



TERMS OF REFERENCE FOR

FACILITATION OF THE TRAINING AND WORKSHOP UNDER THE TANZANIA: EI ACCOUNTABILITY AND GOVERNANCE ENHANCEMENT PROJECT

Location: DAR ES SALAAM & DODOMA, Tanzania

Date: TBC

Venue: TBC

1. Background

The Extractive Industries Transparency Initiative (EITI) is the global standard to promote the open and accountable management of oil, gas and mineral resources. Tanzania joined the initiative in February 2009. The country attained a compliant status of the EITI in December 2012, after meeting the transparency standards of the initiative. Since then, Tanzania has published ten (10) TEITI reports covering the period from 1st July 2008 to 30th June 2018. So far TEITI reports indicate Tanzania have received the total amount of US\$ 3.51 billion from mining, oil and gas companies.

To that end, TEITI reports contributes to tremendous public confidence and trust in companies and Government with regards to mining, oil and gas investment operations in the country. The data compiled in the TEITI reports is therefore expected to facilitate public understanding and appreciation of large scale investments in mining, oil and gas industries in the country. Moreover, facilitating public understanding and use of the TEITI reports data should contribute towards reinforcing the informed critical mass of citizens and provide impetus for the public demand for

transparency and accountability from government and extractive companies exploiting the natural resources. Increased public awareness and knowledge of TEITI reports data and information will ultimately result into Tanzania obtaining fair share revenues from natural resources investments.

It is therefore imperative for TEITI to collaborate with lead stakeholders while ensuring the public understand TEITI reports data and information. Improving quality and expanding use of TEITI reports by media remain the priority of TEITI and the means to facilitate their engagement in the initiative.

On the same note, Contract disclosure is also one of the issues that are implemented by EITI implementing countries. This is due to the reasons that it is an essential element of extractive sector good governance. In view of the importance of open and transparent process on contracts, the Tanzania Extractive Initiative Transparency Act, No. 23 of 2015 (TEITA Act, 2015) that came into force in October 2015 mandates the TEITI Committee (Multi- Stakeholders Group-MSG) to cause disclosure of Mining, Oil and Gas contracts signed prior to coming into operation of the Act.

Section 2.4 of the EITI standards of 2019 requires the disclosure of any contract entered, granted or amended from January 2021. In implementing this requirement TEITI has prepared roadmap for disclosing contract. However, sections 4 and 6 of The Natural Wealth and Contracts (Review and Renegotiation of Unconscionable Terms) Act of 2017 give powers to the national assembly to review any arrangements or agreement made by the Government relating to natural wealth and resource.

The project will also support the implementation of the beneficial ownership requirement. The project will involve capacity building to various stakeholders to implement the beneficial ownership disclosures. Thus, TEITI is aware of the existence of significant gaps in terms of knowledge and understanding on mining, oil and gas related activities. Therefore we are of the view that contract and beneficial ownership disclosure are preceded by awareness campaign such as training and workshops to various stakeholders to explain these complex issues so that to adequately manage the public expectations.

2. Objective of the assignment

In this regard, on behalf of the TEITI MSG Committee with support from the World Bank, the Ministry of Minerals seeks to engage a competent and credible consultant to organize and moderate the training and workshops under the 'Tanzania Extractive Industries Accountability and Governance Enhancement Project. The assignment will involve hiring a firm with the multidisciplinary experts and adequate insurances to carry out a professional work of quality.

Details for the planned training as well as the objective of the each is presented in **table 1**. The table also includes the qualification of the facilitators.

3. Participants

The Training will include officials from government ministries, Local Governments and agencies, Members of Parliaments. TEITI Committee members, TEITI Secretariat staffs, media, representatives from extractive industries and civil societies as well as Development partners.

Details for the planned training as well as the objective of the each is presented in **table 1**. The table also includes the qualification of the facilitators.

