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*Addis Ababa, ETHIOPIA, P. O. Box 3243, Telephone: +251-11-551 7700,*

*Fax: +251-11-5517844, website: [www.africa-union.org](http://www.africa-union.org)*

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## **REQUEST FOR EXPRESSIONS OF INTEREST (EOI)**

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**CONSULTANCY SERVICES TO CONDUCT A FEASIBILITY STUDY FOR THE  
OPERATIONALIZATION OF AN AFRICAN HUMANITARIAN AGENCY**

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**PROCUREMENT NO: AUC/DPA/CS/12**

**15 December 2017**

## **Section I: Letter of Invitation**

15 December 2017

### **REF: CONSULTANCY SERVICES TO CONDUCT A FEASIBILITY STUDY FOR THE OPERATIONALIZATION OF AN AFRICAN HUMANITARIAN AGENCY**

The African Union Commission is one of the Organs of the African Union and is the “Executive arm” of the Union, charged with the responsibility of the day to day management and administration of the work of the Union, in collaboration with the Member States, Regional Economic Communities (RECs) and other Stakeholders. The Commission has set aside funds for **Consultancy Services To Conduct A Feasibility Study For The Operationalization Of An African Humanitarian Agency**

2. The Commission now invites eligible **Individual Consultants** to submit Expressions of Interest (EoIs) for the assignment as per attached Terms of Reference (TORS).
3. The RFP includes the following documents:
  - Section 1 – This Letter of Invitation
  - Section 2 – Concept Note
  - Section 3 - Terms of Reference
4. The EoIs must be addressed to **The Chairperson, AUC Internal Procurement Committee, [Tender@africa-union.org](mailto:Tender@africa-union.org)**.
5. The deadline for submission of proposals is on or before the **1500 hours on 15 January 2018**.

Yours sincerely,

Carine Yemitia Toure  
**Head, Procurement, Travel and Stores Division**

## Section II: Concept Note

### **FEASIBILITY STUDY FOR THE OPERATIONALIZATION OF AN AFRICAN HUMANITARIAN AGENCY**

This Concept Note is for a Feasibility Study to operationalize Africa's new humanitarian architecture. It will be recalled that the African Union (AU) General Assembly in its Decision **Assembly/AU/Dec.604 (XXVI)** of 30 January 2016, in Addis Ababa, Ethiopia adopted a ***Common Africa Position on Humanitarian Effectiveness (CAP)***. The CAP defines Africa's new humanitarian architecture which includes creation of African Humanitarian Agency, as a vehicle for Africa's future humanitarian action. The new architecture places emphasis on addressing root causes and durable solutions, as well as building strong State and None State institutions to tackle challenges of forced displacement on the continent in line with its long-term vision encapsulated in Agenda 2063.

While endorsing the creation of an ***African Humanitarian Agency***, the Assembly underscored the need for the new architecture to be “...*anchored on regional and national mechanisms and funded with Africa's own resources and founded on principles of pan-Africanism and African shared values...*” To achieve these objectives, the blueprint lays particular emphasis on the primary responsibility of States as main drivers of Africa's humanitarian action. The goal is to achieve effective humanitarian action that is fit for purpose and addresses future challenges.

Operationalizing the Agency is conceived as a necessary step and in accordance with the 10 year roadmap intended as a transition period to achieve humanitarian effectiveness on the continent. To operationalize this architecture, the Assembly called on the Commission to first carry out a study to determine the structural and financial implications of such a new humanitarian architecture. Accordingly, the Commission is implementing a two track roadmap to operationalize the new humanitarian architecture.

The first track focuses on achieving an institution transformation within the African Union. This path of transformation among other key milestones entails operationalization and/or establishment of a new humanitarian architecture at continental, regional and national-levels with a focus on strengthening the capability of Member States to predict, prevent, and respond and to adapt. The second track will pursue the needed reforms in the global humanitarian system, as emphasized in the CAP. To achieve this AU will upscale and strengthen its humanitarian diplomacy.

