ANNEX C1: Twinning Fiche[1]

Project title: ”Reinforcement of consumer protection in Serbia as a response to the new market challenges”

Beneficiary administration: The Republic of Serbia, Ministry of Trade, Tourism and Telecommunications, Sector for Consumer Protection

Twinning Reference: SR 18 IPA HE 02 20

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EU funded project

TWINNING TOOL

ABBREVIATIONS, ACRONYMS AND EXPLANATIONS

[1] In case of different language versions of the Twinning Fiche it must be clearly indicated which language version prevails.

ADR	Alternative Dispute Resolution
COs	Consumer Organizations
CPD	Consumer Protection Department, MTTT
EC	European Commission
EU	European Union
EUD	European Union Delegation to the Republic of Serbia
EU MS	European Union Member State
KE	Key expert
LCP	Law on Consumer Protection
BC	Beneficiary country
MTTT	Ministry of Trade, Tourism and Telecommunications
NCCP	National Council for Consumer Protection
NGO	Non-governmental organization
PSC	Project Steering Committee
RATEL	Republic Agency for Electronic Communications
ST	Short term
TNA	Training needs analysis/assessment
TW	Twinning
PL	Project Leader
RTA	Regional Twinning Advisor
SGEI	Services of General Economic Interest

1. Basic Information

1.1 Programme: Country Action Programme for Serbia for the year 2018.

For UK applicants:
Please be aware that following the entry into force of the EU-UK Withdrawal Agreement[2] on 1 February 2020 and in particular Articles 127(6), 137 and 138, the references to natural or legal persons residing or established in a Member State of the European Union and to goods originating from an eligible country, as defined under Regulation (EU) No 236/2014[3] and Annex IV of the ACP-EU Partnership Agreement[4], are to be understood as including natural or legal persons residing or established in, and to goods originating from, the United Kingdom[5]. Those persons and goods are therefore eligible under this call.

1.2 Twinning Sector: Health and consumer protection

1.3 EU funded budget: 1.500.000,00 EUR

1.4 Sustainable Development Goals (SDGs):

The project is contributing to address: the goal to promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels.

2. Objectives

2.1 Overall Objective(s): To improve institutional and administrative capacities of the relevant Serbian stakeholders in the area of the consumer protection for the access to the Single market.

2.2 Specific objective

To adequately respond both to the obligations rising from the EU membership and the challenges of the modern market through administrative and institutional empowerment in the field of consumer protection in Serbia.

2.3 The elements targeted in strategic documents i.e. National Development Plan/Cooperation agreement/Association Agreement/Sector reform strategy and related Action Plans

The Constitution of Serbia (2006), Article 90:

"The Republic of Serbia shall protect consumers. Activities directed against health, security and privacy of consumers, as well as all other dishonest activities on the market, shall be strictly prohibited."

According to Stabilisation and Association Agreement Article 78, it is stipulated that Parties shall ensure:

a) A policy of active consumer protection, in accordance with Community law, including the increase of information and development of independent organisations;

[2] Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community.
[3] Regulation (EU) No 236/2014 of the European Parliament and of the Council of 11 March 2014 laying down common rules and procedures for the implementation of the Union's instruments for financing external action.
[4] Annex IV to the ACP-EU Partnership Agreement, as revised by Decision 1/2014 of the ACP-EU Council of Ministers (OJ L196/40, 3.7.2014)
[5] Including the Overseas Countries and Territories having special relations with the United Kingdom, as laid down in Part Four and Annex II of the TFEU.

b) The harmonisation of legislation of consumer protection in Serbia;
c) Effective legal protection for consumers in order to improve the quality of consumer goods and maintain appropriate safety standards;
d) Monitoring of rules by competent authorities and providing access to justice in case of disputes;
e) Exchange information on dangerous products.

This project will directly contribute to further development of integrated and coherent system for Consumer protection in Serbia by enabling enforcement of legislation aligned with EU acquis and by enhancing capacities and improving cooperation among all consumer protection institutions, especially by strengthening partnership between MTTT and consumer organisations (NGO's).

The EC Progress report 2020 for Serbia regarding Chapter 28: Consumer and health protection

In the Annual progress report of the European Commission for Serbia for 2020, it is stated: "Serbia **is moderately prepared** in consumer and health protection**. Limited progress** was made on the chapter with the adoption of the 2019-2024 Consumer Protection Strategy and legal alignment relevant to cosmetics. However, the recommendations of the previous report have not been met and remain valid.

In the coming year, Serbia should in particular:

→ strengthen the administrative capacity of relevant authorities for consumer protection, market surveillance and sanitary inspection;

→ strengthen the overall managerial capacity, human resources and financial sustainability of the public health insurance fund;

→ further align its legislation with the EU acquis on substances of human origin and on medicines for human use.

Concerning general aspects of consumer protection, the 2019-2024 consumer protection strategy was adopted in December 2019. The amended law on consumer protection aiming for further alignment with the EU acquis has yet to be adopted. The National Council for Consumer Protection, established to strengthen the system of consumer protection and cooperation between relevant institutions delivered no visible output. There were a total of 105 initiated collective redress cases based on consumer complaints conducted by the line ministry which, as part of its role, is tasked with initiating proceedings for the protection of collective interests of consumers. Out of these, 22 decisions on imposed legal measures concerning violation of collective interest of consumers and 18 corrective statements imposed on traders were put into effect, at the end of proceedings. There are 26 registered consumer organisations, and a registered list of 10 alternative dispute resolution bodies (ADRs), with the National Bank of Serbia serving as an ADR for financial institutions and the regulatory agency for electronic communications (RATEL) for disputes between subscribers and electronic communications operators or between consumers and postal operators. Out-of-court settlements are still voluntary for both consumers and traders. No general overview on initiated and concluded proceedings exists for all ADR bodies in charge of alternative consumer disputes, following the number of complaints filed by consumers. Cooperation between ministries and consumer organisations improved while consumer protection organisations would benefit from further promotion of their work and activities. 109 The authorities' administrative capacity for consumer protection and the inspection services for consumer protection, product safety issues need strengthening. The institutional setting and protection of consumer protection rights and interests at the local government level has yet to be strengthened with the adoption of the amended law on consumer protection, which should also address unfair commercial practices, contract terms and vulnerable consumers".

National Priorities of the Republic of Serbia for International Assistance 2019-2025 (NAD)

The activities in the project are in line with NAD priorities:

- Cooperation between line ministries and consumer organisations still need to be reinforced, as does cooperation between consumer organisations themselves;
- Support to consumer NGOs and awareness raising with the general public, including out of court settlement of consumer disputes, need to continue;
- Implementation of the Consumer Protection Cooperation (CPC) Regulation, in particular regarding the minimum powers of enforcement authorities and the designation process of the competent authorities and the Single Liaison Office;
- Strengthening of the administrative capacity of relevant authorities for consumer protection, market surveillance and sanitary inspection.

National Programme for Adoption of the Acquis NPAA – third revision

In third revision of NPAA adoption of the Strategy for Consumer Protection for the period 2019-2024 is targeted as a priority, taking into consideration that covers 5 years period with comprehensive measures aiming to bring consumer protection on the next level. The strategy determines strategic framework, goals and objectives, activities and measures, as well as Action Plan for the implementation in order to adequately respond to upcoming obligations. The activities within the Project are harmonized with the goals and measures set in the Strategy.

Enlargement strategy

The Enlargement strategy stresses "Looking ahead, Serbia should redouble its efforts to align with the EU acquis with particular attention to the effective implementation of adopted legislation. In particular, Serbia will need to intensify efforts towards market opening". Therefore, ongoing attention of the AD should be given to the harmonization with the European body of law specifically in transposing the EC and ECJ case law so as to strengthen the enforcement of competition and consumer protection rules.
The development priorities for consumer protection are defined by the **Strategy for Consumer Protection for the period of 2019-2024.**[6]
The AP is a constituent part of the Strategy. In the AP, the measures to be undertaken, bodies competent for their implementation and the indicators of success of those measures, are defined.

Priorities (2019-2024)

The development priorities for consumer protection are currently defined by the Strategy for Consumer Protection for the period of 2019-2024.

Activities regarding measures foreseen in the AP of the National Strategy:

- Providing for and developing an accessible, effective and territorially balanced alternative dispute resolution mechanisms;
- Ensuring the respect of consumer rights in on-line trade and digitalisation of consumer protection;
- Reinforcing the institutional framework of consumer protection;
- Developing a sustainable framework for consumer protection on local level;
- Ensuring that future generations are well informed consumers through elaboration of interactive school curricula.

3. Description

3.1 Background and justification:

[6]Other relevant strategies are: Strategy of Digital Skills Development in the Republic of Serbia for the period 2020-2024, Strategy for Tourism Development in the Republic of Serbia (2016-2025)

The Law on Ministries (“Official Gazette of RS“, no. 128/2020) stipulates that MTTT is competent in the field of consumer protection, and also holds the responsibilities within the competitiveness sector in the field of trade, the flow of goods as well as market supply and prices, competition protection, telecommunications, postal services, e-business, information society and electronic communication and inspection in the area of trade, including consumer protection and tourism. MTTT with its CPD, Department for Market Inspection and Department for Tourist Inspection constitute the key institution for the policy making and enforcement of the LCP. In terms of legislation, the area of consumer protection is regulated by the Law on Consumer Protection (“Official Gazette of RS“, no. 62/2014, 6/16-other law and 44/18-other law), which entered into force in June 2014 as the system law, and by five bylaws. The legal framework in the field of consumer protection is almost fully developed and harmonised with EU legislation, but for efficient consumer protection in compliance with the obligations, Serbia needs further strengthening in enforcement. While Serbia's consumer policy legislation is largely in line with EU law, with regard to the continuous evolution of EU consumer protection acquis, as well as to the accession process and integration with the single market, it is important that harmonisation is not only related to the technical compliance, but to the law enforcement side which is managed on a continuous basis.

