

AGREEMENT ON THE INTERNATIONAL DOLPHIN CONSERVATION PROGRAM
43rd MEETING OF THE PARTIES

by videoconference
14 October 2021

MINUTES OF THE MEETING

AGENDA

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| 2. Election of Chairman | |
| 3. Adoption of the agenda | |
| 4. Approval of the minutes of the 42 nd Meeting of the Parties | AIDCP-42 Minutes |
| 5. Secretariat's report on the AIDCP | AIDCP-43-02 |
| 6. AIDCP Budget | AIDCP-43-01 |
| 7. Report of the 33 rd meeting of the Working Group to promote and publicize the AIDCP Dolphin Safe Tuna Certification System | |
| 8. Report of the 68 th meeting of the International Review Panel | |
| 9. Other business | |
| 10. Place and date of next meeting | |
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* Including the adoption of *ad hoc* rules and arrangements for the 42nd meeting only.

APPENDICES

1. List of attendees

The 43rd Meeting of the Parties of the Agreement on the International Dolphin Conservation Program (AIDCP) was held by videoconference on 14 October 2021.

1. Opening of the meeting

The meeting was opened by Amb. Jean-François Pulvenis, Director (*ad interim*) of the Inter-American Tropical Tuna Commission (IATTC), which provides the technical Secretariat for the AIDCP.

2. Election of Chairman

Mr. Alvin Delgado, of Venezuela, was re-elected Chairman of the meeting. He expressed his desire for the meeting to be productive and thanked those trusting him to preside over the Meeting.

The Chair gave the floor to the delegations of the Parties and made sure that there was a quorum to hold the meeting as 11 of the 16 Parties to the AIDCP were present: Colombia, Costa Rica, Ecuador, El Salvador, the European Union, Guatemala, Honduras, Mexico, Nicaragua, the United States, and Venezuela. Bolivia was also present who apply provisionally the AIDCP.

3. Adoption of the agenda

The agenda was approved as submitted. The Chair stated that an item to deal with AIDCP operating rules

would be included under “*Other business.*” Likewise, upon request of Colombia, the correction of Document AIDCP-43-02, which mentioned that the Colombian fleet failed to provide data, was included in *Other business* as well.

4. Approval of the minutes of the 42nd Meeting of the Parties

The minutes of the 42nd Meeting of the Parties were approved without changes.

5. Secretariat’s report on the AIDCP

Mr. Brad Wiley, from the Secretariat’s staff, presented Document [AIDCP-43-02 REV Report on the International Dolphin Conservation Program](#). He reported that, in 2021, the average mortality recorded in the Program was 0.07 dolphins per set. Total mortality amounted to 689 dolphins in 9,810 sets associated with this marine mammal.

In relation to compliance with data provision by vessels exempted from carrying an observer due to the COVID-19 pandemic, the compliance rate was 70%. Out of 43 trips made during the year by vessels exempted from carrying an observer, only 30 met the requirement of submitting the data.

Colombia pointed out that restrictions on trips by vessels without an observer were imposed by the IATTC and were not the result of a consensus agreement. Also, exemptions impacted some Parties more heavily than others, but especially Colombia. It emphasized that a non-compliant country cannot be identified given the irregular nature of the system and the lack of an objective pattern to assign observers. In some cases, observers got off the vessel before the end of the trip and, in view of this, a non-compliance of not carrying an observer on board cannot be recorded.

The Director said the statement was very valid since definitely there are situations making the system difficult. For example, conditions to embark observers are different in various countries, which makes it more difficult to assign observers in some cases. However, every effort has been made to ensure normal and smooth operation as much as possible.

Dr. Altamirano, of the IATTC staff, added that coordination to place observers in vessels is done jointly with the national administration and there have been trips lasting more than 200 days in which observers could not be disembarked due to the risk of contagion of COVID, which illustrates the difficulty of this issue. Likewise, a relevant topic is the increase in vaccination which will result in an improved procedure to assign observers. However, the progress of vaccination is not uniform in every country.

6. AIDCP Budget

Ms. Nora Roa, from the Secretariat, presented Document [AIDCP-43-01 AIDCP Budget](#), reporting on the results of the financial activity in 2020, the 2021 projected budget, and the recommended budget for 2022. She mentioned that as of 31 December 2020, there was a surplus of US\$ 2,388,086. However, as of 13 October 2021, there are pending arrears of vessels to the IDCP amounting to US\$ 569,693; this includes vessels from Ecuador, Nicaragua, Panama, and Venezuela. Finally, she commented that the recommended budget for 2022 amounts to US\$ 2,744,846.

