

## ANNEX II: TERMS OF REFERENCE

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## 1. BACKGROUND INFORMATION

### 1.1. Partner parties

The Signatory Parties of the Central European Free Trade Agreement (CEFTA) 2006 (“Agreement”)<sup>1</sup> (“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

On December 19, 2006, Albania, Bosnia and Herzegovina, Croatia, Macedonia, Moldova, Montenegro, Serbia, and the UNMIK on behalf of Kosovo in accordance with the UNSC Resolution 1244, signed an Agreement to amend and enlarge the Central European Free Trade Agreement.

Following the necessary ratification processes, the Agreement entered into force on 26 July 2007 for five signatories (Albania, Macedonia, Moldova, Montenegro, and UNMIK/Kosovo), for Croatia on 22 August 2007, Serbia on 24 October 2007 and for Bosnia and Herzegovina on 22 November 2007. The speed with which the Parties ratified this ambitious Agreement indicated its importance to economic development in the region.

On 1 July 2013, Croatia withdrew from the Agreement to join the EU.

On 10 November 2020, the leaders of the Western Balkans adopted a more ambitious framework for regional economic integration – **Common Regional Market Action Plan<sup>2</sup>** (hereinafter CRM AP) for the period 2021-2024. The Action Plan built on the results of the Multiannual Action Plan for Regional Economic Area 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 represents a stepping-stone to integrate the region more closely with the EU Single Market before accession. This is 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 will help the Western Balkans in the accession process. At the same time, the accession process and the gradual compliance with the EU *acquis* will help strengthen intra-regional integration.

Building a common market of 18 million people – potential game changer for the region. The CRM AP aims 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 2025-2028 (CRM2.0)<sup>3</sup>**, 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,

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<sup>1</sup> Albania, Bosnia and Herzegovina, Macedonia, Moldova, Montenegro, Serbia, and the UN Interim Administration Mission in Kosovo (UNMIK) on behalf of Kosovo in accordance with the UNSC Resolution no: 1244

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

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

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.

The new Action Plan is also an integral part of the EU Growth Plan for the Western Balkans, aimed at boosting economic growth and increasing socio-economic convergence of the region, bringing it closer to the EU Single Market. In particular, it contributes to its Pillar II: Regional Cooperation, which is an essential element of boosting economic development of the region, already identified in the Action Plan 2020-2024 as a stepping stone to the Single Market. The actions within the Plan seek to help make markets more attractive for investors; increase the number of opportunities for companies and workers in the region; accelerate the alignment with EU rules and standards and facilitate each of the WB6 preparedness for integration into the EU Single Market in line with New Growth Plan for the Western Balkans.

Central European Free Trade Agreement (hereinafter: CEFTA), in addition to Regional Cooperation Council (RCC), plays a prominent role in coordinating and supporting the Western Balkans in this endeavour. In particular 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 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<sup>4</sup>. 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 SEE2030 strategy and the Common Regional Market Action Plans, and all other regional 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 coordination of the CEFTA led activities in the first three pillars of the Action Plan and together with the Secretariat of the Regional Cooperation Council it monitors and reports progress back to the Western Balkan Six.

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<sup>4</sup> [https://cefta.int/wp-content/uploads/2018/10/1\\_Decision-1\\_2018-on-CEFTA-Secretariats-Functions.pdf](https://cefta.int/wp-content/uploads/2018/10/1_Decision-1_2018-on-CEFTA-Secretariats-Functions.pdf)

