

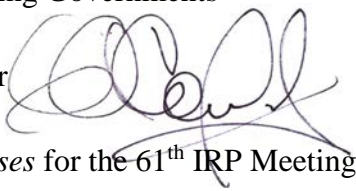
# COMISION INTERAMERICANA DEL ATUN TROPICAL INTER-AMERICAN TROPICAL TUNA COMMISSION

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Tel: (858) 546-7100 – Fax: (858) 546-7133 – Director: Guillermo Compeán

1 June 2017  
Ref.: 0241-430

To: AIDCP Parties and participating Governments

From: Guillermo Compeán, Director



Re: Responses to IRP *Special Cases* for the 61<sup>th</sup> IRP Meeting and responses to the possible infractions identified by IRP

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At the 42<sup>nd</sup> Meeting, October 2006, the IRP asked the Secretariat to remind the Parties, some days before each meeting of the Panel, of the need to respond to special cases, which are possible violations of the AIDCP that the IRP has decided to monitor, and which automatically include cases of observer interference that involve an attempt to bribe, or a threat of bodily harm to the observer.

At its 61<sup>st</sup> Meeting, to be held on 17 of July, 2017, in Mexico City, Mexico the IRP will review responses from Parties to the special cases pending. Please be reminded also of the two pending special cases 2014-004 y 2014-145, which were reviewed at the 57<sup>th</sup> Meeting of the IRP in June 2015, “*the Panel decided to ask the Party involved to report to the Secretariat the details of the second investigation prior to the next meeting of the IRP, so that the Panel could have an informed discussion of the cases*”. The above-mentioned cases have been discussed during the following IRP meetings.

Each Party with a special case pending under its jurisdiction is requested to provide the Secretariat with updated information (if applicable) on its investigation so that it can be included in the report submitted for review by the IRP.

It is important to recall that the 59<sup>th</sup> Panel meeting agreed that additional measures or guidelines should be adopted to avoid a re-occurrence of this type of situation (substitution of an observer by an unknown person), and the Secretariat was asked again to circulate a communication with draft measures for consideration and adoption. This was done on 15 September 2016 and the Panel agreed on a deadline for the submission of comments by November 30 2016, but no comments were received. For that reason, the draft guidelines are attached again to this memorandum.

Also, it is important to note that the Panel should analyze the possibility of closing these cases and continue with the analysis and consolidation of the proposed preventive measures.

To allow a prompt posting in the IATTC website of the related working documents, it is important that responses regarding possible infractions identified by the IRP and sent on 17 November 2016, and as well older cases, be submitted in advance of the date of the meeting of IRP (17 July). For that reason, **please send these responses to the Secretariat no later than 25 June.**

**PROCEDURES FOR THE ALLOCATION OF AN OBSERVER ON BOARD ON AN AIDCP FISHING TRIP AND PURSUANT TO IATTC RESOLUTION [C-09-04](#)**

**I. Before the start of the fishing trip.**

- 1) The manager of the vessel shall submit to the observer program staff, a written request, which may be an electronic message, for the assignment of an observer. This request shall include the name of the vessel and its estimated date of departure.
- 2) The request must be received by the staff of the observer program at least 6 days before the departure of the vessel.
- 3) If the vessel has a Dolphin Mortality Limit (DML), the communication must include the name of the fishing captain so his inclusion on the AIDCP list of qualified captains can be verified.
- 4) The observer program staff will answer this communication by sending an electronic message to the vessel manager, indicating the full name of the assigned observer and attaching scanned copies, in PDF format, of the following documents:
  - i. Valid passport of the observer
  - ii. Sailor's book / seaman's book / navigation log
  - iii. Identity card (in countries where this document is required)
  - iv. Voter's Identification (when required for foreign travel)
  - v. Observer Program ID(if one is not issued, another photo ID can be substituted)
- 5) The vessel manager must provide the documents received from the observer program staff to an agent of the vessel receiving the observer so that they can verify the identity of the person presenting themselves as the observer at the time of boarding and confirm that they are in possession of the original versions of the required documents. The staff of the observer program must register the name of that person. If the manager of the vessel is responsible for this procedure, the name of the person in charge for carrying out verification of the observer's identity and documents must be recorded.
- 6) When practical, an introductory meeting among the observer program staff, the observer, and the master /captain of the fishing vessel should be arranged. If the master/captain is not available, the navigation captain or port administrator will attend. If the observer attends the meeting without the presence of an observer program staff, the staff of the observer program must report on the reasons why could not attend.

**II. During the fishing trip**

- 1) During the fishing trip, the master/captain of the vessel will be the responsible for confirming the identity of the observer, based on the documents provided to the vessel agent, and will ensure that this same person serves throughout the entire duration of that trip to which he was assigned, unless extra-ordinary circumstances require a change of observer. The master/captain shall report, as soon as possible, any irregularities or concerns regarding the identity of the observer to the vessel's flag State and the responsible observer program. Any change of observer during a trip

must be coordinated by direct communication with the responsible observer program, and all such assignments will be subject to procedures in Section I.

### **III. Upon arrival in port of the vessel.**

- 1) Upon arrival at the port of landing, the port authorities must verify the identity of the observer based on the collection of the observer's documentation to be provided by the master/captain.
- 2) The staff of the responsible observer program must perform their respective confirmation of the identity of the observer at the final of the trip.
- 3) If port authorities identify any abnormality, they should report it immediately to the Government of the flag vessel and to the respective observer program.

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**Subject:** Responses to IRP Special Cases for the 61th IRP Meeting and responses to the possible infractions identified by IRP/Respuestas a los Casos Especiales del PIR para la 61ª Reunión del Panel y respuestas a las posibles infracciones identificadas por el PIR

**Date:** Wednesday, June 07, 2017 2:03:00 PM

**Attachments:** [0241-430 AIDCP re IRP possible infractions and special cases update jul 2017 ENG1.pdf](#)  
[0241-430 AIDCP re IRP posibles infractions and special cases update Jul 2017 SPN1.pdf](#)

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Dear delegates,

I'm resending this memo Ref 0241-430, please replace this version with any other you may have. Sorry for the inconvenience.

Best regards,

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Estimados delegados,

Adjunto Re-envio oficio Ref.: 0241-410, favor de reemplaza dicho oficio con cualquier otra version que usted pueda tener. Disculpe las molestias.

Atentamente,

Monica Galvan

Inter-American Tropical Tuna Commission

Comisión Interamericana del Atún Tropical

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