Terms of Reference

on developing draft changes for improvement of national game management legislative framework and law enforcement practices within the hunting sector in Ukraine.

A. Background

The Forest Law Enforcement and Governance (FLEG) II Program\(^1\) is 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\(^2\) (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,

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\(^1\) [http://enpi-fleg.org/](http://enpi-fleg.org/)

\(^2\) [http://www.enpi-info.eu/](http://www.enpi-info.eu/)
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 supports 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 sustainable forest management models at the local level on a pilot basis for future replication.

Present proposed assignment will help in implementing FLEG II project activity on application of principles of sustainable game management for improvement of national game management legislative framework, to be promoted to the national and regional authorities in Ukraine. The baseline is the previously developed principles of sustainable game management model for Ukraine, along with the appropriate industry related EU directives and guidelines.

The activity is part of the activities conducted by WWF DCP (hereinafter the Client) under the approved 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 outputs of the ENPI FLEG II project: “Analysis of the legislative framework of hunting industry of Ukraine and development of improved proposals”, “Research on improved national hunting model and development of legislation acts”.

B. Objectives

Objective of the assignment is to draft the proposals for national legislation documents (mainly to the Law on Hunting and Gaming) on introduction of improved model of state hunting system prepared through the “Research on improved national hunting model and development of legislation acts”.

C. Scope of Services

The Consultant should study previously developed improved model of state hunting system (available in English and Ukrainian at http://www.enpi-fleg.org/docs/draft-model-of-reformation-and-development-of-hunting-sector-in-ukraine/) and appropriate industry related EU directives and guidelines, and will recommend draft proposals to national legislation, in the form of a comparable table with the proposals next to the texts of the laws.

The Consultant will encompass the outcomes of the stakeholders’ consultations in order to finalize the proposals. The consultations with government, hunting experts, professionals and with civil society will be organized by WWF, where the Consultant will present and discuss all proposals recommended.
The consultant shall take into account relevant provisions of the World Bank’s safeguards in producing his/her recommendations, taking into consideration approved in the Country Work Plan for Ukraine 2015-2016 safeguards category for the proposed activity (2.5).

Thus, the Consultant deliverables are:

- Draft proposals recommended for the national law on hunting and other possible legislation based on previously developed principles of sustainable game management model for Ukraine, and appropriate industry related EU directives and guidelines
- Incorporation of stakeholders consultations outcomes into the final proposals;
- Support the Client in promoting recommended proposals among national and regional authorities, and in the media;

**D. Reporting and Approval Procedures**

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

The Consultant will submit an Interim Report, including draft recommended proposals and a Final Report on final proposals and their promotion.

The Consultant shall submit the reports into Ukrainian language (with extended English version of an executive summary) to the Client according to the description above.

The work is expected to be carried out over the period of 6 months.

Acceptance and approval of the Interim Report 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 5 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@wwfdep.org and 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.

**E. Institutional Arrangements**
FLEG II Program coordinator in Ukraine for WWF DCP, Dr. Bohdan Prots and forest expert Dr. Dmytro Karabchuk will coordinate the execution of the proposed assignment.

The Consultant will perform the services using its own resources and equipment. The time-input from the consultant shall be no less than 40 working days. 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 expert’s involvement into the events.

**F. Client’s Input**

WWF Ukraine will provide to the selected Consultant support with previously developed outputs, as well as with the FLEG communications procedures.

WWF Ukraine will be responsible for organizing the stakeholders’ consultations and where necessary will request cooperation of the Consultant (ex. for preparing the meeting agenda; developing and sending the invitations; organizing a venue, etc.).

**G. Qualification Requirements**

- At least 3 years required for consultant’s experience in drafting proposals to legal framework;
- Law university degree, PhD or international legal education or experience is an advantage;
- Good knowledge of the Ukrainian hunting system, legislation, and its history;
- Good knowledge of relevant EU and other international treaties and agreements on hunting;
- Good knowledge of Ukrainian and English and/or other EU languages is an advantage;
- Excellent communication skills and computer literacy (Word, Excel, Power Point).