

TERMS OF REFERENCE

To develop mechanisms for enhancing the effective role and participation of African Union Member States in regional, continental and global aquatic biodiversity conservation and environmental management related fora or regimes.

BACKGROUND:

The African Union Inter-African Bureau for Animal Resources (AU-IBAR), is a specialized technical office of the Department of Agriculture, Rural Development, Blue Economy and Sustainable Environment (DARBE) of the African Union Commission (AUC). AU-IBAR is mandated to support and coordinate the utilization of livestock, fisheries, aquaculture and wildlife as resources for both human wellbeing and economic development in the African Union Member States (AU-MS).

The Vision of the AU-IBAR in the Strategic Plan 2018-2023 is an Africa in which animal resources contribute significantly to integration, prosperity and peace. AU-IBAR's intervention in the fisheries and aquaculture sector is guided by the Policy Framework and Reform Strategy for fisheries and aquaculture in Africa (PFRS) which is aimed at improving governance of the sector for increased sustainable contribution to food security, livelihoods, and wealth creation within the framework of the African Union Agenda 2063.

The African Continent is adjacent to highly productive marine ecosystems including 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 continent is also endowed with networks of freshwater rivers and lakes. The seas, oceans, lakes and rivers inhabit a significant number of biodiversity, and the ecosystems provide sources of livelihoods, food security and wealth. The African aquatic ecosystems inhabit living and non-living resources. However, the unsustainable exploitation of these resources is threatening the biodiversity, natural resources and environmental sustainability.

Several factors are threatening aquatic biodiversity in Africa's aquatic ecosystems. These include overexploitation of living species, pollution from several sources (land-based municipal and agricultural activities), uncontrolled introduction of exotic species in aquaculture systems and effluents from mining activities. Other threats to aquatic biodiversity include poorly and or unplanned urban development and resource-based industries, such as mining, coastal tourism activities, coastal infrastructure development that destroy or reduce natural habitats. In addition, air and water pollution, sedimentation and erosion, and climate change also pose threats to aquatic biodiversity.

Consequently, important aquatic resources are becoming increasingly susceptible to both natural and artificial environmental changes. Hence 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.

The need to strengthen capacity of AU member states and regional institutions for protection and sustainable exploitation of living resources within their Exclusive Economic Zones (EEZs) is identified as priority in conservation of aquatic biodiversity to ensure sustainable contribution to food security, livelihoods, and wealth creation.

The highest political organ of the African Union endorsed the African Blue Economy Strategy (ABES) aimed addressing some of these challenges and for the AU member states to sustainably harness the resources of aquatic ecosystems. The ABES envisioned an inclusive and sustainable blue economy that significantly contributes to Africa's transformation and growth. The Strategy incorporates key critical vectors for promoting blue economic development of the Continent, including fisheries, aquaculture and ecosystem biodiversity 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 ABES 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, 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 water bodies, and the exploitation and beneficiation of deep sea mineral and other marine resources.

The ABES is consolidated based on the following five thematic technical 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.

Accordingly, 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. To provide support to AU MS to 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:

There are important regional, continent and global fora related conservation of biodiversity and environment where it is important to have common African Voice on critical issues and decisions. The importance of having a common African Voice at these fora cannot be overstated since some of the decisions taken can be binding and would have implications on the governance of Africa's aquatic ecosystems, biodiversity and environment. There is also the issue of limited capacity to effectively contribute to discussions or negotiations with regards to agenda items in these fora. These setbacks are undermining the effective participation of Africa in these fora.

The generally weak participation of AU MS in global fora on ocean governance regimes has been a cause for concern. There is therefore need to strengthen coherent Africa or common African positions at biodiversity, environmentally related global fora. The project would conduct studies and develop a mechanism for enhancing effective African Voice and African role in continental and global biodiversity and environmental related regimes or fora.

Some of these fora include the following:

- i. Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES),
- ii. Areas Beyond National Jurisdiction (ABNJ)
- iii. Regional sea conventions (Nairobi Convention, Abidjan Convention and Jeddah convention) for joint capacity of AU member states for effective participation and implementation of resolutions relating to environment and biodiversity. This would therefore the need to strengthen effective participation and of AU member states in these environmental conventions. The project would therefore develop strong partnership with these conventions.
- iv. Foster strong partnership between ecosystem-based organizations e.g., Benguela Current Convention (BCC), Mediterranean Sea Large Marine Ecosystems (MSLME) and AU member states.
- v. Convention on Biological Diversity (CBD)
- vi. Climate change (e.g., Conference of parties' meetings (COP))

- vii. The Basel, Rotterdam and Stockholm Conventions (BRS); Intergovernmental Platform on Biodiversity and Ecosystem Services (IPBES).

In order to have adequate African voice, there is first of a need to establish a mechanism for providing technical support to AU Member States for effective participation in these fora. There is also the need to train pool of African experts on negotiation skills and techniques and enhance awareness and build capacity among stakeholders on the importance of the various regimes, relevant provisions, challenges and mechanisms for effective role and participation in these global regimes.

AU–IBAR is seeking to recruit suitable consultants to undertake the assignment in regions that have been clustered for ease of execution. **Thus, the assignment will require two consultants to conduct the studies in the following regional clusters:**

- i. South and Eastern Regions of Africa
- ii. West, Central and Northern Regions of Africa

OBJECTIVE:

The overall objective of this consultancy is to recruit two consultants to undertake studies to identify priority actions and develop a mechanism for enhancing the effective role and participation of AU member states and RECs in regional, continental and global biodiversity and environmental related fora or regimes in the indicated regions.

