

Terms of reference (ToR) for the procurement of services below the EU threshold

CONFIDENTIAL

**IDENTIFICATION OF BEST PRACTICES IN CONSUMER
PROTECTION AND DEVELOPMENT OF A REGIONAL DIGITAL
TRADE TRUST MECHANISM FRAMEWORK FOR THE EAST
AFRICAN COMMUNITY**

**Project number/
cost centre:
WBS / Cost centre:
G-011659-010
Tender number**

0.	List of abbreviations	2
1.	Context.....	3
2.	Tasks to be performed by the contractor	3
3.	Concept.....	6
	Technical-methodological concept	6
	Project management of the contractor (1.6)	6
	Further requirements (1.7).....	7
4.	Personnel concept.....	7
	Team leader.....	7
	Key expert 1	8
	Key expert 2.....	8
	Key expert 3.....	9
	Short-term expert pool with minimum 2, maximum 5 members	10
5.	Costing requirements	11
	Assignment of personnel and travel expenses	11
	Sustainability aspects for travel	11
	Workshops, events and trainings.....	12
6.	Inputs of GIZ or other actors.....	13
7.	Requirements on the format of the tender	13
8.	Outsourced processing of personal data	13

0. List of abbreviations

AfCFTA	African Continental Free Trade Area
AG	Commissioning party
AN	Contractor
AVB	General Terms and Conditions of Contract for supplying services and work
BMZ	Federal Ministry for Economic Cooperation and Development
EAC	East African Community
EU	European Union
DEEP	Digital Economy, E-Commerce, E-Payment, and Public E-Services
FK	Expert
FKT	Expert days
GIZ	Deutsche Gesellschaft für Internationale Zusammenarbeit
KZFK	Short-term expert
SMEs	Small and medium-sized enterprises
ToRs	Terms of reference

1. Context

The East African Community (EAC) is advancing toward deeper regional economic integration, including the development of a unified digital market. Digital trade, particularly e-commerce, is a key driver of this transformation. However, trust remains a critical barrier to the adoption and growth of digital trade across the region. Challenges that undermine trust in digital transactions include: Low confidence in digital channels among consumers, retailers, and service providers due to limited cultural adaptation and unfamiliarity with digital processes; Reduced trust in e-commerce due to inadequate legal frameworks and limited consumer protection; and, limited awareness and understanding of cross-border e-commerce, particularly among SMEs, who lack the digital capacity and resources to fully benefit from digital trade.

The Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ), in collaboration with Expertise France (EF) and the Estonian Centre for International Development (EstDev), is implementing the EU-EAC DEEP programme, which focuses on Digital Economy, E-Commerce, E-Payment, and Public E-Services. This programme is supported by several organizations, including the European Union, the Federal Ministry for Economic Cooperation and Development (BMZ), the Ministry of Foreign Affairs of France, and the Ministry of Foreign Affairs of Estonia.

EU-EAC DEEP aims to foster the regional digital market of the East African Community (EAC) through cross-border E-Commerce and interoperable digital payment, support EAC regional digital transformation strategy by cyber-secure implementation for human-centered digital transformation and digital public infrastructure for EAC citizen. The programme contributes to the Team Europe Initiatives “Supporting African economic integration towards the African Continental Free Trade Area (AfCFTA) for eCommerce” and “Digital Economy and Society in Sub-Saharan” to provide comprehensive support for trade and digitalization towards a sustainable setup of an African single digital market with a robust cybersecurity environment.

The primary goal of the programme is to accelerate digital trade and e-governance at continental, regional and bilateral levels within a robust cybersecurity environment in the framework of an African single digital market. In particular, the programme is designed to enable, expand, improve and make more inclusive cross-border digital trade in East Africa.

Against this background, EAC-GIZ is seeking a qualified and experienced consultancy firm to conduct a study on best practices in consumer protection and to develop a regional digital trade trust mechanism for the East African Community. The mechanism will aim to enhance transparency, accountability, digital safety, and dispute resolution, ultimately fostering greater consumer and SME confidence in regional digital trade.

