



**GOVERNMENT OF KIRIBATI**

**MINISTRY OF FISHERIES AND OCEAN RESOURCES**

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File ref:

Date: 13/03/2026

**Job Title:** Legal Consultant - BBNJ (Biodiversity Beyond National Jurisdiction) Domestication Support

**Location:** Bairiki, Ministry of Fisheries and Ocean Resources (with possibility of remote work)

**Duration:** 12 months

**Reporting to:** Director, Geoscience Division, Ministry of Fisheries and Ocean Resources

**Application Deadline:** 29th May 2026

## **1. Background**

The Ministry of Fisheries and Ocean Resources of Kiribati is leading a strategic and time-sensitive initiative to domesticate the UN Agreement on the Conservation and Sustainable Use of Marine Biodiversity of Areas Beyond National Jurisdiction (BBNJ Agreement). Kiribati signed the BBNJ instrument on **March 12, 2025** and ratified it on **December 9, 2025**. With the BBNJ Agreement having entered into force on 17 January 2026 and the first Conference of the Parties (COP) anticipated around 2027, it is critical that the Republic of Kiribati conducts a comprehensive review of its national legislative and institutional frameworks to enable timely ratification for a timely and effective implementation.

This critical work is supported by funding from the **Global Environment Facility 8th Replenishment Cycle (GEF-8)**, accessed through the **Food and Agriculture Organization of the United Nations (FAO)** as the implementing agency. The project aims to establish robust national legal, policy, and institutional frameworks to ensure Kiribati's full compliance with the BBNJ Agreement, thereby securing its rights and fulfilling its obligations for the conservation and sustainable use of marine biodiversity in areas beyond national jurisdiction.

We are seeking a highly skilled and experienced legal consultant to lead the core legal component of this urgent GEF-FAO supported project. The consultant will ensure Kiribati's frameworks are aligned, functional, and capable of supporting effective implementation from the outset of the treaty's operation.

## 2. Objective

The purpose of this Terms of Reference is to engage a qualified legal and policy consultant to support the Ministry in the domestication and implementation of the BBNJ Agreement under the GEF-FAO project framework. The consultant will provide expert legal and technical guidance to align national legislation, regulations, policies, and institutional frameworks with BBNJ obligations, ensuring compliance, harmonisation, and readiness for implementation.

The consultant will:

1. Conduct a comprehensive desktop review of relevant national legislation, regulations, policies, and institutional arrangements.
2. Identify legislative and policy gaps requiring reform to enable ratification and compliance
3. Develop a phased implementation plan with milestones up to COP1 (2027/2028).
4. Undertake in-country consultations with key stakeholders, including government agencies, customary leaders, NGOs, private sector, and regional partners.
5. Provide capacity-building recommendations to strengthen national readiness for BBNJ obligations and ensure mechanisms for equitable access and benefit-sharing.
6. Incorporate lessons from other ratifying states, prevent overlaps in domestic laws, and support the Ministry in meeting all reporting requirements under FAO and GEF.

## 3. Scope of Work and Deliverable

The legal consultant will provide statutory, legislative, and compliance-focused support for the domestication and implementation of the BBNJ Agreement

### 1. Legislative Review, Institutional Mapping and Legal Gap Analysis

- Conduct a comprehensive desktop review and mapping of Kiribati's existing legislation and regulations relevant to oceans governance, environmental protection, marine biodiversity, fisheries, and related sectors.
- Assess the alignment of national legislation with the four core thematic areas of the BBNJ Agreement:
  - Marine Genetic Resources (including benefit-sharing)
  - Area-Based Management Tools (including Marine Protected Areas)
  - Environmental Impact Assessments
  - Capacity Building and Transfer of Marine Technology
- Provide an assessment report on status and progress towards ratification, approval, acceptance or accession, including identification of legal and regulatory gaps, overlaps and inconsistencies including areas requiring amendment or development of new legal instruments and compliance mechanisms
  - **Deliverables:**
    - **Comprehensive Legislative Review, Gap Analysis and Institutional Mapping Report** with recommendations for aligning Kiribati's laws with BBNJ obligations, formatted for inclusion in project progress reports to FAO/GEF.