Recognizing the most delicate issues in the process, MTTT started the drafting of the new Law on Consumer Protection which undergone public debate and opinions of relevant institutions, but due to Covid-19 outburst and elections, its adoption was postponed and is expected at beginning of 2021. The most important amendments are related to the ADR and stipulate that the competent Ministry will provide funds for the work of the ADR entities, as well as that the out-of-court settlement will be obligatory for a trader, all which was not the case before. Bearing in mind this, the project should seriously tackle the ADR issue in order to make alternative dispute resolution more successful in any sense – recognizable for both parties and more efficient. Current capacities, i.e. registered mediators should be taken into consideration in order to properly establish strong and trustworthy out-of-court settlement system which will be introduced with its advantages and opportunities both to consumers and traders.

Apart from the new Law, Strategy for consumer protection for the period 2019-2024 was adopted in December 2019, and one of the strategic priorities is to respond to the digitalization process. It is certain that Serbia has undergone a major transformation with regards to digitalisation: compared to 2010 when only about 40.9% of the individuals used internet in the period of last 3 months, in 2018 the same group amounted to 73.4%. Further to this, comparing the percentage of all individuals who made internet purchases to other countries, Serbia made a significant breakthrough from 2015 to 2017 with a massive 9% increase. The data show that Serbia will continue to go through certain transformation regarding the expansion of the e-commerce. Therefore, focus should be also put on the digitalisation issues, such as transparency of comparison sites, web shops, online marketplaces, platforms and applications - including the method of comparison, the existence of advertisements, the pricing method – which is an issue of general concern in the EU. There is also further work to be done to ensure that traditional web shops fully comply with the requirements of the LCP with regard to distance contracts. Since not only buyers lack information on potential risks but the traders are also learning the application of e-commerce specific and general legal requirements in an on-line environment, the project should ensure that good practices are embedded and widely applied before a further expansion of the on-line market. While the observance of consumer rights in a traditional (on-site) commercial situation can be inspected through the physical presence of inspectors and through documentary inspection, on-line commerce requires different methods of collecting proof and supporting evidence. One aspect of this is the documentation of the purchasing process or the use of on-line site, while another aspect is the discovery and identification of market actors who intentionally or unintentionally breach consumer regulation. Also, as far as traders are concerned, and in relation to the fact that analysis showed that insufficient complaint handling on behalf of the traders have steadily grown in importance and is the most numerous category of complaint by consumers by now

(41,18% in 2018 in comparison to the 30,23% in 2017, and conformity issues 29,97% in 2018), the project should respond to this as one of the challenges since exercising the consumer rights in the effective and efficient resolution of disputes is one of the priorities.

Also, bearing in mind the European Commission recommendations, the Cross-border commerce should be one of the priorities, i.e. the Project should focus on the capacity building of the MTTT staff and other relevant institutions in order to respond the upcoming tasks adequately. Improving the capacities of the relevant institutions is of utmost importance for the Republic of Serbia. Namely, ever since the First Intergovernmental Conference on Accession was held in January 2014, European Commission recommendations in the Annual progress reports remain the same: "Serbia should in particular strengthen the administrative capacity of relevant authorities for consumer protection". This in particular refers to the MTTT which was also nominated a leading institution for Negotiating Chapter 28 Consumer protection and health protection in the negotiating process. In accordance with the Annual progress report, European Commission also stated in the Screening report on Chapter 28 that Serbia will need to be able to ensure adequate enforcement capacity and the implementation of the Consumer Protection Cooperation Regulation, in particular regarding the minimum powers of enforcement authorities and the designation process for the competent authorities and the Single Liaison Office. In that sense the project should provide beneficiaries and stakeholders with the relevant knowledge and best EU practices regarding Cross-border consumer issues, ODR, ECC-net, as well as other issues. The upgrade of the knowledge should be complemented with the tools such as the intranet system which will help relevant actors to share information and experience through online platform.

One of the most important issues the Project should tackle is the NGOs and their future role in the society. EC stressed out that cooperation among consumer protection organisations requires improvement, as well as that the institutional setting and protection of consumer rights and interests at the local level need to be improved. Bearing this in mind, the Project should find the most effective solutions to these evident bottlenecks. The solution should comprise the further development of NGO sector and possible directions of development– specialization, networking, or any other mode. The societal challenge - digital exclusion of vulnerable groups, accessibility to information and territorial inequalities – should be overcome through cooperation with local self-governments and their active participation in consumer protection field. Their involvement should be methodical and adapted to the current local situation (accessible funds, existence of consumer organisation on its territory, etc.). The project should find best working models of partnership of the relevant Ministry, local self-government units and NGOs in order to ensure availability of consumer protection on the whole territory of Serbia.

Notwithstanding the fact that the previous EU funded project "Further Development of Consumer Protection in Serbia" (SR 13 IPA OT 01 16), with total budget of 1.5 mil EUR, which was implemented in the period from August 2017 to August 2019, made a significant progress in public awareness field, partially limited awareness of consumers and traders as significant barriers to the prevalence of consumer rights is one of the challenges. Consumer awareness, the cornerstone of consumer protection, is the level of knowledge of consumer rights on behalf of the consumers and their skills and willingness to exercise these rights. While consumer rights are a complex system, it is important that consumers are aware of the few key rights and their implication both in traditional and in on-line context. For this purpose, it is necessary that through this project this information be accessible to the majority of consumers in an efficient and sustainable manner, with a view to the scarcity of resources available for communication and educational activities. Another important aspect of availability and access to information is improving the transparency of on-line trade and the availability of information for consumers on on-line commercial sites and platforms. The project should give creative proposals as how to make available E-information kiosks in the key trade centres which could be tablets or any other user-friendly devices which are easy to access. Further to this, the competent Ministry will provide, within its budget, necessary resources for the supply, but any other creative idea is welcomed. Also, this should have systematic and sustainable approach, and project should assist MTTT in its endeavours to introduce consumer protection themes into curriculum. This

complex task requires involvement of different stakeholders such as MTTT, ministry competent for education, teachers, NGOs, students, and, therefore, the organization, activities, production of materials and trainings should be carefully planned and scheduled in order to be introduced in curriculum in time.

3.2 Ongoing reforms:

Being a leading institution for Chapter 28 – consumer protection and health protection in the negotiating process, MTTT put an effort in the development of legal and institutional set-up, particularly bearing in mind EC recommendations regarding strengthening of relevant administrative capacity in the consumer protection field. This is in line with a priority sector within IPAII – democracy and governance - legislative alignment and institutional building which is planned within the result 1 and result 5 of the Project. As previously stated the new Law on Consumer Protection will be adopted at the beginning of the next year with the special focus on the development of the ADR system and it is expected that the Project supports the further endeavours to fully develop out-of-court settlement which is also a priority within the Strategy for the consumer protection 2019-2024. The Project is also expected to give substantial support in the enforcement of the Strategy. As for the IPAII priority sectors, one of the recognized fields is closing of digital gap within Competitiveness & innovation which is expected to be assisted by the Project.

3.3 Linked activities:

Within CARDS 2006 programme, realisation of the project "**Institutional support to the Serbian consumer protection sector"** started in September 2007 and ended in October 2010. Project goals have been achieved with success: New LCP in compliance with the recommendations of EU experts upgraded the institutional framework and level of consumer protection; Consumer Protection Section was promoted into Consumer Protection Division. Further building of administrative capacities was conducted through trainings related to general product safety, unfair advertising, consumer credit, cross border infringements of consumer laws. Efficiency of the inspection services in the field of protection of consumer rights had been improved.

Support from **TAIEX** was provided in 2011, by organizing two workshops in Belgrade: workshop on unfair commercial practice, contract terms and injunctions (23-24 February) and workshop on sale of consumer goods, associated guarantees, doorstep and distance selling (29-30 March).

Two TAIEX workshops were organised in September and October 2016 on the following topics: identification of cases of unfair commercial practice and unfair terms in consumer contracts and the role of court experts in acting on consumer complaints and court procedure.

IPA 2009 project **"Strengthening consumer protection in Serbia"** implementation of the project lasted from August 2011 until May 2014. The purpose of the project was to assist the Ministry of Foreign and Internal Trade and Telecommunications in progressing with the further harmonization of the Serbian consumer protection legal framework with the EU acquis, strengthen the institutional capacity of this Ministry, the out-of-court dispute-settlement bodies, the courts, consumer associations and the relevant authorities, for enforcement of the new consumer protection legislation, strengthen cooperation and coordination among public institutions and private bodies involved in consumer protection in Serbia and to increase awareness on consumer protection policy among public and private sector stakeholders.

This project provided recommendations that envisage: increase capacity, expertise and role of non-governmental consumer organisations, providing support for the operation of the Consumer Council, design and implementation of a comprehensive Roadmap for the effective access of consumer to justice and setting-up of nation-wide network of out-of-court entities for

the resolution of consumer disputes. One of the most relevant results of the project is that Consumer Protection Division is promoted to Consumer Protection Department.

IPA **2010 project "Strengthening of the Serbian market surveillance system for non-food and food products"** (July 2012 - January 2015**)**. The purpose of the project was to achieve market surveillance system in Serbia able to effectively and efficiently perform its tasks and responsibilities under the new legislation for product safety and food safety, and to protect consumers against products that pose serious threats to health, safety, and the environment.

