TERMS OF REFERENCE

**Title:                          SEESAC Criminal Police online investigation expert for Bosnia and Herzegovina\*, Montenegro, North Macedonia, Kosovo, Albania and Serbia**

**Number of experts: 1**

**Project:                        The South Eastern and Eastern Europe Clearinghouse for the**

 **Control of Small Arms and Light Weapons (SEESAC)**

**Reporting to:              SEESAC SALW Project Coordinator and SEESAC Project Manager**

**Duty station: Home based with field visits**

**Contract Type:            Individual Contract (IC)**

**Duration:                     August 2020 – February 2021**

1. **Purpose**

The purpose of this consultancy is to provide support in the implementation of the EU Council Decision 2018/1788 and EU Council Decision 2019/2111 in support of the implementation of the Regional Roadmap on combating illicit arms trafficking in the Western Balkans and SEESAC disarmament and arms control activities in South-East Europe reducing the threat of illicit small arms and light weapons and their ammunition

1. **Objective**

To contract an expert to contribute to the Needs assessment of the capacities of the Criminal Police Services of Albania, Bosnia and Herzegovina, Kosovo, Montenegro, North Macedonia and Serbia for countering illicit arms possession and trafficking in the field of online investigations including the surface web and darknet.

1. **Background information**

The South Eastern and Eastern Europe Clearinghouse for the Control of Small Arms and Light Weapons (SEESAC) is a joint initiative of the UNDP and the Regional Cooperation Council. As such, it is an integral part of UNDP’s work in the Europe and the Commonwealth of Independent States (ECIS) region and has, since 2002, worked primarily to strengthen the capacities of national and regional stakeholders to control and reduce the proliferation and misuse of small arms and light weapons, and thus contribute to enhanced stability, security and development in South Eastern and Eastern Europe. SEESAC also has a distinguished record working closely with national Ministries to mainstream gender equality and this aspect will remain central to the programme.

Going forward, SEESAC will maintain its long-standing work in South-Eastern Europe the small arms and light weapons and gender equality in security sector reform fields, under the framework of the RCC. The programme will continue and, where possible, scale up the innovative work it has pioneered in fostering confidence between rule of law providers within southeast Europe, as well as in the fields of innovation, security and technology. In addition, SEESAC will increasingly focus on sharing the capacity it has developed over the years through line ministries and UNDP offices in order to address community and other security needs beyond the sub-region and provide guidance on introducing gender equality into the security sector.

The overall objective of the project is to contribute to international peace and security by combatting the threat posed by the widespread accumulation and illicit trafficking in small arms and light weapons and their ammunition in and from SEE. At the same time, it enhances regional stability by working within the framework of the RCC and in partnership with other relevant initiatives. The project is directly contributing to the implementation of the EU Security Strategy, the EU SALW Strategy, EU Strategy Against Illicit Firearms, Small Arms & Light Weapons & Their Ammunition , the Arms Trade Treaty, the UN Programme of Action, the International Tracing Instrument, UN Firearms Protocol, UN Security Council Resolution 1325 and will specifically enhance regional cooperation in combating the threat posed by the spread of SALW and their ammunition. Specifically, the project is contributing to the implementation of the *South East Europe Regional Implementation Plan Combatting the Proliferations and Impact of Small Arms and Light Weapons* and the *Roadmap for a sustainable solution to the illegal possession, misuse and trafficking of Small Arms and Light Weapons (SALW) and their ammunition in the Western Balkans by 2024.* The project results are also directly contributing to the implementation of the Sustainable Development Goal 16 on peaceful and just societies, in particular targets 16.1 (Significantly reduce all forms of violence and death rate everywhere) and 16.4 (significantly reduce illicit arms flows).

SEESAC is currently implementing the Council Decision 2016/2356 in support of SEESAC disarmament and arms control activities in South-East Europe in the framework of the EU Strategy to combat illicit accumulation and trafficking of SALW and their ammunition, and amended by EU Council Decision 2019/2113; the Council Decision 2018/1788 in support of the implementation of the Regional Roadmap on combating illicit arms trafficking in the Western Balkans; and the Council Decision 2019/2111 in support of SEESAC disarmament and arms control activities in South-East Europe in reducing the threat of illicit small arms and light weapons and their ammunition.

