

ANNEX II: TERMS OF REFERENCE

Contents

1. BACKGROUND INFORMATION	2
1.1. Partner parties	2
1.2. Contracting Authority	2
1.3. Background.....	2
1.4. Current situation in the sector.....	8
1.5. Related programmes and other donor activities	9
2. OBJECTIVES & EXPECTED OUTPUTS	9
2.1. Overall objective.....	9
2.2. Specific objective(s)	9
2.3. Expected outputs to be achieved by the Contractor.....	9
3. ASSUMPTIONS AND RISKS.....	10
3.1. Assumptions underlying the project	10
3.2. Risks	10
4. SCOPE OF THE WORK.....	11
4.1. General.....	11
4.2. Specific work.....	11
4.3. Project management.....	11
5. LOGISTICS AND TIMING	12
5.1. Location	12
5.2. Start date & period of implementation of tasks	12
6. REQUIREMENTS	12
6.1. Personnel	12
6.2. Office accommodation.....	13
6.3. Facilities to be provided by the Contractor.....	13
6.4. Equipment.....	13
6.5. Incidental expenditure	13
6.6. Lump sums	13
7. REPORTS	13
7.1. Reporting requirements	13
7.2. Submission & approval of reports	14
8. MONITORING AND EVALUATION.....	14
8.1. Special requirements.....	14

1. BACKGROUND INFORMATION

1.1. Partner parties

The Signatory Parties of the Central European Free Trade Agreement (CEFTA) 2006 (“Agreement”) (“CEFTA Parties”).

1.2. Contracting Authority

The Secretariat of the Central European Free Trade Agreement 2006 on behalf of the CEFTA Parties (“Secretariat”).

1.3. Background

The Central European Free Trade Agreement (CEFTA) is a trade agreement established to facilitate free trade among its Parties. The original agreement dates back to 1992, while the new multilateral agreement was signed in Bucharest in 2006 (CEFTA, 2006). CEFTA free trade area today covers Albania, Bosnia and Herzegovina, North Macedonia, Moldova, Montenegro, Serbia, and Kosovo¹.

On 10 November 2020, the leaders of the Western Balkans adopted a more ambitious framework for regional economic integration – **Common Regional Market Action Plan²** (hereinafter CRM AP) for the period 2021-2024. The Action Plan built on the results of the Multiannual Action Plan for Regional Economic Area (MAP REA) and contributed to the implementation of the European Commission’s Economic and Investment Plan for the Western Balkans by building a common market of 18 million people in the Western Balkans. Its activities were divided in four major pillars: Regional Trade Area, Regional Investment Area, Regional Digital Area and Regional Industrial and Innovation Area.

Regional Trade Area is structured around the four freedoms (free movement of goods, services, capital and people). The CRM AP represented a stepping-stone to integrate the region more closely with the EU Single Market before accession. This was key for the region to leverage its privileged relation with the EU. Regional economic integration based on EU rules and closer association to the EU Single Market aimed to help the Western Balkans in the accession process. At the same time, the accession process and the gradual compliance with the EU *acquis* aimed to help strengthen intra-regional integration.

Building a common market of 18 million people – potential game changer for the region. The CRM AP aimed to address the current economic fragmentation of the region.

Building on the progress made in the past four years, the Western Balkans leaders adopted on 14 October 2024, a **new Common Regional Market Action Plan for 2025-2028³** (hereinafter CRM2.0), which sets the direction for enhancing trade, mobility, and investment across the region and integration with the EU Single Market. The new four-year plan is divided in six major pillars: Free Movement of Goods, Free Movement of Services, Horizontal Trade Measures, Human Capital Development, Business Enabling Environment and Competitiveness and Digital Transformation. With its scope and ambition of going beyond four freedoms provisions, it contributes to the long-term economic growth of the region, supporting its fair, green and digital transition, fostering regional cooperation and convergence with the EU.

CRM 2.0 is a regionally driven initiative grounded in EU rules and standards, aiming to boost competitiveness, deepen economic cooperation, and align the region more closely with the EU Single Market. Expanding on the previous Action Plan, CRM 2.0 goes beyond the four freedoms, promoting

¹This designation is without prejudice to positions on status and is in line with UNSCR 1244/1999 and the ICJ Opinion on the Kosovo declaration of independence.

² <https://cefta.int/wp-content/uploads/2020/11/Common-Regional-Market-2021-2024-Action-Plan.pdf>

³ <https://cefta.int/wp-content/uploads/2024/10/Common-Regional-Market-Action-Plan-2025-2028.pdf>

long-term economic growth, supporting fair, green, and digital transitions, and fostering regional cooperation and EU convergence.

