



ASEAN AUSTRALIA DEVELOPMENT COOPERATION PROGRAM (AADCP) PHASE II

EXTENDED **TERMS OF REFERENCE** **FOR**

Development of the ASEAN Certification and Accreditation Schemes for Halal Food

The ASEAN Secretariat and the Australian Government, through AADCP II, invite applications from consultants for the above-referenced project.

I. Background

Halal, an Arabic word meaning “permissible”, refers to any item or action which is permissible to use or engage in, according to Islamic law. This not only covers food and beverages but all aspects of daily life though it is most commonly associated with foodstuff. ASEAN itself is estimated to have over 250 million halal consumers with ASEAN Member States (AMS) having established hubs that provide infrastructure, facilities and services to support halal businesses. Despite its rapid growth, the market for *halal* food in ASEAN remains underserved.

Amongst the priorities under the *ASEAN Economic Community Blueprint 2025* is the minimisation of trade protection and compliance costs of Non-Tariff Measures (NTMs) which involves the development of standards and conformance measures, such as equivalence in technical regulations, standard harmonization, alignment with international standards and mutual recognition arrangements (MRAs).

The absence of common standards and recognition of each other's certification body within ASEAN hampers trade and marketing of *halal* food. *Halal* certification is a costly and time-consuming exercise which partly explains why it is not widely implemented. Also, *halal* certification is voluntary, and in predominantly Muslim countries, a lot of products are not certified because they are easily accessible by virtue of the majority being Muslims. However, standardization is a key element to enhancing exports and competition. Standards are vital as they provide a common language among buyers and sellers coming from a variety of cultures.

Standards support global trade by contributing to technology upgrading, diffusion and absorption as well as protecting the consumers and the environment. The underlying body of work for ASEAN Halal Food is an integral part of establishing quality infrastructure, which refers to the totality of institutional framework needed to establish and implement standards including metrology (scientific, industrial and legal), conformity assessment services and accreditation.

Several AMS have their own regulations and requirements to assess an applicant's halal assurance system before approval and issuance of halal certification.¹ However, differences in standard, certification and accreditation schemes create confusion and misunderstanding among *halal* industry operators in the region leading to an increase in trade barriers. The development and acceptance of common guidelines on *halal* certification and accreditation schemes will help facilitate the harmonisation or equivalency between standards and certification of Halal Food among AMS.

¹ Brunei Darussalam, Indonesia, Malaysia, Philippines, Singapore, Thailand, and Viet Nam have established their respective halal certification bodies. Each country has its set standards, practices, and requirements to certify Halal Food.

The Plan of Action for the ASEAN Cooperation in Halal Food 2021-2025 is in line with the *AEC Blueprint 2025* wherein one of the action programs under Strategic Thrust 2: Enhance Trade Facilitation, Economic Integration and Market Access, is to harmonize accreditation, inspection, and certification so that uniform requirements will prevail in the region, thus enabling the recognition of equivalence.

In 2019, the 41st ASEAN Ministers on Agriculture and Forestry Meeting adopted the *ASEAN General Guidelines on Halal Food*, which sets out common sets of measures and requirements to be followed in any stage of the food chain of Halal Food based on the Shariah Law.

On the other hand, the 15th meeting of the AWGHF agreed to defer the consideration of the *Draft Guidelines for Bodies Providing Halal Certification* and the *Draft Guidelines for Halal Accreditation Body Accrediting Halal Certification Bodies* primarily due to the following concerns:

- The Draft Guidelines for Bodies Providing Halal Certification is a modified adoption of the OIC/SMIIC 2:2011 (First Edition 2011-05-17) that is currently being revised; given this, some of the clauses in the draft guidelines are already obsolete;
- Most AMS are using ISO standards; hence, the draft guidelines may not be applicable anymore; and,
- The draft guidelines need to be referred to appropriate ISO standards with the addition of the Halal requirements.

Building upon the existing guidelines, common certification and accreditation systems that will facilitate intra-ASEAN trade of *halal* food as well as ensure that features and quality of agricultural produce and products are carried out according to the established *halal* procedures and requirements, will be developed. These would, in turn, serve as building blocks for the development of an ASEAN MRA on Halal Food.

II. Needs and Objectives

The project intends to enhance intra-regional trade as part of integration efforts, and facilitate greater assurance of Halal Food through the development of the ASEAN Halal Food certification and accreditation schemes which are intended to guide AMS in facilitating the recognition of Halal Food standards and its implementation.

It is expected that through this project, AMS would be better equipped to promote the harmonisation and/or standardization of *halal* certification and accreditation systems in the region, leading to increased adoption and acceptance of the ASEAN General Guidelines on Halal Food including among producers and consumers.

