



**2020 Call for experts for the delivery of Medium-Term TAIEX assistance under Regulation 389/2006 (hereinafter the Aid Regulation) establishing an instrument of financial support for encouraging the economic development of the Turkish Cypriot community**

## **TERMS OF REFERENCE**

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## **1. BACKGROUND INFORMATION**

### **1.1. BACKGROUND AND PURPOSE OF THE CALL**

On 1 May 2004 Cyprus joined the European Union as a de facto divided island. According to Protocol 10 of the 2003 Act of Accession the EU *acquis* is suspended in the northern part of Cyprus – areas of the Republic of Cyprus not under effective control of the Government of the Republic of Cyprus.

With the Council Regulation (EC) 389/2006 of 27 February 2006 an instrument of financial support for encouraging the economic development of the Turkish Cypriot community was established. Article 1 of the Council Regulation stipulates that:

*"The Community shall provide assistance to facilitate the reunification of Cyprus by encouraging the economic development of the Turkish-Cypriot community with particular emphasis on the economic integration of the island, on improving contacts between the two communities and with the EU, and on the preparation for the *acquis communautaire*."*

Article 2 of this Council Regulation includes the following specific objectives:

- *"Preparation of legal texts aligned with the *acquis communautaire* for the purpose of these being immediately applicable upon entry into force of a comprehensive settlement of the Cyprus problem; and*
- *The preparation for the implementation of the *acquis communautaire* in view of the withdrawal of its suspension in accordance with Article 1 of Protocol 10 to the Act of Accession"*

In order to support the preparation for the future implementation of the EU *acquis* with the prospect of reunification of Cyprus, the Commission is seeking from EU Member States proposals of qualified and experienced public sector experts. The experts may be asked to provide TAIEX-funded medium-term assistance in a number of identified areas of EU legislation detailed in Annex 2.

### **1.2. BENEFICIARIES AND CURRENT STATE OF AFFAIRS**

The beneficiary is the Turkish Cypriot community. The project will be carried out in areas of the Republic of Cyprus in which the Government of the Republic of Cyprus does not exercise effective control.

It should be noted that the European Commission's assistance to the Turkish Cypriot community aims at the preparation of legal texts aligned with the EU *acquis* and at the preparation for the implementation of the EU *acquis* in line with the above mentioned Protocol 10 and the Aid Regulation. This assistance in no way implies recognition of the "Turkish Republic of Northern Cyprus" nor does it prejudice settlement talks under UN auspices.

In general terms, the Turkish Cypriot community is still at a relatively early stage of modernisation. As a consequence, capacity to implement the provisions of the EU *acquis* and financial management are both limited. Turkish Cypriots are in urgent need of reform aimed at preparing them for the lifting of the suspension of the EU *acquis* following the implementation of a comprehensive settlement for the reunification of Cyprus.

### **1.3 RELATED AID PROGRAMME ACTIVITIES:**

Medium-term expert assistance funded through the TAIEX instrument will support other projects funded under the Aid Regulation.

Additional short-term TAIEX assistance may be called upon to complement medium-term assistance covered by the present Call.

## **2. GENERAL MEDIUM-TERM EXPERT REQUIREMENTS AND ELIGIBILITY RULES**

### **2.1. PUBLIC SECTOR LINKAGE CERTIFIED BY NATIONAL CONTACT POINTS**

For the delivery of medium-term assistance to the Turkish Cypriot beneficiaries, the European Commission will only consider medium-term experts proposed by the TAIEX and Twinning National Contact Points and made available by EU Member State administrations and mandated bodies (public sector experts).

The proposed medium-term experts remain in paid employment in their home administration or mandated body.

**Individual submissions (i.e. not submitted through the respective TAIEX and Twinning National Contact Point) will not be considered. Similarly, private sector experts may not be proposed and will not be considered.**

**National Contact Points may propose recently retired experts (retired for less than two years from the end of July 2020) of Member State public administrations or mandated bodies.**

The proposed medium-term experts must be nationals of a Member State of the EU.

### **2.2. PROFESSIONAL REQUIREMENTS FOR PROPOSED MEDIUM TERM EXPERTS**

All medium-term experts proposed by National Contact Points should have the following core competencies and experience:

- University-level education
- Detailed knowledge of the EU *acquis* in the specified sector
- A minimum of 3-year working experience in the specified *acquis* sector
- Good presentation and interpersonal skills
- Excellent communications skills, both oral and written, in English (knowledge of Turkish is a substantial advantage)
- Strong reporting skills
- Previous experience in providing technical assistance to a beneficiary preparing for the introduction of the *acquis* (incl. drawing up action plans and reform strategies) would be an advantage.
- Familiarity with project cycle management principles and tools would be an advantage

Sector specific requirements are indicated in the expert profiles, where relevant. Such requirements should be considered as additional to the requirements set out above.

