

INTERNATIONAL DOLPHIN CONSERVATION PROGRAM

INTERNATIONAL REVIEW PANEL

MINUTES OF THE 32ND MEETING (REVISED)

La Jolla, California (USA)

6-7 February 2003

Presider: David Hogan (United States)

AGENDA

1. Opening of the meeting
2. Election of the Presider
3. Adoption of the agenda
4. Approval of the minutes of the 31st Meeting
5. Upcoming election of NGO representatives
6. Review of Dolphin Mortality Limits (DMLs) for 2002
7. Review of initial assignments of DMLs for 2003
8. Review of List of Qualified Captains
9. Procedures for reinstating suspended captains
10. System to measure DML utilization to deter frivolous requests (Annex IV (II) 2)
11. Proposed amendment to the AIDCP regarding vessel capacity/observer requirement
12. Research options to address potential cow-calf separation during chase
13. Review of the identification of the use of explosives in sets on dolphins
14. Review of observer data
15. Review of actions by Parties on possible infractions reported by the IRP:
 - a. Actions taken since report at 31st IRP meeting
 - b. Status review of special cases
16. Proposed amendment to Annex IV regarding second-semester DMLs
17. Report of the Permanent Working Group on Tuna Tracking
18. Report of the working group to promote and publicize the Dolphin Safe Tuna Certification System
19. Report of the working group on vessel assessments and financing
20. Recommendations for the Meeting of the Parties
21. Other business
22. Place and date of next meeting
23. Adjournment

APPENDICES

1. List of attendees
2. Dolphin mortality caused by the fleet in 2002
3. Initial DMLs for 2003
4. Procedures to deter frivolous requests for DMLs
5. Responses received from the Parties to possible infractions identified by the IRP
6. Report of the 12th meeting of the Permanent Working Group on Tuna Tracking
7. Illustrative calculation of vessel assessments (revised)
8. Draft resolution on vessel assessments and financing
9. Proposed plan for enhancing success of the Agreement

DOCUMENTS

- [IRP-32-09](#) Procedures for reinstating suspended captains
- [IRP-31-11](#) Procedures to deter frivolous requests for DMLs
- [IRP-31-13b](#) Amending the AIDCP from carrying capacity to well volume
- [IRP-32-12](#) Research options to examine the question of cow-calf separation during the chase

The 32nd Meeting of the International Review Panel (IRP) was held in the Jolla, California (USA) on February 6-7, 2003. The attendees are listed in Appendix 1.

1. Opening of the meeting

Dr. Robin Allen, Director of the IATTC, which serves as the Secretariat for the AIDCP, declared the meeting open.

2. Election of the Presider

Mr. David Hogan of the United States was elected Presider of the meeting.

3. Adoption of the agenda

At Mexico's request, the Panel agreed that the meeting of the Working Group to Promote and Publicize the AIDCP Dolphin Safe Tuna Certification System would finish when it presented its report under the appropriate agenda item.

It was also agreed to add an item to deal with the report of the Working Group on Vessel Assessments and Financing.

With these changes the provisional agenda was approved.

The United States presented a report on the decision by the US Secretary of Commerce relating to the question of the labeling of dolphin-safe tuna. The US delegation stated that this decision demonstrated the U.S. government's continued support for the IDCP, but also noted that the decision had given rise to considerable controversy and publicity in the United States, and that this would focus increased attention on the IDCP. In this connection, the U.S. expressed its view that it was important to build upon the successes of the program and improve it even more, and that several issues needed attention and improvement in order to build a stronger agreement. Specifically, the U.S. delegation mentioned such issues as improved real-time reporting, narrowing differences in vessel performance reported by national and IATTC observers, placing observers on smaller vessels, ensuring effective guidelines on sets on large dolphin herds, and enhancing the collaboration among the Parties on scientific work.

The U.S. delegation stated that it was looking forward to the comparative analysis of the national and IATTC observer programs at the June IRP meeting, and hoped that it could receive the Secretariat's paper on this subject prior to the meeting.

4. Approval of the minutes of the 31st Meeting

The minutes of the 31st meeting were approved by the Panel.

5. Upcoming election of NGO representatives

Dr. Allen pointed out that it was time to begin the process of electing NGO representatives to the Panel and explained the procedures for doing so, noting particularly that the deadline for nominations is April 14, 2003.

6. Review of Dolphin Mortality Limits (DMLs) for 2002

The Secretariat presented a report (Appendix 2) on the dolphin mortality caused by the fleet in 2002. The average mortality per vessel was 18.81 dolphins.

7. Review of initial assignments of DMLs for 2003

The Secretariat presented information on the initial assignments of DMLs for 2003 (Appendix 3). Peru requested a DML from the Director's Reserve DML Allocation (RDA) for one vessel that was not able to

apply for a DML within the time frame established in the AIDCP. It was noted that a Panamanian vessel was in a similar situation and had also requested a DML from the RDA.

