

INTERNATIONAL DOLPHIN CONSERVATION PROGRAM
INTERNATIONAL REVIEW PANEL
MINUTES OF THE 28TH MEETING (REVISED)

Cartagena (Colombia)
October 25-26, 2001

Presider: Fabio Avila (Colombia)

AGENDA

1. Opening of the meeting
2. Election of the Presider
3. Adoption of the agenda
4. Review of list of qualified captains
5. Review of Dolphin Mortality Limits (DMLs) for 2001
6. Review of vessels qualified to receive DMLs for 2002
7. Determination of a pattern of violations (Annex IV(1)7)
8. Measuring performance in reducing dolphin mortality
9. Comparison of observer programs
10. Review of vessel assessments
11. Review of observer data
12. Review of actions by Parties on possible infractions reported by the IRP
13. Review of the database of sanctions
14. Report of the Permanent Working Group on Tuna Tracking
15. Legal procedures for observers
16. Other business
17. Place and date of next meeting
18. Adjournment

DOCUMENTS

- IRP-28-09 Comparison of observer programs
IRP-28-10 Proposals for funding the AIDCP On-Board Observer Program (attached)

APPENDICES

1. List of attendees
2. Dolphin mortality and utilization of DMLs in 2001
3. System for measuring performance in reducing dolphin mortality
4. Mexican document: *Juridical formalities to be assumed by observers on board*
5. Major infractions of the AIDCP
6. Presider's report to the Meeting of the Parties

The 28th Meeting of the International Review Panel (IRP) was held in Cartagena (Colombia) on October 25-26, 2001. The attendees are listed in Appendix 1.

1. Opening of the meeting

Dr. Robin Allen, Director of the Inter-American Tropical Tuna Commission (IATTC), which provides the Secretariat for the Agreement on the International Dolphin Conservation Program (AIDCP), declared the meeting open.

2. Election of the Presider

Mr. Fabio Ávila, of Colombia, was elected Presider of the meeting.

3. Adoption of the agenda

The Panel agreed to add, at Mexico's request, a new item 15, *Legal procedures for observers*.

4. Review of list of qualified captains

The Secretariat reviewed the AIDCP list of qualified captains, noting the recent changes to the list, and reported that 10 captains who were not on the list had made a total of 18 fishing trips in the Agreement Area during the period since the Panel's last review. It was agreed that the Secretariat would present this information in more detail at future meetings, including the reasons for removing captains from the list and the number of times a captain had been removed.

5. Review of Dolphin Mortality Limits (DMLs) for 2001

The Secretariat presented information on the mortality of dolphins in the fishery in 2001 and the utilization of DMLs (Appendix 2). The average DML for 2001 is 59.75, and the average mortality per vessel in 2001 to date is 25.39.

The Panel agreed that in future it would review cases of sets with high mortality of dolphins individually.

6. Review of vessels qualified to receive DMLs for 2002

The Secretariat reviewed the requests received for DMLs for 2002, noting that the requests for 14 vessels had arrived after the deadline of October 1.

The Panel decided to recommend to the Meeting of the Parties a favorable consideration of Venezuela's request for a DML for a vessel that would be entering its fleet in the near future to replace another that had sunk, provided that it was qualified when it joined the national fleet.

The Panel agreed to recommend to the Meeting of the Parties the approval of the requests for DMLs presented by the Secretariat, including those received after the October 1 deadline. However, it stressed the importance of making these requests punctually, and recommended that in future the Parties make every effort to comply with the deadline. It also recommended that the vessels that requested DMLs but were identified at the meeting as not yet qualified (including those whose captains are not on the AIDCP list of qualified captains) be considered qualified if they meet the requirements for qualification before the end of 2001.

Dr. Allen noted that the IRP's role was to determine which vessels were qualified, based on information provided by the governments, and to advise the Meeting of the Parties of its determination. This would normally not involve any recommendations to the Meeting of the Parties.

7. Determination of a pattern of violations (Annex IV(1)7)

The Secretariat circulated two confidential documents detailing the various infractions committed by captains and vessels between January 1999 and June 2001. The Ocean Conservancy asked that additional information be provided, including, *inter alia*, the number of times a captain had been removed and reinstated to the list of qualified captains, and also recommended that the first 3 or 4 vessels on the list be considered not qualified due to having engaged in pattern of violations.

