

GLOBAL PRICE SPECIFIC TERMS OF REFERENCE PART A

FWC SEA/2023 LOT 3 - FOOD SYSTEMS, SUSTAINABLE AGRICULTURE AND NUTRITION

Agri-food Legal and Regulatory Support Initiative for Uzbekistan

1 BACKGROUND INFORMATION

The Agency for Strategic Reforms (ASR) under the President of the Republic of Uzbekistan was established in accordance with the Presidential Decree No. 216 (8 September 2022). One of the main tasks of the ASR is to provide evidence-based analysis and to develop practical proposals for further reform of priority sectors and industries of the Uzbek economy and attraction of investment. This requires the assessment of the effectiveness of existing and planned reforms and their implementation, identification of systemic problems that currently hinder reforms and the creation of an effective enabling environment and economic growth. Within this broad mandate the ASR is now seeking to strengthen its capacities with the support of targeted expert assistance in the agri-food¹ sector.

The Institutional Development and Better Regulation Unit of the International Strategic Center for Agri-food Development under the Ministry of Agriculture of the Republic of Uzbekistan has identified similar needs. The Unit is following reforms and legal and regulatory framework's relevance with the National Agriculture Development Strategy for 2020-2030. This Unit and the Ministry itself should be supported to ensure that regulatory assessment is an integral part of agriculture policy.

The current agri-food sector regulatory environment requires optimization to foster more sustainable agricultural practices, ensure equitable land tenure and usage rights, and establish an appropriate balance between state intervention and promotion of entrepreneurial initiatives. In this regard, the ASR and the Ministry of Agriculture are initially seeking support to strengthening the legal and regulatory environment to enable market-based reform, gradually reducing distortive state interventions in the sector, in line with national and international legal obligations. The wider aim of these changes is to attract increased investment, diversify public expenditure in support of agri-food sector economic growth, and establish modern public administration systems, support services and related capacities.

The main focus of this support is requested to initially focus upon undertaking a comprehensive assessment and provide recommendations on the revision of the regulatory framework governing the agri-food sector, and to analyse targeted aspects of the economic, social, and political aspects of agri-food sector development that need further attention as part of the sequenced reform of the sector, in line with the Agriculture Development Strategy.

Since the appointment of the President Shavkat Mirziyoyev in December 2016, the Government has initiated ambitious reforms aimed at further integration in the global market, economic growth and transforming the relationship between the State and the citizens. The legal and regulatory framework

¹ For the purposes of this contract, the term *agri-food* is used as an overarching term that encompasses all the activities related to the production of food and other essential resources. This includes: (i) *Crop production*, involving the cultivation of plants for food, feed, and non-food purposes; (ii) *Livestock and Meat production*, involving the breeding and raising of animals for food, dairy, wool, and other related processed meat products; (iii) *Agricultural Services*, involving a variety of support services related to the agriculture and food industry, such as research and development, education, advisory services, and training; (iv) *Forestry*, including the sustainable management of forests for timber production, biodiversity conservation, and other environmental objectives; (v) *Fisheries*, involving in the harvesting, processing, and management of fish and other aquatic organisms from seas, rivers, and other water bodies; (vi) *Agro-processing*, involving the processing of agricultural products into food, beverages, feed, and other goods; (vi) *Rural development*, including support and promotion of sustainable rural communities, considering factors beyond agricultural production that impact on rural areas.

has lacked behind the rapid and ambitious reform programme, creating more risks of overlaps, discrepancies and, hence, hindering the full implementation of the Government's commitments laid down in the Agriculture Development Strategy.

2 OBJECTIVE, PURPOSE AND EXPECTED RESULTS

- Global objective
 - To accelerate the implementation and impact of reform, in full alignment with the Agriculture Development Strategy of the Republic of Uzbekistan for 2020-2030, the wider enabling environment governing the agri-food sector policy priorities of the Government of Uzbekistan, and in coherence with the EU's strategic priorities for the Central Asia region, including environmental protection, climate change and gender equality.
- Specific objective(s)
 - To assess the existing legal and regulatory framework governing the agri-food sector and identify key gaps and areas for improvement, with a view to enhancing the implementation of the Agriculture Development Strategy.
 - To strengthen the existing legal and regulatory framework governing the agri-food sector through the provision of targeted legal and technical evidence-based analysis, advice and training.
 - To strengthen the skills and knowledge of the Uzbek national administration working with the legal and regulatory framework governing the agri-food sector.

2.1 Requested deliverables:

- **Requested services, including suggested methodology:**

The requested services and deliverables for this contract are framed within four (4) inter-connected components, namely:

Component 1 - Comprehensive study of the existing legal and regulatory framework governing the agri-food sector, including a gap analysis and agri-food legal reform roadmap.

