

INTERNATIONAL DOLPHIN CONSERVATION PROGRAM

INTERNATIONAL REVIEW PANEL

55TH MEETING

LIMA, PERU
7 JULY 2014

REPORT OF THE MEETING

AGENDA

	Documents
1. Opening of the meeting	
2. Election of the Presider	
3. Adoption of the agenda	
4. Approval of the minutes of the 54 th meeting	
5. Review of Dolphin Mortality Limits for 2013 and 2014	IRP-55-05
6. Review of AIDCP <i>List of Qualified Captains</i>	IRP-55-06
7. Review of observer data	
8. Review of actions by Parties on possible infractions reported by the IRP:	
a. Actions taken since report at the 54 th meeting	IRP-55-08a
b. Status review of special cases	IRP-55-08b
9. Report of the Permanent Working Group on Tuna Tracking	
10. Other business	
11. Recommendations for the Meeting of the Parties	
12. Place and date of next meeting	
13. Adjournment	

APPENDIX

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1. List of attendees
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2. Report of the Permanent Working Group on Tuna Tracking
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The 55th Meeting of the International Review Panel was held in Lima, Peru, on 7 July 2014.

1. Opening of the meeting

Dr. Guillermo Compeán, Director of the Inter-American Tropical Tuna Commission (IATTC), opened the meeting, and requested nominations for Presider of the meeting.

2. Election of the Presider

Mr. Jeremy Rusin, of the United States, was elected to preside over the meeting.

3. Adoption of the agenda

The provisional agenda was adopted as presented.

4. Approval of the minutes of the 54th meeting

The minutes of the 54th meeting of the Panel were approved without changes.

5. Review of Dolphin Mortality Limits for 2013 and 2014

The Secretariat summarized the situation with respect to the allocation, reallocation, and utilization of DMLs in 2013 and to date in 2014, contained in Document IRP-55-05. It was noted that no vessel reached its DML in 2013 and that 801 dolphin mortalities were reported in that year, making it the lowest reported dolphin mortality in the history of the fishery.

6. Review of AIDCP List of Qualified Captains

The Secretariat presented Document IRP-55-06, *Changes to the AIDCP List of Qualified Captains*, which updates the changes that have taken place between 13 September 2013 and 29 May 2014. During that period seven captains were added, and none removed or reinstated.

7. Review of observer data

The Secretariat presented 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 the three cases that were not automatically referred to the pertinent Parties, specifically:

Cases 2014-004 and **2014-145** involved trips in which someone other than the assigned qualified observer recorded data on the fishing activities of the vessel, compromising the value of those data and raising questions about whether the vessels involved could be deemed in violation of the AIDCP for fishing without a qualified observer. The Secretariat indicated that the observer had been dismissed from the program. The Panel expressed significant concern about these instances and requested additional information from the Secretariat in order to better understand how similar cases could be avoided in the future. It asked the Secretariat to provide the IRP with updates on these cases at future meetings, and also recommended that the Secretariat:

- a. Distribute the name of the observer who had been dismissed to the Parties and the national observer programs;
- b. Refer these cases to the flag states of the vessels involved for further investigation; and
- c. Send a letter to the AIDCP Parties regarding the procedures for ensuring that a qualified observer accompanies every trip by vessels covered by the Agreement, and the specific responsibilities of flag states and vessel owners in this regard.
- d. Classify these cases as special cases for regular future review by the IRP.

Case 2014-323 involved a vessel of a non-Party that transited through the Agreement Area on at least two occasions without a transit waiver and that departed port in the eastern Pacific without an observer and with a full crew and complement of fishing gear. The Panel expressed concern over the seriousness of these actions in the context of both the AIDCP and the IATTC. The Secretariat noted that a

representative from the flag state would be present at the IATTC annual meeting the following week, so there would be opportunities for consultations. The IRP recommended that the Secretariat refer this case to the flag state for further investigation.

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

- a. **Actions taken since report at the 54th meeting**
- b. **The Secretariat presented Document IRP-55-08a, *Responses to six types of possible infractions identified at the 54th meeting*. When the document was prepared, no responses had been received from the Parties involved to the one case of observer harassment, two cases of use of explosive use, and five cases of night sets, but during the meeting each Party indicated cases under its purview were under investigation.** Status review of special cases

The Secretariat presented Document IRP-55-08b, *Summary of pending special cases monitored by the IRP*. The Panel reviewed case 51-03, which is an case of alleged observer interference that occurred in 2012 in the form of a bribery attempt. The Secretariat indicated that following a prolonged period without a response from the Party on this case, just prior to the current IRP meeting the Party had responded that insufficient evidence was available to enable an administrative investigation into the allegations of observer interference. The Panel decided to recommend to the Meeting of the Parties that the Secretariat write a follow-up letter to the Party to request additional information as to why it made this determination, particularly in light of the observer's notes presented to the Panel supporting the allegation.

9. Report of the Permanent Working Group on Tuna Tracking

The chair of the working group, Mr. Arnulfo Franco, of Panama, presented his report (Appendix 2). The working group had substantial discussions, but had no recommendations for the IRP.

10. Other business

No other business was presented.

11. Recommendations for the Meeting of the Parties

The IRP agreed on the following actions :

- a. Regarding cases 2014-004 and 2014-145, that the Secretariat performs the actions specified under item 7 above.
- b. Regarding case 2014-323, that the Secretariat refer this case to the flag state for further investigation.
- c. Regarding special case 51-03, that the Secretariat ask the flag State for additional information about its determination that there was insufficient evidence for a sanction, particularly in the light of the observer's notes shown to the Panel that support the allegation .

12. Place and date of next meeting

The 56th meeting of the IRP will be held in La Jolla, California (USA) in October 2014.

13. Adjournment

The 55th meeting of the IRP was adjourned at 6:00pm on 7 July 2014.

Appendix 1.

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Appendix 2.
TT-34 report