SPREP
Secretariat of the Pacific Regional Environment Programme

PO Box 240, Apia, Samoa
E: sprep@sprep.org
T: +685 21929
F: +685 20231
W: www.sprep.org

PROTECT PACIFIC WHALES – OCEAN VOYAGERS

The Pacific environment, sustaining our livelihoods and natural heritage in harmony with our cultures.

APPLICANT INFORMATION PACKAGE

ACCESS AND BENEFIT SHARING - LEGAL ADVISER (ABSLA)

CONTENTS

A. BACKGROUND INFORMATION ON SPREP

B. JOB DESCRIPTION

C. REMUNERATION PACKAGE – TERMS & CONDITIONS

D. ADMINISTRATIVE INFORMATION

A. Background Information on SPREP

SPREP is the regional organisation established by the Governments and Administrations of the Pacific charged with protecting and managing the environment and natural resources of the Pacific. The head office is based in Apia, Samoa with about 100 staff. There is also a SPREP office in Fiji with four staff as well as SPREP Officers stationed in the Federated States of Micronesia, Republic of the Marshall Islands, Solomon Islands and Vanuatu. SPREP has an annual budget of USD $15 million in 2017.

The establishment of SPREP sends a clear signal to the global community of the deep commitment of Pacific island Governments and Administrations for better management of the environment within the context of sustainable development.

The strategic direction for SPREP is clearly set out in the 2017-2026 SPREP Strategic Plan. The Plan outlines the mandate, vision and programmes for the organisation, and places strong emphasis on effective delivery of services to SPREP Member countries and territories.

Mandate
SPREP's **mandate** is to promote cooperation in the Pacific region and provide assistance in order to protect and improve its environment and to ensure sustainable development for present and future generations.

Vision
SPREP is guided by its **vision for the future:** "A resilient Pacific environment, sustaining our livelihoods and natural heritage in harmony with our cultures".

Members
SPREP has 21 Pacific island member countries and territories (American Samoa, Cook Islands, Federated States of Micronesia, Fiji, French Polynesia, Guam, Kiribati, Marshall Islands, Nauru, New Caledonia, Niue, Northern Marianas, Palau, Papua New Guinea, Samoa, Solomon Islands, Tokelau, Tonga, Tuvalu, Vanuatu and Wallis & Futuna) and 5 developed countries (Australia, France, New Zealand, United Kingdom and United States of America) with direct interests in the region.

Four regional goals to achieving resilience and sustainable Pacific communities:
- **Regional Goal 1**: Pacific people benefit from strengthened resilience to climate change
- **Regional Goal 2**: Pacific people benefit from healthy and resilient island and ocean ecosystems
- **Regional Goal 3**: Pacific people benefit from improved waste management and pollution control
- **Regional Goal 4**: Pacific people and their environment benefit from commitment to and best practice of environmental governance

These define the core priorities and focus of SPREP in the areas of:
1. Climate change resilience
2. Ecosystem and Biodiversity Protection
3. Effective Waste Management and Pollution Control
4. Environmental Governance

SPREP approaches the environmental challenges faced by the Pacific guided by four simple **Values.** These values guide all aspects of our work.
- We value the **Environment**
- We value our **People**
- We value high quality and targeted **Service Delivery**

- We value **Integrity**

The SPREP Secretariat continues to strengthen and realign its institutional capacities, competencies, and systems to best support its Members by delivering more integrated, responsive, and cost-effective services to Members and partners and by better coordinating regional efforts.

Organisation Goal 1: SPREP has information, knowledge, and communications systems that get the right information to the right people at the right time and influence positive organisational, behavioural and environmental change.

Organisation Goal 2: SPREP has multi-disciplinary processes in programme delivery and in supporting Members to develop national and regional policies and strategies.

Organisation Goal 3: SPREP has a reliable and sustainable funding base to achieve environmental outcomes for the benefit of the Pacific islands region and manages its programmes and operations to stay within its agreed budget.

Organisation Goal 4: SPREP is leading and engaged in productive partnerships and collaboration.

Organisation Goal 5: SPREP has access to a pool of people with the attitudes, knowledge, and skills to enable it to deliver on its shared regional vision.

