



ECOWAS COMMISSION
COMMISSION DE LA CEDEAO
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TERMS OF REFERENCE

**Engagement of a Consulting Firm for the Conduct of a Situational
Analysis and Development of a Community Act on Electronic
Identification and Service Accessibility within ECOWAS**

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1. BACKGROUND INFORMATION

1.1 Contracting authority

The ECOWAS Commission

1.2 Country Background

Despite the high level of intra-regional mobility, an estimated 196 million people (53 percent) of the population in the ECOWAS region lack government-recognised identification (ID) that is fit for purpose in the digital age. This lack of ID limits people's access to critical services and opportunities that can be accessed through digitisation and becoming full members of society, with exclusion being worst for the poorest¹. The creation of robust, trusted, inclusive and interoperable digital foundational identity (fID) systems that allow for online and offline verification and authentication of people's identity can offer solutions to these limitations and unlock the potential of yielding domestic and regional benefits across various sectors of the economies in the ECOWAS region.

Enabling easy and secure access to needed services in real-time depends on (i) the establishment of robust legal and institutional frameworks, (ii) the building of fID systems to register, deduplicate based on biometrics, and issue Unique ID numbers (UNI) and credentials to individuals, and (iii) enabling authentication processes for access to services through interoperability². These requirements are generally weak and inadequate due to the complex ID landscape in the region. Of the fifteen ECOWAS Member States, nine have specific, centralized agencies dealing with ID, of which, seven have passed national ID (NID) legislation. Ten have specific data protection legislation, of which, nine have national data protection authorities. Ideally, legal frameworks should guarantee data protection, individual privacy, non-discrimination, and inclusion and be complemented with institutional arrangement and governance mechanisms that engenders a culture of trust between the state and individual ID credentials recipients³.

The coverage of NIDs and birth registration remains low across the region, and where they exist, the NID systems are a hybrid of paper and digitised-based registries. They are often incomplete, insecure, fragmented, wasteful, often unreliable and not integrated. The ID system is largely costly, does not guarantee ease of enrolment, access to ID credentials and uniqueness and consequently, hinders access to service⁴. For instance, despite its economic development, Côte d'Ivoire continues to face challenges of low NID coverage with only 55

¹ ID4D, Global Dataset, 2017, <https://data.worldbank.org/data-catalog/id4d-dataset>

² PAD2480. World Bank. 2018. Côte d'Ivoire, Guinea and ECOWAS Commission – West Africa Unique Identification for Regional Integration and Inclusion Project. Washington, DC.; available at: <http://documents.worldbank.org/curated/en/771571528428669934/Côte-d'Ivoire-Guinea-and-ECOWAS-Commission-West-Africa-Unique-Identification-for-Regional-Integration-and-Inclusion-Project>

³ Ibid 23-24

⁴ Ibid 25

percent of birth registration covered, coupled with a significant migrant population and statelessness that further worsens access to services. The country's NID system has records missing for an estimated 60 percent of the population and personal data is not securely encrypted, thus posing concern for biometric registration⁵. Having been identified as a high priority by the government, reform of the NID systems is in motion by formally giving the Office of National Identification (*Office Nationale d'Identification (ONI)*) authority as a newly-created central body to lead the way in developing a *nID* system⁶.

In keeping with the civil law tradition in Benin, birth certificate establishes an individual's legal identity and testifies to nationality. The birth certificate and the NID card together constitute the principal ID credentials in the country, with the NID card, being mandatory for citizens aged eighteen and above. As of 2017, 14.4 percent of children aged zero to four years have not had their birth registered, and only 64 percent have a birth certificate. Moreso, this NID card which is issued at approximately US\$4.12 and valid for a period of five years is relatively costly for much of the population⁷. With the launch of the operationalisation of the Identification of Natural Persons law since June 2017, more than 10 million people constituting close 90 percent of the population have been identified in a secured biometric database and the government is now looking to build a *nID* system to facilitate access to social services and boost inclusion for the population⁸.

