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

<b>Technical assistance requested:</b>	2 (two) Senior Non-Key Experts in the area of environmental quality standards in the field of water policy
<b>Project Title:</b>	Policy and Legal Advice Centre (PLAC II), Serbia
<b>Ref:</b>	EuropeAid/137065/DH/SER/RS
<b>Service Contract No.:</b>	(CRIS) 2016/375-724
<b>Main beneficiary:</b>	The Ministry of European Integration of the Republic of Serbia and the Negotiating Team
<b>Target Beneficiaries:</b>	The Ministry of Environmental Protection - Water Directorate, Serbian Environmental Protection Agency and other relevant institutions involved in protection and management of waters
<b>Content of the assignment:</b>	Analysis of possible application or non-application of discretionary provisions for Mixing zones according to EQS Directive 2008/105/EC
<b>Budget Line / Expert Category:</b>	Senior Non-Key Experts
<b>Duration of the assignment:</b>	20 WDs in total, equally split between SNKEs, spent in the period from November until (tentatively) December 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.



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## **Background information in relation to Chapter 27 – Environment and climate change and related to water protection and management sector:**

The Republic of Serbia is intensively preparing for negotiations with the EU regarding Chapter 27 – Environment and climate change. EU environment policy is based on preventive action; the polluter pays principle, rectifying environmental damage at source, shared responsibility and the integration of environmental protection into other EU policies. The *acquis* comprises of over 200 major legal acts covering horizontal legislation relevant for the environmental sector in general, as well as sub-sector legal acts (e.g. water and air quality, waste management, nature protection, industrial pollution control, chemicals, noise and climate change). Environmental protection is recognised as one of the most challenging and complex chapters when it comes to harmonisation of national legislation with the EU standards and norms. Moreover, implementation of the legislative norms in environmental sector requires significant investments. In addition, institutional set-up and capacities at national and local level are a precondition for the application and enforcement of the environmental *acquis*.

In line with the results of explanatory and bilateral screening for Chapter 27, National Programme for Integration of the Republic of Serbia into the EU, Post-screening document and other relevant documents, Serbia needs before the accession, in water management field, to finalise alignment with the *acquis* and continue to prepare and conduct necessary reforms in the water management sector so as to demonstrate that it will be fully prepared to ensure the implementation and enforcement of the EU requirements at the date of accession. Full transposition is planned and expected by the end of 2018.

In the context of the above, in the area of management and protection of water, activities related to aligning national legislation with the *acquis* and reorganising responsible institutions in most effective manner for the application and enforcement of the relevant *acquis* have been given the utmost priority.

## **2. Description of the assignment**

### **2.1 Specific objectives**

The specific objective of this assignment is to provide relevant inputs for making a decision whether the Republic of Serbia should or should not apply mixing zones in accordance with Art 4 of the Directive 2008/105/EC of the European Parliament and of the Council of 16 December 2008 on environmental quality standards in the field of water policy (amending and subsequently repealing Council Directives 82/176/EEC, 83/513/EEC, 84/156/EEC, 84/491/EEC, 86/280/EEC and amending Directive 2000/60/EC of the European Parliament and of the Council) as amended by Directive 2013/39/EU. In the scope of this objective, preliminary list of priority substances pollution sources in the Republic of Serbia shall be finalised and complemented by estimated financial implications of application of mixing zones vs. non-application of mixing zones (Art 4 of EQSD).

### **2.2 Requested services**

**Senior NKE 1 (technical expert)** in the area of environmental quality standards in the field of water policy is expected to provide the following services:

- a) To analyse the existing data provided by the Serbian Environment Protection Agency on point sources of priority substances listed in Annex I, Part A of EQS Directive and make the estimation



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- of priority substances pollution sources in a Preliminary list of priority substances pollution sources in the Republic of Serbia;
- b) To prepare an overview of all obligations arising from application of Article 4 of EQS Directive from both legal and practical point of view;
  - c) To present the overview of obligations and the estimation of priority substances pollution sources to the beneficiaries at a joint meeting or a workshop;
  - d) To assist the Senior NKE2 (financial expert) by providing inputs for her/his preparing of the financial estimations related to two scenarios.

