



Terms of Reference (TOR) for a Short term assignment

Technical assistance requested: Senior Expert for establishment of the Network of Experts on ECHR

The project

Title:	Support to the Judicial Academy, Serbia
Ref:	EuropeAid/135635/IH/SER/RS
Main beneficiary:	Judicial Academy of the Republic of Serbia
Financing institution:	European Union
Budget Line / Expert Category:	Non Key Short-Term Senior Expert
Team Leader:	Juan Carlos da Silva

Project background and description (scope of the work):

The Republic of Serbia was granted a candidate status for EU membership and the accession negotiation process officially commenced in June 2013. As part of the Serbian EU integration process, Serbia is faced with a task to ensure full implementation of key reforms, with particular focus on judicial reforms and protection of fundamental rights and freedoms covered by the negotiating Chapter 23. Full compliance of national legislation with the EU acquis is essential for successful integration. In order to harmonize national legislation with the EU acquis, it is necessary to thoroughly perform comprehensive analysis of legislation compatibility, assessing levels of conformity and providing possible measures designed to overcome identified differences between the two legal systems. With an aim of achieving full and proper legislative harmonization with the EU acquis, national legislation alignment shall be approached in phases and in accordance with recommendations from the Screening Report on Ch. 23 and the priorities set forth by the NPAA 2014 - 2018. The next phase of legislation alignment specifically targets protection of fundamental rights.

The project should achieve three results:

Result 1: Ensured easier access to the case law of the European Court for Human Rights for the relevant target groups, aimed at the improvement and unification of the case law among Serbian courts as well as its harmonization with the EU standards.

Result 2: Educational activities of the JA enhanced in order to improve efficiency and effectiveness of trainings.

Result 3: Functioning of the new structures within new competences of the Judicial Academy (JA) improved.

The scope of this assignment is to assist the Project in its objective to enhance educational activities and functioning of new structures within new competences of the Judicial Academy and establishment of the consistent judicial system of the Republic of Serbia. Further improvement of the independence and efficiency of the judiciary through adequate measures regarding accountability, impartiality and competence of justice actors in order to achieve and strengthen the rule of law, legal certainty, better access to justice as well as improvement of the protection of human rights and protection of minority. The sustainability of results, including ensuring the necessary capacities for implementation and follow-up, will be specifically in focus.

Description of the assignment

Title: Senior Expert for establishment of the Network of Experts on ECHR



Brief description of the assignment:

In accordance with the project Interim Report, and its Work plan – activity 1.9. Set up of a Network of Experts in the ECHR, **purpose of this activity is to enable development of detailed work plan for the establishment of the Network of Experts for ECHR, with clear recommendations and mechanisms how to set it up in sustainable and effective manner.** The Project extensively discussed with JA possible solutions for ensuring permanent supply of Serbian judiciary with ECtHR case law. As result of the discussions held, it was concluded that more sustainable approach is needed. Instead of issuing Practical Guide it was agreed to establish Expert Judicial Network for ECHR in the Republic of Serbia, since the network is better tool to ensure sustainable update of Serbian judiciary on ECHR.

The Network goals are:

- Introduce peer-to-peer learning as a new cost-effective and sustainable model of continuous training of judges;
- Enhance knowledge on ECHR and establish an interactive communication channel for judges, public prosecutors/deputy public prosecutors and court associates, to improve their knowledge and skills to efficiently process cases;
- Enhance consistency and case law harmonization by providing uniform advises and standardized knowledge for all judges (provide hub for judges' and prosecutors' knowledge);
- Ensure the effective exchange of information on Convention case-law and related information and promote direct judicial communication;
- Promote an improved coordination among international and national institutions on human rights training initiatives for legal professionals.

It is expected that judicial network will become a useful secondary training tool in continuous education of Serbian judges and prosecutors having in mind limited resources and frequency and dynamics of inputs and case law in this area.

At present, there is no on-going and/or planned assistance project in the area covered by this ToR.

Number of required experts:	Non-Key Short Term Senior Expert for establishment of the Network of Experts on ECHR
Duration of the assignment:	Up to a total of 15 working days
Period of the assignment:	May 2017 – December 2017
Place of assignment:	Belgrade, Serbia
Working language:	Serbian, English

Expert Activities:

- Develop detailed work plan for the establishment of the Network of Experts for ECHR based on best practices and experiences of other EU counties and similar Networks in EU;
- Draft clear recommendations and steps how to set up the Network in susustainable and effective maner;
- Provide advises to stakeholders and beneficiaries, as well as to Project team, on Network esablishement;
- Develop training materials and deliver training for network members.

Related outputs:



- Report with detailed work plan for the establishment of the Network of Experts for ECHR with recommendations for Network set up;
- Training materials for network members developed;
- Training delivered.

Expert Profile

Qualifications and skills

- University degree (where a university degree has been awarded on completion of three years study in a university or equivalent institution) in Law;
- Excellent knowledge of English language (min 2 on a scale of 1 to 5; where 1 - excellent and 5 - basic);
- Excellent networking and workgroup facilitation skills;
- Excellent analytical skills;
- Good command of Microsoft Office™ tools;
- Good planning and work organization skills
- Good communication and reporting skills;
- Fluency in Serbian will be an advantage.

General professional experience:

- Proven minimum **10 years** of work experience in judiciary in EU countries

Specific professional experience:

- Proven minimum 5 years of specific experience working with similar type of networks;
- Previous experience with ECHR knowledge sharing and networking;
- Previous experience with training of judges would be an asset.

Applications (EU format CV and application letter, both in English) need to be submitted by e-mail to info@jap.rs not later than 15:00 hrs, 5th of May, 2017, titled:

Application for the position:

Senior Expert for establishment of the Network of Experts on ECHR

References must be available on request. Only candidates with a correct CV will receive a confirmation on receipt of their application. Only short-listed candidates will be contacted.

The Project is an equal opportunity employer that encourages applications from women and minorities.

All applications will be considered strictly confidential.

Advertised post is not available to civil servants or other officials of the public administration in the beneficiary country, Serbia.