Mexico stated that the Parties to the AIDCP are responsible for the protection of both dolphins and calves. Therefore, methodologies providing better data on the mother-calf relationship and certainty about maintaining dolphin levels are required. For this reason, Mexico asked for a conclusion at this meeting related to carrying out studies in this regard using surplus resources for this purpose. Mexico was asked to make a formal statement including the budget required to be analyzed by the Parties to AIDCP.

Nicaragua said the report contained two contradictory points. On the one hand, a salary increase for observers is advocated to improve their working conditions, which is highly appropriate and supported by Nicaragua. However, on the other hand, a proposal is made to restrict the permanence of observers to 5 years. Thus, they will be limited in that regard and, taking desertion into consideration, a deficit of observers will result. Nicaragua thought the 5-year initiative was not approved since it was rejected at the Bilbao meeting.

Nicaragua added that local labor legislation is not below agreements reached at the IATTC and that if labor

issues exist, they must be addressed. It requested the issue to be addressed at face-to-face meetings.

Colombia supported Nicaragua by mentioning that each decision made affects the IATTC's possible reputation; therefore, decisions must be made by consensus among the Parties. Due to the particular nature of the work carried out by AIDCP observers, it is important to carry out a legal study of hiring types, mainly in terms of whether or not to renew contracts. Colombia also stressed that sometimes observers are not placed on Colombian vessels due to transportation costs. In this regard, South American countries are at a disadvantage and this does not comply with the principles of equality or equity in the AIDCP.

The IATTC Director *ad interim* thanked Nicaragua and Colombia for their comments. He mentioned that the 5-year work limitation for observers is only intended for new observers. Observers are not IATTC employees but rather professionals contracted for a service. If their work is satisfactory, they are offered a new contract. We have a social responsibility, and the possibility of eliminating current observers has never been considered. The Director pointed out that some observers have remained employed for years and have in fact acquired other training to engage in a different job within the IATTC staff.

He recalled there have been requests from observers to the IATTC and these have been met; however, it should be clear that they are not granted employee rights since they are not permanent IATTC employees. A change to an MRAG-like system is possible, but that would raise costs significantly, as well as consider them as IATTC employers would be very expensive as it would require paying them as international employees while now they are professional contractors. He stressed that retirements could be reached with the new group of observers if they work for five years since they can be rehired if they provide quality service.

United States noted this is not a new issue, but it is critical that progress be made at this meeting. If countries with national programs have some ideas to solve this issue they should present them. The Chair proposed discussing this topic in a face-to-face meeting to reach a final decision.

Regarding the budget, given the reservations some countries have in relation to increasing it, the United States proposed to approve for 2022 the same budget approved for 2020 and for 2021. The meeting of the Parties agreed on a US\$ 3,199,200 budget for 2022.

7. Report of the 33rd meeting of the Working Group to promote and publicize the AIDCP Dolphin Safe Tuna Certification System

The report of the AIDCP promotion and publicizing working group was read by Mr. Alvin Delgado in the absence of the Chair of the working group, Mr. Bernal Chavarría. The group recommended updating the video and written material that is published on the AIDCP website, reviewing its format, content and distribution channels, so that that this updated material is directed to the general public—potentially consumers—with the aim of promoting global awareness of the success of the results of the Program and for which funds contributed by the Parties or third parties, other than the ordinary resources or the surplus of the Program, would be used. Likewise, the Secretariat would be entrusted with identifying the profile, actions and costs required to develop such updating of audiovisual and written material.

The United States said it would not object to revising the AIDCP dissemination materials but asked where the funds to carry it out would come from. Colombia stated that to carry out this recommendation a workshop could be held where some Parties could develop a material updating plan with their own funding.

8. Report of the 68th meeting of the International Review Panel

Mr. Enrique de la Vega, in his capacity as the Presider of the IRP, reported that the Panel issued the following recommendations, which were approved by the Meeting of the Parties:

- a) Approve DML requests for 108 vessels out of the 109 requested for 2022 and approve one on a provisional basis pending receipt of the vessel's statement of qualification from the flag State.
- b) Refer case 2020129 to the corresponding Party for investigation of a fishing trip with a possible case of observer interference and/or harassment.

