



Terms of Reference (ToR)

Consultancy for Conducting the Baseline Study on Sanitary and Phytosanitary Import and Export Procedures and Inspection Fees Applied on Agricultural Commodities and Agro-processed Products at Selected Borders

General Information

Project Name:	African Union Commission for Building Institutions and Systems to Harness and Realize Agenda (BIASHARA) 2063
Project ID:	180117
Consultancy name:	Consultancy for Conducting the Baseline Study on Sanitary and Phytosanitary Import and Export Procedures and Inspection Fees Applied on Agricultural Commodities and Agro-processed Products at Selected Borders
Procurement Reference:	ET-AFCFTA-484478-CS-INDV
Type of Contract:	Individual Consultant Selection
Reporting to:	Director of Trade in Goods and Competition
Duration of Assignment:	Sixty (60) Calendar Days

1. Introduction

- 1.1. This Terms of Reference (ToR) has been prepared to engage an Individual Consultant to undertake a baseline survey and draft a report outlining the import and export procedures as well as inspection fees levied on agricultural commodities and agro-processed products by African countries (AfCFTA State Parties) in line with Article 10 of the AfCFTA Annex 7 on Sanitary and Phytosanitary measures (this can be obtained from AfCFTA website: www.au-afcfta.org).

2. Background

- 2.1. The AfCFTA Secretariat has received a Grant to finance the Institutional Support Project for the effective implementation of the AfCFTA. The AfCFTA Secretariat is a pan-African organisation legally established and mandated to implement the AfCFTA Agreement, whose main objective is to create a single continental market for goods and services so to deepen the economic integration of the African continent, in accordance with the Pan African Vision of “An integrated, prosperous and peaceful Africa” enshrined in Agenda 2063.

- 2.2. The AfCFTA Secretariat serves as the central institution responsible for the implementation of the AfCFTA Agreement and its related protocols. Its core functions encompass the facilitation of seamless, predictable, and liberalized trade among State Parties across the African continent through the implementation of dedicated support programmes.

3. Context

- 3.1. The Protocol on Trade in Goods is implemented through nine Annexes. Three of these Annexes namely; Annex 5 on Non-Tariff Barriers (NTBs), Annex 6 on Technical Barriers to Trade (TBT) and Annex 7 on Sanitary and Phytosanitary Measures (SPS) address Non-Tariff Measures (NTMs).
- 3.2. Annex 7 on SPS applies to measures that directly or indirectly affect trade between State Parties. The objectives are to facilitate trade while safeguarding human, animal or plant life or health in the territory of State Parties; enhance cooperation and transparency in the development and implementation of SPS measures to ensure that they do not become unjustifiable barriers to trade; and enhance technical capacity of State Parties for the implementation and monitoring of SPS measures while encouraging the use of international standards in the elimination of barriers to trade.
- 3.3. The AfCFTA Sub-Committees on SPS has developed its Work Programmes for facilitating implementation of the Annex on SPS. The Work Programmes has been approved by the Committee on Trade in Goods and Competition for implementation.
- 3.4. The Work Programme contain key activities that were identified and aligned with the various articles of the Annex. In line with the key activities, the responsibilities of the State Parties, the Sub-Committees and the AfCFTA Secretariat have also been outlined in the Work Programme
- 3.5. The Work Programmes for the Sub-Committees on SPS contains activities identified for pursuing Article 10 on Import or Export Inspections and Fees. In addition, the Work Programme reference the need to facilitate harmonization of import and export procedures.

4. Objective of Assignment

The Consultant shall compile a report detailing all the existing Sanitary and Phytosanitary import, export and transit procedures and inspection fees from two countries in each of the Regions (East, West, North, South and Central) on agricultural commodities and agro-processed products at selected borders. The Consultant should propose recommendations for implementing best practices in harmonized approaches in import, export and transit procedures and fees based on the analysis. The consultancy is aimed at implementing best practices in harmonization including reducing duplicative procedures in cross border trade, implementing mutual recognition agreements, implementing equivalence (unilateral recognition of pre-exit measures), reducing testing where businesses implement internationally recognized standards

5. Scope of Work

The baseline study will constitute a comprehensive report of existing import and export procedures, and inspection fees related to food commodities, plants and plant materials and livestock levied at various border points. This information will be used as reference and guidance for implementation of best practices in harmonization of import export and transit inspection procedures and fees. The Consultant will:

- a. Prepare and present a baseline report of the current Sanitary and Phytosanitary import, export and transit procedures and inspections fees in place in different countries
- b. Identify gaps or challenges with the existing Sanitary and Phytosanitary import, export and transit procedures and inspection fees
- c. Identify potential or additional interventions that can help ease trading and address the identified gaps
- d. Identify procedures that are not aligned with international best practices or require immediate harmonization

5.1. The consultant is expected to:

Produce a baseline report on Sanitary and Phytosanitary Import Export and Transit procedures and Inspection fees identifying recommendations for implementing best practices in harmonization including reducing duplicative procedures in cross border trade, implementing mutual recognition agreements, implementing equivalence (unilateral recognition of pre-exit measures), reducing testing where businesses implement internationally recognized standards, etc. The recommendations will be based on information gathered from two countries in each of the Regions on agricultural commodities and agro-processed products at selected borders. The objective of the baseline data and report is to provide a benchmark from which to measure progress with seamless trading under the AfCFTA.

