

**AGREEMENT ON THE INTERNATIONAL DOLPHIN CONSERVATION PROGRAM**

**36<sup>TH</sup> MEETING OF THE PARTIES**

**La Jolla, California, USA**

**24 October 2017**

**MINUTES OF THE MEETING**

**AGENDA**

	Documents
1. Opening of the meeting	
2. Election of Chairman	
3. Adoption of the agenda	
4. Approval of the minutes of the 35 <sup>th</sup> Meeting of the Parties	
5. Secretariat's preliminary report on the IDCP	<a href="#">MOP-36-05</a>
6. AIDCP budget	
7. Report of the Working Group to Promote and Publicize the AIDCP Dolphin-Safe Tuna Certification System	
8. Report of the International Review Panel	
9. Other business	
10. Place and date of next meeting	
11. Adjournment	

**APPENDICES**

1. List of attendees
2. Report of the Chairman of the Working Group for Promoting and Publicizing the AIDCP Dolphin-Safe Certification System
3. Report of the Presider of the 62<sup>nd</sup> Meeting of the IRP

The 36<sup>th</sup> Meeting of the Parties to the Agreement on the International Dolphin Conservation Program (AIDCP) was held in La Jolla, California, USA on 24 October 2017.

**1. Opening of the meeting**

The meeting was opened by Dr. Guillermo Compeán, Director of the IATTC, which provides the Secretariat for the AIDCP [Antigua Convention, Art. VII, par.1 t)].

**2. Election of Chairman**

Mr. Julio Guevara, of Nicaragua, was elected Chairman of the meeting.

**3. Adoption of the agenda**

The provisional agenda was adopted noting that under item 9, "Other business", two items suggested by the United States would be considered: one regarding a dolphin abundance survey and another one regarding a resolution proposal for improving observer safety at sea. Likewise, another item would be considered, regarding a proposal for an amendment to Annex IV of the AIDCP that was requested to the Secretariat.

#### 4. Approval of the minutes of the 35<sup>th</sup> Meeting of the Parties

The minutes of the 35<sup>th</sup> Meeting of the Parties were approved without changes.

#### 5. Secretariat's report on the IDCPC

Dr. Martin Hall, from the Secretariat, presented the report on the Program's operation during 2016. During that year, 11,219 sets on dolphins were recorded with an average mortality per set of 0.06, which is lower than the mortality registered in 2015. In accordance with the AIDCP requirements, 100% of the trips made by large purse-seine vessels (class 6) have been sampled. Dolphin Mortality Limits (DMLs) of 50 dolphins were allocated to 98 vessels, and there was an average mortality per vessel of 7.4.

Some of the Parties took the floor to express their recognition of the achievements of the Agreement.

#### 6. AIDCP budget

Dr. Compeán, Director of the IATTC, recalled that, at the meeting held in Mexico City in July 2017, a \$3,319,906 USD budget was approved, with a surplus of \$1,438,312 USD as of 31 December 2016, and that the Secretariat was asked to prepare proposals on how to spend said surplus. He mentioned that in Document [MOP-36-06](#), "Research Proposals by IATTC Staff", the staff proposed 5 research projects to use the surplus as follows:

	Cost (US\$)
1. Cow-calf separation	90,000
2. Movement and tag loss	282,000
3. Life history sampling	1,195,000
4. Stock assessment	238,000
5. Drone survey	137,600

**Cow-calf separation project:** Mexico suggested as an additional objective the evaluation of the reencounter rate, which is essential and is not considered in the project. They recalled that, in similar studies conducted by the NMFS, there was a case of a cow and its calf that were seen reuniting seven consecutive times after being caught-separated. In addition, it recalled that the existing literature indicates that separation may be the result of the difference in the swimming speed of the adults and the calves, which should also be taken into consideration.

**Movement and tag loss project:** Mexico pointed out that this project should be undertaken together with the cow-calf project in order to have a better sense of potential mortality. The Secretariat stated that it was feasible to combine both projects.

**Life history sampling project:** Mexico expressed its concern about the disproportion between the amount allocated to this project (US\$ 1,195,000) and the rest of the projects, as well as its duration (5 years), the more so when it may be considered that it is not a priority. Mexico also stated that there were logistical issues regarding who would select laboratories and the people responsible for the analyses and how this selection would be made. The United States offered its expertise and facilities for this purpose. Venezuela mentioned that very few samples would be obtained since dolphins are not usually retained on board; for instance, no dolphins were retained on board during the previous year.