## **1.0. BACKGROUND**

The African Union (AU) and its predecessor the Organisation of the African Unity (OAU) have been seized with forced displacement for many years, albeit, without comprehensive policy framework<sup>1</sup> and strong continental, regional and national mechanisms in place. Over the years, faced with the growing challenges of refugees and in later years the phenomenon of internally displaced persons, Africa's leaders gathered in Banjul, The Gambia, in June 2006, called for a Special Summit to address the problems of refugees, returnees and internally displaced persons (IDPs) on the continent.

The Special Summit was subsequently held on 18 – 23 October 2009, in Kampala, Uganda. The Summit adopted a comprehensive Agenda on humanitarian issues and the first-ever regional Instrument on IDPs-The African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention)<sup>2</sup>. Although these were notable steps, the continent continued to face growing challenges of forced displacement which were exacerbated by effects of climate change. Against a backdrop of the devastating effects of the earth-quake in Haiti and a rapidly changing humanitarian landscape, the AU General Assembly adopted a Declaration in February 2010, in Addis Ababa, Ethiopia, which called for urgent measures to put in place “...modalities to establish an African humanitarian mechanism for a rapid response, in a coordinated, harmonized and efficient way, to serious humanitarian situations in Africa and elsewhere...”

Later in June 2010, the Ordinary Summit adopted the Kampala Plan of Action on Refugees, Returnees and Internally Displaced Persons in Africa to translate into reality the vision of Africa's leaders that was laid out in the Kampala Declaration on refugees, returnees and IDPs of October 2009. Three years later, in 2013, coinciding with a review of the 2009 Kampala Plan of Action and the announcement by the Ban Ki-moon, Secretary-General of the United Nations of the first ever World Humanitarian Summit, the AU initiated a political process to formulate it's a new humanitarian architecture which was consolidated in a Common Position on Humanitarian Effectiveness (CAP).

The *Common Africa Position on Humanitarian Effectiveness* was adopted by the AU General Assembly in its Decision **Assembly/AU/Dec.604 (XXVI)** of 30 January 2016, in Addis Ababa, Ethiopia. The *Common Africa Position* defines Africa's new humanitarian architecture and priorities. It outlines core values and what Africa is thinking and positioning its self, for its people through its commitment to humanitarian effectiveness on the continent.

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<sup>1</sup> The AU Humanitarian Policy Framework was adopted in January 2016, but remains to be operationalized.

<sup>2</sup> <http://www.au.int/en/treaties>

## **2.0. AU POLICY CONTEXT**

Since its inauguration, the AU has embarked on an elaborate path for normative and institutional transformation. The Constitutive Act of the African Union<sup>3</sup>, the parent law, sets out a codified framework under which the AU is to conduct itself. The AU has also adopted a wide-range of normative and policy instruments to guide Africa's social economic transformation. Adopted in 2013, Agenda 2063<sup>4</sup> provides a strategic framework for the socio-economic transformation of the continent over the next 50 years<sup>5</sup>. It builds on, and seeks to accelerate the implementation of past and existing continental initiatives for growth and sustainable development. Some of the past and current initiatives it builds on include: the Lagos Plan of Action, The Abuja Treaty and The Minimum Integration Programme, among others<sup>6</sup>.

## **3.0. HUMANITARIAN LANDSCAPE: trends and patterns**

The humanitarian situation on the African continent remains complex and is growing in scale and scope. The continent is currently host to  $\frac{3}{4}$  of the world's displaced population, with over 5.6 million refugees and 13.2 million IDPs. The number of displaced persons grew to 15million with an increase of more than 500,000 in 2014<sup>7</sup>. Effects of climate change are also on the increase. The El Nino and La Nina phenomena have created an unending cycle of humanitarian crises in various parts of the continent. Regions of the continent have been ravaged by drought and floods. In the Sahel, over 20million people were food insecure in 2015 from 11million in 2013, of which 2.5million were in need of urgent humanitarian assistance to survive<sup>8</sup>. In the Horn of Africa and the Southern Africa region, over 8million were affected by drought and famine in 2013 and over 35million in 2016.