The project team is requested to undertake the following activities under Component 1:

- Undertake a comprehensive review and analysis of the existing legal and regulatory framework governing the agri-food sector, including agriculture land rights and agri-food climate adaptation and mitigation.
- Identify existing areas of legal and regulatory overlaps, duplications, inconsistencies, and gaps (in line with relevant international obligations and norms, including but not limited to accession to the WTO) in the current legal and regulatory landscape governing the agri-food sector.
- The regulatory analysis should also consider, where relevant to agri-food sector reforms, the economic, social, environmental and policy framework (including but not limited to national commitments to food security, food safety, environmental protection, climate change adaptation and mitigation, and gender equality) for the implementation of the Agriculture Development Strategy to achieve its stated objectives and priority reform indicators and targets. This will include collection and collation of relevant statistics, data and information from various sources, including government, development partner and private sector reports and analysis, relevant research papers, international comparative analysis and stakeholder consultations, all of which will contribute to the analysis and interpretation of available data and provide evidence-based insights for agri-food policy and regulatory reform.

- Prepare a comprehensive report detailing the findings and recommended revisions to the regulatory framework, proposed amendments, anticipated to include recommendations for the simplification of legislation, and the abolition and/or repeal of targeted legal acts where necessary, and recommendations for further legal improvements, including detailed proposals for the preparation of new laws and regulatory acts and their sequencing, presented as an annex in the form of an ‘Agri-food Legal Reform Roadmap’.
- Develop a draft Agri-food Legal Glossary of commonly used legal terms and definitions which can be used in Uzbek to ensure consistency in the use of language for all future legal acts regulating the sector.

Component 2 - Agri-food Regulatory Monitoring and Compliance Check

The project team is requested to undertake the following activities under Component 2:

- Assess what kind of systems are in place for agri-food regulatory monitoring and compliance that are able to track the status and progress of all relevant agri-food sector legal acts, covering all relevant government bodies. Assess their functions and capacities of relevant institutions to monitor the alignment with the Agriculture Development Strategy and other relevant national and international legal acts and obligations. Identify overlaps and gaps between these systems.
- Prepare a comprehensive report summarizing the key findings and providing recommendations for including but not limited to strengthening further the existing system/s and/or for developing new one, identifying the most appropriate institution/s managing such systems, and developing information collection mechanisms necessary for further improving monitoring and compliance checks.

Component 3 - Regulatory Impact Assessment (RIA)

The project team is requested to undertake the following activities under Component 3:

- Assess any existing templates that may have been prepared and used by the Government for ex-ante and ex-post RIA as a regulatory screening tool. Provide recommendations for improvements.
- To demonstrate the practical use and application of the RIA template(s) in the agri-food sector and strengthen institutional capacities, the project team will complete at least two draft RIAs, namely for (i) ex-ante regulatory assessment; and (ii) ex-post regulatory assessment, as a training exercise, with relevant counterparts.
- To ensure relevant institutions involved in the preparation of regulations in support of the agri-food sector understand the use and application of RIA to support their work, the project will conduct at least two trainings to introduce the RIA and the practical examples.

Component 4 - Project coordination

The ASR will be consulted during the implementation of the contract and approval of deliverables.

In order to facilitate effective coordination between the main regulatory bodies involved in the agri-food sector and assist in the development of a greater coherence and cohesion in the development of the agri-food regulatory framework for the future, the contractor will:

- Be responsible for establishing a dedicated Project Steering Committee (PSC), to be co-chaired by the EU Delegation to Uzbekistan, the ASR and the Ministry of Agriculture.
- The PSC will include representatives from all key stakeholder government and non-government institutions which are considered essential to the implementation of the project,

including but not limited Ministry of Economy and Finance, Ministry of Justice, Ministry of Water Resources, Ministry of Health, Ministry of Ecology, Environmental Protection and Climate Change, Ministry of Investment, Industry and Trade, and Ministry of Labour and Social Security, and all relevant subordinate institutions of these Ministries, as needed.

- The PSC will be responsible for providing advice and support to the project and for allocating operational focal person(s) within their Ministries, to act as liaison officers to assist the project in achieving all project deliverables.

The Contractor should describe in the offer how all components will contribute to cross-cutting issues, in particular environmental protection, climate change, and gender equality.