Having in mind that some of the dangerous products are counterfeited and pirated products, usually unsafe for consumers, other customers and environment, exchange of information in the procedure of withdrawal of dangerous and counterfeited products is of great importance. Exchange of information on undertaken market surveillance measures and indicated dangerous products is the efficient mechanism for the enhancement of MS authorities' effectiveness, regarding consumer protection and protection of other aspects of public interest.

IPA 2011 project "Enforcement of Intellectual Property Rights" implementation started in February 2014 and finished in February 2016. The overall objective of the project was to support the implementation of sector strategies and policies compatible with EC legislation and best practices in the area of protection of intellectual property rights. The project purpose was further improvement of the business environment, fair competition, and consumer protection by strengthening of the IPR enforcement in Serbia with special focus on withdrawal, storage and destruction of pirated and counterfeited products.

IPA 2012 „Support to SME development"- implementation of this project started in May 2014 and ended in November 2016. Consumer Protection Department was one of the beneficiaries of the project. The overall objective of the project was to enhance the competitiveness of Serbian economy through the strengthening of private sector and its performance. The project aim was to increase the productivity and competitiveness of Serbian private sector, its internationalisation and capacity to innovate, by creating a more favourable environment, customised business services and promotion of e-business in order to strengthen the efficiency, quality and accessibility of products and services as well as cutting costs and administrative procedures.

Twinning project "Further development of consumer protection in Serbia" IPA 2013 - implementation of the project lasted from august 2017 until august 2019. The purpose of the project was to put in place legislative and institutional capacities for the efficient carrying out of accession negotiations and for fulfilling the requirements of EU membership resulting in proper and effective implementation and enforcement of aligned legislation in the field of consumer protection in Serbia.

The said purpose was achieved along with the following benchmarks:

- Procedures and mechanisms of cooperation in place;
- Improvement in the enforcement of consumer protection legislation;
- The enforcement of the consumer protection in Serbia is enhanced and in line with the European Standards.

The project "Further Development of Consumer Protection in Serbia" had 4 Components: Component 0- General activities including sound project management, visibility, Component 1 - Legislation for efficient administrative enforcement of consumer protection law in Serbia, Component 2 - Improving the professional capacities of civil servants, consumer organisations, judiciary, economic operators and regulators, Component 3 - Enhancing the coordination between stakeholders in consumer protection field, Component 4 - Public awareness regarding Consumer Protection rights.

Twinning project "Protection and enforcement of Intellectual Property Rights in Serbia" (IPA 2016 ongoing project started in 2019) - The overall objective of the project "Protection and enforcement of Intellectual Property Rights in Serbia" is to support the Republic of Serbia in aligning the standard of protection and enforcement of Intellectual

Property Rights with EU Best Practice in order to effectively conduct accession negotiations and successfully manage overall EU integration and pre-accession assistance. This Twinning project has directly contributed to further development of integrated and coherent system for protection and enforcement of intellectual property rights in Serbia by supporting enforcement of legislation aligned with Union acquis in accordance with the better regulation approach and by enhancing capacities and improving cooperation among all intellectual property rights institutions. This project is directly connected with the consumer protection since the counterfeited products represent a serious threat for consumer's health.

3.4 List of applicable *Union acquis*/standards/norms:

The list of applicable Union acquis/standards/norms is presented as Annex III.

3.5 Components and results per component

Result 1 - Component 1: Assistance to ensuring national legal framework of consumer protection in line with the EU Acquis provided:
Sub-result 1.1. Provisions of the Law on Consumer Protection and accompanying by-laws improved in line with the EU Acquis;
Sub-result 1.2. Alignment requirements through relevant sectoral laws identified.

Result 2 – Component 2: Assistance to ensuring an effective legal enforcement of consumer protection provided - bearing in mind that new Law on Consumer Protection will be adopted at the beginning of 2021, within the Component, the sub-results should be:
Sub-result 2.1. Institutional set-up in relation to cross-border issues reinforced;
Sub-result 2.2. Cooperation between relevant institutions within consumer protection field improved;
Sub-result 2.3. Sanctioning system within legal set-up improved.

Result 3 - Component 3: Functional ADR system in the consumer protection field established – since new Law on Consumer Protection whose adoption is expected at the beginning of 2021, stipulates that the ADR scheme will be obligatory for traders, as well as that competent Ministry should finance the ADR bodies, the Project should result in the following:
Sub-result 3.1. ADR bodies' knowledge on best EU practice improved;
Sub-result 3.2. Consumers' awareness on the advantages of ADR schemes raised;
Sub-result 3.3. Recommendations on further improvement of ADR system given.

Functional ADR system in the consumer protection field established – being the most relevant issue in the following period, results related to out-of-court settlement should include different methods of improvement so that both consumers and traders find ADR system one of the most efficient ways to settle the dispute. It is expected that ADR bodies enhance their knowledge and that ADR become commonly known, especially for consumers who will be the party allowed to initiate the ADR.

Result 4 - Component 4: Regionally balanced provision of consumer protection services established:
Sub-result 4.1 Capacity building for employees in local self-government reinforced;
Sub-result 4.2 Relations between local self-government and NGOs and other consumer organizations improved;
Sub-result 4.3 Public awareness on consumer protection for local business raised.

Through this Component, local self-government units should be more actively involved in the consumer protection system through different partnership models with NGOs, depending on their funds, available consumer organizations and trained staff on their territory, which are all preconditions for successful cooperation. Employees in local self-governments should be trained to understand the significance of consumer protection for the local citizens as well as local businesses.

Result 5 - Component 5: New market challenges such as consumer protection within online transactions adequately responded:
Sub-result 5.1. Capacity building of relevant institutions on specific risk areas of e-commerce improved;
Sub-result 5.2. Capacity building of e-traders on relevant legal provisions reinforced;
Sub-result 5.3. Awareness of e-traders and consumers on transactions in accordance with the law raised.
Within the Component, it is expected that e-traders enhance their knowledge on legal provisions which stipulate e-trade. Also, the goal is to provide information on the most relevant issues and problems consumers deal with in the online trade and act accordingly – inform the interested parties and propose the best methods/tools to protect consumers.

Result 6 - Component 6: Capacities, resources and competencies of the consumer protection institutional system reinforced:
Sub-result 6.1. Capacity building of civil servants, NGOs representatives and market regulators reinforced;
Sub-result 6.2. Capacity building of relevant institutions on ECC-net organisational and legal requirements reinforced;
Sub-result 6.3. Knowledge on how to improve NGO sector improved;
Sub-result 6.4. Organisational capacities (through development of Intranet) of the relevant institutions reinforced.
As it was previously underlined, the capacity building is one of the priorities in the following period. The final output should comprise staff of the competent institutions – official and non-governmental ones – which will be trained in accordance with the obligations arising from the EU membership and responsibilities stipulated by law. The know - how of the adequate EU institutions will be of most significance for the responsible institutions in the Beneficiary country, especially in cross-border issues and development of NGO sector. Also, it is expected that the Project develops a networking system through which relevant actors should exchange information and documentation.

Result 7 - Component 7: Public awareness on Consumer rights raised:
Sub-result 7.1. Awareness of traders on handling consumer complaints raised;
Sub-result 7.2. Consumer awareness, through different channels (public exhibitions, information days, mobile applications) raised;
Sub-result 7.3. Tools for capacity building of teachers' in consumer protection field prepared;
Sub-result 7.4. Awareness of school children on consumer protection issues raised.
This result should entail different methods of informing public on the most relevant issues (current and general ones) in the consumer protection field through direct communication, promotional materials, mobile application and public exhibiting. It is expected that educational system should be prepared to introduce consumer protection in the following period, through trainings of school staff and preparation of material for the curriculum.

3.6 Means/input from the EU Member State Partner Administration(s)*:

The project will be implemented between the final Beneficiary country and EU Member State(s). The implementation of the project requires one Project Leader (PL) with responsibility for the overall coordination of project activities and one Resident Twinning Adviser (RTA) to manage implementation of project activities, Component Leaders (CLs) and pool of short-term experts (STEs) within the limits of the budget. It is essential that the team has sufficiently broad expertise to cover all areas included in the project description.

Proposals submitted by Member State shall be concise and focused on the strategy and methodology and an indicative timetable underpinning this, the administrative model suggested, the quality of the expertise to be mobilised and clearly show the administrative structure and capacity of the Member State entity/ies. Proposals shall be detailed enough to respond adequately to the Twinning Fiche, but are not expected to contain a fully elaborated project. They shall contain enough detail about the strategy and methodology and indicate the

sequencing and mention key activities during the implementation of the project to ensure the achievement of overall and specific objectives and mandatory results/outputs.

The interested Member State(s) shall include in their proposal the CVs of the designated PL and the Resident Twinning Advisor, as well as the CVs of the potentially designated Component Leaders-CLs.

The Twinning project will be implemented by close co-operation among the partners aiming to achieve the mandatory results in sustainable manner.

The set of proposed activities will be further developed with the Twinning partners when drafting the initial work plan and successive rolling work plan every three months, keeping in mind that the final list of activities will be decided in cooperation with the Twinning partner. The components are closely inter-linked and need to be sequenced accordingly.

3.6.1 Profile and tasks of the PL:

The MS Project Leader will manage the project team of selected member state(s) and coordinate the implementation of activities.

