

TERMS OF REFERENCE FOR EXPERTS / TRAINING & DISTANCE SUPPORT

Terms of reference for on-site activities and missions

Action code and partner country: SOCIEUX 2022-16 UKRAINE

Action title: Review of the legal framework and strategy supporting veterans' entrepreneurial activities

Partner institution: The Ministry of Veterans Affairs of Ukraine, Directorate of Civic Identity and Veterans Development

Activity number and title:

Activity 1 – Review of the legal framework and strategy supporting veterans entrepreneurial activities including suggestions for improvement

Date of implementation of activity:

activity 1: 15 August – 9 September 2022

☐ On-site ☒ E-learning ☒ Distance support

Expert positions and responsibilities (by activity):

Activity 1 : Experts 1 & 2 – **Area(s) of expertise:** *Labour Law, Labour Legislation*
Specific skill(s) of expertise: *Legislation and regulation (L&R) framework*

Workload:

Activity 1 – Expert 1: 19 days

Activity 1 – Expert 2: 19 days

Call for experts' reference: 22-16/UKR/1

Version - #: ____

☐ Draft

☒ Final

Date: 20 July 2022

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1 BACKGROUND INFORMATION

1.1 Country overview

Ukraine, with its capital Kyiv (Kiev), is Europe's second largest country, and is home to wide fertile agricultural plains and heavy industry in the east. Ukraine borders Russia in the northeast and east, Belarus in the northwest, Poland, and Slovakia in the west, Hungary, Romania, and Moldova to the southwest.

Before the 2022 invasion, the total population was estimated at 44, 134, 693 by the World Bank, placing Ukraine at 8th most populous country in Europe. It is a heavily urbanized country. Ukraine's HDI value for 2019 was 0.779, putting the country at the high human development category, positioning at 74 out of 189 countries¹.

Pre-war Ukraine was one of the largest grain exporters in the world, and in 2021 ranked as the sixth largest wheat exporter, accounting for nine percent of world wheat trade. Energy in Ukraine comes mainly from gas and coal, followed by nuclear, then oil.

The country gained its independence after the collapse of the Soviet Union in 1991 and has since been swaying between closer integration with Western Europe, or being drawn to Russia.

Since its independence, the country has been governed as a unitary republic under a semi-presidential system. The president is elected by popular vote for a five-year term and is the formal head of state. Ukraine's legislative branch includes the 450-seat unicameral parliament, the Verkhovna Rada.

In 2013, massive protests, demonstrations and civil unrest known today as the Euromaidan, erupted. The protests were sparked by the Ukrainian government's decision to not sign the European Union-Ukraine Association Agreement, instead choosing closer ties to Russia. The scope of the protests widened, demanding the resignation of President Viktor Yanukovich. Protesters voiced the outrage at what they saw as widespread corruption in the government, influence of oligarchs in politics, abuse of power, and even human rights violations in Ukraine. The protests escalated to the Revolution of Dignity, which ultimately led to the establishment of a new government. These events led to the annex of Crimea by Russia and a war in Donbas region, culminating into the full blown Russian invasion in February 2022.

1.2 Sector situation

The COVID-19 crisis combined with the Russian armed attack since 24 February 2022, have created an unprecedented socio-economic and humanitarian crisis in the country. The number of dismissed military personnel, who require social and professional adaptation is rapidly increasing.

According to the Ukrainian normative framework, all veterans have the right to professional and social adaptations to the conditions of civilian life.

