

TERMS OF REFERENCE

Integrated Training for Law Enforcement Agencies in Handling Illegal, Unreported and Unregulated Fishing in Indonesia for Northern Java Coastal Areas Semarang, 1-5 October 2018

1. Background

Support for Reform of the Justice Sector in Indonesia (SUSTAIN) is a five-year project funded by European Union with the overall objective of enhancing public trust in the judicial system through support to the Government of Indonesia in strengthening the rule of law. The specific objective is to increase the transparency, integrity and accountability of the judiciary and the quality of justice services delivered to the people.

The project is implemented under the framework of the UNDP Country Programme Action Plan (CPAP) 2011 - 2015, and will apply the National Implementation Modality (NIM) with the Supreme Court designated as the Implementing Partner. UNDP provides Country Office Support Services to support the Supreme Court in implementing the project and producing all the expected results. UNDP is responsible for (i) identification and recruitment of project and programme personnel, (ii) procurement of goods and services, (iii) administration of donor financial contributions; and (iv) other support services required to deliver the outputs.

This programme accordingly provides technical support to the Supreme Court with the aim of achieving strategic results that are directly linked to the Blueprints for reform of the Supreme Court. More specifically, SUSTAIN focuses on four sectors: internal and external oversight of the judiciary, enhanced skills and knowledge of judges and court staff, improved human resource organization and management policies and enhanced case management system designed to increase transparency, quality of case data and decisions and timeliness of case handling.

One of the tasks mandated by SUSTAIN Project Document is to support special courts in Indonesia. Fishery Courts in Indonesia have been established by Law number 31 of 2004 on Fishery. Their activities are in line with the priorities of the current administration. So far, Indonesia has 10 special fishery courts, encompassing among others, the District Court of Medan, North Jakarta, Bitung, Pontianak, Tanjung Pinang, Ranai, Tual, Ambon, Merauke and Sorong. SUSTAIN Project has intervened in the improvement of capacity and skills efforts that involved judges in ten fishery courts and the law enforcement agencies that related to the fishery crimes. They were trained in the forms of criminal justice system therefore an establishment of cooperation and coordination can be achieved.

The project also initiated to develop technical guidance in handling the fishery crimes and intends to get another session of inputs by conducting training especially for the law enforcement agencies and court officials in the coastal area that have not been covered by the two trainings in Batam and Ambon. The project decided to conduct the third

integrated training program in handling fishery crimes, which will be conducted in Semarang, 1-5 October 2018. The training will be attended by 50 participants from the Navy, Indonesian National Police, Ministry of Maritime and Fishery, Attorney General's Office and Judges in the northern coastal line of Java.

2. Objectives of the Training:

- Improving capacity of the law enforcement agencies/criminal justice system on the knowledge and skill in combatting the Illegal, Unreported and Unregulated Fishing in Indonesia
- Establishing the coordination and cooperation among the law enforcement agencies under the fishery criminal justice system in handling IUUF in Indonesia.

3. Venue Date, Agenda and Participants

Venue: Semarang

Date: 1-5 October 2018 (Participants will check-in on 30 September 2018 and check-out on 6 October 2018)

The agenda of the training is as follows:

**Integrated Training for the Law Enforcement Agencies in Handling Illegal Fishing, Unreported and Unregulated Fishing
Semarang, 1-5 October 2018**

Time	Sunday, 30 September 2018	Monday, 1 October 2018	Tuesday, 2 October 2018	Wednesday, 3 October 2018	Thursday, 4 October 2018	Friday, 5 October 2018
07:30 – 08:00		Registration	Registration	Registration	Registration	Registration
08:00 – 08:30		Opening: • Bpk Gilles Blanchi (Senior Advisor SUSTAIN) • Ibu Novianty Manurung (EU) • Bpk. Zarof Ricar Kepala Balitbang Diklat Kumdil	10": Reflection Legal Grounds and Multi-door Approach	10": Reflection Field Visit, Semarang Port	10": Reflection Judicial Activism	10": Reflection Case studies, (Integrated Enforcement)
08:30 – 09:00		Introduction, Aims and Objectives				
09:00 – 10:00		Wawasan Nusantara and UNCLOS				
10:00 – 10:15		Break	Break	Break		
10:15 – 12:00		Continued: Wawasan Nusantara	Investigation	Prosecution	Trial proceedings	
12:00 – 13:00		ISHOMA	ISHOMA	ISHOMA	ISHOMA	
13:00 – 14:00		Indonesian waters and fishery management	Legal actions (evidence, suspect, ship crew)	Continued	Continued	Plenary presentation
14:00 – 15:00	Check in 17:00: Trainer's Convention	Continued	Coffee Break	Coffee Break	Coffee Break	
15:00 – 15:30		Coffee Break	Coffee Break	Coffee Break	Coffee Break	
15:30 – 17:00		Continued	Continued	Case handling and appeals		Closing

The participants will be:

No	Location	Police	Navy	PSDKP	Prosecutor	Judges
1	Semarang	1	1	1	1	3
2	Tegal	1	1	1	1	3
3	Jepara	1	1	1	1	2
4	Brebes	1	1	1	1	2
5	Rembang	1	1	1	1	2
6	Tuban	1	1	1	1	2
7	Surabaya	1	1	1	1	2
8	Cirebon	1	1	1	1	2
	Total	8	8	8	8	18

Officials:

No	Name	Position
1	Dr. Zarof Ricar SH., S.Sos., MHum	KABALITBANG DIKLAT KUMDIL MA
2	Prahesti Pandanwangi	BAPPENAS
3	Novianty Manurung	European Union

Trainers:

No	Name	Position
1	Pahala Simanjutak., SH., MH	Hakim Tinggi Pusdiklat Teknis Balitbang Diklat Kumdil MA RI
2	Sugeng Riyono SH., MH	Hakim Tinggi – PT Yogyakarta
3	AKBP Agung Hendry	DITPOLAIR
4	Kompol Agus Achmad Rifai	PUSDIKRESKRIM
5	Teuku Elvitasayah (TBA)	PSDKP
6	Ricardo Sitinjak	Kejaksaan Agung RI
7	Prof Hasyim Djalal	Maritime Law/UNCLOS Expert
8	Robert Dedeo/Dewa Nyoman Nanta/Yunus Husein	Indonesian National Police/Satgas 115
9	TBA	Satgas Kejahatan Perikanan Kejaksaan Agung
10	TBA	PSDKP

Sustain Member:

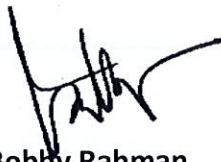
No	Name	Position
1	Gilles Blanchi	Senior Advisor
2	Bobby Rahman	SC – Judicial Training
3	Bernadeta Yuni	SO – Judicial Training
4	Devy Nazwir	Project Assistant
5	Lukman Hakim	MRO
6	Jason Batahi Ponto	IC Judicial Training

4. Logistic Arrangements

- Accommodation for 25 rooms - twin occupancy and 19 rooms - single occupancy
- Meeting Rooms (1 plenary room for 100 persons);
- 2 LCD Projector;
- Laptop (2 laptops);
- Flip charts;
- Full board meeting package.
- Seminar Kits
- Minibus (2) for field visit to Semarang Port (60 participants)

Budget: AWP #2.2.2: USD 40,000 (details will be prepared by PA)

Prepared by,



Bobby Rahman

Sector Coordinator - Judicial Training

Cleared by,



Gilles Blanchi

Senior Advisor

Approved by



Muhammad Hussain

Deputy Project Manager