ARISE PLUS LAO PDR
TERMS OF REFERENCE FOR A NATIONAL CONSULTANT (NC) TO SUPPORT THE IMPLEMENTATION OF ATIGA & RELATED AEC BLUEPRINT 2025 MEASURES

Title of assignment: Support for Lao PDR’s implementation of the ASEAN Trade in Goods Agreement (ATIGA) and related AEC Blueprint 2025 commitments
Duty Station: Home based (Lao PDR)
Contract Start Date: 01 May 2020
Contract End Date: 25 September 2020

BACKGROUND

The International Trade Centre (ITC), a joint agency of the World Trade Organization (WTO) and the United Nations (UN), is the only multilateral agency fully dedicated to supporting internationalization of SMEs. ITC’s mission is to foster inclusive and sustainable growth and development through trade and international business development. ITC’s projects and programmes contribute to the global efforts to achieve UN Global Goals for Sustainable Development and Aid for Trade Agenda.

ITC is the implementing agenda for the “Lao PDR Trade-Related Assistance (ARISE Plus – Lao PDR)” project, funded by the European Union (EU). The Ministry of Industry and Commerce (MoIC) is the focal point for the project in Lao PDR.

ARISE Plus – Lao PDR is the national Lao component of the regional ARISE Plus Programme supporting regional economic integration under focal sector 1 of the 2014-2020 Multiannual Indicative Program for Asia. In line with the new European Consensus on Development “Prosperity” chapter and its focus on inclusive and sustainable growth and jobs, it supports the Government of Lao PDR (GoL) to reap the benefits of regional integration in line with multilateral trade frameworks such as the WTO Agreement on Trade Facilitation (TFA). The four-year project contributes to integration of the Lao economy into global production chains through targeted support to both public and private sectors, with a focus on smallholders and SMEs.

The overall objective is to promote inclusive economic growth, increased climate change resilience, mitigate vulnerability (especially due to dependence on a limited number of sectors and markets) and create jobs in Lao PDR.

The specific objectives are to: (i) improve the business environment in targeted sectors with a focus on regional economic integration (ASEAN); and (ii) increase trade and participation in global value-chains in targeted sectors.

Within the scope of this project, the Trade Facilitation and Policy for Business (TFPB) section within the ITC is in charge of trade policy components, both at the private and public sector levels. TFPB aims to strengthen institutional capacities to develop and coordinate design and implementation of coherent domestic regulatory reforms, trade policies and trade negotiations. To achieve the above objectives, TFPB is involved with achieving certain expected results, in particular:

   ER1: Increased regional economic integration by addressing specific constraints in targeted sectors through support for the implementation of measures contained in the ASEAN Trade in Goods Agreement (ATIGA) and other commitments under the ASEAN Economic Community (AEC) Blueprint 2025.
Under ER1, a diagnostic analysis of the current level of implementation of the ATIGA and related AEC Blueprint 2025 commitments in Lao PDR is to be undertaken. The ATIGA comprises several elements to ensure the realization of free flow of goods within ASEAN, including the following: tariff liberalization, removal of non-tariff barriers, rules of origin, trade facilitation, customs, standards and conformance, and sanitary and phytosanitary measures. The diagnostic analysis seeks to understand the gaps in implementing the ATIGA in Lao PDR with the aim to address such gaps identified in potential areas such as non-tariff measures (NTMs), technical barriers to trade and trade facilitation. The analysis is to be complemented with an assessment of products and sectors in which Laos currently falls short of using its potential for intraregional trade, which, in turn, will help prioritize areas where action promises most benefits for regional integration. The target audience for the diagnostic analysis is the MoIC, in particular the Department of Foreign Trade Policy (DFTP), as well as the Department of Import and Export (DIMEX).

Based on the above, the specific support the ITC will undertake under ER1 include the following:

1. ATIGA Gap Analysis (1.1):
   a. A workshop to explain ATIGA and underline the importance of addressing gaps in implementing the ATIGA and related AEC Blueprint 2025 commitments in order to facilitate trade (timing and mode of delivery of the workshop to be decided);
   b. Drafting of gap analysis on implementation of the ATIGA and related AEC Blueprint 2025 commitments;
   c. Public-private dialogue (PPD) to discuss results of updated ATIGA gap analysis;
   d. Finalization of ATIGA gap analysis, taking into account PPD feedback.

2. Executable Roadmap (1.2) for a structured and coordinated implementation of reforms to be defined for each potential sector.

