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

Technical assistance requested:	One (1) Junior Non-Key Expert (technical expert) in the area of waste management
Project Title:	Policy and Legal Advice Centre (PLAC II), Serbia
Ref:	EuropeAid/137065/DH/SER/RS
Service Contract No.:	(CRIS) 2016/375-724
Main beneficiary:	The Ministry of European Integration of the Republic of Serbia and the Negotiating Team
Target Beneficiaries:	Representatives of the Ministry of Environmental Protection - Department for Waste Management
Content of the assignment:	Assistance in drafting new Rulebook on Environmentally Sound Recycling of Ships in line with draft provisions of the Law on Waste Management, harmonising the national special waste streams management with the EU Regulation 1257/2013 on Ship Recycling, Hong Kong International Convention for the Safe and Environmentally Sound Recycling of Ships and EU Waste Framework Directive (Waste FD)
Budget Line / Expert Category:	Junior Non-Key Expert
Duration of the assignment:	23 WDs spent in the period from August 2018 to (tentatively) October 2018

1. Relevant background information

Background information in relation to PLAC II Project:

The scope of PLAC II Project is to provide support to relevant national institutions in charge of alignment of national legal acts with the EU acquis and to contribute to further building of capacities of relevant national structures for successful carrying out of accession negotiations.

The PLAC II 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 Serbia by supporting the effective alignment of national legislation with the acquis and its implementation and by further building the capacities of involved carriers of the EU integration process in 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 II 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.



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Background information in relation to Chapter 27 – Environment and Climate Change and related to waste management:

In relation to Chapter 27, the Republic of Serbia completed the screening process in March 2015. Chapter 27 on the environment and climate change is one of the most ambitious and far-reaching chapters of the Union acquis and due to its complexity and volume, represents a major challenge for candidate countries.

EU environmental policy is based on preventive action; the polluter pays principle, fighting environmental damage at source, shared responsibility and the integration of environmental protection into other EU policies. The acquis comprises of more than 200 major legal acts covering horizontal legislation relevant for the environment in general, as well as of sub-sectoral legislation concerning water and air quality, waste management, nature protection, industrial pollution control, chemicals, noise and climate change. In recent years, Serbia has advanced in harmonising its legal framework with the environment acquis.

Moreover, implementation of legislative norms in environment sector requires significant investments. In addition, institutional set up and developed capacities at national and local level is the imperative for the application and enforcement of the environment acquis. In this regard, further assistance to Serbia is needed in harmonisation and implementation of the Union environment acquis, including waste management acquis.


In line with the results of explanatory and bilateral screening for Chapter 27, National Programme for Adoption of the Acquis (NPAA), Post screening document and other relevant documents, Serbia needs to finalise the alignment with the acquis and conduct necessary reforms so as to demonstrate that it will be fully prepared for the implementation and the enforcement of the EU requirements at the date of accession. According to the NPAA, full transposition of the Union acquis is planned by the end of 2021. In this connection, in the area of waste management, further alignment of national legislation with the acquis is necessary.

The Law on Waste Management (LWM) was adopted in 2009, as well as a large number of by-laws. In 2016, amendments to the LWM were adopted, by which a large number of Waste Framework Directive 2008/98/EC (Waste FD) provisions were transposed into the national legislation. In order to fully transpose Waste FD into the Serbian national legislation, it remains to draft provisions on special waste streams. Therefore, a draft of a new Law on Waste Management was elaborated by MEP in 2017 and its adoption is planned in Q1 of 2019 (NPAA). During 2018 this draft Law will be further worked-on and fine-tuned. Also, in the next period, some provisions of Waste FD will have to be transposed into the national legislation through new by-laws or amendments to the existing bylaws. In this respect, a dozen of the existing rulebooks on special waste streams need to be reviewed and revised from legal and technical point of view in order to be harmonised with the relevant EU acquis.

In 2018, additional adjustments to the LWM were made through PLAC II assistance, as regards its harmonisation with the EU Regulation 1257/2013 on Ship Recycling/SRR (which also addresses land-based management of waste, in particular the responsibilities associated with ship recycling facilities/Title III of SRR and with the development of ship recycling plans/Article 6 and 7 of SRR) and the Hong Kong International Convention for the Safe and Environmentally Sound Recycling of Ships. Relevant provisions on management of waste resulting from the recycling of ships are meant to regulate the operation of facilities and responsibilities of the competent authorities.

