



**MINISTRY OF AGRICULTURE, LIVESTOCK & FISHERIES
STATE DEPARTMENT OF FISHERIES AND BLUE ECONOMY**

**KENYA MARINE FISHERIES AND SOCIO-ECONOMIC DEVELOPMENT PROJECT
(KEMFSED)**

TERMS OF REFERENCE

For an Individual Consultancy

**DEVELOPMENT OF A BASELINE TO MEASURE PROJECT OUTCOMES
ON GOVERNANCE & MANAGEMENT EFFECTIVENESS OF SELECTED
PRIORITY FISHERIES, USING MSC PRE-ASSESSMENT FRAMEWORK**

DECEMBER 2017

1. Background

1.1. Commitment to Blue Economy

On May 2, 2016, in the Executive Order No. 1/2016, the Government of Kenya made a clear commitment towards a new approach, the blue economy, and taking into cognizance the importance of the sector to fuel the country's economic growth, created the State Department for Fisheries and the Blue Economy. The coastal and marine space on which a blue economy is potentially founded contains a myriad of different uses, some currently destructive or unsustainable, while others are renewable, some mutually exclusive and others compatible. More broadly, a blue economy approach is understood as encompassing a better integrated approach to these sometimes-conflicting uses of marine resources, living and non-living (including shipping, fossil energy and mining), and renewable or exhaustive. Too often, priority tends to be given to activities that generate short-term benefits but also have destructive and counter-productive longer-term consequences. In contrast, a blue economy approach is more proactive and embodies the need to focus on longer term sustainability. The Presidential Blue Economy Committee established in September 2016, while recognizing the many sectors in blue economy prioritized fisheries and aquaculture; and maritime shipping and logistic services as priority sectors that would deliver fast socio-economic benefits to the communities in the coastal areas. To strengthen fisheries governance for sustainable utilization and enhanced revenues for the government and employment creation, the government enacted the Fisheries Management and Development Act 2016 in September, 2016. The Act established institutions that would strengthen the governance of the fishing industry and aquaculture, and enable investments along the fishery value chains for socio-economic benefits. The institutions established include the Kenya Fisheries Service, Kenya Fish Marketing Authority and the Fish Levy Trust Fund.

1.2. KEMFSED project

In order to attain economic benefits from the coastal and marine resources, the Government of Kenya (GoK) through the State Department for Fisheries and the Blue Economy (SDF&BE) has requested the World Bank to support the proposed *Kenya Marine Fisheries and Socio-Economic Development Project (KEMFSED)*. The project development objective (PDO) is to enhance economic benefits and coastal livelihoods from marine fisheries and coastal aquaculture while safeguarding associated ecosystems' integrity.

The project duration will be 5 years. The implementing agencies will be the State Department for Fisheries & the Blue Economy (SDF & BE). The project's target area and beneficiaries will be coastal communities in Kenya's five coastal counties, namely: Kwale, Mombasa, Kilifi, Lamu, and Tana River.

The project comprises four components:

Component 1: Governance and management of marine fisheries and aquatic resources which aims to strengthen marine fisheries and coastal aquaculture governance so as to control over-fishing,

maintain or improve stock productivity and enhance associated ecosystem integrity.

Sub-component 1.1 will focus on coordination and institutional strengthening to ensure fisheries and aquaculture resources are safeguarded in the context of implementing the blue economy framework. Sub-component 1.2 will be on strengthening existing Fisheries Information System (FIS) to ensure availability of integrated sectoral information to communicate the importance of fisheries and aquaculture sector in broader coastal developments. Sub-component 1.3 will aim at improving management of inshore/small-scale fisheries. Sub-component 1.4 will aim at improving management of offshore fisheries.

Component 2: Promote investment in marine fisheries and coastal aquaculture which aims to promote efficient utilization and value-addition of the resources by increasing investment in the marine fisheries and aquaculture sector.

Sub-component 2.1 will focus on improving the business environment and private sector investment in the fishery and aquaculture sector; Sub-component 2.2 will focus on modernizing fisheries infrastructure to enhance value addition.

Component 3: Strengthening Marine Fisheries and Aquaculture-based Livelihoods for Coastal Communities which aims to enhance social and economic benefits that coastal communities derive from sustainable use of marine living resources.

Sub-component 3.1 will be on strengthening capacity of coastal communities on entrepreneurial and organizational skills and sub-component 3.2 will aim at enhancing access to finance and grant support

Component 4: This will be on project management which covers establishment and operationalization of a project secretariat, fiduciary, environmental and social safeguards, and monitoring and evaluation.

In August 2017, the Government of Kenya has received Project Preparation Advance (PPA) from the World Bank towards preparation of the *Kenya Marine Fisheries and Socioeconomic Development Project (KEMFSED)*. This assignment herein is a contribution to that.

2. Rationale of the Assignment

A key element of project design is monitoring and evaluation which, for the KEMFSED project, will be captured in the form of a results framework. The project results framework will identify monitoring indicators for tracking outcomes and impact over the duration of the project, with baseline values at start-of-project and target milestones and values for end-of-project (EoP). The task of identifying appropriate indicators and establishing baselines is divided between several assignments variously contributing to preparation of different components of the project. The assignment herein relates to establishing a baseline for Component 1, specifically the status of governance and management of priority marine fisheries. The *Marine Stewardship Council* (MSC) certification standard constitutes the most widely recognized, and comprehensive framework for

assessment and scoring of fisheries sustainability globally incorporating three key principles (stocks status, ecosystems and governance). MSC pre-assessment is sufficient to generate a semi-quantitative progress monitoring tool, as such the MSC pre-assessment is considered a suitable approach for measuring progress on marine fisheries governance under the KEMFSED project (and potentially beyond).

