

NOTE FOR PROSPECTIVE CONSULTANTS:

- If you are interested in submitting your CV for this assignment, kindly email robertj@finmark.org.za
- See the Scoring Grid (Annex 1) for the desired qualifications, skills and professional experience
- Deadline for CV submission: On request



SUPPORT TO IMPROVING BUSINESS AND INVESTMENT ENVIRONMENT (SIBE)

Terms of Reference (ToR) for Recruitment of Short-Term Expert (STE)	
Title of Assignment:	Assess and identify good practices on Investors' Targeting and Services, and build the capacity of Member States and business officials
Reference no.:	TOR
Activity Code:	
Responsible SADC SPO:	Mario Lironel, SPO Finance and Investment, SIBE Task Manager, Directorate Finance, Investment and Customs
Date of issue:	22 April 2022
1. Background	
1.1 Background SADC	<p>The Southern African Development Community (SADC) was formed in 1980 as the "Southern African Development Co-operation Conference" (SADCC) by nine of the current Member States. On 17 August 1992 in Windhoek, Namibia, the SADCC was transformed into SADC with the signing of the SADC Declaration and Treaty. SADC currently has 16 Member States: Angola, Botswana, Comoros, Democratic Republic of Congo, Eswatini, Lesotho, Madagascar, Malawi, Mauritius, Mozambique, Namibia, Seychelles, South Africa, United Republic of Tanzania, Zambia and Zimbabwe. SADC has a combined population of approximately 360 million and a gross domestic product (GDP) of more than 700 billion (2019).</p> <p>Article 5 of the Declaration and Treaty of SADC identifies the Organisation's key objectives as:</p> <ul style="list-style-type: none"> • to further the socio-economic integration of the Region and thus attain development and economic growth, the alleviation of poverty and an enhanced standard and quality of life; • to encourage political co-operation, evolve common political value systems and institutions; and to promote peace and security; • to encourage self-sustaining development on the basis of collective self-reliance and interdependence of Member States; • to advance complementary national and regional strategies and programmes; • to support and maximise productive employment and utilisation of resources within the Region; and

	<ul style="list-style-type: none"> • to achieve sustainability of natural resources and effective protection of the environment. <p>The region envisages deeper economic integration starting with Free Trade Area which was launched in 2008 and moving on to Customs Union, Common Market, Monetary Union and finally a single currency.</p> <p>The Treaty aims are implemented through agreements including Protocols that are legally binding international agreements committing the Member States to the objectives and specific procedures stated within them. Currently, SADC has a number of Protocols, including the Protocol on Finance and Investment (2006, which was amended in 2016); the Protocol on Trade (1996); the Protocol on Mining (1997); the Protocol on Trade in Services (2012); and the Protocol on Industry (2019).</p> <p>There are additional strategic documents that guide SADC's activities towards regional integration including the Regional Indicative Strategic Development Plan (RISDP, 2003) that outlines the need for promoting the development of sound investment policies in Member States, to improve the investment climate and enhance the levels of intra-SADC and foreign direct investment in the region. This objective is supported by a similar objective aimed at enhancing cooperation in taxation and related matters, including tax information sharing; capacity building for Tax Administrations; and to develop common approaches and policies to the application and treatment of tax incentives and negotiation of tax agreements. This is in recognition that investors, among other things, consider tax regimes in making their investment decisions.</p> <p>The RISDP also highlights the enhancement of monetary cooperation to reform the SADC banking system and harmonization of banking regulatory frameworks. Furthermore, development and strengthening of the financial and capital markets is critical to facilitate free movement of capital and mobilization of financial resources for the promotion of growth and development in the region.</p> <p>The Community is supported by the SADC Secretariat that is located in Gaborone, Botswana. SADC is a consensus-based organisation and the mandate of the Secretariat is facilitatory. For further information see www.SADC.int.</p>
1.2 Background - SIBE	The Support to Improving Investment and Business Environment (SIBE) Programme is a five-year Programme, implemented by the Finance, Investment and Customs (FIC) Directorate and financed to

