

MINUTES OF THE 38th INTERGOVERNMENTAL MEETING

Miami, Florida (USA)
March 15-16, 1999

1. Opening of the meeting

The meeting was called to order at 9:40 a.m. on March 15, 1999. Dr. William Hogarth of the United States served as Chairman. The attendees are listed in Appendix 1, and the agenda is presented in Appendix 2.

2. Procedures for transition from the La Jolla Agreement to the Agreement on the International Dolphin Conservation Program

A comparative table of the operational aspects of the 1992 La Jolla Agreement and the Agreement on the International Dolphin Conservation Program (AIDCP), prepared by the IATTC staff, was distributed (Appendix 3) and analyzed section by section. As the AIDCP has come into force, there were some differences in the obligations for parties and non-parties which were still operating under the La Jolla Agreement.

It was noted that the assignment of Dolphin Mortality Limits (DMLs) under the AIDCP would begin in October 1999 for the parties to the Agreement, and thus the first DMLs issued under the AIDCP would be those for the year 2000. For 1999, DMLs set under the La Jolla Agreement would continue to apply, including for those states which had ratified the AIDCP, using the rules of the La Jolla Agreement for all participating countries.

The U.S. delegation suggested that the La Jolla Agreement be terminated at the end of 1999. Those states which had not become parties to the AIDCP at that time could apply it provisionally, as allowed for in the Agreement and encouraged by the parties, until they completed the process of ratification. El Salvador noted that some countries cannot apply such binding agreements provisionally, and Venezuela proposed that the La Jolla Agreement be kept open until the parties to that Agreement ratified the AIDCP, at which point it would lapse. A resolution reflecting the issues discussed and the agreement reached was adopted (Appendix 4).

The U.S. delegation noted that the deadline for establishing a system for the assignment of per-stock per-year dolphin mortality limits (SMLs) was August 15, 1999, and that work on this and on establishing the International Review Panel (IRP) and National Scientific Advisory Committees should begin as soon as possible.

The Mexican delegate asked whether the IRP Annual Report would reflect the fact that vessels of different states might be operating under different rules. It was decided that the report would deal with both agreements.

The IATTC staff reported on the development of a system for observers to report per-stock mortalities on a real-time basis, and noted that this system could also be used to monitor compliance with other regulations, such as tuna catch limits. It was agreed that such a system would apply to all vessels, not just those of the parties to the AIDCP.

It was agreed that the first Meeting of the Parties would take place in June, in conjunction with the 63rd IATTC meeting, and that such Meetings would be open to observer countries in the interests of

transparency. The IATTC staff were asked to prepare for the meeting a summary, in tabular form, of actions which had to be taken to comply with the requirements of the AIDCP.

3. Terms of reference for a Compliance Committee to be established by the IATTC

It was agreed that proposed terms of reference for an IATTC Compliance Committee would be discussed informally after the meeting was adjourned (Appendix 5).

4. Other business

A letter from the Director General of Fisheries Resources of Spain to the IATTC Director regarding tender vessels was briefly discussed. It was agreed that subject was more appropriate for the IATTC to consider.

The Chairman described the preparations for the finding by the U.S. Secretary of Commerce on whether setting on dolphins was having a significant adverse impact on any depleted stock.

5. Adjournment of the meeting

The meeting was adjourned at 10:30 a.m. on March 16, 1999.

Appendix 1.

38TH INTERGOVERNMENTAL MEETING - 38^a REUNION INTERGUBERNAMENTAL

March 15-16, 1999 – 15 y 16 de marzo de 1999
Miami, Florida (USA)

ATTENDEES - ASISTENTES

COSTA RICA

FERNANDO VIQUEZ

Instituto Costarricense de Pesca y Acuicultura
(INCOPESCA)

GEORGE HEIGOLD

Cia. Enlatadora Nacional, S.A.

ECUADOR

GUSTAVO GONZALEZ CABAL

GUSTAVO GUTIERREZ VERA

LUIS TORRES NAVARRETE

Ministerio de Comercio, Industria y Pesca

FRANKLIN ORMAZA GONZALEZ

Instituto Nacional de Pesca

CESAR ROHON

Cámara Nacional de Pesquería

AGUSTIN JIMENEZ SANTISTEVAN

Pespaca

EL SALVADOR

RENE SALGADO

Dirección General de Desarrollo Pesquero (CENDEPESCA)

ESPAÑA - SPAIN

IGNACIO YBAÑEZ RUBIO

Secretaría General de Pesca Marítima

LUIS ESTERUELAS

Embajada de España

GABRIEL SARRO IPARRAGUIRRE

Organización de Productores Asociados de Grandes
Atuneros Congeladores (OPAGAC)

IGNACIO LACHAGA BENGOCHEA

IGNACIO SAEZ DE IBARRA TRUEBA

JUAN ANTONIO GARAT OJEDA

Albacora S.A.

ESTANISLAO GARAVILLA LEGARRA

Conservas Garavilla S.A.

JOSU CHOPITEA GABIOLA

Pesquera San Miguel

JESUS ALONSO FERNANDEZ

Jesús Alonso S.A.

