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Terms of Reference (ToR) for a Short-Term assignment

Technical assistance requested:	One (1) Senior Non-Key Expert in the area of Agricultural Policy – Common Market Organization
Project Title:	Policy and Legal Advice Centre (PLAC II), Serbia
Ref:	EuropeAid/137065/DH/SER/RS
Service Contract No.:	(CRIS) 2016/375-724
Main beneficiary:	The European Integration Office of the Republic of Serbia and the Negotiating Team
Target Beneficiaries:	The Ministry of Agriculture and Environmental Protection
Content of the assignment:	Assistance in preparing Table of Concordance (ToC) for Draft Law on Organization of Agricultural and Food Products Market
Budget Line / Expert Category:	Senior Non-Key Expert
Duration of the assignment:	10 working days, spent during up to two missions in the period from January 2017 to (tentatively) March 2017

1. Relevant background information

Background information in relation to PLAC II project:

The scope of PLAC II project is to provide support to relevant national institutions in charge of alignment of national legal acts with the EU acquis and to contribute to further building of capacities of relevant national structures for successful carrying out of accession negotiations.

The PLAC II project should achieve two results:

RESULT 1 - Enhanced compatibility of national legislation with EU legislation and its effective implementation,

RESULT 2 - Enhanced capacities of the relevant national structures for successful carrying out of accession negotiations.

In general, the project aims at fostering the process of accession negotiations of Serbia by supporting the effective alignment of national legislation with the acquis and its implementation and by further building the capacities of involved carriers of the EU integration process in Serbia. After completion of screening process in 2015, Serbian public administration has entered into much more demanding and obliging exercise of accession negotiations, whereby each step and every decision should result in approaching actual membership in the EU. For this scenario to happen in accordance with planned dynamics, preparedness, adequate institutional capacity of public administration with highly competent staff is of crucial importance. In the core period of the negotiations, PLAC II Project shall support domestic line institutions and the negotiating structures both in performance of quality operational work in relation to harmonisation process and in the effective coordination during various stages and phases in the process for different negotiation chapters.

Background information in relation to Chapter 11 – Agriculture and Rural Development and related to Draft Law on Organization of Agricultural and Food Products Market:

The Screening Report for Chapter 11 – Agriculture and Rural Development (Part III.b: Common market organisation) states that “*Serbia has no market measures as applied in the EU in place. It will need to be*



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able to apply the complete set of market mechanisms of the acquis upon accession including interventions. Serbia will also have to establish all required trade measures (e.g. certificates, customs controls)."

The Ministry of Agriculture and Environmental Protection (MoAEP) has recognised the importance of adopting a new law regulating the market in some sectors of agricultural products. The new law is aimed at creating conditions for activating selected measures of market regulation and gradually transposing key EU legislation governing this area, in particular the EU Regulation 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing the Common organization of the markets in agricultural products.

Draft Law on Organization of Agricultural and Food Products Market has been prepared by the Ministry of Agriculture and Environmental Protection, with assistance provided by PLAC I Project. In the revised National Plan for the Adoption of the Acquis for 2016-2018, the adoption of the new law has been planned for Q2 in 2017. In order to prepare for the adoption of the new Draft Law on Organization of Agricultural and Food Products Market by planned deadline, additional assistance is needed for fine tuning of Draft Law on Organization of Agricultural and Food Products Market with relevant EU provisions, as well as in preparing the relating Table of Concordance.

2. Description of the assignment:

2.1 Specific objectives

The specific objective of this assignment is to provide assistance in further harmonisation of Draft Law on Organization of Agricultural and Food Products Market with provisions of Regulation (EU) 1308/2013, for finalising the relating Table of Concordance annexed to its version ready for submission to the EC for comments and for launching public debate in its connection.

Draft Law on Organization of Agricultural and Food Products Market shall be complemented with the Table of Concordance, reflecting the level of correspondence of the national legislation with the regulations of the EU and considering also its comparison to the overall EU law. Having in mind that the new Law and several accompanying by-laws will regulate a huge area of many different markets of agricultural and food products, expert assistance is needed in preparation of relevant Table of Concordance.