Programme	<p>the tune of €14 million by the EU under the 11th European Development Fund (EDF). Financing Agreement and the Contribution Agreement were signed in June 2019 and August 2019, respectively. The Programme will be implemented over a period of 55 months from the date of signature of the Agreements. The Programme is implemented by the SADC Secretariat and covers all the 16 SADC Countries.</p> <p>The overall objective of the Programme is to achieve sustainable and inclusive growth and support job creation through the transformation of the region into a SADC investment zone and promoting intra-regional investment and Foreign Direct Investment (FDI) in the SADC region, in particular for Small and Medium Enterprises (SMEs).</p> <p>The specific objective of the SIBE Programme is to develop the region into a SADC investment zone, promoting intra-regional investment and FDI in the SADC region, in particular for SMEs.</p> <p>The Programme focuses its support on the following Results Areas (RAs):</p> <p>RA1 - An enabling investment policy framework across SADC Member States is supported.</p> <p>This result area covers the following main activities:</p> <ul style="list-style-type: none"> (i) Set-up a dialogue at regional level on improving investment and business environment in SADC; (ii) Provide ad-hoc support to Member States in developing structured public-private dialogue mechanisms for improving investment and business environment in SADC; (iii) Harmonise SADC Member States' investment and business environment related laws and regulations; and (iv) Enhance the SADC Tax regime in support of a conducive investment and business environment. <p>RA2 - Enhanced integration of financial markets in the SADC region is promoted</p> <p>Under this Result area, the programme will assist in:</p> <ul style="list-style-type: none"> i. Developing financial markets in the SADC region; ii. Developing policies and strategies to address risks to financial stability at regional and national levels; and iii. Strengthening SADC Real Time Gross Settlement System (SADC-RTGS), Committee of Insurance, Securities and Non-Banking Authorities (CISNA), Committee of SADC Stock Exchanges (CoSSE), the SADC Committee of Central Bank Governors (CCBG) and the SADC Banking Association
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	<p>(SADC BA).</p> <p>RA3 - Enhanced financial inclusion is supported</p> <p>This Result Area focuses on developing proper and specific action plans aimed at reducing costs of remittances and developing financial products for SMEs. In particular, SIBE will support the following main activities:</p> <ul style="list-style-type: none"> i. Develop and implement Financial Inclusion Strategies; ii. Identify key financial inclusion regulatory areas for harmonisation and capacity building; and iii. Monitor Status of and Progress on Financial Inclusion in the Region. <p>The Programme management structure is composed by a Task Manager, the Senior Programme Officer – Finance and Investment under the operational oversight and guidance of the Director of Finance, Investment and Customs (FIC).</p> <p>The SADC Secretariat has contracted a consortium composed of FinMark Trust, GFA Consulting Group and Southern Africa Trust, under a Service Contract for a Technical Assistance including the provision of one Long Term Expert to coordinate and manage the implementation of activities across the 3 result areas, and a pool of Long and Short-Term Experts.</p> <p>These Terms of Reference (ToRs) are a request for the provision of consultancy services to the SIBE Programme to carry out an assignment on: “Assess and identify good practices on Investors’ Targeting and Services, and build the capacity of Member States and business officials”.</p>
<p>1.3 Background - this Assignment</p>	<p>Establishing a conducive environment for domestic and foreign investment is recognised as a major tool for sustainable growth, development, and poverty reduction in the region.</p> <p>To this end, the SADC Protocol on Finance and Investment (FIP) specifically calls for an investment policy strategy to accompany the regional integration objectives of SADC. It requires Member States to co-ordinate their investment regimes and co-operate to create a favourable investment climate within the region. Annex I of the Protocol, on Co-operation on Investment, further refers to the need for harmonisation of investment regimes with the objective of developing the region into an investment zone.</p> <p>According to the World Investment Report 2020, FDI flows to Africa declined by 10 per cent. FDI inflows to North Africa decreased by 11 per cent to \$14 billion, with reduced inflows in all countries except Egypt. Egypt remained the largest FDI recipient in Africa in 2019, with inflows increasing by 11 per cent to \$9 billion.</p> <p>After an increase in 2018, FDI flows to Sub-Saharan Africa decreased again by 10 per cent in 2019 to \$32 billion. FDI to West Africa fell by 21 per cent to</p>

