

INTERNATIONAL REVIEW PANEL

MINUTES OF THE 21ST MEETING

June 3-4, 1999
Guayaquil, Ecuador

The 21st meeting of the International Review Panel (IRP) was held in Guayaquil, Ecuador, on June 3-4, 1999. The participants are listed in Appendix A.

1. and 2. Opening of meeting and election of Presider

The meeting was called to order on June 3 at 9:45 a.m. Ab. Gustavo Gutiérrez Vera, of Ecuador, was elected Presider. The Panel noted that a representative of the European Union (EU) had been admitted as an observer. EU requested that in future responsibility for Spanish vessels be transferred to EU, since Spain was a participant in the La Jolla Agreement but EU was party to the Agreement on the International Dolphin Conservation Program (AIDCP).

3. Appointment of non-governmental members for 1999-2000

The Panel welcomed the new non-governmental members, elected by the governmental members for a two-year term, commencing at the beginning of the current meeting: for the tuna industry, Messrs. Roberto Aguirre Román, José María Bengoa, and Alvaro Bustamente Steer, with Mr. José Juan Velázquez Macoshay as alternate, and for the environmental organizations, Mr. Héctor López (Fundación para la Defensa de la Naturaleza), Ms. Kate O'Connell (Whale and Dolphin Conservation Society), and Ms. Nina Young (Center for Marine Conservation), with Ms. Holly Payne (World Wildlife Fund) as alternate.

4. Approval of agenda

The Panel decided that it could not deal with items 7(d), 12, and 13 of the provisional agenda (Procedures for 2000 DMLs, System to measure DML utilization to deter frivolous requests, and Real-time reporting by observers of per-stock mortality) until the Meeting of the Parties to the AIDCP had established a framework for the systems contemplated under these items. The final agenda is presented in Appendix B.

5. Approval of minutes of the 20th Meeting of the IRP

The minutes of the 20th meeting of the IRP were approved as presented.

6. Annual Report for 1998

The Panel approved the Annual Report for 1998 prepared by the Secretariat, with minor updating to reflect responses by governments reported at the meeting (Appendix C), for submission to the Intergovernmental Meeting.

7. Dolphin Mortality Limits (DMLs):

a) Review of 1998 DMLs

Eighty-one of the 98 full-year Dolphin Mortality Limits (DMLs) of 66 animals each issued for 1998 were utilized. Only one of the five second-semester DMLs issued was utilized. The average annual mortality per vessel had been 22.3 dolphins, and no vessel had exceeded its DML. The IATTC staff noted that the average annual mortality per vessel was not representative of the fleet's performance because some vessels were making short trips and/or had set on dolphins simply to utilize their DMLs, thus reducing the overall average. The average annual mortality for vessels which fished primarily on dolphins in 1998,

making on average about 200 dolphin sets, was closer to 40 animals, the DML for 1999. However, the mortality per set, a more accurate indicator of the fleet's performance, had fallen from 0.33 dolphins in 1997 to 0.18 in 1998.

b) Review of 1999 DMLs

Of the 125 full-year DMLs of 40 dolphins each issued for 1999, 37 had not been utilized by June 1. The average mortality per DML vessel to date was 5.22 dolphins.

c) DMLs for the second semester of 1999

As of June 4, requests had been received for 9 of the 37 vessels which had not utilized their DMLs to keep their DMLs for the remainder of the year, and 10 requests for second-semester DMLs had also been received. The Panel approved all the requests.

8. Proposed guidelines for determining possible infractions

At its 20th meeting the Panel discussed guidelines for determining possible infractions in cases in which not all of the recommended dolphin safety and rescue procedures had been complied with. The IATTC staff presented the results of a study comparing decisions actually taken by the Panel on cases of two types of possible infractions (sack-up and/or brailing of live dolphins, and failure to perform backdown) and the decisions which would have been reached by following the proposed guidelines. Generally, the guidelines were stricter than the Panel, and in several cases had identified an infraction when the Panel had not, but the reverse was never the case. It was noted that the guidelines would be useful for the fishermen, since it would make clear what was and was not permitted.

The Panel decided further work would be needed to see whether such guidelines would be useful within the context of the AIDCP.

9. Review of observer data

The IATTC staff presented the data reported by observers of the IATTC and Mexican national programs relating to possible infractions which had occurred since the Panel's previous meeting.

The Panel discussed night sets, and the difficulty of deciding whether cases in which the required limit of 30 minutes after sunset for ending a set had been exceeded by a small margin, possibly due to unusual circumstances such as a malfunction, constituted a possible infraction. The Panel requested that in future the IATTC staff indicate not only the number of previous trips by the captain in question with possible night set infractions but also the total number of such possible infractions.

The Panel discussed the question of reports by observers of approaches made by vessel personnel which might have led to attempted bribery if the observer had shown any inclination to accept such an offer. Observers were instructed to turn down any such approaches clearly and forcefully, but also to report them. The Panel then had to decide whether a suggestive remark by a crew member constituted interference with the observer's duties and should be reported as a possible infraction. One difficulty was that the Panel usually heard only the observer's side of the story; another was that, since it was known that observers were required to report all attempted interference or bribery, any initial approaches made to the observer would be deliberately vague and subtle, and difficult to characterize as interference. It was suggested that in those cases in which the information was insufficient to justify reporting a possible infraction to a government, the incident should be noted on the record of the observer, captain, and vessel for future reference, and the observer should be informed of this. Concern was expressed that, if the Panel took no action at all, the observers would no longer report such incidents, and it would then be impossible to know whether any such potential bribe attempts were being made.

The Panel discussed the question of ortza release as an alternative to the backdown maneuver and, as on previous occasions, concluded that the data available were insufficient to justify recommending the procedure. In response to a suggestion that the decision be left to the captain, who had the experience and was best able to judge the circumstances, and who knew the consequences of any dolphin mortality, it was pointed out that the intention was to reduce dolphin mortality to the minimum possible, and that using potential mortality as a punishment for a bad or unfortunate decision by a captain was contrary to the spirit of the program. The Panel noted that in this respect the point at which mortality occurred – before or after the ortza was released – was important.

10. Use of divers for dolphin rescue

The IATTC staff reported that the percentage of vessels fishing on dolphins that used diving gear had risen from 58% in 1994 to 90% in 1998. However, in 1998, for the first time, both the average mortality of dolphins per set and the average number of live dolphins left in the net after backdown were higher in sets in which a diver was used than in those in which they were not used, but noted that this might be an artifact of the sampling rather than a real effect, since the number of sets without diver use was relatively small. The number of dolphins released alive was higher in sets in which divers were used (Appendix D). It was difficult to separate the positive and negative effects of the use of divers; there were no firm data on how much mortality divers might hide, but there was reliable anecdotal evidence that this did happen.

The Panel decided that no change in the current rules, which required only a raft and crewman in the water, was justified. Concerns about the safety of crew members made the compulsory use of divers impracticable, and the evidence was insufficient to ban their use after backdown, since the effect appeared to be mainly beneficial.

The staff described a possible experiment to test the impact of divers on dolphin mortality, which if carried out would allow a comparison of mortality rates between sets in which divers were not used for dolphin rescue after backdown and those in which they were.

11. Review of actions by Parties on possible infractions reported by the IRP

The IATTC staff reported the number of infractions identified by the IRP and the responses from governments for 1997, 1998, and 1993-1998 (Appendix E). The Panel expressed serious concern about the low rate of response. The Panel discussed the importance of a mechanism for ensuring that the rules were complied with, within the wider framework of compliance with other measures such as catch limits for yellowfin and bigeye tuna, capacity limits, and other measures adopted in the fishery, and the need for regular review of compliance. The Panel noted that the question of a compliance working group was included on the agenda for the 63rd Meeting of the IATTC.

12. Certification of fishing captains

The IATTC staff described the system that had been developed over the previous decade to measure the performance of fishing captains in relation to reducing dolphin mortality in fishing operations. The system had to be fair, simple, and capable of distinguishing factors which reflected the captain's performance from those which were the responsibility of the vessel owner or beyond the captain's control. The most important factor for captains was assessing the risks involved in making a set. Each delegation was provided with a list of the captains operating under its jurisdiction, ranked by performance.

13. 1999 vessel assessments

The IATTC staff explained that now all vessels were being assessed on the basis of well volume rather than carrying capacity, and that any excess fees received were being dealt with according to each government's instructions. The Panel asked for a report of the vessel assessments invoiced and received. In response to a question, the staff said that it would prefer that well volume also be used as a basis for the

fleet capacity limit distributions, since it was a fixed figure. In this respect the staff noted that, with the change to well volume, the assessments for some newer vessels had risen relatively more than those for older vessels; this was because carrying capacity was calculated on the basis of a nominal packing density, and the packing densities used nowadays were considerably less than those used when the older vessels were built.

14. Report of the working group on tuna tracking

The Chair of the working group, Ms. Pat Donley, of the United States, presented the proposed system developed by the group (Appendix F), noting that it was fairly general, and left the details of how the system would be put into practice to the individual parties. Mexico described the results of a trip in which a prototype tuna-tracking form had been used to document the loading of tuna into the vessel's wells, and said that the system appeared to work well. The difficulties which had been encountered were resolved in the new proposed system. The Panel agreed that the system should be forwarded to the Meeting of the Parties, but with some additions reflecting concerns expressed by members of the Panel: specifically, that progress on the establishment of national programs for tracking and verification of tuna should be reviewed at the meeting of the IRP in June 2000, that a 15% buffer should be added to any non-dolphin safe tuna unloaded from a well which also contained dolphin safe tuna, and that in certain circumstances both types of tuna could be loaded into a single well, but would be kept physically separate.

15. Place and date of next meeting

The Panel, noting that under the AIDCP information had to be provided to the Meeting of the Parties by October 1, agreed to hold its next meeting in Ensenada, Mexico, towards the end of September. The Secretariat would determine the precise dates through consultation with the members.

16. Other business

The United States informed the Panel that the new U.S. regulations governing the importation of tuna were almost ready to be circulated to the various countries for comments, and that as soon as the final version was approved the decision on the new definition of 'dolphin safe' tuna would be implemented.

Mr. Ignacio Lachaga, of the Spanish fishing company Albacora S.A., made a presentation to the Panel on a new method for releasing dolphins from tuna purse seines, an alternative to the backdown maneuver. In two experimental sets carried out with a member of the IATTC staff present the method had worked well, and the observer on a subsequent fishing trip made by the vessel had reported that the maneuver was tried again with good results during a trial set not involving dolphins. The Panel approved the use of the system by vessels with suitably modified nets and with the additional equipment required to use the method, and would study the results during future meetings. The Panel asked that in future it be notified of any such experiments before they took place, rather than waiting until its next meeting.

The non-governmental environmental members read a statement (Appendix G) expressing their concern about the low response rate by governments to possible infractions reported by the IRP, and proposing that 1) a review of actions by Parties on possible infractions reported by the IRP be included in the agenda of every IRP meeting; 2) under this item the IATTC staff provide information in the format used in Appendix 8 of the 1998 IRP Annual Report; 3) the IATTC staff report on those infractions stipulated in Annex IV(III)(4) of the AIDCP associated with whether a vessel may adjust its DML; and 4) the IATTC staff provide the information on response rates presented to the IRP to the IGM for consideration, review, and possible action.

17. Adjournment

The meeting was adjourned on June 4, 1999, at 2:15 p.m.

**INTERNATIONAL REVIEW PANEL
21ST MEETING**

LIST OF APPENDICES

- A List of attendees
- B Agenda
- C IRP Annual Report 1998
- D Summary of diver effect, 1994-1998
- E Identified infractions and responses, 1993-1998
- F Proposed system for tuna tracking and verification
- G Statement by the non-governmental environmental members of the IRP

Appendix A.

PANEL INTERNACIONAL DE REVISION--INTERNATIONAL REVIEW PANEL

21^a REUNION – 21st MEETING

Guayaquil, Ecuador

4 y 5 de junio de 1999 – June 4-5, 1999

ASISTENTES – ATTENDEES

COLOMBIA

ARMANDO HERNANDEZ
DIEGO CANELOS

COSTA RICA

HERBERT NANNE
GEORGE HEIGOLD
Instituto Costarricense de Pesca y Acuicultura
JAIME SOJO ROMERO
Cónsul General de Costa Rica en Guayaquil

ECUADOR

GUSTAVO GUTIERREZ VERA
LUIS TORRES
CESAR ROHON HERVAS
Ministerio de Comercio, Industria y Pesca

ESPAÑA - SPAIN

IGNACIO YBAÑEZ
JAVIER ARIZ
Secretaría General de Pesca Marítima

MEXICO

MARA MURILLO CORREA
RICARDO BELMONTES ACOSTA
GUILLERMO COMPEAN
HUMBERTO ROBLES
MARK ROBERTSON
Secretaría de Recursos Naturales y Medio Ambiente
DAVID ANTONIO FUENTES M.
LUIS FUEYO MACDONALD
Procuraduría Federal de Protección al Ambiente

PANAMA

ARNULFO FRANCO
Autoridad Marítima de Panamá

UNITED STATES OF AMERICA

WILLIAM HOGARTH
CATHY EISELE
PATRICIA DONLEY
SVEIN FOUGNER
National Marine Fisheries Service
JUDSON FEDER
National Oceanic and Atmospheric Administration
RANDI THOMAS
U.S. Tuna Foundation

VANUATU

ANTHONY TILLET
ELISEO VILLAR L.
Ministry of Maritime Affairs

VENEZUELA

JEAN-FRANÇOIS PULVENIS
SANTOS VALERO
Ministerio de Relaciones Exteriores
CAROLINA BELTRAN
Ministerio de Agricultura y Cría
HUGO ALSINA
Asesor

ORGANIZACIONES NO GUBERNAMENTALES-NON-GOVERNMENTAL ORGANIZATIONS

NINA YOUNG
Center for Marine Conservation
KATHLEEN O'CONNELL
Whale & Dolphin Conservation Society

HOLLY PAYNE
World Wildlife Fund
HECTOR LOPEZ
Fundación para la Defensa de la Naturaleza

INDUSTRIA ATUNERA-TUNA INDUSTRY

ROBERTO AGUIRRE
ALVARO BUSTAMANTE STEER

JOSE MARIA BENGUA
JOSE JUAN VELAZQUEZ MACOSHAY

OBSERVADOR-OBSERVER

ERNESTO PENAS LADO
BRENDAN O'SHEA
Unión Europea - European Union

IATTC STAFF – PERSONAL DE LA CIAT

JAMES JOSEPH
ROBIN ALLEN
MARTIN HALL
DAVE BRATTEN
ERNESTO ALTAMIRANO

BERTA JUAREZ
ERIC LARGACHA
JORGE PARRAGA
NICHOLAS WEBB

Appendix B.