Following the 2018 elections in Togo, the voter cards secured its spot as the most common form of ID for citizens. These cards are however not relevant for all persons (including children and non-nationals) and are not accepted for access to several services. Since July 2017, the government has been implementing the “e-ID Togo” project to enable targeted provision of public, social and commercial services by ensuring UNI for all persons on Togolese territory. Providing the basis for Togo's *nID* system, “e-ID Togo” is developing a modern biometric system allowing all persons to identify themselves, be they citizens, residents or simply passing through Togolese territory, and with the explicit objective of facilitating access to services. The Presidency has championed the development of the digital economy as a way of increasing inclusion, furthering regional integration and boosting the country's visibility and has thus placed the attribution of a UNI to all persons in the territory as an essential prerequisite⁹.

Similar to Benin, the principal ID credentials in Burkina are the birth certificate and the NID card. As the birth certificate is required to obtain a NID, a significant share of the adult population remains excluded. As of June 2019, 8.5 million of 19.19 million population had a NID card. Amidst the deteriorating security situation, the Burkinabe government is intensifying its

⁵ Ibid 65

⁶ Ibid 46

⁷ PAD3556. World Bank. 2020, West Africa - Unique Identification for Regional Integration and Inclusion - Phase 2, available at: <https://documents1.worldbank.org/curated/en/261151588384951057/pdf/Benin-Burkina-Faso-Togo-and-Niger-Second-Phase-of-West-Africa-Unique-Identification-for-Regional-Integration-and-Inclusion-WURI-Project.pdf>

⁸ <https://www.anip.bj/ravip/>

⁹ Ibid 29-30

efforts to prioritise human-capital focused service delivery to its population. A roadmap for the implementation of a unique, electronic biometric identifier has been adopted by decree 73, and this step is expected to help address system fragmentation between the civil registry and NID systems, each of which has its own ID numbers. The registration process of the NID card is almost fully digitized, with the National Identification Office operating its own data centre and responsible for registration and production. In addition, the country is expanding mobile cash transfers to fragile areas that would particularly benefit from the existence of an interoperable *ñ*D system¹⁰.

Due to the migration routes passing through Niger, the country features a fragmented ID system, low coverage of ID with 68 percent of women compared to 43 percent of men not having NID card, persistent fragility, and a significant mixed migration populations with growing insecurity incidents, which all combined reinforce the need for robust identification. The government recognises that to deliver services to its mostly rural and partly nomadic population, as well as harmonise the numerous standalone ID initiatives operating in the country, it needs to make use of modern delivery services that are built on digital transformation and modern technologies that are trusted, interoperable and relies on a unique identifier system¹¹.

1.3 Current Situation in the Sector

The ECOWAS Community recognizes the need to pursue a development path that promotes economic integration and interconnectivity by reducing the barriers to the free movement of persons, goods, and services. Through the World Bank financed West African Unique Identification for Regional Integration and Inclusion (WURI) programme, ECOWAS Member States, specifically Benin, Burkina Faso, Côte d'Ivoire, Niger, and Togo and the ECOWAS Commission are currently leading the process of establishing *ñ*D systems issuing government-recognised unique ID that facilitates access to service within and across the participating Member States. While operations are country-driven and structured around three components i.e. (i) strengthening the legal and institutional framework, (ii) establishing robust and inclusive *ñ*D systems, and (iii) facilitating access to services through *ñ*D credentials, the ECOWAS Commission leads Member States inter-agencies engagements and coordination towards the achievement of *ñ*D systems interoperability and mutual recognition of the credentials issued by these systems.

In addition, the ECOWAS Commission is committed to advancing digitalisation within the Community. As part of this effort, necessary steps have been taken towards developing a regional e-government strategy and launching various initiatives. These initiatives include establishing frameworks for effective e-governance, mutual recognition and trust in certified e-signature, digital addressing policies, the adoption and regulation of emerging disruptive technologies, and data governance. Given the evolving developments in the digital era

¹⁰ Ibid 33-35

¹¹ Ibid 35-37

worldwide, the ECOWAS Commission is finalising the review of the Supplementary Act A/SA.1/01/10 on Personal Data Protection adopted in 2010. This review aims to ensure the Act remains relevant and supports ECOWAS Member States in promoting a digital single market, enhancing intra-regional trade, and protecting data, particularly in the context of complex cross-border data flows.

