

Terms of Reference for Agricultural Seed Law Expert for Review and Finalisation of the Agricultural Draft Agricultural Seed Law, Ministry of Agriculture Development, Somaliland – P101-064

1. Background

The Somaliland Development Fund (SDF) was established in 2012 to provide a single vehicle through which development partners could support Somaliland's development goals. The first phase of the SDF was implemented in 2013-2017 and supported the Government of Somaliland (GoSL) filling a critical gap through funding projects that are fully aligned to the National Development Plan (NDP) while at the same time recognizing the role of GoSL in the delivery of basic services.

The Somaliland Development Fund – Phase 2 (SDF2) covers the period 2018-2024. SDF2 is conceived as an inclusive economic development programme. It supports the GoSL in delivering infrastructure that is relevant for inclusive economic development. It focuses on sustainable investments that spur job creation and fast growth, while at the same time laying the foundation for long-term resilience and development, leading to a more stable and peaceful Somaliland. SDF2's ambitions are fully aligned with the NDP2 and reflect the priorities set out in Somaliland Vision 2030. Like in SDF1, all support will be aligned with government priorities as defined in Somaliland's second National Development Plan (NDP2) 2017-2021. The Fund Manager is responsible for the day-to-day management and administration of the Fund.

The objectives of the SDF2 are threefold:

- Support increased inclusive economic growth through investment in productive, strategic infrastructure to enhance economic growth and revenue generation.
- Strengthen and maintain the capabilities of the government of Somaliland to prioritize and manage the sustainable and equitable development of Somaliland's infrastructure.
- Support strong government ownership of development priorities aligned with the National Development Plan.

2. Ministry of Agriculture Development proposed project

The SDF has allocated funds to the Ministry of Agriculture Development for the implementation of the Sustainable Land Management Project. The proposed project is a scaling up of SDF1 soil and water conservation project at Maroodijeh Upper Catchment and will be implemented in the Durdur Ad Catchment, in Awdal region. The project contains five major outputs:

Output 1: Capacity Development

Capacity development component for MoAD to enhance its ability to initiate, deliver, and support the management of investments/projects – Crucial for economic development and value for money being realized as a result of the projects, will be the ability to select investments with comparative strategic economic and social advantage for diverse members of the population and which are

resilient to current and future shocks (climate and otherwise). In summary, the project will provide capacity development to MoAD to improve institutional performance and effectiveness of service delivery.

Output 2: Community level governance

Community engagement through creation/enhancing or formation of village development committees (VDC), water management committee, women committee and watershed management committee in the catchments – Under this component the VDCs established under SDF1 in MUC will be maintained and strengthened, and in DAC VDCs will be established (where they do not exist) and strengthened.

Output 3: Soil and water conservation

Construction of soil and water conservation (SWC) structures – This component is divided into two sub-components, namely soil conservation, which is mainly the construction of soil bunds, construction of eyebrows, plugging of gullies on did slopes and the construction of sand dams, and water conservation and the construction of communal berkads and earth dams.

Output 4: Improved farming practices

Promotion of improved agricultural practices and crop husbandry and farmer trainings. Under this component the project will: 1) conduct a yield assessment baseline survey; 2) introduce and promote legumes in the cropping system; 3) introduce improved crop varieties; 4) provide farmer field school trainings; and 5) construct a feeder road that will enable marketing of farm produce from project locations to Borama and elsewhere.

Output 5: Dryland agricultural research - Aburin

Completion and operationalisation of Aburin Dryland Agriculture Research Centre which was started under SDF1. Under this component the project will purchase the laboratory equipment for the Research Centre.

3. Scope of work

The agriculture policies and legal frameworks in Somaliland are in their infancy. As a result, as a part of the project, MoAD proposes that a part of the funding will be spent in supporting the finalisation of key policies and legal frameworks which have been in draft state for a long time. Specifically, MoAD intends to ensure that the existing drafts are taken through consultative process with key stakeholders leading to their finalisation and operationalisation. Some of these documents include: Agricultural Sector Policy, Agricultural Rules and Regulations, Agricultural Seed Bill, and Agrochemicals Bill.

This ToR specifically concerns the draft Agricultural Seed Law which is currently a draft Bill. The law is intended to regulate seed production, sale, trade both import and export and assuring the seed quality and certifying the seeds and other planting materials. Therefore, government requires the review of the existing current draft seed law in readiness for its enactment so that it can be used to regulate the seed sector efficiently and effectively. In this regard, the SDF Secretariat is seeking to engage the services of an Agricultural Seed Law Expert to technically support the review, facilitate consultations with stakeholders and finalisation of the draft Agricultural Seed Law.

4. Key tasks

The Seed Law Expert through the assistance of Ministry of Agriculture Development technical team and the Project Management, accomplish the following key tasks.

4.1 Desk review, analysis, and gaps identification

The expert will be expected to review and read the following documents:

- Draft Seed Law document which is available at the Ministry.
- National Development Plan 2 (NDP2).
- NDP2 agricultural sector priorities booklet.
- Somaliland Vision 2030.
- Draft Agricultural Masterplan (Strategic Plan).
- Any other existing relevant policy documents and legal frameworks which outline Somaliland country aspirations in the Agriculture sector.
- Based on the desk review as well as the stakeholder meeting, provide a brief report outlining the major gaps and weaknesses.

