

INTERNATIONAL DOLPHIN CONSERVATION PROGRAM

INTERNATIONAL REVIEW PANEL

54TH MEETING

DEL MAR, CALIFORNIA (USA)

17 OCTOBER 2013

MINUTES OF THE MEETING

AGENDA

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2. Election of the Presider	
3. Adoption of the agenda	
4. Non-governmental members of the Panel	
5. Approval of the minutes of the 53 rd meeting	
6. a. Review of Dolphin Mortality Limits for 2013	IRP-54-06a
b. Dolphin Mortality Limits for 2014	IRP-54-06b
7. Review of AIDCP <i>List of Qualified Captains</i>	IRP-54-07
8. Review of actions by Parties on possible infractions reported by the IRP:	
a. Actions taken since report at 53 rd meeting	IRP-54-08a
b. Status review of special cases	IRP-54-08b
9. Review of observer data	
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APPENDIX

1. List of attendees

The 54th meeting of the International Review Panel was held in Del Mar, California (USA), on 17 October 2013.

1. Opening of the meeting

Dr. Guillermo Compeán, Director of the Inter-American Tropical Tuna Commission (IATTC), which provides the Secretariat for the Agreement on the International Dolphin Conservation Program (AIDCP), opened the meeting.

2. Election of the Presider

Mr. William Jacobson, of the United States, was elected to chair the meeting.

3. Adoption of the agenda

The provisional agenda was adopted without changes.

4. Non-governmental members of the Panel

The Secretariat reported that the following persons had been named non-governmental members of the Panel for the next two years:

	Name	Country / Organization
Industry	Rafael Trujillo	Ecuador
	Lillo Maniscalchi	Venezuela
Environmental NGOs	Cristobel Block	Humane Society of the US
	Rebecca Regnery	Humane Society International

5. Approval of the minutes of the 53rd meeting

The minutes of the 53rd meeting of the Panel were approved without changes.

6. a. Review of Dolphin Mortality Limits for 2013

The Secretariat summarized the situation regarding the allocation, reallocation, and utilization of Dolphin Mortality Limits (DMLs) in 2013, described in Document IRP-54-06a, noting that no vessel had exceeded its allocated DML for the year.

b. Dolphin Mortality Limits for 2014

The Secretariat presented Document IRP-50-06b on DMLs requested for 2014. Eighty-three requests had been received, all of which qualified for a DML.

7. Review of the AIDCP List of Qualified Captains

The Secretariat presented Document IRP-54-07, *Changes to the AIDCP List of Qualified Captains*, which updates the changes that occurred between 26 April and 12 September 2013. During that period, four captains were added and none were reinstated or removed.

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

a. Actions taken since the report at the 53rd meeting

The Secretariat presented Document IRP-54-08a, *Responses to six types of possible infractions identified during the 53rd meeting*. There were two cases: one of observer harassment (Ecuador) and the other of use of explosives (Mexico). No responses had been received from the governments involved.

The European Union asked what actions are to be taken if a Party does not respond. The Secretariat stated that if no response is received within six months, the infraction is confirmed, which could have repercussions on the allocation of DMLs.

Mexico reported that its case was under investigation, and a report will be presented soon. Regarding two cases of departing without an observer reported at the 53rd meeting, the corresponding administrative investigation process is underway.

b. Status review of special cases

The Secretariat presented Document IRP-54-08b, *Summary of pending special cases monitored by the IRP*, which presents the following two cases, pending since 2012 and 2011, respectively.

Case 51-01.

The trip occurred in 2012 and was presented to the 51st meeting as a possible infraction of making a set on dolphins without a dolphin safety panel. The case was referred to the Party in August 2012.

Panama reported that the captain in question had explained that he had set the net on dolphins and immediately terminated the operation, and that he had done so because he had not made a set on dolphins that year and did not want the vessel to lose its DML for not making a set on dolphins within the prescribed timeframe. Panama indicated that a note they sent to the Panel the previous day indicating that

no fine had been imposed, but the vessel owner had been warned that any similar cases would be sanctioned in the future. The Panel decided to remove the case from the list of special cases.