After a long discussion of how to define a “pattern of violations”, the Panel decided that it was not prepared to take a decision on the matter, and asked the Secretariat to present the issue for further consideration at the next meeting of the IRP.

8. Measuring performance in reducing dolphin mortality

The Panel approved the Secretariat’s proposal (Appendix 3), regarding how to measure performance in reducing dolphin mortality.

9. Comparison of observer programs

The Secretariat presented document IRP-28-09. It was noted that the purpose of the comparison was to examine any differences in the results of the various programs, but that the analysis would not of itself determine which of the results were most accurate. The Ocean Conservancy recommended that this subject be included in the agenda for every meeting of the Panel and that the information be compared annually. The United States agreed with this proposal, expressing concern over the differences in some programs with respect to mortality per set and possible infractions, especially observer interference.

After an extensive discussion the Panel agreed to recommend to the Meeting of the Parties that this item be kept under review and that the Parties concerned strive to eliminate any differences in the results of the various components of the On-Board Observer Program.

10. Review of vessel assessments

Document IRP-28-10 (attached) was presented by the Secretariat and extensively discussed. The central point of the discussion was how to cut the costs incurred by the Secretariat to carry out its functions without reducing the level of support it provides to the Parties and the Agreement. The Secretariat, in response to a question, explained why costs for the AIDCP have increased, noting the significant responsibilities of the Secretariat in implementing the Agreement, the volume of advice and analysis papers requested by the Parties, the new responsibilities associated with the tuna tracking and certification mandates, the increasing number and length of meetings, and various other administrative duties that have arisen with the implementation of the AIDCP.

Some delegations expressed their views that there should be no differential in the level of assessments paid by countries that are IATTC members versus those that are not, viewing this as a kind of discrimination. Other delegations disagreed, noting that the IATTC makes contributions from its budget for activities that are part of the AIDCP, and that those AIDCP Parties that are also IATTC members thus end up paying more.

The Panel did not agree to recommend an increase in the vessel assessments as proposed by the Secretariat, and decided to forward this issue to the Meeting of the Parties for further consideration. The Secretariat was asked to prepare two tables for presentation to the Meeting of the Parties, one with the IATTC contribution and one without, showing costs, revenue, proposed savings, and calculations of assessments on an equal basis, seeking to eliminate the deficit. The Secretariat was instructed to take into account the following elements for reducing costs: number of meetings, place of meetings (it was proposed that they should all be in La Jolla), and as far as possible ask the members to send small delegations.

11. Review of observer data

The Secretariat presented the data reported by observers of the On-Board Observer Program relating to possible infractions that had occurred since the Panel's previous meeting. Each case was discussed, and the Panel decided to forward those that indicated possible infractions of the AIDCP to the responsible government for investigation and possible sanction.

The Panel discussed the set that occurred during trip 2001-375 that resulted in a high mortality of dolphins, and for which there was a considerable discrepancy between the mortality estimated by the observer and that acknowledged by the captain. The vessel continued to set on dolphins after reaching its DML, and this case also raised the question of the application of paragraph 9, Section I, Annex IV of the AIDCP, regarding the cessation of fishing on dolphins by all of the vessels of a nation's fleet.

Dr. Allen noted that the relevant government had already investigated this case and had asked him to present the report of its investigation. The investigation concluded that the vessel, but not the Party nation, had exceeded its DML, and noted the sanctions that had been imposed upon the vessel and the captain.

Several delegations considered that the sanctions imposed by the national authority were very light and did not take into account the magnitude of the events that took place, and expressed their view that unless more were done the integrity of the Agreement could be in jeopardy. After considerable discussion, the Panel agreed to forward the review of the case to the Meeting of the Parties, with a view to ensuring full compliance with the Agreement and to determining the effect of this case on the allocation of relevant DMLs.

The United States proposed that a mechanism to trigger measures and sanctions provided by the AIDCP should be established, and the Panel agreed this should be considered by the Meeting of the Parties.

12. Review of actions by Parties on possible infractions reported by the IRP

The Secretariat presented three tables detailing the responses received from the Parties in cases of possible infractions of observer interference, use of explosives and night sets reported by the Panel.

13. Review of the database of sanctions

The Secretariat presented a report on the status of the collection of the information necessary for the preparation of a database of sanctions, listing the countries that had responded to the Secretariat's request. The information received from the various governments on this subject was made available to the meeting.

