Terms of Reference

CARICOM Regional Guidelines for Sustainable Marine Managed Areas in the Caribbean – Environmental Law Specialist (coastal and marine)
Scope

These Terms of Reference (ToR) refer to “CARICOM Regional Guidelines for Sustainable Marine Managed Areas (MMA) in the Caribbean - Environmental Law Specialist (coastal and marine)”. This assignment will be conducted by a team of two experts in close cooperation with the CATS Component 2 technical assistance team and the principal MMA management stakeholders in the six focus countries of the programme, all of which were assisted by CATS 2 between 2013 and 2015. The consultancy will be well closely coordinate and cooperate with the CARICOM Secretariat and in particular with the Secretariat’s legal and environmental management units. The consultancy team will be composed of

1. **STE1** - An expert in ICZM and the integration of MMAs into ICZM systems (Team Leader), and
2. **STE2** - An expert with a background in coastal and marine environmental law (national, international, MEA) in the Region.

This is the Terms of Reference for the STE 2.

The scope of this assignment is to make use of the experiences made and lessons learned in the course of the CATS 2 programme, to initiate a multi-stakeholder process assisting and CARPHA to deliver to CARICOM, agreed CARICOM Regional Guidelines for Sustainable Marine Managed Areas in the Caribbean. The immediate outcomes of the assignment will be the participatory development of a guidelines document of immediate usability not only at national policy levels but as well by MMA managers in their day-to-day work. The guidelines will provide suggestions towards policy improvements based on consolidated national legal and organisational frameworks for marine area management, suggestions for the improvement of managerial processes such as sustainable financial management of MMAs and suggestions for addressing selected hands-on technical problems that MMAs in the Caribbean are facing.

The guidelines will also comprise a strategic roadmap on how to further strengthen regionally integrated solutions for coastal zones, marine protected areas, and sustainable fisheries management since they are all interlinked and part of the overall CATS project. The guidelines shall be launched officially through a regional CARICOM MMA Conference, whereas several prior preparatory consulting workshops might be needed at national and MMA levels. In addition, there will be dissemination of lessons learned via the Blue Solutions platform (http://bluesolutions.info/).

1. **Overall Programme Background**

1.1. **The Programme**

The consultancy is part of a regional program between Germany and the Caribbean Community (CARICOM), titled Caribbean Aqua-Terrestrial Solutions (CATS), specifically its Programme Component 2 ‘Management of Coastal Resources and Conservation of Marine Biodiversity’. In the five CARICOM countries of Dominica, Grenada, Saint Kitts and Nevis, Saint Lucia and Saint Vincent and the Grenadines, CATS Component 2 focuses on improving the sustainable management of five Marine Managed Areas (MMA).

1.2. **The CATS Programme**

The consultancy is part of a regional program between Germany and the Caribbean Community (CARICOM), titled Caribbean Aqua-Terrestrial Solutions (CATS), and specifically its Programme Component 2 (CATS 2) ‘Management of Coastal Resources and Conservation of Marine Biodiversity’. CATS 2 focuses on improving the sustainable management of Marine Managed Areas (MMA).
Creating a Ridge-to-Reef Approach (RtR), CATS is the umbrella programme to two Programme Components namely on “Adaptation of Rural Economies and Natural Resources to Climate Change” (Component 1) and on the “Management of Coastal Resources and Conservation of Marine Biodiversity” (Component 2). CATS as a whole is addressing the increasing vulnerability of Caribbean SIDS and Low-lying Coastal States to climate change and the attendant negative impacts on coastal communities and economies, ecosystems (terrestrial and coastal/marine), and coastal natural resources management. In CATS Component 2, GOPA is an implementation partner of GIZ and responsible for the provision of Technical Assistance.

CATS is being implemented jointly by the Environmental Health and Sustainable Development Department (formerly the Caribbean Environmental Health Institute) of the Caribbean Public Health Agency (CARPHA) and the German Development Cooperation (GIZ, Deutsche Gesellschaft für Internationale Zusammenarbeit). It is implemented from January 2012 until December 2015.

