



REQUEST FOR EXPRESSIONS OF INTEREST

(Individual Consultants)

COUNTRY: UGANDA

NAME OF PROJECT: THE ASSOCIATION FOR STRENGTHENING AGRICULTURAL RESEARCH IN EASTERN AND CENTRAL AFRICA (ASARECA)

ASSIGNMENT TITLE: DEVELOPMENT OF ASARECA'S REGIONAL INTELLECTUAL PROPERTY POLICY

REFERENCE NO. ASAR/CONS/2022/00004

ASARECA has received financing from the International Fund for Agricultural Development (IFAD) towards the cost of ASARECA-Comprehensive Africa Agriculture Development Programme CAADP ex-pillar IV (CAADP-XP4) project and intends to apply part of the proceeds for the recruitment of consulting services provided by an individual consultant as part of the development of ASARECA's Regional Intellectual Property Policy.

The use of any IFAD financing shall be subject to IFAD's approval, pursuant to the terms and conditions of the financing agreement, as well as IFAD's rules, policies and procedures. IFAD and its officials, agents and employees shall be held harmless from and against all suits, proceedings, claims, demands, losses and liability of any kind or nature brought by any party in connection with the Comprehensive Africa Agriculture Development Programme CAADP ex-pillar IV (CAADP-XP4) project.

ASARECA stakeholders including scientists, private sector, policy makers from the Ministries of Agriculture and Directors General of the National Agricultural Research Institutions have continuously expressed security concerns over the transfer of agricultural technologies, innovations and data across national borders and institutions. In response, the ASARECA Board of Directors recently recommended that the Secretariat coordinates the formulation of a regional IP Policy to facilitate development and transfer of agricultural technologies, innovations and data across the ASARECA member countries.

The consulting services ("the services") include the formulation of a regional IP Policy to facilitate development and transfer of agricultural technologies, innovations and data across the ASARECA member countries.

The attention of interested consultants is drawn to IFAD's Anti-Money Laundering and Countering the Financing of Terrorism Policy and the Revised IFAD Policy on Preventing Fraud and Corruption its Activities and Operations. The latter sets forth IFAD's provisions on prohibited practices. IFAD further strives to ensure a safe working environment free of harassment, including sexual harassment, and free of sexual exploitation and abuse (SEA) in its activities and operations as detailed in its IFAD Policy to Preventing and Responding to Sexual Harassment, Sexual Exploitation and Abuse.

Interested consultants shall not have any actual, potential or reasonably perceived conflict of interest. Consultants with an actual, potential or reasonably perceived conflict of interest shall be disqualified unless otherwise explicitly approved by the Fund. Consultants are considered to have a conflict of interest if they a) have a relationship that provides them with undue or undisclosed information about or influence over the selection process and the execution of the contract, or b) have a business or family relationship with a member of the client's board of directors or its personnel, the Fund or its personnel, or any other individual that was, has been or might reasonably be directly or indirectly involved in any part of (i) the preparation of the REOI, (ii) the

selection process for this procurement, or (iii) execution of the contract. Consultants have an ongoing obligation to disclose any situation of actual, potential or reasonably perceived conflict of interest during preparation of the EOI, the selection process or the contract execution. Failure to properly disclose any of said situations may lead to appropriate actions, including the disqualification of the consultant, the termination of the contract and any other as appropriate under the IFAD Policy on Preventing Fraud and Corruption in its Projects and Operations.

ASARECA now invites eligible Individual consultants ("consultants") to indicate their interest in providing the services. Interested consultants should provide information demonstrating that they have the required qualifications and relevant experience to perform the services in the form of a curriculum vitae (CV). A consultant will be selected in accordance with the individual consultant selection (ICS) method set out in IFAD' Project Procurement Handbook that can be accessed via the IFAD website at www.ifad.org/project-procurement. Interviews will not be conducted as part of the selection process.

