



SADC EPA



Implemented by
giz Deutsche Gesellschaft
für Internationale
Zusammenarbeit (GIZ) GmbH

TERMS OF REFERENCE

“The Design of a Monitoring & Evaluation System for the SADC EPA Member States to track the Operationalization and Impact of the SADC-EU EPA”

Contracting Authority

The Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ)
Gaborone Office.

1.0 Beneficiaries

The main partners for this consultancy shall be the SADC Secretariat, as well as the six SADC Member State governments with the main beneficiaries of this assignment being the public sector, private sector and civil society stakeholders of the SADC-EU Economic Partnership Agreement (EPA).

1.1 Relevant Background

Six SADC Member States (Botswana, Lesotho, Mozambique, Namibia, South Africa, and Swaziland), of the one part, and the European Union and its Member States, of the other part signed the SADC-EU Economic Partnership Agreement (EPA) in 2016, which entered into force on 10/10/2016. Angola has an option to join the Agreement in future.

The objectives of the Agreement are to:

- Contribute to the reduction and eradication of poverty through the establishment of a trade partnership consistent with the objective of sustainable development, the MDGs and the Cotonou Agreement; 16.9.2016 L 250/5 Official Journal of the European Union
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- Promote regional integration, economic cooperation and good governance to establish and implement an effective, predictable and transparent regional regulatory framework for trade and investment between the Parties and among the SADC EPA States;
- Promote the gradual integration of the SADC EPA States into the world economy in conformity with their national policy objectives and development priorities;
- Improve the SADC EPA States' capacity in trade policy and trade-related issues;
- Support the conditions for increasing investment and private sector initiatives and enhancing supply capacity, competitiveness and economic growth in the SADC EPA States; and
- Strengthen the existing relations between the Parties on the basis of solidarity and mutual interest. To this end, consistent with WTO obligations, this Agreement shall enhance commercial and economic relations, consolidate the implementation of the Protocol on Trade in the Southern African Development Community (SADC) Region, signed on 24 August 1996 ('SADC Protocol on Trade') and the SACU Agreement, support a new trading dynamic between the Parties by means of the progressive, asymmetrical liberalisation of trade between them and reinforce, broaden and deepen cooperation in all areas relevant to trade.

The SADC-EU EPA is a trade and development Agreement that gives asymmetric access to Parties in the SADC EPA group. The Agreement also contains a chapter on sustainable development, which covers social and environmental matters. The Agreement grants market access for SADC EPA States to the EU and improves trading terms for SADC EPA countries mainly in agriculture and fisheries, including for wine, sugar, fisheries products, flowers and canned fruits. The EU also obtains new market access into the region.

The EPA promotes regional integration and cooperation among SADC EPA States, notably by enabling regional value chains through flexible Rules of Origin. The Agreement also establishes a number of Joint Institutions that are charged with overseeing, reviewing and supporting the implementation of the Agreement and includes provisions that address cooperation between SADC EPA countries and the EU. Cooperation is recognized as a crucial factor in the realization of the objectives of the Agreement.

Article 4 of the Agreement requires the Parties to monitor the operation and impact of the EPA continuously. The main objective of monitoring is to ensure that the objectives of the



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Agreement are realized, that the Agreement is effectively implemented and that its benefits are maximized.

Article 4 states as follows:

“1. The Parties undertake to continuously monitor the operation and impact of this Agreement through appropriate mechanisms and timing within their respective participative processes and institutions, as well as those set up under this Agreement, in order to ensure that the objectives of this Agreement are achieved, that it is properly implemented and that the benefits for their people deriving from it, in particular the most vulnerable groups, are maximised.

2. The Parties undertake to consult each other promptly over any issue concerning the implementation of this Agreement.”

The effective monitoring of the EPA will also facilitate the undertaking of the ongoing review and revision that is anticipated in the Agreement. To date, no monitoring system or process has been established. The two sides have exchanged views on the matter but are yet to agree on the appropriate monitoring mechanism for the EPA.

2.0 Objective, Purpose and Expected Result

2.1 Overall Objective

The overall objective of this assignment is to propose a monitoring system for the SADC EPA Member States to monitor the SADC-EU Economic Partnership Agreement. The proposed monitoring system must, inter alia, take into account the existing or planned monitoring mechanisms, including the SADC Trade Related Facility (TRF); the Monitoring of SADC Protocols, especially the Protocol on Trade; the SADC Policy for Strategy Development, Planning, Monitoring and Evaluation; and other monitoring instruments and mechanisms at regional or national level.

