



**Terms of Reference for the Recruitment of a Consultant to finalise the Effective Division of Labour between the AUC, RECS, Member States, RMs pursuant to Declaration: (MYCM/Decl/1(I))**

Procurement Number: AUC/BCP/C/012

## **1. INTRODUCTION**

During the 11<sup>th</sup> Extraordinary Session of the Assembly of the AU (**Ext/Assembly/AU/Dec.1-4(XI)**) the AU Commission, in collaboration with the RECs, AU organs, relevant continental organizations, was mandated to develop a proposal on an effective division of labour among the AU, the RECs, the Member States, and other continental institutions, in line with the principle of subsidiarity, for submission to the First Mid-Year Coordination Meeting in June/July 2019, based on the following technical work:

- i. Review of the level of alignment and coherence of continental and regional medium term plans and development of proposals with a view to developing harmonized continental and regional medium term plans;
- ii. Review of overall financing arrangements for continental and regional medium term plans with a view to developing a joint mobilization and financing strategy for the implementation of the division of labour;
- iii. Development of proposals and recommendations on how to establish a coherent partnerships strategy between the AU, RECs and RMs on one hand and external parties on the other;
- iv. Review and assessment of existing Co-ordination and working Arrangements with a view to establishing new AU-REC-COs co-ordination arrangements that ensure an effective division of labour;
- v. Review of existing overall monitoring and review arrangements with a view to establishing an effective monitoring and evaluation system; and
- vi. Assessment of the implementation of the “Protocol on Relations between the African Union (AU) and the Regional Economic Communities (RECs)” and “Memorandum of Understanding on Cooperation in peace and security between AU, RECs and Coordinating Mechanisms of Eastern and Northern Africa.”

## **2. UPDATE ON THE IMPLEMENTATION OF THE ASSEMBLY DECISION ON DIVISION OF LABOUR**

1. The Commission organised a meeting between the Chairperson of the African Union (AU) Commission and the Chief Executives of the Regional Economic Communities (RECs) and Regional Mechanisms (RMs) on 25 April 2019 at AU Headquarters in

Addis Ababa, Ethiopia. The meeting was preceded by the first Preparatory Retreat for the AU-RECs Coordination Meeting held on 29-31 March 2019 in Arusha, Tanzania and the second Retreat on 15-16 April 2019 at the African Union Headquarters in Addis Ababa, Ethiopia.

2. The objective of the Retreat was for the experts to develop a proposal for the implementation of Decision Ext/Assembly/AU/Dec.1-4 (XI). This Decision relates to the division of labour among the AU Commission, RECs, Member States, and other continental institutions, in line with the principle of subsidiarity.
3. The Retreats recommended among other things the following:
  - Define a formula based on responsibilities and various competencies between the AU and the RECs;
  - Review legal documents on the issue of subsidiarity, as it is the guiding principle at continental, regional and national levels;
4. The key question is how Member States integrate continental policies and priorities into their national budget preparation, and how does the planning at the RECs' level integrate these continental policies and priorities into regional plans and priorities? There is a need for concrete proposals on how to take forward joint planning among these stakeholders taking into account experiences to date. Practical issues on how to harmonise planning and budgeting cycles will also need to be addressed.
5. At the meeting between the Chairperson of the African Union (AU) Commission and the Chief Executives of the Regional Economic Communities (RECs) and Regional Mechanisms (RMs) held on 25 April 2019 at AU Headquarters in Addis Ababa, Ethiopia, Commission presented the division of labour between the AU, RECs and Member States in the following areas:
  - Policy planning and formulation;
  - Policy adoption;
  - Implementation;
  - Monitoring & evaluation;
  - Partnerships; and
  - Joint resource mobilisation.
6. Specific observations for each of the above elements were made to enrich the initial document. The main general observations were as follows:
  - (i) There is need to clarify the role of the African Union Development Agency AUDA by showing clearly what is specifically expected from it as regards program implementation, considering that resource mobilization is not its primary responsibility;

- (ii) Clearly define the decision-making process, sequencing, guidelines, timelines, taking joint planning as the starting point for the and ensuring the focus is on well-targeted priorities in order to avoid the dispersal of efforts;
- (iii) distinguish between issues within experts' competence and those within policy exclusive competence;
- (iv) Ongoing reflections on the division of labour should be guided by the quest for smooth coordination of activities at continental, regional and national levels;
- (v) Policy issues should be resolved to allow experts to continue their technical work;

7. The Bureau of the AU Assembly of the Heads of State and Government and Chairpersons of the Regional Economic Communities, assembled in Niamey, Niger on 8<sup>th</sup> July 2019 on the occasion of the first Mid- Year Coordination Meeting.