INTERNATIONAL REVIEW PANEL

21st MEETING

June 4-5, 1999

Guayaquil, Ecuador

AGENDA

1. Opening of meeting
2. Election of Presider
3. Appointment of non-governmental members for 1999-2000
4. Approval of agenda
5. Approval of minutes of the 20th Meeting of the IRP
6. Annual report for 1998
7. Dolphin Mortality Limits (DMLs):
 - a. Review of 1998 DMLs
 - b. Review of 1999 DMLs
 - c. DMLs for the second semester of 1999
8. Proposed guidelines for determining possible infractions
9. Review of observer data
10. Use of divers for dolphin rescue
11. Review of actions by Parties on possible infractions reported by the IRP
12. Certification of fishing captains
13. 1999 vessel assessments
14. Report of the working group on tuna tracking
15. Place and date of next meeting
16. Other business
17. Adjournment

Appendix C.

International Dolphin Conservation Program INTERNATIONAL REVIEW PANEL

ANNUAL REPORT

1998

1. INTRODUCTION

The International Dolphin Conservation Program (IDCP) and the International Review Panel (IRP) were established by a resolution passed at a special meeting of the Inter-American Tropical Tuna Commission (IATTC) held in April 1992. This resolution was reaffirmed at the IATTC's 50th meeting in June 1992. In addition, a similar resolution, the Agreement for the Conservation of Dolphins (the La Jolla Agreement), was passed by 10 nations (Colombia, Costa Rica, Ecuador, Mexico, Nicaragua, Panama, Spain, the United States of America, Vanuatu, and Venezuela) at the 24th Intergovernmental Meeting (IGM), held in conjunction with the IATTC meeting. (The separate IGM was necessary because some of these nations were not members of the IATTC.) The La Jolla Agreement is specific to the tuna purse-seine fishery in the eastern Pacific Ocean (EPO), and its principal objectives are to "(1) progressively reduce dolphin mortality in the EPO fishery to levels approaching zero through the setting of annual limits, and (2) with a goal of eliminating dolphin mortality in this fishery, seeking ecologically sound means of capturing large yellowfin tunas not in association with dolphins, while maintaining the populations of yellowfin tuna in the EPO at a level which will permit maximum sustained catches." The IRP's main objective is to review and report on the compliance of the vessels of the international tuna purse-seine fleet covered by the La Jolla Agreement with the operational requirements and dolphin mortality limits set forth in the Agreement, and to make recommendations, as appropriate, to the nations participating in that Agreement. The functions and responsibilities of the IRP are described in the Agreement.

At the end of the period covered by this report the IRP consisted of 17 members: 11 participating governments (Colombia, Costa Rica, Ecuador, El Salvador, Mexico, Nicaragua, Panama, Spain, the United States, Vanuatu, and Venezuela), and 6 representing non-governmental organizations (NGOs): 3 representatives of environmental organizations (the Center for Marine Conservation, the Fundación para la Defensa de la Naturaleza (FUDENA), and the World Wildlife Fund), and 3 representatives from the tuna industry (the Cámara Nacional de Enlatadores de la Pesca (CAVENPESCA) of Venezuela, the Cámara Nacional de la Industria Pesquera (CANAINPES) of Mexico, and Sardimar, S.A. The environmental organizations' alternate representative was from the Whale and Dolphin Conservation Society, and the industry alternate was from Seatrading International. Only government members have voting rights, and the IATTC provides a non-voting Secretariat for the IRP.

During 1998 the IATTC and the Mexican Programa Nacional de Aprovechamiento del Atún y de Protección de Delfines (PNAAPD) collected data pertaining to dolphin mortality in the fishery. The IATTC covered 52 percent of the trips made by the Mexican fleet and all trips by all other national fleets operating in the EPO, and the PNAAPD covered the remaining Mexican trips. The coverage of the fleet during 1998 is summarized in Appendix 1. All nations listed in that appendix except Belize, Cyprus, and Honduras are party to the La Jolla Agreement. Data for both programs were collected by trained observers, using standardized forms and data-collection procedures. The IRP reviews the operations of these programs and the data they collect.

The IATTC had observers aboard trips of vessels operating under the jurisdictions of Belize, Colombia, Ecuador, El Salvador, Honduras, Mexico, Panama, Spain, the United States, Vanuatu, and Venezuela.

Also, sampling was conducted aboard two vessels that the IATTC staff believed to be properly registered, but this later proved not to be the case. Those six trips were assigned to the category of “unknown” registration.

This Annual Report, which reviews the sixth year of operation of the IDCP, summarizes all infractions of the La Jolla Agreement identified by the IRP and the actions and decisions it took during its 18th, 19th, and 20th meetings. Also included are actions and resolutions of the participating nations during three IGMs (36th-38th) which affect the operation of the IRP and the IDCP, the dolphin mortality levels in the fishery during 1998, and business that was pending before the IRP at the end of this reporting period. Minutes of the IRP meetings and IGMs are recorded by the Secretariat and distributed to the attendees. Documents referred to in this report are also included in those minutes.

1.1. Dolphin mortality in 1998

The total dolphin mortality in the fishery in 1998 was 1,877 animals, or 29 percent of the overall limit of 6,500. The total number of intentional sets on tunas associated with dolphins was 10,644, and the average mortality in these sets was approximately 0.18 dolphins.

1.2. Agreement on the International Dolphin Conservation Program (AIDCP)

A binding agreement, the Agreement on the International Dolphin Conservation Program (AIDCP), was adopted at the 35th IGM (February 2-7, 1998). This was signed in Washington, D.C., USA, by representatives of Colombia, Costa Rica, Ecuador, Mexico, Nicaragua, Panama, the United States, and Venezuela on May 21, 1998 (and shortly thereafter by representatives of the European Union, Honduras, and Vanuatu), and it was to go into effect as soon as it was ratified by four signatories. It was ratified by the United States on July 21, 1998, by Panama on December 23, 1998, by Ecuador on February 4, 1999, and by Mexico on February 15, 1999, and thus came into force on February 15, 1999. The principal differences between the AIDCP and the 1992 La Jolla Agreement are that: (1) the AIDCP is binding, whereas the La Jolla Agreement is not; (2) the AIDCP establishes mortality limits for individual stocks of dolphins in addition to a DML for all species combined, whereas the La Jolla Agreement calls for a single DML for all species combined; (3) the AIDCP includes, as one of its objectives, “avoiding, reducing and minimizing bycatch and discards of juvenile tunas and non-target species,” whereas the La Jolla Agreement does not mention bycatches and discards; (4) the AIDCP provides for “certification for fishing captains and crews,” whereas the La Jolla Agreement does not; and (5), the AIDCP provides for “the establishment of a system for the tracking and verification of tuna harvested with and without mortality or serious injury of dolphins,” whereas the La Jolla Agreement does not. Also, the AIDCP applies to the area bounded by the coastline of the Americas, 40°N latitude, 150°W longitude, and 40°S latitude, whereas the La Jolla Agreement applies to “the eastern Pacific Ocean.” The transition from the 1992 La Jolla Agreement to the AIDCP was discussed at the 38th IGM (March 15-16, 1999), and it will be discussed again on June 11, 1999, at a meeting of the parties to the AIDCP.

2. IRP MEETINGS

The IRP held its 18th, 19th, and 20th meetings during the period covered by this report: on June 8-9 and October 13-14, 1998 in La Jolla, California, USA, and on January 25-26, 1999 in Ensenada, Mexico. Representatives from all of the eligible parties attended some or all of the meetings. Dr. William Hogarth, of the United States, Ms. Wanda Cain, of the United States, and Ms. Mara Murillo, of Mexico, served as Presiders of the 18th, 19th, and 20th meetings, respectively.

3. DOLPHIN MORTALITY LIMITS (DMLS)

3.1. 1998 DMLS:

The overall dolphin mortality limit for the international fleet in 1998 was 6,500, as stipulated in the La Jolla Agreement. Ninety-eight vessels were allocated DMLS of 66 animals, four vessels having their DMLS reduced by 1, 8, 18, and 24 respectively, the amounts by which they had exceeded their 1997 DMLS. The total of the individual-vessel DMLS was 6,417.

At its 18th meeting the IRP allocated second-semester DMLS of 33 animals to five vessels.

Eighty-one of the full-year DMLS issued to the 98 vessels were utilized; the 17 others were forfeited by not being utilized by June 1, 1998. One of the five second-semester DMLS was utilized. No vessel exceeded its DML in 1998. The distributions of the mortality caused in 1998 by vessels with full-year and second-semester DMLS are shown in Appendices 2a and 2b, respectively.

3.2. 1999 DMLS:

The overall dolphin mortality limit for the international fleet in 1999 is 5,000, as stipulated in the La Jolla Agreement. At its 18th meeting the IRP allocated DMLS of 39 dolphins to 126 vessels. Subsequently, the number of vessels was reduced to 125 and the per-vessel DML was adjusted to 40 dolphins (5,000/125).

The 38th IGM noted that the assignment of Dolphin Mortality Limits (DMLS) under the AIDCP would begin in October 1999 for the parties to the Agreement, and thus the first DMLS issued under the AIDCP would be those for the year 2000. DMLS set under the La Jolla Agreement apply for 1999, including for those states which had ratified the AIDCP, using the rules of the La Jolla Agreement for all participating countries.

3.3. Other DML issues:

During the year, the Secretariat sent 22 quarterly performance letters, 12 at the end of the first quarter, 6 at the end of the second quarter, and 4 at the end of the third quarter, to vessels that risked exceeding their assigned DML if their mortality levels continued to accumulate at the current rate.

At its 18th meeting the IRP reviewed a set in which dolphin mortality occurred, but the Panel determined that the mortality was caused by the actions of a third party over which the fishing captain had no control. The Panel decided that the mortality would count towards the fleet's DML, but not towards the vessel's DML.

4. INFRACTIONS

At its 18th meeting the IRP approved a procedure to follow in determining whether a particular night set case should be presented to the Panel for review (Appendix 3). It agreed that it would maintain its existing definition of a night set as a set during which the backdown procedure is not completed within 30 minutes after sunset. It also decided that, in cases in which the observer's estimate of the time of sunset did not agree with the time calculated by a computer program from almanac data, the computer time should be regarded as correct. The Panel decided that governments should be informed automatically if a pattern of behavior is detected of a vessel or captain taking apparently unjustified risks when setting on dolphins close to sunset, even when this resulted in no mortality of dolphins and no infraction was identified.

The Panel also decided at this meeting that any requests to review cases with special circumstances would only be considered if presented by governments.

At its 20th meeting, the IRP noted that any vessel threatened with withdrawal of its flag for repeated violations should not be allowed to change to another flag unless the new flag state was informed of the

vessel's history. With regard to cases of observer harassment or interference, the Panel agreed that it is the responsibility of the governments to support the observers and act on the information they report. However, since any eventual action on these issues is the responsibility of individual governments, the matter should be considered in the framework of the IGM.

5. SPECIAL PROBLEM SETS

At the 36th IGM (June 11, 1998) a working group to examine special problem sets was established. At its 19th meeting the IRP agreed to recommend to the IGM that it continue using the special problem set procedures adopted in 1995 (Appendix 4) while the La Jolla Agreement remained in effect, and that the working group would continue studying the matter with a view to adapting these procedure to the framework of the AIDCP. This recommendation was approved by the 37th IGM (October 17, 1998).

6. USE OF DIVERS IN DOLPHIN RESCUE

At its 18th meeting, the IRP decided to establish a working group to study the various aspects of the use of divers for dolphin rescue. At its 19th meeting the IRP agreed to recommend to the IGM the adoption of the following recommendations made by the working group: 1) that the safety of human life at sea is paramount, and that crewmen should not be placed in situations that present unnecessary risks to their personal safety; 2) to take note of the positive effect of the use of divers in reducing dolphin mortality, and ask the observer programs to continue monitoring this practice and provide information to the IRP on its results and implications; and 3) that concealing dolphin mortality from observers, including removing dead dolphins from the net underwater, constitutes an infraction under the general heading of observer interference, and should be specified as such on the list of possible infractions. These recommendations were approved by the 37th IGM.

7. CERTIFICATION OF FISHING CAPTAINS

The AIDCP calls for the establishment of a system of technical training and certification for fishing captains and crews on the use of gear and techniques for the rescue and safety of dolphins. At its 18th meeting the IRP approved such a system and agreed to ask the IGM to establish a working group to study the matter further and determine how this system could be put into effect. The 36th IGM established such a working group, which would report to the IRP. The 37th IGM accepted the proposals of the working group (Appendix 5), as recommended by the IRP at its 19th meeting.

8. CONFIDENTIALITY OF INFORMATION

At its 18th meeting the IRP decided that, in reference to requests for information about DMLs for individual vessels, the existing policy of not releasing such information should be followed until rules governing the release of confidential information called for in the AIDCP were adopted.

9. FUNDING OF THE IDCPC

At its 19th meeting the IRP agreed to recommend to the IGM an increase in vessel assessments for funding the IDCPC during 1999, from \$US12 per short ton of carrying capacity to the equivalent of US\$15.05 per short ton of carrying capacity, to cover increased costs. These costs include higher observer wages, organization and coordination of meetings and working groups, simultaneous interpretation at IRP meetings, and costs that the IATTC incurs in net alignments and captain training and performance monitoring. The Panel also agreed to recommend that the basis for the assessments for 1999 should be the volume of a vessel's wells, measured in cubic meters. These recommendations were approved by the 37th IGM. Subsequently, the Secretariat determined that the 1999 assessment rate would be US\$14.17 per cubic meter. The Panel further agreed to establish a working group to consider options for distributing the assessments.

At the 20th meeting of the IRP the Secretariat reported that this rate had resulted in an excess over the amount budgeted for 1999; the rate should have been US\$12.552/m³. The Panel decided that the excess payments be returned to the vessels.

10. UNFINISHED BUSINESS

The status of a number of items of business discussed by the IRP during meetings covered in this report and in prior meetings is as follows:

- (a) An enforcement mechanism to deal with non-compliance by party and non-party nations of the La Jolla Agreement has yet to be developed.
- (b) A system of recognizing outstanding performance by individual fishermen has yet to be developed.
- (c) Due to a lack of data, the IRP has yet to determine whether releasing captured dolphins by means of opening the bow end of the net is an acceptable alternative to the backdown procedure. It is hoped a determination can be made when sufficient data become available to do a meaningful analysis.
- (d) An IRP subgroup is to be established to study the extent to which DMLs can effectively be reduced, given current fishing technology.
- (e) The IRP postponed a decision on whether a vessel of a Party state with a DML would be able to keep its DML if it obtained temporary registration and flagging to a non-Party state.
- (f) The IRP postponed until its 21st meeting a decision on provisional guidelines for determining possible infractions in cases in which not all of the recommended dolphin-safety and rescue requirements had been complied with.
- (g) The working group to consider options for distributing vessel assessments has yet to be established.

