

AGREEMENT ON THE INTERNATIONAL DOLPHIN CONSERVATION PROGRAM

14th MEETING OF THE PARTIES

**La Jolla, California (USA)
20 October 2005**

MINUTES OF THE MEETING

AGENDA

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3. Adoption of agenda	
4. Approval of the minutes of the 13 th Meeting of the Parties	
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6. a. Report of the International Review Panel	
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7. Publicizing TTF numbers associated with vessels fishing contrary to the IATTC conservation program	MOP-14-07
8. Establishment of a linkage between the granting of DMLs and compliance with IATTC measures	PROP IRP-39-B1
9. Amendment of Annexes:	
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b. Annex VII: at least 2 IRP meetings annually	MOP-14-09b
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3. Report of the Chairman of the 3rd meeting of the Scientific Advisory Board
4. Protocol for publicizing TTF numbers for tuna caught in contravention of IATTC resolutions
5. Proposal by El Salvador to modify the AIDCP rules of confidentiality
6. Proposal by Mexico regarding a study of ecolabels by FAO

1. Opening of meeting

The meeting was opened on 20 October 2006 by Dr. Robin Allen, Director of the Inter-American Tropical Tuna Commission (IATTC), which serves as the Secretariat to the Agreement on the International Dolphin Conservation Program (AIDCP). The attendees are listed in Appendix 1.

2. Election of Chairman

Ms. Pat Donley of the United States was elected to chair the meeting.

3. Adoption of Agenda

The provisional agenda was approved as drafted.

4. Approval of minutes of 13th Meeting of the Parties

After considerable discussion, some corrections to the draft minutes of the 13th meeting were approved.

5. AIDCP budget

Dr. Allen introduced Document [MOP-14-05](#), which presents forecast costs for 2005 and forecast costs and revenue for 2006 to support the AIDCP. The document makes the point that the current budget anticipates an accumulated deficit at the end of 2005 of US\$769,158, and analyzes some possible options for reducing expenditures. It makes the further point that, because the process of measuring the well volumes of all vessels is likely to lead to further reductions in the aggregate well volume of the fleet, there may be a need to balance these changes with an increase in the vessel assessment rate to maintain total revenue.

There followed a lengthy discussion on these matters, with several ideas emerging for further consideration at the next meeting of the Parties. These included having the IATTC pay a higher percentage of the AIDCP budget, considering the possibility of fewer observers on vessels without DMLs, charging a fee for inactive capacity, additional expenditure reductions, and increasing the current vessel assessment rates.

6.a. Report of the International Review Panel

Mr. Carlos Aldereguía, of the European Union, the Presider of the IRP, presented his report of the meeting.

Mr. Aldereguía reported that the issue of 2006 DMLs was difficult for the Panel to resolve, mainly because there were nine vessels seeking DMLs which were in the process of changing flag and expected to do so before the end of 2005. In the end, all the members except Colombia had reached agreement on how to resolve this matter. Generally, it was agreed that the nine vessels in question could have DMLs allocated to them if, by 1 January 2006, they had clearly changed flag and were included on the IATTC's Regional Vessel Register. Because of Colombia's reservation, the Panel decided that it would be necessary to ask the meeting of the Parties to the AIDCP to address the issue.

Also, the IRP could not decide on the question of the issuance of a 2006 DML to the vessel identified as vessel "G".

During the discussion by the Parties of how to handle these DML issues, Colombia offered a proposal on how to resolve the DML question with respect to vessel "G". Colombia proposed that it would commit that this vessel, which is Colombian flag, would stop setting on dolphins from 21 October until the end of the year, and that if the vessel complied with this, it would be eligible for a DML in 2006. This proposal was accepted by the Parties, and Colombia documented its commitment in writing (Appendix 2).

Following the agreement on the DML for vessel "G", Colombia removed its reservation on the proposed solution for the nine vessels in the process of changing flags.

The Parties agreed that the five vessels which were in the process of changing flag to Panama and for

which Panama had requested DMLs for 2006, would have the DMLs allocated to them if, by 1 January 2006:

1. The vessels are under the jurisdiction of Panama;
2. The vessels are confirmed as being qualified pursuant to Annex IV of the AIDCP and, in addition, are included on the IATTC Regional Vessel Register under the flag of Panama.

The Parties agreed that these conditions would also apply to the requests for DMLs by two other Parties, each of which had requested DMLs for 2006 for two vessels.

