**Terms of Reference**

**Ref: IC/PNG/039-2022 International Capacity Assessment and Training Development for Investigations Consultant**

<table>
<thead>
<tr>
<th><strong>General Information</strong></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Title:</strong></td>
<td>Individual contractor (assessing the capacity of the Royal Papua New Guinea Constabulary (RPNGC) and developing training for the RPNGC and, if required, the PNG Independent Commission against Corruption (ICAC) on investigating corruption offences, including money laundering and illicit financial flows connected to corruption)</td>
</tr>
<tr>
<td><strong>Project Name:</strong></td>
<td>Papua New Guinea Anti-Corruption Project</td>
</tr>
<tr>
<td><strong>Organization:</strong></td>
<td>United Nations Office on Drugs and Crime (UNODC), Division for Operations, Regional Section for South-East Asia and the Pacific (ROSEAP)</td>
</tr>
<tr>
<td><strong>Reports to:</strong></td>
<td>Graeme Gunn, UNODC Officer-in-Charge and Anti-Corruption Adviser – Papua New Guinea; and Fabrizio Fioroni, UNODC AML/CFT Advisor, Bangkok</td>
</tr>
<tr>
<td><strong>Type of Appointment:</strong></td>
<td>Individual consultant (international)</td>
</tr>
<tr>
<td><strong>Expected Places of Travel:</strong></td>
<td>Papua New Guinea, Port Moresby and possible travel to other provinces</td>
</tr>
<tr>
<td><strong>Duty Station:</strong></td>
<td>Home-based with travel to Papua New Guinea</td>
</tr>
<tr>
<td></td>
<td>Travel dates in these terms of reference are indicative only. Travel may be subject to restrictions, for example related to the COVID-19 pandemic or related to the conduct of the election in Papua New Guinea in 2022.</td>
</tr>
</tbody>
</table>
I. Background

The United Nations Office on Drugs and Crime (UNODC) is a global leader in the fight against illicit drugs and international crime, including terrorism. It is a leading provider of specialized assistance to governments for addressing the legal, criminal justice and rule of law aspects of counter narcotics, crime prevention and counter-terrorism. It operates in all regions of the world through an extensive network of field offices. The UNODC Regional Office for Southeast Asia and the Pacific (ROSEAP), based in Bangkok, has a mandate to cover 11 countries in Southeast Asia and a total of 33 countries across the Pacific region, including Papua New Guinea.

UNODC is specifically mandated by UN Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances (1988), United Nations General Assembly Special Session Political Declaration and Action Plan against Money Laundering (1988), International Convention for the Suppression of the Financing of Terrorism (1999), UN Convention against Transnational Organized Crime (2000), UN Convention against Corruption (2003) and UN General Assembly Resolutions 66/181 (2011) and 66/177 (2011) to deliver technical assistance to Member States to strengthen capacity to combat money laundering and terrorist financing (ML/TF) in accordance with these UN instruments and international standards.

UNODC is an implementation partner with UNDP in the Papua New Guinea Anti-Corruption Project, fully funded by the European Union (EU). As part of the project, UNODC is working with the government of Papua New Guinea to strengthen the capacity of its authorities responsible for corruption investigations and prosecutions. This work extends to criminal asset tracing, freezing, seizure, confiscation, management and money laundering in connection with corruption.

The Financial Action Task Force’s (FATF) reports and recommendations highlight that effective tracing, freezing, seizure, confiscation and management of criminal assets from serious crimes are amongst the key priorities for effectively combating money laundering. Effective mechanisms against ML/TF require that money laundering offences and activities are investigated, and offenders are prosecuted and subject to effective, proportionate and dissuasive sanctions. Furthermore, in March 2022 the AML/CFT Short Term
Technical Assistance project, funded by the EU, launched a draft roadmap containing recommendations to strengthen the AML/CTF strategy of Papua New Guinea.
II. Scope of work

Under the direct supervision of the UNODC Anti-Corruption Advisor - Papua New Guinea and under the overall guidance of the UNODC Anti-Money Laundering Adviser (Law Enforcement) and the UNODC Regional Representative for South-East Asia and the Pacific, the individual contractor will work in close collaboration with the relevant UNODC projects staff to undertake the following activities:

A. Undertake investigative capacity assessments (enabling environment, organizational, individual) of the National Fraud and Anti-Corruption Directorate (NFACD) and Provincial Fraud and Anti-Corruption Units (PFACU) of the Royal Papua New Guinea Constabulary (RPNGC) focused on the ability of those units to carry out their financial investigative functions against corruption and money laundering in connection with corruption, including:

- Consultations with UNODC staff and national authorities (including in-person travel or videoconference calls as required) for conducting the capacity assessments
- Desk review and analysis of contemporary approaches to capacity assessments of law enforcement agencies and anti-corruption authorities, particularly in connection with corruption investigations in Pacific Island Countries
- Preparing high-quality and thorough capacity assessments that identify relevant capacity development needs and can be used to develop training

B. Develop training materials and curricula on conducting corruption investigations specifically tailored to NFACD/PFACU’s needs, including:

- Analysis of the current legal/regulatory framework and practices in Papua New Guinea with regard to corruption investigations and money laundering in connection with corruption;
- Desk review of relevant good practices from other countries that could be replicated in Papua New Guinea;
- Regular coordination with UNODC staff in charge of the project;
- Preparation and submission of the training material and curricula for progressive trainings on financial investigations (intermediate and advanced levels) with inclusion of train of trainers and capacity development plans to the UNODC staff in charge of the project and to the RPNGC.

