



**UNDP/GEF PROJECT ENTITLED “REDUCING ENVIRONMENTAL STRESS IN THE
YELLOW SEA LARGE MARINE ECOSYSTEM”**

Statement of Work

Consultant for Regional Governance Analysis in the Yellow Sea Region

Proposal deadline: 5th March 2007

1. Background

The objective of carrying out a Regional Governance Analysis under the YSLME Project is to understand the underlying root causes of the Yellow Sea’s ecosystem problems, through the analysis of the whole political environment that affects environmental problems, and to provide the basic foundation for identifying possible future interventions, as part of the project preparative work for the development of a Strategic Action Programme for the Yellow Sea.

National governance analyses for China and Republic of Korea (ROK) have been conducted. The analyses examined governance issues in the respective countries from the perspective of stakeholders, institutions, and legislations and policies. However, the transnational nature of environmental stress in the Yellow Sea region requires cooperative responses from states in this region, including China, Democratic People's Republic of Korea (DPRK) and ROK, which reveals a necessity of conducting the analysis of governance issues from the perspective of the region.

2. Description of Required Services

A competent institution(s) or individual(s) or a team of consultants, selected through the required United Nations bidding procedure, will be contracted to assume the main responsibility of implementing the Regional Governance Analysis in the Yellow Sea region. The institution(s) or individual(s) shall carry out the following activities:

- 1) Collect and analyse the existing data and information relevant to the regional political environment that affects environmental problems in Yellow Sea, as described in the below sections from (1a) through (1f). The results of the National Governance Analyses as well as the Causal Chain Analysis completed by the four Project components must be reviewed by the selected institution(s). The review should also cover as much as possible, the data and information existing in all relevant institutions in the region. The major activities will include:
 - (a) Identification of the major environmental problems of the Yellow Sea. The coastal states share responsibilities for some of these problems, while others may be rooted in differing priorities among states on economic development and other issues.

- (b) Analysis of primary stakeholders. Primary stakeholders at the regional level include state governments, relevant international organisations, the private sector and NGOs. The focus of this analysis should be on assessing stakeholders' interaction and exercise of influence on the process and identifying issues that need to be tackled to bring better and more effective implementation of the YSLME Project.
 - (c) Analysis of existing international co-operation. The scope of analysis includes identifying bilateral, regional and global cooperative mechanisms which have significant implications for the management of the Yellow Sea ecosystem, evaluating the success and limitations of these mechanisms in the context of the YSLME Project, and developing possible solutions to consider for improved overall performance. Co-operative mechanisms that need to be considered include both the bilateral co-operation between the participating governments of YSLME and regional and international organisations and projects, such as Northwest Pacific Action Plan (NOWPAP), IOC Sub-Commission for the Western Pacific (IOC/WESTPAC), Global Programme of Action for the Protection of the Marine Environment from Land-based Activities (GPA) and Partnerships in Environmental Management for the Seas of East Asia (PEAMSEA).
 - (d) Identification of the roles and implications of existing legal institutions.¹ Legal institutions frequently provide guidelines to actions on cooperative levels, scope of standards to be developed, etc. Some of these are global, such as the United Nations Convention on the Law of the Sea, London Convention, and International Convention for the Prevention of Pollution From Ships, 1973 as modified by the Protocol of 1978 (MARPOL). Others, such as China and ROK's agreements on the fisheries, are bilateral. The focus of analysis should be on the standards and institutions these legal institutions have developed and their implications on the YSLME Project activities. The analysis should examine the existing bilateral fisheries agreements between China and ROK, and provide recommendations on the needs and means to prepare a regional fisheries agreement.
 - (e) Suggestions on how to improve the current cooperative mechanisms in Yellow Sea area, which can contribute to the better protection of marine environment and sustainable uses of the coastal and marine resources. The recommendation should include all the coastal countries in the Yellow Sea region.
 - (f) Provision of recommendations on regional policy, legal and institutional reforms within the context of the YSLME Project to address current problems and limitations, based on the findings and implications of the analysis on the issues mentioned above.
- 2) Submit the results-to-date to the Project Management Office (PMO). The preliminary results will be reviewed by the Project's Regional Working Group for Investment component (RWG-I) and the PMO.
 - 3) Revise and finalise the analyses, based on the comments from the RWG-I and the PMO, and present the results in a final report containing all the above listed points from (1a) through (1f).