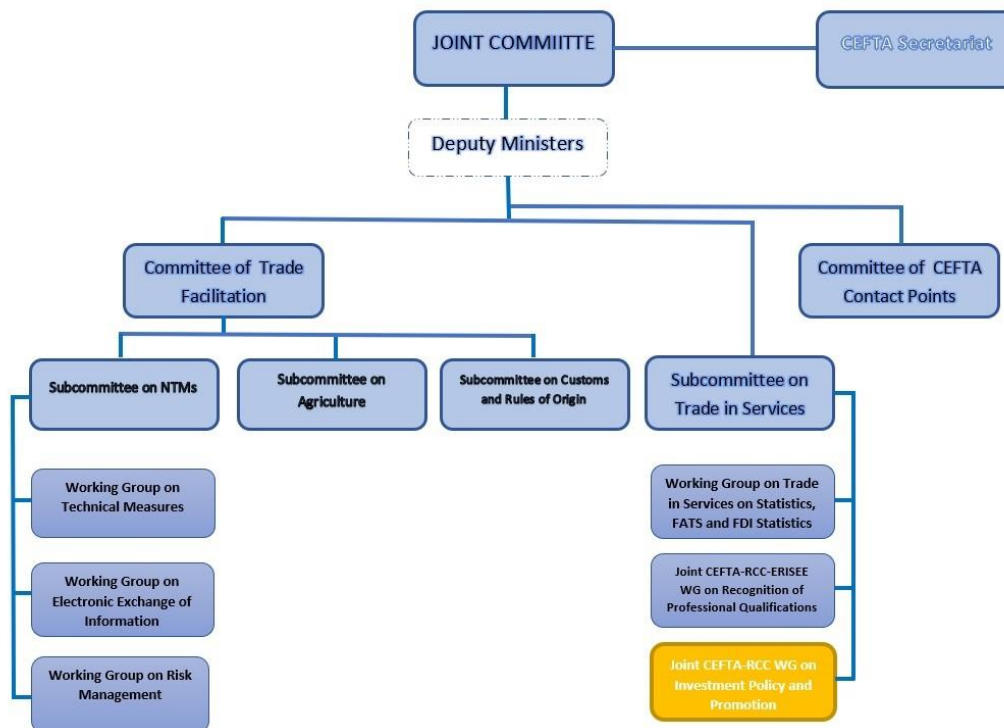
CEFTA Secretariat prepares input on CEFTA activities for regular reports on the implementation of CRM 2.0. CEFTA Secretariat takes an active part in the coordination mechanism set for monitoring and governing of the CRM 2.0. This involves contribution to organisation and participation in the meetings 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 sections of the Action Plan or designated experts for a particular activity. 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 leaders of the WB6, through active participation in the WB6 leaders summits.

- **CEFTA Bodies**

**Joint Committee** (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 alphabetical order.

**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 regional 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 Contracting Party concerned and with all CEFTA stakeholders.



## Subcommittees

- The 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;
- The Subcommittee on Agriculture including Sanitary and Phytosanitary Issues is tasked to contribute the promotion and facilitate trade in agricultural products within the region 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;
- The 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); and
- The 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.

## 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 is deals with management of public authorities and agencies involved in clearance of goods seeking to facilitate the regional trade 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 regional trade while improving the overall quality of customs, security and safety controls and inspections.
- 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.
- Joint CEFTA-RCC-ERISEE Working Group on Recognition of Professional Qualifications deals with mobility of professionals.
- Joint CEFTA-RCC Working Group on Investment Policy and Promotion is established with to deepen regional 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 within the region.

In addition, Additional Protocol 5 (AP5) and Additional Protocol 6 (AP6) to the CEFTA Agreement were adopted and entered into force in April 2018 (AP5) and January 2021 (AP6). Additional Protocol 5 focuses on simplifying and rationalizing documentation and inspections related to customs procedures, serving as a foundation for reducing formalities in trade across CEFTA. It enhances the electronic exchange of data among all administrations involved in the clearance of goods, strengthens cooperation among control agencies, and promotes recognition of trade documents and procedures. These measures aim to harmonize CEFTA trade practices with EU standards, fostering a more integrated market. Additional Protocol 6 extends the CEFTA framework beyond trade in goods to include trade in services. It seeks to boost intra-CEFTA trade by providing guarantees for market access and equal treatment to services suppliers across services sectors. AP6 also lays ground for enhanced cooperation aimed at removing remaining barriers including matters related to Parties regulation, recognition of professional qualifications and electronic commerce. Additionally, by adopting EU standards, AP6 supports the Parties' ambitions for EU integration preparing the services sectors for the competition that exists on the Single Market.