Regarding Honduras' response, which in effect was that the government did not have legislation to implement the AIDCP, the meeting suggested that the Secretariat communicate with Honduras, noting that all Parties are obligated to comply with the Agreement, and to make their legislation compatible with the proper functioning of and compliance with the Agreement.

14. Report of the Permanent Working Group on Tuna Tracking

The Chair of the 8th meeting of the Permanent Working Group on Tuna Tracking presented the report of that meeting. The group had agreed to forward to the Meeting of the Parties the issue of the responsibility of the Parties of ensuring that the Tuna Tracking Forms (TTFs) were sent to the Secretariat within the specified period, and of determining whether a Party's failure to improve its performance in this respect should have consequences. It also stressed the importance of promoting and publicizing the *AIDCP Dolphin Safe* label, and of the interested Parties making every effort to both implement and promote the certification system as soon as possible.

15. Legal procedures for observers

Mexico presented the document *Juridical formalities to be assumed by observers on board* (Appendix 4). Some delegations noted that there might be difficulties with making the specific requirements elaborated in the document compatible with the laws of each country, but the Panel considered that some mechanism of this type should be studied at a future meeting. It was decided that the Secretariat would circulate the document to the Parties, who would provide any comments to the Government of Mexico, and the issue would be addressed at the next meeting of the IRP.

16. Other business

The Ocean Conservancy expressed concern over the fact that the average mortality of dolphins per vessel increased in 2000 and proposed that the Secretariat examine the levels of dolphin mortality since 1999 and provide to the next meeting of the IRP proposals for reducing incidental dolphin mortalities, in accordance with the objectives of the AIDCP. These levels shall be presented in two tables, one including sets with high mortality and the other without. The Panel also agreed to review the *Procedures for dealing with Special Problem Sets* under the La Jolla Agreement at its next meeting and consider using those procedures when reviewing such sets in future.

Dr. Allen drew the attention of the meeting to a revised and updated list of the major infractions of the AIDCP, as determined by the Parties (Appendix 5).

The Presider presented his report of the meeting (Appendix 6) and it was agreed to forward this to the Meeting of the Parties.

17. Place and date of next meeting

The Panel agreed that its next meeting would be held on January 31, 2002, in La Jolla, California.

18. Adjournment

The meeting was adjourned on October 26, 2001.

Appendix 1.

**INTERNATIONAL DOLPHIN CONSERVATION PROGRAM
PROGRAMA INTERNACIONAL PARA LA CONSERVACIÓN DE LOS DELFINES**

**PANEL INTERNACIONAL DE REVISION
INTERNATIONAL REVIEW PANEL**

28ª REUNION – 28TH MEETING

**25-26 de octubre de 2001– October 25-26, 2001
Cartagena (Colombia)**

ASISTENTES - ATTENDEES

BOLIVIA

YERKO GARAFULIC

Ministerio de Agricultura, Ganadería y Desarrollo Rural

COLOMBIA

RAFAEL VERGARA NAVARRO

Alcaldía Mayor de Cartagena de Indias

FABIO AVILA ARAUJO

IVAN DARIO ESCOBAR

Instituto Nacional de Pesca y Acuicultura

CLARA GAVIRIA

Ministerio de Comercio Exterior

HECTOR LEAL

ROSALBA VARGAS

MARY LUZ CAÑON

Dirección General Marítima

ARMANDO HERNANDEZ

ALVARO BUSTAMANTE S.

HUGO MARINO

DIEGO CANELOS

AUGUSTO ZARATE

COSTA RICA

HERBERT NANNE ECHANDI

ASDRÚBAL VASQUEZ

JOSE LUIS ARAYA

INCOPECA

ECUADOR

RAFAEL TRUJILLO BEJARANO

LUIS TORRES NAVARRETE

CESAR ROHON

Ministerio de Comercio Exterior, Industrialización y Pesca

EL SALVADOR

SONIA SALAVERRIA

CORALIA MOREIRA

Ministerio de Agricultura Y Ganadería

EUROPEAN UNION – UNION EUROPEA

ROBERTO CESARI

European Comisión

JUAN IGNACIO ARRIBAS

Ministerio De Agricultura, Pesca Y Alimentación

JAVIER ARIZ TELLERIA

Instituto Español De Oceanografía

GUATEMALA

FRATERO DIAZ

UNIPESCA

MEXICO

RICARDO BELMONTES
PEDRO ULLOA
HUMBERTO ROBLES
Secretaría de Agricultura, Ganadería, Desarrollo Rural,
Pesca Y Alimentación
MAXIMO CARVAJAL
LUIS FUEYO
SEMARNAT/PROFEPA

