

Policy and Legal Advice Centre (PLAC III)

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

Technical assistance requested:	1 (one) Senior Non-Key Expert in the area Ch.15 - Energy; Nuclear Safety and Radiation Protection – Review of Radiation and Nuclear Safety Strategy
Project Title:	Policy and Legal Advice Centre (PLAC III), Serbia
Ref:	EuropeAid/139295/DH/SER/RS
Service Contract No.:	(CRIS) 2018/404-529
Main beneficiary:	The Ministry of European Integration of the Republic of Serbia and the Negotiating Team
Target Beneficiaries:	Negotiating Group Ch. 15; Serbian Radiation and Nuclear Safety and Security Directorate (SRBATOM)
Budget Line /Expert Category:	One Senior Non-Key Expert
Duration of the assignment:	10 working days (WD), from October until December 2020 (10 WD SNKE)

1. Relevant background information

Background information in relation to PLAC III project:

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

The PLAC III 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 the Republic of Serbia by supporting the effective alignment of national legislation with the Union *acquis* and its implementation and by further building the capacities of involved carriers of the EU integration process in the Republic of 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 III 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.

2. Background information in relation to Chapter 15 – Energy – Radiation protection and nuclear safety area

According to the European Commission Screening Report for Ch 15 from 2015, Chapter 15 - Energy (III.i. and III.h.), Serbia will need to further adapt its national legislation to reach full alignment with Council Directive 2013/59/Euratom laying down Basic Safety Standards for Protection against the dangers arising from exposure to Ionising radiation and repealing Directives 89/618/Euratom, 90/641/Euratom, 96/29/Euratom, 97/43/Euratom, and 2003/122/Euratom, Council Directive 2009/71/Euratom establishing a Community framework for the nuclear safety of nuclear installations and Council Directive 2014/87/Euratom amending Directive 2009/71/Euratom establishing a Community framework for the nuclear safety of nuclear installations. The general responsibilities of the Member States and the competent authorities and other requirements for regulatory control, as required by Directive 2013/59 are partially transposed into Serbian legal framework.

In the third revision of the National Programme for Adoption of the Acquis - NPAA, for the period 2018-2021, section 3.15.3, further improvements of the national legislation are planned to comply with requirements of Union acquis in the field of radiation protection and nuclear safety, in particular with Council Directive 2013/59/Euratom. In this connection, new legislation is planned to be adopted by 2021 (Law – Q1 of 2019 and bylaws by Q4 of 2021).

In December 2018, the Law on Radiation and Nuclear Safety and Security (Official Gazette of the Republic of Serbia, No. 95/18 and 10/19) came into force. The law is partially harmonised with the Council Directive 2013/59/Euratom, Council Directive 2009/71/Euratom, Council Directive 2014/87/Euratom and a full harmonisation is expected by adoption of bylaws in the next period according to the NPAA. Very important parts are requirements of the Directive 2013/59/Euratom in the field of medical application of radiation sources.

Additionally, in 2017 the Law on the Ratification of the Convention on Nuclear Safety came into force.

PLAC III assistance is needed to assist the Serbian Radiation and Nuclear Safety and Security Directorate (SRBATOM) to further harmonise with the EU requirements in the field of radiation and nuclear safety in particular with general requirements of the Council Directive 2013/59/Euratom as well as requirements of the Council Directive 2009/71/Euratom and Council Directive 2014/87/Euratom.

In that sense, SRBATOM will prepare the first draft of the Radiation and Nuclear Safety Strategy in accordance with the Article 6 of the Law on Radiation and Nuclear Safety and Security. In framework of this project activity it is necessary to review and further improve the draft in accordance with the requirements of above-mentioned directives and existing national infrastructure that is under regulatory control in the field of radiation and nuclear safety.

At present, there is no on-going and/or planned assistance projects for the activities covered by this ToR.

3. Description of the assignment:

3.1 Specific objectives

The specific objective of this assignment is to provide the expert assistance to the Serbian Radiation and Nuclear Safety and Security Directorate in transposition of relevant requirements of Council Directive 2013/59/Euratom as well as requirements of Council Directive 2009/71/Euratom and Council Directive 2014/87/Euratom into Radiation and Nuclear Safety Strategy in accordance with the Article 6 of the Law on Radiation and Nuclear Safety and Security.