	<p>\$11 billion in 2019 largely driven by the steep decline in investment in Nigeria. FDI flows to East Africa also decreased, by 9 per cent to \$7.8 billion as inflows to Ethiopia contracted by a fourth to \$2.5 billion. Central Africa received \$8.7 billion in FDI, marking a decline of 7 per cent mainly due to the fall in flows to the Democratic Republic of the Congo. Southern Africa was the only sub-region that received higher inflows in 2019 (a 22 per cent increase to \$4.4 billion) but only due to the slowdown in net divestment from Angola. FDI inflows to South Africa decreased.</p> <p>The global economy is currently in the midst of a severe crisis caused by the COVID-19 pandemic. The immediate impact on FDI is dramatic. The lockdown measures have slowed down existing investment projects. The future uncertainty and the prospect of a deep recession have negatively affected FDI as well as domestic investments.</p> <p>Developing economies are expected to see the biggest fall in FDI because they rely more on investment in global value chain (GVC)-intensive and extractive industries, which have been severely hit.</p> <p>This pandemic context justifies the need for developing strategies to mitigate the impact of the crisis through private investors' targeting and services that can play an important role in creating and maintaining jobs, diversification and broad-based entrepreneurship, including for Micro, Small and Medium Enterprises (SMMEs).</p> <p>The focus on investors' targeting comes with the recognition that in today's integrated global economy, retaining and expanding investment depend on simplifying, Services, speeding up and coordinating processes. Indeed, in many cases, the bottlenecks, inefficiencies, and uncertainties that investment facilitation seeks to address arise from unnecessary red tape, bureaucratic overlap, or out-of-date procedures that become costly impediments to investment.</p> <p>The issue of investors' targeting and Services has developed an increasingly high profile among policymakers, academics, and international governmental organizations over the past five years.</p> <p>Under the Support to Improving the Investment and Business Environment in the SADC Region – SIBE Programme, the SADC Secretariat will enhance the capacity of Member States to better manage FDI and domestic investments in the context of the pandemic crisis.</p>
2. Description of the Assignment	
2.1 Global objective	<p>The overall objective of this assignment is to mitigate the adverse impact of the COVID-19 pandemic crisis by enhancing the capacity of investment promotion and business officials from Member States in new paradigms of investors' Targeting and Services.</p>
2.2 Specific objectives	<p>The specific objectives of the assignment are as follows:</p> <ul style="list-style-type: none"> (i) Promoting good practices on investors' Targeting and Services among SADC Member; (ii) Helping Member States to <i>target, retain and expand FDI</i> by

	<p>strengthening investor confidence; and</p> <p>(iii) Promoting good practices in maximizing linkages and positive <i>spill over effects of FDI for the local economy.</i></p>
2.3 Requested services	<p>For this assignment, the following tasks are envisaged:</p> <p>(i) Assess good practices on Investors' Targeting and Services which should be sought at SADC region as well as continental and international levels;</p> <p>(ii) Develop related strategic interventions on Investors' Targeting and Services (Knowledge Product) that Member States could use for the purpose of better promoting, retaining and encouraging expansion of FDI and domestic investments, and maximising linkages and positive spill over effects of FDI for the local economy; and</p> <p>(iii) Build the capacity of IPAs and other business officials on Investor's Targeting and Services.</p> <p>The services will be delivered in five separate, but interrelated Parts as described in section 2.6 below. It should be noted that the timings and locations below are indicative and may be subject to change.</p>
2.4 Deliverables	<p>The main expected deliverables of this assignment are:</p> <ol style="list-style-type: none"> i. An inception report outlining the steps that the STE will use to carry out the above requested services; ii. A structured draft Strategic Interventions document on Investors' Targeting and Services; iii. A final Strategic Interventions document investors' Targeting and Services for use by Member States; and iv. An executive summary of the above, in PowerPoint format for presentation purposes. <p>Note: All deliverables will be the property of the SADC Secretariat.</p>
2.5 Management	<p>The STE will report to and will be under the day-to-day supervision of the Programme Coordinator and Task Manager/SPO Finance and Investment.</p>
2.6 Methodology	<p>The assignment will broadly entail:</p> <ol style="list-style-type: none"> 1. Part 1: Inception and planning: (10 fee days); 2. Part 2: Data collection, including the following tasks: <ol style="list-style-type: none"> i. Undertake desk review of key documentation related to the investment environment in the country, strategic documents, and existing studies related to the assignment. ii. Undertake consultations with relevant stakeholders including think-tanks, officials of Government Ministries responsible for investment, the private sector, and International Cooperating Partners. This will be done to gather the necessary primary information, partly to verify the data collected from the documentation review and also to fill the gaps that emerge from the literature review.

