

INTERNATIONAL DOLPHIN CONSERVATION PROGRAM

INTERNATIONAL REVIEW PANEL

57TH MEETING

Guayaquil, Ecuador

29 June 2015

AGENDA

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2. Election of the Presider	
3. Adoption of the agenda	
4. Approval of the minutes of the 56 th meeting	
5. Review of Dolphin Mortality Limits for 2014 and 2015	IRP-57-05
6. Review of AIDCP <i>List of Qualified Captains</i>	IRP-57-06
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 56 th meeting	IRP-57-08a
b. Status review of special cases	IRP-57-08b
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The 57th meeting of the International Review Panel was held in Guayaquil, Ecuador, on 22 June 2015.

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. Approval of the minutes of the 56th meeting

The minutes of the 56th meeting of the Panel were approved without changes.

5. Review of Dolphin Mortality Limits for 2014 and 2015

The Secretariat summarized the situation regarding the allocation, reallocation, and utilization of Dolphin Mortality Limits (DMLs) in 2014 and 2015, described in Document IRP-57-05, noting that no vessel had exceeded its allocated DML in 2014. In addition, since no vessels had forfeited their DMLs for 2014, four vessels were granted DMLs from the Reserve for the Allocation of DMLs, and all four were utilized. Furthermore, a vessel newly entering the fishery requested a DML, but none was available, so the flag Party, after consulting the other Parties by correspondence and receiving no objections, transferred part of another vessel's DML to the new vessel.

To date in 2015, 28 vessels have not caused any mortality, and none have exceeded their DML. The average mortality per set is 0.07 dolphins, compared to 0.08 in 2014.

Concerning the two vessels that had significantly higher mortality than the rest of the fleet, the European Union asked whether additional training for the captains should be implemented even though they did not exceed their DMLs, and inquired whether these same vessels had high mortality in previous years.. The Secretariat said that it did not know whether these same vessels had high mortality in different years, but noted that sometimes higher mortality for a vessel is indicative of the number of dolphin sets they make overall. Not all vessels requesting a DML spend the same proportion of their effort fishing in association with dolphins, and in general, vessels that make more sets on dolphins may tend to have higher mortality at the end of the year. That being said, the Secretariat indicated that it would investigate and report back on these specific cases, while also noting that the performance of individual captains is examined regularly as part of the process for determining which of them may be eligible to receive a DML higher than the average DML in a given year.

6. Review of the AIDCP List of Qualified Captains

The Secretariat presented Document IRP-57-06, *Changes to the AIDCP List of Qualified Captains*, which updates the changes that occurred between 9 October 2014 and 29 April 2015. During that period, eight captains were added, and none were reinstated or removed.

7. 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, in order to determine which of them should be forwarded to the responsible government as possible infractions. The IRP discussed four such cases and agreed to forward two of them as possible infractions.

Trip 2015-052. Brailing dolphins. A set was made on a herd of about 900 dolphins, about 500 of which were captured. After backdown, eight dolphins were left in the net; seven were released, but the last remaining dolphin was sacked up with the catch and then eventually released through the brailing process, but with serious injuries. The Panel decided to identify this case as a possible infraction, since the AIDCP requires that backdown continue until all dolphins are out of the net.

Class-5 vessel setting on dolphins. Observers from two separate programs and aboard different vessels independently reported observing a class-5 vessel setting on dolphins. The IRP decided to forward the case as a possible infraction and that the vessel be required to carry an observer on subsequent trips while the flag Party investigates the case, consistent with the provisions of Resolution A-02-01.

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

a. Actions taken since the report at the 56th meeting

The Secretariat presented Document IRP-57-08a, *Responses to six types of possible infractions identified during the 56th meeting*. There were no cases to review.

b. Status review of special cases

The Secretariat presented Document IRP-57-08b, *Summary of pending special cases monitored by the IRP*. There were two related cases (Trips 2014-004 and 2014-145), originally addressed by the Panel at its 55th meeting in June 2014, and again at its 56th meeting in October 2014, involving an observer who apparently was substituted by another, unknown person during the two trips.

