

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:	Develop an Implementation Plan and Institutional Mechanism for the SADC Business and Investment Promotion Strategy (BIPS)
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:	24 March 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

- to achieve sustainability of natural resources and effective protection of the environment.

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.

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).

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.

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.

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 Programme</p>	<p>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 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 style="padding-left: 40px;">RA1 - An enabling investment policy framework across SADC Member States is supported.</p> <p style="padding-left: 40px;">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
--	---

	<p>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 (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: “Develop an Implementation Plan and Institutional Mechanism of the SADC Business and Investment Promotion Strategy (BIPS)”.</p>
<p>1.3 Background to this Assignment</p>	<p>The global economy is slowly recovering from a severe crisis caused by the COVID-19 pandemic. The immediate impact on FDI has been dramatic. The crisis has led to new policies to facilitate, retain and promote investment. Several countries have taken steps to alleviate the administrative burden for and to reduce bureaucratic obstacles in the production or delivery of goods during the pandemic. The crisis and the resulting disruption of regular government services have also accelerated the uptake of online tools and e-government platforms providing continuity of essential services for businesses and investors. UNCTAD’s <i>IPA Observer</i> of April 2020 documents efforts by investment promotion agencies</p>

(IPAs) worldwide to respond to the emergency.

The road to recovery from the COVID-19 pandemic will be hard and gradual, and it will require a significant influx of resources. FDI will be an especially important resource as public financing will be tight.

Even in the pre-COVID-19 period which witnessed a modest growth in FDI flows to the Southern African Region, the increase in FDI has not led to significant advances in poverty reduction and job creation. Large projects in particular had little impact in local entrepreneurship and empowering women. Indeed, few countries have succeeded in attracting significant amounts of investments beyond the extractive sectors, which are generally capital intensive with low impact on employment and poverty reduction and result in undiversified economies highly dependent on commodity prices which are generally volatile.

According to United Nations Conference on Trade and Development (UNCTAD) Investment Report 2020, FDI flows to Africa declined by 10 per cent. After an increase in 2018, FDI flows to Sub-Saharan Africa decreased again by 10 per cent in 2019 to \$32 billion. Compared to other African sub-regions, 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, and a decline in FDI flows in the Democratic Republic of the Congo and in South Africa as major FDI recipients in SADC region.

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. 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.

Furthermore, in 2021, the SADC Committee of Ministers for Finance and Investment adopted the **SADC Business and Investment Promotion Strategy (BIPS)** making it easier to do business in the region”.

The development of a SADC BIPS is a response to the global competition for FDI, the importance of FDI to the SADC member

	<p>states, as well as the need to achieve the objectives that SADC set for itself under SADC Finance and Investment Protocol.</p> <p>The SADC Business and Investment Promotion Strategy has the following four main areas:</p> <ul style="list-style-type: none"> (i) Strategy and organization (setting the national policy context; setting objectives; structure of investment promotion and linkages; competitive positioning; sector targeting strategy); (ii) Lead generation (marketing; company targeting); (iii) Facilitation (project handling); and (iv) Investment services (after-care and product improvement; monitoring and evaluation).
2. Description of the Assignment	
2.1 Global objective	<p>The overall objective of this assignment is the implementation and domestication of SADC BIPS in order to harmonise and complement national strategies for attracting FDI in the entire region.</p>
2.2 Specific objectives	<p>The specific objectives of the assignment are as follows:</p> <ul style="list-style-type: none"> (i) complement the IPAs Investment Promotion Strategies; (ii) present and promote SADC as an FDI destination; and (iii) create and maintain the visibility of SADC as a regional investment destination. (iv) Allowing for enhanced interconnectivity (information sharing, data exchange and regional investment opportunities).
2.3 Requested services	<p>The following are the requested services from the STE:</p> <p>Develop an Implementation Plan of the SADC BIPS based on its strategic stages and core principles by:</p> <ul style="list-style-type: none"> a. defining short- and medium-term objectives; b. developing an operational plan for the implementation of BIPS; and based on the planned activities and intended results, propose key changes/adjustments (Theory of change) needed for its effectiveness and impact; and c. defining the institutional mechanism to support and monitor the operational plan taking into account the international best practices and the local context.

