

**AGREEMENT ON THE INTERNATIONAL DOLPHIN CONSERVATION PROGRAM**  
**39<sup>TH</sup> MEETING OF THE PARTIES**

**Bilbao, Spain**  
**16 July 2019**

**MINUTES OF THE MEETING**

**AGENDA**

	Documents
1. Opening of the meeting	
2. Election of Chairman	
3. Adoption of the agenda	
4. Approval of the Minutes of the 38 <sup>th</sup> Meeting of the Parties	
5. AIDCP budget	MOP-39-01
a) Utilization of surplus resources as a complement to the study on dolphin abundance in the EPO	
6. Report of the 30 <sup>th</sup> meeting of the Working Group to promote and publicize the AIDCP Dolphin Safe Tuna Certification System	
7. Report of the 65 <sup>th</sup> meeting of the International Review Panel	
8. Other business	
9. Place and date of next meeting	
10. Adjournment	

**APPENDICES**

1. List of attendees
2. Report of the 30<sup>th</sup> meeting of the Working Group to promote and publicize the AIDCP Dolphin Safe Tuna Certification System
3. Report of the Presider of the 65<sup>th</sup> meeting of the International Review Panel
4. Resolution A-19-01 on national program funding
5. Note agreed by the Parties to proceed regarding the issue of temporariness in the contracting of on-board observers
6. Colombia's position on the experimental pilot survey on dolphin abundance
7. Mexico's statement on the experimental pilot survey on dolphin abundance

The 39<sup>th</sup> Meeting of the Parties to the Agreement on the International Dolphin Conservation Program (AIDCP) was held in Bilbao, Spain, on 16 July 2019. However, it was not formally closed until July 26 as a result of the need to wait for the conclusion of the 94<sup>th</sup> meeting of the IATTC in order to finalize the consideration of the budget issue, once the amount of the financial contribution of the IATTC to the Program was known.

**1. Opening of the meeting**

The meeting was opened by Dr. Guillermo Compeán, Director of the Inter-American Tropical Tuna Commission (IATTC), which provides the Secretariat for the AIDCP.

## **2. Election of Chairman**

Mr. Alvin Delgado, of Venezuela, was elected Chair of the meeting.

## **3. Adoption of the agenda**

The provisional agenda was approved without changes. However, Venezuela recalled that, regarding the budgetary resources surplus (item 5 (a) of the agenda), it had submitted a resolution proposal on the budget surplus on the funding of the national observer programs (,MOP-39 A-1), which led Mexico to mention its proposal to use those funds for of the survey on dolphin abundance in the EPO.

## **4. Approval of the Minutes of the 38<sup>th</sup> Meeting of the Parties**

The Minutes of the 38<sup>th</sup> Meeting of the Parties were approved without changes.

## **5. AIDCP budget**

The Secretariat staff presented Document [MOP-39-01, “AIDCP Budget”](#), which proposes the adoption of a budget of US\$ 3,768,254 for 2020.

It was mentioned that, as of 31 May 2019, five vessels that are currently in the Regional Vessel Register have pending payments from 2012-2019 that amount to US\$ 422,358, of which US\$ 247,055 correspond to the IATTC observer program, and the rest (US\$ 175,303) to two national observer programs: US\$ 27,995 (ECU) and US\$ 147,309 (VEN). Even though this amount is lower than in previous years, the total accumulated amount of pending payments is constantly growing, in terms of both assessments and late payment fees.

The Secretariat proposed a plan to increase the pay rates of observers with more than 200 days at sea from US\$ 55 to US\$65 from 1 August 2019 and thus come closer to the amount of the similar rates paid in other regional fisheries management organizations. In 2018, IATTC observers spent 23,821 days at sea. Assuming a similar level of activity in 2020, a US\$ 10 increase in daily pay would mean that the total amount to be paid would be approximately US\$ 250,000, or about US\$ 280,000 including compensations related to taxes and social security.

Information was also provided by the Secretariat on the existence of a surplus amounting to US\$ 2,072,689 as of 31 December 2018. It was clarified that the surplus corresponds to the IATTC program and not to the national programs. Several delegations pointed out that, for recurring expenses—such as increases in observer pay rates— this surplus cannot be used due to its accidental and exceptional character.