It is expected that the Kenyan *octopus* fishery will undergo MSC pre-assessment before March 2018 under a separate initiative. It is not yet certain whether octopus will be a priority fishery under KEMFSED, pending a criteria-based selection process under a separate assignment. The Kenyan *lobster* fishery underwent pre-assessment in 2010 so would need updating for the assignment herein, if it is selected as a priority fishery.

3. Objectives of Assignment

The objective of the assignment is to undertake a baseline assessment against which to monitor the impact of KEMFSED project interventions on governance and management effectiveness of several (approximately 5-6) selected priority marine fisheries in Kenya.

4. Scope of Assignment

The assignment will be carried out in respect to KEMFSED project intervention areas, namely coastal areas in Kwale, Mombasa, Kilifi, Lamu, and Tana River Counties, territorial seas and Kenya's EEZ. Key tasks will include:

- 4.1. consultation with the Client to confirm the list of priority marine fisheries (expected 5 fisheries) selected as the focus for the KEMFSED project; confirm whether any has recently undergone MSC pre-assessment or is intended to be assessed under other project initiative; and confirm operational or other contextual information required for 4.3 below;
- 4.2. review the MSC pre-assessment framework and consider what, if any, adaptations might be needed in applying the framework to meet the stated objective of this assignment, bearing in mind that certification *per se* is not explicitly an objective herein. This should include consideration of the Unit(s) of Assessment (UoA) in the case of each priority fishery and the likely need for application of MSC risk-based framework (RBF);
- 4.3. preparation of an Inception Report outlining: (i) the approach and methodology [based on MSC standard pre-assessment, highlighting any methodological adaptations as per 4.2 above] for the assignment; (ii) a detailed implementation plan including timeframe for consultations with the Client and other fisheries stakeholders; and (iii) as comprehensive as possible, list of secondary information sources required from the Client for desk review;
- 4.4. undertaking MSC pre-assessment for each identified priority marine fishery;
- 4.5. preparation and submission to the Client of a detailed draft final report including:
 - description of work undertaken including methodology;

- a pre-assessment report for each selected fishery following standard MSC pre-assessment format, including ratings against each MSC performance indicator and accompanying justifications;
 - Benchmarking & Tracking (BMT) tool for each selected fishery, filled for baseline YR1 based on pre-assessment ratings;
 - recommendations for updating of the assessments for monitoring progress of each UoA under, and impact of, the KEMFSED project.
- 4.6. presentation (in Power Point) of results and recommendations to the Client for comment, incorporation of comments from the Client and submission of a final report.

5. Expected Deliverables

Key deliverables include the following reports:

- 5.1. **Inception Report:** as per 4.3 above, to be submitted within one week after contract signing;
- 5.2. **Weekly email progress update:** a brief update of progress emailed to the Client;
- 5.3. **Draft Final Report:** as per 4.5 above, this report should be close to final in terms of content, and should be submitted within 6 weeks from the date of contract signing;
- 5.4. **Final Report:** The final report should be submitted within 8 weeks of contract signing, after integrating comments from the Client, and will contain all the five tasks the consultant will be expected to cover and all other necessary annexes.

6. Duration of the assignment

The assignment is expected to take no more than 9 weeks. It should start immediately upon signing of the agreement.

7. Key Expert required for the assignment: Marine Stewardship Council (MSC) Pre-Assessment Expert

7. Qualifications and experience of the Consultant

The work shall be carried out by an individual consultant with the following minimum qualifications and experience:

- i) Master's Degree in aquatic, fisheries or environmental science or management, or a related field from a recognized and reputable institution
- ii) At least 15 years demonstrated work experience in a technical role related to marine fisheries management
- iii) Significant, proven experience applying Marine Stewardship Council (MSC) standards and assessment framework is essential, including: MSC level 3 training or equivalent; significant experience in undertaking MSC pre-assessments; significant experience applying both the MSC risk-based framework (RBF) and the MSC Benchmarking & Tracking (BMT) tool

- iv) Experience in the development and application of Fisheries Improvement Projects (FIPS) will be an advantage including application of fisheries reference points as indicators of fisheries stock status
- v) Significant experience of marine fisheries management in the Western Indian Ocean will be an advantage
- vi) Proven analytical skills and experience reviewing technical literature and managing and/or analyzing quantitative data
- vii) Proven technical report-writing and reporting skills (in English)
- viii) Ability to work fluently and independently in English including leading technical conversations/meetings
- ix) Strong IT literacy and competency
- x) No conflicts of interest in undertaking the assignment

8. Supervision and working relations

The consultant will be expected to work closely and in consultation with the Project Preparation Advance (PPA) Team under the direction of the Acting Interim Director General of the KeFS.

9. Payment structure and timeframe

Payment terms will be based on completion of agreed milestones as per contract agreement and shall be made as per the below schedule:

- (i) 20% - on submission and acceptance of the Inception Report;
- (ii) 50% - on submission and acceptance of a draft Final Report; and
- (iii) 30% - on submission and acceptance of the Final Report.