Together with AADCP II, the ASEAN Secretariat, will engage the services of an entity or firm to support the preparation of the project outputs, namely: i) Assessment Report of Halal Certification and Accreditation Schemes in AMS; ii) ASEAN Certification Scheme for Halal Food Recognition Mechanism; and, iii) ASEAN Accreditation Scheme for Halal Food Recognition Mechanism.

III. Outputs

The outputs of the project include the following:

Output 1. Assessment Report covering:

- current systems of halal certification of the AMS including information pertaining to the legislative framework, controls, procedures, facilities, equipment, laboratories, transportation, communications, personnel qualifications and training;
- current system of accreditation of certification bodies of the AMS showing relevant information such as but not limited to: regulations, accreditation checklist, protocol for inspection and evaluation, rules and procedures for approval and registration, and procedure for monitoring and review;
- comparison of systems across AMS; and,

- comparison with leading global halal systems.

The assessment report will be prepared through literature review, supplemented by interviews, focus group discussions and surveys with key stakeholders, as necessary. Standardization, certification and accreditation bodies of AMS will be consulted in the preparation of the report, as well as other regional bodies with harmonized halal certification and accreditation schemes.

Output 2. ASEAN Certification Scheme for Halal Food Recognition Mechanism

Output 3. ASEAN Accreditation Scheme for Halal Food Recognition Mechanism

Outputs 2 and 3 will serve as reference documents either in the establishment of a system or in carrying-out revisions of current systems in place at the national level and in line with the *ASEAN General Guidelines on Halal Food*. These proposed schemes will specify principles for the establishment of programs with elements on inspection, sampling and analysis, checks and examination as well as an audit of establishments by the national competent authority and verification. The certification and accreditation schemes will be based on observed good and working practices from within and outside the region but with sufficient details and steps to accommodate convergence and harmonisation of the halal schemes.

The design of the schemes will also take into consideration related texts adopted by the World Halal Council and Codex Alimentarius Commission specifically pertaining to certification and accreditation that will provide a framework for the development of a national certification and accreditation systems, as well as the standards by the International Organization for Standardization (ISO) pertaining to guidelines for accreditation procedures for certification bodies (CBs). These will assist AMS in the application of requirements and the determination of equivalency. When suitably applied, these will aid in building and maintaining the necessary confidence in inspection, certification and accreditation systems, thereby, facilitating future mutual recognition agreements (MRAs) among the AMS.

The project may also refer to the following relevant OIC/SMIIC standards and ISO standards when designing the certification and accreditation schemes:

- a) ISO/IEC 17065:2012 (Confirmed 2018) Conformity assessment — Requirements for bodies certifying products, processes and services
 - **ISO/IEC 17011:2017** *Conformity assessment - Requirements for accreditation bodies accrediting conformity assessment bodies*
 - **ISO/IEC 17021-1:2015** *Conformity assessment - Requirements for bodies providing audit and certification of management systems - Part 1: Requirements*
- b) ISO/TS 22003:2013 (Confirmed 2016) Food safety management systems — Requirements for bodies providing audit and certification of food safety management systems
- c) OIC/SMIIC 1:2019 General Requirements for Halal Food
- d) OIC/SMIIC 2:2019 Conformity Assessment – Requirements for Bodies Providing Halal Certification
- e) OIC/SMIIC 3:2019 Conformity Assessment - Requirements for Halal Accreditation Bodies Accrediting Halal Conformity Assessment Bodies
- f) OIC/SMIIC 33:2020 Conformity Assessment – Example of a Certification Scheme for Halal Products

In addition, the ASEAN Good Agricultural Practices for Fruits and Vegetables (ASEAN GAP) Certification and Official Control Manuals (<http://aadcp2.org/asean-good-agricultural-practices-gap-certification-and-control-manuals/>), which were adopted by the 41st ASEAN Ministers on Agriculture and Forestry (AMAF) Meeting in 2019, may serve as references. These manuals covered the key elements on inspection, sampling, analysis, checks, and examinations, audit of the establishment by the national competent authority and national audit verification, which are intended to support the implementation of ASEAN GAP.

Apart from these outputs, activity/progress reports as described in Section V: Reporting would have to be produced including:

- Inception Report detailing the overall approach to the delivery of the expected outputs including detailed work and management plans;
- Project Completion Report summarising the project outputs, achievements/ shortfalls, learnings and recommendations;
- Workshop Reports; and
- Bi-monthly Progress Reports

IV. Tasks/Activities

Given the participatory and consultative nature of the project, multiple methods may be used to obtain the needed information from AMS (e.g., literature review, desktop research, questionnaire survey, focus group discussion, and conduct of interviews whether virtual or face-to-face). It is envisioned that the consultative workshops (either virtual or face-to-face) will be facilitated by the selected experts/bidders.

