



**EXPERTISE  
FRANCE**  
GROUPE AFD

## *Terms of reference*

*Terms of reference for the recruitment of a national long term expert / Deputy Team Leader*

*EU 4 Justice Phase II - Bosnia and Herzegovina*

*July 2023*

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## 1 GENERAL INFORMATION

<i>Title of assignment</i>	<i>Long term national expert / Deputy Team Leader</i>
<i>Beneficiary / beneficiaries</i>	<i>High Judicial and Prosecutorial Council, Office of the Chief Prosecutor, Judges and Prosecutors, court staff, Judicial and Prosecutorial training centers, Law enforcement agencies</i>
<i>Country</i>	<i>Bosnia and Herzegovina</i>
<i>Working location</i>	<i>Sarajevo + occasional missions out of Sarajevo to other locations in BiH and/or to other countries in the context of study visits.</i>
<i>Working language</i>	<i>English and Bosnian</i>
<i>Duration of the contract</i>	<i>27 months</i>
<i>Type of contract</i>	<i>Wage portage (local work contract)</i>
<i>Salary</i>	<i>Depending on candidate's competences and experience</i>

## 2 BACKGROUND

### 2.1 General context

As applicant for EU membership, Bosnia and Herzegovina ('BiH') is expected to meet EU justice standards as provided for by several of the 14 key priorities for membership and recalled by the EU Commission in its 2018 Western Balkan Strategy.

BiH's complex and fragmented institutional structure has led the country to a difficult situation, in particular regarding rule of law. No recent progress was made in this field and "lack of commitment to judicial reform from political actors, and the poor functioning of the judicial system continued to undermine the citizen's enjoyment of rights and the fight against corruption and organised crime".

The cross-cutting objective of this action is to share practical methods with the High Judicial and Prosecutorial Council (the 'HJPC') and other Justice Institutions of BiH in order to increase its capacities to implement its mission to ensure independence and professionalism of the judiciary, promote judicial reform, and enhance the country's response to organised crime and corruption.

This Action aims at supporting the Justice Sector Institutions in carrying out these changes in order to align the functioning of the BiH judiciary with EU rule of law standards by enhancing professionalism, efficiency and transparency of the BiH justice system for the final benefit of BiH citizens.

### 2.2 Project overview

- » *Project title:* EU 4 Justice – Phase II
- » *Implementation dates:* 1/12/2022-30/11/2025

- » *Location / intervention areas:* Bosnia and Herzegovina – justice sector
- » *Partners involved:* Consortium composed of Expertise France (lead), IRZ and FIIAPP.
- » *Target groups:*
  - All Ministries of Justice ('MoJs') in BiH, and Brčko District Judicial Commission;
  - The Parliaments;
  - The HJPC, the HJPC Secretariat, notably the Integrity Unit within the Secretariat, and the ODC;
  - All courts and prosecutors' offices in BiH;
  - The judicial and prosecutorial training centres in entities ('JPTCs');
  - The reform-oriented professional associations for judges and prosecutors in BiH;
  - The public law faculties and high schools in BiH;
  - The Agency for Prevention of Corruption and Coordination of the Fight against Corruption ('APIK') and all other Anti-Corruption bodies in BiH as relevant for the action implementation;
  - The Law Enforcement Agencies ('LEAs') in BiH as relevant for the action implementation;
  - The Asset Management Agencies at entities as relevant for the action implementation.
- » *Project budget:* 4.5M€
- » *Project objectives:*

**The general objective** of the Action (impact) is to further align the Justice system of Bosnia and Herzegovina ('BiH') with European standards and the EU Acquis through strengthening the rule of law, notably by enhancing the independence, quality, effectiveness, accountability, and efficiency in the justice sector and its results in the fight against corruption.

**The specific objectives** (outcomes) of the action are:

1. The HJPC effectively monitors the justice sector;
2. Judicial office holders are better trained, controlled and advised on integrity;
3. Efficiency, transparency and security of the judiciary are improved;
4. Organised crime and corruption cases are processed more effectively by the judiciary.

- » *Expected results and indicators*
  - *HJPC's methodologies and skills in monitoring and evaluation are enhanced (policies, instructions, performance)*
  - *HJPC's tools to coordinate donor investment in BiH justice reforms are enhanced*
  - *The HJPC's organisation and skills to implement an asset verification system and a counselling mechanism are enhanced*
  - *Integrity related training schemes are enhanced*
  - *The HJPC's tools and skills for career management of JOHs are improved*
  - *The HJPC's tools to render the sanction system more efficient and transparent are enhanced*
  - *The HJPC's tools and skills to enhance efficiency of the judiciary are improved*
  - *The HJPC's tools to improve security in the judiciary are enhanced*
  - *The HJPC is supported in drafting legislative proposals*