Despite the support expressed by several delegations to the budget proposal submitted by the Secretariat, including the increase in observer payments, it was not possible to reach a consensus on this agenda item and the discussion and approval of the budget was postponed until the 40th meeting of the Parties in October 2019.

Under this agenda item, Venezuela presented its proposal (MOP-39 A-1) on the funding of national observer programs, with the use of 10% of the surplus to finance the purchase of equipment and materials. The Parties agreed that it would be a single contribution, to be made only once, and also in the understanding that the national programs and the Secretariat would carry out the necessary coordination between themselves to reduce the costs of such purchase: on this basis, the proposal was approved by consensus as Resolution A-19-01 (see annex 4).

In response to a question and comments from Ecuador about the content and scope of a communication sent to the IATTC field offices on the policy to be followed for hiring observers, the Director recalled that he had subsequently sent a circular communiqué to correct what was said in this communication that, furthermore, had not been authorized or reviewed by him. As stated in that communiqué, the possibility of removing the current observers who were hired for a total period equal to or greater than five years was never raised. The objective was to ensure that these observers have the health and physical conditions required for their safety at sea. The reference to a maximum period of five years only refers and applies to

new observers who will be hired for the first time, additionally without prejudging the possibility of considering individual cases that justify continuing contracting them beyond these five years. In conclusion of the consideration of this issue, the Parties prepared and agreed on a note regarding the situation of the current observers in which they instructed the IATTC Secretariat “*not to modify the current status of the associated programs and the condition of those who have been providing services as observers on board*” and requested the Director “*to submit to the next Meeting of the Parties for its consideration and other relevant purposes, the content of the new policy in which the relevant technical and legal aspects are considered.*” (See Appendix 5).

#### **5a. Utilization of surplus resources as a complement to the study on dolphin abundance in the EPO**

The Secretariat referred to Document [MOP-39-01, “ADDENDUM 1 Dolphin Survey”](#), which presents a revised budget (Table 1) for a trial survey and a main survey, using a research vessel, with a view at assessing both the absolute and relative abundance of two dolphin stocks: the northeastern offshore spotted dolphin (*Stenella attenuata*) and the eastern spinner dolphin (*S. longirostris*) (Design 3, main survey option 1, addressing Objectives 1 and 2, for priority stocks B; see [MOP-37-02](#)).

Furthermore, the Director gave a presentation (“[Summary of ship and drone testing](#)”) on the work carried out by two of the persons in charge of the project, Dr. Cleridy Lennert and Dr. Cornelia S. Oedekoven, who were in Mazatlán at the time conducting tests on a vessel with the drones that would be used for the dolphin survey.

Mexico recalled that the topic had already been discussed at the last meeting of the Parties and that the majority expressed interest in promoting this project with the intention that its results serve as a basis for adopting management and conservation measures based on the best biological information and scientific evidence. Mexico presented its proposal [PROP B-1 MEX Dolphin survey financing](#), which essentially intended that the AIDCP use the surplus shown in its financial statements ([MOP-39-01 AIDCP budget](#)) to fund the dolphin stock survey.

Most Parties expressed appreciation for the initiative and stressed the importance of carrying out the survey. Some delegations initially expressed their preference for a broader survey involving all dolphin species, as well as a wider spatial range; however, after intense discussions, all Parties except Colombia agreed to conduct a first pilot survey as proposed and subsequently, when the necessary resources would become available, to undertake a broader survey involving all dolphin species. Colombia stated that there is currently no way to ensure that a study with a wider range of distribution would be carried out and that it would include all dolphin species; therefore, approving Mexico's proposal would mean that the reduced study would surely have to be carried out as proposed. Because of the impossibility to reach a consensus, there was no agreement to use part of the AIDCP surplus to complete the resources that would enable the execution of the proposed pilot survey, and it was only possible to agree that the issue would be discussed at the 40<sup>th</sup> meeting of the Parties in October.

The Secretariat highlighted that the availability of the vessel José Carranza provided by Mexico was not permanent, so not approving the use of the resources requested, and thus the execution of the survey on the scheduled dates, would imply losing the possibility of using the research vessel and needing more resources than those currently required to begin the survey, which would possibly increase the cost by around 4 to 9 million dollars.