Whenever possible, the inclusion of Development Partnerships with the Private Sector (DPP) is specifically supported in CATS as DPPs are seen as one of the keys to sustainable marine area management in general and sustainable financial management of MMAs in particular. All CATS support is gender sensitive with a specific emphasis of management empowerment and economic participation of women.

**Definition - Marine Managed Area**

A Marine Managed Area (MMA) is a geographically defined space of sea and coastal landscape under a defined management regime by a dedicated management entity targeting the sustainable use and potential improvement of its natural resources and ecosystem services for the benefit of the people. An MMA has a defined management strategy, a management and/or operational plan, a financial management plan and a communication plan. An MMA consists of several geographically defined and delineated zones, such as MPA, exclusive or priority fishing zones, multi-use zones, recreational zones, maritime traffic zones, or others. Each MMA Zone is again managed along a specific sub-set of the MMA management strategy and plan. A Marine Protected Area (MPA) is thus just one possible zone within an MMA. This MMA definition is currently accepted by all CPP project countries and among international organisations and agencies worldwide.

**The focus MMAs of the Programme are:**

<table>
<thead>
<tr>
<th>Country</th>
<th>Location</th>
<th>MMA Name</th>
</tr>
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<tbody>
<tr>
<td>Dominica</td>
<td>Soufriere, Scott’s Head</td>
<td>Soufriere - Scott’s Head Marine Reserve (SSMR)</td>
</tr>
<tr>
<td>Grenada</td>
<td>Molinière, Happy Hill</td>
<td>Molinière/ Beauséjour Marine Protected Area (MBMPA)</td>
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<tr>
<td>Saint Kitts &amp; Nevis</td>
<td>Between Saint Kitts and Nevis</td>
<td>South East Peninsula Marine Management Area (SEPMMA)</td>
</tr>
<tr>
<td>Saint Lucia</td>
<td>Soufriere, Canaries, Anse la Raye</td>
<td>Soufriere, Canaries and Anse la Raye Marine Management Area (SMMA)</td>
</tr>
<tr>
<td>Saint Vincent and the Grenadines</td>
<td>South Coast of St. Vincent</td>
<td>South Coast Marine Conservation Area (SCMCA)</td>
</tr>
<tr>
<td>Jamaica</td>
<td>Montego Bay</td>
<td>Montego Bay Marine Park (MBMP)</td>
</tr>
<tr>
<td>Jamaica</td>
<td>Oracabessa Bay</td>
<td>Oracabessa Fish Sanctuary (OFS)</td>
</tr>
<tr>
<td>Jamaica</td>
<td>Portland Bight</td>
<td>Portland Bight Protected Area (PBPA)</td>
</tr>
</tbody>
</table>

Additional since 2014
1.3. The Situation of the Coastal and Marine Environment and Environmental Management

The region of the Western Indies and the Gulf of Mexico is a recognised marine and coastal biodiversity hotspot. At the same time, the Caribbean is one of the world’s eco-regions extremely affected by excessive resources over-use and negative environmental impacts from climate change. The coastal marine ecosystems of the Caribbean, and in particular its coral reefs are already today among the most threatened at a global scale. In this respect, most affected are in particular the 15 coastal and Small Island Developing States (SIDS) forming the Caribbean Community (CARICOM). Their essential economic sectors like tourism and fisheries and thus their economies as a whole are highly dependent on the integrity and productivity of the coastal and marine environment, both in terms of resources consumption and the use of services derived from these environments. Given the vulnerability of the countries’ economies and significant proportions of their populations to these negative effects, their connection to sustainable income generation and poverty reduction is obvious.

At the same time, the management and its implicit use-management of resources and services from coastal and marine ecosystems in the pilot CARICOM countries can be described as mostly inadequate and/or unsustainable. One core reason for this management deficiency, after decades of recognition and slow-paced improvements, still is a prevailing lack or inadequacy of necessary specific management capacity of responsible authorities and other stakeholders.

