

Terms of reference (ToR) for the procurement of services below the EU threshold

CONFIDENTIAL

Facilitation of electronic commerce - expert advisory services	Project number/ cost centre: G-012571-002 Tender number 10055427
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0. List of abbreviations

AG	Commissioning party
AN	Contractor
AVB	General Terms and Conditions of Contract for supplying services and work
FK	Expert
FKT	Expert days
KZFK	Short-term expert
ToRs	Terms of reference

1. Context

Building on the success of the Open Regional Fund for South Eastern Europe - Foreign Trade (ORF FT), EU4Trade (the project) marks the next step in advancing regional economic integration. The project focuses on reducing trade barriers, streamlining customs procedures, and facilitating the free movement of goods and services across the region, while also enhancing the investment climate in the region.

This project is designed to tackle the most pressing challenges facing regional economic integration today.

Key Areas of Focus:

Facilitating Trade Flows: EU4Trade aims to simplify customs procedures, reduce unnecessary controls, and enhance the selectivity of customs checks, focusing resources on high-risk goods while expediting the clearance of others.

Strengthening Multi-Agency Coordination: The project enhances collaboration between customs and other agencies involved in controlling goods to improve trade efficiency and predictability, ensuring transparent and reliable cross-border operations.

Fostering Free Movement of Services: Beyond goods, EU4Trade focuses on enhancing services crucial for regional integration, including e-commerce, postal services, and tourism. The project seeks to align regional service standards with EU regulations, ensuring a seamless flow of services across borders.

Boosting Investment and Legal Certainty: EU4Trade contributes to a more attractive investment climate by reducing the risk of investment disputes and enhancing legal predictability. By preventing disputes from escalating, the project fosters a stable environment for investment and economic growth.

The assignment under this contract is focusing on the third topic: **Fostering Free Movement of Services**, e-commerce and consumer protection in particular. In the spring and summer of 2022, representatives of the CEFTA expert group on Electronic Commerce, representing CEFTA parties' legal and regulatory bodies, agreed upon finalization of the text for Joint Committee Decision (JCD) on Facilitation of Electronic Commerce harmonized with EU legislation.

JCD on Facilitation of electronic commerce was adopted on CEFTA level in October 2024. Content of the Decision is available on following [link](#).

This assignment covers support of regional mechanisms related to consumer protection policies through potential establishments of ECC-Net centers in Western Balkans markets and implementation of Digital Services Act (DSA).

The EU4Trade Project is seeking an expert to support the implementation of activities under the CEFTA Decision on facilitation of electronic commerce, with a focus on geo-blocking, the Digital Services Act (DSA) and other Consumer Protection aspects from the JCD- the establishment of Consumer Protection Centres in line with ECC-Net standards.

The European Consumer Centres Network (ECC-Net) is a pan-European organization that puts consumers at the heart of EU consumer policy. It helps consumers from the EU, Norway, and Iceland access the internal market safely by providing information, assisting with

complaints, and equipping consumers with the knowledge to exercise their rights and make informed purchasing decisions. ECC-Net's primary role is to increase consumer confidence in cross-border transactions by offering free advice, supporting redress mechanisms, and promoting sustainable consumption. The network operates as a closely aligned transnational collaboration, funded by the European Commission and co-financed by national governments.

In parallel, the Digital Services Act (DSA) establishes rules to enhance the accountability, transparency, and consumer protection obligations of online platforms. Alignment with the DSA will help Western Balkan parties strengthen digital governance, protect consumers in online transactions, and ensure compliance with EU standards.

2. Tasks to be performed by the contractor

The expert will support the EU4Trade Project through three main milestones:

1. **Advisory and technical support (November 2026 – December 2028):** Provide regulatory and non-regulatory advisory services to CEFTA Parties at both regional and national level in support of the implementation of the CEFTA Decision on facilitation of electronic commerce, including geo-blocking, platform to business regulation, consumer protection in e-commerce and the Digital Services Act (DSA). Activities may include, but will not be limited to:
 - **Assessment and analysis of the existing legal and institutional framework** related to e-commerce, geo-blocking, platform to business regulation, consumer protection and digital services, including identification of gaps, inconsistencies and areas requiring further alignment with the CEFTA Decision and relevant EU acquis.
 - **Provision of legal and regulatory advice** to relevant institutions on the transposition, implementation and enforcement of provisions related to geo-blocking, consumer protection in e-commerce and DSA-related obligations.
 - **Review and analysis of draft legislation, secondary legislation, regulations, guidelines and other relevant legal or policy documents**, and provision of recommendations for their improvement and alignment with applicable EU requirements.
 - **Support in addressing implementation challenges and specific cases**, including ad hoc expert advice and clarification of regulatory or technical questions raised by CEFTA Parties.
 - **Monitoring of relevant developments in the EU acquis and implementation practice** in the areas covered by the assignment, and provision of updates and recommendations to CEFTA Parties where relevant.
 - **Identification and dissemination of good practices and practical solutions** from EU Member States and other relevant jurisdictions that could be adapted to the CEFTA context.
2. **Regional and National Capacity Building (November 2026 – December 2028):** Provision of technical support and capacity-building activities at both regional and national levels, including workshops, training sessions, study visits, and online meetings, to strengthen institutional capacities and enhance coordination in consumer protection, geo-blocking and DSA-related obligations. Activities may include, but will not be limited to:
 - **Regional workshops and training sessions** addressing common implementation challenges and priorities related to e-commerce, geo-blocking, consumer protection and the DSA.