8. They welcomed the preparatory work undertaken by the AUC, RECs and RMs on the proposal on Division of labour between Member States, RECs and the AU and requested the AU Commission, RECs and Member States to draft a more detailed proposal on division of labour.

9. In addition, they recommended that the upcoming Ordinary Session of the AU Assembly in February 2020 endorse this proposal as a framework for the division of labour, and thus, mandated the AU Commission, in collaboration with the Member States, RECs, AU organs and regional mechanisms to operationalize the framework on an effective division of labour including through detailed plans of action;

### **3. PURPOSE OF THE STUDY AND EXPECTED RESULTS**

#### **3.1. Overall Objective**

- 31.1 The overall objective of this assignment is to finalise the mechanism for Establishing a comprehensive and an effective Division of Labour between the AU, Member States and the RECs and RMs.

#### **3.2. Purpose & Scope of the Assignment**

3.2.1 In order to attain the above objective, the specific purpose of the study is the following:

- Prepare a clear and an effective division of labour between the AU, RECs, Member States, RMS based on the guiding principle of subsidiarity and based on their respective competencies;

- AU at continental level, RECs at regional level and Member States at national level. These three levels should work in synergy to address the same issue in a very coordinated manner with clear alignments and timeframes;
- The work should also take into consideration the following aspects: Policy planning and formulation; Policy adoption; Implementation; Monitoring & evaluation; Partnerships; and Joint resource mobilisation.
- Review legal documents on the issue of subsidiarity, as it is the guiding principle at continental, regional and national levels; and

**a) Structure and Management Division of Labour**

- Propose a clear overall guiding framework for the Division of labour, including: mission, goal, objectives, and financing modalities;
- Propose suitable process, operational and structural arrangements and for the implementation of an effective division of labour;

**b) Implementation Modalities**

- Develop an implementation plan and co-ordination arrangements (phased approach or immediate rollout); and
- Develop a proposed implementation timeframe.

**c) Resource Mobilisation Strategy**

- Develop a suitable resource mobilisation strategy.

**3.3. Deliverables to be achieved by the Consultant(s)**

3.3.1 The deliverables to be achieved by the Consultant(s) for this assignment include the following:

**a) One week after a briefing meeting**

- **Deliverable 1:** Inception report submitted one week after a briefing meeting.

**b) Two months after the commencement of the assignment**

- **Deliverable 2:** A Draft report on the Division of Labour framework, including the expected costs and potential financing sources;

- **Deliverable 3:** Draft recommendations on the most appropriate implementation modalities and timeframe; and
- **Deliverable 4:** A draft resource mobilisation strategy.

**c) One month after the validation meeting**

- **Deliverable 5:** Revised and final draft report on the effective Division of Labour including the costs required and potential financing sources. This should have taken into consideration comments of the various experts and Principals Retreats as well as reports from the deliberations of the Permanent Representatives Committee and a the 2019 Niamey Declaration;
- **Deliverable 6:** Revised and final recommendations on the most appropriate implementation modalities and time frame to be submitted one month after the validation meeting; and
- **Deliverable 7:** Revised and final report on the Division of labour. To be submitted one month after the validation meeting.

### **3.4. Description of Assignment**

3.4.1 This assignment seeks to establish an effective Division of Labour and make recommendations on the organisational modalities, profile, governance structure, financing structure and disbursement mechanisms, monitoring and evaluation and strategy for its full implementation.

3.4.2 The assignment will be conducted over a period of two months, culminating in the submission of: 1) a final report; 2) study report on the proposed modalities for creating the effective Division of Labour; The Consultant(s) will be required to undertake missions to consult with, amongst others, stakeholders in the AUC, RECs, Member States and RMS.

3.4.3 The project will require the utilisation of qualitative and quantitative research methods as well as desk based research of relevant decisions and reports pertaining to African integration.

### **3.5 Geographical Coverage**

3.5.1 The geographical areas to be covered will primarily include RECs, the AUC, Member States, European Commission (EC), and relevant partners.