The selected PLAC expert support to SRBATOM is needed for reviewing and upgrading drafted Radiation and Nuclear Safety Strategy in accordance with the Article 6 of the Law on Radiation and Nuclear Safety and Security. The Strategy will additionally contribute to the further alignment of Serbian national legislation with EU acquis in the area of radiation and nuclear safety as well as fulfilling international obligations in accordance with the requirements of the Convention on Nuclear Safety.

3.2 Requested services

The Senior NKE in the area of radiation and nuclear safety is expected to provide the following services:

To review and assist the beneficiary in further aligning the draft of Radiation and Nuclear Safety Strategy in accordance with relevant requirements of Directive 2013/59, Directive 2009/71, Directive 2014/87 and Convention on Nuclear Safety.

3.3 Outputs

The Senior NKE is expected to deliver the following outputs:

Amendments and revisions to the Radiation and Nuclear Safety Strategy in accordance with relevant requirements of Directive 2013/59, Directive 2009/71, Directive 2014/87 and Convention on Nuclear Safety, drafted

3.4 Reporting

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

- **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 SNKE in the context of this assignment.

- A brief interim report - only upon a request of the PLAC III team: TL and/or KE2

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 reports prepared in the agreed quality shall be submitted to the Team Leader of the Project for a review, comments and the final approval.

- The reports shall be signed by the SNKE and the Team Leader, responsible for endorsing the reports.

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

3.5 Specifics

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

Each of the short-term missions, the timing and duration shall be agreed with the Beneficiary and the PLAC team prior to each planned mission.

3.6 Expert input

3.6.1 Total working days

10 working days (WDs) in total have been planned for Senior Non-Key Expert for this assignment.

3.6.2 Period of the assignment and Starting day

It is expected that the work will be performed in the period from October 2020 until December 2020. However, the exact starting date will be agreed at a later stage.

3.6.3 Location/Place of assignment

The SNKE has to deliver 100% of the input in Belgrade, Serbia, unless otherwise agreed due to extraordinary circumstances (i.e. COVID-19). Home-based days are subject to a prior approval by the EU Delegation Project Manager responsible for PLAC III project.

3.6.4 Working language

English

4. Experts' Profile – Senior NKE (10 working days):

4.1 Qualifications and skills (25 points)

- A level of education, which corresponds to completed university studies of at least 3 years attested by a diploma such as engineering, science or similar, relevant to the assignment
- Computer literacy
- Be proficient in report drafting
- Excellent communication and analytical skills
- Proficiency in English language
- Be independent and free from conflicts of interest in the responsibilities they take on

4.2 General professional experience (25 points)

- At least 8 (eight) years of general postgraduate professional experience in Ch 15, Energy gained in an EU Member State, candidate or potential candidate country

4.3 Specific professional experience (50 points)

- At least 3 years of postgraduate professional experience in transposition of the relevant Union acquis in the area of radiation and nuclear safety, gained in an EU Member State, candidate or potential candidate country

- Postgraduate professional experience from a competent regulatory authority working on implementation of the relevant Union acquis in the area of radiation and nuclear safety gained in an EU Member State, candidate or potential candidate country, will be an advantage
- Knowledge of Serbian legal system will be an advantage.

6. Applications

Applications (EU format CV and application letter in English) need to be submitted by e-mail to mbayard@dmiassociates.com and ehoward@dmiassociates.com no later than 23 September 2020, 17:00 hrs, titled:

“Application for the position – Senior NKE in the area of Ch. 15 – Nuclear Safety and Radiation Protection; Review of Radiation and Nuclear Safety Strategy”

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

Pre-selected experts will be requested to sign Statement of Availability (SoA) in which they acknowledge and confirm the availability to accomplish this assignment within the indicated period, at the indicated starting date and within the number of working days requested.

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 DMI Associates Marion Bayard: mail to mbayard@dmiassociates.com or Elizabeth Howard ehoward@dmiassociates.com .