

# AGREEMENT ON THE INTERNATIONAL DOLPHIN CONSERVATION PROGRAM

## 14<sup>TH</sup> MEETING OF THE PARTIES

LA JOLLA, CALIFORNIA (USA)  
20 OCTOBER 2005

### DOCUMENT MOP-14-09c

#### AMENDMENT TO ANNEX IV OF THE AIDCP: DEADLINE FOR UTILIZATION OF DMLS FROM THE RDA

During the 13<sup>th</sup> meeting of the Parties to the AIDCP, in the discussion of the implementation of Annex IV.I.8 regarding frivolous requests for DMLs, there was a discussion of the matter of a deadline for the utilization of DMLs issued from the Reserve DML Allocation (RDA), in order to deter frivolous requests for DMLs from the RDA. There is precedent for vessels not utilizing DMLs assigned to them from the RDA.

Such a deadline is not currently a part of the AIDCP. It was suggested that in order to pursue this matter, an amendment to the AIDCP could be considered at a Meeting of the Parties.

Currently, Annex IV.II.1 reads as follows:

“1. Any vessel which is assigned a full-year DML and does not set on dolphins prior to April 1 of that year, or which is assigned a second-semester DML and does not set on dolphins by October 1 of that year, or which is assigned a per-trip DML from the RDA and does not set on dolphins during that trip, unless as a result of force majeure or extraordinary circumstances, as agreed by the IRP, shall lose its DML and may not set on dolphins for the remainder of that year. Notwithstanding the provision in Annex VII, paragraph 9, regarding decision making by the IRP, a request by a Party, on behalf of any of its vessels, for an exemption due to force majeure or extraordinary circumstances, shall be considered to be agreed by the IRP unless a majority of the government members of the IRP supports any objection, made formally and with cause by any other Party, to any such request. All requests for exemption must be sent to the Secretariat by April 1, and any formal objections must be sent to the Secretariat by April 20. Any such vessel that loses its DML on two consecutive occasions shall not be eligible to receive a DML for the following year.”

The Secretariat proposes inserting a new phrase (in bold in the following):

“1. Any vessel which is assigned:

- (a) a full-year DML and does not set on dolphins prior to April 1 of that year; or
- (b) a second-semester DML and does not set on dolphins by October 1 of that year; or
- (c) a per-trip DML from the RDA and does not set on dolphins during that trip; **or**
- (d) **a DML from the RDA, which is not a per-trip DML, and does not set on dolphins by October 1 of that year or within 30 days of the DML assignment, whichever is later,**

shall lose its DML and may not set on dolphins for the remainder of that year, **unless there are reasons of *force majeure* or extraordinary circumstances, as agreed by the IRP.**

The rest of the paragraph remains as before.

The division into separate subheadings is for reasons of clarity. For the same reason, the Secretariat proposes that, in the English text only, the shaded phrase be slightly modified and moved to the end of the sentence; it will then also exactly match the Spanish text.