Mexico expressed disappointment at the absence of consensus due to the position taken by a single Party and requested that its statement be included in the Minutes (see Appendix 6). Colombia explained why it does not agree with Mexico's proposal and requested that its statement be included in the minutes (see

Appendix 7).

## **6. Report of the Working Group to promote and publicize the AIDCP Dolphin Safe Tuna Certification System**

The Chair of the Working Group, Mr. Bernal Chavarría (Honduras), presented his report (see Appendix 2), noting that the Group did not present recommendations to the meeting of the Parties to the AIDCP. He reported that Colombia gave a presentation on the case of the packaging of a product in the pouch system through which a product identified as "fish-free tuna" is marketed and it is not actually tuna. He emphasized that the Group took note of the information and agreed that it did not merit any action by the Group, although it was stressed that the review of the existence of products of this nature that could discredit the efforts made under the Agreement should be addressed.

## **7. Report of the International Review Panel**

Mr. Julio Guevara (Nicaragua), Presider of the 65<sup>th</sup> meeting of the Panel, presented his report (Appendix 3), noting that the Panel decided to issue the following recommendations to the Meeting of the Parties:

- 1) Address the allocation of one DML to the vessel *Cap. Berny B* taken from the DMLs of the Ecuadorian fleet.
- 2) Approve the handling of cases with possible infractions as presented in section 7 of the Presider's report, as well as to consider as settled and concluded the cases pending since the 64<sup>th</sup> meeting presented in item 8a of the report except for Mexico's case, for which the corresponding update is pending. The U.S. cases were also closed as a result written necessary communication was delivered. The special case of Venezuela will also be closed when it is determined that there was no infraction after the investigations conducted by the Government.

The meeting of the Parties approved these recommendations.

## **8. Other business**

No other business was discussed.

## **9. Place and date of next meeting**

The next meeting of the Parties will be held in October 2019 with specific dates to be defined.

## **10. Adjournment**

The meeting was adjourned at 17:00 on 26 July 2019.

## Appendix 1

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NOTE: IF YOUR INFORMATION IS INCORRECT, PLEASE LET US KNOW. THANKS.

NOTA: SI SU INFORMACIÓN ES INCORRECTA, POR FAVOR DEJENOS SABER. GRACIAS.

## Appendix 2

**INTERNATIONAL DOLPHIN CONSERVATION PROGRAM**  
**WORKING GROUP TO PROMOTE AND PUBLICIZE THE AIDCP**  
**DOLPHIN-SAFE TUNA CERTIFICATION SYSTEM**  
**30<sup>TH</sup> MEETING**  
**15 July 2019**  
**Bilbao, Spain**

### REPORT OF THE MEETING

#### AGENDA

	Documents
1. Opening of the meeting	
2. Adoption of the agenda	
3. Approval of the minutes of the 29 <sup>th</sup> meeting	
4. Actions to promote AIDCP dolphin-safe tuna	
5. Recommendations to the Meeting of the Parties	
6. Other business	
7. Date and place of next meeting	
8. Adjournment	

The 30<sup>th</sup> Meeting of the Working Group to Promote and Publicize the AIDCP Dolphin-Safe Tuna Certification System was held in Bilbao, Spain, on 15 July 2019. The list of attendees can be found in Appendix 1

#### **1. Opening of the meeting**

The meeting was opened by Mr. Bernal Chavarría, of Honduras, who thanked the participants for their trust in him to chair the meeting of the Working Group

#### **2. Adoption of the agenda**

The provisional agenda was adopted, with the announcement by Guatemala that it would give a presentation on a proposal to promote dolphin-safe tuna under item 4, “Actions to promote AIDCP dolphin-safe tuna”. Colombia also announced that it would give a presentation, under item 6 “Other business”, on a case of misleading labeling that has indirect negative impacts on the Program.

#### **3. Approval of the minutes of the 29<sup>th</sup> meeting**

The minutes of the 29<sup>th</sup> Meeting of the Working Group were approved without changes.