It is today generally accepted that reaching sustainable solutions in an efficient manner is within the principles and approaches of Integrated Coastal Zone Management (ICZM). At the same time, the central importance of Marine Managed Areas (MMA) is undisputed and this approach has been taken at almost 80 locations in the Caribbean to date. While ICZM at national levels is in its infancy in most CARICOM Countries, it is in fact the management of the numerous MMAs in the region that does not only have direct positive effects on the ecosystems and their resources, but at the same time does serve as smaller-scale pilots for learning and ultimately up-scaling at the national level. MMAs, when large enough and chosen to strengthen resilience against the effects of climate change, and if managed properly and sustainably, are just a smaller image of the larger picture. CATS 2 does intervene at this logical point, intending to support the bridging between MMAs and national-scale ICZM.

Consequently, target groups are located at the micro-, meso- and macro-impact levels, encompassing government, non-government and private sector MMA and ICZM management entities from local through national up to the regional CARICOM levels. Examples at the micro-level are local communities and authorities, national line agencies, fisherfolk and other coastal resource users, the local and national tourism sector and associated small and medium size enterprises, all of which base their income and livelihood largely on coastal and marine resources and ecosystem services.

CATS 2 is built around two principal approaches, which are 1. The provision of advisory technical support over the entire range of issues and problems associated with sustainable marine area management and its linkage and integration into ICZM, and 2. The provision of financial support to demonstration and pilot projects and activities of identified importance for the sustainable improvement of environmental and financial management of at least 5 MMAs in the CARICOM region. Whenever possible, the inclusion of public-private partnership mechanisms (PPP) will be specifically supported in the programme as PPP is seen as one of the keys to sustainable marine area management and ICZM in general. All CATS support is gender sensitive with a specific emphasis of management empowerment and economic participation of women.
1.5. CATS Component 2 Objectives

The Overall Objective of CATS 2 is ‘The management of existing MMAs in selected CARICOM member states is improved’.

The Specific Objectives of CATS C2 are:

1. At least 5 Marine Managed Areas (MMA) in the participating CARICOM states are sustainably managed under agreed management plans and integrating among other things, climate change and gender aspects
2. In at least 5 MMAs in the project region, sustainable financing mechanisms are implemented as part of MMA management plans
3. CARICOM Regional MMA Guidelines are developed

This consultancy will contribute to Objective 3 of the CATS 2.

The underlying CATS programme objective is to assist the partner agency CARPHA (The Caribbean Public Health Agency) regarding a stronger political and socio-economic integration of the CARICOM states, in addressing important regional concerns such as food-security (land and sea based), aqua-terrestrial natural resources management and environmental conservation (Ridge-to-Reef) taking into account among other cross-cutting issues for example the promotion of gender equality.

2. This STE Consultancy

2.1. Consultancy Objectives

The Objectives of the consultancy are:

1. CARICOM Regional Guidelines for the Sustainable Management of Marine Areas (MMA) in the Caribbean, based on the experiences gained and lessons learned in the course of the CATS 2 programme, and integrating outputs from other national, regional and international programmes, are developed in a participatory manner.
2. A multi-stakeholder process for securing a regional mandate as well as an official launch of these MMA Guidelines with a CARICOM MMA Conference hosted by CARPHA and GIZ is organised.
3. The Guidelines are submitted to CARICOM Secretariat for endorsement and dissemination.

2.2. Intervention Logic of the Consultancy

The drafting of CARICOM Regional MMA Guidelines is one of the three Objectives of the CATS Component 2. The rationale behind this output originates from the general capacity building and knowledge management approach of CATS 2. Between 2013 and 2015, ample experiences and a multitude of lessons learned were gained by the MMA management stakeholders and partners, both at local MMA, and national policy levels. These experiences and lessons learned are to be shared regionally.

