

INTERNATIONAL DOLPHIN CONSERVATION PROGRAM

INTERNATIONAL REVIEW PANEL

62nd MEETING

**La Jolla, California, USA
23 October 2017**

REPORT OF THE MEETING

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APPENDIX

1. List of attendees

The 62nd meeting of the International Review Panel was held in La Jolla, California on 23 October 2017.

1. Opening of the meeting

Dr. Guillermo Compeán, Director of the Inter-American Tropical Tuna Commission (IATTC), which provides the Secretariat for the AIDCP [Antigua Convention, Art. VII, par.1 t)], opened the meeting.

2. Election of the Presider

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

3. Adoption of the agenda

The agenda was adopted without changes.

4. Non-governmental members of the Panel

It was reported that the process of election of the non-governmental members of the Panel was carried out pursuant to Annex VII, paragraph 4 of the AIDCP. The following persons were elected for two years:

	Name	Represented NGO
Industry	Rafael Trujillo	Cámara Nacional de Pesquería de Ecuador
	Lillo Maniscalchi	AVATUN
	Arnulfo Franco	Fundación Internacional de Pesca (FIPESCA) ()
Environmental NGOs	Rebecca Regnery	Humane Society International
	Cristobel Block	Humane Society of the United States

5. Approval of the report of the 61th meeting

The report of the 61th meeting of the Panel was approved with editorial changes requested by the United States to the appendix regarding the “*Procedures for the Allocation of an Observer on board on an AIDCP Fishing Trip and Pursuant to IATTC Resolution C-09-04.*”

6. a) Review of Dolphin Mortality Limits for 2017

The Secretariat summarized the situation regarding the allocation, reallocation, and utilization of Dolphin Mortality Limits (DMLs) in 2017, described in [Document IRP-62-06a](#). As of 3 October 2017, the recorded mortality was 478 dolphins in 6,939 set on dolphins, resulting in an average mortality of 0.07 dolphins per set and an average mortality per vessel of 5.12.

Mexico pointed out that in 2017 there have been around two thousand sets on dolphins less than in 2016 and that it was due to the low adult tunas biomass available, as discussed at the last IATTC meeting in July 2017.

b) Dolphin Mortality Limits for 2018

The Secretariat presented [Document IRP-62-06b, “DMLs Requested for 2018”](#). It informed that 103 requests of DML for vessels were made, which were all accompanied by the documentation proving that those vessels were all qualified to receive a DML.

The United States commented on the eligibility process to receive a DML with the purpose of confirming that all Parties carry out the same procedure and that they are complying with the provisions of the AIDCP. Nicaragua mentioned the annual inspections that are conducted in the country in order to verify that the vessels have, for example, the equipment for releasing dolphins. Mexico noted that the most important thing is that the Parties, according to their internal procedures, ensure that the eligibility requirements are being met by each of their vessels in order to maintain the efficiency level of the Agreement.

7. Review of the AIDCP List of Qualified Captains

The Secretariat presented Document [IRP-62-07](#), “Changes to the AIDCP List of Qualified Captains”, which updates the changes that occurred between 5 June to 4 October 2017; during this time, seven captains were added and none was removed or reinstated.

8. Review of observer data

The Secretariat informed that, since the previous meeting of the IRP, in July 2017, there had been no cases reported as a possible infraction that had to be discussed by the Panel. It also recalled that some possible infractions are automatically forwarded to the corresponding Party for investigation, as is the case of the lack of release equipment.

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

a. Actions taken since the report at the 61th meeting

The Secretariat presented Document [IRP-62-09a](#), “Responses for Six Types of Possible Infractions Identified at the 61st Meeting of the IRP” (observer harassment; use of explosives; night sets; fishing without

an observer; fishing on dolphins without a DML; or making sets on dolphins after reaching the DML).

It pointed out that, during the period covered by the report, there were no identified cases of possible infractions:

The Secretariat recalled to the Panel the two cases of Ecuadorian vessels that had been fishing without an observer, which have been under investigation for two years. In accordance with the AIDCP, if there are no updates on the situation, the cases are confirmed as infractions and the vessel is not allowed to receive a reallocation of dolphins in May. Ecuador mentioned that they are making all the necessary efforts to address these cases of possible infractions and impose a penalty to those deserving a sanction according to its laws and regulations.

b. Status review of special cases

The Secretariat presented Document IRP-62-09b, “Summary of Pending Special Cases Monitored by the IRP”. It recalled the two cases in which an observer apparently was substituted by an unknown person during the trips 2014-004 and 2014-145. These cases were originally addressed by the Panel at its 55th meeting in June 2014 and at each subsequent meeting.

Regarding case 2014-004, Ecuador reported that the investigation was concluded and that no evidence had been found to justify the adoption of a sanction; therefore, in Ecuador’s opinion, this case should be closed. As for case 2014-145, Ecuador mentioned that a meeting with the regional representative of the IATTC in Manta was scheduled to provide elements for the administrative file that was being prepared.

The Director clarified that the data of that trip have already been invalidated and that the observer will no longer be able to work in the program. However, the staff cannot get involved in the internal legal proceedings of a Party. The only thing that could be done would be to send a letter stating that the data have already been invalidated and stressing this occurrence of substitution of an observer by an unknown person as reported in every IRP meeting since 2014.

Ecuador mentioned that they were concerned that the IATTC staff may not participate in the process since the Commission is the one that hires the observers. Likewise, it specifically asked what the IRP is expecting in order to close the case since it is not an infraction of the AIDCP, nor a situation entailing the responsibility of the shipowner or the captain, but a wrongful action of an observer. The representative of the Ecuadorian industry at the IRP mentioned that the IATTC should file a complaint regarding the impersonation so that, if applicable, a criminal proceeding may be initiated.

The United States clarified that the Secretariat has carried out the actions that the AIDCP Parties entrusted it in accordance with the Agreement, their decisions and procedures, so it was the responsibility of the Government of Ecuador to take the necessary steps regarding the responsibility of the vessel and captain. Mexico stressed that it was an infraction of fishing without an observer, an infraction clearly categorized in the AIDCP, and that it was the Panel’s responsibility to review these types of cases and recommend closing them once it has been considered that they had been appropriately addressed. Colombia said that if Ecuador had already determined that there was no infraction, they should report it officially in order to allow the Parties to consider the closure of the case.

10. Report of the Permanent Working Group on Tuna Tracking

Mr. David Hogan, from the United States, Chairman of the Working Group, presented his report, noting that the group reviewed [the Document TT-40-04, “Review of the Implementation of the Dolphin Safe Certification System”](#), for which there were no comments or recommendations for the IRP.

11. Other business

No other business was discussed.

12. Recommendations for the Meeting of the Parties

The Panel recommended that the Meeting of the Parties approve the 103 requests of DMLs for 2018.

13. Date and place of next meeting

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

14. Adjournment

The meeting was adjourned at 13:20 PM on 23 October 2017.