While monitoring consists of three dimensions – compliance, use and impact – the proposed monitoring system should focus predominantly on the latter two. The aim is to design an



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effective and user-friendly tool that facilitates the sustainable generation of monitoring reports at the national and regional levels. It is to be based upon internationally accepted principles about sound monitoring and evaluation.

The Final Report will provide indications of the costs associated with monitoring at the national and regional levels within SADC EPA. The proposed monitoring system has to take into consideration the scarce human and financial resources of member countries and incorporate low cost yet reliable monitoring and evaluation tools where available. The existing capacity for monitoring at the national and regional levels has to be considered and factored into the design in a realistic manner. Any system proposed should be harmonised in terms of data collection, analysis and reporting processes in order to avoid duplication of efforts and to allow for the most effective decision-making.

2.2 Project Deliverables

The consultant is expected to deliver the following results:

1. An Inception Report containing preliminary findings based on consultations with representatives from the SADC Secretariat and other relevant stakeholders (e.g. EU delegation, civil society organisations and regional business support organisations) and the review of relevant documentation. The Inception Report shall also include the scope of work, the approach and methodology, deliverables (expected results and risks), and an implementation schedule. These findings are to be based on analyses of the EPA and existing monitoring mechanisms within the SADC EPA Member States. In this Report the consultant or consulting firm shall also identify a list of potential indicators for monitoring the use and impact of the Agreement.
2. The expert will be expected to participate at a High Level one-day Regional Stakeholder event with the EU Commissioner for Trade, Cecilia Malmström in Johannesburg, South Africa. During the event, the expert will engage relevant stakeholders in order to capture their viewpoints.



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3. The Expert will be expected to propose a results-based framework around the objectives of the SADC-EU EPA, including the establishment of baselines and the identification of relevant indicators (this should be based on assessment and adjustment of existing/proposed indicators and on the outcomes of the consultations outlined in points 1 and 2);
4. A listing of agencies from which any required data should be sourced and recommendation of arrangements for sourcing data and information on a regular basis for specific M&E needs;
5. An **Interim Report**, which presents the research undertaken will be an advancement on how the EPA will be monitored, including a monitoring cycle, the actors (who will monitor) and what is to be monitored, including:
 - a. An effective and user-friendly **Monitoring System**, which details **what, is to be monitored, who will monitor**, and **how** it will be monitored. The proposed monitoring system should be a mechanism that facilitates the generation of monitoring reports, at the national and regional levels in a sustainable manner. It shall be based upon internationally accepted principles about sound monitoring and evaluation.
 - b. The main elements of a monitoring system, should particularly include:
 - i. The identification of the areas of the Agreement to be monitored regarding use and impact;
 - ii. The determination of baseline data, indicators and benchmarks to be measured with respect to each focal area;
 - iii. The identification of the respective institutions/body(ies) & authorities responsible for the implementation of the respective focal areas of the EPA;



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- iv. Specific roles under a monitoring and evaluation system assigned to the most appropriate actors for systematic data collection, data analysis, reporting and dissemination of results (including the SADC Secretariat and national SADC EPA Member State government ministries);
 - v. An outline / template of a monitoring report
 - vi. A monitoring cycle that outlines timeframes and indicates how the monitoring results will be evaluated and used to inform the subsequent monitoring cycles.
 - vii. The suggestion for the most suitable data management system to collect and analyse data.
 - viii. The expected and unexpected **outputs** experienced to date as reflected in the collected data
 - ix. The expected and unexpected **outcomes** to date experienced with the EPA;
 - x. An assessment of the direct and indirect **impacts** experienced to date;
 - xi. A verification process that involves the participation of Member States and other relevant actors in the EPA implementation process; and
 - xii. Comments and recommendations made to date for adjustments, if necessary.
6. An identification of the human and other associated costs to roll out and implement a sustainable monitoring system on regional and national basis;
7. An identification of existing and potential conflict of interest between those implementing the EPA and those monitoring the Agreement, as well as possible solutions where such cases have been determined;



