



Policy and Legal Advice Centre (PLAC IV)

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

No. 22

Technical assistance requested:	Senior Non-Key Expert (NKE) on drafting the Law on Digital Services
Project Title:	Policy and Legal Advice Centre (PLAC IV), Serbia
Ref:	NEAR/BEG/2023/EA-RP/0175
Service Contract No:	(CRIS) 2024/453-315
Main beneficiary:	The Ministry of European Integration of the Republic of Serbia and the Negotiating Team
Target beneficiaries	Negotiating Group Ch. 10; The Ministry of Information and Telecommunications (MoIT)
Budget Line/Expert category	Senior Non-Key Expert
Duration of the assignment	30 working days (WD) for SNKE, from June 2025 – December 2025

1. Relevant background information

Background information in relation to PLAC IV project:

The overarching objective of the PLAC IV project is to support the Serbian administration in effectively conducting accession negotiations and managing the processes of EU integration and pre-accession assistance, with the goal of EU membership.

The specific purpose of the project is:

“To achieve a high level of effective alignment of national legislation with the EU acquis and ensure its implementation.”

The PLAC IV project is designed to achieve two primary results:

R1: Enhanced alignment of Serbian national legislation with EU legislation and strengthened capacities for its effective and efficient implementation.

R2: Improved institutional and administrative capacities of relevant national structures to successfully conduct EU accession negotiations and manage complementary processes.

The Law on Digital Services represents a critical step in developing Serbia’s legal framework and its alignment with the Digital Services Act (DSA) of the European Union, adopted on October 19, 2022. The adoption of the DSA has introduced a comprehensive legal



framework to create a transparent, safe, and fair digital environment, ensuring accountability of online platforms, protection of users, and fostering innovation and growth within the EU's single digital market.

The drafting of the new Law on Digital Services aims to achieve the following objectives:

- Full alignment with the DSA: Ensuring that Serbia's new legal framework incorporates the principles, obligations, and standards outlined in the EU Digital Services Act.
- Establishing a safe and accountable digital environment: Defining the responsibilities of online platforms, intermediaries, and service providers in areas such as content moderation, combating illegal content, and enhancing user safety.
- Strengthening user protection: Introducing comprehensive measures to protect consumers, safeguard fundamental rights, and promote transparency in digital operations.
- Capacity building for implementation: Developing the necessary institutional and administrative capacities to monitor and enforce the provisions of the new law effectively.
- Facilitating interoperability and competitiveness: Enabling seamless integration with the EU single market to support cross-border digital services, foster economic growth, and ensure Serbian citizens and businesses benefit from high-quality digital solutions.

The adoption of the new Law on Digital Services will address existing gaps in Serbia's legal and administrative framework, establish trust in digital services, and lay the groundwork for a safer and fairer online environment. Furthermore, it will ensure Serbia's preparedness to meet the EU standards as part of its digital transformation journey.

Background information in relation to Chapter 10 – Information Society and Media

The Law on Digital Services represents a critical step in modernizing Serbia's legal framework and aligning it with the European Union's Digital Single Market. This law aims to establish a comprehensive regulatory framework for digital services in Serbia, tailored to the needs of the modern online environment and aligned with the Digital Services Act (DSA), adopted on October 19, 2022, as Regulation (EU) 2022/2065. The DSA is one of the most significant milestones in the EU's regulation of digital platforms, focusing on user safety, platform transparency, and the accountability of intermediaries within the digital ecosystem.

As an EU candidate country, Serbia recognizes the need to establish a legal framework that ensures better protection for digital service users, more effective regulation of online content, and enhanced trust in digital transactions. Establishing this framework is essential for achieving the following objectives:

- Facilitating Serbia's integration into the EU Digital Single Market.
- Creating a safe online environment that promotes innovation and economic growth.
- Addressing challenges posed by rapidly growing digital platforms and their societal and economic impacts.

The adoption of the Law on Digital Services will also address specific challenges in Serbia, such as:



- Insufficient transparency in the functioning of digital platforms, particularly regarding advertising and data processing.
- The need for a clearer legal framework regarding liability for illegal content and disinformation.
- Establishing mechanisms to protect fundamental user rights, such as privacy and access to objective information.