In the case that these vessels do not meet these two conditions by the date specified, the DMLs kept in reserve for them will be redistributed among the Parties, to be included in the initial allocation of DMLs to their vessels for 2006.

In respect of vessel G, Colombia made the commitment that the vessel will stop setting on dolphins from 21 October until the end of the year. The vessel's compliance with this commitment will be monitored by the observers, the relevant parts of whose weekly reports will be distributed to all Parties. If the vessel complies, it will be eligible for a DML in 2006; otherwise, the DML kept in reserve for this vessel will be redistributed among the Parties, to be included in the initial allocation of DMLs to their vessels for 2006.

The Parties noted that the circumstances of all these vessels were extraordinary, and the various arrangements described above applied only to these particular cases.

Colombia insisted on making it clear that, in its opinion, there is, as a general rule, no link between DMLs and the IATTC Regional Vessel Register.

The IRP had five recommendations for approval by the Meeting of the Parties:

1. The modified guidelines for transit waivers.
2. The amendment of Annex IV regarding DMLs.
3. The amendment of Annex IV regarding a national tuna tracking system.
4. The use of data screening to evaluate captain and vessel performance.
5. The modification of the *Procedures for AIDCP Dolphin Safe Certification* recommended by the Tuna Tracking Working Group.

The Parties approved these five recommendations.

6.b. Recommendations from the Scientific Advisory Board (SAB)

Dr. Allen presented the report of the Chairman of the SAB to the Meeting of the Parties and the IRP (Appendix 3).

Dr. Allen noted that the Parties had requested the advice of the SAB as to the frequency and timing of future meetings of the SAB. The SAB recommended that the group meet annually, in conjunction with the June meetings, and that, if an additional meeting is required in the interim, the Director schedule it in conjunction with the October meetings.

It was also reported that there was a proposal in the SAB that the Board consider the issue of bycatch associated with the fishery for tunas with fish-aggregating devices (FADs) in the eastern Pacific Ocean (EPO), and that some members favored this proposal, while others pointed out that the IATTC had created a working group on the subject, and taking on this matter within the SAB could be a duplication of effort. The SAB decided to request guidance from the Parties as to whether the SAB should be given a mandate to consider research on bycatch issues other than those associated with dolphins. The Parties decided that this issue was best addressed in the IATTC's Working Group on Bycatch.

Finally, Dr. Allen reported that the SAB was seeking approval from the Parties on the initiation of a

dolphin life history sampling program. The SAB had approved a proposal on how to pursue such a sampling program, but noted that funding would be required to initiate the program, and that a budget had been prepared for this. The Parties agreed in principle to initiate a dolphin life history sampling program, contingent upon the availability of funding. The United States stated that it would attempt to identify funding for the program.

7. Publishing TTF numbers associated with vessels fishing contrary to the IATTC conservation program

Dr. Allen presented Document [MOP-14-07](#) regarding a protocol for publicizing the numbers of Tuna Tracking Forms (TTFs) for tuna caught in contravention of IATTC resolutions. This protocol was approved by the Parties (Appendix 4).

8. Establishment of a linkage between the granting of DMLs and compliance with IATTC measures

The European Union presented once again a [proposal](#) to amend Annex IV of the AIDCP to make the assignment by the IRP of DMLs to a government on behalf of any of its flag vessels dependent on the vessel's compliance with IATTC conservation and management measures. Several delegations supported this initiative, and made some suggestions with the aim of improving the proposal. However, Colombia indicated that it could not support the proposal. The Chair asked the Secretariat to re-draft the proposal based on the comments received, and suggested that the re-drafted proposal be considered at the next meeting of the Parties.

9. Amendment of Annexes:

a. Annex IV: renunciation of DMLs

Dr. Allen introduced Document [MOP-14-09a](#) regarding an amendment of the AIDCP to address the renunciation of DMLs. The proposed amendment was agreed by the Parties.

b. Annex VII: at least 2 IRP meetings annually

Dr. Allen introduced Document [MOP-14-09b](#) regarding an amendment of the AIDCP changing the requirement that the IRP hold at least three meetings a year to two meetings a year. The proposed amendment was agreed by the Parties.

c. Annex IV: deadline for utilization of DMLs from the RDA

Dr. Allen introduced Document [MOP-14-09c](#) regarding an amendment of the AIDCP regarding the establishment of a deadline for the utilization of DMLs from the Reserve DMLs Allocation (RDA). The proposed amendment was agreed by the Parties.

