



FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS
Terms of Reference for Consultant Category B *

Name:			
Job Title**:	National Legal Consultant - GloLitter (name of the country)		
Division/Department:	NFIFO		
Programme/Project Number:	UNJP/GLO/051/IMO; TF.FIAOD.TF6D350020146; GloLitter Partnerships		
Duty Station:	Home based		
Expected Start Date of Assignment:	dd/mm/2022	Duration:	dd/mm/2022 (20 working days)
Reports to:	Name: Jon Lansley Buba Bojang	Title:	Fishery Industry Officer, NFIFO/ Legal Officer, LEGN

* Please note: If this TOR is for Consultant / PSA.SBS contract, the minimum relevant experience required **for the assignment** is as follows:
1 year for a category C; 5 years for a category B; 12 years for COF category A; 15 years PSA or COF category A (World Class Expert);

** Please enter a short title (max 25 chars) for this assignment.

GENERAL DESCRIPTION OF TASK(S) AND OBJECTIVES TO BE ACHIEVE

Background

The Fisheries Technology and Operations Team (NFIFO) of FAO's Fisheries Division has the primary responsibility of promoting and transferring knowledge in the use of appropriate technologies, infrastructure, equipment and practices in marine and inland fisheries.

Against this background, NFIFO manages and implements associated projects, as well as other regular programme and extra-budgetary funded activities contributing to responsible practices for sustainable fisheries by supporting the implementation of relevant FAO instruments such as the Voluntary Guidelines for the Marking of Fishing Gear (2018).

From 2020 until mid-2024, NFIFO is collaborating closely with IMO under the GloLitter Partnerships project. GloLitter will assist developing countries to prevent and reduce marine plastic litter from the maritime transport and fisheries sectors and identify opportunities for the reduction of the use of plastics in both fisheries and maritime transport sectors. IMO is the leading implementing agency and FAO supports and leads activities related to the fishing industry with a particular focus on addressing concerns about Abandoned, Lost and otherwise Discarded Fishing Gear (ALDFG).

Among others, FAO is responsible for the delivery of activities under GloLitter Output 4.1. *Preparing appropriate law including legislative amendments for countries to make gear marking a condition for fishing authorization or license and for gears to be formally associated and identified with a registered fishing vessel.*

Activity 4.1.1 aims to *provide legislative options and/or recommendations and texts of draft law, which incorporates the Voluntary Guidelines on the Marking of Fishing Gear (VGMFG) into national fisheries legal frameworks.* Through this activity, a legislative template for implementation of the Voluntary Guidelines for the Marking of Fishing Gear by

countries and RFBs, and a framework for procedures, will be produced. The results of this activity will be published and disseminated world-wide by FAO.

In tandem with the development of the publication of the framework for procedures and legislative templates produced under Activity 4.1.1, Activity 4.1.2 will be implemented. This activity foresees assistance to 3 GloLitter Lead Partnering Countries (LPCs) with the participatory development of legislative amendments to make gear marking a condition for fishing authorizations or licenses, and to formally associate and identify gears with a registered fishing vessel and/or operator in accordance with the VGMFG. Therefore, a National Legal Consultant for each of the LPCs will contribute to the implementation of Activity 4.1.2.

Description of tasks:

Under the overall guidance of the GloLitter FAO Lead Technical Officer, the technical supervision of the FAO Legal Officer and, in close collaboration with the National Focal Point (NFP) and National Task Force (NTF) of the project, other National, International Legal Consultants and IMO/FAO GloLitter project team, the National Legal Consultant will:

1. Prepare a work-plan on the 4 tasks here below which must be approved by the supervisors prior to implementation.
2. Identify gaps and priorities in relevant national legislation needed to implement fishing gear marking systems as per the VGMFG:
 - a. Using the GloLitter draft guidance document prepared by the International Legal Consultant under project activity 4.1.1, and in consultation with the NFP, NTF and other relevant national authorities, conduct a desk review of relevant legislative and regulatory documents and the development of relevant national laws and regulations.
 - b. Securing the advice and guidelines from the government legal offices and maintenance of close relations and coordination between the government legal offices, the International Legal Consultant and the IMO/FAO GloLitter Project Team regarding the legislative process;
 - c. In consultation with the International Legal Consultant, review the national legislative framework to identify amendments or propose new legal provision as appropriate.
 - d. Liaise with relevant IMO staff/ consultants to ensure coordination and coherence with other GloLitter related activities (GloLitter Project Document Activity 2.1.2 and 2.2.2), as required.
 - e. In consultation with the International Legal consultant, facilitate and contribute to the development of a road-map and timelines to be used by the Government for the drafting of legislation/regulations, submission of drafts to Government for consideration and subsequent validation.
 - f. In close coordination with the International Legal Consultant, present the draft road-map and timelines to FAO/IMO prior to implementation.
 - g. Finalize the work plan and timelines according to feedback/comments provided by FAO/IMO.
3. Draft amendments or new legal text to implement fishing gear marking systems:
 - a. Provide local support to Legal International Consultant, for developing the contents of a capacity-building workshop on the main considerations to be taken into account when drafting fisheries regulatory frameworks to implement fishing gear marking systems.
 - b. Participate in the capacity-building workshop and provide the Legal International Consultant with national experience and support, networking closely with the Fisheries Authority and the national drafting team to ensure that drafting of fishing gear marking regulations is in accordance with national legislative practice.

4. Support the Fisheries Authority with the organization and implementation of a national stakeholder consultation to present the draft regulations on fishing gear marking.
5. Prepare an end of assignment report for clearance by FAO.

In carrying out these assignments, the incumbent shall:

- (i) take into account the guidance provided by NFIFO and LEGN supervisors and experts;
- (ii) take into account national circumstances, including COVID-19 regulations/restrictions if any;
- (iii) take into account national institutional capacities and resources; and
- (iv) work closely with other experts of the GloLitter project.

Upon the conclusion of each task and/or mission the Consultant shall report on the tasks undertaken, the results accomplished, emerging issues that may adversely impact the implementation of the Project and recommendations for follow up.

KEY PERFORMANCE INDICATORS

Expected Outputs:	Required Completion Date:
Completed and submitted work-plan	No later than five (5) working days after start of contract.
Capacity building workshop report	No later than five (5) working days following the end date of the Workshop.
Together with the international legal consultant, draft regulations submitted for LEGN's review	As per agreed work plan.
Road-map for the drafting and submission of drafts for consideration by Government and gazettal of drafted inland fisheries and aquaculture laws or regulations	No more than five (5) working days after the completion of the draft laws or regulations but before the holding of the stakeholder workshop.
Stakeholder consultation report on the validation of draft laws or regulations	No later than five (5) working days following the end date of the consultation.
Final assignment report	Two (2) weeks before the end of contract.