

Standard Summary Project Fiche – IPA centralised programmes
(Regional / Horizontal programmes; centralised National programmes)

1. Basic information

- 1.1 CRIS Number: 2007/19322**
- 1.2 Title: Support to Strengthening of the Ombudsman's Office**
- 1.3 ELARG Statistical code: 01.23**
- 1.4 Location: Serbia**

Implementing arrangements:

- 1.5 Contracting Authority (EC): EC Delegation**
- 1.6 Implementing Agency: N/A**
- 1.7 Beneficiary (including details of project manager): Ombudsman's Office**

Financing:

- 1.8 Overall cost: 1 million Euros**
- 1.9 EU contribution: 1 million Euros**
- 1.10 Final date for contracting: 3 years after the signature of the Financing Agreement**
- 1.11 Final date for execution of contracts: 5 years after the signature of the Financing Agreement**
- 1.12 Final date for disbursements: 6 years after the signature of the Financing Agreement**

2. Overall Objective and Project Purpose

2.1 Overall Objective:

Creating the environment for further democratization of society, promotion of the principles of the rule of law, human rights and good governance through more efficient control of the legality in the work of public administrative bodies.

2.2 Project purpose

Set conditions for the establishment the initial phase of operations and continue improvement of work of the Ombudsman's Office in line with standards of the European Ombudsman, as an independent and unbiased institution, which needs to prepare for more efficient control of the legality of administrative bodies, in light of the promotion of protection of human rights and citizens' freedoms.

2.3 Link with AP/NPAA / EP/ SAA

The importance of the institution of the Ombudsman is evident in many relevant strategic documents of the European Union. In that sense, the strategic framework of the project, in accordance with the project objectives, includes the following documents:

- EU Enlargement Strategy,
- European Partnership,

The EU Enlargement Strategy highlights the importance of establishing structures which secure the rule of law (administrative, judicial and structures fighting corruption and fraud), being one of the important criteria of the pre-accession strategy that the Commission will highlight during monitoring of the progress that each of the countries in the EU accession process has achieved.

The **European Partnership** document, which represents one of the main instruments of the EU's pre-accession strategy of potential candidate countries, defines as a short-term priority the obligation to implement legislation on the establishment of the Ombudsman's Office, in the segment which refers to democracy and the rule of law. The Law on the Ombudsman, which was prepared by the Ministry of Public Administration and Local Self-Government, was adopted by the National Parliament in September 2005.

2.4 Link with MIPD

One of the main priorities in the "Political Requirements" section of the Multi-Annual Indicative Planning Document is to strengthen the administrative capacity of Ombudsman's Office and implement relevant legislation (section 2.2.1.1. page 16).

2.5 Link with National Development Plan

N/A

2.6 Link with national/sectoral investment plans

The importance and harmonization of objectives of the proposed project with national strategic priorities are set in the following strategic documents:

- Serbian National Strategy for Serbia and Montenegro's Accession to the European Union,
- Action Plan for the Implementation of the European Partnership,
- Public Administration Reform Strategy in the Republic of Serbia.

Apart from stating the necessity of establishing the institution of Ombudsman, **Serbian National Strategy for Serbia and Montenegro's Accession to the European Union** clearly stresses the importance of capacity building of an Office once it is established, with the aim of achieving generally accepted international standards in the field of protection of human rights and freedoms.

The revised **Action Plan for the Implementation of European Partnership** points out that the Ombudsman is to be appointed at the first session of the National Parliament after the government is elected¹. Also, mid-term priorities of the European Partnership include the importance of issues (such as minority rights and rights of children) which by their nature fall under the jurisdiction of the Ombudsman's Office, and therefore indirectly stressed the importance of creating prerequisites for more efficient work of the Ombudsman's Office, with the aim of promoting protection of human rights and freedoms.

Public Administration Reform Strategy in the Republic of Serbia, which was prepared by the Ministry of Public Administration and Local Self-Government and adopted by the Serbian government in November 2004, highlights the importance of the Ombudsman's Office as an

¹ Article 5 of the Constitutional Law for the Implementation of the Constitution of the Republic of Serbia, which the National Parliament adopted on November 10, 2006.

external control mechanism of the work of public administration. The Action Plan for the Implementation of the Public Administration Reform Strategy in the Republic of Serbia represents the basis and timeframe for all activities related to the establishment and capacity building of the Ombudsman's Office.

