

## Policy and Legal Advice Centre (PLAC III)

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

<b>Technical assistance requested:</b>	One (1) Junior Non-Key Expert in the area of EU Negotiating Ch.12 - Plant health; Harmful Organisms
<b>Project Title:</b>	Policy and Legal Advice Centre (PLAC III), Serbia
<b>Ref:</b>	EuropeAid/139295/DH/SER/RS
<b>Service Contract No.:</b>	(CRIS) 2018/404-529
<b>Main beneficiary:</b>	The Ministry of European Integration of the Republic of Serbia and the Negotiating Team
<b>Target Beneficiaries:</b>	Negotiating Group Ch. 12; Ministry of Agriculture, Forestry and Water Management, Plant Protection Directorate (PPD)
<b>Budget Line /Expert Category:</b>	Junior Non-Key Expert
<b>Duration of the assignment:</b>	55 working days (WD), to be spent within the period from November 2020 – May 2021

### 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 12 – Food safety, veterinary and phytosanitary policy**

EU Commission Serbia Report for 2019 states that some progress has been made in in Ch. 12 implementing recommendations of the previous report, but Serbia has not yet implemented all recommendations of last year.

In the area of phytosanitary policy, annual programmes of plant health measures were adopted but the Phytosanitary Directorate is still critically understaffed. While certain tasks related to evaluation of plant protection products have been delegated, the related framework legislation has yet to be aligned with the *acquis*. A legal framework and a system for control of sustainable use of pesticides and a national action plan to reduce the impact of pesticide use are not yet adopted.

“The RS should in the next period especially make efforts to:

- develop a comprehensive strategy for transposition, implementation and enforcement of the *acquis* on food safety, veterinary and phytosanitary policy;
- substantially strengthen the administrative capacity of the veterinary, phytosanitary and national reference laboratories directorates and retain highly competent staff;
- consistently apply and improve the risk-based approach to sanitary control at borders.”

Plant health is threatened by species injurious to plants and plant products which now present a greater risk owing to globalisation of trade and climate change. In order to fight that threat, it is necessary to adopt measures concerning the determination of the phytosanitary risks posed by those pests and the reduction of those risks to an acceptable level.

According to the NPAA, chapter 3.12.3.1 Regulation (EU) 2016/2031 of the European Parliament of the Council on protective measures against pests of plants, amending Regulations (EU) No 228/2013, (EU) No 652/2014 and (EU) No 1143/2014 and repealing Council Directives 69/464/EEC, 74/647/EEC, 93/85/EEC, 98/57/EC, 2000/29/EC, 2006/91/EC and 2007/33/EC needs to be implemented, in particularly its Article 37 regarding prohibition of the introduction and movement of Union regulated non-quarantine pests on plants for planting.

Regulation (EU) 2016/2031 as new EU Plant Health Law establishes rules to determine the phytosanitary risks posed by any species, strain or biotype of pathogenic agents, animals or parasitic plants injurious to plants or plant products ('pests') and measures to reduce those risks to an acceptable level. The art. 37 states that professional operators shall not introduce a Union regulated non-quarantine pest into, or move that pest within, the Union territory on the plants for planting through which it is transmitted, as specified in the list.

European Food Safety Authority (EFSA) defined the information required and developed a format for the preparation and submission of technical dossiers to support demands for import of high-risk plants, plant products and other objects as foreseen in Article 42(5) of Regulation (EU) 2016/2031.

As a continuation of previous activities provided by the PLAC project related to data collection resulted in comprehensive database of 528 bibliographic entries on all harmful organisms documented in Serbia related to genus *Prunus*, which includes the following species: *Prunus domestica*, *Prunus persice*, *Prunus avium*, *Prunus cerasus*, *Prunus dulcis*, *Prunus armeniaca*),

Juglans, Corylina and other genus and species of ornamentals and forestry plants, relevant to the country, region, EU and European continent as a whole.

Further PLAC III assistance is needed in order to assist the competent Serbian institutions in assessing the new acquis and its proper implementation in Serbia, in the upcoming period. The assistance will enhance harmonisation with relevant EU regulations and their proper implementation.

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 is to provide the assistance to the Ministry of Agriculture, Forestry and Water Management (MAFWM), more specifically, the support to the Plant Protection Directorate (PPD) in assessing of the new acquis in the field of plant health (Regulation (EU) No 2016/2031, Commission Implementing Regulation (EU) 2018/2018 and Commission Implementing Regulation (EU) 2018/2019) and provide professional advice on the substantial information that is required for submission of a full and satisfactory technical dossier for certain planting materials, in line with the new EU rules.

As a continuation of the previous PLAC III activities related to data collection, expert assistance is needed to further assist the competent Serbian institutions in assessing of collected data on pests, determination of phytosanitary risks posed by any species, strain or biotype of pathogenic agents, injurious for plants for planting of fruits species. and measures to reduce those risks to an acceptable level, assessing on pest status, and to support the Plant Protection Directorate to drafting necessary documentation for *Prunus domestica*, *Prunus persice*, *Prunus avium*, *Prunus cerasus*, *Prunus dulcis*, *Prunus armeniaca*, *Juglans regia*.and *Corylus sp.* (a technical dossier for import of high-risk plants, plant products and other objects in line with the new EU rules for quarantine and regulated non-quarantine pests for certain planting material. as foreseen in Article 42(5) of Regulation (EU) 2016/2031 - restrictions on the basis of a preliminary assessment for the introduction into the Union territory of high-risk plants, plant products and other objects).

