



## **TERMS OF REFERENCE**

### **International Consultant on protective measures against organisms harmful to plants or plant products**

<b>Job title:</b>	International Consultant
<b>Duty station:</b>	Chisinau, Moldova
<b>Reference to the project:</b>	Building Institutional Capacity of the Ministry of Foreign Affairs and European Integration
<b>Contract type:</b>	Individual Contract (IC)
<b>Expected workload:</b>	Up to 25 working days
<b>Starting date:</b>	October 2013

#### **BACKGROUND:**

Relations between the Republic of Moldova (RM) and the European Union (EU) formally started with the signing of the Partnership and Cooperation Agreement (PCA) in 1994 that entered into force in 1998. The PCA established the basic principles of cooperation between RM and EU and was designed for a 10 year period. With the formal expiration of the term in 2008, the validity of the Agreement is being extended automatically provided none of the parties' requests formal cancellation. PCA constitutes the framework of relations between RM and EU.

In 2005, in the context of the new European Neighborhood Policy, RM and EU signed an EU-Moldova Action Plan (EUMAP) for a period of 3 years, which included a series of actions aiming at deepening the cooperation between the two parties. In February 2008, upon the conclusion of the Action Plan implementation period, the European Council adopted a decision expressing the readiness to initiate new negotiations with the RM with the goal of signing a new agreement.

In parallel with the Action Plan, Moldova has signed with the EU a Visa Facilitation Agreement, and received a preferential trade regime (Autonomous Trade Preferences) with the EU for a majority of the goods produced in Moldova.

Since 2010, RM has been successfully carrying out negotiations with EU for an Association Agreement (AA) and has undertaken concrete steps towards a deeper relationship with the EU.

On 5 December 2011, EU decided to launch negotiations on a Deep and Comprehensive Free Trade Area (DCFTA) with Moldova, with the purpose of boosting economic growth and investment within its Eastern

European partner. These negotiations tackled a broad range of trade and economic issues in order to ensure a closer economic integration with the EU for Moldova. DCFTA will be part of the AA, which strives, also in line with the EU's Eastern Partnership objectives, to closely associate Moldova to the European Union in both economic and political dimensions.

The EU and the RM successfully held the final round of negotiations on a DCFTA in June 2013. The DCFTA consists of 14 chapters; it will provide for a significantly improved mutual access for European and Moldovan goods and services. It will ensure an open, stable and predictable legal environment for the benefit of Moldovan businesses and consumers. The DCFTA will improve the trade opportunities between EU and Moldova and enhance prosperity of both economies.

The Project "Building Institutional Capacity of the Ministry of Foreign Affairs and European Integration (MFAEI)" aims at strengthening the institutional capacity of the MFAEI as lead institution in the AA negotiation process. In the same context, the Project seeks to contribute to developing EU integration capacities of key line ministries, including the Ministry of Agriculture and Food Industry (MAFI). The immediate focus is currently the post-negotiation and implementation phases of the AA.

Alignment of policy, institutional arrangements, legislation procedures and best practices to EU standards and requirements is a priority for MAFI to raise the level of consumer protection and competitiveness domestically and to gain access to EU markets.

In particular reference is made here to relevant parts on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community (Council Directive 2000/29/EC).

## **Objective**

The Project will contract an International Consultant to consult and raise capacity of both the Ministry of Agriculture and Food Industry (MAFI) and the National Agency for Food Safety (ANSA) in the area of upgrading and EU approximation of policy, legislation institutional arrangements, procedures and best practices in the area of protective measures against the introduction into the Moldovan territory of organisms harmful to plants or plant products and against their spread to third countries.

This objective should be met through the following activities and through the following deliverables:

### **Key activities:**

- Assess and report on current policy, legislation, institutional arrangements, national procedures and documentation in the area of protective measures implemented in Moldova against the introduction into the Moldovan territory of organisms harmful to plants or plant products and against their spread with third countries.
- Develop and agree jointly with beneficiaries a mission action plan for remedying gaps and lacks.
- Support MAFI in drafting legislation/legislative amendments (including regulating institutional arrangements) and supporting documentation (e.g. legislative impact analysis)
- Support ANSA in drafting package of operational documentation for implementing official control of compliance measures implemented in Moldova against the introduction into the Moldovan territory of organisms harmful to plants or plant products and against their spread to third countries.
- Workshop with both beneficiaries including presentation of final mission report.

### **Deliverables**

- Report on current policy, legislation, institutional arrangements, national procedures and documentation in the area of protective measures against the introduction into the Moldovan territory of organisms harmful to plants or plant products and against their spread to the third countries.
- Mission action plan.
- Draft legislation / legislative amendments (including regulating institutional arrangements) and supporting documentation (e.g. legislative impact analysis)

- Package of operational documentation for implementing official control of compliance of measures implemented in Moldova against the introduction into the Moldovan territory of organisms harmful to plants or plant products and against their spread to third countries.
- Organize and implement a workshop with both beneficiaries including presentation of final mission report.

**Result**

MAFI and ANSA capable of defining and implementing a EU compliant system of protective measures against the introduction into the Moldovan territory of organisms harmful to plants or plant products and against their spread to third countries.

**Resources**

25 working days (a minimum 20 of which in Moldova) in a maximum of two missions).

**Mission Schedule:**

The mission shall be undertaken in the period October - December 2013 with detailed timetable to be agreed with the Beneficiaries

The 25 working days allocated for this task should be used approximately as follows:

Deliverable/milestone	Indicative timeframe
Report on current policy, legislation, institutional arrangements, national procedures and documentation in the area of protective measures against the introduction into the Moldovan territory of organisms harmful to plants or plant products and against their spread with third countries	4 days,
Mission action plan	1 day
Draft legislation/ legislative amendments (including regulating institutional arrangements) and supporting documentation (e.g. legislative impact analysis).	8 days
Package of operational documentation for implementing official control of protective measures against the introduction into the Moldovan territory of organisms harmful to plants or plant products and against their spread with third countries.	10 days
Workshop with both beneficiaries including presentation of final mission report.	1 day
Reporting	1 day
<b>Total</b>	<b>25</b>

All deliverables should be agreed and accepted by UNDP and MAFI, and be provided in English, hard and electronic copy.

**Institutional arrangements:**

The International Consultant will work in close collaboration with the UNDP, MAFI and ANSA – for substantive aspects of the assignment, and under the direct supervision of the Project Manager – for administrative aspects.

The International Consultant will be located in the premises of the Ministry / Agency and will work closely with the Ministry / Agency staff. The Ministry / Agency will provide the Consultant with working space, access to Internet, printer and telephone line. Payments will be made in two installments, based on acceptance of deliverables.

## **Qualifications Required:**

### Academic Qualification

- Relevant University degree. Relevant Master's Degree or PhD would be an asset.

### Experience

- Minimum 7 years of work experience in the area of EU protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community.
- Experience in transposing of EU requirements in the area of protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community.
- Experience of implementing protective measures against the introduction into the Community of organisms harmful to plants or plant products.
- Knowledge of and experience in assisting government institutions within projects funded by international organizations in the region of Central and Eastern Europe (experience in countries with economies in transition would be an asset).

### Competencies

- Strong interpersonal skills, communication and diplomatic skills, ability to work in a team.

### Language requirements:

- Fluency in written and spoken English, knowledge of Romanian or Russian would be an asset.

## **Documents to be included when submitting the proposals:**

Interested individual consultants must submit the following documents/information to demonstrate their qualifications:

- Proposal: explaining why they are the most suitable for the work;
- Financial proposal specifying a total lump sum amount;
- Personal CV including past experience in similar projects and **at least 3 references.**