

JOB DESCRIPTION

Job Identification

Job Reference:	
Job Title:	Legal Counsel
Work Unit:	High Level Advice
Responsible To:	Director-General for high profile and strategic issues; working through the Deputy Director-General including on administrative, budget and work program matters.
Responsible For:	Up to 3 staff
Job Purpose:	<p>This job exists to:-</p> <ul style="list-style-type: none">• Provide high-level legal advice across the full spectrum of the FFA's work programme.• Manage and lead the Legal Unit, implement legal frameworks and international law sub programme.• Provide legal advice to the Secretariat and specific legal advice to FFA Member countries on international fisheries law, regional arrangements and national fisheries legislation.
Date:	September 2019

FFA's Vision and Mission

Vision of the Members of the Pacific Islands Forum Fisheries Agency

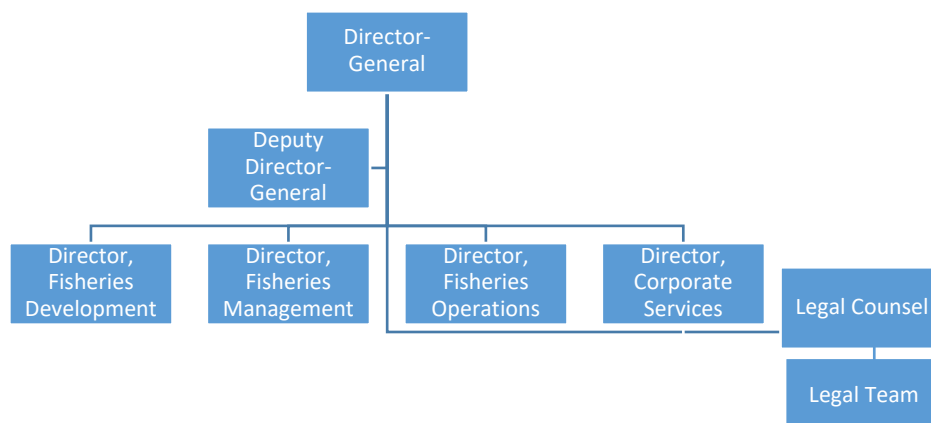
Our people will enjoy the highest levels of social and economic benefits through the sustainable use of our offshore fisheries resources

Mission for the Pacific Islands Forum Fisheries Agency

To drive regional cooperation to create and enable the maximum long term social and economic benefit from the sustainable use of our shared offshore fishery resources

FFA Strategic Plan

Organisational Context



Key Result Areas

The following encompasses the following major functions or Key Result Areas

1. Provide general legal and policy advice to FFA and specific legal advice in area of expertise to Member Countries
2. Effectively undertake monitoring and evaluation of the Legal Unit
3. Effective co-ordination and networked relationship
4. Providing strategic direction and leadership of the Legal Unit
5. Provide effective and efficient meeting support

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

is accountable for	and is successful when
<p>1. Provide general legal and policy advice to FFA and specific legal advice in area of expertise to Member Countries</p> <p>(a) To Member Countries:</p> <ul style="list-style-type: none">• Ensure appropriate legal frameworks are in place for implementation of appropriate legislations and agreements relating to fisheries management• Assist in the revision of and review of fisheries legislation and regulations and the development and investigation of the legal aspects of alternative fisheries management models to ensure effective management and conservation of tuna stocks• Advise and assist member countries and governments in the periodic review and drafting for fisheries, marine zone and related legislation with a view to regional harmonisation• Advise member countries or governments on legal, policy and management issues arising from the exploitation of the fisheries resources in the region, including issues relating to fisheries surveillance and law enforcement, the implementation of regional initiatives and agreements• Ensure that member countries/governments are provided with appropriate advice on developments in fisheries law and the international law of the sea <p>(b) To FFA</p> <ul style="list-style-type: none">• Provide in-house legal advice on issues arising out of the performance of the	<ul style="list-style-type: none">• Legal Frameworks in place and are used by member countries in implementing national and regional obligations• Current and up to date legislation and policies• Minimum Terms and Conditions are up-to-date and accessible.• Appropriate advice is provided to member countries for informed decision making• Niue Treaty Subsidiary Agreement and similar arrangements are implemented and operating effectively with strong member country participation and recognition of FFA role• Sound and timely advice provided on matters relating to the US Treaty on Fisheries (USTT) and the Western and Central Pacific Fisheries Commission

