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

Technical assistance requested:	1 (one) Senior Non-Key Expert in the area of Emergency Oil Stockholding
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:	Ministry of European Integration of the Republic of Serbia and the Negotiating Team
Target Beneficiaries:	Ministry of Mining and Energy, Administration for Energy Reserves
Content of the assignment:	Assistance in drafting the 2018-2025 Long-term Plan and 2018-2020 Mid-term Plan for Establishment and Maintenance of Emergency Stocks of Crude Oil and Oil Products
Budget Line / Expert Category:	Senior Non-Key Expert
Duration of the assignment:	10 working days, spent during up to two missions in the period from April 2018 until (tentatively) June 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 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, PLAC II 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.



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

The Republic of Serbia has committed itself to implement Council Directive 2009/119/EC of 14 September 2009 (the Directive) imposing an obligation on Member States to maintain minimum stocks of crude oil and/or petroleum products by no later than 1 January 2023. This specific commitment stems from the Energy Community Ministerial Council Decision of 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, including the Long-term Plan (period 2015-2025) and Mid-term Plan (period 2015-2017) for Establishment and Maintenance of Emergency Stocks of Crude Oil and Oil Products as prescribed under Articles 17 and 18 of the Commodity Reserves Law, was 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.

The Commodity Reserves Law requires update of the Long-term Plan every three years and update of the Mid-term Plan every two years. In 2018, the Long-term Plan should be updated for the period 2018-2025 and the new Mid-term Plan for the period 2018-2020 should be developed, taking into account that the existing Mid-term Plan expired on 31 December 2017.

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

The issue of emergency oil stocks is considered as a key benchmark for opening EU negotiations on 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/petroleum products under the Directive.

The first version of the Action Plan for Establishment and Maintenance of Emergency Stocks of Crude Oil and Oil Products has been drafted with PLAC I assistance, on the basis of 2013 data. The second version of the Action Plan for Establishment and Maintenance of Emergency Stocks of Crude Oil and Oil Products (Action Plan) was developed in July 2017, with PLAC II assistance. The review carried out in scope of work on the second version of the Action Plan showed that previously adopted Long-term Plan (period 2015-2025) requires significant modifications.

The second version of the Action Plan is the most recent executive and operational document, which takes into consideration all relevant and practical aspects influencing the establishment of Serbian emergency oil stocks within the given deadline. Considering the latter, the second version of the Action Plan should serve as a baseline for the new Long-term Plan and Mid-term Plan.



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2. Description of the assignment

2.1 Specific objectives

The specific objective of this assignment is to provide assistance in drafting new Long-term Plan for 2018-2025 period and in developing new Mid-term Plan for Establishment and Maintenance of Emergency Stocks of Crude Oil and Oil Products for the period 2018-2020, in accordance with Articles 17 and 18 of the Commodity Reserves Law (Official Gazette of the Republic of Serbia, No. 104/13) and by using the second version of the Action Plan for Establishment and Maintenance of Emergency Stocks of Crude Oil and Oil Products (July 2017) as the relevant baseline.

2.2 Requested services

The Senior NKE is expected to provide the following services:

- a) To draft Long-term (period 2018-2025) Plan for Establishment and Maintenance of Emergency Oil Stocks based on the second version of the Action Plan (July 2017), which was developed to meet a key benchmark for opening EU negotiations on Chapter 15 on Energy (updated with relevant data including, but not limited to, data on amount of emergency oil stocks, approved budgetary allocations and business plan for emergency oil stockholding in 2018, 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 of the Republic of Serbia, Serbian oil industry and other relevant stakeholders);
- b) To draft Mid-term (period 2018-2020) Plan for Establishment and Maintenance of Emergency Stocks of Crude Oil and Oil Products based on draft Long-term (period 2018-2025) Plan for Establishment and Maintenance of Emergency Stocks of Crude Oil and Oil Products.

2.3 Outputs

The Senior NKE is expected to deliver the following outputs:

- Draft Long-term (period 2018-2025) Plan for Establishment and Maintenance of Emergency Stocks of Crude Oil and Oil Products;
- Draft Mid-term (period 2018-2020) 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 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.



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- Final version of the Mission Report and Final Report prepared in the relevant quality shall be submitted to the Team Leader of the Project for review, comments and final approval. The Report shall be signed by the Senior NKE and the Team Leader, responsible for endorsing the reports.
- The Report 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 finalising the 2018-2025 Long-term Plan and 2018-2020 Mid-term Plan for Establishment and Maintenance of Emergency Stocks of Crude Oil and Oil Products, based on the second version of the Action Plan for Establishment and Maintenance of Emergency Stocks of Crude Oil and Oil Products (July 2017) will serve the purpose of (1) establishing the minimum required level of emergency oil stocks in accordance with the Directive and within the given deadline (1 January 2023) and (2) addressing the opening benchmark, set by the European Commission for opening negotiations on Chapter 15.

3. Expert input

3.1 Total working days

10 WDs in total have been planned for this assignment.

3.2 Period of the assignment

April 2018 - (tentatively) June 2018

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 2 April 2018. 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 at university or equivalent institution) in Engineering, Economics, Law or similar, relevant to the assignment



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- Proficiency in English language
 - Computer literacy (MS Office applications)
- 4.2 *General professional experience (25 points)*
- 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 not later than 17:00 hrs, **18 March 2018**, 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 / Tel. +34 91 3952798.