



**CONSULTANCY FOR THE FORMULATION OF SADC'S REGIONAL STRATEGIC ACTION PLAN ON
INTEGRATED WATER RESOURCES DEVELOPMENT AND MANAGEMENT PHASE V (2021-2025)**

**TERMS OF REFERENCE
(STATUS: 20 FEBRUARY 2020)**

SADC SECRETARIAT

1.0 Background Information

1.1 Overview and Rationale of the Assignment

Water resources in SADC

Water resources in Southern Africa are vital to ensure the sustainable social and economic development aimed at dealing with poverty reduction level in the SADC Region. Apart from sustaining a rich diversity of natural ecosystems, water resources are critical to secure water supply, improve sanitation, and improve food security to over 260 million people. Water resources are also needed to provide opportunities in increasing access to energy through hydropower production.

One key feature of water resources in Southern Africa is that most of the major watercourses in the region are shared by two or more countries. Shared watercourse systems are characterized by complex water rights and run the risk of becoming a source of conflicts between watercourse states. This common heritage also presents tremendous opportunities for cooperation in managing the shared resources for regional economic development and regional integration.

Since the mid-1990s the Southern African Development Community (SADC) has acknowledged the importance of water resources for development and regional integration and has proceeded to adopt a range of regional instruments to support the joint management of shared water resources, including the Protocol on Shared Watercourses and the Regional Strategic Action Plan on Integrated Water Resources Development and Management (RSAP). The RSAPs serve both as a coordinating philosophy and a vehicle to deliver on the aspirations of SADC as articulated in the Regional Indicative Strategic Development Plan (RISDP), Regional Infrastructure Master Plan (RIDMP) and other regional and sectoral policies and strategies. Through the RSAPs, the sector is then able to respond to the regional development priorities as articulated in the RISDP vision of infrastructure development in support of regional integration. The programme interventions are also used to deliver on SADC-wide priority areas of poverty reduction, peace and stability, regional integration and industrialisation, as pronounced in the SADC Treaty.

SADC Protocol on Shared Watercourses

SADC was formally established in August 1992 through the adoption of the SADC Treaty with the aim of promoting “sustainable and equitable economic growth and socio-economic development that will ensure poverty alleviation with the ultimate objective of its eradication, enhance the standard and quality of life of the people of Southern Africa and support the socially disadvantaged through regional integration”.

Article 22 of the Treaty provides that Member States should conclude “Protocols as may be necessary in each area of co-operation, which shall spell out the objectives and scope of, and institutional mechanisms for, co-operation and integration”. Recognizing that water resources cannot be managed effectively within the restrictive context of national boundaries, SADC Member States adopted in 1995 the Protocol on Shared Watercourses. The Protocol was revised in 2000 to reflect the principles adopted in the United Nations Convention on the Law of the Non-Navigational Uses of International Watercourses. The Revised Protocol came into force in September 2003.

The objective of the Protocol is to “foster close and coordinated cooperation in the management, protection and utilisation of shared watercourses and to advance the SADC agenda of regional integration and poverty alleviation”. The principles put forth in the Protocol are operationalized

through the Regional Strategic Action Plan on Integrated Water Resources Development and Management (RSAP) through a series of defined activities.

The main objective of the RSAP is to provide a sustainable enabling environment, leadership and coordination in water resources strategic planning, use and infrastructure development through application of integrated water resources management at member state, regional, river basin and community level. As the RSAP was and continues to be implemented against a backdrop of a changing environment, which affects its focus, institutional set up (governance, implementation and management arrangements) as well as its ability, in terms of institutional capacity at Secretariat and Member State level, to deliver on its stated goals, the RSAP was envisaged to be phased and adjusted to meet the needs of the region in achieving the expectations of the Protocol. To account for the changing environment RASP I (1999-2004) focused on creating an enabling environment for the joint management of regional water resources, RSAPII (2006 -2010) focused on infrastructure development and the current phase RSAP III (2011 -2015) focuses on strengthening the enabling environment for regional water resources governance, management and management.

SADC Policy on Strategy Development, Planning, Monitoring and Evaluation

On February 2012, the SADC Council of Ministers approved the SADC Policy on Strategy Development, Planning, Monitoring and Evaluation to strengthen SADC's decision-making process regarding priority setting, resource allocation and programme management to improve performance towards SADC's objectives. The policy defines the critical measures that need to be taken by relevant institutions in relation to strategy development, planning, and monitoring and evaluation.