The Member States are progressively putting in place the institutional anchorage to implement the digital identification agenda. In each Member State, a Project Implementation Unit has been established and attached to the relevant agency(ies) to manage the initiative. Since the effectiveness of the programme in 2018, the Member States have recorded modest progress towards strengthening the legal framework by drafting robust ID and data protection and security laws that adhere to international good practices and standards, except for Burkina and Côte d'Ivoire that have already enacted these legal frameworks. In addition, while Burkina has adopted the internationally and continentally recognised data protection instruments, Benin, in June 2024, acceded to the Convention on Cybercrime of the Council of Europe (Budapest Convention) and the African Union Convention on Cyber Security and Personal Data Protection (Malabo Convention). Furthermore, systems have been put in place to facilitate the mass registration of persons, especially in Benin and Togo, and overall, the programme is now progressing towards the adoption of a common standard for data exchange and interoperability across the participating Member States.

In terms of implementation responsibility, the digital identification agenda is overseen by (1) the National Agency for the Identification of Persons (*Agence Nationale d'Identification des Personnes (ANIP)*) within Ministry of Digital Economy in Benin, by (2) the Ministry of Digital Transition, Posts and Electronic Communications (*Ministère de la Transition Digitale, des Postes et des Communications Electroniques (MTDPCE)*) in Burkina, by (3) the National Office for Identification (*Office Nationale d'Identification (ONI)*) within the Ministry of the Interior in Côte d'Ivoire, by (4) the Ministry of Interior and Decentralisation (*Ministère de l'Intérieur et de la Décentralisation*) in Niger, and by (5) the Ministry of Digital Economy and Digital Transformation (*Ministère de l'Economie Numérique et de la Transformation Digitale*) in Togo. The oversight function is handled by the Presidency in Benin, Niger and Togo and by the Office of the Prime Minister in Burkina, Côte d'Ivoire¹².

At the regional level, the ECOWAS Commission supported in April 2023 the institution of a Governance Framework for the WURI programme through which the representatives of each participating country are brought together for purposes of coherence and coordination of efforts to achieve the common objectives of the programme. The Framework consists of three Committees: the Supervisory Committee, having the strategic steering function on all activities of the WURI programme, the Coordination Committee which manages the programme's operations in each country and the Technical Committee that is responsible for assessing technical matters with a view to providing recommendations based on the matter under

¹² Ibid 44

consideration. Within this arrangement, the ECOWAS Commission and the World Bank serve as Secretariat to the Committees.

2. OBJECTIVES & EXPECTED OUTPUTS

2.1 Overall Objective

The digital economy and society rest upon fundamental pillars of global significance, including e-governance services, e-government, e-commerce, and digital financial transactions. To achieve the full adoption of digital services, particularly online platforms, a robust digital identity framework for both **natural and legal persons** is required.

ECOWAS is therefore embarking on a process to strengthen the legal and regulatory framework on the regional mutual recognition of *ñD* credentials for access to service through a systematic process and approach of developing and enacting a *Community Act and Action Plan on Electronic Identification and Service Accessibility within ECOWAS* for use by all entities in the digital ID and digital economy ecosystems.

2.2 Specific Objectives

The specific objectives of this assignment are as follows:

- a) To analyse the validated Regional Strategy and Roadmap for Cross-border Foundational Identity Systems Interoperability and Mutual Recognition of *ñD* Credentials for Access to Services, the existing ECOWAS policy and regulatory instruments related to digital economy and the national *ñD* and data protection, privacy and security legal, policy and regulatory instruments with the aim to ascertain the current situation in the digital *ñD* ecosystem in the region and the gaps and barriers to be addressed in the Community Act under consideration. This Situational Analysis should also take into consideration the broader continental legal and regulatory frameworks and global perspectives on digital *ñD* systems interoperability and mutual recognition for access to service.
- b) To analyse the needs in terms of digital identity in the perspective of the digital economy, covering the regulatory aspects necessary to ensure a unique functional eID system that serves e-government, e-commerce, and digital payment services. This analysis should ensure inclusion of citizens, businesses, and government agencies.
- c) To develop a Community Act on Electronic Identification and Service Accessibility within ECOWAS which recognises all the considerations in the Strategy and the elements identified in the legislative review above.