11. SUMMARY OF POSSIBLE INFRACTIONS

Appendix 6 is a summary of the possible infractions identified by the IRP during its 18th, 19th, and 20th meetings, by infraction type. During these meetings the IRP reviewed data from 591 fishing trips, including 10,498 intentional dolphin sets and 13 other sets with accidental capture of dolphins. A total of 1,082 possible infractions were identified and reported to governments, of which 151 were considered major infractions, 919 were considered other infractions, and 12 were cases of observer harassment or interference. As of June 4, 1999, the Secretariat had received a total of 215 responses from governments to those possible infractions, of which 27 related to major infractions, 181 to other infractions, and 7 to cases of observer harassment or interference.

Appendix 7 lists all the possible infractions identified during the period covered by this report, and reported by the Secretariat to the pertinent governments under whose jurisdiction the vessels operate. Each country's vessels, identified only as 1, 2, *etc.*, are listed in random order with the trips during which possible infractions occurred. Only vessels identified as having committed possible infractions are included. Each trip is identified by its IRP record number (example: 98-123), followed by the IRP meeting date (year/month) at which the possible infractions were identified. Each possible infraction is listed, followed by a brief description of the action taken by the government, as reported to the Secretariat; if no action is listed, this indicates that the Secretariat has not received a response from the government.

Appendix 8 includes summary tables of responses, by country, regarding three types of possible infractions (observer harassment or interference, night sets, and use of explosives) identified by the IRP during the three meetings.

Appendix 1. Sampling coverage by the IATTC and PNAAPD programs during 1998.

National fleet	Number of trips	Trips sampled by program			Percent sampled
		IATTC	PNAAPD	Total	
Belize	16	16	-	16	100.0
Colombia	23	23	-	23	100.0
Cyprus	1	1	-	1	100.0
Ecuador	175	175	-	175	100.0
El Salvador	2	2	-	2	100.0
Honduras	4	4	-	4	100.0
Mexico	229	118	111	229	100.0
Panama	6	6	-	6	100.0
Spain	26	26	-	26	100.0
USA	27	27	-	27	100.0
Vanuatu	55	55	-	55	100.0
Venezuela	96	96	-	96	100.0
Unknown	6	6	-	6	100.0
Total	666	555¹	111²	666³	100.0

¹ Includes 57 trips which departed in late 1997 and ended in 1998, and 498 trips which departed in 1998

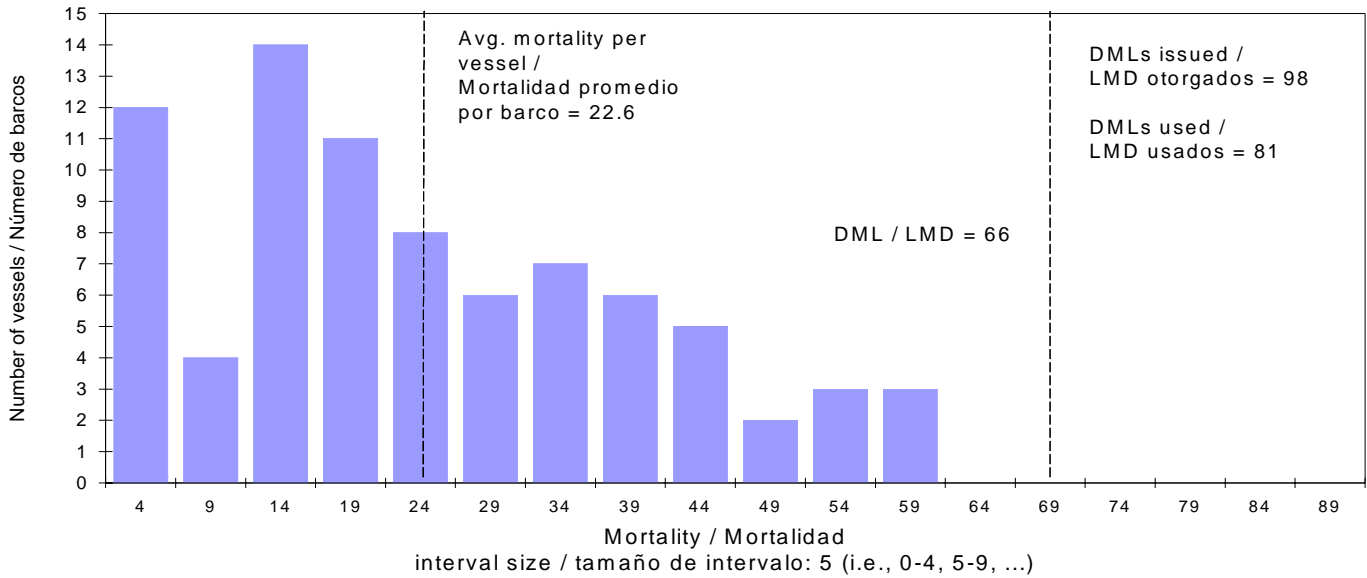
² Includes 3 trips which departed in late 1997 and ended in 1998, and 108 trips which departed in 1998

³ Includes 60 trips which departed in late 1997 and ended in 1998, and 606 trips which departed in 1998

Appendix 2a.

MORTALITY CAUSED BY DML VESSELS - 1998 MORTALIDAD CAUSADA POR BARCOS CON LMD - 1998

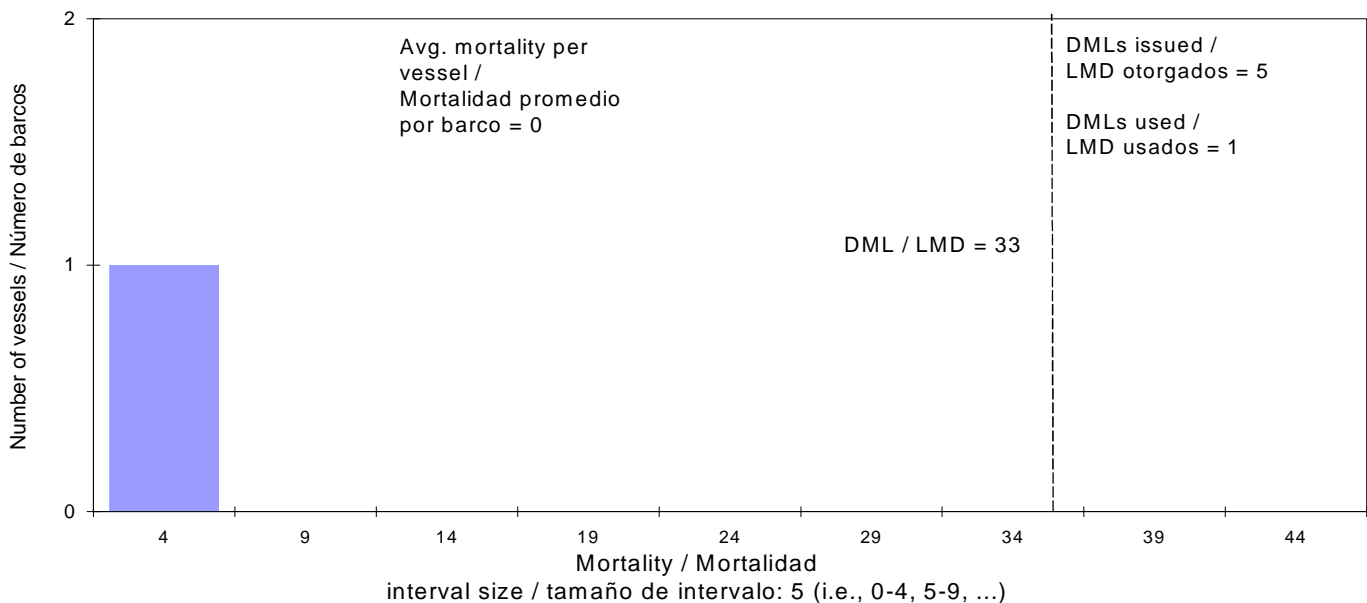
(DML use = 1 or more intentional sets on dolphins; experimental set mortality excluded /
Uso de LMD = 1 o más lances intencionales sobre delfines; mortalidad en lances experimentales excluida)



Appendix 2b.

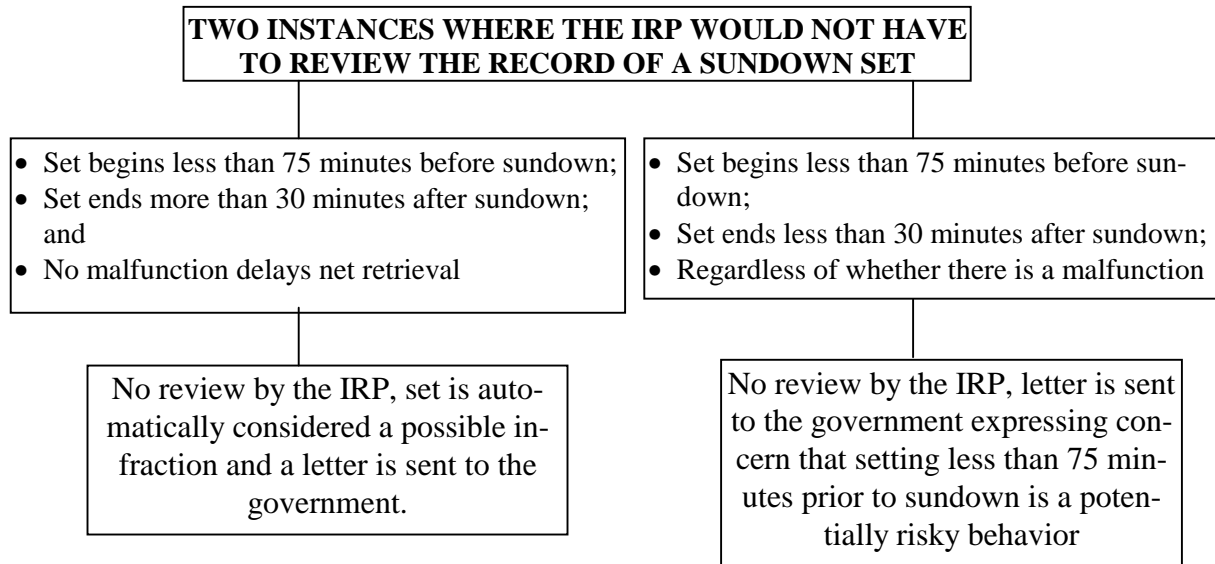
MORTALITY CAUSED BY SECOND-SEMESTER DML VESSELS MORTALIDAD CAUSADA POR BARCOS CON LMD DE SEGUNDO SEMESTRE

(DML use = 1 or more intentional sets on dolphins; experimental set mortality excluded /
Uso de LMD = 1 o más lances intencionales sobre delfines; mortalidad en lances experimentales excluida)



Appendix 3.

CRITERIA FOR REVIEW OF SUNDOWN SETS BY THE INTERNATIONAL REVIEW PANEL



Appendix 4.

INTERNATIONAL REVIEW PANEL

PROCEDURES FOR DEALING WITH SPECIAL PROBLEM SETS

1. DEFINITION

A special problem set is a set in which:

- (a) the mortality exceeds 50% of the individual-vessel DML for the year of the event and affects that vessel's DML for the following year;
- (b) the mortality is not caused by or contributed to by:
 - i) an infraction committed by the fishing captain, or
 - ii) a gear failure or malfunction resulting from a lack of proper maintenance of the vessel and its gear,
- (c) taking account of all the circumstances, the fishing captain acted with the degree of skill and care that would be expected of a reasonably competent fishing captain, and did not take unreasonable risks, and
- (d) Every reasonable effort and/or efforts beyond those normally required were made, in the course of the set, to reduce or eliminate the mortality.

2. DETERMINATION

- (a) In the course of its regular review of sets, the IRP shall be solely responsible for determining whether any set qualifies as a special problem set and making the appropriate recommendations to the Intergovernmental Meeting.
- (b) The IRP should, as appropriate, obtain and hear expert evidence, to be given by fishing captains, gear technicians, and such other qualified persons as deemed necessary.
- (c) The flag state or the state responsible for the vessel's fishing operations shall be given an opportunity to carry out its own investigation and to make such representations to the IRP as it wishes.
- (d) For the purposes of making its determination, the IRP shall not consider the past performance of the fishing captain.
- (e) Notwithstanding d) above, the IRP may take into account sets made during the same trip for the purpose of determining whether the fishing captain continued fishing after having experienced similar environmental conditions or gear malfunctions which should have put him on notice of the risks.

3. ACTION TO BE TAKEN

- (a) If at any time after making a special problem set or as a consequence of such a set, the vessel exceeds its DML, it must immediately cease fishing on dolphins for the remainder of that year.
- (b) When a vessel exceeds its DML due to a special problem set, its DML for the following year will be reduced by 40% or by the difference between the actual mortality and the DML in the year of the event, whichever is less. If that difference is not fully covered in the year after the event, then the DML for the following year will be reduced by 20% or by the remaining difference, whichever is less. As an incentive, if the vessel achieves a reduction of 50% or more from the DML for the year after the event (before any reduction due to the special problem set), it will be exempted from any further DML reductions in the following year.
- (c) If the total mortality caused by the fleet exceeds the overall DML for the year of the event, the excess imputable to the special problem sets will be deducted from the DMLs for the year after the event assigned to the vessels responsible in proportion to the level of mortality caused in the respective special problem sets. Provided that the reduction shall in no case be less than the reduction that would have been made under paragraph (b) had the overall DML for the year of the event not been exceeded. If this deduction exceeds an individual vessel's DML, that vessel shall not be permitted to fish on dolphins in the year after the event.

4. RECOMMENDATIONS

- (a) The analysis and opinions of a captains' panel, to be constituted by the IATTC, should be requested in all cases of special problem sets.
- (b) The conclusions of the captains' panel shall be circulated to all members of the IRP, who shall make a final determination as to whether the set qualifies as a special problem set.
- (c) The captains' panel shall be bound by the same rules as the IRP, including that of absolute confidentiality.

Appendix 5.