**Senior NKE2 (financial expert)** in the area of environmental quality standards in the field of water policy is expected to provide the following services:

- a) To estimate financial implications for scenario 1 in which the Republic of Serbia chooses to designate mixing zones and fully apply Article 4 of EQSD, as well as for scenario 2 in which the Republic of Serbia opts-out of the application of the mentioned Article, based on inputs prepared by Senior NKE 1 (technical expert) and all relevant information and data provided by the beneficiaries. In these estimations, SNKE 2 will also take into account all legal obligations arising from Article 4 of EQSD, as well as possible repercussions on industrial sector;
- b) To present financial estimations and findings to the beneficiaries at a joint meeting or a workshop.

### 2.3 Outputs

**Senior NKE1** is expected to deliver the following outputs:

- Report on the estimation of priority substances pollution sources in the Republic of Serbia made on the basis of the existing data and information provided by SEPA, including a Preliminary list of priority substances pollution sources in Republic of Serbia;
- Overview of all obligations arising from application of Article 4 of EQS Directive from both legal and practical point of view.

**Senior NKE2** is expected to deliver the following outputs:

- Report on estimated financial implications of application of mixing zones vs. non-application of mixing zones in the Republic of Serbia on the basis of inputs provided by NKE 1, taking into account all legal obligations arising from Article 4 of EQSD in case of scenario 1, as well as possible repercussions on industrial sector;

### 2.4 Reporting

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

- Brief Mission Reports with description of activities and outputs provided, at the end of each mission under this assignment,
- 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.



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#### 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 reports.
- The reports and all prepared documents shall be submitted in hard copy and electronic version to the Team Leader of the Project.

### 2.5 Specifics

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

The NKEs' 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, main beneficiary and/or target 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 estimations complemented by financial implications will be used for decision-making regarding Article 4 of EQS Directive, as optional provision. It is important to make this decision prior to drafting of new bylaw, which will fully transpose EQSD, adoption of which is planned after the adoption of new Draft Water Law, currently in finalisation. Technical and financial estimations will also contribute to preparing of the relevant part of the Negotiating Position for Chapter 27 related to EQS Directive, which is planned to be prepared by the end of 2017.

## 3. Expert input

### 3.1 Total working days

20 working days (WDs) in total have been planned for this assignment, equally split between SNKEs.

### 3.2 Period of the assignment

November – (tentatively) December 2017.

SNKEs shall, at some point, work in parallel. Details regarding the most relevant timing of their missions shall be agreed at a later stage.

### 3.3 Starting day

It is expected that the work will be performed during two missions in the period from November 2017 until (tentatively) December 2017 and starting, at the earliest, from 06 November 2017 onwards. However, exact starting date will be agreed at a later stage.



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### 3.4 Location/Place of assignment

The SNKEs have to deliver 100% of the input in Belgrade, Serbia.

### 3.5 Working language

English

## 4. Expert Profile

**4.1 Senior NKE1 (technical expert)** in the area of environmental quality standards in the field of water policy:

#### 4.1.1 Qualifications and skills (25 points)

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

#### 4.1.2 General professional experience (25 points)

- Minimum 10 years of postgraduate professional experience in the field of water protection gained in an EU Member State or a candidate country

#### 4.1.3 Specific professional experience (50 points)

- Proven professional experience in implementation of Water Framework Directive 2000/60/EC and EQS Directive 2008/105/EC, in particular related to combined approach and priority substances
- Previous professional experience, and/or knowledge of the legislation of the Republic of Serbia in the respective area would be an advantage

**4.2 Senior NKE2 (financial expert)** in the area of environmental quality standards in the field of water policy:

#### 4.2.1 Qualifications and skills (25 points)

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

#### 4.2.2 General professional experience (25 points)

- Minimum 10 years of postgraduate professional experience in the field of financial economics gained in an EU Member State or a candidate country



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#### 4.2.3 *Specific professional experience (50 points)*

- Proven professional experience in the field of financial economics in the area of environmental protection - water management according to the EU standards
- Previous professional experience with regard to financial expertise in industrial and/or utility sector and related to EQS in the field of water policy 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](mailto:SEPLAC@altairasesores.es) not later than 17:00 hrs, 29 October 2017, titled: **“Application for the position – SNKE1 (technical expert) in the area of EQS in the field of water policy”** or **“Application for the position – SNKE2 (financial expert) in the area of EQS in the field of water policy”**.

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

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

Advertised posts are 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](mailto:m.garcia@altairasesores.es)/ Tel. +34 91 3952798.