



## **TERMS OF REFERENCE FOR THE COUNTRY REVIEW MISSION TO LIBERIA**

### **Thematic Lead – Corporate Governance**

#### **1. BACKGROUND**

- 1.1. The African Peer Review Mechanism (APRM) is a Specialised Agency of the African Union, established in 2003 by Heads of State and Government with the mandate to promote and facilitate governance self-monitoring among states acceding and participating voluntarily in the mechanism. Its purpose and mandate are spelt out in the Declaration on Democracy, Political, Economic and Corporate Governance adopted by the African Heads of State and Government at the inaugural Session of the Assembly of the African Union in Durban, South Africa, in 2002.
- 1.2. Its goal is to ensure that their policies and practices conform to the agreed political, economic, corporate governance and socio-economic values, codes and standards contained in the Declaration on Democracy, Political, Economic and Corporate Governance, the African Charter on Democracy, Elections and Governance, and other treaties, conventions and instruments adopted by the participating states, whether through the African Union or directly through other international platforms. In implementing this mandate, the APRM primarily fosters the adoption of policies, standards and practices that result into political stability, high economic growth, sustainable and inclusive development, as well as accelerated regional and continental economic integration. This role is achieved predominantly through sharing of experiences and reinforcement of successful and best practices.
- 1.3. Liberia acceded to the APRM on 29 July 2011 and has since established national structure which include a Focal Point, National Governing Council and a National Secretariat.
- 1.4. APRM Liberia officially launched its National Sensitization Campaign in Monrovia in October 2016. The objectives of the campaign are to increase national awareness and sensitization of the populace on the APRM in preparation for the Country's Self-assessment process and subsequent review.
- 1.5. The first Country Review Mission (CRM) for Liberia is tentatively scheduled for 22 March to 6 April 2017.

- 1.6. The secretariat is seeking the services of a highly qualified and renowned African to join the Country Review Mission Team as a Lead Consultant and Independent Experts, responsible for the review of Corporate Governance in Liberia.
- 1.7. The review will focus on Corporate Governance as defined by all aspects that govern a company's/firm relations with shareholders and other stakeholders. According to the African Union – APRM, these aspects concern the ethical principles, values and practices that facilitate holding the balance between economic and social goals, individual and communal goals, and between private and public interests. The assessment will thus examine the extent to which industry, companies and firms have aligned their business and dealings with the interests of individuals, corporations and society within a framework of sound governance and common good.
- 1.8. Special focus in the assessment will be on the issues around how corporations treat all their stakeholders (shareholders, employees, communities, suppliers and customers) and accountability of corporations and directors. Sub-themes such as; Business Environment and Regulation of the Private Economy; Corporate Citizenship and Accountability; and Inclusive Business shall also be assessed
- 1.9. The Country Review Mission will carry out the widest possible range of consultations with the Government officials, officials, political parties, parliamentarians, academia, trade unions, faith based organizations, business, professional bodies and others.
- 1.10. The CRM is to be comprised of the following:
  - An APR Panel of Eminent Persons Member as Head of review Mission, leading the process
  - Designated officials from the APR Secretariat
  - Experts from APRM strategic partners including the African Development Bank (AfDB), the UNDP Regional Bureau for Africa, the United Nations Economic Commission for Africa (UNECA), Mo Ibrahim Foundation, Africa Capacity Building Foundation (ACBF)
  - Independent experts for each thematic area (Democracy and Good Political Governance, Economic Governance and Management, Corporate Governance and Socio-Economic Development).

## 2. THE TASK

These terms of reference for the theme experts require the following of the consultant:

- Familiarize themselves with the APRM documents and specific information developed for Liberia, the Self-assessment report and the draft Programme of Action;
- **Draft a set of Key Issues in the thematic area as emerging from the above documents;**
- Participate in the country review visit;
- Capture the unfolding of the country review visit as necessary and draft a summary of findings relating to their thematic area;
- Draft the review report for Liberia for the specific theme indicated above
- Contribute to the drafting and finalization of the APRM Country Review Report for Liberia.

