



TERMS OF REFERENCE

African Union - IBAR

REQUEST FOR CONSULTANCY

BY THE

INTERAFRICAN BUREAU FOR ANIMAL RESOURCES

FOR THE

Procurement of Consultancy Services for the Fisheries Governance Project

PROCUREMENT N°01/AU-IBAR/61/0917/001

2017

CONSULTANCY

‘Evaluation of the Status of implementation of and Review of Regional Plan of Action for Preventing, Deterring and Eliminating Illegal, Unreported and Unregulated (IUU) fishing in Fisheries Committee for the West Central Gulf of Guinea (FCWC) member countries towards formulating a realistic Regional IUU Plan’

1. Background

West Africa is endowed with abundant fisheries resources, which provide food and nutritional security, livelihoods to coastal populations, and supports employment for more than three million people. It also provides revenue to governments through royalties and other fees collected from licensing of fishing vessels, industry operations and fisheries access agreements. However, this valuable resource is under threat due to various political, economic and environmental factors. The most serious threat, at national, regional and international levels, remains primarily illegal fishing practices, the increasing incidence of which is contributing to undermining the economic developing of these developing countries, aggravating their poverty and undernourishment of their populations.

In order to combat this phenomenon, the entire international community, launched an initiative on International Plan of Action for combatting IUU Fishing which was adopted in FAO, Rome, Italy 2001, aspects of which advocate strengthening cooperation so as to combat the illegal, unreported and unregulated fishing phenomenon. Under this plan, all Member States were requested to develop and implement plans of action to combat IUU fishing not later than 2004 in accordance with the directives. To date, not all the States have complied with this recommendation, mainly due to institutional weaknesses, particularly in Africa, not least in the FCWC region.

In the African continent, the Pan Africa Policy Framework and reform strategy for fisheries and aquaculture (PFRS), endorsed by Summit of African Heads of States and Government in 2014 similarly underscored regional cooperation on monitoring, control and Surveillance (MCS) as a strategic mechanism for sustainable and effective combat of IUU fishing. In this regards, under the leadership of AU-IBAR, FCWC developed a framework for regional cooperation on MCS. The West Africa, including the six FCWC member states, validated this regional plan framework for MCS for in the West Africa.

The Fisheries Committee for West Central Gulf of Guinea (FCWC) was established by Convention in 2007 between the States of Benin, Côte d'Ivoire, Ghana, Liberia, Nigeria and Togo. These Contracting Parties are committed to cooperate with a view to ensuring that, through appropriate management, the conservation and optimal utilization of the fishery resources within the marine waters under their national jurisdiction will be improved. The

Committee has the responsibility to, inter alia: strengthen sub-regional cooperation in fisheries monitoring, control and surveillance (MCS) and enforcement, including the progressive development of common, harmonized procedures, methodology and practices; enhance cooperation in respect of the relationships with or granting access to distant water fishing countries; and to promote the development of standards for the collection, exchange and reporting of fisheries data.

The countries within the FCWC have very large disparity in terms of natural potentials, material and institutional resources which contributes to the difficulty in devising a regional programme and/or a common strategy among these countries that would ensure effective coordination and clear commitment from the intervention of public and private parties concerned.

However the common thread among these countries is that they are all vulnerable to IUU fishing which has devastating consequences on their fisheries. That makes it necessary for the member countries to develop common strategies to curb the rising incidence of this IUU menace and protect their common heritage in living natural resources of the maritime areas under their jurisdiction.

In the above regard, therefore, the FCWC developed a regional plan of action to combat illegal fishing in 2009 that was financed by the FAO. The 2009 FCWC Regional Plan of Action on IUU fishing (RPOA-IUU) includes provisions for the development of the national and regional MCS systems and also calls for ; cooperation between the FCWC and other states and regional organizations; implementation of port state controls; and strengthening of the FCWC working group on MCS.

Furthermore FCWC has a convention since 2013 on minimum condition on access to territorial waters meant to combat illegal fishing as well as the 2014 FCWC Protocol on the Pooling and Sharing of Information and Data. The protocol on information sharing entails the establishment of a joint database and information system including information and data on MCS, and the creation of a sub-regional register of vessels engaged in fishing including carrier and support service vessels in the FCWC area.

At the 9th Session of the FCWC Conference of Ministers, **Recommendation 6** was made for *Sustainable fisheries resources management*. The FCWC Secretariat was invited to support the Member Countries towards development and implementation of a Regional Fisheries Management Plan, which could facilitate: Harmonization of management measures on shared stocks; Development of law to support the implementation of closed season; Stock assessment at regional level especially for the trans-boundary stocks, Identification of sensitive areas for MPAs (Marine Protected Areas) within the sub region, promotion of integrated approach to monitoring and tracking vessel activities; Exchange and sharing of information and data; Exchange of personnel and expertise in fisheries and Collaboration with regional bodies on MCS strategies to combat IUU fishing.

