

Appendix 5

Terms of Reference

The Consultant shall undertake the following tasks:

Part A:

- (a) Provide a brief literature review of the impact of the globalisation process and how it is changing processes of global fisheries trade and production;
- (b) To analyse the trends in fisheries exports from individual ACP country suppliers in the marine, inland and aquaculture sector, pre- and post-Cotonou;
- (c) To analyse the general trends in market share of different suppliers (from different regions including south Asia (India, Sri Lanka, Maldives), south-east Asia (Thailand, Indonesia, the Philippines and Vietnam), east Asia (Taiwan, South Korea and Japan), Africa, the Caribbean and the Pacific Islands into the EU;
- (d) [omitted by agreement]
- (e) To assess and discuss the EU's fisheries policy rules (including the proposed reforms to the EU's Common Fisheries Policy) that govern its relations with external countries and how these have evolved in view of changing global trading patterns and processes emanating from the globalisation process;

Part B:

- (f) To analyse the EU's IUU Regulation and its possible implications on ACP exporters in terms of:
 - a. How it seeks to address the EC's ambitious objective of combating IUU and thus fulfil its international commitments where multilateral measures have not been able to achieve a satisfactory outcome;
 - b. WTO compatibility issues pertaining to the retaliatory measures to be applied against other states and vessels breaching the EU's IUU regulation and other international rules on fisheries conservation and management;
 - c. The new Duty Free and Quota Free (DFQF) market access arrangement and Fisheries Rules of Origin applicable to ACP member states that have signed EPAs since January 2008 – with particular emphasis on how the IUU regulation will impact utilisation on the new 15% value tolerance rules of origin for fish products in all current EPAs and global sourcing RoO in the Pacific EPA;
 - d. GSP, GSP+ and EBA beneficiaries;
- (g) In view of the findings in Parts A and B above, identify issues for policy consideration both at national, regional as well as multilateral/international levels; and
- (h) To prepare a comprehensive non-technical summary of the study (maximum five pages) for wider dissemination of the study findings.