Policy and Legal Advice Centre (PLAC III)

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

Technical assistance requested:	1 (one) Senior Non-Key Expert in the area Ch.15 - Energy; Nuclear Safety and Radiation Protection – Review of a Draft of Existing Exposure Situation Strategy
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 and the Negotiating Team
Target Beneficiaries:	Negotiating Group Ch. 15; Serbian Radiation and Nuclear Safety and Security Directorate (SRBATOM)
Budget Line /Expert Category:	One Senior Non-Key Expert
Duration of the assignment:	10 working days (WD), from April until June 2021

1. Relevant background information

Background information in relation to PLAC III project:

The scope of 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 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 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 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 III Project shall support domestic line institutions and the negotiating structures both in performance of quality operational work in relation to 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 15 – Energy – Radiation protection and nuclear safety area

The general responsibilities of the Member States and competent authorities and other requirements for regulatory control, as required by Directive 2013/59/Euratom are partially transposed into Serbian legal framework. According to the Screening Report, Chapter 15 - Energy (III.i.), Serbia will need to further adapt its national legislation to reach full alignment with Council Directive 2013/59/Euratom laying down Basic Safety Standards for Protection against the dangers arising from exposure to Ionising radiation and repealing Directives 89/618/Euratom, 90/641/Euratom, 96/29/Euratom, 97/43/Euratom, and 2003/122/Euratom.

In the third revision of National Programme for Adoption of the Acquis - NPAA, for the period 2018-2021, section 3.15.3, further improvements of the national legislation are planned to comply with requirements of EU acquis in the field of radiation protection and nuclear safety, in particular with Council Directive 2013/59/Euratom. In this connection, new legislation, by NPAA is planned to be adopted by end of 2021 (Law – Q1 of 2019 and bylaws by Q4 of 2021).

In December 2018, the Law on Radiation and Nuclear Safety and Security (Official Gazette of the Republic of Serbia, No. 95/18 and 10/19) came into force. The law is partially harmonised with the Council Directive 2013/59/Euratom, and a full harmonisation is expected by adoption of bylaws in the next period according to the NPAA. Very important part for transposition and further implementation are requirements of the Article 100 and 101 with Annex I of the Directive 2013/59 related to the existing exposure situations and establishment of strategies to ensure the appropriate management of existing exposure situations.

PLAC III assistance is needed to assist the Serbian Radiation and Nuclear Safety and Security Directorate (SRBATOM) to further harmonise with the EU requirements in the field of radiation and nuclear safety in particular with requirement of the of the Article 100 and 101 with Annex I of the Directive 2013/59.

In that sense, SRBATOM will prepare the first draft of the Existing Exposure Situation Strategy in accordance with the Article 6 of the Law on Radiation and Nuclear Safety and Security. In framework of this project activity, it is necessary to review and further improve the draft in accordance with the requirements of the Article 100 and 101 with Annex I of Directive 2013/59 and existing exposure situations in Serbia recognised so far.

At present, there is no on-going 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 provide the expert assistance to the Serbian Radiation and Nuclear Safety and Security Directorate in transposition of relevant requirements of the Article 100 and 101 with Annex I of the Council Directive 2013/59/Euratom into Existing Exposure Situation Strategy in accordance with the Article 6 of the Law on Radiation and Nuclear Safety and Security.

Expert support to SRBATOM is needed for reviewing and additionally upgrading drafted Existing Exposure Situation Strategy in accordance with the Article 6 of the Law on Radiation and Nuclear Safety and Security. The Strategy will additionally contribute to the further

alignment of Serbian national legislation with EU acquis in the area of radiation and nuclear safety.

3.2 Requested services

The Senior NKE in the area of radiation and nuclear safety is expected to provide the following services:

To review and assist the SRBATOM to further upgrade the draft of Existing Exposure Situation Strategy in accordance with requirements of the Article 100 and 101 with Annex I of the Directive 2013/59/Euratom.

3.3 Outputs

The Senior NKE is expected to deliver the following outputs:

An Existing Exposure Situation Strategy in accordance with requirements of the Article 100 and 101 with Annex I of the Directive 2013/59/Euratom drafted.

3.4 Reporting

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

- 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 SNKE in the context of this assignment.

- A brief interim report - only upon a request of the PLAC III team: TL and/or KE2

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 agreed quality shall be submitted to the Team Leader of the Project for a review, comments and the final approval.

- The reports shall be signed by the SNKE 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 SNKE shall work under the guidance and follow the instructions of the Team Leader. The SNKE shall collaborate with the project team, other experts involved and representatives of the relevant beneficiary institutions.

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

3.6 Expert input

3.6.1 Total working days

10 working days (WDs) in total have been planned for Senior 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 in the period from April until June 2021 at latest. The exact starting date will be agreed at a later stage.

3.6.3 Location/Place of assignment

The SNKE has to deliver 100% of the input in Serbia, unless otherwise agreed due to extraordinary circumstances (i.e. COVID-19). Home-based days are subject to a prior approval by the EU Delegation Project Manager responsible for PLAC III project.

3.6.4 Working language

English

4. Experts' Profile – Senior NKE (10 working days):

4.1 Qualifications and skills (25 points)

- A level of education, which corresponds to completed university studies of at least 3 years attested by a diploma such as engineering, science or similar, relevant to the assignment
- Computer literacy
- Be proficient in report drafting
- Excellent communication and analytical skills
- Proficiency in English language
- Be independent and free from conflicts of interest in the responsibilities they take on

4.2 General professional experience (25 points)

- At least 8 (eight) years of general postgraduate professional experience gained a field of Ch. 15 Energy, gained in an EU Member State, candidate or potential candidate country

4.3 Specific professional experience (50 points)

- Postgraduate professional experience in transposition of Union acquis in the area of radiation and nuclear safety related to existing exposure situations
- Postgraduate professional experience in a competent regulatory authority implementing relevant Union acquis in the area of radiation and nuclear safety will be an advantage
- Knowledge of Serbian legal system would be an advantage

6. Applications

Applications (EU format CV and application letter in English) need to be submitted by e-mail to ehoward@dmiassociates.com, mbunga@dmiassociates.com, and akhani@dmiassociates.com> no later than 8 March 2021, 17:00 hrs, titled:

"Application for the position – Senior NKE in the area of Ch. 15 – Nuclear Safety and Radiation Protection; Review of a Draft of Existing Exposure Situation Strategy"

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

Pre-selected experts will be requested to sign Statement of Availability (SoA) in which they acknowledge and confirm the 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 Project Manager at DMI Associates Elizabeth Howard ehoward@dmiassociates.com, Mareva BUNGA mbunga@dmiassociates.com, and Ariane KHANI akhani@dmiassociates.com.