



## UNDP JOINT MANAGEMENT AREA (JMA) DEMONSTRATION PROJECT

### **Terms of Reference for the appointment of a short-term support Expert for the JMA Monitoring, Control and Surveillance workshop on “Review of Best Practices of MCS Related to JMA and Gap Analysis”**

**SECTOR:** Climate and Disaster Resilience (UNDP)

**LOCATION:** Republic of Mauritius

**DUTY STATION:** Home Based with Travel

**DURATION:** 10-person-days spread over three months (1 field Mission) until end of October 2020

**STARTING DATE:** August 2020

#### **A. PROJECT TITLE**

Demonstrating Innovative Ocean Governance Mechanisms and Delivering Best Practices and Lessons for Extended Continental Shelf Management within the Western Indian Ocean Large Marine Ecosystems (UNDP-Joint Management Area Demonstration Project).

#### **B. PROJECT DESCRIPTION**

##### **B (i) Background**

On 30 March 2011, the United Nations Commission on the Limits of the Continental Shelf (CLCS) adopted recommendations confirming the outer limits of the continental shelf of the Republic of Mauritius and the Republic of Seychelles beyond 200 nautical miles in the Mascarene Plateau region. Subsequently, in March 2012 the two coastal States agreed, through the adoption of a bilateral Treaty instrument, to the creation of a Joint Management Area (JMA) where the two States will exercise sovereign rights jointly to explore the continental shelf and exploit its natural resources (the Joint Zone Treaty). A further bilateral Treaty instrument was also signed which details the administrative and management functions, powers, and duties for the JMA (the JMA Management Treaty).

The JMA covers an area of 396,000 sq. km extending seaward to the east beyond the existing EEZs of both coastal States and is the largest joint maritime zone to have been established anywhere in the world. The creation of the JMA thus represents a ground-breaking precedent for cooperative management of the ocean, placing the JMA in a ‘cutting-edge’ position to take the lead in piloting new mechanisms and strategies for future ECS management.

Under the JMA Management Treaty, a formal three-tiered joint institutional structure has been defined, consisting of (i) a Ministerial Council; (ii) a Joint Commission; and (iii) a Designated Authority. To date, all decisions pertaining to the implementation of the JMA Management Treaty and

management of the JMA have been taken by the Joint Commission, since the Designated Authority is yet to be formally established.

## **B (ii) Project Description**

Recognizing that this represents the first ‘transboundary’ management agreement for an ECS scenario, UNDP is supporting the GEF funded “JMA demonstration project” being implemented by the Governments of Mauritius and Seychelles.

The JMA Demonstration project is assisting Seychelles and Mauritius in the development and demonstration of new management approaches for such extended continental shelf areas, which can provide lessons and management techniques that could be replicated both within the western Indian Ocean and other similar maritime zones globally.

This JMA Demonstration project is worth USD 2.2 million. in the GEF grant and will be implemented over four years from 2018 to 2021.

**The JMA Demonstration Project aims at achieving its objectives through the delivery of four components:**

- 1) Building Technical and Management Capacity in support of Marine Spatial Planning (MSP) and effective management of the Joint Management Area;
- 2) Development of a data and information system along with a Programme of data capture and gap-filling as a foundation for an adaptive management strategy;
- 3) Adoption and implementation of a Marine Spatial Planning approach with the objective of improving and implementing effective decision-making for activities within the Joint Management Area;
- 4) Monitoring, Evaluation, Adaptive Feedback, and Sustainability using UNDP and GEF tracking tool for both annual progress and terminal evaluation.

One of the management mechanisms within MSP is **Monitoring, Control, and Surveillance (MCS)** of JMA (hereinafter: JMA-MCS). Within the scope of JMA-MCS development, several outputs will be delivered, including ***Workshop on Review of Best practices of MCS related to JMA and Gap Analysis***.

