

# INTERNATIONAL MARITIME ORGANIZATION

## TERMS OF REFERENCE FOR THE CONSULTANT (Legal)

### Programme No. XB/0144: GloLitter Partnerships Project

**Activity 2.2.2: Develop national institutional arrangements and draft national regulations with a special emphasis on linking the developed strategies and policies on Sea Based Marine Plastic Litter (SBMPL) reduction to existing national waste management policies and overarching marine litter action plans at national or regional level.**

**WBS Element No. XB/0144-02-02-01-2100.**

### Introduction

1. The GloLitter Partnerships Project (GloLitter) is implemented by the International Maritime Organization (IMO) and the Food and Agriculture Organization of the United Nations (FAO), with initial funding from the Government of Norway via the Norwegian Agency for Development Cooperation (Norad).
2. GloLitter is supporting 30 developing countries in reducing sea-based marine plastic litter (SBMPL) from the maritime transport and fisheries sectors, to reverse the negative environmental impacts of plastic discard and loss. The project strengthens government and port management institutional capacities in addressing marine plastic litter issues (MPL) and supports legal, policy and institutional reforms at the country level.
3. GloLitter is achieving its objectives by focusing on a number of areas identified in the recently adopted IMO Action Plan to address MPL from ships, and in complementary actions as identified by FAO, including supporting the provisions of the Voluntary Guidelines for the Marking of Fishing Gear (VGMFG). The objective of GloLitter is therefore directed towards a sustainable implementation of the international regulatory framework and best practice for significant reduction of SBMPL in the shipping and fisheries sectors.

### Objectives

4. The objective of this Consultancy, as envisaged by Output 2.2 and Activity 2.2.2 of the GloLitter Project Document, is to assist a designated LPC in developing national legislation needed to implement the International Convention for the Prevention of Pollution from Ships (MARPOL) Annex V, London Convention/ London Protocol (LC/LP) and FAO instruments, as necessary.
5. LPCs will be assisted by the Consultant to draft national institutional arrangements and national regulations with a special emphasis on linking the developed strategies and policies on SBMPL reduction to existing national waste management policies and overarching marine litter action plans at national and regional level. The main guiding resources for this activity are the GloLitter Project Document, the GloLitter Guidance Documents/Knowledge Products and Model Legislation for the inclusion of SBMPL into national waste management legislation which has been developed under the project.
6. This is a home-based assignment to be undertaken between **XXX** to 15 December 2022.

### Activities

7. The Consultant, working closely with the LPC National Focal Point (NFP), the National Task Force (NTF), the FAO Staff/Consultant and the GloLitter Project Coordination Unit (PCU), shall:
  1. Activity 1: Identify gaps and priorities in relevant national legislation needed to implement MARPOL Annex V and London Convention/Protocol
    - a. Using the GloLitter Guidance Documents/Knowledge Products and Model Legislation, and in consultation with the NFP, NTF and other relevant national authorities, review

- and confirm gaps and priorities in the national legal framework with a particular emphasis on MARPOL Annex V, LC/LP, FAO instruments and other relevant international instruments, with a view to the incorporation and effective implementation of the above in national waste management legislation.
- b. Liaise with the IMO Lead Consultant (Legal) while identifying the necessary amendments or new legal text in the national legislative framework.
  - c. Liaise with relevant FAO staff/ consultants to ensure coordination and coherence with other GloLitter related activities (GloLitter Project Document Activity 4.1.1 and 4.1.2), as required.
  - d. Develop a work plan and timeline to successfully develop the national legislation.
  - e. Present the draft work plan and timelines to the PCU with a view to seek approval on the content and extent of the legal drafting necessary.
2. Activity 2: Draft amendments or new legal text to implement MARPOL Annex V, London Convention/Protocol and FAO instruments
- a. Following approval by the GloLitter PCU, and in coordination with the NFP draft national regulations with a special emphasis on linking the developed strategies and policies with sea based marine plastic litter particularly with reference to MARPOL Annex V, LC/LP, FAO instruments and other relevant international instruments.
  - b. Liaise with the Lead Consultant (Legal) while developing the national legislation.
  - c. Liaise with relevant FAO staff/ consultants to ensure coordination and coherence with other GloLitter related activities (GloLitter Project Document Activity 4.1.1 and 4.1.2), as required.
  - d. Make any modifications to the draft national legislation as suggested by the GloLitter PCU to develop the final draft legislation.
  - e. Liaise with the Lead Consultant (Legal) while finalizing the national legislation and in any consultations with national authorities (NFP and NTF) to ultimately ensure their approval.
  - f. Forward the final draft legislations to the GloLitter PCU.
3. Activity 3: Reporting and Monthly Updates
- a. Advise IMO/FAO PCU on the implementation progress of the activities within the scope of the Consultant and possible needs for any troubleshooting.
  - b. Liaise with the NFPs and/or National Consultants/Experts on strategic and technical matters and ensure that the feedback and inputs from various stakeholders are properly addressed and integrated, as appropriate, into the deliverables.
  - c. Contribute to the regular updating of the work plan implementation schedule (timeline for implementation) and advise the PCU on any potential issues with regard to the schedule and, if needed, modify the schedule in consultation with IMO and FAO.
  - d. Provide monthly updates on the work progressed.
  - e. If any deliverable is intended for publication, please liaise with the GloLitter PCU and the Publication Team (Copy Editor, Proof reader, Typesetter and Graphic Designer etc.) to ensure any queries are addressed and actioned.
  - f. Draft the Final Report containing the details of the work performed under the contract.
  - g. Considering the comments from the GloLitter PCU on the Draft Final Report, prepare a Final Report. Several iterations of comments may need to occur to finalize the Final Report.

## Reporting

8. IMO should be provided with an electronic copy of the deliverables. The Consultant shall be required to submit the deliverables, approved by the NFP, on the activities above as per the following deadlines to Tamara Barabadze, GloLitter Project Manager, Department of Partnerships and Projects, IMO. The deliverables shall be prepared in English using software compatible with Microsoft Office.

Deliverable	Due date
1. Activity 1: Confirm gaps and priorities in legislative framework and prepare an approved work plan with timelines.	.....2022 (... days)
2. Activity 2: Draft national legislation to implement MARPOL Annex V, LC/LP and FAO instruments.	..... 2022
3. Activity 3: Final Report and Monthly Updates.	15 December 2022

9. The Consultant shall also include in their Final Report recommendations on the identification of potential future candidates for the IMO eRoster of consultants.

REVIEWED BY HRS