<p>2.4 Deliverables</p>	<p>The main expected deliverables of this assignment are:</p> <ol style="list-style-type: none"> i. An inception report outlining the understanding of the assignment, the methodology and approaches to be used stakeholders' identification and engagement, and literature review; ii. A structured draft BIPS Implementation Plan for validation by main stakeholders (officials of Ministries and Government Agencies, IPAs and private sector); iii. A final BIPS Implementation Plan of revised and updated after validation by high-level stakeholders; and iv. An executive summary of the whole assignment, in PowerPoint format for presentation purposes. <p>Note: All deliverables will be the property of the SADC Secretariat.</p>
<p>2.5 Management</p>	<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>
<p>2.6 Methodology</p>	<p>The assignment will broadly entail:</p> <p>Part 1: Inception and planning (5 fee days)</p> <p>During this phase the STE is also expected to become conversant with:</p> <ul style="list-style-type: none"> • the SADC Vision 2050 and RISDP 2020-2030; • the SADC Protocol on Finance and Investment; • the SADC Industrialisation Strategy and Roadmap (2015-2063) and its Action Plan; • The SADC Investment Policy Framework. • The SADC Business and Investment Promotion Strategy <p>Part 2: Data collection (25 fee days), including the following tasks:</p> <ol style="list-style-type: none"> i. undertaking desk review of key documentation related to the investment environment in the country, strategic documents, existing studies among others; ii. undertaking consultations with relevant stakeholders including Think-tanks, officials of relevant Ministries, 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; and

	<p>iii. participating in virtual SADC Investment Sub-Committee meetings to gather other eventual comments and recommendations to improve the implementation plan.</p> <p>Part 3: Data analysis– (10 fee days)</p> <p>Part 4: Development of a structured draft BIPS Implementation document and its validation by main stakeholders (15 STE days).</p> <p>Part 5: Submission of final Report and the Implementation Plan of BIPS, with the list of all the stakeholders including their contact details (6 STE days).</p>
--	--

3. Resources allocated

3.1 Resources from the Technical Assistance contract:

	Part 1	Part 2	Part 3	Part 4	Part 5
Up to 61 STE days	5	25	10	15	6
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 and formatting	Where necessary, 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.
Interpretation	Interpretation when/if necessary, will be arranged by SADC Secretariat separately.
	The STE is expected to utilise their 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, Business Administration, Banking, or Development Finance or any other related area from a recognised institution
---------------------------	---

	<ul style="list-style-type: none"> • Fluency in English; working knowledge of French and/or Portuguese would be an 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 in the investment area or private sector development; • At least 7 years of experience 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, investment law, Private sector development; • At least 3 years of practical, progressively responsible 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 or private sector Development in the SADC region.
4. Location duration and planning	
4.1 Location of work	The Assignment will be carried out virtually.
4.2 Duration	The indicative expected start date is 15 April 2022 The indicative expected end date is 19 August 2022
4.3 Working week	The working week is from Monday to Friday, except in case of official holidays or SADC closure days as recorded in Annex 1. Weekends are not normally considered as working days unless specifically requested and confirmed in advance in writing by the SADC Secretariat. However, due to the timing of the validation workshop some weekend dates may be utilised in Part 4.
5. Reporting	
5.1 Language and Formatting	The Assignment language and all reporting are in English. The STE is responsible for correct use of provided templates, good formatting and spelling check of all the reports.