### **3.6 Target Groups**

- All RECs recognized by the AU (COMESA, EAC, ECOWAS, CEN-SAD, UMA, IGAD, ECCAS and SADC);
- Relevant senior officials of the AUC (e.g. Chairperson, Deputy Chairperson, Commissioners, Directors);
- Consultations with the Head of the Reform Unit and Integration Unit at the AUC Chairperson's office
- Where necessary, relevant officials of international institutions.
- What about Member States through the PRC (they are a key element of the Division of Labour!!)

### **3.7 Specific Activities**

3.7.1 The following activities will be required for the successful completion of the assignment. They include:

- Submission of an inception report prior to the study commencing;
- Participation in a briefing meeting with the assignment supervisory and oversight team, comprising officials from the AUC, prior to the commencement of the assignment to agree on and discuss the inception report and the work programme to be undertaken;
- Submission of a:
  - Draft report;
  - Draft report on the Division of Labour and modalities of its implementation with clear time frame
  - Draft resource mobilisation strategy.

All are to be considered and discussed during a validation workshop with the RECs and upon which, having taken cognizance of the outcomes and feedback from the validation exercise, the Consultant(s) should submit the following:

- Final report;
- Final arrangements and modalities of operation report; and
- Final resource mobilisation strategy.

### **3.8 Methodology**

3.8.1 The Consultant(s) should also seek to, amongst others:

- Use qualitative and quantitative research methods such as semi-structures interviews, questionnaires, and other statistical methods to assess the establishment of an effective Division of labour
- Provide regular preliminary updates on findings of the assignment;
- Undertake desk based research, which should include, amongst others, the following essential reading materials:
  - The Abuja Treaty (1994)
  - The Constitutive Act of the African Union (2000)
  - The Sirte Declaration (9.9.1999)
  - Assembly/AU/DEC.112 (VII) and Assembly/AU/Dec.113 (VII) of the Seventh Ordinary Session of the Assembly of the Union, held in Banjul, The Gambia, (July 2006)
  - Study on Rationalisation of RECs, Review of the Abuja Treat
  - Study on the Quantification of Regional Economic Communities (RECs) Rationalization Scenarios
  - The AU Agenda 2063 and its ten implementation Plan
  - Programme for Infrastructure Development in Africa
  - The Comprehensive African Agricultural Development Programme
  - The Peace and Security Architecture and related Peace Facility
  - Decisions on the Division of Labour

## **4. PROJECT MANAGEMENT**

### **4.1 Responsible Body**

4.1.1 The AUC will be the specifically responsible for managing the contract. The relevant Department within the AUC will be the Head of the Reform Unit,

### **4.2 Reporting and Management of the Assignment**

- The overall management and supervision of the study will be undertaken by the Head of the Reform Unit, AUC ;



- After the contract has been awarded a meeting will take place between the AUC, and the Consultant(s) to agree on the practical modalities to implement the Contract;
- After signing of the Contract, the selected Consultant(s) will submit an inception report to the AUC, in English and French, respectively;
- A briefing meeting will be held between the AUC, and the selected Consultant(s) to discuss the inception report and agree on the programme of work to be undertaken;
- The Consultant(s) will submit draft reports to the AUC in French and English for input and comment;
- The Consultant(s) will participate in a validation meeting on the draft reports and will provide a short presentation summarising their findings and recommendations; and
- Finally, the Consultant(s) will submit the final reports to the AUC in English and French.

### **4.3 Submission & Approval of Draft and Final Reports**

4.3.1 Four copies of the reports referred to above must be submitted to the contracting Authority. The reports must be written in English and French.

### **4.4 Facilities to be provided by the Contracting Authority**

4.4.1 During missions to the AUC, the Contracting Authority shall:

- Be responsible for the timely provision of all administrative support (such as photocopying, fax machine, internet access);
- Be responsible for the translation of the study reports into the Arabic and Portuguese; and
- Provide relevant Decisions, Declarations and reports pertaining to regional and Continental integration, the Decision on the Division of Labour and other relevant documents.

