



CCSBT-CC/2410/06 (Rev 2)

## **Review of Implementation of Indonesia's and South Africa's Corrective Actions & Indonesia's Compliance in 2023**

### **1. Introduction**

The purpose of this paper is to review implementation of agreed corrective actions as well as general compliance for Indonesia and South Africa.

#### **1.1 Corrective Actions**

The first element of this paper is to examine Indonesia implementation of agreed Corrective Actions.

CCSBT's Corrective Actions Policy (CPG3) sets out a framework to respond to evidence of non-compliance by a Member, including SBT catch in excess of annual catch limits. Its primary response focus is to assist Members to achieve capacity to effectively comply with CCSBT obligations.

This paper examines the progress (if any) that has been made against agreed ongoing corrective actions for Indonesia and for South Africa for the updated corrective actions agreed by CC18.

The currently agreed corrective actions are that:

- Indonesia continues to repay its past over-catch in accordance with an agreed payback plan (**Attachment A**); and
- South Africa is to provide its Corrective Action Plan to address areas of non-compliance no later than 31 December 2023, and then submit the missing data (including Scientific Data Exchange and ERSWG Data Exchange data) and National reports (before ERSWG 15<sup>1</sup> for Ecologically Related Species (ERS) data).

#### **1.2 Annual Review of Compliance (Indonesia)**

The second element of this paper is to examine Indonesia's general compliance performance during 2023.

EC 30 agreed to provide a special temporary allowance of 130t to Indonesia per year from 2024 to 2026 inclusive. EC 30 also agreed that this special temporary allowance would be

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<sup>1</sup> ERSWG 15 ran from 4 – 7 June 2024

subject to an annual review of Indonesia's compliance undertaken at CC and also reserved the ability to revoke or reduce the temporary allowance<sup>2</sup>. EC 30 noted the annual review of compliance would include evaluation of performance against obligations, including in areas such as catch against allocation, transshipment, CDS, management of small-scale fisheries, data exchange requirements, and observer requirements<sup>3</sup>.

A brief summary of Indonesia's compliance in 2023 is provided in this paper to help Members formulate advice to provide to EC 31.

### **1.3 Update on South Africa's Corrective Action Plan to Address its Non-Compliance**

EC30 endorsed the recommendation of CC18 that South Africa provide a Corrective Actions Plan by 31 December 2023 to address areas of non-compliance. This was to include the timing for the provision of outstanding data (before 15th meeting of the Ecologically Related Species Working Group (ERSWG) for ERS data) and national reports.

A brief update on the status of South Africa's Corrective Action Plan and compliance in 2023 is also provided in this paper for Members consideration.

## **2. Update on Indonesia's Implementation of its Payback and Management Plans**

### **2.1 Background**

Indonesia's reported SBT catch exceeded its Total Available Catch<sup>4</sup> in both its 2019 and 2020 fishing seasons<sup>5</sup>. Indonesia's combined 2019 and 2020 over-catch was 456.584t. CCSBT 27<sup>6</sup> agreed an initial Payback Plan for Indonesia to repay its over-catch at a rate of 91.8t per year between 2022 to 2026 inclusive. In 2021, Indonesia had a small under-catch (of 0.085t) and a revised Payback Plan was subsequently agreed by CCSBT 28<sup>7</sup> (**Attachment A**) for Indonesia's over-catch to be repaid at a slightly reduced rate of 91.3t per year between 2022 to 2026 inclusive.

### **2.2 Update on Indonesia's Reported Catch (2023 and 2024)**

With regards to the implementation of Indonesia's Payback Plan (**Attachment A**) the Secretariat reports that:

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<sup>2</sup> Paragraph 85 of EC30's report

<sup>3</sup> Paragraph 86 of EC30's report

<sup>4</sup> Total Available Catch means a Member's Effective Catch Limit allocation for that quota year plus any amount of unfished allocation carried forward to that quota year; Effective Catch Limit means the Member's National Allocation plus or minus any agreed short-term changes to that allocation, for example temporary transfers.