Tasks of the PL:

- Overall management and coordination of the project with MS, other partners and stakeholders;
- Project reporting;
- Ensuring backstopping and financial management of the project in the MS;
- Ensuring timely, effective and efficient implementation of the project and achievement of results, through proposed activities;
- Coordination of deployment of short-term experts;
- Coordination with RTAs, from the Member State side, the Project Steering Committee meetings, which will be held in Serbia every three months;
- Participation at the Steering Committee meetings (every three months);
- Assuring compatibility with EU requirements.

Profile of the PL:

Requirements:

- University degree or equivalent professional experience of 8 years;
- High ranking official currently working in the MS administration;
- At least three years of professional experience in the field of consumer protection;
- Project management experience;
- Fluency in English language;
- Computer literacy.

Assets:

- Experience with Twinning rules and procedures;
- Experience in managing or assisting in management in at least 1 project;

3.6.2 Profile and tasks of the RTA:

Resident Twinning Adviser (RTA) will provide support to the responsible Serbian authorities in strengthening their capacities as well as in implementation of this project and during the implementation of this project RTA will be positioned in the premises of MTTT.

The RTA works on a daily basis with the BC staff to implement project, support and coordinate activities in the Beneficiary country.

The RTA should have adequate experience and knowledge in the field of consumer protection which will enable him/her to organize interdisciplinary team for successful implementation of the project. She/he should be an employee of the governmental competent

authority for consumer protection (Ministry or Agency) in an EU Member State.

He/she will liaise with the BC Project Leader and will report to the MS Project Leader. The RTA will also be responsible for ensuring that experts' input and distribution of their working days will be used in the most efficient and effective way and in line with the agreed work plan to enable timely completion of project results. Duration of his/her secondment will be 24 consecutive months.

Tasks of the RTA:

- Responsible for monitoring project implementation and proposing corrective management actions if required;
- Project management and coordination of the activities of the team members in line with the agreed work plan to enable timely completion of project results;
- Selection, mobilisation and supervision of the short-term experts, together with the Project Leader;
- Facilitation of the contacts with peer institutions in EU member states in order to stimulate a proper exchange of information, data and experience;
- Organization of visibility events (kick-off and final event);
- Advice on related EU policies, regulation and best practice;
- Establish and maintain cooperation with all beneficiaries involved in the implementation of the project and other related projects (ensuring the avoidance of overlapping), in close coordination with the Project Leader;
- Responsible for organisation of the Project Steering Committee meetings and reporting on the project progress in cooperation with the Project Leader;
- Identifying and reporting to the Contracting authority, at early stage, all difficulties that may jeopardize the implementation of the project and the achievement of its results.

Profile of the RTA:

Requirements:

- University degree or equivalent professional experience of 8 years;
- At least 3 years of working experience in drafting and/or implementation of consumer protection legislation;
- Project management experience: managing or assisting in management in at least 2 EU funded projects (preferably Twinning);
- Proven contractual relation to public administration or mandated body;
- Fluency in English language;
- Computer literacy.

Assets:

- 5 years of working experience in consumer protection policy;
- Experience as team leader/RTA/KE of at least 1, preferably 2 projects, in the field of consumer protection;
- Experience in conducting trainings;
- Experience in analysing and developing consumer protection procedures;
- Experience in conducting public awareness campaigns, preferably those broadcasted through TV, Radio and other Emedia and social networks;
- Knowledge of best EU practices regarding consumer protection in Curriculum.

3.6.3 Profile and tasks of Component Leaders*:*

The Twinning partner will decide on the profile, number and involvement of the Component Leaders during the drafting of the project work plan. Component Leaders should be identified by the Project Leader/RTA and have to be agreed with the Beneficiary institutions in the course of designing and delivery of the expected project outputs.

Main areas of expertise required by the team of short-term experts should cover the following fields (the list of fields is non exhaustive): Consumer protection and enforcement, Legislation, Economics, E-commerce from the consumer protection perspective, Training design and delivery and Media and communication.

Tasks of Component Leaders:

Component Leaders will provide specialized know-how for the individual tasks in this project. Therefore, the experts should have a relevant professional experience in administration and minimum qualifications required, as well as specific skills needed for individual task. As a general approach, the Component Leaders will take the responsibility for the implementation of the Project and the achievement of the results, each for his/her individual mission tasks, as defined by individual ToR. They will also prepare the required reports and the output described.

Profile of Component Leaders:

Requirements:

- University degree or equivalent professional experience of 8 years;
- At least 3 years of working experience in drafting and/or enforcement of consumer protection legislation or consumer protection policy or IT;
- Fluency in English language;
- Computer literacy.

Assets:

- Experience as KE of at least 1, preferably 2 projects, in the field of consumer protection or as an IT expert or as an E-commerce expert from the consumer protection perspective;
- Knowledge of best EU practices regarding consumer protection;

3.6.4 Profile and tasks of other short-term experts*:*

The Twinning partner will decide on the profile, number and involvement of the short term experts during the drafting of the project work plan. STEs should be identified by the Project Leader/RTA and have to be agreed with the Beneficiary institutions in the course of designing and delivery of the expected project outputs.

Main areas of expertise required by the team of short - term experts should cover the following fields (the list of fields is non exhaustive):

- Consumer protection including ADR, local level and cooperation model;
- Consumer Protection Curriculum;
- Legislation;
- Economics;
- Training design and delivery;
- Media and communication;
- IT.

Tasks of the short- term experts:

The Twinning partner will decide on the profile, number and involvement of the short term experts during the drafting of the project work plan. STEs should be identified by the Project Leader/RTA and have to be agreed with the Beneficiary institutions in the course of designing and delivery of the expected project outputs.

STEs will provide specialized know-how for the individual tasks in this project. Therefore, the experts should have a relevant professional experience in administration and minimum qualifications required, as well as specific skills needed for individual task. As a general approach, the STEs will take the responsibility for the implementation of the Project and the achievement of the results, each for his/her individual mission tasks, as defined by individual ToR. They will also prepare the required reports and the outputs.

Detailed profiles and tasks of short - term experts including the duration of their assignments will be provided in the Twinning Work Plan. The indicative requirements are the following:

Requirements:

- University degree or equivalent professional experience of 8 years;
- At least 3 years of specific working experience in the field of consumer protection or other relevant field depending of the area of expertise;
- Experience in providing assistance in the capacity building initiatives in the area of consumer protection;
- Fluency in English language;
- Computer literacy;
- Proven contractual relation to public administration or mandated body.

The concrete assignments will be subject to the preparation of the Twinning Contract and the recommendations of the Twinning partner(s).

4. Budget

Maximum Budget available for the Grant

Protection and Enforcement of Intellectual Property Rights in Serbia	IPA Community Contribution	National Co-financing	TOTAL
Twinning Contract	1.500.000,00 EUR	0%	1.500.000,00EUR

The Beneficiary will provide the MS Twinning partner with adequate office space for RTA and experts, meeting rooms and equipment necessary for relevant everyday activities and training foreseen in Twinning fiche.

Interpretation and translation costs for trainings/training materials, documentation/reports/legal acts and other project activities are estimated up to 6% of the budget which will be calculated in the twining working plan budget.

5. Implementation Arrangements

5.1 Implementing Agency responsible for tendering, contracting and accounting (AO/CFCU/PAO/European Union Delegation/Office):

Ministry of Finance,
Department for Contracting and Financing of EU Funded Programmes (CFCU)
Sremska Street, No. 3-5
SRB – 11000 Belgrade

Mr Marko Jovanović,
Acting Assistant Minister - Head of Contracting Authority

Mr Darko Vasić, Head Of Division for Tender Evaluation and Contracting, Twinning National Contact Point

5.2 Institutional framework

The following organisations are the main consumer protection enforcement institutions in Serbia:

- Ministry of Trade, Tourism and Telecommunications - Consumer Protection Department;
- Ministry of Health;
- Ministry of Agriculture and Environmental Protection;
- Ministry of Mining and Energy;
- Energy Agency;
- National Bank of Serbia;
- Ministry of Justice;

Main Beneficiary:

The Ministry of Trade, Tourism and Telecommunications - holder of consumer protection policy.

Consumer Protection Department is directly responsible for the implementation of consumer protection policy. It proposes the Consumer Protection Strategy, performs activities related to the approximation of domestic legislation to the Union acquis, monitoring and analysis of the application of harmonised legislation in practice, undertakes measures and activities for improving the consumer protection system, maintenance of NCCR and particularly to injunctions that aim to remove unfair business practice and unfair contract terms in consumer contracts, in order to protect the collective interests of consumers. Successful and efficient performance of these activities require adequate and strengthen capacities, so that the Department hired two lawyers in accordance with its broaden competences. The Department consists of Consumer Protection Division (Group for policy development and collective consumer protection and Group for education and improvement of cooperation in the consumer protection field) and the Group for the enforcement of consumer protection policy. CPD with now 18 employees was established in September 2014.

Market Inspection Department applies consumer protection measures in administrative procedure. In the Market Inspection Department, out of 356 employees, 45 market inspectors are pre-dominantly working on the application of the LCP (prevention of unfair business practice, disrespect of guarantees and other violations of the consumers' economic interests, control of the respect of the obligation of informing consumers, displaying prices, issuing bills), while 84 market inspectors exercise control over the conformity and safety of certain groups of non-food products (market surveillance), while others are predominantly involved in the control and prevention of trade in counterfeited and pirated goods, prevention of money laundering and other forms of illegal trade. The territory coverage is ensured by 24 inner organisational units - market inspection divisions organised by districts.

Tourist Inspection Department which applies consumer protection measures in administrative procedure in the field of tourism.