Concern was expressed over the necessary logistics for obtaining permits to move and import samples of protected species to the locations where the analyses would be carried out, as well as over the additional costs for the required observer training for this task and the additional payments that observers should receive for conducting such tasks; this would lead to additional problems since the national programs are in crisis and do not have the financial resources that would be needed.

**Stock assessment project:** Some delegations pointed out that this project, which has been analyzed since the workshop held in 2016 and then in the framework of the Scientific Advisory Committee of the IATTC (CCA), should be considered as a priority. They asked if for its implementation resources from the IATTC might be transferred to the AIDCP, and whether the greatest portion of the existing surplus in the AIDCP could also be allocated to that project. The Director replied that there was no limitation for the surplus to be used for this purpose, and that it was the prerogative of the Parties to take a decision in this regard. As for the eventual transfer of resources from the IATTC, this issue should be considered and decided by the Commission.

There were no comments or questions on the **drone survey project**.

In general terms, the United States recognized the interest of these projects, but stressed the need to establish an order of priorities and that, in this case, the dolphin stock assessment project should occupy the first place. Colombia noted that the surplus should be handled carefully, particularly to be able to use part of it in emergency situations. He added that a study on the interaction between adult tunas and dolphins could also be considered. On this last point, the Secretariat recalled that there is already a document prepared in 2012, which can be consulted.

## **7. Report of the Working Group to Promote and Publicize the AIDCP Dolphin-Safe Tuna Certification System**

Mr. Julio Guevara from Nicaragua, who chaired the meeting of the Working Group, presented his report (Appendix 2), noting that Mexico reported that part of its fleet received the Marine Stewardship Council (MSC) certification, which was, to a large extent, the result of the work carried out within the framework of the AIDCP and expressed that it was an achievement of the Agreement that should be publicized.

## **8. Report of the International Review Panel**

Mr. Julio Guevara, Presider of the 62<sup>nd</sup> Meeting of the Panel, presented his report (Appendix 3), noting that the Panel recommended that the requests for the allocation of 103 DMLs for 2018 be approved. The Parties approved this allocation.

Costa Rica noted that it had not been able to be present at that meeting, and therefore it wished to provide information on the Tuna Tracking Forms (TTFs) cases related to its fleet (TTF-30, TTF 31a, TTF 31b). It informed that the corresponding investigations had been carried out, which showed that due to institutional changes and staff replacements it had been impossible to locate and have access to the corresponding data and documents. Now, however, the Costa Rican authorities have all the information from the TTFs and therefore requested that the cases be closed. The Chairman indicated that they should officially inform the Secretariat of their request for closure as well as the reasons for terminating them.

## **9. Other business**

### **a) Dolphin abundance survey project**

In response to the United States' request, the Director reported that a US\$ 50,000 USD donation received from Mexico as a contribution to the project and asked Mexico to explain the nature of the donation. Mexico explained that this fund would not cover the total costs of the project, and that the donation was for starting the work through the hiring of an expert to design the project and implement it in close coordination with and involvement of the IATTC and its scientific staff. Mexico emphasized that the donation was aimed at motivating other potential project sponsors.

The United States asked if the costs related to the implementation of the survey could be covered by the AIDCP budget. Colombia thanked Mexico's initiative and said that it was necessary to know the total cost of the project because it would not be possible establishing commitments without that information.

The Director stated that transferring part of the budget from the AIDCP would be a decision by the Parties

and that the definition of the project costs would be part of the work of the expert; a profile has already been designed to start the recruitment process. In order to define the budget, it would be important to know if the Parties will contribute to the project, for example, by facilitating oceanographic or tuna fishing vessels, or through other kind of contributions. He also stressed that formalizing the project will take time because it has to be reviewed, both internally and externally, to ensure it has a sound scientific basis.

The Chairman mentioned that information on the project budget could probably be obtained for the 2018 meeting in Guatemala.

#### **b) Improvement of observer safety at sea**

At the request of the United States, the Secretariat presented document [MOP-36-INF-A, “Safety at Sea for IATTC and AIDCP Observers on Tuna Purse-Seine Vessels”](#), which includes costs of emergency communication devices for observers aboard.

In response to a question by Mexico, it was pointed out that the costs did not include observers aboard longline vessels, corresponding to the 5% of fishing trips.

