

PUBLIC CALL FOR EXPRESSION OF INTEREST

RE-ADVERTISEMENT

FOR IMPLEMENTING PARTNERS IN THE EU-FUNDED PROJECT “Support to Monitoring of National War Crimes Trials (Strengthening capacities of civil society organizations to take over trial monitoring)” – Project no. 2400576

Brief background of the Project

The project “Support to Monitoring of National War Crimes Trials” (hereinafter “The Project”) is a project entirely financed by the European Union through its Instrument for Pre-accession Assistance (IPA) and implemented by the OSCE Mission to Serbia. The Project will last for three years. Its implementation began on 1 December 2013.

The Project aims to contribute to advancement of the rule of law in Serbia, particularly to its criminal justice system and accountability for war crimes. This result is pursued through a twofold strategy: on one hand through direct monitoring and assessment of national war crimes prosecutions and trials by the OSCE’s trial monitoring team; on the other hand, by supporting the creation of professional and sustainable war crimes trial monitoring programmes within Serbian civil society. To this end, the Project will strengthen the trial monitoring capacity of Serbian civil society organizations (hereinafter CSOs) so that they are able to continue monitoring war crimes trials beyond the end of the OSCE’s engagement in this field, and make their findings available to a wide local and international audience.

In light of the above, while during the first two years of the Project the OSCE is directly monitoring and assessing war crimes proceedings before courts in Serbia, the OSCE also seeks to recruit a pool of three CSOs which will monitor war crimes proceedings before courts in Serbia and eventually take over all monitoring and reporting functions from the OSCE.

To assist the CSOs in conducting their monitoring functions and to ensure commitment of partner CSOs and sustainability of their involvement in the monitoring, salaries for the CSOs trial monitors will be financed through the Project.

More specifically:

- a) Upon receiving the Expressions of Interest, the OSCE will review them and propose to the Project’s Steering Committee a pool of three CSOs and five CSO monitors possessing the necessary requirements and experience, deemed suitable to monitor war crimes proceedings with adequate professionalism and objectivity.

- b) Contingent on the approval of the CSO pool by the Steering Committee, Implementing Partner Agreements will be signed between three selected CSOs and the OSCE.
- c) Subsequently, five additional trainees will be selected among the activists of the three selected CSOs.
- d) Three phases of the project will follow:
 - e) **Phase 1:** The five selected monitors and the five additional trainees will undergo a training and coaching programme aimed at improving their knowledge and preparedness in the field of criminal law, international criminal law and monitoring skills. The training will entail a part-time commitment and will span over seven months. During this project phase, a full-time monthly salary (the equivalent in RSD of EUR 1400/month)* will be provided to each of the five monitors. 50% of the salary will be paid by the OSCE and 50% by the CSOs.
 - f) **Phase 2:** Upon the end of the training/coaching programme, CSOs will deploy their monitors in the courts and report on the monitored cases, alongside the OSCE monitors. During this project phase, which will last nine months and until the second year of the project, a full-time monthly salary (the equivalent in RSD of EUR 1400/month)* will be provided to each of the five monitors by the OSCE.
 - g) **Phase 3:** In the third year of the project, the CSO monitors will continue monitoring trials while at the same time the OSCE will significantly decrease its monitoring activities. During this project phase, a full-time salary (the equivalent in RSD of EUR 1400/month)* will be provided to each of the five monitors. 50% of the salary will be paid by the OSCE and 50% by the CSOs.

The project implementation will be overseen by the Steering Committee, consisting of the EU, the OSCE Mission, the Ministry of Justice and Public Administration (MoJPA), and the European Integration Office of the Government of the Republic of Serbia (SEIO).

Specific tasks of the implementing partner

- 1) August 2014 to January 2015: five CSO monitors and five CSO trainees participate in part-time trainings organized by the OSCE;

* RSD 81,046.24 based on the current exchange rate. Amount is inclusive of applicable local taxes and social insurance. Payment of income taxes and social insurance will be the sole responsibility of the Implementing Partner. The conversion from EUR into RSD will be made according to the OSCE exchange rate at the moment of each payment.

