**Terms of reference
and technical Specifications**

1. **General information**

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| Assignment name | **Assessment of South Africa’s mineral governance initiatives based on the Africa Mineral Governance Framework (AMGF) Tool** |
| Beneficiary | **African Union Commission** |
| Country | **Ethiopia** |
| Total estimated number of days | **60 days** |

1. **Context and justification of the need**

Expertise France is a French public international cooperation agency. It designs and implements projects which aim to contribute to the balanced development of partner countries, in line with the Sustainable Development Goals (SDGs) of the 2030 Agenda and the priorities of France’s external action. Expertise France’s mission is to meet the demand of partner countries seeking to enhance the quality of their public policies in order to address the environmental, social, economic and security challenges they are facing. The agency achieves this goal by implementing projects in the main areas of public action:

- Democratic, economic and financial governance;

- Stability, international security and peace Stability, international security and peace;

- Sustainable development, climate and agriculture;

- Health and human development.

In order to give substance to this dialogue and to enshrine it in the long term and with a specific focus on the second theme of its declaration of intent, a total of EUR 2.75 Million in funding have been granted by the French Development Agency (AFD) to Expertise France in the form of a technical assistance and capacity-building facility to support the African Union (AU) on issues within its area of expertise.

Based on a request from different departments from the African Union Commission (AUC), the French Facility for Technical Assistance to the AU facilitated the conduct of a number of studies, strategy and policy papers aimed at supporting the AUC on topics related to economy and commerce.

**Africa Mineral Governance Framework (AMGF)**

Africa must capitalize on its mineral endowments to drive transformative sustainable growth, economic diversification, local and regional development through value-added processing and manufacturing. Home to up to one-third of global mineral reserves, Africa currently produces over half of the world’s platinum group metals, manganese, cobalt, and other minerals. Despite being home to approximately 30 percent of the earth’s remaining mineral resource deposits, the continent has hitherto failed to transform this coveted advantage into sustained economic development.

The **African Minerals Development Centre (AMDC)** is an initiative established by the African Union to coordinate and oversee the implementation of the **Africa Mining Vision (AMV)**. The AMV aims to enable the mineral resource sector to play a crucial role in the social and economic transformation, inclusive growth, and sustainable development of African economies. The African Heads of State and Government adopted the Africa Mining Vision (AMV) in 2009 with a long-term goal of "transparent, equitable and optimal exploitation of [Africa's] mineral resources to underpin broad-based sustainable growth and socio-economic development". At the heart of the AMV is the harmonization of strategies, policies, instruments and practices for the greater participation of African countries in regional and global value chains.

The African Minerals Development Centre (AMDC) was established in 2013 to support the coordination and implementation of the Africa Mining Vision (AMV). AMDC coordinates Country Mining Vision processes across several countries of the different Regional Economic Communities (RECs). The Center oversees the creation of regional strategies, the implementation of AMV principles, Country Mining Visions (CMV), AMV Forums and the application of the African Minerals Governance Framework (AMGF). Since the African Union formally adopted the Vision in 2009, significant progress has been made in implementing it across the continent. However, the governance challenges in Africa's mineral sector have hindered the continent's goal of mineral led industrialization and development. As a result, the AMGF was introduced to deepen the commitment to implementing the AMV by serving as a monitoring tool to help African countries verify their progress with regards to realizing and aligning with the Vision. The Framework contains detailed information that member States can use in governing mineral sectors and for the implementation of broader sustainable development plans and policies. Beyond serving as a monitoring and accountability tool for the Vision’s implementation, the Framework is a home-grown, holistic and comprehensive instrument that responds to the specific challenges facing Africa’s mineral sector. AMDC tools offer the capacity to support stronger African partnerships and integration. The African Continental Free Trade Area (AfCFTA) agreement one of the AUC’s flagship projects and presents an opportunity to address some of challenges faced in the mineral sector and reshape the industry by offering the opportunity to explore potential intra-African cooperation in the mineral sector.

The AMGF has been designed for African Union member States and to be fully owned by national policy actors and stakeholders in governing mineral sectors for sustainable development. The framework is designed to be administered by a multi-stakeholder platform, with technical and coordination support provided by the AMDC and the AU, working in partnership with the Africa Mining Vision implementing institutions, namely, the United Nations Development Programme, the African Development Bank and other development partners. This multilevel approach to implementation will strengthen the impact and long-term viability of the Framework, allowing it to be a key factor in supporting African nations in achieving sustainable, inclusive, and mineral-based structural transformation, as outlined in the Vision. The AMGF aims to provide a comprehensive way to assess the economic and governance capacity of African Member States in the mining sector. It seeks to identify areas for improvement and support governments in addressing these gaps. The framework addresses the difficulties that member States encounter in utilizing mineral resources for overall socioeconomic progress, as outlined in the Africa Mining Vision.