Several delegations thought that these cases did not really fit with the concept of the RDA, but that they were sympathetic to trying to help the vessels needing DMLs. Dr. Allen agreed there was not really a good fit, and observed that the Annex IV (I) 6 could be amended to give more flexibility to the use of the RDA. Some delegations stated their reluctance to amend Annex IV for this purpose, and said that there was sufficient flexibility to allow the Director to consider the two cases at hand.

8. Review of List of Qualified Captains

According to information presented by the Secretariat, one captain was removed from the AIDCP List of Qualified Captains, three were reinstated after having attended the necessary course, and two were added to the List.

9. Procedures for reinstating suspended captains

The Secretariat presented Document IRP-32-09 on the procedures for the reinstatement of captains suspended for 3 months for having committed an explosive-use infractions. The document noted that the *Procedures for maintaining the AIDCP List of Qualified Captains* establish three requirements for reinstating a disqualified captain to the List:

1. He has complied with any sanctions imposed on him by the relevant Party;
2. His reinstatement is requested by a Party; and
3. He has attended an instructional seminar.

According to the above, a suspended captain would need to attend a seminar before being reinstated to the List. However, since such seminars are not held regularly, this requirement could result in a three-month suspension being in effect considerably longer. Also, since both the initiation and the termination of the suspension are automatic, requirement (2) is not necessary and could extend the period of the sanction beyond that intended. The Secretariat therefore proposed that, in the case of such automatic suspensions only, requirements (2) and (3) be waived.

The Panel did not agree with this suggestion, noting that the procedures include a suspension of at least 3 months. This could be more than 3 months in cases in which the requirements for reinstatement are not met within that time.

10. System to measure DML utilization to deter frivolous requests (Annex IV (II) 2)

Dr. Allen explained the recent background to this matter, specifically the proposal presented by the European Union toward the end the 30th meeting of the Panel in June 2002. This proposal, which would require a modification of Annex IV (II) of the AIDCP, was briefly discussed at that meeting, some comments and suggestions were made, and the Secretariat was asked to prepare a revised proposal for consideration at the 31st meeting of the IRP. However, due to lack of time the revised proposal was not discussed at that meeting, so it was agreed to take it up at the present meeting.

The Secretariat's revised proposal (Appendix 4) was discussed and accepted by the Panel. The Secretariat was asked to format the proposal as a modification to Annex IV of the AIDCP and present it to the next Meeting of the Parties for formal approval.

11. Proposed amendment to the AIDCP regarding vessel capacity/observer requirement

Dr. Allen summarized the discussions on this issue during the meetings of the IRP and the AIDCP Parties in October 2002. He noted in particular that the Panel had discussed the issue of smaller vessels setting on dolphins, and what could be done to avoid this problem from occurring in the future, including

amending the AIDCP to require observers to be placed on such vessels. No decision had been reached, although there was broad support during the discussion for the proposal to require Class 5 vessels (272-363 mt carrying capacity) to carry observers, and it was agreed that the issue should be on the agenda of the next meeting of the IRP.

With regard to the proposal prepared by the Secretariat for amending the Annexes to the AIDCP, if the definition of vessel capacity in the Agreement were expressed in well volume in cubic meters instead of carrying capacity in metric tons, Dr. Allen noted that the 31st meeting of the Panel had agreed to these technical amendments in principle, but left aside the question of the specific well volume that should be spelled out in the various places in the Agreement elaborated in Document IRP-31-13b. The Panel agreed that the issue of the number would be further discussed, and hopefully agreed, at its next meeting.

12. Research options to address potential cow-calf separation during chase

The Secretariat presented Document IRP-32-12 on research options for examining the question of separation of dolphin cows and calves during chase. The document presents the information currently available on this subject, as well as possible research projects.

The United States expressed its great interest in pursuing additional research on this subject under the auspices of the AIDCP.

The Ocean Conservancy stated its view that there was a definite need for additional research on this issue as well as other dolphin-related scientific questions, and that a long-term research proposal should be developed and pursued, noting that the Scientific Advisory Board (SAB) established pursuant to Annex 5 of the AIDCP would be an appropriate vehicle for pursuing such research.

Mexico supported additional scientific research, but cautioned that the questions of the costs of any such research would need to be closely examined, particularly in light of the AIDCP budget problems.

It was agreed that the Secretariat would prepare draft terms of reference for dolphin-related research which might be pursued in connection with the SAB, and that these would be discussed at the next meeting of the Panel.

13. Review of the identification of the use of explosives in sets on dolphins

The subject was originally proposed in June 2002 at the request of Venezuela. However, since Venezuela was not present at this meeting, the Panel decided to pursue this matter in the future, if so desired by Venezuela.

14. Review of observer data

The Secretariat presented the data reported by observers of the On-Board Observer Program relating to possible infractions that had occurred since the Panel's previous meeting. Each case was discussed, and the Panel decided to forward those that indicated possible infractions of the AIDCP to the responsible government for investigation and possible sanction.

It was agreed that the case of the captain who is permanently removed from the List of Qualified Captains be included among the special cases for review.