## 2. International Legal Alignment and Comparative Study

- Analyse Kiribati's obligations under the BBNJ Agreement and its interplay with other relevant international instruments (CBD, ISA, MARPOL, IFBs, etc)
- Provide a general regional analysis through research and documenting of the legislative steps undertaken in other countries in the region to ratify and implement the BBNJ Agreement, drawing urgent lessons and best practices for Kiribati immediate implementation path
  - **Deliverable: Comparative Analysis and International Legal Alignment Report** with time-sensitive, actionable insights.

## 3. Draft BBNJ legislation proposals

- Draft proposals, technical briefings and recommendations for cabinet paper development for necessary legal reforms, including amendments to existing laws (e.g., Fisheries Act, Environment Act) or the development of new subsidiary legislation - BBNJ Act
- Ensure harmonization across sectors to eliminate duplication of roles and responsibilities, proposing clear mandates aligned with the post-ratification legal landscape.
- Facilitate and deliver presentations to key multi-stakeholder to validate proposals
- Document stakeholder inputs, including perspectives on institutional readiness, legal reform needs, and implementation priorities.
- Ensure alignment with relevant regional Pacific frameworks such as the Pacific Island Forum Leaders decisions and 2050 Strategy for the Blue Pacific
- Continent, including its implementation plan and other partnerships
  - **Deliverables:**
    - **Briefings for cabinet paper development for draft legislation proposals**
    - **Draft BBNJ Legislation for Marine Biological Diversity Management**

## 4. Development of a Harmonization roadmap for domestication and implementation

- Mapping of relevant stakeholders, including relevant traditional knowledge of Indigenous people and local communities, and preparation of a Stakeholder Engagement Plan
- Develop a comprehensive phased implementation plan that guides Kiribati toward
  - domestication and implementation, including short-, medium-, and long-term actions.
- The roadmap should clearly identify:

- Responsible agencies and lead stakeholders for the BBNJ Agreement including each implementation action required under the agreement;
- Legislative, institutional, and policy reforms required;
- Timeline and sequencing of implementation;
- Dependencies and potential risks.
- The Roadmap should provide costed recommendations for implementation, including resource requirements for compliance, institutional strengthening, and monitoring.
  - **Deliverable Harmonization Roadmap for domestication and implementation**

## 5. Compliance and Enforcement Framework

- Design practical mechanisms to monitor and ensure Kiribati's compliance with its now-active BBNJ obligations, including forthcoming reporting requirements to international bodies.
- Recommend feasible systems for tracking Kiribati-flagged/vessel activities in ABNJ and assessing their environmental impacts in line with treaty provisions.
  - **Deliverable: National Compliance Strategy and Monitoring Toolkit**, including proposed indicators and reporting templates aligned with the in-force treaty.

## 6. Access and Benefit-Sharing and Opportunities

- Identify binding benefit sharing obligations of Kiribati under the BBNJ Agreement relating to Marine Genetic Resources, including Digital Sequence Information
- Advise on the development of national legal mechanisms for Kiribati's equitable access to and sharing of benefits arising from marine genetic resources (MGRs), including digital sequence information (DSI), as per the operational BBNJ Agreement.
- Propose draft legal provisions for Kiribati National Access and Benefit Sharing Framework for MGRs and DSI, Authority of Institutions to receive, manage and report benefits (Clearing House Mechanism), and legal compliance, transparency and accountability requirements.
  - **Deliverable: National Benefit-Sharing and Opportunity Access Framework** with implementation guidelines for immediate action.