10. Other business

El Salvador presented a proposal (Appendix 5) to modify the AIDCP rules of confidentiality to the effect that the names and flags of vessels receiving DMLs would no longer be treated as confidential. A number of delegations supported this proposal, but several were either opposed to it or needed more time to consider the implications of the proposal. El Salvador indicated that it would raise the proposal again at the next meeting of the Parties.

Mexico presented a proposal (Appendix 6) regarding a request to FAO that it undertake a study of the various ecolabels for tuna. This proposal was agreed by the Parties, although the United States stated that it would need to consult regarding this, and that it may therefore have comments on the letter that it would send to the Parties for approval before being transmitted to FAO.

11. Place and date of next meeting

It was decided that the next meeting of the Parties to the AIDCP would take place in Korea in June 2006

at the time of the annual meeting of the IATTC.

12. Adjournment

The meeting was adjourned on 20 October 2005.

Appendix 1.

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Appendix 2.

STATEMENT BY COLOMBIA

La Jolla California October 20 2005

Messrs.

National Delegates to the AIDCP

Dear Delegates:

The Government of Colombia appreciates the willingness and goodwill of the parties to the agreement to find a definitive solution to the case of vessel G. It likewise undertakes the institutional commitment of guaranteeing that the assumptions under which this agreement was reached are respected in their entirety.

For this reason, it is guaranteed to the various delegations that the above-mentioned vessel will stop fishing on dolphins from 21 October and until 31 December 2005.

Compliance with this commitment will be verified by observers of the IATTC's International Program and the National Program of observers of Colombia, whose reports will be distributed to the parties weekly. We understand that the granting of a DML for the period of 2006 is conditional and revocable in case of non-compliance.

Cordially,

(signed)

Fernando Arbeláez Soto

Secretary-General of the Ministry of Agriculture of Colombia

Head of the Delegation of Colombia

Appendix 3.

**CHAIRMAN'S REPORT TO THE MEETING OF THE PARTIES AND THE
INTERNATIONAL REVIEW PANEL**

The Scientific Advisory Board (SAB) held its second meeting in Lanzarote, Spain, on June 19, 2005, and its third meeting in La Jolla, California, on October 17, 2005. This report summarizes the major decisions of the SAB during these meetings.

- 1) At the first meeting of the SAB in June 2004, it was recommended that the Meeting of the Parties approve a life history sampling program by observers aboard tuna purse seiners. Biological samples

taken by observers from dolphins could address some of the important unanswered questions about stress, dolphin biology, and population trends. The SAB asked a working group to examine the logistics of collecting samples from dolphins and to prepare a more detailed proposal. The resulting proposal (Document [SAB-2-04](#)) was approved at the second meeting, but funding will be required to initiate the program (see budget in SAB-2-04).

- 2) The Meeting of the Parties requested advice from the SAB as to the frequency and timing of future meetings of the SAB. Because it is most convenient and cost-effective to schedule meetings in conjunction with AIDCP and IATTC meetings, the SAB recommended that it meet annually in conjunction with the June meetings. If an additional meeting is required in the interim, the Director will schedule it in conjunction with the October meetings.
- 3) During its 39th meeting in June 2005, the IRP requested the advice of the SAB on a proposed screening method (Document [IRP-39-08b](#)) for observer data for use in the measurement of the performances of vessels and captains. The SAB endorsed the screening technique to the IRP for purposes of evaluating vessel and captain performances.
- 4) The SAB received the [Report](#) from the Technical Workshop on Calculating N_{min} for the Dolphin Stocks of the Eastern Pacific Ocean that was held in August 2-5, 2005, in La Jolla. The Workshop examined several options for calculating N_{min} , and recommended using a logistic model that incorporated data from surveys conducted as recently as 2003. The SAB decided to defer making a recommendation to the Parties until its next meeting in June 2006, so that the members could have more time to evaluate the Report.

One of the issues raised by the Workshop Report, however, was the problem of common dolphin abundance estimates that have changed dramatically in the past, due to movements of the dolphins in and out of the area of the fishery. The Secretariat, in cooperation with other scientists, is continuing to work on calculating N_{min} estimates appropriate for common dolphin stocks. A group of these scientists will inform the SAB by correspondence of the progress of their analyses.