During this 9th Ministerial Conference held in Monrovia, the Liberian Capital, the FCWC member states requested the African Union, to support the development of Regional

management plan in the FCWC region as well as help in the revision of the FCWC Regional Plan of Action for combating Illegal, Unreported and Unregulated (IUU) Fishing.

AU-IBAR is currently implementing two fisheries projects in the continent with the support of the European Union. The Fisheries Governance project has the overall goal of **'Strengthening Institutional Capacity to Enhance Governance of the Fisheries Sector in Africa'**. The specific objective is to enhance the contribution of fisheries resources to food security and economic growth in Africa. The Fisheries Governance project is being implemented by AU-IBAR in collaboration with NEPAD Planning and Coordinating Agency (NPCA). One of the key components of the **Fisheries Governance Project is to enhance sustainable fisheries management**. The Fish Trade Project whose main objective is to improve food and nutrition security and reduce poverty through intra-regional Fish Trade in Africa, jointly implemented by AU-IBAR, NEPAD and WorldFish.

In consistent with the above, as a follow up to the FCWC Conference of Ministers' recommendation the African Union- IBAR, under the provision of the fisheries governance project, is supporting the FCWC Secretariat and the member countries to evaluate the status of domestication and implementation of the provisions of the FCWC regional plan of action for IUU into their national plans for IUU and to update IUU regional plan for the FCWC region to reformulating a realistic one.

2. Overall Goal of the FCWC Regional MCS Plan

The FCWC recognizes the importance of a regional MCS plan with the goal of achieving harmonized approach and methodology among the six member states to effectively protect marine biodiversity, rebuild the fish stocks and improve the fishery industry to enhance the wellbeing of the marine ecosystem and its dependents.

Specific Objectives of the Regional Plan

The objectives of the Regional MCS plan are to:

1. Ensure that fisheries regulations of member countries are comprehensive enough for the sustainable management of fisheries resources as well as harmonized the fisheries laws across the member states.
2. Safeguard coordinated implementation of fisheries Policy, laws and management measures to protect the fishery resources within the region.
3. Guarantee that the region's fishery resources are exploited at sustainable levels for optimum production of targeted species.
4. Actively involve participatory decision-making in combating fisheries illegal fishing in the sub region.
5. Enhance fisheries contributions to the FCWC member countries development toward export opportunities and strengthening value addition.

Expected Results

A comprehensive assessment of the implementation of the FCWC regional plan adopted in 2009 and strategic regional plan to combat illegal fishing is developed that is implemented by all member states. The following is expected to be the key results of its implementation.

1. Comprehensive and harmonized regulations governing fisheries are enacted and implemented in all the member countries.
2. Fishers comply with regulations on fisheries/fishers reduce violations of fisheries regulations.
3. Fish stock assessment surveys produce better biomass estimates.
4. Fish production is increased.
5. Fishers are aware of and actively participate in issues related to marine conservation
6. Income (local and foreign) of fishers improved

The Present Consultancy:

In view of the above, this advertisement is seeking a suitably consultant to conduct an evaluation of the status of domestication and implementation of the 2009 FCWC regional plan of action for combating IUU as well as review the original plan as may be required by the member states and current developments.

Activities of this consultancy:

1. The consultant would entail review the following documents::
 - Regional Plan of Action aimed at preventing, deterring and eliminating illegal, unreported and unregulated fishing in FCWC member countries
 - 2007 Convention for the establishment of the FCWC
 - 2009 FCWC Regional Plan of Action on IUU fishing (RPOA-IUU) 2013 Convention on minimum condition of access to water of the area of FCWC
 - 2014 FCWC Protocol on the Pooling and Sharing of Information and Data to combat illegal fishing
 - ToRs of the FCWC/West Africa Task force and project report
 - Review the national legal frameworks to assess the legal provisions that each country has. Compile the findings into a report with an introduction to the legislative framework and a table of the possible responses.
 - Review of the validated West African regional plan of action for regional cooperation on MCS developed in Abuja under the facilitation of AU-IBAR
 - Review the policy framework and reform strategy for fisheries and aquaculture in Africa and its Guide
2. Review the FCWC Secretariat and member States initiatives: legal frameworks, structures and equipment to assess if the required actions of FCWC Regional Plan of Action provisions were implemented and make recommendations for changes to ensure compliance to the FCWC requirements. Prepare the findings into a report.