The United States presented Document [MOP-36 PROP A-1 USA, “Observer Safety at Sea”](#). They recalled that the proposal was presented at the previous AIDCP meeting and that it essentially consists of the AIDCP On-Board Observer Program and the Parties’ respective national observer programs providing their observers with: (1) an independent two-way satellite communication device (such as an inReach device), and (2) a waterproof personal life-saving beacon (such as a ResQ Link device). The updated proposal provides the possibility of covering the cost of the equipment with AIDCP funds and clarifies that there will not be a need for a permanent person responsible for monitoring the signal, but rather designated persons that observers can contact in cases of an emergency.

The Chairman asked if the IATTC would assume some of the costs of this proposal and, regarding AIDCP, if contributions by vessel would have to be increased if no resources are taken from the current surplus. It was that both the budget of the IATTC and the AIDCP were approved last June, so it was difficult to reopen the issue for the Members and Parties, respectively, to decide on allocating additional budgetary resources to this initiative.

Mexico pointed out that the financial support should come from those who proposed the initiative and that all members of the crew should be provided with the same safety equipment. It also recalled that IATTC members that are not parties to the AIDCP had objected to the proposal, so it is in the Commission where that proposals should be discussed.

The United States mentioned that they were taking note of Mexico’s objections at this meeting and that they would present their proposal at the IATTC, not before expressing that the responsibility with respect to the rest of the crew lies with the flag State of the vessel.

#### **c) Proposal of amendment to Annex IV of the AIDCP**

It was recalled that, during the 35<sup>th</sup> meeting of the AIDCP in Mexico City, the Parties approved the following recommendation made by the IRP at its 61<sup>st</sup> meeting: *“that the Secretariat draft and present a text proposal to amend paragraph 5 of Section III from Annex IV of the AIDCP in order to ensure that the established limitations in terms of dolphin reallocation are applied to all those that have exceeded their DMLs, regardless of the date on which this happened.”*

The Parties approved the proposal of the Secretariat to amend paragraph 5 as follows:

*5. No vessel may be eligible to receive an additional allocation of DML by a Party unless it has on board all of the required dolphin safety gear and equipment throughout the year; and no such upward allocation may be made for a vessel which has exceeded its initial DML ~~prior to April 1,~~*

*unless due to force majeure or extraordinary circumstances, as agreed by the Meeting of the Parties, in consultation with the IRP.*

**d) Electronic recording of data**

The Director informed that Document [MOP-36 INF B, “Electronic Recording of Data by Observers at Sea”](#), was posted on the website for this meeting, for informational purposes only and not for discussion.

**10. Date and place of next meeting**

It was agreed to all the next meeting of the Parties in 2018 in Guatemala on dates to be defined.

**11. Adjournment**

The meeting was adjourned at 13:15 PM on 24 October 2017.

## Appendix 1

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Appendix 2

**INTERNATIONAL DOLPHIN CONSERVATION PROGRAM**

**INTERNATIONAL REVIEW PANEL**

**62<sup>nd</sup> MEETING**

**La Jolla, California, USA**

**23 October 2017**

**REPORT OF THE MEETING**

**AGENDA**

	Documents
1. Opening of the meeting	
2. Election of the Presider	
3. Adoption of the agenda	
4. Non-governmental members of the Panel	
5. Approval of the report of the 61 <sup>th</sup> meeting	
6. a) Review of Dolphin Mortality Limits for 2017	IRP-62-06a
b) Dolphin Mortality Limits for 2018	IRP-62-06b
7. Review of the AIDCP List of Qualified Captains	IRP-62-07
8. Review of observer data	
9. Review of actions by Parties on possible infractions reported by the IRP:	
a. Actions taken since report at the 61 <sup>th</sup> meeting	IRP-62-09a
b. Status review of special cases	IRP-62-09b
10. Report of the Permanent Working Group on Tuna Tracking	
11. Other business	
12. Recommendations for the Meeting of the Parties	
13. Place and date of next meeting	
14. Adjournment	

**APPENDIX**

1. List of attendees

The 62<sup>nd</sup> meeting of the International Review Panel was held in La Jolla, California on 23 October 2017.

**1. Opening of the meeting**

Dr. Guillermo Compeán, Director of the Inter-American Tropical Tuna Commission (IATTC), which provides the Secretariat for the AIDCP [Antigua Convention, Art. VII, par.1 t)], opened the meeting.