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8. Facilitate and participate in a one-day regional consultative meeting for key stakeholders to obtain their inputs into the proposed monitoring system. The meeting will be organised by SADC Secretariat and GIZ.
9. Participation and facilitation of a **two-day regional Validation Stakeholder Meeting** to be initiated and paid for by GIZ and the SADC Secretariat. The meeting will serve to present and discuss the proposed monitoring system to key stakeholders and to verify the findings of the consultation;
10. Submission of **draft Final Report** based on feedback from the stakeholder meeting. The Report shall highlight any areas of disagreement among key stakeholders and make suggestions on how these can be addressed in the implementation of the proposed monitoring system.
11. Presentation of the **draft Final Report** with recommendations from the Regional Validation Workshop, to the **EU-SADC meeting** at a date and venue to be advised.

The consultant is requested to use cost-saving approaches as much as possible in the execution of their work. Furthermore, any monitoring system proposed must take into consideration the following conditions experienced by national EPA implementation actors, particularly in the public sector:

- Existing challenges to fulfil the overwhelming workload; and
- Limited human and financial resources.

Consequently, the overall design of any monitoring system proposed shall be simple, easy to use, not time consuming to contribute to, low costs, and should consider all available, yet reliable, free and unconventional data collection and analysis tools accessible.



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3.0 Assumptions and Considerations

3.1 Assumptions underlying the project

The main assumption is that SADC and the EU are committed to establishing a system to monitor the operation of the EPA. This includes that the EU and SADC EPA states are able to identify and agree, in a timely manner, on indicators that effectively and accurately measure the operationalization, use and impact of the EPA.

3.2 Considerations to take into account during the project

The consultant will have to work around the following potential obstacles:

- The data required may not be readily available;
- The availability of stakeholders during the period of consultancy.

4.0 Scope of Work

4.1 Specific Activities

To achieve the expected results, the consultant will do the following:

1. Review various existing reports, studies and documents on monitoring the EPA, highlighting strengths and weaknesses and aspects of the EPA where indicator development is a priority - for example, with regard to compliance and export development.
2. Participate in an inception meeting with the team from the GIZ and the SADC Secretariat to define, clarify and agree on project parameters and expectations, including timelines, reporting and communication channels. This inception meeting will be held one week after the commencement of this assignment.
3. Preparation of Inception Report to be submitted two weeks after the inception meeting.



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4. Facilitate and participate in a one-day regional consultative meeting for key stakeholders to obtain their inputs into the proposed monitoring system. The meeting will be organised by SADC Secretariat and GIZ.
5. Conduct research, interviews and consultations with the relevant stakeholders on regional and national level, based on the requirements of the Terms of Reference, to effectively complete the assignment. This includes the identification of existing and potential conflict of interest between those implementing the EPA and those monitoring the Agreement, as well as possible solutions where such cases have been determined;
6. Design and propose a sustainable and cost effective monitoring system for the EPA;
7. Participate in a regional validation meeting for key stakeholders to present and discuss the proposed monitoring system. Feedback on the consultant's main recommendations is to be taken into account and shall contribute towards determining any necessary adaptations. The meeting shall involve the key actors who shall be utilizing the system, such as EPA Implementation Units' (EIU) Coordinators.
8. Submission of draft Final Report and to take part as well as presentation of the Draft Final Report in the EU-SADC EPA meeting in November.
9. Preparation and submission of a Final Report on the monitoring system for the EPA.

4.3 Project management

4.3.1 Responsible Body

The consultant will report to the SADC Secretariat's Director-IDT and the GIZ Project Manager of CESARE. For the day to day management, the consultant will work under the supervision of the GIZ Regional Adviser – EPA Project, and SADC Secretariat's Chief Technical Adviser – SADC EPA Unit.



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5.0 Logistics and Timing

5.1 Location

The assignment is commissioned by the GIZ Gaborone Office but the consultant is expected to operate remotely where possible and will not necessarily require a physical presence in that country to execute the assignment. Travel to the Member States will be necessary during the research phase to conduct interviews and consultations with relevant stakeholders.

