 days** over February-April 2025), or as standard daily rate, before any VAT or other charges.

For Consultants based in the EU, EEA and Switzerland

Transparency International e.V. (Transparency International Secretariat) 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.

In order to determine the Value Added Tax (VAT) implications of this tender, we kindly request that Consultants fill out the **VAT Form for Tenders/Vendor Form** (instructions inside the form) and submit the completed and duly signed form along with their email application. The link to the VAT Form for Tenders/Vendor Form is available below.

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 stationary, 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.