

## CALL FOR APPLICATIONS

### International Legal Expert

#### TERMS OF REFERENCE FOR INTERNATIONAL COOPERATION MISSION

<b>Component 1</b>	<b>Output 1-</b> The ability of Western Balkan law enforcement and judicial authorities to combat migrant smuggling and trafficking in human beings is strengthened.
<b>Activity</b>	Output 1- WP1.1
<b>Mission duration, tentative</b>	18 months : presence during 2 weeks in the country of assignment in average
<b>Place of mission</b>	Western Balkans (Albania, Bosnia and Herzegovina, North Macedonia, Kosovo*, Montenegro and Serbia)
<b>Contract</b>	Service contract

#### 1. Mission background

The *EU4FAST-WB* programme "*Support to strengthen the Fight against Migrant Smuggling and Trafficking in Human Beings in the Western Balkans*" is financed by the Directorate-General for Neighbourhood and Enlargement Negotiations (DG NEAR) under the Instrument for Pre-Accession Assistance (IPA III) of the European Union's 2021-2027 multiannual financial framework.

This regional programme is being implemented by a consortium of 5 Member States for the benefit of the 6 countries of the Western Balkans (Albania, Bosnia-Herzegovina, Kosovo\*, Northern Macedonia, Montenegro and Serbia).

CIVIPOL co-leads this programme in consortium with the Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ), the Italian Ministry of the Interior, the Dutch Ministry of Foreign Affairs and the Dutch Centre for International Legal Cooperation (CILC), the Austrian Ministry of the Interior and the German Federal Police.

CIVIPOL also represents Team France, of which Expertise France is a member. Expertise France has therefore signed a technical cooperation partnership agreement with CIVIPOL.

**General objective** : To strengthen the Rule of Law in the Western Balkans.

#### The action is structured around 4 outputs:

1. The ability of Western Balkan law enforcement and judicial authorities to combat migrant smuggling and trafficking in human beings is strengthened ;
2. The ability of Western Balkan law enforcement actors to cooperate with Member States as well as JHA agencies and non-EU law enforcement actors in activities related to migrant smuggling and trafficking in human beings including through the active participation in the European Multidisciplinary Platform Against Criminal Threats (EMPACT) is increased ;

3. The ability of Western Balkan authorities and frontline workers to identify and provide protection to (potential) victims of trafficking in human beings and refer them to competent state and non-state assistance and support services is improved ;
4. The capacity of border authorities of the Western Balkans to prevent and counter migrant smuggling and trafficking in human beings in line with EU standards and human rights is strengthened.

## 2. Mission description

### 2.1. Overall objective of the mission

The mission is part of the Component 1 described above with the aim of achieving specific objective S1: **The conditions for preventing and combating the smuggling of migrants and trafficking in human beings in the Western Balkans are improved..**

### 2.2. Specific objective

To provide legal support for activities related to the Component 1 of WP 1.1. which focuses on increasing the capacity of the judicial authorities in the countries of the Western Balkans to combat irregular migration networks and trafficking in human beings.

#### Technical assistance support :

- Carry out an assessment of the legislation of the 6 countries of the Western Balkans, identify guidelines for legislative harmonisation and make recommendations, in particular on (*the list is not exhaustive*):
  - recognition of the evidential value : the hearings carried out by border guards and investigators, digital evidence, videoconference hearings, audio-visual and recorded hearings, etc. ;
  - the collection of personal data and the requirements of the General Data Protection Regulation;
  - any other adaptation of the legal and ethical framework (European standards) necessary for the implementation of CIVIPOL's activities.
- Based on the results of the assessment to determine with the beneficiaries and the Team Leader the priorities for harmonising legislation in the 6 countries of the Western Balkans;
- Draft laws, acts, directives, regulations, etc. ;
- Leading workshops to review and validate the preliminary drafts.

#### Coordination missions :

- Contribute to the preparation of the six-monthly work plan and general action plan in conjunction with the Team Leader;
- Draft the terms of reference for short-term assignments;
- Participate in the selection of international short-term experts;
- Coordinate and monitor short-term consultancy assignments;
- Participate in the drafting of various documents relating to the project (notes, half-yearly reports, activity planning, etc.).

### 2.3. Outputs

- Evaluation report with recommendations;
- Mission reports;
- Half-yearly activity report;
- Half-yearly work plans;
- Preliminary drafts of laws, regulations, acts, etc.

At the end of each assignment, the expert will produce a mission report, sent to the programme, setting out the key elements of the activity, including (*but not limited*):

- Information on the context of the intervention and the situation in the sector concerned. A brief summary of the Terms of Reference, the mission and the expected results.
- Description of the stakeholders or services met.
- Description of the activities performed, conclusions and results obtained.
- Recommendations for next steps.

### 2.4. Conditions

The expert will be required to work at the beneficiaries' or EU4FAST-WB programme's premises in Sarajevo in accordance with the mission schedule. An average of 2 weeks per month will be performed in the field (in one of the 6 intervention countries). Some of working days will also be performed remotely.

The expert will report regularly on the progress of his/her assignment and on the difficulties encountered during implementation of the action with the support of the Team Leader and Project Managers.

## 3. Profile

### Qualifications and skills :

- Advanced degree (BAC +5) in law or diploma from a high-level judicial professional school;
- Strong communication skills and ability to work closely with international and local partners, including senior decision-makers at ministerial level;
- Strong skills in reporting and elaborating of working plan;
- Excellent computer skills;
- Fluency in written and spoken English is essential.

### General professional experience:

- At least 15 years of professional experience in the justice sector at European and international level;
- Full command of the legal frameworks of the European Court of Human Rights (ECHR) in relation to asylum, borders and immigration.

### Specific professional experience:

- Minimum 10 years of experience as a magistrate, lawyer or academic in charge of criminal procedure issues;
- Proven experience in drafting legislation or regulations;
- Experience of working in the framework of European or other donor projects.

Experience/skills considered an asset:

- Experience/knowledge of the countries of the Western Balkans,
- Experience of working on issues related to the fight against migrant smuggling and trafficking in human beings.

**4. General contractual conditions :**

Fees : 400 HT/day of expertise + perdiem for field mission

Duration : 212 days of expertise during 18 months

Contract : Service contract

Localisation : Mostly in Sarajevo, travels to **Albania, Bosnia and Herzegovina, North Macedonia, Kosovo\*, Montenegro and Serbia are to be foreseen ;**

Starting period : As soon as possible

Deadline for application : le 10 March 2024 00 :00 CET

Eligibility criteria: the position is not open to nationals of beneficiary countries.