#### **4. Actions to promote AIDCP dolphin-safe tuna**

Guatemala, with the help of a *Power Point* presentation, which can be consulted in Spanish here ([AIDCP Propuesta redes sociales](#)), presented a promotion and publicity proposal involving the use of social media, particularly *Facebook and Twitter*. The proposal is justified in the advisability of taking advantage of social media, a means that he referred to as "inexpensive and broad-spectrum", that facilitate a better interpersonal dialogue without barriers, increase the publicity of the Agreement and give visibility to the actions carried out under this Agreement, especially regarding the reduction of dolphin mortality. Guatemala connected contents of key messages and, with the help of examples from labeling websites, showed the scope that this strategy could have. Guatemala warned that its intention is to encourage discussion and joint analysis to design a publicity strategy with the Group's contributions without seeking its immediate approval.

Several delegations expressed their appreciation for Guatemala's initiative and pointed out the need for a more in-depth analysis of some aspects of the proposal before making a decision. In particular, the need for more elements, among others, was noted:

- a. Analysis of the behavior of social media in the subject area associated with the AIDCP.
- b. Ensure that the messages and strategy respond to the common interests of the Agreement and its participants.
- c. Definition of the messages that would make up the publicity objective, as well as the feedback policy and evolution of messages and responses, answering the "what" and "how" of the publicity and promotion content.
- d. Configuration of the centralized and specialized administration system.
- e. Possible costs of the initiative.

With these suggestions, it was agreed to consider the proposal again at the next meeting of the Group, seeking to have a document with the additional information requested well in advance of the meeting. The United States recalled its position that the costs derived from initiatives like this one should be covered by the Parties interested in them.

#### **5. Recommendations to the Meeting of the Parties**

The Working Group had no recommendations for the Meeting of the Parties of the AIDCP.

#### **6. Other business**

Colombia gave a presentation on the case of the packaging of a product in the pouch system through which a product identified as "*fish-free tuna*" is marketed. Colombia pointed out the need to recognize that non-tuna products are deceptively marketed as tuna, which therefore affects market transparency, consumer rights and the effort made by the Program and fishermen.

Some delegations, while understanding the context of Colombia's presentation and acknowledging the information received for its importance at the internal level of each Party considering their corresponding laws and regulations, stressed that the issue is not directly related to the mandate of the Group, and does not merit any action by it. Colombia, in response, noted the need for the Group to acknowledge the existence of non-tuna products that are being presented as such in clear disproportion of the efforts made under the Agreement.

The Working Group took note of the information provided by Colombia to include it in the report of this meeting.

## **7. Date and place of next meeting**

The next meeting of the Working Group will be held on the dates that are agreed for the meetings of the AIDCP in October 2019.

## **8. Adjournment**

The meeting was adjourned at 10:30 on 15 July 2019.

## Appendix 3

### INTERNATIONAL DOLPHIN CONSERVATION PROGRAM

### INTERNATIONAL REVIEW PANEL

### 65<sup>TH</sup> MEETING

Bilbao, Spain

15 July 2019

## REPORT OF THE MEETING

### AGENDA

	Documents
1. Opening of the meeting	
2. Election of the Presider	
3. Adoption of the agenda	
4. Approval of the report of the 64 <sup>th</sup> meeting	
5. Review of Dolphin Mortality Limits for 2018 and 2019	IRP-65-01
6. Review of AIDCP <i>List of Qualified Captains</i>	IRP-65-02
7. Review of observer data	
8. Review of actions by Parties on possible infractions reported by the IRP:	
a. Actions taken since report at the 64 <sup>th</sup> meeting	IRP-65-03
b. Status review of special cases	IRP-65-04
9. Report of the Permanent Working Group on Tuna Tracking	
10. Other business	
11. Recommendations for the Meeting of the Parties	
12. Place and date of next meeting	
13. Adjournment	

### APPENDIX

1. List of attendees

The 65<sup>th</sup> meeting of the International Review Panel was held in Bilbao, Spain, on 15 July 2019.

#### 1. Opening of the meeting

Dr. Guillermo Compeán, Director of the Inter-American Tropical Tuna Commission (IATTC), which provides the Secretariat for the Agreement on the International Dolphin Conservation Program (AIDCP), opened the meeting.