In order to finalise the harmonisation of the national waste management legislation with the SRR and the Hong Kong Convention, it remains that Waste Management Department fills the remaining gaps in the special waste streams secondary legislation (end-of-life ships) and draft the relevant rulebook, providing for technical specifications.

2. Description of the assignment:

Project implemented by  in consortium with: IRZ, European Profiles,
Projekat sprovodi u konzorcijumu sa: Eurosupport and Eptisa



2.1 Specific objectives

The specific objective of this assignment is to assist MEP in further harmonisation of the national legislation in the area of waste management resulting from the recycling of ships, by drafting new Rulebook on Environmentally Sound Recycling of Ships, in line with the new draft provisions of the Law on Waste Management transposing provisions of the EU Regulation 1257/2013 on Ship Recycling (Title III on ship recycling facilities), the Hong Kong Convention and the EU Waste Framework Directive.

2.2 Requested services

The JNKE (technical expert) is expected to provide the following service:

- a) To assist the staff of MEP, Department for Waste management and respective Legal Service in developing the new Rulebook on Environmentally Sound Recycling of Ships with technical specifications for facilities, storage and treatment of waste, in line with the EU Regulation 1257/2013, the Hong Kong Convention and the EU Waste Framework Directive.

2.3 Outputs

The JNKE is expected to deliver the following output:

- Draft proposal of the new Rulebook on Environmentally Sound Recycling of Ships with technical specifications for facilities, storage and treatment of waste in line with the EU Regulation 1257/2013, the Hong Kong Convention and the EU Waste Framework Directive.

2.4 Reporting

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

- Brief Mission Reports with description of activities and outputs provided, at the end of each mission under this assignment,
- 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 NKEs in the context of this assignment.

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

2.5 Specifics

The NKE shall work under the guidance and follow the instructions of the Team Leader. The NKE shall collaborate with the Project team, other experts involved and representatives of beneficiary institutions and national structures, as relevant.

The NKE's activities and outputs mentioned above may be adjusted by the Team Leader at any stage in the implementation of the Project, depending on the evolving needs of the Project, main beneficiary



and/or target beneficiaries. Each of the short-term mission, its timing and duration shall be agreed with the Team Leader prior to each mission.

2.6 Final use of intervention and perspectives for the future

Assistance in drafting the provisions of the new Rulebook on Environmentally Sound Recycling of Ships, in line with the new draft provisions of the Law on Waste Management - transposing provisions of the Union *acquis* (Regulation 1257/2013 on Ship Recycling/Title III on ship recycling facilities and Waste Framework Directive) and ensuring alignment with the Hong Kong Convention requirements will contribute to further harmonisation of the national legislation with the Union environmental *acquis* in the area of special waste streams management – related to recycling of ships.

3. Expert input

3.1 Total working days

23 working days (WDs) in total have been planned for this assignment.

3.2 Period of the assignment

August – (tentatively) October 2018.

3.3 Starting day

It is expected that the work will be performed during several short-term missions in the period from August 2018 – (tentatively) October 2018 and starting at the earliest from 27 August 2018 onwards. However, exact starting dates will be agreed at a later stage.

3.4 Location/Place of assignment

The NKE has to deliver 100% of the input in Belgrade, Serbia.

3.5 Working language

English

4. Expert Profile

4.1 The Junior NKEs in the area of waste management (technical expert)

4.1.1 Qualifications and skills (25 points)

- University degree (where a university degree has been awarded on completion of three years' study in a university or equivalent institution) in Natural or Technical Sciences or similar, relevant to the assignment
- Proficiency in English language
- Computer literacy (MS Office applications),

4.1.2 General professional experience (25 points)

- Minimum 3 and preferably 5 years of postgraduate professional experience in the field of environmental protection gained in an EU Member State, candidate or potential candidate country,



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4.1.3 *Specific professional experience (50 points)*

- Proven professional experience in drafting legislation and/or implementing of measures in scope of Chapter 27 EU acquis
- Proven professional experience in drafting legislation and/or implementing of measures in direct relation with Waste FD 2008/98 and waste management would be an asset
- Previous professional experience, and/or knowledge of the legislation, of the Republic of Serbia in the respective area would be an advantage.

5. Applications

Applications (EU format CV and application letter, both in English) need to be submitted by e-mail to SEPLAC@altairasesores.es no later than **5 August 2018**, titled: **“Application for the position – Junior NKE (technical expert) in the area of waste management”**.

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

The Project is an equal opportunity employer.
All applications will be considered strictly confidential.

Advertised post is 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 Altair Asesores S.L.: m.garcia@altairasesores.es / Tel. +34 91 3952798