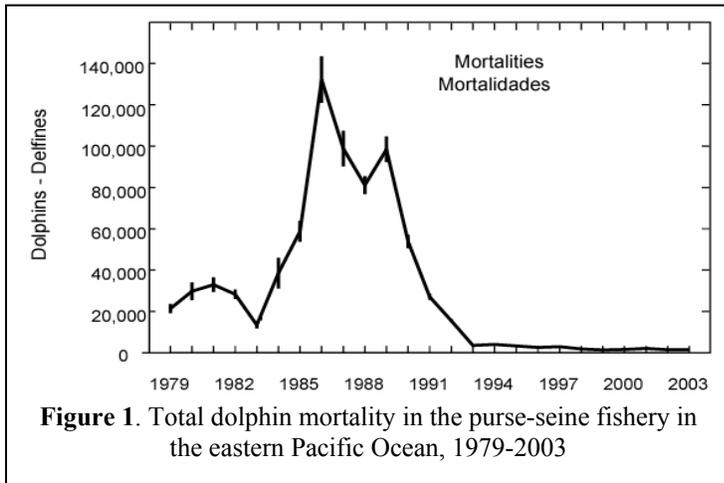


AGREEMENT ON THE INTERNATIONAL DOLPHIN CONSERVATION PROGRAM

EXECUTIVE REPORT ON THE FUNCTIONING OF THE AIDCP IN 2003

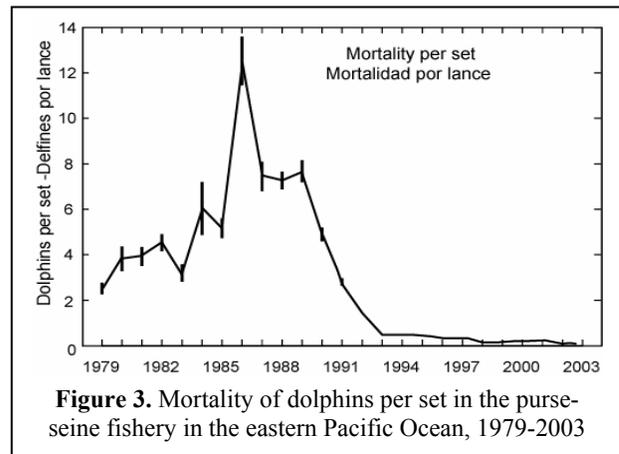
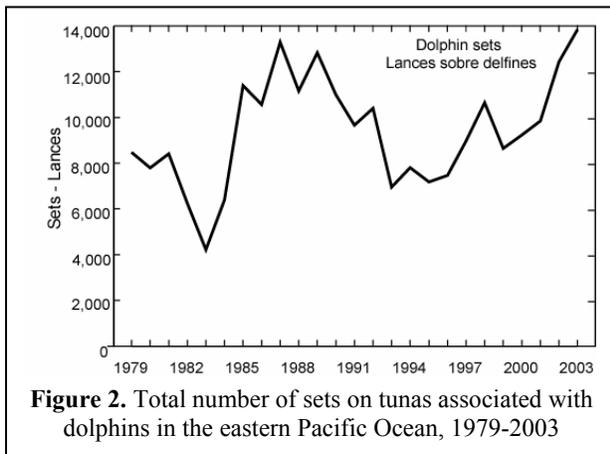
This Executive Report provides a brief summary of the operation of the Agreement on the International Dolphin Conservation Program (AIDCP) during 2003. Further information can be found in minutes of meetings, reports and other documents at www.iattc.org. All data for 2003 are preliminary.

1. THE FISHERY IN 2003



During 2003, the trend of low incidental dolphin mortalities in the tuna purse-seine fishery in the Agreement Area to levels approaching zero, one of the principal objectives of the AIDCP, continued. In 13,841 sets on tunas associated with dolphins, in which approximately 272 thousand metric tons (t) of yellowfin tuna were caught, 1,501 dolphins died, an average of 0.11 dolphins per set. Approximately 94% of these sets caused no mortality or serious injury of dolphins. Figures 1-3¹ show the trends in total mortality, number of sets on tunas associated with dolphins and mortality per set.

Ninety-one vessels were allocated full-year Dolphin Mortality Limits (DMLs), and the average individual-vessel DML (ADML) was 54 animals. In addition, two vessels were allocated DMLs of 30 each from the Reserve DML Allocation, and one vessel was allocated, and utilized, a second-semester DML of 17; its mortality was 10. Eighty-two vessels utilized their DMLs during the year, and the average mortality per vessel was 18 dolphins. No vessel exceeded its DML in 2003. The distribution of



¹ In Figures 1 and 3, the vertical bars indicate the 95% confidence intervals in years when only a sample of the fleet carried observers.

the mortality caused in 2003 by these vessels is shown in Figure 4.