- d) To develop an Action Plan to implement the Community Act.
- e) To elaborate an accompanying Monitoring and Evaluation (M&E) Framework for reporting the progress of implementation of the Act by Member States and evaluating the impact of its implementation in the region.
- f) To progressively present and review the Community Act, Action Plan and M&E Framework for validation by the relevant regional digital ID and digital economy Technical Experts, Sectoral Ministers related to digital identification and digital economy, the ECOWAS Commission Legal Directorate, the Community Parliament, and for enactment by the ECOWAS Council of Ministers.

2.3 Expected Outputs to be Achieved by the Consulting Firm

The expected outputs of this assignment are as follows:

- a) An Inception Report detailing a clear and comprehensive concept, analytical and methodological framework, tools, execution plan, milestones for completing the task and the structure of the Situational Analysis, Community Act, Action Plan and M&E Framework that must be approved by the ECOWAS Commission at the commencement of the assignment.
- b) A draft Situational Analysis of the Digital ID system and relevant legislations in support of the development of a Community Act on Electronic Identification and Service Accessibility within ECOWAS.
- c) A draft Community Act on Electronic Identification and Service Accessibility within ECOWAS.
- d) A draft Implementation Action Plan of the Community Act on Electronic Identification and Service Accessibility within ECOWAS, including the M&E Framework relating to the Act.
- e) Validated Situational Analysis of Digital ID and Relevant Legislations, draft Community Act, draft Action Plan and M&E Framework on Electronic Identification and Service Accessibility within ECOWAS by the relevant Technical Experts, Sectoral Ministers related to digital ID and digital economy, the ECOWAS Commission Legal Directorate, and the Community Parliament.
- f) An enacted Community Act, Action Plan and M&E Framework on Electronic Identification and Service Accessibility within ECOWAS by the ECOWAS Council of Ministers.

- g) A final Report of the assignment approved by the ECOWAS Commission. The report should integrate the stakeholders consulted, resources used and the key outcomes of the validations' meetings.

3. ASSUMPTIONS & RISKS

3.1 Assumptions Underlying the Project

- a) Political instability and fragility could hinder stakeholders' engagement and programme progress in participating countries.
- b) Autonomy of implementation agencies in participating countries is maintained.
- c) Public trust in government data collection and usage¹³.

3.2 Risks

Risk categories	Rating
Political and Governance	High
Macroeconomic	Moderate
Sector strategies and policies	High
Technical design of project or program	High
Institutional capacity for implementation and sustainability	High
Fiduciary	Substantial
Environment and social	Substantial
Stakeholders	High
Other: Lack of Technology Neutrality and Vendor Lock-in	High
ECOWAS inter-departmental coordination	Moderate
OVERALL	HIGH

Based on the Project Appraisal Documents, to mitigate these risks, the programme will follow a flexible approach whereby the sequencing of the projects components and of activities will be adapted to each country's context thereby allowing reactions to existing technological solutions, legal and institutional frameworks, different levels of capacity and different political economy environments. ECOWAS Inter-departmental coordination will be assured through the WURI-ECOWAS Commission Technical Committee. For reasons that the benefits borne by the programme outweigh the risks, continuous regional exchanges will be upheld to ensure that each Member State follows its own trajectory, and the objective of regional interoperability is attained.

¹³ Ibid 58

4. SCOPE OF THE WORK

4.1 General

The essence of this assignment is to secure a regional consensus for the development objective of WURI in such a manner that all the Member States collectively subscribe to a shared principle of regional fID systems interoperability and mutual recognition of credentials issued by the fID systems that facilitates access to service, while leaving the definition of implementation modalities at the discretion of Member States.

