



## **TERMS OF REFERENCE**

### **International Consultant on approximating Moldovan legislation to EU standards on phytosanitary risk assessment and control procedures**

<b>Job title:</b>	International Consultant on approximating Moldovan legislation to EU standards on phytosanitary risk assessment and control procedures for the Ministry of Agriculture and Food Industry (MAFI)
<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 30 working days
<b>Starting date:</b>	May 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 norms.

Exceeding the classical arrangements of free trade, DCFTA provides not only a mutual opening of markets for most goods and services but requires a gradual rapprochement of norms and standards such as quality standards and rules, sanitary rules, intellectual property rights, trade facilitation, public procurement and competition, energy trade and other.

Except for European Economic Area and EU candidate states, never before has the EU opened its internal market to such an extent to a third country. This reality is possible due to the commitment of the Republic of Moldova to take over the *acquis communautaire*.

In exchange to effective implementation of EU legislation Moldova will gradually become part of the EU internal market.

A deeper economic integration through DCFTA will boost the country's economic growth, will create business opportunities and promote real economic modernization and integration into the EU. The direct result of establishing free trade area with EU is that citizens will benefit from higher quality and safer goods and services while manufacturers will be supported to access international markets.

UNDP and its international partners are committed to assist Moldova, through technical and financial assistance, in promoting costly legal and institutional reforms that DCFTA 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 Ministry of Agriculture and Food Industry (MAFI) in upgrading and approximating national legislation, institutional arrangements, procedures and best practices to EU standards in the area of phytosanitary risk assessment and control procedures.

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

## **Key activities**

- Assess and report on current legislation, institutional arrangements, national procedures and documentation in the area of phytosanitary risk assessment and control procedures.
- Develop, jointly with beneficiaries, a mission action plan for remedying relevant gaps and lacks.
- Support the Ministry of Agriculture and Food Industry in drafting relevant legislation/legislative amendments (including pieces regulating institutional arrangements) and supporting documentation (e.g. legislative impact analysis) in the area of phytosanitary risk assessment and control procedures.
- Support the Ministry of Agriculture and Food Industry in drafting a package of operational documentation on phytosanitary risk assessment and control procedures, in line with EU requirements and EU best practices.
- Consult relevant stakeholders and support the Ministry of Agriculture and Food Industry in preparing relevant guidelines, in line with EU standards and best practices.
- Present the final mission report during a workshop with beneficiaries.

## **Deliverables**

- Report on current legislation, institutional arrangements, national procedures and documentation in the area of phytosanitary risk assessment and control procedures.
- Mission action plan

- Draft legislation/legislative amendments (including regulating institutional arrangements) and supporting documentation (e.g. legislative impact analysis)
- Prepare the package of operational documentation on phytosanitary risk assessment and control procedures.
- Hold consultation meetings with stakeholders and draft guidelines
- Workshop with beneficiaries to present the final mission report and explain and discuss the drafts legal amendments and operational documentation.

### **Result**

MAFI is capable of defining and implementing phytosanitary risk assessment methodology and control procedures in compliance with EU norms and 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 mission shall be undertaken, tentatively, in the period May - June 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 current legislation, institutional arrangements, national procedures and documentation in the area of phytosanitary risk assessment and control procedures	3 days
Mission action plan	1 day
Draft legislation/legislative amendments (including regulating institutional arrangements) and supporting documentation (e.g. legislative impact analysis)	11 days
Package of operational documentation on phytosanitary risk assessment and control procedures.	10 days
Consultation meetings with stakeholders and guidelines	3 days
Workshop with beneficiaries	1 day
Reporting	1 day
<b>Total</b>	<b>30</b>

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

### **Institutional arrangements:**

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

Payments shall be made upon certification of deliverables by the beneficiaries and the UNDP representative.

### **Qualifications Required:**

#### Academic Qualification

- Bachelor degree in agriculture, plant health, horticulture or biology. Relevant Master's Degree or PhD would be an asset.

#### Experience

- Minimum 7 years of work experience in the area of plant health
- Experience in transposing EU standard requirements in the area of plant health, with focus on risk assessment and control procedures
- Experience in applying specific EU good practices in the area of plant health risk assessment and control procedures would be an advantage;
- Knowledge of and experience in assisting government institutions in the newest EU member states or candidate countries.

#### Competencies

- Strong analytical and drafting skills.
- Ability to analyse, 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:

- 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.**