



Policy and Legal Advice Centre (PLAC IV)

Terms of Reference (ToR) for a Short-Term assignment

No. 29

Technical assistance requested:	1 (one) Senior Non-Key Expert in the area of Negotiating Ch. 14 – Transport Policy – the Draft Law on Amendments to the Law on Contracts of Carriage in Road Transport
Project Title:	Policy and Legal Advice Centre (PLAC IV)
Ref:	NEAR/BEG/2023/EA-RP/0175
Service Contract No:	(CRIS) 2024/453-315
Main beneficiary:	The Ministry of European Integration (MEI)
Direct Beneficiary:	The Ministry of Construction, Transport and Infrastructure
Content of the assignment:	Technical assistance in drafting the Law on Amendments to the Law on Contracts of Carriage in Road Transport to ensure its harmonisation with the EU Regulation 2020/1056 on electronic freight transport information
Budget Line/Expert category	1 (one) Non-Key Short-Term Senior Expert
Duration of the assignment	10 (ten) working days, February - March 2025

1. Background information in relation to PLAC IV project

The overall objective of the PLAC IV is for the Serbian administration to effectively conduct accession negotiations and successfully manage the overall EU integration and pre-accession assistance geared towards the EU membership.

The purpose of the project is: "to achieve a high level of effective alignment of national legislation with the Union *acquis* and its implementation".

PLAC IV should achieve 2 results:

- R1: Enhanced compatibility of national legislation with the EU legislation and its effective implementation;
- R2: Enhanced capacities of relevant national structures for successful carrying out of accession negotiations.

The Republic of Serbia has been continuously harmonising its national legislation in the field of road transport with the EU legislation. This field is part of Cluster 4, Chapter 14, which has been open since 2021. Based on the European Commission Report on Serbia from 2024, the



road transport alignment with the EU *acquis* is at a good level and remains a priority. The institutional framework is in place, but agencies responsible for road maintenance and construction are not independent in performing their mandate. Road maintenance, including its financing, needs to ensure the sustainability of investments in road transport infrastructure and follow the 'user pays' principle. Serbia is committed to implementing the green corridors/green lanes by renewing working regimes on border crossing points with the EU Member States, extending the border crossing points on the main corridors, including parking places, and promoting the use of digitalised waybills. The Road Safety Strategy for 2023-2030 and a 3-year Action Plan were adopted in September 2023. The first set of disaggregated data on road crashes, fully aligned with the EU CARE protocol, was sent to the Commission. Social and market rules in the field of road transport should be fully transposed. In this regard, the transition to smart tachograph technology is a relevant step.

National Program for the Adoption of the *acquis* of the European Union (NPAA 3.14.1.1) stipulates as one of the activities the harmonisation of the Law on Contracts of Carriage in Road Transport ("Official Gazette of the FRY", no. 26/95 and "Official Gazette of SCG", no. 1/2003 - Constitutional Charter") with the EU Regulation 2020/1056 on electronic freight transport information, and the Ministry of Construction, Transport and Infrastructure-MCTI is responsible for the realisation of this activity.

The efficiency of freight transport and logistics is vital for the economy's growth and competitiveness, the internal market's functioning and social and economic cohesion. Regulation 2020/1056 aims to encourage the digitalisation of freight transport and logistics to reduce administrative costs, improve the enforcement capabilities of competent authorities, and enhance the efficiency and sustainability of transport. The movement of goods, including waste, is accompanied by a large amount of information, which is still exchanged in paper format among businesses and between businesses and competent authorities. Using paper documents increases the administrative burden for logistics operators, puts an additional cost on logistics operators and related industries (such as trade and manufacturing), particularly for small and medium-sized enterprises (SMEs), and harms the environment.

The absence of a uniform legal framework at the EU level requiring competent authorities to accept relevant freight transport information required by legislation in electronic form is considered to be the main reason for the lack of progress towards the simplification and greater efficiency of information exchanges made possible by available electronic means. The acceptance by competent authorities of information in electronic form with common specifications would ease communication between competent authorities and economic operators and, indirectly, the development of uniform and simplified business-to-business electronic communication across the EU. It would also lead to significant administrative cost savings for economic operators, particularly SMEs, which constitute most transport and logistics companies within the EU.

Using electronic means to exchange regulatory information can reduce administrative costs for economic operators and enhance the efficiency of competent authorities. Both economic operators and competent authorities would need to take the necessary measures to make electronic exchanges of regulatory freight transport information (eFTI) in machine-readable format via platforms based on information and communications technology (eFTI platforms)



possible, including acquiring the necessary equipment. However, the economic operators concerned should remain responsible for providing information in human-readable format whenever specifically requested by competent authorities to allow competent authorities to perform their duties in situations where access to an eFTI platform is not available.