The Secretariat informed the Panel that it would send a letter to all the Parties reminding them to review the background of the captains that are employed by the vessels. The Secretariat will also send a letter to the country whose vessel hired the captain who was permanently suspended.

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

a. Actions taken since the report at 31st IRP meeting

The Secretariat presented tables (Appendix 5) detailing the responses received from the Parties in cases of possible infractions identified by the previous three meetings of the IRP. The Secretariat also presented information on the status of all cases involving possible major infractions identified by the IRP since the beginning of the AIDCP through the 31st meeting of the IRP.

Bolivia expressed its commitment to do its best to ensure compliance with the Agreement and to respond to notifications of possible infractions in a timely manner, noting that there had recently been a transition in responsibility for the AIDCP from the Ministry of Agriculture to the Ministry of Defense.

Colombia expressed its concern that information which showed 49 unresolved pending infractions was misleading in that it referred to one case which had in fact been settled.

b. Status review of special cases

The Secretariat reviewed the status of several cases which had been identified by previous meetings of the Panel as special cases.

During the review of the observer data, the Panel noted several incidents which it considered to be special cases, the status of which would then be reviewed at the next meeting of the Panel.

It was agreed by the Panel that any cases of captains fishing on dolphins while suspended from the List of Qualified Captains should be brought to the attention of the Panel as special cases.

16. Proposed amendment to Annex IV regarding second-semester DMLs

Vanuatu proposed amending Annex IV of the AIDCP regarding second-semester DMLs in order to allow more flexibility in the administration of the DML system. Currently, the AIDCP requires that second-semester DMLs be requested by October 1 of the previous year, at the same time as the full-year DML requests are due, and Vanuatu proposed that the deadline for requesting second-semester DMLs be changed to March 31 of the year for which they are requested. Vanuatu expressed its view that, in addition to making the system more flexible, such a procedure would reduce frivolous requests since vessels would be better able to determine if they really needed to fish on dolphins during the second half of the year.

Colombia, Panama and Peru supported the proposal, but the United States asked for more time to consider it.

The Panel asked the Secretariat to prepare a formal proposal in writing for amending the Annex for consideration at the next meeting of the Panel.

17. Report of the Permanent Working Group on Tuna Tracking

The Chair of the 12th meeting of the Permanent Working Group on Tuna Tracking presented her report on the meeting, which was approved with some modifications (Appendix 6)

18. Report of the working group to promote and publicize the Dolphin Safe Tuna Certification System

The Chair of the 1st meeting of the Working Group to Promote and Publicize the AIDCP Dolphin Safe Tuna Certification System presented an oral report on the meeting.

19. Report of the working group on vessel assessments and financing

The Chair of the 2nd meeting of the Working Group on Vessel Assessments and Financing presented an oral report on the meeting . He also presented the draft resolution on vessel assessments and financing prepared by the group, designed as a long-term solution to the budget problems faced by the IDCP, and explained to the Panel the table the Working Group had used as a basis for its calculations (Appendix 7).

The EU presented a Working Document on a new method for calculating vessels assessments. This proposed to introduce new components for the establishment of the AIDCP budget. These included the extension of the scope of coverage of the vessels to pay observer fees, a basic vessel fee applicable to all vessels which operate in the area, a separate fee for vessels which have been allocated dolphin mortality limits, and that assessments should be related to the number of days that an observer spent on board the vessel. Finally, vessel capacities should be calculated on the basis of vessels carrying capacity in cubic metres.

Considerable discussion of the draft resolution ensued, but no final agreement could be reached on a text. It was decided to submit the draft resolution, with brackets round those parts which could not be agreed, to the Meeting of the Parties for consideration (Appendix 8).

20. Recommendations for the Meeting of the Parties

The Panel had no specific recommendations for the Meeting of the Parties.

21. Other business

The United States presented for consideration by the Panel a plan to enhance the success of the AIDCP (Appendix 9). The plan included several important matters which would be pursued by the IRP, including additional scientific research, consideration of the placement of observers on smaller vessels, the evaluation of the effectiveness of guidelines regarding limits on the size of dolphin herds on which sets are made, the continued evaluation of the observer programs and the level of responses to alleged infractions, and measures to enhance real-time reporting.

The response of the Panel to the proposed plan was generally favorable, although the European Union said it would need time to consider the proposal more carefully. It was agreed that the proposal would be considered by the Panel through correspondence.

Mexico announced that during the next meeting of the FAO Committee on Fisheries it would propose the AIDCP as a candidate for the FAO's Margarita Lizárraga medal.

22. Place and date of next meeting

The next meeting of the IRP will be held during June 2003 in Antigua, Guatemala.

23. Adjournment

The meeting was adjourned on 7 February 2003.

Appendix 1.