As an integral part of the Growth Plan for the Western Balkans, CRM 2.0 operationalizes its second pillar: regional economic integration through the Common Regional Market. The Growth Plan promotes regional cooperation, a necessary stepping stone to access the EU Single Market (first pillar). Strengthening regional cooperation attracts investors, creates opportunities for businesses and workers, accelerates alignment with EU standards, and advances reforms.

CRM 2.0 holds untapped potential to unlock the Growth Plan's goal of doubling the Western Balkans' economic size within the next decade and thus foster stronger economic convergence with the EU. For example, deeper trade integration akin to the EU Single Market could boost annual trade growth by 10% which contributes to generating growth and jobs.

Notable achievements of CRM 2021-2024 include a doubling of intra-CEFTA trade volume over five years, a 3-percentage-point increase in GDP per capita relative to the EU average (2017-2022), and a 500% rise in roaming usage. Additionally, reduced waiting times at crossing points through Green and Blue Lanes saved over 20 years in queueing time in 2023, while 1,200 new companies engaged in intra-CEFTA trade.

CRM 2.0 recognizes that trade reforms and improved infrastructure would yield even greater benefits if the Western Balkan economies joined the EU, potentially boosting welfare by 6%.

The **Central European Free Trade Agreement (CEFTA)** plays a key role in providing legal and institutional framework for the first three pillars of CRM 2.0:

- **Free movement of goods:** Streamlining procedures to make trade more efficient and cost-effective, fostering market integration and competitiveness.
- **Free movement of services:** Improving market access, reducing discrimination, and addressing regulatory challenges to support growth in service industries.
- **Horizontal trade measures:** Addressing trade underpinnings, such as Green Lanes, digitalization, paperless trade, intellectual property rights, dispute settlement, consumer protection, and environmental sustainability.

Key CEFTA CRM 2.0 Deliverables by 2028:

FREE MOVEMENT OF GOODS

- **Free movement of agri-food products:** simplified trade procedures for live animals and animal products, harmonization and acceptance of relevant documents, and reduction of official controls for fruit and vegetables at crossing points. Trade in products from EU-compliant establishments will be facilitated, organic product procedures expedited with electronic certification, and diagnostic protocols unified to ensure recognition.
- **Free movement of (non-food) industrial goods:** enhanced trade by recognizing conformity assessment results for selected sectors like machinery and construction products, harmonizing labelling rules, and harmonised legislation for sectors not subject to EU harmonized legislation. Improved cooperation in the quality infrastructure, particularly among market surveillance agencies.
- **Strengthening customs and tax cooperation:** aligned rules of origin with the EU, extended benefits for Authorized Economic Operator (AEO), and simplified customs clearance for e-commerce. Improvements in VAT refund processes, anti-fraud measures, and tax governance will complement innovations like Single Window systems, 24/7 online payments, and a customs laboratory network.
- **Other trade facilitation measures:** trade-related fees and charges harmonized and reduced, while non-tariff measures and trade-distorting practices identified and addressed.

FREE MOVEMENT OF SERVICES

- **Freedom to provide services:** establish freedom to provide services within CEFTA modelled after the EU Services Directive by removing obstacles like authorization or commercial presence requirements in some sectors; enabled freedom of establishment for service suppliers; establish Points of Single Contact to assist individuals and businesses.
- **Professional qualifications:** recognition expanded to new sectors, introduction of the experience-based recognition; developed database of regulated professions; introduction of a professional card to streamline mobility and professional recognition.
- **Financial and related services:** simplified provision of financial services through EU-based equivalence; enabled regional QR code-initiated payments; streamlined non-bank payment service licensing; recognition of Motor Third Party Liability Insurance to allow travel without green cards.
- **Audiovisual services:** Inclusion of audiovisual sector in the Additional Protocol 6 (AP6) Schedule of Commitments, and harmonized rules ensuring a level playing field between traditional television and online services.
- **Transport services:** The regional transport market will be liberalized by eliminating transport permits for Western Balkans partners, facilitating seamless movement of goods and people.
- **Electronic commerce and related information society services:** Expanded cooperation in digital services, enhancing fairness on online platforms, and improving parcel delivery and online content portability. Recognition of electronic signatures and trust services will be advanced, alongside updated telecommunications rules to harmonize authorisation procedures for electronic communications services.