The planned activity for drafting specific Technical Dossiers includes the assessing of a large amount of scientific information, which involves a high level of research and specialistic knowledge and experience from different disciplines (at least phytopathology, virology) for different species of plants: *Prunus domestica*, *Prunus persice*, *Prunus avium*, *Prunus cerasus*, *Prunus dulcis*, *Prunus armeniaca*, *Juglans regia*.

The assistance will enhance harmonisation with relevant EU regulations and their proper implementation.

#### **3.2 Requested services**

To support the MAFWM and Plant Protection Directorate (PPD) in collection of data on pests and in drafting necessary documentation (technical dossier for import of high- risk plants, plant products and other objects as foreseen in Article 42(5) of Regulation (EU) 2016/203) in line with the new EU rules for quarantine and regulated non-quarantine pests for certain planting material. This is essential for a proper implementation of the acquis and fulfil all three recommendations from the EU 2019 country progress report.

The Junior NKE is expected to provide the following services:

- 1) Assist the PPD in assessing relevant collected scientific information, determination of phytosanitary risks and measures to reduce those risks to an acceptable level

- 2) Provide clarifications and information in all the cases where the additional requests and questions were referred to by EFSA
- 3) Assist the PPD in drafting parts of technical dossiers for *Prunus species domestica*, *Prunus persice*, *Prunus avium*, *Prunus cerasus*, *Prunus dulcis*, *Prunus armeniaca*, *Juglans regia* and *Corylus sp.*

### 3.3 Outputs

**The Junior NKE is expected to deliver the following output:**

- Parts of the technical dossier for following species: *Prunus avium*, *Prunus cerasus*, *Prunus dulcis*, *Juglans regia*, *Prunus domestica*, *Prunus persice*, *Prunus armeniaca* and other necessary accompanying documentation for the risk assessment and measures to reduce those risks to an acceptable level, drafted
- Clarifications on the information in all the cases where the additional requests and questions were referred to by EFSA regarding *Prunus domestica*, *Prunus persice*, *Prunus armeniaca*, *Prunus avium*, *Prunus cerasus*, *Prunus dulcis*, *Juglans regia*, drafted.

### 3.4 Reporting

**The JNKE 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 JNKE 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 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 JNKE 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 JNKE shall work under the guidance and follow the instructions of the Team Leader. The JNKE 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 III team prior to each planned mission.

### 3.6 Expert input

#### 3.6.1 Total working days

55 working days (WDs) in total have been planned for the JNKE for this assignment.

### **3.6.2 Period of the assignment and starting day**

It is expected that the work will be performed during several missions in the period from November 2020 until May 2021. The exact starting date will be agreed at a later stage.

### **3.6.3 Location/Place of assignment**

The JNKE has to deliver 100% of the input in 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 – Junior NKE (55 working days):**

### **4.1 Qualifications and skills (25 points)**

- A level of education, which corresponds to completed university studies of at least 3 years in the relevant field attested by a diploma related to plant health protection, in biology, virology, phytopathology and similar, relevant to the assignment
- Proficiency in English language
- Computer literacy
- Be proficient in report drafting
- Excellent communication and analytical skills
- Be independent and free from conflicts of interest in the responsibilities they take on

### **4.2 General professional experience (25 points)**

- At least 5 (five years) of general postgraduate professional experience related to the field of plant health protection gained in an EU member state, candidate or potential candidate country.

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

- Postgraduate professional experience in the field of plant health protection, plant quarantine, and more specifically virology regarding Prunus species gained in a Member State, candidate or potential candidate country
- Postgraduate professional experience and knowledge of FAO International Standards for Phytosanitary Measures, as well as of EPPO standards will be an advantage<sup>1</sup>
- Postgraduate professional experience and knowledge of technology of production for fruit planting material would be an advantage

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<sup>1</sup> Food and Agriculture Organization (FAO) International Standards for Phytosanitary Measures are prepared by the Secretariat of the International Plant Protection Convention as part of the United Nations Food and Agriculture Organization's global programme of policy and technical assistance in plant quarantine.

EPPO is an intergovernmental organization responsible for cooperation in plant health within the Euro-Mediterranean region. Founded in 1951 by 15 European countries, EPPO now has 52 members (shown in green on the map). Its objectives are to protect plants, by developing international strategies against the introduction and spread of pests which are a threat to agriculture, forestry and the environment, and by promoting safe and effective pest control methods.

## 5. Applications

Applications (EU format CV and application letter in English) need to be submitted by e-mail to [mbayard@dmiassociates.com](mailto:mbayard@dmiassociates.com) and [ehoward@dmiassociates.com](mailto:ehoward@dmiassociates.com) no later than October 22 2020, 17:00 hrs, titled:

**“Application for the position – Junior NKE in the area of EU Negotiating Ch.12 - plant health – Harmful organisms”**

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](mailto:mbayard@dmiassociates.com) or Elizabeth Howard [ehoward@dmiassociates.com](mailto:ehoward@dmiassociates.com) .