The detailed Terms of Reference can be accessed at <https://www.asareca.org/announcements>

The shortlisting criteria are:

- Master's Degree in any of the following fields – Law; Intellectual Property; and Public Policy.
- At least 10 years' experience working in the agriculture sector
- Evidence of publications related to IP.
- Experience working in Sub Saharan Africa or countries with similar conditions.
- Experience in developing IP policies

Any request for clarification on this REOI should be sent via e-mail to the address below not later than **13 May 2022 by 23.00 hours EAST**. The client will provide responses to all clarification requests not later than **19 May 2022 by 23.00 hours EAST**.

Expressions of interest in the form of curriculum vitae (CV) must be delivered in a written form to the address below (in person or by e-mail) by **26 May 2022: 11.00am**.

The Executive Director, ASARECA

Attn: Procurement Consultant

Plot 5 Mpigi Road

Entebbe - Uganda

Procurement@asareca.org and c.c.j.barungi@asareca.org

NB:

- ASARECA will not take responsibility for late Expressions of Interest if delivered by courier.
- Only shortlisted candidates will be contacted.



Terms of Reference for Development of ASARECA's Regional Intellectual Property Policy

1. Introduction

The Association for Strengthening Agricultural Research in Eastern and Central Africa (ASARECA) is a not-for-profit sub-regional organization of the National Agriculture Research Institutions of fourteen countries namely: Burundi, Democratic Republic of Congo, Ethiopia, Eritrea, Kenya, Madagascar, Rwanda, Sudan, Tanzania, Uganda, South Sudan, Republic of Congo, Cameroon and Central African Republic. ASARECA is mandated to coordinate and convene human, physical, financial and institutional capital to implement Agricultural Research for Development initiatives in Eastern and Central Africa (ECA).

Recently, ASARECA developed a ten-year Strategy and Results Framework (2019-2028) together with its 1st five-year Medium Term Operational Plan (MTOPI-1: 2019-2023). In order to deliver its Agricultural Research for Development (AR4D) mandate, the Association has kick-started the operationalization of the MTOPI-1 with the implementation of key flagship projects. Among the key flagship projects under implementation during the FY2020 include the ASARECA-Comprehensive Africa Agriculture Development Programme CAADP ex-pillar IV (CAADP-XP4) project. The CAADP-XP4 project is funded by the European Union (EU) and managed by the International Fund for Agricultural Development (IFAD).

The CAADP-XP4 project directly contributes to Pillar 2 of the EU Development Smart Innovation through Research in Agriculture (DeSIRA) initiative aimed at spurring a Science-led and Climate-Relevant Agricultural Transformation in Africa. The DeSIRA Pillar 2 focuses on *Research Infrastructure Conducive to Innovation*. The focus is on support to organizations in charge of the governance of research at national and regional level. The project aims at enabling agricultural research and innovation, including extension services, to contribute effectively to food and nutrition security, economic development and climate mitigation in Africa.

The CAADP-XP4 project has 5 outputs namely: (i) strengthened capacity of ASARECA to perform its mandate and work together with AFAAS, FARA and SROs; (ii) multi-stakeholder partnerships for innovation established and in operation; (iii) strengthened national policies, regional institutional arrangements and market access; (iv) knowledge management for advocacy and decision support and communication improved; and (v) effective planning, coordination, partnerships, monitoring, evaluation, learning and reporting enhanced. The development of ASARECA's regional Intellectual Property (IP)¹ policy is being supported under output (iii) of the CAADP-XP4 project.

2. Rationale

Since its inception in 1994, ASARECA has coordinated AR4D in the ECA sub region including management of AR4D knowledge, harmonization of policies, resources and development of and access to several technologies, innovations and management practices. Over the years, ASARECA has supported projects which have generated over 400 Technologies, Innovations and Management Practices (TIMPs)

¹ Intellectual Property (IP) refers to tangible or intangible property arising from creative endeavors. Examples of IP include patents, copyrights, plant breeders' rights, trade secrets and know-how, trademarks and service marks, utility models, geographical indications and industrial designs.



which are broadly categorized under 6 categories namely: (i) Crop Management; (ii) Fisheries and Livestock Management; (iii) Value Addition and Marketing; (iv) Protocols, Manuals and Standards; (v) Institutional Innovations; and (vi) Natural Resources Management. There is increasing demand for agricultural technologies, innovations and data by farmers, private sector, public sector, researchers, and other strategic partners. However, their exchange remains a challenge among many ASARECA member countries where there are highly restrictive procedures for their import, export and transfer.