- **National workshops and targeted training sessions** for relevant institutions, adapted to the specific legislative and institutional situation of each CEFTA Party.
 - **Study visits to EU Member States or other relevant jurisdictions** to enable CEFTA institutions to exchange experience with authorities that have established effective systems for implementation and enforcement.
 - **Peer-to-peer learning and exchange of experience among CEFTA Parties**, including presentations of national approaches, challenges, lessons learned and good practices.
 - **Technical meetings and online sessions** to provide follow-up support, address specific questions and monitor progress between formal workshops and missions.
 - **Development and delivery of practical training materials**, including presentations, case studies, exercises, checklists, guidance notes and other tools that can be used by institutions after completion of the assignment.
 - **Follow-up and evaluation of capacity-building activities**, including collection of feedback, assessment of knowledge gaps and identification of areas requiring further technical assistance.
 - **Support to the establishment of sustainable institutional knowledge and coordination mechanisms**, including recommendations for continued training, information exchange and cooperation beyond the duration of the assignment.
3. **Reporting (December 2028):** Submission of a comprehensive final report summarizing all analyses, capacity-building activities, national and regional support provided, and recommendations for sustainable implementation. Deliverables will be accepted based on the submission of draft analyses, successful delivery of technical support on national or regional level and capacity-building activities, and the quality and completeness of the final report. The reporting activities shall include, but will not be limited to:
- **Consolidation of the findings of all regulatory and non-regulatory analyses** conducted during the assignment, including assessments related to geo-blocking, platform to business regulation, consumer protection in e-commerce and DSA-related obligations.
 - **Summary of advisory and technical support provided** at regional and national levels, including key issues addressed, recommendations provided and follow-up actions undertaken.
 - **Overview of all capacity-building activities delivered**, including regional and national workshops, training sessions, study visits, technical meetings, online sessions and bilateral consultations.
 - **Assessment of progress in the implementation of the CEFTA Decision or if needed, drafting of the new CEFTA Decision**, with particular attention to the practical implementation of geo-blocking, consumer protection in e-commerce and DSA-related obligations.
 - **Identification of common regional challenges and implementation gaps**, as well as areas where further regional coordination or harmonisation may be beneficial.
 - **Recommendations for future technical assistance and regional cooperation**, including potential areas for continued support after December 2028.
 - **Compilation of relevant outputs and supporting materials** developed during the assignment, including analyses, guidance materials, training materials, recommendations and other technical deliverables, as appropriate.

Through this work, the expert will contribute to building sustainable mechanisms that increase consumer awareness, improve trust in cross-border markets, and support the effective implementation of ECC-Net standards and DSA obligations across Western Balkan parties, fostering closer alignment with EU consumer protection frameworks.

Certain milestones, as laid out in the table below, are to be achieved during the contract term:

Milestones/process steps/partial services	Deadline/place/person responsible
TASK 1	
Provide regulatory and non-regulatory advisory services to CEFTA Parties at regional and national level in support of the implementation of the CEFTA Decision on facilitation of electronic commerce	December 2028/Expert
Expert advice on approximation and implementation of relevant EU acquis, including geo-blocking, consumer protection and Digital Services Act (DSA)	December 2028/Expert
TASK 2	
Regional Capacity building and technical support on regional and national level	December 2028/Expert
Reporting	December 2028/Expert

Period of assignment: from 16 November 2026 until 31 December 2028.

3. Concept

In the tender, the tenderer is required to show how the objectives defined in Chapter 2 (Tasks to be performed) are to be achieved, if applicable under consideration of further method-related requirements (technical-methodological concept). In addition, the tenderer must describe the project management system for service provision.

Note: The numbers in parentheses correspond to the lines of the technical assessment grid.

Technical-methodological concept

Strategy (1.1): The tenderer is required to consider the tasks to be performed with reference to the objectives of the services put out to tender (see Chapter 1 Context) (1.1.1). Following this, the tenderer presents and justifies the explicit strategy with which it intends to provide the services for which it is responsible (see Chapter 2 Tasks to be performed) (1.1.2).

The tenderer is required to present the actors relevant for the services for which it is responsible and describe the **cooperation (1.2)** with them.

The tenderer is required to present and explain its approach to **steering** the measures with the project partners (1.3.1) and its contribution to the **results-based monitoring system** (1.3.2).

The tenderer is required to describe the key **processes** for the services for which it is responsible and create an **operational plan** or schedule (1.4.1) that describes how the services according to Chapter 2 (Tasks to be performed by the contractor) are to be provided. In particular, the tenderer is required to describe the necessary work steps and, if applicable, take account of the milestones and **contributions** of other actors (partner contributions) in accordance with Chapter 2 (Tasks to be performed) (1.4.2).