## 5. Timelines for Deliverables

Deliverable	Description	Timeline / Month
1. Inception Report	Workplan, methodology, and a stakeholder engagement strategy and plan following template provided in Annex E to the Agreement	Month 1 (Remote)
2. Comprehensive Institutional Mapping & Legal Gap Analysis Report	Mapping of institutions, mandates, roles, and assessment of legal gaps in legislation, policies, and regulations	Month 2-3
3. Comparative Analysis & International Legal Alignment Report	Analysis of BBNJ obligations vs national frameworks; lessons from other ratifying states	Month 2-3
4. Draft Legislation Briefings and Draft Legislation Proposal	Draft proposed amendments or new laws; practical roadmap for phased implementation	Month 6-10
5. BBNJ Harmonization roadmap	Draft a practical roadmap for phased implementation	Month 4-5
6. Stakeholder Consultation Report	Summary of findings from in-country consultations with ministries, agencies, NGOs, customary leaders, private sector, and regional partners. Stakeholder engagement plan finalized following the template in Annex E of the agreement	Month 6
7. Validation Workshop	Workshop with government and stakeholders to validate recommendations and proposed frameworks	Month 6-10
8. National Compliance Strategy & Monitoring Toolkit	Tools and guidance for tracking compliance with BBNJ obligations	Month 11
9. National Benefit-Sharing & Opportunity Access Framework	Mechanisms for equitable access to marine genetic resources and associated benefits	Month 12

### Duration

The duration of the consultancy will be 12 months and may be subject to renewal depending on performance, funding, and organizational requirements.

## **6. Qualifications and Experience**

### **Essential:**

- Advanced degree (Master's or PhD) in Law, specializing in International Environmental Law, Law of the Sea, Ocean Governance, or a related field.
- At least 5 years of professional experience in legal advisory roles, preferably in maritime law, environmental law, or international treaty implementation
- Proven expertise in analysing and domesticating international agreements within national contexts, with specific experience related to treaty implementation post-ratification.
- Demonstrated experience in institutional mapping, legal gap analysis, and legislative harmonization, and drafting legislation and policies preferably within Pacific Island or SIDS contexts.
- Experience working with or for government agencies, intergovernmental organizations (especially UN agencies), or international legal bodies.
- Excellent research, drafting, and communication skills in English.
- Previous work experience with excellent quality of outputs

### **Desirable:**

- Previous work experience in Kiribati or other Pacific Small Island Developing States (SIDS).
- Familiarity with Kiribati's legal system and the fisheries and ocean resources sector.
- Prior experience with GEF-funded projects and their reporting requirements.
- Knowledge of regional ocean governance frameworks (e.g., Pacific Islands Forum Fisheries Agency (FFA), SPREP).
- Proficiency in I-Kiribati and English

### **Competencies**

- Analytical and strategic thinking with a solutions-oriented approach, capable of working under tight deadlines in a post-ratification environment.
- Exceptional stakeholder engagement, facilitation, and consensus-building skills within a multicultural context.
- Ability to work independently and deliver high-quality, structured outputs within a project framework.
- Strong ethical commitment to equity, sustainability, and transparent governance.

## **7. Reporting and supervision**

The Consultant will report directly to the Director of Geoscience Division, Ministry of Fisheries and Ocean Resources. Regular meetings will be held to review progress, discuss challenges, and ensure alignment with the objectives of the consultancy.

## **8. Application Process**

Interested candidates should submit the following documents:

1. Qualification certificates
2. Cover letter explaining suitability for the role, specifically referencing experience with treaty implementation post-ratification
3. Detailed curriculum vitae (CV) outlining relevant experience
4. A brief technical proposal (max. 5 pages) outlining the methodological approach to the key responsibilities, considering the urgent timeline.
5. Writing samples relevant to the assignment (e.g., previous legal analyses, draft legislation, or gap assessment reports).
6. Contact information for three professional references.

Application must be submitted to HR Eberaim Tamoaieta at [eberaimt@mfor.gov.ki](mailto:eberaimt@mfor.gov.ki) or you can submit your hard copies to the Ministry of Fisheries and Ocean Resources before 10th April 2026

Only shortlisted candidates will be contacted for interviews.

## **9. Other Provisions**

- Authorized travel, if required, shall be arranged in accordance with applicable procedures
- The Consultant shall maintain strict confidentiality of government and stakeholder information.
- All outputs remain the property of the Government of Kiribati.
- Payments will be milestone-based upon approval of deliverables.

## **Note**

The Ministry of Fisheries and Ocean Resources of Kiribati, in partnership with FAO, is an equal-opportunity employer and encourages applications from qualified women, minorities, and individuals with diverse backgrounds. This position is a critical and time-sensitive component of a strategic GEF-supported project, designed to ensure Kiribati meets its obligations and capitalizes on the opportunities of the now-in-force BBNJ Agreement, reinforcing its leadership in global ocean governance.