



IUCN ECARO  
Japanska 35  
11073 Belgrade  
Serbia

Tel. +381 11 2272 411  
[ecaro@iucn.org](mailto:ecaro@iucn.org)  
[www.iucn.org/ecaro](http://www.iucn.org/ecaro)

## **TERMS OF REFERENCE**

### **NATIONAL CONSULTANT**

## **REPORT CONTAINING ANALYSIS OF NATIONAL LEGISLATION AND INSTITUTIONAL FRAMEWORK PERTAINING TO PROTECTED AREA MANAGEMENT IN SERBIA**

### **BACKGROUND**

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The International Union for Conservation of Nature (IUCN) is the largest professional global conservation network dealing with the environment and sustainable development, with more than 1,400 member organizations and almost 15,000 scientists and experts, grouped in six Commissions across 170 countries. With IUCN's member organisations including states and government agencies at the national and subnational levels, NGOs large and small, indigenous peoples' organisations, scientific and academic institutions and business associations, IUCN is the global authority on the status of the natural world and the measures needed to safeguard it.

The IUCN Regional Office for Eastern Europe and Central Asia (ECARO) promotes IUCN's mission and implements the IUCN Programme with the aim of long-term protection of biodiversity and sustainable use of natural resources in South-Eastern Europe, Eastern Europe, Southern Caucasus, North and Central Asia. ECARO's administrative region is part of the IUCN Statutory Region East Europe, North and Central Asia.

IUCN ECARO is a part of consortium implementing the Together for Environmental Protection (TEP) project in the Republic of Serbia. The project implementation period is September 2022 - August 2027. The project is funded by USAID.

The Together for Environmental Protection project aims to contribute to:

- Good governance of protected areas
- Sustainable financing of biodiversity
- Active citizens for a healthy environment

Environmental protection, nature conservation and biodiversity management are pressing issues in Serbia. Evidence shows that among the main threats to biodiversity conservation and environmental protection are challenges related to the protected area system, which has resulted in an inability to expand the network and meet global targets. Significant advancement in conservation is hindered inter alia by structural deficiencies, insufficient capacity and inadequate funding mechanisms in the environmental protection system. In particular, protected area (PA) management structures and funding are designed in a way that prevents effective management and fails to stimulate communities and businesses to engage in protecting the environment.

The causes of vulnerability and biodiversity loss, both in Serbia and worldwide, include fragmentation and destruction of habitats, invasive species expansion, over-exploitation, and pollution. Only 7.81% of the territory of Serbia is protected, well below the regional average and insufficient to reach global targets by 2030. Management structures are a blend of private and public bodies, with varying capacities and limited opportunities for cooperation with local communities. Lack of cross-PA cooperation prevents sharing of expertise and resources. Public funding for PAs is low; on average, PAs cover only 10% of their costs

from public funding. The largest proportion of PA budgets, amounting to more than 50% of the total budgets of PAs in the country, are raised from the direct use of natural resources (primarily logging).

The Together for the Environment project will undertake a detailed analysis of the nature protection system in Serbia, with a particular focus on governance and protected area management. The findings of the analysis will provide a basis for the development of advocacy actions in relevant national and regional nature conservation processes. The project will also use the analysis as a basis for establishing a comprehensive nature management program to stimulate transformative change across the protected area management system in Serbia. Building on the outcomes of the analysis, *the Guardians of Nature Program* will be created to deliver tailored capacity development for PAs in the form of high-quality training programs, mentorship, knowledge exchange, innovative partnerships and cross-sectoral cooperation, with strong links to best U.S. practices.

## SCOPE OF WORK

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The purpose of this consultancy is to prepare **a report containing the analysis of the national legislative and institutional framework pertaining to protected area management and governance in Republic of Serbia.**

The national consultant will work under the supervision of IUCN ECARO and an international consultant, which will be recruited concurrently with the national consultant under a separate ToR and contract.

The national consultant will prepare a report containing the analysis of the national legislative and institutional framework pertaining to protected area management and governance in Republic of Serbia. The report prepared by the national consultant will form a key component of a comprehensive analysis that will be prepared the supervising international consultant. The national consultant must work in close cooperation and under the supervision of the appointed international consultant throughout the period of work.

The national consultant will be responsible for: a) preparing a detail methodology for the report; b) conducting consultation meetings with key stakeholders; c) preparation of summary report on interviews and focus groups with relevant stakeholders with initial findings; d) preparing a report containing the analysis of the national legislative and institutional framework pertaining to protected area management and governance in Republic of Serbia; and e) providing a Serbian language translation of the summary the of comprehensive analysis of Protected Area Management System Across Serbia prepared by international consultant.

## SPECIFIC TASKS

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The Consultant will work closely with the IUCN ECARO project management team, relevant IUCN units, project partners and the appointed international consultant to deliver the following tasks:

- Prepare a detailed methodology for the report containing the analysis of the national legislative and institutional framework pertaining to protected area management and governance in Republic of Serbia and a detailed work plan, in consultations with IUCN ECARO team and the international consultant. In preparation of the methodology define a sample of protected areas that will be included in the analysis. Sample has to include several examples of each category, size range, ecosystem type, geographical area and management structure; private vs public, industry vs conservation etc.