2. Tasks to be performed by the contractor

The contractor is responsible for providing the following services:

- Conduct a Market analysis study on consumer protection frameworks and mechanisms in digital trade from different regions including but not limited to the EU, ASEAN, Americas, SADC and the EAC
- Conduct a comprehensive literature review and comparative analysis of different international digital trade consumer protection models (e.g., EU Digital Services Act, ISO/IEC standards on online trust, information security, and data protection, EU Consumer

Protection Cooperation Regulation, WTO JSI, UN Consumer Protection Guidelines, AfCFTA Digital Trade Protocol etc.)

- Identify and analyse international and regional best practices in building trust in digital trade, including:
 - Certification, accreditation, and Trustmark schemes.
 - Consumer protection in e-commerce.
 - Cross-border data governance and privacy protection.
 - Cybersecurity cooperation and incident response.
 - Digital identity and trust services.
 - Electronic signatures and electronic transferable records.
 - Online dispute resolution and consumer redress mechanisms.
 - Cross-border digital payments.
 - Platform accountability and transparency.
- Evaluate the effectiveness and scalability of each intervention.
- Assess specific consumer protection tools such as trust seals, redress systems, Artificial Intelligence applications, digital ID and certification schemes inter alia that could be adapted for the EAC regional context. Provide pros and cons and level of suitability for the EAC with clear reasons
- Referring to the draft EAC consumer protection regulations, conduct an updated regulatory review of consumer protection landscape across EAC Partner States in relation to digital trade (ecommerce and services)
- Identify gaps between existing regional frameworks and international best practices.
- Analyse current levels of digital trade within the EAC in general and thereafter specifically in relation to trust in digital trade, including issues around fraud, data protection and privacy, consumer rights, products safety, global and regional trade integration, recourse mechanisms and institutional coordination.
- Assess capacity and awareness levels among key stakeholder groups, consumers, SMEs, regulators, and e-commerce platforms on consumer protection rights and responsibility in digital trade
- Conduct structured interviews and consultations with key stakeholders including regional bodies like the EAC Competition Authority, the EAC Business Council, etc.; Ministries of Trade, ICT, and Consumer Affairs in EAC Partner States; National regulatory agencies (e.g., data protection offices, competition authorities); Private sector players (e-commerce platforms, fintechs, SMEs, associations, chambers of commerce, logistics companies, etc.). and academia
- Develop a proposed framework for a trust mechanism including legal and institutional recommendations; redress and dispute resolution procedures and cross-border cooperation and coordination protocols.
- Design indicators for measuring trust and policy effectiveness.
- Propose a conceptual architecture for a digital platform to operationalize the trust mechanism.
- Define functional and technical requirements of the platform.
- Recommend a roadmap for system development, deployment, and maintenance.
- Highlight data governance, interoperability, and security considerations.
- Propose a harmonized regional trust mechanism for digital trade, clearly detailing the reasons for your recommendation, audit and compliance processes, pricing models, and dispute resolution mechanisms to promote transparency, reliability, and accessibility,
- Design a functional framework and platform architecture that can operationalize the trust mechanism across the region,

- Develop a proof of concept (PoC) of the proposed digital platform to demonstrate the technical and operational feasibility of the trust mechanism. The PoC shall illustrate key functionalities, user journeys, data flows, and selected use cases relevant to regional digital trade, and
- Develop an implementation strategy outlining a phased approach from pilot testing to full-scale rollout of the trust mechanism across the region. The strategy should clearly outline the following:
 - Pilot phase design: selection criteria for pilot countries/components, scope, duration, and evaluation metrics.
 - Scaling roadmap: steps for expanding implementation across EAC Partner States, with timelines, milestones, and risk mitigation strategies.
 - Roles and responsibilities: clearly defined institutional roles (regional and national), coordination mechanisms, and stakeholder engagement plans.
 - Capacity and resource requirements: assessment of technical, financial, and human resources needed for each phase.
 - Monitoring and evaluation framework: indicators and tools to track progress, effectiveness, and adaptability throughout rollout.
- Facilitate up to 3 physical validation workshops for the i) Presentation of the study findings and proposed digital trade trust mechanism framework during the inception workshop and ii) Presentation of the draft digital trade trust mechanism framework, draft implementation strategy and the digital platform blueprint.
- The contractor is responsible for selecting, preparing, training and steering the international and national, short and long-term experts assigned to perform the advisory tasks.
- The contractor reports regularly to GIZ in accordance with the current AVB of the Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH.

