

## JOB DESCRIPTION (LEGAL ADVISER)

### Job Identification

Job Reference:	
Job Title:	Legal Adviser
Work Unit:	Executive
Responsible To:	Legal Counsel
Responsible For:	No staff to supervise
Job Purpose:	This job exists to provide legal advice on all aspects of FFA’s work programme. It is specifically responsible for the implementation of the legal frameworks and international law subprogramme. This subprogramme is in charge of the provision of the general legal advice to the Secretariat and specific legal advice to the Secretariat and FFA Member Countries on all legal matters, including international fisheries law and national fisheries legislation. This includes the provision of assistance in the review of national fisheries legislation, and advice to member governments on issues such as those relating to fisheries surveillance and law enforcement and the implementation of regional initiatives and agreements to ensure effective management and conservation of highly migratory fish stocks.
Date:	September 2021

### FFA Vision and Mission

#### Vision of the Members of the Pacific Islands Forum Fisheries Agency

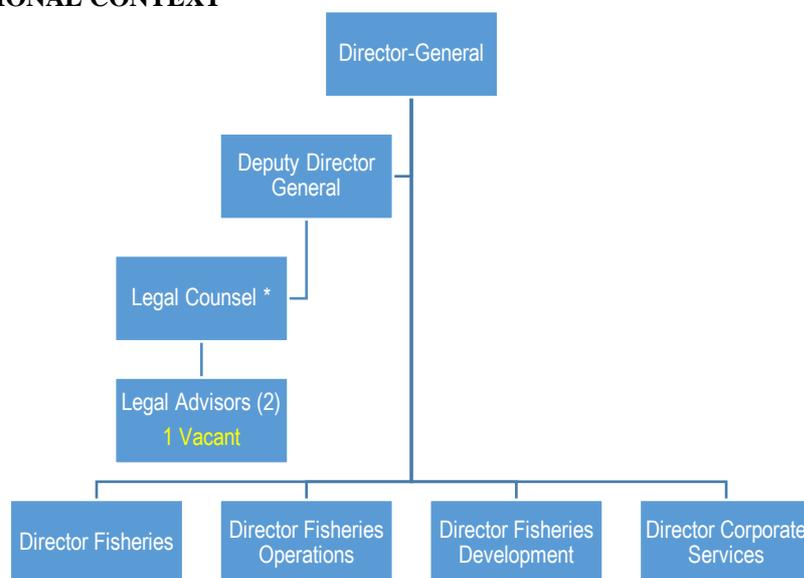
Our people enjoying the greatest possible social and economic benefits from the sustainable use of offshore fisheries resources.

#### Mission for the Pacific Islands Forum Fisheries Agency

Empowering FFA Members to take collective and national action for the sustainable use of offshore fisheries resources

**FA Strategic Plan 2020-2025**

### ORGANISATIONAL CONTEXT



\* Legal Counsel is responsible to Deputy Director General on administrative and work program matters and to the Director General on high risk and strategically important issues.

## Key Result Areas

This encompasses the following major functions or Key Result Areas

1. Provision of effective Technical Legal Advice to the Secretariat and Member countries
2. Research and Development
3. Provision of Training and Development programmes for member countries and Secretariat
4. Effective Network Relationship

The performance requirements of the Key Result Areas are broadly described below;

<b>is accountable for</b>	<b>and is successful when</b>
<p><b>1. Provision of effective technical legal advice to the Secretariat and Members</b></p> <ul style="list-style-type: none"> <li>• Advise and assist Members on periodic review of fisheries and related legislation with a view to regional harmonisation of fisheries regimes.</li> <li>• Advise Members on legal, policy and management issues arising from the exploitation of fisheries resources in the region.</li> <li>• Provide legal advice to Members in connection with the detection, apprehension and prosecution of fishing vessels engaged in illegal activity.</li> <li>• Undertake periodic review of regional, subregional and national arrangements.</li> <li>• Provide legal advice to the Secretariat on all matters necessary for the effective implementation of its roles and functions.</li> </ul>	<ul style="list-style-type: none"> <li>• Advice is provided on time and is relevant and in line with overall regional development priorities and specific national interests</li> <li>• Legislation and policies are updated</li> <li>• Sustainable fisheries management practices</li> <li>• Full understanding and application of relevant MCS rules and procedures available to deter Illegal, Unreported and Unregulated fishing</li> <li>• Member countries capable of performing prosecution and detection of illegal activities</li> <li>• Framework in place in line with accepted best practice, supported and implemented</li> <li>• Secretariat is able to make sound and informed decisions</li> </ul>
<p><b>2. Research and Development</b></p> <ul style="list-style-type: none"> <li>• Research into and develop legal frameworks for alternative fisheries management models that would enhance management of the region's tuna resource including the application of ecosystems based approaches to fisheries management.</li> <li>• Assist Members in the development of model management and legal frameworks to facilitate the sustainable harvesting of the regions tuna resource, maximise economic returns from the fishery and ensure member countries international, regional and subregional obligations are met.</li> <li>• Assist in the development and formulation of Negotiation Briefs for member countries in international fisheries negotiations including the Commission for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific.</li> </ul>	<ul style="list-style-type: none"> <li>• Member countries are provided with the relevant assistance and use advice provided</li> <li>• Member countries capable of developing model management and legal frameworks that are consistent with their context and needs</li> <li>• Regulatory framework in place, supported and implemented.</li> <li>• Review/Evaluation reports completed and recommendations documented and accepted.</li> <li>• High level planning, coordination and communication skills provide for appropriate support for FFA and its members</li> <li>• High quality FFA Negotiation Briefs are compiled and submitted.</li> </ul>
<p><b>3. Provision of Training and Development (Capability) for member countries and secretariat</b></p> <ul style="list-style-type: none"> <li>• Assist in the implementation of the legal fellowship programme, judicial training, negotiations training, fisheries prosecution training and any other training courses/workshops.</li> <li>• Provide in-house training for staff on impact of policies and regulations.</li> </ul>	<ul style="list-style-type: none"> <li>• Review and training programs are successfully coordinated and implemented.</li> <li>• Provide legal expertise and skills into other capacity-building work, where required</li> <li>• Tailoring national training to practical national examples to assist learning</li> <li>• Greater awareness of legal implications of decisions and policies</li> </ul>
<p><b>4. Effective Networking Relationships</b></p> <ul style="list-style-type: none"> <li>• Liaise with other agencies working in the region in areas affecting their area of competence including the Secretariat of the Pacific Regional Environment Program (SPREP)-in relation to coastal fisheries management and environmental issues, and the Secretariat for the Pacific Community (SPC) in relation to maritime boundary delimitation and the</li> </ul>	<ul style="list-style-type: none"> <li>• Effective networking relationships built.</li> <li>• Relevant integrated services and policy provided.</li> </ul>

