

SENIOR ATTORNEY ON BUSINESS REFORM

DUTY STATION: Sarajevo

CONTRACT: National

GRADE: 8

DURATION: (Until May 31st 2004 with possible renewal after that date, depending on funding.)

PURPOSE AND SCOPE OF POSITION

On 12 November 2002, on the initiative of the High Representative, Paddy Ashdown, a group of BiH businesspeople, together with representatives of the main international financial organizations, launched the Bulldozer Committee. The object was to build a working partnership between BiH politicians and businesspeople and identify specific clauses in legislation that prevent companies from expanding their businesses and creating more jobs. The Committee set itself the task of having "50 reforms enacted within 150 days".

Drawing up its first round of reforms, the Committee received input from more than 500 firms. Issues raised included compulsory fees for professional associations, double taxation, cumbersome administrative procedures, and job-destroying labor practices. Within the Bulldozer Committee, each proposal was worked on by a qualified group of lawyers and economists, who studied the recommendations in detail, developed legal solutions and assessed the likely consequences for the economic environment. More than 20 local associations, such as regional business associations, the Employer's Confederation, the Women's Business Network, the Central Bank, the Foreign Investment Promotion Agency and the Micro-Credit

Network, gathered around the Bulldozer Committee to evaluate the reform proposals. During three Plenary Sessions, the Committee voted on the best 50 economic roadblocks to present to the governing bodies.

Following high-profile events, intensive dialogue took place between the Bulldozer Committee and the BiH Council of Ministers, RS and FBiH Governments. A coordinator was appointed in each government. Each coordinator dispatched their respective proposals to their relevant Ministries, and asked for their comments, reactions, and eventually counter-proposals.

In each Ministry, working groups were formed to look at each reform and responses were formulated. The Bulldozer Committee met with all the principal Ministries and discussed the specific reforms and the working group responses in great detail. Each time, there was either complete agreement, or a legal middle ground, that did not detract from the original intent of the proposal, was negotiated.

All governing bodies finally adopted all reforms. Some of them were dealt with through a government decision, and the others (that consisted of legal amendments to existing laws) were sent to the parliaments. The BiH, FBiH, RS and Brcko parliaments adopted all the Bulldozer amendments with a 30 days delay beyond the original 150-day deadline. Despite the delay, the results were attained in a time frame that had never been reached before. From beginning to end, on average, the initiative corresponded to the adoption of an economic reform every four days.

In order to build on the success of the process, Phase II of the Bulldozer Initiative was launched on June 4th 2003. The aim of Phase II is to continue promoting the legitimate interests of the business community, local advocacy associations and civil society and to create a working partnership with elected representatives.

In Phase II, the Bulldozer Committee is represented by six regional Bulldozer Committees which have been established by organizations representing local businesses in their areas. Their focus is to identify new reforms at the municipal/cantonal/regional level as well as to oversee the implementation of Phase I reforms at the local level.

In recognition of the civic society movement for reform, the three Prime Ministers, the six Heads/Speakers of Parliaments, the Mayor of Brcko, and seven Bulldozer local representatives have all ratified an agreement called "The Protocol for Prosperity", which commits all the signatories to engage further in the Bulldozer reform process.

An OHR team, the Bulldozer Initiative Unit, is coordinating the Bulldozer effort. The team is already composed of:

- A Coordinator and Senior Business Development Advisor
- A Business Reform Implementation Manager
- A Senior Interpreter and Admin manager

To complement the team and work specifically on the legal work needed to prepare the reform proposals, the Bulldozer Initiative Unit is now recruiting:

- A Senior Attorney for Business Reform

DUTIES AND RESPONSIBILITIES

Under the general guidance of the Deputy High Representative Head of Economic Department and with the direct supervision of the Coordinator of Bulldozer Initiative Unit, the Senior Attorney for Business Reform will be working with a small team of lawyers specializing in commercial law. Alone or with this team, s/he will identify, examine, research, evaluate and

report to the Coordinator of Bulldozer Initiative Unit on legal aspects of, among other, business, commercial, trade, labor, tax and corporate laws, with the objective of accelerating market reform and private sector development.

Working as part of a team, the main functions of the Senior Attorney for Business Reform include:

- Filtering reform proposals from private businesses;
- Assess their potential for sound business reforms;
- Determine the appropriate legal approach for reaching the goal of the reform;
- Reviewing existing bodies of laws;
- Suggesting amendments;
- Drafting new articles and laws;
- Having responsibility for the overall processing and classification of incoming and outgoing reforms.

PROFESSIONAL REQUIREMENTS

- University degree in Law;
- Minimum 5 years of experience in a private foreign or Bosnian business;
- Strong experience with research and drafting;
- Fluency in English and Bosnian languages, with excellent writing skills in both;
- Strong team spirit;
- Advanced computer skills (word processing/spreadsheet);

- Excellent analytical capacity;
- Ability to meet tight deadlines;
- Ability to work well with economists and businessmen;
- Ability to speak in public; cross-cultural sensitivity and strong interpersonal skills.

Any personnel with the above qualifications should provide a
CV (in English) with a

one-page cover letter and references to:

Personnel Department

OHR Sarajevo

Emerika Bluma 1, 71000 Sarajevo

Fax: +387 (0) 33 283 771

application@ohr.int

E-mail:

Reference No. 2003/020 must be quoted

Closing date for applications: 24th November 2003

Only short-listed candidates will be contacted

No telephone enquiries please