3. Description of project

3.1 Background and justification:

According to reports of international organizations specialized in the fields of democratization and rule of law, human rights and protection of minorities, Serbia has achieved significant progress over the past few years. An important turning point was the passing of the new Constitution of the Republic of Serbia, which introduced comprehensive guarantees of human rights and freedoms. Also, certain laws regulating these areas were adopted. Apart from already established mechanisms for human rights protection, in line with the European standards, the institutions similar to those of the Ombudsman have been established in the Republic of Serbia over the past few years. Currently there are two institutions performing the function of Ombudsman in the legal system of the Republic of Serbia:

- Provincial Ombudsman (as envisaged in the Law on Establishing Certain Jurisdictions of the Autonomous Province – Official Gazette of the Republic of Serbia, 6/02) is in charge of the territory of the Autonomous Province of Vojvodina;
- Ombudsman/citizens' defender (as envisaged in the Law on Local Self-Government – Official Gazette of the Republic of Serbia, 9/02) who is in charge of the territory of local self-government.²

The Law on the Ombudsman introduced the institution of the Ombudsman on the Republic level (to be in charge of the whole territory of Serbia). However, even with the legal obligation to appoint the Ombudsman within six months after this law comes into effect, this has not yet been done. The Constitutional Law for the Implementation of the Constitution of the Republic of Serbia regulates that the Ombudsman is to be appointed in the first upcoming session of the National Parliament upon the appointment of the new Government.

In line with the aforementioned fact, the proposed project highlights the need to create necessary conditions for the work of the Ombudsman's Office, so as to prepare the Office for the execution of obligations stipulated by the Law, which will contribute to more efficient protection of rights and interests of citizens as well as to more responsible behavior of Serbian administration in general.

3.2 Assessment of project impact, catalytic effect, sustainability and cross border impact

The Ombudsman, once established, will assume an important role in ongoing policy and legal reforms in Serbia. An independent and accountable Ombudsman institution will contribute to monitoring of the rate of reforms and will put the issue of human rights and protection of citizens in the spotlight.

² To introduce the Ombudsman, it is necessary to make a legal basis in the Statute of the local self-government unit. Also, it is necessary for its jurisdictions, powers, ways of acting, way of appointment, etc. to be regulated by a Decision.

Strengthening of Ombudsman's office will contribute to a more efficient control of the work of state bodies and public services, as well as creating citizen's trust in authorities, which will result in further democratization of society and affirmation of the principles of the rule of law. This will indirectly contribute to the stability of Serbian society as one of important elements of regional stability.

3.3 Results and measurable indicators:

The main expected results of the project which contribute to the specific objective are:

1. Organizational structure of the Ombudsman's Office improved, in accordance with the best European practice
2. Conditions for the improvement of cooperation of Ombudsman's offices on the Republic, provincial and local levels and their cooperation with state bodies created.
3. Capacities of the Ombudsman's Office strengthened (human resources)
4. Wider and professional public aware of the role and importance of the institution of the Ombudsman through a promotional campaign

3.4 Activities:

The activities of the proposed Project are structured according to three crucial areas:

- capacity building and organizational improvement of the Ombudsman's Office,
- promoting the relationship with the professional and wider public,
- cooperation among Ombudsman offices on all levels and cooperation with state bodies.

These fields are to a great extent intertwined and supplemented by each other so certain project activities will contribute to the execution of results from various fields.

The area that refers to capacity building and organizational improvement of the Ombudsman's Office includes the biggest number of project activities.

Initial activities, in this field, are activities related to training of the Office staff.

The processes that will support the Ombudsman's Office include:

- Organization of round tables, public debates for the professional public, panel discussions, international conferences
- Organization of participation of representatives of the Ombudsman's Office at relevant international professional meetings
- Organization of study tours to institutions of Ombudsman in EU countries and countries of the region.

An important project activity in the area of capacity building of the Office is providing relevant expertise for preparation of regulations and amending the existing regulations from the scope of the Ombudsman Office's work³. In this way, through close cooperation of the employees in the Office and experts engaged in the Twinning, the project will directly provide transfer of knowledge. This would also result in better quality of regulations and other acts.

³ The Ombudsman in their capacity is authorized to submit initiatives to the Government and the National Parliament for passing new regulations or changes and amendments to the existing regulations.

