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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 marketing standards for fruit and vegetables in the framework of CAP
<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, the Negotiating Team of the Republic of Serbia
<b>Target Beneficiaries:</b>	Ministry of Agriculture, Forestry and Water Management, members of the Negotiating Group 11 in charge of fruit and vegetables sector
<b>Content of the assignment:</b>	Assistance in drafting rulebooks on marketing standards for fresh fruit and vegetables and the register of fruit and vegetable traders in scope of CAP
<b>Budget Line / Expert Category:</b>	Senior Non-Key Expert
<b>Duration of the assignment:</b>	15 working days, spent during up to 3 missions in the period from April until (tentatively) September 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, 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 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



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operational work in relation to 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 11 – Agriculture and Rural Development and related to CAP in the area of fresh fruit and vegetables:**

The Screening Report for Chapter 11 – Agriculture and Rural Development (Part III.b: Common market organisation) states that “*Serbia has no market measures as applied in the EU in place. It will need to be able to apply the complete set of market mechanisms of the acquis upon accession including interventions. Serbia will also have to establish all required trade measures (e.g. certificates, customs controls).*”

The Ministry of Agriculture, Forestry and Water Management (MAFWM) has recognised the importance of adopting a new law regulating the market in some sectors of agricultural products. The new Draft Law on Organization of Agricultural and Food Products Market is aimed at creating conditions for activating selected measures of market regulation and gradually transposing key EU legislation governing this area, in particular the EU Regulation 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing the Common organization of the markets in agricultural products.

Draft Law on Organization of Agricultural and Food Products Market has been prepared with assistance provided by PLAC II Project. In the revised National Plan for the Adoption of the Acquis for 2018-2021, the adoption of the new law has been planned for Q3 in 2018.

Serbia still has to harmonise its national legislation with EU CMO measures for agricultural sectors of fruit and vegetables, in particular with Commission Implementing Regulation (EU) 543/2011 laying down detailed rules for the application of Council Regulation (EC) No 1234/2007 in respect of the fruit and vegetables and processed fruit and vegetables sectors. In the revised NPAA for 2018-2021, the adoption of the secondary legislation related to marketing standards for fresh fruit and vegetables has been planned for Q4 of 2018 and the adoption of the secondary legislation related to the register of fruit and vegetable traders in Q1 of 2019.

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

### **2.1 Specific objectives**

The specific objective of this assignment is the assistance to the MAFWM in addressing the requirements for the functioning of the Common market organisation in the fruit and vegetable sector, by drafting national secondary legislation harmonised with the EU acquis and introducing market standards for fresh fruits and vegetables and establishing a register of fruit and vegetables traders.

### **2.2 Requested services**

The Senior NKE is expected to provide the following services:

- a) To familiarise target beneficiary representatives with minimum quality requirements of general and specific marketing standards for fresh fruits and vegetables in accordance with Commission Implementing Regulation (EU) 543/2011 laying down detailed rules for the application of Council



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Regulation (EC) No 1234/2007 in respect of the fruit and vegetables and processed fruit and vegetables sectors;

- b) To propose procedures for controlling marketing standards at the moment of export, import, wholesale and retail facilities;
- c) To propose designation of inspection bodies responsible for carrying out conformity checks at each stage of the marketing and the manner for coordination among designated bodies;
- d) To draft Rulebook on marketing standards for fresh fruit and vegetables and the Form of the Certificate of conformity of marketing standards, in accordance with the requirements of CIR (EU) 543/2011 and the relevant EU acquis;
- e) To draft Rulebook on the Register of fruit and vegetable traders, including the Application Form for registration, in accordance with the requirements of CIR (EU) 543/2011 and the relevant EU acquis;
- f) To run training on the marketing standards as defined by the EU legislation and present the proposals for organising controls and draft provisions of the rulebooks during internal training.

### 2.3 Outputs

The Senior NKE is expected to deliver the following outputs:

- Proposal on procedures for controlling marketing standards at the moment of export, import, wholesale and retail facilities;
- Proposal on designation of inspection bodies responsible for carrying out conformity checks at each stage of the marketing and for coordination among designated bodies;
- Proposal on provisions of draft Rulebook on marketing standards for fresh fruit and vegetables, and the proposal on the Form of the Certificate of conformity of marketing standards, in accordance with the requirements of CIR (EU) 543/2011 and the relevant EU acquis;
- Proposal on provisions of draft Rulebook on the register of fruit and vegetable traders, including the Application Form for registration, in accordance with the requirements of CIR (EU) 543/2011 and the relevant EU acquis;
- Delivery of training on the marketing standards as defined by the EU legislation and the presentation of proposals for harmonisation with CIR (EU) 543/2011 and the relevant EU acquis.

### 2.4 Reporting

The 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 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.



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#### 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 Report.
- 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

In the revised NPAA for 2018-2021, the adoption of the secondary legislation related to marketing standards for fresh fruit and vegetables has been planned for Q4 of 2018 and the adoption of the secondary legislation related to the register of fruit and vegetable traders in Q1 of 2019.

Assistance in defining marketing standards for fresh fruit and vegetables and in establishing register of fruit and vegetable traders, i.e. in drafting respective secondary legislation in relation to the above-mentioned, will contribute to further progress by national authorities in the process of harmonisation of national legislation with the relevant Ch 11 EU acquis.

## 3. Expert input

### 3.1 Total working days

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

### 3.2 Period of the assignment

April – (tentatively) September 2018

### 3.3 Starting day

It is expected that the work will be performed during up to three missions and starting, at the earliest from 16 April 2018 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.



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### 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 Agriculture, Law, Economy or similar, relevant to the assignment
- Proficiency in English language
- Computer literacy (MS Office applications)

### 4.2 General professional experience (25 points)

- Min 8 and preferably 10 years of postgraduate professional experience in the field of agricultural policy, gained in an EU Member State, candidate or potential candidate country

### 4.3 Specific professional experience (50 points)

- Proven professional experience in harmonisation of legislation in the field of Common Agricultural Policy and related to common market organisation gained in EU Member State or candidate country
- Previous professional experience in drafting legislation and/or implementing activities in the field of EU acquis related to fresh fruit and vegetables 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](mailto:SEPLAC@altairasesores.es) no later than 17:00 hrs, 12 March 2018, titled: **“Application for the position – Senior NKE in the area of marketing standards for fruit and vegetables in the framework of CAP”**.

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