- Prepare a report containing the analysis of the national legislative and institutional framework pertaining to protected area management and governance in Republic of Serbia. **Details of the report are listed below.**
- Support the international consultant to prepare a methodology for consultation meetings with key stakeholders, which should include protected area managers, duty-bearing government authorities, institutes, local governments and communities, non-governmental organizations, and relevant experts.
- Conduct consultation meetings with key stakeholders.
- Prepare a summary report containing the findings of consultations with key stakeholders. Present the findings for the summary report to IUCN ECARO.
- Assess and where appropriate use existing analysis of the nature protection system and protected areas management in the Republic of Serbia.
- Support international consultant in defining evidence-based recommendations for enhancing the effectiveness of the protected area management system in the Republic of Serbia, that will be included in the final comprehensive analysis of Protected Area Management System Across Serbia.
- Provide a Serbian language translation of the summary of the comprehensive analysis of Protected Area Management System Across Serbia prepared by international consultant

REPORT CONTAINING THE ANALYSIS OF THE NATIONAL LEGISLATIVE AND INSTITUTIONAL FRAMEWORK PERTAINING TO PROTECTED AREA MANAGEMENT AND GOVERNANCE IN REPUBLIC OF SERBIA MUST INCLUDE:

- A comprehensive review and analysis of existing national legislation, policies and guidelines related to protected areas management in the Republic of Serbia.
- A Comprehensive review and analysis of the institutional framework for protected area management in the Republic of Serbia, including:
  - The structural organisation, capacities and competences of duty-bearing institutions at all levels of government (from the Ministry of Environmental Protection down) and their engagement in PA designation and management;
  - Benefits and drawbacks of all of the different types of governance models currently in use for PA management (public enterprises, etc.)
  - Harmonization of the legal framework for protected areas management with other sectors (identify conflicts/synergies with other relevant sectors, e.g. forestry, tourism);
  - Legal and administrative obstacles for PAs sustainable financing (drawing on analysis *Analysis of the regulatory framework and structure of PAs revenues* conducted under TEP project).
- An analysis and evaluation of PA designation, management, conservation objectives and plans including (the procedures and process for):
  - Selecting areas for protection;
  - Designation of PAs;
  - Categorization of PAs;
  - Zoning and protection regimes in PAs;
  - Setting Conservation objectives of PAs;
  - Preparing PA management plans;

- Reporting on the implementation of PA management plans;
- Assessing the effectiveness of PA management.
- An evaluation of PA cooperation and stakeholder engagement, including:
  - Control and provision of support to PA management bodies by superior duty-bearing institutions;
  - Cooperation between PAs.
  - Mechanisms for participatory management of PAs;
  - Cooperation with scientific organizations;
  - Cooperation with CSOs;
  - Public availability of management information.
- An Analysis of gaps and limitations of existing policies and regulations that hinder effective protected area management, including:
  - An analysis of policy implementation challenges, enforcement mechanisms, and monitoring and evaluation frameworks;
  - An analysis discrepancy between policy goals and on-ground realities.

## DELIVERABLES

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The consultant is required to submit the following deliverables to IUCN:

Deliverable	Description	Deadline
1	An inception report including methodology, detailed workplan and timeline	One week after signing the contract
2	Summary report on interviews and focus groups with relevant stakeholders with initial findings (institutions, protected area managers)	Six weeks after signing the contract
3	Draft report (in English with summary in Serbian language)	10 December 2023
4	Final report (in English with summary in Serbian language)	15 January 2024
5	Presentation of the analysis to relevant stakeholders	22 January 2024

## LANGUAGE

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English will be the working languages for the assignment and deliverables.

The consultant should anticipate that interviews and focus groups may need to be conducted in Serbian language and plan resources accordingly.

## DURATION OF THE ASSIGNMENT

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The duration of the assignment extends over the period from the of signing of the Agreement until February 16, 2024.

## RESPONSIBILITIES AND COMMUNICATION

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The Consultant is mandated by IUCN ECARO for all the tasks and deliverables described in this TOR. All

deliverables need to be submitted to IUCN ECARO in English by the given deadline.

## **PRICING INFORMATION**

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The maximum available budget for this consultancy is estimated at **USD 17,000.00** including VAT and assignment-related travel costs (i.e. accommodation, transport and subsistence costs).

## **REQUIRED QUALIFICATIONS**

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- Relevant education and demonstrated expertise in analysing protected area management and/or biodiversity conservation, natural resources management, environmental sciences, environmental law, socio-ecology and related fields;
- Minimum of 5 year's professional experience in the conservation sector, preferably in protected and conserved areas management, ideally with experience in policy and legislation related to protected and conserved area governance, and management effectiveness;
- In-depth knowledge of policy and legislation related to protected and conserved area governance and management in Republic of Serbia;
- Knowledge of IUCN categories, standards and tools on protected and conserved areas;
- Knowledge of global and EU frameworks and conventions relevant for nature protection and protected and conserved areas management, including the Convention on Biological Diversity, EU Biodiversity Strategy for 2030, Agenda 2030, and EU policies i.e. EU Green Deal and the Green Agenda for the Western Balkans, etc.;
- Demonstrated experience of collaboration with government agencies, international and nongovernmental organisations (INGOs and NGOs);
- Experience in data collation and analysis skills; and
- Fluent English and excellent writing skills.