



REQUEST FOR EXPRESSION OF INTEREST

From : 25th /05/2023 to 30th /06/2023

Client : ECOWAS Regional Competition Authority (ERCA)

Type : Expression of Interest (EOI)

TITLE : *Recruitment of Members of the ECOWAS Regional Competition Authority Council*

Reference No. N° ECW/ERCA-/ADM/ 003 /25/05/23) kn

ECOWAS Commission intends to recruit the Members of the ECOWAS Regional Competition Authority Council.

I. BACKGROUND AND RATIONALE

The ECOWAS Competition Framework was adopted in 2008 through two (2) Supplementary Acts: Supplementary Act A/SA.01/12/08 adopting the Community Competition Rules and its application modalities, the Supplementary Act A/SA.02/12/08 on the establishment, powers and functioning of the ECOWAS Regional Competition Authority (ERCA) which was officially inaugurated on 12th June 2018 and whose activities have effectively started in January 2019.

These two founding texts were amended and/or supplemented by new texts adopted in December 2021 by the ECOWAS decision-making bodies (Council of Ministers and Conference of Heads of State and Government).

In this regard, *Additional Act A/SA/3/12/21 amending Additional Act A/SA.2/12/08 on the establishment, powers and functioning of the ECOWAS Regional Competition Authority institutes the ERCA Council*. The two entities constituting ERCA are the Council and the Executive Directorate.

The Council which is Comprise of ten (10) members, is the body mandated to take decisions in matters of competition within the regional market. Its composition, powers and functions are defined by Regulation C/REG/12/21 and by the Manual of Procedure of the ERCA Council. The ERCA Executive office of ERCA has been operational since January 2019 and has over the years carried out several activities including statutory meetings of ECOWAS Council of Trade Ministers, sensitization missions on the work of ERCA to member states, capacity building workshops, Market studies with the support of partners, technical review meetings etc. However, the Council has not yet been established which is posing a challenge to the full operationalisation and the realisation of the mandate of the authority. This call for expressions of interest is therefore intended to remedy this and thus completing the requisite institutional framework of the full fledge functionality of the Authority.



II. OBJECTIVE OF THE CALL FOR APPLICATIONS

The purpose of this call for expression of interests is to enable the ECOWAS Commission to recruit the ten (10) members of the ERCA Council.

III. PURPOSE AND SCOPE OF THE ERCA COUNCIL'S MISSION

3.1. *Composition of the ERCA Council*

The ERCA Council must be an independent, multi-disciplinary entity. The ERCA Council has ten (10) seats, including a chairperson, and must to the extent possible, reflect gender balance and the geographic spread of the member states of ECOWAS.

3.2. *Roles and responsibilities of the ERCA Council*

The Council is ERCA's decision-making body.

ERCA Council Members must fulfil certain responsibilities and participate effectively and actively in the various activities of the ERCA Council including (but not limited to):

- i. receiving, reviewing and making appropriate decisions on investigations initiated by the ERCA Executive Directorate;
- ii. reviewing requests for directives, sanctions and compensation submitted to it by the Executive Director;
- iii. instructing, if the Council deems it necessary, the conduct of studies or the provision of additional information to the Council;
- iv. preparing for and participating in meetings of the ERCA Council;
- v. participating in any other relevant activity of ERCA.

3.4. *Mandate of ERCA Council Members*

ERCA Council members are appointed on a part-time basis for a four (4) year term, renewable only once.

3.5. *ERCA Council Meetings*

The Council shall meet at least four times a year and whenever necessary to decide on matters referred to it by the ERCA Executive Directorate.

The Council shall meet at the time and place specified by the ERCA Executive Directorate in consultation with the Chairperson of the Council to fulfil its duties under Article 1 of Regulation C/Reg.21/12/21 on the powers and composition of the ERCA Council.



If circumstances so require, meetings of the ERCA Council may be held by videoconference.

The modalities for convening ERCA Council meetings are provided in the Council's Manual of Procedures.

IV. REMUNERATION AND EXPENDITURE POLICY

ERCA Council Members (including the Chairperson) shall be assigned to the activities of the Council on a part-time basis. As such, they do not enjoy the status of staff members of ECOWAS institutions or Agencies.