2.2 Requested services

The Senior NKE is expected to provide the following services:

- a) To analyse the existing Draft Law on Organization of Agricultural and Food Products Market and perform gap analysis for its fine-tuning with the relevant EU acquis, with proposals for necessary improvements;
- b) To draft first version of Table of Concordance (ToC) of the level of compliance of Draft Law on Organization of Agricultural and Food Products Market with Regulation (EU) 1308/2013, where considering also its comparison to the overall EU law;
- c) To present the findings and proposals to target beneficiaries, and agree on proposed improvements;
- d) To assist in finalising improved version of proposed amendments to the new Law, for its alignment with the EU acquis and relating ToC.



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2.3 Outputs

The Senior NKE is expected to deliver the following outputs:

- First version of Table of Concordance (ToC) of the level of compliance of Draft Law on Organization of Agricultural and Food Products Market with Regulation (EU) 1308/2013, where considering also its comparison to the overall EU law, including proposals for its improvements, where necessary;
- Upon prior agreement with Beneficiary, improved version of amendments to the new Law and relating ToC.

2.4 Reporting

The NKE shall provide the following reports by using the templates of the Project:

- Brief Mission Report with description of activities and outputs provided, at the end of each mission, during which tasks under this assignment have been carried out;
- Final Mission Report, no later than 1 week after completion of tasks under this assignment. This report will include description of all activities and outputs provided by the NKE in the context of this assignment.

Submission of reports:

- Draft mission report shall be submitted to the Team Leader of the Project for review and comments at the end of the mission.
- Final version of the mission report prepared in the relevant quality shall be submitted to the Team Leader of the Project for review, comments and final approval. The reports shall be signed by the NKE and the Team Leader responsible for endorsing the report.
- The report and all prepared documents shall be submitted in hard copy and electronic version to the Team Leader of the project.

2.5 Specifics

The Senior NKE shall work under the guidance and follow the instructions of the Team Leader. The NKE shall collaborate with the project team, other experts involved and representatives of beneficiary institutions and national structures, as relevant.

The NKE's activities and outputs mentioned above may be adjusted by the Team Leader at any stage in the implementation of the Project, depending on the evolving needs of the Project and main beneficiaries. Each of the short-term mission, its timing and duration shall be agreed with the Team Leader prior to each mission.

2.6 Final use of intervention and perspectives for the future

The MoAEP has planned the adoption of the new Law on Organization of Agricultural and Food Products Market in the revised NPAA, for the period until the end of Q2 in 2017. Assistance in fine-tuning of the Law and in finalising the relating ToC will contribute to further progress by national authorities in the process of harmonisation of national legislation. Based on the adoption of the new Law, representing an important milestone in this process, drafting and issuing of large number of by-laws in the area of common market organisation will follow.



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3. Expert input

3.1 Total working days

10 working days (WDs) in total have been planned for this assignment.

Additional number of WDs may be allocated for this ToR, should the needs of target beneficiary require an extension for the activity areas mentioned in this ToR.

3.2 Period of the assignment

January 2017 – (tentatively) March 2017

3.3 Starting day

It is expected that the work will be performed during up to two missions and starting at the earliest, from 23 January 2017 onwards. However, exact starting date will be agreed at a later stage.

3.4 Location/Place of assignment

The NKE has to deliver 100% of the input in Belgrade, Serbia.

3.5 Working language

English

4. Expert Profile

4.1 Qualifications and skills (25 points)

- An university degree (where an university degree has been awarded on completion of three years study in an university or equivalent institution) in Agriculture, Law, Economy or similar, relevant to the assignment
- Proficiency in English language
- Computer literacy (MS Office applications)

4.2 General professional experience (25 points)

- Minimum 10 years of postgraduate professional experience in the field of agricultural policy, gained in an EU member state, candidate or potential candidate country

4.3 Specific professional experience (50 points)

- Proven professional experience in harmonisation of legislation in the field of Common Agricultural Policy and related to common market organisation
- Previous professional experience, and/or knowledge of the legislation, of the Republic of Serbia in the respective area would be an advantage.

5. Applications

Applications (EU format CV and application letter, both in English) need to be submitted by e-mail to SEPLAC@altairasesores.es no later than 17:00 hrs, **19 December 2016**, titled: **“Application for the position – Senior NKE in the area of Agricultural Policy – Common Market Organization”**.

References must be available on request. Only short-listed candidates will be contacted.



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The Project is an equal opportunity employer.
All applications will be considered strictly confidential.

Advertised post is not available to civil servants or other officials of the public administration in the beneficiary country, Serbia.

For more information, please contact Project Manager at Altair Asesores S.L.: m.garcia@altairasesores.es
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Project implemented by
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in consortium with:
u konzorcijumu sa:

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