

TERMS OF REFERENCE (FFM/PPG/42)

1 BACKGROUND

1. The WTO [Fish Fund](#) is a dedicated financing mechanism that supports developing and least-developed country Members with implementation of the disciplines of the WTO [Agreement on Fisheries Subsidies \(AFS\)](#). The Fish Fund provides targeted and practical assistance that enables Members to strengthen fisheries management, improve transparency, and build the institutional capacity that is necessary to meet their obligations under the Agreement.
2. The **State Department for the Blue Economy and Fisheries** of Kenya was awarded a project preparation grant (PPG) to identify gaps in Kenya's fisheries legislative framework that may hinder its compliance with the AFS and assess technical needs, resources, and expertise required to implement AFS, and to develop a Category 2 project proposal. The grant is expected to help align Kenya's fisheries governance with the AFS while promoting sustainability, economic resilience, and regional leadership in fisheries management.

2 CONTEXT

3. Illegal, unreported, and unregulated (IUU) fishing in Kenya's coastal and inland waters is an issue that threatens not only marine biodiversity but also the livelihoods of millions who depend on these vital resources. Today, more than three million people rely on fisheries for their income, food security, and way of life – making the fight against IUU fishing more urgent than ever.
4. There is an urgent need to ramp up enforcement of existing maritime laws and revisions to Kenya fisheries legislative framework to ensure compliance with the AFS, which commits Kenya to curbing billions of dollars in annual spending on the most harmful subsidies that contribute to the depletion of marine fish stocks.
5. The project was requested by the State Department for the Blue Economy and Fisheries to help Kenya identify gaps in its fisheries legislative framework to ensure that its compliance with the AFS is feasible. The project will also assess the technical expertise required to implement the Agreement.

3 OBJECTIVES AND EXPECTED OUTPUTS

6. The main purpose of the PPG is to identify the gaps in Kenya's fisheries legislative framework hindering its compliance with the AFS, and to assess the technical needs, resources, and expertise required to implement the Agreement.
7. In order to fulfill the objectives of the PPG, the consultant (or consultants) is expected to deliver the following specific outputs:
 - a) **A national needs assessment report** that details gaps in Kenya's regulatory, institutional and legislative framework that may hinder compliance with the AFS and the technical needs, resources, and expertise required to implement the Agreement.
 - b) **A Category 2 project proposal** aligned with the Fish Fund theory of change and based on evidence collected and demonstrating how the proposed activities will address identified gaps.

c) **A brief implementation and financial report at the end of the PPG** that describes the work carried out, the documents reviewed, stakeholders consulted, and main activities undertaken.

4 ROLE OF THE INTERNATIONAL OR NATIONAL CONSULTANT

8. Under the overall supervision and guidance of the State Department for the Blue Economy and Fisheries, the international or national consultant will carry out the following activities to implement this PPG, working in collaboration with a national expert (as described in Section 5):

4.1 Desk Review and Preparation

9. Review the existing PPG request document and collect, analyze and review all relevant literature and documentation related to the implementation of this PPG.

10. Contact key government authorities and stakeholders in Kenya in close cooperation with the State Department for the Blue Economy and Fisheries to collect relevant information for project development and to receive guidance on organizing field missions and workshops.

4.2 Missions and Stakeholder Engagement

11. Conduct up to **2 field missions** in Kenya (~10 days in total) to engage in detailed consultations with stakeholders identified during the preliminary analysis. During the field missions, the consultant will:

- Meet key stakeholders to gather information that will inform the needs assessment and identification of gaps and priorities.
- Consult with key national stakeholders on the actions to be taken within the project framework and collect their feedback and commitment regarding the Category 2 project stemming from this PPG.
- Lead **2 stakeholder workshops** to confirm the needs assessment and implementation gaps and to validate the findings of the PPG.

12. Consult stakeholders (private sector, donors) with an interest in implementation of the AFS in Kenya to identify possible support (financial or otherwise) for the resulting project.

13. Depending on possible interest and opportunities to obtain financing or co-financing from donors, the project proposal may be written in the format or template of one of these donors.

4.3 Preparation of analytical and project documents

14. Prepare a national needs assessment report that details Kenya's implementation gaps related to the AFS.

15. Prepare a project proposal for AFS Implementation in Kenya aligned with the Fish Fund theory of change and based on the information gathered during the desk analysis, fieldwork consultations and needs assessment.

16. Discuss the draft project proposal with relevant national stakeholders and review and finalize the proposal based on feedback received.

