



## TERMS OF REFERENCE (TOR) FOR THE PROVISION OF SERVICES TO THE SIOFA COMPLIANCE COMMITTEE

Southern Indian Ocean Fisheries Agreement (SIOFA) calls for a short-term Fisheries Compliance Expert consultant to provide temporary support to the Secretariat.

### 1. INTRODUCTION

CMM 2020/11 (Compliance Monitoring Scheme), directs the Secretariat to develop and maintain a CCP Compliance Report (CCR) template, which shall be reviewed annually, and updated in order to take into account new and amended CMMs and obligations under the requirements of Articles 10 (2) and 11 (3)(C) of the Agreement.

Considering this, and in acknowledgement of the limitations of the existing compliance capacity of the SIOFA Secretariat, the Secretariat wishes to recruit for a short-term an expert in Compliance to support SIOFA for its the compliance monitoring (until the 2022 fSCR and improving the CCR template for future use).

The expected delivery period is from **20<sup>th</sup> of May to 4<sup>th</sup> of July 2022**.

### 2. TOR FOR RECRUITMENT OF A SHORT-TERM COMPLIANCE OFFICER

A Compliance Officer is requested to provide temporary support to the Secretariat. Such duties include:

- Analysis of the current CCR template
- In consideration of the reports received, supporting the Secretariat in developing the Compliance Report
- Endeavouring to resolve any difficulties that may be encountered by the Secretariat in relation to compliance with SIOFA conservation measures
- Identifying flaws in the current template
- Based on these findings, the expert will propose an updated template, which will be presented to the next Compliance Committee (CC6)
- Once comments from the CCPs are considered, a new finalised template will be developed and presented to the CCPs

### 3. SOURCE OF INFORMATION (REFERENCES)

Following are important sources of information and references for the Consultant:

The SIOFA Agreement (<http://apsoi.org/sites/default/files/documents/SIOFA-Agreement-Digital-ENG.pdf>)

SIOFA Conservations and Managements Measures (<http://apsoi.org/management/cmm>)

Reports of the Compliance Committees (<http://apsoi.org/meeting-reports/Compliance%20Committee%20Meeting>)

SIOFA Interim Bottom fishing measures

(<http://apsoi.org/sites/default/files/files/SIOFA%20INTERIM%20BOTTOM%20FISHING%20MEASURES%20-%20compilation%20by%20CCPs%20%282022-02-23%29.pdf>)

CCP Bottom fishing impacts (<http://apsoi.org/management/bf-impact>)

#### 4. SUBMISSION OF THE INFORMATION AND CONFIDENTIALITY

The Consultant should submit all the information collected to the SIOFA Secretariat (including that sourced from the Secretariat).

A copy of all electronic data files, analysis code, and methods shall be submitted to the SIOFA Secretariat before final payment of the contract is made to the consultant. The ownership, storage, or disposal of physical samples shall be a part of the consultant proposal and any arrangements for ownership, storage, or disposal of physical samples shall be agreed to the satisfaction of SIOFA as a part of the contract.

All Intellectual Property generated as a part of this contract shall become the property of SIOFA unless otherwise excluded in the proposal and agreed by SIOFA in the contract. In cases where SIOFA agrees that Intellectual Property rights are not passed to SIOFA, provision should be made for the use of any Intellectual Property for the purposes of scientific review and transparency following the conclusion of the contract.

The consultant shall not release confidential data provided for conducting this study to any person or any organisation, other than SIOFA Secretariat. Such information will remain the property of the SIOFA Secretariat, and subject to agreements by data providers and owners may be used for future SIOFA activities subject to SIOFA confidential rules in force.

The consultant shall return and delete all the confidential data obtained as a part of the contract once a copy of all data and analysis files has been submitted and accepted by SIOFA, and immediately after the conclusion of the contract.

#### 5. CCP COMPLIANCE REPORT TEMPLATE

The Consultant will develop an updated CCR template, which will be presented to the next Compliance Committee. A full timeline of the required deliverables can be found in **Table 1**.

