

Terms of Reference

Legal Expert (Category 2)

1. Objective(s) and linkages to reforms

In February 2023, the Cabinet of Ministers of Ukraine established the State Agency for Restoration and Infrastructure Development of Ukraine (**Agency**). This new state body was created on the basis of the State Agency for Infrastructure Projects and the State Agency for Highways - Ukravtodor. The newly formed agency assumed responsibility for implementing projects related to the restoration of infrastructure, covering sectors such as transport, energy, social infrastructure, residential housing, civil defense, and more. Additionally, it was designated as the primary recipient and manager of external donor support to streamline post-war infrastructure reconstruction in Ukraine.

The war has significantly impaired the capacity of the Agency, manifesting in adverse effects on staffing, budget, and overall project management capabilities under challenging conditions.

Given the above challenges as well as overall strain on critical infrastructure, substantial funding shortages, and broader complexities affecting the capacity and performance of the Agency, the EBRD is actively working to mobilize support, including via URA programme¹. The primary objective of this support is to strengthen the capacity of both the Agency in project preparation and implementation.

To start with, the team of six experts will be embedded within the Agency (**RST Agency**), particularly within its International Cooperation Department whose primary role will be to enhance the Department's core responsibilities, which include initiating and managing new projects, preparing project proposals, coordinating project activities, and generating documentation for different project stages while ensuring compliance with legislative requirements. The team will facilitate cross-sectoral communication and engage with stakeholders. Also, they will be tasked with collecting and analyzing data related to the Agency's project activities.

2. Position and reporting line

Legal Expert will be a full-time consultant at the Agency subordinated to the Team Lead and Head of the International Cooperation Department of the Agency.

3. Duration and proposed timeframe

The initial consultancy appointment is expected to start in September 2024 and has an estimated duration until August 2025. The duration of the assignment will depend on the availability of funding, the needs of the URA programme and the performance of the selected consultant.

4. Main duties and responsibilities

The consultant is expected to:

- Draft international investment agreements and memorandums and prepare proposals for the initiation and termination of such agreements.
- Ensure Ukraine's compliance with obligations outlined in international agreements.
- Engage in negotiations concerning modifications to project components.

¹ Ukraine Recovery and Reform Architecture (URA) is a comprehensive technical assistance programme deployed by the European Bank for Reconstruction and Development (EBRD), in partnership with the European Union, to support critical reform processes in Ukraine. URA is financed from the Ukraine Stabilisation and Sustainable Growth Multi-Donor Account (MDA) managed by the EBRD.

- Enhance the team's capabilities throughout the entire project cycle implementation to ensure a proper legal framework for the projects of the Agency.
- Coordinate with other Agency departments and external stakeholders to establish streamlined procedures for enhancing the Agency's production capacity.
- Provide legal and procedural support to the Agency, particularly the International Cooperation Department.
- Perform any additional tasks assigned by Senior Project Manager/Team Lead and management of the Agency.
- Prepare timely and quality reports and status updates.

5. Qualifications, skills and experience

5.1 Qualifications and skills

- Master's degree in Law, International law, Public administration, International relations, business management or other related area. Degree in Public administration, International relations, Business management or related area is an asset.
- Strong analytical, communication and presentation skills.

5.2. Professional experience

- Minimum 5 years of general professional experience.
- Minimum 3 years of experience as a lawyer/legal expert in business, public administration, international institutions.
- Experience in contract law and/or corporate law and knowledge of relevant Ukrainian and international regulatory frameworks and industry practices.

5.3. Other competencies

- Experience in cooperation with IFIs, donor organizations and other international institutions.
- Professional work experience in public administration positions is an asset.
- Experience in procurement is an asset.
- Impeccable ethical standards.

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, the largest donor.

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

7. Submissions

Submissions deadline: 23:59 (Kyiv time) **12 August 2024**. Potential candidates should submit:

- Completed Application Form
- NDA Form
- CV
- Contact details of three referees who, if contacted, can confirm the candidate's professional and/or educational background.

Please download the Application Form at [Link](#) , the NDA Form at the [Link](#). The documents should be sent to agencyvidnovlennia@gmail.com within the deadlines indicated.

Only applications, which have been 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 they left such employment.**

8. Selection Procedure

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