



## Policy and Legal Advice Centre (PLAC IV)

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

#### No. 44

<b>Technical assistance requested:</b>	1 (one) Senior Non-Key Expert in the area of Negotiating Ch.15, Energy - Commission Delegated Regulation (EU) 2019/807 ("ILUC" Regulation)
<b>Project Title:</b>	Policy and Legal Advice Centre (PLAC IV)
<b>Ref:</b>	NEAR/BEG/2023/EA-RP/0175
<b>Service Contract No:</b>	(CRIS) 2024/454-315
<b>Main beneficiary:</b>	The Ministry of European Integration of the Republic of Serbia and the Negotiating Team
<b>Target Beneficiaries:</b>	Negotiating Group Ch. 15; Ministry of Mining and Energy RS (MME)
<b>Budget Line/Expert category</b>	One Senior Non-Key Expert
<b>Duration of the assignment</b>	20 working days (WD), from September 2025 until January 2026

#### 1. Background information in relation to the PLAC IV project:

The scope of the PLAC IV project is to support relevant national institutions in charge of aligning national legal acts with the Union *acquis* and to contribute to the capacities of relevant national structures for the successful conduct of accession negotiations.

The PLAC IV 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 at fostering 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. After completing the screening process in 2015, the Serbian public administration entered a much more demanding and rigorous exercise of accession negotiations, whereby each step and every decision should result in approaching actual EU membership. For this scenario to happen according to planned dynamics, preparedness and adequate institutional capacity of public administration with highly competent staff are crucial. During the core period of the negotiations, the PLAC IV project will

support domestic line institutions and the negotiating structures in performing high-quality operational work in relation to the harmonisation process and in coordinating effectively during various stages and phases of the process for different negotiation chapters.

## **2. Background information in relation to Chapter 15 – Energy**

In accordance with the Treaty on the Establishment of the Energy Community, which was ratified in the Republic of Serbia in 2006, the Republic of Serbia undertook the obligations of harmonising national legislation in the field of energy with the *acquis* of the European Union.

The Stabilisation and Association Agreement, signed in 2008 and entering into force in 2013, emphasised the necessity of regional cooperation in the energy field with the aim of gradual integration into the European energy market.

Regulation of the area of renewable energy sources is carried out and monitored within the framework of Negotiating Chapter 15 – Energy, for which negotiations were opened in 2021.

Bearing in mind that since 2018, the European Union has been revising its energy policy and legal framework to support the transformation towards clean energy and the reduction of greenhouse gas emissions, the Ministerial Council of the Energy Community adopted the Decision No: 2021/14/MC-EnC dated 30.11.2021, by which the Directive (EU) 2018/2001 on the promotion of the use of energy from renewable sources from 11 December 2018 (RED II), was included in the regulations of the Energy Community and adapted for use in the Energy Community. According to this decision, the Republic of Serbia, as a Contracting Party to the Treaty on the Establishment of the Energy Community, had the obligation to transpose the provisions of this directive into the national legislation by 31 December 2022, i.e. to bring into force the laws, regulations and administrative provisions necessary to comply with Directive (EU) 2018/2001. Additionally, the Ministerial Council of the Energy Community adopted Decision No: 2022/02/MC-EnC from 15.12.2022, amending Decision No: 2021/14/MC-EnC.

After the adoption of the Law on Renewable Energy in April 2021 and amendments to the Law on Renewable Energy in 2023 (*Official Herald RS*, No 40/2021, 35/2023, 94/2024), Serbia continued alignment with RED II by adopting a set of by-laws for renewable energy sources (RES), including the Regulation on Biofuel Sustainability Criteria.

However, the European Commission adopted Delegated Regulation (EU) 2019/807 of 13 March 2019, supplementing RED II as regards the determination of high indirect land-use change-risk feedstock for which a significant expansion of the production area into land with high carbon stock is observed and the certification of low indirect land-use change-risk biofuels, bioliquids and biomass fuels (“ILUC Regulation”).

In order to fulfil obligations regarding the ILUC Regulation it is necessary to perform a detailed analysis of legal and institutional gaps in the existing national legal and institutional framework, propose key modifications to the existing institutional and regulatory framework and to prepare a proposal for a regulatory framework, (drafts of legislative acts) that would transpose the provisions and provide the basis for the implementation of “ILUC Regulation”).

There are no ongoing and/or planned assistance projects for 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 Ministry of Mining and Energy (MME) to align Serbian legislation in renewables with Commission Delegated Regulation (EU) 2019/807 of 13 March 2019 supplementing Directive (EU) 2018/2001 of the European Parliament and of the Council as regards the determination of high indirect land-use change-risk feedstock for which a significant expansion of the production area into land with high carbon stock is observed and the certification of low indirect land-use change-risk biofuels, bioliquids and biomass fuels, and to comply with the decision of the Ministerial Council of the Energy Community 2021/14/MC-EnC and decision of the Ministerial Council of the Energy Community 2022/02/MC-EnC.

In the scope of this objective, these activities are foreseen:

Expert support to MME is required to identify the legal and institutional gaps in the existing national legal and institutional framework in relation to Commission Delegated Regulation (EU) 2019/807 requirements, to determine the degree of amendments and modifications in the existing legislation needed to close the gap identified and to prepare drafts of legislative acts amending the existing regulatory framework and transposing the ILUC Regulation and table of concordance.

