

TERMS OF REFERENCE

for short-term engagement of civic society strategy development 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. Background information

Since 1995 and according to the Dayton Agreement the state of Bosnia and Herzegovina 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 Republic of 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 , there are more than 27,000 organisations that can be considered as civil society non-profit organisations. At the State and Federation BiH 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.

The West Herzegovina Canton (WHC) is one of the ten cantons in the Federation of Bosnia and Herzegovina and is located in the southwestern part of Bosnia and Herzegovina. The WHC borders the Herzegovina-Neretva Canton and the Canton 10.

The WHC consists of four local self-government units, i.e., two cities and two municipalities, and according to the 2013 population census, it has 94,898 inhabitants, of which 50% are women. According to the 2013 census, the number of households was 25,081, with an average of 3.77 members per household. According to the 2013 census, WHC had 94,898 inhabitants, and according to the estimated population in 2023, as conducted by the Federal Institute for Statistics (FZS), there were 92,305 inhabitants in the WHC.

According to the data from the aggregate register of Associations and Foundations in Bosnia and Herzegovina, there are a total of 771 active Associations registered at the Ministry of Justice and Administration of the West Herzegovina Canton.

1.4. Current state of affairs in the relevant sector

In regards to civil society in BiH¹, no progress was made in addressing the Opinion key priority 11 on ensuring an enabling environment for civil society, notably by upholding European standards on freedom of association and freedom of assembly. An empowered civil society is a crucial component of any democratic system and should be recognised and treated as such by public institutions. While the overall legal and regulatory framework governing establishment and functioning of civil society organisations is broadly in line with the EU acquis, much remains to be done for public institutions to ensure an enabling environment for civil society, including on freedom of association and of assembly, in line with Opinion key priority 11.

None of the existing governments' levels in BiH have adopted Strategy for development of civic society. However, Ministry of Justice BiH, with strong involvement of civic society organizations, drafted Strategy of BiH Council of Ministers for creation of a stimulating environment for development of civil society 2024-2028 which still need to be adopted.

There are four Laws on associations and foundations (on three institutional levels) in BiH with in general the same content which allows CSOs registered in Brcko District, or in any of two entities or on the BiH level, to operate country wide without any restrictions.

Ministry of Justice and Administration West Herzegovina Canton has prepared a Draft Law on Associations in the West Herzegovina Canton, which regulates the operation, establishment, bodies, and legal status of associations, registration, property, responsibility, termination of work, and removal from the Register, status changes, supervision, and other issues important for the operation of associations registered under this law in the West Herzegovina Canton. A public discussion on the draft has been conducted, and adoption is planned for 2025.

BiH E-register of associations and foundations of Bosnia and Herzegovina is not providing updated data on CSOs in BiH. Although nominally looks well developed (approx. 27.000 CSOs, Civic legislation generally in line with key international documents on human rights, several signed Agreements for cooperation among the authorities and CSOs etc.), within BiH civic society is hardly possible to identify exact number of CSOs (approx. 2/3 of CSOs in BiH don't submit their

¹ EU report on BiH for 2022 (https://neighbourhood-enlargement.ec.europa.eu/bosnia-and-herzegovina-report-2022_en)

annual financial report), transparency in distributing public funds to CSOs suffer from lack of transparency, majority of CSOs lack key resources – particularly human and financial, charts of accounts are partially adjusted to needs of CSOs, donations represent 92% of all resources available to CSOs, where share of public funds in total revenue of CSOs is 34,4% (EU average - 58%) and most CSOs still largely depend on foreign support.

Since civil society plays a key role in the development of democratic processes, the improvement of societal values, and the promotion of active citizen participation in social and political matters, Government of the West Herzegovina Canton during November 2024 adopted decision for creation the Strategy for the Development of Civil Society of the West Herzegovina Canton for the period 2025-2030. The strategy should provide a framework for development of civil society in WHC but also for improving cooperation between CSOs and government institutions at the local and cantonal levels, thereby achieving better coordination and effectiveness in addressing common problems and implementing public interest projects.

The strategy should provide a framework for systematically addressing the existing challenges faced by CSOs in the canton, including the lack of institutional support, limited financial resources, weak coordination, and insufficient integration into decision-making processes.

The process of developing the Strategy for the Development of Civil Society in the West Herzegovina Canton 2025-2030 is led by the Office of the Government of the West Herzegovina Canton for European Integration.

II SCOPE OF THE ASSIGNMENT

2.1. Purpose of the assignment

Civic Society Strategy Development expert on (hereinafter referred to as “Expert”) has to facilitate and draft the Strategy for the Development of Civil Society in the West Herzegovina Canton 2025-2030 (further – *Office of the Government of the West Herzegovina Canton for European Integration* of the West Herzegovina Canton and in close cooperation with working group consisted of representatives from the public, and civil sectors from West Herzegovina Canton.