3. Technical assistance provided to reduce the gaps in implementation of the ATIGA and related AEC Blueprint 2025 commitments (under 1.3), focusing on, inter alia:
   a. Support to relevant Ministries to define and support the setting-up of a monitoring system to align with the ATIGA and related AEC Blueprint 2025 commitments; and
   b. Supporting to implement the ATIGA and related AEC Blueprint 2025 Commitments, including through successive Lao PDR’s National Work Plans, and possibly other trade policy related measures promoting Lao PDR’s regional integration.

This ToR covers the tasks that a National Consultant (NC) will undertake in order to begin develop the ATIGA Gap Analysis under the guidance of the International Consultant (IC).

DESCRIPTION OF DUTIES/RESPONSIBILITIES

The NC will work under the direct guidance and overall supervision of the Senior Officer, Business and Trade Policy, TFPB.

The NC is responsible for all submitted documents and must ensure that they are not plagiarized. Any plagiarism, copying or closely reproducing another’s work without crediting the legitimate author, in the documents submitted would result in a refusal of the submitted document.

In close collaboration with the Lao PDR’s Ministry of Industry and Commerce (MoIC), the NC will:

1. Undertake preparation for the mission of the IC
   a. Undertake any research requested by the IC. This can include:
      i. Desk research to ascertain the gaps in implementation of elements set out in the ATIGA and related AEC Blueprint 2025 commitments in Lao PDR;
ii. Identifying lists of organizations to consult, and bibliography of laws, regulations and documents to be requested from relevant stakeholders.

b. Provide inputs to the IC to prepare a draft ‘commitments matrix’ based on the review of the relevant documents

c. Circulate the drafted questionnaire on ATIGA to the identified stakeholders as per the instructions provided by the IC, MoIC and ITC.

2. Provide support to the IC to undertake a workshop and related activities to (i) explain the ATIGA and AEC Blueprint 2025, and (ii) collect information for the updated gap analysis.

a. Participate and provide support to the IC to undertake a workshop on ATIGA and related AEC Blueprint 2025 commitments.

b. Provide support to collect information for the gap analysis by meeting with key public and private sector stakeholders. This will include activities such as organizing meetings with stakeholders and recording minutes of every meeting undertaken.

3. Provide support to the IC to draft the ATIGA gap analysis

a. Provide inputs to the IC, as and when required

b. Collect information to fill the gaps in the research under the guidance of the IC

c. Provide support to circulate the first draft of the report to the MoIC and other stakeholders.

4. Participate in a PPD to discuss the ATIGA gap analysis and undertake additional meetings with stakeholders

The NC will support the IC to present the draft study to public and private sector stakeholders during a public-private dialogue.

In addition, along with the IC, the NC will undertake bilateral meetings with officials and other key stakeholders to collect further information for the gap analysis.

5. Finalize the ATIGA gap analysis

The NC will support the IC to finalize the gap analysis by taking into account the information received during the PPD, bilateral meetings, as well as further feedback from ITC and the MoIC on the latest drafts.

EXPECTED OUTPUTS AND TIMELINES

Activity 1: Preparations for mission to be undertaken with IC

Output 1: Preparatory activities for the mission as directed by the IC, including initial research, developing list of organizations to be consulted, and identifying documents to be requested from relevant stakeholders.

Timeline 1: May 2020

Activity 2: Workshop and Meetings undertaken during mission to Lao PDR
Output 2: Participate in and provide support to IC to undertake workshop and conduct meetings with key public and private sector stakeholders.

Timeline 2: June – July 2020

Activity 3: Support provided to IC to draft ATIGA Gap Analysis

Output 3: Collect information and provide inputs as required by the IC to draft the ATIGA gap analysis and circulate first draft of report to relevant stakeholders

Timeline 3: July – August 2020

Activity 4: PPD and additional meetings undertaken

Output 4: Participate and support presentation of draft study to public and private sector stakeholders during a two day PPD; and together with the IC, undertake bilateral meetings with officials and other key stakeholders for the gap analysis.

Timeline 4: August – September 2020

Activity 5: Support provided to IC to finalize the ATIGA Gap Analysis

Output 5: Provide support as requested by the IC to finalize the ATIGA gap analysis.

Timeline 5: September 2020

EXPERIENCE

Skills:
- Solid research and drafting skills;
- Strong communication and presentation skills;
- Capacity and readiness to work with ITC colleagues

Experience:
- Minimum 5 years of academic and practical experience in research.

Education:
- Advanced degree (MA/MSc or Other) in international trade, law, economics or international relations.

Language:
- The consultant is required to have excellent communication and drafting capacities in English and Lao language.