HORIZONTAL TRADE MEASURES

- **Green Lanes and reduction of waiting times at crossing points:** Crossing points will see reduced waiting times through increased capacities, improved inter-agency cooperation, and risk-based clearance procedures. Customs controls will be recognized across CEFTA (e.g. scanner images, data on truck/cargo weight etc.), pre-arrival checks enabled through electronic document exchange, and specific agri-food products excluded from controls at crossing points.
- **Digitalisation and paperless trade through CEFTA System of Electronic Exchange of Data (SEED):** Trade processes will become paperless with electronic data and document exchanges, e-certificates, and system upgrades to SEED based on the Internal Market Information System. CEFTA Transparency Pack and Statistical Portal upgraded and expanded to widen the scope and quality of available information.
- **Intellectual Property Rights (IPR) and quality schemes:** Legal frameworks further aligned with EU standards, supported by improved administrative capacities and the introduction of a single point for submission of applications for custom's action. Geographical Indications (GIs) recognized, and awareness of IPR's benefits for SMEs promoted.
- **Consumer Protection:** Consumers will benefit from better support mechanisms, improved enforcement cooperation, and alternative dispute resolution systems. Rules for the sale of goods and digital services harmonized across CEFTA.
- **Trade Statistics:** Harmonisation of the quality and scope of statistical data produced (e.g. e-commerce, tourism, etc.) and their timely exchange within the CEFTA Statistical Portal with increased scope of shared data.
- **Trade-related Environmental Issues:** Pre-empted possible barriers due to uncoordinated harmonisation with CBAM; Procedures for non-hazardous waste shipment will be aligned with EU best practices and fully digitalized.
- **Dispute Settlement:** Additional Protocol 7 on Dispute Settlement (AP7) fully implemented and supported by a CEFTA electronic communication system to streamline proceedings and enhance efficiency.

- **Promoting export in CEFTA and EU:** Efforts will focus on communicating regional market opportunities to businesses, empowering vulnerable groups, and providing training for EU-based rules. Export strategies will strengthen the region's competitiveness in entering the EU single market.

CEFTA has been tasked to deliver trade related activities which are namely part of the first three pillars: Free Movement of Goods, Free Movement of Services and Horizontal Trade Measures. CEFTA framework is composed of multiple bodies made of representatives of the CEFTA Parties, supported and coordinated by the CEFTA Secretariat.

- ***CEFTA Secretariat***

Implementation of CEFTA 2006 is supported by a permanent Secretariat located in Brussels established in accordance with the Article 40.2 of CEFTA 2006. The overall function of the Secretariat is to provide technical and administrative support to the Joint Committee and any Body established by it, as defined by its mandate set out in the Joint Committee (hereinafter JC) Decision 1/2018 as amended by JC Decision 10/2024. The functions of the Secretariat can be summarised as follows:

- Support the supervision of the implementation of the CEFTA 2006 by deploying implementation monitoring mechanisms and recommending to the Joint Committee how to enhance the effectiveness of implementation of the Agreement and
- Facilitate the administration of the implementation of the Agreement by: preparing the initial drafts of all documents discussed and adopted by the CEFTA Bodies; supporting the Chair in Office of CEFTA in organisation and follow-up of all meetings of the Joint Committee and of other CEFTA Bodies; preparing and presenting technical opinions to the corresponding agenda items of the meetings of CEFTA Bodies or the ones organised by CEFTA Parties and other Regional or International Organisations; negotiating, co-ordinating, and reporting on donor funded assistance for regional trade related activities; acting as contracting authority by implementing procurement rules in tendering procedures; maintaining the official archive of the Agreement in liaison with the Depositary/Acting Depositary; supporting the implementation of the trade related components of the SEE strategy and the Common Regional Market Action Plans, and all other Actions in the context of any other economic initiatives or in trade related international organisations related to CEFTA; liaising with the European Commission and other relevant partners and donors to secure and manage technical and financial assistance on behalf of the CEFTA Parties in the implementation of any regional strategy or plan which involves CEFTA Bodies and informing regularly the Joint Committee thereof.

In the context of CRM 2.0 governance system, CEFTA Secretariat is in charge of preparing and coordinating of the CEFTA led actions within the Action Plan, mainly grouped in three Areas (Free Movement of Goods, Free Movement of Services and Horizontal Trade measures) and together with the Secretariat of the Regional Cooperation Council it monitors and reports progress back to the Western Balkan leaders.