BACKGROUND ON THE RATIFICATION AND IMPLEMENTATION OF THE NAGOYA PROTOCOL IN THE COUNTRIES OF THE PACIFIC REGION

The Pacific Islands region is of critical importance for global biodiversity conservation, as it supports the most extensive and diverse coral reefs in the world, the deepest oceanic trenches and the healthiest and in some cases, largest remaining populations of many globally rare and threatened species including whales, sea turtles, dugongs and saltwater crocodiles. The Pacific is home to a high proportion of endemic and threatened flora and fauna; however, Pacific Islands' biodiversity is under intense pressure from habitat alteration and loss, invasive alien species, over-harvesting of terrestrial and marine natural resources, land degradation from damaging agricultural techniques, poor waste management and pollution control, and long-term impacts of global climate change. The Pacific Region also frequently faces direct impacts from extreme natural events such as cyclones, drought, and fire.

The Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilisation ("the Nagoya Protocol") was adopted by the Conference of the Parties to the Convention on Biological Diversity (CBD) at its tenth meeting in Nagoya, Japan, 2010. The Nagoya Protocol entered into force on 12 October 2014, following its ratification by 53 Parties to the CBD.

The Nagoya Protocol offers the opportunity to make the best possible use of its genetic resources, generate and share benefits derived from their utilisation, and return some of the revenue generated from these activities to the protection of the resources and the development of the countries where they were sourced.

The process of ratification has been supported by the Global Environment Facility (GEF) through a number of country-based and regional projects as well as investments from other donors and providers of technical assistance. While some of these projects have also been designed for implementation of the Protocol, this new project will focus on implementation of basic measures in the Pacific region, moving forward as a group at regional level.

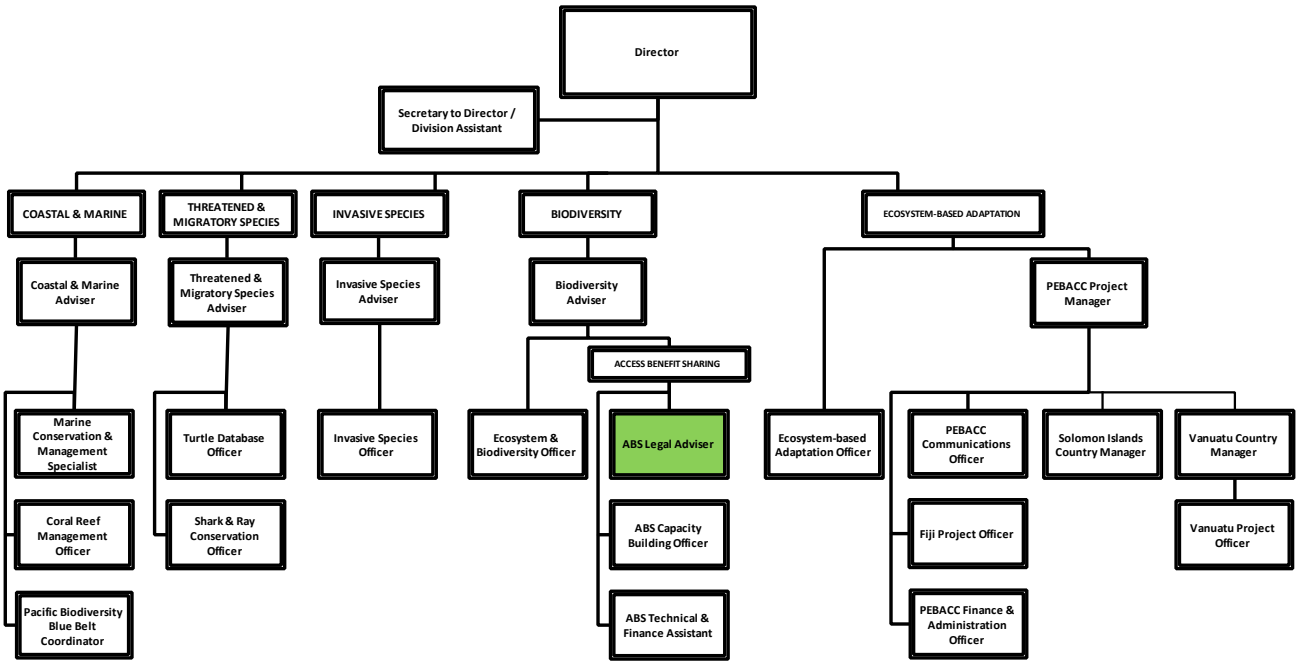
SPREP is the Executing Agency (EA) for the United Nations Environment Programme (UNEP)-GEF Project on the 'Ratification and Implementation of the Nagoya Protocol in the countries of the Pacific Region'. The objective of the project is to support Pacific Island countries to ratify the Nagoya Protocol and to implement key measures to make the Protocol operational in this region. In this way,

the project will support Pacific Island countries to facilitate access to their genetic resources and secure benefit-sharing in a fair and equitable way in line with the CBD and the Nagoya Protocol.