	<p>During this phase the STE is also expected to become conversant with, among others, the following:</p> <ul style="list-style-type: none"> • SADC Vision 2050 and RISDP 2020-2030. • SADC Protocol on Finance and Investment. • SADC Industrialisation Strategy and Roadmap (2015-2063) and its Action Plan. • SADC Investment Policy Framework. • The SADC Guidelines on Cooperation in Tax Incentives <p>The estimated duration of this part 2 is 30 fee days.</p> <p>3. Part 3: Data analysis, preparation of the SADC Strategic Interventions on investors' targeting and services, and submission of the progress report of the assignment in line with the requested services listed above. (25 fee days)</p> <p>4. Part 4: Presentation of the Strategic Interventions document on investors' targeting and services for dissemination and validation in one (1) day regional workshop. (5 days)</p> <p>5. Part 5: Finalisation of the Strategic Interventions document on investors' Targeting and Services to incorporate issues raised from the validation workshop and a brief final assignment report with the list of all the stakeholders including their contact details. (10 fee days)</p>
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3. Resources allocated

3.1 Resources from the Technical Assistance contract:

	Part 1	Part 2	Part 3	Part 5	Part 5
Up to 80 STE days	10	30	25	5	10
Up to per diem days (approximate)	0	0	0	0	0
Mobilisation travel	0	0	0	0	0
Regional travel	None	None	None	None	None
The STE will be facilitated to engage with stakeholders virtually. The STE is expected to arrange his/her own transport in the locations of the Assignment.					

3.2 Other related resources allocated from the SIBE budget

Translation of documents	The translation of deliverables will be arranged by SADC Secretariat separately. It should be noted that a minimum of 5 weeks is required for translation of draft reports before the Validation or training workshop.
Interpretation	Interpretation will be arranged by SADC Secretariat separately.

	The STE is expected to utilise his/her own laptop computers, cellular telephones and internet services.
3.3. Expert profile	
Qualifications and skills	<ul style="list-style-type: none"> • At least a Master's Degree in Economics, Law, Business Studies, Business Administration/Development or related field from a recognised institution. • Fluency in English; Knowledge of French or Portuguese will be an added advantage. • Excellent computer skills including knowledge of Microsoft Office packages such as Power Point and Microsoft Word.
General professional experience	<ul style="list-style-type: none"> • Minimum of 10 years of general professional experience. • At least 7 years of experience in investment areas within a public or private sector, regional or international organization.
Specific professional experience	<ul style="list-style-type: none"> • At least 5 years of experience in at least one of the following: economic policy development, FDI, investment facilitation and promotion and investment law; • At least 3 years of practical, progressively experience in economic, investment, or legal related field where economic research and analysis are a main feature of the work required; • Knowledge of the issues and processes involved in regional economic integration and investment climate/conditions, preferably in Southern Africa; and • Ability to facilitate the implementation of capacity building and training programmes to enhance capacity in investment promotion in the SADC region.
4. Location duration and planning	
4.1 Location of work	The Assignment will be carried out virtually.
4.2 Duration	<p>The indicative expected start date is 08 June 2022</p> <p>The indicative expected end date is 01 December 2022</p>
4.3 Working week	<p>The working week is from Monday to Friday, except in case of official holidays or SADC closure days as recorded in Annex 1.</p> <p>Weekends are not normally considered as working days unless specifically requested and confirmed in advance in writing by the SADC Secretariat.</p> <p>However, due to the timing of the validation workshop some weekend dates may be utilised in Part 4 and 5 with the prior authority of the SADC Secretariat.</p>
5. Reporting	

