



Capacity building for the alignment with the *acquis* in the area of agriculture, rural development, food safety, veterinary and phytosanitary policy
EuropeAid/138038/DH/SER/RS

Terms of Reference No. 22

Senior Non-key expert on Project Component 2 issues – Harmonisation of National Legislation with the EU *acquis* in the field of official control on Food and feed safety, Veterinary and Phytosanitary policy: drafting Law on official control

1. Project Background

The overall objective of the project is to improve the capacity of the Ministry of Agriculture, Forestry and Water Management (MAFWM) to manage the process of integration with the EU policies in the agriculture and food sector.

Agriculture, rural development, food safety, veterinary and phytosanitary policy in the EU is regulated by several legal acts which can be transposed directly from European legislation. Their correct administrative application is crucial for the functioning of the Common Agricultural Policy and the EU internal market. The EU legislation from Chapter 12 may have a significant impact on the current policy support to agriculture in the Republic of Serbia.

Through the implementation of component 2, this project supports the MAFWM, Veterinary Directorate, Plant Protection Directorate, Sector for Agricultural Inspection, Ministry of Health and other bodies, stakeholders involved in the EU accession process with support in transposition of *acquis* and preparations for implementation of EU Food Safety, Veterinary and Phytosanitary Policy and the associated *acquis*. The project shall provide high quality expertise to the EU integration process in the Republic of Serbia for Chapter 11 and Chapter 12.

The project will have two-fold approach: (1) provide support to coordination and managing the process (2) provide technical (content-oriented) support and expertise on demand to the relevant structures in the MAEP and other institutions.

Component 2. Strengthening the MAFWM and other relevant stakeholder's capacity to effectively administer and implement alignment of Food Safety, Veterinary and Phytosanitary Policy in the process of EU Accession-Chapter 12 (Activity 2) **has 4 results:**

- **Result 2.1** Assistance to MAFWM and other relevant stakeholders in preparation for – and in support of accession negotiations pertaining to chapter 12 (Food Safety, Veterinary and Phytosanitary Policy) provided;
- **Result 2.2** Support to the ongoing process of harmonization of legislation in the food safety, veterinary and phytosanitary area with the EU *acquis* provided;
- **Result 2.3** Institutional and administrative capacity is upgraded and strengthened as to be fully capable to apply EU *acquis* concerning food safety, veterinary and phytosanitary legislation by the date of accession.
- **Result 2.4** Communication Strategy and Communication plan for accession negotiation process in Chapter 12 is prepared and implemented, including but not limited to training development of communication tools and implementation of the awareness campaign



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2. Reference document

Terms of Reference of the Project: EuropeAid/138038/DH/SER/RS Capacity building for the alignment with the acquis in the area of agriculture, rural development, food safety and phytosanitary policy.

3. Terms of Reference Relevance

This mission will be carried out in the framework of the project activities as described in the Terms of Reference, Project Proposal and Project Implementation plan. The assignment will contribute to the achievement of Component 2 by providing expertise and supporting the beneficiary institutions to build up well-functioning process of transposition of EU acquis related to Chapter 12 and assist in fulfilling benchmarks set up by the EU Commission and to be able to open negotiations on Chapter 12.

4. Assignment objective(s)

In this respect the project needs the expert's support to and will be engaged in the following Project activities:

Activity 2.1. Providing assistance to competent authorities along the accession negotiation process in Chapter 12 – Food Safety, Veterinary and Phytosanitary Policy, provided through performing expertise and preparation of various technical documents;

Activity 2.2. Providing support to the ongoing process of harmonization of legislation in the food safety, veterinary and phytosanitary area with the EU acquis sub - activities 2.2.3 Drafting the legislation in accordance in indicative list of legislation in the area of food, veterinary and phytosanitary policy and 2.2.3.2. Preparation of relevant Tables of Concordance.

5. Main Tasks/Activities

The Senior NKE on Project Component 2 issues will support the project Technical Assistance Team (TAT) and beneficiary in:

- Exploring and becoming familiar with existing national legislation on official control on food and feed safety, veterinary and phytosanitary policy;
- Conducting analysis of the current status of the alignment of national legislation with the relevant EU legislation in the food and feed safety, veterinary and phytosanitary policy and if available using prepared gap analysis through various projects in this area;
- Performing gap analysis on the compliance of the national primary/framework legislation with the EU acts on official controls related to the EU acquis Chapter 12 in such a way that primary/framework legislation covers all subsection by identifying the given power of the competencies, designation of competent authorities and chain of command to the authorities responsible for the food and feed safety, veterinary and phytosanitary policy on official controls;
- Using Table of Concordance for gap analysis if available;



