

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 a Draft of Radiation and Nuclear Security 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 April until June 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 15 – Energy – Radiation protection and nuclear safety area

The general responsibilities of the Member States and competent authorities and other requirements for regulatory control, as required by Directive 2013/59/Euratom are partially transposed into Serbian legal framework. Directive 2013/59 sets general requirements for control of radioactive sources. In the Articles 85, 86 and 91 of Directive, in addition to safety requirements prescribes requirements in case of any loss, theft and unauthorised use. A special emphasis is given to control of high-activity sealed sources. In addition, Article 15.5 prescribes requirements of training of exposed workers and information provided to them which also cover safe management and control of high activity sealed sources. In this regard, Serbia will, according to the Screening report, Chapter 15 - Energy (III.i.) ensure practical application of the relevant acquis in the area of control of radioactive sources as required by the Council Directive 2013/59/Euratom.

In the third revision of 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, according to the NPAA is planned to be adopted by end of 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 EU acquis and a full harmonisation is expected by adoption of bylaws in the next period according to the NPAA.

Additionally, in 2016 the Law on the Ratification of the Amendment to the Convention on the Physical Protection of Nuclear Material came into force.

According to Article 6 of the Law, Radiation and Nuclear Security Strategy shall be passed in order to determine long-term strategic direction and policies in the area of radiation and nuclear security in compliance with international standards and principles in this area as well as international commitments under the Convention on the Physical Protection of Nuclear Material and Nuclear Facilities (CPPNM) and Amendment.

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 security in particular with relevant requirements of Council Directive 2013/59/Euratom as well as requirements of the Convention on the Physical Protection of Nuclear Material and Nuclear Facilities and Amendment.

In that sense, SRBATOM will prepare the first draft of the Radiation and Nuclear Security 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 to further improve the draft in accordance with the requirements of above mentioned directive, CPPNM and Amendment and existing national infrastructure that is under regulatory control.

At present, there is no on-going 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 expert assistance to the Serbian Radiation and Nuclear Safety and Security Directorate (SRBATOM) in transposition of relevant requirements of Council Directive 2013/59/Euratom as well as requirements of the Convention on the Physical Protection of Nuclear Material and Nuclear Facilities and Amendment into Radiation and Nuclear Security Strategy in accordance with the Article 6 of the Law on Radiation and Nuclear Safety and Security.

Expert support to SRBATOM is needed for reviewing and upgrading drafted Radiation and Nuclear Security 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 as well as fulfilling international obligations in accordance with the requirements of the CPPNM and Amendment.

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 SRBATOM to further upgrade the draft Radiation and Nuclear Security Strategy in accordance with relevant requirements of Directive 2013/59 and CPPNM and Amendment.

3.3 Outputs

The Senior NKE is expected to deliver the following outputs:

A Radiation and Nuclear Security Strategy in accordance with relevant requirements of Directive 2013/59/Euratom and CPPNM and Amendment 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 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 April – June 2021 at latest. 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 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 the field of Ch. 15 Energy, gained in an EU Member State, candidate or potential candidate country

4.3 Specific professional experience (50 points)

- Postgraduate professional experience in transposition of Union acquis in the area of radiation and nuclear safety and security regarding standards to health protection against the dangers resulting from exposure to ionizing radiation

- Postgraduate professional experience working in a competent regulatory authority implementing relevant Union acquis related to radiation and nuclear safety and security will be an advantage
- Knowledge of Serbian legal system would be an advantage

6. Applications

Applications (EU format CV and application letter in English) need to be submitted by e-mail to ehoward@dmiassociates.com, mbunga@dmiassociates.com, akhani@dmiassociates.com no later than 8 March 2021, 17:00 hrs, titled:

“Application for the position – Senior NKE in the area of Ch. 15 – Nuclear Safety and Radiation Protection; Review of a Draft of Radiation and Nuclear Security 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 Elizabeth Howard ehoward@dmiassociates.com, Mareva BUNGA mbunga@dmiassociates.com, and Ariane KHANI akhani@dmiassociates.com.