- c) Request the Secretariat to prepare a communication to the Parties, IATTC field offices and national observer programs reaffirming the responsibilities and limits of the duties of onboard observers.
- d) Refer case 2020828 to the corresponding Party for investigation of a fishing trip with a possible case of observer interference and/or harassment.
- e) Reiterate the importance of working with the Parties and the different participants involved to avoid cases of observer harassment
- f) Refer case 2019583 to the corresponding Party for investigation of a fishing trip with a set in which the backdown maneuver was not performed and a live dolphin was sacked up
- g) Request the Secretariat to prepare an analysis of the impact of not performing the backdown maneuver in sets where there is a very small catch of dolphins and the captain decides to use alternative methods for their rescue and release.

9. Other business

a) Observer exemption

It was recalled that this topic had already been addressed under item 5 of the agenda on the IDCP report.

b) Venezuela's proposal to facilitate embarking and disembarking AIDCP observers

Venezuela proposed the Parties to the AIDCP and participating countries join in cooperation to facilitate the embarkation and disembarkation of observers with visas, since problems have arisen in countries requiring visas. This makes it more difficult to place observers in vessels or disembarking them in some ports due to the pandemic and is even more significant since recent trips lasting more than 200 days have been recorded.

The United States appreciated this proposal and recommended it be added to the meeting minutes, noting that it was received positively and taking note of the request.

10. Place and date of next meeting

The next meeting will be held in 2022 on dates to be determined.

11. Adjournment

The meeting was adjourned on 14 October 2021 at 11: 35 AM San Diego time.

Appendix 1. List of attendees

| ASISTENTES - ATTENDEES | |
|---|--|
| MIEMBROS - MEMBERS | |
| BOLIVIA | |
| LIMBERT CORTEZ* Ministerio de Defensa limbert.cortez@protonmail.ch | HUGO ALSINA Alsina et al hugo@alsina-et-al.org |
| COLOMBIA | |
| DUVÁN R. OCAMPO* Ministerio de Relaciones Exteriores duvan.ocampo@cancilleria.gov.co ANDRÉS ORTÍZ Autoridad Nacional de Acuicultura y Pesca andres.ortiz@aunap.gov.co FELIPE BALLESTEROS Ministerio de Ambiente y Desarrollo Sostenible fballesterosg@minambiente.gov.co LEONEL BOHÓRQUEZ Ministerio de Relaciones Exteriores lbohorquezr@cancilleria.gov.co JAVIER GARCÍA Ministerio de Comercio, Industria y Turismo de Colombia jgarcia@mincitur.gov.co | SANDRA MUÑOZ Ministerio de Agricultura y Desarrollo Rural sandra.munoz@minagricultura.gov.co DIEGO CANELOS Seatech International, Inc. dcanelos@seatechint.com ENRIQUE DE LA VEGA Programa Nacional de Observadores edelavega@pescalimpia.org GERMÁN FONSECA Programa Nacional de Observadores observadores@pescalimpia.org |
| COSTA RICA | |
| MIGUEL DURÁN* INCOPECA mduran@incopesca.go.cr JOSÉ MIGUEL CARVAJAL INCOPECA jcarvajal@incopesca.go.cr JOSÉ CENTENO INCOPECA jcenteno@incopesca.go.cr JULIO DÍJERES INCOPECA jdijeres@incopesca.go.cr | ANA SALAZAR INCOPECA ASalazar@incopesca.go.cr EDWIN SALAZAR INCOPECA esalazar@incopesca.go.cr EMANUEL GONZÁLEZ Cámara Nacional Industria Palangrera emanuelgpalangre@hotmail.com ASDRÚBAL VÁSQUEZ Cámara Costarricense Industria Atunera catun@ice.co.cr |
| ECUADOR | |
| ANDRÉS ARENS* Ministerio de Producción, Comercio Exterior, Inversiones y Pesca aarens@produccion.gob.ec ISIDRO ANDRADE Ministerio de Producción, Comercio Exterior, Inversiones y Pesca iandrade@produccion.gob.ec LUIS CHOMPOY Ministerio de Producción, Comercio Exterior, Inversiones y Pesca lchompoy@produccion.gob.ec LUCIANO DELGADO Ministerio de Producción, Comercio Exterior, Inversiones y Pesca ldelgados@produccion.gob.ec HENRY MERO Ministerio de Producción, Comercio Exterior, Inversiones y Pesca hmero@produccion.gob.ec DAVID VILLAVICENCIO | JORGE COSTAIN Transmarina jcostain@transmarina.com JAIME HOLGUÍN Cámara Nacional de Pesquería holquinlaw@gmail.com MÓNICA MALDONADO CEIPA ceipa@ceipa.com.ec SOFIA MOROCHO Cámara Nacional de Pesquería sofia33m@hotmail.com ANDRÉS ROCHE Cámara Nacional de Pesquería androcfp@hotmail.com ANGELA SANTOS CEIPA info@corsea.com.ec LUIS TORRES Probecuador probecuador@gye.satnet.net |