<p>5.2 Progress reporting</p>	<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 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 a report and submit it by the end of Part 1. The Report will include a methodology for the Assignment.</p> <p>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) through the Programme Coordinator for approval.</p> <p>After submission, the Secretariat will consider the report and provide any feedback within 5 working days.</p> <p>Parts 2,3 and 4 – Progress report (numbered/STE/PR)</p> <p>At the End of Parts 2, 3 and 4, the STE will submit progress reports within 2 working days at the end of each Part; and the draft Implementation Plan of BIPS document before the validation 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 EoAR for approval at the completion of the Assignment. The report shall be submitted in the format provided and will include 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 Learnt; • Recommendations for further support to the beneficiary; • Key Annexes, such as all deliverables produced, including the completed updated validation workshop report • In addition to the report at the end of Part 4 the STE will provide

	<p>a PowerPoint presentation to the Secretariat of the 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"> ▪ After end of assignment, EOAR will be submitted by email to the SIBE Programme Coordinator/Investment Expert for quality control; then, it will be submitted to the RA Manager for technical comment for the STE. Technical comments will be issued 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.
15.4 Report quality, structure, formatting and editing	<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.
6. Administrative Information	
Timesheets	<p>The STE will complete a monthly Timesheet and monthly progress report according to the template provided by the Programme Coordinator or Investment Expert, 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 the monthly Progress Report, and both should be submitted by e-mail for review</p>

	and approval. Note: Where approved, 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. However, no travel is envisaged in this assignment.
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	Task Manager	Director-Finance, Investment and Customs
Mike Nyamazana	Hamilton Thomas	Mario Lironel	S.L. Mtonakutha
Signature: Date:	Signature: Date:	Signature: Date:	Signature: Date:

ANNEXES TO TOR 029/KRA1.3/AWP5

ANNEX 1. Experts scoring grid

ANNEX 2: Botswana official holiday 2015/15 (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, Business Administration, Banking, or Development Finance or any other related area from a recognised institution	10
Fluency in English; working knowledge of French and/or Portuguese will be an advantage.	5
Excellent computer skills including knowledge of Microsoft Office packages such as Power Point and Microsoft Word	5
General professional experience:	30
Minimum of 10 years of general professional experience in the investment area or private sector development;	15
At least 7 years of experience within a public or private sector, regional or international organization.	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, investment law, private sector development	15
At least 3 years of practical, progressively responsible experience in economic, investment, or legal 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 or private sector Development in the SADC region.	10
Score	100

ANNEX 2: Botswana official holidays 2022-2023¹

Day	Date	Occasion
Saturday	1 January 2022	New Year's Day
Monday	3 January 2022	Public Holiday
Tuesday	4 January 2022	Public Holiday
Friday	15 April 2022	Good Friday
Saturday	16 April 2022	Public Holiday
Sunday	17 April 2022	Easter Sunday
Monday	18 April 2022	Easter Monday
Sunday	1 May 2022	Labour Day
Monday	2 May 2022	Public Holiday
Thursday	26 May 2022	Ascension Day
Friday	1 July 2022	Sir Seretse Khama Day
Monday	18 July 2022	President's Day
Tuesday	19 July 2022	Public Holiday
Friday	30 September 2022	Botswana Day
Saturday	1 October 2022	Public Holiday
Sunday	25 December 2022	Christmas Day
Monday	26 December 2022	Boxing Day
Tuesday	27 December 2022	Public Holiday
Sunday	1 January 2023	New Year's Day
Monday	2 January 2023	Public Holiday

¹ These dates are indicative and are subject to confirmation by the Government of Botswana

ANNEX 3: Gantt Chart

Task ID	Task Description	Duration (days)	Start Date	End Date	April 22	May 22	June 22	July 22	August 22	Sept 22
1	Inception period	5	15 April 22	22 April 22	X	X				
2	Data collection and consultations	25	25 April 22	02 June 22	X	X	X			
3	Data analysis	10	03 June 21	15 June 22			X			
4	Development of A structured draft Implementation Plan of BIPS	15	16 June 22	08 July 22			X	X		
	Translation of documents	5 weeks								
5	Validation by main stakeholders	1	12 Aug 22	12 Aug 22					X	
6	Submission of the final report and the revised Implementation Plan of BIPS	5	15 Aug 22	19 Aug 22					X	