1. **Description of responsibilities**

**Scope of work**

Under the overall direction of the SEESAC Project Manager and direct supervision of SEESAC SALW Project Coordinator, the Consultant will be expected to perform the following tasks:

* To participate in up to two field visits per jurisdiction and provide input contributing to a detailedNeeds assessment of capacities for countering illicit arms possession and trafficking of the Criminal Police Services of Albania, Bosnia and Herzegovina, Kosovo, Montenegro, North Macedonia and Serbia, based on the existing methodology (Annex 1), from the perspective of criminal investigations on countering illicit possession and trafficking of firearms and other gun related crimes

**Deliverables**

The following deliverables will be required from the Consultant:

|  |  |
| --- | --- |
| **Deliverables**  | **Deadline**  |
| Draft Needs assessment report and revision of draft Needs assessment report of the capacities of Criminal Police Services of Albania, Bosnia and Herzegovina, Kosovo, Montenegro, North Macedonia and Serbia for countering illicit possession and trafficking of firearms and other gun related crimes and performing criminal investigations with the main focus on illicit arms trafficking, based on:* Identification and analysis of the legislative and strategic framework;
* Assessment of the administrative and institutional capacities;
* Stocktaking of the existing technical equipment, including software programs and hardware devices, required for detecting illicit firearms and ammunition, performing efficient data collection and analysis and other criminal police activities.
 | 15 December 2020 |
| Needs assessment of the capacities of Criminal Police Services of Albania, Bosnia and Herzegovina, Kosovo, Montenegro, North Macedonia and Serbia for countering illicit possession and trafficking of firearms and other gun related crimes and performing criminal investigations with the main focus on illicit arms trafficking, based on:* Identification and analysis of the legislative and strategic framework;
* Assessment of the administrative and institutional capacities;
* Stocktaking of the existing technical equipment, including software programs and hardware devices, required for detecting illicit firearms and ammunition, performing efficient data collection and analysis and other criminal police activities.

Revision of Needs assessment report in line with comments from SEESAC and beneficiaries in order to ensure that analysis is comprehensive, fully in line with the methodology and includes all necessary aspects.  | 15 February2021 |
| Monthly reports specifying the activities performed and number of working days  | By the 15th of each month  |

All deliverables will have to be in English language and quality reviewed, approved and accepted by the SEESAC Project Manager and SEESAC SALW Project Coordinator. Payment will be made upon acceptance of deliverables.

**V. Competencies**

**Corporate competencies:**

* Displays **cultural, gender, religion, race, nationality and age sensitivity and adaptability**;
* Demonstrates integrity by modelling the UN’s values and ethical standards;
* Promotes the vision, mission, and strategic goals of UNDP.

**Functional competencies:**

* Extensive knowledge of SALW control issues; especially in online investigations (surface web and darknet)
* Good **research and analytic skills;**
* Good knowledge and understanding of the **public sector**;
* Ability to express ideas clearly, to work independently and in teams;
* Proficiency in using Microsoft Office Suite.

**VI. Qualifications**

**Education:**

* BA in law, political, or social sciences or related field.

**Experience**

* Minimum 10 years of experience in criminal investigations in the field of SALW control;
* Proven experience in conducting analysis and reporting;
* Experience in working with governments;

**Language skills**

* Excellent knowledge of spoken and written English is required.

**VII. Evaluation**

Individual consultants will be evaluated based on the following methodologies:

1. Lowest price and technically compliant offer

When using this method, the award of a contract should be made to the individual consultant whose offer has been evaluated and determined as both:

a) responsive/compliant/acceptable, and

b) offering the lowest price/cost

“responsive/compliant/acceptable” can be defined as fully meeting the TOR provided.

2. 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 49 point would be considered for the Financial Evaluation.

|  |  |  |
| --- | --- | --- |
| ***Criteria*** | ***Weight***  | ***Max. Point*** |
| *Technical* | *70%* | *70 points* |
| * *Criteria A*
 | *Experience in conducting analysis and reporting* | *30* |
| * *Criteria B*
 | *Experience in working with governments, more specifically with law enforcement institutions* | *40* |
| *Financial* | *30%* | *30 points* |

*Payments will be made only upon confirmation of UNDP on delivering on the contract obligations in a satisfactory manner. Individual Consultants are responsible for ensuring they have vaccinations/inoculations when travelling to certain countries, as designated by the UN Medical Director. Consultants are also required to comply with the UN security directives set forth under dss.un.org*