C. If required, contribute to and further develop training materials and curricula specifically tailored to the investigative functions of the Papua New Guinea Independent Commission Against Corruption (ICAC) to strengthen the capacity of the investigators and investigation procedures of the ICAC.

In due course, UNODC anticipates issuing further terms of reference seeking an independent contractor or contractors to deliver the training to the NFACD, PFACU and ICAC in late 2022, 2023 and 2024.
### III. Deliverables and timeline

<table>
<thead>
<tr>
<th>Deliverables</th>
<th>Estimated number of Working days &amp; Completion deadline</th>
<th>Payment Percentage (must add to a total of 100%)</th>
<th>Review and Approvals Required (Indicate designation of person who will review output and confirm acceptance)</th>
</tr>
</thead>
</table>
| **A** Undertake investigative capacity assessments (enabling environment, organizational, individual) of NFACD and PFACU:  
  - Hold consultations with UNODC staff and national authorities (including in-person travel or videoconference calls as required) to inform the capacity assessments (including looking at the enabling environment, organizational issues, individual issues) of NFACD and PFACU  
  - Analyse contemporary approaches to capacity assessments of law enforcement/anti-corruption authorities in the context of corruption investigations in Pacific Island Countries  
  - Produce high-quality and thorough capacity assessments that identify relevant capacity development needs and can be used to develop training | **20 working days**  
  31 July 2022 | **34%** | Graeme Gunn |
| **B** Develop and submit training materials and curricula on anti-corruption investigations specifically tailored to NFACD and PFACU needs:  
  - Analysis of the current legal/regulatory framework and practices in Papua New Guinea with regard to corruption investigations and money laundering in connection with | **30 working days**  
  31 October 2022 | **50%** | Graeme Gunn |
corruption

- Desk review of good practices in these areas from other countries that could be replicated in Papua New Guinea
- Regular coordination with UNODC staff in charge of the project
- Prepare and submit training materials on investigations (intermediate and advanced levels) with inclusion of train the trainers and capacity development plans

| C If required, contribute to and further develop training materials and curricula on anti-corruption investigations and related procedures specifically tailored to ICAC needs: |
| Coordinator with UNODC staff in charge of the project and the contractor who is developing training materials and curricula for the ICAC |
| Contribute to training materials and curricula for ICAC needs |
| Contribute to development of related investigative procedures for the ICAC |

| 10 working days |
| 31 December 2022 |
| 16% |

Graeme Gunn

Disbursement of payments

Upon satisfactory completion and submission of deliverable, a payment prorated to the number of days and expressed as a percentage of the contract value shall be made.

Institutional Arrangement

The individual contractor reports to the United Nations Office on Drugs and Crime (UNODC), Division for Operations, Regional Section for South-East Asia and the Pacific (ROSEAP). The UNDP PNG is recruiting the individual contractor on behalf of the UNODC.

The UNODC Anti-Corruption Adviser - Papua New Guinea will provide overall guidance and supervision to the consultant and monitor and evaluate deliverables’ progress by conducting regular meetings or through emails.

During the contract period the consultant will perform the work in collaboration with the UNODC teams based in Thailand and in Papua New Guinea and will engage with other key counterparts as required.

Travel Plan
Indicative travel dates to Papua New Guinea are 6 June 2022 to 10 June 2022 for Deliverables A and B. Travel may also be required for Deliverable C, if so it would likely occur in the second half of 2022.

IV. Duty Station

Home-based with travel to Papua New Guinea

Travel dates in these terms of reference are indicative only. Travel may be subject to restrictions, for example related to the COVID-19 pandemic or related to the conduct of the election in Papua New Guinea in 2022.

V. Contract duration

2 May 2022 to 31 December 2022 comprising up to 60 working days.

VI. Qualifications and Experience

**Academic Qualification:**

- An advanced university degree (Master’s degree or equivalent) in the field of law, criminal justice, criminology, international relations, political science, economics, finance, business, management or a related field is required. A first level university degree one of these fields in combination with an additional two years of qualifying experience may be accepted in lieu of the advanced university degree.