Future trends suggest complex challenges. For example, by 2015/25 people affected by disasters each year will double from 250million per year to over 375million. By 2030, world's population growth will be in urban areas, of low income countries. Urban population will peak 5billion in 2050, from 3.5billion today 737million in 1950. Africa with 4% urban population in 1950 will have 15% in 2030, 1.3billion in 2050<sup>9</sup>. These trends and patterns of conflict and displacement pose a growing threat to Africa's future security, peace and stability and meaningful realisation of Africa's integration and transformation. There is general recognition that the cost and losses as a result of humanitarian crises per capita outstrip Gross Domestic Product (GDP) of most affected countries, in real time.

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<sup>3</sup> [http://www.au.int/en/sites/default/files/ConstitutiveAct\\_EN.pdf](http://www.au.int/en/sites/default/files/ConstitutiveAct_EN.pdf)

<sup>4</sup> [www.au.int/en/agenda2063](http://www.au.int/en/agenda2063)

<sup>5</sup> [Ibid](#)

<sup>6</sup> [Ibid](#)

<sup>7</sup> UNHCR Global Appeal, 2015

<sup>8</sup> UNOCHA, Sahel Humanitarian Response Plan 2014-2016

<sup>9</sup> [Ibid](#)

This is based on the notion, and as shown by evidence, that sound social-economic transformation of the continent cannot be achieved without tackling root causes or finding durable solutions to forced displacement, and where such displacement occurs, putting in place resources, solid institutional frameworks and coordination mechanisms on the continent to predict, prevent and respond to crises, as well as in building resilience to adapt. Moreover, the failures in the present global humanitarian architecture, on one hand and lack of such comprehensive policy frameworks and strong coordination mechanisms and linkages at continental, regional and national levels, in the other hand, constitute major obstacles to achieving positive transformation and change that is in sync with other efforts being deployed towards the attainment of Agenda 2063. This doctrine has been informed by various crises on the continent and failure of present approaches, which view development and humanitarian crises separately. Recent regional and global policy trends including: The Common African Position on Humanitarian Effectiveness, Sustainable Development Goals (SDGs), *The Sendai Framework*, *The Climate Change Conference (COP21)*, and the World Humanitarian Summit, have proposed new directions. The new discourse calls for a holistic approach and a paradigm shift which to link relief and development efforts.

Therefore by adopting a new humanitarian architecture, the AU seeks to chart a new path for Africa's social-economic transformation, in fulfilment of its aspirations set out in the Constitutive Act, Protocol Establishing the PSC and Agenda 2063. It is against this background that the AU has undertaken measures to define its new humanitarian architecture, in line with this doctrine and its long-term aspirations encapsulated in Agenda 2063.

#### **4.0. TRANSFORMING AFRICA'S HUMANITARIAN ACTION**

The January 2016 Ordinary Summit set an Agenda for transformation of Africa's humanitarian action. To achieve this objective, the Assembly adopted the CAP and called for a decade of humanitarian effectiveness, which is intended to transition AU's governance of humanitarian issues to match with other efforts aimed at strengthening Africa's governance architecture. It is envisaged that this transition will address institutional and policy gaps in the present humanitarian architecture at continental, regional and national levels.

Fundamental changes will be introduced mainly in five areas:

- a. Fundamental transformation or strengthening of existing structures,*
- b. Operationalization of new humanitarian architecture which will be driven by two vehicles: (a) The African Humanitarian Agency, (b) AU Humanitarian Policy Framework*
- c. Streamlining coordination mechanisms for humanitarian issues,*
- d. Harmonisation, enactment and operationalization of new policy frameworks,*
- e. Resource mobilisation to for predictable and reliable humanitarian response.*

#### **5.0. JUSTIFICATION FOR A FEASIBILITY STUDY**

The 2016 Ordinary Summit endorsed the establishment of an *African Humanitarian Agency*. However, the Assembly did not define the nature of the Agency. In the Common African Position, it is acknowledged that effective humanitarian action cannot be achieved on the continent without addressing existing institutional gaps. Moreover, it was further emphasized that shaping Africa's future humanitarian architecture, should be founded on capabilities of Member States and Regional Economic Communities, and funded by Africa's own resources.