Today there are more than 1 million war veterans in Ukraine with more than 400,000 of ATO/JFO veterans-persons who participated in the Anti-Terrorist Operation (ATO) or Joint Forces Operation (JFO), of whom more than 250,000 are young and active people aged 20 to 40. According to surveys, almost 35% of them have the desire and ability to engage in and develop their own business. Life experience, self-discipline, trust in each other, active life position and readiness to deal with difficulties - are key factors for creating your own business projects. Leaders in the implementation of business initiatives among the veteran community are Rivne region, which accounts for 30% of the total number of such initiatives, Vinnytsia region - 13%; Dnipro - 11%; Ivano-Frankivsk region - 5% and the city of Kyiv - 4%. According to the results of the polls, the key issues faced by veteran entrepreneurs during their activities have been identified as follows:

- tax / benefits;
- financial support;
- training (including internships);
- advisory support (including mentoring);
- a unified information portal;
- establishment of veterans' business associations.

¹ [UKR.pdf \(undp.org\)](#)

Successful entrepreneurial activity of war veterans will contribute to adaptation in civilian life, increase social responsibility, promote socially responsible entrepreneurship among war veterans, create new areas of production and entrepreneurship, as well as the development of Ukraine's economy as a whole. It's important to create the sustainable algorithm for the effective developments of startups and cultivation of business initiatives of war veterans. For example-comprehensive program: education, financial support, mentoring, promotion, etc.

There are several ongoing programmes assisting reinsertion and reintegration of ex-combatants and war veterans in Ukraine: IREX Ukraine Veteran Reintegration, which focuses mainly on data and information on veterans, as well as ensuring that veteran support structures are more capable and responsive, expand veteran employment and vocational training opportunities.

The Norway-Ukraine professional adaptation, integration into the state system (NUPASS) project's objective is integration of the model of professional retraining and social adaptation of veterans and members of their families into the state system with coordination with Ukrainian ministries, especially Ministry of Veterans of Ukraine.

The OSCE (Organization for Security and Co-operation in Europe) Project Co-ordinator supports Ukraine's reforms and helps the country meet crisis-related challenges.

1.3 Role of partner institution in the sector

The Ministry of Veterans Affairs of Ukraine is the main body in the system of central executive bodies.

According to the Regulation approved by the resolution of the Cabinet of Ministers of Ukraine of December 27, 2018 № 1175 (as amended by the resolution of the Cabinet of Ministers of Ukraine of April 15, 2020 № 276), the Ministry of Veterans Affairs of Ukraine coordinates and implements preparation and implementation of projects of international technical and financial aid, in particular with the participation of governments, international organizations and foreign public associations.

2 ACTION DESCRIPTION

2.1 Overall objective

- Institutional capacities of employment, labour and social protection institutions are strengthened and reinforced.

2.2 Specific objective (s) (purpose)

- To create favourable conditions for the reintegration through entrepreneurship of war veterans and ex-combatants into civilian life

2.3 Expected results

- The legal framework and strategy supporting war veteran's entrepreneurial activities is improved
- Best practices on reintegration of ex-combatants into workforce are identified and shared
- Action plan to promote veteran's entrepreneurship is adopted

2.4 Final deliverables

- Review of the legal framework and existing strategy supporting war veterans entrepreneurial activities and suggestion for improvements
- Corpus of best practices on reintegration of ex-combatants into workforce
- An action plan to promote veteran's entrepreneurial activities

3 METHODOLOGY

3.1 General methodology of the action

The first activity will be conducted remotely using the SOCIEUX+ e-learning platform (<https://elearning.socieux.eu>). Experts and the Partner Institution will receive support from SOCIEUX+ on the registration of accounts and general set up.

This mission will be conducted remotely. Experts will consult various stakeholders via email, virtual meetings to study the legal framework and strategy supporting veterans in entrepreneurial activities. The technical deliverable for this activity, will be a report including observations and suggestions for improvement of the current legal framework and strategy supporting veterans in their entrepreneurial activities.

The principal expert will lead the remote mission. He/she/they will be responsible for the delivery of all deliverables of the activity. He/she/they will be responsible for the preparation, coordination, implementation and reporting of the overall activity towards SOCIEUX+.

The Partner Institution will work together with Experts in supporting the preparation and implementation of the activity. The Partner institution shall provide one or more resource person(s) to support experts in the material and technical organisation of the activity, as well as in the review, assessment of current legal framework and formulation of the recommendations.