By aligning the African Minerals Governance Framework with the most relevant clusters of the Africa Mining Vision, the Framework is able to cover the entire minerals value chain holistically, while reflecting the transformative and inclusive ethos of the Vision. The Framework is structured around the following six thematic pillars:

***(a) Legal and institutional framework (for contracts and licensing);***

***(b) Geological and mineral information system;***

***(c) Fiscal regime and revenue management;***

***(d) Linkages, investment and diversification;***

***(e) Artisanal and small-scale mining;***

***(f) Environmental and social issues.***

The integration of gender, youth, human resource capacity development, and technology into each of the AMGF’s pillars is crucial for the success of the Africa Mining Vision. These cross-cutting issues are considered essential for ensuring sustainable and effective governance of the continent's mineral resources. To date, the AMGF has been one of the most broad- based and inclusive African Union policy instrument created.

1. **Objectives and desired results**
	1. **General objective**

The consultant is expected to propose a team comprising of **one Senior Consultant and one Junior Consultant**. The main objective of the consultancy is to carry out the **AMGF assessment of South Africa’s sustainable management of mineral resources and alignment with the AMV**. The consultant team will be expected to conduct a study analyzing the various ways to ensure the sustainable development of mineral resources in **South Africa**. The study must analyze the alignment of mining laws and policies with the principles of the AMV. The assessment will be conducted using existing tools such as the AMV, the Country Mining Vision (CMV) Guidebook, the AMGF, and other relevant AMDC instruments. The objective of the assignment, therefore, is to map the governance initiatives and approaches in the assigned country to sustainable management of mineral resources as a representation of the economic and geographic area.

* 1. **Specific Objectives**

In this context the specific objectives are as follows:

***1. Provide a high-level overview of the mineral sector and governance in South Africa and identify key mineral management challenges. Develop recommendations on how to use AMGF and AMDC tools to ensure sustainable development of mineral resources, and achieve better AMV alignment and better AfCFTA implementation in the mineral sector.***

***2. Conduct an in-depth assessment and analysis of mineral institutions and governance in the mineral sector.***

***3. Prepare an inception report including a detailed implementation plan with timelines.***

***4. Provide a completed methodology detailing the assessment, tools, interview questions and any other assessment methods.***

***5. Use qualitative and quantitative techniques involving the collection of primary data through interviews with key informants and mining stakeholders.***

***6. Collect secondary data through desk reviews.***

***7. Review and analyze data collected from in depth country evaluation.***

***8. Review the functionality of existing mineral regulation, guidelines and laws at institutional level created to support the sector.***

***9. Co-organize with partners and AMDC and present advocacy workshops in the assigned country.***

***10. Produce a report based on the study to be reviewed by AMDC using the AMGF tool. Incorporate feedback and submit final version in plain Microsoft word template to AMDC.***

***11. Produce a country fact sheet based on the validated report findings.***

***12. Take part in an advocacy workshop following the validation workshop.***

***13. Cover all relevant costs incurred in the conduct of the study.***

***14. Perform other tasks related to those outlined in these Terms of Reference (ToR) necessary to complete the study.***

In the context of the assignment the expected outcomes are as follows:

***a. Assess the status of the mineral sector through a high-level research on the assigned country.***

***b. Build consensus around priority recommendations amongst key stakeholders in the mining sector.***

***c. A complete report documenting the findings.***

***d. Make use of the AMGF to assess these countries progress in implementing the AMV.***

***e. Develop a set of actionable recommendations based on the country assessment and gaps identified.***

***f. One validation and one advocacy workshop to present findings and provide a platform to stakeholders to debate on mineral resources governance.***

The proposed methodology (including but not limited to) has been outlined below:

• ***Literature review: The consulting team will conduct a targeted desk review of the relevant secondary data sources on the mineral sector and mineral governance in order to identify gaps in information and focus the data collection plans. The team will examine relevant legal frameworks, policies, strategies, and action plans; AMDC and other relevant AU policies including relevant AfCFTA protocols will also be reviewed.***

***• Primary data collection: Through the desk review the consulting team will identify key stakeholders to be interviewed for the primary data collection. Data can be gathered through methods such as semi-structured interviews, structured interviews or focus groups.***

***• Data analysis: Data collected will be reviewed and analyzed. The team will then analyze and interpret the data and draw conclusions based of the AMGF tool. The senior consultant on the team will write the analysis findings.***

***• Report development: Findings will be synthetized into a report to be submitted to the AMDC. While the report will describe the purpose of the assessment, mineral governance in the selected country, context and background, methodology and limitations of the research, the focus will be on the findings, conclusions, and recommendations.***

***• Recommendations development: The report will provide key informed policy recommendation based on findings and primary data collection with stakeholders.***

The Senior Consultant supported by his/her Junior consultant will report directly to the AMDC. All outputs, including the raw data and draft documents, analyses, zoom recordings, interview transcripts and final documents and products will belong to the AMDC and AUC. The final document will acknowledge the consultant team as author but will be a communications product of the AMDC and AUC.