In addition to the reports required by GIZ in accordance with the AVB, the contractor submits the following deliverables:

- Inception report
- Assessment report – with global benchmarking report, EAC situational analysis and stakeholders' engagement summary
- Regional digital trade trust mechanism framework – with policy, institutional, legal, and operational components.
- Implementation strategy
- Digital platform blueprint – architecture, features, and implementation roadmap.
- Final comprehensive report

Certain milestones, as laid out in the table below, are to be achieved during the contract term:

Milestones/process steps/partial services	Deadline/place/person responsible
Inception report	Within 2 weeks of contract signing
Draft findings/assessment report	Within 6 weeks after approval of the inception report
Stakeholders' inception workshop	2 weeks after submission of the draft findings

Implementation strategy and digital platform blueprint for the regional digital trade trust mechanism	6 weeks after inception workshop
Final report	4 weeks after validation workshop

Period of assignment: from 3rd September 2026 until 31st August 2027.

3. Concept

In the tender, the tenderer is required to show *how* the objectives defined in Chapter 2 (Tasks to be performed) are to be achieved, if applicable under consideration of further method-related requirements (technical-methodological concept). In addition, the tenderer must describe the project management system for service provision.

Note: The numbers in parentheses correspond to the lines of the technical assessment grid.

Technical-methodological concept

Strategy (1.1): The tenderer is required to consider the tasks to be performed with reference to the objectives of the services put out to tender (see Chapter 1 Context) (1.1.1). Following this, the tenderer presents and justifies the explicit strategy with which it intends to provide the services for which it is responsible (see Chapter 2 Tasks to be performed) (1.1.2).

The tenderer is required to present the actors relevant for the services for which it is responsible and describe the **cooperation (1.2)** with them.

The tenderer is required to present and explain its approach to **steering** the measures with the project partners (1.3.1) and its contribution to the **results-based monitoring system** (1.3.2).

The tenderer is required to describe the key **processes** for the services for which it is responsible and create an **operational plan** or schedule (1.4.1) that describes how the services according to Chapter 2 (Tasks to be performed by the contractor) are to be provided. In particular, the tenderer is required to describe the necessary work steps and, if applicable, take account of the milestones and **contributions** of other actors (partner contributions) in accordance with Chapter 2 (Tasks to be performed) (1.4.2).

The tenderer is required to describe its contribution to knowledge management for the partner (1.5.1) and GIZ and to promote scaling-up effects (1.5.2) under **learning and innovation**.

Project management of the contractor (1.6)

The tenderer is required to explain its approach for coordination with the GIZ project. In particular, the project management requirements specified in Chapter 2 (Tasks to be performed by the contractor) must be explained in detail.

The tenderer is required to draw up a **personnel assignment plan** with explanatory notes that lists all the experts proposed in the tender; the plan includes information on assignment dates (duration and expert days) and locations of the individual members of the team complete with the allocation of work steps as set out in the schedule.

The tenderer is required to describe its backstopping concept. The following services are part of the standard backstopping package, which (like ancillary personnel costs) must be factored

into the fee schedules of the staff listed in the tender in accordance with Section 3.1 of the GIZ AVB:

- Service-delivery control
- Managing adaptations to changing conditions
- Ensuring the flow of information between the tenderer and GIZ
- Assuming personnel responsibility for the contractor's experts
- Process-oriented steering for implementation of the commission
- Securing the administrative conclusion of the project

Further requirements (1.7)

The tenderer will incorporate a gender sensitive approach when carrying out this assignment by ensuring that for example women are adequately represented when carrying out interviews and their needs are incorporated in the proposed trust mechanism and system design.

4. Personnel concept

The tenderer is required to provide personnel who are suited to filling the positions described, on the basis of their CVs (see Chapter 7), the range of tasks involved and the required qualifications.

The below specified qualifications represent the requirements to reach the maximum number of points in the technical assessment.