Furthermore, as a part of the project, it is planned to conduct the organizational analysis of the Ombudsman Office, as well as to prepare recommendations for the improvement of work of the Ombudsman's Office. The organizational analysis can provide useful information especially in terms of the establishment of Ombudsman Offices outside the headquarters, so as to provide easier access of people from central Serbia and smaller towns to the Ombudsman.

The area of improving relations with the professional and wider public includes activities related to the promotional campaign. The implementation of the promotional campaign of the Ombudsman's Office and all details related to the campaign will be determined in the course of implementation and in agreement with the Twinning experts. However, it will most likely include the following components: developing a plan of activities and ideas for promotional activities, organization of seminars for stakeholders and target groups (journalists, public servants, etc.), organization of promotional activities (conferences, media events, etc.), making promotional material (video and audio production, printed material) and conducting public opinion surveys.

The area that refers to cooperation between the Ombudsman Offices on all levels, and cooperation with the state bodies, covers the following activities:

- Organization of working meetings between representatives of the Ombudsman's Office and state bodies
- Analysis of the current practice in the domain of cooperation of the Ombudsman's Office on the local, provincial and Republic level
- Organization of working meetings between representatives of the Ombudsman's Office, provincial Ombudsman and local Ombudsman (city defenders)
- Developing a set of recommendations for improvement of cooperation of the Ombudsman's Offices on all levels.

The activities will be implemented in the form of a Twinning Project under a Contract between Serbia and a Member State. The project will be supervised and coordinated by a Project Leader, who is to be a high-ranking official of the Member State Institution. The project will provide a Resident Twinning Adviser and a number of short and medium term experts.

3.5 Conditionality and sequencing

Potential risks and prerequisites that have important influence on achieving planned objectives and results of the project or realization of certain activities are presented in the Logical Framework Matrix (Annex 1).

An important prerequisite for successful contribution of the proposed project to the achievement of the overall objective is the existence of a defined legal framework in the field of human rights protection. The influence of this risk on the work of the Ombudsman's Office is significant; however it has no major influence on the realization of this project. In any case, the project should plan the possibility to offer support to the Ombudsman's Office in solving potential problems that may materialize from this risk. This support primarily refers to raising

awareness of the importance of passing all important laws regulating the field of protection of human rights and freedoms.

As for prerequisites and risks that refer to the execution of planned results of the project, major risk is the need to urgently establish the Ombudsman's Office upon appointment of the Ombudsman. As part of the 2006 budget of the Republic of Serbia, necessary financial funds were secured. Since the Office was not established during 2006, it is realistic to expect that the necessary financial funds will be allocated to the 2007 budget.

Furthermore, an important prerequisite arising from the results of the proposed project and affecting the achievement of specific objective of the project, is the necessity to establish cooperation of the Ombudsman's Office with the associations of citizens engaged in human rights protection, state bodies and the media. Active cooperation will secure the achievement of specific objective of the project, and in that sense, the proposed project will dedicate great attention to it through several project activities. The important prerequisite is readiness of the employees to undertake continuous training, i.e. to be engaged in long-term capacity building of the Ombudsman's Office.

The main prerequisites for successful realization of project activities include:

- Availability of capacities of the Ombudsman's Office for successful implementation and coordination of planned project activities
- Availability of appropriate international and local expertise
- Established contacts with Ombudsman's offices in EU countries and countries of the region

3.6 Linked activities

Considering the fact that institution of the citizens' defender is a relatively new external control mechanism for the work of public administration bodies, the bodies in charge of legal protection of proprietary rights and interests of the Republic of Serbia, as well as other bodies and organizations, enterprises and institutions that are entrusted with public jurisdictions (hereinafter referred to as "administrative bodies"), there are no relevant initiatives related to the work of the Ombudsman's Office that would provide adequate experience.

Certain initiatives in terms of offering support to the development and capacity building of the provincial Ombudsman are created through the organization of various study tours, trainings, workshops and international conferences (OSCE Mission in the Republic of Serbia).