➤ **Required Outputs**

Contractual deliverables under Component 1 include:

- Agri-food Legal and Regulatory Assessment Report - to include summary findings from a comprehensive review and analysis of the existing legal and regulatory framework governing the agri-food sector, including agriculture land rights; identification of existing areas of legal and regulatory overlaps, duplications, inconsistencies, and gaps (in line with international obligations and norms, including the ones related to the accession to the WTO) in the current legal and regulatory landscape governing the agri-food sector; an assessment of the economic, social, environmental and policy framework (including but not limited to national commitments to food and nutrition security, food safety, environmental protection, climate change adaptation and mitigation, and gender equality) for the implementation of the Agriculture Development Strategy to achieve its stated objectives and priority reform indicators and targets. The report will also contain relevant comparative international experience examples; and relevant sector data and information, as needed, to support the findings. To be completed in English and Uzbek.
 - The first draft report to be submitted together with the interim narrative report.
 - The final draft to be completed by no later than two (2) months prior the end of the project.
- Agri-food Legal and Regulatory Reform Plan – to include detailed proposals for the amendment of relevant legislation and related support structures and systems, aimed at strengthening the Agriculture Development Strategy implementation framework and sequencing of regulatory reforms, anticipated to also include recommendations for the simplification of legislation, and the abolition and/or repeal of targeted legal acts where necessary, and recommendations for further legal improvements and their reform sequencing. To be completed in English and Uzbek.
 - The first draft report to be submitted together with the interim narrative report.
 - The final draft to be completed by no later than two (2) months prior the end of the project.
- Agri-food Legal Glossary – to include commonly used terms and definitions in the Uzbek language (with equivalent terms in English) which can be used to ensure consistency in the use of specific language regulating the agri-food sector. To be completed in English and Uzbek by no later than three (3) months prior the end of the project.
 - The first draft report to be submitted together with the interim narrative report.
 - The final draft to be completed by no later than two (2) months prior the end of the project.

Contractual deliverables under Component 2 include:

- Assessment report on the existing systems for agri-food regulatory monitoring and compliance check - to inform on the systems that are in place for agri-food regulatory monitoring and compliance that are able to track the status and progress of all relevant agri-food sector legal acts, their alignment with the key stakeholder needs and priorities, as well as staff and systems'

capacities to monitor the alignment with the Agriculture Development Strategy and other relevant national and international legal acts and obligations. It shall also include the analysis of the most appropriate institution/s to manage such systems and of any information collection mechanisms that would be needed additionally. The report shall also provide recommendations for further improvements. To be completed in English and Uzbek.

- The first draft report to be submitted together with the interim narrative report.
- The final draft to be completed by no later than two (2) months prior the end of the project.

Contractual deliverables under Component 3 include:

- **Report on RIA in the agri-food sector** - to include analysis of the existing templates of the Government and their use for conducting both ex-ante and ex-post RIA in the agri-food sector. It shall provide detailed recommendations for further improvements including on institutional capacity. To be completed in English and Uzbek.
 - The first draft report to be submitted together with the interim narrative report.
 - The final draft to be completed by no later than two (2) months prior the end of the project.
- **At least two (2) practical RIA Case Studies** - to include at least one example of ex-ante RIAs and one example of ex-post RIAs. To be completed in Uzbek by no later than two (2) months prior the end of the project.
- **At least two (2) trainings on RIA** - to strengthen the institutional capacities in conducting RIA in the agri-food sector, the practical examples and trainings to be provided for the relevant government officials who will be involved in the preparation of regulations in support of the agri-food sector. Unless the training facilities can be organised by a relevant government entity, the contractor shall provide the necessary venue, including equipment, interpretation services and catering. The training to be organised in Uzbek (simultaneous interpretation to be organised if needed) for tentatively 30 participants. The slides of the presentation to be shared with the participants after the event. The slides shall be translated to Uzbek if initially prepared in English. To be completed by the end of the project.

Contractual deliverables under Component 4 include:

- **At least three (3) Project Steering Committees:** Unless the logistics for the PSC can be organised by the ASR or another relevant government entity, the contractor shall provide venue, equipment, welcome coffee, interpretation services and other relevant logistical support.
 - The PSC meetings are to be organised in English and Uzbek (with simultaneous interpretation) for tentatively 30 participants. The slides of the presentation to be shared with the participants after the event. The slides should be in English and Uzbek. The minutes of the PSC meetings shall be available in English and Uzbek and be shared within 3 days of the PSC with all participants.
 - One PSC (as a kick-off meeting) to be completed by the submission date of the interim progress report. One PSC to be organised following the finalisation of the interim progress report. Final PSC to be organised with the finalisation submission of all deliverables.

3 LOGISTICS AND TIMING

Please refer to Part B of the Terms of Reference.

4 REQUIREMENTS

Please refer to Part B of the Terms of Reference.

5 REPORTS

The contract shall submit the following reports.