Tourism Department is in charge of successful and efficient performance of the activities related to the approximation of domestic legislation with the EU Acquis Communautaire and to monitoring and analysis of the application of harmonised laws whereas the Tourist Inspection Department with 73 civil servants, who are distributed in five divisions, is competent for the inspection surveillance in package tour contracts and timeshare contracts.

Other beneficiaries:

Ministry of Health is in charge of food safety, general product safety introduction and circulation, public supply of population with hygienic drinking water and these are performed by the Department for Inspection Operations.

Ministry of Agriculture and Environmental Protection is in charge of control in the field of safety of vegetable and mixed food within the production, processing and wholesale phase, as well as control of production, circulation and quality of vine, spirit, other alcoholic beverages, ethanol, beer and non-alcoholic beverages and control of quality of feed of vegetable origin. These activities are performed through Department for Agricultural Inspection.

Ministry of Mining and Energy, Department for Electrical Energy is in charge of inspection in the field of energy and monitoring of consumer protection in the field of electrical energy.

Within jurisdiction of the **Ministry of Justice** there are regulations governing the judicial and extra-judicial dispute settlement procedures in general, and that includes consumer disputes. Therefore, the proposal of regulations governing judicial and non-judicial proceedings is in their jurisdiction.

Protection of financial services consumers is in the competence of the **National Bank of Serbia** which established the institute of financial services consumer protection for further exercise of consumer rights - Centre for Financial Consumer Protection and Education. This Centre, according to Article 4 (1)(11) of the Law on National Bank of Serbia, performs tasks related to the protection of rights and interests of consumers of services provided by banks, lessors, insurance companies, payment service providers and electronic money issuers and pension fund management companies. Activities are performed by acting upon consumer's, or client's notification, and by conducting mediation procedures which are performed by employed persons who are in possession of an authorised mediator licence. The Centre employs 23 persons and consists of the Division for Financial Consumer Protection, Division for Education of Financial Consumers and Information Centre. Additionally, activities of education of financial services consumers are also performed within the affiliates of the National Bank of Serbia, and 15 employees are engaged in these activities.

The National Bank of Serbia carries out activities in the field of protection of rights and interests of financial service consumers and providing information and financial education. Operations determined by the legislative framework governing the matter of the financial services consumer protection and education are carried out in the National Bank of Serbia. Within the National Bank of Serbia operations are greatly carried out in the Centre for Financial Consumer Protection and Education which is organizational part of the Administration for Supervision of Financial Institutions. For the protection of consumers in the area of financial services, a separate Department for protection of the users of financial services within the National Bank of Serbia has been established. It has thirty (33) employees.

The National Bank of Serbia perform activities relating to the protection of rights and interests of the consumers of services provided by banks, financial leasing providers, insurance companies and voluntary pension fund management companies, in accordance with law.

In the **Ministry for Public Administration and Local Self-Government** - Department for Local Self-Government System performs duties pertaining to: the system of local self-government and territorial autonomy and territorial organization of the Republic of Serbia. It prepares regulations which govern the election of local self-government bodies and oversees the legality of operations and bylaws of local self-government units. The Department provides support to local self-government units to address sector-specific issues, builds the capacities of local self-government units, monitors the number of employees at local self-government units and prepares Decisions by which the Government approves new employment and hiring. The

Department promotes cooperation between local self-government units and local self-governments in other countries, regionally, in Europe and internationally, as well as cooperation between local self-government units, community self-governments and national authorities.

Stakeholders:

The LCP stipulates establishment of **National Council for Consumer Protection**. This obligation was stipulated by the previous Law on Consumer Protection (put into effect in 2011), but the Law in force prescribes certain novelties in regard to the composition of this governmental body. Now, there are permanent members (representatives of the line ministry, the ministry in charge of food safety, the ministry in charge of product safety, the ministry in charge of health, the ministry in charge of energy, the ministry in charge of telecommunications, the ministry in charge of justice, the ministry in charge of finance, the ministry in charge of tourism and the ministry in charge of environment protection) and 1/3 of the members are representatives of non-governmental organisations. Other members are entities with delegated public powers, chambers of industry and commerce and independent experts in the field. This Council strengthens the system of consumer protection and cooperation between the institutions in charge of consumer protection and other entities involved in this particular field.

Standing Conference of Towns and Municipalities

The Standing Conference of Towns and Municipalities - Association of Towns and Municipalities of Serbia (SCTM) is an independent, non-partisan, non-governmental and non-profit association, in which towns and municipalities from the Republic of Serbia are gathered on a free-will basis with the purpose of development and improvement of local self-government, its protection and realization of common interests. SCTM is one of the competent institution regarding consumer protection especially in familiarizing public entities and economic operators and local self-governments with new regulations governing the protection of vulnerable consumers and conducting training to improve their knowledge in this field.

Ministry of Education, Science and Technological Development

The Ministry of Education, Science and Technological Development through Department for pre-school and primary education and Department for secondary education is in charge to carry out state administration tasks related to: research, planning and development of pre-school, primary, secondary and higher education, student standards; supplementary education of children of local citizens abroad; administrative supervision in pre-school, primary, secondary and higher education and student standards; professional-pedagogical supervision in pre-school, primary and secondary education and student standard; organization, evaluation of work and supervision of professional development of employees in education.

The NGOs representatives in the NCCP are nominated by Consumers' Council (established in October 2014), a non-governmental body which is composed of the representatives of organizations and associations registered within the line ministry which, additionally, harmonises the opinions of the organizations and associations on all major consumer issues. Further involvement of the NGO representatives in decision-making process reflects in provisions of the LCP which stipulate obligation of providers of services of general economic interest to establish advisory bodies and complaint handling committees that include representatives of the registered consumer organisations/association. Moreover, the LCP imposes that consumer protection organisations may file a request to the MTTT to initiate proceedings for the protection of collective interests of consumers.

Non-governmental organizations provide and implement consumer education, represent consumers' interests in judicial and out-of-court proceedings, consult and provide legal assistance to consumers in the exercise of their consumer rights, etc. The line ministry also maintains the Register of Consumer Organisations and Associations and currently has on its list 26 registered organisations and associations for consumer protection. The registration within the MTTT is a precondition to apply for funding of the MTTT that is granted with the

aim of improving consumer protection system, and further strengthening of their capacities. Institutionally, non-governmental sector is an important partner of the governmental sector in this field, bearing in mind their legally stipulated activities: provision of information, education, consultation and provision of legal assistance to consumers in the exercise of their consumer rights, acting on consumer complaints, conducting of independent testing and comparative analysis and publication of the results and conducting of research and studies in the field of consumer protection.

Autonomous province and local self-governments, in accordance with the LCP, support the activities of organizations/associations with regard to funding, provision of adequate office space and other necessary conditions for their operations, promote and support activities aimed at consumer protection, including provision of information, consultation and education of consumers, as well as participation of consumers' representatives in all provincial and local bodies responsible for decision-making in fields that are relevant for consumers and, finally, support the formation and operation of bodies for out-of-court settlement of consumer disputes in their respective territories.

Commercial and Professional Chambers provide support in the area of cooperation and education of economic sector and holders of consumer protection.

5.3 Counterparts in the Beneficiary administration:

5.3.1 Contact person:
Senior Programme Officer (SPO):
Ms. Slavica Kukolj,
Head of Department for European Integration and Management of EU and other international projects in the Ministry of Trade, Tourism and Telecommunications,
22-26, Nemanjina Street, Belgrade

5.3.2 PL counterpart

The BC Project Leader will manage a project team at the Serbian side and will assure that the decision makers at the national level will be informed properly on the implementation of the Project. He/she will ensure close co-operation and overall steering and coordination of the project and will be responsible for drafting and signing of the reports and other documents, related to project management at the Serbian side and will chair PSC meetings.

Ms. Visnja Rakić
Assistant minister in the Ministry of Trade, Tourism and Telecommunications
22-26, Nemanjina Str., Belgrade

5.3.3 RTA counterpart
Ms. Olivera Marić,
Chief of the Group for Policy Development and Collective Consumer Protection
Ministry of Trade, Tourism and Telecommunications
22-26, Nemanjina Str., Belgrade

6. Duration of the project

Duration of the project: 24+3 months

7. Management and reporting[7]

7.1 Language

The official language of the project is the one used as contract language under the instrument (English / French). All formal communications regarding the project, including interim and final reports, shall be produced in the language of the contract.

[7] Sections 7.1-7.3 are to be kept without changes in all Twinning fiches.

7.2 Project Steering Committee

A project steering committee (PSC) shall oversee the implementation of the project. The main duties of the PSC include verification of the progress and achievements via-à-vis the mandatory results/outputs chain (from mandatory results/outputs per component to impact), ensuring good coordination among the actors, finalising the interim reports and discuss the updated work plan. Other details concerning the establishment and functioning of the PSC are described in the Twinning Manual.

7.3 Reporting

All reports shall have a narrative section and a financial section. They shall include as a minimum the information detailed in section 5.5.2 (interim reports) and 5.5.3 (final report) of the Twinning Manual. Reports need to go beyond activities and inputs. Two types of reports are foreseen in the framework of Twining: interim quarterly reports and final report. An interim quarterly report shall be presented for discussion at each meeting of the PSC. The narrative part shall primarily take stock of the progress and achievements via-à-vis the mandatory results and provide precise recommendations and corrective measures to be decided by in order to ensure the further progress.