When capacity building of citizens' defenders on the local level is concerned, a great number of projects supported by the Office of Provincial Ombudsman, the Standing Conference of Towns and Municipalities (SCTM), OSCE, CIDA, UNHCR, the Serbian President's People's Office and non-governmental organizations acting in the field of human rights protection. Also, the Serbian Local Self-Government Programmed (SLGRP), which is financed by USAID, offers strong support to all cities and municipalities which decided to establish the office of the citizens' defender. As part of this programmed, in the period from 2002 to 2006, several round tables and discussions were organized discussing the role and importance of establishing an Ombudsman's Office in cities and municipalities of Serbia. Also, efforts were made to secure basic conditions for financial sustainability of already established offices of

the local Ombudsman. The SLGRP was involved in the process of establishing a network of local Ombudsman, at the initiative and with the support of the Provincial Ombudsman.

3.7 Lessons learned

Considering the fact that Serbia is among last countries in Europe to introduce the institution of citizens' defender, and despite the fact that even though the Law on the Ombudsman was adopted⁴, the Ombudsman's Office has not yet been established in practice, and projects in this field have not been carried out.

Only projects carried out with the aim of offering support to the work of provincial and local Ombudsman, i.e. citizens' defenders, can give certain parameters.

This project proposal, which highlights the necessity of creating conditions for efficient work of once established Ombudsman's Office, would represent the first concrete initiative in this field. Capacity building of the Ombudsman's Office, promoting its work, and also promoting cooperation of Ombudsman on the Republic, provincial and local levels will contribute to a more efficient control of the work of state bodies and public services, as well as to creating citizens' trust in authorities, which will result in further democratization of society and affirmation of the principles of the rule of law.

4. Indicative Budget (amounts in €)

Currently, it is not possible to display a clear structure of the project's budget. However, in accordance with experiences of similar projects implemented so far in countries of the region, the estimated frame budget should amount approximately EUR 1,000,000.

Expenses necessary for the implementation of certain planned project activities that require engagement of certain financial means include:

- Expenses of project team,
- Expenses of the organization and training of employees in the Ombudsman's Office, Expenses of the organization of participation of representatives of the Ombudsman's Office in relevant international professional meetings,
- Expenses of the organization of study tours to institutions of Ombudsman in EU countries and countries of the region,
- Expenses related to the improvement of internet presentation,
- Expenses for the realization of promotional activities,
- Expenses for making and distributing promotional material,
- Expenses for public opinion survey,
- Expenses for the organization of seminars for journalists, round tables, forums, public debates for professional public, panel discussions, international conferences,
- Expenses for providing relevant expertise,
- Expenses for organization of working meetings of representatives of Ombudsman's offices (local, provincial and national level).

⁴ Official Gazette of the Republic of Serbia, Issue No. 79/05

Activities	TOTAL COST	SOURCES OF FUNDING										
		EU CONTRIBUTION				NATIONAL PUBLIC CONTRIBUTION				PRIVATE		
		Total	% *	IB	INV	Total	% *	Central	Regional	IFIs	Total	% *
Activity 1	1.000.000	1.000.000	100	100								
contract 1.1												
contract 1.2												
Activity 2												
contract 2.1												
contract 2.2												
.....												
TOTAL	1.000.000	1.000.000	100	100								

* expressed in % of the Total Cost

5. Indicative Implementation Schedule (periods broken down per quarter)

Contracts	Start of Tendering	Signature of contract	Project Completion
Contract 1.1	T+1Q	T+3Q	T+9Q

All projects should in principle be ready for tendering in the 1ST Quarter following the signature of the FA.

6. Cross cutting issues

Development Policy Joint Statement by the Council and the European Commission of 10 November 2000 establishes that a number of Cross-cutting Issues shall be mainstreamed into EC development co-operation and assistance.

Cross-cutting issues will be addressed in the project so as to comply with the best EU standards and practice in that area and in a way which demonstrates how they will be dealt with within the project's framework, its activities and outputs.

Cross-cutting issues will be addressed in a proactive manner, and will present a specific component of projects (at all levels of projects' development, starting from the project identification stage). Synergies between the projects and the objectives of will be identified and developed. Also, the projects' objectives and activities need to be screened in order to ensure they won't impact negatively on gender equality, minorities' inclusion and environment.

Finally, the beneficiary will make sure its objectives, policies and interventions have a positive impact on and are in line with the main principles of gender equality, minorities' inclusion and environment.