3.2 Planned activities - work plan of the action

The following activities are currently planned for the action:

- Activity 1 – Review of the legal framework and strategy supporting veterans entrepreneurial activities including suggestions for improvement
- Activity 2 – Best practices on reintegration of ex-combatants into the workforce
- Activity 3 – Action plan to promote veteran's entrepreneurial activities

The present terms of reference cover the services expected for activities of the above work plan:

- **Activity 1**

3.3 Inclusion of cross-cutting issues

SOCIEUX+ recognises the importance to include cross-cutting issues in social protection, labour and employment policies and systems. The following cross-cutting issues are duly taken into account:

- Gender equality;
- Good governance;
- Human rights (including rights of children, people living with disabilities, vulnerable groups and minorities); and,
- Social and economic inclusion of vulnerable groups.

4 ACTIVITIES DESCRIPTION

4.1 Tasks

Activity 1 tasks:

Minimum tasks expected from the experts shall include:

Preparation:

- Get substantial knowledge of the local context; review relevant background documents provided by SOCIEUX+ and the Partner Institution and key legislative documents.
- Identify key legal experts to set up a task force in order to co-revise the documents and to discuss potential amendments.
- Develop presentation targets and specific target audience with the Partner institution, and co-develop the mission's methodology and agenda, to be validated by SOCIEUX+;
- Prepare the presentation materials using SOCIEUX+ templates.
- Before the start of the session, run a test of the platform with participants;
- Take part to a pre-training briefing with SOCIEUX+ team (around 1 week before the mission);

Implementation:

- Organize several brainstorming sessions with national partners (layers) to carry out a critical analysis of the legal framework and to formulate new amendments.
- Elaborate a corpus of recommendations and potential amendments.
- Organize a presentation and restitution meeting with national stakeholders to get feedback and final validation of the corpus.
- Provide feedback to participants on key messages to take home;
- Conduct a short session to direct participants towards the feedback [online](#) questionnaire (PAF) (link/activity on the e-learning platform provided).

Reporting:

- Submit to SOCIEUX+ all the final deliverables (10 working days after the activity). An additional round of adjustments may be conducted in interaction with SOCIEUX+ and the Partner;
- Convey visibility and knowledge development materials to SOCIEUX+ as appropriate. Any materials must be taken/used with the consent of participants;
- Participate in a debriefing with SOCIEUX+ team.

Deliverables:

Pre-mission deliverables

- A methodological note, detailing the objectives, audience, working approach, tools and methods to employ, a risks analysis, etc. The Methodological Note shall not exceed 3 pages (excluding cover page and annexes).
- An activity agenda, detailing the meetings and sessions to be held, list of participants, etc. The Activity Agenda shall not exceed 2 pages.

Final deliverables

- An individual Expert Mission Report (ExMR) in SOCIEUX+ format (template provided). This report is a confidential product intended solely for and use by SOCIEUX+. The expert team may also submit a single-joint ExMR report if they prefer to do so (see instructions on the template).
- An individual completed Expert Feedback Form (ExF) completed online (see instructions and link on the ExMR template).
- A collective Activity Report (AcR) in SOCIEUX+ format (template provided). This AcR is to be produced jointly by the mission team. It is intended for the Partner Institution, and will be shared, most probably, with key stakeholders of the action. The report will reflect the tasks conducted in during the activity. It shall provide a meaningful contribution towards the final deliverables of the action.
- A proposal for further amendments of legal framework in order to support and boost veteran entrepreneurial activities, including recommendations.
- Annex to AcR: All presentation materials, presentations and reports developed during the sessions.

5 REPORTING AND SUBMISSION OF DELIVERABLES

5.1 Formats

All deliverables and products of the activity (notes, reports, presentations, etc) shall comply with the formats and templates provided by the SOCIEUX+ Team.