#### 2. Election of the Presider

Mr. Julio Guevara, of Nicaragua, was elected as the Presider of the meeting.

#### 3. Adoption of the agenda

The agenda was adopted without changes.

#### **4. Approval of the report of the 64<sup>th</sup> meeting**

**The report of the 64<sup>th</sup> meeting of the Panel was approved on the condition that the change proposed by Panama to paragraph 8 on page 3 of the report would be reviewed. The new paragraph would read as follows:**

*Panama gave an extensive presentation on the review of the case and mentioned that the Government had already sent its response. In the explanation, they concluded that there were no elements to determine that there was an infraction. The Delegate of Colombia mentioned that this event occurred in Colombian waters and that they will conduct an investigation to determine whether or not there are grounds for sanction. The Delegate of Colombia asked Panama if the details of its investigation and of the vessel would be provided, to which Panama said yes.*

#### **5. Review of Dolphin Mortality Limits for 2018 and 2019**

The Secretariat summarized the situation regarding the allocation, reallocation, and utilization of Dolphin Mortality Limits (DMLs) in 2018 and 2019, described in [Document IRP-65-01, “Review of Dolphin Mortality Limits for 2018 and 2019”](#), noting that 103 full-year DMLs were allocated in 2018, with an average of 47 dolphins. Ninety-five DMLs were utilized before 1 April; one Party informed the Secretariat that it had renounced one DML. Two vessels were granted an exemption to keep their DML due to *force majeure*, although none used it by the end of the year. Two DMLs, of 15 dolphins each, were allocated from the Reserve DML Allocation (RDA), and five DMLs were forfeited due to non-utilization.

In 2018, dolphin mortality was 819, and mortality per set was 0.08 from a total of 9,774 sets on tunas associated with dolphins. Thirty vessels did not cause any mortality and the average mortality per vessel was 8.19.

For 2019, 107 full-year DMLs were allocated; only 92 of them were utilized before 1 April and one Party renounced a DML for one of its vessels. Twelve were exempted due to *force majeure*, from which, as of 29 May, ten had not been utilized, and two were forfeited due to non-utilization. The average allocated DML was 45 dolphins. In addition, a second-semester DML was allocated to a vessel, subject to gear verification, while two vessels received a DML from the RDA of 15 dolphins each.

Dolphin mortality as of 29 May was 355 dolphins; as of that date, 4,954 sets had been made on dolphins, resulting in a mortality per set of 0.07.

Ecuador noted that it requested a second-semester DML for the vessel Cap. Berny B, which forfeited it due to *force majeure*. The Secretariat clarified that the vessel forfeited its DML because it did not make sets before 1 April and because the exemption request was late; therefore, the only way for the vessel to have a DML would be to reallocate a DML from its fleet, as has been done in the past in other cases. The Panel agreed to present the case to the meeting of the Parties.

Venezuela stated that the achievements of the Agreement should be recognized and that, although there are still issues to be resolved, the performance is of high quality.

#### **6. Review of AIDCP *List of Qualified Captains***

The Secretariat presented Document [IRP-65-02, “Review of AIDCP \*List of Qualified Captains\*”](#), which updates the changes that occurred between 11 October 2018 and 29 May 2019; during this time, 12 captains were added to the list, one was removed and one was reinstated.

#### **7. Review of observer data**

The Secretariat presented the data reported by observers of the On-Board Observer Program relating to possible infractions received and processed by the Secretariat since the Panel’s previous meeting. The Panel discussed those cases that are not automatically sent to the relevant Parties to determine which of them should be notified to the responsible Government as possible infractions.

Trips 2018-621 and 2018-855, on which the vessels made sets before the Government reported the allocation of DMLs, were reviewed. In both cases, it was decided to send a letter to the Government reiterating their obligation to report—stipulated in Annex IV.I.12 of the AIDCP: “*No vessel may begin fishing for tunas associated with dolphins until the Director receives such notification*”—and to notify DML allocations in a timely manner.

It was determined to send the following four cases to the corresponding Government as a possible infraction.

**Trip 2018-889.** Trip without an observer. The vessel carried an observer from the Western Pacific Commission, but he was not approved in accordance with the Memorandum of Understanding signed with the WCPFC, which violates the rules of the AIDCP that state that all Class-6 vessels must carry an observer on board in the Agreement area.

