



Policy and Legal Advice Centre (PLAC IV)

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

No. 45

Technical assistance requested:	1 (one) Senior Non-Key Expert in the area of Negotiating Ch. 15 – Energy – Directive 2009/119/EC (“Oil Stocks Directive”)
Project Title:	Policy and Legal Advice Centre (PLAC IV), Serbia
Ref:	NEAR/BEG/2023/EA-RP/0175
Service Contract No.	(CRIS) 2024/454-315
Main beneficiary:	Ministry of European Integration of the Republic of Serbia (MEI) and the Negotiating Team
Target beneficiaries:	Negotiating Group Ch. 15; Ministry of Mining and Energy of the RS (MME), Administration for Reserves of Energy-Generating Products (Administration)
Budget Line / Expert Category:	1 (one) Senior Non-Key Expert (SNKE)
Duration of the assignment:	20 SNKE working days (WD), from August until November 2025

1. Background information in relation to the PLAC IV project

The scope of the PLAC IV is to support relevant national institutions in charge of aligning national legal acts with the Union acquis and to contribute to further building the capacities of the relevant national structures to carry out accession negotiations successfully.

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 relevant national structures for successful carrying out of accession negotiations

In general, the project aims to support the accession negotiations process of the Republic of Serbia by facilitating the effective alignment of national legislation with the Union acquis and its implementation, and by further building the capacities of the key stakeholders involved in 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 membership in the EU.

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

The Republic of Serbia has committed itself to implementing Council Directive 2009/119/EC (the Directive), which imposes an obligation on Member States to maintain minimum stocks of crude oil and /or petroleum products. 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, Nos. 104/13, 145/14, and 95/18), which transposes the most relevant provisions of the Directive. To establish the full legal framework for the transposition of the Directive, several regulations and bylaws have had to be adopted by the Government of the Republic of Serbia and the MME.

In 2014 and 2015, most of the work to establish the full legal framework, including the Long-term Plan and Mid-term Plan 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 a dedicated body responsible for emergency oil stocks – the Administration for Reserves of Energy-Generating Products – was established within the MME.

In 2014, Serbia's accession negotiations with the EU formally commenced. Following the screening of the acquis of Chapter 15, Serbia was considered insufficiently prepared for negotiations on this Chapter and was presented with two opening benchmarks in the Screening Report.

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

On 27 May 2021, the Government of the Republic of Serbia adopted and submitted the Action Plan to the European Commission for its opinion. Based on this Action Plan, the negotiations on Chapter 15 were opened in December 2021.

In parallel with the Action Plan and EU accession negotiations, the Commodity Reserves Law requires the adoption of the Long-term Plan (a 10-year plan) and the Mid-term Plan (a 3-year plan) regarding emergency oil stockholding, as prescribed under Articles 17 and 18. These plans should be aligned with the Action Plan submitted to the European Commission.



Therefore, in June 2021, the updated Long-term and Mid-term plans, fully aligned with the Action Plan submitted to the European Commission, were drafted. The adoption of these plans by the Government was on hold until the European Commission provided its opinion on the Action Plan. However, these documents ultimately were not adopted by the Government due to the reshaping of the energy markets caused by the war in Ukraine.

Negotiations on Chapter 15 on Energy are still underway. The only outstanding key milestone for emergency oil stockholding, which is crucial for closing negotiations on Chapter 15, is building up emergency stocks to the full amount, in line with the Action Plan adopted by the Government on 27 May 2021.

The Action Plan foresees that storage capacities in Serbia will be built through a public-private partnership (PPP) arrangement. The war in Ukraine and developments in the oil market have necessitated the revision of the Action Plan, as the implementation of the PPP and construction of storage capacities require more time than initially foreseen in the Action Plan adopted by the Government.

Thus, it is necessary to update the Action Plan. The updated version of the Action Plan should be the most recent executive and operational document, taking into consideration all relevant and practical aspects that influence the establishment of Serbian emergency oil stocks within a realistic deadline. Considering the latter, the updated version of the Action Plan should serve as a baseline for developing the Long-term Plan and the Mid-term Plan, fully in accordance with Articles 17 and 18 of the Commodity Reserves Law.

At present, 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 Serbia in its efforts to:

- (1) establish the minimum required level of emergency oil stocks in accordance with the Council Directive 2009/119/EC of 14 September 2009 imposing an obligation on Member States to maintain minimum stocks of crude oil and /or petroleum products and
- (2) address the closing benchmark set by the European Commission for closing negotiations on Chapter 15.

Specifically, this is to be done by providing the expert assistance to the MME and the Administration in updating the Action Plan for Establishment and Maintenance of Emergency Stocks of Crude Oil and Oil Products (the Action Plan) adopted by the Government of the Republic of Serbia on 27 May 2021 and presented to the European Commission. The Action Plan will indicate the updated timetable for acquiring storage capacity and for gradually increasing the stock levels to the minimum level set by the EU *acquis*.