INTERNATIONAL REVIEW PANEL

TRAINING AND IDENTIFICATION OF FISHING CAPTAINS QUALIFIED TO FISH ON VESSELS UNDER THE AGREEMENT ON THE INTERNATIONAL DOLPHIN CONSERVATION PROGRAM

La Jolla, California, USA

October 14, 1998

1. INTRODUCTION

This document describes methods to be used to train, and monitor the performance of, fishing captains of tuna purse-seine vessels fishing under the Agreement on the International Dolphin Conservation Program (IDCP). It is prepared for consideration by the International Review Panel (IRP), and once the Panel makes whatever changes it deems necessary, is to be presented to the Intergovernmental Meeting (IGM) for action.

If these methods are approved by the IGM, the IATTC staff will be responsible for preparing and maintaining a list of all captains who are or have been active in the eastern Pacific Ocean (EPO). The names of those captains who meet the requirements will be supplied to the IRP for approval and circulation to the Parties. The staff will inform the IRP of captains qualified to be added to the list, and also of those who may no longer meet the requirements, based on information supplied by the Parties, and the Panel will make any necessary changes to the list. The staff will also report to the IRP any captain fishing on dolphins on a vessel with a DML who is not on the list. The initial list of captains will be prepared using the lists supplied by the nations.

2. DEFINITION

For the purposes of this document, the fishing captain (or simply "captain"), also called the skipper, is the person aboard the vessel who is responsible for making decisions during fishing operations. That individual shall be the principal authority for fishing operations aboard that vessel, and all other persons involved in fishing operations aboard such vessel while at sea shall be under his authority and responsibility. That individual shall be so identified by the national authority under whose flag the vessel operates, or by the owner of the vessel on which he serves, in that order. That person is also responsible for the availability and use of all dolphin safety gear, and for all interactions with the observers.

3. REQUIREMENTS FOR NEW CAPTAINS

All new captains appointed to command purse-seine vessels fishing in the EPO for the first time must have attended a training seminar organized by the IATTC staff, or by the pertinent national program in coordination with the IATTC staff. The seminar shall include detailed information on the international agreements and regulations currently in force, as well as participation in a trial set in which the captain will, in conjunction with personnel of the IATTC or of the corresponding national program, examine in detail the dolphin safety gear, including direct observations of the backdown channel.

This seminar shall also include a practical training component, which will consist of a trip during which it is intended to fish for tuna associated with dolphins aboard a vessel with a DML. This vessel may be:

- (a) A vessel whose captain is on the list of qualified captains and whose captain and crew have proven experience in setting on dolphins; or

- (b) A vessel on which the new captain is the fishing captain, and on which he will be accompanied by a technical adviser, who will provide him the necessary advice, and who has proven experience in setting on dolphins, recognized by the scientific staff of the IATTC.

4. REQUIREMENTS FOR ACTIVE CAPTAINS

In order to remain on the list, a captain must:

1. Attend a seminar organized by the IATTC staff, or by the pertinent national program in coordination with the IATTC staff, if the cumulative mortality of dolphins of a vessel or vessels under his command exceeded the average DML for the fleet during the current or previous calendar year.
2. Not have made intentional sets on dolphins on a vessel after it has reached its DML, or other limit imposed under the IDCP Agreement, either during the previous or the current calendar year.
3. Not have made intentional sets on dolphins without a DML either during the previous or the current calendar year.
4. Not have fished without an observer on board either during the previous or the current calendar year.
5. Not have been the fishing captain on a vessel of a non-Party state that was not complying with the management measures of the IDCP Agreement during the previous year, nor be the fishing captain on such a vessel during the current year.
6. Not have committed one of the following infractions, with which the pertinent Party concurs, either during the previous or the current calendar year: obstructing, intimidating, interfering with, influencing, bribing, or attempting to bribe an observer in the course of his duties.
7. Not have infractions with which the pertinent Party concurs, which are determined by the IRP to form a pattern and are accepted as such by the Meeting of the Parties.

5. REINSTATEMENT OF DISQUALIFIED CAPTAINS

A disqualified captain shall be reinstated on the list after:

1. Any sanctions imposed on him by the pertinent Party have been complied with;
2. His reinstatement is requested by a Party; and
3. He has attended a re-training course organized by the IATTC staff, or by the pertinent national program in coordination with the IATTC staff.

A captain may not be reinstated to the list more than twice, unless the Meeting of Parties, taking into consideration the recommendations of the IRP, determines otherwise.

6. MONITORING THE PERFORMANCE OF ACTIVE CAPTAINS

The Secretariat of the Agreement shall collect the information necessary for monitoring the performance of active captains, as follows:

1. Using standardized performance measurements, recommended by the IRP and approved by the Meeting of the Parties, that take into account variables outside the captain's control (*e.g.*, unforeseeable gear malfunctions or environmental factors, such as the presence of strong subsurface currents), and also differences among fishing areas and seasons and among dolphin species and stocks;

2. Attendance at seminars organized by the IATTC staff, or by the pertinent national program in coordination with the IATTC staff, and participation in related activities; and
3. Record of possible or confirmed infractions and sanctions.

Each year the three captains with the best performances will be recognized. Rankings will be based on standardized performance measures approved by the Meeting of the Parties, proportion of sets with zero mortality, and compliance with the IDCP. Only captains with a sufficient number of dolphin sets (more than 100/year) will be considered.

7. APPLICATION

These provisions shall not be applied retroactively.

Appendix 6.

INTERNATIONAL REVIEW PANEL

SUMMARY OF POSSIBLE INFRACTIONS IDENTIFIED DURING THE 18TH, 19TH, AND 20TH MEETINGS

MAJOR INFRACTIONS:

Trips without an observer	0
Trips with dolphin sets but no DML assigned	4
Trips with an unlicensed or suspended fishing captain	0
Trips without a dolphin safety panel	129
Intentional sets made after reaching the DML	0
Sets on banned stocks or school types	0
Sets without a required backdown (occurred in 9 trips).....	11
Sets with dolphin sack-up or brail (occurred in 7 trips).....	7

OTHER INFRACTIONS:

Trips without a required raft	145
Trips with speedboats lacking towing bridles	26
Trips without a required high intensity floodlight	194
Trips without required diving masks and snorkels	118
Night sets (occurred in 43 trips).....	61
Sets with use of explosives (occurred in 50 trips).....	372
Sets without required rescue (occurred in 3 trips).....	3

Cases of observer interference 12

Trips reviewed in these meetings 591

Dolphin sets reviewed in these meetings 10498

Accidental sets reviewed in these meetings 13

Appendix 7.

POSSIBLE INFRACTIONS IDENTIFIED BY THE IRP

Brief descriptions of government actions taken, as reported to the Secretariat by June 4, 1999, are included. If no action is listed for a possible infraction, the Secretariat has not received a response from the government.

The "Other" category includes all fleets with three vessels or less (Honduras, Panama, and Unknown registry).

Abbreviations: DSP = Dolphin Safety Panel

BELIZE			
<i>Vessel</i>	<i>IRP recno</i>	<i>Review date</i>	<i>Identified infractions</i>
BEL 1	1997-625	1998/06	1) 1 Fishing without a DSP
		1998/06	2) 1 No raft
		1998/06	3) 1 No floodlight
		1998/06	4) 1 No mask/snorkel
	1998-063	1998/06	1) 1 Fishing without a DSP
		1998/06	2) 1 Explosives use
		1998/06	3) 1 No raft
		1998/06	4) 1 No floodlight
	1998-200	1998/06	5) 1 No mask/snorkel
		1998/06	1) 1 Fishing without a DSP
		1998/06	2) 1 No raft
	1998-241	1998/06	3) 1 No floodlight
		1998/10	1) 1 Fishing without a DSP
		1998/10	2) 1 No raft
		1998/10	3) 1 No floodlight
			1998/10
			Action taken: 1) 2) 3) 4) No action was taken since the vessel has left the national fleet.
BEL 2	1997-639	1998/06	1) 1 Fishing without a DSP
		1998/06	2) 1 No raft
		1998/06	3) 1 No floodlight
		1998/06	4) 1 No mask/snorkel
	1998-076	1998/06	1) 1 Fishing without a DSP
		1998/06	2) 1 No raft
		1998/06	3) 1 No floodlight
		1998/06	4) 1 No mask/snorkel
	1998-155	1998/06	1) 1 Fishing without a DSP
		1998/06	2) 1 No raft
		1998/06	3) 1 No floodlight
		1998/06	4) 1 No mask/snorkel
	1998-246	1998/10	1) 1 Fishing without a DSP
		1998/10	2) 1 No raft
		1998/10	3) 1 No floodlight
		1998/10	4) 1 No mask/snorkel
			Action taken: 1) 2) 3) 4) No action was taken since the vessel has left the national fleet.
1998-292	1998/10	1) 1 Fishing without a DSP	
	1998/10	2) 1 No raft	
	1998/10	3) 1 No floodlight	
	1998/10	4) 1 No mask/snorkel	
			Action taken: 1) 2) 3) 4) No action was taken since the vessel has left the national fleet.

	1998-340	1998/10	1) 1 Fishing without a DSP
		1998/10	2) 1 No raft
		1998/10	3) 1 No floodlight
		1998/10	4) 1 No mask/snorkel
			Action taken: 1) 2) 3) 4) No action was taken since the vessel has left the national fleet.
	1998-439	1999/01	1) 1 Fishing without a DSP
		1999/01	2) 1 No raft
		1999/01	3) 1 No mask/snorkel
BEL 3	1998-426	1999/01	1) 1 Fishing without a DSP
		1999/01	2) 1 No raft
		1999/01	3) 1 No floodlight
		1999/01	4) 1 No mask/snorkel
BEL 4	1998-028	1998/06	1) 1 Fishing without a DSP
		1998/06	2) 1 No raft
		1998/06	3) 1 No mask/snorkel
	1998-184	1998/10	1) 1 Fishing without a DSP
		1998/10	2) 1 No raft
		1998/10	3) 1 No floodlight
		1998/10	4) 1 No mask/snorkel
			Action taken: 1) 2) 3) 4) No action was taken since the vessel has left the national fleet.
	1998-367	1999/01	1) 1 Fishing without a DSP
		1999/01	2) 1 No raft
		1999/01	3) 1 No floodlight

COLOMBIA

<i>Vessel</i>	<i>IRP recno</i>	<i>Review date</i>	<i>Identified infractions</i>
COL 1	1998-053	1998/06	1) 1 No backdown
		1998/06	2) 1 Observer interference
		1998/06	3) 1 Night sets
		1998/06	4) 28 Explosives use
	1998-204	1998/10	1) 1 No backdown
		1998/10	2) 1 Sets sackup/brail
		1998/10	3) 2 Explosives use
		1998/10	4) 1 No floodlight
	1998-373	1999/01	1) 1 Night sets
COL 2	1998-088	1998/10	1) 4 Explosives use
	1998-256	1998/10	1) 1 Explosives use
COL 3	1997-652	1998/06	1) 1 No mask/snorkel
	1998-386	1999/01	1) 1 No floodlight
COL 4	1997-613	1998/06	1) 1 Sets sackup/brail
		1998/06	2) 1 Explosives use
	1998-083	1998/06	1) 13 Explosives use
		1998/06	2) 1 No mask/snorkel
COL 5	1998-253	1998/10	1) 4 Explosives use

ECUADOR

<i>Vessel</i>	<i>IRP recno</i>	<i>Review date</i>	<i>Identified infractions</i>
ECU 1	1997-645	1998/06	1) 1 Fishing without a DSP
	1998-123	1998/06	1) 1 Fishing without a DSP
		1998/06	2) 1 No raft
		1998/06	3) 1 No floodlight
		1998/06	4) 1 No mask/snorkel
	1998-230	1998/10	1) 1 Fishing without a DSP
		1998/10	2) 1 No raft
		1998/10	3) 1 No mask/snorkel

	1998-358	1998/10	1) 1 Fishing without a DSP
		1998/10	2) 1 No raft
		1998/10	3) 1 No mask/snorkel
	1998-471	1999/01	1) 1 Fishing without a DSP
		1999/01	2) 1 No raft
		1999/01	3) 1 No mask/snorkel
	1998-552	1999/01	1) 1 Fishing without a DSP
		1999/01	2) 1 No raft
		1999/01	3) 1 No mask/snorkel
ECU 2	1998-201	1998/10	1) 1 No mask/snorkel
	1998-455	1999/01	1) 1 No mask/snorkel
ECU 3	1998-052	1998/06	1) 1 No floodlight
	1998-187	1998/06	1) 1 No floodlight
	1998-232	1998/10	1) 1 No floodlight
	1998-361	1998/10	1) 1 No raft
ECU 4	1998-007	1998/06	1) 1 Fishing without a DSP
		1998/06	2) 1 No raft
		1998/06	3) 1 No floodlight
		1998/06	4) 1 No mask/snorkel
	1998-096	1998/06	1) 1 Fishing without a DSP
		1998/06	2) 1 No raft
		1998/06	3) 1 No floodlight
	1998-235	1998/10	1) 1 Fishing without a DSP
		1998/10	2) 1 No raft
		1998/10	3) 1 No floodlight
	1998-331	1998/10	1) 1 Fishing without a DSP
		1998/10	2) 1 No raft
		1998/10	3) 1 No floodlight
		1998/10	4) 1 No mask/snorkel
	1998-459	1999/01	1) 1 Fishing without a DSP
		1999/01	2) 1 No raft
		1999/01	3) 1 No floodlight
		1999/01	4) 1 No mask/snorkel
ECU 5	1997-675	1998/06	1) 1 Fishing without a DML
		1998/06	2) 1 Fishing without a DSP
		1998/06	3) 1 No raft
		1998/06	4) 1 No floodlight
		1998/06	5) 1 No mask/snorkel
	1998-271	1998/10	1) 1 Fishing without a DSP
		1998/10	2) 1 No raft
		1998/10	3) 1 No floodlight
		1998/10	4) 1 No mask/snorkel
	1998-474	1999/01	1) 1 Fishing without a DSP
		1999/01	2) 1 No raft
		1999/01	3) 1 No floodlight
ECU 6	1998-039	1998/06	1) 1 No floodlight
	1998-174	1998/10	1) 1 No floodlight
	1998-423	1999/01	1) 1 Sets sackup/brail
ECU 7	1998-044	1998/06	1) 1 Fishing without a DSP
		1998/06	2) 1 No floodlight
	1998-144	1998/06	1) 1 No floodlight
ECU 8	1997-662	1998/06	1) 1 Fishing without a DSP
		1998/06	2) 1 No raft
		1998/06	3) 1 No floodlight