4.2 Preliminary meetings with stakeholders

- Meet with the relevant stakeholders including the Ministry of Agriculture, SDF Secretariat, and other relevant stakeholders to understand the existing Agricultural Sector Law document and other legal frameworks in the Agriculture sector.

4.3 Draft Agriculture Seed Law review roadmap.

- Develop and submit detailed road map which includes the expert's understanding of the terms of reference, proposed methodology for review and finalisation of the draft Agricultural Seed Law document, and the timeline for conducting the review and finalisation of the document.
- This road map will be presented to the SDF Secretariat and the MoAD Project Management team for discussion, review, and approval.

4.4 Stakeholders workshop

- Prepare a workshop to be attended by stakeholders in the agricultural sector to present the findings of the desk review results, the gaps identified, and proposed improvement required to finalise the document.
- Based on the consultations with stakeholders in the workshop, draw up recommendations which should be included in the revised Agricultural Seed Law document.

4.5 Revision and finalization of the draft policy document

- Revise and update the Agricultural Seed Law document.
- Produce a final draft Agricultural Seed Law document based on the recommended changes and share the draft review with the SDF Secretariat and the MoAD Project Management team for review and approval.
- Prepare one day validation workshop with all the relevant stakeholders for further discussion on the reviewed and updated Agricultural Seed Law document.

- Provide Final and comprehensive revised and updated Agricultural Seed Law encompassing the view of the main stakeholders for delivery to Cabinet and then to the parliament for discussion and approval.

5. Timing and duration

The expected duration of the assignment is 30 days.

6. Deliverables (reports)

Deliverables and the tentative timetable of completing the assignments is as follows:

Report	Duration
Inception Report	2 days
Individual meetings with stakeholders	4 days
Review road map	2 days
Agricultural Seed Law gaps and weakness analysis report with recommendations	4 days
Draft revised and updated Agricultural Seed Law document for review and approval	10 days
Validation workshop	2 days
Final Agricultural Seed Law document	6 days
Total	30 days

7. Reports and Reviews

Upon completion of the study the Expert will prepare and submit three (3) hard copies and editable electronic copies (in Word, Excel, etc.) on 3 CDs to the SDF Secretariat, Ministry of Agriculture and Project Management Team. PDF alone is not allowed.

8. Required Qualifications/Skills

The Expert will have the following skills, experience, and qualification

Qualifications and skills

- At least a master's degree preferably in Agriculture field.
- Demonstrated excellent command of spoken and written English.
- Excellent facilitation and report writing skills.
- Excellent interpersonal and diplomatic skills.

General professional experience

- At least 12 years of experience in working in the dryland agricultural sector in East and Horn of Africa.
- At least 8 years of experience in working in the agricultural sector at policy or advisory level.

Specific professional experience

- At least 6 years of experience with national agricultural laws, regulations, policies and strategies.
- Proven experience in leading review, updating or development and drafting of at least one seed law or policy document in the last 5 years.

9. Equipment

No equipment is to be purchased on behalf of the Client/Contracting Authority as part of this service contract or transferred to the Contracting Authority or local counterparts at the end of this contract. The Expert is expected to either rent or bring his/her equipment to complete the consultancy assignment with all the necessary software installed.

10. Fees and Allowances

- The successful candidate will be offered competitive daily fees. The fees will be paid upon submission of the final report, timesheet and an invoice.
- All fees will be paid after the completion and approval of the final report.
- The SDF Secretariat shall organise and pay for the Expert's accommodation, travel within Somaliland, and DSA as per SDF guidelines.

11. Duty of Care

- The Expert will work under the overall Health, Safety and Security protocols of the SDF Secretariat.
- The Expert will be expected to provide insurance for health care, accidents, and other risks associated to the assignment. The SDF Secretariat/MoAD shall be free from any liabilities arising from the same.

12. Other provisions

- **Accountability:** The SDF Deputy Team Leader (Projects) maintains the overall supervision of this assignment. However, the Expert will technically report to the Productive Sector Specialist at the SDF Secretariat and will work on day-to-day basis with the Project Management Team at Ministry of Agriculture, specifically the Project Manager.
- **Duty post:** The work is to be performed in Hargeisa. Travel to the field if required will be arranged by the SDF/MoAD.
- **Personal computers:** The Expert will be responsible for provision of his/her own computer.
- **Possession of sites:** SDF Secretariat/MoAD project team may accompany the Expert to field missions and within Hargeisa or outside for the purpose of possession of sites/familiarization. In this case, the Project Management Team staff and other relevant technical staff will be available to work closely with the Expert.
- **Relevant documents:** The SDF Secretariat/MoAD shall furnish all pertinent available data and information and give such assistance as shall be reasonably required by the Expert in carrying out provision of this Agreement.
- **Office Space:** MoAD will provide office space for the Expert's team during their stay in Hargeisa.
- The SDF Secretariat will arrange all transport by road or air as needed.
- The SDF Secretariat will arrange accommodation.