**2. Election of the Presider**

Mr. Julio Guevara, from Nicaragua, was elected as the Presider of the meeting.

**3. Adoption of the agenda**

The agenda was adopted without changes.



#### 4. Non-governmental members of the Panel

It was reported that the process of election of the non-governmental members of the Panel was carried out pursuant to Annex VII, paragraph 4 of the AIDCP. The following persons were elected for two years:

	Name	Represented NGO
Industry	Rafael Trujillo	Cámara Nacional de Pesquería de Ecuador
	Lillo Maniscalchi	AVATUN
	Arnulfo Franco	Fundación Internacional de Pesca (FIPESCA) ()
Environmental NGOs	Rebecca Regnery	Humane Society International
	Cristobel Block	Humane Society of the United States

#### 5. Approval of the report of the 61<sup>th</sup> meeting

The report of the 61<sup>th</sup> meeting of the Panel was approved with editorial changes requested by the United States to the appendix regarding the “*Procedures for the Allocation of an Observer on board on an AIDCP Fishing Trip and Pursuant to IATTC Resolution C-09-04.*”

#### 6. a) Review of Dolphin Mortality Limits for 2017

The Secretariat summarized the situation regarding the allocation, reallocation, and utilization of Dolphin Mortality Limits (DMLs) in 2017, described in [Document IRP-62-06a](#). As of 3 October 2017, the recorded mortality was 478 dolphins in 6,939 set on dolphins, resulting in an average mortality of 0.07 dolphins per set and an average mortality per vessel of 5.12.

Mexico pointed out that in 2017 there have been around two thousand sets on dolphins less than in 2016 and that it was due to the low adult tunas biomass available, as discussed at the last IATTC meeting in July 2017.

#### b) Dolphin Mortality Limits for 2018

The Secretariat presented [Document IRP-62-06b](#), “DMLs Requested for 2018”. It informed that 103 requests of DML for vessels were made, which were all accompanied by the documentation proving that those vessels were all qualified to receive a DML.

The United States commented on the eligibility process to receive a DML with the purpose of confirming that all Parties carry out the same procedure and that they are complying with the provisions of the AIDCP. Nicaragua mentioned the annual inspections that are conducted in the country in order to verify that the vessels have, for example, the equipment for releasing dolphins. Mexico noted that the most important thing is that the Parties, according to their internal procedures, ensure that the eligibility requirements are being met by each of their vessels in order to maintain the efficiency level of the Agreement.

#### 7. Review of the AIDCP List of Qualified Captains

The Secretariat presented Document [IRP-62-07](#), “Changes to the AIDCP List of Qualified Captains”, which updates the changes that occurred between 5 June to 4 October 2017; during this time, seven captains were added and none was removed or reinstated.

#### 8. Review of observer data

The Secretariat informed that, since the previous meeting of the IRP, in July 2017, there had been no cases reported as a possible infraction that had to be discussed by the Panel. It also recalled that some possible infractions are automatically forwarded to the corresponding Party for investigation, as is the case of the lack of release equipment.

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

##### a. Actions taken since the report at the 61<sup>th</sup> meeting

The Secretariat presented Document [IRP-62-09a](#), “Responses for Six Types of Possible Infractions Identified at the 61<sup>st</sup> Meeting of the IRP” (observer harassment; use of explosives; night sets; fishing without

an observer; fishing on dolphins without a DML; or making sets on dolphins after reaching the DML).

It pointed out that, during the period covered by the report, there were no identified cases of possible infractions:

The Secretariat recalled to the Panel the two cases of Ecuadorian vessels that had been fishing without an observer, which have been under investigation for two years. In accordance with the AIDCP, if there are no updates on the situation, the cases are confirmed as infractions and the vessel is not allowed to receive a reallocation of dolphins in May. Ecuador mentioned that they are making all the necessary efforts to address these cases of possible infractions and impose a penalty to those deserving a sanction according to its laws and regulations.

#### **b. Status review of special cases**

The Secretariat presented Document IRP-62-09b, “Summary of Pending Special Cases Monitored by the IRP”. It recalled the two cases in which an observer apparently was substituted by an unknown person during the trips 2014-004 and 2014-145. These cases were originally addressed by the Panel at its 55<sup>th</sup> meeting in June 2014 and at each subsequent meeting.