FELICIANO MOO Y CAN
RIGOBERTO ROMERO
MIGUEL ANGEL TORRIJOS
Comisión de Pesca de la Cámara de Diputados
ERNESTO ESCOBAR

PANAMA

ARNULFO FRANCO
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PERU

JULIO GONZALES
Ministerio de Pesquería

GLADYS CARDENAS
Instituto del Mar del Perú

UNITED STATES OF AMERICA - ESTADOS UNIDOS DE AMERICA

DAVID HOGAN
Department of State

VANUATU

HUGO ALSINA LAGOS
Office of Deputy Commissioner of Maritime Affairs

VENEZUELA

ALVIN DELGADO
Programa Nacional de Observadores

JON CELAYA
FRANCISCO ORTISI

ORGANIZACIONES NO GUBERNAMENTALES--NON-GOVERNMENTAL ORGANIZATIONS

NINA YOUNG
The Ocean Conservancy

INDUSTRIA ATUNERA -TUNA INDUSTRY

ROBERTO AGUIRRE
CARLOS CALERO

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SECRETARIADO – SECRETARIAT

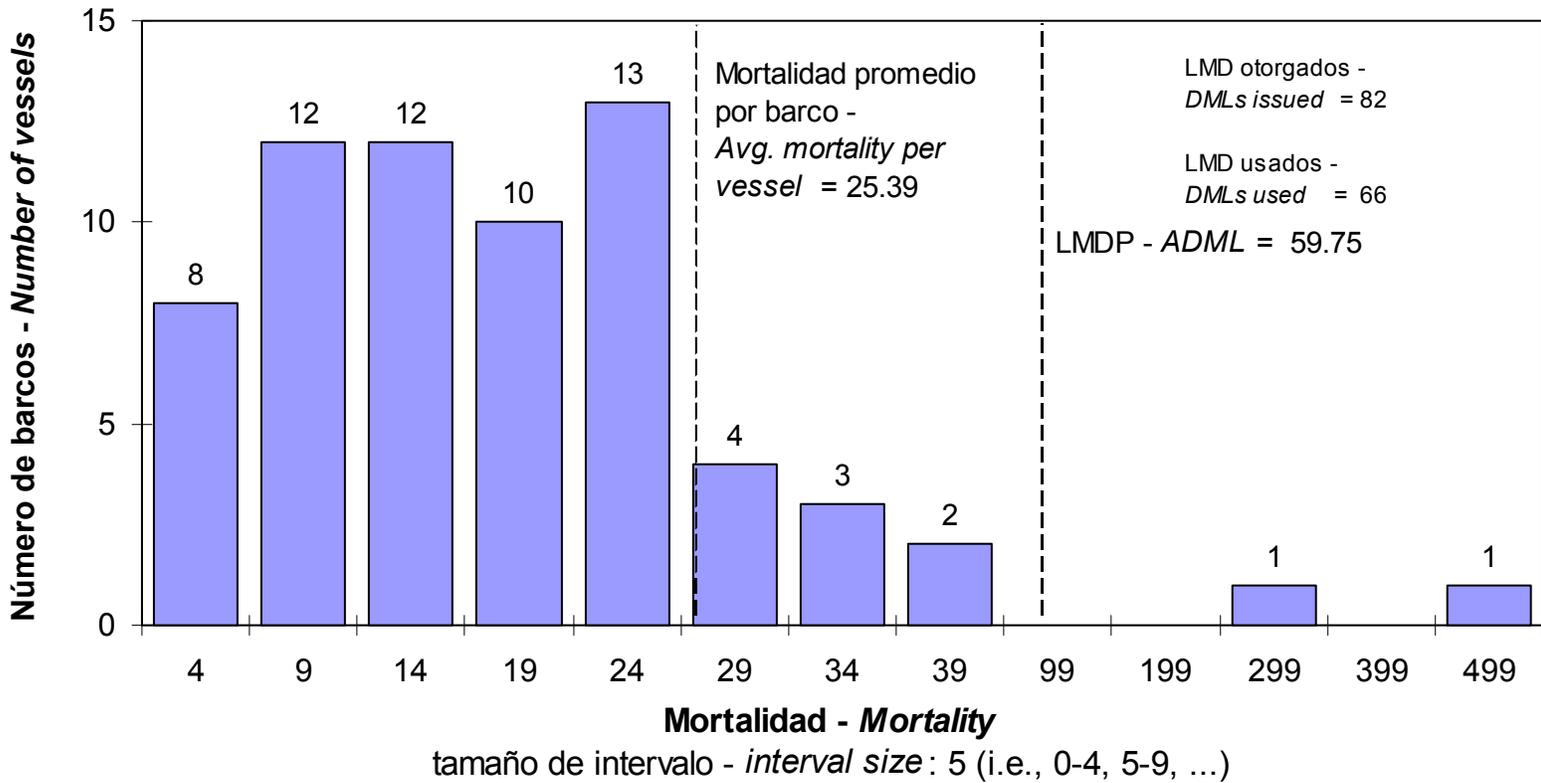
ROBIN ALLEN, Director
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DAVID BRATTEN
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Appendix 2.