**INTERNATIONAL DOLPHIN CONSERVATION PROGRAM
PROGRAMA INTERNACIONAL PARA LA CONSERVACIÓN DE LOS DELFINES**

**INTERNATIONAL REVIEW PANEL
PANEL INTERNACIONAL DE REVISION**

32nd MEETING – 32^a REUNION

**February 6-7, 2003
La Jolla, California**

ATTENDEES - ASISTENTES

BOLIVIA

**GONZALO SANCHEZ
ALFREDO ROJAS**
Ministerio de Defensa Nacional

COLOMBIA

JAIME JIMENEZ
Ministerio de Agricultura y Desarrollo Rural

**ALVARO BUSTAMANTE
DIEGO CANELOS
GUILLERMO DAW
HUGO MARINO
ARMANDO HERNÁNDEZ**

COSTA RICA

**ASDRÚBAL VÁSQUEZ
GEORGE HEIGOLD**
INCOPECA

EL SALVADOR

RENE SALGADO
CENDEPESCA

EUROPEAN UNION – UNION EUROPEA

ROBERTO CESARI
European Commission
JAVIER ARÍZ TELLERIA
Institut o Español de Oceanografía
ESTANISLAO GARAVILLA

**CARLOS DOMINGUEZ
IGNACIO ESCOBAR
JUAN I. ARRIBAS**
Secretaria General de Pesca

MEXICO

**GUILLERMO COMPEAN
PEDRO ULLOA
LUIS FLEISCHER**
Instituto Nacional de la Pesca
**RICARDO BELMONTES
VIRGILIO JUAREZ
MARIO AGUILAR**
CONAPESCA

**MICHEL DREYFUS
HUMBERTO ROBLES**
PNAAPD
**MAXIMO CARVAJAL
LUIS FUEYO MACDONALD**
SEMARNAT/PROFEPA
**ERNESTO ESCOBAR
MARK ROBERTSON**