It is envisaged that the Expert will perform its duties according to the following framework:

- Related work plans, timeframes, methodologies and relevant data assessment should be agreed with the Office for European Integration of West Herzegovina Canton and EU4CS,
- The elaboration of the Strategy, will be provided according to the methodology endorsed by the Office of the Government of the West Herzegovina Canton for European Integration. This also should consider the relevant international standards and regulations (e.g., DG NEAR Guidelines for EU Support to Civil Society in the Enlargement Region 2021-2027 etc.) and available reports and/analysis and
- Final draft of the Strategy should be accepted by the Office of the Government of the West Herzegovina Canton for European Integration.

2.2. Geographical area

The geographical area to be covered is West Herzegovina Canton, in accordance with the competences of the Government of West Herzegovina Canton.

2.3. Target group

During the process of developing of planned Strategy, the following members of target group are to be engaged (directly in content development and/or during consultations on draft Strategy content):

- Office of the Government of the West Herzegovina Canton for European Integration;
- Government of the Canton;
- Ministry of Education, Science, Culture, and Sports of the Canton;
- Ministry of Economy of the Canton;
- Ministry of Health, Labour, and Social Welfare of the Canton;
- Ministry of Spatial Planning, Construction, and Environmental Protection of the Canton;
- Ministry of Finance of the Canton;

- Ministry of Internal Affairs of the Canton;
- Ministry of Justice of the Canton;
- City of Široki Brijeg;
- City of Ljubuški;
- Municipality of Posušje;
- Municipality of Grude;
- Civic Society Organisations (social and health sectors, sports, culture, entrepreneurship, environment, youth, recreation, art, employers' associations etc.);
- Social welfare centres;
- Academic community;
- Project EU4CS.

2.4. Tasks and deliverables to be provided by the Expert

Tasks description:

- Drafting methodology for Strategy,
- Drafting Strategy in line with methodology for strategy development agreed with the Office for European Integration of WHC, including facilitation of a series of thematic workshops of the working Group (WG) established by the Office for European Integration of West Herzegovina Canton for Strategy development, as well as consultation meetings with CSOs on draft Strategy,
- Addressing received comments on draft Strategy during public consultation process and finalization of draft Strategy to be accepted by Office for European Integration of West Herzegovina Canton

Expert will provide the following deliverables:

No	Description of the deliverable	Number of assignments days	Due date
1.	Methodology for creating Strategy for the Development of Civil Society in the West Herzegovina Canton	1	At least 7 working days after assignment starts
2.	Draft Strategy for the Development of Civil Society in the West Herzegovina Canton	20	At least four months from approval of Methodology for creating Strategy for the Development of Civil Society in the West Herzegovina Canton
3.	Final version of Strategy for the Development of Civil Society in the West Herzegovina Canton (in one of BiH official languages) with addressed received comment and accepted by the Office for European Integration of West Herzegovina Canton	1	1 week after receiving aggregated feedback from Office for European Integration of West Herzegovina Canton on draft Strategy submitted

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 METHODOLOGY

Methodology for creating Strategy for the Development of Civil Society in the West Herzegovina Canton will be developed by the Expert and accepted by the Office for European Integration of West Herzegovina Canton on the beginning of the assignment.

IV REQUIREMENTS

4.1. Expert's profile

Qualifications and skills

- University degree in public development studies, economics, political or social sciences or a related field
- Computer literacy;
- Fluency in both written and spoken English and BiH languages is advantage.

Professional experience

General professional experience:

- Minimum 10 years of general professional experience;

Specific professional experience:

- At least 5 years of experience in developing, designing, and implementing strategies, plans, or policies related to civil society development, public policy, or similar sectors, especially in the context of local or regional strategies.
- Experience in working in IPA countries (Croatia, The former Yugoslav Republic of 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.

V EVALUATION

Received applications from the experts will be evaluated against evaluation criteria development in line with required qualifications and experiences of the experts, as presented within the section 4 of this ToR.

VI DOCUMENTS TO BE INCLUDED WHEN SUBMITTING THE PROPOSALS

6.1. Applicants shall submit the following documents:

- Personal CV in EU format including information on experience in similar projects / assignments
- Offeror's Letter to EU4CS confirming interest and availability for the expert assignment with Financial Proposal, indicating fee per working day.

6.2. 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 teamleader@eu4cs.ba with a copy to info@eu4cs.ba, not later than 16:00 hrs, February 20th, 2025, titled:

**Application for the position:
'Civic society strategy development 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