| | |
|--|---|
| <p>Ministerio de Producción, Comercio Exterior, Inversiones y Pesca dvillavicencio@produccion.gob.ec LEONARDO AGUIRRE Negocios Industriales Real Nirsa S.A. laquirre@nirsa.com LUIGI BENINCASA ATUNEC direccionejecutiva@atunec.com.ec</p> | <p>RAFAEL TRUJILLO Cámara Nacional de Pesquería rtrujillo@camaradepesqueria.ec PEDRO SANTISTEVAN Tunacons psantistevan@tunacons.org MARCELO VELASTEGUI Cámara Nacional de Pesquería fvelastequi@quayatuna.com.ec</p> |
| EL SALVADOR | |
| <p>FRANCISCO SACA * Ministerio de Agricultura y Ganadería francisco.saca@mag.gob.sv RAÚL CORTÉZ Ministerio de Agricultura y Ganadería raul.cortez@mag.gob.sv BERNAL CHAVARRÍA Asesor bchavarria@lsq-cr.com</p> | <p>ANA MEJÍA Uniocean El Salvador ana.mejia@coatun.com JORGE SANISIDRO CTMC jorge.sanisidro@ctmcorporation.com</p> |
| ESTADOS UNIDOS DE AMÉRICA - UNITED STATES OF AMERICA | |
| <p>DAVID HOGAN* U.S. Department of State hogandf@state.gov KRISTY JACOBUS U.S. Department of State JacobusKB@state.gov ELANA MENDELSON U.S. Department of State katz-minkeh@state.gov LYLE ENRIQUEZ NOAA/National Marine Fisheries Service Lyle.Enriquez@noaa.gov MADISON HARRIS NOAA/National Marine Fisheries Service madison.harris@noaa.gov AMY LUBRANO NOAA/National Marine Fisheries Service amy.lubrano@noaa.gov</p> | <p>PAUL ORTIZ NOAA/National Marine Fisheries Service paul.ortiz@noaa.gov WILLIAM STAHNKE NOAA/National Marine Fisheries Service william.stahnke@noaa.gov RACHAEL WADSWORTH NOAA/National Marine Fisheries Service rachael.wadsworth@noaa.gov ELIZABETH HELLMERS California Dept. Fish & Wildlife elizabeth.hellmers@wildlife.ca.gov JOHN ZUANICH U.S. Commissioner iztrading@aol.com</p> |
| GUATEMALA | |
| <p>JULIO LEMUS * Ministerio de Agricultura, Ganadería y Alimentación juliolemusdipesca@gmail.com STEFANNY ALVARADO Ministerio de Agricultura, Ganadería y Alimentación stefannyalbarado@gmail.com</p> | <p>RUBÉN LÓPEZ Ministerio de Agricultura, Ganadería y Alimentación rubenlopezbran@yahoo.com CARLOS MARTÍNEZ Ministerio de Agricultura, Ganadería y Alimentación carlosmartinez41331@gmail.com</p> |
| HONDURAS | |
| <p>FIDELIA CARDONA * DIGEPESCA investigacion.dgpa@gmail.com</p> | |
| MÉXICO- MEXICO | |
| <p>BERNARDINO JESÚS MUÑOZ * Comisión Nacional de Acuacultura y Pesca Bernardino.munoz@conapesc.gob.mx ISABEL C. REYES Comisión Nacional de Acuacultura y Pesca Isabel.reyes@conapesc.gob.mx ARMANDO DÍAZ Instituto Nacional de Pesca y Acuacultura adiaz@cicese.mx</p> | <p>GUILLERMO GÓMEZ Gomez-Hall Asociados gomezhall@gmail.com ANA MERÁZ MT Pesca Industrial b.meraz@mtpesca.com JESÚS MURILLO Grupomar cpuerto@grupomar.com</p> |

