



Policy and Legal Advice Centre (PLAC III)

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

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| Technical assistance requested: | 1 (one) Senior and 1 (one) Junior Non-Key Expert in the area of Negotiating Chapter 27, Municipal waste management, data collection and reporting |
| 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. 27; Ministry of Environmental Protection (MEP), Environmental Protection Agency (SEPA) |
| Budget Line /Expert Category: | One Senior and One Junior Non-Key Expert |
| Duration of the assignment: | 45 working days (WD), from August 2021 until December 2021 (25 WD SNKE and 20 WD for JNKE) |

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 27 – Waste management reporting

The Negotiating Chapter 27 is one of the most difficult chapters in the process of the Republic of Serbia's accession negotiations with EU, especially in the area environmental reporting. The aim for Republic of Serbia (RS) is to harmonise its legislation and establish a strong environmental reporting system in accordance to the EU legislation requirements.

In the Screening Report from for Chapter 27, Serbia stated that the Ministry for Environmental Protection (MEP) is the responsible authority for the transposition and implementation of the directive while the Serbian Environmental Protection Agency (SEPA) is responsible for monitoring and reporting. One of the main actors in monitoring and reporting of communal waste management are local authorities.

In the Country Progress Report for 2020 the EC states that environment and climate change need to receive adequate political attention, translating into better coordination, stronger institutions, more financing and mainstreaming across all sectors of the economy. Beside this, waste statistics have been collected and data on waste treatment infrastructure are regularly submitted. Serbia has achieved some level of preparation in the area of environment and climate change. Overall, Serbia made limited progress in the past year, mainly on strategic planning. Regarding waste management, Serbia has a good level of alignment with the EU acquis, however the implementation remains at an early stage.

The report states that Serbia should intensify implementation and enforcement work, such as closing non-compliant landfills, investing in waste reduction, separation and recycling, reinforcing air quality monitoring, advancing river basin management and preparing for Natura 2000.

According to article 13 of the Waste management law, ("OG RS", no. 36/2009, 88/2010, 14/2016, 95/2018). The Assembly of the local self-government unit adopts a local waste management plan which defines the objectives of waste management on its territory in accordance with the Strategy. The local waste management plan is prepared by the service of the local self-government unit in charge of waste management in cooperation with other bodies in charge of economy, finance, environmental protection, urbanism, as well as with representatives of companies, associations, professional institutions, NGOs and others. organizations dealing with environmental protection, including consumer organizations.

Considering the obligations under the municipal solid waste (MSW) reporting, the selected experts' assistance will contribute to a higher level of knowledge regarding reporting obligations within the local self-governments and its professional Public Utility Services. In this respect, the assistance provided under this assignment will complement the activities in local self-governments (LSG) and Public utility services (PUCs') for establishing whole local system for data collecting and reporting to SEPA. The assistance will further enhance the harmonisation of national legislation with the acquis and development of the capacities for its enforcement.

The assistance from PLAC III will contribute to and enhance implementation of waste reporting especially reporting on municipal solid waste, with relevant EU regulations and their proper implementation and provide a support in meeting the opening benchmarks set for Chapter 27, especially regarding to alignment of the reporting on waste.

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 Environmental protection Agency (SEPA) in supporting the Department for National register of pollution sources in developing by-law named "Rulebook on the content and form of the report on the implementation of the provincial, regional and local waste management plans". This rulebook will make a significant contribution to the establishment of an effective system of reporting by local self-government on waste management in their territory.

The assistance will enhance harmonisation with relevant EU regulations concerning environmental reporting as whole.

In the scope of this objective, these activities are foreseen:

- Prepare an analysis of stated practices on the current state of implementation of waste management plans at the local level.
- Drafting a rulebook on the content and form of the report on the implementation of the provincial, regional and local waste management plan
- Prepare and hold five (5) workshops in the selected municipalities¹ in Serbia to present the results of the assignment (number of WS and the municipalities will be decided in the inception of the activity).

3.2 Requested services

The Senior NKE in the area of waste management is expected to provide the following services:

- Prepare an analysis of the practices and of implementation of waste management plans at the local level, based on the data collected by the JNKE
- Drafting a Rulebook on the content and form of the report on the implementation of the provincial, regional and local waste management plan
- Prepare and hold 5 workshops

The Junior NKE in the area of waste management is expected to provide the following services:

- Collect, identify, process and analyse data and information for the analysis of stated practices on the current state of implementation of waste management plans at the local level preparation (which would also serve as an input to the development of the draft rulebook)
- Participate in preparation and holding of five (5) workshops to present the results of the assignment

¹ To be decided

3.3 Outputs

Senior NKE is expected to deliver the following outputs:

1. An analysis of stated practices and of the state of implementation of waste management plans at the local level drafted
2. A Rulebook on the content and form of the report on the implementation of the provincial, regional and local waste management plan drafted
3. 5 Workshops held.

Junior NKE is expected to deliver the following outputs:

1. A report on collection, identification, processes and data and information on the current state of implementation of waste management plans at the local level, drafted
2. 5 workshops held

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 and 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 NKEs 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

Both 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 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

25 working days (WDs) in total have been planned for Senior Non-Key Expert and 20 working days (WD) for Junior 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 August 2021 until December 2021. However, the starting date will be confirmed at the later stage.

3.6.3 Location/Place of assignment

The SNKE and JNKE 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 (25 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 law 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 related to Ch. 27 of the Union acquis gained in an EU member state, candidate or potential candidate country

4.3 Specific professional experience (50 points)

- At least 2 years of postgraduate professional experience with harmonisation of national waste management legislation gained in an EU member state, candidate or potential candidate country
- Postgraduate professional experience with waste reporting obligations will be an asset
- Knowledge of Serbian legal system will be an advantage.

5. Experts' Profile – Junior NKE (20 working days):

5.1 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 law, environmental engineering, 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.

5.2 General professional experience (25 points)

- At least 5 (five) years of general postgraduate professional experience related to Union acquis gained in an EU member state, candidate or potential candidate country

5.3 Specific professional experience (50 points)

- Postgraduate professional experience related to waste management and/or waste reporting obligations gained in an EU member state, candidate or potential candidate country
- 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 July 21st 2021, titled:

“Application for the position – Senior or Junior NKE in the area of Ch. 27, Municipal waste management data collection and reporting”

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 .