

## **TERMS OF REFERENCE**

### **TO DEVELOP A FRAMEWORK FOR ESTABLISHING INNOVATIVE, COST-EFFECTIVE FINANCIAL MECHANISM (FUNDING SYSTEMS) FOR SUSTAINABLE MONITORING, CONTROL, SURVEILLANCE (MCS) AND ENFORCEMENT SYSTEMS FOR CONSERVATION OF AQUATIC BIODIVERSITY AND ENVIRONMENTAL PROTECTION IN SHARED AFRICAN AQUATIC ECOSYSTEMS**

#### **BACKGROUND:**

The Africa Blue Economy Strategy (ABES) was endorsed at the highest political level of the continent. The Strategy incorporates key critical vectors for promoting blue economy development of the continent, including fisheries, aquaculture and ecosystem conservation; shipping, maritime safety and trade; climate change, environmental sustainability and ecotourism; sustainable energy and extractive mineral resources; governance, institutions and job creation.

The objective of the Africa Blue Economy Strategy is to guide the development of an inclusive and sustainable blue economy that becomes a significant contributor to continental transformation and growth, through advancing knowledge on marine and aquatic biotechnology, environmental sustainability, marine ecosystem utilization, management and conservation and carbon sequestration, the growth of an Africa-wide shipping industry, the development of sea, river and lake transport, the management of fishing activities on these aquatic spaces, and the exploitation and beneficiation of deep sea mineral and other marine resources.

The Africa Blue Economy Strategy is consolidated based on the following five thematic areas:

1. Fisheries, aquaculture, conservation and sustainable aquatic ecosystems;
2. Shipping/transportation, trade, ports, maritime security, safety and enforcement;
3. Coastal and maritime tourism, climate change, resilience, marine ecosystem, environment, infrastructure;
4. Sustainable energy and mineral resources and innovative industries; and,
5. Policies, institutional and governance, employment, job creation and poverty eradication, innovative financing.

The African continent is adjacent to highly productive marine ecosystems that include the seven African Large Marine Ecosystems (LMEs) viz., Agulhas Current LME, Benguela Current LME, Guinea Current LME, Canary Current LME, Mediterranean Sea LME, Red Sea LME and Somali Current LME. The seas, oceans, lakes and rivers inhabit significant number of biodiversity and the ecosystems that provide sources of livelihoods, food security and wealth. The African marine ecosystems inhabit living and non-living resources; however, the unsustainable exploitation of these resources is threatening the biodiversity, resources and environmental sustainability. Several factors are threatening aquatic biodiversity and ecosystems in Africa. These include overexploitation of living species, pollution from several sources (land-based municipal and agricultural activities). In addition, dumping of toxic wastes, mining activities, gas exploration, tourism development among others. Consequently, important aquatic resources are becoming increasingly susceptible to both natural and artificial environmental changes. Thus, conservation strategies

to protect and conserve aquatic life are necessary to maintain the balance of nature and support the availability of resources for future generations.

Therefore, AU-IBAR, with support from the Swedish International Development Cooperation Agency (SIDA), is implementing a 3-year project on “Conserving Aquatic Biodiversity in African Blue Economy” whose overall objective is to enhance the policy environment, regulatory frameworks and institutional capacities of AU Member States and Regional Economic Communities to sustainably utilize and conserve aquatic biodiversity and ecosystems. The specific objectives of the project are as follows:

1. Ratify and/or align relevant international/regional instruments related to blue economy themes (with specific reference to protecting and conserving biodiversity);
2. Optimizing conservation and sustainable use of biodiversity while minimizing conflicts among blue economy sub-themes;
3. Strengthening measures for mitigating the negative impacts of coastal and marine tourism, oil, gas, deep sea mining and climate change on aquatic biodiversity and environment; and,
4. Strengthening gender inclusivity in aquatic biodiversity conservation and environmental management.

#### **RATIONALE:**

The IUU (Unreported, Unregulated and Unreported) fishing activities in Africa are of major concerns with regard to sustainability of aquatic biodiversity, that include unauthorized fishing in closed areas/seasons, illegal fishing, fishing with forged and fraudulent licenses or vessel registrations, unreported and misreported catches, fishing Threatened, Endangered and Protected (TEP) species, dumping of toxic wastes, ecosystems and environmental degradation, pollution among others. Africa’s annual share of the global IUU catch has recently been estimated at 4.7 million tons of fish at a conservatively estimated worth value of \$10 billion. Weak governance is a major factor responsible for IUU fishing in coastal states.

Weak MCS systems have contributed to increased incidences of unsustainable practices and reduction in aquatic biodiversity in African large marine ecosystems and inland waters. In most cases the current transboundary MCS systems are weak and require institutional strengthening and capacity development. The issue of sustainability is a key challenge in regional efforts to establish and operationalize regional MCS systems in Africa. Mostly, regional MCS Systems have collapsed or operations not sustained due to unsustainable financial mechanisms in Africa. At national levels, funding from MCS systems are mainly from public sector annual subvention or budget allocation. Various other approaches have been implemented Some AU Member States have tried private sector led MCS systems.