### 2.1 Familiarization with the APRM documents and specific information developed for **Liberia.**

- The Expert is expected to familiarize himself/herself with the Base Documents of the APRM and the APR Questionnaire.
- The expert will also be provided with the copies of the Country self-assessment and draft National Programme of Action as necessary.

### 2.2 **Identification of the Issues**

- a) ***Identification of the Issues*** should be informed by the following:
  - Issues addressed in the Self-Assessment but needing reinforcement
  - Issues that have been understated or inadequately addressed
  - Issues that have been identified in the past but continue to have serious implementation problems
  - Issues missed completely in the self-assessment report.
  - Areas of discrepancy or divergence (from cross-checking with the Background paper).
- b) The structure should follow the Objectives under each of the APRM thematic areas as outlined in the APRM Questionnaire. Cross-cutting or issues of an overarching nature have to be separately addressed.
- c) The Beneficiaries of the final Issues Paper are the following:

-The APRM Secretariat

-The APRM Panel

-The Country undergoing the assessment, if necessary

**d) Prioritization of Issues: Some effort should be made to prioritize the issues, and this may be aided by perusing the draft Programme of Action.**

### 2.3 Participation and Rapporteurship during the Country Review Visit

- a) Each expert will be expected to participate in the country review visit and capture the unfolding of the visit, which will inform the final country report.
- b) Each expert will be expected to capture and explore the specific issues that have been identified in his/her thematic area and to feed this into his/her section of the final country report.
- c) Each expert will be expected to participate in breakaway sessions or bilateral meetings focusing on his/her specific thematic area and to keep a record of these sessions. This may include meetings and workshops outside of the capital.
- d) The expert may also be required to investigate further specific issues for the thematic area either before, during or after the visit.
- e) Further, the expert is required to participate in every briefing meeting of the team relating to the review. A briefing session will be held at the end of every day during the review mission.

### 2.4 Incorporating the Unfolding and Outcome of the Country Review Visit to the Report;

- a) Following the conclusion of the review visit, the expert will incorporate the relevant details of the unfolding and outcome of the country review visit to the report. This section of the report should be circulated to the members of the team for comment, revision and finalization.

### 2.5 Finalization of the Country Review Report

- a) The expert is then required to finalize the report based on comments or input received from the team and the APR Panel.
- b) The final report is to be satisfactory and acceptable to the APR Panel.

## 3. FORMAT FOR DRAFTING OF THE COUNTRY REVIEW REPORT

- 3.1) A standard template for all country reports is necessary to ensure comparability. The beneficiaries of the report are: Liberia, the APR Forum, Global partners, the public, etc.
- 3.2) The content of the Report should be sufficiently comprehensive as the end-users, the Heads of States and Government, would not have to review related documents. In particular, the Report should encompass a synthesis of the entire process (i.e. from accession stage to completion), and the substance of the thematic findings (flowing along thematic lines and by objectives and

recommendations). An executive summary of about 10 to 15 pages should be included in the report.

- 3.3) The report shall provide the Country's position with regard to the Standards and Codes, as well as the Objectives of the APRM under each thematic area.
- 3.4) Each report will follow this format:
  - a) **Standards and Codes**
    - Status as observed from the Background Information (per Standard or Code).
    - An overview of the reporting in the self-assessment, capturing any further supplemental or divergent information.
    - The findings of the review team with regard to the issues identified under the Standards and Codes.
    - Recommendations and suggested action steps.
  - b) **Objectives:** The report will then go on to elaborate on each of the Objectives, following the above format.
  - c) **Over-arching or cross-cutting issues** should be captured in a separate section at the end of the report.
  - d) In addition, the Expert will be required to draft an **Executive Summary** for his/her thematic area, providing a synopsis of the report in the foregoing format.

#### 4. **DIVISION OF LABOUR**

- 4.1 Each expert is principally expected to draft a report for his thematic area and to contribute to the consolidation and collation of the overall report as necessary. However, it is imperative that the expert also takes note of all details pertaining to the events and work of the mission that he/she took part in.

#### 5. **DURATION OF ASSIGNMENT**

5.1. The duration of the assignment will be **FIFTEEN (15)** days from **8 to 23 April 2017**. The duty station for the mission will be both home based and Liberia.