6. Location of the Assignment

This is a home-based assignment and the consultant is expected to travel to the selected Countries where data will be collected.

7. Reporting

- 7.1. In the execution of the assignment, the Consultant will work directly with the Principal Officer, SPS, and the Head, Non-Tariff Measures, and report to the Director of Trade in Goods and Competition.
- 7.2. The Consultant will be required to submit:
 - i. Inception Report on the 15th working day of the assignment;
 - ii. A Draft Report on the 30th working day of the assignment
 - iii. Final Report addressing all the Tasks in these TORs on the 90th working day

8. Terms of Payment

- i. 15% Payment of Contract Amount upon submission of Inception Report and approval by AfCFTA;
- ii. 45% Payment upon acceptance by AfCFTA of the draft Report;
- iii. 40% Payment upon acceptance by AfCFTA of the Final Report

9. Duration

- 9.1. The Consultancy service shall be for a period of 60 calendar days commencing July 2025.

10. Qualifications and experience

- 10.1. The Consultant shall have the following qualifications:

- a. At least a Master's degree in Agriculture, Veterinary Medicine, Food Safety, International Law, or Trade from internationally recognized University institution.
- b. At least eight (8) years' work experience in carrying out baseline or scoping studies and evaluation studies.
- c. Extensive knowledge and demonstrated experience in non-tariff measures (sanitary and phytosanitary standards, non-tariff barriers, technical barriers to trade) added value
- d. Knowledge of the WTO SPS and TBT Agreements and in Codex activities
- e. Experience in implementing the WTO TFA
- f. Extensive experience in the area of Quality Infrastructure development, standards, quality, and conformity assessment
- g. Experience working with International Organizations and government projects, and in the area of trade information will be an added advantage
- h. Proficiency in any AU working language. A working knowledge of the other language will be an added advantage.

11. Assignment technical approach and methodology

The consultant is required to prepare and submit a clear and simple but detailed technical approach and methodology demonstrating his/her understanding of the assignment while also outlining his/her work plan, objectives, activities, deliverables and output relevant to the assignment.

12. Evaluation and Qualification Criteria

- 12.1. The eligibility criteria, the establishment of a shortlist and the selection procedure shall be in conformity with the World Bank Procurement Regulations for the Selection of Individual Consultants. Interest expressed by a consultant does not imply any obligation on the part of the AfCFTA to include him/her in the shortlist. Interested individuals

should provide information on their qualifications and experience demonstrating their ability to undertake the assignment (CV, certificates and attachments for experience in similar assignments, Technical Approach and Methodology). The consultants on the shortlist will be evaluated on the following criteria based on the information provided in their CV, certificates, attachments and technical proposal.

#	Criteria	Score
1.	Qualification: Education and Relevant Training: At least a Master's degree in Agriculture, Veterinary Medicine, Food Safety, International Law, or Trade from internationally recognized University institution. Consultant to indicate the name and type of degree obtained, the year of the degree and must attach copies of certificates to support qualification. <ul style="list-style-type: none"> • Relevance – 10% • Attached certificates – 10% 	20%
2.	Experience: General Education, Qualification and Relevant Training <ul style="list-style-type: none"> a. At least eight (8) years' work experience in carrying out baseline or scoping studies and evaluation studies (10%). b. Extensive knowledge and demonstrated experience in non-tariff measures (sanitary and phytosanitary standards, non-tariff barriers, technical barriers to trade) added value (10%). c. Demonstrated knowledge of and experience implementing WTO TFA (10%). d. Experience working with International Organizations and government projects, and in the area of trade information will be an added advantage (10%). 	40%
3.	Technical Approach and Methodology: <ul style="list-style-type: none"> • Demonstrated understanding of the assigning (6%) • Work plan (6%) • Objectives (6%) • Activities (6%) • Deliverables (6%) 	30%
4.	Language: (One AU language = 4; Two AU languages = 6; Three AU languages = 8; and Four and more AU languages = 10)	10%
	Total	100%

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- 12.2. Only consultants scoring a mark of 80 points or more will be considered for the next stage of negotiation. All consultants will be ranked and the first on the list will be invited for negotiation and subsequently be selected for the assignment if his/her fee rate is within the budget.