MORTALIDAD CAUSADA POR BARCOS CON LMD - 2001
MORTALITY CAUSED BY DML VESSELS - 2001

(Uso de LMD = 1 o más lances intencionales sobre delfines; mortalidad en lances experimentales excluída
DML use = 1 or more intentional sets on dolphins; experimental set mortality excluded)



Datos Preliminares (Octubre 17) - Preliminary Data (October 17)

Appendix 3.

COMISION INTERAMERICANA DEL ATUN TROPICAL
INTER-AMERICAN TROPICAL TUNA COMMISSION

Scripps Institution of Oceanography, 8604 La Jolla Shores Drive, La Jolla CA 92037-1508, USA
Tel: (858) 546-7100 – Fax: (858) 546-7133 – www.iattc.org – Director: Robin L. Allen

September 28, 2001

Ref.: 0921-430

To: Members of the International Review Panel

From: Robin Allen, Director

Re: 28th Meeting of the IRP, October 2001, Agenda Item 8: Measuring performance in reducing dolphin mortality

The AIDCP requires that a vessel's performance in reducing dolphin mortalities be considered in the initial assignment and subsequent adjustment of DMLs. The Agreement calls upon the IRP to determine how to measure vessel performance.

The Secretariat developed a system to measure performance and presented it to the IRP at its 26th meeting, held in La Jolla on January 29-30, 2001. The Secretariat proposed using standardized mortality per set (SMPS) on dolphins as a measurement. Because the MPS can be affected by the average size of dolphin herds in a region, or by differences in dolphin behavior by species or region, it was the Secretariat's view that it would not be fair to simply compare, without some form of standardization, the MPS of vessels that operate in different areas. The proposal presented in January attempted to address this by measuring performance based on data stratified by species and regions.

The Secretariat's proposal was not discussed extensively at the January meeting, and the Panel decided to consider the matter again at a future meeting. Attached are the details of the calculation proposed by the Secretariat. If the IRP agrees to utilize this measure, the provisions of the AIDCP relating to vessel performance would be taken into account during the allocation process for DMLs for 2002.

Appendix. Calculation of standardized mortality per set (SMPS)

It is anticipated that this measure will be computed annually; data availability is likely to preclude assessment of performance over shorter time intervals. Data for the performance measure will be limited to vessels making at least 10 dolphin sets in a year to ensure a minimum sample size. Sets involving major malfunctions are excluded from the comparison.

Data are assigned to one of six cells (2 species groupings x 3 areas) based on the following criteria:

1. Sets are classified into 'sets on common dolphins' and 'sets on other dolphins.' A set on common dolphins is defined as a set in which (a) there was mortality and more than 50% of the dolphins killed were common dolphins, or (b) there was no mortality, but dolphins were captured and more than 50% of the dolphins captured were common dolphins.
2. Sets are assigned to one of three areas: (1) north of 5°N between 86°-117°W; (2) between 6°-14°N and 123°-150°W; and (3) all other parts of the Agreement Area.

Within each species x region cell, the mortality per set is computed for each vessel, and each vessel is assigned a standardized rank based on its mortality per set. The standardized rank is obtained by ranking the individual mortality per set values and then dividing each rank by the maximum rank. Each vessel's standardized ranks from the six cells are combined into one overall score by computing a weighted average of the standardized ranks, with weights equal to the number of dolphin sets in each cell.

Appendix 4.