Team leader

Tasks of the team leader

- Overall responsibility for the advisory packages of the contractor (quality and deadlines)
- Coordinating and ensuring communication with GIZ, partners and others involved in the project
- Personnel management, in particular identifying the need for short-term assignments within the available budget, as well as planning and steering assignments and supporting local and international short-term experts
- Regular reporting in accordance with deadlines
- Ensure full completion of the assignment

Qualifications of the team leader

- Education/training (2.1.1): university degree (Master) in international Trade, Law, Public Policy, Economics, Digital Economy, ICT, business administration or a related field
- Language (2.1.2): should be Fluent in English , the knowledge of French and / or Kiswahili is an added advantage
- General professional experience (2.1.3): 12 years of professional experience in the Trade sector
- Specific professional experience (2.1.4): 6 years in digital trade, consumer protection or the digital economy
- Leadership/management experience (2.1.5): 5 years of management/leadership experience as project team leader or manager in a company or multiagency project

- Regional experience (2.1.6): 6 years of experience in projects in regional blocs e.g. EAC/ASEAN/ECOWAS (region), of which 5 years in projects in EAC (50% of the points each)
- Development cooperation (DC) experience (2.1.7): 4 years of experience in DC projects

Key expert 1

Tasks of key expert 1: eCommerce trust/Consumer protection expert

- Responsible for all aspects related to consumer protection in this assignment
- Ensure accurateness of the information and technical quality control
- Work closely with the team leader in coordinating other aspects of this assignment
- Fulfil the relevant tasks in Chapter 2.

Qualifications of key expert 1

- Education/training (2.2.1): master's degree in law, Online consumer protection, Public Policy, Regulatory Affairs, International Trade Law, or a related field.
- Language (2.2.2) should be fluent in English, the knowledge of French and / or Kiswahili is an added advantage
- General professional experience (2.2.3): 10 years of professional experience in public policy, digital trade, consumer protection policy, regulation, or advocacy
- Specific professional experience (2.2.4): 8 years of experience in ecommerce trust, consumer protection mechanisms or digital trust
- Regional experience (2.2.6): 3 years' experience working with regional economic communities (e.g., EAC, COMESA, ECOWAS)
- Development Cooperation (DC) experience (2.2.7): 2 years' experience working with international organizations such as UNCTAD, OECD, WTO on consumer protection or digital economy initiatives
- Other (2.2.8): Having worked on an assignment involving online consumer trust issues and redress mechanisms.

Key expert 2

Tasks of key expert 2: eCommerce/Digital economy expert

- Advises the team leader on findings and incorporation of ecommerce trust in the assignment
- Assess online market dynamics, digital transaction trends, and trust-building mechanisms in e-commerce ecosystems.
- Ensure accurateness of the information and technical quality control in relation to ecommerce
- Work closely with the team leader in coordinating other aspects of this assignment
- Fulfil the relevant tasks in Chapter 2.

Qualifications of key expert 2

- Education/training (2.3.1): A master's degree in law, Public Policy, ICT, Economics, International Trade Law, or a related field.
- Language (2.3.2): Should be fluent in English, the knowledge of French and / or Kiswahili is an added advantage

- General professional experience (2.3.3): 10 years of professional experience in public policy, digital trade, consumer protection policy, regulation, or advocacy
- Specific professional experience (2.3.4): 8 years of experience in ecommerce trust, Platform governance, digital trust mechanisms, cybersecurity standards, online dispute resolution (ODR).
- Regional experience (2.3.6): 3 years' experience working with regional economic communities (e.g., EAC, COMESA, ECOWAS)
- Development Cooperation (DC) experience (2.3.7): 2 years' experience working with international organizations such as UNCTAD, OECD, WTO on consumer protection or digital economy initiatives
- Other (2.3.8): Having worked on an assignment involving ecommerce trust mechanisms.

Key expert 3

Tasks of key expert 3: ICT Expert

- Lead the design of the overall system architecture, including backend infrastructure, databases, APIs, and integration layers.
- Translate functional requirements from policy and business experts into technical specifications.
- Develop a proof of concept (PoC) to validate the technical and operational feasibility of the proposed digital trust platform.
- Define core platform features such as registration, verification, certification, data management, audit trails, and reporting.
- Ensure compliance with data protection regulations and best practices across all EAC Partner States.
- Assess technical requirements for regional deployment, including server capacity, hosting options (cloud vs. hybrid), and scalability for future growth.
- Work closely with the team leader in coordinating other aspects of this assignment
- Fulfil the relevant tasks in Chapter 2.