Further on, by using the updated version of the Action Plan as a baseline, the expert assistance should be provided to the MME and the Administration in supporting them in drafting the updated Long-term Plan and developing a Mid-term Plan for Establishment and

Maintenance of Emergency Stocks, fully in accordance with Articles 17 and 18 of the Commodity Reserves Law (Official Gazette of the Republic of Serbia, No. 104/13, 145/14 and 95/18).

3.2 Requested services

The **Senior NKE** is expected to assist the MME, Administration and NG 15 by providing the following services:

- a. Drafting the updated version of the Action Plan for Establishment and Maintenance of Emergency Stocks of Crude Oil and Oil Products, which is to be developed to meet a key benchmark for closing EU negotiations on Chapter 15 on Energy. The Action Plan should provide an appropriate framework for Serbia's preparations to gradually align with the EU acquis and strengthen its administrative capacity in the energy sector, including maintaining minimum stocks of crude oil and/or petroleum products.

The Action Plan should outline the current state of play regarding legal alignment and administrative capacity, as well as plans in this field. It should list the responsible institution, time limits for the elaboration, adoption and entry into force of legal acts, human resources allocated, target dates for strengthening administrative capacities, and related financial aspects. Update should be based on the existing documents and relevant input data including but not limited to data on amount of emergency oil stocks in Serbia, approved budgetary allocations and business plan for emergency oil stockholding in 2025, oil supply/consumption and oil infrastructure in Serbia as provided by the MME, Administration, Directorate for Commodity Reserves, Ministry of Finance, Statistical Office, Serbian oil industry and other relevant stakeholders as needed.

- b. Supporting the MME and Administration in drafting the Long-term Plan for Establishment and Maintenance of Emergency Oil Stocks (period 2026 - 2035) and Mid-term (period 2026 – 2028) Plan for Establishment and Maintenance of Emergency Stocks of Crude Oil and Oil Products to ensure that these plans are fully aligned with the updated Action Plan.

3.3 Outputs

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

1. Updated Action Plan for Establishment and Maintenance of Emergency Stocks of Crude Oil and Oil Products (in accordance with relevant requirements of Directive 2009/119/EC and the Commodity Reserves Law), drafted.

3.4 Reporting

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

- A brief Mission Report describing activities and outputs provided at the end of each month, in which tasks under this assignment have been carried out, upon request of 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 SNKE in the context of this assignment.



Submission of reports:

- All reports prepared with relevant quality shall be submitted to the Project Team Leader for review, comments, and final approval. The reports shall be signed by the SNKE 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 form.

3.5 Specifics

The Senior NKE 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 work 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

Total working days	20 working days (WDs) for the SNKE have been planned for this assignment.
Period of the assignment	From August 2025 until November 2025
Starting day	The work is expected to commence in August 2025. However, the exact starting date will be agreed upon later.
Location/place of assignment	The base of operation will be in Belgrade, Serbia, and the Project will provide office facilities.
Working language	English

4. Senior Expert's profile

Qualification and skills (25 points)	<ul style="list-style-type: none"> • A level of education corresponding to completed university studies of at least 4 (four) years attested by a diploma in engineering, economics or a similar field relevant to the assignment. • Computer literacy • Be proficient in report drafting • Excellent communication and analytical skills • Proficiency in the English language • Be independent and free from conflicts of interest in the responsibilities they take on
General professional experience (25 points)	<ul style="list-style-type: none"> • Minimum 10 (ten) years of relevant postgraduate professional experience related to the EU <i>acquis</i> in energy field, gained in an EU Member State, candidate or potential candidate country
Specific professional experience (50 points)	<ul style="list-style-type: none"> • At least 5 (five) years of postgraduate professional experience in transposition of the relevant Union <i>acquis</i> in the area of emergency oil stockholding (Directive 2009/119/EC), gained in an EU Member State, candidate or potential candidate country • Professional experience in providing technical assistance to an EU Member State, candidate or potential candidate country in the implementation of Directive 2009/119/EC in at least 3 (three) international donor-funded projects • Knowledge of the Serbian emergency oil stockholding system, as well as knowledge of the Serbian language, will be an advantage

5. Applications

Applications (EU format CV in English using this format:

www.ibf.be/public/events/17822/TEMPLATE_CV_EN_for_online_applications.docx) need to be submitted by e-mail to domi@ibf.be with a copy to bortolameazzi@ibf.be no later than **17:00 hrs, 16 July 2025**, titled:

“Application for the position – Senior Non-Key Expert in the area of Negotiating Chapter 15 – Directive 2009/119/EC”.

References must be available on request. Only short-listed 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 not available to civil servants or other public administration officials in Serbia, the beneficiary country.

For more information, please contact the Project Director at IBF: bortolameazzi@ibf.be.