

# COMMON MARKET FOR EASTERN AND SOUTHERN AFRICA

MARCHE COMMUN



السوق المشتركة للشرق والجنوب  
الأفريقي

## RE-ADVERTISING EXPRESSION OF INTEREST/CALL FOR APPLICATIONS OF INDIVIDUAL CONSULTANT TO DRAFT LAW ON FREEZING AND ASSET RECOVERY MECHANISMS FOR COMOROS

**TENDER NO. CS/PRO/CSM /SS/22/06/20**

### 1. INTRODUCTION

The Common Market for Eastern and Southern Africa, COMESA is a regional economic body comprising 21 Member Countries. COMESA's current strategy can be summed up in the phrase "economic prosperity through regional integration". With a population of over 540 million and global trade in goods worth more than US\$ 235 billion, COMESA forms a major marketplace for both internal and external trading.

### 2. Background

COMESA Maritime Security (MASE) programme is a component of the broader Regional Maritime Security programme duly funded by European Union. The programme was developed following the rising piracy along the Indian Ocean in the early to mid-2000s and it is jointly implemented by four Regional Organizations (including COMESA), each with different focus/mandate, all collectively targeted at curbing piracy and addressing the adverse economic effects of transnational crimes.

The COMESA component of the programme aims at strengthening the capacity of the Eastern and Southern Africa and Indian Ocean (ESA-IO) region to disrupt financial networks of pirates and their financiers, thus to disrupt illicit financial flows in general. To achieve this, COMESA MASE is implementing an anti-money laundering programme targeting strengthening of all the stakeholders involved in the anti-money laundering efforts, starting from reporting entities, to Financial Intelligence Units (FIUs), Law Enforcement Agencies (LEAs) and senior government officials. This approach ensures that all stakeholders are taking part in fighting financial crimes and money laundering in line with their respective obligations as per international standards given by the Financial Action Task Force (FATF). The curbing of illicit financial flows and the fight against money laundering and terrorist financing globally has several benefits including protection of integrity of financial systems, citizens and national and economic security in general. Strong and effective Anti-Money Laundering and Combating Financing of Terrorism (AML/CFT) frameworks make it difficult for criminals to conceal illegal activities and proceeds therefrom.

COMESA's implementation of the programme is in line with different capacity needs, which exist in programme countries. Accordingly, Comoros has requested COMESA to support it with drafting laws guiding asset freezing and recovery mechanisms.

### 3. Purpose of Consultancies

The proposed consultancy seeks to draft laws which should guide asset freezing and recovery mechanisms for Comoros. The laws should be in line with the current international standards.

#### 4. Scope of Works

The consultancy shall be for a total period of ten days, which include 3 days of onsite visit to the recipient country (Comoros) to undertake necessary consultations with relevant stakeholders in asset freezing and recovery processes.

#### 5. Key Deliverables

The key deliverables from the consultancy shall be drafted laws on Asset Freezing and Recovery within 3 days from the end of the consultancy period.

#### 6. Expertise Required

To successfully deliver on this task, the consultant should have the following qualifications:

- i) Holder of master's degree in Law or any other relevant field
- ii) At least 7 years of experience in AML/CFT issues
- iii) Well knowledgeable of FATF standards
- iv) Well knowledgeable of financial crimes
- v) Sound knowledge of some AML/CFT laws that exist in the ESA-IO region
- vi) Well knowledgeable of asset freezing and recovery issues in relation to money laundering, terrorist financing and financing of proliferation of weapons of mass destruction
- vii) Well knowledgeable of roles of parties involved in issues of asset freezing and recovery

#### 7. Proposed payment

The proposed payment is USD5,000, being USD500 per day.

#### 8. Duration

The services shall be completed within a period of (10) ten days from the date of signing the contract (effective date).

#### 9. Submission of Applications

The bidder shall submit the proposal in **one external envelope containing inside two sealed envelopes** by the closing date set forth in point no. 11 through either email or physical delivery to:

**THE CHAIRMAN -PROCUREMENT COMMITTEE  
COMESA SECRETARIAT  
BEN BELLA ROAD  
P.O BOX 30051  
LUSAKA, ZAMBIA  
Tel: 260 211 229725 - 32  
Attention: Mr. Simatengo Simatengo**

Submission emails: [procurement@comesa.int](mailto:procurement@comesa.int), [ssimatengo@comesa.int](mailto:ssimatengo@comesa.int)

For physical/courier delivery, the outer envelope should be clearly marked in the top right-hand corner **“RFP: CS/PRO/CSM /SS/22/06/20 RE-ADVERTISING EXPRESSION OF INTEREST/CALL FOR APPLICATIONS OF INDIVIDUAL CONSULTANT TO DRAFT LAW ON FREEZING AND ASSET RECOVERY MECHANISMS FOR COMOROS**

**DO NOT OPEN BEFORE 15<sup>th</sup> JULY 2020 at 15.00 HRS Lusaka time.**

**NOTE:** If the envelopes are not sealed and marked as per the instructions in this clause, COMESA will not assume responsibility for the proposal's misplacement or premature opening and may – at its discretion – reject the proposal.

This first internal sealed envelope, which will be clearly marked **“TECHNICAL PROPOSAL”**

must contain two (2) hard copies of the technical proposal with one marked 'original' and the other marked 'copy'. The second internal envelope, which will be clearly marked "FINANCIAL PROPOSAL", should contain the original and copy of the financial proposal. The envelope containing the financial proposal will ONLY be opened if the technical offer attains the pass score of seventy per cent (70%).

In the event of any discrepancy between the original and the copy, the original shall govern.

## **10. CLOSING DATE OF TENDER**

Tenders must be submitted to the COMESA Secretariat on or before **15<sup>th</sup> JULY 2020 at 15:00 hours LUSAKA TIME.**

## **11. AWARD OF CONTRACTS**

COMESA reserves the right to wholly or partially reject or award these contracts to any bidder and has no obligation to award this tender to the lowest bidder

## **12. Pricing**

All prices MUST be indicated in USD.

There will be no price variation after signing of contract except upon a mutual written agreement between the two parties;

The price quoted shall be considered to be for all the services required by COMESA as contained in this Request for Proposal.

Prices must be exclusive of all taxes within Zambia.

Prices must be valid for 90 days from the date of close of tender.

## **13. Payment**

Bidders are advised to indicate their payment terms and conditions.

## **14. Technical Queries**

Technical queries related to this tender should be submitted in writing to [procurement@comesa.int](mailto:procurement@comesa.int) with a copy to [smwesigwa@comesa.int](mailto:smwesigwa@comesa.int)

## **15. Financial Proposal - Standard Bidding Form**

Bidders are advised to use the standard tender Form below as sample format and modify it to cover all relevant costs or charges.

There will be no price variation tender.

Bidders are also advised to disclose any other relevant information on a separate sheet of paper.

**Financial proposal Form**

	AMOUNT IN USD
TOTAL PROFESSIONAL FEE	
OTHER RELEVANT EXPENSES	
VAT AND ALL OTHER TAXES	EXCLUSIVE

**Amount in words:** \_\_\_\_\_

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**Submitted by:**

**Name :** \_\_\_\_\_

**Signature:** \_\_\_\_\_

**Date:** \_\_\_\_\_

END