Bidders are expected to design their own work plans ensuring delivery of the desired outputs, taking into account the potential hindrances and delays posed by the COVID 19 pandemic. The bidder should provide details on its approach, specific activities, corresponding number of working days, expected completion dates and person(s) responsible in its bid and is free to recommend additional activities, if needed. A summary should be presented in the form of a tabulated work plan in their bid to indicate the following information:

- Deliverable output or report
- Activities to be undertaken for each deliverable
- Person working days
- Timeline for completion/ target completion date
- Person/s responsible in the team

The eventual project implementation design will be determined in consultation between ASEC, AADCP II and the winning bidder during the inception stage.

V. Reporting

The consultant is expected to produce outputs in accordance with Section III and IV above. These are summarised below. The timing of delivery is indicative and can be adjusted when the consultant's work plan is developed, subject to mutual agreement.

No.	Reports	Target Delivery/Completion Date
1	Inception Report <i>This would detail the consultant's approach to the project and provide a detailed work plan.</i>	3 weeks after contract signing
2	Assessment Report including Workshop Report 1*	Week 12
3	ASEAN Certification Scheme including Workshop Reports 2 and 4	Week 31

3	ASEAN Accreditation Scheme including Workshop Reports 3 and 5	Week 32
4	Project Completion Report <i>The Project Completion Report will establish a record of the project achievements against the project's original intended purpose and outputs. It is intended to assist in assessing impact, draw out conclusions and lessons learned that may be valuable in designing new related initiatives.</i>	Week 35

* Draft Workshop Reports are expected to be submitted a week after the conduct of each workshop.

All reports will be submitted based on AADCP II Guidelines for Contractors in draft format to the ASEAN Secretariat, Food, Agriculture and Forestry Division (FAFD) (with a copy to AADCP II) and, following ASEC approval, in final form. All outputs and reports must be suitable for publication, although the decision on publication lies with the ASEAN.

The contractor will also provide regular (bi-monthly or as agreed with ASEC) summation of activities undertaken and issues that have arisen. These will be submitted to FAFD and AADCP II via email.

Financial reports will be submitted at invoicing in line with a payment schedule to be specified in the Special Services Agreement (SSA).

VI. Project Management

The project will be funded by the ASEAN-Australia Development Cooperation Program II (AADCP II) and managed by the Food, Agriculture and Forestry Division (FAFD) of the ASEAN Secretariat, in consultation with the AADCP II Program Planning and Monitoring Support Unit (PPMSU).

The FAFD, with oversight support from AADCP II, will be responsible for the overall management of the project. It will work closely with AADCP II PPMSU in the selection of external consultant(s) for the project, in ensuring the timely delivery of planned activities and key deliverables of the project, and in ensuring efficient reporting and disbursement of funds.

The Division will act as the ASEC key focal point for the project. It will:

- manage project implementation, and together with AADCP II, monitor progress of the consultancy work;
- provide technical supervision to the project;
- assist/facilitate introductory consultation meetings with key Member States focal points; and
- provide over-all guidance on the presentations and meetings.

The consultant should be responsible for organising and conducting the scheduled activities in collaboration with the host countries and the ASEAN Secretariat. The preparation of the project outputs will be the main responsibility of a contractor selected via open tender with inputs from AMS.

AADCP II will monitor progress from the perspective of the use of AADCP II resources, and provide advice to the FAFD accordingly.

AADCP II will conclude at the end of 2022. Once it concludes, support for this project will be provided through its successor program, the Australia for ASEAN – Economic and Connectivity program, subject to the program's approval.

VII. Scope of Services

The consultancy will be undertaken over a **continuous effective period of up to 10 calendar months** with approximately **up to 70 days** of professional services covering all deliverables. Work will commence immediately after contract signing.

The number of person working days or weeks is intended to indicate the amount of relative effort required to deliver the corresponding outputs. The calculation is based on assumption of five person-days per week. Actual time will be agreed in negotiation with the successful bidder.

A team of experts will be hired to implement the project. We require, at the minimum, the following expertise within the team:

1. **Expert on Halal Certification for agriculture/agricultural products**
2. **Expert on Halal Accreditation for agriculture/agricultural products**

The experts will collaborate and provide inputs on the various reports, as needed.

VIII. Bidding

Interested consulting firms are invited to submit a proposal in response to these Terms of Reference. This proposal should be in two separate documents: **Technical** and **Financial components**.

The Technical component should present the following information:

- A brief discussion indicating the bidder's understanding of the needs of the project;
- A brief analysis of key issues;
- A methodological discussion of how the bidder proposes to address those needs including assessment of key issues, analytical strategies that will underlie the project, specific techniques to be utilised, and practical discussion of possible limitations in carrying out the project;
- A detailed work plan that specifies activities to be undertaken, expected outputs and deliverables, resources to be utilised and timing;
- Staffing and management plan;
- A discussion on how measures to ensure the future sustainability of the outcomes of the project will be addressed;
- CVs of all proposed experts;
- Brief discussion of firm's or individual's past experience in undertaking similar work and brief summaries of all projects undertaken.