Qualifications of key expert 3

- Education/training (2.4.1): master's degree (or equivalent) in Information and Communication Technology (ICT), Computer Science, Information Systems, Software Engineering, or a related technical field
- Language (2.4.2): should be fluent in English , the knowledge of French and / or Kiswahili is an added advantage
- General professional experience (2.4.3): 10 years of professional experience in ICT systems design, digital platform development, or IT architecture, system architecture, user experience design (UX/UI), and platform scalability planning preferably in the context of digital trade, e-commerce, or
- Specific professional experience (2.4.4): 8 years of experience in design, development, or implementation of trust-related digital solutions, such as trust marks, certification systems, complaint-handling platforms, or secure payment interfaces
- Regional experience (2.4.6): 3 years' experience in integrating digital solutions within regulatory frameworks or public-sector institutions, preferably at regional or national levels.

- Development Cooperation (DC) experience (2.4.7): years' experience working with international organizations such as UNCTAD, OECD, WTO etc. on consumer protection or digital economy initiatives
- Other (2.4.8): Having worked on an assignment involving digital identity, data privacy, trust frameworks, and compliance standards (e.g., ISO/IEC, GDPR)

Soft skills of team members

In addition to their specialist qualifications, the following qualifications are required of team members:

- Team skills
- Initiative
- Communication skills
- Socio-cultural skills
- Efficient, partner- and client-focused working methods
- Interdisciplinary thinking

Short-term expert pool with minimum 2, maximum 5 members

For the technical assessment, an average of the qualifications of all specified members of the expert pool is calculated. Please send a CV for each pool member (see below Chapter 7 Requirements on the format of the bid) for the assessment.

Tasks of the short-term expert pool

- Regional Trade Policy or Integration Specialist to provide context on how regional trade blocs (EU, ASEAN, EAC) shape consumer protection and e-commerce trust policies.
- Market Research Analyst / Economist to leads market research and analysis on consumer trust, behaviour, and regulatory impacts to guide the design and costing of effective digital trust mechanisms.
- Gender and Inclusion Expert to assess whether frameworks address vulnerable or marginalized consumers.
- Monitoring & Evaluation Specialist to design indicators for measuring trust and mechanism effectiveness.

Qualifications of the short-term expert pool

- Education/training (2.6.1): Up to 5 experts with university qualification (bachelor's degree) in M&E, international trade law, Economics, Social sciences, business intelligence, statistics and Gender
- Language (2.6.2): Up to 5 experts and should be fluent in English ,the knowledge of French and / or Kiswahili is an added advantage
- General professional experience (2.6.3): Up to 5 experts with 10 years of professional experience in the M&E, international trade law, IT, system development, and Gender sector
- Specific professional experience (2.6.4): Up to 5 experts with 8 years of professional experience in M&E, international trade law, IT, system development, and Gender in digital trade sector respectively
- Regional experience (2.6.5): Up to 5 experts with 7 years of experience in RECs (region), 5 experts with 5 years of experience in EAC

- Development cooperation (DC) experience (2.6.6): Up to 5 experts with 2 years of experience in DC

The tenderer must provide a clear overview of all proposed short-term experts and their individual qualifications.

5. Costing requirements

Assignment of personnel and travel expenses

Per diem allowances are reimbursed as a lump sum up to the maximum amounts permissible under tax law for each country as set out in the country table in the circular from the German Federal Ministry of Finance on travel expense remuneration (downloadable from the [German Federal Ministry of Finance – tax treatment of travel expenses and allowances for international business travel as of 1 January 2026 \(GERMAN ONLY\)](#)).

Accommodation allowances are reimbursed as detailed in the specification of inputs below.

With special justification, additional Accommodation costs up to a reasonable amount can be reimbursed against evidence.

All business travel must be agreed in advance by the officer responsible for the project

Sustainability aspects for travel

GIZ has undertaken an obligation to reduce greenhouse gas emissions (CO₂ emissions) caused by travel. When preparing your tender, please incorporate options for reducing emissions, such as selecting the lowest-emission booking class (economy) and using means of transport, airlines and flight routes with a higher CO₂ efficiency. For short distances, travel by train (second class) or e-mobility should be the preferred option.

CO₂ emissions caused by air travel must be offset. GIZ specifies a budget for this, through which the carbon offsets can be settled against evidence.