**Experience:**

- A minimum of 10 years of experience in fields related to the investigation of corruption, such as conducting criminal investigations of corruption cases, is required.
- Experience in tracing, freezing, seizure, confiscation and management of criminal proceeds/assets or in money laundering investigations is desired.
- Work experience related to combating transnational organized crime with particular focus on corruption and money laundering in Southeast Asia and the Pacific is desirable.
- Work experience conducting capacity assessments of law enforcement or anti-corruption authorities and/or preparing and delivering training to law enforcement officials is an advantage.
- Work experience in Papua New Guinea or another Pacific Island country is an advantage.
VII. Competencies:

➢ English and French are the working languages of the United Nations Secretariat. For this post, oral and written fluency in English is required.
➢ Excellent written and oral communication skills

VIII. Documents to be provided when applying

Applicants shall submit the following documents:

- Personal CV or P11 form, indicating all past experience from similar projects, as well as the contact details (email and telephone number) of the applicant and three (3) professional references.
- **Financial Proposal** that indicates the all-inclusive daily professional fee. If an Offeror is employed by an organization/company/institution, and he/she expects his/her employer to charge a management fee in the process of releasing him/her to UNDP under Reimbursable Loan Agreement (RLA), the Offeror must indicate at this point, and ensure that all such costs are duly incorporated in the financial proposal submitted to UNDP. The financial proposal should be on the “Annex 3-OFFEROR’S LETTER TO UNDP” template.

IX. Payment terms

**Lump sum contract:**

<table>
<thead>
<tr>
<th>Deliverables (as referred to in the ToR)</th>
<th>Percentage of Total Price (Weight for payment)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Deliverable A</td>
<td>20 working days: 34%</td>
</tr>
<tr>
<td>Deliverable B</td>
<td>30 working days: 50%</td>
</tr>
<tr>
<td>Deliverable C</td>
<td>10 working days: 16%</td>
</tr>
</tbody>
</table>

The Consultant will be responsible for all personal administrative expenses associated with undertaking this assignment.

X. Evaluation of applicants
The award of the contract will be made to the individual consultant whose offer has been evaluated and determined as:

a) Responsive/compliant/acceptable, and

b) Having received the highest score out of a pre-determined set of weighted technical and financial criteria specific to the solicitation.

Technical Criteria weight; 70%
Financial Criteria weight; 30%

Only candidates obtaining a minimum of 350 technical points would be considered for the Financial Evaluation.

<table>
<thead>
<tr>
<th>Criteria</th>
<th>Weight</th>
<th>Max. Point</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Technical</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Academic qualification</td>
<td>10.5%</td>
<td>75</td>
</tr>
<tr>
<td>• A minimum of 10 years of experience in fields related to the investigation of corruption, such as conducting criminal investigations of corruption cases, is required.</td>
<td>28%</td>
<td>200</td>
</tr>
<tr>
<td>• Experience in tracing, freezing, seizure, confiscation and management of criminal proceeds/assets or in money laundering investigations</td>
<td>21%</td>
<td>150</td>
</tr>
<tr>
<td>• Work experience related to combating transnational organized crime with particular focus on corruption and money laundering in Southeast Asia and the Pacific</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Work experience conducting capacity assessments of law enforcement or anti-corruption authorities and/or preparing and delivering training to law enforcement officials</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Work experience in Papua New Guinea or another Pacific Island Country</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Fluency in English, with excellent drafting and communication skills.</td>
<td>10.5%</td>
<td>75</td>
</tr>
<tr>
<td><strong>Financial proposal</strong></td>
<td></td>
<td>100</td>
</tr>
</tbody>
</table>


Submission Instructions

Completed proposals should be submitted to procurement.png@undp.org, no later than 04th May 2022. For any clarification regarding this assignment please write to procurement.pg@undp.org

Note:

Applications without i) financial offer, ii) P11 form and iii) Documents mentioned under Technical Proposal will NOT be considered for evaluation.

Financial proposal should be on provided format (i.e. Annex 3- OFFEROR’S LETTER TO UNDP); The financial proposal should also incorporate the costs related travel to Bougainville including flights, daily rate and other costs

Firms are not eligible for this consultancy assignment (open only for national individual consultants). Incomplete application will not be considered, it will be disqualified automatically.

Please complete the Statement of Health form and submit along with proposal

ANNEXES
ANNEX 1 - TERMS OF REFERENCES (TOR)
ANNEX 2 - INDIVIDUAL CONSULTANT GENERAL TERMS AND CONDITIONS
ANNEX 3 - FINANCIAL PROPOSAL TEMPLATE
ANNEX 4 – STATEMENT OF GOOD HEALTH

Interested individual consultants must submit the following documents/information to demonstrate their qualifications. Please group them into one (1) single PDF document as the application only allows to upload maximum one document

TOR approval

TOR approved by Graeme Gunn, UNODC Officer-in-Charge and Anti-Corruption Adviser in Papua New Guinea