

Terms of Reference

Multi Donor Trust Fund for Justice Sector Support in Serbia

Strengthening Victims Support Services in Serbia

Background

This activity is funded by the Multi-donor Trust Fund for Justice Sector Support in Serbia (MDTF-JSS), a sectoral program administered by the World Bank to support the strengthening of the justice sector in order to facilitate its integration into the European Union. For more information about the MDTF-JSS and its ongoing work, see <http://www.mdtfjss.org.rs/en/>.

A key part of strengthening the justice sector to facilitate integration to the EU is to ensure that victims have equitable access to justice services and that victims' rights are upheld through the justice process. Research has consistently shown that victims of crime are reluctant to report their victimization to the police, with several factors accounting for systematic under-reporting. Victims are often not aware of their rights or do not know where to ask for help. Some victims weigh the costs of what they expect to be lengthy and bureaucratic procedures against the improvements of these procedures that would in the end make to their situation. Certain groups of victims suffer from feelings of fear, guilt or shame. To overcome these and other barriers to victims' access to justice, it is important that victims of crime in Serbia are offered adequate support, advice and assistance.

According to Serbia's Accession Action Plan for Chapter 23, Serbia intends to strengthen procedural safeguards in line with EU standards to ensure the rights, support and protection of victims of crime / injured parties in accordance with Directive 2012/29/EU. The MDTF-JSS is looking for a proactive and practical consultant to support the Serbian stakeholders in this reform effort.

Objective

The purpose of this activity is to identify options and recommendations for a feasible system of support and protection of victims of crime that is tailored to Serbian needs.

Tasks

The task comprises two related activities – a comparative analysis of good practice in the EU, and an assessment of the situation in Serbia, with options and recommendations for how Serbia can establish a victim support service.

- 1. Comparative analysis victims' support systems in Serbia vis-a-vis at least five selected EU member states.**

The report should feature a **table** as an annex that outlines each country's practice against a series of dimensions, which may include: definition of victims, aspects of victims support (access to legal aid, decision not to prosecute, rights at trial to prevent repeat and secondary victimization, provision of information, training of criminal justice practitioners, referral), support to the specific groups of victims, victims support services (public or private provision of victim support, organizational aspects, regionalization, the role of volunteers in victim support provision); and institutional cooperation between service providers, funding (sustainability of funding, sources, etc).

The report will **analyze the table and highlight lessons learned and good practices** in order to inform Serbian authorities that are willing to establish victims support and protection system.

2. Institutional assessment of current arrangements in Serbia for victim support.

The report will briefly address the issue of level of **national legislation alignment** with EU *aquis*, international standards and ECHR practice, drawing on existing analytic works. The analysis should highlight recommendations for normative framework amendments with the aim to incorporate specific victims' rights such as right to understand and be understood, rights of victims when making complaint, victims' rights to receive information, victims' rights to interpretation and translation, right to access victims support services, rights related to protection of victims and recognition of their specific protection needs (including individual assessment).

The report should also **map and assess what institutions in Serbia are providing victim support services**, and their levels of quality and access, as well as documenting any existing pilots in police and prosecution offices and courts, as well as services at clinics, pro bono lawyering services and NGOs. The assessment should recommend how existing forms of assistance through different institutions/organizations could be re-organized in order to provide effective and comprehensive support. The report will highlight detailed options and recommendations for the establishment of effective and efficient victims' support system aligned with the EU *aquis* and good comparative practice.

This analysis will form the basis of a future fiscal impact analysis of selected models of the services for support to the victims and injured in all phases of criminal proceedings.

Deliverables

The deliverables for the assignment are as follows:

- Draft outline of analysis, incorporating feedback from the task team;
- Lead meetings that ensure buy-in from relevant stakeholders in Serbia;
- Draft and finalize the report in publishable quality English with charts/tables, incorporating feedback from the task team
- Prepare PPT of report results for dissemination, and participation in launch and dissemination events.

Skills & Qualifications

Applicants should demonstrate the following skills and qualifications:

- Experience in establishing and/or managing victim support services in an EU Member State (within either Government or in CSO environment);
- Experience in providing policy advice, preferably in an EU setting on matters relating to compliance with EU standards;
- Ability to engage with stakeholders, lead meetings, gather information, garner stakeholder buy-in, and take a diplomatic approach;
- Demonstrated record of producing high-quality useful reports in publishable quality English.

Timelines



The start of the consultant work should be in January 2016, with the report due in March 2016, with dissemination workshops in April 2016.

Scope of services

A total of up to 40 working days is envisioned for this assignment. The consultant will work from his/her premises with travel to Serbia periodically. The consultant will be partnered with a local MDTF-JSS team member with experience in working across the criminal justice sector in Serbia. The consultant will report to MDTF-JSS Task Team Leader, Ms. Georgia Harley.

Please send your CV and cover letter addressing your suitability for the role vis-à-vis the skills and qualifications above to gharley@worldbank.org by **Friday 8 January 2016**.