5.1 Language	The Assignment language and all reporting are to be in English.
5.2 Progress reporting	<p>Submission and approval procedure for inception and progress reports</p> <p>All written deliverables shall be submitted in soft copy by email, with Arial font size 12, in a format provided by the SADC Secretariat through the Programme Coordinator to the STE.</p> <p>The soft copy must not be in PDF format preventing formatting.</p> <p>All reports will be submitted to FinMark Trust for quality control; then they will be submitted to the SIBE Programme Coordinator for preliminary endorsement, who will then submit them to the RA Manager and SIBE Task Manager with recommendation for approval. Comments to the reports, if any, will be communicated in writing to the STE within 10 working days of receipt of each report.</p> <p>Part 1: Inception report (numbered/STE/IR) and presentation</p> <p>The STE will complete an inception report and submit it by the end of Part 1. The Report will include a methodology for the Assignment.</p> <p>In addition, at the end of Part 1 the STE will make a brief Power Point presentation to the Secretariat of the report.</p> <p>Note: this presentation is a deliverable and should be annexed to the report. The inception report will be submitted by the STE to FinMark Trust, copied to the Secretariat. FinMark Trust will formally submit it to the SADC Secretariat (Task Manager) for approval.</p> <p>After submission, the Secretariat will consider the report and provide any feedback within 5 working days.</p> <p>Parts 2 and 3 – Progress report (numbered/STE/PR)</p> <p>At the end of Parts 2 and 3, the STE will submit progress reports within 2 working days of the end of each Part.</p> <p>Part 4: Dissemination and capacity building workshop</p> <p>The Strategic Interventions document on Investors' Targeting and Services will be disseminated capacity building for the stakeholders in one (1) day regional workshop.</p>

<p>5.3 End of Assignment Reporting</p>	<p>Part 5 - End of Assignment Report (EoAR) and presentation</p> <p>The STE will submit the of the Strategic Interventions document on Investors Targeting and Services and brief report for approval at the completion of the Assignment. The report shall be submitted in the format provided and will include, without limitation, the following:</p> <ul style="list-style-type: none"> • An Executive Summary of the whole assignment; • List of activities carried-out during the assignment; • Methodology/Discussion of key issues; • Main Conclusions and Lessons Learned; • Recommendations for further support to the beneficiary; • Key Annexes, such as all deliverables produced, including the completed updated validation workshop report. <p>In addition to the report at the end of Part 4 the STE will provide a PowerPoint presentation to the Secretariat of the End of Assignment Report (EoAR) on the last day of the assignment (which will be by way of remote link through Zoom or such other e-platform to be suggested by SADC Secretariat). The presentation is a deliverable and should be annexed to the report.</p> <p>EoAR Submission and approval procedure:</p> <ul style="list-style-type: none"> ▪ At the end of the assignment, the EoAR will be submitted by email to FinMark Trust for quality control; then, it will be submitted to the RA Manager for technical comments. Technical comments will be provided within 10 working days. ▪ The STE shall address all the technical comments within 15 calendar days of receiving comments and submit the final EoAR to SADC for final technical and administrative approval. If no comments are received from SADC within one month since submission, the EoAR will be deemed satisfactory. ▪ Upon acceptance (or if the one-month period has elapsed since submission without comments being received), the EoAR shall be submitted to the RA Manager and the SIBE Task Manager for administrative approval. ▪ The Assignment will not be considered to be complete until the approval by the SIBE Task Manager of the EoAR has been obtained. ▪ The EoAR shall be delivered in soft copy. The soft copy shall include deliverables produced as annexes. The soft copy must not be in pdf format preventing formatting.
<p>5.4 Report quality, structure, formatting and editing</p>	<ul style="list-style-type: none"> ▪ The STE is responsible for ensuring the quality of his/her reports using the templates and report structures provided or suggested by the LTEs or Programme Coordinator. It is expected that the STE will ensure that the reports are

	formatted properly and proof-read for grammatical, spelling and other mistakes. While the reports will go through review by the LTEs and other members of the SIBE team, it is not expected that the reviewers will have to correct grammar, spelling and formatting errors. If the STE does not have skills in this respect s/he is expected to seek the services of an editing expert at his/her own cost.
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6. Administrative Information

