

**FFA****FORUM FISHERIES COMMITTEE**
124th Meeting**28 October 2022**
Honiara, Solomon Islands

Agenda Item:	6
Paper No:	FFC124-WP.05 C
Title:	Revised Terms of Reference Independent Review of FFA Partnership with the EU

Summary

In accordance with FFC122 tasking and the ARC23 request, the Secretariat presents the revised draft Terms of Reference for the Independent review of the FFA relationship with the European Union for consideration and feedback from Members.

Recommendations

The Committee is invited to approve the Terms of Reference to enable the Secretariat to finalize and commence the review.

Introduction

At the annual Forum Fisheries Committee Meeting, held in May 2022, Members considered the initial review carried out by the FFA Secretariat of the FFA's relationship with the EU.

Members thanked the Secretariat for the initial review and tasked the Secretariat *“to commission a more detailed and independent review that takes an in-depth strategic analysis of the EU relationship, that takes into account the history of EU engagement with FFA, CROP, broader regional and geopolitical issues, along with consideration of strategies to align the EU with FFA fisheries management needs. The review should provide guidance on principles, criteria, and other relevant considerations when FFA determines development (donor) partnerships”*.

The Secretariat was also tasked with developing a TOR for the independent review to be shared with members for their input before it is finalised.

Draft Terms of Reference

The Secretariat has developed a first draft of the Terms of Reference for the independent review which was presented to ARC23 and following their feedback presents a revised ToR (See Attachment A) for consideration and feedback from Members. It is anticipated that once the Terms of Reference (ToR) is finalised the Secretariat will commission the independent review, to be completed before the next annual session of the Forum Fisheries Committee in 2023.

REVIEW OF FFA PARTNERSHIP WITH THE EUROPEAN UNION

DRAFT TERMS OF REFERENCE

Background

While the FFA relationship with the EU dates back to the 1980s, a more robust relationship between the European Union and FFA was evident from 2004 when the EU became a member of the WCPFC.

In the early to mid-1980s the then EC provided funding for the construction and establishment of the FFA Secretariat Offices and Conference Center while in the mid-1990s support was provided by the EU in the areas of MCS and Maritime Boundary Delimitation.

FFA commenced implementation of EU funded donor projects from 2005 with the commencement of the Development of Sustainable Tuna Fisheries in Pacific ACP Countries (DEVFISH) project.

There are a number of different elements to the relationship between FFA and the EU, with the EU being a development partner that funds FFA activities, an important market for tuna caught in FFA members' waters and a member of the WCPFC with distant water fishing interests in the WCPO.

Over the past several years, the relationship between the EU and FFA has become strained in regard to donor financing arrangements, and within the context of WCPFC as well as more generally.

The review is timely with the FFA Strategic Plan 2020-2025 highlighting the need for development of a Resourcing Strategy and Funding Guidelines to help ensure donor support is aligned with members' priorities and supports achievement of the outcomes sought by members.

The EU remains a key market for FFA member countries with the development of competent authorities and compliance with EU regulatory requirements being necessary prerequisites to accessing this market.

Given the different aspects of the relationship, it is important that the review considers all these elements, including any interplay between them, with the aim of taking a holistic approach to the relationship going forward.

Objective of the Review

The objective of the review is to provide an in-depth strategic analysis of the EU relationship with FFA and must take into account:

- i. the history of EU engagement with FFA specifically as well as with other members of CROP;
- ii. broader regional and geopolitical issues; and
- iii. consideration of strategies to ensure that donor support to FFA, including from the EU, is aligned with the fisheries management and development needs of FFA members.

The review should consider the extent to which the EU's approach to development partnerships aligns with the interests of FFA members and provide guidance on principles, criteria, and other relevant considerations when FFA determines development (donor) partnerships, to help inform the development of the FFA Resourcing Strategy and Funding Guidelines.

This consultant is expected to undertake the following:

1. Assess the engagement with the EU within the WCPFC context, including EU's fisheries management interests and its alignment to those of FFA Members;
2. Provide an overview of the EU's broader regional policies for the Pacific and undertake an analysis of the extent to which those policies align with the interests of FFA members;
3. Review the funding arrangements between the EU and the FFA Secretariat, including in relation to project implementation costs and associated fees;
4. Consult with FFA Members to get their perspective on the relationship with the EU;
5. Consult with the EU (through the EU delegation to the Pacific) to get its perspective on the relationship between FFA and the EU, including in the WCPFC context;
6. Make recommendations on principles, criteria, and other relevant considerations for FFA to take into account when it is considering development (donor) partnerships.

The Director Corporate Services, Director Fisheries Development and the Executive Officer will be the first points of contact for this review.

Scope of Work

The review will cover the following specific areas of work and associated issues in relation to the relationship between FFA and the EU:

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- a. The historical relationship;
- b. Understanding the genesis of partnerships, and learn from this exercise to inform how FFA decides to establish or maintain its partnerships;
- c. The current relationship with FFA Members within the context of WCPFC;
- d. The current trade relationship with regard to tuna and associated products (for example, tuna loins and canned tuna);
- e. The EU's Indo-Pacific Strategy and geopolitical interests in the Pacific specific to fisheries management and including, but not limited to, the UNFCCC and BBNJ negotiations;
- f. Identifying factors that have impacted on the relationship, and provide recommendations on how to address these, including some commentary on the costs versus the benefits of addressing these factors;
- g. Development partner engagement in the context of aid effectiveness and the principles of the 2005 Paris Declaration on Aid Effectiveness;
- h. The cost to the FFA Secretariat of managing EU Projects including resources and time plus the degree to which these costs are recovered.

Deliverables The review is expected to deliver a report that will cover the following:

- i. Overview of the history of FFA relationship with the EU including its current relationship;
- ii. An analysis of the EU's interests in the Pacific, within the context of their Indo-Pacific Strategy, with a particular focus on but not limited to fisheries management;
- iii. Critical analysis of EU policy positions relating to the Pacific and comparison between the FFA policies and priorities, and more broadly CROP oceans policies;
- iv. An assessment of the current trade relationship with regard to tuna and associated products;
- v. An assessment of EU's funding arrangement with FFA and identify possible avenues for increased cost recovery opportunities; and
- vi. Make recommendations on principles, criteria and other relevant considerations when FFA is considering a development (donor) partnership.

Time Schedule and Reporting Requirement

This work is to be completed by (date to be discussed) and a report shall be provided to the Secretariat for circulation to and discussion with members.