The MMA Guidelines will however not only integrate the recent approaches and tools to marine area management and national legal and organisational frameworks for MMAs developed, introduced and implemented by CATS. It will also integrate the results of other regional programmes and organisations such as the Caribbean Marine Protected Area Management Network (CaMPAM), Blue Earth Consultants (e.g. at SMMA/CAMMA, Saint Lucia) and the Nature Conservancy project ‘Sustainable MPA Financing’ associated to the ongoing Caribbean Biodiversity Fund (CBF) and the Caribbean Challenge Initiative (CCI) processes in the Caribbean.
The guidelines shall be launched officially through a regional CARICOM MMA Conference hosted by CARPHA, whereas several prior preparatory consulting workshops might be needed at national and MMA levels. In addition, there will be dissemination of lessons learned via the Blue Solutions platform (http://bluesolutions.info/).

The specific focus of CATS 2 on the creation or consolidation of sustainable financial management systems in MMAs, the integration of relevant managerial tools into marine area management plans and day-to-day operations, and the consolidation of national legal and organisational frameworks for sustainable MMA management has yielded valuable information and knowledge now to be shared among all CARICOM Countries and beyond.

Acknowledging the diversity of established management systems and national settings among the pilot CARICOM Countries, the MMA Guidelines are intended neither to be country specific nor detailed. Instead, the Guidelines will provide managerial options that have worked under certain specific settings in the Caribbean.

The CARICOM MMA Guidelines are intended to include a strategic roadmap on how best to strengthen regionally integrated management solutions for coastal zones, marine protected areas, and coastal resources since they are all interlinked. The Guidelines shall serve as an additional decision-making tool for MMA policy makers and MMA managers for the advancement of sustainability, and in particular sustainable financing of MMA operations from MMA resources and services conversion. Most importantly, the MMA Guidelines will need to reflect the overall Ridge-to-Reef approach, hence ICZM principles, of the CATS programme.

The MMA Guidelines will be correlated to the on-going processes and actions of the ‘Convention on Biological Diversity’ (CBD) and the ‘Revised CBD Strategic Plan 2011 – 2012’ respectively. Most if not all CARICOM Member States have agreed to deliver on setting aside at least 17% of terrestrial and 10% of coastal and marine areas as protected areas by 2020. The Caribbean CBD Parties have also agreed that by 2020, areas under agriculture, aquaculture and forestry will be managed sustainably, thus ensuring the conservation of biodiversity. CATS supports these headline targets through its aqua-terrestrial or ridge-to-reef approach.

### 2.3. Specific Expected Deliverables (D) in Detail

All deliverables are preferably to be produced in digital/electronic form only. All deliverables, both electronic or hard copy, need to be produced in English and, when applicable in A4-Format. All report documents by the consultant need use the CATS2 Report Template (WORD-document), which will be provided to the consultants.

The responsibility for all principal deliverables (D) is shared between both consultants (STE1 and STE2). This STE1 consultant and team leader coordinates the consultancy inputs:

- **D 1.** Comparative analyses of marine area management approaches and tools introduced/implemented in the CATS 2 focus countries (tabular). Review and incorporation of regional integration best practices like Caribbean Marine Protected Areas Management Network and Forum (CaMPAM).

- **D 2.** Structural draft of Regional CARICOM MMA Guidelines document

- **D 3.** An inception report containing the methodology for conducting the assignment, including (annexed) the Structural draft of the CARICOM MMA Guidelines, and a

- **D 4.** Draft Work Plan and Itinerary of Activities to be finalised at an inception meeting with the CARPHA/GIZ/GOPA technical team

- **D 5.** Zero draft of MMA Guidelines document (participatory from preparatory consulting workshops and other information meetings and discussion rounds with all CATS 2 key stakeholders at national and MMA levels)

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1 This table will be further developed during the consultancy and will become an annex to the Guidelines document.
2.4. Key Tasks and Activities

STE1, as team leader, is responsible for the technical and logistical coordination between both consultants as members of the consultancy team.

The consultancy team will be supervised by the CATS 2 Principal Technical Adviser (PTA) and GOPA Team Leader, the GIZ Head of CATS Programme (HOP) and the Department Head EHSD/CARPHA all of whom the consultants will report to. Additional backup, guidance and advice will also be provided by the CATS 2 Regional Technical Adviser (RTA), and by the CATS Programme Management Team. All field mission itineraries will be arranged by the consultants and need to be approved by both, PTA and HOP. All respective regional transport and accommodation will be arranged by the CATS 2 Administrative Assistant in Saint Lucia.