JMA-MCS will develop in **two major phases**:

- JMA-MCS shall start operations through existing national structures (Mauritius and Seychelles) by extending monitoring, control and surveillance procedures to cover JMA; and,
- Development of semi-independent Regional Network Supported JMA-MCS System. The second phase is about the development of semi-independent regional network JMA-MCS supported system, which will rely not only on national but also on regional structures – with clear advantage of direct access to remote surveillance data and intelligence from the primary regional network sources (through access to data fusion platforms) with use of surveillance platform primary from national but also from regional structures.

The Expert for the JMA Monitoring, Control and Surveillance workshop on Review of Best Practices of MCS Related to JMA and Gap Analysis, should contribute to capacity building by experience sharing of best MCS practice through wider view across different functions and interests of UN bodies, international entities, RFMOs, national interests, and different stakeholder groups. He/she would be able to evaluate the complexity of the cross-connected MCS structure on several levels (national, bilateral, regional, global) and to open a dialogue and for finding a common ground and interest.

## **C. SCOPE OF WORK**

Component 1) of the JMA Demonstration Project emphasized the strengthening of technical and management capacities to support an MSP process which will consequently ensure the efficient management of the JMA. In doing so several objectives should be met by the consultancy:

1. The main objective of the consultancy is to help the development of JMA-MCS by providing similar best practice examples of bilateral or multilateral cooperation among countries on common MCS for an area, by emphasizing regional cooperation and use of available regional MCS networks and associated benefits and complexities. Although examples cooperation on MCS for ECS do not exist elsewhere, similar examples on MCS cooperation throughout several EEZs (or continental shelf) exists, e.g. Regional Fisheries Surveillance Centre provides MCS for Pacific Islands Forum Fisheries Agency (FFA); or, Joint Development Area established 1979 on the continental shelf of Malaysia and the Kingdom of Thailand in the Gulf of Thailand for the exploration of non-living resources, etc.
2. Another objective that should be emphasized is a need for a wider scope of JMA-MCS. Beside fishery and related MCS focus [e.g., illegal, unreported and unregulated (IUU) fishing], JMA-MCS needs to equally emphasize other MCS aspects, such as illegal drug and human trafficking or slave work, illegal wildlife trade, search and rescue operations, disaster response, oil spill, and pollution detection, etc.
3. To ensure better success of the workshop, the third objective of this consultancy is to encourage a platform for discussion of open questions that may arise along with two-country cooperation on joint MCS and joint management of an area (e.g., possible responsibilities overlap, limits of legislative powers on high seas, challenges of joint surveillance actions operations, use of equipment and tools for joint surveillance operations, etc.).

### **C (i) Duties and Responsibilities**

To achieve these objectives, the following activities are proposed:

- a) To review and to present examples of best practices of MCS in similar multinational and jointly managed areas from other world regions (e.g., Pacific) by e.g., gaining/enhancing familiarity with and understanding of the major concepts and challenges applicable to JMA MCS as well;
- b) To find and compare similarities and differences of given best practices examples with JMA;
- c) To identify the existing competencies within Mauritius and Seychelles for successful joint implementation of MCS in JMA;
- d) To provide possible JMA-MCS two-country cooperation gap analysis;
- e) To secure platform for an open discussion among MCS practitioners from Mauritius and Seychelles regarding challenges for MCS in JMA.

## **D. EXPECTED DELIVERABLES/OUTPUTS**

The consultant will be under the direction of the JMA Demonstration Project management team lead by the Project Director and Project Manager, as well as under MCS Expert contracted for the development of JMA-MCS. In performing the consultancy, the following deliverables are expected:

- 1) Inception report to be presented by the consultant before arrival. Inception Report will contain workshop agenda, structure and topics that will be covered (max. 2 Pages);
- 2) Workshop presentations (or the main structure) for validation before arrival;
- 3) Workshop delivery;
- 4) Workshop report that will contain workshop presentations with slides, slides' notes, and short textual report on workshop delivery and conclusions.