8. Sustainability

The work-plan should consider the sustainability of the project and particularly how the mandatory results of the Twinning project will be maintained as a permanent asset to the project beneficiaries even after the end of the Twinnnig project implementation. The Twinning work plan will need to detail and put in place effective mechanism within the beneficiaries institutions to ensure optimum dissemination and consolidation of the results of the project. The sustainability issues will be further elaborated in the course of the project as a joint responsibility of the MS partner and Beneficiary country institution. Besides, in the final report Twinning partners will include specific recommendations for safeguarding the achievement of mandatory results in the Beneficiary administration.

9. Crosscutting issues *(equal opportunity, environment, climate etc…)*

Cross-cutting issues will be addressed in the project so as to comply with the best EU standards and practice in that area and in a way which demonstrates how they will be dealt with within the project's framework, its activities and outputs. One of the Project's expected results is regionally balanced provision of consumer protection services established. The result is targeting regional coverage of assistance in consumer protection issues through different partnership models of local self-government units and NGOs, with active assistance of the competent Ministry. Furthermore, Project is drafted so as to give basis for the introduction of consumer protection in the educational system through, among others, preparation of material for the curriculum. Within the material, themes should tackle one of eight consumer rights - right to healthy environment with special focus on climate change and rightful response to this long-term problem.

10. Conditionality and sequencing

Conditionality:

The commitment and the mutual agreement among the institutions involved in enforcement of consumer protection on the establishment of a functional structure in this area is the substantial prerequisite for the definition of rules ensuring proper coordination among the consumer protection authorities, effective implementation of the Project and avoiding overlapping and conflict of competences. The MTTT, who was in charge for drafting the

Strategy for Consumer Protection for the period 2019 -2024, already initiated this issue, and the Action Plan which is a part of the Strategy defines the particular activities and the responsible institutions.

In addition:

- MTTT must commit sufficient resources in terms of human resources throughout the life time of the project and to ensure that the outputs are sustainable in the future (for example, developed procedures will be implemented). The MTTT will contribute to the project by providing premises and all the facilities (computers, telephones, printers etc.) during the lasting of the project;
- MTTT will ensure coordination of all actors to ensure project success and facilitate joint programmes/activities;
- MTTT will be responsible for ensuring that all relevant actors attend training and instruction;
- MTTT is responsible for inter-ministerial/inter-sectoral relations regarding the outputs of this project.

There are no special requirements for sequencing between the results, but certain need for sequencing between the activities within the same result should be respected.

11. Indicators for performance measurement

The Indicators for result 1 are:

- At least 1 law and 4 bylaws in consumer protection with changes and/or amendments drafted and endorsed by the Beneficiary;
- At least 1 report on further alignment requirements with proposals on where certain EU provisions should be integrated.

The Indicators for result 2 are:

- Gap analysis of the legal and institutional set up in relation to the Cross-border issues drafted;
- At least one feasibility study examining the possibilities of more effective, deterring sanctioning prepared.

The Indicators for result 3 are:

- At least 4 trainings for at least 4 ADR bodies conducted;
- Study proposing incentives to promote the use of ADR by consumers prepared.

The Indicators for result 4 are:

- A model with the purpose of providing adequate facilities for consumer associations developed with local self-governments;
- At least 4 trainings (regional level) for representatives of local self-governments organized;
- Trainings for NGOs/legal advisors on the local level organized.

The Indicators for result 5 are:

- Study on specific risk areas of e-commerce (peer-to-peer models) and specific tools of discovery and enforcement (e.g. website blocking, warning mechanisms) prepared;
- At least 1 annual survey on consumer rights (including e-commerce) prepared;
- At least 3 trainings for economic operators on consumer rights in E-commerce for at least 20 participants per training conducted;
- At least one “model” web-shop demonstrating the correct application of consumer law in practice developed.

The Indicators for result 6 are:

- Training Need Analyses conducted;
- Training Plan prepared and endorsed by the Beneficiary;

- At least 10 trainings, for at least 20 participants per training, for civil servants in charge of consumer protection, representatives of consumer protection organizations and market regulators conducted;
- Up to 4 study visits for at least 10 participants per each in duration up to five days related to issues such as cross-border issues (ECC-net), ADR, ODR, E-commerce, organized;
- At least 1 feasibility study examining the legal and organisational conditions of establishing an ECC in Serbia and its functioning in the ECC network prepared;
- At least one feasibility study examining the possibilities for the specialization of consumer organizations in specific field and their networking;
- An Intranet system for the consumer protection organizational system developed.

The Indicators for result 7 are:

- At least one practical guidance/manuals material for traders demonstrating the good practice in consumers' complaint handling prepared;
- At least 3 Information days with interactive activities in at least 3 key cities and commercial points organized;
- At least 1 mobile application with easily accessible on-line material, handy advice, on-line complaint submission and the contact addresses of consumer associations developed;
- One teacher training in consumer protection with the ToT aim who can spread consumer awareness in schools elaborated;
- One Handbook on consumer protection in school curriculum prepared and printed;
- At least 1 school contest with thematized topics (drawings, photos, or case studies) organized;
- At least 4 public exhibitions (gastro festivals and fairs, local festivals during national holidays) at local level organized.

12. Facilities available

The Beneficiary will provide the MS Twinning partner with adequate office space for RTA and experts, meeting rooms and equipment necessary for relevant everyday activities and training foreseen in Twinning fiche.

MTTT will dedicate all necessary human and institutional resources in order to guarantee an effective implementation of the respective project. In particular, the Beneficiary institution will insure the availability of the following provisions:

- Adequately equipped office space for the RTA and the RTA assistants;
- Component Leaders and short-term experts for the entire duration of their secondment (in particular a desk, a telephone line, PC with e-mail account and internet access, possibility to use fax & copy services);
- Adequate conditions for the STEs to perform their work while on mission to the BC;
- Training and conference venues as well as presentation and interpretation equipment;
- The availability of the BC human resources (BC experts) during the implementation of the activities.

ANNEXES TO PROJECT FICHE

1. The Simplified Logical framework matrix as per Annex C1a (compulsory).
2. Reference to feasibility /pre-feasibility studies. For all investment projects, the executive summary of the economic and financial appraisals, and the environmental impact assessment should be attached (optional).
3. List of relevant Laws and Regulations (optional).
4. Reference to relevant Government Strategic plans and studies (may include Institution Development Plan, Business plans, Sector studies etc.) (optional).
5. Mapping of related interventions by government and/or other actors (if existing).
6. Existing donor coordination framework (if existing).
7. The project/sector monitoring framework (if existing).
8. Sector assessment reports of any kind including publically available reports from other International organisations (SIGMA, IMF, etc.).
9. Project/sector relevant publically available Conclusions/agreements between EU and the Beneficiary resulting from the political dialogue.

Annex C1a : Simplified Logical Framework

	Description	Indicators (with relevant baseline and target data)	Sources of verification	Risks	Assumptions (external to project)
Overall Objective	To improve institutional and administrative capacities of the relevant Serbian stakeholders in the area of the consumer protection for the access to the Single market.	Adequate administrative capacity ensured to apply the legislation. The administrative capacity of the authorities for consumer protection rights in terms of implementation and enforcement further strengthened.	EC Progress Report; Strategy documents, Internal rules and procedures; Information on cases handled.		
Specific (Project) Objective(s)	To adequately respond both to the obligations rising from the EU membership and the challenges of the modern market through administrative and institutional empowerment in the field of consumer in Serbia.	Procedures and mechanisms of cooperation in place; Improvement in the enforcement of consumer protection legislation; The enforcement of the consumer protection in Serbia is enhanced and in line with the European Standards.	EC Progress Report, Reports from relevant institutions (Consumer Protection Department, NGO, Market Inspection, ADR bodies, Ministry of Education.		Precondition: grants for ADR bodies should be allocated within the Budget of RS from 2021 in order to make ADR functional. Total amount of funds provided by the Budget of the Republic of Serbia shall be 3 mil RSD (26.000 EUR) in 2021, 7 mil RSD (60.000 EUR) in 2022 and 9 mil RSD (77.000 EUR) in 2023, in accordance with the Project implementation schedule. Assumptions: Adequate human and financial resources available; Commitment of the parties involved and good cooperation among interrelated institutions and project teams; Adequate cooperation among competent national, regional and local institutions; Active participation of all stakeholders involved in the project implementation; Availability of BC experts; Legislative framework in place.