#### 1.4. Current situation

The Secretariat of the Central European Free Trade Agreement (CEFTA 2006) was established in Brussels, Belgium, on 8 September 2008 in accordance with the Agreement on Amendment of and Accession to the Central European Free Trade Agreement, signed at Bucharest on 19 December 2006.

Based on the Decision<sup>5</sup> No. 10/2024 Amending Decision 1/2018 on the Functioning of the Secretariat, the director (still under recruitment since the last director ended his mandate in May 2023) is supported by technical experts and administrative staff members.

As provided in the organisational chart below, the Secretariat is organised in three units:

- Technical unit is in charge of technical work on implementation and evolution of the CEFTA 2006 and other relevant policy objectives, such as ones in CRM. The unit is divided in two broad areas: trade facilitation and trade in services, each of them with two experts, one of whom is senior. Two senior experts and two experts were recruited in 2019 and 2020 respectively. Technical unit is supported by 4 Seconded national Experts from the CEFTA Parties, three in trade facilitation part and one in trade in services part. An expert in Cross-Cutting measures joined the Secretariat in January 2023 as project staff under the current grant “Support to the Secretariat of the Central European Free Trade Agreement, 2022-2025” co-financed by the CEFTA Parties and the European Commission (DG NEAR) and under implementation until 31 March 2025.
- Administrative unit is in charge of all administrative work in a single unit made of head of administration and finance/accountant and procurement officer. This include Human Resources, Procurement, Finance, Accounting, reporting, external audit, office management and IT support.
- SEED + project unit is composed of a project manager and project assistant who manages the project “Support to the Systematic Exchange of Electronic Data SEED+ in CEFTA”. The Action Grant is fully funded by the EC and currently under implementation until December 2026.
- Finally, communication and coordination expert, an administrative post, provides horizontal support to three units and is reporting directly to the Director.

The CEFTA SECRETARIAT wants to recruit 3 staff members to replace the 3 staff members who joined the Secretariat in May and June 2019 and will complete 6 years<sup>6</sup> in 2025.

- one technical expert for trade facilitation
- one technical expert in trade in services
- one communication and coordination expert

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<sup>5</sup> [https://cefta.int/wp-content/uploads/2024/10/JC-Decision-No.10\\_2024-amending-Decision-No.-1\\_2018.pdf](https://cefta.int/wp-content/uploads/2024/10/JC-Decision-No.10_2024-amending-Decision-No.-1_2018.pdf)

<sup>6</sup> [https://cefta.int/wp-content/uploads/2018/12/Decision-No-2\\_2019-on-Establishment-of-a-Selection-Committee-for-the-Recruitment-of-Staff-of-the-Secretariat-other-than-the-Director.pdf](https://cefta.int/wp-content/uploads/2018/12/Decision-No-2_2019-on-Establishment-of-a-Selection-Committee-for-the-Recruitment-of-Staff-of-the-Secretariat-other-than-the-Director.pdf)

## Organisational chart of the CEFTA Secretariat



### 1.5. Related programmes and other donor activities

N/A

## 2. OBJECTIVE, PURPOSE & EXPECTED RESULTS

### 2.1. Overall objective

The overall objective of the Action Grant of which this contract will be a part is to (i) increase socioeconomic growth in the region thanks to increased trade and investment; (ii) foster the implementation of the EU acquis pertaining to the EU Single Market in order to accelerate accession to the EU; and (iii) enhance good neighbourly relations through supporting the creation of Regional Trade Area based on CEFTA 2006, as part of the CRM AP (specific objective).

### 2.2. Purpose

The purpose of this contract is to assist the CEFTA Secretariat with technical expertise in following an Talent Assessment Methodology - using multiple instruments such as Interviews, Cognitive ability tests, Integrity Tests etc to recruit three staff members of the CEFTA Secretariat: two technical experts (one in Trade Facilitation and one in Trade in Services) and a communication and coordination expert.

### 2.3. Results to be achieved by the Contractor

The expected results from the contractor include:

- Relevant methodology, Talent Assessment Methodology , time line, material and procedures developed, agreed with CEFTA Secretariat and successfully implemented;
- Competencies of the Selection Committee to assess candidates strengthened;

- Capacity of the CEFTA Secretariat to finalise the necessary documents enhanced.

### **3. ASSUMPTIONS & RISKS**

#### **3.1. Assumptions underlying the project**

The key assumption is that the CEFTA Secretariat supported by the CEFTA Parties is willing to fully engage in the recruitment process.

#### **3.2. Risks**

A particular risk is a potentially limited pool of available, suitable candidates. Ensuring that the post is widely advertised both within the CEFTA region and internationally and published long enough should mitigate this risk.

### **4. SCOPE OF THE WORK**

#### **4.1. General**

##### **4.1.1. Project description**

The contractor will follow the Talent Assessment Methodology to recruit the technical expert on cross cutting of the CEFTA Secretariat.

The contractor will participate and provide the necessary support to the CEFTA Secretariat in the selection process of the two technical experts (one in Trade Facilitation and one in Trade in Services) and a communication and coordination expert.

##### **4.1.2. Geographical area to be covered**

N/A

##### **4.1.3. Target groups**

N/A

#### **4.2. Specific work**

- Initial Evaluation of Candidates

The contractor will complete an initial review of the applications received in line with the agreed criteria. A long list of suitably qualified candidates with whom a preliminary assessment should be carried will be recommended to the Selection Committee.

Following approval of the long list by the Selection Committee the Contractor will carry out the preliminary assessment according to the methodology. The results of these evaluations will be used to establish a short-list of maximum five candidates for each vacant position. This short list will be approved by the Selection Committee.

- Selection of Candidate

Following approval of the short-list, the contractor will assist the Selection Committee with the organisation of the final assessment phase with the top candidates - which will include a Competency based interview; Technical written test; Technical Interview; Personality questionnaire; Cognitive ability test and Integrity test. This will include determining the members of the Selection Committee, their roles and responsibilities and developing an agreed format for the Talent Assessment Methodology. The contractor will train the selection panel in preparation for the Talent Assessment Methodology day and assist them throughout the process.

Following agreement on a particular candidate, the contractor will assist the CEFTA Secretariat to finalise the employment contract (in particular the grade and step in the salary grid based on the post classification and experience) and the Director (or Acting Director if Director not appointed) of the CEFTA Secretariat will sign the employment contract.



### **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 (Acting) Director will oversee the implementation of the contract. The Head of Administration will be the Project Manager of this project on behalf of the Secretariat.

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

N/A

## **5. LOGISTICS AND TIMING**

### **5.1. Location**

The majority of the assignment can be carried out from home-base and/or on line. In case the contractor is expected to travel to the CEFTA Secretariat in Brussels for the interview of the short listed candidates, the CEFTA Secretariat will organise the travel and bear the costs of the consultant/expert.

### **5.2. Start date & period of implementation**

The intended start date is Q4/2022 and the period of implementation of the contract will be 4 months from this date. Please see Articles 19.1 and 19.2 of the Special Conditions for the actual start date and period of implementation.

## **6. REQUIREMENTS**

### **6.1. Staff**

Note that civil servants and other staff of the public administration, of the partner country or of international/regional organisations based in the country, shall only be approved to work as experts if well justified. The justification should be submitted with the tender and shall include information on the added value the expert will bring as well as proof that the expert is seconded or on personal leave.

#### **6.1.1. Key experts**

Key expert has a crucial role in implementing the contract. The Key Expert will be part of the Selection Committee as per Decision<sup>7</sup> No. 2/2019 Establishment of a Selection Committee for the Recruitment of Staff of the Secretariat other than the Director. These terms of reference contain the required 1 key expert's profile. The tenderer shall submit CV and Statements of Exclusivity and Availability for the following key expert:

The contractor will provide 1 key expert **Talent Assessment and Recruitment Expert** as follows:

- Qualifications and skills**
  - University degree in Human Resources, Psychology
  - Fluency in both written and spoken English;
  - Skilled in people management
  - Talent assessment accreditation is an advantage
  
- General professional experience**

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<sup>7</sup>[https://cefta.int/wp-content/uploads/2018/12/Decision-No-2\\_2019-on-Establishment-of-a-Selection-Committee-for-the-Recruitment-of-Staff-of-the-Secretariat-other-than-the-Director.pdf](https://cefta.int/wp-content/uploads/2018/12/Decision-No-2_2019-on-Establishment-of-a-Selection-Committee-for-the-Recruitment-of-Staff-of-the-Secretariat-other-than-the-Director.pdf)

- At least 10 years of professional experience in economic development and human resource management;
  - Experience in working in transition economies;
  - Experience of management of recruitment processes for international, regional organisations, multi-national companies, international development organisations and/or technical assistance programme;
  - Experience with EU and /or other international or bilateral donor agencies.
- **Specific professional experience**
- Specific experience in undertaking recruitment for senior management positions
  - Specific experience of working in/with the CEFTA Parties is considered as an advantage

The experts will be responsible for undertaking all the tasks outlined in section 4 above and will be part of each selection Committee. All experts must be independent and free from conflicts of interest in the responsibilities they take on.

In case the key expert needs to travel, (for example to Brussels for the interviews), the CEFTA Secretariat will organise and bear the travel costs.

### **6.1.2. Non key experts**

CVs for non-key experts should not be submitted in the tender but the tenderer will have to demonstrate in their offer that they have access to experts with the required profiles.

The Contractor must select and hire other experts as required according to the profiles identified in the Organisation & Methodology and/or these Terms of Reference. It must clearly indicate the experts' profile so that the applicable daily fee rate in the budget breakdown is clear. All experts must be independent and free from conflicts of interest in the responsibilities they take on.

The selection procedures used by the Contractor to select these other experts must be transparent, and must be based on pre-defined criteria, including professional qualifications, language skills and work experience. The findings of the selection panel must be recorded. The selected experts must be subject to approval by the Contracting Authority before the start of their implementation of tasks.

### **6.1.3. Support staff & backstopping**

The Contractor will provide support facilities to their team of experts (back-stopping) during the implementation of the contract.

Backstopping and support staff costs must be included in the fee rates.

### **6.2. Office accommodation**

Office accommodation of a reasonable standard and of approximately 10 square metres for each expert working on the contract is to be provided by the Contractor.

The costs of the office accommodation are to be covered by the fee rates.

### **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.

### **6.4. Equipment**

No equipment is to be purchased on behalf of the Contracting Authority / partner country as part of this service contract or transferred to the Contracting Authority / partner country at the end of this

contract. Any equipment related to this contract that is to be acquired by the partner country must be purchased by means of a separate supply tender procedure.

## **7. REPORTS**

### **7.1. Reporting requirements**

The Key Expert will report to the Project Manager.

A detailed work programme (time-line) will be agreed at the outset of the agreement. **An inception report** will be sent once the detailed work programme is agreed (max first 3 weeks) together with a prefinancing invoice.

In addition to the documentation prepared, as part of the assignment, which will need to be kept and sent to the HOA for filing, the Key Expert will prepare **a draft final report** about the contract outlining any key issues arising during the overall process and recommending actions to be taken to improve the recruitment processes under CEFTA. This report shall be submitted no later than one month before the end of the period of implementation of tasks.

The Expert will submit **a final report** incorporating any comments received from the Project Manager on the draft report.

The report shall contain a sufficiently detailed description of the different options to support an informed decision on the recruitment process under the CEFTA. The detailed analyses underpinning the recommendations will be presented in annexes to the main report. The final report must be provided along with the corresponding invoice.

Each report must consist of a narrative section and a financial section.

### **7.2. Submission & approval of reports**

One copy of the reports referred to above must be submitted via E-mail to the Project Manager identified in the contract. The reports must be written in English. The Project Manager is responsible for approving the reports.

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