It is important that the Community Act, the Action Plan and the M&E Framework consider the fID, data protection, privacy and cyber security legal, policy and regulatory frameworks in the Member States as well as those existing at the regional level where available and align with the continental fID interoperability framework and the Malabo Convention. A synergy between these instruments will ensure coherence, harmony and sustainability in the regional agenda.

4.1.1 Description of the Assignment

- a) The Consulting Firm will be expected to contact the stakeholders in the region to gather the Member States' legal and regulatory instruments related to digital ID and digital economy. Extensive consultations may be necessary to clarify the direction of the instruments under development. The Firm will also be consulting with the ECOWAS Commission Directorates of Free Movement of Persons & Migration (DFMP&M), Legal, Digital Economy & Posts, Trade, Private Sector and Industry.
- b) The assignment also entails extensive desk review of resources to draw up the Community Act, Action Plan and M&E Framework as well as leading discussions with a broad range of stakeholders in the digital ID and digital economy ecosystems during the validation meetings.
- c) The assignment will be conducted taking into cognisance the three official languages (English, French and Portuguese) of ECOWAS.

4.1.2 Geographical Area to be Covered

This assignment covers all ECOWAS Member States.

4.1.3 Target Groups

The target stakeholders include:

- i. ID issuing Authorities,
- ii. National data protection and privacy Authorities
- iii. National cybersecurity Entities,
- iv. Data exchange and transactions Authorities,

- v. Data standards Authorities,
- vi. E-government and E-commerce Authorities,
- vii. Digital credential holders,
- viii. Regulators,
- ix. Digital credential verifier (public or private service providers wishing to verify ID claims) - i.e. ID providers, credential providers and digital wallet providers,
- x. Development actors.
- xi. Civil Society Organisations

4.2 Specific Work

Activity 1: Inception report

- a) The Consulting Firm will hold a briefing meeting with the ECOWAS-WURI project team in the DFMP&M to discuss the assignment in detail and reach a common understanding of the work, timelines and the required deliverables.
- b) Thereafter, the Firm will proceed to develop and submit an inception report within four weeks of contracting detailing clearly the concept, analytical and methodological framework, tools, execution plan, milestones for completing the task and the structure of the Situational Analysis, Community Act, Action Plan and M&E Framework. The inception report should indicate the documents and information needed to deliver the assignment as well as the stakeholders that should be consulted in the Member States. The report should equally include the initial findings, progress in collecting data, challenges encountered or expected in delivering the assignment, if any.
- c) The DFMP&M will provide comments on the report, if necessary and the final report would serve as the guide for the assignment after its approval.

Activity 2: Situational Analysis of Digital ID and Digital Economy Ecosystem

- a) Following the analytical and methodological framework of the inception report, the Firm will analyse the validated ID Interoperability Strategy and the legislative and regulatory instruments relevant to digital ID and digital economy in the region to ascertain the critical considerations from the Strategy and the existing gaps, barriers and limitations to accessing service that should be taking into consideration in the Community Act. Additionally, the analysis will incorporate the Digital Development Sector strategy and the e-commerce strategy to identify the needs and expectations related to digital ID.
- b) This should result in a good analysis and assessment of the national legal frameworks developed and being developed on digital ID, digital economy, data

protection, privacy and cyber security in the region, ECOWAS regulations relevant to digital economy developed and being developed, the African Union Interoperability Framework for Digital ID and the AU Convention on Cyber Security and Personal Data Protection.

- c) Amongst others, the analysis should consider the minimum standards, common requirements, governance mechanisms and alignment among legal frameworks, the requisite capacity development of the implementing agencies and institutions as well as complementary interventions in the region.
- d) Present recommendations for the way forward.

Activity 3: Community Act Development

- a) Based on the outcomes of the Situational Analysis, develop a Community Act on Electronic Identification and Service Accessibility within ECOWAS that is fit for purpose in serving as the overall framework for implementing the regional digital ID interoperability agenda at the regional level by the DFMP&M, in collaboration with the Directorate of Digital Economy & Posts (DE&P) and at the national level by the stakeholders operating within the digital ID and digital economy ecosystems.
- b) Elaborate the institutional and governance framework under which the Community Act will be placed and implemented, including a clear definition of roles and responsibilities of the involved parties. Within this arrangement, the ECOWAS Commission will play a supportive role to the stakeholders by ensuring that the implementation of the Community Act is aligned with the overall objectives of the Act, contributes to reducing the barriers to services and to the realisation of the Community aspiration of economic integration and interconnectivity.