<sup>5</sup> Indonesia's fishing season starts on 1 January and ends on 31 December

<sup>6</sup> Refer to Attachment 8 of the 27<sup>th</sup> Meeting of the Extended Commission (EC 27's) [report](#)

<sup>7</sup> Paragraphs 69 and 75 of EC28's [report](#)

### **2023 Season**

After taking into account its 2023 payback instalment (91.3t), Indonesia's Total Available Catch for 2023 was 1,031.5t<sup>8</sup>. Indonesia's **reported** catch of SBT for 2023 was 1,031.345<sup>9</sup>, *i.e.* 155kg below its Total Available Catch for 2023.

- At CC18 Indonesia stated that (para 29, dot-point 4):  
*“Some of the small-scale fishers are members of the fishing associations however new information available this year has identified SBT landings in other ports caught by small fishers are not currently included in CDS data but are catching small quantities of fish.....”*
- Indonesia confirmed that this catch by small-scale fishers has been subsequently included in CDS data submitted to the Secretariat and stated:  
*“When the CC18 meeting took place, we had indeed received information about SBT landings from artisanal fisheries outside Jakarta and Benoa-Bali, namely in Pondokdadap, East Lombok (Labuan Lombok) and Cilacap. We have reported this catch to the CCSBT secretariat on March 22, 2024. So, it can be concluded that the number of catches based on the fleet reported in 2023 includes SBT at other ports (outside Jakarta and Benoa) caught by small fishermen.”*

In their response, Indonesia referred to nine catch tagging forms that had been provided to the Secretariat relating to this catch by small-scale fishers during 2023. The Secretariat can confirm that this catch tagging data has been received and that this relates to 17 SBT harvested between January and November 2023 (CTF weight 1,693kg) and certified at Pondokdadap, Labuan Lombok or Cilacap. However, at the time of writing this paper, the corresponding catch monitoring forms related to this tagging data had not been received by the Secretariat.

- In their national report to CC19/CCSBT31, Indonesia have further confirmed that for 2023:  
*“Monitoring of catch of SBT from other sectors has not been conducted. Other fisheries sector which may associate with catch of SBT may include individual recreational fishing and or other artisanal fishery using hook and line that operated in relatively deep-sea water.”*

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<sup>8</sup> Calculated by taking Indonesia's Effective Catch Limit for 2023 (1,122.8t), and then subtracting Indonesia's payback for 2023 (91.3t), resulting in 1031.5t of Total Available Catch for 2023.

<sup>9</sup> Taken from Indonesia's monthly catch reports submitted for 2023.

## 2024 Season

According to reported monthly catches submitted for January to August 2024 inclusive, Indonesia's total reported SBT catch for 2024 to date is 886.28t. Therefore, to date, Indonesia's reported 2023 SBT catch currently remains within its 2024 Total Available Catch Limit of 1,244.7t (Table 1).

**Table 1**

<b>2024 – Indonesia (as at 31/08/2024)</b>	<b>Unit: Tonnes<sup>10</sup></b>
A. Total Available Catch (t <sup>10</sup> )	1,244.70
B. Reported Catch (t <sup>10</sup> ) – up until 31 July 2024	868.28
<b>Difference (A - B) (t<sup>10</sup>)</b>	<b>376.42</b>

## 2.3 Conclusion

Indonesia's reported catch in 2023 was 155kg below its allocation. Based on information provided to CC18, there was artisanal SBT catch that had not been included in these figures to that point. Additional tagging data has now been provided by Indonesia and this was received by the Secretariat in late March 2024. This data related to SBT harvests by nine (9) handline vessels<sup>11</sup> between January 2023 and November 2023. The last updates to Indonesia's monthly catch reports for January, March, April, September, October, November and December 2023 all correspond to the date that this new CTF data was provided and indicate that this new CTF data has been included in the amended monthly catch reports submitted in March 2024<sup>12</sup>. Indonesia has further confirmed in their national report that there may be catch from other sectors, such as recreational or other artisanal fishing, but that monitoring has not been conducted on these sectors in 2023.

## 3. Summary of Indonesia's Compliance During 2023

At-sea transshipments of SBT to Indonesia's wooden CVs with its own national observers on board were not permitted under CCSBT's Transshipment Resolution until 1 November 2023, however these transshipments did occur. CCSBT began its 2-year trial at-sea transshipment programme with Indonesia on 1 Nov 2023 and, at the time of writing this paper, no deployment requests were received by the CCSBT or IOTC for the period 1 Jan 2023 to 31 Oct 2023.

