

TERMS OF REFERENCE

'EU Integration Process Expert'

I BACKGROUND

1.1. Beneficiary country

The action will be implemented in Bosnia and Herzegovina.

1.2. Project description

Title: 'EU for Civil Society (EU4CS) - Capacity building of Governments to include CSOs into the decision-making, Bosnia and Herzegovina'

The *overall objective* of this project is to address the problem of weak cooperation and dialogue between governments and civil society in Bosnia and Herzegovina and to extend support to inclusive social dialogue and social partners (employees, employers, governments) including in relation to legislation, collective negotiations, assessing the need for new legislation, drafting the laws and monitoring the implementation of reforms.

The *specific objective* is to target the problem of weak cooperation and dialogue between governments and civil society in Bosnia and Herzegovina and extend it in direction of support to social dialogue and social partners (employees, employers, governments) including on such issues as legislation, collective negotiations, assessing the need for new legislation, drafting the laws and monitoring the implementation of reforms.

Expected *outputs* to be achieved include:

- Strengthen capacity of the public institutions and CSOs for better cooperation on policy dialogue,
- Strengthen capacity of the CSOs for better cooperation on creating and drafting strategic, legal and policy framework,
- Improved social dialogue between social partners (employees, employers, governments) at all institutional levels,
- Ensure participations of CSOs in the public consultations process/public debates on different institutional levels,
- Improved transparency in financing of CSOs by public institutions and
- Improved CSOs programme and financial reporting system to relevant institutions.

Project 'EU for Civil Society (EU4CS) - Capacity building of Governments to include CSOs into the decision-making, Bosnia and Herzegovina', is implemented by international consortium led by PCM Consulting, Igor Stojanovic sp, Voždovačka 4, 78000 Banja Luka, Bosnia and Herzegovina
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1.3. Relevant country background

Since 1995 and according to the Dayton Agreement the state of Bosnia and Herzegovina (BiH) has been divided into two political entities – the Republic of Srpska (RS) and the Federation of Bosnia and Herzegovina (FBiH) – and the Brčko District (condominium). The RS covers 49 % of the territory and forms a semi-circle around the north and east, while the FBiH occupies the other 51%. Each Entity has its own political structure and administration. The BiH State government consists of a Parliamentary Assembly, which is divided into a House of Representatives and a House of Peoples, a rotating tripartite presidency (with one member from each of the constituent peoples – Bosniaks, Croats and Serbs), and a Council of Ministers with nine ministries. The political structure of the FBiH is divided into three levels: the Entity level, the Cantonal level and the Municipal level, with each municipality having its own municipal council and administrative structures. By contrast, the Republika Srpska (RS) has no cantons, only municipalities.

Therefore, in such a complex environment non-state actors (NSA) have difficulties in advocating for reforms in the above mentioned areas.

According to the latest data obtained from the BiH Ministry of Justice, for more details please consult <http://zbirniregistri.gov.ba/> only accessible in Bosnia and Herzegovina's official languages, there are more than 27,000 organisations that can be considered as civil society non-profit organisations. At the State and FBiH level, the Ministries of Justices are responsible for registration and for keeping the Registry Books for Associations and Foundations. According to RS's Law on Associations and Foundations, associations and foundations register at the Basic Court in the seat of the District Court in the area in which they have their seat.

1.4. Current state of affairs in the relevant sector

On the basis of a recommendation by the Commission, in December 2022 the European Council granted Bosnia and Herzegovina the status of candidate country¹. The positive momentum that followed the granting of candidate status resulted in limited progress on the Opinion's key priorities. Following the granting of candidate status, the public commitment of political parties to the strategic goal of European integration brought positive results. Important steps and commitments were made towards the fulfilment of the key priorities, despite negative legislative developments at entity level. The formation of a state-level coalition government at record speed is an important proof of a new political dynamism and will.

Bosnia and Herzegovina is in between an early stage and some level of preparation in its ability to take on the obligations of EU membership. It needs to significantly step up alignment with the EU acquis and implement and enforce the necessary legislation. Limited to no progress was made on most EU acquis chapters during the reporting period.

The Opinion's key priority 11 on ensuring an enabling environment for civil society still needs to be addressed, notably by upholding European standards on freedom of association and freedom of assembly. Meaningful and systematic consultations with civil society have yet to be ensured as part of an inclusive policy dialogue.

In the context of the upcoming negotiations with the EU, CSOs do not have enough capacity individually, and CSO networking is still at a fairly low level, so the question arises whether CSOs could even articulate a CSO position, which is adequately argued and can produce the desired change, i.e. to influence the representatives of the EU and/or BiH institutions to accept the proposal of the CSO².