PROPOSAL OF MEXICO

JURIDICAL FORMALITIES TO BE ASSUMED BY OBSERVERS ON BOARD

A) BACKGROUND

The Agreement on the International Dolphin Conservation Program had as one of its fundamental objectives “to progressively reduce the incidental dolphin mortalities in the tuna fishery of the Agreement Area to levels approaching zero”.

Over the years the virtues of the Program have become evident and we have witnessed a reduction of the mortality of dolphins in the purse-seine fishery for tunas.

To a great extent the success of the program has depended on the genuine commitment of the governments to observing strict compliance with the Agreement.

The observer program is the backbone of the AIDCP. Thanks to the observers and their reports, we can be sure that we are making progress.

However, we need to maintain the objective of observing compliance with the Agreement and to that end it is necessary that that be done in harmony with the juridical framework in force in each of our countries.

In Mexico, and doubtless in other countries, acts of authority must be preceded by the principle of legality and juridical protection which the law grants to individuals.

In the Agreement each one of the governments has made a commitment to ensure, with regard to vessels under the jurisdiction of the State, the effective compliance of the measures established in the Agreement or adopted in accordance with its principles. Likewise, with regard to the infractions, each Party, taking into consideration the recommendations of the IRP, shall apply, consistent with its national laws, sanctions of sufficient gravity as to be effective in securing compliance with the provisions of the Agreement.

B) PROPOSAL

The Parties acknowledge that the figure of the observer in his reports must comply with the essential formalities of the procedures that each national legislation establishes. The following would be a minimum:

- The report shall be well-founded, justified and detailed.
- Be in writing and signed by the observer, indicating the place and date issued.
- Shall be brought to the attention of the captain, who may sign it or not; in the latter case, the observer shall record this. Lack of the captain’s signature shall not invalidate the report.
- The captain shall be asked to designate two witnesses and, if he chooses not to, the observer may name them. The witnesses may refuse to sign the report. In such a case, the observer shall indicate this on the report. Lack of the witness’ signature shall not invalidate the report.
- The report shall have the validity of evidence considered documentary and public for all legal purposes.

For the above reasons, the IRP proposes to the Meeting of the Parties the adoption of the agreement to incorporate such juridical formalities as part of Annex II of the Agreement.

Appendix 5.

**INTERNATIONAL DOLPHIN CONSERVATION PROGRAM
PROGRAMA INTERNACIONAL PARA LA CONSERVACION DE LOS DELFINES**

INTERNATIONAL REVIEW PANEL

28TH MEETING

CARTAGENA (COLOMBIA)
OCTOBER 25-26, 2001

INFRACCIONES MAYORES - MAJOR INFRACTIONS

	Código		
1.	NOOBS	Pescar sin observador	Fishing without an observer
2.	NODML	Pescar sobre delfines sin LMD	Fishing on dolphins without a DML
3.	BNST	Pescar sobre stock de delfines prohibido	Fishing on banned stocks of dolphins
4.	HARM	No evitar dañar o matar delfines capturados en el curso de las operaciones de pesca	Failing to avoid injuring or killing dolphins captured in the course of fishing operations
5.	AFTDML	Pescar sobre delfines después de alcanzar el LMD	Fishing on dolphins after reaching the DML
6.	NODSP	Pescar sobre delfines sin paño de protección de delfines en la red	Fishing on dolphins without a dolphin safety panel in the net
7.	UNLIST	El capitán de pesca asignado a un buque con LMD no está en la lista de capitanes calificados del APICD	Fishing captain assigned to a DML vessel is not on the AIDCP list of qualified fishing captains
8.	EXPL	Usar explosivos al pescar sobre delfines	Use of explosives when fishing on dolphins
9.	NOBK	No realizar retroceso tras capturar delfines	Not conducting backdown after dolphins are captured
10.	SKBR	Embolsar o salabardear delfines vivos	Sacking up or brailing live dolphins
11.	OBSINT ¹	Acosar al observador o interferir con sus deberes	Harassing an observer, or interfering with his duties

¹ Puede ser mayor, según el caso - Could be major depending on the case

Appendix 6.

