



## (RE-ADVERTISEMENT)

### Terms of reference

#### GENERAL INFORMATION

**Title:** Advisor for Technical Assistance to support the Supervisory Board of Corruption Eradication Commission (KPK)

**Project Name:** UNODC Sub-Programme 2

**Reports to:** Anti-corruption National Programme Coordinator

**Duty Station:** Home-based

**Expected Places of Travel (if applicable):** No travel required

**Duration of Assignment:** 45 working days, (within May 2022 - September 2022)

#### REQUIRED DOCUMENT FROM HIRING UNIT

|                       |   |
|-----------------------|---|
|                       | TERMS OF REFERENCE  |
| 5                     | <b>CONFIRMATION OF CATEGORY OF LOCAL CONSULTANT, please select:</b> |
|                       | (1) Junior Consultant   |
|                       | (2) Support Consultant  |
|                       | (3) Support Specialist  |
|                       | (4) Senior Specialist   |
|                       | (5) Expert/ Advisor   |
|                       | <b>CATEGORY OF INTERNATIONAL CONSULTANT, please select:</b>         |
|                       | (6) Junior Specialist   |
| (7) Specialist        |   |
| (8) Senior Specialist |   |
| ✓                     | APPROVED e-requisition  |

#### REQUIRED DOCUMENTATION FROM CONSULTANT

|   |  |
|---|--|
| ✓ | CV   |
| ✓ | Copy of education certificate                |
| ✓ | Completed financial proposal                 |
| ✓ | Completed technical proposal (if applicable) |

#### **Need for presence of IC consultant in office:**

☒ partial (explain): The contractor will be homebased during his/her consultancy. No requirement to attend daily to the office, however, to be available for any meeting request by the supervisor.

☐ intermittent (explain):

☐ full time/office based (needs justification from the Requesting Unit)

**Provision of Support Services:**Office space: ☐ Yes ☒ NoEquipment (laptop etc.): ☐ Yes ☒ NoSecretarial Services ☐ Yes ☒ No

If yes has been checked, indicate here who will be responsible for providing the support services: &lt;

Enter name&gt;

**I. BACKGROUND**

1. The United Nations Office on Drugs and Crime (UNODC) partners with the Government of Indonesia (GoI) to support the development of institutional frameworks of Komisi Pemberantasan Korupsi (KPK)'s Supervisory Board. Operating under the UNODC-GoI's Country Programme, specifically under its Anti-Corruption Sub-Programme (Sub-Programme 2), this assignment will provide technical assistance to KPK, to identify specific organizational and operational development needs of the KPK Supervisory Board. In addition, the assistance is designed to ensure that the KPK Supervisory Board can delivering its duties effectively.
2. In 2019, the Indonesia Corruption Eradication Commission has new KPK No. 9 of 2019. The new Law mandates the establishment of a Supervisory board (Dewan Pengawas) of KPK. Based on the new law stated that KPK is consist of three organs, the Supervisory Board of KPK, the Commissioners of KPK, and the officers of KPK. The duties of KPK Supervisory Board are:
  - a. supervising the implementation of the duties and authorities of the KPK;
  - b. developing and stipulating the code of ethics of the KPK Commissioners and Employees;
  - c. receiving and processing the report from the public regarding the alleged violation code of conduct by the Commissioners and Employees of the KPK and/or violation of provisions in this Law;
  - d. convening hearings to examine suspected violations of the code of ethics by the KPK Commissioner and Employee; and
  - e. evaluating the performance of the KPK Commissioner and Employee regularly 1 (one) time in 1 (one) year.
  - f. reporting the implementation of their tasks periodically 1 (one) time in 1 (one) year to the President of the Republic of Indonesia and the House of Representatives of the Republic of Indonesia.
3. The Law No. 9 of 2019 has also changed the mechanism of internal monitoring and supervision in KPK. Previously, the code of ethics and code of conduct was stipulated by the Commissioners of KPK. The monitoring and supervision of the code of ethics and code of conduct was conducted by the Directorate of Internal Monitoring. As a new organ in KPK, the Supervisory Board had limited source and was still exploring how the supervision of KPK should be conducted.
4. The supervisory Board highlighted their needs to learn from other Supervisory Board of Anti-Corruption Agencies and to seek inputs on how to manage the operation of its duties effectively.
5. This technical assistance activities hopefully could help the Supervisory Board to draw upon further organizational development plan, which may include supervisory systems and human resources development.

