**TERMS OF REFERENCE**

**Support to Project Preparation Unit at the Recovery and Reform Delivery Office**

**Senior Legal Expert (Category 1)**

**1.** **Objective(s) and Linkages to Reforms**

The Recovery and Reform Delivery Office (RDO) is part of the Ukraine Recovery and Reform Architecture (URA), a comprehensive technical assistance programme deployed by the European Bank for Reconstruction and Development (EBRD), in partnership with the European Union (EU), to support the Government of Ukraine in key reform, recovery and EU integration processes. It is placed in the Cabinet of Ministers of Ukraine (CMU) and serves as an advisory body to the CMU, providing coordination, expert and analytical support in the design and implementation of priority reform and recovery initiatives.

The newly established Project Preparation Unit for Public Investment Projects (PPU) will play a key role in facilitating efficient and transparent preparation of public investment projects within the scope of ongoing processes of national recovery and reconstruction. The PPU is embedded in a wider Public Investment Management (PIM) framework aiming to enhance implementation of public investment projects, and foster Ukraine’s economic growth and resilience through strategic allocation of public resources.

The PPU will ensure coordination across project preparation support provided by all partners, including providing guidance and capacity building support to Ukrainian beneficiaries (ministries, SOEs, regional and state agencies, and local communities). The PPU will act as the interface between the PIM system and the various Project Preparation Facilities (PPFs), ensuring projects are prepared according to Government of Ukraine priorities and in line with EU accession requirements.

The PPU acts as a temporary advisory body to the CMU and is composed of representatives of the Ministry of Economy, Ministry of Finance, Ministry of Development of Communities and Territories of Ukraine, the RDO of the CMU, reform support offices (teams) and other consultative and advisory bodies established by the ministries. The PPU is chaired by the First Deputy Minister of Economy.

The main tasks of the Project Preparation Unit are:

* promotion of coordination of actions of central and local executive bodies, other state bodies, local governments and IFIs that have created programs for the preparation of public investment projects in Ukraine (hereinafter referred to as the PPFs), regarding the preparation and implementation of public investment projects;
* interaction with IFIs on issues of attracting support for the preparation and implementation of public investment projects;
* identification of ways, mechanisms and methods of attracting financing for public investment projects included in a single portfolio (SPP);
* participation in the development of draft regulatory legal acts on issues of improving the public investment management system (PIMS);
* preparation of proposals for monitoring the support attracted for the purposes of preparing/implementing public investment projects, to prevent duplication of funding, in particular from funds provided by the European Union, other development partners, including international financial organizations, state or local budgets.

A team of ten experts, led by a Deputy Director/Team Lead, will be embedded within the RDO to provide capacity support for the PPU’s operations in order to promote the use of Project Preparation Facilities (PPFs), by project initiators to increase the readiness of projects to attract funding; and increase the number of public investment projects that are ready to attract financing and are included in a single project portfolio for public investment.

The team will include sectoral experts from a variety of specialised fields (infrastructure, energy, transport, municipal development), along with professionals in economics, finance, legal affairs, and analysis, to ensure a well-rounded approach to the support and coordination of public investment projects.

**2.** **Position and Reporting Lines**

The Senior Legal Expert (Project Preparation Unit) will be a full-time consultant at the Recovery and Reform Delivery Office (RDO) at the Cabinet of Ministers of Ukraine. The Consultant is expected to be based in Kyiv (subject to the security rules for CMU staff).

The consultant will be subordinated to the RDO Deputy Director/Team Lead.

The Senior Legal Expert will play a key role in contributing to the project preparation process and upon request provide legal advice to public entities, Project Preparation Facilities (PPFs) and other multilateral and bilateral financiers. The Consultant will also contribute to the alignment of legislative acts with international and EU requirements in relevant areas and facilitate removal of regulatory obstacles to an efficient and transparent implementation of public investment projects.

**3.** **Duration and Proposed Timeframe**

The initial consultancy assignment is expected to start in February 2025 and has an estimated duration of 12 months. The assignment may be extended subject to the availability of funding, the consultant’s performance, and the specific needs of the RDO (PPU) and the Government of Ukraine. The probation period is three months.

**4.** **Main Duties and Responsibilities**

The Senior Legal Expert will be expected to:

* Provide advisory support to final beneficiaries (ministries, public agencies, and other public entities) on applicable legal rules and procedures in connection with financing of public investment projects, including requirements of specific PPFs and financiers (e.g. procurement rules, tendering procedures, monitoring and reporting processes etc.);
* Provide support to public entities in the conduct of legal assessment of projects prior to their submission to relevant PPF to ensure the proposed implementation modalities are in line with applicable national legislation, international rules and commitments;
* Provide legal analysis and advice in the process of establishment of methodology and mechanisms for project identification, assessment, implementation, monitoring and evaluation to ensure their legal soundness and practical efficiency;
* Identify and bring to the attention of RDO Deputy Director/Team Lead potential legal obstacles to project preparation and delivery;
* Provide recommendations on revisions to national legislation and sectoral legislative acts related to project financing and implementation to minimize regulatory obstacles to project delivery, as and where relevant;
* Closely monitor legal developments (national and international) affecting the legal framework for project selection, financing, management, implementation, monitoring and evaluation, and ensure these are fed into and reflected in the RDO (PPU) processes and advisory work;
* Advise relevant stakeholders on the principles, rules and procedures for transparent use of public resources, in line with applicable national and international (in particular EU) rules, frameworks and guidelines;
* Participate in regular coordination meetings with PPU members, representatives of line ministries, Cabinet of Ministers (CMU), Strategic Investment Council (SIC), international donors, partners and financiers;
* Support the PPU, the RDO (PPU) Team Lead and other government stakeholders in the execution of other tasks as required.

The scope of work and expected deliverables can be modified and supplemented upon request from the government and agreement with the EBRD and the EU Delegation in Kyiv.

**5. Qualifications, Skills and Experience**

***5.1 Qualifications and Skills***

* Master’s degree in Law or equivalent diploma in Law; additional qualifications in finance, international finance, financial transparency, public procurement or other related areas will be considered an advantage.
* Demonstrated ability to conduct assessments of regulatory frameworks (national and international), draft proposals to legal acts and provide reliable legal advisory to clients (prior advisory experience with public sector entities will be considered an advantage).
* Understanding of procurement rules and procedures of international financial institutions, multilateral and bilateral donors, and familiarity/experience with EU standards and procedures will be considered a strong advantage.
* Impeccable ethical standards, and outstanding leadership skills.
* Experience in high-level negotiations, exceptional organisational, coordination and communication skills.
* Strong analytical skills with the ability to interpret complex legal, commercial, financial data, and understand policy implications.
* PC literacy (PowerPoint, Project, Excel, Word).
* Excellent command of English and Ukrainian, both written and spoken.

***5.2 Professional Experience***

Minimum of 7 years of general professional experience (working for international organisations and/or international technical assistance projects would be an advantage), of which:

* 5 years of professional experience in legislative and policy-making and/or legal advice and/or legal research in Ukraine (legal drafting, legal enforcement, regulatory analysis, compliance checks, policy implementation, policy evaluation, academic research etc.).
* Previous experience working with international financial institutions (IFIs) and solid understanding of their procurement principles, rules and processes will be considered a strong advantage.

***5.3 Other Competencies***

* Familiarity with Ukraine’s reform and recovery agenda, a good understanding of policy formulation processes and policy dialogues.
* Experience in complex stakeholder coordination and project delivery.

**6. Funding Source**

The funding source of this assignment is the EBRD Ukraine Stabilisation and Sustainable Growth Multi-Donor Account (MDA). Contributors to the MDA are Austria, Denmark, Finland, France, Germany, Italy, Japan, Latvia, the Netherlands, Norway, Poland, Sweden, Switzerland, the United Kingdom, the United States, and the European Union.

Please note that selection and contracting will be subject to the availability of funding.

**7.** **Submissions**

Submissions must be prepared in English only and be delivered electronically by 23:59 (Kyiv time) 13 February 2025 to ura.rstrecruitment@gmail.com. All submissions must include a completed Application Form, the candidate’s Curriculum Vitae, NDA form, contact details of three referees who, if contacted, can attest to the professional and/or educational background of the candidate.

Only applications which are submitted using the correct template and are fully completed will be considered.

**Important notice: only Ukrainian nationals are eligible to apply; civil servants are not eligible to apply unless 6 months have elapsed since the civil service employment.**

**8.** **Selection Procedure**

Following the evaluation of all applications received, selected candidates may be invited to a written test. Only shortlisted candidates will be invited to the interview.