6.1 Equal Opportunity

Gender equality will be addressed through this project. The role of Ombudsman is to attend to the needs of all citizens, regardless of their gender. However, particular attention will be paid to needs of women as in Serbia, as there are still many issues to be tackled with in order to reach a more balanced representation of women in all areas of life. These areas include politics, various management and administration structures, etc. The society still needs to overcome some gender stereotypes, provide better access to education and employment to women especially those belonging to national minority groups or coming from rural areas, disabled women, etc. The Office of the Ombudsman can help the Government achieve these objectives by urging the most relevant stakeholders and the Government to promote gender equality in their activities and campaigns.

6.2 Environment

Right to clean and healthy environment is an undisputed right of all citizens. In its work the Ombudsman's Office will, in line with its responsibilities, support efforts related to fulfilment of all relevant environmental standards and promotion of social awareness on issues related to protection of environment and natural resources.

6.3 Minorities

Serbia has demonstrated its commitment to further improve human and minority rights by signing and ratifying a number of international conventions in this area (also foreseen in European laws and standards).

In its nature, this project will have a profound impact on improvement of protection and respect of the citizen's rights, including national minority groups. The Ombudsman can lobby with the Government and its executive and administrative structures to adhere to local and international set of principles and regulations directed towards protection of rights of minorities. Furthermore, in its promotional activities, the Ombudsman's Office should aim to promote good inter-ethnic relations and tolerance in the country, social dialogue between various minority groups, their participation in decision making at both national and local levels and various other initiatives that are dealing with empowerment of national minorities.

ANNEX I: Logical framework matrix in standard format

LOGFRAME PLANNING MATRIX FOR Project Fiche	Programme name and number	
Support to Strengthening of the Ombudsman's Office	Contracting period expires 5 years after the signature of the Financing Agreement	Disbursement period: expires 6 years after the signature of the Financing Agreement
	Total budget : 1 million Euros	IPA budget: 1 million Euros

Overall objective	Objectively verifiable indicators	Sources of Verification	
Creating the environment for further democratization of society, promotion of the principles of the rule of law, human rights and good governance through more efficient control of the legality in the work of public administrative bodies	- Degree of improvement of legality and efficiency in the work of public administration bodies, as an important prerequisite for upgrading the level of protection of human rights and citizens' freedoms.	- Reports of relevant international organizations for protection of human rights and citizens' freedoms - Reports of citizens' associations acting in the field of protection of human rights and citizens' freedoms - Annual report on Government's work	
Project purpose	Objectively verifiable indicators	Sources of Verification	Assumptions
Setting the conditions for establishment of the initial phase of operations and continuing improvement of work of the Ombudsman's Office in line with EU standards, as an independent and unbiased institution, which needs to prepare for more efficient control of the legality of administrative bodies, in light of the promotion of protection of human rights and citizens' freedoms	- Positive assessment of the National Parliament on the work of the Ombudsman	- Minutes from the session of the National Parliament in which the Parliament is informed about the work of the Ombudsman	- A rounded legal framework in the field of human rights protection
Results	Objectively verifiable indicators	Sources of Verification	Assumptions
<ol style="list-style-type: none"> Organizational structure of the Ombudsman's Office improved, in accordance with the best European practice Conditions for the improvement of cooperation of Ombudsman's offices on the Republic, provincial and local levels and their cooperation with state bodies created Capacities of the Ombudsman's Office strengthened (human resources) Wider and professional public aware of the role and importance of the institution of the Ombudsman through a promotional campaign 	<ul style="list-style-type: none"> Capacities of the Ombudsman's Office improved and capable of a more efficient protection of citizens' rights and freedoms Level of awareness of professional and wider public with the meaning and the role of the Ombudsman Number of filed complaints Percentage of complaints that belong to the domain of Ombudsman's jurisdictions Percentage of processed complaints compared to the total number of filed complaints Number of Ombudsman's actions at own initiative Number of solved complaints as a result of cooperation of the Ombudsman on the local, provincial and the Republic level 	<ul style="list-style-type: none"> Public opinion surveys Project documentation Periodical reports on the progress of the project Annual reports of the Ombudsman's Office on all levels Press clipping Agreement on engagement of expertise Periodical reports of the Ombudsman's Office Internet presentation of the Ombudsman's Office 	<ul style="list-style-type: none"> The Ombudsman's Office fully established Established cooperation with state bodies, media and associations of citizens engaged in the protection of human rights Readiness of employees to continual training and improvement
Activities	Means	Costs	Assumptions
<ol style="list-style-type: none"> <ol style="list-style-type: none"> Execution of organizational analysis of the Ombudsman's Office Preparation of recommendations for the improvement of the Ombudsman Office's work Organization of working meetings of representatives of the Ombudsman's Office and state bodies Analysis of the current practice in the domain of cooperation of Ombudsman's Office at the Republic, provincial and local levels 	Twinning agreement	1 million Euros	<ul style="list-style-type: none"> Availability of capacities of the Ombudsman's Office for successful execution and coordination of planned project activities Availability of appropriate international and local expertise Established contacts with Ombudsman's Offices in EU countries and countries of the region