*General Terms and conditions as well as other related documents can be found under:* [*http://on.undp.org/t7fJs*](http://on.undp.org/t7fJs)*.*

**Additional Information:**

* Individual Contract (IC) will be applicable for individual consultants applying in their own capacity.
* Reimbursable Loan Agreement (RLA) will be applicable for applicants employed by any legal entity. Template of RLA with General Terms and Conditions could be found on: http://www.undp.org.rs/download/RLA%20with%20General%20Terms%20and%20Conditions.doc. In the case of engagement of Civil servants under IC contract modality a no-objection letter should be provided by the Government entity. The ‘no-objection’ letter must also state that the employer formally certifies that their employees are allowed to receive short-term consultancy assignment from another entity without being on “leave-without-pay” status (if applicable) and include any conditions and restrictions on granting such permission, if any. If the previous is not applicable ‘leave-without-pay’ confirmation should be submitted.

**Engagement of Government Officials and Employees**

* Government Officials or Employees are civil servants of UN Member States. As such, if they will be engaged by UNDP under an IC which they will be signing in their individual capacity (i.e., engagement is not done through RLA signed by their Government employer), the following conditions must be met prior to the award of contract:

(i) A “No-objection” letter in respect of the individual is received from the Government employing him/her, and;

(ii) The individual must provide an official documentation from his/her employer formally certifying his or her status as being on “official leave without pay” for the duration of the IC.

* The above requirements are also applicable to Government-owned and controlled enterprises and well as other semi/partially or fully owned Government entities, whether or not the Government ownership is of majority or minority status.
* UNDP recognizes the possibility that there are situations when the Government entity employing the individual that UNDP wishes to engage is one that allows its employees to receive external short-term consultancy assignments (including but not limited to research institutions, state-owned colleges/universities, etc.), whereby a status of “on-leave-without-pay” is not required. Under such circumstance, the individual entering into an IC with UNDP must still provide a “No-objection” letter from the Government employing him/her. The “no objection” letter required under (i) above must also state that the employer formally certifies that their employees are allowed to receive short-term consultancy assignment from another entity without being on “leave-without-pay” status and include any conditions and restrictions on granting such permission, if any. The said document may be obtained by, and put on record of, UNDP, in lieu of the document (ii) listed above.

**Annex I**

**Methodology for the Needs Assessment of capacities of Criminal Police Services and Investigation Departments of the Western Balkan Region**

The Roadmap **for a sustainable solution to the illegal possession, misuse and trafficking of Small Arms and Light Weapons (SALW) and their ammunition in the Western Balkans by 2024** is developed in close cooperation with all relevant institutions of the region under the auspices of the Federal Republic of Germany and the Republic of France and SEESAC’s technical support. The purpose of this Roadmap is to serve as a guiding and consensual document developed and owned by the regional authorities, in achieving a sustainable solution to the illegal possession, misuse and trafficking of SALW/firearms, and its ammunition, in the Western Balkans. Official adoption of this document took place at the EU-Western Balkans Summit in London on 10 July 2018.

In order to support the WB jurisdictions European Union adopted the Council Decision (CFSP) 2018/1788 of 19 November 2018 in support of the South-Eastern and Eastern Europe Clearinghouse for the Control of Small Arms and Light Weapons (SEESAC) for the implementation of the Regional Roadmap on combating illicit arms trafficking in the Western Balkans, OJ L293/11, 20.11.2018.One of the components of the EU Council Decision envisages Needs assessment of the criminal-police services of the Western Balkans in countering illicit arms trafficking and possesion.

The overall objective of the mission is:

* To assess the current situation, identify the existing gaps and challenges faced by the criminal police (as relevant) in all 6 jurisdictions in effectively combating the illicit trafficking of firearms, and identify concrete recommendations for further capacity building and support.

There are three specific objectives in order to achieve the overall objective which are:

* Identification and analysis of the legislative and strategic framework
* Assessment of the administrative and institutional capacities including criminal analysis, tasking and coordination, investigation and cooperation with different institutions
* Stocktaking of the existing technical equipment, including software programs and hardware devices, required for detection of illicit firearms and ammunition, investigations in the field of illicit possession and trafficking of firearms, performing efficient data collection and processing during in the framework of ILP and other criminal police activities.