	1998-162	1998/10	1) 1 Fishing without a DSP
		1998/10	2) 1 No raft
		1998/10	3) 1 No floodlight
		1998/10	4) 1 No mask/snorkel
	1998-341	1999/01	1) 1 Fishing without a DSP
		1999/01	2) 1 No raft
		1999/01	3) 1 No floodlight
		1999/01	4) 1 No mask/snorkel
	1998-493	1999/01	1) 1 Fishing without a DSP
		1999/01	2) 1 No raft
		1999/01	3) 1 No floodlight
		1999/01	4) 1 No mask/snorkel
ECU 9	1997-677	1998/06	1) 1 Fishing without a DSP
		1998/06	2) 1 No raft
		1998/06	3) 1 No floodlight
	1998-135	1998/10	1) 1 No raft
		1998/10	2) 1 No floodlight
		1998/10	3) 1 No mask/snorkel
	1998-294	1998/10	1) 1 No raft
		1998/10	2) 1 No floodlight
		1998/10	3) 1 No mask/snorkel
	1998-318	1998/10	1) 1 No raft
		1998/10	2) 1 No floodlight
		1998/10	3) 1 No mask/snorkel
	1998-380	1999/01	1) 1 No raft
		1999/01	2) 1 No floodlight
		1999/01	3) 1 No mask/snorkel
	1998-512	1999/01	1) 1 No raft
		1999/01	2) 1 No floodlight
		1999/01	3) 1 No mask/snorkel
ECU 10	1998-236	1998/10	1) 1 Fishing without a DSP
		1998/10	2) 1 Explosives use
		1998/10	3) 1 No floodlight
		1998/10	4) 1 No mask/snorkel
	1998-389	1999/01	1) 1 Fishing without a DSP
		1999/01	2) 1 No floodlight
	1998-503	1999/01	1) 1 Fishing without a DSP
		1999/01	2) 1 No raft
		1999/01	3) 1 No floodlight
		1999/01	4) 1 No mask/snorkel
ECU 11	1997-667	1998/06	1) 1 Fishing without a DSP
		1998/06	2) 1 No raft
	1998-109	1998/06	1) 1 Fishing without a DSP
		1998/06	2) 1 No raft
	1998-223	1998/10	1) 1 Fishing without a DSP
		1998/10	2) 1 No mask/snorkel
	1998-355	1998/10	1) 1 Fishing without a DSP
		1998/10	2) 1 No raft
		1998/10	3) 1 No mask/snorkel
	1998-410	1999/01	1) 1 Fishing without a DSP
		1999/01	2) 1 No raft
		1999/01	3) 1 No mask/snorkel
	1998-525	1999/01	1) 1 Fishing without a DSP
		1999/01	2) 1 No raft
		1999/01	3) 1 No mask/snorkel
ECU 12	1997-659	1998/06	1) 1 No raft
	1998-110	1998/06	1) 1 No raft
	1998-119	1998/10	1) 1 No raft

ECU 13	1997-666	1998/06	1) 1 No mask/snorkel
	1998-113	1998/10	1) 1 No raft
	1998-272	1998/10	1) 1 Fishing without a DML
		1998/10	2) 1 Observer interference
		1998/10	3) 1 No floodlight
Action taken: 1) 2) The fishing captain was dismissed, the vessel owner admonished, and the vessel placed on a provisional fishing permit.			
ECU 14	1998-153	1998/10	1) 1 Fishing without a DSP
		1998/10	2) 1 No raft
		1998/10	3) 1 No floodlight
		1998/10	4) 1 No mask/snorkel
	1998-283	1998/10	1) 1 Fishing without a DSP
		1998/10	2) 1 No raft
		1998/10	3) 1 No floodlight
		1998/10	4) 1 No mask/snorkel
	1998-406	1999/01	1) 1 Fishing without a DSP
		1999/01	2) 1 No raft
		1999/01	3) 1 No floodlight
		1999/01	4) 1 No mask/snorkel
	1998-500	1999/01	1) 1 Fishing without a DSP
		1999/01	2) 1 No raft
		1999/01	3) 1 No floodlight
		1999/01	4) 1 No mask/snorkel
1998-586	1999/01	1) 1 Fishing without a DSP	
	1999/01	2) 1 No raft	
	1999/01	3) 1 No floodlight	
	1999/01	4) 1 No mask/snorkel	
ECU 15	1998-221	1998/10	1) 1 Fishing without a DSP
		1998/10	2) 1 No raft
		1998/10	3) 1 No floodlight
		1998/10	4) 1 No mask/snorkel
	1998-425	1999/01	1) 1 Fishing without a DSP
		1999/01	2) 1 No raft
		1999/01	3) 1 No floodlight
	1998-560	1999/01	1) 1 Fishing without a DSP
		1999/01	2) 1 No raft
		1999/01	3) 1 No floodlight
ECU 16	1998-186	1998/10	1) 1 No floodlight
	1998-315	1998/10	1) 1 No floodlight
	1998-449	1999/01	1) 1 Fishing without a DSP
		1999/01	2) 1 No raft
		1999/01	3) 1 No floodlight
ECU 17	1998-002	1998/06	1) 1 Fishing without a DSP
		1998/06	2) 1 No raft
	1998-101	1998/06	1) 1 No raft
ECU 18	1997-641	1998/06	1) 1 Fishing without a DSP
		1998/06	2) 1 No raft
		1998/06	3) 1 No floodlight
		1998/06	4) 1 No mask/snorkel
	1998-060	1998/06	1) 1 Fishing without a DSP
		1998/06	2) 1 No raft
		1998/06	3) 1 No floodlight
	1998-156	1998/10	1) 1 Fishing without a DSP
		1998/10	2) 1 No raft
		1998/10	3) 1 No floodlight
		1998/10	4) 1 No mask/snorkel

	1998-208	1998/10	1) 1 Fishing without a DSP
		1998/10	2) 1 No raft
		1998/10	3) 1 No floodlight
		1998/10	4) 1 No mask/snorkel
	1998-414	1999/01	1) 1 Fishing without a DSP
		1999/01	2) 1 No raft
		1999/01	3) 1 No floodlight
		1999/01	4) 1 No mask/snorkel
ECU 19	1998-057	1998/06	1) 1 Fishing without a DSP
		1998/06	2) 1 No raft
		1998/06	3) 1 No floodlight
	1998-203	1998/06	1) 1 Fishing without a DSP
		1998/06	2) 1 No floodlight
	1998-234	1998/10	1) 1 Fishing without a DSP
		1998/10	2) 1 No floodlight
	1998-375	1998/10	1) 1 Fishing without a DSP
		1998/10	2) 1 No floodlight
	1998-487	1999/01	1) 1 Fishing without a DSP
		1999/01	2) 1 No floodlight
	1998-501	1999/01	1) 1 Fishing without a DSP
		1999/01	2) 1 No floodlight
ECU 20	1997-660	1998/06	1) 1 Fishing without a DSP
		1998/06	2) 1 No raft
		1998/06	3) 1 No floodlight
		1998/06	4) 1 No mask/snorkel
	1998-071	1998/06	1) 1 Fishing without a DSP
		1998/06	2) 1 No raft
		1998/06	3) 1 No floodlight
		1998/06	4) 1 No mask/snorkel
	1998-212	1998/10	1) 1 Fishing without a DSP
		1998/10	2) 1 No raft
		1998/10	3) 1 No floodlight
		1998/10	4) 1 No mask/snorkel
	1998-369	1998/10	1) 1 Fishing without a DSP
		1998/10	2) 1 No raft
		1998/10	3) 1 No floodlight
		1998/10	4) 1 No mask/snorkel
	1998-466	1999/01	1) 1 Fishing without a DSP
		1999/01	2) 1 No raft
		1999/01	3) 1 No floodlight
		1999/01	4) 1 No mask/snorkel
	1998-546	1999/01	1) 1 Fishing without a DSP
		1999/01	2) 1 No raft
		1999/01	3) 1 No floodlight
		1999/01	4) 1 No mask/snorkel
ECU 21	1998-051	1998/06	1) 1 No floodlight
		1998/06	2) 1 No mask/snorkel
	1998-092	1998/06	1) 1 No raft
		1998/06	2) 1 No floodlight
		1998/06	3) 1 No mask/snorkel
	1998-147	1998/06	1) 1 No floodlight
		1998/06	2) 1 No mask/snorkel
	1998-266	1998/10	1) 1 No raft
		1998/10	2) 1 No floodlight
		1998/10	3) 1 No mask/snorkel
ECU 22	1997-661	1998/06	1) 1 No raft
		1998/06	2) 1 No floodlight

	1998-065	1998/06	1) 1 No raft
		1998/06	2) 1 No floodlight
		1998/06	3) 1 No mask/snorkel
	1998-276	1998/10	1) 1 Fishing without a DSP
		1998/10	2) 1 No floodlight
		1998/10	3) 1 No mask/snorkel
	1998-368	1999/01	1) 1 Fishing without a DSP
		1999/01	2) 1 No raft
		1999/01	3) 1 No floodlight
	1998-526	1999/01	1) 1 Fishing without a DSP
		1999/01	2) 1 No raft
		1999/01	3) 1 No floodlight
		1999/01	4) 1 No mask/snorkel
ECU 23	1998-447	1999/01	1) 1 No floodlight
ECU 24	1997-650	1998/06	1) 1 Fishing without a DSP
		1998/06	2) 1 No raft
	1998-054	1998/06	1) 1 No raft
		1998/06	2) 1 No mask/snorkel
	1998-192	1998/10	1) 1 No mask/snorkel
	1998-387	1999/01	1) 1 No speedboat bridles
ECU 25	1998-011	1998/06	1) 1 Fishing without a DSP
		1998/06	2) 1 No raft
		1998/06	3) 1 No floodlight
		1998/06	4) 1 No mask/snorkel
	1998-219	1998/10	1) 1 Fishing without a DSP
		1998/10	2) 1 No raft
		1998/10	3) 1 No floodlight
		1998/10	4) 1 No mask/snorkel
	1998-327	1998/10	1) 1 Fishing without a DSP
		1998/10	2) 1 No raft
		1998/10	3) 1 No floodlight
	1998-430	1999/01	1) 1 Fishing without a DSP
		1999/01	2) 1 No raft
		1999/01	3) 1 No floodlight
		1999/01	4) 1 No mask/snorkel
	1998-535	1999/01	1) 1 Fishing without a DSP
		1999/01	2) 1 No raft
		1999/01	3) 1 No floodlight
		1999/01	4) 1 No mask/snorkel
ECU 26	1997-673	1998/06	1) 1 Fishing without a DSP
		1998/06	2) 1 No raft
ECU 27	1997-594	1998/06	1) 1 Fishing without a DSP
		1998/06	2) 1 No raft
		1998/06	3) 1 No floodlight
		1998/06	4) 1 No mask/snorkel
	1998-108	1998/06	1) 1 Fishing without a DSP
		1998/06	2) 1 No raft
		1998/06	3) 1 No floodlight
		1998/06	4) 1 No mask/snorkel
	1998-388	1999/01	1) 1 Fishing without a DSP
		1999/01	2) 1 No raft
		1999/01	3) 1 No floodlight
ECU 28	1997-670	1998/06	1) 1 Fishing without a DSP
		1998/06	2) 1 No raft
		1998/06	3) 1 No floodlight
		1998/06	4) 1 No mask/snorkel

	1998-090	1998/06	1) 1 Fishing without a DSP
		1998/06	2) 1 No raft
		1998/06	3) 1 No floodlight
		1998/06	4) 1 No mask/snorkel
	1998-175	1998/10	1) 1 Fishing without a DSP
		1998/10	2) 1 No raft
		1998/10	3) 1 No floodlight
	1998-317	1998/10	1) 1 Fishing without a DSP
		1998/10	2) 1 No raft
		1998/10	3) 1 No floodlight
		1998/10	4) 1 No mask/snorkel
	1998-436	1999/01	1) 1 Fishing without a DSP
		1999/01	2) 1 No raft
		1999/01	3) 1 No floodlight
		1999/01	4) 1 No mask/snorkel
ECU 29	1997-648	1998/06	1) 1 Fishing without a DSP
		1998/06	2) 1 No raft
		1998/06	3) 1 No floodlight
		1998/06	4) 1 No mask/snorkel
	1998-126	1998/10	1) 1 No raft
		1998/10	2) 1 No floodlight
		1998/10	3) 1 No mask/snorkel
	1998-138	1998/10	1) 1 No raft
		1998/10	2) 1 No floodlight
		1998/10	3) 1 No mask/snorkel
	1998-311	1998/10	1) 1 No raft
		1998/10	2) 1 No floodlight
		1998/10	3) 1 No mask/snorkel
	1998-464	1999/01	1) 1 No raft
		1999/01	2) 1 No floodlight
		1999/01	3) 1 No mask/snorkel
	1998-568	1999/01	1) 1 No raft
		1999/01	2) 1 No floodlight
		1999/01	3) 1 No mask/snorkel
ECU 30	1998-026	1998/06	1) 1 Fishing without a DSP
		1998/06	2) 1 No raft
		1998/06	3) 1 No mask/snorkel
	1998-185	1998/10	1) 1 Fishing without a DSP
		1998/10	2) 1 No raft
	1998-300	1998/10	1) 1 Fishing without a DSP
		1998/10	2) 1 No raft
		1998/10	3) 1 No floodlight
		1998/10	4) 1 No mask/snorkel
	1998-437	1999/01	1) 1 Fishing without a DSP
		1999/01	2) 1 No raft
		1999/01	3) 1 No floodlight
ECU 31	1998-041	1998/06	1) 1 Fishing without a DSP
		1998/06	2) 1 No raft
		1998/06	3) 1 No mask/snorkel
	1998-165	1998/10	1) 1 Fishing without a DSP
	1998-305	1998/10	1) 1 Fishing without a DSP
		1998/10	2) 1 No mask/snorkel
	1998-342	1999/01	1) 1 Fishing without a DSP
		1999/01	2) 1 No mask/snorkel
	1998-491	1999/01	1) 1 Fishing without a DSP
		1999/01	2) 1 No raft
		1999/01	3) 1 No speedboat bridles
		1999/01	4) 1 No mask/snorkel

