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# Terms of Reference: A mutual recognition framework for pre-packaged food for the COMESA region

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| <b>Location</b>     | Home based and COMESA countries                        |
| <b>Coverage</b>     | Common Market for Eastern and Southern Africa (COMESA) |
| <b>Reporting to</b> | John Clifford, Team Leader – Africa RISE               |
| <b>Beneficiary</b>  | COMESA Business Council                                |

## Background – Africa RISE

The European Union’s *Africa RISE* (Reform for Investment and Sustainable Economies) programme is a demand-driven regional technical assistance facility to promote business development and improve the investment climate in **Eastern Africa, Southern Africa** and the **Indian Ocean**. It supports the EU partnership with Africa on sustainable investments and jobs, inclusive green growth and decent work. Africa RISE operates in 25 countries in the EA-SA-IO region and provides technical assistance to improve the investment climate, strengthen access to finance and promote implementation of dedicated financial instruments. The facility can provide a range of services including research, analysis, strategy development, implementation and skills development. Africa RISE is financed by the European Union and implemented by Landell Mills in partnership with Adam Smith Europe, Imani Development and International Economics Consulting.

## Rationale & Objective

The COMESA region remains one of the fastest growing economies in the world. Regional integration is important to industrial growth, as it institutes multilateral cooperation mechanisms that inform the competitiveness of COMESA in intra-Africa and global trade markets. However, key challenges such as trade barriers and high costs of doing business have increasingly hampered regional efforts to integrate as a whole and feed into the global market. The private sector economy is primarily driven by agriculture, manufacturing, tourism and service industries along the regional supply chains that feed into various markets.

The requirements for pre-packaged food differ across the COMESA member states. Different countries have different food safety standards and regulations, whose application to trade vary across the COMESA region. They frequently translate into trade barriers that contribute to high trading costs, high transaction costs or high compliance costs. This serves to reduce trade and is forcing companies to scale down their operations and reduce the workforce, hence affecting both investment and employment. The industry believes that there is a strong case for regulators across the region to adopt a common framework for mutual recognition of pre-packaged food standards; this will ease the movement of pre-packaged food products in the region. The end result will be to encourage more investment in the pre-packaged food sector, creating employment.

A consultant is therefore required to conduct a study of the existing regulatory and standards framework and to prepare a policy position paper for the CBC and its member associations to use to advocate for harmonisation and mutual recognition. The policy paper will set out the current situation, highlight key issues, estimate the current costs and potential benefits of mutual recognition and provide a compelling argument for advocacy by CBC for change.

## Scope of work

The work required is a mix of desk research and fieldwork to review the current legislative and regulatory situation in each of the COMESA partner states and consult with key stakeholders at national and supra-national level. The consultants will work closely with the CBC, its network and its member associations in order to develop the capacity of the associations to undertake similar research and advocacy exercises in future.

Following the desk research and review, the consultants will engage with stakeholders in COMESA including relevant private sector associations (e.g. food processors), government ministries and regulatory agencies (food safety, trade, standards, etc.) to obtain their inputs to the proposed framework. The consultants will also make reference to relevant regulatory frameworks elsewhere (such as in the EU) as examples for possible adoption or adaptation by COMESA.

## Tasks to be performed by the Consultants

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The consultants will be expected to undertake the following **tasks**:

- A review of legislative and regulatory framework governing cross-border trade in packaged food in the COMESA partner states.
- A review of existing harmonised frameworks for cross-border trade in other regions or economic blocs (e.g. the European Union) that could act as potential models for a similar framework within COMESA.
- Selection of a representative sub-set of countries (5-6), in which to undertake the fieldwork – to be agreed with the COMESA Business Council.
- Fieldwork: consultation with stakeholders from the private and public sectors (e.g. food industry, regulators) in the selected countries to identify gaps to be filled and obstacles to be overcome in order to implement a harmonised framework for COMESA. On grounds of practicality, these consultations will take place remotely.
- Development of a framework for cross-border trade in packaged food including harmonised regulations and mutual recognition of standards where appropriate.
- Validation of the framework in a series of virtual workshops with stakeholders.
- Drafting of a report detailing the findings of the review and consultations and setting out the framework and a roadmap for its implementation.
- Drafting of a concise position paper for use by CBC and its member associations to advocate for the implementation of the framework.
- Presentation of the report and position paper to the COMESA Business Council (in person, if conditions permit).
- Preparation of a brief summary of the assignment for use by Africa RISE.

The majority of the work will be undertaken by the two senior experts. A pool of junior expert days will also be available to support the field work if a physical presence is required. CVs will be submitted separately for approval by INTPA for any experts required under this provision.

