



CCSBT-CC/2410/14

Draft Terms of Reference for the 2025 Quality Assurance Review (QAR) of Indonesia's Two-Year Trial at-sea Transhipment Program

1. Introduction

The Eighteenth Meeting of CCSBT's Compliance Committee (CC18) tasked the Secretariat with drafting a Terms of Reference (ToR) for the QAR of Indonesia's 2-year at-sea transhipment trial. This paper includes a draft QAR ToR at **Attachment A** for Members' consideration.

2. Background

In 2023, a number of revisions¹ to CCSBT's Transhipment Resolution were agreed to enable a two-year trial of an at-sea SBT transhipment programme for wooden Indonesian-flagged Carrier Vessels to commence from 1 Nov 2023. One of the agreed new paragraphs is paragraph 15, which explicitly states that a QAR will be conducted in 2025 and the results presented to CC20:

15. The provisions in paragraph 13 will be considered as a two-year trial with a start date of 1 November 2023 and concluding on 31 October 2025. A Quality Assurance Review (QAR), whose aim will be to provide an independent assessment of the performance of the trial, will be conducted in 2025 and presented to CC 20. This QAR will be funded by the CCSBT. In addition to the QAR, CC 20 shall also consider advice from the IOTC as well as the performance in meeting existing CCSBT transhipment obligations.

The QAR will inform the Compliance Committee's assessment at CC20 of whether Indonesia's systems and processes for at-sea transhipment using wooden vessels and national observers provides the same level of confidence and transparency as the processes required for other at-sea transhipment activities under the CCSBT resolution. Therefore, it is important that a Terms of Reference for this QAR is agreed by CC19 in 2024.

Members should note that IOTC are also undertaking a review of the IOTC pilot project implementing transhipment at sea for Indonesian wooden carrier vessels. This report will be completed for the IOTC Compliance Committee and Commission meetings taking place in April 2025.

3. Draft ToR for Transhipment QAR of Indonesia

A proposed draft QAR ToR is provided at **Attachment A** for Members' consideration.

The key aspects of the proposed ToR are:

- The QAR has been developed in two phases, similar to the approach used in recent QARs.
- Phase one is proposed to involve a desktop review to document and evaluate Indonesia's systems and processes to implement, and ensure compliance with, the obligations contained within CCSBT's Transhipment Resolution.

¹ Paragraphs 13 – 16 of CCSBT's Transhipment Resolution

- Proposed phase one activities will include analysis of documentation submitted to the CCSBT Secretariat by Indonesia as part of the trial, relevant domestic legislation/instruments and other relevant information provided by Indonesia that supports their implementation of the Resolution.
- The review being undertaken by IOTC will be an important information source for phase one of the QAR. Recognising the similarities between the two reviews, specifically in the information required in phase one, the Secretariat will continue to work with IOTC to align the phase one data collection to the greatest extent possible².
- Phase two is proposed to be an onsite review of Indonesia's systems and processes with a focus on the implementation of the documented and defined processes mapped and described in Phase One.
 - Proposed phase two activities will include site visits and interviews with key personnel (including transshipment observers and industry personnel as appropriate) to assess the effectiveness of Indonesia's systems and processes to implement the Resolution and ensure compliance.
- All information obtained through the phase one and phase two activities will be captured in a final QAR report which will include an executive summary, recommendations and conclusions. The final QAR report will be presented to Members at CC20.

4. Summary

CC19 is invited to consider agreeing and recommending to the EC the proposed draft ToR provided in **Attachment A**.

Prepared by the Secretariat

² Currently IOTC estimate that the equivalent of phase one for their report would need to be completed by late December 2024, or early January 2025, in order to meet their required deadlines before the meetings in April 2025.

Draft Terms of Reference for the 2025 Quality Assurance Review (QAR) of Indonesia's At-Sea Transshipment Activities for the Commission for the Conservation of Southern Bluefin Tuna (CCSBT)

1. INTRODUCTION & BACKGROUND

The Commission for the Conservation of Southern Bluefin Tuna (CCSBT) is an intergovernmental organisation responsible for the management of southern bluefin tuna throughout its distribution. Members of the Extended Commission (EC) comprise: Australia, the European Union (EU), the Fishing Entity of Taiwan, Indonesia, Japan, Republic of Korea, New Zealand and South Africa.