ASARECA stakeholders including scientists, private sector, policy makers from the Ministries of Agriculture and Directors General of the National Agricultural Research Institutions have continuously expressed security concerns over the transfer of agricultural technologies, innovations and data across national borders and institutions. In response, the ASARECA Board of Directors recently recommended that the Secretariat coordinates the formulation of a regional IP Policy to facilitate development and transfer of agricultural technologies, innovations and data across the ASARECA member countries. It is against this background that ASARECA intends to develop a regional IP policy.

The IP policy will provide a framework that guides effective management of IP among ASARECA member countries. Specifically, the IP policy will seek to: (i) provide incentives for stimulating generation and commercialization of agricultural technologies, innovations and data; (ii) promote identification and protection of IP; (iii) provide a favourable environment for transfer of agricultural technologies, innovations and data across countries; and (iv) provide a framework for sharing of benefits accrued from generation and commercialization of agricultural technologies, innovations and data.

3. Objective

The objective of this assignment is to develop a regional IP policy for ASARECA.

4. Tasks

The Consultant will be expected to:

- Review relevant literature including ASARECA Strategy; Medium Term Operational Plan 1; Operations Manual; selected project grant agreements; and IP policies/provisions of National Agricultural Research Systems (NARS) and Ministries of Agriculture of the 14 ASARECA member countries as well as those of Regional Economic Communities (RECs) including EAC and COMESA.
- Conduct a study on the status of IP and its management in the NARS in ASARECA member countries including a survey and interviews with key stakeholders (farmer organizations, Ministries of Agriculture, National Agricultural Research Institutions, private sector, RECs and academia) to collect their views, challenges, fears and aspirations regarding transfer of agricultural technologies, innovations and data across national borders and institutions.
- Prepare a draft regional IP policy for ASARECA that is coherent with IP policies and provisions of ASARECA, RECs, Ministries of Agriculture and NARS in ASARECA member countries. The draft IP policy should cover both crop and livestock sectors.
- Facilitate a physical consultative workshop to validate the draft IP policy including the implementation plan and incorporate feedback from stakeholders.
- Prepare the final regional IP policy for ASARECA including the implementation plan.



5. Deliverables

The Consultant will be expected to deliver the following:

- i. Inception report including a detailed methodology, work plan for undertaking the assignment, proposed list of stakeholder categories for the survey and interviews, survey tool and draft outline of the IP policy.
- ii. Detailed report on status of IP and its management in ASARECA member countries
- iii. Draft regional IP policy including the implementation plan.
- iv. Final regional IP policy including the implementation plan.

6. Support to the Consultant

ASARECA will support the Consultant in the following areas:

- Provide the contact details of key stakeholders from member countries and partners.
- Facilitate relevant logistics to undertake the task with minimal interruptions.
- Provide relevant information/literature materials available at ASARECA Secretariat as might be required.
- Provision of an introductory letter.

7. Qualifications and work experience of the Consultant

- Master's Degree in any of the following fields – Law; Intellectual Property; and Public Policy.
- At least 10 years' experience working in the agriculture sector in ASARECA member countries.
- Past experience in developing IP policies.
- Evidence of publications related to IP.

8. Proposal submission

The proposal for this consultancy should comprise the following:

- An understanding of the consultancy terms of reference.
- Methodology for performing the assignment.
- Proposed work plan.
- List indicating the scope and magnitude of similar assignments.
- Consultant's detailed CV.



9. Evaluation factors and sub-factors

The proposal for this consultancy will be evaluated according to the following criteria:

- Academic qualifications
- Consultant's experience in implementation of similar assignments.
- Experience in working in the agriculture sector in ASARECA member countries.
- Thoroughness of methodological approach.
- Clarity of the proposed work plan.
- Realistic budget for undertaking the assignment.

10. Duration

The assignment is expected to take a total of **30 working days** spread across 70 calendar days.

11. Reporting

The Executive Director of ASARECA shall oversee the assignment of the Consultant. He will work closely with the Program Officer - Policy.