In the area of monitoring and evaluation the Policy stipulates that the Secretariat shall undertake monitoring and evaluation on a continuous basis to provide regular feedback on the compliance with commitments and the consistency between planned and actual performances. The monitoring and evaluation function of the Secretariat will encompass the assessment of operational plans, which are executed by the Secretariat, as well as the monitoring and evaluation of protocols, which are under the responsibility of Member States. The monitoring tasks with regard to protocols will be performed in coordination with Member States.

Monitoring and Evaluation processes will be undertaken on the basis of internationally recognized professional standards and values, in particular: utility, credibility, transparency, ethical, independence, impartiality and capacity.

In alignment with the SADC Policy on Strategy Development, Planning, Monitoring and Evaluation of this assignment will feed into the Policy's objectives, which are:

- i. To consolidate the institutional mechanisms for SADC Secretariat to improve its capacity in the area of ***monitoring and evaluation***;
- ii. To enhance the capacity of the Secretariat in ***mobilising resources*** and coordinating organisational efforts and stakeholder support towards SADC priorities;
- iii. To provide effective mechanisms for ***reporting progress*** towards and achievement of targeted results based on evidence at different levels;
- iv. To enhance learning, ownership, commitment and ***accountability for results*** to all SADC stakeholders.

A regional approach to basin management

The SADC regional approach has shown great success in facilitating negotiations on river basin management. All shared river basins within the SADC region with institutionalised river basin secretariats have adopted a cooperation framework in compliance with the SADC Protocol on Shared Watercourses. Key features and advantages of the regional approach are presented below:

- **Reference framework:** Regional instruments such as the SADC Protocol on Shared Watercourses provide a framework for the negotiation of river basin agreements. In basins where such agreements do not exist, the Protocol is used as a framework agreement.
- **Scope of cooperation:** The adoption of a regional approach extends the scope of cooperation beyond the water sector to cover issues such as trade and investment, providing more opportunities to share benefits amongst Member States.
- **Honest broker:** When requested by Member States, the SADC Secretariat can act as a neutral mediator to facilitate negotiations in river basins. The Secretariat also provides river basin organisations with information on best practices.
- **Harmonisation:** The alignment of regional and basin governing instruments facilitates the sharing of best practices and lessons learnt amongst river basins organisations. Such a harmonized approach to basin management strengthens regional integration, peace and stability.
- **Accountability and responsibility:** RBOs are not only accountable to their respective Riparian States and funding agencies but also to SADC at large. Every year RBOs have to report their progress and performance to the SADC Ministers of Water.
- **Competitiveness:** While the spirit of cooperation is promoted amongst RBOs, they also have to achieve results. RBOs performing poorly are less likely to receive support than the most successful ones.
- **Visibility:** ICPs supporting SADC are in fact supporting 15 countries, despite the level of their intervention (e.g. one specific river basin). Through the regional approach, the outputs (lessons learnt) of such support are shared with the other basins. This increases visibility at regional, river basin and national level.
- **ICP coordination:** The information on all activities supported by ICPs is shared with all stakeholders to ensure equitable and efficient distribution of financial resources as well as to avoid duplication, conflict and cherry picking, leaving some basins unfunded.

Though a great deal of progress has been achieved with the establishment and strengthening of RBOs in the SADC region, much remains to be done to consolidate their role and strengthen their capacity to carry out that role. In recognition of this evolving situation, the involvement of the SADC Water Division in RBO development will diminish as RBOs get established and strengthened. At such stage the support provided by the Water Division to particular river basin arrangements will be limited to the monitoring of the Protocol, strategic guidance and the sharing of best practices amongst RBOs and Member States. Technical and resource mobilisation support will still be provided by the Water Division to the island states' river basin management programmes and overall water management and governance action at the Member States level.

1.2 RSAPs as implementation strategies for the Regional Water Policy and Strategy

The SADC Regional Water Policy aims at providing a framework for sustainable, integrated and coordinated development, utilisation, protection and control of national and transboundary water resources in the SADC Region, for the promotion of socio-economic development and Regional integration and the improvement in the quality of life of all people in the Region (SADC 2006).