Effective Monitoring, Control and Surveillance (MCS) of human activities is critical for the conservation and sustainable use of the aquatic ecosystems, not least in Africa where highly productive waters foster strong fishing pressure. Several commercially exploited fish species in African Exclusive Economic Zones (EEZs) are either migratory or straddling and most of these species are targeted by illegal fishing vessels. Also, most of the illegal practices that are threats to aquatic biodiversity and environmental management in freshwater and aquatic ecosystems are transboundary in nature. A single state solution to combating these transboundary illegal practices across Member States’ territorial waters cannot be effective.

The SIDA (Swedish International Development Cooperation Agency) project ‘Conserving Aquatic Biodiversity in African Blue Economy’ explores ways to enhance the conservation and sustainable use aquatic biodiversity and ecosystems in Africa coastal waters through enhanced regional governance, including the strengthening of MCS measures.

Maintaining effective MCS systems is expensive but necessary for the effective conservation of fisheries, aquatic biodiversity and protection of environment. However, the existing regional MCS initiatives have been fraught with serious challenges, paramount of which have involved lack of or inadequate funds for sustainable funding for operations of the regional MCS Units or Centres. Regional MCS systems have been established mainly through regional cooperation agreements among AU member states sharing or adjacent to the aquatic ecosystems; marine or freshwater. The main funding sources have usually come from contribution or subscription by the AU Member States to the regional entities (e.g. Regional Fisheries Organizations, Water Basin Authorities) overseeing the operations of the regional MCS centres. Complementary funding sources, though not regular, have also come from fines imposed on vessels engaged in infractions of EEZs who are caught and prosecuted.

Therefore, there is a need to conduct assessment of financing mechanisms for MCS systems. This process will assist in identifying lessons and best practices necessary to propose a framework for establishing sustainable financing mechanisms. The mechanisms are useful for regional MCS systems to ensure effective financial commitment for protection of fish resources, aquatic biodiversity and ecosystems in African territorial waters.

To actualize the above, AU-IBAR is implementing the project “conservation of aquatic biodiversity under the Africa Blue Economy Strategy. A component of this project is to strengthen Sustainable MCS Systems for effective conservation and protection of biodiversity. In this regard, AU-IBAR is seeking consultancy services from 2 suitable short-term experts to undertake the assignment. This assignment has been clustered for ease of execution. Thus, one consultancy will be undertaken in the South and East regions of Africa and the second consultancy will be undertaken in the West, Central and Northern regions of Africa.

#### **OBJECTIVE:**

The overall objective of this consultancy is to conduct a review of existing financial mechanisms for Monitoring, Control and Surveillance (MCS) systems in African shared aquatic ecosystems (marine ecosystems and freshwater ecosystems) at national and regional levels with the aim of developing a framework for establishing innovative cost-effective financing systems or mechanisms for sustainable and functional regional MCS systems. AU-IBAR seeks to engage one consultant for each of the following regions:

- i. Eastern and Southern regions of Africa
- ii. Western, Central and Northern regions of Africa

## **TASKS & DELIVERABLES:**

*The consultants will be required to undertake the tasks listed below during the assignment.*

1. Undertaking briefing with relevant AU-IBAR staff to agree on expectations and providing clarity on any outstanding issues;
2. Preparing inception report within 5 days of signature to the contract outlining methodology, approach, work plan with achievable milestones and proposed locations for field visits;
3. Conducting interviews with Regional Economic Communities (REC), specialized regional institutions, other relevant stakeholders on funding mechanisms for fisheries MCS systems at national and regional;
4. Identifying existing or ongoing transboundary (regional) MCS initiatives in shared aquatic ecosystems, existing protocols and sources of funding the initiatives;
5. Conducting review of financing or funding systems and arrangements for selected regional initiatives on MCS systems to determine lessons and best practices for sustainable, cost-effective financial mechanisms for functional MCS regional systems in shared aquatic ecosystems;
6. Identify challenges, weaknesses or gaps in the regional institutional arrangements or protocols amongst cooperating African Union Member States for funding the MCS regional initiatives;
7. Based on the findings of this assignment, develop a framework for cost-effective and innovative sustainable financing mechanisms for functioning regional MCS systems and or initiatives;
8. Developing a funding mechanism for expanding the scope of regional fisheries based on regional MCS initiatives to include or integrate protection of aquatic biodiversity ‘hotspots, including Marine Protected (MPAs), Coral reefs, pollution detection, monitoring, response and abatement;
9. Based on the findings of the assignment, develop appropriate recommendations on requirements to support cost-effective innovative funding systems for sustainable MCS initiatives in identified transboundary aquatic ecosystems (for national and regional levels);
10. Propose mechanisms for integrating community-based systems into national and regional MCS;
11. Support stakeholders’ consultative workshop on the consultancy; and,
12. Develop a comprehensive report at the end of assignment.