Case 51-03.

The trip occurred in 2012 and was presented to the 51st meeting as an infraction of interfering with the observer's work by attempting to bribe the observer. The case was referred to the Party in August 2012; to date no response has been received.

The Panel decided to maintain the case on the list of special cases.

One Party inquired about the case of observer interference presented at the previous meeting in June 2013, and asked why it did not appear on the list of special cases. The Secretariat explained that not all cases of observer interference qualified for automatic inclusion in the list of special cases, but rather only those involving a threat or attempted bribe.

9. Review of observer data

The Secretariat presented the data reported by observers of the On-Board Observer Program relating to possible infractions received and processed by the Secretariat since the Panel's previous meeting. The Panel discussed those cases that were not automatically referred to the pertinent Parties, and forwarded those that indicated possible infractions of the AIDCP to the responsible government for investigation and possible sanction.

The following cases, identified by the corresponding trip number, were discussed. The Panel identified all the cases as possible infractions, to be sent to the relevant Party for investigation.

2013-184. Night set. A malfunction occurred, but the observer reported that the malfunction was repaired without substantially affecting the duration of the set, which finished 14 minutes beyond the 30 minutes allowed after sundown. No dolphin mortality was recorded.

2013-337. Observer harassment. The observer reported that the vessel's captain insulted him for being thorough in his reporting duties. When the observer replied that he would report the incident, the captain said that he would seek to have the observer fired from his program.

2013-383. Fishing with a captain not included in the List of Qualified Captains.

2013-470. Use of explosives. The observer reported two instances where explosives were thrown from the boat or helicopter, during the process of searching for tuna, but his notes were insufficiently detailed to determine exactly what occurred. The Panel agreed to forward the matter to the relevant Party for investigation, and requested that the Secretariat ask the observer program in question to remind its observers to record as much detail as possible on their forms, to allow a better assessment of what happened.

2013-502. Accidental set. A vessel without a DML accidentally caught two pilot whales. The net was eventually inverted and the animals released, but not before the net was sacked up. The AIDCP requires that all marine mammals be released from the net before sackup.

One Party noted that this captain was not qualified to fish on dolphins under the AIDCP, and could therefore not have been aware of the applicable requirements and prohibitions. In response, others noted that all captains who work in a fishery under a binding international agreement such as the AIDCP are responsible for knowing the relevant rules, regardless of whether they have attended an AIDCP captain training seminar.

10. Report of the Permanent Working Group on Tuna Tracking

Mr. Arnulfo Franco, of Panama, who chaired the working group, presented his report. The working group recommended that the IRP 1) invite interested Parties to investigate cases involving missing or contradictory Tuna Tracking Forms (TTFs) and report the results of those investigations to the

Secretariat; 2) urge the Parties to comply with the requirements to conduct audits of their national tuna tracking programs and report on the same to the Secretariat, so that this information can be considered by the working group. The working group also highlighted that the Secretariat has received over 90% of all Tuna Tracking Forms from the Parties, indicating that a high level of compliance has been achieved.

11. Other business

There was no other business.

12. Recommendations for the Meeting of the Parties

The Panel agreed on the following recommendations for the Meeting of the Parties:

1. Interested Parties should investigate the reason why certain Tuna Tracking Forms have not been submitted to the Secretariat.
2. The Parties should carry out audits of their tuna tracking systems, and a progress report on such audits should be added to the Secretariat's report on the IDCP.
3. Draw attention to the fact that over 90% of all Tuna Tracking Forms have been submitted by the Parties, indicating a high level of compliance for the Program.
4. The Secretariat should include on future IRP documents, which summarize pending special cases monitored by the IRP, more detailed information related to each case, such as the flag of the vessel in question.
5. All cases of observer harassment, besides those involving threats or bribery, be followed by the Panel to the end of the investigation.

13. Place and date of next meeting

The next meeting of the Panel will be held in July 2014, on the occasion of the meetings of the AIDCP.

14. Adjournment

The meeting was adjourned at 5:06 PM on October 17, 2013.

Appendix 1.

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