The Regional Water Strategy (RWS) is based on the Regional Water Policy (RWP) and provides the framework for the implementation of the RWP. Whilst the RWP deals with the "What" on Regional water issues, the RWS deals with the "How", "Who" and "When" in the implementation of the RWP (SADC 2007).

The Regional Strategic Action Plans on the other hand, are the implementing tools/instruments for both the SADC Regional Water Policy and Regional Water Strategy. The SADC Water Sector developed its first Regional Strategic Action Plan (RSAP I: 1999 - 2004) on Integrated Water Resources Development and Management through a very consultative process within and through the framework of the SADC Water Weeks from 1997 to 1998 resulting in the identification of 44 projects later prioritised to 31 projects. The 31 projects in RSAP I were mainly aimed at providing the enabling environment. In 2004, the RSAP I was evaluated resulting in the development of the 2nd phase of the SADC Water Programme (RSAP II: 2005 - 2010) which focussed on Infrastructure development. A review of the RSAP II in 2010 resulted in the formulation of the RSAP III (2011 - 2015) with a similar Infrastructure development focus as in RSAP II. The review of the RSAP III in 2014 indicated that Member States preferred that the SADC Secretariat consult them individually through the framework of the SADC Water Weeks as a way of providing input to the 4th phase of the SADC Water Programme (RSAP IV: 2016 -2020). The recommendation was followed and implemented facilitating and resulting in the current RSAP IV.

2.0 Objective, Tasks and Expected Results

2.1 Overall Objective

The overall objective is to formulate SADC's RSAP V as a roadmap of the priority interventions for the next five years of implementing the Revised Protocol on Shared Watercourses and the overall regional water sector programme.

2.2 Specific Objectives

The specific objectives of his assignment are:

- Undertaking an in-depth literature and desk review of protocols, policies and strategies in SADC with a view of identifying a strategic orientation and alignment of the RSAP V.
- Undertaking an in-depth analysis of achievements and challenges experienced during the implementation of the previous RSAPs.
- Undertaking an in-depth environmental scanning, both internal and external to the SADC region, and identifying factors that are affecting the water sector in the region now and those which are likely to affect it in the future ("business climate").

- Undertaking an in-depth stakeholder analysis and evolving mainstreaming issues in order to determine areas for improving the water sector responsiveness.
- Conducting an online survey among stakeholders in the region, including in all SADC Member States, to gather input on the design of RSAP V.
- Designing a Theory of Change and deriving a Conceptual Framework, which align with the identified thematic themes and demonstrate effective relationship between outputs and outcomes. It should also take into account the aspect of the results-based monitoring system, including the establishment of critical success indicators. Guiding a participatory process involving key stakeholders in the identification of the broad development objectives, and strategic thrusts to pursue under the RSAP V (this includes a consultative meeting with RBOs and SADC implementing partners, sample of Member States professionals (based on agreed selection criteria), expert meetings, a civil society and private sector dialogue event respectively, and a regional validation workshop to be conceptualised and moderated by the consultant)
- Compiling the packaging of strategic programmes for the RSAP V and outline the main interventions in greater details.
- Identify the interventions' best level of implementation and driver institutions (e.g., those to be implemented at regional level, basin level or by other subsidiary institutions of SADC)
- Provide a cost estimate for the proposed interventions
- Identify possible key partners (e.g. ICPs and others) for resource mobilisation and link them with RSAP V interventions.
- Establishing a knowledge management system, which is able to capture data timeously and process them for key decision makers.
- Define the new roles of key partners taking into account their priorities and needs and align it with the designed RSAP V to avoid duplication of interventions. This means that the synchronisation of the proposed RSAP V interventions should consider partners needs and requirements.

2.3 Key Tasks

The key tasks to be undertaken by the consultant will include but not be limited by the following:

- Complete and consolidate the Visioning on the Process and Scope of RSAP V with SADC Secretariat, Key Member State institutions, and Partners;
- Developing a Regional Strategic Action Plan on Integrated Water Resources Development and Management Phase V (2021-2025);
- Guidance on implementation strategy for the Action Plan; and
- The design of the RSAP V should be simple and well understood by all stakeholders and should reflect the new challenges identified in the water sector and how to deal with them through designing effective interventions in the management of water resources and development in the region.