### **2.3. GENERAL ELIGIBILITY RULE FOR PROPOSED MEDIUM TERM EXPERTS /AND INDICATIVE MAXIMUM DURATION OF ASSISTANCE PER SECTOR**

The current selection as medium-term TAIEX expert will run up until 31 December 2022 and may be extended for another period, until 31 December 2025, subject to the selected experts still fulfilling the public sector linkage as per Section 2.1).

It should be underlined that selection as such does not entitle the experts concerned to a defined set of EU-funded assignments. The sequence and magnitude of the deployment of public sector expertise via TAIEX depends on more detailed requests by the Commission and the beneficiaries taking into account achieved progress, political developments and specific priorities as they may arise.

In view of settlement talks under UN auspices and a possible future need to intensify assistance to prepare for the lifting of the suspension of the *acquis* as specified in Protocol 10, indicative EU-funded medium-term expert assistance may need to be reassessed and increased. Similarly, if events require, envisaged TAIEX assignments may be cancelled or reduced.

### **2.4 SELECTION PROCESS**

In the first stage, experts will be shortlisted on the evaluation of their credentials submitted through a covering letter along with an up to date EU format curriculum vitae, against the expert profile for the MTA applied for. The final selection from shortlisted applicants will be carried out through telephone interviews, which will also include a representative of the TCc. In this respect, by submitting an application the experts will need to agree to their curriculum vitae being shared with representatives of the TCc, in their covering letter should they be successful in the first stage.

The indicative timeline for the selection procedure of experts is as follows:

- 15 September 2020: Deadline for proposal of experts through the National Contact Points, who by doing so certify that the applicant fulfils the criteria under Section 2.1.
- Shortlisting of proposed medium term experts by the Commission on the basis of credentials submitted as requested under 2.2 above.
- Beginning of October 2020: Telephone interviews of shortlisted experts and final selection
- Mid October 2020: Notification of selected experts, registration on the TAIEX expert database.
- End October 2020: One day briefing meeting for newly selected experts in Brussels or via videoconference, depending on the situation concerning Covid-19. Actual dates for briefing meetings will be included in the notification letter to selected experts. The European Commission will inform the newly selected experts on the format of the briefing meeting(s).
- 1 November 2020: Technical assistance activities to start according to needs and priorities. Please note that actual start dates may be determined in accordance with the state of preparation of the Turkish Cypriot beneficiaries to receive such assistance (absorption capacity).

## **2.5 MEDIUM TERM EXPERT STATUS / CONFIDENTIALITY/ COMPLIANCE WITH TAX LEGISLATION**

The selected public sector experts will be considered as technical experts, independent in terms of their professional tasks. They will be supported administratively and financially by the European Commission through the TAIEX instrument in line with the applicable financial and logistical TAIEX arrangements.

Selected medium-term experts will exercise the greatest discretion with regard to all facts and information coming to their knowledge in the course of or in connection with the performance of their duties; they will not in any form whatsoever disclose to any unauthorised person any document or information not already made public. They remain to be bound by this obligation after their period of secondment has terminated.

They may not, whether alone or together with others, publish or cause to be published any matter relating to their work with the Turkish Cypriot community or the EU without obtaining prior permission from the European Commission.

Unless otherwise stipulated by the European Commission, ownership of, and title and intellectual and industrial property rights to results, reports and other documents relating to the assistance provided by the selected MTA experts will be vested in the European Commission.

Selected medium term experts must observe the tax legislation of their home Member State with regard to income earned in the course of any EU-funded medium-term TAIEX assignment.

## **2.6 Personal data protection**

Personal data related to experts will be processed in accordance with the privacy statement of the TAIEX instrument see [https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/taiox\\_privacy\\_statement\\_online.pdf](https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/taiox_privacy_statement_online.pdf) and in compliance with Regulation (EU) 2018/1725.

## **3. SPECIFIC OBJECTIVE, PURPOSE & EXPECTED RESULTS**

### **3.1. SPECIFIC OBJECTIVE**

The specific objective of the Call is the preparation of Turkish Cypriots for the implementation of the EU *acquis* in view of the withdrawal of its suspension following a comprehensive settlement, in accordance with Article 1 of Protocol No. 10 to the Act of Accession.

### **3.2 PURPOSE**

Based on the overall objective outlined above and on further guidelines by the Commission, the experts will provide medium-term TAIEX assistance to Turkish Cypriots in accordance with the appropriate project planning document and with the European Commission's funding rules (TAIEX rules of procedures).

### **3.3 EXPECTED OUTPUTS/ INDICATORS**

For each of the sectors mentioned in the 2020 call, an indicative planning document will be proposed jointly by the Turkish Cypriots and the experts during the first mission(s) to Cyprus, and implemented further to the European Commission's indications. Such indicative planning documents will include specific outputs, benchmarks, activities, responsibilities and timetable per sector included in the 2020 call.

The planning document will be regularly updated and approved in the sector's Project Steering Group (see 5.1 below).