ECU 32	1998-127	1998/06	1) 1 Fishing without a DSP
		1998/06	2) 1 No raft
		1998/06	3) 1 No speedboat bridles
		1998/06	4) 1 No floodlight
		1998/06	5) 1 No mask/snorkel
	1998-245	1998/10	1) 1 Fishing without a DSP
		1998/10	2) 1 No raft
		1998/10	3) 1 No floodlight
		1998/10	4) 1 No mask/snorkel
	1998-356	1998/10	1) 1 Fishing without a DSP
		1998/10	2) 1 No raft
		1998/10	3) 1 No floodlight
		1998/10	4) 1 No mask/snorkel
	1998-461	1999/01	1) 1 Fishing without a DSP
		1999/01	2) 1 No raft
		1999/01	3) 1 No floodlight
1999/01		4) 1 No mask/snorkel	
1998-565	1999/01	1) 1 Fishing without a DSP	
	1999/01	2) 1 No raft	
	1999/01	3) 1 No floodlight	
	1999/01	4) 1 No mask/snorkel	
ECU 33	1998-141	1998/10	1) 1 No floodlight
	1998-287	1998/10	1) 1 No floodlight
	1998-468	1999/01	1) 1 No floodlight
ECU 34	1998-370	1999/01	1) 1 Fishing without a DSP
		1999/01	2) 1 No raft
		1999/01	3) 1 No floodlight
		1999/01	4) 1 No mask/snorkel
	1998-517	1999/01	1) 1 Fishing without a DSP
		1999/01	2) 1 No raft
		1999/01	3) 1 No floodlight
		1999/01	4) 1 No mask/snorkel

MEXICO

<i>Vessel</i>	<i>IRP recno</i>	<i>Review date</i>	<i>Identified infractions</i>
MEX 1	1998-516	1999/01	1) 2 Observer interference
		1999/01	2) 1 Explosives use Action taken: 1) A warning was issued to avoid this type of infraction. 2) The government initiated the proper administrative process.
MEX 2	1998-120	1998/06	1) 1 No speedboat bridles Action taken: 1) The government urged the fishing captain to avoid this infraction.
	1998-170	1998/10	1) 1 No speedboat bridles Action taken: 1) Issued a warning that sanctions in accordance with national regulations will be applied if the infraction is repeated.
MEX 3	1998-279	1998/10	1) 1 No speedboat bridles Action taken: 1) The government urged the fishing captain to avoid this infraction.
MEX 4	1998-508	1999/01	1) 1 Sets without rescue Action taken: 1) After investigating, the government decided that no infraction occurred.
MEX 5	1998-046	1998/06	1) 1 No speedboat bridles Action taken: 1) The government urged the fishing captain to avoid this infraction.
MEX 6	1998-195	1998/10	1) 1 No floodlight Action taken: 1) The government urged the fishing captain to avoid this infraction.

MEX 7	1998-213	1998/10 1998/10 1998/10	1) 1 Observer interference 2) 1 Explosives use 3) 1 No floodlight Action taken: 1) After investigating, the government decided that no infraction occurred. 2) The government initiated the proper administrative process. 3) Issued a warning that sanctions in accordance with national regulations will be applied if the infraction is repeated.
	1998-269	1998/10 1998/10	1) 1 Explosives use 2) 1 No floodlight Action taken: 1) The government initiated the proper administrative process. 2) Issued a warning that sanctions in accordance with national regulations will be applied if the infraction is repeated.
	1998-394	1999/01 1999/01	1) 1 Observer interference 2) 1 Night sets Action taken: 1) After investigating, the government decided that no infraction occurred. 2) After investigating, the government decided that no infraction occurred, but issued a warning to avoid this kind of situation.
	1998-454	1999/01 1999/01	1) 1 Night sets 2) 3 Explosives use Action taken: 1) 2) The government initiated the proper administrative process.
MEX 8	1998-472	1999/01	1) 1 No speedboat bridles Action taken: 1) A letter was sent to the fishing captain asking that this type of infraction be avoided.
MEX 9	1998-536	1999/01	1) 1 No speedboat bridles Action taken: 1) The government initiated the proper administrative process.
MEX 10	1998-543	1999/01 1999/01	1) 1 No speedboat bridles 2) 1 No floodlight Action taken: 1) 2) The government decided that since this is a recurring infraction, it will initiate the appropriate administrative process.
MEX 11	1998-019	1998/06	1) 1 No speedboat bridles Action taken: 1) The government urged the fishing captain to avoid this infraction.
MEX 12	1998-014	1998/06 1998/06	1) 1 No backdown 2) 1 Explosives use Action taken: 1) After investigating, the government decided that no infraction occurred. 2) The government initiated the proper administrative process.
	1998-188	1998/06	1) 1 Night sets Action taken: 1) The government initiated the proper administrative process.
	1998-262	1998/10	1) 1 No speedboat bridles Action taken: 1) The government urged the fishing captain to avoid this infraction.
MEX 13	1998-094	1998/06 1998/06 1998/06	1) 1 Night sets 2) 1 No speedboat bridles 3) 1 No floodlight Action taken: 1) The government initiated the proper administrative process. 2) 3) The government urged the fishing captain to avoid this infraction.
	1998-211	1998/10	1) 21 Explosives use Action taken: 1) The government initiated the proper administrative process.
	1998-313	1998/10	1) 1 No speedboat bridles Action taken: 1) Issued a warning that sanctions in accordance with national regulations will be applied if the infraction is repeated.
	1998-382	1999/01	1) 2 Night sets Action taken: 1) The government decided that since this is a recurring infraction, it will initiate the appropriate administrative process.
	1998-499	1999/01	1) 1 Sets sackup/brail Action taken: 1) After investigating, the government decided that no infraction occurred, but issued a warning to avoid this kind of situation.

MEX 14	1998-202	1998/06 1998/06	1) 1 No speedboat bridles 2) 1 No floodlight Action taken: 1) 2) Issued a warning that sanctions in accordance with national regulations will be applied if the infraction is repeated.
	1998-226	1998/10 1998/10	1) 5 Explosives use 2) 1 No floodlight Action taken: 1) The government initiated the proper administrative process. 2) Issued a warning that sanctions in accordance with national regulations will be applied if the infraction is repeated.
	1998-390	1999/01	1) 1 No speedboat bridles Action taken: 1) A letter was sent to the fishing captain asking that this type of infraction be avoided.
MEX 15	1998-243	1998/10	1) 1 No speedboat bridles Action taken: 1) Issued a warning that sanctions in accordance with national regulations will be applied if the infraction is repeated.
MEX 16	1998-189	1998/10	1) 2 Night sets Action taken: 1) After investigating, the government decided not to apply a sanction because there was no dolphin mortality. In addition, the government asked the fishing captain to avoid this infraction.
MEX 17	1998-404	1999/01	1) 1 No speedboat bridles Action taken: 1) A letter was sent asking that this type of infraction be avoided.
MEX 18	1998-038	1998/06	1) 1 No floodlight Action taken: 1) The government urged the fishing captain to avoid this infraction.
	1998-121	1998/10	1) 1 No floodlight Action taken: 1) The government urged the fishing captain to avoid this infraction.
	1998-171	1998/10	1) 1 No floodlight Action taken: 1) Issued a warning that sanctions in accordance with national regulations will be applied if the infraction is repeated.
MEX 19	1998-179	1998/06	1) 3 Explosives use Action taken: 1) The government initiated the proper administrative process.
	1998-334	1998/10	1) 1 Night sets
MEX 20	1998-483	1999/01	1) 1 No backdown Action taken: 1) The government stated that since there was no mortality, there were not enough elements to initiate an administrative process.
MEX 21	1998-056	1998/06 1998/06	1) 1 No speedboat bridles 2) 1 No floodlight Action taken: 1) 2) The government urged the fishing captain to avoid this infraction.
	1998-347	1998/10	1) 1 No floodlight Action taken: 1) The government urged the fishing captain to avoid this infraction.
	1998-528	1999/01	1) 1 No floodlight Action taken: 1) A letter was sent to the fishing captain asking that this type of infraction be avoided.
MEX 22	1998-306	1998/10	1) 1 Night sets
		1998/10	2) 1 No speedboat bridles
		1998/10	3) 1 No floodlight Action taken: 1) After investigating, the government decided not to apply a sanction because there was no dolphin mortality. In addition, the government asked the fishing captain to avoid this infraction. 2) 3) Issued a warning that sanctions in accordance with national regulations will be applied if the infraction is repeated.
	1998-371	1998/10 1998/10	1) 1 Night sets 2) 1 No floodlight Action taken: 1) After investigating, the government decided not to apply a sanction because there was no dolphin mortality. In addition, the government asked the fishing captain to avoid this infraction. 2) The government urged the fishing captain to avoid this infraction.

	1998-470	1999/01	1) 1 No speedboat bridles Action taken: 1) The government decided that since this is a recurring infraction, it will initiate the appropriate administrative process.
MEX 23	1998-522	1999/01 1999/01	1) 1 Night sets 2) 1 No speedboat bridles Action taken: 1) The government initiated the proper administrative process. 2) A letter was sent to the fishing captain asking that this type of infraction be avoided.
MEX 24	1998-082	1998/06	1) 1 No floodlight Action taken: 1) Issued a warning that sanctions in accordance with national regulations will be applied if the infraction is repeated.
	1998-209	1998/10	1) 1 No floodlight Action taken: 1) Issued a warning that sanctions in accordance with national regulations will be applied if the infraction is repeated.
	1998-379	1998/10	1) 1 No floodlight Action taken: 1) Issued a warning that sanctions in accordance with national regulations will be applied if the infraction is repeated.
MEX 25	1998-114	1998/06 1998/06	1) 1 Sets sackup/brail 2) 1 No floodlight Action taken: 1) The government initiated the proper administrative process. 2) The government urged the fishing captain to avoid this infraction.
	1998-412	1999/01	1) 1 No floodlight Action taken: 1) A letter was sent to the fishing captain asking that this type of infraction be avoided.
MEX 26	1998-199	1998/10	1) 1 Sets sackup/brail Action taken: 1) After investigating, the government decided that no infraction occurred.

SPAIN

<i>Vessel</i>	<i>IRP recno</i>	<i>Review date</i>	<i>Identified infractions</i>
SPA 1	1998-023	1998/06	1) 1 Fishing without a DSP
		1998/06	2) 1 No raft
		1998/06	3) 1 No floodlight
		1998/06	4) 1 No mask/snorkel
			Action taken: 1) 2) 3) 4) National regulations do not require dolphin safety gear if the vessel is not fishing in association with dolphins.
SPA 1	1998-104	1998/06	1) 1 Fishing without a DSP
		1998/06	2) 1 No raft
		1998/06	3) 1 No floodlight
		1998/06	4) 1 No mask/snorkel
			Action taken: 1) 2) 3) 4) National regulations do not require dolphin safety gear if the vessel is not fishing in association with dolphins.
SPA 2	1998-152	1998/10	1) 1 No mask/snorkel
			Action taken: 1) National regulations do not require dolphin safety gear if the vessel is not fishing in association with dolphins.
		1998/10	1) 1 No mask/snorkel
			Action taken: 1) National regulations do not require dolphin safety gear if the vessel is not fishing in association with dolphins.
	1998-398	1999/01	1) 1 No mask/snorkel
			Action taken: 1) National regulations do not require dolphin safety gear if the vessel is not fishing in association with dolphins.
	1998-540	1999/01	1) 1 No mask/snorkel
			Action taken: 1) National regulations do not require dolphin safety gear if the vessel is not fishing in association with dolphins.

SPA 3	1998-024	1998/06 1998/06 1998/06	1) 1 Fishing without a DSP 2) 1 No raft 3) 1 No floodlight Action taken: 1) 2) 3) National regulations do not require dolphin safety gear if the vessel is not fishing in association with dolphins.
	1998-122	1998/10 1998/10 1998/10 1998/10	1) 1 Fishing without a DSP 2) 1 No raft 3) 1 No speedboat bridles 4) 1 No floodlight Action taken: 1) 2) 3) 4) National regulations do not require dolphin safety gear if the vessel is not fishing in association with dolphins.
	1998-260	1998/10 1998/10 1998/10	1) 1 Fishing without a DSP 2) 1 No raft 3) 1 No floodlight Action taken: 1) 2) 3) National regulations do not require dolphin safety gear if the vessel is not fishing in association with dolphins.
	1998-366	1998/10 1998/10 1998/10	1) 1 Fishing without a DSP 2) 1 No raft 3) 1 No floodlight Action taken: 1) 2) 3) National regulations do not require dolphin safety gear if the vessel is not fishing in association with dolphins.
	1998-450	1999/01 1999/01 1999/01	1) 1 Fishing without a DSP 2) 1 No raft 3) 1 No floodlight Action taken: 1) 2) 3) National regulations do not require dolphin safety gear if the vessel is not fishing in association with dolphins.
	1998-556	1999/01 1999/01 1999/01	1) 1 Fishing without a DSP 2) 1 No raft 3) 1 No floodlight Action taken: 1) 2) 3) National regulations do not require dolphin safety gear if the vessel is not fishing in association with dolphins.
	SPA 4	1998-068	1998/06 1998/06
1998-183		1998/10 1998/10 1998/10	1) 1 Fishing without a DSP 2) 1 No raft 3) 1 No floodlight Action taken: 1) 2) 3) National regulations do not require dolphin safety gear if the vessel is not fishing in association with dolphins.
1998-297		1998/10 1998/10 1998/10	1) 1 Fishing without a DSP 2) 1 No raft 3) 1 No floodlight Action taken: 1) 2) 3) National regulations do not require dolphin safety gear if the vessel is not fishing in association with dolphins.
1998-429		1999/01 1999/01 1999/01 1999/01	1) 1 Fishing without a DSP 2) 1 No raft 3) 1 No floodlight 4) 1 No mask/snorkel Action taken: 1) 2) 3) 4) National regulations do not require dolphin safety gear if the vessel is not fishing in association with dolphins.
1998-514		1999/01 1999/01	1) 1 Fishing without a DSP 2) 1 No raft Action taken: 1) 2) National regulations do not require dolphin safety gear if the vessel is not fishing in association with dolphins.

SPA 5	1998-290	1999/01	1) 1 No raft
		1999/01	2) 1 No speedboat bridles
		1999/01	3) 1 No mask/snorkel
			Action taken: 1) 2) 3) National regulations do not require dolphin safety gear if the vessel is not fishing in association with dolphins.
	1998-496	1999/01	1) 1 No raft
			Action taken: 1) National regulations do not require dolphin safety gear if the vessel is not fishing in association with dolphins.
SPA 6	1998-320	1998/10	1) 1 Fishing without a DSP
		1998/10	2) 1 No raft
		1998/10	3) 1 No mask/snorkel
			Action taken: 1) 2) 3) National regulations do not require dolphin safety gear if the vessel is not fishing in association with dolphins.
	1998-443	1999/01	1) 1 Fishing without a DSP
		1999/01	2) 1 No raft
			Action taken: 1) 2) National regulations do not require dolphin safety gear if the vessel is not fishing in association with dolphins.
	1998-551	1999/01	1) 1 Fishing without a DSP
		1999/01	2) 1 No raft
		1999/01	3) 1 No floodlight
		1999/01	4) 1 No mask/snorkel
			Action taken: 1) 2) 3) 4) National regulations do not require dolphin safety gear if the vessel is not fishing in association with dolphins.