All deliverables are to be submitted in electronic in electronic editable versions [Microsoft Word 97-2003 [doc], PowerPoint 97-2003 [ppt] and Excel 97-2003 [xls]; or in equivalent OpenDocument format). Non-editable electronic document such as in Portable Document Format (PDF) shall not be accepted.

Templates for electronic presentations during the activity/mission are provided by the SOCIEUX+ Team. These templates are in Microsoft PowerPoint format and comply with the SOCIEUX+ Corporate Image standards. These templates are to be used as a sole format by all members of the expert mission team. They are to be used for all presentations by the experts during and for the activity/mission. The use by the experts of their own, or their organisation(s), templates or formats are not allowed unless otherwise instructed in written [by email] to the experts by the SOCIEUX+ Team.

All versions of deliverables or other products used or produced during activity/mission by the experts shall include the following disclaimer:

"Disclaimer:

The responsibility of this publication sole lies with its authors. The European Union, the European Commission, the implementation partners of SOCIEUX+ and the SOCIEUX+ Staff are not responsible for any use that may be made of the information contained therein."

Please refer to the expert information package for further guidance on communication and templates.

All deliverables are to be provided in English.

5.2 Submission and approval

All deliverables versions (drafts, final or other) shall be submitted directly and only to SOCIEUX+ Team, unless otherwise instructed in written [by email] to the experts by the SOCIEUX+ Team.

5.2.1 Pre-mission deliverables

- Pre-mission deliverables shall be submitted no later than 5 working days before the start of activity or departure of the mission of the experts, whichever is the earliest.
- Pre-mission deliverables will be shared and reviewed by the SOCIEUX+ and the Partner Institution. Feedback on the deliverables should be provided to the Principal Expert at latest 2 days before the start of activity or departure of the mission of the experts, whichever is the earliest. Comments and recommendation of this feedback shall be taken into account for the implementation of the activity/mission by the experts. Only the mission agenda shall be resubmitted with revision if requested by the SOCIEUX+ Team.

5.2.2 Final deliverables

- The first draft versions of the final deliverables are to be submitted no later than 10 working days upon completion of the activity or return of the experts.
- Feedback to the first draft version of the report should be provided 10 working days after its submission.
- Inclusion of the feedback on drafts versions is expected 5 working days upon reception of the comments by the principal expert. (In general, no more than one round of feedback and revision is required, unless the quality of the deliverables is considered unsatisfactory by the SOCIEUX+ Team or/and the Partner Institution.)
- Final versions of the deliverables should be approved or rejected no later than 10 working days upon their submission to the SOCIEUX+ Team.

- Final payments and reimbursement of travel costs to experts can only be authorised upon approval of the final version of the deliverables by SOCIEUX+.

6 REQUIRED EXPERTISE

6.1 Expertise profile

Principal expert (Expert 1):

Area(s) of expertise: Labour Legislation

Specific skill(s) of expertise: Legislation and regulation (L&R) framework

- Education: university level preferably in Law with a career as lawyer (Masters or PhD related to the subject is considered a plus)
- At least 15 years of professional experience EU public administrations or, international organisations, academia, social partners, civil society organizations, international thematic organizations;
- Experience or deep knowledge in programmes of reintegration of ex-combatants, with a focus on generation of employment and income activities and entrepreneurship support;
- Experience providing public institutions or international organizations with research and policy advice;
- Experience in **DDR programmes** and support to veterans entrepreneurial activities;
- Experience providing advice to public institutions or organizations in adapting and optimizing their processes and structures, expanding their institutional capacities;

Expert 2:

Area(s) of expertise: Labour Law, Labour legislation

Specific skill(s) of expertise: Legislation and regulation (L&R) framework

- Education: university level preferably in Law with a career as lawyer (Masters or PhD related to the subject is considered a plus)
- At least 10 years of professional experience EU public administrations or, international organisations, academia, social partners, civil society organizations, international thematic organizations;
- Experience or deep knowledge in programmes of reintegration of ex-combatants, with a focus on generation of employment and income activities and entrepreneurship support;
- Experience in **DDR programmes**;
- Experience providing public institutions or international organizations with research and policy advice;
- Experience providing advice to public institutions or organizations in adapting and optimizing their processes and structures, expanding their institutional capacities;