- 2) February 2015 to November 2015: the five CSO monitors attend all war crimes trial and appeal sessions before Serbian courts; hold meetings with relevant stakeholders; review and assess the state of play of war crimes prosecutions in Serbia; identify shortcomings and issues affecting efficiency and human-rights compliance of domestic prosecutions and trials; provide daily accounts of activities carried out; produce, as a minimum, one report to the OSCE every 15 days, providing a summary of the trials monitored and containing observations and findings on the monitored trials; produce at least one annual report containing legal analysis of the monitored trials;
- 3) December 2015 to November 2016: the five CSO monitors attend all war crimes trial and appeal sessions before Serbian courts; produce internal 15-day reports as per point 2) above; produce at least one comprehensive final report containing legal analysis of the monitored trials by the end of November 2016.

The reports drafted and prepared by the CSOs monitors will be the ownership of the partner CSO; their clearance and finalisation are within the discretion and autonomy of the partner CSO.

Qualifications of the Implementing Partner

Each applicant CSO must possess the following requirements:

1. Proven experience of at least five years in monitoring and advocacy on a wide range of human rights and transitional justice issues;
2. Documentable experience of at least five years in producing reports containing analysis of human rights and criminal justice issues;
3. Current engagement and commitment to the field of criminal and transitional justice;
4. Integrity and professionalism in accordance with European standards;
5. Ability to ensure a sustainable multi-year program of monitoring and reporting on Serbian war crimes trials: deploying monitors and issue regular reports containing recommendations for improvement;
6. Each applicant CSO should attach to its application the CVs of at least three professionals it intends to employ as trial monitors. The proposed monitors, who will be selected through a competitive examination process, must possess the following minimum characteristics:
 - University degree in law;
 - Minimum five years of relevant working experience in one or more of the following fields: criminal law, legal analysis, judicial reform, trial monitoring, human rights advocacy; having passed the Serbian Bar exam is a strong

advantage;

- Excellent knowledge of the organization and functioning of the Serbian judicial system, Serbian national legislation, international humanitarian law and human rights law;
- Knowledge and understanding of recent and current political developments in Serbia and the Western Balkans;
- Integrity and professionalism in accordance with European standards;
- Excellent communication and drafting skills in English;
- Computer literacy and extensive experience in Microsoft packages.

Additionally, the following will be considered an advantage:

7. Prior trial monitoring experience, particularly war crimes proceedings;
8. Prior experience in monitoring and cooperating with the Serbian judiciary on justice reform issues;
9. Prior experience in implementing projects.

Applicants will be evaluated based on the following criteria:

- 1. Experience and professionalism of the CSO (points 1 to 4 and 7 to 9 above) - 35/100 points**
- 2. Experience and competency of proposed CSO monitors (point 6 above) - 45/100 points**
- 3. Structural soundness and sustainability of the CSO (point 5 above) - 20/100 points**

Based on the above evaluation, the OSCE will make a recommendation to the Steering Committee as to which CSOs and CSO monitors should be selected.

Two CSO monitors will be selected among those proposed by the two highest scoring Applicants. One CSO monitor will be selected among those proposed by the third-highest scoring Applicant.

In case only two Applicants meet the criteria for eligibility, three CSO monitors will be selected among those proposed by the highest-scoring Applicant and two among those proposed by the second highest-scoring Applicant.

Where only one Applicant meets the required criteria, the OSCE reserves the right to re-advertise the present Call or to select five CSO monitors from the Applicant.

Applicants shall also provide information on their operational capacities: date of registration, field(s) of work, number of staff (full-time, part-time and volunteers) and short description of projects implemented in the last three years.

Expressions of interest along with all the documentation listed above must be (received) **delivered** to the below specified address on or before **14 APRIL 2014, 12:00 CET** clearly marked as follows:

OSCE Mission to Serbia
Attn: Sasa Damjanac, CFA
Ref: Public Call for Expression of Interest for Implementing partner ref: **2400576**
Deadline: **14 APRIL 2014, 12:00 CET**
Španskih boraca 1, 11070 Belgrade, Serbia
Do Not Open, Except in the Presence of the OSCE Bid Opening Board

The envelope shall be sealed and shall bear the address of the OSCE and the OSCE Reference Title as indicated above.

The proposals should be sent in **English**.

Proposals sent by email and facsimile will **NOT** be accepted.

Please address all your queries or questions in writing at the address given below up to 10 days before the submission deadline.

OSCE Mission to Serbia
Rule of law and Human Rights Department
Alberto Pasquero – project co-ordinator
Španskih boraca 1
11070 Belgrade

or emailed to alberto.pasquero@osce.org

The OSCE will reply within 5 days before the submission deadline. No telephone calls or personal visits will be attended.

Note that requests for opinions or assessments on the form or the content of the expression of interest will not be addressed.