Mandatory results/outputs by components	**Result 1 - Component 1:** Assistance to ensuring national legal framework of consumer protection in line with the EU Acquis provided;	**Result 1**: -At least 1 law and 4 bylaws in consumer protection with changes and/or amendments drafted and endorsed by the Beneficiary; -At least 1 report on further alignment requirements with proposals on where certain EU provisions should be integrated.	**Result 1**: Records and reports of MTTT; Project reports.		**Result 1**: Existing staff in consumer protection department still dealing with a variety of other unrelated issues; A: Staff motivated to learn. R: Insufficient motivation for local self-governments;
	Result 2 – Component 2: Assistance to ensuring an effective legal enforcement of consumer protection provided;	**Result 2**: - Gap analysis of the legal and institutional set up in relation to the Cross-border issues drafted; - At least one feasibility study examining the possibilities of more effective, deterring sanctioning prepared.	**Result 2**: Records and reports of MTTT; Project reports.		
	Result 3 - Component 3: Functional ADR system in the consumer protection field established;	**Result 3**: - At least 4 trainings for at least 4 ADR bodies conducted; - Study proposing incentives to promote the use of ADR by consumers prepared.	**Result 3**: Records and reports of MTTT; Training Reports; Participant lists; Evaluation questionnaire; ADR body's annual reports; Official site of the MTTT (www.mtt.gov.rs) and of the CPD (www.zastitapotrosaca.gov.rs), E-government portal; Project reports.		
	Result 4 - Component 4: Regionally balanced provision of consumer protection services established;	**Result 4**: - A model with the purpose of providing adequate facilities for consumer associations developed with local self-governments; - At least 4 trainings (regional level) for representatives of local self-governments organized;	**Result 4**: Records and reports of MTTT; Training Reports; Participant lists; Evaluation questionnaire; Training certificates; Project reports;		

		Trainings for NGOs/legal advisors on the local level organized.			
	Result 5 - Component 5: New market challenges such as consumer protection within online transactions adequately responded;	**Result 5:** - Study on specific risk areas of e-commerce (peer-to-peer models) and specific tools of discovery and enforcement (e.g. website blocking, warning mechanisms) prepared; - At least 1 annual survey on consumer rights (including e-commerce) prepared; - At least 3 trainings for economic operators on consumer rights in E-commerce for at least 20 participants per training conducted; - At least one "model" web-shop demonstrating the correct application of consumer law in practice developed.	**Result 5**: Records and reports of MTTT; Training Reports; Evaluation questionnaire; Participant lists; Survey results; Official site of the MTTT (www.mtt.gov.rs) and of the CPD (www.zastitapotrosaca.gov.rs) Project reports.		
	Result 6 - Component 6: Capacities, resources and competencies of the consumer protection institutional system reinforced;	**Result 6**: - Training Need Analyses conducted; - Training Plan prepared and endorsed by the Beneficiary; - At least 10 trainings, for at least 20 participants per training, for civil servants in charge of consumer protection, representatives of consumer protection organizations and market regulators conducted; - Up to 4 study visits for at least 10 participants per each in duration up to five days related to issues such as cross-border issues (ECC-net), ADR, ODR, E-commerce, organized; - At least 1 feasibility study examining the legal and organisational conditions	**Result 6**: Records and reports of MTTT; Training reports; Evaluation questionnaire; Training certificates; Official site of the MTTT (www.mtt.gov.rs) and of the CPD (www.zastitapotrosaca.gov.rs); Reports on Intranet maintenance; Reports on study visits.		

	Result 7 - Component 7: Public awareness on Consumer rights raised.	of establishing an ECC in Serbia and its functioning in the ECC network prepared; - At least one feasibility study examining the possibilities for the specialization of consumer organizations in specific field and their networking; - An Intranet system for the consumer protection organisational system developed. **Result 7**: - At least one practical guidance/manuals material for traders demonstrating the good practice in consumers' complaint handling prepared; - At least 3 Information days with interactive activities in at least 3 key cities and commercial points organized; - At least 1 mobile application with easily accessible on-line material, handy advice, on-line complaint submission and the contact addresses of consumer associations developed; - One teacher training in consumer protection with the ToT aim who can spread consumer awareness in schools elaborated; - One Handbook on consumer protection in school curriculum prepared and printed; - At least 1 school contest with thematised topics (drawings, photos, or case studies) organized; - At least 4 public exhibitions (gastro festivals and fairs, local festivals	**Result 7**: Reports on expert visits; Project's Progress report; Guidance/Manual for traders; Official site of the MTTT (www.mtt.gov.rs) and of the CPD (www.zastitapotrosaca.gov.rs) ; Evaluation questionnaire; Training certificates; Handbook for curriculum; Promotional materials.		**Result 7**: Assumption: In accordance with the Part Project Short Description, it depends on MS creative proposal whether E-information kiosks should be tablets or any other user friendly device. In case that tablets should be regarded as the best solution, MTTT will provide at least 10 E-information kiosks (tablets) as self-service points in key commercial centres with easily accessible information and on-line services set up.

		during national holidays) at local level organized.			

Sub-results per component (optional and indicative)	Sub-result 1.1. Provisions of the Law on Consumer Protection and accompanying by-laws improved in line with the EU Acquis; Sub-result 1.2. Alignment requirements through relevant sectoral laws identified; Sub-result 2.1. Institutional set-up in relation to cross-border issues reinforced; Sub-result 2.2. Cooperation between relevant institutions within consumer protection field improved; Sub-result 2.3. Sanctioning system within legal set-up improved; Sub-result 3.1. ADR bodies' knowledge on best EU practice improved; Sub-result 3.2. Consumers' awareness on the advantages of ADR schemes raised;				

	Sub-result 3.3. Recommendations on further improvement of ADR system given; Sub-result 4.1. Capacity building for employees in local self-government reinforced; Sub-result 4.2. Relations between local self-government and NGOs and other consumer organizations improved Sub-result 4.3.Public awareness on consumer protection for local business raised Sub-result 5.1. Capacity building of relevant institutions on specific risk areas of e-commerce improved; Sub-result 5.2. Capacity building of e-traders on relevant legal provisions reinforced; Sub-result 5.3. Awareness of e-traders and consumers on transactions in accordance with the law raised.				

	Sub-result 6.1. Capacity building of civil servants, NGOs representatives and market regulators reinforced; Sub-result 6.2. Capacity building of relevant institutions on ECC-net organisational and legal requirements reinforced; Sub-result 6.3. Knowledge on how to improve NGO sector improved; Sub-result 6.4. Organisational capacities (through development of Intranet) of the relevant institutions reinforced. Sub-result 7.1. Awareness of traders on handling consumer complaints raised; Sub-result 7.2. Consumer awareness, through different channels (public exhibitions, information days, mobile applications) raised;				

	Sub-result 7.3. Tools for capacity building of teachers' in consumer protection field prepared; Sub-result 7.4. Awareness of school children on consumer protection issues raised.				

OVERALL OBJECTIVE: Indicate the global strategic objective which goes beyond the immediate scope of the project but to which the project can contribute. The overall objective should be linked to the general sector reform in the Beneficiary country, as agreed in the framework of the definition of cooperation with the EU.
These are the changes in the political, social, economic and environmental global context which will stem from interventions of all relevant actors and stakeholders in the project. These require the involvement of third parties that were not direct beneficiaries of the intervention. Hence, changes are indirectly influenced by EU Intervention.
Specific PROJECT OBJECTIVE(S): Identify the specific objective(s) that shall be achieved through the implementation of the Twinning project. These are the effects on the political, social, economic and environmental areas targeted by EU intervention as well as changes in behaviour of Beneficiaries of EU intervention.
MANDATORY RESULTS/OUTPUTS: Describe each of the results that shall be achieved by the project, as outlined in the Twinning Fiche. Each mandatory result/output should correspond to a "project component". Please include one line per component.
INDICATORS: (with relevant baseline and target data): Provide an indication of how the achievement of each component of the mandatory results, from sub results per component to outcomes (specific objectives) and to impact (overall objective), will be measured. Make sure that the indicators define the following, as appropriate: 1. Value of measurement (Quantity or Quality); 2. Baseline and target (values and times); 3. Actors in charge of data collection and reporting; 4. Target Group; 5. Deadline for reporting; 6. Place. Baseline and target data, as indicated in the Twinning Fiche, to be mentioned in brackets next to each indicator. Indicators may be revised if deemed appropriate when drafting the initial work plan.
SOURCES OF VERIFICATION: For every component, specify the sources of information from which evidence can be obtained that the targets have been achieved: e.g. independent reports, surveys, Official Journal, Commission reports, etc.
RISKS: Mention external factors which can potentially hinder the successful implementation of the project, including any event beyond the control of the main actors involved.
ASSUMPTIONS: Specify the external conditions and/or third parties initiatives which can influence the implementation of the project to the point that only their fulfilment can guarantee its success. These are the necessary and positive conditions that allow for a successful cause-and-effect relationship between different levels of results.

ANNEX II: List of relevant Laws and Regulations

Relevant National documents:

Reference to SAA: Article 78 of the SAA
The Article 78 of the SAA refers to Consumer protection. Within this article, it is stipulated that Parties shall ensure:
a) A policy of active consumer protection, in accordance with Community law, including the increase of information and development of independent organisations;
b) The harmonisation of legislation of consumer protection in Serbia on that in force in the Community;
c) Effective legal protection for consumers in order to improve the quality of consumer goods and maintain appropriate safety standards;
d) Monitoring of rules by competent authorities and providing access to justice in case of disputes;
e) Exchange information on dangerous products.
The Project will directly contribute to further development of integrated and coherent system for Consumer protection in Serbia by enabling enforcement of legislation aligned with EU acquis and by enhancing capacities and improving cooperation among all consumer protection institutions, especially by strengthening partnership between MTTT and consumer protection organisations (NGO's)

Strategic documents:
Strategy for Consumer Protection for 2013 – 2018, adopted by the Government on July 17, 2013. Strategy is a program planned document referring to the period 2013-2018. It consists of a vision of the national system of consumer protection till 2018 and the list of concrete measures that the Republic of Serbia must enforce in the direction of the realization of the mentioned vision.
Activities regarding cooperation between enforcement agencies – measures foreseen in the AP of the National Strategy:
• Improving the protection of the rights and interests of consumers amending regulations
• Better integration of consumer policy into other state's policies
• Further strengthening of the institutional framework of consumer protection
• More effective law enforcement and efficient market surveillance system in the field of consumer protection
• Strengthening consumer associations and individual consumers
• Developing a solid framework for regional and international cooperation

