



**Terms of Reference (ToR) for a Short-Term
assignment
No. 47**

Technical assistance requested:	1 (one) Senior Non-Key Expert in the area of Negotiating Ch. 14 – Transport Policy - Law on Amendments and Supplements to the Law on Contracts in Railway Traffic
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)
Content of the assignment:	Technical assistance to ensure the analysis of the level of harmonisation and provide conditions for further harmonisation with the relevant EU legislation in the field of contracts in railway traffic, in accordance with Regulation (EU) 2021/782, ensuring rail passengers' rights and obligations
Budget Line/Expert category	1 (one) Non-Key Short-Term Senior Expert
Duration of the assignment	25 working days

1. Background information in relation to the PLAC IV project

The overall objective of the PLAC IV is for the Serbian administration to effectively conduct accession negotiations and successfully manage overall EU integration and pre-accession assistance geared towards 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 EU legislation and its effective implementation.
- R2: Enhanced capacities of relevant national structures for successful carrying out of accession negotiations.

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The Republic of Serbia has been continuously harmonising its national legislation in the field of transport policy with the relevant EU acquis under Cluster 4 – Chapter 14, which has been open since 2021. Particular attention is being given to the legal framework governing contracts in railway traffic, to ensure a high level of protection of rail passengers' rights and obligations in accordance with EU standards.

The forthcoming Law on Amendments and Supplements to the Law on Contracts in Railway Traffic aims to further align with Regulation (EU) 2021/782 of the European Parliament and of the Council of 29 April 2021 on rail passengers' rights and obligations (recast), OJ L 172, 17.5.2021. The full harmonisation of this area will be achieved upon Serbia's accession to the European Union, as the direct application of certain provisions of the Regulation is reserved for Member States.

To ensure a progressive and structured approach to alignment, further activities will focus on preparing secondary legislation that creates the legal and institutional preconditions for the full application of Regulation (EU) 2021/782. These activities are envisaged within the National Programme for the Adoption of the Acquis (NPAA) 2024–2027, under section 3.14.1.2. Railway transportation. The adoption of the amendments to the Law, along with the relevant by-laws, will contribute to strengthening passenger protection mechanisms, enhancing the contractual framework for railway undertakings, and supporting the establishment of a level playing field in the transport sector in line with EU best practices.

There is no ongoing project assistance for the activities covered by this ToR.

2. Description of the assignment

a. Specific objectives

The specific objective of this assignment is to provide assistance in analysing the level of harmonisation and to facilitate further harmonisation of Serbian legislation with EU legislation regulating rail passengers' rights and obligations.

b. Requested services

The requested Senior NKE in the area of railways is expected to provide the following services:

- a) Assist the Ministry of Construction, Transport, and Infrastructure in drafting a legal gap analysis on the achieved level of harmonisation and required further harmonisation with the relevant EU legislation in the field of rail passengers' rights and obligations;
- b) Assist the Ministry of Construction, Transport, and Infrastructure in drafting the Law on Amendments and Supplements to the Law on Contracts in Railway Traffic, harmonised with the EU legislation.

c. Outputs

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

- Legal gap analysis prepared;
- Law on Amendments and Supplements to the Law on Contracts in Railway Traffic drafted.

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d. Reporting

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

- Brief Mission Report with description of activities and outputs provided, at the end of each month, in which tasks under this assignment have been carried out, upon a request from the Project Team Leader;
- Final Mission Report, no later than one (1) week after completion of 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 in the 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 in hard copy and electronic version to the Team Leader of the project.

e. Specifics

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

The Senior NKE shall ensure that the provisions of the Law on Amendments and Supplements to the Law on Contracts in Railway Traffic are aligned with the Regulation (EU) 2021/782 of the European Parliament and of the Council of 29 April 2021 on rail passengers' rights and obligations (recast), OJ L 172, 17.5.2021. The Senior NKE shall closely coordinate activities with the Ministry of Construction, Transport, and Infrastructure, as well as other relevant entities, 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	20 working days (WDs) have been planned for this assignment.
Period of the assignment	September – December 2025
Starting day	It is anticipated that the work will commence in September 2025. However, the exact starting date will be agreed at a later stage.
Location/place of assignment	The base of operation will be in Belgrade, Serbia, and office facilities will be provided by the Project.
Working language	English/Serbian

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4. Expert's profile

Qualification and skills (25 points)	<ul style="list-style-type: none"> • Relevant university degree in the field related to transport and traffic engineering, law or another relevant field; • Excellent analytical, interpersonal, and communication skills; • Computer literacy (MS Office applications) • Independence and freedom from conflicts of interest in the undertaken responsibilities.
General professional experience (25 points)	<ul style="list-style-type: none"> • Minimum 8 years or more of relevant professional experience;
Specific professional experience (50 points)	<ul style="list-style-type: none"> • At least 2 years of experience in drafting legislation in the field of railway; • Experience in transposing EU legislation into national legislation in the field of railway will be an asset. • Knowledge of EU legislation on passenger rights will be an asset.

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, 30/09/2025, titled: "Application for the position – Senior Non-Key Expert for drafting the Law on Amendments and Supplements to the Law on Contracts in Railway Traffic".

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

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

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