TASKS:

1. Briefing with relevant AU–IBAR staff to agree on expectations and provide clarity on any outstanding issues;
2. Prepare inception report within 5 days of signature to the contract outlining methodology, approach and proposed locations for possible field visits;
3. Conduct assessment to identify and develop inventory of regional, continental and global fora on aquatic biodiversity and environment
4. Carry out in-depth analysis on the level of awareness and participation of AU member states and RECs in the identified aquatic biodiversity and environmental related fora., highlighting lessons and challenges to effective participation
5. Conduct synthesis of key objectives, purpose, salient provisions in the governing or statutory instruments (e.g., rules of procedures) of the identified fora or regimes, highlighting opportunities or incentives
6. Assess policy and legal issues or provisions in the relevant governance or statutory instruments of respective aquatic biodiversity conservation and environmentally related fora;
7. Develop priority actions to be undertaken for enhancing effective role and participation of the AU–MS and RECs in the regional, continental and global aquatic biodiversity conservation and environmental related regimes;

8. Develop guidelines on approach, mechanisms and procedures or requirements for participation or memberships of AU member states and RECs in the various identified fora;
9. Conduct an assessment of capacity requirements on negotiation skills and techniques for enhancing effective role and participation of the AU–MS and RECs in the regional, continental and global aquatic biodiversity conservation and environmental related fora;
10. Propose a framework to establish a mechanism for providing technical support to AU–MS for effective participation and negotiations in the relevant regional, continental and global fora as well as for coherent African voice in these fora
11. Facilitate stakeholders’ validation workshops of the findings of this consultancy
12. Develop comprehensive report at the end of assignment, outlining key recommendations and best practices.

DELIVERABLES:

1. An inception report within 5 days of signature to the contract outlining methodology, approach and proposed locations for visit;
2. Report on identified relevant regional, continental and global fora related to aquatic biodiversity and environmental management
3. Assessment report of AU–MS and RECs that provides guidance and stepwise approach on the establishment of mechanisms for enhancing effective role and participation in regional, continental and global aquatic biodiversity and environmental management related fora or regimes;
4. Synthesized report on key provisions of the governance instruments and on the modus operandi of key identified relevant fora
5. Assessment report on policy, legal issues of governance instruments of the identified aquatic biodiversity conservation and environmental fora;
6. Report on the identified technical gaps or requirements, institutional challenges and recommendations on priority actions for providing support to AU MS and RECs for effective participation in relevant fora;
7. Assessment report on capacities available in negotiation skills and techniques for enhancing effective role and participation of AU–MS and RECs in the regional, continental and global aquatic biodiversity conservation and environmental related regimes and recommendations on required capacities to enhance negotiations in relevant fora;
8. Report on proposed action plans and strategies for enhancing effective role and participation of the AU–MS in the regional and global aquatic biodiversity conservation and environmental related regimes
9. Recommendations on prioritized regional, continental and global fora or regimes for enhancing African participation and common positions;
10. Develop comprehensive report at the end of assignment.

REQUIREMENTS FOR APPLICANTS:

Qualification:

The successful candidate should have an advanced degree in environmental law, international law and public policy; maritime law, marine affairs or fisheries management or ocean governance. A Ph.D. degree will be an added advantage.

Experience:

General Experience

1. Familiarization with national and regional institutions with mandates in aquatic biodiversity conservation and environmental management;
2. Knowledge on regional and continental fora and initiatives, relevant to conservation of aquatic biodiversity and environment in Africa;
3. Knowledge of global fora that are relevant to conservation of aquatic biodiversity and environmental governance or natural resources management;
4. Knowledge of governance systems and issues in shared aquatic ecosystems; (marine or freshwater environments)
5. Evidence of familiarization with issues on African Exclusive Economic Zones, (EEZ) high seas and governance regimes;

Specific Experience

1. At least 7 year working experience in research, policy and development related institutions with functions that relate or support conservation of aquatic biodiversity and environment management;
2. At least 5 years' experience in functions that include supporting organization of stakeholders for coordination, advancing common or coherent voice or positions for effective participation in regimes relating to governance of natural resources;
3. Evidence of familiarization and knowledge on existence of and processes and procedures of regional, continental and global fora on aquatic biodiversity and environmental management;
4. Evidence of formulating or designing mechanism, guidelines, protocols, policies or strategies to enhanced role of Africa stakeholders in relevant fora;
5. Demonstrated evidence of capacity building of stakeholders in African coastal settings

Other Essential Skills and Experience

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

CRITERIA FOR EVALUATION & AWARD

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

Criteria	Scores (%)
Qualifications	15
General Experience	25
Specific Experience	50
Other skills	5
Proficiency in AU languages (at least in 2)	5

Gender Mainstreaming:

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

DUTY STATIONS:

The consultants will be stationed in their home-country with travel on specific assignments agreed with the AU-IBAR Management.

DURATION:

The duration of this assignment is 45 calendar days but can be accomplished within 60 days from the date of signature of the contract.

REMUNERATION:

The professional fee for each of the two consultancies is USD 13,500.

Expenses for approved missions will be covered separately in accordance with the applicable African Union Commission rules and regulations.

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

SUBMISSION OF APPLICATION AND DEADLINE:

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.

The candidate may indicate which of the two clusters his/her application is submitted for. However, the Contracting Authority reserves the right to select the appropriate candidate for each regional cluster.

Applications must include the following documents:

- i. Detailed curriculum vitae (CV)
- ii. Copies of academic and professional certification documents
- iii. Declaration on exclusion criteria (see format attached)
- iv. Identification documents

The deadline for submission of proposals is 29th July 2022, 17:00 hrs Nairobi Local Time.

The address for submission of applications is: applications including detailed curriculum vitae (CV) should be submitted through email to: procurement-20220628-1@au-ibar.org