Additionally, the Law on Digital Services will support the development of institutional capacities responsible for monitoring and enforcing new regulatory measures. This includes training experts, introducing new technological solutions for monitoring and analysing digital content, and developing strategies for the effective implementation of the law in practice.

The adoption of this law represents a significant step in harmonizing Serbia's legal framework with the EU acquis and enhancing legal certainty in the field of digital services. By establishing a modern and sustainable regulatory framework, Serbia will empower its citizens and businesses, foster the development of a competitive digital market, and create the conditions for integration into the global digital economy.

2. Description of the assignment

2.1. Specific objectives

The specific objective of this assignment is to assist the Ministry of Information and Telecommunications (MIT) in drafting a new Law on Digital Services, fully aligned with the EU Digital Services Act (DSA). The objective also includes providing expert support to ensure the effective integration of the law into Serbia's legal framework and its compliance with EU standards, fostering trust in digital services, and addressing the responsibilities of digital platforms and intermediaries.

Within the scope of this objective, the following activities are foreseen:

- a. Assisting the Ministry of Information and Telecommunications (MIT) in drafting the Law on Digital Services to ensure full alignment with the DSA requirements, including provisions on platform accountability, transparency, and user protection.
- b. Providing expert support in preparing legal and technical solutions to address challenges related to content moderation, the fight against illegal content, protection of user rights, and the implementation of obligations for Very Large Online Platforms (VLOPs) as defined by the DSA;
- c. Organizing a workshop to present the outcomes of the assignment, including the drafted law and technical solutions, to MIT and other relevant stakeholders, providing practical guidance for its implementation and compliance mechanisms.
- d. Ensuring that the assignment's deliverables reflect the results of previous efforts conducted under the PLAC II and PLAC III projects, maintaining consistency and supporting Serbia's digital transformation in line with its EU integration goals.

The selected expert will ensure that the proposed law promotes a safe, fair, and competitive online environment, addresses the evolving challenges of digital services, and strengthens Serbia's readiness for integration into the EU Digital Single Market.



3.1 Requested services

The Senior NKE is expected to provide the following services:

- Assist the Ministry of Information and Telecommunications (MIT) in drafting the Law on Digital Services, ensuring full alignment with the Digital Services Act (DSA) of the European Union.
- Prepare a Compliance Table detailing the alignment of the proposed draft with the DSA, identifying any potential gaps and additional steps required for full compliance.
- Conduct a Regulatory Impact Assessment in accordance with the Serbian Law on the Planning System, analyzing the legal, economic, and administrative impacts of the proposed law, as well as its alignment with Serbia's EU integration priorities.
- Organize a workshop to present the outcomes of the assignment, including the drafted law, the compliance table, and the regulatory impact assessment, to MIT and other relevant stakeholders involved in the legislative process.
- Provide recommendations to improve transparency in digital services, including measures for better control of algorithms, transparent advertising practices, and the protection of user data in line with DSA standards.
- Deliver guidelines for establishing oversight and enforcement mechanisms, including recommendations for creating or strengthening institutional capacities to monitor and enforce the law effectively.
- Identify opportunities for public education and awareness-raising, to ensure that digital service users and businesses are informed about the new rules and obligations defined by the law.
- Monitor and Adapt to the Ministry's Strategic Plans and Needs, ensuring that all activities and deliverables are responsive to the evolving priorities and dynamics of the Ministry of Information and Telecommunications. This includes maintaining close communication with MIT to align efforts with their strategic objectives and adapting approaches as necessary to support the Ministry's goals effectively.

3.2 Outputs

The Senior NKE is expected to deliver the following outputs:

- Drafted Law on Digital Services, fully aligned with the provisions of the EU Digital Services Act (DSA), ensuring the incorporation of key principles such as platform accountability, user protection, and transparency in digital services.
- Prepared Compliance Table, demonstrating the alignment of the drafted law with the provisions of the DSA, identifying any gaps and recommending necessary steps for achieving full compliance.
- Completed Regulatory Impact Assessment, in accordance with the Serbian legal framework, evaluating the economic, legal, and administrative implications of the proposed law, including its compatibility with Serbia's EU integration priorities.
- Held Workshop to present the drafted law, compliance table, and regulatory impact assessment to the Ministry of Information and Telecommunications and other relevant stakeholders, providing practical guidance for implementation and enforcement mechanisms.