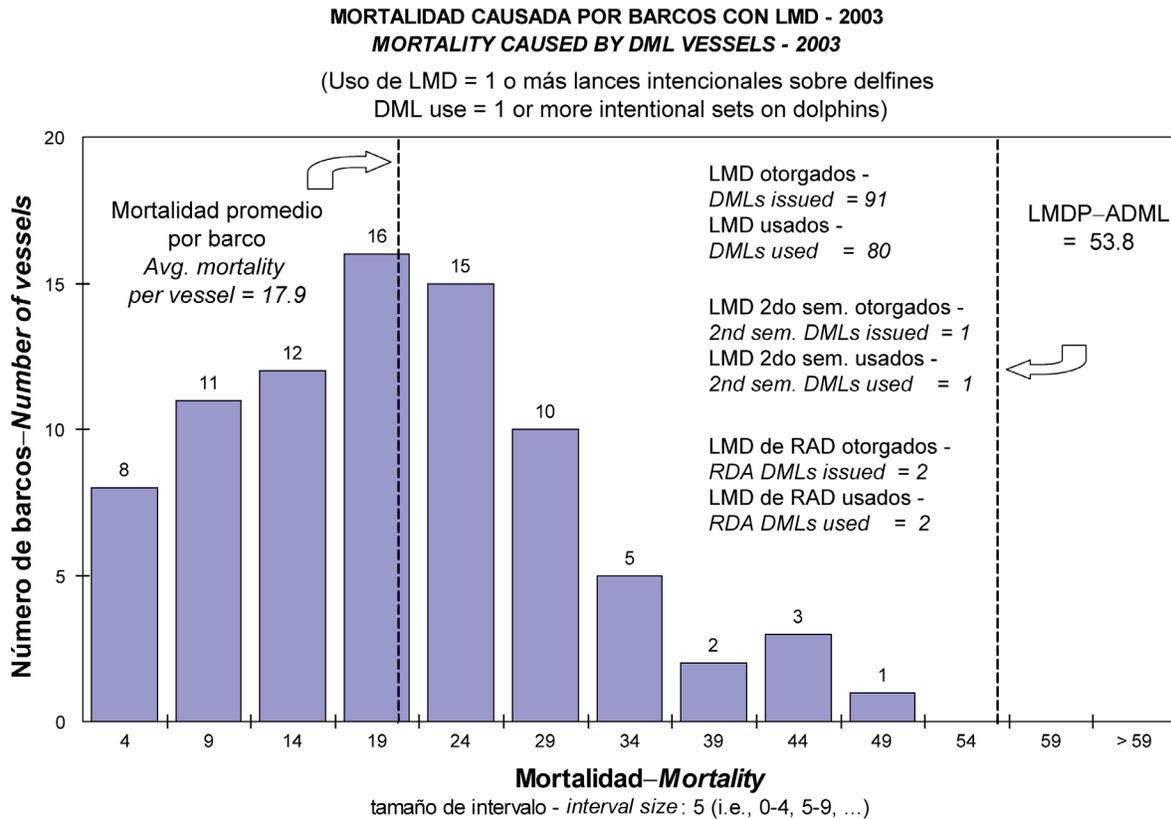


Figure 4. Distribution of dolphin mortality caused vessels with DMLs, 2003.

2. STRENGTHENING OF THE AIDCP

The AIDCP uses a combination of mortality limits, operational requirements, and incentives to lower incidental dolphin mortality. Much of the operative detail of the Agreement is contained in its annexes and other measures that are evolving to strengthen the Agreement. During 2003, the following [changes](#) were made to the Annexes of the [Agreement](#) or adopted as [other measures](#) to strengthen the Agreement.