Title	Content	Language	Submission timing or deadline	Number (if report to be provided in Paper or USB/CD/DVD format)
Inception report	The inception report will clearly define the scope of the work, including a detailed workplan, and highlight any proposed adjustment of the offer in terms of organization, methodology, deliverables and work plan, following the kick-off meeting and based on an assessment of the specific needs and requirements of all relevant counterparts. In case of modification of the Terms of Reference, a signed addendum to the contract will be necessary.	English and Uzbek	Within 6 weeks of the project start	Electronic version (PDF and Word) + 3 hard copies (1 in English and 2 in Uzbek)
Interim report	Interim report shall summarise the progress of the action for the first 6 months of the implementation period. This includes all elements of the contract, linking them to the outputs and outcomes indicated in the Terms of Reference. Reflections on challenges faced during the implementation should be included in the report. All completed draft deliverables to be added as annexes to the report as well as lists of participants and programmes of the delivered trainings.	English and Uzbek	Within 7 months after the project start	Electronic version (PDF and Word) + 3 hard copies (1 in English and 2 in Uzbek)
Draft final report	The contractor shall submit the draft final report and cover the implementation of all the elements of the contract. The report should identify challenges and opportunities encountered in the implementation of this project, as well as highlight key achievements, lessons learned and recommendations for future actions.	English and Uzbek	Within 30 days after the project end	Electronic version (PDF and Word)

	All completed deliverables to be added as annexes to the report as well as lists of participants and programmes of the delivered trainings.			
Final report	The contractor shall submit the final report which includes specifications as the ones required for the draft final report, incorporating any comments received from the parties on the draft report. The final report is submitted jointly with the final invoice.	English and Uzbek	Within 60 days after the project end	Electronic version (PDF and Word) + 3 hard copies (1 in English and 2 in Uzbek)

For each report, the EU Delegation, in consultation with the ASR, will send to the Contractor consolidated comments or the approval of the report within 15 calendar days. The revised reports addressing the comments shall be submitted within 15 calendar days from the date of receipt of the comments, except for the final report (see the table above). The Contractor should provide a separate document explaining how and where comments have been integrated or the reason for not integrating certain comments, if this is the case.

6 MONITORING AND EVALUATION

Indicators have to be used by the Framework Contractor for the Specific Contract to measure the effective and timely implementation of all activities and achievement of outputs, outcomes and impact of the project. The proposed results framework shall include indicators from the Global Europe Results Framework² including but not limited to “Number of countries supported by the EU to (a) develop and/or revise, (b) implement digital-related policies/strategies/laws/regulations”.

The Performance Monitoring System has to be used by the Framework Contractor to the Specific Contract to prepare the final reports that will include qualitative assessment of implementation of activities and of reaching the expected outputs, outcomes and impact. Information on achieved values of indicators will be reported by the Framework Contractor of the Specific Contract and attached to each final report.

7 PRACTICAL INFORMATION

Please address any request for clarification and other communication to the following address: DELEGATION-UZBEKISTAN-CRIS-FWC-OFFERS@eeas.europa.eu.

The Contracting Authority may, within the overall amount foreseen in the specific contract and in agreement with the Contractor, reduce, increase or cancel already ordered services and add new services which become necessary for the success of a contract.

The Contracting Authority may require additional services that the contract amount may be increased following the EU procurement rules. The Contracting Authority can make extension of contract duration and additional funding (top up of funds).

² Commission Staff Working Document - Launching the Global Europe Performance Monitoring System containing a Revised Global Europe Results Framework (SWD(2022) 22), <https://data.consilium.europa.eu/doc/document/ST-5697-2022-INIT/en/pdf>

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Part B

1. Benefitting Zone

Uzbekistan

2. Specific Contracting Authority

Delegation of the European Union to Uzbekistan

3. Specific contract language

English

LOCATION AND DURATION

4. Location

Normal place of posting of the specific assignment: Tashkent, Uzbekistan.

Mission(s) outside the normal place of posting and duration(s): None foreseen.

5. Start date and period of implementation

The indicative start date is 1 July 2024 and the period of implementation of the specific contract will be 365 days from this date (indicative end date: 1 July 2025).

REQUIREMENTS

6. Expertise

The contractor should define in their proposals the structure of the proposed team. The contractor should also demonstrate in their offer that they can ensure the necessary knowledge, skills and experience of the team. Indicatively this is anticipated to include but not limited to the expertise in the following areas:

- Project management and coordination;
- Analysis of legislation and regulations, including legislative gap analysis;
- Regulatory Monitoring and Evaluation / RIA;
- Agri-food Public Administration Reform / Functional Review and Analysis;
- Agriculture and food regulatory specialists in targeted areas;
- Other specialist areas / disciplines to be identified in line with the requirements of the project and the defined deliverables.

7. Incidental expenditure

Not applicable.

8. Lump sums

Not applicable.

9. Expenditure verification

Not applicable.

10. Other details

Not applicable.