is accountable for	and is successful when
<p>roles and functions of the Secretariat, including fisheries management, fisheries operations), fisheries development and corporate services.</p> <ul style="list-style-type: none"> • Provide legal advice on employment matters, contracts of employment, contracts for services, leases and agreements • Work closely with other Technical Divisions on subjects of mutual work interest 	<ul style="list-style-type: none"> • FFA capable of implementing, managing and monitoring contracts, MOUs and other agreements • Divisions capable of progressing activities with timely advice of legal implications • Legal issues and agreements concerning the Pacific Maritime Security Program are advanced and resolved to mutual agreement. • Timely advice on matters relating to the legal status and operation of the FFA Secretariat and staff, including in respect of the Vienna Convention.
<p>2. Effectively undertake monitoring and evaluation of the Legal Unit</p> <ul style="list-style-type: none"> • Undertake period monitoring of the Unit's progress in all aspects relating to the achievement of objectives and annual work programme and budget • Provide required reports to Executive on work progress • Contribute to the Annual Report through reporting of activities, progress implementation and achievements • Periodically assess the Legal Unit's priorities and work plan for alignment to organisational objectives • Individual staff performance appraisals against KRAs, AWPB and TORs on an annual basis and make appropriate recommendations reflect performance 	<ul style="list-style-type: none"> • Legal Unit is performing according to expected results and remedial action is taken when the desired results are not being achieved • Results logic and intervention are aligned and delivered within budget and constraints parameters • Reporting of Unit work activities and impact against financial resource limits are provided to Executive on a regular basis • Annual report of impacts, result, activities, issues and opportunities are provided for year-end reporting • Staff understand and respond to individual performance management.
<p>3. Effective co-ordination and networked relationship</p> <ul style="list-style-type: none"> • Co-ordinate regional initiatives in the development of the law of sea and international fisheries law including through legal consultations, fellowships, seminars and other training opportunities • Liaise with member countries and territory to identify requirements in relation to legal advice, analyses, services and training by the Legal Unit • Liaise with other agencies working in the region on legal issues in areas of competence, including PNAO, PIFS, 	<ul style="list-style-type: none"> • Contribution to regional initiatives are recognised in achieving results • Services/advice provided to member countries are relevant to regional and national needs • Effective relationships built and cooperative networked relationships in areas of common interests • Effective support provided as required to other regional bodies including the PNAO.

is accountable for	and is successful when
SPC, USP and SPREP, as they relate to offshore fisheries issues.	
4. Providing strategic direction and leadership of the Legal Unit <ul style="list-style-type: none"> • Participate fully in the Executive Management Team and provide legal and strategic input as required. • Develop the strategic direction of the Legal Unit with a view of alignment to Strategic Plan • Develop budget proposals and annual work program for the Unit • Lead the unit to achieve its goals and objectives • Identify capability gaps within the Unit (financial, staff, systems, processes, policies and structure) and recommend appropriate strategies/interventions for remedial action • Identify capability gaps and needs in Member countries in area of technical responsibility and propose strategies/interventions for appropriate remedial actions 	<ul style="list-style-type: none"> • Effective Participation in the Executive Management Team • Forge strong teamwork with the Senior Executive and the Legal Team, in a manner that is cooperative, consultative, transparent and readily sharing of ideas and information. • Medium term goals are collaboratively developed with staff and incorporated into the annual Statement of Intent • Annual programme and budget developed each year reflecting activities and results for each SOI year • Unit achieves planned activities and results • Team capable of delivering services and activities and achieving results • Member countries provided with relevant intervention and assistance to develop capabilities
5. Provide effective and efficient meeting support <ul style="list-style-type: none"> • Organise staff under supervision to co-ordinate and undertake activities relating to meetings, workshops, FFC Meetings, sub-regional and other regional meetings, negotiations, WCPFC sub-committees, Annual sessions, high level consultations (donors) in areas of technical responsibility • Prepare briefing papers as required for above meetings • Provide advisory papers to the DG, DDG when requested for meetings 	<ul style="list-style-type: none"> • Ability to provide high quality meeting support, including keeping minutes, prepare and coordinate preparation of briefs in area of technical responsibility, especially in relation to FFC, NTSA, NTIS, POI, MCSWG and relevant technical meetings. • Ability to present complex issues and achieve objectives, including through the provision of real-time advice during negotiations and meetings