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JESSICA KONDEL

MICHELLE ZETWO

National Marine Fisheries Service

DAVID BURNEY

MARCELA CAMPA

PETER FLOURNOY

MICHAEL MCGOWAN

VANUATU

EDWARD WEISSMAN

HUGO ALSINA LAGOS

Office of Deputy Commissioner of Maritime Affairs

ORGANIZACIONES NO GUBERNAMENTALES --NON-GOVERNMENTAL ORGANIZATIONS

NINA YOUNG

The Ocean Conservancy

KITTY BLOCK

The Humane Society

INDUSTRIA ATUNERA -TUNA INDUSTRY

GABRIEL SARRÓ

OPAGAC

SECRETARIA – SECRETARIAT

ROBIN ALLEN, Director

ERNESTO ALTAMIRANO

DAVID BRATTEN

ALEJANDRA FERREIRA

JOSHUE GROSS

MARTIN HALL

BRIAN HALLMAN

BERTA JUÁREZ

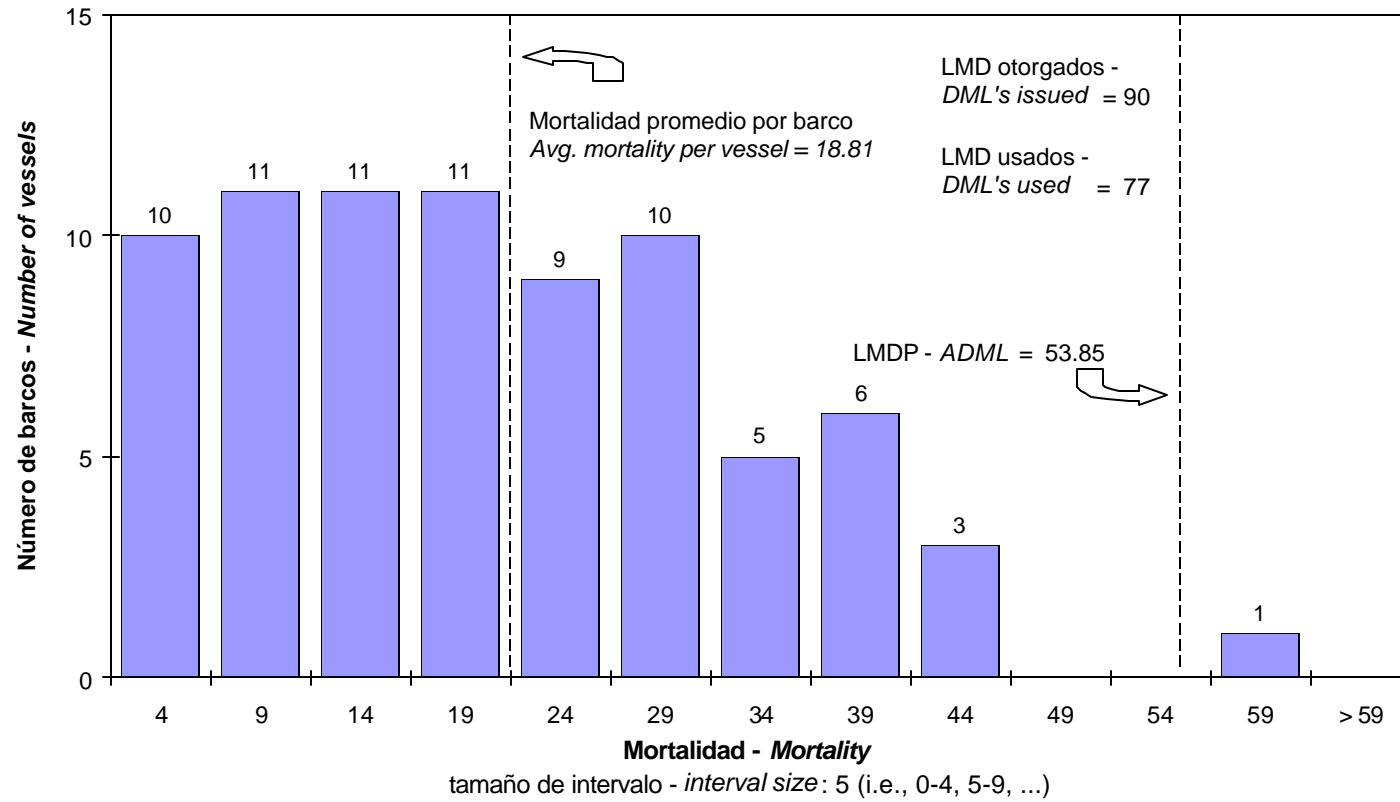
NORA ROA-WADE

NICHOLAS WEBB

Appendix 2.

MORTALIDAD CAUSADA POR BARCOS CON LMD - 2002
MORTALITY CAUSED BY DML VESSELS - 2002

(Uso de LMD = 1 o más lances intencionales sobre delfines; mortalidad en lances experimentales excluida
DML use = 1 or more intentional sets on dolphins; experimental set mortality excluded)



Appendix 3.

ASIGNACIONES INICIALES DE LMD PARA 2003 INITIAL ASSIGNMENTS OF DMLS FOR 2003

Solicitudes totales – Total requests	
Año completo – Full year:	91
Segundo semestre – Second semester:	1
LMDP – ADML:	53.846

LMD distribuidos por las Partes - DMLs distributed by the Parties	
Año completo – Full year:	91

Appendix 4.

PROCEDURES TO DETER FRIVOLOUS REQUESTS FOR DMLs

All requests for DMLs shall be subject to the procedures and criteria established in Section I of this Annex. In addition, beginning in 2004, requests by vessels that had a DML in the previous year shall be subject to the following provisions:

1. In the year prior to the year in which the vessel is applying for a DML, at least 5% of the total number of sets made by the vessel must have been made on dolphins, and the average catch of yellowfin in its sets on dolphins must have been at least three metric tons per set. Otherwise, the vessel cannot receive a DML, unless there are reasons of force majeure, as agreed pursuant to Annex IV of the AIDCP, that prevented it from complying with these requirements.
2. The effects of these procedures shall be reviewed annually, and modified if deemed advisable.

This procedure shall apply from 2004, and the first DMLs that shall be issued pursuant to this proposal shall be those for 2005.

Appendix 5.

RESPUESTAS A SEIS TIPOS DE INFRACCIONES IDENTIFICADAS DURANTE LAS REUNIONES 29, 30 Y 31 DEL PIR
RESPONSES FOR SIX TYPES OF POSSIBLE INFRINGEMENTS IDENTIFIED AT THE 29TH, 30TH AND 31ST MEETINGS OF THE IRP

	No. de casos	Sin respuesta	Respuestas											Total
			Bajo investigación	No hubo infracción	Infracción: sin sanción	Infracción: aviso	Infracción: sanción ¹							
	No. of cases	No response	Responses											Total
			Under investigation	No infraction	Infraction: no sanction	Infraction: warning	Infraction: sanction ¹							
OBSINT: HOSTIGAMIENTO AL OBSERVADOR – OBSERVER HARASSMENT														
BOL	1	0	-	1 (100%)	0	-	0	-	0	-	0	-	1	(100%)
COL	3	3	(100%)	0	-	0	-	0	-	0	-	0	-	0
SLV	1	0	-	1 (100%)	0	-	0	-	0	-	0	-	1	(100%)
PAN	1	0	-	-	-	1 (100%)	0	-	0	-	0	-	1	(100%)
Total²:	6	3	(50%)	2 (33%)	1 (17%)	0	-	0	-	0	-	0	-	3 (50%)
EXPL: USO DE EXPLOSIVOS – USE OF EXPLOSIVES														
COL	2	0	-	0	-	0	-	2 (100%)	0	-	0	-	2	(100%)
ECU	3	0	-	3 (100%)	0	-	0	-	0	-	0	-	3	(100%)
VEN	40	0	-	0	-	0	-	31 (78%)	0	-	9 (22%)	-	40	(100%)
Total:	45	0	-	3 (7%)	0	-	33 (73%)	0	-	9 (20%)	-	45	(100%)	
NIGHT: LANCES NOCTURNOS – NIGHT SETS														
COL	1	0	-	0	-	0	-	1 (100%)	0	-	0	-	1	(100%)
MEX	6	0	-	3 (50%)	3 (50%)	0	-	0	-	0	-	0	-	6 (100%)
PAN	2	1	(50%)	0	-	0	-	1 (50%)	0	-	0	-	1	(50%)
VEN	58	0	-	0	-	0	-	26 (45%)	0	-	32 (55%)	-	58	(100%)
Total	67	1	(1%)	3 (4%)	3 (4%)	28 (42%)	0	-	32 (48%)	0	-	66	(99%)	
NOOBS: PESCAR SIN OBSERVADOR – FISHING WITHOUT AN OBSERVER														
BOL	4	3	(75%)	0	-	1 (25%)	0	-	0	-	0	-	1	(25%)
Total	4	3	(75%)	0	-	1 (25%)	0	-	0	-	0	-	1	(25%)
AFTERDML: LANCES SOBRE DELFINES DESPUES DE ALCANZAR EL LMD – SETS ON DOLPHINS AFTER REACHING DML														
COL	49	0	-	0	-	49 (100%)	0	-	0	-	0	-	49	(100%)
Total	49	0	-	0	-	49 (100%)	0	-	0	-	0	-	49	(100%)
NODML: PESCAR SOBRE DELFINES SIN LMD – FISHING ON DOLPHINS WITHOUT A DML														
BOL	9	3	(33%)	0	-	6 (67%)	0	-	0	-	0	-	6	(67%)
ECU	1	0	-	0	-	0	-	1 (100%)	0	-	0	-	1	(100%)
PAN	1	0	-	0	-	0	-	0	-	0	-	1 (100%)	1	(100%)
Total	11	3	(27%)	0	-	6 (55%)	1 (9%)	0	-	1 (9%)	-	8	(73%)	

