



TERMS OF REFERENCE

International Consultant on EU approximation of legislation relating to a reduction of sulfur content of certain liquid fuels

Job title:	International Consultant on EU approximation of legislation relating to the reduction of sulfur content of certain liquid fuels for the Ministry of Environment
Duty station:	Chisinau, Moldova
Reference to the project:	Building Institutional Capacity of the Ministry of Foreign Affairs and European Integration
Contract type:	Individual Contract (IC)
Expected workload:	Up to 30 working days
Starting date:	August 2014

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.

The Partnership and Cooperation Agreement will soon be replaced by an Association Agreement which includes a Deep and Comprehensive Free Trade Area (DCFTA). The documents provide for political association and economic integration and have been initialed in Vilnius in November 2013.

For the Republic of Moldova the AA represents a reform agenda which is based on a comprehensive program of legal harmonization with EU *acquis communautaire*.

The Association Agreement provides that the Parties shall develop and strengthen their cooperation on environmental issues, thereby contributing to the long-term objective of sustainable development and greening the economy. It is expected that enhanced environment protection will bring benefits to citizens and businesses in the Republic of Moldova and in the European Union, including through improved

public health, preserved natural resources, increased economic and environmental efficiency, integration of the environment into other policy areas, as well as use of modern, cleaner technologies contributing to more sustainable production patterns. Cooperation shall be conducted considering the interests of the Parties on the basis of equality and mutual benefit, as well as taking into account the interdependence existing between the Parties in the field of environment protection, and multilateral agreements in the field.

UNDP and its international partners are committed to assist Moldova, through technical and financial assistance, in promoting costly legal and institutional reforms that the Association Agreement entails.

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 through aligning relevant policies, administrative and institutional arrangements, legislation, procedures and best practices to EU standards and requirements.

Objective

The Project will contract an International Consultant to consult and raise capacity of the Moldovan Ministry of Environment in upgrading and EU approximating national legislation, institutional arrangements, procedures and best practices in the area of emissions of harmful substances into the atmosphere in connection with Directive 1999/32/EC relating to a reduction in the sulfur content of certain liquid fuels.

This will ensure effective protection, primarily, for the population of the Republic of Moldova from recognized risks from sulfur dioxide emissions and protect the environment by preventing sulfur deposition exceeding critical loads and levels.

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

Key activities

- Assess and report on legislation in force, institutional arrangements, national procedures and documentation based on the requirements of the Association Agreement in relation to Directive 1999/32/EC.
- Undertake a gap analysis, including a Table of Concordance, and needs assessment for the harmonization of the relevant Moldovan legislation and procedures with the provisions of Directive 1999/32/EC.
- Develop an Action Plan for aligning Moldovan legislation and procedures with the requirements of Directive 1999/32/EC, according to the timeline agreed within the framework of the Energy Community Treaty.
- Draft legislative amendments, procedural documents, and supporting documentation, as agreed with the beneficiary, for transposing the provisions of Directive 1999/32/EC, and in line with EU best practices.
- Produce a final mission report containing with focus on specific procedures in the field emissions of harmful substances, submit it to the Beneficiary for approval, and deliver it in a presentation during a workshop with key stakeholders (including representatives of the Centre for Legal Approximation).

Deliverables

- Report on relevant Moldovan legislation in force, in light of Directive 1999/32/EC.
- Report on gaps and needs assessment, agreed with the beneficiary and key stakeholders.
- Action plan for remedying gaps in the Moldovan legislation.

- Draft legislative amendments, procedural documents, and supporting documentation.
- Workshop with beneficiaries including presentation of final mission report.

Result

Moldovan legislation on air quality and emissions of harmful substances will be brought up to relevant EU law, standards and best practices.

Resources

Up to 30 working days (with a minimum of 20 days in Moldova) are envisaged under this assignment with maximum two travel missions.

Mission schedule:

The assignment shall be undertaken, in the period August - October 2014 with detailed timetable to be agreed with the Beneficiaries.

The 30 working days allocated for this task should be used approximately as follows:

Deliverable/milestone	Indicative timeframe
Report on relevant Moldovan legislation in force	7 days
Report on gaps and needs assessment	5 days
Action plan for remedying gaps in the Moldovan legislation	7 days
Draft legislative amendments, procedural documents, and supporting documentation	10 days
Workshop with beneficiaries including presentation of final mission report.	1 day
Total	30

All deliverables should be agreed with the UNDP and the Ministry of Environment, and be provided in hard and electronic copy.

Institutional arrangements:

The International Consultant will work in close collaboration with the UNDP and the Ministry of Environment – 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 of Environment and will work closely with the Ministry's staff. The Ministry will provide the Consultant working space, access to Internet, printer and telephone line.

Payments shall be made upon acceptance of deliverables by beneficiary and UNDP Project Manager.

Qualifications Required:

Academic Qualification

- Relevant Bachelor degree in environmental protection, ecology or environmental management or other related field. Relevant Master's Degree or PhD would be an asset.

Experience

- Minimum 7 years of work experience in the area of control of air quality and emissions of harmful substances
- Sound experience in legal approximation of EU requirements in the area of air quality and control of emissions;
- Specific experience in transposing the provisions of Directive 1999/32/EC or other relevant legal acts and standards would be an advantage;
- 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 analytical and drafting skills;
- Ability to analyze, plan, communicate effectively with stakeholders and present ideas clearly and effectively
- Demonstrated interpersonal and diplomatic skills
- Ability to enter new environments, adapt quickly and produce immediate results.
- Computer literacy - competent user of Microsoft Office programs

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:

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