



Conducting an evidence-based national Non-State Actors Campaign for a Marine Protected Areas (MPAs) Network in Lebanon

TERMS OF REFERENCE

Location: Lebanon – Multilateral Environmental Agreements (UNCLOS¹, CBD)

Services: Legal Expert for the establishment of an effective MPA Network

1. Project context

The Lebanese Environment Forum (LEF), in partnership with the University of Balamand, and funded by the European Union, is leading a project with the specific objective: **The establishment of an effective MPAs network in Lebanon’s EEZ is enhanced for the protection of Lebanon’s coastal and marine biodiversity and ecosystems through a national non-state actors advocacy campaign supported by science-based evidence.**

The sub-objectives of the project are:

- 1- A national non-state actors’ advocacy campaign to establish an MPAs network has been strengthened through the provision of adequate science-based evidence.
- 2- Lebanon’s official “Marine Protected Areas Strategy” implementation has been enhanced.
- 3- The two draft laws, “integrated coastal zone management” and “fishing law”, necessary for the effective management of MPAs have been passed by the Parliament.

The main outputs of the project are:

- ❖ Available adequate datasets, robust scientific evidence, analytical work and high-quality scientific studies are analyzed for the establishment of an MPAs network in order to improve the quality of legislation and the quality of dialogue between State’s Institutions and Non-State Actors.
- ❖ Non-state actors involved in the protection of coastal and marine biodiversity and ecosystems are adequately trained and their capacity is increased on the use of science and evidence for the establishment, management and sustainability of an MPAs network.
- ❖ An effective MPAs network advocacy campaign to influence national and sub-national policies and regulations has been developed and implemented over the course of the project.

This request for services is inviting applications for short-term consultancy services to undertake the tasks as described below. This assignment is performed under component 3 of the project that is focused on developing and implementing an advocacy campaign for an effective MPAs network

¹ United Nations Convention on the Law of the Sea



advocacy campaign to influence national and sub-national policies and regulations over the course of the project. (Background information detailed in Annex I)

2. Mission's objectives and tasks

LEF is looking for a legal expert to undertake analysis of existing laws/decrees/ministerial decisions related to all categories of marine protected areas in coastal environments (land and marine), and to identify, and draft as needed, a law or decree for the establishment of an effective MPA network, as described below:

a) Objectives of the mission

- Review the protected areas law and other related laws in Lebanon with recommendations for improvement to meet the criteria of establishing an MPA Network.
- Identify and draft the necessary law or decree for the establishment of an effective MPA network in concert with the Ministry of Environment.

b) Key Deliverables and outputs

The Legal expert will be working closely with LEF and IOE/UOB to produce:

1- Legal Analysis report in Arabic or English should:

- Review existing national laws/decrees/ministerial decisions related to management and monitoring of marine protected areas;
 - Assess the gaps in the national institutional and legal frameworks in order to meet the provisions of international and regional Multilateral Agreements related to Marine Protected Areas including legislation and international agreements related to the EEZ;
 - Analyse the administrative status of existing Marine Reserves at the Lebanese Government level and identify the different actors involved in their management, control and utilization and implications within the existing national legal framework;
 - Propose institutional and legal reforms on the basis of the assessment, and prepare appropriate documentation.
 - Identify the conservation status of estuaries from a legal perspective and legal requirements to declare such areas as MPAs.
 - Be between 25 -35 pages maximum, plus annexes.
- 2- A short PPT highlighting the key findings of the analysis (in English or Arabic).
 - 3- A draft of the legal law/decreed to establish and sustain an effective MPAs network that includes estuaries.
 - 4- An Individual mission's report (2-3 pages) in English, providing details about the mission: detailed list of the persons met and their contacts, summary of discussions, bibliography if not annexed to the Legal Analysis, tasks performed, and difficulties encountered.



3. Requested Qualifications

- A university degree in law with extensive knowledge of Lebanese legislation and legal frameworks; expertise in environmental law will be considered an important asset.
- Relevant work experience on legislative assistance projects in carrying out needs assessments and developing legislative and regulatory frameworks in environment and more preferably in marine and coastal conservation.
- A minimum of 5 years of relevant professional experience in Lebanese legislation related to environment; or 10 years of relevant experience in general national laws. Specific experience in marine protected areas is considered a plus.
- Experience working with government officials, and governmental organizations;
- Excellent reporting and writing skills in Arabic and English.
- Good analytical, communication and writing skills
- Proficiency in the use of text and data processing tools (MS Word, Excel)

4. Timeframe

From the signing of the contract, the evaluation will have to be carried out within 12 months, including research, analysis and submission of deliverables according to the following duration:

- Date of start-up: 1 May 2024
- Foreseen finishing date: 31 May 2025

5. Submission

The Expert shall submit his/her Curriculum Vitae (CV) with a detailed description addressing the professional expertise and qualifications as listed in the requirements above by email to: news@lbeforum.org indicating in the subject: Legal Expert–for MPAs Network Project.

