



**TO ALL COMMISSION MEMBERS, COOPERATING NON-MEMBERS AND
PARTICIPATING TERRITORIES**

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Advertisement for Consultancy – Legal Advisory Services

Dear All,

Please find attached an advertisement and Terms of Reference for a consultancy for **Legal Advisory Services** for the western and Central Pacific Fisheries Commission.

The deadline for applications is **Monday 26 October 2015**. Could you please circulate as you deem appropriate to interested parties. You may also reference this information under Opportunities section at WCPFC website www.wcpfc.int.

Yours sincerely,

A handwritten signature in blue ink, appearing to read "F. Teo".

Feleti P Teo, OBE
EXECUTIVE DIRECTOR



Consultancy
Legal Advisory Services
to commence Late 2015

The Western and Central Pacific Fisheries Commission was established to ensure, through effective management, the long-term conservation and sustainable use of highly migratory fish stocks in the western and central Pacific Ocean. The Commission's Secretariat which is located in Pohnpei, Federated States of Micronesia now invites applications for Legal Advisory Services.

The consultant provides legal advice to the Commission Chair, Chairs of the Commission subsidiary bodies, Commission members and the Secretariat as needed. The Legal Advisor is responsible for interpretation and application of the WCPFC Convention, conservation and management measures, resolutions and decisions of the Commission. In addition, the Legal Advisor is responsible for the interpretation and application of the UNCLOS, UNFSA, and other relevant international and regional legal instruments pertaining to the conservation and management of highly migratory fish stocks. For the full scope and expected outputs for the consultancy please refer to the Terms of Reference which are available at <http://www.wcpfc.int/vacancies-opportunities>.

The consultant can work remotely on an as needed basis but must be available to attend the Technical and Compliance Committee meeting which takes place in September each year and the Annual Commission meeting which takes place in December each year. The rate of pay will be from USD40,000 – USD50,000 a year depending on experience.

Applicants are required to have a proven record of achievements that demonstrates their ability to successfully undertake the consultancy. If needed, additional information can be obtained from the Finance and Administrative Manager (Aaron Nighswander) at Aaron.Nighswander@wcpfc.int.

The consultancy will close on **26 October 2015** and the successful applicant will be expected to take up the position by the Annual Commission meeting in December 2015. Applications can be submitted to Aaron.Nighswander@wcpfc.int.

TERMS OF REFERENCE

Legal Advisory Services Consultancy

The Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean entered into force in June 2004 creating one of the first regional fisheries management organizations to be established after the adoption in 1995 of the UN Fish Stocks Agreement.

The objective of the Convention is to ensure, through effective management, the long-term conservation and sustainable use of highly migratory fish stocks in the western and central Pacific Ocean in accordance with the 1982 United Nations Convention on the Law of the Sea and the 1995 UN Fish Stocks Agreement. For this purpose, the Convention establishes a Commission for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean. The Commission Secretariat is based in Pohnpei, Federated States of Micronesia.

The Convention applies to all species of highly migratory fish stocks (defined as all fish stocks of the species listed in Annex I of the 1982 Convention occurring in the Convention Area and such other species of fish as the Commission may determine) within the Convention Area, except sauries. Conservation and management measures under the Convention are to be applied throughout the range of the stocks, or to specific areas within the Convention Area, as determined by the Commission. The Commission currently has 26 Members; 7 Cooperating Non-Members; and 7 participating territories.

The Commission has identified a need for legal advisory support to the Commission Secretariat, the Commission and Commission Members as required and on request, in the following areas:

- international oceans and fisheries law, particularly in terms of the implementation of the 1982 UN Convention on the Law of the Sea, the 1995 UN Fish Stocks Agreement, the 1993 FAO Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas, and the FAO Code of Conduct for Responsible Fisheries;
- international, regional and national fisheries management regimes for the conservation and management of highly migratory fish stocks;
- development and formulation of conservation and management measures;
- monitoring, compliance, surveillance and enforcement of conservation and management measures and other decisions of the Commission;
- relationships with other fisheries management organizations, in particular the tuna RFMOs such that the Inter-American Tropical Tuna Commission (IATTC), Indian Ocean Tuna Commission (IOTC), Commission for the Conservation of the Southern Bluefin Tuna (CCSBT) and International Commission for the Conservation of Atlantic Tunas (ICCAT); and
- emerging legal issues in relation to the management and conservation of highly migratory fish stocks and straddling fish stocks.

OBJECTIVE OF THE ASSIGNMENT

To provide legal services to the Commission Chair, Chairs of the Commission subsidiary bodies, Commission members and the Secretariat.

SCOPE

Under the direction of the Executive Director, the scope of work for this consultancy will include the preparation and provision of legal advice on:

- interpretation and application of the WCPFC Convention, conservation and management measures, resolutions and decisions of the Commission;
- interpretation and application of the UNCLOS, UNFSA, and other relevant international and regional legal instruments pertaining to the conservation and management of highly migratory fish stocks;
- administrative, technical and institutional matters associated with the operations of the Commission Secretariat;
- procedural matters for the effective and efficient functioning of the work of the Commission, its subsidiary bodies and the Secretariat;
- monitoring, compliance, surveillance and enforcement issues;
- development of cooperative relations between the Commission and other institutions or countries with an interest or role in western and central Pacific fisheries for highly migratory species
- Commission's engagement in international initiatives relating to the conservation and management of highly migratory fish stocks; and
- other matters as may be required by the Chair of the Commission, Chairs of the Commission subsidiary bodies, Commission members, and the Secretariat;

OUTPUTS

The principal outputs of the consultancy will include, but not be limited to:

- production of discussion papers, briefing material and research papers on legal issues pertaining to the scope of the consultancy;
- provision of advice to the Commission Chair; Chairs of Commission subsidiary bodies; Commission Members, and the Secretariat on legal issues pertaining to the scope of the consultancy;
- review and drafting of conservation and management measures, resolutions and other decisions of the Commission;
- provision of advice on strategies to enhance cooperative relations between the Commission and other international and re organizations or nations with an interest or role in the conservation and management of highly migratory species, particularly in the Convention Area or in areas of overlap with other regional fisheries management organizations; and
- Facilitated sessions and logistical support at meetings of the Commission, as may be required.