¹ Una sanción fue o será aplicada – Sanction was or will be applied

² Los totales no incluyen casos de no Partes, si procede – Totals do not include cases involving non-Parties, if applicable

Appendix 6.

INTERNATIONAL DOLPHIN CONSERVATION PROGRAM
PERMANENT WORKING GROUP ON TUNA TRACKING
12TH MEETING

LA JOLLA, CALIFORNIA (USA)
FEBRUARY 5, 2003

CHAIR'S REPORT

1. Opening of the meeting

The meeting was called to order with the following members present: Bolivia, Colombia, Costa Rica, El Salvador, European Union, Mexico, Panama, Peru, United States, Vanuatu, Ocean Conservancy and Tuna Industry. Absent: Venezuela and Ecuador.

2. Adoption of the agenda

The proposed agenda was adopted noting that Costa Rica asked to present the report on their tuna tracking program after the morning break.

3. National Tuna Tracking Plans

Dr. Allen presented the results of the Secretariat's review of national tuna tracking and verification plans (TT-12-03). The criteria used to assess the plans were discussed and a list showing the outcome of the review was distributed. The majority of the plans were found to be generally consistent with the requirements of the AIDCP Tuna Tracking and Verification System, but only those of Vanuatu and El Salvador were found to be fully consistent. Documentation submitted by Colombia and Venezuela did not constitute valid tuna tracking plans for either nation, and the plan submitted by Spain was not reviewed since Spain is not a Party. No plans have, as yet, been submitted by Bolivia, European Union, Honduras, or Nicaragua.

Several Parties commented that the minor discrepancies in their plans have been or soon will be remedied. Colombia reported that their complete tuna tracking and verification plan should be received by the Secretariat within about one month. The European Union reported that its Plan, which includes Spain, is in the final phase of approval by the EU Parliament and will be forwarded to the Secretariat in a short time.

4. Review of the implementation of the dolphin safe certification system

The Secretariat presented a report showing the number of original TTFs received by the Secretariat for the period 24 September through 31 December 2002. It was noted that several TTFs were received shortly before the meeting and could not be included in this report. The report showed that 156 original TTFs were received from 234 trips. When copies of TTFs received by the Secretariat are included the total number of TTFs rises to 203 for 234 trips. While the report showed that several countries are doing very well, it was also noted that two countries had not returned any TTFs for a total of 29 trips.

The Secretariat was questioned regarding the fact that in five cases, the responsible party was listed as 'unknown.' Dr. Allen explained that in cases where the observer leaves the vessel before it reaches the landing port (for example, when the boat stops in Panama) if the TTFs are not returned to the Secretariat, then the Secretariat will not know where the tuna was unloaded. It was suggested that the observer stay onboard the vessel until it reaches the unloading port. Although it was noted that this idea had been explored in the past, the Secretariat agreed to report back to the working group what the cost of a vessel retaining the observer would be.

Colombia also requested that the Secretariat investigate the procedures used by its office in Panama to

forward TTFs to the Secretariat in order to find out if some TTFs are being lost or retained for longer periods than necessary.

The representative of Costa Rica presented a complete and informative report concerning the tuna tracking and verification program of his country.

El Salvador graciously consented to present its program at the next meeting of the working group.

5. Technical modifications to the dolphin safe certificate

6. Guidelines and procedures for using the dolphin safe label

Technical modifications to the AIDCP Dolphin Safe Tuna Certificate (TT-12-05) and associated changes to the Procedures for AIDCP Dolphin Safe Tuna Certification were fully discussed; however, further analysis and redesign of the Certificate form will be necessary before they can be submitted to the IRP.