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- Based on results from gap analysis, drafting law “Law on official controls” and coordinating the draft law with the beneficiary institutions, negotiation group, working group for drafting above mentioned law, legislative department, and to incorporate comments in the draft Law;
- Preparing a Table of Concordance on the transposition of EU legislation into national legislation;
- Bringing the newly drafted Official Control Law to full compliance with the relevant EU legislation concerning the organization of official controls and other activities and in particular with Regulation (EU) 2017/625 of European Parliament and of the Council of 15 March 2017 on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products;
- Organizing workshop and presenting drafted Official Control Law to the beneficiary;
- Cooperating closely with junior non-key experts on harmonization legislation in analysing current status of the alignment of national legislation and drafting Official Control Law;
- Organizing and conducting meetings with beneficiary, negotiators and related institutions and stakeholders;
- Assisting in drafting project progress reports.

6. Related Outputs

Under the supervision of the project KE 2 and TAT, the Senior NKE on Project Component 2 issues shall produce the following deliverables:

- Analysis on the current status of the alignment of national legislation with the relevant EU legislation in the food and feed safety, veterinary and phytosanitary policy on official controls conducted;
- Gap analysis conducted, findings and non-conformities specified in the mission report;
- The framework legislation Official Control Law drafted and coordinated with the beneficiary institutions, negotiation group, working group for drafting above mentioned law, legislative department; comments incorporated in the draft law and submitted to the beneficiary and project KE 2;
- Official control Law drafted in the way to be fully in compliance with the relevant EU legislation concerning the organization of official controls and other activities and in particular with Regulation (EU) 2017/625 of European Parliament and of the Council of 15 March 2017 on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products and to ensure the preparation of the necessary secondary legislation in the future;
- Table of Concordance on the transposition of EU legislation into national legislation drafted and submitted to the beneficiary and KE 2;
- Meetings with beneficiary, negotiators and related institutions and stakeholders organized and conducted;
- Workshop organized and drafted Official Control Law presented to the beneficiary;



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- Closely cooperated with junior non-key expert on harmonization legislation and working group for drafting above mentioned law in analysing current status of the alignment of national legislation and drafting Official Control Law;
- Mission report with findings and recommendations (per mission) drafted and submitted to the beneficiary and project KE 2;
- Weekly work plan, meeting minutes and mission report on monthly basis drafted and submitted to the KE 2.

The timeframe set in the point 6 above must be observed in the drafting Law, Table of Concordance and performing gap analysis.

7. Timing and duration of mission/s

The assignment shall be implemented in Belgrade, Serbia, in the period December 2019 to December 2020 up to 35 working days. The number of days is subject to extension as needed.

8. Reporting

The expert shall deliver monthly reports in the English language on last workday of the month she/he worked, with attached all written deliverables. The report will be attached to the expert's draft timesheet.

9. Expert profile

Qualifications and skills:

- University degree academic level in the field of food hygiene, veterinary and/or phytosanitary/agriculture, law, food technology or safety and/or another related domain;
- Excellent command of English written and spoken;
- Command of Serbian will be considered an asset;
- Computer literacy (command of Microsoft Office (Word, Excel, PowerPoint, etc.) and the Internet);
- Excellent reporting skills;
- Analytical experience and skills;
- Ability to work in a team;
- Excellent communication skills.

General professional experience:

- Minimum 10 years of general postgraduate professional experience.



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Specific professional experience:

- Minimum 5, preferably 10 years of relevant specific professional experience in the Food and feed safety and/or Veterinary and/or Phytosanitary field, gained in the Ministries responsible for the Chapter 12 and/or related public institutions in the EU Member State;
- Previous experience in similar assignment will be considered an asset;
- Specific professional experience in drafting or harmonization of legislation on official control activities will be considered an asset;
- Understanding and implementation the EU acquis, Chapter 12;
- Experience in the drafting legal acts.

10. Evaluation of work

The expert's performance will be assessed by the project KE 2, TL and TAT and the Beneficiary's representatives.

11. Applications

Application letter, EU format CV (please use the following link: https://ec.europa.eu/europeaid/audit-framework-contract-2010-annex-5-curriculum-vitae_en) and supporting documents linked with the working experience stated in the CV, all in English, are to be submitted by e-mail to hr@weglobal.org, olivera.maric@weglobal.org and tatjana.mihajlov@weglobal.org no later than 5th December 2019, titled: "Application for the position – **Senior Non-key expert on Project Component 2 issues – Harmonisation of National Legislation with the EU acquis in the field of official control on Food and feed safety, Veterinary and Phytosanitary policy: drafting Official Control Law – ToR No. 22**".

Only short-listed candidates will be contacted.

The Project is an equal opportunity employer, in respect of the principles of good governance, sustainable development and gender equality.

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.