¹ It should be noted that comparison of the national legal institutions of each state goes beyond the scope of the regional governance analysis and belongs mainly to the area of the national governance analysis. However, the results of this analysis may be included in regional governance analysis to aid in creating policy suggestions for harmonizing national legal institutions.

The commissioned assignment should be carried out from **March 2007 through July 2007**, and is expected to require approximately 50 person-days of work.

Qualifications:

The institution/individual selected to carry out this task should have the following qualifications:

- At least 10 years of experience and expertise in:
 - Relevant legislation and institutional framework
 - Yellow Sea governance/geopolitical issues
 - Environmental and resources management
- Ability to access necessary data and information through the databases, information centres, and other relevant institutions in the region.
- Appropriate academic qualifications and available time and good interpersonal skills, and ability to liaise with a wide range of stakeholders, including governments, NGOs, regional organizations and projects.
- Financial accountability with professional financial management system.

3. Deliverables and Deadlines

The commissioned assignment will be carried out from March 2007 through July 2007, according to the following schedule:

<u>Task</u>	<u>Deadline</u>
Contract signature	March, 2007
Inception report describing the workplan and methodology	March, 2007
Interim report (Draft final report on Regional Governance Analysis) and interim financial statement submitted for the RWG-I and PMO to review	31 st May, 2007
Final report (finalised Report on Regional Governance Analysis) and final financial statement submitted to PMO/UNOPS	30 th June, 2007
Contract end	31 st July, 2007

4. Monitoring/Progress Control

The PMO will assume overall supervision and co-ordination of this task. Programmatic guidance should be sought from Project Manager, Mr. Yihang Jiang (yihang@yslme.org), copied to Mr. Isao Endo (isao@yslme.org) at the PMO. All deliverables should be submitted to Mr. Endo. The format of the interim, final and financial reports should follow the templates included in Appendix 2 and the schedule as above.

5. Expected Outputs/Results

The final product should be a set of reports including:

- (i) A comprehensive Regional Governance Analysis Report which includes all the information discussed in the above section on Description of Required Services;
- (ii) A list of data and information sources to indicate the sources of the data and information collected in item (i), location of these data and information centres, conditions of access to data and information by different users;
- (iii) Recommendations for the priority areas and activities of future interventions; and
- (iv) Financial report as described in the section on Monitoring/Progress Control and shown in Appendix 1.

Items (ii) and (iii) may be included in the item (i), the Regional Governance Analysis Report.

The reports should be submitted via e-mail to the PMO. An interim report (draft final report) with results-to-date should be submitted to the PMO by 31st May, 2007. This report will be circulated and reviewed by the RWG-I and the PMO. The contracted institution should then incorporate the comments from the RWG-I and the PMO into the final report that is due on 30th June, 2007.

BREAKDOWN OF COSTS (USD)

<u>Item</u>	<u>Unit Cost (USD)</u>	<u># of Units</u>	<u>Total Cost (USD)</u>
TOTAL AMOUNT REQUESTED			

There may also be travel costs associated with this task. Travel costs associated with the missions should be included in the fees above. Consultant will make its own travel arrangements unless otherwise agreed in advance with the PMO.

Appendix 1 – Report Formats

SUGGESTED FINAL REPORT TABLE OF CONTENTS

Background of assignment
 Methods used to carry out assignment
 Major environmental problems in the Yellow Sea

Regional stakeholder analysis
Analysis of existing international cooperative mechanisms
Analysis of existing legal institutions
Recommendations for future interventions
Conclusions

Annex containing:

- Persons / institutions / websites visited or interviewed
- List of References

**Appendix 2
PROJECT EXPENDITURE REPORT**

Project statement of allocation (budget), expenditure and balance (Expressed in USD) covering the period

From.....**To**..... **Supporting**
Organization...UNDP/GEF.....

Project Title...*Reducing Environmental Stress in the Yellow Sea Large Marine Ecosystem*...

Project Commencing..... (Date) **Project Ending**..... (Date)

Object of Expenditure	Project Budget Allocation Amount (1)	Expenditure incurred from ... to Amount (2)	Unspent balance of budget Amount (3)
<p>..... </p> <p>..... </p> <p>(USE ITEMS ACCORDING TO THE BUDGET CATEGORIES IN ACCORDANCE WITH THE SIGNED MEMORANDUM OF UNDERSTANDING OR CONTRACT)</p>			
GRAND TOTAL			

Signed _____

Designation _____

Duly authorized official _____