

Policy and Legal Advice Centre (PLAC III)

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

Technical assistance requested:	1 (one) Junior Non-Key Expert in the area of Negotiating Ch. 11 - Agriculture and Rural Development, Rulebooks for implementation of IPARD III Programme Measures
Project Title:	Policy and Legal Advice Centre (PLAC III), Serbia
Ref:	EuropeAid/139295/DH/SER/RS
Service Contract No.:	(CRIS) 2018/404-529
Main beneficiary:	The Ministry of European Integration of the Republic of Serbia
Target Beneficiaries:	Negotiating Group 11; Ministry of Agriculture, Forestry and Water Management - IPARD Managing Authority
Budget Line/Expert Category:	One Junior Non-Key Expert
Duration of the assignment:	15 working days from September 2023 until October 2023

1. Relevant background information

Background information in relation to the PLAC III project:

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

The PLAC III 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 the successful carrying out of accession negotiations

In general, the Project aims to foster the process of accession negotiations of the Republic of Serbia by supporting the effective alignment of national legislation with the Union acquis and its implementation and by further building the capacities of involved carriers of the EU integration process in the Republic of Serbia. Upon completion of the screening process in 2015, the Serbian public administration has entered into much more demanding and obliging exercises 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 and adequate institutional capacity of public administration with highly competent staff are of crucial importance. In the core period of the negotiations, the PLAC III project shall support domestic line institutions and the negotiating structures both in the 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.

2. Background information in relation to Chapter 11 – Agriculture and Rural Development

The Country Progress Report of the European Commission (EC) for Serbia for 2022 (Serbia 2022 Progress Report) states that the Republic of Serbia has some level of preparation in agriculture and rural development. Some progress was made, in particular through the adoption of the amendment of the Law on Agriculture and Rural Development ("Official Gazette of RS", no. 41/2009, 10/2013 - other laws, 101/2016, 67/2021 - other laws and 114/2021) in November 2021, improving the efficiency of processing IPARD applications, as well as the timely submission of the IPARD III Programme for the period 2021-2027.

According to the Decision of the European Commission No. C (2022)1537 of 9th March 2022, the IPARD III Programme of the Republic of Serbia for the period 2021- 2027 is adopted. The financial contribution of the European Union for the adopted IPARD III Programme is EUR 288 million. The Law on Ratification of the Financial Framework Partnership Agreement between the European Commission and the Republic of Serbia on specific arrangements for the implementation of the Union financial assistance to the Republic of Serbia under the Instrument for Pre-Accession Assistance (IPA III) was adopted ("Official Gazette of the RS", No. 6/22).

The Sectoral Agreement between the Government of the Republic of Serbia and the European Commission provides provisions for the management and implementation of Union financial assistance to the Republic of Serbia under the Rural Development Programme of the Instrument for Pre-Accession Assistance (IPARD III) was ratified and published in "Official Gazette RS - International Agreements", No. 4/2023 (the "Sectoral Agreement")

Through the IPARD III Programme implementation, the Republic of Serbia will increase the competitiveness of the agri-food sector, improve sustainable management of natural resources, climate change mitigation and resilience and increase in the attractiveness of rural areas. Investments supported by the IPARD III Programme of the Republic of Serbia relate to the procurement of equipment and machinery, construction and reconstruction of facilities, which will significantly contribute to achieving European standards in the field of food safety and hygiene, animal welfare and environmental protection, empowering agricultural producers and processors for better placement on the EU market. The IPARD III Programme also contributes to the objectives of the European Green Deal and the Green Agenda for the Western Balkans through: improvement of manure and waste management, modernization of assets, production of energy from renewable resources, increase of energy efficiency, transfer of innovative and environmentally friendly technologies, as well as environmentally and climate-sound agricultural production methods.

Selected measures under the IPARD III Programme are:

- Measure 1: Investments in Physical Assets of Agricultural Holdings;
- Measure 3: Investments in Physical Assets Concerning Processing and Marketing of Agricultural and Fishery Products;
- Measure 4: Agri-environment-climate and organic farming measure;
- Measure 5: Implementation of local development strategies - LEADER approach;
- Measure 6: Investments in Rural Public Infrastructure;
- Measure 7: Farm Diversification and Business Development;
- Measure 9: Technical Assistance.

The Republic of Serbia must ensure the smooth roll-over of entrusted IPARD II measures to the 2021-2027 period and prepare for the entrustment of Measure 4, Measure 5 and Measure 6.

With the support of the IPA 2017 Technical assistance project “Support to IPARD Operating Structure (Managing Authority and IPARD Agency)” the Ministry of Agriculture, Forestry and Water Management prepared the draft rulebooks for the implementation of Measure 1, Measure 3 and Measure 7. However, for purposes of submission of the straightforward roll-over request to the European Commission, expert support is needed to assist the IPARD Managing Authority of the Republic of Serbia in the fine-tuning of the rulebooks with related annexes for the implementation of Measures 1, 3 and 7 in accordance with the new IPARD III Programme and the Sectoral Agreement (“Official Gazette RS – International Agreements”, No. 4/2023)

There are no ongoing or planned assistance projects regarding the activities covered by this ToR.