5.2. The assignments of this mission are expected to be completed as follows:

- The consultant will be expected to familiarize themselves with the background documents and draft an Issues paper as per the thematic area requirements. The Issue Paper stipulated above shall be submitted as a preliminary response to the engagement of the Terms of Reference on **2 April 2017**.
- **FIFTEEN (15)** days for actual participation in the Country Review Mission
- Finalization of the report, with the incorporation of any Panel comments;

6. **REMUNERATION:**

- 6.1 A rate of **USD 500.00** per day (net of tax) is proposed for the assignment. The **APRM Secretariat** will also bear costs of a return air ticket (economy class ticket). In addition, daily substance allowance (DSA) will be paid per the UN rate for Liberia in general, covering time spent away from habitual residence.
- 6.2 A contract will be sent for signature after acceptance of the Terms of Reference.
- 6.3 Payment of the fees will be made after the final report submitted by the expert is satisfactory and accepted by the APRM Panel.

7. **Deliverables**

Task Number	Deliverable	Task outline & Time Frame
1	Issue Paper	2 April 2017
2	Zero Draft of thematic section of Country review Report	21 April 2017
3	Draft 1 of thematic section	24 April 2017

8. **Requirements for Experience and Qualifications**

**Qualifications & Experience:**

- Education: Master's level degree in Business Administration/Economics, or related fields with at least ten years of experience.
- Experience: Have at least 10 years progressively responsible experience in private sector development and/or corporate governance in various capacities;
- Demonstrate effective ability for teamwork, as well as the ability to work independently;
- Extensive knowledge of the Constitutive Act of the African Union as well as the overall objectives of the APRM, particularly in the thematic area of Corporate Governance and its interactions with the other areas;
- Broad knowledge of international relations, economic issues, accounting practices and standards, development issues in Africa and in general global terms
- Understanding of Africa-focused programs of Development Finance Institutions (e.g. Bretton Woods institutions, UN Agencies etc.) and other developmental partners
- Have knowledge of Liberia
- Have produced publications or research relevant to Corporate Governance
- Have project management experience and able to respect deadlines

Language: The applicant must be able to communicate and write in English. Knowledge of French or other AU languages may be an added advantage

### Evaluation Criteria- Consultants for Liberia Review Mission

Criteria	MAX Point	Score
<b>The person to conduct the study should have the following</b>		
Technical		
<b>Qualifications</b>	<b>20</b>	
<ul style="list-style-type: none"> <li>Minimum Masters level in Business Administration, Business Finance, Economics, or related fields. A PhD in the related fields will be an advantage.</li> </ul>	Minimum - 10 (M.A.)	
	Medium - 15 (2 Masters degrees.)	
	Maximum – 20 (PhD)	
<b>Relevant Expertise and Experience in Governance-related field</b>	<b>35</b>	
<ul style="list-style-type: none"> <li>Knowledge in Corporate Governance, Boards, National or Transnational Corporations or SOE, Governance in General</li> <li>Senior Level Experience in Private Sector Development</li> </ul>		
<b>Publication and Writing Skills</b>	<b>25</b>	
<ul style="list-style-type: none"> <li>Demonstrated ability to write to a very high standard</li> <li>Reference to high quality publications and research i.e. such as those in academic journals</li> </ul>		
<b>Project Management</b>	<b>10</b>	
<ul style="list-style-type: none"> <li>Experience in managing projects, meeting teams</li> </ul>		
<b>Familiarity with APRM Review</b>	<b>10</b>	
<b>Total Technical</b>	<b>100%</b>	

**Deadline for submission of CVs: 26 March 2017**

**Consultants are allowed to apply for one thematic area only.**

**Submission of CVs: CVs may be emailed to the address below:**

**Attn: Procurement Officer**

African Peer Review Mechanism Secretariat (APRM)

230, 15<sup>th</sup> Road Randjiespark

MIDRAND, REPUBLIC OF SOUTH AFRICA

Tel +27 100012685

**Email:** [tender@aprm-au.org](mailto:tender@aprm-au.org)