UNITED STATES

<i>Vessel</i>	<i>IRP recno</i>	<i>Review date</i>	<i>Identified infractions</i>
USA 1	1998-149	1998/06	1) 1 Explosives use
			Action taken: 1) The government is investigating the possible infractions.

VANUATU

<i>Vessel</i>	<i>IRP recno</i>	<i>Review date</i>	<i>Identified infractions</i>
VAN 1	1998-037	1998/06	1) 20 Explosives use
VAN 2	1998-478	1999/01	1) 1 No mask/snorkel
VAN 3	1998-139	1998/10	1) 1 Observer interference
		1998/10	2) 1 Explosives use
			Action taken: 1) 2) After investigating, the government decided that no infraction occurred.
	1998-288	1998/10	1) 1 Explosives use
			Action taken: 1) After investigating, the government decided that no infraction occurred.
	1998-465	1999/01	1) 1 Observer interference
		1999/01	2) 1 Night sets
		1999/01	3) 22 Explosives use
			Action taken: 1) After investigating, the government decided that no infraction occurred. 2) 3) The government asked the vessel owner to avoid this infraction.
VAN 4	1998-154	1998/10	1) 1 Fishing without a DSP
		1998/10	2) 1 No raft
		1998/10	3) 1 No floodlight
		1998/10	4) 1 No mask/snorkel
VAN 5	1998-005	1998/06	1) 1 No floodlight
		1998/06	2) 1 No mask/snorkel
	1998-134	1998/10	1) 1 No floodlight
	1998-270	1998/10	1) 1 No floodlight
	1998-393	1999/01	1) 1 No floodlight
	1998-519	1999/01	1) 1 No floodlight

VAN 6	1998-240	1998/10	1) 1 Explosives use
VAN 7	1998-399	1999/01	1) 1 No floodlight
VAN 8	1997-620	1998/06	1) 1 No backdown
		1998/06	2) 1 Observer interference
		1998/06	3) 1 Explosives use
		1998/06	4) 1 No mask/snorkel
	1998-237	1998/10	1) 1 Explosives use Action taken: 1) After investigating, the government decided that no infraction occurred.
	1998-397	1999/01	1) 1 Explosives use
		1999/01	2) 1 No floodlight
VAN 9	1997-664	1998/06	1) 1 No raft
		1998/06	2) 1 No mask/snorkel
	1998-048	1998/06	1) 1 No raft
	1998-197	1998/06	1) 1 No raft
	1998-206	1998/10	1) 1 Fishing without a DML
	1998-338	1998/10	1) 1 Explosives use
		1998/10	2) 1 No mask/snorkel
	1998-420	1999/01	1) 1 Explosives use
1999/01		2) 1 No mask/snorkel Action taken: 1) After investigating, the government decided that no infraction occurred. 2) The vessel has obtained the required equipment.	
1998-539	1999/01	1) 1 No mask/snorkel	

VENEZUELA

<i>Vessel</i>	<i>IRP recno</i>	<i>Review date</i>	<i>Identified infractions</i>
VEN 1	1998-021	1998/06	1) 5 Explosives use
		1998/06	2) 1 No floodlight
	1998-118	1998/06	1) 2 Night sets
		1998/06	2) 24 Explosives use
	1998-248	1998/10	3) 1 No floodlight
	1998-329	1998/10	1) 1 No floodlight
	1998/10	1) 6 Explosives use 2) 1 No floodlight	
VEN 2	1998-107	1998/10	1) 3 Explosives use
VEN 3	1998-029	1998/06	1) 1 Explosives use
		1998/06	2) 1 No floodlight
	1998-210	1998/10	1) 1 No floodlight
	1998-308	1998/10	1) 1 No floodlight
	1998-456	1999/01	1) 2 Night sets
1999/01		2) 1 No floodlight	
VEN 4	1997-656	1998/06	1) 1 Explosives use
	1998-207	1998/10	1) 1 Night sets
		1998/10	2) 2 Explosives use
	1998-462	1999/01	1) 1 No backdown
		1999/01	2) 1 Night sets
VEN 5	1998-427	1999/01	1) 2 Night sets
VEN 6	1998-103	1998/06	1) 1 Night sets
	1998-239	1998/10	1) 1 No floodlight
	1998-523	1999/01	1) 4 Explosives use
VEN 7	1997-629	1998/06	1) 1 Night sets
	1998-291	1998/10	1) 15 Explosives use
VEN 8	1998-225	1998/10	1) 2 Night sets
		1998/10	2) 20 Explosives use
	1998-384	1998/10	1) 1 Night sets
	1998-497	1999/01	1) 2 Night sets

VEN 9	1998-001	1998/06	1) 5 Explosives use
	1998-148	1998/10	1) 1 Night sets
	1998-319	1998/10	1) 1 Night sets
		1998/10	2) 8 Explosives use
	1998-442	1999/01	3) 1 No floodlight 1) 1 No floodlight
VEN 10	1998-035	1998/06	1) 1 Night sets
		1998/06	2) 58 Explosives use
		1998/06	3) 1 No floodlight
	1998-227	1998/10	1) 1 Night sets
1998-395	1999/01	1) 3 Night sets	
VEN 11	1998-074	1998/06	1) 1 No floodlight
	1998-145	1998/06	1) 2 Night sets
	1998-249	1998/10	1) 1 No floodlight
	1998-275	1998/10	1) 1 No floodlight
	1998-359	1999/01	1) 3 No backdown
		1999/01	2) 1 Observer interference
1999/01		3) 3 Night sets	
	1999/01	4) 2 Explosives use	
VEN 12	1998-316	1998/10	1) 1 Night sets
		1998/10	2) 1 No floodlight
	1998-476	1999/01	1) 1 Night sets
		1999/01	2) 1 No floodlight
VEN 13	1998-020	1998/06	1) 1 No floodlight
	1998-086	1998/06	1) 1 No floodlight
	1998-258	1998/10	1) 1 No floodlight
	1998-345	1998/10	1) 4 Night sets
		1998/10	2) 1 No floodlight
VEN 14	1997-623	1998/06	1) 1 No speedboat bridles
		1998/06	2) 1 No floodlight
	1998-061	1998/06	1) 1 Night sets
		1998/06	2) 1 No floodlight
	1998-112	1998/06	1) 1 Night sets
		1998/06	2) 1 No raft
1998-172	1998/06	1) 1 No raft	
1998-509	1999/01	1) 6 Explosives use	
VEN 15	1998-196	1998/10	1) 1 Night sets
		1998/10	2) 4 Explosives use
VEN 16	1998-050	1998/06	1) 1 Observer interference
	1998-191	1998/10	1) 1 Observer interference
		1998/10	2) 10 Explosives use
	1998-284	1998/10	1) 6 Explosives use
	1998-383	1999/01	1) 1 Night sets
		1999/01	2) 27 Explosives use
	1999/01	3) 1 No floodlight	
VEN 17	1998-031	1998/06	1) 2 Night sets
		1998/06	2) 1 No floodlight
	1998-151	1998/06	1) 1 Night sets
		1998/06	2) 1 Explosives use
		1998/06	3) 1 No floodlight
	1998-339	1998/10	1) 1 No floodlight
	1998-391	1998/10	1) 1 No floodlight
	1998-485	1999/01	1) 19 Explosives use
		1999/01	2) 1 No speedboat bridles
1999/01		3) 1 No floodlight	

VEN 18	1998-025	1998/06	1) 1 No backdown
		1998/06	2) 1 Night sets
		1998/06	3) 1 Sets without rescue
		1998/06	4) 1 No floodlight
1998-125	1998-125	1998/10	1) 2 Night sets
		1998/10	2) 1 No floodlight
1998-254	1998-254	1998/10	1) 1 No raft
		1998/10	2) 1 No floodlight
1998-376	1998-376	1999/01	1) 1 No floodlight

OTHER FLAGS WITH LESS THAN THREE VESSELS, OR UNKNOWN REGISTRY

<i>Vessel</i>	<i>IRP recno</i>	<i>Review date</i>	<i>Identified infractions</i>	
OTH 1	1998-017	1998/06	1) 1 Fishing without a DSP	
		1998/06	2) 1 No raft	
		1998/06	3) 1 No floodlight	
	1998-085	1998-085	1998/06	1) 1 Fishing without a DSP
			1998/06	2) 1 No backdown
			1998/06	3) 1 Sets sackup/brail
			1998/06	4) 1 Sets without rescue
			1998/06	5) 1 No raft
	1998-424	1998-424	1999/01	6) 1 No floodlight
			1999/01	1) 1 Fishing without a DSP
			1999/01	2) 1 No raft
			1999/01	3) 1 No floodlight
1998-538	1998-538	1999/01	4) 1 No mask/snorkel	
		1999/01	1) 1 Fishing without a DSP	
		1999/01	2) 1 No raft	
		1999/01	3) 1 No floodlight	
OTH 2	1997-636	1998/06	4) 1 No mask/snorkel	
		1998/06	1) 2 Night sets	
1998-328	1998-328	1998/06	2) 3 Explosives use	
		1998/10	Action taken: 1) 2) A fine was applied.	
OTH 3	1998-549	1999/01	1) 1 Night sets	
		1999/01	Action taken: 1) A fine was applied.	
OTH 4	1998-137	1999/01	1) 1 No raft	
		1999/01	2) 1 No floodlight	
1998-374	1998-374	1998/10	Action taken: 1) 2) National regulations do not require dolphin safety gear if the vessel is not fishing in association with dolphins.	
		1998/10	1) 1 Fishing without a DSP	
		1998/10	2) 1 No raft	
		1998/10	3) 1 No floodlight	
		1998/10	4) 1 No mask/snorkel	
OTH 5	1998-164	1998/10	1) 1 Fishing without a DSP	
		1998/10	2) 1 No raft	

Appendix 8. Responses for three types of possible infractions identified at the 18th, 19th, and 20th meetings.

OBSERVER HARASSMENT / INTERFERENCE

	No. of cases	Responses									
		None		Under investigation		No infraction		Infraction: no sanction		Infraction: warning	
Colombia	1	1 (100%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)
Ecuador	1	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	1 (100%)	
Mexico	4	0 (0%)	0 (0%)	3 (75%)	0 (0%)	1 (25%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	
Vanuatu	3	1 (67%)	0 (0%)	2 (33%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	
Venezuela	3	3 (100%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	
Total:	12	5 (42%)	0 (0%)	5 (42%)	0 (0%)	1 (8%)	0 (0%)	1 (8%)	1 (8%)		

EXPLOSIVES USE

	No. of cases	Responses									
		None		Under investigation		No infraction		Infraction: no sanction		Infraction: warning	
Belize	1	1 (100%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)
Colombia	53	53 (100%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	
Ecuador	1	1 (100%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	
Mexico	36	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	36 (100%)	
Panama	3	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	3 (100%)	
USA	1	0 (0%)	1 (100%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	
Vanuatu	50	24 (48%)	0 (0%)	4 (8%)	0 (0%)	22 (44%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	
Venezuela	227	227 (100%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	
Total:	372	306 (82%)	1 (0%)	4 (1%)	0 (0%)	22 (6%)	0 (0%)	39 (10%)			

NIGHT SETS

	No. of cases	Responses									
		None		Under investigation		No infraction		Infraction: no sanction		Infraction: warning	
Colombia	2	2 (100%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	
Mexico	12	1 (8%)	0 (0%)	1 (8%)	0 (0%)	4 (33%)	6 (50%)	0 (0%)	0 (0%)	0 (0%)	
Panama	3	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	3 (100%)	0 (0%)	0 (0%)	0 (0%)	
Vanuatu	1	0 (0%)	0 (0%)	0 (0%)	0 (0%)	1 (100%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	
Venezuela	43	43 (100%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	
Total:	61	46 (75%)	0 (0%)	1 (2%)	0 (0%)	5 (8%)	9 (15%)				

*Sanction was applied or will be applied

Appendix D.

DIVER EFFECT—EFECTO DEL BUZO
SUMMARY—RESUMEN
1994-1998

Dolphin mortality per set (MPS) and number of dolphins released alive per set (REL/SET)
Mortalidad de delfines por lance (MPL) y número de delfines liberados vivos por lance (LIB/LAN)

Year Año	DIVER/BUZO			NO DIVER/SIN BUZO		
	MPS MPL	No. sets No lances	REL/SET LIB/LAN	MPS MPL	No. sets No lances	REL/SET LIB/LAN
1994	0.49	1825	14.7	0.54	3118	10.6
1995	0.53	2550	12.1	0.46	2577	10.0
1996	0.30	3770	14.1	0.52	1537	9.0
1997	0.31	4003	13.5	0.34	1911	8.9
1998	0.19	5759	10.8	0.12	1494	7.0
Total	0.32	17907	12.7	0.43	10637	9.4

Live dolphins in net after backdown
Delfines vivos en la red después del retroceso

Year Año	DIVER BUZO		NO DIVER SIN BUZO	
	Total	Average/set Promedio/lance	Total	Average/set Promedio/lance
1994	488	0.27	1050	0.34
1995	332	0.13	386	0.15
1996	530	0.14	293	0.19
1997	367	0.09	430	0.22
1998	1280	0.22	120	0.08
Total	2997	0.17	2279	0.21

Appendix E.