5.2 Duration

Sixty-seven (67) working days are allocated for the assignment. The total duration of the contract should not exceed a scheduled timeframe of 5 months. The consultant's schedule shall be broken down along the lines of the proposed draft schedule of activities outlined in the table below:

No	Description of Activities	Proposed Number of Man Days
1	Desk review of all relevant information	4 days
2	Participate in an inception meeting with the team from the GIZ and the SADC Secretariat	1 day



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3	<p>Review literature completed on Monitoring the EPA highlighting strengths, weaknesses and aspects of the EPA where indicator development would be a priority, for example with regard to compliance, export development and regional integration. This shall include:</p> <ul style="list-style-type: none"> I. A review of current M&E mechanisms/systems in place by key EPA Implementation actors and stakeholders and identification of any possibilities for integration into any overall system designed. II. Discussions and communication with relevant key stakeholders. III. The preparation of a detailed Inception Report. IV. Submission of the Report to be completed within first 17 days of commencement of contract. 	11 days
4	Participation in the EU-SADC meeting to present Inception Report	1 day
5	Facilitation of and participation in a one-day regional consultative meeting for key stakeholders to obtain their inputs into the proposed monitoring system.	1 day
6	Conduct research, interviews and consultations with the relevant stakeholders from civil society, public and private sectors, regional and sub-regional organisations involved in the EPA Implementation Process and compile necessary background data. E.g. the national EIU's and other relevant national actors that may be collecting information related to monitoring the EPA implementation process e.g. Central Statistical Offices, Central Banks, Ministries of Trade and Export Units etc.	21 days (including travel days)
7	Design and development of a sustainable and cost effective monitoring system for the EPA implementation process to date and going forward. This includes time allotted for the incorporation of any adaptations needed after presentations to stakeholders (in	20 days



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	points 8 and 9 below).	
8	Provide assistance in the organisation, coordination and facilitation of a regional validation meeting for key stakeholders to present, discuss and determine amendments of the proposed monitoring system in the form of an Interim Report	2 days
9	Presentation and approval of a Draft Final Report of a Monitoring System during the November Joint SADC EU Meeting	1 day
10	Prepare and submit a Final Report on the monitoring system for the EPA.	5 days
Total Number of Man Days		<u>67 days</u>

Please Note: The above table serves as an overall guide. The consultant is free to make adjustments as they see necessary in their proposal.

5.3 Commencement Date and Period of Implementation

The consultancy is expected to commence in November 2017 and should be completed no later than March 2018. The consultant or consulting firm is expected to deliver an advanced and detailed Interim and Final report.

6.0 Reports

6.1. Reporting Requirements

The consultant will submit the following reports:

- Inception Report. This is to be presented within one month of the signing of the contract and following an Inception Meeting with the SADC Secretariat. The Report will clearly outline the approach and methodology necessary for undertaking the assignment and will include any changes or suggestions, which may have been made by the contracting authority.



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- An Interim Report, which will present the methodology, (how the EPA will be monitored), the actors (who will monitor) and what is to be monitored.
- A Final Report, which represents the research undertaken as set out in section 2.2 of these TOR.

All reports and deliverables must be submitted to the GIZ and shall also be subject for peer review by the main partners - the SADC Secretariat and the SADC EPA Member States. All reports must be written in English and submitted in electronic format (Microsoft Word).

7.0 Proposal Submission Requirements

7.1 Qualifications and Eligibility Requirement

The interested consultants shall have:

- A post-graduate degree in economics, international trade, international development, or a related field;
- At least ten (10) years proven experience in designing monitoring and evaluation systems in developing countries, including IT based monitoring systems (a regional expert or collaboration with a regional expert would be an asset);
- Sound knowledge and understanding of trade and development issues facing the SADC region, especially as they relate to trade agreements;
- An appreciation of the economic challenges facing the SADC EPA States;
- Excellent written and oral skills;
- An excellent command of the English language is a requirement; Knowledge of Portuguese will be considered an asset;
- SADC States or the European Union nationality.

7.2. Required Documentation

The applicant(s) will submit the following:

- (i) CV;
- (ii) A proposal which should (1) display thorough understanding of the project and include (2) the methodology, (3) a timetable with Gantt chart of the proposed activities;



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- (iii) Examples of previous work done in designing monitoring and evaluation systems in developing countries;
- (iv) Proof of citizenship.

7.3 Submission Details and Deadline

Proposals should be submitted by the **23rd of October 2017 At 1600HRS to Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH, GIZ Office Gaborone, 1st Floor, South Wing, Morula House, Plot 54358, New CBD, Gaborone, Botswana**