- Annex II was amended to ensure that no observer shall be assigned to a vessel with a DML unless the vessel's fishing captain is on the AIDCP List of Qualified Captains.
- The provisions of Annex IV (I) 1-2 were amended to extend the deadline for Parties to request second-semester DMLs from October 1 of the previous year to April 1 of the year for which they are requested, thus allowing more flexibility in the administration of the DML system and possibly reducing frivolous requests for DMLs.
- Annex IV (I) was amended to stipulate that no DML shall be assigned to a vessel unless during the previous year it had a specified minimum number of sets on dolphins with a minimum per-set catch of tuna. This amendment is intended to reduce frivolous requests for DMLs.
- The [System for Tracking and Verifying Tuna](#) was amended to ensure that tuna caught in sets in which dolphins were intentionally encircled by vessels without a DML or whose captain is not on the List of Qualified Captains shall not be considered to be dolphin safe. Accordingly, the AIDCP Dolphin Safe Certification System was amended to ensure that only tuna caught by vessels with a DML and with a captain on the List of Qualified Captains would be eligible to receive the *AIDCP Dolphin Safe Certificate*. (This provision does not apply to those vessels authorized to fish in the

Agreement Area that do not have a DML and that do not fish for tunas associated with dolphins.)

- The [System for Tracking and Verifying Tuna](#) was amended to ensure that tuna caught by a fishing vessel without an AIDCP observer aboard, and transferred at sea to another fishing vessel, be designated as non-dolphin safe on the corresponding Tuna Tracking Form.
- The [AIDCP Dolphin Safe Certification System](#) was amended to ensure that tuna positively identified by the IATTC as having been caught in contravention of IATTC tuna conservation and management measures is not eligible for an *AIDCP Dolphin Safe Certificate*.
- The financing of the program through vessel assessments was revamped and strengthened.
- Terms of reference were agreed for addressing the issue of fishing by non-Parties.
- Criteria for attaining the status of a cooperating non-Party to the AIDCP were agreed.
- The Parties adopted the *Plan of Action to Enhance the Success of the AIDCP*, which addresses:
 1. Establishment of the Scientific Advisory Board called for in the AIDCP;
 2. Non-compliance with prohibitions against intentional sets on dolphins by vessels not covered by the AIDCP;
 3. Statistical significance and cause for differences between various parameters between IATTC and National observer programs;
 4. The level of responses to alleged infractions and compliance with real-time reporting;
 5. Evaluating the effectiveness of the guidelines regarding caps on dolphin herd sizes on which sets are made;
 6. Improvements to the functioning of the organization;
 7. Strengthening transparency in the operation of the Program;
 8. Efforts to enhance the sustainability of living marine resources, as called for in the AIDCP;
 9. The strengthening and promotion of the *Dolphin Safe* label;
 10. Efforts to protect and enhance the integrity and credibility of the [AIDCP Dolphin Safe Certification System](#).

3. ADMINISTRATION OF OPERATIONAL REQUIREMENTS OF THE AGREEMENT

The 32nd, 33rd, and 34th meetings of the International Review Panel (IRP) reviewed observer information from 828 fishing trips, in which 13,644 sets were made on tuna associated with dolphins.

Following these meetings, a total of 200 possible infractions of the types shown in the table below were forwarded to the Parties for investigation, compared to 301 possible infractions in 2002 and to an average of 636 in the three previous years, 1999-2001.

POSSIBLE INFRACTIONS	2003	2002	Average 1999-2001
Fishing without an observer	4	4	1
Fishing on dolphins without a DML	5	11	7
Failing to avoid injuring or killing dolphins captured in the course of fishing operations	4	0	2
Fishing on dolphins after reaching the DML	0	49	56
Depart to fish with a DML without a dolphin safety panel in the net	7	1	32
Fishing captain assigned to a DML vessel not on AIDCP List of Qualified Captains	40	39	56
Use of explosives when fishing on dolphins	1	45	211
Not conducting backdown after dolphins are captured	5	3	8
Sacking up or brailing live dolphins	4	2	4
Harassing an observer, or interfering with his duties	7	6	11
Night set (not completing backdown within 30 minutes after sundown)	39	67	71
Not deploying rescuers during backdown	0	0	3
Item of rescue equipment missing	77	74	199
Not continuing rescue efforts after backdown with live dolphins in the net	1	0	0
Fishing on dolphins prior to notification of allocation of DMLs	6	N/A	N/A

As of May 18, 2004, the Secretariat had received the following responses from governments for possible infractions reported during 2003 and 2002:

Response	2003	2002
Confirmed as infraction, sanction imposed	68	181
Confirmed as infraction, no sanction	1	0
Warning issued	1	2
Determined not to be infraction	14	79
Under investigation	88	36
No response	28	3

4. DOLPHIN SAFE CERTIFICATION

In 2001 the Parties to the AIDCP established the [AIDCP Dolphin Safe Certification System](#), which provides assurance of the dolphin safe status of tuna by means of a certificate issued by a government for tuna that meets all the requirements of the [System for Tracking and Verifying Tuna](#).

During 2003, 106 dolphin safe tuna certificates were issued.