



Terms of Reference (TOR)

Investment Expert – Building Institutions and Systems to Harness and Realise the Agenda (BIASHARA) 2063 Project for AfCFTA Implementation

General Information

Project Name:	African Union Commission for Building Institutions and Systems to Harness and Realize Agenda (BIASHARA) 2063
Project ID:	180117
Consultancy name:	Consulting Services for Investment Expert
Procurement Reference :	ET-AFCFTA-484482-CS-INDV
Type of Contract:	Individual Consultant Selection
Reporting to:	Administration and Human Resources Management Director
Duration of Assignment:	Twelve (12) Months

1. Introduction

- 1.1. These Terms of Reference (ToR) have been prepared to engage an Individual Consultant to undertake Consulting Services of an Investment Expert under the auspices of the World Bank Group's technical assistance grant for the ISP for the AfCFTA Secretariat, to support the effective implementation of the AfCFTA Agreement and the rollout of related implementation programmes.

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. Adopted by the Heads of State and Government of the African Union during their Extraordinary Summit held in Kigali, Rwanda in March 2018, the AfCFTA Agreement came into force on 30 May 2019 and was launched at the Extraordinary Summit held in Niamey, Niger on 7 July 2019. Trading under the AfCFTA regime commenced on 1 January 2021. The Republic of Ghana was awarded the bid to host the AfCFTA Permanent Secretariat in its capital city, Accra. The 33rd Ordinary Summit of the African Union, held on 9 and 10 February 2020, elected the first Secretary-General.

4. Objectives of the project

- 4.1. The principal objective of this project is to support the effective implementation of the AfCFTA Agreement. The AfCFTA Secretariat is responsible for coordinating the implementation of the AfCFTA Agreement and undertaking the monitoring and evaluation of implementation progress. The key objective of the ISP is to assist in the effective implementation of the AfCFTA and facilitate the rollout of the preliminary implementation programmes, all of which will further support the creation of a single continental Free Trade Area and contribute to Africa's socioeconomic transformation.

5. The Assignment

The programme encompasses various aspects and requirements essential for the successful implementation of the AfCFTA. In this context, the AfCFTA Secretariat wishes to engage the services of an Investment Expert to provide technical expertise and economic analysis to assist AfCFTA State and non-State Parties in negotiating the Annexes to the AfCFTA Protocol on Investment effectively and in implementing the Protocol.

6. Scope of Work

- 6.1. The primary scope of work is to contribute to the development and negotiation process of the Annexes to the Protocol on Investment. The specific aim of the consultant's work is to provide technical support to State Parties on Investment and related issues through research, drafting inputs for technical documents, and compiling background materials; contribute to the development of concept notes, briefs, and technical papers; and assist in the preparation and coordination of documentation and logistics for AfCFTA meetings, conferences, seminars, fora, and webinars, in alignment with the broader objectives and activities of the Investment work programme.
- 6.2. The consultant is anticipated to provide support in the following areas:

Negotiation Support:

- Document technical discussions regarding stakeholder engagements and negotiation sessions during AfCFTA institutional meetings.

- Draft negotiation reports.
- Conduct technical reviews of the outcomes from the Taskforce on Investment deliberations.
- Gather feedback from State and non-State Parties during the negotiations to guide the further drafting of the Annexes to the Protocol on Investment.
- Compile the technical documents for the Taskforce and the Committee on Investment.
- Contribute to the facilitation of AfCFTA investment negotiation and related technical meetings.

Implementation Support:

- Contribute to awareness-raising and capacity-building efforts on the Protocol on Investment, targeting State Parties, the private sector, and civil society.
- Support assessments of State Parties' capabilities to fulfil their obligations under the Protocol on Investment through data collection, analysis, and reporting.
- Assist in the design and delivery of technical assistance and capacity-building initiatives for the benefit of State Parties.
- Provide support in monitoring and compiling information related to State Parties' notification obligations under the Protocol.
- Contribute to the development of programmes aimed at facilitating the ratification of the Protocol on Investment.
- Assist in the preparation of institutional support and reform initiatives for State Parties in the context of investment governance.
- Participate in the Trade Policy Review process as part of the Secretariat's Investment team, contributing relevant inputs and technical support.
- Support the creation and refinement of tools such as the implementation scorecard for the Protocol on Investment.
- Assist in drafting and refining notification templates and related instruments to be used by State Parties.

General Support:

- Contribute to the preparation of presentations, briefing materials, and talking points for speaking engagements related to Investment matters under the AfCFTA.
- Assist in drafting background notes and briefing papers on key negotiation issues, ensuring accuracy and alignment with relevant policies.
- Support the review process of studies conducted by consultants by providing preliminary analysis and technical input as requested.
- Contribute to the compilation of inputs for annual divisional reports and related documentation.
- Perform any other related duties as may be assigned within the scope of the Investment Division's work.

7. Reporting

- 7.1. The consultant will report to the Head of the Investment Division.

8. Duration

- 8.1. The consultancy service will operate for a period of 12 months. An initial three-month observation period will be applied to assess performance and ensure alignment with the expected deliverables. This review will not interrupt the continuity of work but will serve as a formal checkpoint to confirm satisfactory progress. In line with the Secretariat's HR policies, the contract may be discontinued before the full term in the event of unsatisfactory performance.

9. Qualifications

- 9.1. The consultant shall have the following qualifications:

a. Minimum

- A Master's degree in International Trade, Economics, International Relations, Policy and Development, International Law, or any other relevant fields is required, along with two years of professional work experience; OR
- A Bachelor's degree specialising in International Trade, Economics, International Relations, Policy and Development, International Law, or any other relevant areas is required.

b. Specific Professional Experience should be at least five (5) years with a strong demonstration in the following:

- An understanding of Africa's regional integration agenda and the key issues related to the AfCFTA is essential;
- Experience in continental and regional policymaking on relevant trade and/or investment issues is desirable;
- Knowledge of trade and/or investment negotiations is an asset;
- Good interpersonal and teamwork skills;
- Must possess computer literacy along with a knowledge of common computer applications and systems;
- Good drafting, reporting, communication and presentation skills;
- Ability to engage with a diverse range of individuals and stakeholders; and
- Proficiency in one of the African Union's working languages (Arabic, English, French, Portuguese, Spanish, or Swahili) is essential. Knowledge of one or more additional working languages would be an advantage.

10. Evaluation and Qualification Criteria

- 10.1. Interested individuals should provide information on their qualifications and experience demonstrating their ability to undertake the assignment (CV and testimonials in form of contracts or reference letters or completion of service certificates as proof of similar assignments) and technical proposal outlining the technical approach and methodology for delivery of the assignment.

- 10.2. Shortlisted consultants will be evaluated on the following criteria based on the information provided in their CV, copies of certificates, testimonials and technical proposal.

No.	Qualifying Criteria	Points
1	General Education, Qualification and Relevant Training. 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, including certification – 15% • Attached certificates – 15% 	30
2.	Relevant Experience <ul style="list-style-type: none"> • Professional Experience for at least five (5) years – 10 points • Demonstrated understanding of Africa's regional integration agenda and the key issues related to the AfCFTA is essential – 15 points; • Demonstrated experience in continental and regional policymaking on relevant trade and/or investment issues is desirable – 15 points; • Demonstrated knowledge of trade and/or investment negotiations is an asset – 10 points; 	60
3.	Language: (One AU language = 5; Two AU languages or more; • = 10)	10
TOTAL		100

- 10.3. The minimum technical qualification is 80%. The consultants meeting the minimum technical qualification 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.

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. Important note:** this opportunity is reserved and preferred for ONLY nationals of the Africa Union member states/state parties.