## II. SCOPE OF WORK, ACTIVITIES, AND DELIVERABLES

### *Scope of Work*

The activity of this technical assistance is including the activity to:

- a. Identify challenges of KPK Supervisory Board in delivering its duties effectively
- b. Identify organizational and operational development needs/opportunities of KPK Supervisory Board to deliver its duties effectively
- c. Recommend organizational and operational development of KPK Supervisory Board to deliver its duties effectively
- d. This technical assistance may include benchmarking activities to other anti-corruption agencies supervisory bodies to learn from other oversight or supervisory bodies of anti-corruption agencies in methods or mechanism used to delivery their duties.

### *Methodology*

This technical assistance to identify KPK Supervisory Board's organizational and structural development needs/opportunities will be consist of:

- a. desk analysis of KPK Advisory Bord regulations and collection of relevant best practices by other anti-corruption agencies
- b. focus group discussion and interview with relevant parties in the KPK and the KPK Supervisory Board

### *Expected Outputs and Deliverables*

| <b>Output/Deliverables</b>  | <b>Working days</b> | <b>Due date</b>     | <b>Review &amp; Approval Required</b> |
|---|---------------------|---------------------|---------------------------------------|
| Report on Identification of KPK Supervisory Board's challenges, needs and opportunities in delivering its duties effectively Board (in English and Indonesian)  | <b>10 days</b>      | <b>18 May 2022</b>  | <b>Putri Wijayanti</b>                |
| Analysis on the comparison on other Supervisory Bodies of anti-corruption agencies on the duties and responsibility, the structure and relation of the supervisory body with the anti-corruption agency, and the authorities of the supervisory board vs its duties (in English and Indonesian) | <b>10 days</b>      | <b>10 June 2022</b> | <b>Putri Wijayanti</b>                |
| Recommendation in organizational and operational development of KPK Supervisory Board to deliver its duties effectively, with reference to successful models of implementation of the various functions by other anti-corruption agencies (in English and Indonesian)                           | <b>15 days</b>      | <b>31 July 2022</b> | <b>Putri Wijayanti</b>                |

|   |         |                |                 |
|---|---------|----------------|-----------------|
| Interim Report                                    | 5 days  | 15 August 2022 | Putri Wijayanti |
| Final Report after the Input from the counterpart | 5 days  | 31 August 2022 | Putri Wijayanti |
| Total   | 45 days |                |                 |

To achieve these outputs and outcomes, these activities are carried out in the following stages:

| Activities  | Timeframe       | Relevant parties                               |
|---|-----------------|--|
| Kick off meeting  | May 2022        | KPK<br>KPK's Supervisory Board<br>Consultant   |
| Desk analysis of KPK Advisory Board regulations and collection of relevant best practices | May - June 2022 | Consultant                                     |
| Focus Group Discussion and Interview, including Benchmarking Activities                   | May - June 2022 | KPK<br>KPK's Supervisory Board<br>Consultant   |
| Interim Report  | August 2022     | Consultant<br>UNODC<br>KPK's Supervisory Board |
| Final Report  | 31 August 2022  | Consultant                                     |

*Indicators and details as how the work must be delivered:*

1. All deliverables must be submitted in a timely manner, are well researched, practice-oriented, and geared towards use in Indonesia fitting the local context
2. A consultation process with UNODC POIDN and selected national consultant is conducted in a transparent, cooperative, and inclusive manner, including the maintenance of regular communication and the incorporation of respective inputs
3. Quality and relevance of strategic advice and input towards suitable mechanisms and concrete interventions related to the use of faith professionals to support disengagement, rehabilitation, and reintegration processes of Violent Extremist Prisoners in Facilities
4. Delivery of clear, well-organised, and effective expert group discussions as well as excellent

- presentations, guidance, and facilitation during group discussions, as evidenced by the degree of interest and understanding of the topics by participation; and*
5. *All final documents were formatted, well-organised, and written in clear, professional English and Bahasa Indonesia.*

### III. WORKING ARRANGEMENTS

#### *Institutional Arrangement*

1. The consultant will perform its work in collaboration with one international consultant under the supervision and report directly to the Anti-Corruption National Programme Coordinator, UNODC Indonesia.
2. The UNODC Country Manager and UNODC Anti-Corruption National Programme Coordinator will provide overall guidance and supervision to the consultant and monitor and evaluate deliverables' progress by conducting regular meetings or through emails at the minimum once in a month.
3. During the contract period, the consultant is expected to coordinate closely and liaise with key counterparts (KPK Supervisory Board).
4. UNODC will provide the necessary budget allocation to convene a consultative meeting with stakeholders. Support will be provided under the guidance of National Programme Manager.