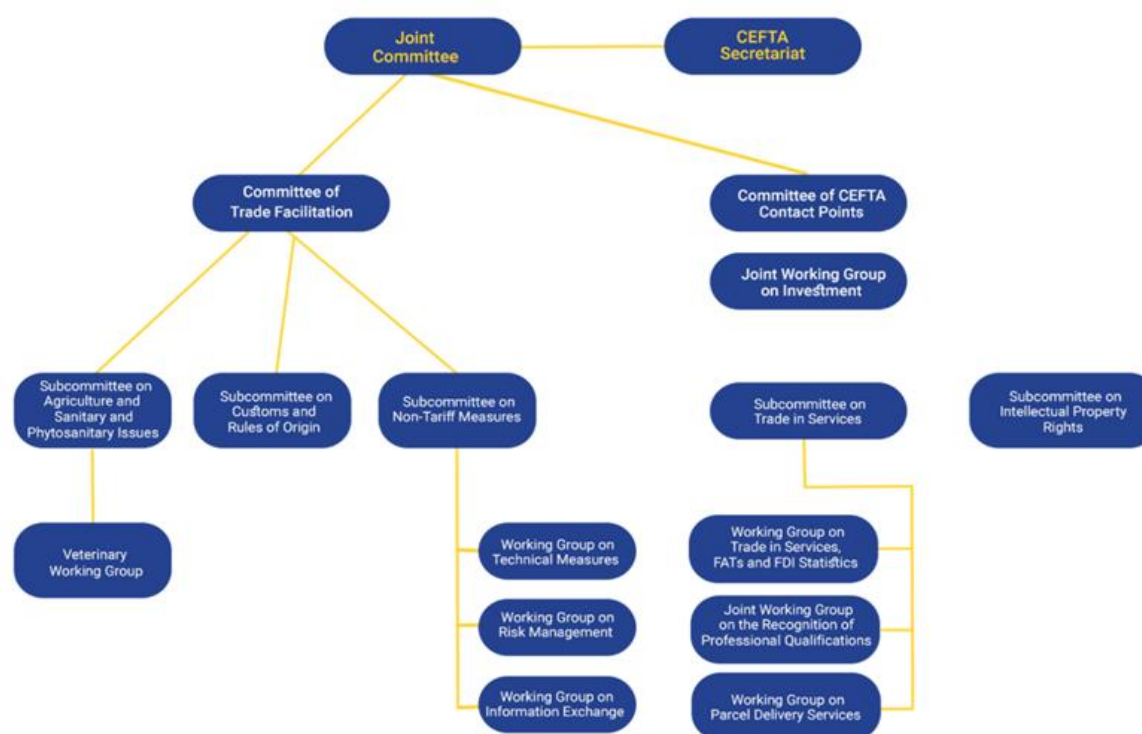
CEFTA Secretariat prepares input on CEFTA activities for regular reports on implementation of CRM 2.0. CEFTA Secretariat takes an active part in the coordination mechanism set for monitoring and governing of the Action Plan. This involves contribution to organisation and participation in the meetings of the Common Regional Market coordinators, which take place multiple times a year. Furthermore, it organises discussions of relevant CRM 2.0 Actions in the meetings of CEFTA Bodies or, when needed, contact points for different CRM activities or designates experts for particular activities. The CEFTA Secretariat may also participate in the meetings related to bilateral, plurilateral or global initiatives involving CEFTA Parties, where issues related to the implementation of CEFTA 2006 or CRM 2.0 may arise. Finally, the CEFTA Secretariat reports to the WB leaders, through active participation in the WB leaders' summits.

- **CEFTA Bodies**

Joint Committee, hereinafter JC, (CEFTA 2006, Article 40) is the only decision-making body established in accordance with Article 40 of CEFTA 2006 which supervises and administers the implementation of the Agreement. It is composed of the ministers in charge of trade from each Party and it is entrusted to supervise and administer implementation of the agreement. The JC meets at least once a year and can adopt decisions and recommendations. The JC is chaired by one of the parties and this function revolves on an annual basis in order laid out in JC Decision 1/2007 as amended by JC Decision 1/2024.

Committee of Trade Facilitation (JC Decisions 7/2014 and 1/2015) is tasked to develop and broaden cooperation among CEFTA Parties and to address the issues which are related to facilitation of the trade in CEFTA with a view to reduce trade costs, while balancing trade facilitation with increasing requirements for safety and security measures in international and regional supply chain.

Committee of Contact Points (JC Decision No. 1/2015) is tasked to support the smooth functioning of the Agreement and the fulfilment of the decisions, conclusions and recommendations of the Joint Committee both within the Party concerned and with all CEFTA stakeholders.



Subcommittees

Subcommittee on Non-Tariff Measures is tasked to identify non-tariff measures that can potentially have an economic effect on international trade in goods, changing quantities traded, or process or both, review those identified measures and propose measures for their elimination.

Subcommittee on Agriculture including Sanitary and Phytosanitary Issues is tasked to contribute the promotion and facilitate trade in agricultural products and to discuss and coordinate to the maximum extent the policies on agriculture and protection of plant health, animal health and food safety and other relevant areas in accordance with articles 11 and 12 of CEFTA 2006.