At the end of the activity, a presentation will be held on the legal and institutional gap assessment, new drafts of legislation, changes to the institutional and regulatory framework envisaged by the new legislation, and their expected impacts.

#### **3.2 Requested services**

**The Senior NKE is expected to provide the following services:**

1. Assist the MME and NG 15 in:
  - a) Preparing an analysis of legal and institutional gaps in the existing national legal and institutional framework in relation to Commission Delegated Regulation (EU) 2019/807 requirements;
  - b) Identifying the degree of amendments and key modifications in the existing regulatory and institutional framework needed to close the gap identified, with which the alignment and transposition of Commission Delegated Regulation (EU) 2019/807 would be carried out;
  - c) Preparing drafts of legislative acts amending and supplementing the existing regulatory framework to provide a legal basis enabling transposition and consequently full implementation of the ILUC Regulation, including the text of new implementing by-laws;
2. Preparing a table of concordance for Commission Delegated Regulation (EU) 2019/807; and
3. Delivering a workshop presenting the results of the activity.



### 3.3 Outputs

**The Senior NKE is** expected to deliver the following outputs:

1. Legal and institutional gap assessment report identifying amendments and modifications in the regulatory and institutional framework needed to close the gap, drafted
2. Draft legislative acts (Laws if relevant) amending and supplementing the existing regulatory framework, drafted;
3. By-laws (if relevant) enabling transposition of the ILUC Regulation, drafted;
4. Table of concordance, drafted;
5. Workshop held.

### 3.4 Reporting

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

- A brief Mission Report with a description of activities and outputs provided at the end of each month in which tasks under this assignment have been carried out, if requested by the Project Team Leader.
- Final Mission Report, no later than one week after completing tasks under this assignment. This report will include a description of all activities and outputs provided by the NKE in the context of this assignment.

#### **Submission of reports:**

- All reports prepared with the relevant quality shall be submitted to the Project Team Leader for review, comments, and final approval. The reports shall be signed by the NKE and the Team Leader responsible for endorsing them.
- The reports and all prepared documents shall be submitted to the Project Team Leader in hard copy and electronic format.

### 3.5 Specifics

The SNKE shall work under the guidance and instructions of the Team Leader. He shall collaborate with the project team, other experts involved, and representatives of the relevant beneficiary institutions.

The **Comprehensive analysis** will be considered completed when the Working Group formed by MME approves it.

The timing and duration of each short-term mission shall be agreed upon with the Beneficiary and the PLAC team before each planned mission.



### 3.6 Expert's input

<b>Total working days</b>	A total of 20 working days (WD) have been planned for this assignment.
<b>Period of the assignment</b>	September 2025 until January 2026
<b>Starting day</b>	The work is expected to commence in September 2025. However, the exact starting date will be agreed upon later.
<b>Location/place of assignment</b>	The base of operation will be in Belgrade, Serbia, and the Project will provide office facilities.
<b>Working language</b>	English

### 4. Expert's Profile – Senior NKE (20 working days)

<b>Qualification and skills (25 points)</b>	<ul style="list-style-type: none"> <li>• A level of education which corresponds to completed university studies of at least 4 (four) years in the relevant field, attested by a diploma such as energy engineering, law, economy, agriculture or similar, relevant to the assignment</li> <li>• Computer literacy</li> <li>• Be proficient in report drafting</li> <li>• Excellent communication and analytical skills</li> <li>• Proficiency in the English language</li> <li>• Be independent and free from conflicts of interest in the responsibilities they take on.</li> </ul>
<b>General professional experience (25 points)</b>	<ul style="list-style-type: none"> <li>• Minimum 8 (eight) years of relevant professional experience related to the EU <i>acquis</i>, gained in an EU Member State, or a candidate country.</li> </ul>
<b>Specific professional experience (50 points)</b>	<ul style="list-style-type: none"> <li>• At least 5 (five) years of postgraduate professional experience in the field of drafting and/or implementing legislation in relation to the Union <i>acquis</i> in the area of renewable energy and ILUC;</li> <li>• Knowledge of the Serbian legal system as well as experience in drafting Serbian regulations will be an advantage.</li> </ul>



## 5. Applications

Applications (EU format CV in English using this format:

[www.ibf.be/public/events/17822/TEMPLATE\\_CV\\_EN\\_for\\_online\\_applications.docx](http://www.ibf.be/public/events/17822/TEMPLATE_CV_EN_for_online_applications.docx)) need to be submitted by e-mail to [domi@ibf.be](mailto:domi@ibf.be) with a copy to [bortolameazzi@ibf.be](mailto:bortolameazzi@ibf.be) **no later than 17:00 hrs, 14 July 2025**, titled:

**"Application for the position – Senior Non-Key Expert in the area of Energy, Ch. 15 - Commission Delegated Regulation (EU) 2019/807 (ILUC Regulation)".**

References must be available on request. Only shortlisted candidates will be contacted.

The Project is an equal opportunity employer that encourages applications from women and minorities. All applications will be considered strictly confidential.

The advertised post is unavailable to civil servants or other public administration officials in the Republic of Serbia, the beneficiary country.

For more information, please contact the Project Director at IBF: [bortolameazzi@ibf.be](mailto:bortolameazzi@ibf.be).