6.2 Estimated workload

Activity 1

	Preparation	Implementation (meetings, desk reading)	Travel	Reporting & deliverables	Total
Principal expert (#1)	4	10	0	5	19
Expert (#2)	4	10	0	5	19
Total	8	20	0	10	38

Timeframe (Month/Year – Month/Year)	
Start <i>Including preparation</i>	Completion <i>Including delivery</i>
15 August 2022	9 September 2022

7 APPLICATIONS

7.1 Call for experts

All calls for experts for SOCIEUX+ activities are published online on the SOCIEUX+ website. Interested experts should submit their application on the SOCIEUX+ on-line expert database: <https://pmt.socieux.eu> (currently only available in English). The application process is:

1. If they have not already, experts create their SOCIEUX+ account by clicking on "Create an account" using an email address.
2. Login details for their account will be sent to experts by email, experts should create and submit their profile for review by²:
 - a. Providing contact details
 - b. Providing information on the competences, skills and working history of the expert. Experts are required to provide only limited information through fields marked with an asterisk. However, *experts are encouraged to complete in most detail de sections on skills and competences as the SOCIEUX+ Team also regularly reviews profiles in the roster to identify and contact potential experts for future missions.*
 - c. Uploading of a curriculum vitae, preferably in Europass format³.
3. Once their profile is approved by the SOCIEUX+ Team, they can apply to any available calls for experts accessible under the tab "Call for experts" and click on "Apply."

If more information is needed, please contact SOCIEUX+ by email at experts@socieux.eu with the reference number of the application.

Collaborative or interested institutions wishing to make expertise available for a specific call for application may directly contact the team of SOCIEUX+ at experts@socieux.eu.

7.2 Selection of experts

In principle, SOCIEUX+ mobilises experts from the public administrations and mandated bodies of EU member states, and practitioners working for social partners, including:

- Practitioners, civil servants and employees from publicly mandated bodies;
- Collaborators and employees of social partner institutions, such as trade unions and employer associations; and,
- Academic and research institutions.

Active public experts from collaborative institutions are given priority in the selection. Private consultants may also apply. Their application will be considered in case an appropriate public expert cannot be identified.

Only short-listed applicants may be contacted. The selection process may include interviews by phone or other communication means.

² SOCIEUX+ expert database and other management tools comply with the General Data Protection Regulation (GDPR) -Regulation (EU) 2016/679.

³ Europass templates for CVs are available here: <http://europass.cedefop.europa.eu/en/documents/curriculum-vitae/templates-instructions>

Interested candidates may download the **Guide for Experts and Collaborative Institutions** with detailed information on contracting with SOCIEUX+ at www.socieux.eu

7.3 Contracting of public experts

Public experts can be in active duty or retired. Retired employees from international specialised agencies or cooperation agencies can also be mobilised, without regard to their former employer's collaborating with SOCIEUX+ on a specific action. Retired experts are considered as public experts for all purposes, benefits, and financial compensation provided by SOCIEUX+.

Short-listed candidates may be required to provide the contact of employer or proof of their ability to be directly contracted under their status as civil servant or public employee.

7.4 Financial compensations

Contract officials or active-duty or retired employees are entitled to standard fixed allowances of 350 euros per working day worked. The fees of private consultants are negotiated according to their number of years of relevant expertise and the standard scale of SOCIEUX+.

Retired experts are assimilated to public employees for all intents and purposes, benefits and financial compensation provided by SOCIEUX+.

National regulations on remuneration and compensation of public employees and civil servants applies, and may limit the payment of allowances by SOCIEUX+. The responsibility for compliance and verification lies with individual experts and their institutions of origin. The payment of income or other taxes is the sole responsibility of the mobilised experts and/or their organisations.