## **5. LOGISTICS AND DURATION OF THE ASSIGNMENT**

### **5.1 Location**

5.1.1 The operational base for the assignment will be the official office of the Consultant(s). However, the Consultant(s) will be expected to make visits to the following:

- AU Commission, in Addis Ababa, Ethiopia;
- ECOWAS in Abuja (Nigeria), COMESA in Lusaka (Zambia), EAC in Arusha (Tanzania), IGAD in Djibouti (Djibouti), CEN-SAD in Tripoli (Libya), ECCAS in Libreville (Gabon), UMA in Rabat (Morocco) and SADC in Gaborone (Botswana); and
- Other relevant international organisations, where necessary.

## **5.2 Commencement Date & Period of Execution**

5.2.1 The intended commencement date is November 2019 and the period of performance of the contract will be two months from this date.

## **6. QUALIFICATIONS**

### **6.1. Expert Profile(s)**

6.1.1 The profiles of the key expert crucial role in implementing the contract is as follows:

#### **Key expert:**

Qualifications and skills:

- Masters or equivalent diploma(s) in Governance, Finance and/or Economics. Doctorate(s) would be preferable;
- Proficiency in French and English; and
- Excellent report writing and presentation skills.

General professional experience:

- Clear understanding of African development imperatives as articulated in the Abuja Treaty, AU Constitutive Act and Sirte Declaration; as well as the inner workings of African institutions and the interplay between Member States, AU, the RECs and other comparable intergovernmental bodies regionally and globally.

Specific professional experience

- At least 10-15 years professional experience and expert knowledge of Governance structure, Investment Management, Economic Policy, Research and Management;

## 7. MONITORING AND EVALUATION

7.1 The AUC will monitor and evaluate the work of the Consultant(s) to ensure adherence to the timeframes and the terms of reference.

The specific performance criteria for the project shall include:

- Timely delivery of all relevant study reports and progress reports as specified in the ToRs;
- Comprehension and adherence to the ToRs;
- Missions undertaken to the AUC, the RECs and other relevant partners;
- Provision of practical and actionable recommendations to address existing problems;
- Provision of a detailed road map with clear steps, stages, milestones and indicators for the effective Division of Labour;
- Provision of a clear, detailed and implementable resource mobilisation strategy for the implementation; and

## 8. PAYMENT SCHEDULE

8.1 The Consultant(s) shall be remunerated in installments as indicated below, with each deliverable being linked to a specific amount expressed as a percentage of the total contract amount according to the following criteria:

Variable	Installment (%)
▪ Inception Report	25% - 1 <sup>st</sup> installment
▪ Draft Reports (study, profile, implementation modalities, and resource mobilisation strategy)	35% - 2 <sup>nd</sup> installment

▪ Final Reports (study, profile, implementation modalities, and resource mobilisation strategy)	40% - 3 <sup>rd</sup> installment
<b>Total</b>	<b>100%</b>

## 9. FINANCIAL PROPOSAL THRESHOLD

9.1 The financial proposal shall not exceed USD 24,000, inclusive of all necessary travel (ticket, per diem) that will be conducted during the study as well as translation and printing costs

## EVALUATION CRITERIA

The African Union Commission now invites eligible Individual Consultants to indicate their interest in providing the Services. Interested candidate must provide information demonstrating that he/she has the required qualifications and relevant experience to perform the Services. Consulting firms may propose individual consultant/s, but only the experience and qualifications of individual/s shall be used in the selection process, and that his or her corporate experience shall not be taken into account, and the contract would be signed with the proposed individual.

For evaluation of the expressions of interest the following criteria will be applied:

- a) General Education Qualification and Relevant Training (20 points);
- b) Experience Related to the Assignment (35 points);
- c) Technical approach and methodology (40 points);
- d) Work plan (5 points)

Interested candidates are requested to submit the following documents for AUC's consideration as an attachment to the CVs:

- a) Technical Proposal on:
  - understanding and interpretation of the TOR
  - methodology to be used in undertaking the assignment
  - time and activity schedule

Further information can be obtained at the address below during office hours 8:00-13:00hrs and 14:00-17:00 hours Local Time.

Proposal must be delivered in a written form to the address below not later than 15:00 hours local time **December 11, 2019**.

African Union Commission,  
Attn: Carine Toure Yemitia (Mrs.)  
Head of Procurement Travel and Store Division  
Building C, Room 327  
P.O .Box 3243, Roosevelt Street  
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E-mail: [tender@africa-union.org](mailto:tender@africa-union.org)