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

The most challenging duties typically undertaken-;

- Influence and advocacy – lead and direct discussion and negotiations with FFC, member delegations including Ministers, and with donors and other stakeholders, to secure positive outcomes
- Drafting effective legislation that withstands peer scrutiny
- Providing effective and timely legal advice for FFA and members
- Managing complex drafting, legislative and/or ratification processes.
- Representing FFA in International meetings and negotiations

Functional Relationships & Relationship Skills:

Key internal and/or external contacts	Nature of Contact most typical
External <ul style="list-style-type: none">• Representative of Member countries• Donors	<ul style="list-style-type: none">• Receive requests and provide advice and assistance where appropriate• Report on donor funded projects• Engage in consultations and discussions on agreements and funding arrangements on behalf of the Secretariat
Internal <ul style="list-style-type: none">• Director General and Deputy Director General• Divisional Directors• Corporate Services Division	<ul style="list-style-type: none">• Take decisions and implement appropriate actions• Provide legal advice on all matters pertaining to the efficient and effective operations of the Agency• Provide progress reports of the Unit and status of projects• Collaborate on common areas of work, division of responsibilities on cross-cutting issues• Provide legal advice on contracts (employment, services) and other HR Matters requiring legal opinion

Level of Delegation

The jobholder:

- Manage a sub output work programme and an annual operational budget of \$1.5 million
- Lead and Supervise the work of up to three Legal Advisors
- May be authorised to negotiate on behalf of the Agency in matters pertaining to implementation of agreements in the area of expertise
- As Manager, tracks and monitor organisational impact of Legal Unit activities and its contribution to corporate objectives

Person Specification

Essential
Qualification 1. Master of Laws with specialisation in international fisheries law or equivalent Experience 2. At least 8 years of proven experience in providing legal advice on fisheries to a government department or regional fisheries organisation of which 3 years as a Manager 3. Sound understanding of the principles of international fisheries management, issues related to Illegal, Unreported and Unregulated fishing and international fisheries law, and international law and a working knowledge of fisheries management issues in the Pacific region 4. Understanding of the social, economic and political challenges facing Pacific Island States 5. Excellent communication (written and verbal) skills 6. Demonstrated analytical skills to prioritise responses to various challenges identified by member countries and FFA in responding to fisheries related issues including in real time 7. Demonstrated experience in supervision of staff and work program with activities in multiple locations
Desirable 1. Prior experience working in the Pacific and /or developing country situation

Note:

This section is designed to capture the expertise required for the role at a 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 specific competencies.

Key Skills/Attributes/Job Specific Competencies

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

Expert Level	<ul style="list-style-type: none"> • Highest level of legal knowledge applicable to providing a broad range of legal services to the Agency and its member Countries. • Expert knowledge of fisheries laws and international laws of the sea and their implication on FFA member countries • Communicates the overall organisational impact of legal unit activities across team members and executive
Advanced Level	<ul style="list-style-type: none"> • Comprehension of the Agency's contribution to fostering appropriate Fisheries management and development practices in Member countries • High Level Awareness of member countries needs in terms of appropriate legislation and policies for addressing sustainable fisheries management • High level awareness and understanding of illegal fisheries activities in the region • High degree of familiarity with FFA's corporate framework including Staff Regulations, Financial Regulations etc.

Working Knowledge Level	<ul style="list-style-type: none"> • Demonstrated ability to manage and co-ordinate multiple activities of the Unit. • Understanding the FFA Strategic Plan, Statement of Intent and annual Work Program and Budget
-------------------------	---

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 orientation
- Ability to manage and work well in multi-disciplinary and multi-cultural teams.
- Ability to work in an organized and systematic manner.
- Ability to transfer information/knowledge to a non-technical audience
- Recognizes and responds appropriately to the ideas, interests and concerns of others
- Builds trust and engenders morale by displaying open, transparent and credible behaviour
- Respects individual/ cultural differences
- Utilizes diversity to foster teamwork
- Ensures others understanding of, involvement in, adaptation to a change process