

Terms of Reference No. 40

Position: Senior Non-Key Expert on INSTITUTIONAL CAPACITY AND LEGAL REFORM

Project Description	
<b>Background information</b>	The EU funded project "Technical Assistance for improving the enabling environment for Civil Society Organizations in the Republic of North Macedonia" aims to support the Government in enhancing the enabling environment for civil society, and at the same time to provide support to small and grassroots' organisations in capacity building and developing their sustainable operational ability.
<b>Project objectives, activities and expected results</b>	<p>The overall objective of the project is strengthening the civil society effectiveness by improving the enabling environment for civil society, at central and local level, and by structured CSOs cooperation with public institutions and business community in the country.</p> <p>The project commenced in February 2020 with an initial duration of 30 months and was extended in the meantime on several occasions. The current duration of the project is 73 months, or until 17 March 2026.</p> <p>Based on the Contract Addendum signed in December 2023, a complementary Terms of Reference with a set of new components and activities have been introduced, as presented further below:</p> <p><b>Component 1 A: Support the implementation of the main objectives from the Government Strategy for Cooperation with civil society (2022-2024)</b></p> <ul style="list-style-type: none"> <li>• Activity 1.1.A: Enhancing the capacity of General Secretariat and state institutions to put in place the new legal framework and related secondary legislation for enabling environment for civil society.</li> <li>• Activity 1.2.A: Enhancing the CSOs' capacity for implementation and compliance considering the new legal framework and related secondary legislation for enabling environment for civil society.</li> <li>• Activity 1.3 A: Government re-established a well-structured and efficient mechanism/s for consultation and cooperation with the civil society on sectorial policies and future EU negotiations</li> </ul> <p><b>Component 2 A: Support the implementation of the main objectives of the Gender Action Plan III – Country Level Action Plan for North Macedonia in cooperation with civil society</b></p> <ul style="list-style-type: none"> <li>• Activity 2.1.A: Development of effective methods for gender mainstreaming and monitoring of the gender perspective</li> <li>• Activity 2.2.A: Enabling the CSOs for an effective structural dialogue with institutions and in decision making in regard to gender equality vis a vis the EU's Action Plan on Gender Equality</li> </ul>
<b>Geographical area to be covered</b>	All eight (8) regions in the Republic of North Macedonia
<b>Project Stakeholders and project beneficiaries</b>	General Secretariat of the Government Unit of cooperation with CSOs; Council for Cooperation between Government and Civil Society; CSOs, networks, platforms, civic initiatives, and active citizens; Central and local government authorities; Business community. Civil Servants Network falls into the indirect category of beneficiaries.

Scope of the work	
<b>General description</b>	<p>This assignment will contribute to the achievement of the planned result of:  <b>Component 1 A: Support the implementation of the main objectives from the Government Strategy for Cooperation with Civil Society (2022-2024)</b></p> <p><i>Activity 1.1.A: Enhancing the capacity of General Secretariat and state institutions to put in place the new legal framework and related secondary legislation for enabling environment for civil society.</i></p> <p><b>The Non-Key Expert will be responsible for contributing to the following project tasks, as instructed by the KE2/ Team Leader of the project:</b>  <b>1.1.1. Capacity building for state institutions</b></p> <p><i>The Law on Association and Foundation (LAF) from 2010 serves as the main legal basis for allocating public funds to civil society organizations (CSOs). However, it grants broad discretion to government bodies and lacks clear, binding standards for funding procedures, such as priority setting, proposal evaluation, award procedures, and monitoring. No specific bylaw has been mandated to regulate these processes in detail. While the 2007 Code for Good Practices on State Funding offers useful guidance, it remains non-binding. Reform efforts are expected to resume in 2025/2026 through planned amendments to the LAF.</i></p>
<b>Main tasks</b>	<p>The objective of this activity is to support Ministry of Justice and other state institutions in effectively enacting the new legal framework governing Civil Society Organisations (CSOs) through in-depth analytical assessment and strategic recommendations, and delivery of comprehensive workshop series for key personnel. <b>Main tasks include:</b></p> <ul style="list-style-type: none"> <li>• Provide structured support to working groups responsible for drafting laws related to the legal environment for CSOs.</li> <li>• Analyse existing models of state funding and review legislative proposals.</li> <li>• Propose models for transparent and accountable public financing of CSOs, drawing on international best practices.</li> <li>• Plan and deliver workshops to strengthen the capacity of relevant state institutions to implement new legislation related to CSO financing.</li> <li>• Support the transformation of the Code of Good Practices for State Funding of CSOs into a legally binding document.</li> </ul>
<b>Outputs/deliverables</b>	<ul style="list-style-type: none"> <li>• Advisory support delivered to legislative working groups engaged in drafting CSO-related laws.</li> <li>• Comparative analysis and legislative review report produced.</li> <li>• Proposal document outlining recommended models for transparent and accountable public financing, adapted to the national context.</li> <li>• Recommendations for amendments to the Law on Association and Foundation concerning the state funding framework for CSOs.</li> <li>• Recommendations developed for the legal transformation of the Code of Good Practices on state funding at both national and local levels.</li> </ul>