The 18 deployment requests received between 1 November 2023 and 31 December 2023 recorded a total of 304 planned SBT transshipments. Further documentation (from Observer 5-day Reports, Transshipment Declarations or Observer Reports) was received that enabled the

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<sup>10</sup> Whole weight

<sup>11</sup> Vessels weighing between 22 and 30 GT with each vessel reported as catching 1 to 2 SBT in 2023.

<sup>12</sup> Indonesia's advice to CC18 was that "Indonesia was starting to set aside 10% of its allocation this year to account for small-scale fisheries" (paragraph 29 of CC18's report). However, it is unclear whether this additional tagging data from handline vessels was accounted for through this 10% set aside from its allocation and how this is being monitored.

Secretariat to confirm 153 transshipments. Of the 153 transshipments, 89 were missing transshipment declarations. Where transshipment declarations were provided, on average, these were submitted 21 days late<sup>13</sup>. The table below provides a summary of the Indonesian transshipment data submissions for 2023.

<b>TS ID</b>	<b>Deployment Request Planned SBT Transshipments</b>	<b>Transshipments Reported on Observer 5-day Reports</b>	<b>Transshipments Reported on Transshipment Declarations</b>	<b>Transshipments on Observer Reports</b>
1	33	4	None Received	Not Received
2	45	20	None Received	14
3	35	24	None Received	29
4	10	5	5	6
5	10	6	None Received	Not Received
6	22	11	None Received	Not Received
7	3	4	4	Not Received
8	11	0	None Received	Not Received
9	3	1	4	4
10	14	6	None Received	Not Received
11	8	3	None Received	Not Received
12	11	7	7	7
13	7	None Received	None Received	3
14	32	32	29	32
15	9	8	8	8
16	38	None Received	None Received	Not Received
17	7	None Received	None Received	Not Received
18	6	6	6	6
<b>Total</b>	<b>304</b>	<b>137</b>	<b>63</b>	<b>109</b>

In relation to the obligations in the CDS Resolution, Indonesia had errors in 29% of their CMFs submitted to the Secretariat in 2023 and all of these errors related to the non-provision of the statistical area for high seas transshipments. In addition, at the time of writing, CMFs have not been provided for the additional 2023 catch tagging data provided to the Secretariat in March 2024.

Indonesia has also regularly been providing the Secretariat with retrospective CCSBT vessel authorisation information, where vessel authorisations received may commence months before the date the updates are submitted to the Secretariat. This practice does not appear in keeping with the requirements of the CCSBT Authorised Vessel Resolution, including the “prompt notification” requirement.<sup>14</sup>

<sup>13</sup> Transshipment declarations are required to be provided to the Secretariat within 24 hours of the completion of the transshipment by the master of the receiving Carrier Vessel.

<sup>14</sup> Included in Paragraph 5 of the Authorised Vessel Resolution.

#### **4. Indonesia’s Work Plan to Remain Within Allocation**

Indonesia have submitted an update on their implementation of the work plan to remain within their allocation for 2024. This notes progress on measures such as the distribution of quota, the CDS implementation and their early warning system to avoid over catches. In considering this work plan the Secretariat has noted the following:

- There was a decrease in observer coverage between 2022 and 2023.
- The work plan describes the early warning system (initiated when catches reach/almost reach 90% of limit) which includes regular notifications and reminders to avoid over catches. But it is unclear if there are additional monitoring measures that are implemented when the early warning system is initiated.
- There have only been small increases in e-logbook implementation on CCSBT authorised vessels since 2021 (implemented on 224 vessels in 2021, 223 vessels in 2022 and 228 vessels in 2023). This, combined with the increased number of ID flagged CCSBT authorised vessels has meant that the percentage of CCSBT authorised vessels implementing the e-logbook has decreased from (85% of authorised vessels in 2021 to 74% of authorised vessels in 2023).
- Indonesia have noted that, “for monitoring transshipment at sea in 2024 there were 20 carrier vessels conducted transshipment at sea in IOTC area”. There were only 17 carrier vessels authorised to tranship SBT under the two-year trial and it is unclear if the additional carrier vessels noted in the updated workplan were involved in transshipments of SBT in 2024.