4.4 Finalization and reporting

17. Obtain letters of support for the resulting project proposal from key public sector stakeholders, in close cooperation with the State Department for the Blue Economy and Fisheries. These letters should demonstrate clear national commitment to taking the actions needed to ensure the success and sustainability of the project.
18. Prepare a brief implementation and financial report in cooperation with the State Department for the Blue Economy and Fisheries describing the work carried out under the PPG, including the documents and persons consulted, the main activities undertaken, etc.

QUALIFICATIONS AND WORK EXPERIENCE

- An advanced degree (Master's or Doctorate) in fisheries, natural resources, law, business administration, agriculture/veterinary science or other relevant field, with experience in fisheries, fisheries management, fisheries policy or law, and environmental or ocean-based projects.
- Excellent understanding of the disciplines of the WTO AFS and the challenges facing developing and LDC Members in implementation.
- Experience in project preparation, monitoring, and evaluation, including data collection (through questionnaires, surveys, consultations, and interviews involving multiple organizations and participants). Knowledge and experience in results-based project management and the theory of change.
- Experience conducting institutional capacity assessments and identifying gaps in legal, policy, or administrative frameworks related to fisheries management or subsidy governance.
- Experience working with regional fisheries management organizations or arrangements is highly desirable.
- Ability to draft high quality analytical reports, policy recommendations, and project proposals for international development partners or trust fund mechanisms.
- Excellent oral and written communication skills in English.

5 ROLE OF THE NATIONAL EXPERT

19. A national expert or focal point designated by the State Department for the Blue Economy and Fisheries will provide support to the consultant during the implementation of the PPG. The national expert will:
 - Liaise with relevant national stakeholders including government authorities, private sector, academia, donors, and development partners. This will include identifying relevant persons who should be consulted in the implementation of activities under the PPG.
 - Support the organization of stakeholder workshops and other meetings, including the preparation of agendas, distribution of invitations and logistical arrangements, preparation and distribution of a document outlining the project concept.

- Provide necessary support, including assistance with interpretation and translation as required to enable the consultant to successfully deliver on his or her activities.
- Accompany the consultant to meetings and visits, as needed.
- Provide technical review and feedback of the draft needs assessment and project proposal.

6 IMPLEMENTATION ARRANGEMENTS

20. In consultation with the State Department for the Blue Economy and Fisheries, the WTO will contract the consultant. The consultant should have the expertise and skills indicated in Section 4.
21. The State Department for the Blue Economy and Fisheries will serve as the lead agency for project implementation and monitoring progress, ensuring alignment with Kenya's AFS disciplines and reporting requirements under the WTO Fish Fund.
22. The State Department for the Blue Economy and Fisheries will publicly acknowledge the support of the WTO Fish Fund in all official project communications, including press releases, media interviews, and stakeholder workshops. It will also share regular project updates through its official website and social media platforms, highlighting key milestones and achievements in line with the objectives of the AFS.

7 TIMEFRAME

23. The activities of this PPG will take place over a period which shall not exceed six months, including the submission and validation of all specified deliverables.

8 BUDGET

24. The budget available from the Fish Fund for implementation of the PPG is **US\$ 49,990**.

Activity	Details	Unit	Rate in US\$
Expert fees (needs assessment + project development)			
Desk review	Fish Fund contribution	10	600
Stakeholder engagement (virtual meetings)	Fish Fund contribution	5	600
Draft needs assessment	Fish Fund contribution	6	600
Consultations and follow-up to discuss findings	Fish Fund contribution	6	600
Finalize needs assessment	Fish Fund contribution	5	600
Draft project proposal based on needs assessment	Fish Fund contribution	5	600
Workshop to present and discuss project proposal	Fish Fund contribution	4	600
Revise and finalize proposal	Fish Fund contribution	4	600
Implementation report			
Prepare a brief implementation report for the Fish Fund Secretariat, covering activities carried out, deliverables, documents reviewed, people consulted,	Fish Fund contribution	5	600

workshop participant lists, and estimated versus actual expenses.			
Expert's travel and per diem (if any)*			
Airfare (up to 2 return flights in economy class)	Fish Fund contribution		2,000
Per diem (Nairobi)	Fish Fund contribution	10	267
Outreach activities and engagement (e.g. premises, refreshments, participant per diem)*			
Estimated workshop costs (e.g. premises, refreshments, participant per diem)	Fish Fund contribution		14,445
Other (e.g. printing, leaflets, reports)	Fish Fund contribution		875

**To be reimbursed based on actual expenses. Please keep copies of invoices, purchase orders, and send them to the Fish Fund Secretariat.*
