



TERMS OF REFERENCE FOR THE RECRUITMENT OF A CONSULTANT TO ANALYZE THE POSSIBILITY OF INCLUDING PERMANENT SECRETARIES OR EQUIVALENT IN LAKE TANGANYIKA AUTHORITY STATUTORY BODIES

1. Background and Rationale

The Republic of Burundi, the Democratic Republic of Congo (DRC), the United Republic of Tanzania and the Republic of Zambia signed a Convention on the Sustainable Management of Lake Tanganyika on June 12, 2003. This Convention provides a legal framework for the joint management and the implementation of harmonized laws and standards for the sustainable use of the natural resources in the lake and its basin.

The function of LTA is to coordinate the implementation of the Convention by the Contracting States, to promote and represent the common interests of the Contracting States in the management of Lake Tanganyika and its basin.

LTA has three organs, namely the Conference of Ministers (MC), the Management Committee (MC) and the Secretariat. The CoM, which comprises a focal point minister from each of the Contracting States' Government, is LTA's supreme body. The main function of the CoM is to regularly assess the implementation of the Convention. The MC is the second organ of LTA. It comprises four members appointed by each Contracting State representing the ministries responsible for environment, finance, fisheries and water. The Executive Director of LTA is the Secretary of the MC but has no voting right. The secretary's main functions are to coordinate and monitor the implementation of the Convention. LTA Secretariat is the executive body of LTA and it is based in Bujumbura, Republic of Burundi. The Secretariat is chaired by the Executive Director and comprises the following four directorates: Administration and Finance; Fisheries and Aquaculture; Environment and Monitoring and Evaluation. It is responsible for coordinating actions aimed at implementing the Convention and the LTA's Strategic Action Program (SAP). The Secretariat develops the annual work plans and budgets (AWPB) of the Authority, prepares projects, assessments and reports, obtains and updates data

relating to the implementation of the Convention and disseminates them to the Contracting States.



The issue of Permanent Secretaries or their equivalents inclusion in LTA statutory bodies has been discussed several times during LTA Management Committee and Conference of Ministers meetings.

During its tenth ordinary meeting held on December 8, 2022 in Bujumbura, Republic of Burundi, LTA Conference of Ministers instructed its Secretariat to prepare the terms of reference for the recruitment of a consultant who will analyze the possibility to integrate Permanent Secretaries into LTA organs.

Thus, it is in this context that these terms of reference for this particular mission are drafted.

2. Objectives

The objective of the mission is to study the possibility of including Permanent Secretaries or equivalents in LTA decision-making bodies, to examine the possibility of defining the composition and duties of this new body and bringing it into harmony with the other existing bodies with a view to ensuring cohesion and enhancing efficiency in the implementation of programs and strategies relating to sustainable management of Lake Tanganyika and its basin.

3. Expected results

- Proposal of scenarios for integrating permanent secretaries or their equivalents into LTA bodies.
- The proposed amendment to the Convention and the regulations aimed at accommodating the proposals made;
- A reformulation of some articles of the Convention and of the regulations which are directly linked to this review to avoid confusion and contradictions between the two legal texts.

4. Activities

To achieve the above results, the consultant shall carry out the following activities:

- Interview with the Management Committee members in the four countries to gather their concerns and their points of view on the work to be done;
- Identify and have interviews with resource persons whose contributions are susceptible to enhance the reflection;



Carry out a documentary review, in particular the convention on the sustainable management of Lake Tanganyika, internal regulations, financial regulations and other documents deemed relevant.

- Drafting of the report including realistic and operational solutions

5. Duration of the assignment

The duration of the mission is 21 days from the date of the contract signing.

6. Conditions and qualifications required

The consultant (individual, office or firm) must meet the conditions and qualifications detailed below:

- Having already developed or revised at least two (2) duly approved legal texts from a national, regional or international organization
- Have proven skills in administrative organization and in drafting legal texts
- Have at least 5 year-experience in legal text drafting.
- Have a strong writing ability and a perfect command of French and a good knowledge of English on a computer medium (the mastery of these two languages is an asset).
- Have a Bachelor's or Master's degree in law or more.

7. Technical and financial proposal

The tenderer must submit a technical and a financial proposal to Lake Tanganyika Authority Secretariat with the following components:

1. The technical proposal must indicate:
 - The methodology proposed for the conduction of the assignment;
 - The assignment execution schedule;
2. The financial proposal must indicate:
 - The total costs of the assignment in USD (including tax)
 - Payment terms (schedule)

8. Call for tender schedule (to be defined later)

- Publication of the terms of reference: June 30, 2023
- End of tender submission: July 20, 2023
- Date of tender opening: July 21, 2023
(In the presence of all bidders)

- Signing of the contract (maximum deadline): July 27, 2023
- Planned start of the assignment: July 28, 2023:
- Submission of the final report: August 18, 2023



9. Technical information

Tech-1 Letter of submission addressed to LTA Executive Director in a sealed envelope clearly bearing the following:

"Terms of Reference for the Recruitment of a Consultant to Analyze the Possibility of Including Permanent Secretaries or their Equivalents in Lake Tanganyika Authority Statutory Bodies".

The letter of submission shall be delivered to the address below no later than July 20, 2023 at 4 p.m.

Interested consultants may obtain additional information at the address mentioned below during the following working hours: from 8:00 a.m. to 4:00 p.m. (local time, GMT+2) at Lake Tanganyika Authority Secretariat

Tech-2 Candidate's organization and experience (firm, office or institution)

Tech-3 Candidate's observations and/or suggestions on the terms of reference

Tech-4 Description of the methodology to conduct the assignment

Tech-5 Consultant's Curriculum Vitae (CV)

Tech-6 Schedule for the activities (work program)

10. Financial proposal

End -1 Cost Summary

End -2 Cost distribution per activity

End -3 Payment modalities