The working group, having noted that some changes to the Certificate form and procedures could not be implemented without changes to the resolution adopted by the Meeting of the Parties, opted to request the Secretariat to do the following: (1) conduct an analysis of the way the Certificate Program was working, with supplementary information provided in letters by Costa Rica, and develop a new Certificate form; (2) Provide the resultant report and form to the members of the working group for review before the next meeting. The working group members were asked to provide suggestions for the new design and procedures to the Secretariat as soon as possible.

Some delegations raised the point that certificates should not be issued in the absence of TTFs being on file with the Secretariat. Beyond that, it was suggested that certificates issued by Colombia and Venezuela should be declared invalid due to the absence of TTFs as well as the fact that neither Party has a valid Tuna Tracking and Verification Plan on file at the Secretariat. Colombia stated that the Colombian National Fisheries Institute had reported the issuance of a dolphin safe certificate to the Secretariat on May 30, 2002, and no reply was received to contradict the validity of the certificate; Colombia therefore disagrees that certificates issued before the Secretariat's review of national plans should be considered invalid retroactively. The working group agreed with Colombia on this point. The Secretariat was asked to write a letter to the six Parties that do not have tuna tracking plans to advise them that they should not issue any certificates until their plans have been submitted to the Secretariat and the IRP has confirmed that they are consistent with the AIDCP Tuna Tracking and Verification System.

Dr. Allen presented a summary of the Dolphin-Safe Certification Program (TT-12-04a) which showed the cases in which the total weight of tuna certified exceeded the total weight reported on the associated TTF. The Secretariat was asked to suggest, as part of its analysis, what percentage of difference between the weights shown on Certificates and the weights shown on TTFs should be used to indicate a need for corrective action of some kind.

7. Recommendations for the IRP

The Working Group recommended that the System for Tracking and Verifying Tuna and the Procedures for AIDCP Dolphin Safe Tuna Certification be amended in accordance with the changes to each document explained in Document TT-12-04, attached.

8. Other business

No other business was discussed.

9. Date and place of next meeting

The next meeting of the PWGTT will be held immediately previous to the next meeting of the IRP schedule for June 2003 in Guatemala.

10. Adjournment

The meeting was adjourned.

Appendix 7.

INTERNATIONAL DOLPHIN CONSERVATION PROGRAM
WORKING GROUP ON VESSEL ASSESSMENTS AND FINANCING
2ND MEETING

LA JOLLA, CALIFORNIA (USA)
 3 FEBRUARY 2003

ILLUSTRATIVE CALCULATION OF VESSEL ASSESSMENTS (REVISED)

Based on the proposals in the draft resolution on vessel assessments and financing of 3 February 2003. All figures assume full participation by all vessels contemplated in the draft resolution. Portion assigned to national programs based on current percentage allocation of funds for coverage of vessels covered by the AIDCP.

	Class size	Capacity (mt)	Calculated well volume (m ³ ; mt x 1.4)	Rate per m ³ (US\$)	Additional revenue (US\$)		
					Total	National programs	Secretariat
2. Vessels required by the AIDCP to carry observers							
Difference from current well volume (m ³)	6	22,507	31,509	10.49	330,581	113,229	217,352
3. Other active vessels							
Total capacity, by IATTC capacity class	1	340	476	2.00	952	-	952
	2	2,410	3,374	3.00	10,122	821	9,301
	3	3,831	5,363	4.00	21,454	6,986	14,468
	4	5,005	7,007	5.00	35,035	11,681	23,354
	5	7,235	10,129	6.00	60,774	21,045	39,729
Total		18,821	26,349		128,337	40,533	87,804
4. Inactive vessels							
Total capacity, by IATTC capacity class	1-4	2,260	3,164	2.00	6,328		
	5	350	490	3.00	1,470		
	6	25,962	36,347	4.00	145,387		
Total		28,572	40,001		153,185		

SUMMARY OF CHANGES TO VESSEL ASSESSMENT REVENUE

		US\$
Additional revenue from Class 6 vessels	(Draft resolution, item 2)	217,352
Revenue from Class 1-5 vessels	(Draft resolution, item 3)	87,804
Revenue from inactive vessels	(Draft resolution, item 4)	153,185
2002 deficit	(Document VA-2-04)	(221,640)
2003 deficit	(Document VA-2-04)	(236,701)
Surplus		0

Appendix 8.