Timesheets	<p>The STE will complete a monthly Timesheet according to the template provided by the SIBE Programme Coordinator, recording days worked and outputs.</p> <p>Fees will be due only for working days recorded in the Timesheets that are countersigned by:</p> <ul style="list-style-type: none"> - SIBE Programme Co-ordinator and Team Leader; - SIBE RA Manager (Programme Officer Investment); and - The SIBE Task Manager. <p>The monthly Timesheet should be accompanied by any progress reports due as at the date of submission, and both should be submitted by e-mail for review and approval.</p> <p>Note: Travel days for mobilisation and demobilisation are not fee-paying days. Travel days for mission-related travels between SADC countries will be recorded as working days and will be fee paying days.</p>
Travel approval forms	If regional travel is required, the STE will complete a SIBE travel approval form which will be handed to the SIBE Task manager for processing.
Travel support documents	Boarding passes of regional and mobilisation trips, copies of hotel invoices and other support documents will be handed over to FinMark Trust through the Programme Coordinator.

7. Endorsement

SIBE Programme Coordinator	RA Manager a.i	Task Manager	Director-Finance, Investment and Customs
Mike Nyamazana	Hamilton Thomas	Mario Lironel	S.L. Mtonakutha
Signature:	Signature:	Signature:	Signature:
Date:	Date:	Date:	Date:

ANNEXES TO TOR 029/KRA1.3/AWP5

ANNEX 1: Experts scoring grid

ANNEX 2: Botswana official holiday 2021-2022 (non-working/fee days)

ANNEX 3: Gantt chart

ANNEX 1
Experts scoring grid

Qualifications and Experience STE1	Points*
Qualifications and skills	20
At least a Master's Degree in Economics or Development Finance or any other related area from a recognised institution	10
Fluency in English. Fluency in French or Portuguese will be an added advantage	5
Proficient in the use of computers and computer software relevant to the position.	5
General professional experience:	30
Minimum 10 years of general professional experience	15
At least 7 years of experience in investment areas within a public or private sector, regional or international organizations	15
Specific professional experience:	50
At least 5 years of experience in at least one of the following: economic policy development, FDI, investment facilitation and promotion and investment law	15
At least 3 years of practical, progressively responsible experience in, economic, investment, legal or related field where economic research and analysis are a main feature of the work required	15
Knowledge of the issues and processes involved in regional economic integration and investment climate/conditions, preferably in Southern Africa	10
Ability to facilitate the implementation of capacity building and training programmes to enhance capacity in investment promotion in the SADC region.	10
Score	100

ANNEX 2: Botswana official holidays 2021 -2022¹

Date	Day	Occasion
1 January	Friday	New Year's Day
2 April	Friday	Good Friday
3 April	Saturday	Public Holiday
5 April	Monday	Easter Monday
1 May	Saturday	Labour Day
13 May	Thursday	Ascension Day
1 July	Thursday	Sir Seretse Khama Day
19 July	Monday	President's Day
20 July	Tuesday	Public Holiday
30 September	Thursday	Botswana Day
1 October	Friday	Public Holiday
25 December	Saturday	Christmas
26 December	Sunday	Boxing Day
27 December	Monday	Public Holiday
1 January 2022	Saturday	New Year's Day
3 January 2022	Monday	Public Holiday

¹ The holiday dates are indicative and subject to confirmation by the Government of the Republic of Botswana.

ANNEX 3: Gantt Chart

	Task Description	Duration (days)	Start Date	End Date	JUNE 22	JULY 22	AUG 22	SEPT 22	OCT 22	NOV 22	DEC 22
1	Inception period	10	08-June 22	22 June 2							
2	Data collection	30	23-June 22	08-Aug 22	X	X	X				
3	Data analysis and preparation of the SADC Strategic interventions on investors 'Targeting and Services	25	09-Aug 22	14- Oct 22			X	X	X		
	Translation of documents		14-Oct 22	10-Nov 22					X	X	
4	Capacity Building Workshop	5	11-Nov	17-Nov 22					X	X	
5	Submission of the final report	10	18-Nov	01-Dec 22						X	X