To ensure that the CCR template is completed to the highest standard, and in consideration of each of the necessary obligations, The consultant must also have an in-depth knowledge and understanding of SIOFA's CMMs. The consultant must ensure that all necessary CMMs are included *verbatim* in the CCR, and that they are presented in a consistent and accessible manner. This is essential for ensuring that the template is both accurate, and that it may be completed efficiently and easily by the CCPs. It will also be necessary for the template to state explicitly where an obligation is not applicable to certain CCPs, and therefore an assessment is not expected.

#### 6. PAYMENTS (refer to the timeline, Table 1)

A payment of 50% will be made on 15<sup>th</sup> June, following the circulation of the draft SIOFA Compliance Report, and a proposal of a new CCR Template. The remaining payment will be made after the presentation to the CC6 and the inclusion of any comments from the CCPs in the finalised model.

#### 7. SUBMISSION OF APPLICATION

Announcement of Call for the Consultant will be placed in the SIOFA home page during [from 6/05–to 18/05] and will be circulated to all Cooperating and Contacting Parties (CCPs).

The applicants should submit a proposal that contains the following:

- An up-to-date copy of their CV that summarises the candidate's relevant experience;
- A document outlining the proposed methods and analyses, including a description of how the objectives of the ToR will be achieved;
- Specification of the final report, and any other reports, presentations, or other project outputs that will be produced for the contract;
- Any proposed exclusions to the intellectual property clause;
- Identification of any project risks and associated mitigation and management required to successfully complete the project;

- A statement that identifies any perceived, potential, or actual conflicts of interest of the candidate, including those described in paragraph 4 of the SIOFA recruitment procedure (see <http://www.apsoi.org/scientific-committee>); and
- Any additional information the candidate wishes to submit and
- A quotation to carry out the work.

The proposal must be submitted to Thierry Clot, Executive Secretary ([thierry.clot@siofa.org](mailto:thierry.clot@siofa.org)), [ES email contact] by 18 May 2022 (01:00pm UTC).

## 8. TIMELINE

The consultant shall follow the timeline described in Table 1 below.

The presentations will be conducted in person, in La Reunion, between the 29<sup>th</sup> of June and the 1<sup>st</sup> of July 2022.

**Table 1:** *Timeline of Compliance Officer consultancy*

Activities	
The consultant shall follow the timeline described in Table 1 below: Work Period	Activities
5 May – 18 May 2022	Call for the consultant through the SIOFA web site and through the circulation to Cooperating and Contacting Parties (CCPs).
18 May – 19 May 2022	Selection of the Consultant by Secretariat in consultation with the evaluation panel.
19 May – 20 May 2022	After selection, the Secretariat will make a contract with the Consultant. Payment milestones will be agreed through this process and can include an upfront payment.
20 May – 10 June	Working period of the Consultant. Analysis of the CCR template and of the draft SIOFA CCPs Compliance report
14th June	Circulation of the draft SIOFA Compliance Report.
15th June	Proposal of a new CCR template
29th June – 4th July	Presentations during CC6 and MoP9 (To be confirmed).

## 9. EVALUATION CRITERIA FOR THE SELECTION OF CANDIDATES

The selection criteria will be developed by the evaluation panel along with the project manager, the Secretariat Staff, and the Chairpersons (CC and/or MoP). The criteria will include following items:

- adequate submission of information to allow the panel to evaluate the candidate;

- evaluation of the proposal from the candidate and their ability to undertake and complete the analyses or work required in the ToRs;
- the candidate's agreement with confidentiality provisions required for the project;
- acceptable conflict of interest statement;
- agreement with the data submission and intellectual property terms required for a contract; and
- financial and resourcing considerations.

## **10. CONTACT PERSONS**

SIOFA Secretariat

Thierry CLOT, SIOFA Executive Secretary, [thierry.clot@siofa.org](mailto:thierry.clot@siofa.org)