Subcommittee on Customs and Rules of Origin is tasked to simplify and facilitate customs procedures and to coordinate implementation of common rules of origin in CEFTA; (in accordance with article 14.4 of CEFTA 2006).

Subcommittee on Trade in Services is tasked to strengthen and deepen the intra-CEFTA cooperation in the field of trade in services by facilitating the implementation of the commitments in Additional Protocol 6 on Trade in Services.

Subcommittee on Intellectual Property Rights is tasked to develop and broaden cooperation among the CEFTA Parties in relation to Intellectual Property Rights for the purpose of the elimination of trade-related barriers.

Working groups

Working Group on Technical Measures deals with non-tariff measures stemming technical measures with a view of eliminating the discriminatory measures constituting non-tariff barriers to trade.

Working Group on Risk Management deals with management of public authorities and agencies involved in clearance of goods seeking to facilitate while improving the overall quality and deterrence of customs, security, and safety controls and inspections.

Working Group on Electronic Exchange of Information covers issues related to IT capacities and to facilitate trade while improving the overall quality of customs, security and safety controls and inspections.

Veterinary Working Group contributes to the promotion and facilitation of trade in agri-food products within CEFTA, also discussing and coordinating the related policies on agriculture and the protection of animal health and food safety and other relevant areas in accordance with Articles 11 and 12 of the CEFTA 2006.

Working Group on Trade in Services Statistics, FATS and FDI Statistics is tasked to improve the quality of international trade in services statistics and harmonise statistics with those of the European Union.

Working Group on Parcel Delivery is in charge of activities aimed at facilitating parcel delivery within CEFTA, in particular through implementation of JC Decision 3/2024.

Joint Working Group on the Recognition of Professional Qualifications deals with mobility of professionals by facilitating and supervising the implementation and application of cooperation in the area of the recognition of professional qualifications.

Joint CEFTA-RCC Working Group on Investment Policy and Promotion is established with the aim to deepen trade and investment links, and support policies that are non-discriminatory, transparent and predictable and that enhance the flow of goods, investment, services and people.

SEED+ project

The purpose of this action is to develop and implement the system SEED+, which will enable electronic exchange of trade documents in the Western Balkans in line with the provisions and actions agreed in CEFTA Additional Protocol 5 (AP5). The Grant Contract was signed with the European Commission in January 2024 for a duration of 3 years. Two SEED+ project staff are based in the CEFTA Secretariat in Brussels: Project Manager and Project Assistant.

1.4. Current situation in the sector

The Central European Free Trade Agreement (CEFTA 2006) constitutes the primary legal and institutional framework for trade liberalisation and economic integration among its Parties. Originally conceived as a stepping stone toward EU accession, CEFTA has progressively evolved beyond tariff elimination into a comprehensive instrument for regulatory convergence, trade facilitation and market integration serving as the principal vehicle for the implementation of the Common Regional Market (CRM) in the Western Balkans and Moldova.

The CRM Action Plan 2025–2028, endorsed at the highest political level through the Berlin Process, provides the current strategic framework for this agenda. It identifies the removal of non-tariff barriers, the alignment of regulatory frameworks with EU acquis and the development of functional recognition mechanisms for goods and services as structural deliverables essential to the region's economic convergence with the EU Single Market.

While tariff barriers within CEFTA have been largely eliminated, non-tariff barriers remain a persistent and commercially significant obstacle to intra-CEFTA trade. Technical barriers to trade divergent product regulations, duplicative conformity assessment requirements and the absence of mutual recognition arrangements impose substantial costs on exporters, inflate time-to-market and contribute to market fragmentation that undermines both regional competitiveness and the broader EU integration agenda.

Among the non-tariff barriers affecting trade in industrial products, the absence of a regional framework for the mutual recognition of conformity assessment results is among the most structurally significant. Under the current arrangements, a product tested, inspected and certified as compliant with applicable technical requirements in one CEFTA Party must, in principle, undergo equivalent conformity assessment procedures in each Party into which it is exported. This duplication generates direct costs in the form of repeated testing fees, certification charges and delays as well as indirect costs arising from regulatory uncertainty and market access unpredictability. The burden falls disproportionately on small and medium-sized enterprises (SMEs), which constitute the backbone of the regional economy but lack the financial and administrative capacity to absorb multiple conformity assessment procedures for the same product.

The practical significance of resolving this issue has been widely acknowledged at the policy level. The establishment of a durable and credible recognition framework requires that the underlying quality infrastructure comprising accreditation, standardisation, conformity assessment, metrology, and market surveillance functions to mutually recognised and trusted standards across all Parties. This is currently not fully the case in the CEFTA region.

The degree of alignment with the EU's New Legislative Framework (NLF) and the relevant sectoral product directives and regulations, varies considerably from one Party to another. National accreditation bodies differ in terms of their scope of accreditation, their status under European co-operation for Accreditation (EA) multilateral agreements and their operational independence. Conformity assessment bodies designated at national level operate under regulatory frameworks that have not yet been fully harmonised. Market surveillance authorities vary significantly in their institutional mandate, technical capacity, available resources and enforcement track record. These disparities do not preclude the development of a recognition framework, but they must be explicitly acknowledged and addressed in its design.

The development of a CEFTA Decision on the Recognition of Results of Conformity Assessment of Industrial Products has been an explicit political priority across successive CEFTA Chairmanships. For 2026 Chairmanship, recognition of conformity assessment results has been confirmed as the leading technical priority, alongside other market access instruments. These political signals reflect a genuine regional consensus on the urgency of delivery and place the Secretariat and its technical partners under a clear obligation to produce results within the current programme cycle.

The proposed Decision is conceived as part of a broader trajectory of EU regulatory approximation rather than as a standalone regional instrument. All CEFTA Parties are EU candidate or potential candidate countries, engaged in the transposition of EU acquis under their respective Stabilisation and Association Agreements. For several Parties, the alignment of product regulations, accreditation,

and market surveillance with the NLF is already an obligation under their accession negotiations. A CEFTA-level recognition mechanism that is architecturally compatible with the EU's own instruments in particular the Agreement on Conformity Assessment and Acceptance of Industrial Products (ACAA) model applied under the EU's neighbourhood and enlargement policy would deliver a dual benefit: immediate facilitation of intra-CEFTA trade and the progressive building of the institutional capacity and regulatory credibility that bilateral ACAAs with the EU will ultimately require. In this sense, the CEFTA Decision is an investment in each Party's EU accession path, not merely a regional trade instrument.

Technical negotiations on the draft Decision have been conducted within the CEFTA Subcommittee on Non-Tariff Measures over an extended period. A working draft has been developed and subjected to rounds of consultation among the Parties. Notwithstanding the progress achieved, a number of substantive issues remain unresolved, including: the definition of product scope and the identification of priority sectors for an initial phase of implementation; the criteria and procedures for designating conformity assessment bodies eligible to operate within the recognition framework; the role of accreditation as the systemic trust anchor underpinning recognition decisions; transitional arrangements calibrated to the differing levels of regulatory alignment and institutional readiness across Parties; and the legal mechanism for monitoring compliance and addressing non-conformity. Parties' positions on several of these issues continue to diverge and bridging those gaps in a technically sound and legally durable manner requires expertise that goes beyond what the Secretariat can provide from its own resources.

Against this background, the CEFTA Secretariat is seeking to contract a qualified external expert support with demonstrated experience in EU conformity assessment law, ACAA-type negotiating processes, and CEFTA's institutional framework. The expert support will be tasked with producing a final legally and technically sound text of the Decision one that all CEFTA Parties can endorse with confidence and that is operationally implementable from the date of its entry into force.

1.5. Related programmes and other donor activities

N/A

2. OBJECTIVES & EXPECTED OUTPUTS

2.1. Overall objective

The overall objective of this contract is to prepare consolidated draft Decision on Recognition of Results of Conformity Assessment of Industrial Products. The achievement of this overall objective contributes towards implementation of the CRM 2.0 based on CEFTA 2006 Agreement in order to (i) contribute to socioeconomic growth in the region and convergence with the EU through deeper trade integration and improved market access; (ii) foster the implementation of the EU *acquis* pertaining to the EU Single Market in order to accelerate accession to the EU across the region; and (iii) enhance good neighbourly relations (overall objective).

2.2. Specific objective(s)

The purpose of this contract is to ensure smooth and reliable implementation of the Common Regional Market Action Plan 2025-2028 and CEFTA 2006 Agreement and to support the CEFTA Parties in preparing a legally and technically sound Agreement/Decision on Recognition of Results of Conformity Assessment of Industrial Products.

2.3. Expected outputs to be achieved by the Contractor

The Contractor is expected to:

- Review the existing CEFTA 2006 Agreement, Annexes and its Additional Protocols in relation to the relevant EU legal acts (the New Legislative Framework, Regulation (EC)

765/2008, the relevant sectoral directives/regulations and any existing EU mutual recognition or ACAA-type arrangements) to identify the legal and technical building blocks applicable to a CEFTA-wide recognition mechanism.

- Develop Table of Concordance that will contribute towards mapping the current state of conformity assessment infrastructure, accreditation and market surveillance capacity in each CEFTA Party and identifying gaps that the draft Decision needs to address.
- Prepare background documents, presentations, negotiating options and comparative tables of EU/international best practice to support CEFTA Secretariat staff and Party representatives during negotiation rounds (working group meeting, Subcommittee on NTM). This includes drafting talking points, anticipating contentious issues and proposing compromise language where Parties' positions diverge.
- Provide comparative analysis of how the EU and where relevant, other regional frameworks (e.g., EFTA, ASEAN) handle recognition of conformity assessment results and translates these precedents into concrete, CEFTA-context-appropriate recommendations (e.g., ACAA model to CEFTA's institutional capacity).
- Liaise with the CEFTA Secretariat, respective institutions of the CEFTA Parties, accreditation and standardization bodies and relevant EU institutions (DG GROW, DG NEAR) or technical assistance projects to ensure coherence with parallel EU integration processes.
- After each round of negotiations/consultation, the expert consolidates written and oral comments received from CEFTA Parties, analyzes their implications for the draft text and prepares a revised version together with a "comments and responses" matrix explaining how each comment was addressed or why it was not incorporated.
- Prepare final draft of the Decision on the Recognition of Results of Conformity Assessment of Industrial Products, including the operative provisions, scope (product/sector coverage), conditions for recognition, transitional arrangements and any annexes (e.g., lists of designated conformity assessment bodies, harmonized standards references).
- Deliver a final progress report summarizing the negotiation outcomes, lessons learned, and a roadmap for implementation, plus any presentations needed for CEFTA bodies (Subcommittee, Joint Committee). In its final report, the expert shall provide assessment of the institutional, legal and technical readiness of each Party to implement the future Decision, flagging risks (e.g., uneven accreditation infrastructure, divergent technical regulations) and proposing mitigation measures or phased implementation options.

3. ASSUMPTIONS AND RISKS

3.1. Assumptions underlying the project

Activities under CEFTA are performed without major delays and stalemates. CEFTA Secretariat has enough capacities to generate and absorb requests to the external service supplier

3.2. Risks

The main risk is related to the institutional and administrative capacity to effectively participate in the drafting and development of the CEFTA Decision on Recognition of Results of Conformity Assessment of Industrial Products. Additionally, changes in relevant agencies/administrations due to political or other circumstances may slow down the work. Risk probability: medium with high impact.

4. SCOPE OF THE WORK

4.1. General

4.1.1. Project description

The Contractor will provide technical and regulatory expertise to support the CEFTA Secretariat and CEFTA Parties in drafting the Decision on Recognition of Results of Conformity Assessment of Industrial Products, participating at and facilitating consultations and negotiations and ensuring alignment with relevant EU principles and best practice.

4.1.2. Geographical area to be covered

Brussels and CEFTA Parties.

4.1.3. Target groups

The main beneficiary of this assignment is the CEFTA Joint Committee, Committee on Trade Facilitation and Subcommittee on Non-Tarif Measures. The final beneficiaries are the CEFTA Parties.

4.2. Specific work

Work package 1 – Draft CEFTA Joint Committee Decision on Conformity Assessment of Industrial products

- Prepare an implementation-oriented draft CEFTA Joint Committee Decision
- Develop Table of Concordance
- Prepare background documents, presentations, negotiating options related to Decision of Conformity Assessment of Industrial products
- Provide comparative analysis of how the EU and where relevant, other regional frameworks (e.g., EFTA, ASEAN) handle recognition of conformity assessment results
- consolidates written and oral comments received from CEFTA Parties
- Prepare final draft of the Decision on the Recognition of Results of Conformity Assessment of Industrial Products
- Deliver a final progress report

Work package 2 – Consultation, negotiation and revision of the Draft Decision on Conformity Assessment of Industrial products

- Present outputs to CEFTA structures/Bodies and working groups.
- Facilitate consultations and technical discussions.
- Consolidate comments and submit revised drafts.
- Respond to ad hoc requests of the Secretariat.

4.3. Project management

4.3.1. Responsible body

The Secretariat of the Central European Free Trade Agreement 2006 will be responsible for the management of the contract.

4.3.2. Management structure

The Director of the CEFTA Secretariat will oversee the implementation of the contract.

The Project Manager in charge of the implementation of this contract is the Senior Trade Facilitation Expert.

4.3.3. Facilities to be provided by the Contracting Authority and/or other parties

No facilities will be provided by the Contracting Authority.