**Table 1: List of deliverables of the Monitoring, Control and Surveillance Consultant**

S/N	Outputs/Deliverables	Fee (%)	Time Schedule	Means of verification
1	<ul style="list-style-type: none"> <li>Draft Inception report to be presented by the consultant before arrival. Inception Report will contain:               <ul style="list-style-type: none"> <li>workshop agenda, structure and topics that will be covered; and</li> <li>workshop presentations (or the main structure) for validation before arrival in duty station.</li> </ul>               (maximum 2 Pages)             </li> </ul>	20	Aug-20	Approved Draft Inception Report
	<ul style="list-style-type: none"> <li>Final Inception report to be presented by the consultant before arrival. Inception Report will contain:               <ul style="list-style-type: none"> <li>workshop agenda, structure and topics that will be covered; and</li> <li>workshop presentations (or the main structure) for validation before arrival in duty station.</li> </ul>               (maximum 2 Pages)             </li> </ul>	20	Sep 20	Approved Final Inception Report
2	Workshop delivery	30	Sep-20	Approved Workshop delivery
3	Workshop report that will contain: <ul style="list-style-type: none"> <li>workshop presentation with slides,</li> <li>slide notes; and</li> <li>short textual report on workshop delivery and conclusions.</li> </ul>	30	Oct-20	Approved Workshop Report
	<b>Total</b>	<b>100</b>		

All deliverables shall be submitted in an appropriate format, in MS Word, MS PowerPoint and/or in PDF, and any other format as per the requirement of the Client to the address of the Project Manager Mr. Allen Cedras, [allen.cedras@undp.org](mailto:allen.cedras@undp.org) and with a copy to the National Project Director Dr. Reza Badal [mrbadal@govmu.org](mailto:mrbadal@govmu.org), as well as the UNDP Environment Programme Officer, Mr. Satyajeet Ramchurn, [satyajeet.ramchurn@undp.org](mailto:satyajeet.ramchurn@undp.org). The project manager will be responsible for further distribution. The deliverables should be of high quality in form and substance and with the appropriate professional presentation. The Consultant should fully comply with the requirements of UNDP in terms of content and presentation and respect UNDP GEF visibility guidelines, since unsatisfactory performance may result in termination of the contract. Tables of content should be cleared with the Project Management Unit (PMU) before reports are produced.

## **E. INSTITUTIONAL ARRANGEMENT**

The selected service provider will provide service to the Joint Commission through the Department for Continental Shelf, Marine Zones Administration and Exploration in the Prime Minister's, and report to the National Project Director (NPD), Project Manager, and the Head of the Environment Unit.

All deliverables shall be approved by the NPD, UNDP, and the Project Steering Committee.

## **F. DURATION OF WORK**

The MCS Workshop Support Expert's work schedule shall be for 10-person-days until the end of October 2020 with 1 field mission (5 days home-based and 5 days' workshop delivery).

**NOTE: Due to the ongoing global Coronavirus pandemic, the dates indicated in this Terms of Reference may change**

## **G. DUTY STATION**

The MCS Workshop Support Expert will work primarily from their home-base (5 days), with regular contact being maintained with the NPD, Project Manager, and the MCS Specialist.

During the field-based part of the assignment, the MCS Workshop Support Expert will be based at the PMU Office, Department for Continental Shelf, Maritime Zones Administration and Exploration, 3<sup>rd</sup> Floor, Belmont House, Port Louis, Mauritius and at the UNDP Office 5<sup>th</sup> Floor Anglo-Mauritius House, Port Louis, Mauritius when needed.

## **H. QUALIFICATION OF SUCCESSFUL INDIVIDUAL CONTRACTOR**

### Education:

- At least a degree in a relevant field (fisheries MCS, ocean governance) or a closely related field with a relevant combination of academic and professional qualifications. Possession of a Master's or higher degree will be an advantage.