Regarding case 2014-004, Ecuador reported that the investigation was concluded and that no evidence had been found to justify the adoption of a sanction; therefore, in Ecuador’s opinion, this case should be closed. As for case 2014-145, Ecuador mentioned that a meeting with the regional representative of the IATTC in Manta was scheduled to provide elements for the administrative file that was being prepared.

The Director clarified that the data of that trip have already been invalidated and that the observer will no longer be able to work in the program. However, the staff cannot get involved in the internal legal proceedings of a Party. The only thing that could be done would be to send a letter stating that the data have already been invalidated and stressing this occurrence of substitution of an observer by an unknown person as reported in every IRP meeting since 2014.

Ecuador mentioned that they were concerned that the IATTC staff may not participate in the process since the Commission is the one that hires the observers. Likewise, it specifically asked what the IRP is expecting in order to close the case since it is not an infraction of the AIDCP, nor a situation entailing the responsibility of the shipowner or the captain, but a wrongful action of an observer. The representative of the Ecuadorian industry at the IRP mentioned that the IATTC should file a complaint regarding the impersonation so that, if applicable, a criminal proceeding may be initiated.

The United States clarified that the Secretariat has carried out the actions that the AIDCP Parties entrusted it in accordance with the Agreement, their decisions and procedures, so it was the responsibility of the Government of Ecuador to take the necessary steps regarding the responsibility of the vessel and captain. Mexico stressed that it was an infraction of fishing without an observer, an infraction clearly categorized in the AIDCP, and that it was the Panel’s responsibility to review these types of cases and recommend closing them once it has been considered that they had been appropriately addressed. Colombia said that if Ecuador had already determined that there was no infraction, they should report it officially in order to allow the Parties to consider the closure of the case.

#### **10. Report of the Permanent Working Group on Tuna Tracking**

Mr. David Hogan, from the United States, Chairman of the Working Group, presented his report, noting that the group reviewed [the Document TT-40-04, “Review of the Implementation of the Dolphin Safe Certification System”](#), for which there were no comments or recommendations for the IRP.

#### **11. Other business**

No other business was discussed.

#### **12. Recommendations for the Meeting of the Parties**

The Panel recommended that the Meeting of the Parties approve the 103 requests of DMLs for 2018.

**13. Date and place of next meeting**

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

**14. Adjournment**

The meeting was adjourned at 13:20 PM on 23 October 2017.

**INTERNATIONAL DOLPHIN CONSERVATION PROGRAM**  
**WORKING GROUP TO PROMOTE AND PUBLICIZE THE**  
**AIDCP DOLPHIN-SAFE TUNA CERTIFICATION SYSTEM**

**27<sup>TH</sup> MEETING**

La Jolla, California, USA  
23 October 2017

**REPORT OF THE MEETING**

**AGENDA**

	Documents
1. Opening of the meeting	
2. Adoption of the agenda	
3. Approval of the report of the 26 <sup>th</sup> meeting	
4. Actions to promote AIDCP dolphin-safe tuna	
5. Recommendations to the Meeting of the Parties	
6. Other business	
7. Date and place of next meeting	
8. Adjournment	

**APPENDIX**

1. List of attendees

The 27<sup>th</sup> Meeting of the Working Group to Promote and Publicize the AIDCP Dolphin-Safe Tuna Certification System was held in La Jolla, California, USA on 23 October 2017.

**1. Opening of the meeting**

The meeting was opened by Dr. Guillermo Compeán, Director of the IATTC. Mr. Julio Guevara, from Nicaragua, was elected to chair the meeting.

**2. Adoption of the agenda**

The agenda was approved without changes.

**3. Approval of the report of the 26<sup>th</sup> meeting**

The report of the 26<sup>th</sup> Meeting of the Working Group was approved without changes.

**4. Actions to promote AIDCP dolphin-safe tuna**

Mexico reported that part of its fleet received the Marine Stewardship Council (MSC) certification, which was, to a large extent, the result of the work carried out within the framework of the AIDCP and expressed that it should be publicized. The Chairman of the Group congratulated Mexico for this achievement.

**5. Recommendations for the Meeting of the Parties**

No recommendations were made.

**6. Other business**

No other business was discussed.

**7. Place and date of next meeting**

The next meeting of the Working Group will be held on the dates agreed for the meetings of the AIDCP in Guatemala in 2018.

**8. Adjournment**

The meeting was adjourned at 10:20 a.m. on 23 October 2017.