



REQUEST FOR EXPRESSION OF INTEREST (CONSULTANCY) DEVELOPMENT OF SNAPSHOTS ON TRIPS-FLEXIBILITIES IN THE SOUTHERN AFRICAN DEVELOPMENT COMMUNITY (SADC)

1. Background and Context

- 1.1 The Southern African Development Community Parliamentary Forum (SADC PF), the AIDS and Rights Alliance for Southern Africa (ARASA) and the Southern African Regional Programme on Access to Medicines and Diagnostics (SAPAM) are collaborating to promote access to medicines in the SADC region through the use of available World Trade Organizations' (WTO) Trade Related Intellectual Property Rights (TRIPS) flexibilities. The institution of Parliament is identified as an important role player in bringing its legislative and oversight function to bear in this regard.
- 1.2 The parties are collaborating in a three-year Aids Fonds funded programme which is striving for the elimination of obstacles to generic competition of medicines caused by intellectual property (IP) -related barriers. The programme specifically focuses in the following countries: Botswana, Mauritius and Zimbabwe. The ultimate outcome will be to promote improved access to TB, MDR and XDR-TB, Hepatitis C and HIV treatment, by addressing IP barriers.
- 1.3 The output (Snapshot report) is aimed at Members of Parliament (MPs) including the relevant portfolio Committees of trade and commerce, parliamentary officers and researchers, relevant government ministries and agencies, trade experts and interested parties, civil society organisations (CSOs) and the broader access movements.

2. The Consultancy and Deliverables

- 2.1 The SADC PF as the contracting party therefore seeks the services of a suitable consultant to develop, layout and design in-country Snapshots/profiles focused on the use and non-use of the TRIPS flexibilities;
- 2.2 Using secondary sources and accessible in-country data on Intellectual Property Patent/TRIPS legislations, the consultant is required to develop a brief/snapshot (about two pages) on each of the fifteen (15) SADC Member States;
- 2.3 The snapshot on each SADC Member State should indicate the status of ratification, domestication and beneficiation from the TRIPS flexibilities if any. The write should ideally highlight any policy development initiatives towards national review and/ or amendment of Patent/TRIPS-legislation and policy(ies);
- 2.4 The snapshots should be in plain language and should include graphics and other illustrative features to ensure greater accessibility even by non-trade readers;
- 2.5 The consultant is requested to professionally layout and design the snapshots.

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3. Required Qualifications, Knowledge and Skills

- 3.1 A degree from a recognized university in trade and or commercial law or trade economics or any other relevant degree.
- 3.2 Minimum 5 years grounded knowledge on national and SADC IP landscape, including some of the underpinning legal, economic and/or political principles underlying SADC operations.
- 3.3 National, regional and international IP laws and practices as well as horizontal knowledge and experience in TRIPs flexibilities.
- 3.4 Five (5) years relevant demonstrable research, analytical and writing experience.
- 3.5 Advance computer skills necessary for layout and design or demonstration of access to such.

4. Support and Facilitation for the Consultancy

In facilitation of the consultancy, the consultant will be provided with:

- 4.1 A synopsis of the work undertaken with SADC Member States in the area of patent legislation/TRIPs flexibilities;
- 4.2 IP/Patent legislation reviews carried in seven(7) SADC countries as well as recommendations thereof;
- 4.3 Any other general information and access to institutions and informants where feasible.

5. Application for the Consultancy

Prospective Consultants should submit **(i)** an expression of Interest in the consultancy clearly indicating the proposed approach, time lines and deliverables at different stages and the costing **(ii)** an abridged Curriculum Vitae (CV) or company profile**(iii)** Copies of qualifications. Where feasible, a letter of recommendation/referral from a previous client should be included.

Expression of Interest to Develop Snapshots on TRIPs flexibilities in SADC should be emailed to: ymungandi@sadcpf.org or delivered to the SADC Forum House in Windhoek:

**Secretary General
SADC Parliamentary Forum
Parliamentary Gardens
Erf 578 Love Street
Private Bag 13361
Windhoek, Namibia**

Any inquiry regarding the expression of interest/consultancy should formally be addressed to **Ms. Yapoka Mungandi**: Director Human Resources and Administration, Tel: +264 61 287 0000 (w) Email: ymungandi@sadcpf.org; info@sadcpf.org

6. Deadlines

- 6.1 The deadline for applying for the consultancy is **Monday, 27th November 2017**
- 6.2 The final Snapshots report is required to be submitted on **22nd December 2017** or any other date as the parties may agree.

7. General

7.1 Preference will be given to consultants from the SADC Region.

7.2 Only shortlisted candidates will be notified.

7.3 SADC PF reserves the right to cancel, postpone or adjust any condition regarding this expression of interest/consultancy.

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