3.0 Methodology

The Consultant is required to:

- (i) Undertake a detailed review of key documents including regional and national policies, strategies, programmes and institutional frameworks related to SADC development. Insights gained and questions that emerge from the review of these documents will be used in subsequent consultative interviews with key stakeholders. The documents will be obtained from the SADC Secretariat Water Division, from government ministries, departments and agencies of the Member States, private sectors institutions, key development partners and the civil society. Other relevant information will be obtained from existing literature including various studies and reports from regional and international organisations and from government documents and records;
- (ii) Solicit views of key stakeholders through an online survey, selective interviews (via telephone/skype and in person during consultative meetings) and participation in and organisation of consultative meetings and dialogue forums. Key target groups for consultations will include the staff from the SADC Secretariat, officials from Member States, River Basin Organisations, SADC subsidiary organisations and regional partner implementing agencies. Views will also be solicited from stakeholders in the water sector and representatives of research institutions and academia, private sector, water utilities and key civil society organisations. This will be done to gather the necessary primary information partly to verify the data collected from the documentation review, and also to fill gaps that emerge from the literature review. The survey, consultative meetings and interviews will provide an opportunity to explore relevant issues in relation to developments within the SADC region and beyond. The names and contacts of persons to be contacted will be identified in consultation with the SADC Secretariat.
- (iii) Critically analyse the outcomes (and information) from a regional stakeholder visioning workshop on the RSAP V design in February 2020 as well as the outcomes of a validation workshop in October 2020, and synthesise this information with the consultant's own collected data and information in the delivery of the objectives of this assignment.

4.0 Assumptions and Risks

4.1 Assumptions

During the assignment it is expected that:

- (i) The Secretariat will support the Consultant(s) obtaining the relevant information internally in a timely manner in order to perform the work and deliver on the tasks described under the scope of work; and
- (ii) The Consultants participate in relevant meetings to be held to finalise the RSAP V with the client and other stakeholders contributing to this exercise and submit the expected deliverables on time.

4.2 Risks

Some of the foreseen risks for the assignment include

- (i) Tight deadline for broad consultation in developing the RSAP V
- (ii) Level of ownership in the process of development and approval of the RSAP V by the Secretariat, Member States and other key stakeholders.

The probability of the occurrence of risks is low to medium.

5.0 Deliverables

In line with the tasks outlined above, the Consultants is expected to deliver the following:

- (i) An inception report
- (ii) An interim report incorporating the Theory of Change, Conceptual Framework, strategic direction and priority intervention areas of the RSAP V. Theory of change and conceptual framework should provide a clear links in terms of implementation of interventions.
- (iii) Briefs for the Secretariat to update stakeholders in the region on the process, milestones and preliminary design of RSAP V
- (iv) Draft RSAP V, which would have the following key sections included in the outline:
 - 1. Summary of core messages
 - 2. Purpose and scope of the RSAP V
 - 3. Strategic orientation for the RSAP (SADC Vision 2050, RISDP 2020-2030)
 - 4. Evolvement of the RSAP 1-4 (analysis of achievements and challenges, lessons from MTR)
 - 5. Improving the water sector's responsiveness
 - 6. Actors and players (reassessing the business climate)
 - 7. Conceptual Framework and Theory of Change
 - 8. Packaging strategic interventions (gradually phase out and push for new emerging issues)
 - 9. Cost estimates of Proposed Interventions
 - 10. Results based monitoring
 - 11. Knowledge Management
- (v) Final Regional Strategic Action Plan V
- (vi) The Process report describing in detail the process undertaken in formulating the RSAP V.

6.0 Project Management

6.1 Supervision and Reporting

The overall supervision in the formulation of SADC's RSAP V will be the responsibility of the Senior Programme Officer in the Water Division. Further staff member(s) will be identified to provide support to the Consultant during the course of the assignment. A small technical team consisting of the SADC Water Division and funding ICP (GIZ) representative will serve as the Project Management Committee (PMC), to oversee implementation of the project. The Consultant will be invited from time to time to make presentations in the meetings of the PMC.

