

AGREEMENT ON THE INTERNATIONAL DOLPHIN CONSERVATION PROGRAM

9TH MEETING OF THE PARTIES

ANTIGUA (GUATEMALA)
25 JUNE 2003

PLAN OF ACTION TO ENHANCE THE SUCCESS OF THE AIDCP

The Parties to the AIDCP:

Conscious of the importance of continuing to improving and enhance the instruments that guide the Agreement toward reaching its objectives and goals;

Recognizing the important achievements reached on the fundamental objective of reducing the incidental mortality of dolphins in the purse-seine fishery for tunas in the Agreement Area;

Considering the importance of the Code of Conduct for Responsible Fishing in providing guidelines for formulating and applying international agreements and other legal instruments, both binding and voluntary;

Emphasizing that States should ensure that trade measures adopted in support of fisheries management and conservation regimes are transparent, based, when applicable, on scientific evidence, and adopted by the relevant international fisheries organization;

Noting that the AIDCP has adopted important instruments to ensure that the tuna caught under the Agreement complies with the objectives and requisites of responsible fishing, particularly the Tuna Tracking and Verification System and the *AIDCP dolphin safe* tuna certification program;

Recognizing that in the application of the Agreement it has been possible to identify areas of opportunity for adjusting and improving the instruments for tracking and verification that allow any doubts regarding the responsibility with which tuna is fished under the Agreement to be dispelled;

Recalling the need for the Parties to make the dolphin safe label known, to disseminate factual information and to promote an accurate understanding of the AIDCP and its achievements among consumers, vessel owners, importers and the tuna industry in general;

Adopt the

PLAN OF ACTION TO ENHANCE THE SUCCESS OF THE AIDCP

1. SCIENTIFIC ADVISORY BOARD

In accordance with the procedures established in Annex V, paragraph 3, a Scientific Advisory Board (SAB) shall be established soon. The Director, in consultation with the Parties, non-governmental organizations and industry, shall propose members for the SAB, on the basis of their technical expertise, for approval by the Parties by consensus. The SAB shall work within the terms of reference already established in paragraphs 1 and 2 of Annex V of the AIDCP and the La Jolla Agreement plus those decided by the Parties and build its reports and recommendations upon IATTC studies and other relevant scientific studies as may be available to the Secretariat or any of the Parties.

The Parties shall explore options for financing the research projects necessary to enhance the success of the Agreement in the context of other budget priorities and cost-benefit analysis. The expenses of the SAB members shall be covered by the Party that nominated them to participate on the Board..

2. CLASS 4 & 5 VESSELS

The Secretariat shall prepare a detailed report concerning the extent of possible non-compliance with prohibitions against intentional sets on dolphins by other than class 6 vessels, including a review of common equipment and other factors/indicators in identified cases. The Parties will explore all methods for ensuring and monitoring compliance by these two class sizes, including observers, restrictions on

equipment (*e.g.* limit of one speedboat), VMS, and any other relevant and applicable technology. The Parties will continue to evaluate the effectiveness of the resolution requiring that observers be placed on Class 4 and 5 vessels that have been alleged to set on dolphins.

3. OBSERVER PROGRAMS

The Secretariat shall continue to review and evaluate statistical significance and cause for differences, currently and historically, between various parameters (number of dolphin sets, dolphin mortality, observer interference/harassment) between IATTC and National observer programs. The Parties will determine appropriate steps for reducing significant differences between observer program reporting rates.

4. RESPONSES TO ALLEGED INFRACTIONS AND REAL-TIME REPORTING

The Parties will continue to review and evaluate the level of responses to alleged infractions as well as compliance with real-time reporting, and consider any measures, consistent with international law, that are designed to ensure that more timely responses are provided to possible infractions identified by the IRP and advance the commitments undertaken in the *Resolution to promote compliance with the AIDCP* of June 2001.

5. LIMITS ON HERD SIZE

The Secretariat shall continue to evaluate the effectiveness of the guidelines regarding caps on herd sizes on which sets are made, taking into consideration the demonstrated capabilities of captains to safely perform such sets without undue risk to dolphins. The Secretariat shall evaluate the relationship between herd size and dolphin mortality levels. If the guidelines are effective, they should continue; if not, the Parties will explore options for such measures under the Agreement as may be necessary to reduce the risks associated with encircling large herds.

6. IMPROVEMENTS TO THE FUNCTIONING OF THE ORGANIZATION

In order to assure the better preparation and functioning of the meetings of the AIDCP:

- 6.1.** Meeting documents shall be circulated to the Parties, where possible, two weeks before the meeting.
- 6.2.** Reports of AIDCP meetings shall be drawn up and circulated to the Parties within a period of two months following the meetings.
- 6.3.** The Director shall evaluate and report to the Meeting of the Parties on the implications from a cost-effective perspective, and with due regard to the effective operation of the organization to attain its objectives, of aligning the number of meetings of the subsidiary bodies (Annex VII, paragraph 5 of the Agreement) with the current number of Meetings of the Parties held annually.

7. TRANSPARENCY

The Director is mandated to:

- 7.1.** draw up annually a short Executive Report outlining the functioning of the Agreement in terms of the results attained in relation to its objectives. This report should be circulated to the general and specialised press, as well as to other Regional Fisheries Organisations.
- 7.2.** publicise after each Meeting of the Parties the main results of the meeting through the distribution of a press release approved by the Parties.
- 7.3.** review the current Rules of Confidentiality with a view to making proposals designed to strengthen transparency in the operation of the Programme.

8. SUSTAINABILITY OF THE LIVE MARINE RESOURCES

Pursuant to Article VI of the AIDCP, courses of action shall be established to comply with the

requirements established in that Article.

9. PROMOTION OF THE *DOLPHIN SAFE* LABEL

The Parties reaffirm their commitment to Section 5 of the *Procedures for AIDCP dolphin safe tuna certification* for the promotion and wide scientific and educational dissemination of the AIDCP.

Pursuant to the resolution that established the Working Group to promote and publicize the *AIDCP dolphin safe* label, that Working Group will develop actions to strengthen these objectives. This Working Group will consider the practical arrangements in relation to promotional visits.

10. DOLPHIN SAFE CERTIFICATION SYSTEM

The International Review Panel, through the Permanent Working Group on Tuna Tracking, shall take specific actions to continue to protect and enhance the integrity and credibility of the Dolphin Safe Certification System. Such actions shall include the development and adoption, as necessary, of:

- 10.1.** methods to improve the timely submission of original TTFs to the Secretariat and to continue to safeguard the accuracy and veracity of the information contained on TTFs;
- 10.2.** standards and conversion factors for making comparisons between the weights of whole fish and of processed tuna products shown on certificates and TTFs;
- 10.3.** procedures for preventing the possibility of the issuance of certificates for tuna not caught in compliance with the conservation and management requirements of the AIDCP and, as necessary, consider the potential implications for the AIDCP Dolphin Safe Certification System of certification of tuna not caught in compliance with the requirements of the IATTC;
- 10.4.** procedures for invalidating certificates that are proven to contain incorrect information or to have been issued not in accordance with the Procedures for Dolphin Safe Certification;
- 10.5.** procedures that may be used to address the situation where a Party may be found to be undermining the certification program.

11. CONSUMER INFORMATION

All the foregoing is done with the aim of improving the marketing of tuna on the basis of increasing consumer confidence.