All organisational and logistics matters (including invitations and participants management) in connection to the national and MMA-level workshops and information meetings will be handled by the consultancy team in coordination and cooperation with the respective CATS 2 PIT in the countries and CATS 2 PMU. The responsibility for this coordination and organisation is with the STE1 consultant/team leader.

All organisational and logistics matters (including invitations and participants management) in connection to the Regional CARICOM MMA Conference will be handled by EHSD/CARPHA with support from the CATS 2 PMU.

Tasks in detail:

1. Conduct in-depth review of CATS 2 output documents, e.g. studies, reports, products, tools, MMA management plans, MMA communication strategies and plans (CSP), strategic action plans for improvement of national legal and organisational frameworks for sustainable MMA management, etc.
2. Review and incorporate regional integration best practices like among others, the Caribbean Marine Protected Areas Management Network and Forum (CaMPAM).
3. Conduct national and MMA-level preparatory consulting workshops and other information meetings (individuals or grouped) and discussion rounds with all CATS 2 key stakeholders at national and MMA levels. This task may require regional travel. The consultants will plan, prepare and organise these workshops and other meetings in cooperation with CATS 2 and the national Project Implementation Teams (PIT) in the countries.
4. Conduct comparative analyses of marine area management approaches and tools introduced/implemented in the CATS 2 focus countries and convert findings into tabular matrix. Crosscheck and compare it with other best management practices (e.g. available at the Blue Solutions platform (http://bluesolutions.info/). Integrate recent approaches and tools to marine area management and national legal and organisational frameworks for MMAs developed, introduced and implemented by other regional organisations such as CaMPAM, Blue Earth Consultants (e.g. at SMMA/CAMMA, Saint Lucia) and the Nature Conservancy project ‘Sustainable MPA Financing’ associated to the ongoing CCI and CBF processes in the Caribbean. The latter assessments/consultations may require regional travel and meetings with the above organisations.
5. Progressively prepare draft CARICOM Regional MMA Guidelines, i.e. 1. structural draft, 2. zero draft, 3. first final draft document (participatory) as CARICOM MMA Conference input and 4. second final draft document as key CARICOM MMA Conference output.
6. Technically facilitate Regional CARICOM MMA Conference and present ‘First final draft Guidelines’ to conference participants and technically moderate respective discussions (tentative conference date: mid-November 2015 in Saint Lucia).
7. Prepare brief MMA Conference summary and consultancy report.

2.5. Activity Schedule

This consultancy input is part of a combined team consultancy by two short-term experts (STE).

This STE2 Consultant:

1. Two (2) field phases of 18 WD (combined total)
2. Three (3) desk phases of 4 WD (combined total)

Service Contract End: ....................not after 27 November 2015

During the field phase, the principal locations of performance will be Saint Lucia (CATS PMU) and the CATS 2 MMA focus countries (see above), excluding Jamaica, which will need to be visited. Additional travel to the CARICOM Secretariat (Guyana) may be necessary.
Indicative schedule of activities of this STE2 consultant over the contract period (will be finalised in consultants’ work plan [D1], during the initial consultancy briefing and the inception meeting) / (d = draft deliverable, D = final deliverable)