#### *Duration of the Work*

45 working days, (within May 2022 – September 2022)

#### *Duty Station*

The consultant will be home-based during his/her consultancy. No requirement to attend daily to the office, however, to be available for meeting requests by the supervisor.

### IV. REQUIREMENTS FOR EXPERIENCE AND QUALIFICATIONS

#### *Academic and Work Qualifications:*

1. Advanced university degree (master's degree or equivalent) in Law or other field related to anti corruption, governance, and legal/criminal justice reform is required. A first level university degree in similar fields in combination with fifteen additional years of qualifying experience may be accepted in lieu of the advanced university degree. A first-level university degree in similar areas in combination with fifteen (15) additional years of qualifying experience may be accepted in lieu of the advanced university degree with minimum of ten (10) years of experience working in development programs related to anti-corruption, compliance, and governance is required
2. Have experience in supporting/assisting law enforcement/judicial institutions in the development of code of ethics, and/or supervision mechanism, and/or performance/quality measurement;
3. Extensive experience working with relevant stakeholders, such as CSOs and government is desirable
4. Understanding of international standards and norms in crime prevention and criminal justice, in particular the United Nations Convention Against Corruption – related issues at international level, including in low- and middle-income countries, is desirable
5. Knowledge of the anti-corruption system in Indonesia, particularly related to compliance and

performance evaluation system is desirable

*Competencies and special skills requirement:*

1. Has competency to conducting research and analysis, especially in identifying issues and recommend solution
2. Demonstrated ability to work with persons of different ethnicity and cultural background
3. Strong reporting, communication and interpersonal skills
4. Ability to work under pressure and handle multiple tasks simultaneously
5. Proficient in English and Bahasa Indonesia languages, spoken and written
6. Effective planning and organising skills

## V. EVALUATION METHOD AND CRITERIA

### Cumulative analysis

*When using this weighted scoring method, the award of the contract should 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 70 point would be considered for the Financial Evaluation*

| <b>Criteria</b>   | <b>Weight</b> | <b>Maximum Point</b> |
|---|---------------|----------------------|
| <u>Technical</u>  |               |                      |
| <b>Criteria A: qualification requirements as per TOR:</b>   | 55%           | 55                   |
| 1. Advanced university degree (master's degree or equivalent) in Law or other field related to anti corruption, governance, and legal/criminal justice reform is required. A first level university degree in similar fields in combination with fifteen additional years of qualifying experience may be accepted in lieu of the advanced university degree. A first-level university degree in similar areas in combination with fifteen (15) additional years of qualifying experience may be accepted in lieu of the advanced university degree with minimum of ten (10) years of experience working in development programs related to anti-corruption, compliance, and governance | 15 %          | 15                   |
| 2. Have experience in supporting/assisting law enforcement/judicial institutions in the development of code of ethics, and/or supervision mechanism, and/or performance/quality measurement   | 15%           | 15                   |
| 3. Extensive experience working with relevant stakeholders, such as CSOs and governments  | 5 %           | 5                    |
| 4. Understanding of international standards and norms in  | 5%            | 5                    |

|  |     |    |
|--|-----|----|
| anti-corruption, in particular the United Nations Convention Against Corruption (UNCAC) – related issues at international level, including in low- and middle-income countries |     |    |
| 5. Knowledge of the anti-corruption system in Indonesia, particularly related to compliance and performance evaluation system  | 15% | 15 |
| <b>Criteria B: Brief Description of Approach to Assignment.</b>  | 30% | 30 |
| 1. Understand the task and applies a methodology appropriate to the task as well as strategy in a coherent manner.   | 10  | 10 |
| 2. Important aspect of the task addressed clearly and detailed.  | 10  | 10 |
| 3. Logical, realistic planning for efficient project implementation.   | 10  | 10 |
| <b>Criteria C: Further Assessment by Interview (if any)</b>  | 15% | 15 |
| 1. Demonstrated ability to work in harmony with relevant stakeholders, such as KPK, government officials at national level, and Civil Societies;                               | 5%  | 5  |
| 2. Strong reporting and communication  | 5%  | 5  |
| 3. Good interpersonal skills   | 5%  | 5  |

Prepared by

Approved by

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Collie F. Brown  
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