3. **Prepare the findings** into a report on status of domestication and implementation of the 2009 FCWC regional plan of action by the FCWC member states.
4. Develop clear and updated Regional Plan of Action for combatting IUU to address the different gaps noted during the review for coherence with new environmental and other current tools developed both at national, regional and continental levels.
5. Organize regional workshop to endorse finding and adoption of the new regional plan
6. Propose technical and financial provision for the implementation of the new regional plan and methodology of regular assessment of progress made.
7. Prepare final report (French and English)
8. Facilitate endorsement of the plan by FCWC Conference of Ministers

3. Methodology:

The consultancy would mainly entail the following:

Item 1, 3, 4; 6 and 7 Desk consultation

Item 2- visit to FCWC Secretariat and in the six members countries including Nigeria (with Abuja and Lagos).

Item 5: Restitution workshop of two days (tickets, translation, per diem)

Item 8; attendance FCWC 10th conference of Ministers for endorsement of the plan

4. Commencement date and Duration of Assignment

This assignment should be fully implemented within a total period of 25 working days from the day of signing the contract including desktop study and any approved field visits to the AU-MS and relevant institutions. The final report should however be submitted within a maximum period of not exceeding 60 days from date of signature of contract.

5. Qualification and experience

The qualified candidate should have a post-graduate degree in fisheries management, related aquatic disciplines, natural resources policy and development planning or social sciences

General experiences

- At least 7 years experiences in tropical fisheries management and development
- Experience and knowledge in regional and international fisheries issues, regional and global instruments for fisheries management

- Should have demonstrated experience on high level continental initiatives in enhancing fisheries management

Specific experiences

- The successful candidate should have at least 7 years' practical experience and knowledge in the management and development of African fisheries sector and related institutions
- The candidates should have at least 5 experiences in fisheries management and development in West Africa
- The candidates should have demonstrated knowledge and experiences on regional, continental and global instruments or initiatives related to combating IUU fishing
- The candidate should have familiarization and working knowledge of the national and regional institutions in fisheries and aquaculture, including agencies with related mandates
- Proven knowledge on AU languages, IT, relevant publications

8. REPORTS

The Consultant is required to prepare the following Technical Reports in English and French.

8.1 Inception Report

An Inception Report within 5 days of commencing the assignment. The inception report of not more than 15 pages should include the proposed Methodology, the Timeline /Calendar and Programme of Activities, Places to Visit, People to meet and an Outline of the Contents of the Final Technical Report.

8.2 Interim Technical Report

The Interim Technical Report is perceived to be the First Draft of the Final Technical Report and should be submitted within 21 days, before a final clean copy of the final report is formally and officially submitted to and for acceptance by the AU-IBAR and FCWC.

8.3 Final Technical Report

The Final Technical Report should take into account contributions and comments from the relevant AU-MS, AU-IBAR and FCWC Secretariat. The Draft Final Report must be submitted at the end of the Period of Implementation of the Assignment.

8.4 Submission and Approval of Reports

The copies of the Progress Reports referred to above must be submitted to AU-IBAR and FCWC. The progress reports must be written in English and French. AU-IBAR and FCWC are responsible for approving the progress

9. SUBMISSION OF TECHNICAL PROPOSAL

For this Consultancy, the Candidates should submit Technical Proposals Including the following:-

- i) Outline of Methodologies for collecting detailed information as per the tasks assigned to this Consultancy
- ii) A Profile and CVs of the Consultant undertaking the work indicating relevant experience
- iii) Other relevant information showing experience in related field, demonstration of expertise by showing the experience, academic background, an inventory of past and current assignments of similar nature
- iv) Contact addresses (Postal, Email and Telephone) of at least three referees or any other information that may show the consultants ability to carry out the assignment to satisfaction

10. PAYMENT OF CONSULTANTS

The total fees would be US\$ 13500. This includes professional fees of US\$ 7500 for 25 days at US\$300 per day. The travel costs and DSAs to the six FCWC member states (US\$ 6000), including FCWC Secretariat, shall be paid directly from AU-IBAR based on approved itinerary in the inception report.

Budget item	Cost (US\$)
Professional fees	7500
Travel (Ticket and DSA)	6000
Total	US\$ 13500

11. SUBMISSION OF PROPOSALS

Interested Consultants, either as individuals, consortiums or institutions are required to submit their Applications to applications@au-ibar.org with mention

" Evaluation of the implementation of and Review of Regional Plan of Action for aimed at preventing, deterring and eliminating illegal, unreported and unregulated fishing in Fisheries Committee for the West Central Gulf of Guinea (FCWC) member countries"

Applications in Electronic format should reach the undersigned by **03rd October 2017 at 15:00hr (East African Time)** via email. No application will be accepted after the deadline. Interested consultants may obtain further information at the address below from 09:30-16:30 hours from Monday to Friday excluding public holidays.

Clarifications should be addressed to: e-mail: susan.nzau@au-ibar.org