

CALL FOR APPLICATIONS: Country Researchers - Legal and policy frameworks governing the registration of non-profit organizations in sub-Saharan Africa

The International Center for Not-for-Profit Law (ICNL) is pleased to invite applications from local consultants in **Kenya, Ethiopia, South Africa, Botswana, Namibia, Senegal, and Ghana** to conduct research on the legal and policy frameworks for registration and regulation of non-profit organizations in the specified countries.

Background

The International Center for Not-for-Profit Law (ICNL) is an international not-for-profit organization that promotes an enabling legal environment for civil society, freedom of association, assembly, expression and public participation around the world. ICNL has provided technical, research and capacity-building assistance to support the reform of laws affecting civil society organizations (CSOs) in over 100 countries. We draw upon a worldwide network of partners and experts to produce innovative research and analysis on legal topics affecting civil society. To learn more about ICNL's programs in Africa, visit www.icnl.org.

ICNL is seeking consultants to research the legal requirements for establishing an NPO in **Kenya, Ethiopia, South Africa, Botswana, Namibia, Senegal, and Ghana**. The research will be used to prepare a reference manual for NPOs, international policy makers and human rights mechanisms.

Consultants will be asked to prepare country reports focusing on various aspects of the legal framework for establishing an NPO and will specifically examine:

- (i) Various laws, regulations, policies, and administrative instruments governing NPOs in the country and the different types of NPOs recognized under those frameworks. This can include insights into NPOs that may face particular risks for operating in the country and the source of any these threats.
- (ii) Requirements and conditions for registration of NPOs, including foreign organizations, which foster an enabling operating environment as well as any practical barriers affecting NPO operations in the country.
- (iii) Incentives for NPOs' access to resources including access to banking services, funding sources and fiscal treatment of NPOs.

- (iv) Reporting obligations for NPOs including financial reporting requirements and oversight powers of relevant authorities on NPO finances.
- (v) Provisions that guarantee autonomous operations for NPOs in respect to their internal governance affairs, programmatic discretion, and compliance obligations, and
- (vi) Scope of penalties and sanctions imposed on NPOs under existing laws, regulations, policies, and administrative practices.

Content of Research

ICNL will support one local consultant per country to conduct research that will include (i) A literature review of existing and proposed laws, regulations, policies, directives, case law and administrative frameworks, previous studies, media reports, academic works, and government documents; (ii) Policy and legal analysis; and (iii) Key informant interviews with lawyers involved in setting up NPOs, NPOs established by non-nationals, umbrella bodies, regulatory officials, and others, such as academics, who have knowledge of the legal issues.

The grant recipient will be responsible for all desk and field research, and for drafting and submitting the Country Report to ICNL at the end of the research grant. ICNL will provide a questionnaire which the researchers will use to guide information-gathering. Each researcher will prepare a report covering the areas outlined in the questionnaire and in accordance with the country report outline agreed upon with ICNL. ICNL will work with the researcher to review and finalize the Country Report. The research must be finalized by July 15, 2021.

Application Instructions

Applicants must submit the following fully completed items, with the Application Coversheet via email, with the subject “**NPO Registration Processes in Sub-Saharan Africa**” to africa@icnl.org:

- Resume, Curriculum Vitae (CV) or other statement of relevant work history and education (no more than 3 pages), and a writing sample;
- Line-item budget (not more than 1 page and not to exceed **US\$ 2,500**); and
- Proposal (see below).

Content of Proposal

In no more than three (3) pages, please describe the following:

- i. Your experience and expertise on issues relating to freedoms of association and assembly, expression, and public participation for civil society organizations.
- ii. Your experience and expertise on the legal framework relating to regulation of not-for-profit organizations.
- iii. Overall approach and methodology for conducting the research, including steps for ensuring the quality of information collected.
- iv. Likely sources of documents/information that will be investigated, including whether interviews and other on-the-ground research will be needed.
- v. Proposed timeline for: completing the research, submitting an initial and second draft of the Country Report, and submitting a final draft of the Country Report.

Eligibility Requirements

This research call is open to individuals or organizations, including CSOs, academic institutions, think-tanks, and other research-oriented legal entities based in **Kenya, Ethiopia, South Africa, Botswana, Namibia, Senegal, and Ghana**. Lawyers or organizations focused on legal issues are strongly preferred.

One researcher from each country will be chosen, and applicants must focus proposals on one country. Applicants are expected to strictly comply with submission deadlines. The project must be completed by July 15, 2021, including submission of an initial draft of the Country Report by mid-May and a further draft by mid-June, with an opportunity for ICNL to provide comments on drafts. Earlier timelines for the project and submission of drafts are preferred and are a favorable factor in the application review process. Additionally, the grant recipient will be required to participate in at least one virtual event organized and funded by ICNL during the research phase to present and discuss the draft research before it is finalized.

Selection Criteria

Applications will be evaluated based on the following factors:

- i. Legal education and experience;
- ii. Familiarity with the laws, rules, practices, and treaty obligations applicable to freedom of association, assembly and expression in the selected country.
- iii. Excellent research, analytical and writing skills;
- iv. Compliance with eligibility requirements and application procedures;
- v. Commitment to, and track-record in complying with project submission deadlines;

- vi. Quality of proposal, including feasibility of the research (e.g., the research is targeted to answer the relevant questions, and the scope of the research is achievable within the time frame);
- vii. Timeline for the research and draft submissions;
- viii. Competitiveness of the budget, consultancy rate, time availability and value for money.

Additional information

All grant recipients must submit a final report on the use of the funds, activities conducted, and outcomes of their projects prior to receiving their final grant disbursements.

All grant recipients must finalize their projects by July 15, 2021.

Please contact us via email at africa@icnl.org should you have questions.

Deadline

The deadline for applications is **Friday, March 12, 2021**.

APPLICATION COVERSHEET

Please complete the coversheet and submit it, along with your proposal and other application documents to africa@icnl.org. Please ensure that the subject of your email is: " NPO Registration Processes in Sub-Saharan Africa." If you do not receive confirmation that your application was received within 48 hours, please contact us by email again.

Full Name:

Position:

Organization:

Mailing Address Line 1:

Mailing Address Line 2:

Mailing Address Line 3:

Country:

Email Address:

Telephone Number:

Check the boxes below to indicate that you have properly completed the application.

- I have attached a proposal that is no more than three pages in length.
- I have attached a CV and a writing sample.
- I have attached a line-item budget.
- I reside and work in an eligible country.