The CCSBT's objective is to ensure, through appropriate management, the conservation and optimum utilisation of southern bluefin tuna.

The purpose of the CCSBT's Quality Assurance Review (QAR) process is to provide an independent review to assist specified Members to identify how well their management systems function with respect to their CCSBT obligations and to provide recommendations on areas where improvement may be needed.

It is further intended that QARs:

- Benefit the reviewed Member by giving them confidence in the integrity and robustness of their own monitoring and reporting systems, and
- Promote confidence among all Members as to the quality of individual Members' performance reporting.

Requirement to Conduct this QAR

The requirement to conduct this QAR is noted in paragraph 15 of CCSBT's Transshipment Resolution¹ and by CC18 (paragraphs 68 and 69 of CC18's report):

- *68. The meeting agreed on a two-year trial that would include a targeted Quality Assurance Review (QAR) to independently assess the performance of the trial.*
- *69. The meeting also agreed that Terms of Reference for the targeted QAR would be agreed at CC 19.*

Background: At-Sea Transshipment (Indonesia)

To tranship SBT at sea, a key requirement of CCSBT's Transshipment Resolution is that Carrier Vessels (CVs) have on board a "CCSBT observer", in accordance with the CCSBT Regional Observer Program in Annex II of CCSBT's Transshipment Resolution.

Indonesia has noted that its longline fleet effort has increased in CCSBT statistical area 2, which is further from its ports and that the ability to tranship SBT at-sea is important for its commercial

¹ [Resolution on Establishing a Program for Transshipment by Large-Scale Fishing Vessels](#)

fishery to ensure the quality of the product. Indonesia's SBT fishing grounds fall within the IOTC's area of competence. This means that in practice it is the IOTC that deploys regional transshipment observers to monitor any at-sea transshipments in this area, with IOTC transshipment observers being deemed to be CCSBT observers in cases where SBT are transhipped.

An issue for Indonesia has been that its CV fleet are wooden and do not meet the minimum health and safety standards that are required by IOTC's transshipment observer programme provider. Therefore, it has not been possible to place IOTC/CCSBT regional transshipment observers on board Indonesian-flagged CVs. This has in turn meant that Indonesia could not make at-sea transshipments of SBT to its wooden CV fleet without contravening CCSBT's Transshipment Resolution.²

In 2023, a number of revisions to CCSBT's Transshipment Resolution were agreed³ to enable a CCSBT two-year trial at-sea SBT transshipment programme to wooden Indonesian-flagged CVs to commence from 1 November 2023. The trial allows for:

- At-sea transshipments of SBT to be made from Indonesian-flagged longliners to a specified list of Indonesian-flagged wooden CVs, and
- The requirements of paragraph 26⁴ to be met by Indonesian national observers rather than IOTC/CCSBT Regional transshipment observers.

The relevant paragraphs added to [CCSBT's Transshipment Resolution](#) to facilitate the implementation of the two-year trial are paragraphs 13 - 26:

13. Where SBT is transhipped at-sea to a wooden Indonesian-flagged Carrier Vessels listed in Annex IV, Indonesia may fulfill the requirements of paragraph 26 through the use of its own national observers.

14. Indonesia shall provide directly to both the CCSBT and IOTC Secretariats, copies of all data and documentation required by and within the timeframes set out in the respective CCSBT and IOTC Transshipment Resolutions. The information provided shall include transshipment observer information, notifications and reports (reports should include reports equivalent to – in standard and content - those currently prepared and provided by IOTC's independent ROP Contractor).

15. The provisions in paragraph 13 will be considered as a two-year trial with a start date of 1 November 2023 and concluding on 31 October 2025. A Quality Assurance Review (QAR), whose aim will be to provide an independent assessment of the performance of the trial, will be conducted in 2025 and presented to CC 20. This QAR will be funded by the CCSBT. In addition to the QAR, CC 20 shall also consider advice from the IOTC as well as the performance in meeting existing CCSBT transshipment obligations.