B. JOB DESCRIPTION

Job Title:	Access and Benefit Sharing Legal Adviser (ABS-LA)
Programme:	Biodiversity and Ecosystem Management
Team:	Biodiversity
Responsible To:	Biodiversity Adviser (ABS Project Manager)
Responsible For: **(Total number of staff)**	N/A
Job Purpose:	**This job exists to**: • Provide technical and legal advice relating to relevant activities, contracts and reports in association with the SPREP-UNEP-GEF Regional ABS project to ratify and implement the Nagoya Protocol in the countries of the Pacific region.
Date:	April 2017

Organisation Context



Key Result Areas

The position of **Access Benefit Sharing - Legal Adviser (ABSLA)** addresses the following Key Result Areas:

1. Technical, legal and policy advice and assistance
2. Networking, partnerships and collaboration
3. Project management support and reporting
4. Communications and capacity building

The requirements in the above Key Result Areas are broadly identified below.

Jobholder is accountable for	Jobholder is successful when
1. Technical, legal and policy advice and assistance a) Provide technical, legal and policy advice and assistance on key processes and requirements for ratifying and implementing the Nagoya Protocol b) Provide technical, legal and policy advice on key emerging issues and their potential implications for ratifying and implementing the Protocol c) Coordinate and provide relevant advice and assistance to Parties to the Protocol to determine provisional measures to ensure interim implementation of the Protocol post ratification, if ratification of national legal framework is not yet in place d) Review, draft and develop all relevant proposals, instructions, laws, regulations and policies that support compliance with the Protocol ensuring the key principles of the ABS are recognised e) Review all ABS agreements in the Pacific region to assess value of benefits shared, e.g. monetary, establishment of infrastructure, tech transferred, research results shared, etc. f) Provide advice on emerging Nagoya Protocol implementation initiatives by governments, industry and science community that are relevant to the Pacific g) Prepare and develop a regionally consistent approach to ABS	• Well researched, relevant and timely technical, legal and policy advice on all ABS matters and issues related to ratifying and implementing the Nagoya protocol is provided • Technical, legal and policy advice reflect international best practices and identifies and supports future directions of policy development for the region • National authorities take informed decisions on the ratification of the protocol and future implementation • Countries are capable of meeting basic provisions of the NP
2. Networking, partnerships and collaboration a) Liaise and coordinate with collaborating ABS project partners in the planning and	• Support and advice is provided to Pacific Island Parties to the Protocol

delivery of joint policy and legal advisory support b) Identify and secure new partnerships including funding opportunities to provide additional support and assistance with the ratification and implementation of the Nagoya Protocol c) Support and assist in the implementation of the Nagoya Protocol d) Identify opportunities for partnership with relevant regional and international institutions that can provide technical, legal and policy support on ABS	• Improved collaboration with project partners on achieving results and outcomes • Improved and strengthened regional partners' networking, coordination and collaboration • Countries share information and gain from the experiences of other members of the Pacific Community
3. Project management support and reporting a) Provide project management support and assist with project proposal development b) Prepare technical output reports for all activities responsible for c) Provide input into the preparation of annual workplans and budgets d) Contribute to the preparation of project financial and progress reports e) Provide technical support to the project including monitoring and evaluation	• Project development and management support is provided, • Effective and timely reporting to project participating countries, donors and partners • Effective management and delivery of agreed measurable outputs and indicators
4. Communications and capacity building a) Carry out relevant national and regional capacity building for Pacific island Parties to the Nagoya Protocol in the development of national ABS frameworks b) Assess policy and legal capacity building needs on ABS and work with the Capacity Development Officer in developing relevant responses to address these c) Assist in setting up a process to facilitate information exchange and sharing internally among national stakeholders and across project countries d) Assist in building capacities to meet reporting compliance requirements of the Nagoya Protocol e) Consult with each country on the integration of ABS frameworks within the NBSAPs and relevant national policy frameworks f) Undertake a systematic analysis of common assets, issues and needs of participating countries, and report on the	• An enabling environment is created which will lead to the implementation of the basic provisions of the NP • Reports with data and information are disseminated through relevant networks and audiences for awareness and promotion of SPREP's programmes and projects in the region • M&E Framework including key issues are shared, and integrated into planning and implementation of all SPREP work and programmes • Capacity needs identified and relevant programmes developed and delivered as appropriate • Relevant capacity building and training initiatives provided to strengthen SPREP and Member's positions and capabilities • Countries have a common understanding of shared assets/values, issues and needs on which to base collective policy for use nationally and at convention or regional