II SCOPE OF THE ASSIGNMENT

2.1. Description of the assignment

EU Integration Process Expert (hereinafter referred to as "Expert") will deliver trainings to CSOs on 'EU Integration Process', as support to meaningful participation of CSOs in inclusive policy dialogue and advocacy in BiH and ability of BiH to take on the obligations of EU membership processes, after European Council granted Bosnia and Herzegovina the status of candidate country.

It's planned to organise a total of 10 two-day trainings till end of 2024 for approx. 150 CSOs' representatives - training participants in various BiH cities (indicatively Sarajevo, Mostar, Tuzla, Banja Luka, Dobo, Brčko, Zvornik, Bihać, Trebinje, Travnik).

These trainings will result in strengthening perspectives of CSOs' participation in EU related policy dialogue and reforms with legislative/executive authorities on all levels in BiH via increasing understanding and knowledge of CSOs about elements of negotiation process among EU and BiH including:

¹ EU report for BiH 2023 https://neighbourhood-enlargement.ec.europa.eu/bosnia-and-herzegovina-report-2023_en

² CPCD, 'Capacities of organizations civil society in areas of protection environment and the EU integration' 2024 https://mislioprirodi.ba/wp-content/uploads/2024/04/FINAL-Putujes-li-Evropo_3.pdf

- Accession process (Negotiating framework, Intergovernmental Negotiating Conference, Screening – a detailed examination, of each policy field (chapter) - explanatory screening and bilateral screening, opening benchmarks, negotiating platform/position, Opening, negotiations and closing of chapters, EU special report with assessment of the overall preparedness of the candidate country, Signing of the Accession Treaty, Ratification and full membership),
- Methodology of negotiations within the chapters,
- Principles of legal harmonization of regulations
- Space and approaches for CSOs' engagement in accession/negotiating process.

Training will be supported by appropriate educational materials.

Number of required experts: One or more Non-Key Senior Short-Term Experts

Duration of the assignment: Up to a total of 23 working days

Period of the assignment: August 2024 – April 2025

Working language: Official languages in BiH

2.2. Geographical area

The geographical area to be covered by the project is entire BiH.

2.3. Target groups

- Civic society organizations (CSOs) in various parts of BiH.

2.4. Tasks and deliverables to be provided by the Expert

Tasks description:

- Creation of training curricula,
- Delivering 10 two-day trainings in different BiH cities (according to decision of the Contracting authority)
- Drafting Report on trainings delivered.

Expert will provide the following deliverables:

- Training curriculum and training material (presentations, documents)
- 10 training two-day sessions (preparation and delivery),
- Training report(s)

2.5. Payment

The payments will be completed upon the full completion and acceptance of the contract's obligations and upon the approval of the Experts' time and log sheets from the EU programme manager.

III REQUIREMENTS

3.1. Expert's profile

Qualifications and skills

- University degree in law, political or social sciences or a related fields;
- Computer literacy;
- Fluency in both written and spoken English and BiH languages is advantage.

Professional experience

General professional experience:

- Minimum 10 years of postgraduate professional experience in area(s) related with this assignment;

Specific professional experience:

- At least 5 years of professional experience in EU integration process (i.e. process of European integrations, decision-making process in the EU, harmonization of the laws with EU acquis, EU accession negotiations etc.) related with purpose of this assignment or similar,

- Experience in working in IPA countries - Croatia, North Macedonia, Turkey, Albania, Bosnia and Herzegovina, Montenegro, Serbia, and Kosovo (under UNSCR 1244) will be considered an advantage

Please note that, civil servants and other staff of the public administration of the beneficiary country cannot be recruited as experts, unless prior written approval has been obtained from the European Commission.

IV EVALUATION

Received applications from the experts will be evaluated against evaluation criteria developed in line with required qualifications and experiences of the experts, as presented within the section 3 of this ToR.

Based on received applications from the experts, contractor can distribute available working days among qualified experts.

V DOCUMENTS TO BE INCLUDED WHEN SUBMITTING THE PROPOSALS

5.1. Applicants shall submit the following documents:

- Personal CV including information on experience in similar projects / assignments
- Application letter to EU4CS confirming interest and availability for the experts per number of trainings with Financial Proposal, indicating fee per working day.

5.2. Application Procedure

Applicants interested in applying should submit documents from 6.1. (EU format CV and application letter, both in English) by e-mail to info@eu4cs.ba with a copy to teamleader@eu4cs.ba a not later than 16:00 hrs, August 22nd, 2024, titled:

**Application for the position:
'Trade Development Strategy Expert'**

References must be available on request.

Only short-listed candidates will be contacted.

All applications will be considered strictly confidential.

For more information, please contact Igor Stojanovic, Team Leader EU4CS: teamleader@eu4cs.ba