16. Replacement of any wooden carrier vessels in Annex IV is only permitted if the material of the substitute vessel shall remain wooden and the carrying capacity or fish hold volume is not larger than the vessel(s) being replaced. In such case, the authorisation of the replaced wooden vessel shall be immediately revoked.

² At-sea transshipments of SBT made to Indonesian CVs up to and including 31 October 2023 were non-compliant with CCSBT's Transshipment Resolution.

³ Paragraphs 13 - 16

⁴ Paragraph 26: *Each Member and CNM shall ensure that all Carrier Vessels transshipping at sea have on board a CCSBT observer, in accordance with the CCSBT Regional Observer Program in Annex II. The CCSBT observer shall observe the compliance with this Resolution, and notably that the transhipped quantities of SBT are reasonably consistent with the reported catch in the CCSBT transshipment declaration and, as recorded in the fishing vessel logbook and CDS documents.*

2. SCOPE

This QAR will review the suitability of the Indonesia's systems and processes for ensuring compliance with CCSBT's Transshipment Resolution¹, in particular the two-year trial at-sea transshipment programme using its own national transshipment observers as described in paragraphs 13 – 16 of the Resolution.

The QAR will assess whether Indonesia's systems and processes meet CCSBT's Minimum Performance Requirements⁵ for CCSBT's Transshipment Resolution. It will inform the Compliance Committee's assessment of whether Indonesia's systems and processes for at-sea transshipment using wooden vessels and national observers provides the same level of confidence and transparency as the processes required for other at-sea transshipment activities under the CCSBT resolution.

In assessing the suitability of systems, the QAR will include consideration of any issues identified by the Compliance Committee (CC) as well any compliance risks identified by the Extended Commission which will be provided to the reviewer(s) by the Executive Secretary.

The QAR consultation will be between the appointed reviewer and the Indonesian Ministry of Marine Affairs and Fisheries – Directorate General of Capture Fisheries.

The review will be focused on government systems and processes to implement and meet the requirements of the Transshipment Resolution but may also include consultation with industry stakeholders. Approval will be sought from Indonesia prior to any engagement with industry stakeholders taking place.

3. LANGUAGE

The review will be conducted in English and documents requested from Indonesia will need to be provided in, or translated into, one of the official languages of the Commission.

4. REVIEW PROCESS

The methodology used should be based on that used in recent Phase I and II combined QARs⁶ as much as possible and should be detailed in the reviewer's proposal to the CCSBT.

The review will commence with an "*Application Process*", similar to that described in Section 5.1 of CCSBT paper [CCSBT-CC/1610/18](#), to assist the Member being reviewed to understand what the QAR is about, what to expect and what is expected of them. The "*Application Process*" should also provide the reviewer with the necessary contact information for conducting the QAR.

⁵ The MPRs for Transshipment are proposed to be revised in 2024 to reflect a revised Transshipment Resolution adopted in 2023

⁶ Such as the QARs of Taiwan in 2017 ([CCSBT-CC/1710/05](#)) and South Africa in 2018 ([CCSBT-CC/1810/05](#))

4.1 Phase 1 Review (Desktop)

The purpose of a Phase 1 QAR is to independently document and evaluate whether Indonesia's systems and processes meet the relevant Minimum Performance Requirements for CCSBT's Transshipment Resolution.