**Trip 2019-212.** The case of a trip with a captain that was not included in the List of Qualified Captains. It was clarified that this captain has never been on said list.

**Trip 2019-303.** The case of a trip with a captain that was not included in the List of Qualified Captains. He has never been on the list and, one week after the trip began, he was replaced by another captain, who had been identified by the vessel’s administration as the one who would start the trip. No sets on dolphins were made throughout the trip.

**Trip 2019-372.** Interference with the observer’s duties. The observer did not have access to all the necessary equipment.

**Trip 2019-448.** This is a trip that has not ended. Information was received on several occasions that the observer was being harassed to the extent of receiving death threats. The flag State of the vessel cooperated to return the observer to port and replace him with another observer.

Several IRP representatives expressed that the safety of observers must be ensured and that their work should be facilitated. This guarantees good data. Venezuela proposed that this case be treated as a special case. The Panel agreed to review it at the next meeting.

## **8. Review of actions by Parties on possible infractions reported by the IRP:**

### **a. Actions taken since report at the 64<sup>th</sup> meeting**

The Secretariat presented [Document IRP-65-03, “Actions taken since the report at the 64<sup>th</sup> meeting of the IRP”](#), in which the Panel was informed that, during said meeting, an infraction by a Colombian vessel was identified for alleged observer harassment, for which there was still no response from the relevant authority.

Colombia noted that, after conducting the corresponding investigations, it was determined that there were no grounds for carrying out an administrative procedure.

Additionally, cases of possible infractions that have been under investigation for two or more years were presented on the document. The report indicates that there was a case of a Mexican vessel that made night sets and was identified in June 2015; two cases of fishing without an observer by United States vessels, identified in October 2016; and another one from Colombia for fishing without a DML, identified in June 2015.

Colombia noted that the relevant authority decided to apply a sanction, but during the appeal process it was finally concluded that there was no infraction.

Mexico reported that it is about to conclude the case of the alleged night set and that it will report it shortly. The United States noted that the two cases of its vessels have already been sanctioned and should be closed.

### **b. Status review of special cases**

The Secretariat presented Document IRP-65-04, “Summary of Pending Special Cases Monitored by the

IRP.” The first case was case 63-01, which involves trips 2017-916, 2018-140 and 2018-228, in which the same vessel made three consecutive trips without a qualified captain.

No further information on these cases was received; however, the Panel agreed that a letter be sent to the corresponding Government for it to report the conclusion of these cases.

With regard to case 63-02 for attempted bribery, corresponding to trip 2018-354, Venezuela expressed that it was one of its vessels and that it had already sent a letter to the Secretariat. Venezuela pointed out that the investigations found several irregularities that led to the conclusion that there was no possible infraction.

#### **9. Report of the Permanent Working Group on Tuna Tracking**

Mr. David Hogan, who chaired the Working Group, presented his report. He expressed that there were no specific recommendations for the IRP; however, an issue was discussed concerning the reduction of TTF submissions, which should be improved by maintaining the standards that have already been achieved.

#### **10. Other business**

No other business was discussed.

#### **11. Recommendations for the Meeting of the Parties**

The Panel agreed on the following recommendations for the Meeting of the Parties:

- 1) Address the allocation of one DML to the vessel Cap. Berny B taken from the DMLs of the Ecuadorian fleet.
- 2) Approve the handling of cases with possible infractions as presented in section 7 of the President’s report, as well as to consider as settled and concluded the cases pending since the 64<sup>th</sup> meeting presented in item 8a of the report except for Mexico’s case, for which the corresponding update is pending. The U.S. cases were also closed as a result written necessary communication was delivered. The special case of Venezuela would also be closed when it is determined that there was no infraction after the investigations conducted by the Government.

#### **12. Place and date of next meeting**

The next meeting of the Panel will be held in conjunction with the next meetings of the AIDCP in October 2019.

#### **13. Adjournment**

The meeting was adjourned at 16:00 on 15 July 2019.