7.0 Requirements from the Consulting Firm

7.1 Profile of the Firm

The firm should have demonstrable experience of no less than 10 years in undertaking assignments related to the formulation of Strategic Plans and their operationalisation of similar organisations pursuing the regional integration agenda. Previous work in the water sector is an asset.

7.2 Profile of Expert

The consultancy firm should have at least two key experts to undertake the above assignments related to the formation of the RSAP V.

The profile of the a.m. expert should be as follows:

- i. **Team Leader:** The team leader shall have: at least a Master's degree (1.3.1) in an appropriate discipline; more than 15 years' experience in the water sector and proven ability to conduct evaluation of development programmes (1.3.2); more than 10 years of leading diverse and interdisciplinary teams; proven professional experience in the SADC region. (1.3.4) The team leader is responsible for i) preparing the inception report ii) carrying-out the consultations with the SADC Secretariat and the key stakeholders, iii) analysing the preliminary results, (iv) making presentations in project meetings, regional workshop(s) and/or meetings on the findings, proposed approach and results of the project, and iv) drafting the status report and final report. The team leader is also responsible for the overall coordination and implementation of the project (1.3.3). The team leader shall liaise directly with the SADC Secretariat and the PMC.
- ii. **Water resources management experts:** The experts shall have at least a Master's degree (1.4.1) in an appropriate discipline; over 10 years' experience in the water sector (1.4.2); track record working on strategy analyses and development; and proven professional experience in the SADC region (1.4.4). The experts shall have combined professional experience in Southern Africa working on water governance, water management and infrastructure development. The experts are responsible of carrying out the consultations with stakeholders. The experts shall have an extended network of connections in the SADC Water Sector to draw from during the consultation period. The experts are also responsible for compiling the data and information collected during the consultations (1.4.3). A combined knowledge of English, Portuguese and/or French will be an added advantage. (1.4.4)

7.3 Other Services

The consultancy firm should ensure that the experts are adequately equipped with office space, equipment and supplies. It shall ensure that there is sufficient administrative provision to enable the expert to concentrate on their primary responsibilities. The costs of those services shall be included in the fee rate.

The costs of participation of the consultant in consultative meetings/workshops and progress meetings with the client (or PMC) shall also be included in the fee rate.

8.0 Reports and Schedule of Deliverables

8.1 Reports

The Consulting Firm shall submit the following reports:

- (i) An Inception Report, which clearly unpacks the methodological approach to be followed by the consultants;
- (ii) An Interim Report incorporating the Theory of Change, Conceptual Framework, strategic direction and priority intervention areas of the RSAP V;

- (iii) Briefs for the Secretariat for periodic updates to the PMC and to update stakeholders in the region on the process, milestones and preliminary design of RSAP V;
- (iv) A first draft RSAP V;
- (v) A final draft RSAP V;
- (vi) The Process Report describing in detail the process undertaken in formulating the RSAP V.

The Reports will be submitted electronically and in hard copies to the Senior Programme Officer-Water, at the SADC Water Division. The Reports will be submitted through the contract manager (GIZ-TWM).

8.2 Schedule and Deliverables

The timeframe of the consultancy is from 1 April to 31 October 2020.

The indicative schedule of deliverables is provided below. Modifications may be made during the inception phase.

Key Deliverable	Indicative Timeline
Submission of Inception Report	17 April
1 st Brief on RSAP V development process	17 April
Submission of Interim Report	31 May
2 nd Brief on Conceptual Framework	31 May
3 rd Brief on Deliberations during expert meetings and dialogue forums	28 August
Submission of a 1 st draft RSAP V	28 August
4th Brief on draft RSAP V	28 August
Submission of a final draft RSAP V	16 October
Submission of the Process Report	30 October

9.0 Estimated Input

The actual level of effort (input) for undertaking the assignment will be agreed between the Consultant and the SADC Secretariat at the time of contract negotiation and award. However, total consultancy input (for all team members) should not exceed **100 Person Days**

10.0 Technical Proposal and Financial Offer

Firms are required to submit a Technical Proposal and a Financial Offer.

The Technical Proposal should include:

- Project references
- Comments to the ToR
- Methodology for delivering the services
- Work Plan
- CVs of Team Members (max. 3 pages)
- Concept for technical backstopping of team members and project management

The Financial Offer should indicate:

- Consultants fee rates
- Travel costs