5. LOGISTICS AND TIMING

5.1. Location

The expert(s) will perform their work from their own offices.

Where required, the expert(s) will be invited to participate in meetings or other events organised under CEFTA structures to present their work, including but not limited to negotiations/ consultations, in order to ensure proper understanding by the participants.

If such meetings do not take place in Brussels but in the CEFTA region, travel arrangements will be organised and related travel costs will be borne by the CEFTA Secretariat.

5.2. Start date & period of implementation of tasks

The intended start month is November 2026 and the period of implementation of the contract will be until 31 December 2027.

The Contracting Authority may, at its own discretion, extend the project in duration and/or scope subject to the availability of funding. Any extension of the contract would be subject to satisfactory performance by the Contractor.

6. REQUIREMENTS

6.1. Personnel

6.1.1. Key experts

Key expert has a crucial role in implementing the contract. These terms of reference contain the required key experts' profile. The tenderer shall submit CV and Statement of Exclusivity and Availability for the following:

Key expert 1: Senior Expert (minimum 30 working days)

Qualifications and skills

- Advanced university degree in law, international trade or a related field;
- Demonstrated knowledge of the EU New Legislative Framework, Regulation (EC) 765/2008 and EU mutual recognition / ACAA-type arrangements;
- Proven experience in supporting multilateral negotiations and drafting legal/regulatory texts;
- Excellent drafting, analytical and communication skills in English.

General professional experience

- Minimum 15 years of professional experience in technical barriers to trade, conformity assessment, accreditation, standardization or market surveillance.

Specific professional experience

- Experience in intergovernmental negotiations;
- Ability to moderate technical meetings;
- Strong drafting and redrafting capacity under political sensitivity;
- Diplomacy and stakeholder management skills;

- Prior experience in CEFTA, EU enlargement or Western Balkans regional trade is an advantage;
- A proven record of previous work in the CEFTA parties is an advantage;
- Excellent English communication and reporting skills;
- Knowledge of one or more of the languages used by the CEFTA Parties would be an asset.

The expert must be independent and free from conflicts of interest in the responsibilities they take on.

6.1.2. Non-key experts

No non-key experts should be submitted in the tender as only key expert is required.

6.1.3. Support staff & backstopping

The contractor will be responsible provide support facilities. Backstopping and support staff costs must be included in the fee rates.

6.2. Office accommodation

Office accommodation for each expert working on the contract is to be provided by the contractor.

6.3. Facilities to be provided by the Contractor

The contractor must ensure that experts are adequately supported and equipped. In particular it must ensure that there is sufficient administrative, secretarial and interpreting provision to enable experts to concentrate on their primary responsibilities. It must also transfer funds as necessary to support their work under the contract and to ensure that its employees are paid regularly and in a timely fashion.

The Contractor shall provide all required supplies, services, documentation, logistical support, etc. for the implementation of the contract, and all the costs should be included in the fee rates of its experts.

6.4. Equipment

No equipment is to be purchased on behalf of the CEFTA Secretariat as part of this service contract or transferred to the CEFTA Secretariat at the end of this contract. Any equipment related to this contract which is to be acquired by the partner country must be purchased by means of a separate supply tender procedure.

6.5. Incidental expenditure

No provision for incidental expenditure, including the provision for expenditure verification, is foreseen under this service contract.

6.6. Lump sums

No lump sums are foreseen in this contract.

7. REPORTS

7.1. Reporting requirements

There must be a final report, a final invoice and the financial report at the end of the period of implementation of the tasks. The draft final report must be submitted at least one month before the end of the period of implementation of the tasks. Note that these interim and final reports are additional to any required in Section 4.2 of these Terms of Reference.

Each report must consist of a narrative section and a financial section. The financial section must contain details of the time inputs of the experts.

To summarise, in addition to any documents, reports and output specified under the duties and responsibilities of each key expert above, the Contractor shall provide the following reports:

Name of report	Content	Time of submission
Monthly timesheet	Tasks requested and executed	Monthly timesheet of tasks performed
Inception report	Analysis of existing situation and work plan for the project	No later than 1 month after the start of implementation
Final report	Short description of achievements including problems encountered and recommendations; a final invoice and the financial report; all legal opinions requested and provided; deliverables in annex.	Within 1 month of receiving comments on the draft final report from the project manager identified in the contract.

7.2. Submission & approval of reports

The timesheets and reports referred to above must be submitted by electronic means to the Project Manager identified in the contract. The reports must be written in English. The Project Manager is responsible for review and approving the reports and time-sheets.

8. MONITORING AND EVALUATION

8.1. Special requirements

N/A

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