The tenderer is required to describe its contribution to knowledge management for the partner (1.5.1) and GIZ and to promote scaling-up effects (1.5.2) under **learning and innovation**.

Project management of the contractor (1.6)

The tenderer is required to explain its approach for coordination with the GIZ project. In particular, the project management requirements specified in Chapter 2 (Tasks to be performed by the contractor) must be explained in detail.

The tenderer is required to describe its backstopping concept. The following services are part of the standard backstopping package, which (like ancillary personnel costs) must be factored into the fee schedules of the staff listed in the tender in accordance with Section 3.1 of the GIZ AVB:

- Service-delivery control
- Managing adaptations to changing conditions
- Ensuring the flow of information between the tenderer and GIZ
- Assuming personnel responsibility for the contractor's experts
- Process-oriented steering for implementation of the commission
- Securing the administrative conclusion of the project

4. Personnel concept

The below specified qualifications represent the requirements to reach the maximum number of points in the technical assessment. Only one expert is required.

Key expert

Qualifications of key expert

- Education/training (2.2.1): University qualification Bachelor of Law or other relevant field
- Language (2.2.2): Good business language skills in English (C1 level)
- General professional experience (2.2.3): 7 years of professional experience in the fields of the European union directives and regulations related to consumer protection and e-commerce
- Specific professional experience (2.2.4): 5 years of experience of working on 1 project in the relevant area (consumer protection and e-commerce)
- Leadership/management experience (2.2.5): 5 years of management/leadership experience as project team leader or manager in a company
- Regional experience (2.2.6): 3 years of experience of working in the European Union Member States and Western Balkan region
- Development Cooperation (DC) experience (2.2.7): 5 years of experience in DC projects

5. Costing requirements

Assignment of personnel and travel expenses

Per diem allowances are reimbursed as a lump sum up to the maximum amounts permissible under tax law for each country as set out in the country table in the circular from the German Federal Ministry of Finance on travel expense remuneration (downloadable from the [German Federal Ministry of Finance – tax treatment of travel expenses and allowances for international business travel as of 1 January 2026 \(GERMAN ONLY\)](#)).

Accommodation allowances are reimbursed as detailed in the specification of inputs below.

All business travel must be agreed in advance by the officer responsible for the project.

Sustainability aspects for travel

GIZ has undertaken an obligation to reduce greenhouse gas emissions (CO₂ emissions) caused by travel. When preparing your tender, please incorporate options for reducing emissions, such as selecting the lowest-emission booking class (economy) and using means of transport, airlines and flight routes with a higher CO₂ efficiency. For short distances, travel by train (second class) or e-mobility should be the preferred option.

CO₂ emissions caused by air travel must be offset. GIZ specifies a budget for this, through which the carbon offsets can be settled against evidence.

There are many different providers in the market for emissions certificates, and they have different climate impact ambitions. The [Development and Climate Alliance \(German only\)](#) has published a [list of standards \(German only\)](#). GIZ recommends using the standards specified there.

Specification of inputs

Fee days	Number of experts	Number of days per expert	Total	Comments
Designation of key expert	1	46	46	15 days: Provide regulatory and non-regulatory advisory services to CEFTA Parties at regional and national level in support of the implementation of the CEFTA Decision on facilitation of electronic commerce

				15 days: Expert advice on approximation and implementation of relevant EU acquis, including geo-blocking, consumer protection and Digital Services Act (DSA) 15 days: Regional Capacity building and technical support on regional and national level 1 day: Reporting
Travel expenses	Quantity	Number per expert	Total	Comments
Fixed travel budget	1		8.000	A budget is earmarked for travel to the following countries: EU, Western Balkan and Moldova. A fixed budget of EUR 8.000 is earmarked for settling travel expenses against evidence.
CO₂ compensation for air travel	1		500	A fixed budget of EUR 500 is earmarked for settling carbon offsets against evidence. There will be 5 round trips (10 flights in total).
Other costs	Number of experts	Amount per experts	Comments	Other costs
Flexible remuneration	1		4.935	

6. Requirements on the format of the tender

The structure of the tender must correspond to the structure of the ToR. It must be drawn up in English language.

The complete tender must not exceed 10 pages (excluding CVs). If one of the maximum page lengths is exceeded, the content appearing after the cut-off point will not be included in the assessment. External content (e.g. links to websites) will also not be considered.

The CVs of the personnel proposed in accordance with Chapter 3 of the ToRs must be submitted using the format specified in the terms and conditions for application. The CVs shall not exceed 4 pages each. They must clearly show the position and job the proposed person held in the reference project and for how long. The CVs can also be submitted in English language.

The contractor is not contractually entitled to use up the days, trips, workshops or budgets in full. The number of days, trips and workshops and the budgets will be contractually agreed as maximum limits. The specifications for pricing are defined in the price schedule.

7. Annexes

[Annex I – Joint Committee Decision on Facilitation of Electronic Commerce](#)