outcomes g) Assist governments to prepare or update national scoping studies h) Conduct gap analysis to look at linkages between legal/policy frameworks and national scientific/technological innovation policies, research and development at sectoral level, capacities of indigenous and local communities to negotiate ABS agreements, etc. i) Assist with the preparation of regional positions and statements to support international negotiations j) Assist with the preparation of media releases to raise profile of the project and its achievements	instrument level • Countries understand their national assets/values and requirements in a regional context • Constructive input is provided in to development of media releases and support to regional positions on international negotiations

Note

The above performance standards are provided as a guide only. The precise performance measures for this position will need further discussion between the Jobholder and Director/Supervisor as part of the Performance Development System.

This section may be copied directly into the Performance Development Plans.

Work Complexity

Most challenging duties typically undertaken:
• Provision of timely and accurate advisory support and assistance to national governments and stakeholders • Coordination and collaboration with international, regional and key stakeholders • Securing funding and resources

Functional Relationships & Related Skills

Key internal and/or external contacts	**Nature of the contact most typical**
External • SPREP Members • Donors / Partners • Professional / Scientific organisations • Regional / International organisations	• Advice and assistance • Consultations and collaboration • Negotiations and fundraising • Capacity Building • Communications and reporting
Internal • Executive • Project Manager and Project Team	• Leadership and management • Supervision and delegation

• BEM Director and Staff • SPREP Legal Adviser • Communications and Outreach Adviser • Finance Team	Advice and support

Level of Delegation

The position holder:
• manages an operational budget • can authorise costs in own budget • can carry out negotiations on behalf of SPREP • can seek funding opportunities for work programme activities

Person Specification

This section is designed to capture the expertise required for the role at the 100% fully effective level (this does not necessarily reflect what the current jobholder has). This may be a combination of knowledge / experience, qualifications or equivalent level of learning through experience or key skills, attributes or job specific competencies.

Qualifications

Essential
1. Minimum qualifications of a Master degree in Law, Environment Law or equivalent OR a Bachelor degree in lieu, with applied relevant work experience in excess of the minimum required relevant work experience.

Knowledge / Experience

Essential
2. At least 7 years of experience supporting the design and formulation of legal tools, systems and policies to implement the rights based approaches in conservation processes, mainly referring to the implementation of Multilateral Environmental Agreements (MEAs) particularly the Convention on Biological Diversity (CBD) and the Nagoya Protocol, preferably in the Pacific islands region, with at least 5 of those years at the senior leadership and advisory level (Specialised experience on ABS issues will be an advantage)
3. Extensive knowledge of environmental issues, specifically on biodiversity conservation and access and benefit sharing to genetic resources, as well as emerging and related ABS issues including challenges within the Pacific region with excellent understanding and appreciation of environmental ethics, values and priorities. Broad and comprehensive knowledge of the following is required:

a. Convention on Biological Diversity and the Nagoya Protocol b. Strategic Plan for Biodiversity 2011-2020 and the Aichi Biodiversity Targets; c. Framework for Nature Conservation and Protected Areas in the Pacific islands 2014-2020; d. Relevant international and regional policy frameworks on ABS.
4. Extensive leadership and management experience including high level advisory and analytical skills as well as leading and nurturing teams of diverse technical backgrounds and expertise in multicultural and multi-disciplinary environments
5. Excellent project management and leadership experience including the development of funding proposals, design and delivery of integrated work programme activities, monitoring and evaluation of performance, resource management as well as a good understanding of synergies and inter-linkages across multilateral environmental agreements
6. Excellent relationship management and fundraising skills and experience that demonstrate a high level of professional and constructive engagement with a diverse range of stakeholders as well as an excellent understanding of key donor partners and funding institutions with proven fundraising experience
7. Excellent experience at strategic and high level communication, negotiation and reporting across diverse audiences, as well as extensive experience in capacity building, particularly in the Pacific setting

Key Skills / Attributes / Job Specific Competencies

The following levels would typically be expected for the 100% fully effective level:

Expert level	• Leadership and Advisory • Analytical skills • Environment knowledge • Project development, monitoring and evaluation • Work programme planning, budgeting and implementation • Fundraising • Synergies and linkages with key multilateral environmental (MEAs) • ABS and bioprospecting issues in the Pacific islands region
Advanced level	• Environmental and biodiversity conservation issues in the Pacific islands region • Emerging environmental issues and challenges • Inter-cultural communications, preferably in the Pacific region • Multi-disciplinary team work. • CBD Strategic Plan for Biodiversity 2011-2020 • Nagoya Protocol on Access and Benefit Sharing

	• Convention on Biological Diversity Framework for Nature Conservation and Protected Areas in the Pacific islands region 2014-2020
Working Knowledge	• General management principles
Awareness	• SPREP Strategic Plan • SPREP Work Programmes

Key Behaviours

All staff are expected to uphold SPREP's Organisational Values and Code of Conduct which are Key Behaviours forming part of the Performance Development:

- Environmental Leadership
- Service Delivery
- Valuing our People
- Integrity

Change to job description

From time to time it may be necessary to consider changes in the Job Description in response to the changing nature of our work environment– including technological requirements or statutory changes. This Job Description may be reviewed as part of the preparation for performance planning for the annual performance cycle or as required.

C. REMUNERATION PACKAGE – TERMS & CONDITIONS

Duty Station: Apia, Samoa.

Duration: Appointment is for a term of 3 years in line with the project time frame.

Salary: Salary is denominated in International Monetary Fund Special Drawing Rights (SDRs). Remuneration for this post falls within Band 11 of SPREP's salary scale. Starting salary will be in the range of SDR35,440 to SDR39,870. Currently, the equivalent in Samoan Tala is SAT$135,250 (USD$52,019) to SAT$152,156 (USD$58,521) per annum. All positions have been evaluated to reflect the level of responsibilities and level of experience and qualifications required. Progress in the salary scale will be based on annual performance reviews.

Cost of living differential allowance (COLDA): A Cost-of-Living Differential Allowance within the range of SDR4,695 to SDR 5,068 will also be paid to the successful candidate. The current equivalent in Samoan Tala is SAT$17,917 (USD$6,891) to SAT$19,343 (USD$7,439). Cost-of-living differential allowance reflects the comparative cost of living difference between Suva and Apia. This allowance is reviewed periodically based on data determined by an independent reviewer.

Adjustments: Salaries and allowances for internationally recruited staff are paid in Samoan Tala and adjusted every month based on the monthly average in the value of the SDR relative to the Samoan Tala (SAT) at the time the salary payment is processed. SDR movement however is limited to within 5% above or below a reference point set annually. Remuneration is paid monthly in SAT equivalent. The international currency exchange rate at the time of writing is approximately USD1.00 = SAT$2.60

Term: For staff recruited from outside Samoa, the term begins from the day the appointee leaves his or her home to take up the appointment. Appointment is subject to a satisfactory medical examination, as well as a 6-month probationary period.
An appointment is terminated by (i) completion of term of contract (ii) one month's notice by either party (iii) without notice by either party paying one month salary in lieu of notice or (iv) dismissed with or without notice as a disciplinary measure.

Performance Reviews: Annual performance assessments and performance rewards will be based on the Secretariat's Performance Development System.

FOR STAFF RECRUITED FROM OUTSIDE SAMOA, THE FOLLOWING APPLIES*:*

Relocation Expenses: SPREP will meet certain appointment and termination expenses for staff recruited from outside Samoa, including transport and accommodation en-route for the appointee and accompanying dependant(s) between point of recruitment and Apia, and return, by the shortest and most economical route. This includes:

- economy class airfares;
- reasonable cost of packing, insuring, shipping and transporting furniture, household and personal effects on a 20ft container; and,
- up to 20 kilos of excess baggage each for the appointee and family.

Establishment Grant: A lump sum of SDR1,100 is payable upon taking up appointment and arrival in Apia. This is currently equivalent to SAT$4,198 (USD$1,615).

Temporary Accommodation and Assistance: On arrival in Apia, the appointee and dependent(s) are entitled to temporary accommodation at a suitable hotel or other fully furnished accommodation for up to 6 working days. The appointee will be assisted to settle into Apia. This will include help in finding suitable rental accommodation.

School Holiday Travel: One return economy class flight each year between the place of education (taken to be recognised home) and Apia by (i) each dependent child being educated outside Samoa or (ii) the staff member or spouse to visit the child, providing the journey is not made within the final 6 months of the contract.

