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

<b>Technical assistance requested:</b>	1 (one) Senior Non-Key Expert in the area of Emergency Oil Stockholding
<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 European Integration Office of the Republic of Serbia and the Negotiating Team
<b>Target Beneficiaries:</b>	Ministry of Mining and Energy, Administration for Energy Reserves
<b>Content of the assignment:</b>	Assistance in drafting the second version of the Action Plan for Establishment and Maintenance of Emergency Stocks of Crude Oil and Oil Products
<b>Budget Line / Expert Category:</b>	Senior Non-Key Expert
<b>Duration of the assignment:</b>	10 working days, spent during up to two missions in the period from June 2017 until (tentatively) July 2017

#### 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 the 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 successfully 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 the 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, the preparedness and 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 the harmonisation process and in the effective coordination during various stages and phases in the process for different negotiation chapters.

##### Background information in relation to Chapter 15 – Energy and related to security of oil supply:

The Republic of Serbia has committed to implement Council Directive 2009/119/EC (the Directive) imposing an obligation to maintain a minimum level of emergency oil stocks by no later than 1 January 2023. This specific commitment stems from the Energy Community Ministerial Council Decision of



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October 2012 (Decision D/2012/03/MC-EnC) and represents a key element of EU integration requirements.

In December 2013, the National Assembly of the Republic of Serbia adopted the Commodity Reserves Law (Official Gazette of the Republic of Serbia, No. 104/13) transposing the most relevant provisions of the Directive. In order to establish the full legal framework for the transposition of the Directive, several regulations and by-laws have had to be adopted by the Government of the Republic of Serbia and the Ministry of Mining and Energy.

In 2014 and 2015, most of the work to establish the full legal framework has been completed and the body responsible for emergency oil stocks, i.e. the Administration for Energy Reserves was established within the Ministry of Mining and Energy.

On the other hand, in 2014, Serbian EU accession negotiations formally commenced and following the screening of the *acquis* in Chapter 15, Serbia was considered insufficiently prepared for negotiations on that chapter and presented with two opening benchmarks in the Screening Report.

The issue of emergency oil stocks is considered a key benchmark for opening EU negotiations in the Energy chapter and one of the main milestones in meeting this benchmark is the presentation of a detailed Action Plan for the alignment of national legislation with the *acquis* related to emergency 90-day stocks of oil and/or oil products under the Directive.

The first version of the Action Plan for Establishment and Maintenance of Emergency Stocks of Crude Oil and Oil Products was submitted to the European Commission in summer 2016. Yet, the European Commission announced that the progress report on the Energy chapter will be presented only when both of the two benchmarks related to that Chapter are met (this could take some additional time).

Having in mind that the Action Plan was submitted almost a year ago (2016) and that the Action Plan was developed based on oil consumption data, which is now far outdated (2013), the submitted Action Plan requires updating.

## 2. Description of the assignment

### 2.1 Specific objectives

The specific objective of this assignment is to provide assistance in finalising the second version of the Action Plan for Establishment and Maintenance of Emergency Stocks of Crude Oil and Oil Products, with up-to-date oil consumption data and indicating the timetable for legislative alignment, for establishing measures to be taken in the case of an emergency, for acquiring storage capacity and for gradually increasing the stock levels to the minimum level set by the *acquis*.

### 2.2 Requested services

The Senior NKE is expected to provide the following services:

- To draft the second version of the Action Plan for Establishment and Maintenance of Emergency Stocks of Crude Oil and Oil Products (AP) based on the existing first version of the AP and an updated with relevant up-to-date data including, but not limited to, data on oil supply/consumption and oil infrastructure in Serbia as provided by the Ministry of Mining and Energy, Administration for Energy Reserves, Directorate for Commodity Reserves, Ministry of Finance, Statistical Office, Serbian oil industry and other relevant stakeholders.



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## 2.3 Outputs

The Senior NKE is expected to deliver the following outputs:

- Final draft of the second version of the Action Plan for Establishment and Maintenance of Emergency Stocks of Crude Oil and Oil Products.

## 2.4 Reporting

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

- Brief Mission Report with description of activities and outputs provided, at the end of each mission, during which tasks under this assignment have been carried out;
- 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 Senior NKE 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 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.

## 2.5 Specifics

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

The Senior 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 finalising the second version of the Action Plan for Establishment and Maintenance of Emergency Stocks of Crude Oil and Oil Products based on up-to-date data will serve the purpose of overcoming and fulfilling the opening benchmark, set by the European Commission for opening negotiations under Chapter 15.

## 3. Expert input

### 3.1 Total working days

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



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### 3.2 Period of the assignment

June 2017 - (tentatively) July 2017

### 3.3 Starting day

It is expected that the work will be carried out during up to two missions and starting, at the earliest, on 05 June 2017. 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.

## 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 university or equivalent institution) in Engineering, Economics, Law 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 the field of energy, gained in an EU Member State, candidate or potential candidate country

### 4.3 Specific professional experience (50 points)

- Proven professional experience in implementing the EU *acquis* on emergency oil stockholding, gained in an EU Member State, candidate country or potential candidate country
- 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](mailto:SEPLAC@altairasesores.es) not later than 17:00 hrs, **15 May 2017**, titled: **“Application for the position – Senior NKE in the area of emergency oil stockholding”**.

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](mailto:m.garcia@altairasesores.es) / Tel. +34 91 3952798