*The consultants will be expected to submit the following deliverables:*

1. Inception report prepared outlining methodology, approach, work-plan and briefing session with relevant staff at AU-IBAR;
2. List of identified existing or ongoing transboundary (regional) MCS initiatives in shared aquatic ecosystems, existing protocols and sources of funding initiatives;
3. Outline of Lessons and best practices for sustainable, cost-effective financial mechanisms for functional MCS regional systems in shared aquatic ecosystems in Africa;
4. Identified challenges, weaknesses or gaps in the regional institutional arrangements or protocols amongst cooperating African Union Member States for funding MCS regional initiatives;
5. A framework for cost-effective and innovative sustainable financing mechanisms for functioning regional MCS systems or initiatives developed;
6. A funding mechanism for integrated aquatic biodiversity conservation and environment management in fisheries-based regional MCS initiatives;
7. Stakeholders’ validation workshops in respect of the consultancy supported; and
8. Comprehensive report of the consultancy developed and approved

**DURATION:**

The assignment should be completed within 45 working days over a two month period from the date of commencement of the contract.

**SUPERVISION AND REPORTING**

The consultants will be under the direct supervision of the project team leader with oversight supervision by the Director of AU-IBAR. The team leader will have the responsibility of approval of reports.

**DUTY STATIONS:**

The consultants will be home-based. Any travel on a specific assignment arising out of this contract will be agreed between the parties in writing and the costs of such travel will be borne by AU-IBAR in accordance with its travel policy.

**REMUNERATION:**

The professional fee for each consultancy (i.e. for each regional cluster) is USD 13,500. No other payment will be made in respect of this consultancy. Expenses for missions will be covered separately in accordance with the applicable African Union Commission rules and regulations.

**MINIMUM REQUIREMENTS:*****Qualification:***

- An advanced degree in business administration, fisheries, or natural resource economics, fisheries planning and management or aquatic ecosystems conservation biology.
- A PhD degree will be an added advantage.

***Experience:******General Experience***

1. Familiarity with functions of national and regional institutions with mandates in fisheries management and conservation of aquatic biodiversity and environment management;
2. Knowledge on and experience of Africa Large Marine Ecosystems (LMEs) and freshwater ecosystems governance systems, transboundary issues, challenges and opportunities;
3. Familiarization of current approaches, lessons and best practices for effective regional MCS systems;
4. Knowledge of processes and formulation of regional protocols for establishing AU Member States' driven regional organizations, including regional fisheries bodies, Regional Sea Conventions, Water Basin Authorities, RECs; and,
5. Familiarization of continental and global instruments or frameworks supporting fisheries management, aquatic biodiversity conservation and environmental management.

***Specific Experience***

1. Record of experience of regional cooperation arrangements for existing or ongoing regional MCS systems or initiatives in Africa;

2. Familiarization of funding sources and mechanisms for existing or ongoing regional MCS systems or initiatives;
3. Demonstration of experience in formulating innovative, cost-effective, financing systems in natural resources management systems, with particular reference to fisheries;
4. Experience on mechanisms for resource mobilization and self-financing mechanisms; and,
5. Evidence of conducting similar institutional and capacity assessments for MCS systems or related systems for regulating fishing or protection of aquatic biodiversity.

***Other Essential Skills and Experience***

1. Diplomacy and good interactive skills necessary for dealing with senior officials in Government, RECs, other regional organizations, donor/development organizations, cultural diversity in Africa;
2. Very strong writing, analytical and communication skills are necessary;
3. Proficiency in 2 AU languages.

**EVALUATION CRITERIA:**

The applications will be evaluated on the basis of the relevant technical qualifications, experience and competence of the candidates.

<b>Criteria</b>	<b>Scores (%)</b>
Qualifications	15
General Experience	25
Specific Experience	45
Other skills	15

***Gender Mainstreaming:***

The AU Commission is an equal opportunity employer and qualified women are strongly encouraged to apply.

**APPLICATIONS**

Two consultants are required to conduct this assignment as per the following regional clusters:

1. South-Eastern regions of Africa, and
2. West-Central and Northern regions of Africa.

Applicants should indicate clearly which of the two clusters his/her application is submitted for.

***How to Apply:***

Applications should include the following:

- i. Brief (3-5 pages) technical proposal detailing the approach, methodology and work-plan for the assignment
- ii. Curriculum vitae with details of similar assignments or relevant experience

- iii. Copy of identification documents
- iv. Copies of educational and professional certificates
- v. Signed declaration on exclusion criteria (format attached).

Applications should be submitted on or before 13<sup>th</sup> December 2022 at 17.00 hours, Nairobi local time to [procurement@au-ibar.org](mailto:procurement@au-ibar.org) with the subject matter clearly stated.