**CALL FOR PROPOSALS**

Development of CSOs capacities in research and analysis, surveying and analysis to support justice sector operations and reform

September 2019

1. **PRESENTATION**

According to the Pravo-Justice Component 1 Work Plan Sub-Component 1.4 (“Legal Education, CSOs and Regional Outreach”), Pravo-Justice is called upon to support Ukrainian CSOs in building their capacity in research and analysis, surveying and advocacy development. Sub-Activity 1.4.2.2. “Development of CSOs capacities in research and analysis, surveying and advocacy to support justice sector operations and reform” has a separate budget line: 130,000 EUR.

1. **JUSTIFICATION AND OBJECTIVES**

Micro companies and SMEs are the backbone of the Ukrainian economy. According to the Statistics Service data, in 2017 SMEs represented 99.98% of all Ukrainian enterprises. They generate a large number of new jobs (more than 73%) and ensure the commodity circulation (more than 60% of all sold products and services were produced by SMEs) However, SMEs are fragile. Less than half of them survive after the first five years of existence. The main roadblocks in this respect are: limited access to credit, lack of technological or managerial capabilities and low productivity. Often SMEs are suffocated by the inability to deal with regulatory and legal risks. With their meagre resources, SMEs have to navigate in increasingly complex legal frameworks and practises.

An insufficient number of CSOs in Ukraine show a genuine focus on supporting SMEs in particular, and better business climate in general. There is also very meagre amount of research that actually analyses a link between the operations of the Ukrainian justice sector on the one hand, and the business climate on the other. No comprehensive research has been conducted on the justice needs of small and medium business. There is thus no reliable consolidated data on the negative effects on SMEs by reason of the well-known fenomena, such as non-enforcement of judicial decisions (including against the state), limited access to a court, poor legal assistance, quality of business and property registers, persistent intimidation and racket of SMEs by law enforcement etc.

A research of the better linkage between the justice sector operations and the situation of SMEs in Ukraine would not only help Ukrainian counterparts to better reflect on the success of reforms up to date, but would also demonstrate a direct link between the functioning of the justice sector and the economic well-being of the country[[1]](#footnote-1). Moreover, there is still no comprehensive list of indicators to allow better benchmarking of reform policies from the point of view of Ukraine’s standing in the World Bank Doing Business Index (e.g. especially the property and business registration, enforcing contracts, resolving insolvency or labour issues criteria etc.).

In view of the limited resources available to SMEs, there is good synergy to be promoted between the established need to help SMEs to obtain a more comprehensive picture and evidence of their justice needs, and the development of the capacities of Ukrainian CSOs to place more focus on the protection of property rights as a fundamental condition for the country’s socio economic development and the promotion of the rule of law.

Analysing the context of SMEs and their justice sector needs is particularly synergetic to the Project’s thematic activities in Sub-Component 3.1 on the protection of property rights and better business climate, and the Project’s regional outreach activities in Sub-Component 1.4.

Thus, the Project plans to award a grant to a civil society organisation working in the justice system reform, research and analysis, surveying etc., with the following objectives:

* increase capacity of the Ukrainian civil society in conducting high-quality, in-depth and comprehensive legal research and analysis in targeted areas related to the justice sector performance, impact of the justice sector operations on the other sectors, and justice needs of various groups of Ukrainian users;
* improve involvement of Ukrainian SMEs in the identification of obstacles created by the justice sector and the rule of law on business development and economic growth, and the development of targeted policy solutions in this respect;
* provide policy makers at the central level with comprehensive and accurate information on justice needs of targeted users of justice services (SMEs) in various regions of Ukraine.

1. **EXPECTED RESULTS**

The present grant award should result in:

1. Comprehensive **research on** **justice needs** of **small and medium business** in various regions of Ukraine;
2. Strategic proposals for **better policy benchmarking** (including by way of specific indicators in the relevant international rankings of Ukraine) and **policy steering (coordination)** mechanism and dialogue between CSOs, SMEs and Ukrainian authorities at the regional and central level on the impact of the justice sector operations on property rights, SMEs and the business climate;
3. Greater **public awareness** on the impact of the justice sector operations on **small and medium business**.
4. **LOCATION, DURATION, AND MODALITIES OF EXECUTION**
   1. **Location:** Ukraine
   2. **Implementation period:** November 2019 to April 2020
   3. **Start date:** 1November 2019
   4. **End date:** 30 April 2020
   5. **Coordination:**

The Beneficiary will designate a contact person for the implementation of the contract. Ms. Gabrielle d’Avezac, Project Manager, will be the contact person for the Beneficiary in all contractual, financial and administrative matters.