Deadline for submission: **31 March 2024**

Annexes:

Annex I: Project Background

Disclaimer

The sole responsibility of this publication lies with the author. The European Union is not responsible for any use that may be made of the information contained therein



Annex I

Project Background

Marine Protected Areas (MPAs) are recognized worldwide as valuable science-based resource management tools supporting ecosystem-based conservation. The Fifth World Parks Congress in Durban recommended that countries establish by 2012 a global system of effectively managed representative networks of marine and coastal protected areas and that these MPAs be extensive and include strictly protected areas that amount to at least 20-30% of each habitat.

The Aichi Biodiversity Targets, agreed during the 2010 UN Convention for Biological Diversity, call for the conservation of 10% of coastal and marine areas 2020, especially areas of particular importance for biodiversity and ecosystem services. At the same time, the Ocean Alliance and the High Ambition Coalition for Nature and People, which include more than 48 countries, are calling for the protection of 30% of all oceans and seas by 2030.² Lebanon declared three marine protected areas (MPAs) (with only two having management structures) that cover 0.41% of its territorial waters remaining far from reaching the set 2020 target.³

One of the proven ways to ensure conservation and protection of marine biological resources is the establishment of MPAs. The International Union for Nature Conservation (IUCN) defined MPAs in 2008 as “parts of intertidal or subtidal environments, together with their overlying waters, flora and fauna and other features, that have been reserved and protected by law or other effective means”. More specifically, MPAs are areas of seas, oceans, and estuaries where regulations are put in place to control human activity usually with the goal of protecting components of natural or cultural importance. Within this context, it became imperative to identify such zones as they can host a variety of ecologically and/or economically valuable organisms/habitats that are under immense pressure from anthropogenic interferences and need the protection of laws and regulations for their survival. Furthermore, it has been established that MPAs can bring in ecological, economic and social benefits when managed properly.

In 2012, the Ministry of Environment (MoE), with the support of IUCN, published its Marine Protected Areas Strategy aiming at declaring at least 18 additional sites.⁴ This strategy is yet to be implemented, as no new MPAs outlined in Lebanon’s Marine Protected Area Strategy (MOE/IUCN MPA strategy) has been declared. Currently, only 5 of the 18 sites outlined in the strategy have been proposed for declaration. Personal communication with the MoE has revealed that basic analytical work has been done for the main proposed marine and coastal sites labelled

² <https://www.gov.uk/government/topical-events/global-ocean-alliance-30by30-initiative/about#global-ocean-alliance-and-the-high-ambition-coalition-for-nature-and-people>

³ SPA/RAC and MedPAN, 2019. The legal framework for marine protected areas in Lebanon: Fact sheets. By Emmanouilidou P., Seddik W., Webster C., El Asmi S. and Kheriji A. Ed. SPA/RAC. MedMPA Network Project, Tunis: 11 pages.

⁴ Lebanon’s Marine Protected Area Strategy: Supporting the management of important marine habitats and species in Lebanon. Beirut, Lebanon, Gland, Switzerland y Malaga, Spain: the Lebanese Ministry of Environment / IUCN. 64 pp.



for protection, with some not having received approval from local relevant municipalities. In addition, no basic analysis has been conducted for all the proposed MPA estuary sites within the MOE/IUCN MPA strategy. Until the strategy is implemented fully, it will not be possible to know if Lebanon will meet the existing nationally and internationally set targets since the proposed MPA surface areas are not determined yet. Regardless, the national target 5 in the “Lebanon’s National Biodiversity Strategy and Action Plan NBSAP (2016)” aim to reach at least 5% of Lebanon’s total area but does not clarify if the EEZ is included.

At the same time, several draft laws are still caught in the legislative process, particularly the draft Integrated Coastal Zone Management (ICZM) law and the new draft Fishing Law. The ICZM law provides a clear definition of the Coastal Zones and includes articles stipulating the creation of the National Council for ICZM while other articles are related to sanctions and penalties. On the other hand, the draft Fishing Law prepared by the Ministry of Agriculture (MoA) takes into consideration the new challenges in fisheries management as well as the new scientific references and benchmarks for the sustainable management of marine resources. Furthermore, a section is dedicated to Aquaculture.

An MPA network is defined as a system of individual marine protected areas characterized by connectivity. To build effective networks, we must ensure that these networks are created to add value to existing conservation efforts. Creating networks allow individual MPAs to benefit from making connections through biophysical and social linkages. MPAs within such networks operate cooperatively with a range of protection levels that fulfill biodiversity goals and objectives more effectively than individual sites could alone. In addition to ecological benefits, social, economic and fisheries benefits are realized over time from the scaling up of individual sites to networks of MPAs.

With all the stresses that the marine and coastal biodiversity in Lebanon is facing, particularly from the dreadful management of solid and liquid wastes, drastic land-use change, pollution in all its forms, unsustainable exploitation of natural resources, and climate change, various studies and analysis conducted on national and regional levels indicate that it is necessary to accelerate the development and implementation of policies and regulations for the establishment of an effective MPAs Network.

Successful MPA networks protect important habitats, contribute to fisheries enhancement, and enhance biodiversity conservation. It is best that the included MPAs cover a critical minimum area of a larger ICZM zone. The management system needs to be both horizontal and vertical for sustainability with local governments and concerned stakeholders. In addition, it is best if the foreseen network meets the criteria of representativity, adequacy, viability, connectivity, replicability, protection level, and best available science.