To achieve these objectives, the Assembly, called on the Commission to determine what transforming Africa humanitarian architecture would entail. In particular, to carry out a study on the structural and financial implications of the proposed African Humanitarian Agency, its functions, linkages and sustainability.

The idea of such an Agency is not new. It predates the African Union. Its endorsement by the January 2016 Summit was therefore in fulfilment of earlier Decisions and calls by Africa's Leaders to put in place appropriate mechanisms to strengthen humanitarian response on the continent. It is acknowledged that in spite of the growing and complex humanitarian situation on the continent, the AU lacks a firm architecture and sustainable funding mechanism in dealing with humanitarian issues. At regional and national levels, structures for humanitarian response are still weak or none-existent in some cases. This has alienated the State from its primary responsibility of coordinating humanitarian assistance. Moreover, the failures as a result of weaknesses in the global humanitarian architecture are evident on the continent and call for radical reforms.

## **6.0. PURPOSE AND OBJECTIVES**

The objectives of the Feasibility are to:

- a. assess the existing structural and institutional mechanisms for humanitarian response on the continent with a view to ascertain needs and measures that are required to strengthen/streamline them,*
- b. carry out a SWOT analysis of the proposed African Humanitarian Agency,*
- c. garner views from Member States and stakeholders on institutional architecture and functions of the proposed African Humanitarian Agency, and thereby propose an appropriate organogram for the Agency,*
- d. determine the financial and resource implications of the proposed Agency,*
- e. recommend a roadmap for the operationalization of the proposed Agency at continental, regional and national levels.*

## **7.0. EXPECTED OUTPUTS**

The main outputs of the feasibility study will include a document of 25 pages maximum (30pages) with Annexes giving a SWOT Analysis, detailed description of the proposed African Humanitarian Agency: institutional architecture, functions, linkages and financing etc.

## **8.0. KEY BACKGROUND DOCUMENTS**

- The Constitutive Act of the African union, 2000
- African Union Agenda 2063
- Common African Position on Humanitarian Effectiveness, January, 2016
- African Union Humanitarian Policy Framework
- AU Convention for the Protection and Assistance of IDPs in Africa (Kampala Convention)
- Protocol Relating to Establishment of the Peace and Security Council (PSC)
- The Lagos Plan of Action,
- The Abuja Treaty,
- The Minimum Integration Programme,
- The New Partnership for Africa's Development (NEPAD).

## **Section III: Terms of Reference**

### **1.0. INTRODUCTION**

The African Union (AU) General Assembly in its Decision Assembly/AU/Dec.604 (XXVI) of 30 January 2016, in Addis Ababa, Ethiopia adopted a Common Africa Position on Humanitarian Effectiveness and endorsed the establishment of an African Humanitarian Agency. While endorsing the creation of an African Humanitarian Agency, the Assembly underscored the need for the new architecture to be “...anchored on regional and national mechanisms and funded with Africa’s own resources and that it should be founded on principles of pan-Africanism and African shared values...” To this end, the blueprint lays particular emphasis on the primary responsibility of States as main drivers of future humanitarian action that is effective and fit for purpose and addresses future challenges.

### **2.0. THE CONSULTANCY**

A Consultant is required to carry out a detailed feasibility study to determine the structural and financial implications of such a new humanitarian architecture and modalities for its operationalization.

### **3.0. PURPOSE AND OBJECTIVES**

- *assess the existing structural and institutional mechanisms for humanitarian response on the continent with a view to ascertain needs and measures that are required to strengthen/streamline them,*
- *carry out a SWOT analysis of the proposed African Humanitarian Agency,*
- *garner views from Member States and stakeholders on institutional architecture (design) and functions of the proposed African Humanitarian Agency, and thereby propose an appropriate organogram for the Agency*
- *determine the financial and resource implications of the proposed Agency,*
- *recommend a roadmap for the operationalization of the proposed Agency at continental, regional and national levels.*