#### **5. Update on South Africa’s Corrective Action Plan to Address its Non-Compliance**

Since CC16 various areas of non-compliance have been noted for South Africa including:

- Data were not provided for the Ecologically Related Species (ERS) Data Exchange process in 2022 and 2023;
- Data were not provided for the Scientific Data Exchange process in 2022 and 2023;
- Lack of provision of a National Report to the ERS Working Group (ERSWG) in 2022;
- Lack of provision of National Reports to the Extended Scientific Committee (ESC) in 2022 and 2023;
- Lack of provision of a National Report to CC18/EC 30;
- Lack of attendance of some meetings, in particular the ESC and CC<sup>15</sup>;
- Uncertainties regarding South Africa’s total Southern Bluefin Tuna (SBT) attributable mortalities as the Catch Documentation Scheme (CDS) estimated catch is substantially higher than the catch reported in South Africa’s National Report (when provided) and Monthly Catch Reports;
- Occasional unauthorised vessels; and

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<sup>15</sup> South Africa did attend CC18 in 2023 but not CC16 and CC17

- Data submission issues, including some CDS documents not being submitted or submitted up to six months late, CDS forms submitted with duplicate numbers, submission of incomplete or non-compliant CDS forms, and port inspection reports either not being submitted or often being submitted up to a year late.

The Secretariat advises that many of the same compliance issues continued during 2023 and early 2024, however more recently South Africa has demonstrated some progress and is starting to address some of these issues, including:

- South Africa attended and provided a National Report to the latest meeting of the ERS Working Group (ERSWG15);
- South Africa provided a National Report to the latest meeting of the Extended Scientific Committee (ESC29);
- South Africa has now provided all outstanding data to the Ecologically Related Species (ERS) Data Exchange and the Scientific Data Exchange; and
- South Africa has been responsive and provided missing 2023 CDS data, 2023 catch by vessel summary and their initial quota allocation for the 2024/2025 fishing season.

The Secretariat advises that at the time of finalising this paper:

- The Corrective Action Plan for South Africa has not been provided, despite repeated reminders to South Africa by the Executive Secretary and Compliance Manager regarding the commitments made at CC18 to submit this by 31 December 2023.
- South Africa have now submitted all 2023 CDS documents, with the exception of two CMFs which are still missing. In responses South Africa have acknowledged the need to improve validation checks in relation to discrepancies in weights between CDS documents.
- South Africa have noted in correspondence to the Secretariat their current human capacity constraints and that they are still working to address these.

## **5.1 Conclusion**

Recent engagement with South Africa has indicated that some progress is being made in addressing some of the compliance concerns raised at recent meetings of the Compliance Committee. However, without a Corrective Action Plan, and noting ongoing capacity challenges highlighted by South Africa, there is uncertainty around whether recent improvements in South Africa's compliance with their CCSBT obligations will be able to be sustained.

## **6. Action Required**

CC19 is invited to:

- For Indonesia:
  - Review the information provided on Indonesia's implementation of its payback plan.

- Advise EC 31 on the effectiveness of the plan to date and recommend whether the Payback Plan should remain as agreed by CCSBT 28 or updated; and
- Advise EC 31 on Indonesia's 2023 compliance with CCSBT obligations to inform its decision on whether to continue, revoke or reduce Indonesia's special temporary allowance of 130t per year provided from 2024 to 2026 inclusive.
- For South Africa:
  - Note South Africa's recent improved responses to outstanding compliance matters, particularly the provision of outstanding data, national reports, and meeting attendance.
  - Note that South Africa has not fulfilled the commitments it made in both 2022 and 2023 to provide a Corrective Action Plan; and
  - Make recommendations to EC 31 regarding:
    - Appropriate measures to take based on the corrective actions process, noting the potential opportunity presented by the development of a Capacity Building Plan.

**Prepared by the Secretariat**



**INDONESIA'S CURRENTLY AGREED PAYBACK PLAN***(Source: Paragraph 69, Table 3 of Report of EC of CCSBT 28)***Gradual Pay Back for Indonesia's Over-catch in 2019 - 2020**

TAC 2020 after pay back	Total catch 2020	Final total over- catch 2020	Gradual Pay Back (5 years)	
			Year	Pay Back
841t	1,298t	457t	2022	91.3 t
			2023	91.3 t
			2024	91.3 t
			2025	91.3 t
			2026	91.3 t