- *Judges' tools and skills to ensure procedural discipline in trials are enhanced*
- *Prosecutors' tools and skills to investigate organised crime and corruption are enhanced*
- *Prosecutors' and police officers' common tools and skills to jointly investigate organised crime and corruption are enhanced*
- *Independence and accountability of JOHs processing high level organised crime and corruption is enhanced*

### 3 ASSIGNMENT DESCRIPTION

#### 3.1 Main tasks

*Under the direct supervision of the Team Leader, the Long Term National Expert / Deputy Team Leader will conduct the following main tasks:*

- » *Liaison with beneficiaries and local stakeholders:*
  - » *Ensure a continuous flow of information with project beneficiaries;*
  - » *Contribute in creating synergies with partners and other projects in the justice sector, ensure that there is no overlapping in activities;*
  - » *Assess beneficiaries needs and their translation into project activities, update/draft project documents accordingly;*
  - » *Monitor the local political, institutional and legal framework and report to the Team leader regarding any development (regulatory change, turnover or interlocutors, ...);*
  - » *Coordinate with beneficiaries and stakeholders for the organization of activities;*
  - » *Represent the Project alongside with or in the absence of the Team Leader and Project Manager vis-à-vis the EU Delegation, project beneficiaries, and partners;;*
- » *Legal expertise:*
  - » *Research, analysis and drafting of recommendations upon project needs;*
  - » *Assess and analyse the national legislative and regulatory frameworks, upon request of the Team leader, in particular on the following themes: BiH judicial system, criminal investigation procedures, organised crime and corruption, criminal trial procedures, ethics, integrity and conflicts of interests, criminal asset recovery, judicial office holder career management (selection, training, promotion, transfer), judicial office holder disciplinary system.*
  - » *Contribute to project activities: quality control of deliverables, participation in project activities such as trainings, roundtables etc., ensuring that the work plan is properly implemented.*
- » *Project coordination:*
  - » *In close partnership with the Team Leader, ensure the oversight and coordination of the Project, alongside with the Project Manager;*
  - » *Contribute to developing a transversal vision of the project activities and work plan in order to create synergies and avoid overlaps.*
  - » *Support national and international experts in their missions (provide any relevant information/report or documentation on the national framework, organize meetings with national stakeholders);*
  - » *Support the project in identifying and mobilizing regional and national expertise;*

- » *Contribute to drafting and updating project documents such as work plan, activity matrix and calendar, project dashboards, and drafting/revising project narrative reports;*
- » *Support the coordination of the implementation of activities in line with the work plan; Organise activities; Draft terms of reference for the mobilization of expertise;*
- » *Contribute to the implementation of the monitoring and evaluation (M&E) plan: monitor activities, update M&E tools and extract M&E reports;*
- » *Support the organization of the Project's steering committee meetings: prepare relevant documentation, moderate meetings, make presentations;*
- » *In the absence of the Team Leader, call weekly team meetings, demand weekly reports from the experts;*

*In addition to these main tasks, the Long Term National Expert / Deputy Team Leader can be called to perform any other tasks related to the Project's implementation and to the replacement of the Team Leader during his/her absence or unavailability.*

*All reports must be submitted in English.*

## 4 STRUCTURE OF WORK

### 4.1 Coordination arrangements

*The Long Term National expert / Deputy Team leader will work under the direct supervision of the Team Leader for the entire assignment. He/she may be called to carry out several missions out of Sarajevo for the purpose of this assignment.*

### 4.2 Working conditions and assignment location and length

*The assignment will take place in Sarajevo and, occasionally in other locations of BiH. The expert may also be called to participate in study visits in other countries.*

*Provisional start date for assignment: September 1<sup>st</sup> 2023.*

*Provisional end date for assignment: November 30<sup>th</sup> 2025.*

*During missions out of Sarajevo, the project will cover the following expenses:*

- *Accommodation, food expenses and local transportation will be covered by a EU rate per diem (amount depending on the country).*
- *Transportation to and from the place of residence of the expert to the place of the mission.*

## 5 EXPECTED PROFILE

### **Qualifications and experience:**

- *Master degree in law of equivalent;*
- *At least 12-year experience in the justice sector of BiH;*
- *At least 5-year experience in international contexts;*

- *Excellent knowledge of the legal framework for the judiciary in BiH, notably issues related to integrity, judicial career, strategic development, and fight against corruption and organised crime in BiH;*
- *Excellent knowledge of the main beneficiaries (HJPC, its Secretariat, POBiH) functioning.*

**Professional skills:**

- *Excellent knowledge of English and Bosnian languages;*
- *Excellent oral and writing skills;*
- *Good knowledge of computer and communications tools (word, excel, powerpoint, etc.);*
- *Excellent coordination and teamwork skills – in particular in a multicultural context;*
- *Knowledge of French, Spanish and/or German an asset.*

## 6 APPLICATIONS

*Deadline for applications is 3<sup>rd</sup> of August 2023 at 23:59.*

*Applications should be submitted on Expertise France's portal and should include:*

- » *An Europass format CV*
- » *A motivation letter*