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## SOUTH WEST INDIAN OCEAN FISHERIES PROJECT (SWIOFP)

### REQUEST FOR EXPRESSIONS OF INTEREST (CONSULTANT SERVICES)

#### REGIONAL PROJECT: SOUTH WEST INDIAN OCEAN FISHERIES PROJECT FISHERIES SECTOR CONSULTING SERVICES TF NO.056039. PROJECT ID NO. P072202

#### **Harmonisation of Fisheries Legislations and Assessment of the Implementation of Fisheries Management Plan and Rights Based Management in the South West Indian Ocean range states**

The Government of Kenya has received financing, (on behalf of the Union of Comoros, Republic of Madagascar, Republic of Mauritius, Republic of Mozambique, United Republic of Tanzania, Republic of Seychelles and Republic of South Africa) from the International Bank for Reconstruction and Development (IBRD) acting as an Implementing Agency for the Global Environmental Facility (GEF) (hereinafter called "Grant") toward the cost of *South West Indian Ocean Fisheries Project (SWIOFP)* and intends to apply part of the proceeds for the services of an individual consultant under the Component 6 of the project. The WWF Coastal East Africa Initiative will co-finance this consultancy

***The South West Indian Ocean Fisheries Project and WWF Coastal East Africa Initiative will jointly execute the consultancy.***

The SWIOFP Component 6 (Strengthening Regional and National Fisheries Management) has the objective to support emerging regional fisheries management framework in the SWIOFP and build capacity in regional and national fisheries management bodies.

The AU-IBAR and WWF have been advocating rights-based management approaches to improve the conservations and economic performance of marine fisheries resources in the Western Indian Ocean region, with a focus on shrimp, artisanal fisheries and tuna fisheries with a view to support the Western Ocean Coastal states to develop a common understanding of and exploring the practicability for implementing RBM in the subsector.

The need for effective and ongoing regional cooperation and harmonization among SWIO member countries for the management of the region's living marine resources is considered essential given the close geographic proximity of countries, stock structures and distribution and the possibility of one country undermining regional management efforts if it acts unilaterally or not in concert with other SWIO members countries.



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The Consultancy has four overall outputs:

1. To review and make proposals for the harmonisation of fisheries legislation with respect for the management of shared and/or straddling stocks taking in account the previous work carried by COI, African Union, SADC and the regional management organisations;
2. Review the extent Rights Based Management (RBM) systems have been applied in the South West Indian Ocean together with supporting regulations and practice and how it could be improved, including its incorporation into the legal framework;
3. Review the extent of the development and implementation of fisheries management plans in the SWIO countries;
4. Assess how these links to the implementation of SADC Fisheries Protocol, COI Fisheries Strategy, the SWIOFC, IOTC and FAO Code of Conduct for responsible Fisheries in terms of improving management of fisheries resources.

The SWIOFP now invites eligible consultants to indicate their interest in providing the above services by submitting an Expression of Interest (EOI). The EOI must provide information indicating that the applicant is qualified to perform the services and has in the past been involved in providing such services. The consultant should have an advanced degree in law or related subjects, with good understanding of fisheries management systems, with demonstrable years of relevant experience working in a fisheries legal environment. Work experience in the SWIO region would be an advantage and/or have worked with similar fisheries. Strong report-writing skills are required. The successful consultant may be required to travel to member countries in certain cases in order to liaise with government officials to obtain relevant information although the majority of the work would be desktop. While English is the preferred language for this task, a sound knowledge and understanding of Portuguese and French would be extremely useful as the many documents would be in those languages. The project can assist the consultant to access documentation should it be necessary.

A consultant will be selected in accordance with the procedures set out in the World Bank's *Guidelines: Selection and Employment of Consultants by World Bank Borrowers* (2006 edition). Interested consultants may obtain further information from the SWIOFP website ([www.swiofp.net](http://www.swiofp.net)), or via e-mail to [rmu@swiofp.net](mailto:rmu@swiofp.net)/[rpayet@swiofp.net](mailto:rpayet@swiofp.net).

### Scope of Study

Consulting services are now sought with a view to provide an assessment in the following specific areas:

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1. Review the fisheries regulations of the SWIOFP countries in view of harmonising and promoting shared and/or straddling stock management of fisheries taking into account reviews already carried by other agencies.
2. Propose areas for harmonisation including any related text for consideration by each of the countries. There may be a need to consider MCS (including proposal for harmonising the two MCS processes existing in the WIO region – IOC and SADC), conflict resolution and joint management structures etc.
3. Propose a draft fisheries management legal agreement for shared or straddling fisheries resources in the SWIO range states (bilateral and multilateral options).
4. Review and assess the extent Rights Based Management systems have been applied in the South West Indian Ocean countries, including its practice, level of understanding, and propose options for adoption and including piloting.
5. Review any supporting regulations for RBM in each of the countries and propose areas for harmonisation and improvement, including development of RBM guidelines.
6. Review the extent of development and implementation of national and regional fisheries management plans as well as relevant global instruments (including FAO Plans of Actions, Ecosystem Approach to Fisheries Management) in the SWIO countries. This relates to the numerous management plans prepared e.g. by FAO and have never been implemented. A list of all the management plans (draft or approved plan) incomplete) should be provided with details (funding agency, status, etc.). Assess the reasons why and make recommendations. This should also cover the extent of how EAF approach to fisheries principles has been translated into the fisheries regulations and in the management plans.
7. Assess the linkages and implications to the SADC Fisheries Protocol, COI Fisheries Strategy, the SWIOFC, IOTC and FAO Code of Conduct for Responsible Fisheries for improved regional fisheries management and make recommendations.

The overall output is a report with details of the findings and recommendations. The consultancy is to be completed by July 2012.

The deadline for lodging an EOI is 12.00 (East African Time) hrs on Friday 2<sup>nd</sup> March 2012. Expressions of Interest (EOI) must be lodged by email ([rmu@swiofp.net](mailto:rmu@swiofp.net) and [rpayet@swiofp.net](mailto:rpayet@swiofp.net)) or by courier to Mr Rondolph Payet, Regional Executive Secretary, SWIOFP, Regional Management Unit C/o KMFRI, English Road Mombasa, and P.O. BOX 81651 - 80100 KENYA. Tel: +254208023924, Fax: +254412001133. A copy of the EOI should also be sent to Mr Domingos Gove: [dgove@wwf.panda.org](mailto:dgove@wwf.panda.org).