

# AGREEMENT ON THE INTERNATIONAL DOLPHIN CONSERVATION PROGRAM

## 21<sup>ST</sup> MEETING OF THE PARTIES

LA JOLLA, CALIFORNIA (USA)  
5 JUNE 2009

### DOCUMENT MOP-21-07

#### VESSEL CAPACITY CLASS DEFINITIONS RELATED TO THE REQUIREMENT FOR CARRYING AN ON-BOARD OBSERVER

The Inter-American Tropical Tuna Commission (IATTC) groups purse-seine vessels into six classes, by carrying capacity in tons, as follows:

CLASS	1	2	3	4	5	6
Metric tons	<46	46 – 91	92 – 181	182 – 272	273 – 363	>363
Short tons	<51	51 – 100	101 – 200	201 -300	301 – 400	>400

This classification, devised originally for categorizing catch statistics, was used by the AIDCP to determine which vessels are required to carry observers on board. In this regard, paragraph 2 of Annex II of the AIDCP states:

*“Each Party shall require its vessels with a carrying capacity greater than 363 metric tons (400 short tons) and that operate in the Agreement Area, to carry an observer during each fishing trip in the Agreement Area”.*

Subsequently, the Parties to the AIDCP changed to vessel well volume, in cubic meters, as the basis for establishing the assessments paid by vessels. Thus, assessments are now based on well volume, in cubic meters (m<sup>3</sup>), but the requirement to carry an observer is still based on carrying capacity in metric tons (t).

Under the AIDCP, DMLs are assigned only to vessels with a carrying capacity of more than 363 t; smaller vessels are prohibited from fishing on dolphins and are not required to carry an observer. The cutoff point of 363 t was intended to separate vessels which were large enough to fish on dolphins from those which are not.

Well volume is an objective, unvarying and easily determined value, and thus is a fairer criterion for requiring a vessel to carry an observer and be eligible for a DML than the somewhat more subjective criterion of tonnage. Using well volumes for these matters would also have the merit of using the same measure for all AIDCP requirements, including vessel assessments.

Accordingly, the Secretariat believes it would be appropriate to harmonize AIDCP requirements for vessels relative to observers, DMLs, and vessel assessments, in all relevant AIDCP documents, using well volume instead of metric tons.

Purse-seine vessels would be grouped into six classes, based on well volume in cubic meters, and using a factor of 1.17051 to convert metric tons to cubic meters, as follows:

CLASS	1	2	3	4	5	6
Cubic meters	<54	54-107	108-212	213-318	319-425	>425

Vessels of well volume greater than 425 m<sup>3</sup> would be eligible for DMLs, and would be required to carry an observer on board.

If this proposal is approved, it would be necessary to amend Annexes II, IV and VIII of the AIDCP, as detailed below.

There are currently 11 vessels of less than 363 metric tons carrying capacity, and are thus not required to carry observers, but which have a well volume greater than 425 m<sup>3</sup>. If this proposal were approved, these vessels could be granted an exemption from carrying observers. Based on their histories and characteristics, these vessels do not fish on dolphins. Such an exemption could be documented in the appropriate meeting minutes or elsewhere.

## Annex II ON-BOARD OBSERVER PROGRAM

2. Each Party shall require its vessels with a well volume carrying capacity greater than 425 cubic meters ~~363 metric tons (400 short tons)~~ and that operate in the Agreement Area, to carry an observer during each fishing trip in the Agreement Area. ...

## Annex IV DOLPHIN MORTALITY LIMITS (DMLs)

### I. Assignment of DMLs

1. a. Each Party shall provide to the other Parties, through the Director, prior to October 1 of each year, a list of vessels under its jurisdiction of well volume carrying capacity greater than 425 cubic meters ~~363 metric tons (400 short tons)~~ that have requested a full-year DML for the following year, indicating those other vessels that are likely to be operating in the Agreement Area in the following year.
- b. Each Party shall provide to the other Parties, through the Director, prior to April 1 of each year, a list of vessels under its jurisdiction of well volume carrying capacity greater than 425 cubic meters ~~363 metric tons (400 short tons)~~ that have requested a second-semester DML for that same year.
- ....
3. For purposes of this Agreement, a vessel shall be considered qualified if:  
....
  - c. it is over 425 cubic meters well volume ~~363 metric tons (400 short tons)~~ carrying capacity in size;

## Annex VIII OPERATIONAL REQUIREMENTS FOR VESSELS

2. Dolphin Safety Gear and Equipment Requirements  
A vessel with a well volume carrying capacity of more than 425 cubic meters ~~363 metric tons (400 short tons)~~ operating in the Agreement Area shall:  
....
3. Dolphin Protection and Release Requirements and Prohibitions  
A vessel with a well volume carrying capacity of more than 425 cubic meters ~~363 metric tons (400 short tons)~~ operating in the Agreement Area shall:  
....
6. Vessels under 425 cubic meters ~~363 metric tons (400 short tons)~~  
No vessel with a well volume carrying capacity of 425 cubic meters ~~363 metric tons (400 short tons)~~ or less may intentionally set on dolphins.