The ERCA Executive Directorate shall ensure that adequate resources are available to cover the costs associated with the participation of ERCA Council Members in the meetings and activities of the Council.

ERCA Council Members shall also be provided with sessional allowances in accordance with the policy of ECOWAS institutions and Agencies.

Travel expenses shall be based on the travel and mission policy of ECOWAS institutions and Agencies.

V. PROFILE OF COMPETENCE, EXPERIENCE AND SKILLS

5.1. General Requirements

ERCA Council members must be nationals of ECOWAS Member state.

An ERCA Council member, including the Chairman, must be an independent expert, i.e. he/she must be free from any direct or indirect financial, commercial, professional, political or other relationship or interest that may affect the quality of his/her decisions. He/she must not be a government employee or an employee of a government agency.

5.2. Academic Qualifications and Experience of Council Members

- A master's degree in Competition law and policy, Economics, Regional and International trade, Commercial Law, Finance, Accounting, Business Management or similar field from a recognised University.
- Twelve (12) years proven professional experience in international/regional trade, particularly in the preparation and drafting of texts, trade negotiations and facilitation, international /regional trade agreements, licenses and terms of reference, award of contracts, etc.;
- Five (5) years' experience in team management, preferably in a supervisory capacity, within an international organization, national trade, competition or regulatory body;
- Experience in a management position, preferably in a regulatory body;



- Knowledge of Trade and competition policy issues, in particular competition authority sector institutional reforms, as well as legal issues related to cross-border trade;
- Knowledge of political matters in West Africa and of the political mechanisms of the African Union, the United Nations, the European Union, etc.;
- Experience in International Relations and Negotiations will be an added advantage;
- Proficiency in two or more ECOWAS official languages will be an added advantage;

5.3 Age Limit

The ERCA Council member must not be over **67 years** of age at the time of appointment.

5.4 Additional skills competencies

The ERCA Council member must have:

- A high level of Professionalism, integrity and ethics;
- Understand the legal, strategic, economic and political issues related to competition activities;
- Commit to investing the necessary time in ERCA activities, including committing the necessary time to familiarize himself/herself with the files submitted to the Council;
- The ability to appreciate the impact of ERCA issues, policies and decisions and to influence the orientation of the Council's work;
- Sound judgment and an analytical mind to understand complex situations or problems, to consider the views of various stakeholders in an unbiased manner, to provide sound advice and to participate actively in the work of the Council;
- A team spirit that allows him/her to work for the advancement of the Council's agenda and be supportive of the Council's positions;
- communication skills that enable him/her to express his/her ideas clearly within the Council and facilitate dialogue and the exchange of information among members;
- open-mindedness, objectivity and a sense of teamwork;
- have a good knowledge of and a keen interest in regional integration;
- must not engage in any activity that places him/her in a conflict-of-interest situation while serving as a member of ERCA Council.

5.5 Expressions of Interest (1 original and 3 copies) can be delivered in sealed envelopes and clearly marked “**RECRUITMENT OF MEMBERS OF THE ECOWAS REGIONAL COMPETITION AUTHORITY COUNCIL.**”, Do not open except in the presence of the Evaluation Committee” to the



ECOWAS REGIONAL COMPETITION AUTHORITY
AUTORITÉ RÉGIONALE DE LA CONCURRENCE DE LA CEDEAO
AUTORIDADE RÉGIONAL DA CONCORRÊNCIA DA CEDEAO

Bertil Harding, KSMD,
Bijilo, The Gambia
P.O Box 4470
+2202330006/3486966
info@erca-arcc.org

address below latest by **June 30, 2023 at 11.00 am (GMT), The Gambia Time.**

The Ecowas Regional Competitive Authority (ERCA) whose address is at Bertil Harding, KSMD, Bijilo, The Gambia P.O Box 4470 Tel :+2202330006/3486966.

Please note that electronic submissions are also accepted and shall be addressed to:
knkuako@ecowas.int / itambajang@ecowas.int / ggoorebi@ecowas.int

This EOI is also published on the ERCA and the ECOWAS websites info@erca-arcc.org and <http://www.ecowas.int/doing-business-in-ecowas/ecowasprocurement>

Executive Director, ECOWAS Regional Competition Authority (ERCA)

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