Activity 4: Action Plan and M&E Framework Development

- a) Based on the Situational Analysis, develop a practical, concise, and clear Implementation Action Plan that puts the Community Act into practice and the implementing entities can draw from and also serve as a guide for implementing entities for achieving the Act's goals and objectives.
- b) The Action Plan must be in line with the Community Act on Electronic Identification and Service Accessibility within ECOWAS and the identified strategic areas of intervention along with the corresponding activities, responsible actors, timeframe of implementation.
- c) Elaborate the M&E Framework for reporting the progress of implementation of the Act by Member States and evaluating the impact of its implementation in the region.

The ECOWAS DFMP&M will lead the management, monitoring, reporting and evaluation of the implementation of Action Plan by the Member States to ascertain the Act's contribution to the achievement of economic integration in the region. This M&E activity will be carried out in collaboration with the Directorate of Digital Economy and Posts and other relevant Directorates of the ECOWAS Commission.

- d) Indicate a sequenced priority activities for implementation and an accompanying estimated budget for these activities drawn from the Action Plan.

Activity 5: Validation Process

The Consulting Firm will lead technical deliberations during the entire validation process in close consultation with the DFMP&M. This process will consist of several rounds of comments and reviews:

- a) Presentation of the first draft Situational Analysis, first draft Community Act, first draft Action Plan and first draft M&E Framework on Electronic Identification and Service Accessibility within ECOWAS to indicated categories of Experts meetings, with the questions, comments and contributions from each meeting addressed and reflected in the documents prior to presentation to the ensuing meeting.
- b) Presentation of the second draft Situational Analysis, second draft Community Act, second draft Action Plan, and second draft M&E Framework to the Sectoral Ministers related to digital ID and digital economy and incorporate the comments emanating from the meetings into the documents.
- c) Presentation of the third draft documents to the ECOWAS Commission's Legal Directorate and the Community Parliament and ensuring that the feedback provided is incorporated into the final Community Act and Action Plan and M&E Framework.
- d) Presentation of the fourth/final draft documents to the ECOWAS Council of Ministers for enactment, if necessary.

4.3 Project Management

4.3.1 Responsible Body

The Consulting Firm will work under the supervision of the Project Coordinator/ECOWAS Director FMP&M. Therefore, the Director has oversight responsibility over the delivery of this assignment.

4.3.2 Management Structure

The Firm reports to the ECOWAS Commission DMP&M and it should be contacted on all matters relating to this assignment. Extensive liaison will be held between the Firm and the Project Manager and the Project Assistant.

Within the context of a co-Secretariat, the World Bank will be providing technical support to this assignment.

The overall decision concerning the definition of the Community Act, its Action Plan and M&E Framework lies with the Member States and the ECOWAS decision-making bodies, and the contributions therefrom will be provided during the review and validation process and events.

4.3.3 Facilities to be Provided by the Contracting Authority and/or Other Parties

The DFMP&M will facilitate contact of the Firm with the World Bank if required and with the ECOWAS National Offices and the Project Coordinators of the Member States implementing the programme, who will further facilitate contact with appropriate national focal points for needed information, and any other relevant stakeholders, if necessary.

5. LOGISTICS AND TIMING

5.1 Location

This assignment is home-based, with travels to meeting locations for the validation meetings. The Consulting Firm is also expected to participate in virtual meetings when required.

It is not envisioned that the Consulting Firm will need to travel to the Member States, hence desk reviews, remote interviews and virtual consultations with all stakeholders are envisaged.

5.2 Timeframe of Implementation of Tasks

The entire assignment is expected to take about fifty-two weeks from the contract signature date as indicated in the work schedule below.