Telephone: 0033 1 70 82 73 79

Email: [gabrielle.davezac@expertisefrance.fr](mailto:gabrielle.davezac@expertisefrance.fr)

Close coordination with the Pravo-Justice permanent team in Kyiv must be ensured from the start of the contract and throughout its implementation. For all matters relating to the implementation of the contract, the contact person is Dovydas VITKAUSKAS, Team Leader, [dovydas.vitkauskas@pravojustice.eu](mailto:dovydas.vitkauskas@pravojustice.eu).

1. **APPLICATION PROCESS**
2. *Eligibility Criteria’s*

Applicants must meet the following criteria:

* Be a legal entity and be registered since at least 5 years in Ukraine
* Be a non-profit organisation
* Be a non-state actor
* Be directly responsible for the preparation and management of the project.

In particular, organizations working in the justice sector in Ukraine, with previous experience in the development of surveys, research and development in the justice reform and related topics are encouraged to apply.

1. *Application Package*

The application file must include the following document:

* A concept note (10 pages max. without appendixes) summarizing:
  + Documents (in Ukrainian) certifying the registration of the applicant as a non-governmental organisation and proving that the applicant is entitled to carry out activities described in its project proposal in Ukraine;
  + Presentation of the organization, description of joint activities, if any, with governmental bodies, international organisations and technical assistance projects in the areas of rule of law and economic development;
  + Description of the context and objectives of the present Action;
  + Description of the proposed activities and methodology, in line with the objectives of the present Action;
  + Description of the key personnel and experts to be involved in the Action, specifying in particular any relevant qualifications, professional experience and knowledge of the current situation in Ukraine, the national legislation in the fields of the call.

Additional documents to attach to the concept note are:

* A monthly implementation plan with detailed description of activities and deliverables.
* A detailed budget in Euros. The applicants are requested to use the budget form available in Annex III. Activities listed in the budget must be exactly the same as those detailed in the implementation plan and concept note.

Applicants must also submit the following background documents about their organisations:

* A copy of the organisation’s registration document or a note describing its creation/activities.
* A copy of the organisation’s last annual report, or presentation of activities implemented by the organisation over the past two years.
* The organisation’s certified profit and loss closed accounts 2017, and statements of 2018 accounts.

Proposals which do not meet the abovementioned eligibility criteria’s will not be evaluated.

1. *Application Schedule*

Questionsrelated to this call for proposals should be addressed in English by email to petro.pavlychenko@pravojustice.eu at the latest 7 days before the proposals submission deadline.

Most relevant questions and their related answers will be circulated to all applicants at the latest 5 days before the proposals submission deadline.

Applications(in English) must be sent via email to [petro.pavlychenko@pravojustice.eu](mailto:petro.pavlychenko@pravojustice.eu) before 23.00 25 October 2019. (Paris time).

Only the time and date of reception of the email will be taken into account. The submission email object must be: “Proposal: CSO Research 2019-09 – *[name of the organisation]*”. Project proposals containing unreadable or corrupted files will not be examined.

Information about the PRAVO-Justice Project is available on the project website (<https://www.pravojustice.eu/>) and Expertise France website (<https://www.expertisefrance.fr/fiche-projet?id=731910>).

1. **EVALUATION CRITERIA**

Submitted proposals will be strictly analysed against evaluation criteria as detailed below:

* + Understanding of the context and objectives (20 points)
  + Relevance of the proposed activities (15 points)
  + Quality and practicality of the proposed methodology (25 points)
  + Capacity to produce tangible results (20 points)
  + Adequacy of staffing and expertise with the proposed activities (20 points)

Annex III provides a list of admissibility criteria and presents the marking scheme that will be applied to each proposal received under this call.

1. Although of some relevance are the Business Ombudsman Council's systemic reports related to the justice sector and the need to address recommendations found in these reports – for instance, with regard to administrative appeals: <https://boi.org.ua/en/publications/systemicreports/>. [↑](#footnote-ref-1)