- 5) The work plan of the SAB includes a proposed survey of coastal spotted dolphins. The United States has a research vessel available for this work during 2007. At its 2nd meeting, the SAB agreed that Dr. Compean, of the National Fisheries Institute of Mexico, would take the lead in developing the project. The project was discussed at the recent bilateral meetings between Mexico and the United States, but there was no one available to present the survey plan to the 3rd meeting of SAB. It was requested that the project leaders provide the SAB with progress reports to facilitate more international cooperation on this research.
- 6) The SAB discussed whether to include the issue of bycatch associated with the purse-seine fishery for tunas with FADs in the EPO. Some members noted that the issue is within the objectives of the AIDCP, and noted that the mandate for the SAB from the Parties included other matters the SAB thought appropriate; others thought this should be dealt with within the IATTC working group on bycatch. The SAB decided to request guidance from the Parties as to whether the SAB should consider research on purse-seine bycatch issues other than those associated with dolphins.

Recommendations

1. That the Meeting of the Parties agree to initiate a dolphin life history sampling program.
2. That the Meeting of the Parties provide guidance to the SAB on whether it should include the issue of purse-seine bycatches other than dolphins in its work plan.
3. That the IRP agree to the use of the data screening technique proposed in Document IRP-30-8b for measuring the performance of captains and vessels.

Appendix 4.

**PROTOCOL FOR PUBLICIZING TTF NUMBERS FOR TUNA CAUGHT IN
CONTRAVENTION OF IATTC RESOLUTIONS**

1. TTF numbers shall be made available only for specific purposes as agreed by the Parties.
2. Beginning in 2005 and until decided otherwise, TTF numbers shall be made available for the purpose of assisting in the implementation of the IATTC tuna conservation program.
3. The name of the flag state of the vessel and the numbers of the TTFs for fishing trips conducted in contravention of an IATTC conservation and management resolution shall be made publicly available.
4. Only the numbers of the relevant TTFs shall be made available; all other information on the TTFs shall remain confidential.
5. The TTFs themselves shall remain confidential.
6. The effectiveness of these procedures shall be reviewed annually, and the Parties shall report on any measures taken utilizing the TTF numbers.

Appendix 5.

**PROP MOP-14-A1
PROPOSAL BY EL SALVADOR
MODIFICATION OF THE AIDCP RULES OF CONFIDENTIALITY**

Consistent with the objectives set forth in the Plan of Action to Enhance the Success of the AIDCP, adopted in the 9th Meeting of the Parties on 9 June 2003 in Antigua, Guatemala, to “review the current Rules of Confidentiality with a view to making proposals designed to strengthen transparency in the operation of the Programme,” particularly the objectives to improve instruments for tracking and verification of AIDCP certified dolphin safe tuna and to disseminate factual information to promote an accurate understanding of the AIDCP;

Recognizing that there is a growing need to publicly release certain AIDCP information currently protected from view in order to promote transparency, enhance public understanding and acceptance of the AIDCP Dolphin Safe certification, support the AIDCP and dispel misinformation concerning alternate labels in the marketplace;

Concluding that the amendments proposes herein do not compromise the principle of protecting business confidential data;

El Salvador proposes that:

- a. Paragraph 1(d) of the Rules of Confidentiality be amended as provided below.
- b. The Secretariat be directed to publish and maintain a list of vessels receiving a Dolphin Mortality Limit; that such list be made transparent to public view through publication on the IATTC website and elsewhere, as appropriate; and that the list be published by 1 February 2006 and updated as necessary and appropriate.

1. The following information associated with the responsibilities and activities of the On-Board Observer Program, and with the activities of the Secretariat in connection with the *AIDCP Dolphin*

Safe Certification procedures, shall be treated as confidential:

(...)

- d. The names and addresses of individuals associated with receiving a Dolphin Mortality Limit (DML).

Appendix 6.

PROP MOP-14-B1
PROPOSAL BY MEXICO
FAO GUIDELINES ON CERTIFICATION AND ECOLABELLING

Request that the Director send a letter to the FAO on behalf of the Parties to the AIDCP requesting that FAO undertake a study of the various ecolabels for tuna. The study would be done with a view towards analyzing any such labels in terms of their consistency with the FAO guidelines on ecolabelling.

The letter would note that such a study would increase transparency in seafood labeling schemes; would enhance the availability of information to consumers; and would promote the value of the FAO guidelines.

The letter would be drafted by the Secretariat and sent to the Parties for comment and approval before being sent to the FAO.

The Meeting of the Parties encourages Parties who are also members of FAO to support this objective in communications with FAO, as appropriate.