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<thead>
<tr>
<th>Deliverable (D)</th>
<th>Location</th>
<th>Work Phase</th>
<th>Week</th>
</tr>
</thead>
<tbody>
<tr>
<td>D 1. Comparative analyses of marine area management approaches and tools introduced/implemented in the CATS 2 focus countries (Tabular Matrix) amongst each other and with best management practices worldwide. Review and incorporation of regional best practices developed by other organisations and programmes (e.g. CaMPAM)</td>
<td>SLU</td>
<td>Desk Phase</td>
<td>1</td>
</tr>
<tr>
<td>D 2. Development of a Structural Draft of Regional CARICOM MMA Guidelines document</td>
<td>Country Visits</td>
<td>Field Phase</td>
<td>2</td>
</tr>
<tr>
<td>D 3. An Inception Report containing the methodology for conducting the assignment, including (annexed) the Structural draft of the CARICOM MMA Guidelines, and a</td>
<td>SLU</td>
<td>Desk Phase</td>
<td>3</td>
</tr>
<tr>
<td>D 4. Draft Work Plan and Itinerary of Activities to be finalised at an inception meeting (week 3) with the CARPHA/GIZ/GOPA technical team</td>
<td>Country Visits</td>
<td>Desk Phase</td>
<td>4</td>
</tr>
<tr>
<td>D 5. Zero draft of MMA Guidelines document (participatory / consulting workshops and other information meetings and discussion rounds with all CATS 2 key stakeholders at national and MMA levels)</td>
<td>Country Visits</td>
<td>Field Phase</td>
<td>5</td>
</tr>
<tr>
<td>D 6. Final draft of MMA Guidelines document (to be submitted to CATS 2, EHS and CARICOM), which serves as one contextual basis for the CARICOM MMA Conference</td>
<td>Country Visits</td>
<td>Desk Phase</td>
<td>6</td>
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<tr>
<td>D 7. Regional CARICOM MMA Guidelines document as MMA Conference outcome and to be submitted to CARICOM Secretariat for vetting and publishing</td>
<td>Country Visits</td>
<td>Field Phase</td>
<td>7</td>
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<tr>
<td>D 8. Concise consultancy report of maximum 12 pages (without annexes) including a brief MMA Conference summary</td>
<td>Country Visits</td>
<td>Desk Phase</td>
<td>8</td>
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<table>
<thead>
<tr>
<th>14 September</th>
<th>October</th>
<th>27 November</th>
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<tbody>
<tr>
<td>Week</td>
<td>1</td>
<td>2</td>
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<tr>
<td>Deliverable (D)</td>
<td>Location</td>
<td>Work Phase</td>
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<td>D 1.</td>
<td>SLU</td>
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<td>Country Visits</td>
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<td>D 4.</td>
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<td>Field Phase</td>
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<td>D 5.</td>
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<td>Field Phase</td>
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<tr>
<td>D 6.</td>
<td>Country Visits</td>
<td>Field Phase</td>
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<td>D 7.</td>
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<td>Desk Phase</td>
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<tr>
<td>D 8.</td>
<td>Country Visits</td>
<td>Field Phase</td>
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</tbody>
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Conference 10 November
3. **Required Profile and Qualifications**

- A university degree or advanced professional working experience in coastal and marine environmental law and national and international legal and organisational frameworks for sustainable environmental management in the Caribbean
- Proven experience in the drafting of environmental management guidelines, preferably in a coastal, marine or MMA context
- At least 5 years of working experience in coastal or marine development projects, at least 2 of which in the Caribbean Region
- Working experience with institutional and organisational frameworks for environmental and/or natural resources management (in particular coastal and marine) in the Caribbean
- At least 2 years of professional experience in assisting coastal or marine environmental management policy development and/or the development or consolidation of national legal and organisational frameworks for effective and sustainable environmental management
- Knowledge of all major international conventions and protocols (MEAs) pertaining to integrated coastal zone management (ICZM) in general and MMA management in particular, and respective national adjustment processes, preferably in the CARICOM Region
- Ability to work and interact efficiently with a wide range of regional and national MMA entities and MMA stakeholders
- 2 years of experience in assessments of coastal and marine resources and environmental and ecosystem services
- Outstanding analytical skills of management processes of MMAs, especially their effectiveness and (cost) efficiency
- Proven experience in conference facilitation and preparation of technical inputs to multi-stakeholder conferences for deliberation and vetting
- Outstanding editorial skills and ability to produce clear and concise documentation and reports
- Working experience in Small Island Developing States (SIDS) would be an asset
- Full autonomy in the application of IT, word processing and other desktop publishing tools
- Working-level fluency in English
- Experience working at the regional level in the Caribbean or at a sub-region e.g. at OECS would be an asset