In terms of legislation, the area of consumer protection is regulated by:
1. Law on Consumer Protection (Official Gazette of RS, no. 62/14 and 6/16-other law);
2. Rulebook on the registration of consumer protection organisations and their associations and conditions of registration (Official Gazette of the Rep. of Serbia, No. 21/2015);
3. Rulebook on the contents of withdrawal form of distance contract and off premises contract (Official Gazette of the Rep. of Serbia, No. 21/2015);
4. Regulation on the contents of the standard information form for timeshare contract, long-term holiday product contract, resale assistance contract and timeshare exchange contract (Official Gazette of the Rep. of Serbia, No. 12/2015);

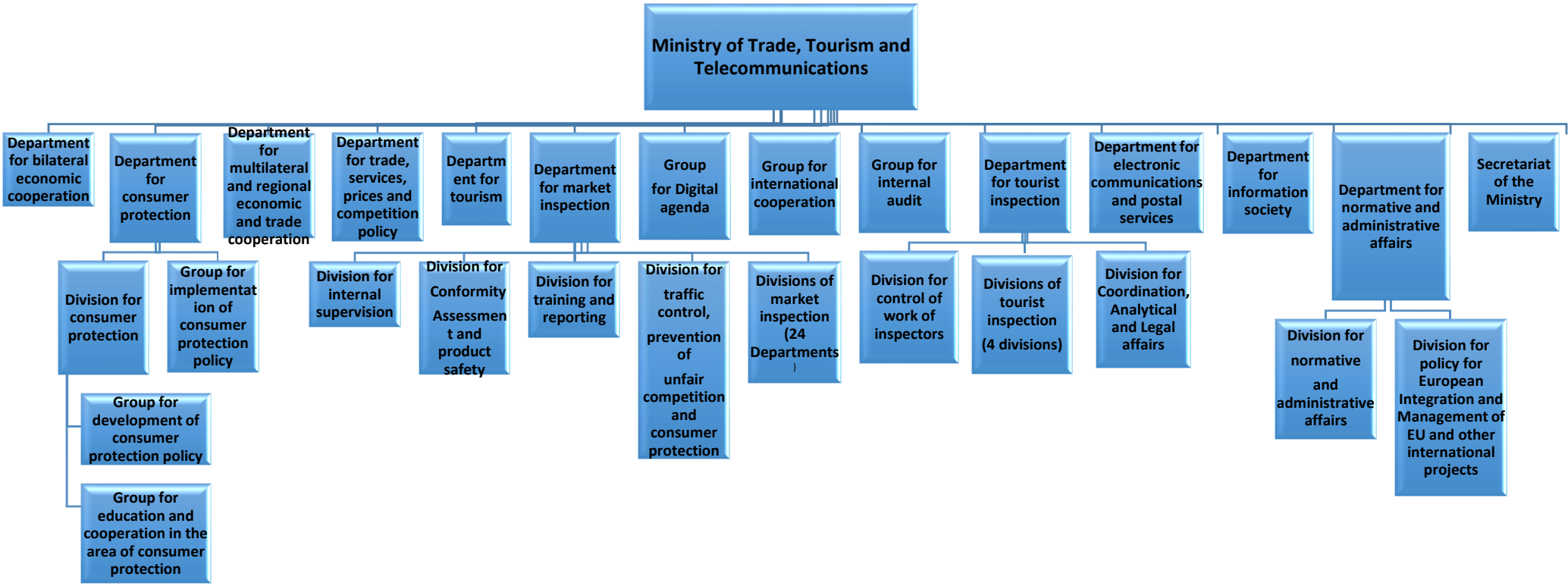
5. Regulation on the contents of the withdrawal form of timeshare contract, long-term holiday product contract, resaleassistance contract and timeshare exchange contract (Official Gazette of the Rep. of Serbia, No. 12/2015).
6. Law on Trade (Official Gazette of RS, no.52/19);
7. Law on E-trade (Official Gazette of RS, no. 41/09, 95/13 and 52/19);
8. Law on Electronic Communications (Official Gazette of RS, no. 44/10, 60/1, 62/14and 95/18);
9. Law on Tourism ("Official Gazette of RS", no. 17/19);
10. Law on Advertising ("Official Gazette of RS", No. 6/16);
11. Law on Public Ski Resorts ("Official Gazette of RS", no. 46/06);
12. Law on Associations ("Official Gazette of RS", no. 51/09, 99/11- other Law and 44/18 - other law);
13. Law on Accreditation ("Official Gazette of RS", no. 73/10);
14. Law on Standardization (Official Gazette of RS, no. 36 / 09 and 46/15);
15. Law on Metrology ("Official Gazette of RS", no. 15/16);
16. Law on Technical Requirements for Products and Conformity Assessment ("Official Gazette of RS", No. 36/09);
17. Law on Energy ("Official Gazette of RS", No. 145/14 and 95/18 - other law);
18. Law on Environmental Protection ("Official Gazette of RS", no. 135/04, 36/09, 36/09/09, 72/09/09, 43/11-1, 14/16, 76/18, 95/18);
19. Law on Protection of Financial Service Consumers (Official Gazette of RS, no. 36/11, 139/14);
20. Law on Protection of Financial Service Consumers in Distance Contracts ("Official Gazette of RS", no. 44/2018);
21. Law on Financial Leasing ("Official Gazette of RS", No. 55/03, 61/05, 31/11, 99/11 - other Law and 99/11 other Law);
22. Law on Protection of Competition, Official Gazette of RS, no. 51/09, 95/13);
23. Law on General Product Safety (Official Gazette of RS, no. 41/09);
24. Law on Market Surveillance, (Official Gazette of RS, no. 92/11);
25. Law on Food Safety, (Official Gazette of RS, no. 41/09 and 17/19);
26. Law on Strong alcoholic beverages (Official Gazette of RS 92/15);
27. Law on Ethanol ("Official Gazette of RS", 41/09);
28. Law on Veterinary Medicine ("Official Gazette of RS", no. 91/05, 30/10 and 93/12);
29. Law on Beer (Official Gazette of RS, 30/10);
30. Law on Health Safety of Products of General Use (Official Gazette of RS, no. 92/11);
31. Law on Health Care ("Official Gazette of RS", no. 25/19);
32. Law Health Insurance ("Official Gazette of RS", no. 25/19);
33. Law on medicinal Products and Medical Devices ("Official Gazette of RS", no. 30/10, 107/12, 113/17 dr. law and 105/2017 - dr. law);
34. Law on Waste Management ("Official Gazette of RS", no. 36/09, 88/10, 14/16 and 95/18 - other law);
35. Law on Water (Official Gazette of RS, no. 30/10, 93/12, 101/16, 95/18 and 95/18 - other law);
36. Law on Organic Production, (Official Gazette of RS, no. 30/10, 17/19);
37. Law on Tobacco, (Official Gazette of RS, no. 101/05, 90/07, 95/10, 36/11, 93/12, 108/13);
38. Law on Wine, (Official Gazette of RS, no. 41/09, 93/12);
39. Law on Sanitary Surveillance (Official Gazette of RS, no. 125/04);

40. Law on sanitary safety of items of general use (“Official Gazette of RS”, 92/11);
41. Law on financing of local self-government (“Official Gazette of RS”, no. 62/06, 47/11, 93/12, 99/13 - harmonized din. no., 125/14 - harmonized din. no., 95/15 - harmonized din., 83/16, 91/16 - harmonized din., 104/16 - other law, 96/17 - harmonized din., 89/18 - harmonized din., 95/18);
42. Law on Obligations, (Official Journal of SFRY, no. 29/78, 39/85, 45/89, 57/89, Official Journal of FRY, no 31/93, 22/99, 23/99, 35/99, 44/99);
43. Law on Banks (Official Gazette of RS, no. 107/05, 91/10, 14/15);
44. Law on National Bank of Serbia ("Official Gazette of RS", no. 72/03, 55/04, 85/05 - other Law, 44/10, 76 / 12, 106/12, 14/15, 40/15 - US and 44/18 decisions);
45. Law on voluntary pension funds and pension schemes (“Official Gazette of RS”, No. 85/05 and 31/11) are under the responsibility of the National Bank of Serbia;
46. Law on Technical Requirements for Products and Compatibility Assessment (“Official Gazette of RS”, No. 36/09);
47. Low on Local self-government is regulated by the Local Self-Government (“Official Gazette of RS”, no. 129/07, 83/14 - other law, 101/16 - other law and 47/18);

Annex III

List of applicable Union acquis/standards/norms

Directives implemented in the Law on Consumer Protection:

1. 85/374/EEC (Liability for defective products),
2. 2011/83/EC (Consumer rights),
3. 93/13/EEC (Unfair terms in consumer contracts),
4. 99/44/EC (Some aspects of the sale of consumer goods and associated guarantees),
5. 2005/29/EC (Unfair commercial practice),
6. 2008/122/EC (Certain aspects of timeshare, long-term holiday products, resale and exchange contracts),
7. 2009/22/EC (Injunctions for the protection of consumers' interests),
8. 2013/11/EU on consumer ADR
9. 2015/2302/EU (Package travel and linked travel arrangements) amending Regulation (EC) No 2006/2004 and Directive 2011/83/EU and repealing Directive 90/314/EEC
10. 2019/2161/EU (Better enforcement and modernisation of Union consumer protection) amending Directive 93/13/EEC and Directives 98/6/EC, 2005/29/EC and 2011/83/EU
11. Regulation (EU) 2017/2394 (Cooperation between national authorities responsible for the enforcement of consumer protection laws)
12. Regulation 524/2013/EU on consumer ODR,
13. Commission Recommendation 98/257/EC and
14. Commission Recommendation 2001/310/EC (Out-of-court settlement of consumer disputes)

ANNEX IV **Organizational chart**