**INTERNATIONAL DOLPHIN CONSERVATION PROGRAM
PROGRAMA INTERNACIONAL PARA LA CONSERVACION DE LOS DELFINES**

INTERNATIONAL REVIEW PANEL

28TH MEETING

CARTAGENA (COLOMBIA)
OCTOBER 25-26, 2001

PRESIDER'S REPORT TO THE 6TH MEETING OF THE PARTIES

During its 28th Meeting, the IRP agreed to forward to the Meeting of the Parties for its consideration the following:

1. Agenda Item 6, *Review of vessels qualified to receive DMLs for 2002*:
 - a. the vessels whose requests for DMLs were received after the October 1 deadline should be considered qualified, but that Parties should in future make every effort to meet this deadline.
 - b. the vessel with two registrations clarify its status as soon as possible.
 - c. the vessels that have applied for DMLs but which were identified at the meeting as not yet qualified (including those whose captains are not on the list of AIDCP qualified captains) be considered qualified if they fulfil the requirements for qualification for a DML before the end of 2001.
 - d. the request by Venezuela for a DML for a vessel that is being purchased should be given favorable consideration, subject to the vessel being qualified at the time it is brought into the national fleet.
2. Agenda Item 7, *Determination of a pattern of violations*: the Secretariat was asked to add items to the table in the document *Confirmed infractions by vessels, 1999-2001*, and provide an analysis to the next meeting of the IRP.
3. Agenda Item 8, *Measuring performance in reducing dolphin mortality*: that the system for measuring performance proposed by the Secretariat be adopted.
4. Agenda Item 9, *Comparison of observer programs*: the Parties concerned shall strive to eliminate any differences in the results of the various components of the On-Board Observer Program.
5. Agenda Item 10, *Review of vessel assessments*: that the Parties should decide upon the level of vessel assessments for 2002. To assist in this effort, the Secretariat was asked to prepare two tables, one with the IATTC contribution and one without, showing costs, revenue, proposed savings, and calculations of assessments on an equal basis, seeking to eliminate the deficit.

The following elements shall be taken into account by the Secretariat for reducing costs: number of meetings, place of meetings (it is proposed that they should all be in La Jolla), and as far as possible ask the members to send small delegations.
6. Agenda Item 11, *Review of observer data*: that case no 2001-375 be reviewed by the Parties with a view to ensuring full compliance with the Agreement and to determining the effect of this case on the allocation of DMLs relevant to this case. United States proposes that in cases of sets with high mortality a mechanism for immediate verification should be established.
7. Agenda Item 14, *Report of the Permanent Working Group on Tuna Tracking*:

- a. Tuna Tracking Forms (TTFs):
 - i. The Parties should strengthen their efforts to ensure that the original TTFs are collected, that a copy is sent to the flag state if necessary, and that the original is sent to the Secretariat within the period specified, and should consider whether a Party's failure to improve its performance in this respect should have consequences;
 - ii. The Secretariat shall elaborate a flow chart illustrating the Tuna Tracking System and report to the Working Group on the *AIDCP Dolphin Safe* certificates issued and the corresponding TTFs received.
 - b. Promotion and publicity of the *AIDCP Dolphin Safe* label:
 - i. The interested Parties should make every effort to both implement and promote the certification system as soon as possible;
 - ii. The Secretariat shall prepare for the next meeting of the Working Group a separate budget for a one-year campaign to promote the AIDCP Dolphin Safe label, whose cost will be borne by the interested Parties, including two visits to Europe and hiring a public relations firm.
 - c. The Secretariat shall redraft its proposal for collection of TTF data by observers outside the Agreement Area presented in document TT-8-06, taking account of the discussion at the meeting, in particular the idea of segregating tuna caught outside the Agreement Area.
 - d. The Secretariat shall communicate with those governments that have not yet submitted their National Tuna Tracking plans to urge them to do so before the next meeting of the Working Group.
8. Agenda Item 15, *Legal procedures for observers*: the Secretariat shall circulate the document presented by Mexico to the Parties, the Parties will provide any comments to the Government of Mexico, and the issue will be addressed at the next meeting of the IRP.
9. Agenda Item 16, *Other business*:
 - a. the Secretariat shall examine the levels of dolphin mortality since 1999 and provide to the next meeting of the IRP proposals for reducing incidental dolphin mortalities, in accordance with the objectives of the AIDCP. These levels shall be presented in two tables, one including sets with high mortality and the other without.
 - b. to review the procedures for dealing with Special Problem Sets under the La Jolla Agreement at its next meeting and consider using those procedures when reviewing such sets in future.
10. Agenda Item 17, *Place and date of next meeting*: the Panel decided to hold its 29th meeting in La Jolla, California, on 31 January and 1 February 2002.