S.no	Name of the training	Objective	Qualification of Facilitators
1.	Training to support the capacity of the TEITI secretariat on mining, oil and gas contract negotiation	The training aim at impacting knowledge on how contract are negotiated with objective of Improving monitoring and compliance with contractual obligations there by enabling better monitoring of the implementation of contractual obligation and ensure consistency between contractual obligations and the overall legal framework.	<ul style="list-style-type: none"> i) Minimum academic background of master's degree Law, taxation, Mineral economics, engineering, finance, management, and its equivalent, ii) Experience in oil, gas, minerals contract negotiations iii) Knowledge of issues related to the implementation of the EITI is recommended. iv) Minimum of 10 years' experience in similar training facilitation
2.	Build capacity workshop to media and parliamentarian on extractive sector contract interpretation and the use of EITI data.	TEITI recognition of the critical roles the played by media and parliamentarian in the management of extractive industries especially to hold both government and companies accountable in managing natural resources, makes it mandatory for TEITI to ensure that they understand the roles and responsibility of TEITI. To that end, a training workshop designed to facilitate analysis, understanding and use of TEITI reports data as well as contract interpretation.	<ul style="list-style-type: none"> i) Minimum academic background of master's degree, Experienced and competent in oil, gas, minerals or governance aspects. ii) Knowledge of issues related to the implementation of the EITI is recommended. iii) Minimum of 10 years' experience in similar training facilitation

S.no	Name of the training	Objective	Qualification of Facilitators
3.	Capacity building workshop to government agencies and other stakeholders responsible for providing technical support on beneficial ownership and contract disclosure	<p>This capacity building Training workshop on beneficial ownership and Mining, oil and gas contract disclosure seeks to:</p> <p>a) Increase understanding of what beneficial ownership information is and how it is a crucial tool in the extractives sector for identifying conflicts of interest, fighting corruption and reducing tax evasion.</p> <p>b) Improve knowledge of best practice in pursuing disclosure of beneficial ownership information. E.g. how certain definitions give companies and their owners space to hide in or grounds for arguing—credibly or not—that disclosure requirements do not apply to them.</p>	<p>i) Minimum academic background of Master's Degree, knowledgeable and competent in oil, gas, minerals or governance aspects.</p> <p>ii) Experience in assignments relating to the implementation of the EITI is desired.</p> <p>iii) Minimum of 10 years' experience in similar training facilitation</p>

S.no	Name of the training	Objective	Qualification of Facilitators
		<p>c) Improve knowledge of the best practice in pursuing disclosure of Mining, Oil and gas contracts</p> <p>d) Provide opportunity for TEITI and relevant government stakeholders to discuss the status of the beneficial ownership and contracts disclosure process in Tanzania and the next step to comply with the 2019 EITI Standard</p>	
4.	<p>Roundtable workshop events between the private sector and government on best practices for local beneficiation in the extractive sector</p>	<p>This workshop is designed to facilitate discussion on the best practice that can be used to increase understanding of extractive sector revenues, support to CSOs and local officials to assess CSR contributions, local content, and social investments by companies in communities. The roundtable events will serve the purpose of helping the various actors to understand each stakeholder's rights and responsibilities. It is expected that the</p>	<p>i) Minimum academic background of Master's Degree, knowledgeable and competent in oil, gas, minerals or governance aspects.</p> <p>ii) Experience in assignments relating to the implementation of the EITI is recommended.</p> <p>iii) Minimum of 10 years' experience in similar training facilitation</p>

S.no	Name of the training	Objective	Qualification of Facilitators
		workshop will help to address current public concerns about the sharing of benefits from the extractive sector.	
5.	Workshop on lessons learned from validation and to define a work plan for the implementation of unmet validation corrective actions.	Since most of the unmet requirement involves engagement of government entities and other stakeholders, TEITI plans to carry out Workshop on lessons learned from validation and to define a work plan for the implementation of unmet validation corrective actions aimed to address corrective actions and Validator's recommendations emerging from the validation exercise. This aims at supporting compliance with validation requirements and build capacity of Tanzania to comply with the 2019 standard.	Minimum academic background of Master's Degree, knowledgeable and competent in oil, gas, minerals or governance aspects. Experience in assignments relating to the implementation of the EITI is recommended. Minimum of 10 years' experience in similar training facilitation

4. Training Workshop Methodology

The training workshop methodology will involve topical papers presentations and expert facilitation, questions and answers, interactive discussions, group and plenary discussions.