**AGREEMENT ON THE INTERNATIONAL DOLPHIN CONSERVATION  
PROGRAM**

**39<sup>TH</sup> MEETING OF THE PARTIES**

**Bilbao (Spain)**

**16 July 2019**

**RESOLUTION A-19-01**

**NATIONAL PROGRAM FUNDING**

*The Parties to the Agreement on the International Dolphin Conservation Program (AIDCP):*

*Taking into account* that the observer programs have proved to be of significant importance in supporting the implementation of the Agreement on the International Dolphin Conservation Program;

*Taking into account* that they have resulted in time savings for the staff of the Inter-American Tropical Tuna Commission, since half of the data collected is reviewed, analyzed and processed by the staff of the various observer programs and ultimately transferred to the IATTC;

*Taking into account* that observers take data to measure compliance with the various resolutions both of the AIDCP and of the IATTC;

*Taking into account* that due to lack of funding, some programs find it challenging to improve the efficiency of their work, primarily by updating observer equipment;

*Recognizing* that the national observer programs are an important component within the AIDCP;

*Aware* that currently the AIDCP has a surplus of approximately two million seventy-two thousand six hundred and eighty-nine dollars (US\$ 2,072,689) as of 31 December 2018.

*Aware* that contributions are pending payment as of 31 May 2018, in the amount of two hundred and forty-seven thousand fifty-five dollars (US\$ 247,055), which will further increase the surplus.

*Resolve as follows:*

1. That the AIDCP allocate to the observer programs 10% of the surplus as of 31 December 2018, which is indicated in the sixth paragraph of the preamble, to be used to re-equip the programs, with a goal to further improve their operations, which was not previously possible due to financial challenges within the programs.
2. The objective of this one-time contribution is to help replace equipment both for observers and for data processing, such as new-generation computer equipment which could not be updated due to lack of financial resources.
3. This 10% contribution shall be distributed equitably among all national programs: Colombia, Ecuador, European Union, Mexico, Nicaragua, Panama, and Venezuela. The purchase of equipment and materials will be done in coordination with the Technical Secretariat of the AIDCP.

## Appendix 5

The Parties to the Agreement on the International Dolphin Conservation Program,

*Bearing in mind* the letter dated 24 June 2019, sent by several people who have worked as on-board observers within the framework of the Agreement and addressed to the Director of the Inter-American Tropical Tuna Commission, Dr. Guillermo Compeán;

*Noting* that the purpose of said letter is to submit considerations and comments on the communication sent by Mr. Ernesto Altamirano to all IATTC field offices under the title "*New Observer Recruitment Policy*";

*Considering* the importance of ensuring the stability of the Program, particularly the observer programs and the performance of all those who have contributed to their success, mainly the on-board observers associated with the IATTC and the AIDCP;

*Recognizing* that the scientific work of the Commission benefits from the experience developed by those who have provided services to the programs associated with the IATTC and the AIDCP;

*Taking into account* the Communiqué issued by the Director on 8 July 2019, and considering the advisability of further clarification;

*Agree:*

1. To instruct the IATTC Secretariat not to modify the current status of the associated programs and the status of those who have been serving as on-board observers, for which purpose the IATTC regional offices shall be informed that the letter dated 18 July 2019, signed by Mr. Ernesto Altamirano, is rendered null and void;
2. To request the Director, prior to the implementation of a new program management policy that may affect current observers, to present to the next Meeting of the Parties, for its consideration and other relevant purposes, the content of the new policy, including considerations on the relevant technical and legal aspects.

## Appendix 6

### STATEMENT FROM MEXICO REGARDING THE EXPERIMENTAL EPO DOLPHIN STOCK SURVEY

Thank you very much, Mr. President.

We greatly appreciate the words from Colombia in support and recognition of the effort that our country has devoted to this issue, but we certainly cannot agree with the reasons given or the difficulties that not carrying out this study could cause us.

I briefly recall that many times in the heart of this Agreement and of our organization, the IATTC, we have approved research projects even without a budget because we know that they are necessary and that, in some way, they will advance our objectives.

I would like to focus your attention on our program: *the Agreement on the International **Dolphin** Conservation Program*, the species that is our main objective in the Agreement. To deny the possibility of assessing dolphins with a new and promising methodology that will clarify, not only for dolphins but also for marine mammals, current technical questions based on the use of new methodologies such as drones.