The reviewer must evaluate Indonesia's current systems and processes with respect to CCSBT's Transshipment Measure, and provide a detailed review of these systems and processes in the following areas:

- What systems and supporting processes are in place to implement and meet the requirements of CCSBT's Transshipment Resolution?
- What systems prevent Indonesia from complying with ordinary processes and requirements of CCSBT's Transshipment Resolution for at-sea transshipment, that are applied to and implemented by other CCSBT Members?
- How do these systems and supporting processes ensure compliance with CCSBT's Transshipment Resolution?
- Are the relevant systems and processes fit for purpose?
- Do the systems meet CCSBT obligations in terms of the CCSBT's Minimum Performance Requirements?
- Are any changes or improvements to current systems or processes underway or being planned? If so, how will these impact Indonesia's ability to meet their CCSBT obligations?
- Have any corrective or preventative measures been taken in response to compliance monitoring?
- Are the requirements of CCSBT's Transshipment Measure being met, in particular the 2-year trial of at-sea transshipments of SBT:
 - a. Implemented in National Laws?
 - b. Clearly defined and documented processes that support implementation of the CCSBT Transshipment Measure and monitor compliance with requirements.
 - c. Clearly provided and communicated to CV masters and transshipment observers?

It is expected that the review will involve the general steps detailed below. Emphasis will be placed on whether the systems and processes in place for the accurate reporting and verification of SBT within the timeframes required by the measure:

- Analysis of relevant documentation submitted to the CCSBT Secretariat, in particular all of Indonesia's relevant domestic legislation/instruments, relevant information from National Reports, data submissions to the CCSBT Secretariat including transshipment deployment requests, 5-day reports, observer reports and observer particulars (and revisions of documents where provided), and whether all the required documentation was submitted and within required timeframes;
- Examination of the IOTC Report on the Indonesia Transshipment Trial, specifically as this relates to national reports and data submissions, including whether documentation was submitted with required timeframes.⁷

⁷ The Secretariat will continue to collaborate with the IOTC Secretariat, and phase one data requests will be aligned as much as possible with those made to support the IOTC review to avoid multiple requests to Indonesia for the same information.

- Examination of transshipment observer training material to ensure it meets the technical training guidelines established by CCSBT, or the guidelines established by IOTC or ICCAT, and that observers receive appropriate training to identify SBT and ensure satisfactory knowledge and understanding of the CCSBT conservation and management measures;
- Drafting of an initial process map of systems in place at the time of the review, which clearly identifies the process steps, required inputs and outputs at each step, responsible parties and measures in place to ensure compliance;
- Consultation with Indonesia to verify the general accuracy of the initial process map, clarify areas of uncertainty and seek any additional information required to complete the process map; and
- Preparation of an initial SWOT analysis (strength, weakness, opportunities, threat/risk) analysis. The opportunities section of the SWOT analysis will include recommendations for improvement.

4.2 Phase 2 Review (on site)

Phase 2 is an on-site inspection of Indonesia's systems and processes documented in Phase 1 of the QAR. It may be conducted as a combined Phase 1 and 2 QAR. The purpose of Phase 2 is for the reviewer to independently verify the existence and effectiveness of Indonesia's systems and processes. During Phase 2, the reviewer is expected to assess:

- Whether the documentation of systems and processes described in Phase 1 is correct and whether Indonesia's provided documentation accurately reflects the systems and processes that are consistently implemented;
- Whether these systems and processes are effective to ensure that CCSBT transshipment obligations are being met;
- Whether the key staff involved in implementing these systems and processes have sufficient knowledge and understanding of the CCSBT transshipment obligations as they relate to the process step they are involved with; and
- Whether there is any possible further improvement of Indonesia's compliance systems and processes, taking into account the results of the above assessments.

It is expected that Phase 2 will involve the following general steps:

- In collaboration with Indonesia, development of a site visit, interview and testing plan based on the outcomes of Phase 1, including development of an audit checklist for the site visit similar to that proposed in [CCSBT-CC/1610/18](#);
- A visit to the principal site(s) where Indonesia's main systems and processes are located and:
 - Interviews of the key personnel (including transshipment observers and industry participants as appropriate) involved in the operation of these systems and processes;
 - Verification of operations and the effectiveness of systems and processes with objective evidence such as demonstrations of how the systems function in practise in real-time; and
 - Verification that observers have satisfactory knowledge to identify SBT and understanding of the CCSBT conservation and management measures;
- Identify and document any differences between Phase 1 (documented and mapped systems and processes) and Phase 2 (system and process implementation) QAR findings along with any gaps or weakness in implementation of the Resolution;

- Modification and refinement of the process map and update the SWOT analysis from Phase 1 as necessary; and
- Preparation and completion of the final QAR report including an Executive Summary, recommendations and conclusions.