3. Description of the assignment:

3.1 Specific objectives

The specific objective of this assignment is to assist the IPARD Managing Authority of the Republic of Serbia (IPARD MA) in the fine-tuning of the draft rulebooks for purposes of finalisation of the documentation necessary for submission of the straightforward roll-over request to the European Commission in compliance with the Decision of the European Commission No. C (2022)1537 of 9th March 2022.

In the scope of this objective the selected expert shall:

- a. Assist the IPARD MA in the fine-tuning of provisions of draft rulebooks and their annexes for IPARD III Measure 1, Measure 3 and Measure 7 to enable their implementation in accordance with the IPARD III Programme and the Sectoral Agreement (“Official Gazette RS – International Agreements”, No. 4/2023).

3.2 Requested services

The Junior NKE in the area of agriculture and rural development is expected to provide assistance to the IPARD MA in the following:

- a. Fine-tuning of the provisions of the draft rulebooks with related annexes for implementation of Measure 1, Measure 3 and Measure 7 under the IPARD III Programme and the Sectoral Agreement (“Official Gazette RS – International Agreements”, No. 4/2023).

3.3 Outputs

The junior NKE is expected to deliver the following outputs:

1. Draft Rulebook for Measure 1 - Investments in physical assets of agricultural holdings with related annexes for implementation of Measure 1 with the fine-tuned provisions, drafted;
2. Draft Rulebook for Measure - 3 Investments in physical assets concerning the processing and marketing of agricultural and fishery products with related annexes for the implementation of Measure 3 with the fine-tuned provisions, drafted; and
3. Draft Rulebook for Measure 7 - Farm diversification and business development with related annexes for implementation of Measure 7 with the fine-tuned provisions, drafted.

3.4 Reporting

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

- A Final Mission Report, no later than 1 week after the completion of tasks under this assignment. This report will include a description of all activities and outputs provided by the JNKE in the context of this assignment;
- A brief Interim Report - only upon request of the PLAC III team: TL and/or KE2.

Submission of reports:

- A Final Mission Report prepared in the agreed quality shall be submitted to the Team Leader of the Project for review, comments and final approval;
- The reports shall be signed by the JNKE and the Team Leader, responsible for endorsing the reports;
- The reports and all prepared documents shall be submitted in a hard copy and electronic version to the Team Leader of the Project.

3.5 Specifics

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

For each of the short-term missions, the timing and duration shall be agreed upon with the Beneficiary and the PLAC III team prior to each planned mission.

3.6 Expert input

3.6.1 Total working days

15 working days (WDs) in total have been planned for the Junior Non-Key Expert for this assignment.

3.6.2 Period of the assignment and starting day

It is expected that the work will be performed through several missions during the period from September 2023 until October 2023. However, the starting date will be confirmed at a later stage.

3.6.3 Location/place of assignment

The JNKE must deliver 100% of the input in Serbia.

3.6.4 Working language

English

4. Experts' profile – Junior NKE (15 working days):

4.1 Qualifications and skills (25 points)

- A level of education which corresponds to completed university studies of at least 4 years, attested by a diploma such as law, economics or similar, relevant to the assignment;
- Computer literacy;
- Proficiency in report drafting;
- Excellent communication and analytical skills;
- Proficiency in the English language;
- Independence and freedom from conflicts of interest in the undertaken responsibilities.

4.2 General professional experience (25 points)

- At least 5 (five) years of general postgraduate professional experience related to the Union acquis, gained in an EU Member State, candidate or a potential candidate country.

4.3 Specific professional experience (50 points)

- 2 (two) preferably 3 (three) years of postgraduate professional experience in drafting and/or implementing legislation and/or policy documents in the area of agriculture and rural development;
- Knowledge of the Serbian legal system will be an advantage.

5. Applications

Applications (EU format CV and application letter in English) need to be submitted by e-mail to mbayard@dmiassociates.com and akhani@dmiassociates.com no later than 18 September 2023, 17:00 hrs, titled:

“Application for the position – 1 (one) JNKE in the area of Negotiating Chapter 11 – Agriculture and Rural development - Rulebooks for implementation IPARD III Programme Measures”.

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

Pre-selected experts will be requested to sign a Statement of Availability (SoA) in which they acknowledge and confirm their availability to accomplish this assignment within the indicated period, at the indicated starting date and within the number of working days requested.

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

Advertised posts are not available to civil servants or other officials of the public administration in the beneficiary country, Serbia.

For more information, please contact the Project Manager at DMI Associates Marion Bayard: mbayard@dmiassociates.com or Arianne Khani akhani@dmiassociates.com.