The message we can give to the world is very positive in the sense that the countries—the Parties—have agreed to protect a number of species of marine mammals and have agreed to do this without undermining the production of tuna in this case.

This is a great message the world is waiting to hear. I am not asking you to reconsider what I am pointing out here: if we leave here without even agreeing to try out this new methodology, the message would be extremely negative to the rest of the world.

If, on the other hand, we approve it, the 14-day experimental survey will be able to clearly tell us if the abundance of dolphin populations, as we all believe, has increased. This as a result of being in the hands of the best experts in the world: those of the University of St Andrews with a vessel that is also new.

The technical part will be able to clearly establish the status of the dolphin stocks, all of them. I would like to clarify very precisely that Mexico is, of course, interested in all the eastern Pacific dolphins that interact with our fisheries and not just a few, and I have not heard any contrary comments.

However, as the Director of the Commission rightly pointed out, the budget we face is too large to be able to carry out everything, so we have to start somewhere. The first part is to fine-tune the instrument we already have in our hands and that is 14 days of work at sea with drones. We do not think it is appropriate, since there are no technical or compelling environmental reasons, to prevent this small survey from being carried out

We would like to kindly ask all Parties to our Agreement to reconsider what we are proposing. The message must be positive, we cannot send a negative message to the world when we have an Agreement that has been extremely successful. That message is that we carry out the initial survey—the 14-day pilot survey—that will give us all the technical strength to carry out later the surveys that are needed and also to be able to get the required funding.

Thank you, Mr. President.

## Appendix 7

### Position statement from Colombia on the experimental pilot study on dolphin abundance

The following is the statement that we kindly request to be included in the minutes of the 2019 meeting of the Parties to the AIDCP.

"Responsible fishing and, in particular, the protection of species associated with the tuna fishery has always been a priority for Colombia. Colombia therefore played a fundamental role in the creation of the Agreement on the International Dolphin Conservation Program (AIDCP) and the development of fishing techniques to rescue dolphins. As you all know, the AIDCP has successfully reduced dolphin mortality. This success in dolphin protection materialized through the AIDCP Dolphin Safe label is recognized internationally; an example of this was obtaining the FAO Margarita Lizárraga award.

Regardless of the success of the AIDCP for the protection of dolphins, Colombia, like all the countries gathered here, is aware of the importance of improving the assessments of dolphin stocks that interact with the tuna fishery in the eastern Pacific Ocean. This is why this delegation has always expressed its support for a dolphin stock survey in the EPO within the framework of the AIDCP. However, Colombia has always insisted that this survey should cover all the dolphin populations that interact with the tuna fishery in the EPO, including the different stocks of offshore, spinner and common dolphins, among others, as well as cover the Core, Core2 and Outer fishing areas as was previously proposed in experimental designs 1 and 2 of Document MOP-37-02 of the AIDCP.

Colombia is grateful for the proposal MOP-39-01 presented by the Mexican Government. Likewise, we appreciate the offer of the Government of Mexico to include the time and operating costs of its scientific vessel Jorge Carranza to carry out the pilot test and the subsequent dolphin survey proposed in Document MOP-39-01. Unfortunately, the proposal presented by Mexico, which we have discussed at this meeting of the Parties, restricts the study to the North, Core and Core2 fishing areas, which only allow us to assess the current status of the populations of the northeastern offshore spotted dolphin and the eastern spinner dolphin, leaving out the other eight EPO dolphin stocks that had already been evaluated by the U.S. NOAA. The proposal for experimental design 3 that we are discussing today would be excluding the fishing areas of the Colombian tuna fleet, as well as of other AIDCP States. Additionally, it leaves out the populations of dolphins with which Colombia interacts in about 80% of the sets associated with mammals. For this reason, Colombia cannot support the use of the financial resources of the AIDCP to carry out a study limited to an area and populations, as has been proposed with the current experimental design. However, we are willing to allocate the entire AIDCP surplus to carry out the dolphin survey as long as the experimental design 1 or 2 proposed in Document MOP-37-02 is used. In addition, Colombia will be looking for additional funding options to obtain the necessary financial resources to carry out the complete study."