Home Leave Travel: Return economy class airfares between Apia and the recognised home for the staff member and dependants after completing 18 months of service for 3-year contracts providing no travel is undertaken within the final 12 months of the contract.

Privileges and Immunities: SPREP remuneration is tax-free for non-citizens or non-residents of Samoa, including duty-free importation of household and personal effects which have been owned and used by them for no less than six months, within 6 months of taking up appointment.

Repatriation allowance: The appointee is entitled to a repatriation allowance equivalent to two week's salary, upon successful completion of contract, provided the contract is not extended or renewed.

FOR ALL INTERNATIONALLY RECRUITED STAFF, THE FOLLOWING APPLIES:

Education Allowance: Education expenses maybe reimbursed against actual receipts for dependent children, to cover up to 75% of the actual costs, as stipulated under SPREP's Education Allowance policy. Currently the allowance is up to a maximum of Samoan Tala $15,600 (USD$6,000) per annum per dependent child, with an overall maximum of Samoan Tala $46,800 (USD$18,000) per annum per family of 3 or more eligible children.

Housing Assistance: Internationally recruited staff shall receive housing assistance of 75% of the typical rent payable in Samoa for expatriate executive furnished housing. The current rate is SAT$2,328 (USD$895) per month. This assistance shall be reviewed annually and adjusted on relative movement in the local rental market.

Security Assistance: Security-related expenses maybe reimbursed against actual receipts up to SAT$2,400 (USD$923) per annum as stipulated under SPREP's Security Assistance policy.

Annual Leave: 25 working days a year (up to a maximum accumulation of 50 days).

Sick Leave: 30 working days a year (up to a maximum accumulation of 90 days).

Other Leave: Provisions also exist for maternity, compassionate, paternity, examination and special leave (without pay).

Duty Travel: SPREP meets travelling expenses at prescribed rates necessarily incurred by staff required to travel away from Apia on official business.

Life and Accidental Death and Disability Insurance: All employees are covered by SPREP's 24 hour Life and Accidental Death and Disability Insurance Policy.

Medical Benefits: All employees and their dependants are entitled to have all reasonable medical, dental and optical expenses met, under the terms and conditions of the SPREP in-house Medical Treatment Scheme.

Superannuation: An expatriate internationally recruited staff member will receive a superannuation allowance of 7% of basic salary. For nationals of Samoa, SPREP will pay 7% of basic salary to the Samoa National Provident Fund.

Learning and Development
Learning and development opportunities will be based on the approved SPREP Performance Development System and individual Performance Development Plans.

Definitions:
'Dependant' means the spouse and financially dependent children of an employee.

'Dependent child' means an employee's unmarried, financially dependent, natural or legally adopted child who is:

- under the age of 16 years; or
- under the age of 19 years if undertaking full-time study at a secondary school; or
- under the age of 25 years if enrolled and undertaking full-time study at a university or other tertiary institution; or
- mentally or physically incapacitated.

'Expatriate' means an internationally recruited staff member, who is not a citizen or permanent resident of Samoa, and who resides in Samoa only by virtue of employment with SPREP.

Equal Opportunities: SPREP is an Equal Opportunity Employer. Men and women are equally eligible for all posts in SPREP.

General: Appointment will be under the terms and conditions of SPREP's Staff Regulations, a copy of which will be made available to the successful applicant.

4. ADMINISTRATIVE INFORMATION

ESSENTIAL: Applications should include:

1. Completed Application Form – can be downloaded from the Employment Section of our website (Important to Note: ***you are required to complete in full all areas requested in the Form rather than referring us to your CV***);
2. A detailed Curriculum Vitae.

Important to Note: Applications that do not complete the CORRECT SPREP Application Form and submit all the requirements stated above will not be considered.

Submitting applications:

a) **BY EMAIL**: Subject matter to be clearly marked "**Application for Access and Benefit Sharing Legal Adviser**" and send to recruitment@sprep.org (***MOST PREFERRED OPTION***) OR

b) **BY POST OR FAX**: Application to be addressed and sent to: The Director General, SPREP, P.O. Box 240, Apia or fax number (685)20231 and clearly marked "**Application for Access and Benefit Sharing Legal Adviser**"

More Information on SPREP and its work in the region can be found on the SPREP website www.sprep.org

For further enquiries, contact Ms. Jolynn Managreve-Fepuleai on telephone (685) 21929 ext 325 or Email: jolynnf@sprep.org

Closing date: Friday, 12th May 2017: Late applications will not be considered.

SPREP is an Equal Opportunity Employer