RAMON LUIS BAROJA

Marine Risk Management

EUROPEAN COMMUNITY- COMUNIDAD EUROPEA

BRENDAN O'SHEA

ERNESTO PENAS LADO

European Commission

GUATEMALA

ERICK VILLAGRAN

Ministerio de Agricultura, Ganadería y Alimentación

JAPAN - JAPON

JUN-ICHIRO OKAMOTO

MIWAKO TAKASE

Ministry of Agriculture, Forestry and Fisheries

SALLY CAMPEN

Federation of Japan Tuna Fisheries Cooperative
Associations

MEXICO

PABLO ARENAS FUENTES
GUILLERMO COMPEAN JIMENEZ
Secretaría de Recursos Naturales y Medio Ambiente
JOSE JUAN VELAZQUEZ MACOSHAY
Supremos del Golfo y del Pacífico, S.A. de C.V.

ERNESTO ESCOBAR
Pesca Azteca, S.A. de C.V.
MARK ROBERTSON
Janus-Merritt Strategies

NICARAGUA

MIGUEL ANGEL MARENCO URCUYO
Administración Pesquera (ADPESCA)

PANAMA

ARNULFO FRANCO
Autoridad Marítima de Panamá

TAIWAN

PAUL WEN-LIANG CHANG
KUO-CHING PU
Ministry of Foreign Affairs

CHUNG-HAI KWOH
Fisheries Administration, Council of Agriculture

UNITED STATES OF AMERICA - ESTADOS UNIDOS DE AMERICA

BRIAN HALLMAN
Department of State
WILLIAM HOGARTH
PATRICIA DONLEY
CATHY L. EISELE
JAMES H. LECKY
J. ALLISON ROUTH
National Marine Fisheries Service

RANDI PARKS THOMAS
U.S. Tuna Foundation

VENEZUELA

JEAN-FRANÇOIS PULVENIS
Ministerio de Relaciones Exteriores
HUGO ALSINA LAGOS
Ministerio de Agricultura y Cría
JOSE MARIA BENGOA
Asociación Venezolana de Armadores Atuneros
(AVATUN)

RAFAEL CASTRO BUSTO
Grupo Eveba
LORENZO RAVAGO
Federación Nacional de Pesca (FENAPESCA)

NON-GOVERNMENTAL ORGANIZATIONS - ORGANIZACIONES NO GUBERNAMENTALES

HÉCTOR LÓPEZ ROJAS
Fundación para la Defensa de la Naturaleza
KITTY BLOCK
LEESTEFFFY JENKINS
Humane Society of the United States

KATE O'CONNELL
Whale and Dolphin Conservation Society
HOLLY PAYNE
World Wildlife Fund

IATTC STAFF – PERSONAL DE LA CIAT

ROBIN ALLEN
DAVID BRATTEN

MARCELA CAMPA
NICHOLAS WEBB

Appendix 2.

**38TH INTERGOVERNMENTAL MEETING ON THE CONSERVATION OF TUNAS
AND DOLPHINS IN THE EASTERN PACIFIC OCEAN**

**March 15-16, 1999
Miami, Florida (USA)**

AGENDA

1. Opening of the meeting
2. Procedures for transition from the La Jolla Agreement to the Agreement on the International Dolphin Conservation Program
3. Terms of reference for a Compliance Committee to be established by the Inter-American Tropical Tuna Commission
4. Other business
5. Adjournment of the meeting

Appendix 3.

Comparative table of the La Jolla Agreement for the Conservation of Dolphins and the Agreement on the International Dolphin Conservation Program

Appendix 4.

RESOLUTION REGARDING THE AGREEMENT ON THE INTERNATIONAL DOLPHIN CONSERVATION PROGRAM

The 39th Intergovernmental Meeting, gathered in Miami, Florida, USA, on March 15-16, 1999:

Recalling the Agreement on the International Dolphin Conservation Program, adopted during the 35th Intergovernmental Meeting, held in La Jolla, California, in February 1998, and open to signature in Washington from May 21, 1998, until May 14, 1999;

Noting that the Agreement entered into force on February 15, 1999;

1. *Invites* States or Regional Economic Integration Organizations that meet the requirements of Article XXIV of the Agreement but have not signed the Agreement yet to do so before the 14th of May, 1999;
2. *Reiterates* the invitation to States or Regional Economic Integration Organizations that are eligible to become Parties to the Agreement to do so, or to consent to its provisional application in conformity with Article XXIX, and to implement the Agreement at the earliest opportunity;
3. *Invites* these States and Regional Economic Integration Organizations to finalize the consideration and analysis of issues related to the transition from the 1992 La Jolla Agreement to the Agreement on the International Dolphin Conservation Program for the first Meeting of the Parties, to be held in June 1999 in conjunction with the Meeting of the IATTC;
4. *Requests* the Secretariat to submit, for this purpose, a document identifying the issues referred to above and making relevant recommendations;
5. *Notes* the consensus of the Meeting that all matters related to Dolphin Mortality Limits for 1999 shall be subject to the 1992 La Jolla Agreement, including for those States Party to the Agreement on the International Dolphin Conservation Program.

Appendix 5.

REPORT OF AN INFORMAL CONSULTATION ON THE PROPOSED TERMS OF REFERENCE OF A COMPLIANCE COMMITTEE FOR THE IATTC

The US proposal regarding terms of reference for a Compliance Committee was addressed and briefly reviewed. It was agreed that there was a need for a Compliance Committee, and that the issue should be dealt with in two ways. First, the subject will be addressed in the working group for modifications to the IATTC Convention; second, the issue of compliance with IATTC measures will be included in the agenda for the next IATTC meeting. If deemed necessary, a working group could be set up for the sole purpose of addressing this issue.