| | |
|--|--|
| <p>MICHEL DREYFUS Instituto Nacional de Pesca y Acuicultura dreyfus@cicese.mx</p> <p>LUIS FLEISCHER Instituto Nacional de Pesca y Acuicultura lfleischer21@hotmail.com</p> <p>CRISTINA ALVIDREZ Pesca Chiapas cristina.alvidrez@procesa.mx</p> <p>CHRISTIAN ALCARÁZ Marpesca christian.alcaraz@bajaaquafarms.mx</p> | <p>JUAN NAVA Grupomar jnava@grupomar.mx</p> <p>BENITO SARMIENTO Marpesca benito.sarmiento@bajaaquafarms.mx</p> <p>ALVIN SUÁREZ Alianza del Pacífico por el Atún Sustentable asuarez@pacifictunaalliance.org</p> |
| NICARAGUA | |
| <p>ROBERTO CHACÓN * Instituto Nicaraguense de la Pesca y Acuicultura rchacon@inpesca.gob.ni</p> <p>RENALDY BARNUTTI Instituto Nicaraguense de la Pesca y Acuicultura rbarnutti@inpesca.gob.ni</p> <p>NYDIA MALTEZ Instituto Nicaraguense de la Pesca y Acuicultura Tiffanymaltez@hotmail.com</p> <p>REYNA ARANA Atunes de Nicaragua, S. A. karina.marquez3@gmail.com</p> | <p>JULIO GUEVARA Comisionado juliocgq@hotmail.com</p> <p>ARMANDO SEGURA Cámara de la Pesca de Nicaragua capenic@ibw.com.ni</p> <p>KAROLA SIRIAS Atunes de Nicaragua, S. A. k_27@hotmail.es</p> <p>MIGUEL MARENCO Nicatun S.A lobodemar59@gmail.com</p> |
| PANAMÁ - PANAMA | |
| <p>RAÚL DELGADO* Autoridad de los Recursos Acuáticos de Panamá rdelgado@arap.gob.pa</p> <p>RUDICK KANT Autoridad de los Recursos Acuáticos de Panamá rkant@arap.gob.pa</p> | <p>MARÍA DÍAZ FIPESCA mpdiaz@fipesca.com</p> |
| PERÚ -PERU | |
| <p>ANA ALEGRE Imarpe palegre@imarpe.gob.pe</p> | |
| UNIÓN EUROPEA - EUROPEAN UNION | |
| <p>MARCO VALLETA* European Commission marco.valletta@ec.europa.eu</p> | |
| VANUATU | |
| <p>WAYNE TALEO* Ministry of Agriculture, Livestock, Biosecurity, Forestry and Fisheries ttaleo@gmail.com</p> | |
| VENEZUELA | |
| <p>LERMIS LARA* Ministerio del Poder Popular de Pesca y Acuicultura lermislara@gmail.com</p> <p>JUANA TORRES Ministerio del Poder Popular de Pesca y Acuicultura juliee.to-rres7@gmail.com</p> | <p>ALVIN DELGADO FUNDATUN fundatunpnov@gmail.com</p> |

SECRETARÍA – SECRETARIAT

JEAN-FRANCOIS PULVENIS, Director a.i.

jpulvenis@iattc.org

MARISOL AGUILAR

maquilar@iattc.org

ERNESTO ALTAMIRANO

ealtamirano@iattc.org

RICARDO BELMONTES

rbelmontes@iattc.org

GUILLERMO COMPEÁN

gcompean@iattc.org

BARBARA CULLINGFORD

bcullingford@iattc.org

ALEXANDRE DA SILVA

adasilva@iattc.org

MONICA GALVÁN

mgalvan@iattc.org

MARTIN HALL

mhall@iattc.org

PAULINA LLANO

pllano@iattc.org

CLERIDY LENNERT

clennert@iattc.org

JON LOPEZ

jlopez@iattc.org

ALFONSO MIRANDA

amiranda@iattc.org

JEFF MORGAN

jmorgan@iattc.org

TERESA MUSANO

tmusano@iattc.org

JORGE PARRAGA

jparraga@iattc.org

CHRISTINE PATNODE

cpatnode@iattc.org

NORA ROA

nroa@iattc.org

MARLON ROMAN

mroman@iattc.org

ROBERT SARAZEN

rsarazen@iattc.org

MICHAEL SCOTT

mscott@iattc.org

ENRIQUE UREÑA

eurena@iattc.org

BRAD WILEY

bwiley@iattc.org