### **SCOPE OF THE WORK**

The consultant is expected to work in close coordination with the Department of Political Affairs. The work will be undertaken in the following phases:

- *Carry out an analysis to review the proposed solution and further investigate alternatives for the purpose of identifying if the proposed Agency is feasible, cost-effective and appropriate,*
- *Describe the most feasible institutional setup of the proposed Agency,*
- *Undertake a desk review and a scoping study on the existing institutional framework and mechanisms for humanitarian response on the continent, with a view to determine their appropriateness and gaps;*
- *Undertake a SWOT analysis involving the Commission, Member States and RECs, as well as stakeholders to deepen conceptual and political underpinning of the proposed Agency,*
- *Carry out extensive consultations with the African Union Commission, Regional Economic Communities and Member States,*
- *Organise and prepare briefings for the Commission on proposals for the Agency to facilitate the decision-making by Organs of the Union.*



In each of the phases, the Consultant will be expected to propose a methodological issues and guiding questions to solicit views. The Commission will be responsible for financing the meetings and consultations, based on the proposed budgetary estimates by the consultant.

#### **4.0. EXPECTED OUTPUTS OF THE FEASIBILITY STUDY**

The Consultant is expected to deliver a document of 25 pages maximum (30pages) with Annexes giving a SWOT Analysis, detailed description of the proposed African Humanitarian Agency: institutional architecture, functions, linkages and financing etc.

#### **5.0. METHODOLOGY AND MANAGEMENT OF THE CONSULTANCY**

The Consultant will be required to carry out extensive consultations with Member States and RECS, including in organizing Continental and Regional Meetings to garner views and build consensus on the proposed Agency. The Consultant will be expected to travel extensively during the period of the assignment. S/he will be expected to support and facilitate AU and REC meetings in line with the ToR. Total length of the consultancy is 3 months, final Report expected in January 2017.

<b>ACTIVITY</b>	<b>RESPONSIBILITY</b>
Bidding and award of Consultancy	AUC
Commission pre-feasibility and feasibility study, August 2016	DPA
Literature Review of secondary data	Consultant
Consultations with Member States and RECs,	DPA/Consultant
Presentation of results of Feasibility Study the AU Commission	Consultant
Presentation of results of Feasibility Study to Member States	DPA
Validation of results of Feasibility Study by Member States Experts	DPA
Consideration and adoption by AU Ordinary Summit	DPA

#### **6.0. REQUIRED PROFESSIONAL QUALIFICATIONS AND EXPERIENCE**

The Commission envisages that this Feasibility will require a Team of Experts with skills and expertise in a range of academic disciplines and with sound knowledge of the African Union's governance and humanitarian architecture and Inter-Governmental processes.

The Consultant must possess the following qualifications and experience:

- Post graduate degree in Social Science, law, or other related fields
- At least 10 years' experience working with regional or international organizations (inter-governmental or humanitarian) ; and experience in preparing and conducting policy review documents for regional or international organizations
- Strong knowledge of African political issues and Extensive knowledge and experience of the African Union, UN Humanitarian agencies and INGOs working in the humanitarian field- as well as the International and African Human Rights Systems and thorough knowledge of all relevant policy instruments is essential
- Excellent communication skill in English is a must
- Track record of delivering high quality documents within agreed timeframe

The Consultant would also be expected to:

- work with minimal supervision;
- have excellent English drafting and presentation skills on complex issues,
- display in-depth understanding of the problems facing refugees, returnees and IDPs including in-depth analysis of related issues;
- be action and solutions oriented, take initiative, be resourceful and demonstrate balanced and independent thinking on all issues;
- demonstrate political sensitivity, diplomacy and broad understanding of the environment within which the Special Summit is being organized.

### **Application Process**

When applying, interested individuals must submit the following:

- A cover letter introducing the consultant and how the skills and competencies above are met, with concrete examples as appropriate.
- An outline including proposed methodology, time schedule and work plan for the report
- A CV detailing relevant skills and experience, including contactable references
- Proven record of experience in research around AU institutions with one or two examples of documents prepared by the consultant
- Reasonable budget breakdown and cost consideration