The TEITI Acting National Coordination will be the focal point who will be the consultant's interlocutor.

- The Consultant must implement a participatory approach by considering the needs of all institutions involved in the Tanzanian extractive sector.
- The Consultant will inform the TEITI secretariat and the Ministry of Minerals of the logistical means necessary for the performance of the mission.
- The focal point as well as all the key extractive sector entities and other concerned institutions will make available to the Consultant all the documentation and information available to enable the implementation of the training mission. The consultant will be responsible for organizing meetings with stakeholders when needed.
- The Consultant will be responsible for collecting all information in the public domain needed for the mission.
- The Consultant will produce all reports and other documents in English and, when necessary, in Swahili.

5. Duration and deliverables

The training should be conducted and concluded within 90 days. The firm is expected to deliver training concept note, agenda and invitation, training manuals, training assessment report including ongoing training strategy as well as recording of the events. The time frames and deliverables to be provided is as detailed in the table below:

Signing of Contract	(Estimate) 20 th October 2021
Concept Note	within one week of contract signature
Issuing of Agenda and Invitation	Within one week of approval of concept Note
Issuing of training manuals and training assessment report	Within one week of issuing agenda and invitation
Recording of the events	Within one week of carrying out training
Submission of the training reports	Within two weeks of conclusion of all training to be conducted

6. Competencies and profile

The Consulting Firm will be made up of a team of professionals with multidisciplinary skills. The selected Consultant (Firm or Consortium) will be headed by a team leader, and professionals with skills and experience in different fields.

The Consultant must be internationally recognized and have carried out similar missions in other countries. The references of past similar missions will be a key element of evaluation in the selection of the firm. Experience in institutional capacity building and training in the extractive sector in developing countries would be an asset.

- i) Have carried out at least two (2) similar missions for organizations / companies / structures of international scope over the last four years (specify references);
- ii) Have experience in advisory functions to institutions;
- iii) Have proven experience in the satisfactory implementation of at least one advisory mission to governments, capacity building of senior officials;

iv) Have a good knowledge of the economic environment of Tanzania and the political and institutional context;

v) Have at least ten (10) years of professional experience in the extractive sector (oil, gas and mining), with significant experience in large companies;

vi) Have been involved in managerial positions in the design or implementation of projects in the extractive sector.

The skills required in general for the firm are as follows:

- Recognized expertise in institutional diagnosis and organizational audit;
- Proven experience in defining organizational strategies and managing change;
- Solid experience in the development and implementation of training plans;
- Excellent knowledge and mastery of the capacity building methodology;
- Good knowledge, experience and mastery of development issues, socio-political, economic and cultural context of Tanzania would be an asset;
- Excellent expert presentation and writing skills in English, good knowledge of Swahili.

7. General conditions

- Deliverables will be produced in English, based on the audience some training should be provided in Swahili so the firm's staff should include at least one individual fluent in English and Swahili.
- The key members of the Consulting Firm will remain available for the duration of the contract. Any change of personnel will require the approval of the Tanzanian authorities, in particular the Ministry of Minerals.
- The Consultant will prepare an initial report during the scoping phase.
- The Consultant will present progress reports (including updates on key tasks, progress of key activities, issues of interest and areas of concern) based on a template developed with recipient organizations.
- All the deliverables will also be transmitted in digital version to the TEITI Secretariat, for review and validation.

- The Consultant's recommendations will comply with the safeguard policies of the World Bank.

8. Conflicts of Interest

The Consultant is required to report any real, apparent or potential conflict of interest resulting from other assignments or from previous participation in similar assignments.