The Secretariat notified the Party of these cases on 7 April 2014, and again on 7 May 2014. On 14 May 2014, before the 55th meeting of the IRP, the Party responded that the cases were “*absolutely the observer's responsibility*”, and requested that “*any applicable sanctions should be imposed on the observer without affecting the owner, the vessel, the crew or the respective catch*”. The Parties then

offered a range of opinions on the respective responsibilities of the observers, the observer programs, vessel managers, and vessel captains for ensuring that a person purporting to be the assigned observer for a trip on a vessel is in fact a qualified observer who was assigned by an observer program. The Secretariat again reminded the Parties of the procedures followed in terms of observer placement. When possible, program staff conduct a meeting in advance of a vessel's departure with both the observer and the captain present, thus making the observer's identity known to the captain. Furthermore, each observer has a identification card, signed by the Director, and the staff provides the vessel manager with a photocopy of both this card and the observer's passport, so it should be possible in all cases to confirm the observer's identity prior to departure. Some Parties noted that the change of observer in one instance under discussion happened in the middle of a trip, on a beach a long way from port, and that in such a situation the captain of the vessel should be considered responsible for knowing whether the individual embarking is different from the person who disembarked, since the former claimed to be the same individual as the latter.

At its 55th Meeting the IRP agreed to classify these two cases as possible infractions of *fishing without an observer*, and also as special cases, and asked that the Party review the cases again.

The Secretariat wrote to the Party again about these cases on 1 October 2014, but received no reply; however, at the 56th meeting of the IRP in October 2014, during the review of observer data, the Party reported that these cases were being further investigated. The Secretariat has not received any further information about this second investigation.

After a lengthy discussion at the 57th meeting of the IRP, the Panel decided to ask the Party involved to report to the Secretariat the details of the second investigation prior to the next meeting of the IRP, so that the Panel could have an informed discussion of the cases. In addition, the Chair asked the Parties to develop concrete proposals for the next IRP meeting to help prevent such a situation from happening again.

9. Report of the Working Group on Tuna Tracking

Ing. Luis Torres, of Ecuador, chair of the Working Group, presented his report. The group recommended a change to the Tuna Tracking System that would extend the deadline for submitting original Tuna Tracking Forms (TTFs) to the Secretariat, bring it more in line with the provisions of the AIDCP dolphin-safe certification procedures and to reduce the cost of submitting TTFs individually. The proposal would amend paragraph 3.6 of the System to read as follows:

“Within ten (10) days of receipt of a TTF, the competent national authority shall transmit an electronic copy of the TTF to the Secretariat. The original TTFs shall be transmitted to the Secretariat by the competent national authority at the end of each month.”

10. Other business

The following items were discussed:

a) Document IRP-57-10

The Secretariat presented Document [IRP-57-10](#), *Consideration of additional guidelines to govern internal reassignments of DMLs by Parties*, on a mechanism for reallocating DMLs within a Party's fleet. After a lengthy discussion, the IRP concluded that no new guidelines or procedures were necessary at this time to deal with such rare situations.

b) Panama: The reinstatement of a captain to the AIDCP List of Qualified Captains

Panama requested the reinstatement of a captain who had been removed from the List twice, and thus needed the approval of the Meeting of the Parties to be reinstated. Panama explained that he had been removed from the List over ten years ago, and had since completed all the requirements for reinstatement. The Panel recommended that the Meeting of the Parties reinstate this captain, but noted that his

performance should be monitored.

c) European Union: frequency of meetings

The European Union stated that it would like to discuss, at the next meeting of the Panel, the possibility of reducing the frequency of the meetings of the AIDCP and its associated working groups to once per year. They noted that they may prepare a proposal for consideration and welcomed the input of other interested Parties in identifying the amendments to relevant annexes and guidelines that would need to be made in order to effect such a change.

11. Recommendations for the Meeting of the Parties

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

1. Approve the amendment to the Tuna Tracking System (item 9).
2. Approve the request by Panama to reinstate a captain to the List of Qualified Captains (item 10b).

12. Place and date of next meeting

The next meeting of the Panel will be held in conjunction with next meetings of the AIDCP.

13. Adjournment

The meeting was adjourned at 5:27 p.m. on 22 June 2015.