

INTERNATIONAL DOLPHIN CONSERVATION PROGRAM

**INTERNATIONAL REVIEW PANEL**

**37<sup>TH</sup> MEETING**

LA JOLLA, CALIFORNIA (USA)

19 OCTOBER 2004

**DOCUMENT IRP-37-08**

**GUIDELINES FOR TRANSIT WAIVERS**

The 11<sup>th</sup> Meeting of the Parties, held in June 2004, instructed the Secretariat to prepare, in consultation with interested delegations, guidelines governing when vessels that are transiting between ports could be exempted from the requirement of carrying an observer on board. The following guidelines are proposed:

**1. DEFINITIONS**

For the purposes of these guidelines:

- a. "fishing" means those activities described in Article I, paragraph 2, of the Antigua Convention;
- b. a "transit" is a single journey by a vessel between two ports, made entirely or partially in the Agreement Area, during which no fishing takes place;
- c. a "waiver" is a document, issued by a vessel's flag government, exempting a vessel otherwise required to carry an observer from the AIDCP On-Board Observer Program from complying with this requirement during a specific transit.

**2. CONDITIONS**

A vessel must meet at least one of the following conditions before it can be issued a waiver:

- a. not have a purse-seine net aboard during the transit;
- b. reduce the number of crew aboard during the transit, to a level which satisfies the government that fishing will not be feasible;
- c. maintain its fish wells sealed during the transit;
- d. be inspected by a government official, upon departure and upon arrival, to ensure that no fishing occurred during the transit.

**3. PROCEDURES:**

1. The waiver should:
  - a. specify the vessel's name;
  - b. refer to a single transit, specifying the ports of departure and arrival and approximate dates of departure and arrival that provide sufficient time for a direct transit only;
  - c. state the reason for the transit (to unload catch, for repairs, for fuel, *etc.*);
  - d. specify the reason why the vessel is exempt from carrying an observer during the specified transit.
2. The vessel granted the waiver shall notify its flag government of both its departure and its arrival within 24 hours.
3. The government issuing the waiver shall provide a copy to the Secretariat prior to the vessel's departure.