1. **Description of the assignment**
	1. **Anticipated deliverables**

The Senior Consultant with the assistance from a Junior Consultant is expected to carry out the assessment over a period of **60 working days** each from the date of signing the contract. The lead Senior consultant, therefore, is required to prepare and submit the work plan in a way that allows the achievement of all deliverables within the time frame. The consultants are expected to facilitate the activities as follows:

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| Activity/Outcome | Number of days |
| Upon signing of contract, the consultant is expected to produce and present a detailed work plan of the activities to be undertaken and timelines, in line with the TOR. | 1 week |
| Carry out desk review. | 40 days |
| Create a stakeholder map and risk analysis to identify relevant engagement strategy to advance the stated objectives. |
| Carry out interviews/focus groups with stakeholders. |
| Undertake report writing. |
| Submit draft to AMDC for review and comments. |
| Create a country factsheet based on the findings of the report. |
| Facilitate and moderate multi stakeholder validation workshop where findings are presented. | 3 |
| Facilitate and moderate advocacy workshop | 2 |
| Submit final draft to AMDC incorporating comments from workshops | 8 |

* 1. **Submission and approval of reports**

Electronic versions of the reports referred to above must be submitted to the Coordinator of the French-AU Technical Facility and the AMDC. The reports must be written in English. The AFD and the AMDC are responsible for approving the reports.

* 1. **Language requirement**

Proficiency in one of the African Union working languages, knowledge of two or more other working language(s) would be an added value.

* 1. **Evaluation criteria**

Interested candidates must provide information demonstrating that she/he has the required qualifications and relevant experience to perform the services. Consulting firms may propose individual consultant/s, but only the experience and qualifications of individuals shall be used in the selection process, and that his or her corporate experience shall not be considered, and the contract would be signed with the proposed individual.

Interested candidates are requested to submit their CV together with the copies of their diploma, and possibly the references.

* 1. **Coordination**
* The service provider shall designate a single contact person for project implementation purposes. M. Kervin Kumapley, Project Coordinator of the Expertise France AU Facility, will be the service provider’s contact persons. Name: **Mr. Kervin Kumapley** - E-mail: kervin.kumapley@expertisefrance.fr
* AMDC’s contact address: **Mr. Mkhululi Ncube - Email: Mkhululin@africa-union.org**
1. **Place, duration and terms of performance**

The Consultant team will be home-based or in the country of assignment and collect data from South Africa. South Africa was selected as one country of the assignment due to its mineral endowments and the country’s geopolitical importance on the continent. South Africa’s mineral reserves are among the most valuable in the world, the country also boasts a well-integrated mining value chain which supplies various other sectors such as manufacturing, metal manufacturing, jewelry and the automotive sector. Over the years a range of sector-specific and general support programmes and initiatives supporting the mining sector have seen the light. The increasing demand for green minerals abundant in South Africa creates both opportunities and challenges for the regulation and governance of the mining industry.

* Implementation period: From the date the contract is awarded to latest **3 months** following the signature of the contract
* Start date: from the date the contract is awarded
* Latest end date: **3 months** following the signature of the contract
* Mission location: The mission is home based.
* The duration of the assignment is **60 days for each consultant**, starting from the date of contract signing.
1. **Required expertise and profile**

**Number of experts per assignment:** 2

AMDC is looking for a qualified and experienced Senior Consultant and a junior assistant to undertake the country assessment and invites eligible consultants to indicate their interest in providing their services. Interested candidates must provide information demonstrating that he/she has the required qualifications and relevant experience to perform the services.

**Senior Consultant: 60 days**

The ideal candidate should possess the following qualifications and experience:

***Qualifications and skills:***

* Higher University Degree in Economics, minimum master level in Law, Geography, International relations, or similar related fields. A PhD will be an advantage.

***Specific Professional Experience:***

* At least 10 years of experience in mineral resources management, mineral value chains, governance, policies.
* Experience and knowledge in the assigned country will be an asset.
* Familiarity with Africa Union policy frameworks.
* Relevant experience with regional economic communities (RECs) and private sector organization in line with the trade and private sector agenda.
* Knowledge of Africa Union tools such as the **Africa Mining Vision or Africa Commodity Strategy and the AfCFTA.**
* At least 2 proven experiences in carrying country assessments or evaluations.
* Experience in conducting policy research and developing policy document.

***Required Skills:***

* Excellent communication, networking and facilitation skills.
* Ability to render consulting services in the most professional, effective, and efficient manner.
* Proven professional experience working with international organizations or donors.
* Computer literacy.

**Junior Consultant (Researcher): 60 days**

The ideal candidate should possess the following qualifications and experience:

***Qualifications and skills:***

* Master’s degree in law, social sciences, natural resources, international relations or a related field.

***Specific Professional Experience:***

* At least two years of research experience in the field of mineral governance in South Africa.
* Experience working with national and international organizations in South Africa;

***Required Skills:***

* Excellent communication, networking and facilitation skills.
* Computer literacy.

Applicants are required to have the above mentioned professional and technical qualifications. Only the applicants who hold these qualifications will be shortlisted and contacted.