**INFRACCIONES IDENTIFICADAS Y RESPUESTAS
IDENTIFIED INFRACTIONS AND RESPONSES**

Infracción-- Infracton	No. de casos No. of cases	Respuestas--Responses					
		Ninguna None	Bajo investi- gación Under investi- gation	No hubo infracción No infrac- tion	Infracción: sin sanción Infraction: no sanction	Infracción: aviso Infraction: warning	Infracción: sanción* Infraction: sanction*
1997							
Uso de explosivos— Explosives use	248	32 (13%)	53 (21%)	0 (0%)	0 (0%)	0 (0%)	163 (66%)
Lances nocturnos— Night sets	55	6 (11%)	24 (44%)	1 (2%)	2 (4%)	0 (0%)	22 (40%)
Interferencia al observador-- Observer interference	9	4 (44%)	4 (44%)	0 (0%)	0 (0%)	1 (11%)	0 (0%)
Lances después del LMD-- Sets after reaching DML	4	3 (75%)	1 (25%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)
Total	316	45 (14%)	82 (26%)	1 (0%)	2 (1%)	1 (0%)	185 (59%)
1998							
Uso de explosivos— Explosives use	372	306 (82%)	2 (1%)	4 (1%)	0 (0%)	22 (6%)	38 (10%)
Lances nocturnos— Night sets	61	46 (75%)	0 (0%)	1 (2%)	0 (0%)	5 (8%)	9 (15%)
Interferencia al observador-- Observer interference	12	5 (42%)	0 (0%)	4 (33%)	0 (0%)	2 (17%)	1 (8%)
Lances después del LMD-- Sets after reaching DML	0	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)
Total	445	357 (80%)	2 (0%)	9 (2%)	0 (0%)	29 (7%)	48 (11%)
1993-1998							
Uso de explosivos— Explosives use	2,058	655 (32%)	354 (17%)	0 (0%)	0 (0%)	0 (0%)	163 (66%)
Lances nocturnos— Night sets	239	75 (31%)	38 (16%)	1 (2%)	2 (4%)	0 (0%)	22 (40%)
Interferencia al observador-- Observer interference	54	13 (24%)	24 (44%)	0 (0%)	0 (0%)	1 (11%)	0 (0%)
Lances después del LMD-- Sets after reaching DML	25	6 (24%)	19 (76%)	0 (0%)	0 (0%)	0 (0%)	0 (0%)
Total	2,376	749 (32%)	435 (18%)	17 (1%)	6 (0%)	326 (14%)	843 (35%)

*Se aplicó o será aplicada una sanción--Sanction was applied or will be applied

Appendix F.

INTERNATIONAL REVIEW PANEL WORKING GROUP ON TUNA TRACKING AND VERIFICATION SYSTEM FOR TRACKING AND VERIFYING TUNA

1. DEFINITIONS

The terms used in this document are defined as follows:

- (a) *Dolphin safe* tuna is tuna captured in sets in which there is no mortality or serious injury of dolphins;
- (b) *Non-dolphin safe* tuna is tuna captured in sets in which mortality or serious injury of dolphins occurs;
- (c) *Agreement Area* is the area covered by the AIDCP;
- (d) *AIDCP* is the Agreement on the International Dolphin Conservation Program;
- (e) *Party* or *Parties* are the Parties to the AIDCP;
- (f) *State* is a sovereign state or a regional economic integration organization to which its member States have transferred competence over matters covered by the AIDCP;
- (g) *National authority* is the department of government or other entity designated by each Party as responsible for implementing and operating the tuna tracking and verification program described in this document;
- (h) *IATTC* is the Inter-American Tropical Tuna Commission;
- (i) *Secretariat* is the staff of the IATTC;
- (j) *Captain* is the person aboard the vessel who has legal responsibility for the vessel while at sea and in port;
- (k) *Engineer* is the person aboard the vessel responsible for preparation of wells and the loading of the catch into the prepared wells;
- (l) *Observer* is the person assigned to the vessel by the IATTC or the Party's national observer program to record the vessel's fishing activities;
- (m) *Vessel* includes any vessel which catches, stores, or transports tuna covered by this tracking and verification program;
- (n) *Well* is any compartment on a purse-seine vessel in which tuna is stored in a freezing brine solution;
- (o) *Set* is the act of deploying and retrieving the purse seine in order to catch tuna;
- (p) *Bin* is any container used to store tuna after unloading, during cold storage, or for transport to processing.

2. GENERAL

This document describes a system for tracking tuna caught in the Agreement Area by vessels fishing under the AIDCP. The sole purpose of this system is to enable dolphin safe tuna to be distinguished from non-dolphin safe tuna from the time it is caught to the time it is ready for retail sale. This system is based

on the premise that dolphin safe tuna shall, from the time of capture, during unloading, storage, transfer, and processing, be kept separate from non-dolphin safe tuna. To this end the system shall be based on a Tuna Tracking Form (TTF) and additional verification procedures described in this document or developed by individual Parties for use within their respective territories.

The national authority of the Party under whose jurisdiction a fishing vessel operates shall be responsible for tracking the tuna caught, transported, or unloaded by that vessel, but may, by mutual consent, delegate the observation of unloadings and transfers to the national authority of the state in which the unloading or transfer takes place. The national authority of the state in which the tuna is processed becomes responsible for the tracking and verification of the dolphin-safe status of all such tuna when it enters a processing plant located in that state, regardless of the flag of the catcher vessel.

It shall be the responsibility of each national authority to establish and maintain the systems, databases, and regulations necessary to implement the system in areas under its jurisdiction. By February 15, 2000, each Party, and all states which apply the program provisionally, shall provide to the Secretariat a report detailing the tracking and verification program established by that Party under its national laws and regulations. [The progress of this program will be reviewed at the meeting of the International Review Panel in June 2000.]

Each Party shall provide to the Secretariat, and update as necessary, the name, mailing address, telephone and fax numbers, and e-mail address of a designated contact person at its national authority who shall be responsible for all matters pertaining to the program described in this document, and the Secretariat shall circulate a list of all such contact persons to all national authorities.

3. TUNA TRACKING FORM (TTF)

The Secretariat shall be responsible for producing the TTFs, which shall be in both English and Spanish, in sufficient quantity to be used throughout the Agreement Area by all the Parties; for distributing the forms to the national authorities; and for training a representative of each national authority in the proper use and handling of the form. Each national authority shall distribute TTFs to the fishing vessels under its jurisdiction.

1. Each TTF shall be identified by a unique number, which shall be the IATTC cruise number to which it corresponds, and shall have provision for recording and endorsing information concerning each set made during a fishing trip which would enable the contents of any of the vessel's wells to be identified as dolphin safe or non-dolphin safe.
2. The national authority shall issue the TTFs to the captain of the fishing vessel, and the cruise number shall be recorded on the TTF at the beginning of each trip. All tuna caught during that trip shall be recorded on the TTF.
3. After a trip, the original TTF, with total confirmed quantities of tuna unloaded or transferred from that trip, shall be retained by the competent national authority, as follows:
 - (a) If the tuna is to be processed within the territory of the state under whose jurisdiction the fishing vessel operates, the original TTF shall be submitted to the national authority of that state;
 - (b) If the tuna is to be processed within the territory of a state other than that under whose jurisdiction the fishing vessel operates, at the completion of unloading the tuna the responsibility for tracking passes to the national authority of the state in whose territory the tuna is to be processed. In such a case, the original TTF is submitted to the national authority under whose jurisdiction the tuna is to be processed, and a copy of the TTF is provided to the national authority of the Party under whose jurisdiction the vessel operates.

4. FISHING OPERATIONS

1. At sack-up during each set, and prior to brailing or loading of tuna aboard the vessel and into wells, the observer determines whether or not dolphin mortality or serious injury has occurred in the set and notifies the captain immediately of his determination.
2. On the basis of the observer's determination, the tuna is designated either dolphin safe or non-dolphin safe. The tuna is brailed and loaded into a prepared well or wells which already contain either dolphin safe tuna or non-dolphin safe tuna, as applicable, or into a prepared but empty well or wells which shall then be designated dolphin safe or non-dolphin safe, as applicable.
3. In the event that dolphin mortality or serious injury is identified subsequent to the observer determination referenced in paragraph 1, the well or wells into which the tuna from that set was loaded shall be designated as non-dolphin safe well or wells for the rest of the trip. However, all dolphin safe tuna already in such a well[, except the upper 15%, by weight,] will still be considered dolphin safe, and will be unloaded as such after the non-dolphin safe tuna is unloaded.
4. At the completion of brailing, when there is no further question as to whether the tuna is dolphin safe or not, the observer, in consultation with the engineer, shall record on the TTF the species and estimated quantity of tuna loaded into each well used in that set. Both the observer and the engineer shall initial the entry for each set.
5. Within a reasonable period after the completion of loading of non-dolphin safe tuna, the observer may confirm the number(s) of the well(s) receiving the tuna by noting the subsequent change in temperature in the well(s).
6. Transfers of tuna from the net of one fishing vessel to another fishing vessel at sea in the course of a trip shall be documented on the TTF, specifying the quantity, species, and dolphin safe status of the tuna being transferred. The transfer shall be documented on the TTFs of both the transferring and receiving vessels.
7. [Near the end of a fishing trip, if the only well space available is in a non-dolphin safe well, and there is an opportunity to make one last set set, dolphin safe tuna caught in that set may be loaded into the non-dolphin safe well. The dolphin safe tuna must be kept physically separate from the non-dolphin safe tuna already in the well, using netting or similar material.]
8. At the end of each fishing trip, when no more sets are to be made, the observer and the captain shall review the TTF, make any additional notes, and both will sign the form.

5. UNLOADING

1. The captain, managing owner, or agent of a vessel returning to port to unload part or all of its catch shall provide sufficient notice of the vessel's intended place and schedule of unloading to the competent national authority to allow for preparations to be made for monitoring the unloading of that tuna.
2. If a trip terminates when a vessel enters port to unload part of its catch, a new TTF shall be assigned to the new trip, and the information concerning any tuna retained on the vessel shall be recorded as the first entry on the TTF for the new trip. If the trip is not terminated following a partial unloading, the vessel shall retain the original TTF and shall submit a copy of that TTF, with original signatures, to the national authority of the state where the tuna was unloaded. In either case, the species, dolphin safe status, and amount of tuna unloaded shall be noted on the original TTF.
3. If tuna is unloaded from a fishing vessel in port and subsequently loaded aboard a carrier vessel for transport to a processing location, the state under whose jurisdiction the fishing vessel operates shall be responsible for obtaining the TTF, retaining documentation of the unloading, including recording

of the total confirmed scale weight if the tuna is weighed at that time, and verifying that the dolphin safe tuna is kept separated from the non-dolphin safe tuna during the carrier loading and transporting process. Dolphin safe tuna and non-dolphin safe tuna may be stored in the same hold on a carrier vessel provided that the two are kept physically separate, using netting or similar material, and the non-dolphin safe tuna is clearly labeled as such.

4. If the tuna is unloaded directly to a processing facility, the national authority in whose area of jurisdiction the tuna is to be processed shall be responsible for retaining documentation of the unloading of the tuna and recording of the total confirmed scale weight. The competent national authority shall take possession of the original TTF for entry of the information into a database and for continued tracking of that tuna, and a copy of the TTF shall be forwarded to the national authority of the state under whose jurisdiction the fishing vessel operates if different from the state where the tuna is processed.
5. Dolphin safe and non-dolphin safe tuna shall be unloaded from fishing or carrier vessels into separate bins. Each bin shall be identified with the corresponding TTF number, the dolphin safe status of the tuna, and confirmed scale weight.
6. Each sale of a portion of the catch shall reference the corresponding TTF number, which will accompany the tuna through every step of processing. In the event of transfers after the national authority has taken possession of the TTF, the transferring party shall be responsible for reporting any such transfer to the competent national authority, specifying the TTF number, the species and quantity (scale weight) of tuna being transferred, and the recipient.
7. The Parties shall determine means by which to document, within this system, tuna unloaded by purse-seine vessels operating in the Agreement Area but not covered by the AIDCP. Tracking shall include confirmation of unloaded weight and, at the discretion of each Party, review of the vessel logbook.

6. STORAGE, PROCESSING, AND MARKETING

The Parties may establish tracking and verification procedures for storage, processing, and marketing of tuna and tuna products that best fit the business practices within their own territories, as long as those procedures include the following requirements:

- (a) Any change in ownership of any unprocessed tuna covered by a TTF number shall be handled in accordance with Section 5, paragraphs 3 and 4, and shall be reported to the competent national authority.
- (b) During processing, dolphin safe and non-dolphin safe tuna shall not be processed on the same lines at the same time.
- (c) Processors shall maintain records complete enough to allow the lot numbers of processed tuna to be traced back to the corresponding TTF number.
- (d) Processed dolphin safe tuna destined for export shall be accompanied by appropriate certification of such status issued by the competent national authority, including reference to the corresponding TTF number.

7. PERIODIC AUDITS AND SPOT CHECKS

Consistent with the principles and objectives of the AIDCP concerning multilateral cooperation in the management and implementation of this program, the national programs established by the Parties to track and verify tuna harvested by vessels in the Agreement Area shall include periodic audits and spot

checks for caught, landed and processed tuna products, mechanisms for communication and cooperation between and among national authorities, and timely access to relevant data.

Appendix G.

STATEMENT BY THE NON-GOVERNMENTAL ENVIRONMENTAL MEMBERS OF THE IRP

On behalf of the Center for Marine Conservation, FUDENA, Whale and Dolphin Conservation Society, and World Wildlife Fund, I want to express our extreme disappointment with the level of compliance demonstrated in the data that the IATTC staff presented yesterday. Our organizations have openly and repeatedly supported this program, touting it as an example for other regional management agreements. However, the lack of compliance and enforcement is not an aspect of this Agreement that we would want other nations to emulate in their regional agreements, because here the program has failed miserably.

For more than five years the IRP has referred possible infractions to the countries for action. Now we find that over the years the reporting response has declined, having reached a record low in 1998. This is unacceptable. There is no excuse for a country to fail to report back to the IRP on the actions it has taken on these possible infractions. If countries are going to ignore the information provided by the IRP, why are we here? Why are we going through this exercise? What hope do we have for enforcement of the new Agreement?

As the delegate from Costa Rica stated, opponents of this Agreement will use this information, and this type of failure, to attack the Agreement or to attempt to prevent the lifting of the embargoes. Frankly, this places those non-governmental organizations that have been your allies in a difficult position, because we cannot support lifting the embargoes for countries that fail to comply with or enforce this Agreement.

We are at the point, as new countries join this program and as the new Agreement enters into force, where effective enforcement is even more critical to the continued success of this program. Countries must take swift action and report back to the IATTC the results of that action. It is unacceptable to see cases where there has been no action or cases that are still under investigation, especially when the possible infraction is clear, such as use of explosives or fishing on dolphins after reaching the DML.

Therefore, we propose that:

- 1) The item "Review of actions by Parties on possible infractions reported by the IRP" be included in the agenda of all future IRP reuniones;
- 2) Under that agenda item, the IATTC staff provide information in the format used in Appendix 8 of the 1998 IRP Annual Report;
- 3) The IATTC staff report on those infractions stipulated in Annex IV(III)(4) associated with whether a vessel may adjust its DML; and
- 4) The IATTC staff provide the information that it provided to us yesterday to the IGM for consideration, review, and possible action.

Our organizations are deeply concerned and disturbed by the lack of enforcement. We must reverse this trend immediately, otherwise we jeopardize the entire program and all that we have succeeded in achieving thus far. If the countries are unable to improve their enforcement of this Agreement, we will be forced to reevaluate our support of this program.