No.	Actions	Indicative no. of days	Location
1	Draft inception report	4 weeks	Home-based
2	Final inception report	3 weeks	Home-based

3	Situational Analysis	3 weeks	Home-based
4	Draft Community Act, Action Plan and M&E Framework	10 weeks	Home-based
5	Validation process	15 weeks	Meetings' locations or virtually as required
6	Statutory reviews and validations	15 weeks	Meetings' location or virtually as required
7	Enacted Community Act, Action Plan, M&E Framework and Final report of the assignment	2 weeks	Home-based
	Total	52 weeks	

6. REQUIREMENTS

6.1 Consulting Firm

The Consulting Firm must demonstrate:

- a) Legal registration as a legal firm or company or part of a consortium having the required skills, specialising in the field of electronic identification and digital technology.
- b) Considerable cognate experience in the field of digital development, electronic identification, cyber security and personal data protection and privacy.
- c) Expertise in drafting regional legal and regulatory texts relating to electronic identification and digital economy.
- d) To have drafted and managed the adoption at a regional or continental level of at least two legal or regulatory frameworks or instruments in Sub-Saharan Africa.
- e) Possession of an adequate team that is composed of the following profiles:
 - i. Lead expert (1)
 - ii. Legal expert (1)
 - iii. Expert in electronic identification (1)

Note: The Firm may be required to provide the requisite expert and expertise necessary to complete the assignment. This additional staffing does not result in increased fees on the part of the ECOWAS Commission.

6.1.1 Experts Profile

The assignment will be delivered by the Experts assigned by the Firm. The curricular vitae of each of the Experts must be submitted, along with a signed statement of exclusivity and availability. The profile of each expert is indicated below:

i. Lead Expert

- Possess a Bachelor degree in Public International Law with a minimum of twenty years' experience or a postgraduate degree in the field with a minimum of ten years' experience, in drafting international legislation and regulations in the field of electronic identification and cyber law,
- Experience in high-level engagement in strategic planning activities and in leading strategic dialogue on developmental issues in the public and private sectors in sub-Saharan Africa,
- Ability to lead and coordinate inter-disciplinary teams and manage complex assignments in the development of legislative and regulatory framework development on electronic identification. This should be evidenced by at least two similar instruments completed over the last five years.
- Possess sufficient knowledge of ECOWAS identification situation, identification policies, legal and regulatory frameworks,
- Demonstrate fluency in English and French - two of ECOWAS working languages required. The knowledge of Portuguese will be considered an asset.

ii. Legal Expert

- Possess a Bachelor degree in Public International Law with a minimum of ten years' experience or a postgraduate degree in the field with a minimum of five years' experience, in drafting regional legislations in the field of electronic identification and cyber law,
- Strong expertise in the adoption of regional legal and regulatory frameworks,
- Experience in participating in at least two similar assignment in the field of electronic identification over the last five years. In the event that the Expert possesses five years' experience, one similar assignment is required.
- Demonstrate fluency in English and one of the other ECOWAS working languages. (French and Portuguese).

iii. Expert in Electronic Identification

- Possess a Bachelor degree in Information Technology with a minimum of ten years' experience or a postgraduate degree in the field with a minimum of five years' experience, in the design, development, deployment and operation of interoperable electronic identification infrastructure and solutions,
- Strong expertise in the management of regional or inter-state electronic governance structures,
- Excellent knowledge of personal data privacy and protection and cybersecurity,
- Experience in participating in at least two similar assignments involving the design, development, deployment and operation of electronic identification infrastructure

and solutions over the last five years. In the event that the Expert possesses five years' experience, one similar assignment is required

- Demonstrate fluency in English and one of the other ECOWAS working languages. (French and Portuguese).

6.1.2 Selection Criteria

Technical Part

- a) Description of the Consulting Firm
 - Certificate of registration
 - List of reference of assignments with similar scope and focus completed at least two assignments.
- b) Description of the Expert team
 - Detailed CV
 - Academic certificate(s)
 - Signed statement of exclusivity and availability
 - List of reference of assignments with similar scope and focus completed at least two assignments.
- c) First outline of the inception report.