Logistics and timing	
<b>Location</b>	<p>The operational base of the project will be:</p> <p><b>Skopje, Republic of North Macedonia</b></p>
<b>Start date &amp; Implementation Period</b>	<p>The commencement date is after the EUD approval; preferably in <b>June 2025</b> and the period of implementation of the assignment will be <b>until the end of the project</b>. Total number of working days allocated under this ToR is <b>up to 30 working days</b>.</p>

Expert profile and selection criteria											
<b>Qualifications and Skills:</b>	<ul style="list-style-type: none"> <li>University degree in the field of law, public administration, political sciences, social science, economics or any other field related to the project. In the absence of a University degree, equivalent professional experience of at least 5 years in addition to the requirement of at least 7 years of general professional experience</li> <li>Outstanding communication and interpersonal skills</li> <li>Excellent spoken and written English</li> <li>Excellent writing and analytical skills</li> <li>Computer literacy (command of Microsoft Office (Word, Excel, Power point, etc.) and the Internet)</li> </ul>										
<b>General professional experience:</b>	<ul style="list-style-type: none"> <li>At least seven (7) years of general professional work experience in the fields relevant to the assignment.</li> </ul>										
<b>Specific professional experience:</b>	<ul style="list-style-type: none"> <li>Minimum of five (5) years of experience in civil society sector reform, public administration reform, or institutional development.</li> <li>Proven expertise in legal frameworks related to civil society, public funding mechanisms, or regulatory reform.</li> <li>Experience in assessing institutional capacity and providing strategic recommendations for the implementation of legal and financial frameworks.</li> <li>Experience in designing and delivering capacity-building activities (workshops, trainings) for state institutions.</li> <li>Prior experience in working with ministries, general secretariats, or central government bodies in EU pre-accession or similar contexts is an asset.</li> </ul>										
<b>Evaluation criteria</b>	<p>The following grid will be conducted during the evaluation process:</p> <table> <tr> <th>Requirements</th><th>Score</th></tr> <tr> <td>Qualification and Skills</td><td>20</td></tr> <tr> <td>General professional experience</td><td>30</td></tr> <tr> <td>Specific professional experience</td><td>50</td></tr> <tr> <td><b>Total</b></td><td><b>100</b></td></tr> </table>	Requirements	Score	Qualification and Skills	20	General professional experience	30	Specific professional experience	50	<b>Total</b>	<b>100</b>
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<b>Total</b>	<b>100</b>										

Reporting	
<b>Language</b>	All reports and outputs must be delivered in English.
<b>Reporting requirements</b>	<p><b>Monthly Mission Report</b> with all related outputs and together with the NKE <b>Time Sheet</b> shall be delivered for review and approval to the Team Leader at the end of each month, <b>no later than by the 3<sup>rd</sup> of the month</b> for review, and subsequently revision by the expert/approval by the Team Leader.</p> <p><b>Final Mission Report</b>, with all related outputs, shall also state observations on problems/ risks encountered and recommendations for improvements/additional activities/risks mitigation actions shall be delivered with the last Time Sheet of the mission. <b>The NKE will send her/his mission report to the TA project team together with a timesheet, no later than 5 days following the end date of the assignment.</b></p>

Reporting	
<b>Submission &amp; approval of reports</b>	The Mission Reports and Time Sheet(s) of the expert are subject to approval by the Team Leader. Further, the expert's monthly Time Sheets are subject to final approval by the Contracting Authority/EUD.
<b>Performance indicators</b>	<p>The indicators reflecting the performance of the expert are defined as follows:</p> <ul style="list-style-type: none"> <li>• timely presentation of outputs, as defined in the ToR</li> <li>• quality of the outputs</li> </ul>