3.3 Reporting

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

- Final Mission Report, no later than one week after completing tasks under this assignment. This report will include a description of all activities and outputs provided by the SNKE in the context of this assignment.
- A brief interim report - only upon a request of the PLAC IV team: TL and/or KE 2

Submission of reports:

- Draft mission report shall be submitted to the Team Leader of the Project for review and comments at the end of the mission.
- The final version of the mission report prepared with the agreed quality shall be submitted to the Team Leader of the Project for review, comments and final approval.
- The reports shall be signed by the SNKE and the Team Leader, who is responsible for endorsing them.
- The reports and all prepared documents shall be submitted in hard copy and electronic versions to the Team Leader of the project.

3.4 Specifics

SNKE shall work under the guidance and follow the instructions of the Team Leader. SNKE shall collaborate with the project team, other experts involved and representatives of the relevant beneficiary institutions.

For each short-term mission, the timing and duration shall be agreed upon with the Beneficiary and the PLAC team before each planned mission.

3.5 Expert's input

Total working days	30 working days for Senior Non-Key Expert have been planned for this assignment.
Period of the assignment	June 2025 – December 2025
Starting day	It is expected that the work will be performed within the period from June 2025 – December 2025. However, the exact starting date will be agreed at a later stage.
Location/place of assignment	The SNKE must deliver 100% of the input in Belgrade, Serbia, unless otherwise agreed due to extraordinary circumstances.
Working language	English



4. Expert's Profile - Senior Non-Key Expert (NKE) on drafting the Law on Digital Services (30 WD):

<p>Qualification and skills (25 points)</p>	<ul style="list-style-type: none"> • A level of education corresponding to completed university studies of at least 4 (four) years, attested by a diploma in law, information technology, or another field directly relevant to the assignment, with proven expertise in Serbia's legal and institutional framework, particularly in areas related to digital transformation, regulation of digital services, and EU integration processes. • Proficiency in the English language (written and spoken), with demonstrated ability to draft complex legal and technical documents in alignment with both EU standards and Serbia's national requirements. • Proven experience in drafting reports, technical/legal analyses, and legislative proposals, with a focus on aligning national legislation with EU acquis, particularly in the context of Serbia or comparable legal systems, emphasising Serbian law. • Excellent communication, analytical, and organisational skills, with the ability to engage effectively with Serbian institutions and stakeholders, addressing challenges specific to the Serbian legal and administrative environment. • Independence and freedom from conflicts of interest in carrying out the responsibilities under the assignment. • Demonstrated knowledge of Serbia's strategic documents concerning EU integration, NPAA legislative priorities, and Serbian legal framework pertaining to information society, electronic communication and electronic security.
<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 fields of electronic communications, trust services, digital services regulation, or digital transformation, gained in an EU Member State, candidate, or potential candidate country, with a strong emphasis on legal and institutional frameworks similar to those in Serbia
<p>Specific professional experience (50 points)</p>	<ul style="list-style-type: none"> • At least 3 (three) years of previous professional experience related to harmonisation with Union acquis in Chapter 10 gained in an EU Member State, candidate, or potential candidate country • Knowledge of the legal system of the Republic of Serbia will be 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 no later than 17:00 hrs, 3 February 2025, titled:

" Application for the position – Senior NKE in the area of Negotiating Ch. 10 - Information Society and Media, Senior Non-Key Expert (NKE) on amendments to the Law on Digital Services".

References must be available on request. Only short-listed candidates will be contacted.

The Project is an equal-opportunity employer. All applications will be considered strictly confidential. Advertised posts are not available to civil servants or other officials of the public administration in the beneficiary country, Serbia.

Please note that pre-selected experts are requested to sign a Statement of Availability (SoA) to acknowledge and confirm their availability to accomplish this assignment within the indicated period, at the indicated starting date (if any), and within the number of working days requested.