



Procurement reference No. UA/IC-6

## Terms of Reference

Development of key legislation documents for the biodiversity protection in forests: adaptation of the Ukrainian law regulation to the EU requirements

### A. Background

The Forest Law Enforcement and Governance (FLEG) II Program<sup>1</sup> will be carried out over a four-year period 2012-2016, focusing on improving forest governance in seven countries that are included in the European Union's European Neighborhood and Partnership Instrument<sup>2</sup> (ENPI) East region: Armenia, Azerbaijan, Belarus, Georgia, Moldova, Ukraine, and the Russian Federation. The Program builds on and further develops initiatives and activities undertaken during implementation of the first EU funded FLEG Program (2008-2012).

The Program is supported by the European Union contributing to a trust fund administered by the World Bank (WB). Implementation of the Program is led by the World Bank, working in partnership with the International Union for Conservation of Nature and Natural Resources (IUCN) and the World Wide Fund for Nature (WWF) and in close coordination with governmental and nongovernmental stakeholders of the participating countries.

The **vision** for the end of the Program in 2016 is that the participating countries have clear sector policies and implementation capacity to fight against illegal logging and associated trade, take into account the full social, environmental and economic value of forests, state-of-the-art forest sector laws, and modern forest sector institutions.

The three specific **Program Development Objectives** are to:

- i. make progress implementing the 2005 St. Petersburg FLEG Ministerial Declaration in the participating countries and support the participating countries commit to a time-bound action plan to ensure its implementation and follow-up activities (regional level);
- ii. review or revise (or establish a time-bound action plan to review or revise) forest sector policies and legal and administrative structures; improve knowledge of and support for sustainable forest management and good forest governance (including the impact of related EU regulations) in the participating countries (national level); and,
- iii. test and demonstrate best practices for sustainable forest management and the feasibility of improved forest governance practices at the field-level on a pilot basis in all participating countries (sub-national level).

The Program will support the participating countries strengthen forest governance through improving implementation of relevant international processes, enhancing their forest policy, legislation and institutional arrangements, and developing, testing and evaluating

<sup>1</sup> <http://enpi-fleg.org/>

<sup>2</sup> <http://www.enpi-info.eu/>

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sustainable forest management models at the local level on a pilot basis for future replication.

## B. Objectives

**Objective of the assignment is** implementation of project activity on **harmonization of special protection natural areas inventory and management in Ukraine and the EU countries**. The activity is part of the activities conducted by WWF DCP (hereinafter the Client) under the Country Work Plan (CWP) for Ukraine, plan which contains activities that will contribute to achieving Program Development Objectives and will support Ukraine in making progress in the implementation of the 2005 St. Petersburg FLEG Ministerial Declaration. The work is a continuation of the previous first year CWP of the ENPI FLEG II project “Analyze special protection natural areas law framework and develop proposals for harmonization of framework between Ukraine and EU.”

## C. Scope of Services

Among others possible ways of reaching the objective of the assignment and considering an essential involvement of national/regional experts, Ministries and other relevant national authorities (e.g. national forest authority), protected areas staff, NGO's and other relevant stakeholders in Ukraine, the Consultant tasks are:

- Development of amendments to the existing provisions and proposals of new legislative acts for improvement of biodiversity protection in Ukrainian forests for harmonization to EU Directives and other international treaties (transposition changes and amendments) building on the information already assessed in the first year of the program (available at <http://www.fleg.org.ua/docs/388>), including the EU-Ukraine Association Agreement, as well as considering deep consultations with the forest authorities of the State Forest Resources Agency of Ukraine;
- Support distribution of the activity results to broad public (webpage, media etc), through developing support information for at least 2 specialized press information, taking into consideration the FLEG II communications procedures Strategy.

### Schedule of the deliverables

Deliverables	January	February	March	April	May	June
Developed amendments to the existing provisions for improvement of biodiversity protection in Ukrainian forests for harmonization to EU Directives and other international treaties (transposition changes and amendments)						
Developed proposals of new legislative acts for improvement of biodiversity protection in Ukrainian forests for harmonization to EU Directives and other international treaties (transposition changes and amendments)						
Support information for at least 2 specialized press						

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info on activity implementation for FLEG 2 web site and WWF support web sites based on FLEG II Communication Strategy						
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## D. Reporting and Approval Procedures

Reporting of the consultant is toward FLEG II Project Coordinator and Forest Expert in Ukraine.

### Expected results of consultant's work are:

(1) **Interim Report:** on developed draft amendments to the existing provisions for improvement of biodiversity protection in Ukrainian forests for harmonization to EU Directives and other international treaties (transposition changes and amendments).

(2) **Final Report:**

- i. on developed amendments to the existing provisions and proposals of new legislative acts for improvement of biodiversity protection in Ukrainian forests for harmonization to EU Directives and other international treaties (transposition changes and amendments);
- ii. support information for at least 2 specialized press info on implementation of activity for FLEG 2 web site and WWF support web sites based on FLEG II communications procedures.

The Consultant shall submit the reports into Ukrainian and English language (if possible, in Russian language as well) to the Client according to the description above and complying with the following deadlines:

- Interim Report – within 1 months after signing the Contract, but not later then the end of February 2015
- Final Report – within 4 months after signing the Contract, but not later then the end of May 2015

The work is expected to be carried out over the period of February 2015 – June 2015.

Acceptance and approval of the First and Second Interim Reports, and Final Report will be done by the Client through the FLEG II Project Coordinator and Forest Expert in Ukraine. The Country Project Coordinator will provide feedback to the consultant within 20 calendar days after receiving the reports (on expiration of this period, if no reply is received by the Consultant, then reports will be deemed as accepted otherwise the corrections are expected).

Project reports need to be sent by an e-mail address: [bprots@wwfdcp.org](mailto:bprots@wwfdcp.org) and [dkarabchuk@wwf.panda.org](mailto:dkarabchuk@wwf.panda.org). Besides 1 copy of the printed reports and a CD copy needs to be sent to the address: WWF Danube Carpathian Programme Ukraine (Dunajsko-Karpatska Programa), 42 Mushaka Street, 79011 Lviv, Ukraine.

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## E. Institutional Arrangements

FLEG II Program coordinator in Ukraine for WWF DCP, Dr. Bohdan Prots and forest expert Dr. Dmytro Karabchuk ([dkarabchuk@wwf.panda.org](mailto:dkarabchuk@wwf.panda.org)) will coordinate the execution of the proposed assignment.

WWF will provide to the selected Consultant support with the results of the previously analyze of the legal framework and initial proposal developed in the first year of activity implementation, as well as with the FLEG communications procedures.

## F. Client's Input

The Consultant will perform the services using its own resources and equipment. However, the Consultant may request additional data and assistance from the Client on the issues related to the implementation of the assignment. The Consultant is expected to participate actively in any additional public, media, workshop, round table and other professional meetings within the objective of this assignment and coordinate the necessary experts involvement into the events.

## G. Qualification Requirements

- At least 5-10 years required for consultant's experience in forestry areas;
- Biodiversity conservation or forest management studies and experience (university degree);
- Very good knowledge of the Ukrainian nature protection and forestry system and legislation. Experience in biodiversity/forestry policy or management is an advantage;
- Good knowledge of relevant international treaties and agreements including EU nature protection legislation;
- Written records and experience on harmonization UA and EU legislation framework are an advantage;
- Excellent communication skills;
- Good knowledge of Ukrainian and English;
- Computer literacy (Word, Excel, Power Point).

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