

INTERNATIONAL DOLPHIN CONSERVATION PROGRAM
PERMANENT WORKING GROUP ON TUNA TRACKING

38TH MEETING

La Jolla, California (USA)
10 October 2016

REPORT OF THE MEETING

AGENDA

	Documents
1. Opening of the meeting	
2. Adoption of the agenda	
3. Approval of the minutes of the 37 th meeting	
4. Review of the implementation of the dolphin safe certification system	TT-38-04
5. Other business	
6. Recommendations for the International Review Panel	
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APPENDIX

1. List of attendees

The 38th Meeting of the Permanent Working Group on Tuna Tracking was held in La Jolla, California (USA), on 10 October 2016.

1. Opening of the meeting

The meeting was opened by Dr. Guillermo Comepeán, IATTC Director. Dr. Luis Fleischer of México, was elected as the Chair of the Working Group.

2. Adoption of the agenda

The provisional agenda was adopted without changes.

3. Approval of the minutes of the 37th meeting

The minutes of the 37th meeting, circulated previously by the Secretariat, were approved without changes.

4. Review of the implementation of the [dolphin safe certification system](#)

The Secretariat presented Document TT-38-04, *Matters related to the Tuna Tracking and Dolphin Safe Certification programs*.

It was reported that between 1 May 2016 and 15 September 2016, the Secretariat had received 258 copies of dolphin-safe certificates, corresponding to 91 fishing trips. 257 of these certificates were considered valid, while 1 was invalidated by the relevant authority due to typographical errors. The certified tonnage (13,004 t) represents 5.96% of the total of 218,063 t recorded as dolphin-safe on the TTFs from the 329 relevant trips.

It was reported as well, that the weight recorded in the dolphin safe certificates did not exceed the 10% of the registered tonnage in the format A (*dolphin safe*) of the TTFs.

From 1 May 2016 to 31 August 2016, the Secretariat had received 309 TTFs from 329 trips had been received, which corresponds to a compliance rate of 94%.

The European Union noted that submissions of TTFs has improved, but asked why compliance is not 100%. Ecuador noted that while there may be some delays in submission, these do not amount to non-compliance. Venezuela stressed that it had only two outstanding TTFs to be submitted and that the delay was the result of administrative issues. Similarly, Guatemala clarified that changes within their national fisheries authority had resulted in delays in the past. Peru stressed that they are addressing their problems and expect to achieve 100% submission in the immediate future.

Three previous cases of altered certificates were recalled, which involve two Parties: the vessel's flag State and the port State. The Working Group was reminded that in the previous meeting the flag Party informed that they had concluded their investigations and found no discrepancies between the observer data and the vessel's records. The flag Party stressed that the likely source of discrepancy was related to the unloading, and thus the responsibility for further investigation belonged to the port State. They further stated that from their perspective, their investigations should be considered as concluded.

The Secretariat reported on two cases of tuna transferred between vessels that were not notated by the observers in contravention of paragraph 4.5 of the Tuna Tracking and Verification System. The first case was initially presented and discussed by the Working Group during its 37th session. There was a transfer of dolphin-safe catches between two vessels which none of the observers recorded, but was recorded in the ship's log. The Secretariat reported that both observers had been suspended pending the investigation and that the corresponding RSA had been invalidated. When the Secretariat conducted interviews with the observers, one admitted that the catch was shared, but stated that there had been no bribe and that he had omitted the transfer as a personal favor at the captain's request. The other observer involved denied that a transfer had occurred. The final decision on the working status of these observers will be informed when the national authorities conclude the corresponding investigations.

Ecuador stressed that is important to revise the procedures for these type of cases where possible infractions have been identified by observers on other vessels or through the logbooks, particularly because they call into question the correct performance of the observers on board.

The United States stated that Parties have a collective duty to address these types of issues and considered that in cases where there is clear evidence that an observer intentionally falsified information, there is likely to be some intervention by the ship's crew, given that observers know they are at risk of losing their jobs if the falsification is discovered. The Chairman agreed with these comments and invited Parties to consider improving tuna tracking procedures. Some Parties expressed the view that the fact that these cases were detected and are being discussed is a clear indication that the program is successful and that there may not be a need for program changes at this time but the AIDCP Parties should take responsibility for conducting the corresponding investigations and contribute to clarifying these cases. It was noted that in none of these cases had dolphin safe AIDCP certificates been issued and that, if so, they would have been submitted to the Working Group as invalid.

Parties also discussed the possibility that the use of electronic monitoring systems could help discourage and prevent similar situations in the future and could help improve the overall tuna tracking system. The Parties agreed to recommend that the IRP consider the use of electronic monitoring systems.

Panama noted that, on some occasions, cases are reported to national authorities without sufficient evidence, which may delay the investigation and administrative processes. Another participant reminded the Working Group that it was not necessarily the responsibility of the Secretariat to ensure the adequacy of the evidence, but it was the flag State which had an obligation to determine whether additional evidence could be provided in the course of the investigation. As a consequence, a call was made to the

Parties concerned to make further efforts to investigate and report on such cases, which would result in a better functioning of the monitoring system.

5. Other business

No other business was discussed.

6. Recommendations for the International Review Panel

- a) That the Secretariat contact the relevant Parties to encourage them to complete their investigations and inform the Secretariat of the status, updates and results of the cases, so that the Working Group may finalize their review.
- b) Submit to the IRP for consideration the two cases of tuna transferred between two vessels that were not informed by observers.
- c) That the IRP consider the possibility of implementing electronic monitoring systems to complement the work of observers.

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 2017 in conjunction with the IATTC.

8. Adjournment

The meeting was adjourned at 10:20 a.m. on 10 October 2016.