INTERNATIONAL DOLPHIN CONSERVATION PROGRAM
PROGRAMA INTERNACIONAL PARA LA CONSERVACION DE LOS DELFINES

INTERNATIONAL REVIEW PANEL

28TH MEETING

CARTAGENA (COLOMBIA)
OCTOBER 25-26, 2001

DOCUMENT IRP-28-10

**PROPOSALS FOR FUNDING THE AIDCP ON-BOARD OBSERVER
PROGRAM**

1. INTRODUCTION

At the 27th meeting of the IRP in June 2001, the Secretariat indicated that the current level of vessel assessments will not be enough to cover the costs related to the AIDCP for 2002, and proposed an increase in these assessments to US\$13.60 per cubic meter of well volume. The IRP did not support the proposed increase.

At its 5th meeting, held in August 2001, the IATTC Working Group on Finance addressed the shortfall in the IATTC general budget and was advised of the expected deficit related to the AIDCP program. The Working Group agreed that the IATTC should pay no more than 30% of the costs associated with the AIDCP On-Board Observer Program for vessels of member states. Accordingly, the assessments for vessels of non-member states would be correspondingly higher.

The vessel assessments for 1999, 2000, and 2001 were increased to US\$12.552 per cubic meter of well volume. This increase was adopted to (1) recover deficits in funding from 1995 to 1998 and (2) cover the increased costs of operation of the IDCP. After the increase, there was an operating surplus of US\$141,294 at the end of 1999.

The estimated costs incurred for IATTC activities related to the implementation of the IDCP in 2000 and 2001 have been greater than the revenue from vessel assessments, and are also expected to be greater in 2002 and 2003 (Table 1).

2. ESTIMATED FUTURE COSTS

Table 1 shows the estimated costs and revenue for the IDCP for the years 2000 to 2003. The estimates for 2002 and 2003 assume that inflation will increase general costs and salaries by 4%. Costs are greater than the estimates presented in June as the costs of administering the *AIDCP Dolphin Safe* documentation system are now included.

The Secretariat proposes three alternatives:

- a) Increase vessel assessments to US\$13.60/m³ for vessels of IATTC member states and US\$19.43/m³ for vessels of other states; or
- b) Provide direct funding for the AIDCP from the Parties to the Agreement; or
- c) In 2002 and thereafter, discontinue placement of observers and other services provided by the Secretariat upon depletion of AIDCP funds.

3. PROPOSED ACTION BY THE IRP

Determine which of the above options would best meet the financial needs of the AIDCP, and recommend that option to the Meeting of the Parties.

TABLE 1. IDCP: Allocation of costs, 2000-2003.

TABLA 1. PICD: Distribución de costos, 2000-2003.

(US\$)	FY-AF	2000 (estimated— estimados)	2001	2002	2003
			(projected—proyectados)		
COSTS-COSTOS:					
Covered at 70%-Cubiertos al 70%					
Gross costs-Costo bruto:					
Observers (wages, travel, equipment) Observadores (sueldos, viajes, equipo)		\$1,278,847	\$1,225,826	\$1,327,887	\$1,335,208
IATTC staff (part) Personal de la CIAT (porción)		519,845	532,087	559,438	593,511
IATTC administration (part) Administración CIAT (porción)		286,186	287,340	296,146	306,518
IATTC field office staff and facilities (part) Personal e instalaciones de las oficinas regionales de la CIAT (porción)		253,978	266,481	277,140	288,226
Contract services for data entry Servicios por contrato para ingreso de datos		13,510	14,050	14,612	15,197
Training courses Cursos de entrenamiento		3,000	3,120	3,245	3,375
Subtotal		\$2,355,366	\$2,328,905	\$2,478,469	\$2,542,035
70% of/del subtotal		1,648,756	1,630,234	1,834,067	1,881,106
Covered at 100%-Cubiertos al 100%					
AIDCP Certification Costs					
Meetings of Parties and IRP Reuniones de las Partes y del PIR			20,000	30,000	30,000
TOTAL		\$1,677,975	\$1,701,067	\$1,916,933	\$1,966,087
Total vessel assessments paid Total de cuotas de buques pagadas		1,497,891	1,600,655	1,747,123	1,747,123
Surplus (deficit) – Superávit (déficit)		(180,084)	(100,412)	(169,810)	(218,964)