<p>2.3. Organization of working meetings for representatives of the Ombudsman's Office, provincial Ombudsman and local Ombudsman (citizens' defenders)</p> <p>2.4. Creating recommendations for improvement of cooperation of Ombudsman's office on all levels</p> <p>3.1. Analysis of the needs for training of employees in the Ombudsman's Office especially in the fields of functioning of public administration bodies, obligations and responsibilities of public servants, protection of human rights, monitoring and reporting, processing citizens' complaints and public relations</p> <p>3.2. Creating the programme of training for employees in the Ombudsman's Office</p> <p>3.3. Execution of training for employees</p> <p>3.4. Organization of participations of representatives of the Ombudsman's Office in relevant international professional meetings</p> <p>3.5. Organization of study tours in EU countries and countries of the region,</p> <p>3.6. Providing expertise with drafting regulations and amending the existing regulations from the scope of Ombudsman Office's work</p> <p>4.1. Creating a strategy for promotional activities of the Ombudsman's Office</p> <p>4.2. Creating plan of activities and idea solutions for promotional campaign</p> <p>4.3. Organization of seminars for stakeholders and target groups (journalists, public servants, etc.)</p> <p>4.4. Organization of promotional actions (conferences, media events, etc.)</p> <p>4.5. Creating promotional material (video and audio production, printed material)</p> <p>4.6. Organizing and conducting public opinion surveys</p>			
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ANNEX II: amounts (in M€) Contracted and disbursed by quarter for the project

Contracted	Q1	Q2	Q3	Q4	Q5	Q6	Q7	Q8	Q9	Q10	Q11
Contract 1.1			1.0								
Contract 1.2											
Contract 1.3											
Contract 1.4											
.....			1.0								
Cumulated			1.0								
Disbursed											
Contract 1.1			800,000						200,000		
Contract 1.2											
Contract 1.3											
Contract 1.4											
.....											
Cumulated			800,000						1,000,000		

ANNEX III

Description of Institutional Framework

The work, authorisations and the mandate of the Ombudsman and his/her office are regulated by the Law on Ombudsman, adopted in 2005. Some of the most important provisions of the law include:

- The National Assembly of the Republic of Serbia (hereinafter: the Assembly) shall appoint the Ombudsman following the proposal of the National Assembly Committee for Constitutional Issues (hereinafter: the Committee). (Article 4, para 1)
- The Ombudsman is appointed for a period of five years and the same person may be elected at most twice in succession. (Article 4, para 6)
- The Ombudsman shall have four deputies that help him/her in performing the duties prescribed by this Law, and within the powers delegated to them by the Ombudsman. (Article 6, para 1)
- Ombudsman, i.e. his/her Deputies, shall not hold other public office, perform another professional activity, or any duty or task that might influence their independence and autonomy. (Article 9, para 1)
- The Ombudsman and his/her Deputies shall not be members of political organisations. (Article 9, para 2)
- The Ombudsman shall submit a regular annual report to the Assembly that shall include information on activities in the preceding year, noted irregularities in the work of administrative authorities and recommendations to improve the status of citizens in relation to administrative authorities. (Article 33, para 1)
- A Secretariat of the Ombudsman is hereby established to perform specialised and administrative tasks. (Article 38, para 1)
- The Secretariat shall be managed by the Secretary General. (Article 38, para 2)

ANNEX IV

Reference to laws, regulations and strategic documents:

Reference list of relevant laws and regulations

Key laws, regulations and strategic documents in the area of Public Administration and support to human rights:

General:

- Constitution of the Republic of Serbia
- Law for the Implementation of the Constitution of the Republic of Serbia
- National Strategy for Serbia and Montenegro's Accession to the European Union
- Action Plan for the Implementation of the European Partnership

Public Administration:

- Public Administration Reform Strategy in the Republic of Serbia
- Law on Public Administration

Ombudsman:

- Law on Ombudsman

Social Welfare/Human Rights:

- Law on Social Protection and Social Security of the Citizens

- Law on Accountability for Human Rights Violations Act

Reference to AP /NPAA / EP / SAA

The importance of the institution of the Ombudsman is evident in many relevant strategic documents of the European Union. In that sense, the strategic framework of the project, in accordance with the project objectives, includes the following documents:

- EU Enlargement Strategy,
- European Partnership,
- Multiannual Indicative Programme Document.

Reference to MIPD

One of the main priorities in the “Political Requirements” section of the Multi-Annual Indicative Planning Document is to strengthen the administrative capacity of Ombudsman’s Office and implement relevant legislation (section 2.2.1.1. page 16).

Reference to National Development Plan

N/A

Reference to national / sectoral investment plans

The importance and harmonization of objectives of the proposed project with national strategic priorities are set in the following strategic documents:

- Serbian National Strategy for Serbia and Montenegro’s Accession to the European Union,
- Action Plan for the Implementation of the European Partnership,
- Public Administration Reform Strategy in the Republic of Serbia.

ANNEX V

4. Details per EU funded contract (*) where applicable:

Account of tasks expected from the team leader, resident twinning advisor and short term experts

4.1. Team Leader

The team leader should be a high ranking EU official with broad general knowledge of all processes and issues related to functioning of an Ombudsman institution (and similar institutions within the EU public administration domain). The team leader will continue to work for his/her administration but will be in charge of drafting, supervising and coordinating all issues related to this Twinning project.

The team leader will allocate a minimum of 3 days per month including one visit every 3 months to Serbia, for the duration of the project.

4.1.1. Qualifications of the team leader

- Broad experience of many years in the area of operational functioning of an EU Ombudsman Institution or similar organisation
- Overall understanding of the relevant issues in the sector and area related to protection of human and citizen's rights
- Good leadership skills
- Experience with working in transition countries and countries in the region will be considered an advantage

4.1.2. Tasks of the team leader

- Overall coordination and supervision of the project
- Hiring short and medium term experts
- Handling administrative issues such as signing off reports, letters, notes, etc.

4.2. Resident Twinning Adviser

Resident Twinning Adviser has the task to assist the beneficiary institution with organisation and mobilisation of technical assistance, daily advice and training, seminars, workshops, round tables, organisation of study tours.

The Resident Twinning Adviser shall be or have been employed at an EU Ombudsman Institution or similar organisation. He/she will possess good management skills and preferably have experience of working in transition countries and countries in the region.

4.2.1. Qualifications of the Twinning adviser

- In-depth knowledge of human rights conventions and guidelines as well as working experience with an EU Ombudsman Institution or similar organisation
- Experience in designing reports, campaigns and monitoring of implementation of human rights standards
- Communication and advisory skills

- Relevant university degree, preferably in law or social sciences
- Experience in project management
- Experience in EU procurement rules will be considered an advantage

4.2.2. Tasks of the resident Twinning adviser

- Assisting in the preparation of all project related documents which are of vital importance for smooth implementation, such as inception report, sector strategy/policy/plan, assessment reports, quarterly monitoring reports, final project report, training manuals, project impact reports and other strategic documents which will be produced in the course of duration of this project
- Designing a work plan for the implementation of the project
- Ensuring continuity of the project by means of day to day management and provision of advice to the beneficiary
- Planning and coordination of project outputs as well as ensuring their quality
- Assisting the team leader in mobilising short and medium experts and monitoring the work of the experts
- Coordinating and organising workshops, seminars, study tours, trainings, etc.

4.3. Short and Medium term Experts

4.3.1. Qualifications of short and medium term experts

- Minimum of 3 years of experience in the field of human rights and citizen's freedoms protection

4.3.2. Tasks of short and medium term experts

- Contributing to the sustainability of the project by ensuring that aspects of the project related to their field of expertise are implemented timely
- Assistance with drafting of strategic documents and preparation of trainings, study tours, workshops, seminars, etc.