5. QAR REPORT

The final output from the reviewer will be a QAR Report.

The report should describe the findings of the review of Indonesia's systems, analysis of the suitability of the systems and recommendations for improvements. The information content of individual QAR Reports should be similar to QAR Reports from previous years.

The following process and timeline should be followed in preparing the QAR report⁸:

- The reviewer will provide the draft report to Indonesia and to the CCSBT Executive Secretary by 31/05/2025⁹;
- Indonesia may seek clarification from the reviewer concerning the draft report and may provide comments to the reviewer on any aspect of the draft report, particularly in relation to factual errors and omissions. Indonesia's comments should be provided to the reviewer within 8 weeks of receiving the draft report and no later than 31/07/2025;
- The reviewer will correct any factual errors reported by Indonesia. The reviewer will also consider other comments provided by Indonesia and make modifications to the report as the reviewer considers appropriate;
- The reviewer will provide the finalised report to Indonesia and to the CCSBT Executive Secretary no later than six weeks before the commencement of the Compliance Committee meeting. The table of contents of the finalised individual QAR Report will include provision for an attachment at the end of the report to be provided by Indonesia containing comments it wishes to make in relation to the outcomes of the QAR; and

6. CONFIDENTIALITY, DATA PROTECTION, COPYRIGHT and INTELLECTUAL PROPERTY (IP)

In carrying out this review the reviewer will have access to confidential and commercially sensitive information.

With the exception of the final QAR report, all information and material obtained or produced by the reviewer during the course of conducting a QAR is confidential between the reviewer and Indonesia and shall not be released by the reviewer to any other party either during or after conducting the QARs. The reviewer will be required to make a declaration to this effect.

The final QAR report will be subject to the CCSBT confidentiality requirements for documents submitted to a meeting of a subsidiary or advisory body of the Commission as described in Rule 10 of the CCSBT's Rules of Procedure. The reviewer will be required to understand the CCSBT

⁸ These timeframes are necessary in order for the finalised individual QAR Reports to be commented on and distributed in time for consideration by the Annual Meeting of the CCSBT Compliance Committee.

⁹ It should be re-iterated that the QAR is intended to be for the benefit of the Member and that discussion and feedback between the Member and reviewer during the review period is encouraged. Consequently, the Member should be aware of any significant outcomes before receiving the draft report.

confidentiality requirements and ensure that they comply with these requirements at all times during the QAR process.

7. QUALIFICATIONS OF REVIEWER

The reviewer will be expected to have sound knowledge of fisheries management and fisheries monitoring, control and surveillance systems. The reviewer will also have relevant experience of auditing/reviewing such systems and be independent (*i.e.* no conflict of interest) of the agencies being reviewed.

The name and qualifications of the reviewer will be advised to Indonesia and CCSBT Members prior to the review taking place.

8. MANAGEMENT OF QAR PROGRAMME

The following roles and responsibilities for the effective implementation of this QAR programme are as follows:

- i) **Executive Secretary** – to manage the QAR contract.
- ii) **Secretariat** – approve review methodology in consultation with Indonesia, provide technical advice to the reviewer and peer review the final overall report.
- iii) **Reviewer** – must complete this QAR based on these Terms of Reference, the established methodology and the direction of the Executive Secretary.
- iv) **Indonesia** –
 - a. appoint a suitably qualified official to coordinate the QAR activities, including providing technical support and advice;
 - b. provide advice and access to systems, processes and information to the reviewer;
 - c. make required arrangements for the on-site activities required to support the phase 2 processes, including (as agreed) to facilitate site visits, support access to key process locations and make key personnel available to speak to the reviewer.
 - d. provide the reviewer with feedback on the draft QAR Report; and
 - e. provide feedback on the performance of the reviewer to the Executive Secretary.