INTERNATIONAL DOLPHIN CONSERVATION PROGRAM

DRAFT RESOLUTION ON VESSEL ASSESSMENTS AND FINANCING

February 2003

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

[PREAMBLE]

Agree:

1. [Pending the completion of the measurement of well volume agreed by the IRP at its 30th meeting in June 2002, to apply a factor of 1.4 to convert the carrying capacity, in metric tons, of all purse-seine vessels on the IATTC Regional Vessel Register (“Register”) to well volume, in cubic meters, and calculate vessel assessments on the basis of the resulting calculated well volume.]
1. [In congruence with the decision to modify the reference system for vessel measurement from metric tons to cubic meters for the purposes of the payment of the vessel assessments for the observer program temporarily and until the measurement of well volume agreed by the IRP at its 30th meeting in June 2002 is completed, a factor of 1.4 will be applied to convert the carrying capacity, in metric tons, of all purse-seine vessel on the IATTC Regional Vessel Register to well volume, in cubic meters.]
2. All vessels required by the AIDCP to carry observers shall be assessed US\$[_____] per cubic meter of calculated well volume.
3. All vessels not required by the AIDCP to carry observers but included in the *Active Purse-Seine Capacity List* of the Register shall be assessed US\$[_____] per cubic meter of calculated well volume.]
4. Vessels on the *Inactive and Sunk Purse-Seine Capacity List* of the Register, excepting sunk vessels, shall be assessed US\$[_____] per cubic meter of calculated well volume.
5. All vessels contemplated in paragraph 2 that request a DML for a given year shall pay the required assessment by October 1 of the preceding year, pursuant to the AIDCP.
6. [All vessels contemplated in paragraph 2 that do not request a DML for a given year shall pay the required assessment by December 1 of the preceding year.]
7. Any vessel covered by this resolution but not contemplated in paragraph 2 shall pay the required assessment by December 1 of the preceding year.
8. Any vessel that does not pay the required assessment by the corresponding date shall be required to pay a surcharge of 50% of the assessment, additional to any sanction contemplated in Annex IV of the AIDCP.
9. In 2003 only, [all vessels required by the AIDCP to carry observers] [all purse-seine vessels] shall be required to pay, by August 1, the assessments for 2003 calculated pursuant to paragraph 1. Any vessel that does not pay the [supplementary] [required] assessment by the specified date shall be subject to a surcharge of 50% of this assessment.
10. [Any vessel that does not pay its required assessment for two consecutive years shall be considered to be undermining the AIDCP.]
11. [In 2003, if the assessment paid by a vessel for that year exceeds the assessment calculated pursuant to this resolution, the difference shall not be reimbursed.]
12. Unless the Parties decide otherwise, the annual increase in the fixed costs of the IDCP shall not increase by more than the rate of inflation in the United States of America in the previous year.
13. All assessments will be reviewed in 2005 with the aim of balancing the budget in that year.

Appendix 9.

Proposed Plan for Enhancing Success of the Agreement

Considering the value of continuing to build upon the benefits of the Agreement;

The IRP agrees to pursue the following action Plan:

Science Advisory Board (SAB) – The IATTC Secretariat shall draft Terms of Reference (TOR) for an SAB (per Annex V) and convene a meeting of the Board. In the interim, parties will provide input/suggestions for the TOR, including topics to be addressed (e.g. prevalence and significance of cow-calf separation; stress effects; developments in gear technology and fishing techniques to improve dolphin release and the capture of mature tunas not in association with dolphins; review of currently available estimates of abundance for dolphin stocks; etc). The SAB should build upon IATTC scientific reports and analysis and such other science as may be available to the Secretariat through consultation with the Parties, to address areas of uncertainty, and design research proposals. SAB members should also design sampling programs and options/protocols for long-term research they deem necessary to meet the objectives of the Agreement. The SAB should be creative in exploring low-cost options as well as more traditional, large-scale research projects. Funding options for the various research projects will be explored by the Parties in the context of other budget priorities and cost-benefit analysis. Countries sending participating scientists will pay for travel (as this is an obligation under Annex V).

Class 4 and 5 Vessels –The Secretariat shall prepare a detailed report concerning the extent of possible non-compliance with prohibitions against intentional sets on dolphins by other than class 6 vessels, including a review of common equipment and other factors/indicators in identified cases. The Parties will explore all methods for ensuring and monitoring compliance by these two class sizes, including observers, restrictions on equipment (e.g. limit of one speedboat), VMS, and video-camera technology. The Parties will continue to evaluate the effectiveness of the resolution requiring that observers be placed on class 4/5 vessels that have been alleged to set on dolphins.

Observer Programs – The Secretariat shall review and evaluate statistical significance and cause for differences, currently and historically, between various parameters (number of dolphin sets, dolphin mortality, observer interference/harassment) between IATTC and National observer programs. The Parties will determine appropriate steps for reducing significant differences between observer program reporting rates.

Responses to Alleged Infractions and Real-time reporting – The Parties will continue to review and evaluate the level of responses to alleged infractions as well as compliance with real-time reporting, and consider voluntary or mandatory measures.

Limits on Herd Size – The Secretariat shall continue to evaluate the effectiveness of the guidelines regarding caps on herd sizes on which sets are made, taking into consideration the demonstrated capabilities of captains to safely perform such sets without undue risk to dolphins. The Secretariat shall evaluate the relationship between herd size and dolphin mortality levels. If the guidelines are not effective, the Parties will explore options for mandatory measures.

Tuna Tracking Forms – No dolphin safe certificates will be issued unless the original Tuna Tracking form has been provided to the Secretariat.