## Consultant Profile

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### **Team leader (Trade policy and regulation expert):**

- A Bachelor's degree in any science, social science or humanities discipline;
- At least ten years of experience at senior level on trade policy and regulation;
- Previous experience of drafting harmonised frameworks or regulations
- Knowledge and experience of the processed food sector would be an advantage;
- Experience working in the COMESA region would be an advantage;
- Experience of working on donor-funded projects.

### **Senior Consultant (Standards expert):**

- Bachelor's degree in any science, social science or humanities discipline;
- Experience in standards development and technical barriers to trade, ideally in the processed food sector;
- Experience working in the COMESA region would be an advantage;
- Experience of working on donor-funded projects.

## Junior expert(s) - for possible deployment to support the field work:

- A Bachelor's degree in any science, social science or humanities discipline;
- Experience working in the country of deployment;
- Experience in standards or in the food sector is an advantage.

## Timing, duration and inputs

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The assignment will start in November 2021 and will be completed by the end of March 2022.

### Phase 1 – Diagnostic and country selection. Month 1 (November-December)

- Desk research into existing regulatory frameworks
- Review of other frameworks that could serve as a model
- Selection of countries for phase 2 fieldwork
- Preliminary report on key issues to be tackled
- Appointments for phase 2 fieldwork
- **Deliverable: (1) inception report**

### Phase 2 – Fieldwork Consultations. Month 2-3 (December-January)

- Identify and consult with major stakeholders in the selected target countries
- Confirm key issues – legal, regulatory, institutional – and identify solutions
- Identify the modalities for implementation
- Propose framework and implementation roadmap
- **Deliverables: (2) Draft report including framework and roadmap; (3) Position paper**

### Phase 3 – Finalise the Roadmap and Position Paper. Month 4 (January-February)

- Present the framework, position paper and roadmap at a workshop with CBC and other stakeholders
- Prepare draft final documents incorporating input from the workshop and submit to CBC and Africa RISE
- Finalise documents based on comments and feedback from CBC and Africa RISE
- Prepare a brief communications article on the assignment
- **Deliverables: Final versions of report and position paper; (4) Mission report; (5) communications article.**

### Inputs

- Team Leader (Senior consultant - Trade policy and regulation expert): **45 working days**
- Senior consultant (Standards expert): **35 working days**
- Pool of junior expert days to be deployed for specific tasks: **up to 25 working days**

### Incidental expenditure

- International return flights: One / TBA
- Flights within COMESA: TBA.
- Per diem allowances: As per approved workplan – TBC

## Expected Outputs and Deliverables

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The required deliverables are shown in the table below. The timings are based on a start date of 22/11/2021 and will be adjusted according to the actual start date.

| <b>Deliverable</b>              | <b>Description</b>  | <b>Timing</b> |
|---------------------------------|---|---------------|
| Inception report                | A summary of the results of the desk research, including the selected target countries, a list of key stakeholders in those target countries, identification of key issues, and work programme for the field work.  | 18/12/2021    |
| Draft report                    | A discussion of the findings from the desk research and field work, including an assessment of the feasibility (taking into account political will, capacity and stakeholder attitudes) and anticipated timescale for achievement of a harmonised framework for mutual recognition. | 25/02/2022    |
| Draft position paper            | A summary of the key elements of the report, presenting the arguments to be deployed by the CBC in advocating for the adoption of the framework.  | 25/02/2022    |
| Final report and position paper | Final versions of the report and position paper, taking into account feedback from the CBC and other stakeholders.  | 18/03/2022    |
| Mission report                  | A brief report highlighting lessons learnt from the assignment, any specific obstacles encountered and any aspects of the work or methodology that were especially effective or successful.   | 25/03/2022    |
| Communications article          | A short (c.1-page) article for use by Africa RISE on its website and other communications activities.   | 25/03/2022    |

## Reporting

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The Consultant shall report to the Africa RISE supervisor and the Landell Mills Project Manager and will liaise closely with the COMESA Business Council.

All deliverables should be submitted electronically in Microsoft Office format (Word, Excel, PowerPoint or Access version 2016 or later) to the Africa RISE supervisor and the Landell Mills Project Manager for quality control and onward submission to the CBC and DG INTPA in Brussels.

The consultant is required to abide by the [EU Communication and Visibility guidelines for implementing partners](#) for all communication material produced during the assignment period. If in doubt or if further clarification is required, the consultant should liaise with Africa RISE communication officer.

## Support from COMESA Business Council and its network

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The COMESA Business Council, its network and member associations will provide the consultant with copies of relevant reports and other materials for the desk review as well as helping to identify and obtain relevant legislative and regulatory texts. The CBC network in all of the COMESA member states will also nominate a contact point for the consultants and will facilitate contacts with stakeholders in their respective countries through the provision of contact details and, where necessary, introductions.