The Financial component should specify professional fees of experts.

Other costs for experts and participants such as reimbursable expenses for airfare, other travel costs and daily subsistence allowance for workshops, meetings, and all other agreed activities will be discussed with the preferred contractor during the finalisation of the scope of services. Costs will be based on prevailing ASEC rates.

IX. Qualifications

The scope of work within this TOR covers two specific types of work: certification and accreditation. The bidder must be able to demonstrate the required qualifications for both types of work.

In the area of Halal Certification, the bidder must demonstrate the following qualifications:

- Degree in Agriculture, Veterinary Medicine, Animal Husbandry, Fisheries, Biology, Natural Sciences, Islamic Studies or any related field;
- Proven track record on the application of the requirements of ISO/IEC 17065:2012, which provides conformity assessment (i.e., requirements for bodies certifying products, processes and service), including OIC/SMIIC Halal standards and certification
- Experience in developing guidelines and protocols for certification
- Experience in the field of halal certification requirements, procedures and processes.
- Previous experience or involvement on the development and implementation of any of the ASEAN agricultural standard or similar endeavours;
- Thorough understanding and good knowledge of IEC approaches, training methods/tools applicable for various agriculture groups;
- Solid background on the diverse implementation of *halal* food programs in the ASEAN Member States as well as those implemented worldwide;
- Proven track record of experience in research, activity design and delivering technical assistance, including effective capacity-building, related to agriculture and *halal* food products;
- Detailed understanding and wide experience across sectoral and importantly the cross-cutting, including economy-wide, issues affecting ASEAN agriculture development and performance;
- Proven experience in dealing with senior government officials and other identified stakeholders;
- Proven ability for accuracy under pressure and adherence to deadlines;
- Proven skills in data analysis, assessment and in related policy advise; and,
- Proven skills in report writing and conversing in English.

In the area of Halal Accreditation, the bidder must demonstrate the following qualifications:

- Degree in Agriculture, Veterinary Medicine, Animal Husbandry, Fisheries, Biology, Natural Sciences, Islamic Studies or any related field;
- Knowledge on the requirements specified in ISO/IEC 17011:2004 which provides the general requirements for accreditation bodies in assessing and accrediting conformity assessment bodies (CABs);
- Experience in developing guidelines and protocols for certification and accreditation;
- Previous experience or involvement on the development and implementation of Halal food standards, certification and accreditation or similar endeavours;
- Demonstrated skills and experience in the development of practical and user-friendly training materials and tools for different target groups;
- Solid background on the diverse implementation of *halal* food programs in the ASEAN Member States and those implemented worldwide;
- Proven track record of experience in research, activity design and delivering technical assistance, including effective capacity-building, related to agriculture and *halal* food products;
- Detailed understanding and wide experience across sectoral and importantly the cross-cutting, including economy-wide, issues affecting ASEAN agriculture development and performance;
- Proven experience in dealing with senior government officials and other identified stakeholders;
- Proven ability for accuracy under pressure and adherence to deadlines;
- Proven skills in data analysis, assessment and in related policy advise; and,
- Proven skills in report writing and conversing in English.

A thorough understanding of ASEAN, ASEC and AADCP II procedures will be considered added value.

X. Submission of Application

Applicants should send their application with a cover letter, materials specified in Section IX above and other supporting documents with “**Development of the ASEAN Certification and Accreditation Schemes for Halal Food**” as the subject via email to tender@aadcp2.org, no later than **12 September 2022 at 5:00pm, Jakarta time**.

For Frequently Asked Questions (FAQ), please visit <http://aadcp2.org/aadcp-ii-tender-frequently-asked-questions/>

Any queries on the TOR should be sent to contact@aadcp2.org with the subject line: **Development of the ASEAN Certification and Accreditation Schemes for Halal Food**.

XI. Additional Notes on Terms and Conditions of the Project

1. Any future studies/reports/analysis in any form of intellectual property rights (including but not limited to patents, copyright and any related rights) submitted by the Contractor to ASEAN arising out of or in connection to the services performed by the Consultant to ASEAN shall belong to ASEC under the name of **ASEAN** only;
2. Successful bidder shall agree to be bound and sign the Special Services Agreement (SSA) with all requirements under the terms and conditions provided therein, including but not limited to the AADCP II Guidelines for the Contractors attached to the SSA.
3. As an intergovernmental organisation, ASEAN shall not be responsible for any tax(es), levy, tax claim or any tax liability which may be imposed by any law in relation to any amount payable by the ASEAN Secretariat.