<b>is accountable for</b>	<b>and is successful when</b>
implementation of the 1982 <i>United Nations Convention on the Law of the Sea</i> and other relevant international legal instruments.	

**Note:**

The above performance requirements are provided as a guide only. The precise performance measures for this job will need further discussion between the jobholder and supervisor as part of the performance development process.

**Work Complexity**

<p>The most challenging duties typically undertaken-;</p> <ul style="list-style-type: none"> <li>• Providing ad hoc legal advice often at short notice</li> <li>• Interpretation of legislation and policies that has a wider impact on national and regional priorities</li> <li>• May be required to attend high level negotiations for FFA</li> </ul>
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**Functional Relationships & Relationship Skills:**

Key internal and/or external contacts	Nature of Contact most typical
<p><b>External</b></p> <ul style="list-style-type: none"> <li>• Members and Stakeholders</li> </ul>	<ul style="list-style-type: none"> <li>• Provide and receive advice</li> <li>• Providing legal advice and interpretations</li> </ul>
<p><b>Internal</b></p> <ul style="list-style-type: none"> <li>• Legal Counsel</li> <li>• Executive and Management</li> <li>• Other Staff</li> </ul>	<ul style="list-style-type: none"> <li>• Provide and receive technical advice</li> <li>• Take directions</li> <li>• Report on progress of work</li> </ul>

**Level of Delegation**

The jobholder:

<ul style="list-style-type: none"> <li>• Will be required to lead on specific legal tasks, including national legislative review projects and national training</li> <li>• The position has no financial authorities</li> <li>• The job holder is required to manage own workplan and ensure that timelines are met for activities</li> </ul>
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**Person Specification**

<p><b>Essential</b></p> <p><b>Qualification</b></p> <ul style="list-style-type: none"> <li>• At least a Bachelor of Laws degree and post-graduate qualifications in international law, international fisheries law or marine affairs.</li> </ul> <p><b>Experience</b></p> <ul style="list-style-type: none"> <li>• Five years' experience in government or multi-disciplinary environment relevant to fisheries management and development preferably tuna.</li> <li>• Demonstrated experience in drafting fisheries legislation and regulations.</li> <li>• Demonstrated experience in stakeholder consultations.</li> </ul> <p><b>Skills and Abilities</b></p> <ul style="list-style-type: none"> <li>• Proven understanding and working knowledge of international fisheries law including the <i>Convention on Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean</i>.</li> <li>• Demonstrated understanding and application of principles of fisheries management.</li> <li>• Proven skills in the area of leadership, policy development and implementation, experience in the management of complex multi-disciplinary activities.</li> <li>• Proven ability to multi-task successfully within tight timeframes.</li> <li>• Ability and willingness to travel frequently within and outside the region, at times for extended periods.</li> <li>• Possession of an understanding of the social, economic and political aspirations of the Pacific Islands region.</li> </ul>
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This section is designed to capture the expertise required for the role at a 100% fully effective level.

This may be a combination of knowledge/experience, qualifications or equivalent level of learning through experience or key skills, attributes or specific competencies.

### **Key Skills/Attributes/Job Specific Competencies**

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

Expert Level	Understanding the role and contribution of Legal Services in supporting Member Countries and sustainable Fisheries Management in the region
Advanced Level	Understanding international, regional, sub-regional and national regulatory frameworks governing Member Countries and the FFA
Working Knowledge Level	Member needs, capability gaps in legislations relating to Fisheries Management and Fisheries Development. The impact of legal advice provided to FFA and Member countries.
Awareness	Cultural and political sensitivities of FFA Members and regional priorities and interests

### **Key Behaviours**

*All employees are measured against the following Key Behaviours as part of Performance Development*

- Commitment/Personal Accountability
- Professional/Technical Expertise
- Teamwork
- Customer Focus
- Effective Communications & Relationships
- Leadership
- Coaching and Development (for Managers only)
- Strategic Perspective (for Managers only)

### **Personal Attributes**

- Relevant Qualifications
- Excellent Analytical Skills
- Excellent Communication Skills
- Results oriented
- Ability to manage and work well in multi-disciplinary and multi-cultural teams.
- Ability to work in an organised and systematic manner.
- Ability to transfer information/knowledge to a non-technical audience
- Recognises and responds appropriately to the ideas, interests and concerns of others
- Builds trust and engenders morale by displaying open, transparent and credible behaviour