Financial Part

- a) Expert costs indicated in US Dollars.
- b) Other costs (e.g. translations, meetings)

The Evaluation of the Applications will be determined as follows:

- a) Seventy percent for the quality of the technical part
 - Professional experience of the Firm and profile of Experts evidenced by the items listed above for the Firm and the Experts
 - Quality of first outlined inception report.
- b) Thirty percent for the financial part.

The evaluation of the best offer will consider only the personnel costs and other costs. These requirements should be annexed to the application.

6.2 Office Accommodation

As this assignment is mainly home-based, the ECOWAS Commission will not be providing an office accommodation to the Experts working on the contract.

6.3 Facilities to be Provided by the ECOWAS Commission

The ECOWAS Commission will take financial responsibility for the logistics and participation of representatives of Member States, its officials and a maximum of three Experts from the Consulting Firm who are assigned to this assignment to the validation meetings. The ECOWAS Commission will equally cover for the provision of interpretation services, documentation and refreshments during the meetings.

6.4 Equipment

No equipment is to be purchased on behalf of the ECOWAS Commission as part of this service contract or transferred to the ECOWAS Commission at the end of this contract. Any equipment related to this contract which is to be acquired by the Consulting Firm must be purchased by means of a separate supply tender procedure.

7. REPORTS

7.1 Reporting Requirements

The Consulting Firm will submit the following reports in English language and in the number of pages indicated below. The final documents will be translated by the ECOWAS Commission.

- a) Inception report of a maximum of 15 pages to be finalised within seven weeks from the contracting date. The Firm should proceed with the work unless the ECOWAS Commission formally informs otherwise. The Inception report must be approved by the Director FMP&M before payment can be made.
- b) Validated Situational Analysis of maximum of 15 pages.
- c) Enacted Community Act and Action Plan and M&E Framework on Electronic Digital Identification and Service Accessibility within ECOWAS. The Act may be between 30-35 pages, the Action Plan between 25-30 pages and the M&E Framework, a maximum of 20 pages.
- d) Approved Assignment Report of a maximum of 10 pages. The report should incorporate the comments submitted during the review process. The deadline for sending the final Report is five days after receipt of the adopted Community Act and Action Plan and M&E Framework. The detailed analyses underpinning the recommendations made in the meetings should be presented in annexes to the Report.

7.2 Submission and Approval of Reports

The final documents referred to above must be submitted to the ECOWAS Director of FMP&M who is responsible for approving the reports.

8. PAYMENT

Payments shall be made in phases upon completion and submission of key deliverables. The payment schedule is as follows:

- a) 10% of the contract sum will be paid upon approval of the inception report.
- b) 15% of the contract sum will be paid upon submission and approval of the draft Situational Analysis by the ECOWAS Commission.
- c) 20% of the contract sum will be paid upon submission of the draft Community Act, Action Plan and M&E Framework and their approval by the ECOWAS Commission and the World Bank.
- d) 45% of the contract sum upon validation of the Situational Analysis by Member States and enactment of the Community Act, Action Plan and M&E Framework by the ECOWAS Council of Ministers.
- e) 10% balance upon submission and approval of the Assignment Report.

9. HOW TO APPLY

Interested Firms that meet the above-listed requirements are invited to address their expression of interest to the **ECOWAS Commission, Directorate of Administration and General Services, Attention: Head of Procurement, Procurement Division, Plot 101, Yakubu Gowon Crescent, Asokoro District, Abuja, Nigeria**, using the subject line “*Development of Community Act on Electronic Identification and Service Accessibility within ECOWAS*” and to send same to the email addresses: sbangoura@ecowas.int with copy to procurement@ecowas.int, asiaw-boateng@ecowas.int, sabubakar-bello@ecowas.int and hdehardt-kaffils@ecowas.int

Please be informed that the Consultancy will be executed in accordance with the Bank’s “Procurement Regulations for IPF Borrowers” dated July 2016 revised on November 2017 “Procurement Regulations”, which can be found at the following website: www.worldbank.org.

Please note that only applications that meet the requirement will be accepted and only those shortlisted will be contacted.