

Policy and Legal Advice Centre (PLAC IV)

Terms of Reference (ToR) for a Short-Term assignment No. 7

Technical assistance requested:	One (1) Senior Non-Key Expert in the area of water protection and monitoring - transposition of the Directive 2009/90/EC on technical specifications for chemical analysis and monitoring of water.
Project Title:	Policy and Legal Advice Centre (PLAC 4)
Ref:	NEAR/BEG/2023/EA-RP/0175
Service Contract No:	(CRIS) 2024/453-315
Main project beneficiary:	Ministry of European Integration (MEI)
The direct beneficiary of the assignment:	Ministry of Environmental Protection (MEP)
Content of the assignment:	Technical assistance for drafting the Rulebook on technical specifications for chemical analysis and monitoring of water for further transposition of the Directive 2009/90/EC
Budget Line/Expert category	Non-Key Short-Term Senior Expert
Duration of the assignment	Senior NKE 30 working days, to be spent in the period October 2024 – March 2025

1. Background information in relation to the PLAC 4 project

The overall objective of the PLAC 4 is for the Serbian administration to effectively conduct accession negotiations and successfully manage overall EU integration and pre-accession assistance geared towards EU membership.

The purpose of the project is: "to achieve a high level of effective alignment of national legislation with the Union acquis and its implementation".

PLAC 4 should achieve two results:

- R1: Enhanced compatibility of national legislation with EU legislation and its effective implementation.
- R2: Enhanced capacities of relevant national structures for successful carrying out of accession negotiations

Commission Directive 2009/90/EC laying down, pursuant to Directive 2000/60/EC of the European Parliament and of the Council, technical specifications for chemical analysis and monitoring of water status, is partially transposed into national legislation. The majority of requirements have been transposed through the Regulation on limit values of priority and priority hazardous substances polluting surface water and deadlines for reaching the values ("Official Herald of the Republic of Serbia", No. 24/2014) and some of them are contained in the Law on Accreditation ("Official Herald of the Republic of Serbia", No. 73/10) and Rules for the participation in inter-laboratory comparisons and proficiency testing schemes (ATS-PA02). Based on these regulations, only accredited laboratories can conduct analyses, thus proving their competence in performing analyses and using accredited methods.

Further transposition of the Directive is needed to ensure that the same acquis-compliant legal framework is established for all water monitoring programs, including sediment and biota monitoring. The legal basis for the Rulebook on technical specifications for chemical analysis and monitoring of water is prescribed by Art. 107 para. 4 of Water Law. Legal assistance in drafting the Rulebook is needed.

There is no overlapping between this project and any ongoing and/or planned assistance projects for the activities covered by this ToR.

2. Description of the assignment

a. Specific objectives

The specific objective of this assignment is to provide expert assistance to the beneficiary in drafting the Rulebook on technical specifications for chemical analysis and monitoring of water to ensure alignment with the Union acquis, specifically Commission Directive 2009/90/EC on technical specifications for chemical analysis and monitoring of water.

b. Requested services

The requested Senior NKE is expected to provide the following services:

- a) Legal gap analysis;
- b) To assist the beneficiaries in drafting the Rulebook on technical specifications for chemical analysis and water monitoring.

c. Outputs

The outputs delivered by the NKE shall be as follows:

- Legal gap analysis

- Rulebook drafted

d. Reporting

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

- Brief Mission Report with a description of activities and outputs provided at the end of each month, in which tasks under this assignment have been carried out,
- Final Mission Report, no later than one week after completing tasks under this assignment. This report will include a description of all activities and outputs provided by the NKE in the context of this assignment.

Submission of reports:

- All reports prepared with relevant quality shall be submitted to the Project Team Leader for review, comments, and final approval. The reports shall be signed by the NKE and the Team Leader responsible for endorsing them.
- The reports and all prepared documents shall be submitted to the project Team Leader in hard copy and electronic form.

e. Specifics

The Senior NKE shall collaborate with the Project Technical Assistance Team throughout the assignment. The Team Leader may adjust the NKE's activities and outputs mentioned above at any stage in the project's implementation, depending on the evolving needs of the Project and main beneficiary.

The Senior NKE shall ensure that drafting activities are aligned with the Ministry of Environmental Protection. The Senior NKE shall closely coordinate the activities with assigned representatives, institutions, and others, as relevant, to ensure that aspects related to the implications of EU integration for Serbia are incorporated into all activities carried out by the Project.

3. Expert's input

Total working days	30 Senior working days (WDs) have been planned for this assignment. An additional number of WDs may be allocated for this ToR should the needs of the main beneficiary require an extension for the activity areas mentioned in this ToR.
Period of the assignment	October 2024 – March 2025
Starting day	The work is expected to be performed from October 2024 onwards. However, the exact starting date will be agreed upon later.



Location/place of assignment	The base of operation will be in Belgrade, Serbia, and the Project will provide office facilities.
Working language	English

4. Expert's profile

Senior NKE	
Qualification and skills (25 points)	<ul style="list-style-type: none"> • A level of education corresponding to completed university studies of at least four years attested by a diploma such as law, environmental law or similar relevant to the assignment; an advanced degree is preferable 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
General professional experience (25 points)	<ul style="list-style-type: none"> • At least 8 (eight) years of general postgraduate professional experience related to the Union acquis, gained in an EU member state, candidate or potential candidate country.
Specific professional experience (50 points)	<ul style="list-style-type: none"> • At least 5 (five) years of postgraduate professional experience in an EU member state or candidate country related to harmonisation of national to EU legislation • Postgraduate professional experience related to the Union acquis in the area of water protection of an EU member state or candidate country will be an advantage. • Previous professional experience and/or knowledge of the Serbian legal system will be an advantage.



5. Applications

Applications (EU format CV and application letter, both in English) need to be submitted by e-mail to domi@ibf.be with a copy to bortolameazzi@ibf.be than **17:00 hrs; 20th September 2024**, titled: "Application for the position – Senior Non-Key Expert in the area of Ch. 9.

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

The Project is an equal-opportunity employer that encourages applications from women and minorities. All applications will be considered strictly confidential.

The advertised post is not available to civil servants or other public administration officials in Serbia, the beneficiary country. For more information, please contact the Project Director at IBF: bortolameazzi@ibf.be