## Analysis of the Legislative and strategic Framework

|  |  |
| --- | --- |
| **Activities** | **Action** |
| Preparatory activities  | * + Desk review of the legislative framework and doctrine including; laws, by- laws, all relevant strategies and action plans (SOCTA, counterterrorism, SALW, organized crime etc.)\ SOPs, Guidelines, Agreements and MOUs or other related documents of importance for the functioning of Criminal Police
 |
| Meeting with Criminal Police Headquarters’ staff | * Review of:
* the legal framework
* the strategic framework and control strategies, specifically as it relates to Serious and Organized Crime and Firearms Crime
* existing SOPs
* Key Performance indicators
* Financial budgetary commitment

 * Discussions on the present and planned activities regarding changes or amendments of the legal and strategic framework
* International support provided, ongoing or planned in this field
* Identification and discussions on international standards and best practices
* Evidence of ongoing funding commitment for the capability and activities (To include human and technical resources)
* Evidence of Performance Management and appropriate Key Performance Indicators
 |
| Deliverables | * + Detailed report on action points above, with concrete findings and identified gaps
	+ Recommendations based on the identified needs for legal, policy or procedural changes, identifying the legal documents that would need to be changed (provisions), if any.
 |

## Assessment of the Administrative and institutional capacities

|  |  |
| --- | --- |
| **Activities** | **Action** |
| Meeting with:* + - Criminal Police management
		- Department for International Operational Cooperation
		- Department for International Cooperation
		- Criminal analysis unit
		- Cyber Security/crime Unit
		- Unit dealing with special investigative measures
		- Unit dealing with informant handling
		- Forensic units including digital forensics
		- IT support unit
		- Visits to:
* Police academy or training center
* Administrative and Inspection Departments in police administrations
* Visit to the police department-regional criminal police centre-2-3 largest
* Visit to the police station-2-3 largest
 | Presentations and discussions on:* + Organizational structure of the Criminal Police
	+ Countering illicit trafficking and possession of firearms (procedures in place & existing practices, for identification, allocation, investigation, results, trends, modus operandi)
	+ Specialist forensic ballistic crime scene and laboratory investigation
	+ Cooperation of units within Criminal Police or Investigation Department or within MOI
	+ Cooperation with other institutions/offices (Prosecutor Office, Financial Investigations Unit etc.)
	+ Procedures and capacities for sharing of the information between relevant stakeholders at national, regional and international levels including capacities for information/intelligence collection, development, analysis, dissemination and feedback
	+ Overview of International Cooperation (mechanisms in place);
	+ Training programs, curricula and modules (basic and specialized training for criminal police officers, train the trainers model)
	+ Human resource management and capacities (number of employees, employment procedures, career and professional development, retention, needs) with a specific focus on gender aspects of recruitment and retention
	+ Legislation and modus operandi - export and import of weapons modalities in place
	+ Voluntary return of weapons by citizens - legislation and modus of operation
	+ Data collection and criminal analysis and processing of criminal analysis products
 |
| Deliverables | * Detailed report on action points above, including main findings and identified gaps
* Based on the findings of the assessment, the international standards and best practices, recommendations on capacity development of administrative and institutional aspects of criminal police services for combatting illicit possession and trafficking of firearms and other gun related crimes
 |

* 1. Stocktaking of the technical equipment

|  |  |
| --- | --- |
| **Activities** | **Action** |
| Meeting with:* Criminal Police management
* Unit dealing with equipping and maintenance
* IT support unit
* Cybercrime unit

Visits to:* police department-regional criminal police centre-2-3 largest
* police station-2-3 largest
* Visit to the main police weapons depot
 | Presentations and discussions on:* + Overview of technical equipment (including software programs and hardware devices) in place for investigation of illicit firearms, ammunition and explosives related crimes.
	+ National and international data bases in use and their interconnection
	+ Procedures and practices in place regarding maintenance of the equipment
 |
| Deliverables | * Detailed report on action points above, including main findings and identified gaps
* Based on the findings of the assessment, the international standards and best practices, recommendations on capacity development of criminal police services in terms of equipment. A detailed list of equipment that is identified as needed will be provided, categorized in terms of priority/urgency, for each of the jurisdictions. An estimated cost of each type of equipment will also be provided. Along with the identified list of equipment, also the required training will be identified.
 |