7.5 Travel costs

All travel expenses for the mobilised experts (public, private or international institutions) are covered by SOCIEUX in accordance with the **Guide for Experts and Collaborative institutions** with detailed information on contracting with SOCIEUX+ (version as on date of signature of the contract).

8 COMMUNICATION & VISIBILITY

SOCIEUX + can use its communication channels, such as the web, newsletter and other media, to share information about the implementation and results of the activities. For this, contributions of the experts mobilised are expected. The experts may be requested to provide such contributions in the field of communication as photographs, provide short texts, and interviews.

Short briefings, before and after the mission, with the Communication Officer of SOCIEUX+. This briefings will provide the opportunity to identify communication opportunities and strategies.

For specific activities, visibility products, such as brochures, USB sticks, notebooks and pens, can be made available to experts for on-site distribution.

9 CODE OF CONDUCT

The experts mobilised by SOCIEUX+ will provide technical assistance from the preparatory stages of each activity to the delivery of products. The SOCIEUX+ Team will assist experts to fulfil their assignments by supporting and advising on the preparation of background materials before meetings. The SOCIEUX+ team will collect feedback from partner institutions and relevant stakeholders to ensure that mission reports and recommendations are delivered to national authorities, the EU Delegations in the partner countries and EuropeAid.

The experts mobilised are not representing SOCIEUX+ or the EU. Technical opinions and recommendations expressed are their own. They shall not express negative opinions on the implementation of actions supported by SOCIEUX+ to third-parties. Nevertheless, they shall be aware of SOCIEUX+'s objectives and functioning, and promote its services at the best of their knowledge, whenever possible and feasible.

The experts shall perform their duties in the Partner Country in a way that is fully compliant with and respectful of the local institutions, policies and cultural behaviours. They shall particularly adopt a culturally-sensitive behaviour in their way to deal with the local counterparts.

10 OTHER CONSIDERATIONS

If applicable

...Text...

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ABOUT SOCIEUX+

The European Union (EU) promotes and maintains dialogue on social protection and inclusive employment policies with an increasing number of partner countries. This effort has been confirmed by the European Commission (EC) Communication COM (2016) 740 final - "Proposal for a new European Consensus on Development, entitled *Our world, our dignity, our future*. A significant number of cooperation initiatives in these fields are funded by geographic or thematic instruments of the EU in different countries. Those initiatives are highly structured and address the medium- to long-term needs of partner countries. However, short-term measures and peer-to-peer cooperation to promote the development of social protection systems are needed to complement the EU's cooperation with third countries. SOCIEUX+ - EU Expert Facility on Employment, Labour and Social Protection responds to this need.

The SOCIEUX+ facility was setup by the EU through co-funding from France, Spain and Belgium and the resources managed by the European Commission's Directorate for Development and Cooperation (EuropeAid). The facility is implemented by a partnership composed of development cooperation agencies from Member States: Expertise France (the partnership lead), Fundación Internacional y para Iberoamérica de Administración y Políticas Públicas (FIIAPP) from Spain, Belgian International Cooperation on Social Protection (BELINCOSOC), and the Belgian Development Agency (Enabel).

The general objective of the Facility is to expand and improve access to better employment opportunities and inclusive social protection systems in partner countries. Its specific objective is to enhance the capacities of partner countries to better design, manage and monitor inclusive, effective, and sustainable employment strategies and social protection systems through short-term, peer-to-peer technical assistance and knowledge development.

SOCIEUX+ recognises the impact of social protection and employment in reducing poverty and vulnerability. It supports the efforts of partner governments in promoting inclusive and sustainable social protection and employment systems. SOCIEUX+ also complements the efforts made through other European Union initiatives.

The Facility is an expansion of SOCIEUX Social Protection EU Expertise in Development Cooperation, established in 2013.



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