

AGREEMENT ON THE INTERNATIONAL DOLPHIN CONSERVATION PROGRAM

21st MEETING OF THE PARTIES

The Jolla, California (USA)
5 June 2009

MINUTES OF THE MEETING

AGENDA

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2. Election of Chairman	
3. Adoption of agenda	
4. Approval of the minutes of the 20 th Meeting of the Parties	
5. Secretariat's Report on the IDCP	MOP-21-05
6. AIDCP budget	MOP-21-06
7. Vessel capacity class definitions related to the requirement for carrying an on-board observer	MOP-21-07
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APPENDICES

1. List of attendees

The 21st Meeting of the Parties to the AIDCP was held in The Jolla, California (USA) on 5 June 2009. The attendees are listed in Appendix 1.

1. Opening of meeting

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

2. Election of Chairman

Mr. Bradley Wiley, of the United States, was elected Chair of the meeting.

3. Adoption of agenda

The provisional agenda was adopted as presented.

4. Approval of the minutes of the 20th Meeting of the Parties

The minutes of the 20th Meeting of the Parties were approved as presented.

5. Secretariat's report on the IDCP

Dr. Martín Hall, of the Secretariat, presented Document MOP-21-05. He noted that the reduction in the mortality per set is the result of actions by the fishermen to control the factors that cause the incidental mortality of dolphins. Indicative of this effort are the number of sets without mortalities, which in 1986 was 38% and in 2008 92%, and the number of dolphins that remain in the net after backdown, which had fallen from an average of 6.0 in 1986 to 0.1 in 2008.

Various delegations expressed their satisfaction with the continued success in the protection of dolphins, noting that the Agreement is fulfilling its objectives, and that there is increasing evidence that the populations are recovering.

The United States noted that there is too much uncertainty in the abundance estimates for the populations, and encouraged working with his country's National Marine Fisheries Service in the population assessment cruises in order to improve population estimates.

6. AIDCP budget

Ms. Nora Roa-Wade, of the Secretariat, presented Document MOP-21-06. She noted that the projected income for 2009 was US\$ 9,744 greater than the costs in that year, since it was expected that a total of US\$ 2,018,984 would be received, with budgeted costs of US\$ 2,009,240. However, a small increase in the vessel assessments was recommended, to ensure that a balanced budget is maintained in the future, to cover expected increased costs, and to reduce the accumulated deficit.

Dr. Compeán noted that, at the 19th meeting of the Parties in June 2008, several delegations proposed that costs could also be reduced by requiring vessel owners to cover observer salaries when vessels are fishing outside the Agreement Area. The Secretariat suggests that the Parties endorse this proposal.

Some delegations indicated that it would be difficult to ask the industry to accept fee increases at this time. Other delegations noted that the Parties should await the entry into force of the Antigua Convention to see whether greater contributions to the AIDCP observer program could be considered in the IATTC budget.

The Parties approved the proposal in the document that vessel owners pay the salaries of the observers when vessels operate west of the 150°W meridian. The European Union noted that an arrangement should be sought with the Western and Central Pacific Fisheries Commission (WCPFC) regarding cooperation on observer issues when vessels fish in both areas, and that cost sharing should be part of such an arrangement.

7. Vessel capacity class definitions related to the requirement for carrying an on-board observer

Mr. Brian Hallman, Deputy Director of the IATTC, presented Document MOP-21-07. He noted that the provisions of the AIDCP regarding observers and Dolphin Mortality Limits (DMLs) are based on a vessel's carrying capacity expressed in metric tons, whereas vessel assessments are based on carrying capacity expressed in cubic meters of well volume. The Secretariat considers that this situation should be harmonized, and all these requirements should be based on well volume, since this is an objective, unvarying and easily determined measure of a vessel's carrying capacity. This would require amending the pertinent annexes of the AIDCP.

Some delegations asked whether the eleven vessels indicated in the document which would change to capacity class 6 as a result of this amendment would be exempt from carrying an observer, since otherwise this would have an economic impact, and whether they would be able to request DMLs. Also, they wished to know whether any inactive vessels would also be affected by the proposed amendments.

Following considerable discussion, it was understood and accepted by the meeting that there would be two choices available for each of the eleven vessels affected: (1) exempt it from carrying an observer, in which case it could not receive a DML; or (2) not exempt it, in which case it would have to carry an

observer and could receive a DML.

It was agreed that the Secretariat would circulate a document with the names of the vessels that would be eligible for an observer exception, and would request the flag governments of each one of these eleven vessels to advise the Secretariat whether the vessel should be considered as exempted, or whether it would be required to carry observers, in which case it could request a DML. In this way, the Parties with the affected vessels would have the opportunity of consulting with their industries before the issue was decided. Also, the Secretariat undertook to investigate whether any inactive vessels would also be affected by the proposed amendments.

8. ‘Ecosystem-friendly’ certification system

Mr. Hallman presented Document MOP-21-08. He noted that the issue had not been discussed in the IATTC, and that it was an evolving idea, so guidance was requested mainly on the following matters: i) whether the certification would mean compliance with the resolutions of both instruments, and specify the level of detail; ii) clarify which fishery was to be certified (only yellowfin, bluefin, longline, purse seine, *etc.*); iii) what the certification would be called; iv) how strict would the criteria for receiving the certification be; for example, if one turtle were captured or garbage were thrown overboard, would the certification be withheld?

Mexico suggested that this be considered a matter to be implemented by stages. The first should be limited to recommending that the catches in the purse-seine fishery on dolphins be designated “ecosystem friendly” and that it be handled within the AIDCP; in a second stage, the provisions of the IATTC would be involved, and the Secretariat’s document would be a good basis for discussion. Vessels with DMLs would aspire to the first stage certification, given that it is well documented that fishing for tuna associated with dolphins has low bycatch and is not harmful to the ecosystem.

The United States indicated that it was not in favor of a phased approach, and commented that there are additional elements to take into account, for example, whether such a certification is an appropriate function for a regional fisheries management organization (RFMO), the costs, and the technical and scientific parameters for receiving a certification,

The Secretariat was asked to prepare a document for the next meeting of the Parties elaborating the proposal of Mexico, so that there would be a more concrete basis for further discussion.

9. Comparison of the objectives and coverage of RFMO observer programs

Mr. Ricardo Belmontes, of the Secretariat, presented Document MOP-21-09, which compares the observer programs of the various RFMOs. He noted that the IATTC is one of the few marine resource conservation organizations with an extensive observer program managed by a secretariat, and the only tuna RFMO that maintains 100% observer coverage of the purse-seine fleet in its area of competence.

The European Union stated that many other RFMOs consider observer programs one of several tools for promoting compliance, and do not require 100-percent coverage.

Mexico commented that it will be interesting in the future to analyze the WCPFC’s observer program, which, as indicated in the Secretariat’s paper, is currently in an early development stage.

10. Report of the International Review Panel

Mr. Alvin Delgado, Presider of the 47th meeting of the Panel, presented his report. The Parties reviewed the recommendations by that group, specifically:

1. Ask the Parties for more information on the types of sanctions applied for the infractions of the AIDCP. In this regard, the European Union proposed the following text for the consideration of the Parties:

“the report shall indicate the status of the case (*e.g.*, pending, under appeal, still under investigation)

and shall describe in specific terms any penalties imposed, if any (*i.e.* level of fines, value of forfeited catch, nature of written warning, withdrawal of license, *etc.*)”

The Parties agreed to the idea of requiring more information on sanctions, but decided to consider this text at its next meeting.

2. Allow fishing on dolphins between 1 and 20 April for vessels that request in a timely manner exemptions from losing their DMLs for reasons of force majeure, and to this end amend Annex IV.II.1 of the AIDCP with the addition of the following text at the end of the paragraph: “Any vessel which is the subject of a pending request for exemption may fish until such time as the Parties decide the request, provided that such request was submitted in a timely manner.”

The Parties approved this recommendation.

3. Focus the comparisons of observer programs on the harmonization and improvement of the quality of the data collected, and reduce the frequency of the current comparisons.

The Parties approved this recommendation.

11. Other business

No other business was presented.

12. Place and date of next meeting

The next Meeting of the Parties will be held in October or November 2009 in La Jolla, California (USA).

13. Adjournment

The meeting was adjourned at 1:45 p.m. on 5 June 2009.

Appendix 1.

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