This indicative planning document does not entitle the selected medium-term experts concerned to a defined set of EU funded assignments. The sequence and magnitude of the deployment of public sector expertise via TAIEX depends on more detailed requests by the Commission taking into account progress achieved, political developments and punctual priorities as they may arise.

The following expert assistance activities will be delivered subject to specifications of the European Commission, Turkish Cypriot beneficiaries and experts:

- Provide advice and information with a view to the preparation of legal texts in line with EU *acquis*;
- Evaluate needs with regards to capacity and training for the future application of the *acquis*;
- Plan arrangements for such training and its delivery to Turkish Cypriots in identified and prioritised areas;
- A limited number of days may also be agreed for preparatory work or for coordination meetings in Cyprus;
- Public awareness measures supported, as necessary.

The above mentioned activities can be carried out and funded in the following format:

- Workshops, seminars, technical training;
- Study visits;
- Short-term mobilisation of experts;
- Written advice;
- Dissemination activities.

The European Commission will put in place all the necessary arrangements to carry out the activities during the COVID-19 crisis. When possible and necessary, the activities will move to online channels and platforms, including VTC with interpretation.

### **3.4 RESPONSIBLE BODY**

The Cyprus Settlement Support Unit within DG REFORM of the European Commission is in charge of the definition and implementation of medium-term TAIEX assistance for the benefit of the Turkish Cypriot community.

## **4. LOGISTICS AND TIMING**

### **4.1. GENERAL LOGISTICAL SUPPORT**

The External Service Provider for EU-funded TAIEX assistance, identified and contracted by the Commission, is responsible for contracting, logistical arrangements (flights, accommodation, interpretation, translation etc.), and overall monitoring of provided working days and budget.

All payments and arrangements will be made in accordance with standard TAIEX conditions.

### **4.2 LOCATION**

The project will be carried out in areas of the Republic of Cyprus in which the Government of the Republic of Cyprus does not exercise effective control.

At the start of the MTA, the European Commission will organize a one-day training event for the selected experts in Brussels or via VTC, depending on the situation concerning Covid-19. Occasional missions to Brussels and/or to other locations in the European Union (study visits) might also be required, at agreed intervals. On agreement by the European Commission, some assistance tasks can be undertaken in the expert's country of residence (e.g. those where the expert's presence in Cyprus is not necessary for successful completion of the task).

All missions and work from home missions (dates, content, etc.) must be agreed in advance and approved by the European Commission.

### **4.3 PAYMENT AND LOGISTICAL ARRANGEMENTS**

All payments and arrangements will be made in accordance with the standard TAIEX terms. The service provider to TAIEX, will organise all logistical (flight tickets and accommodation for the experts) and payment services.

Unless otherwise specified, a Flat Daily Allowance (FDA) will be provided for each working day spent on mission or otherwise approved by the European Commission for actual days of expert work for the benefit of the Turkish Cypriot community. A Per Diem or Daily Subsistence Allowance (DSA) is paid for each night spent on mission. The applicable per diem is currently 238 EUR and it covers accommodation, breakfasts, lunches, dinners and local transportation expenses as well as other expenses the expert's mission requires. Costs for accommodation and catering arranged by the service provider will be deducted from the Per Diem paid to the expert.

All eligible expense claims shall be submitted within 30 days of the end of the event.

A Background Note with further information on logistical and financial conditions of TAIEX funding will be made available to the experts selected.

## **5. MONITORING AND REPORTING**

The Commission will monitor progress of the project in liaison with Turkish Cypriot beneficiaries and adjust the activities and priorities of its assistance.



## **5.1. PROJECT STEERING GROUPS (PSGs)**

At six month intervals, or more often if necessary, representatives of the European Commission and Turkish Cypriot beneficiaries will meet to discuss the progress of the project.

Specifically, project steering groups will discuss the progress of the implementation of the planning documents established per sector covered by the present call, verify the achievement of the outputs and results, discuss actions to be undertaken in the following period and propose the update of the planning document to be done by experts for their respective sector.

The PSG will:

1. decide on strategic issues concerning the project;
2. approve the main outputs of the project;
3. settle administrative obstacles and ensure access to the necessary information for the experts;
4. monitor and discuss the progress of project implementation;
5. agree on the alterations to the planning documents.

## **5.2 GENERAL REPORTING REQUIREMENTS**

Proper reporting is essential to ensure effective follow-up of project implementation, to properly evaluate the results and ensure high quality for the current and future interventions.

Following reports and evaluation documents will be prepared by medium term experts and submitted within two weeks following the end of the event:

- mission reports
- interim reports
- final report
- TAIEX Evaluation form

The European Commission will inform the selected medium-term experts about more detailed requirements pertaining to their respective reports and will provide templates to that effect.

All reports will be treated as confidential and sensitive and will be delivered exclusively to the European Commission, which then decides how/whether to deliver them to the beneficiaries. Any other distribution of reports requires prior written authorisation of the European Commission.