There are many different providers in the market for emissions certificates, and they have different climate impact ambitions. The [Development and Climate Alliance \(German only\)](#) has published a [list of standards \(German only\)](#). GIZ recommends using the standards specified there.

Specification of inputs

Fee days	Number of experts	Number of days per expert	Total	Comments
Designation of TL	1	20	20	
Designation of key experts 1 and 2	2	50	100	
Designation of key expert 3	1	65	65	

Designation of short-term expert pool	5	3	15	
Travel expenses	Quantity	Number per expert	Total	Comments
Fixed travel budget	Against evidence			A budget is earmarked for travel to the following countries: Kenya, Rwanda, Tanzania and Uganda. One or two of these destinations may be subject to change. A fixed budget of USD 27,561.60 is earmarked for settling travel expenses against evidence. This includes travel for all experts including those in the expert pool. You can find further information on the travel expense budget in the 'Price schedule' document. Please use the 'Explanations' column in the price schedule to break down the individual items. Settlement is possible only until the budget is depleted.
Other costs	Number	Price	Total	Comments
Flexible remuneration				A budget of USD 10,335.60 is foreseen for flexible remuneration. Please incorporate this budget into the price schedule. Use of the flexible remuneration item requires prior written approval from GIZ.
Other costs		Against Evidence		The budget of USD 1,722.60 to cover all communication costs related to the assignment. This shall be against evidence

Workshops, events and trainings

The contractor implements up to 3 physical validation workshops that will take place in a selected city within East Africa consisting of the following:

- Presentation of the study findings and proposed digital trade trust mechanism framework during the inception workshop.
- Presentation of the draft digital trade trust mechanism framework, draft implementation strategy and the digital platform blueprint.

- Presentation of final trust mechanism framework and report

The contractor will be responsible for:

- Mapping out the relevant stakeholders
- Coordinating with GIZ to ensure the necessary logistics for venue are in order.
- Sending out invitations and necessary follow ups to confirm participation
- Ensuring the correct documentation is sent out to participants
- Ensuring the participants list is filled out and a copy of the same is retained. GIZ will provide the participants list template to be used
- Printing programs, and handouts for workshop participants

6. Inputs of GIZ or other actors

GIZ and/or other actors are expected to make the following available:

- Cater for any travel related costs for participants
- Cater for conferencing, venue and accommodation costs
- Logistics for workshops mentioned above (including location booking and catering)

7. Requirements on the format of the tender

The structure of the tender must correspond to the structure of the ToR. In particular, the detailed structure of the concept (Chapter 3) should be organised in accordance with the positively weighted criteria in the assessment grid (not with zero). The tender must be legible (font size 11 or larger) and clearly formulated. It must be drawn up in English (language).

The complete tender must not exceed 10 pages (excluding CVs). If one of the maximum page lengths is exceeded, the content appearing after the cut-off point will not be included in the assessment. External content (e.g. links to websites) will also not be considered.

The CVs of the personnel proposed in accordance with Chapter 4 of the ToRs must be submitted using the format specified in the terms and conditions for application. The CVs shall not exceed 4 pages each. They must clearly show the position and job the proposed person held in the reference project and for how long. The CVs can also be submitted in English (language).

Please calculate your financial tender based exactly on the parameters specified in Chapter 5 Quantitative requirements. The contractor is not contractually entitled to use up the days, trips, workshops or budgets in full. The number of days, trips and workshops and the budgets will be contractually agreed as maximum limits. The specifications for pricing are defined in the price schedule.

8. Outsourced processing of personal data

When the GIZ hires a contractor to develop or upgrade a data processing system (platform, website, app etc.) on behalf of a local partner, who determines the purposes and means of the data processing activity, the GIZ does not bear ANY responsibility for such processing. Although the GIZ builds such systems in conformity with the highest data protection standards, however, its responsibilities end with the handing over of the systems to the partner. As a data controller, the partner must ALONE comply with all local and regional laws applicable to such

processing (including the GDPR, where applicable). Consequently, the data protection principles such as lawfulness, data minimization, accuracy, purpose limitation, storage limitation, transparency, integrity and confidentiality, and accountability, as well as the numerous rights of the data subject should be paid due attention. We equally recommend the partner to conclude data protection agreements with the hosting service provider(s) and the maintenance service provider(s), where applicable. The GIZ would be available to support the partner whenever need arises.