### Experience:

- A minimum of 10 years of relevant working experience in the MCS field including 5 years of experience working with public and private sector high-level stakeholders on the development of fisheries MCS strategies, policies, and legislation.
- A clear understanding and thorough knowledge of topics such as *high seas fisheries, knowledge of major marine-related conventions (e.g., UNCLOS, MARPOL, SOLAS, MLC, FAO, and ISA related, etc.)*.
- The consultant must have a good understanding of the fisheries especially MCS agenda and challenges in the South-West Indian Ocean region.
- The consultant must have sound knowledge of the regional institutions (e.g., regional RFMOs) and processes in the southwest Indian Ocean, East, and Southern Africa region.
- Experience in capacity building related to MCS;
- Working experience in SIDS.

### Skills:

- Good interpersonal and communication skill with the ability to effectively interact with government, private sectors and others in a multi-disciplinary and multi-cultural environment;

- Good working knowledge of international best practice in conservation, sustainable use, and management of marine and coastal biodiversity is desirable;
- Demonstrated ability to take initiative and work independently while also having the skills to work effectively within teams;
- Strong drafting, presentation and reporting skills, excellent written communication skills;
- A good personality with strong leadership skills;
- Be an effective negotiator with excellent oral and presentation skills;
- Fluency in both written and spoken English is required; knowledge of French is an asset;
- Strong computer skills.

## **I.SCOPE OF PRICE AND SCHEDULE PAYMENT**

The financial offer should be quoted as a *lump sum amount*, all-inclusive (professional fee, insurance, all travel costs, *per diem*, etc.). In general, UNDP should not accept travel costs exceeding those of an economy class ticket. Should the consultant wish to travel to a higher class he/she should do so using their resources.

The contract price is fixed regardless of changes in the cost components. In the case of unforeseeable travel (additional mission for example), payment of travel costs including tickets, accommodation, and terminal expenses, should be agreed prior to travel between UNDP and Individual Consultant and will be reimbursed.

Payments will be effected based on deliverables as per Table 1 above.

## **J. RECOMMENDED PRESENTATION OFFER**

The following documents are requested:

- a) Duly completed **Letter of Confirmation of Interest and Availability** using the template provided by UNDP;
- b) **Personal CV or P11**, indicating all experience from similar assignments, as well as the contact details (email and telephone number) of the Candidate;
- c) **Financial Proposal** that indicates the *all-inclusive* fixed total contract price, supported by a breakdown of costs, as per the template provided by UNDP.

## **K. CRITERIA FOR SELECTION OF THE BEST OFFER**

Individual consultants will be evaluated based on the following methodology:

### Cumulative analysis

When using this weighted scoring method, the award of the contract should be made to the individual consultant whose offer has been evaluated and determined as:

- a) Responsive/compliant/acceptable, and

The compliant criteria is as per Table 2.

**Table 2: The compliant criteria**

<b>Criteria</b>	<b>Max. Point</b>
Education and Training	10
Relevant professional experience in monitoring, control, and surveillance	20
Experience in capacity building activities (workshop delivery) related to monitoring and surveillance	20
Working experience with national stakeholder institutions and agencies as well as international institutions	5
Working experience in SIDS	5
Language (English mandatory/French is a plus)	5
Computer skills	5
Suitability of technical approach	30
<b>Total</b>	<b>100</b>

The financial offers will be evaluated giving the lowest price proposal 30 marks and marking the other more expensive proposals reverse proportionally to the cheapest offer.

The method of calculation of the final score is shown in Table 3 below.

**Table 3: Calculation of Scores for Selection of the MCS Workshop Support Expert.**

<b>Criteria</b>	<b>Weight (%)</b>	<b>Max. Score</b>
• <b>Interview</b>	<b>70</b>	<b>70</b>
• <b>Financial</b>	<b>30</b>	<b>30</b>

The candidate ranking highest shall be selected.

## **L. APPROVAL**

This ToR is prepared by:

Allen Cedras with inputs from Dr. Vladimir Kalinski, JMA MCS Specialist.

Project Manager, UNDP-JMA

Signature:

This ToR is approved by:

Signature:

Name and Designation: Head of Environment Unit

Date: