

TERMS OF REFERENCE

For selecting one or two experts in international judicial cooperation within the project „ ISFP-2017-AG-DRUGS-822561 - Coordinated tackling of new trends in drug trafficking” - SNOW WHITE

The Romanian Prosecutor’s Office attached to the High Court of Cassation and Justice (POHCCJ) is looking to contract one or two experts in international drug trafficking and international judicial cooperation within the project „ISFP-2017-AG-DRUGS-822561 - Coordinated tackling of new trends in drug trafficking/SNOW WHITE”, co-financed by the European Commission, DG Home and Consumers.

1. Project objectives/selection process

The general objective of the project “Coordinated tackling of new trends in drug trafficking” SNOW WHITE is to strengthen the capacity of antidrug Law Enforcement Agencies (LEA) from European Union member states of Romania, Belgium and Lithuania and to improve their cooperation by actively responding to emerging trends in illicit drug trafficking.

The project will seek to relaunch an informal network among European Union Member States (EU MS) covering the whole area of drug trafficking capable of assisting operational needs in fighting drug trafficking. Specific training will be provided in the use of dark net and cryptocurrency for trafficking drugs across EU with a potential for transferability to other MS.

The exchange of good practices and methods of cooperation in disrupting heroin and cocaine trafficking networks that use harbours as main entry points in EU will be achieved with 2 study visits (30 participants). A risk assessment study with examples from Antwerp and Constanța harbours will provide a better understanding among EU LEA of the trafficking networks.

The beneficiaries of this project are also the European LEA involved in fighting drug trafficking. The results of the project will positively impact the trust among European LEA and will increase the number of Joint Investigation Teams.

The final conference will disseminate the results of the project among EU MS and international organisations and similar networks.

The experts will implement the 4th WP activities of the project “Study visits and risk assessment on drug trafficking routes in Europe” and last activity of the project “Final conference”, as follows:

- **Study visits in two partner countries, Romania, Belgium**, including harbour visits in Constanta and Antwerp (indicative May-June 2020)
- **Drafting a risk assessment study**, minimum 50 pages (deadline – September 2020)
- **Two-day final conference in Bucharest**, where they will moderate the conference and present the results of the research (November 2020)

The overall objective of the study is to increase cooperation and exchange of good practices among partners fighting drug trafficking of heroin and cocaine in European Union with a focus on harbours as main entry points.

The study has a two-fold purpose: to provide the practitioners who participated to the study visits with a theoretical understanding of the drug trafficking via important harbours of Europe but also to all law enforcement personnel from all over the EU.

The recent reports show that the harbours in Western and also in Eastern Europe are entry points that fuel the demand of illicit drugs in Europe but also points of exit for the illicit trafficking from Europe to other regions.

In this context it is utmost useful for law enforcement and judiciary to understand to actual threats posed by the challenges of legal loopholes, poor cooperation between the public and private entities involved and also technical/human resources issues, that influence the countering of seaborne drug trafficking.

The expert/s is/ are expected to extract from the study-visits and discussions with key actors from the harbours – Antwerp - BE and Constanța – RO and from the national and EU legislation/ statistics the main opportunities and challenges regarding administrative, functional and logistic and draw relevant recommendations, after the comparison of the characteristics of the two harbours.

The study will be drafted in English and translated and printed in the project partners' languages also (30 copies for each language).

2. Specific tasks

The expert(s) will be required to:

- Participate in and provide professional input and best practice to the study visits in Belgium (Antwerp) and Romania (Constanța);
- Draft the risk assessment study on Constanta and Antwerp harbours;
- Participate in the final conference of the project where they will present the findings of the report and, if necessary, answer questions; they will coordinate with conference moderator and organizers;
- Cooperate closely with the project leader and the project manager for preparing all the events.

3. Results

The expert(s) will cooperate with the project leader for achieving the objectives of the project. The expert(s) will keep in contact with the project leader and the project manager throughout the activities to be carried out.

All the documents related to the activities conducted by the expert(s) will have to meet the visibility requirements imposed by the European Commission. The project manager will assist the experts in meeting those requirements.

4. Expert profile

Mandatory requirements for expert selection:

1. Citizen of a member state of the European Union or a person working for an international organization, such as UN, Interpol, OSCE, etc.;
2. Degree in law, political science or other relevant to the topic of the study;

3. Mastering English language for speaking and writing at a level needed for moderating, delivering presentations and drafting papers in the area of the project;
4. A minimum of 5 years of professional experience as prosecutor/ judge/ judicial cooperation expert/ police officer or private sector expert in the area of Law Enforcement and Judicial systems;
5. A minimum of 2 years of experience in the area of European cooperation/ international judicial cooperation/ drafting risk analysis reports at European level as prosecutor/judge/police officer/relevant expert;
6. Experience as facilitator, expert/guest lecturer/trainer/rapporteur for conferences, working group, and training dedicated to magistrates, law enforcement personnel;
7. At least one participation in a project that involved drafting a guide/report/manual of good practices in European/international judicial cooperation in criminal matters;
8. Proven previous experience in drafting at least one risk analysis report/ study/ similar comparative analysis document;
9. Excellent abilities of communication and writing.

The application package to be sent by the candidates will include the following mandatory documents:

1. Detailed proposal with activity planning, content outline (outline of the research study, study visits and final conference) etc. In addition, the candidate is free to add whatever else he/ she may consider relevant in the proposal – maximum 3 pages.

2. Detailed Curriculum vitae (*Europass format*)

5. Financial offer and payment arrangements

Lot 1: Visits to harbours

Activity 4.1 Two study-visits in partner countries RO, BE

Visit in Antwerp, Belgium

DSA: 212 Euro x a maximum of 6 days/expert = max. 1272 euro/ expert

The DSA will be paid in accordance with the flight ticket details.

TRAVEL: max. 400 euro/expert

Visit in Constanta, Romania

DSA: 202 Euro x a maximum of 6 days/expert = max. 1212 Euro/ expert

The DSA will be paid in accordance with the flight ticket details.

TRAVEL: max. 400 euro/expert

Lot 2: Risk assessment (home based activity)

Activity 4.3 Risk assessment study on Constanța and Antwerp harbours

FEES: max 30 days x 300 euro/day/expert = max. 9000 euro/ expert

Lot 3 Moderating the international final conference

Activity 5 Final international conference

FEES: max. 300 euro/day/expert x 2 = max. 600 euro/ expert

DSA: 202 Euro x a maximum of 2 days = max. 404 euro/ expert

TRAVEL: max. 400 euro/expert

Total fees: max. 9.600 euro/expert

Total DSA: max 2.888 euro/expert

Total travel: max. 1.200 euro/expert

Total value contract (fees, DSA and transport) = max. 13.688 euro/ expert

The Expert from the European Union must provide a Certificate of fiscal residence (certifying payment of tax on fees received in the project in their country of residence) or they may choose that the income tax is paid in Romania in accordance with the national fiscal legislation (10% on fees, DSA is exempt).

In order to pay for the services carried out by the expert, three documents will be drafted and signed by both parties: invoice, timesheet and protocol.

The experts and the beneficiary – the Romanian POHCCJ – will sign a contract providing the services.

6. Selection procedure

An evaluation committee will make the selection of candidates, based on POHCCJ internal procedures and according to terms of references. Each member of the evaluation committee will complete an evaluation form and each candidate will receive a score for each selection criteria. The evaluation committee may reserve the right to request additional documents from applicants and it may hold interviews with them to clarify documents contained in the dossier application.

Criteria for selection

a) Professional experience as prosecutor/ judge/ judicial expert as well as a good reputation in the field in which he/she works will be awarded with maximum 20 points

b) Experience in European/ International judicial cooperation as prosecutor/ judge/ judicial expert certified by documents (certificates, letters of recommendation, contracts etc.) will be awarded maximum 20 points)

c) Participation in a similar project involving the drafting of a guide/ report/ best practice manual will be awarded a maximum of 20 points.

d) Experience as a facilitator, expert/ lecturer/ trainer/ rapporteur in conferences, working groups, training activities – maximum 20 points

e) Evaluation of the proposal submitted – maximum 20 points.

Note: in order to be selected, a candidate must receive minimum 50 points.

After the evaluation of all the applications, the evaluation committee will rank the applicants in descending order according to the total score obtained with the applicant receiving the most points being ranked first.

7. Special conditions

Property rights/ use of the results

The ownership of the deliverables, including the intellectual property rights, belongs to the Prosecutor's Office attached to the High Court of Cassation and Justice through the contract concluded between the expert/ experts and the institution.

Non-compliance

In the case of partial or full failure to fulfil the tasks assigned to the expert/ experts in accordance with the terms of reference and the failure to comply with any commitments under the contract signed with PICCJ, PICCJ has the right to terminate the contract and claim damages.

The expert/ experts will not be held responsible for breaching their obligations unless they have been prevented from fulfilling their obligations by force majeure or other assimilated events.

8. Final provisions and contact details

These terms of reference will be part of the contract to be concluded between the POHCCJ and the selected expert/ experts.

For more details or clarifications, you may contact:

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