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

<b>Technical assistance requested:</b>	One (1) Senior Non-Key Expert in the area of environmental protection in the field of noise
<b>Project Title:</b>	Policy and Legal Advice Centre (PLAC II), Serbia
<b>Ref:</b>	EuropeAid/137065/DH/SER/RS
<b>Service Contract No.:</b>	(CRIS) 2016/375-724
<b>Main beneficiary:</b>	The Ministry of European Integration of the Republic of Serbia and the Negotiating Team
<b>Target Beneficiaries:</b>	The Ministry of Environmental Protection (MEP)
<b>Content of the assignment:</b>	Assistance in the alignment of national legislation with the Directive 2015/996 establishing common noise assessment methods according to Directive 2002/49/EC relating to the assessment and management of the environmental noise
<b>Budget Line / Expert Category:</b>	Senior Non-Key Expert
<b>Duration of the assignment:</b>	5 working days, spent during one mission in the period from tentatively, November 2017 to February 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 - Environmental Protection and relating to Noise:**

The Law on Environmental Noise Protection (OG RS, 26/09, 88/10) and by-laws (adopted in 2010) have partially transposed Directive 2002/49/EC<sup>1</sup> relating to the assessment and management of environmental noise into the Serbian legislation. The NPAA, last revised and adopted in November 2016, envisages full transposition of the Environmental Noise Directive (2002/49/EC) by the end of 2018.

In May 2015, EC adopted Commission (EU) Directive 2015/996 establishing common noise assessment methods according to Directive 2002/49/EC. Common noise assessment methods are defined in Annex to Directive 2015/996, which is replacing Annex II of the Directive 2002/49/EC. According to its Article 2, Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by the end of 2018 at the latest. At the bilateral screening, it was recommended to the Serbian authorities to harmonise its national legislation with the Common Noise Assessment Methods in the EU (CNOSSOS-EU), which means that provisions of Directive 2015/996 shall be transposed into national legislation.

The MEP has developed Draft Law on amendments to the Law on Environmental Noise Protection, which is currently in the finalisation. The latest version of Draft Law has been prepared based on the external expert analysis and compliance check of the provisions with Directive 2002/49/EC, as well as by addressing the comments and recommendations on how to improve the level of compliance. Final text of Draft Law is planned to be prepared by October 2017.

In direct relation with Directives 2002/49/EC and 2015/996, the following national legislation currently in force shall be modified to comply with EU requirements in the area of environmental protection in the field of noise:

- Decree on noise indicators, limit values, assessment methods for indicators of noise, disturbance and harmful effects of limit values, assessment methods for indicators of noise, disturbance and harmful effects of noise in the environment (OG RS, 75/2010), in continuation: the Decree;
- Rulebook on the methodology for action plans development (OG RS, 72/2010),
- Rulebook on the methods of development and contents of the strategic noise maps and the manner of presentation of the strategic noise maps to the public (OG RS, 80/2010).

## **2. Description of the assignment:**

### **2.1 Specific objectives**

The specific objective of this assignment is the assistance to MEP in the transposition of the Commission Directive 2015/996 into the national Decree, to achieve compliance with common noise assessment methods that are defined in Annex to Directive 2015/.

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<sup>1</sup> Directive 2002/49/EC of the European Parliament and of the Council of 25 June 2002 relating to the assessment and management of environmental noise



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## 2.2 Requested services

The Senior NKE is expected to provide the following services:

- a) To analyse relevant national legislation, in particular the Law on amendments to the Law on Environmental Noise Protection and the Decree, and provide advice on the possible modalities for the transposition of Annex of Directive 2015/996, i.e. of CNOSSOS-EU into the national legal order;
- b) To develop proposals on practical aspects to be followed for addressing the requirements of common noise assessment methods in the EU (CNOSSOS-EU) both in the Serbian legislation on noise protection and in practice;
- c) Based on recommendations agreed with target beneficiary, assist the target beneficiary in drafting specific provisions of modified version of the Decree.

## 2.3 Outputs

The Senior NKE is expected to deliver the following outputs:

- Overview of possible modalities for the transposition of Annex of Directive 2015/996 (CNOSSOS –EU) into the national legal order;
- Proposal on practical aspects (similar to an Action Plan) to be followed for addressing the requirements of CNOSSOS-EU both in the Serbian legislation on noise protection and in practice;
- Final draft of proposed amendments to the Decree, for achieving compliance with Annex of Directive 2015/996 (CNOSSOS –EU).

## 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 NKE in the context of this assignment.

Submission of reports:

- Draft mission reports 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 reports 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.



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## 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 specific provisions of the secondary national legislation in the area of environmental protection in the field of noise will contribute to its compliance with the requirements of the EU acquis, in particular with Directive 2015/996 establishing common noise assessment methods, which the MSs shall address at the latest by the end of 2018.

The activity has been planned in the revised version of NPAA for 2016-2018, in the section 2.27.5 Noise.

No other technical assistance has been planned in relation to further alignment of national legislation with EU acquis in the area of environmental protection in the field of noise.

## 3. Expert input

### 3.1 Total working days

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

### 3.2 Period of the assignment

November 2017 – (tentatively) February 2018

### 3.3 Starting day

It is expected that the work will be performed during one mission and starting, at the earliest, from the 20 November 2017 onwards. However, exact starting date 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



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## 4. Expert Profile

### 4.1 Qualifications and skills (25 points)

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

### 4.2 General professional experience (25 points)

- Minimum 10 years of postgraduate professional experience in environmental sector gained in an EU Member State, candidate or potential candidate country;

### 4.3 Specific professional experience (50 points)

- Proven postgraduate professional experience in the field of harmonisation of legislation in relation to EU acquis related to assessment and management of environmental noise;
- Proven postgraduate professional experience in relation to common noise assessment methods in the EU (CNOSSOS-EU) 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 not later than 17:00 hrs, 13 October 2017, titled: **“Application for the position – Senior NKE in the area of environmental protection in the field of noise”**.

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