The current legal framework of the Serbian Law on Contracts of Carriage in Road Transport does not regulate electronic freight transport information. For this reason, it is necessary to harmonise this Law following the EU Regulation 2020/1056 on electronic freight transport information in a way that provides the conditions based on which competent authorities are required to accept information when that information is made available electronically by the economic operators concerned, as well as to introduce rules on the provision of services related to making information available electronically by the economic operators concerned to competent authorities. This harmonisation process will be achieved through the necessary amendments to the Law on Contracts of Carriage in Road Transport.

2. Description of the assignment

a. Specific objectives

The specific objective of this assignment is to conduct consultations and prepare draft amendments to the Law on Contracts of Carriage in Road Transport to align with EU Regulation 2020/1056 on electronic freight transport information.

b. Requested services

The Senior NKE in the area of road transport is expected to provide the following services:

- Assist the Ministry of Construction, Transport and Infrastructure in conducting consultations and preparing draft amendments to the Law on Contracts of Carriage in Road Transport to harmonise with the EU Regulation 2020/1056 on electronic freight transport information.

c. Outputs

The outputs delivered by the Senior NKE shall be as follows:

- Draft Law on Amendments to the Law on Contracts of Carriage in Road Transport with the explanatory report prepared;
- Table of Concordance prepared.

d. Reporting

The NKE shall provide the following reports by using the templates of the Project:

- A Brief Mission Report with a description of activities and outputs provided, at the end of each month, in which tasks under this assignment have been carried out;
- Final Mission Report, no later than 1 week after completing tasks under this assignment. This report will include a description of all activities and outputs provided by the NKE in the context of this assignment.

Submission of reports:



- All reports prepared with relevant quality shall be submitted to the Project Team Leader for review, comments, and final approval. The reports shall be signed by the NKE and the Team Leader, responsible for endorsing the reports;
- The reports and all prepared documents shall be submitted to the Project Team Leader in hard copy and electronic form.

e. Specifics

The Senior NKE shall collaborate with the Project Technical Assistance Team to prepare and draft the Law on Amendments to the Law on Contracts of Carriage in Road Transport. The NKE's activities and outputs mentioned above may be adjusted by the Team Leader at any stage in the project's implementation, depending on the project's evolving needs and main beneficiary.

The Senior NKE shall ensure that the Draft Law on Amendments to the Law on Contracts of Carriage in Road Transport is aligned with the EU Regulation 2020/1056 on electronic freight transport information. The Senior NKE shall closely coordinate the activities with the Ministry of Construction, Transport and Infrastructure, the Sector for Road Transport, and others, as relevant, to ensure that aspects related to the implications of EU integration for Serbia are incorporated into all activities carried out by the Project.

3. Expert's input

Total working days	10 (ten) working days (WDs) have been planned for this assignment. An additional number of WDs may be allocated for this ToR should the needs of the main beneficiary require an extension for the activity areas mentioned in this ToR.
Period of the assignment	February -March 2025
Starting day	The work is expected to be performed from February 2025 onwards. However, the exact starting date will be agreed upon later.
Location/place of assignment	The base of operation will be in Belgrade, Serbia, and the Project will provide office facilities.
Working language	English



4. Expert's profile

<p>Qualification and skills (25 points)</p>	<ul style="list-style-type: none"> • University degree in engineering (transport, civil, mechanical or electrical engineering), law or similar; • Computer literacy; • Proficiency in report drafting; • Excellent communication and analytical skills; • Proficiency in the English language; • Independence and freedom from conflicts of interest in the undertaken responsibilities.
<p>General professional experience (25 points)</p>	<ul style="list-style-type: none"> • At least 8 (eight) years of general postgraduate professional experience in the field of transport gained in an EU Member State, candidate, or potential candidate country; • At least 2 (two) years of experience in researching, analysing, drafting and/or implementing legislation in the field of road transport; • Excellent analytical, interpersonal and communication skills; • Computer literacy (MS Office applications).
<p>Specific professional experience (50 points)</p>	<ul style="list-style-type: none"> • Experience gained in transposing EU legislation into national legislation in the road transport field. • Knowledge of the Serbian legal system will be an advantage. • Knowledge of Serbian will be considered an advantage.

5. Applications

Applications (EU format CV and application letter, both in English) need to be submitted by e-mail to domi@ibf.be with a copy to bortolameazzi@ibf.be by 17:00 hrs, 13 February 2025, titled "Application for the position—Senior Non-Key Expert for preparing the Draft Law on Amendments to the Law on Contracts of Carriage in Road Transport."

References must be available on request. 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.

The advertised post is unavailable to civil servants or other public administration officials in Serbia, the beneficiary country.

For more information, please contact the Project Director at IBF: bortolameazzi@ibf.be